

Office of Inspector General

City of New Orleans

Review of the New Orleans Police Department Early Warning Program

**E. R. Quatrevaux
Inspector General**

Final Report

December 5, 2013

OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



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INSPECTOR GENERAL

December 5, 2013

Re: Review of the New Orleans Police Department Early Warning Program

I certify that the inspector general personnel assigned to this project are free of personal or other external impairments to independence.

A handwritten signature in blue ink that reads "E.R. Quatrevaux".

E.R. Quatrevaux
Inspector General

Review of the New Orleans Police Department Early Warning Program

OIG-I&E-12-007

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EXECUTIVE SUMMARY

The Office of Inspector General (OIG) conducted a review of the NOPD Early Warning (EW) program. An EW program enables a law enforcement agency to monitor officer performance by analyzing patterns of identified behavior. These behavior patterns may suggest the need for behavioral interventions designed to improve officer performance. The NOPD EW program is implemented by the Public Integrity Bureau (PIB) EW Unit which monitors officers using three indicators: citizen complaints, supervisor complaints, and use-of-force incidents. After PIB identifies an officer for EW intervention, the officer attends the forty-hour Professional Performance Enhancement Program (PPEP) training and then a supervisor monitors the officer for six months.

The NOPD EW program is a developing program. It has been in existence for nearly twenty years, but had disintegrated to the point where in 2010, the Department of Justice stated that the program was “outdated and exist[ed] in name only.” Since the report’s release, NOPD implemented changes including redesigning the PPEP and using a new EW database.

This review included both a process review to determine how closely NOPD followed industry standards for EW program implementation and an outcome analysis to determine if the program was effective in intervening with officers and improving performance.

The evaluation includes the following observations:

- The EW database did not contain all of the complaints recorded in the PIB handwritten complaint intake log; complaints were not entered in a timely manner, and the complaints entered were not always complete.
- NOPD did not have a policy for collecting, managing, and using data on officer performance that reflected experts’ best practices for EW programs.
- NOPD did not have a policy for determining which officers from the list generated by the database to include in the EW program intervention.
- NOPD had not developed measurable objectives or an evaluation methodology for the intervention.
- NOPD did not hold supervisors accountable for monitoring; supervisors submitted complete monitoring reports for three of ninety-one participating officers in 2012.
- Supervisors did not make a formal determination of an officer’s satisfactory completion of the EW intervention at the end of the six-month monitoring period.

Based on these observations, the OIG made the following suggestions to the NOPD:

- PIB should eliminate the handwritten intake log and use the EW database to document intake.
- NOPD should establish policies for collecting, managing, and using data on officer performance that are consistent with the findings of experts.
- NOPD should create a formal policy for determining which officers from the database-generated list to include in EW intervention.
- NOPD should create objectives specifically for the intervention and measure whether the objectives of the intervention have been met.
- NOPD should redesign the forty-hour PPEP training so that it provides individualized interventions based on each participant's needs.
- PIB should alert commanding officers when supervisors do not submit monitoring reports; commanders should hold supervisors accountable for submitting reports.
- NOPD should implement a process for determining when a participant has successfully completed the EW intervention.

The City is considering costly changes to its EW program in response to the consent decree. In 2013 the City set aside \$404,263 for planning for the purchase of a new EW database. In addition, the City estimated that the new database will cost \$15 million initially, with additional annual maintenance and support expenses of about \$2.9 million per year. NOPD also anticipated hiring a data analyst and additional staff to assist with data management, analysis, and implementation.

Inspectors' review of the NOPD EW program found a number of problems with the program: missing data, vague indicators, a one-size-fits-all curriculum, and an ineffective monitoring process. However, none of the program's shortcomings was a result of the current database; program design and management problems undermined the program's credibility and effectiveness. NOPD should use the current database to collect the additional data required by the consent decree; an evidence-based program depends on reliable, centralized data consistently collected over time and available for future statistical analysis.

The OIG has reviewed these challenges with NOPD and inspectors commend the department's commitment to improving the program. The OIG encourages NOPD command staff to use the observations in this report as they plan changes to the program.

I. OBJECTIVES, SCOPE, AND METHODOLOGY

The Office of Inspector General for the City of New Orleans (OIG) conducted a review of the New Orleans Police Department's (NOPD) early warning (EW) program.¹ The purpose of this review was to determine if the EW program was implemented according to experts' recommendations and to measure the program's effectiveness. The NOPD was redesigning its EW at the time of this review; the OIG offers the observations and suggestions contained in this review as a baseline from which to document future progress.

The objectives of this review were to determine if:

1. complete, accurate, and timely data were entered into the EW database;
2. the candidate selection process met best practice standards;
3. program participants received effective training and were monitored according to policy by supervisors; and
4. training and monitoring effectively accomplished stated goals and objectives.

The scope of the review included the NOPD's implementation of the EW program during 2012. Inspectors interviewed employees of the NOPD Public Integrity Bureau (PIB) and NOPD supervisors to learn how the program was implemented and conducted a survey of EW participants to gather their opinions of the EW program. Inspectors also checked the EW database for completeness using the PIB 2012 handwritten complaint intake log. Finally, inspectors measured the effectiveness of the EW intervention in improving officer performance pre- and post-training and monitoring by comparing numbers of complaints and reported use-of-force incidents entered in the EW database from September 2010 to September 2012.

The review was conducted in accordance with the Principles and Standards for Offices of Inspector General for Inspections, Evaluations, and Reviews.² This report includes observations and suggestions to improve EW data collection and interventions.

¹ A note on terminology: Law enforcement agencies across the country call programs similar to the NOPD's EW program by different names. For example, at the Los Angeles Sheriff's Department, the program is called Personnel Performance Index, and the Phoenix Police Department uses the term Personal Assessment System. The term most commonly used in the literature is Early Intervention System or EIS. This term is used not because the purpose of the programs is different from NOPD's early warning, or EW program, but because there is an assumed negative connotation with the word "warning." Inspectors used EW in this report because that is the term used by the NOPD.

² "Quality Standards for Inspections, Evaluations, and Reviews by Offices of Inspector General," Principles and Standards for Offices of Inspector General (Association of Inspectors General, 2004).

The OIG staff was greatly assisted in the preparation of this report by the full cooperation of the NOPD. The NOPD is currently planning changes to its EW program based on requirements in the consent decree with the U.S. Department of Justice (DOJ). The OIG encourages NOPD command staff to use the observations in this report as they plan changes to the program.

II. INTRODUCTION

The Office of Inspector General performed an in-depth review of the NOPD early warning (EW) program. An EW program, also called an early intervention system, enables law enforcement managers to monitor officer performance by analyzing patterns of identified behaviors. These behavior patterns may suggest the need for a behavioral intervention designed to improve an officer's performance.

According to the Commission on Accreditation for Law Enforcement Agencies, early warning programs may prevent an agency from being "faced with investigating an employee for serious misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention."³ The Commission's assertion is based on the widely-held assumption that "actual and incipient substandard performance will reveal itself in patterns in the data collected ... [and] those patterns identify particular officers for whom further inquiry is warranted."⁴ Avoiding incidents of serious police misconduct is not the only goal of early warning programs. Additional EW program goals may include reducing the risk of lawsuits and claims against a law enforcement department, and improving the department's relationship with the community.

Police experts' short list of best practices in police accountability includes early warning programs, along with comprehensive use-of-force reporting, open and accessible citizen complaint systems, and the collection of accurate and complete data on field interviews (stops and frisks).⁵ Early warning programs have been implemented in growing numbers of law enforcement departments nationwide, and they have been endorsed by the U.S. Commission on Civil Rights and the International Association of Chiefs of Police. They are now required

³ Commission on Accreditation for Law Enforcement Agencies, *Standards for Law Enforcement Agencies*. Gainesville, VA: CALEA, March 2011, 35.1.9.

⁴ Merrick Bobb, *The Los Angeles County Sheriff's Department: 27th Annual Report*, Los Angeles: PARC (August 2009). See also, Christopher Harris, "The Residual Patterns of Police Misconduct," *Journal of Criminal Justice* 40 (2012): 323-332. Harris quotes Samuel Walker's observation that EW programs are based on the assumptions underlying interventions with chronic offenders found in research on criminology: a small percentage of the group's members "will be responsible for a disproportionate share of misbehavior," that those "individuals can be identified through the collection and analysis of the proper data," and that "appropriate intervention strategies can be developed to either reduce misbehavior and/or promote public safety." (Quote from National Institute of Justice. *Responding to the Problem Police Officer: A National Study of Early Warning System*, by Samuel Walker, Geoffrey P. Alpert and Dennis J. Kennedy. Document No. 184510, U.S. Department of Justice. Washington, D.C., September, 2000.) Harris concludes by acknowledging that the field of research on police conduct is not as advanced as criminologists' understanding of criminal behavior; more research needs to be done to determine the validity of these assumptions.

⁵ Samuel Walker, "The New Paradigm of Police Accountability: The U.S. Justice Department 'Pattern or Practice' Suits in Context," *Saint Louis University Public Law Review* 22 (2003).

components of U.S. Department of Justice consent decrees, including the NOPD Consent Decree.⁶

However, according to a 2013 extensive review of research on EW programs:

[S]ocial science has not provided much or very strong evidence on their effectiveness or on their unintended effects. No one would dispute that police managers should have at their disposal information about their officers' patterns of performance, including citizen complaints, documented uses of force, and so forth... . Indeed, it seems logical that this information—and more—is needed to effectively assess and manage officers' risk of misconduct. But how that risk can be effectively managed and whether EI [or Early Warning] systems have realized their promise remain largely unanswered questions. Very few evaluative studies have been conducted, and their research designs have not been strong.⁷

Despite the fact that their effectiveness has not been proven, early warning programs are an accepted method of identifying “officers whose behavior appears to be problematic and to subject those officers to some kind of intervention ... [b]ecause of their potential for providing timely data on officer performance and giving police managers a framework for correcting unacceptable performance.”⁸

EW programs enhance performance accountability by enabling managers to move from relying solely on informal knowledge when supervising officers to a data-driven management tool. They are also viewed as an improvement over “traditional police practice in which departments have been seen as punishment oriented,” because program interventions promote additional training and support rather than disciplinary measures.⁹

⁶ NOPD Consent Decree filed with the Court on July 24, 2012: www.laed.uscourts.gov/Consent/12cv01924_Doc2-1.pdf, Chap. XV, C, pp. 80-83. The requirement for an early warning program and the collection of specific data will also help standardize the type and quality of information collected nationally on police performance, permit the development of recommended national standards, and increase the accessibility of broad measures of police performance for external review. Rachel A. Harmon develops this argument in “Promoting Civil Rights through Proactive Policing Reform,” *Stanford Law Review*, 62, no. 1 (2009).

⁷ Robert E. Worden et al., “Intervention with Problem Officers: An Outcome Evaluation of an EIS Intervention,” *Criminal Justice and Behavior* 40, no. 4 (April 2013): 410.

⁸ Samuel Walker, *Early Intervention Systems for Law Enforcement Agencies: A Planning and Management Guide* (Washington, D.C.: Office of Community Oriented Policing Services, U.S. Department of Justice, 2003).

⁹ Samuel Walker, Geoffrey P. Alpert, Dennis J. Kennedy, “Early Warning Systems For Police: Concept, History, and Issues,” *Police Quarterly* 3, no. 4 (June 2000), 132-133.

In general, a model EW program consists of the following:

1. a method of collecting data (such as an electronic database) capable of revealing patterns of officer behavior and identifying officers for managerial review;
2. a selection process by which the agency reviews the data and other sources of personnel information, and selects officers for behavioral intervention;
3. an intervention (such as training, mentoring, or counseling in either a group or one-on-one setting) designed to reduce problem behaviors; and
4. supervisory post-intervention monitoring of the officer's performance.

Data collection is the initial step of an EW program. Some agencies rely on complex databases to track behavior while smaller agencies may keep data through electronic spreadsheets or other self-generated databases. How the data are collected is less important than collecting data that are complete, timely, and easy to access. Indicators used most frequently as measures of problem behaviors include reports of complaints and use of force, although police scholars recommend the use of multiple indicators to ensure a broad base of information about an officer's behavior.¹⁰

After data are collected for the selected criteria, an EW manager can use the database to generate reports that list employees who have met or exceeded certain pre-established thresholds based on a given number of incidents for each indicator. For instance, if the indicator was "citizen-initiated complaints," the threshold might be set at three reported incidents of complaints in a twelve-month period. These reports, along with other personnel information, are used to determine which employees to include in EW interventions.

The EW database generates a list of officers who meet or exceed a threshold, but EW databases are not intended to select individual officers for behavioral intervention. The officer selection process requires one or more supervisors and/or administrators to review the file of each individual identified using the database and determine if the individual's record warrants intervention. After officers have been selected for an intervention, they are monitored by their supervisors and counseled to improve behavior. Effective monitoring is the final component of an EW program and ensures an officer has successfully met stated objectives for improved performance.

¹⁰ Harris, "The Residual Patterns of Police Misconduct," 324.

NOPD Early Warning Program

The NOPD EW program is described in Chapter 11.5, Organizational Structure, Public Integrity Bureau, of the NOPD Operations Manual. The manual describes the role of the Early Warning Unit. The role of the Early Warning Unit includes the elements of an EW program described in the previous section. Figure 1 is excerpted from the manual.

Figure 1: PIB Early Warning Unit Duties

- B. The “Early Warning” (PEPP) Unit is responsible for the identification of employees who exhibit a pattern of abusive behavior (both verbal and physical), recommendation of an appropriate intervention strategy, scheduling and monitoring during the employee’s participation in the intervention strategy, tracking the employee’s behavior through a formal monitoring period after completion of the intervention strategy, analysis of disciplinary information to create a disciplinary profile of each employee, and intervention strategies to include PPEP training, reassignment, and psychological evaluation and/or counseling.

Although the NOPD Operations Manual included no goals for the EW program, goals for the EW program intervention, the Professional Performance Enhancement Program (PPEP), appeared in Chapter 13:27: “to intercede and bring about corrective, non-disciplinary action, when needed, in order to enhance public relations, improve citizen interactive skills, and prevent an escalation of any inappropriate behaviors.”¹¹

The NOPD EW program has a nearly twenty-year history. It first became operational in 1995 as part of a wave of NOPD reforms.¹² According to PIB staff, in the 1990s the program was comprehensive and included a forty-hour intervention class. In 1999 researchers included the NOPD EW program in a nationwide analysis of EW programs, which concluded that NOPD’s program was effective at reducing citizen complaints. The study also noted that there had been some weakening in the administration of the program due to the retirement or departure of key individuals.¹³ PIB staff reported that the program further declined in the upheaval following Hurricane Katrina in 2005 when the intervention was reduced to an eight-hour class.

¹¹ NOPD Operations Manual, Chapter 13:27, Paragraph 4.

¹² Walker, Alpert and Kennedy, “Responding to the Problem Police Officer,” 3.23.

¹³ Ibid., 3.25.

NOPD began planning for a revamp of the EW program in 2010 with the assistance of outside experts. For example, the intervention returned to the forty-hour class required prior to the hurricane. In addition, the Office of the Independent Police Monitor (OIPM) purchased an EW database and hardware to assist PIB's collection of data for the EW program. OIPM also provided funding to train PIB staff to use the database and assisted with entering old data into the new database.¹⁴

The NOPD EW program operates in conjunction with PIB's internal investigation functions. According to the 2013 budget book, there were forty full-time equivalent personnel assigned to PIB. These staff took reports from the public and NOPD staff, conducted investigations, performed administrative duties, and developed and implemented EW training.

The NOPD Operations Manual states that the PIB Administrative Division includes three sections, one of which is the Professional Standards Section. The Professional Standards Section includes the Early Warning Unit, the Intake Unit, and the Disciplinary Action Unit. Information from interviews with PIB staff, however, indicated the EW program did not appear to exist as a distinct program apart from the other Professional Standards Sections; personnel providing services to the Early Warning Unit also staffed the Intake Unit and the Disciplinary Action Unit, and staff at PIB were unable to determine how much time was dedicated to the implementation of EW program alone.¹⁵ There was a staff member dedicated to developing and conducting the intervention training, and overseeing the monitoring process, but he was also assigned to other duties, including conducting internal investigations.

NOPD also used the same database for internal investigations case management and the EW program without differentiating its investigative, disciplinary purpose from the EW staff development function. For instance, the indicators NOPD used as thresholds for the EW program were the same incidents that triggered internal investigations: complaints (from both supervisors and citizens) and use-of-force reports.

The City and DOJ have entered into a consent decree that includes specific requirements regarding the NOPD EW program, and NOPD is planning further overhaul of its EW program. The consent decree requires the City to meet the following requirements pertaining to its EW program and supporting technology:

¹⁴ Although DOJ's 2011 investigation of NOPD noted that its EW program was "outdated and exist[ed] in name only," it acknowledged the recent purchase of a more comprehensive database. U.S. Department of Justice, Civil Rights Division, *Investigation of the New Orleans Police Department*. Washington D.C.: U.S. Department of Justice, March 2011, 25.

¹⁵ NOPD Operations Manual, Chapter 11.5.

- Develop, implement, and maintain an EW program and use it to manage liability and evaluate employee performance;
- Hire a technology specialist to support the program;
- Include historical data back to January 2006;
- Develop protocols for entering and storing data, reporting, pattern identification, intervention, auditing, etc.;
- Track specific data points including identifying information, uses of force, misconduct complaints, criminal proceedings against officers, vehicle pursuits, sick leave usage, etc.;
- Maintain EW equipment such as hardware, servers, and computer terminals;
- Have the system up and running within three years of signing the consent decree;
- Train all employees including officers and supervisors on the EW program; and
- Modify the EW program as needed with consent of the monitor or DOJ.¹⁶

The City is considering costly changes to its EW program in response to the consent decree. In 2013 the City set aside \$404,263 for planning for the purchase of a new EW database. In addition, the City estimated that the new database will cost \$15 million initially, with additional annual maintenance and support expenses of about \$2.9 million per year.¹⁷ NOPD also anticipated hiring a data analyst and additional staff to assist with data management, analysis, and implementation.

¹⁶ See Para. 319 of the NOPD Consent Decree filed with the Court on July 24, 2012:
www.laed.uscourts.gov/Consent/12cv01924_Doc2-1.pdf.

¹⁷ The contractor working on procuring a new system provided this budget to inspectors.

III. ANALYSIS OF IMPLEMENTATION

Inspectors found room for improvement in all four components of the NOPD's EW program: data collection, selection, intervention, and monitoring. This section of the review presents the analysis organized according to these four components.

Research on EW programs to date has focused primarily on the effectiveness of the intervention component. Inspectors attempted to determine the effectiveness of the NOPD early warning program intervention, the Professional Performance Enhancement Program (PPEP). Section IV includes an analysis of the NOPD PPEP.

Collection of Data

Inspectors performed a thorough literature search and concluded that experts have not reached a consensus on what specific data to collect, but they have suggested the following indicators for a model comprehensive assessment system.

1. All non-lethal uses of force
2. All officer-involved shooting incidents
3. All officer-involved vehicular pursuits
4. All citizen-initiated complaints
5. All citizen-initiated commendations or compliments
6. All departmental commendations and awards
7. Criminal arrests and investigations of subject officer
8. Civil suits or an administrative claim in which subject officer is named
9. All arrest reports, crime reports, and citations made by officers
10. All motor vehicle stops and pedestrian stops made by subject officer
11. Performance evaluations for each officer
12. Training history
13. All management and supervisory actions, including non-disciplinary actions, related to each officer
14. Sick leave or family leave record
15. Canine unit deployment involving subject officer
16. Failure to appear in court¹⁸

¹⁸ Walker, *Early Intervention Systems*, 27-28.

According to a 2003 report commissioned by DOJ, there is a tradeoff between including more indicators, which could paint a more complete picture of the employee, and limiting the number of indicators, making the system easier to use.¹⁹ Scholars writing more recently recommend consulting a number of indicators to ensure that information based on one indicator is placed in the context of other information about an officer's conduct.²⁰ Nonetheless, inspectors were unable to find any published research either proving or disproving the effectiveness of specific indicators at predicting behavior or any standards that recommended certain indicators over others.

In a 2006 report, the International Association of Chiefs of Police (IACP) noted that EW indicators should be "well-established, clearly understood, and fair." They further recommended that agencies "continually review and refine early intervention indicators and thresholds" to improve the EW database's ability to identify those officers most in need of intervention.²¹ The NOPD Consent Decree requires NOPD to collect nineteen specific indicators (see Figure 8, p. 40).²² NOPD tracked three types of indicators in its 2012 EW database: citizen complaints, rank complaints, and use-of-force reports.

Citizen complaints: PIB received complaints against NOPD officers from citizens by phone, in person, through its website, and via e-mail. It also accepted citizen complaints submitted to NOPD district offices, the Office of the Independent Police Monitor (OIPM), the District Attorney's Office, the Federal Bureau of Investigation, and the U.S. Department of Justice. According to PIB staff, the citizen complaint process began with PIB intake officers interviewing the complainant about the incident. The interview was recorded on an audio file and, at the conclusion of the interview, PIB provided the complainant with a receipt that included a control number. The control number corresponded to the complaint number in PIB's handwritten intake log and enabled the complainant to follow up on the complaint.

Rank complaints: Rank complaints are complaints filed by another NOPD employee, usually a supervisor. An NOPD employee who wished to file a rank complaint first obtained a control number from a PIB intake officer. PIB intake officers typically provided control numbers in

¹⁹ Ibid., 29.

²⁰ See, for instance, Bobb, *Los Angeles County Sheriff's Office: 27th Semiannual Report*; and Harris, "The Residual Patterns of Police Misconduct," 324-325. Harris provides a rationale for including multiple indicators when he notes the "ambiguous" nature of the information provided by individual indicators and how they correlate with the level of an officer's activity, calling into question their usefulness unless placed in the context of other information about an officer's behavior.

²¹ International Association of Chiefs of Police, *Protecting Civil Rights: A Leadership Guide for State, Local, and Tribal Law Enforcement*, September 2006, 73.

²² The consent decree lists eighteen separate items, but two distinct indicators are grouped into one item. Therefore, inspectors considered there to be nineteen indicators.

response to phone requests. After obtaining a control number, the officer submitted the complaint to a PIB intake officer in the same way citizens filed complaints.

After accepting both citizen and rank complaints, PIB personnel were responsible for entering the complaint into the EW database. Figure 2 outlines the number and type of citizen and rank complaints PIB received in 2012 and includes definitions from applicable NOPD rules.

Figure 2: Citizen and Rank Complaints in EW Database (2012)²³

Type of Complaint	Citizen	Rank	Total
No Classification Entered PIB data entry staff did not complete the field.	364	65	429
Instructions From Authoritative Source A member shall professionally, promptly, and fully abide by or execute instructions issued from any authoritative source. NOPD Rule 4: para. (2)	26	177	203
Professionalism Employees shall conduct themselves in a professional manner with the utmost concern for the dignity of the individual with whom they are interacting. NOPD Rule 3: para. (1)	119	38	157
Neglect of Duty Each member, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. NOPD Rule 4: para. (4)	62	65	127
Adherence to Law Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable laws. NOPD Rule 2: para. (1)	43	28	71
No Violation Was Observed PIB staff determined that no rule was broken after interviewing the complainant. This determination is reviewed by the PIB chain of command and approved by the Deputy Superintendent of Police in charge of PIB.	56	6	62
Unauthorized Force Employees shall not use or direct unjustifiable physical abuse, violence, force, or intimidation against any person. NOPD Rule 2: para. (6)	48	3	51
Reporting for Duty A member shall promptly report for duty at the time and place required by assignment or orders, but in the event of inability to perform or to begin punctually, he/she shall notify his/her commanding officer or a member of his/her unit authorized to receive such information before the designated time for commencement. NOPD Rule 4: para. (1)	0	29	29
Other OIG inspectors compiled other categories that appeared more infrequently in the database.	39	30	69
Total Complaints	757	441	1198

²³ These data require more specificity to be useful indicators for the EW program. Of the 757 total citizen complaints, 48 percent (30 percent of all complaints) were recorded as “no classification entered.” The two non-specific categories “instructions from an authoritative source” and “no classification entered” comprised approximately 53 percent of all complaints in 2012.

Use-of-force reports:²⁴ Use-of-force reports were the third type of indicator tracked by the NOPD EW database. According to the NOPD Operations Manual, officers were required to submit use-of-force reports to their commanding officer whenever they used force as defined in Chapter 1.2. PIB received use-of-force reports from supervisors in district offices either through inter-office mail or via hand delivery. PIB then forwarded the reports to the use-of-force intake officer who assigned them a use-of-force number. The use-of-force intake officer conducted a preliminary investigation to determine if the use of force was authorized or not. If it was not, he opened a formal investigation. The use-of-force intake officer was also responsible for entering the relevant data into the EW database. Figure 3 outlines the number of different types of use-of-force reports received by PIB in 2012.

Figure 3: Use-of-Force Reports in EW Database (2012)

Type of Force	Reports
Physical Force	196
Electronic Control Weapon (Taser)	113
Handgun Exhibited	35
Canine	26
Other	23
Capsicum Spray (Pepper Spray)	10
Handcuffs	8 ²⁵
Handgun Discharged	6
Extendable Baton	4
Side-handle Baton	1
Total	422

Observation 1. The EW database did not contain all of the complaints recorded in the PIB handwritten complaint intake log; complaints were not entered in a timely manner, and the complaints entered were not always complete.

To test the completeness of the EW database, inspectors compared rank and citizen complaints recorded in the PIB handwritten 2012 intake log to complaints listed in the EW database. Inspectors took a random sample of 100 control numbers from the PIB handwritten intake log

²⁴ This procedure should be used for all uses of force, whether it was determined to be authorized or not. If the intake officer found the use of force was unauthorized, he was required to file a separate rank complaint report.

²⁵ According to NOPD's 2012 Policy Manual, officers are required to report all uses of handcuffs if an individual is restrained and released without an arrest (Chap. 3, Required Documentation, 306.7, p. 45). An audit of NOPD use-of-force reporting was outside the scope of this project.

and searched the EW database for them using the assigned control numbers. Of the 100 complaints sampled, thirty were not entered into the EW database. About one-third of complaints filed resulted in complete complaint records in the database.²⁶

For the complaints in the sample that were entered, the average amount of time between the date PIB entered the complaint into its log book and the date it entered the complaint into the EW database was thirty-two days.²⁷ The delay between the date PIB received the complaint and the date PIB entered the complaint increased the possibility that paper records could be lost or complaints might not be entered. It also undermined the intent of an “early” warning program; an officer’s behavior would be further removed in time from his or her selection for the program—sometimes by several months—reducing the likelihood that an officer would recognize that the behaviors in question were the reason for the intervention.

Many of the complaints PIB entered into the EW database were incomplete. As shown in Figure 2 on p. 12, PIB staff did not enter a classification in nearly half (48 percent) of citizen complaints recorded in the EW database. With no classification, EW program staff was not able to differentiate among complaints, and the complaints could not be effectively analyzed.

The ability to rely on the database for complete data was important for three reasons. The first is related to how the EW database generates alerts. The database could not include a complaint in the threshold count if PIB staff did not enter it into the EW database, and an officer who might have been flagged for reaching a threshold could be missed.²⁸

Second, reports not entered in a timely manner could also accumulate, resulting in false alerts. EW database alerts were based on thresholds that notified managers of a given number of reports within a specific timeframe, and the database created alerts for information based on the date of entry, not by the date an incident occurred. In 2012 the alert list included infractions that occurred outside the threshold timeframe, because in some cases PIB entered incidents weeks, months, or even years after they occurred. As a result, some officer profiles reflected an inflated number of reports for that timeframe, generating false alerts. During the

²⁶ The 100-record sample yielded a margin of error of ±8.6 percent at a 95% confidence level.

²⁷ The amount of time varied from no days (entered on the same day) to 313 days.

²⁸ PIB staff also stated that complaints could be missing because there were technical problems with accessing the software. However, server access should not have caused problems with the entry of data in 2012, because problems with access to the server were resolved in June of 2011 with the purchase of software that facilitated a faster version of the database over a virtual private network. A review of database complaint entries in 2012 confirmed that major software issues had been solved, because there were no extended periods of time during which PIB did not enter complaints.

period reviewed, 35 percent of the alerts resulted from incidents that occurred outside the threshold timeframe.

PIB staff told inspectors that not all complaints could be immediately entered into the database, because no one was available to enter data if a complaint intake officer was out of the office due to training, annual leave, or sick leave. Regardless, the International Association of Chiefs of Police (IACP) cautions that data-entry must be timely in order to identify officers who need intervention, and instructs agencies to consider the resources required for data entry as part of the cost of the early warning program.²⁹

The third reason a complete database is important is that it allows PIB staff to access incident records efficiently. Without a complete electronic database, neither PIB investigators nor citizens could review an investigation file without first knowing the control number from the handwritten intake log. PIB filed its hard copy investigations by control number and not by officer, complainant, date of complaint, or date of the alleged incident. As shown in Figure 4, control numbers did not correspond to the date PIB received the complaint (fourth column from the left), but rather to the date the complaint was issued to an investigator (second column from the right). Following up on a complaint without the control number would require a manual search through the complaints entered in the intake log. Of particular relevance to the EW program, a PIB investigator who wanted to see all past complaints for an officer would not be able to access the information without considerable investment of time and effort unless the control numbers were recorded in the searchable electronic database.

²⁹ IACP, *Protecting Civil Rights*, 73.

Figure 4: PIB Intake Log

PIB #	Letter	OIG	Date Complaint recd	Charges / Violations	Accused Name / Assignment	Complainant Name	Dist / Unit	Requesting Person	Date Issued	Issued By
2012-0780	D		8/15/12	RULE 4; PARA 2 74.3					8/15/12	
2012-0781	R		8/15/12	RULE 4; PARA 2 74.3					8/15/12	
2012-0782	N		8/19/12	RULE 3; PARA 1					8/19/12	
2012-0783	N		8/21/12	RULE 3; PARA 1					8/21/12	
2012-0784	R		8/21/12	RULE 5; PARA 1					8/21/12	
2012-0785	C		8/17/12	RULE 2; Para 6 Morals Conduct					8/21/12	
2012-0786	D		8/23/12	RULE 4; PARA 2 74.3					8/23/12	
2012-0787	C		8/22/12	RULE 4; PARA 2					8/22/12	
2012-0788	R		8/14/12	RULE 2; para 1					8/22/12	
2012-0789	C		8/22/12	RULE 3; PARA 1					8/22/12	
2012-0790	N		8-2	? RULE 3 - Para 1 ? RULE 4 - Para 4					8/22/12	
2012-0791	C		8/23/12	RULE 2; Para 6					8/23/12	
2012-0792	N		8/23/12	RULE 3; PARA 2 RULE 6; PARA 2					8/23/12	
2012-0793	C		8/23/12	RULE 2; para 1					8/23/12	
2012-0794	N		8/29/12	RULE 4; PARA 7					8/29/12	
2012-0795	D		8/21/12	RULE 4; PARA 2 Performance of Duty					8/24/12	
2012-0796	C		8/27/12	RULE 2; PARA 2 RS 14;123					8/26/12	
2012-0797	D		8/27/12	RULE 2; PARA 2					8/27/12	
2012-0798	R		8/27/12	RULE 4; PARA 1					8/30/12	

Officer Selection

The EW database generated a list of officers who met or exceeded thresholds for program indicators, such as complaints or use of force. Law enforcement agencies use four basic kinds of thresholds:

Fixed thresholds use the same criteria for all employees, for example, “three or more complaints within a twelve month period.”

Point system thresholds weight different indicators depending on the severity of the department’s assessment of the risk associated with the behavior. Thus, a professionalism complaint would be weighted less than a report of an unauthorized use of force.

Peer-based thresholds are thresholds that take into account an employee's assignment. An employee on a traffic assignment might generate more citizen complaints, because he or she had more opportunities to interact with the public than an employee on a desk assignment.

Single-event thresholds take into account that some employees are more active than others. These thresholds are based on performance criteria for an individual police activity. For instance, a threshold could be based on the number of complaints per traffic stop or the number of use-of-force reports per arrest. Single-event thresholds ensure that an employee whose proactive policing resulted in more traffic stops or arrests would not necessarily be flagged for a larger number of complaints.³⁰

There were two steps in the selection process. First, the EW database generated a list of officers who met or surpassed thresholds. Second, the PIB staff member who coordinated the intervention (Coordinator) selected officers from that list, subject to supervisory review.

NOPD relied exclusively on fixed thresholds to generate a list of officers for selection. In 2012 NOPD's EW database generated alerts based on four thresholds.

- Six citizen-initiated complaints within a twelve-month period
- Six rank-initiated complaints within a twelve-month period
- Two use-of-force reports within a twelve-month period
- Overall Threshold: three complaints or reports of any kind within a twelve-month period³¹

The EW database generated an alert for all officers who met or exceeded any one of these four thresholds, and the Coordinator reviewed this list of officers to determine who should receive intervention. According to PIB, the Coordinator selected candidates based on a review of their personnel records. The Coordinator also stated that he minimized the staffing impact on a district by selecting no more than two officers from each district for intervention, but this was not a formal rule. The Coordinator's list was then sent to supervisors for review.

Observation 2. NOPD did not have a policy for collecting, managing, and using data on officer performance that reflected experts' best practices for EW programs.

NOPD did not have a policy for managing and using data on officer performance that reflected experts' best advice for EW programs, and several programmatic shortcomings appeared to

³⁰ IACP, *Protecting Civil Rights*, 59-60.

³¹ This threshold makes the first two thresholds irrelevant.

occur as a result. The department did not develop goals, objectives, or administrative guidelines for managing and analyzing the data. Program administrators also did not develop a process or rationale for selecting what indicators to track, which type of thresholds to use, where thresholds should be set, and why they should be set at those levels. They had also not developed a process for reviewing EW database threshold settings based on administrators' ongoing and systematic analysis of EW data.

Instead, the department based officer identification solely on complaints (both rank and citizen) and reported use of force, and relied on fixed thresholds set by the software company. As a result, the lists generated by the database would not have identified officers based on purposeful measures of performance consistent with well thought-out program objectives. NOPD's use of the database resulted in an unwieldy list of potential participants that provided limited behavioral information to managers tasked with selecting officers for the program. Complicating matters, NOPD did not appear to have a regular, structured way for program managers to review EW policy and make programmatic and operational decisions.

Inspectors observed three effects resulting from the lack of a policy for data management: NOPD limited indicators to rule infractions and did not allow differentiation of complaints; NOPD's indicators did not meet best practice standards; and NOPD did not have a method to review or refine thresholds.

- A. NOPD used the EW database as a case management system for internal investigations, which limited EW indicators to rule infractions and did not allow differentiation of complaints.

NOPD used the same software for an EW database and a case management system for internal affairs investigations. In doing so, NOPD relied on the same rules that triggered internal affairs investigations as indicators for the EW program. PIB's administrative investigations unit and the EW program serve different purposes, and limiting EW indicators to the criteria for internal affairs investigations reduced the quality of information EW managers used to select individuals for program identification.

For instance, NOPD grouped all rank complaints into one category in the database, making it impossible for the database to evaluate the relative severity of officers' rule infractions and identify officers for the EW program accordingly. Also, a significant number of rank complaints were too vague to discriminate among behaviors. Supervisors opened 40 percent of all rank complaints with the allegation "instructions from authoritative source," which referred to an NOPD rule that states: "[a] member shall professionally, promptly, and fully abide by or execute

instructions issued from any authoritative source.”³² The rule as written suggests a virtually limitless range of possible violations, and it would be impossible to set appropriate thresholds or to determine the best intervention without more information about the specific violations.³³

Many of the indicators required by the consent decree are not violations of NOPD rules but indicators of possible problem behavior. The EW database could be customized to track these additional indicators and more specific allegations if NOPD divorced the standard for an indicator from the standard for a rule violation.

B. NOPD indicators did not reflect experts’ best practices for EW programs.

The NOPD EW database relied solely on citizen and rank complaints and use of force when generating the list of officers, although there is evidence to suggest that tapping multiple indicators will result in a more complete picture of an officer’s performance. Multiple indicators will yield “a broad base of information about an officer’s performance” and are thought to result in a more reliable list from which to select program participants.³⁴

Also, more than one researcher has concluded that complaints and use of force “are ambiguous [indicators of misconduct] and appear to be correlated with officer activity.”³⁵ In a 2007 report, researchers reviewed academic literature related to police misconduct and summarized researchers’ findings regarding citizen complaints as indicators of police performance. They noted that the nature of police work, which entails conflict and “heat of the moment” decisions, generally attracts large numbers of complaints.

Flagging officers based on a fixed complaint threshold would also select for officers who are assigned to more active duty and who spend more of their time on patrols.³⁶ Citizen complaints regarding officer conduct tend to be highest during the first four to five years of an officer’s career; older, more experienced officers are also more likely to be promoted to positions in which they are less frequently interacting with citizens. Following the initial period of an

³² New Orleans Police Department, “Policy/Procedures Manuals” (December, 2012) Rule 4, Paragraph (2), Instructions from Authoritative Source.

³³ NOPD supervisors used this allegation, because some complaints were violations of NOPD policy but not violations of one of the seven rules established in the NOPD Policy Manual.

³⁴ Walker, Alpert, and Kennedy, “Early Warning Systems for Police,” 146; and Harris, “Residual Patterns of Police Misconduct,” 330: “... [R]esults highlight the difficulty of making predictions based only on a single indicator, and support the proposal that EI systems should rely on a variety of potential misconduct indicators to function properly.”

³⁵ Harris, “The Residual Career Patterns of Police Misconduct,” 325.

³⁶ Stuart Macintyre, T. Prenzler, and J. Chapman, “Early Intervention to Reduce Complaints: An Australian Victoria Police Initiative,” *International Journal of Police Science and Management* 10, no. 2 (2008): 241.

officer's employment, citizen complaints decline, suggesting that "experience and misconduct are related in an orderly way in the aggregate."³⁷

Research also suggests caution when relying on use of force as an indicator. Use of force includes a wide range of behaviors, and researchers have found that officers who use force more often generally use appropriate levels of force. Conversely, officers who use force less resort to higher levels of force than are warranted.³⁸ Therefore, a threshold that is based solely on the number of times an officer uses force tends to select officers who are more likely to use it appropriately and may miss those who are more likely to use force inappropriately.

Additionally, use of force appears to be underreported at NOPD, which calls into question its use as an indicator. For its 2011 investigation of NOPD, DOJ compared the NOPD's actual number of use-of-force reports to the expected number of use-of-force reports and concluded that NOPD was underreporting use of force.³⁹ Inspectors used DOJ's methodology, which assumed that 2 to 5 percent of arrests would result in use-of-force reports, and found that NOPD appeared to be continuing to underreport use of force. In June of 2012, NOPD made 3,599 arrests; an expected rate of 2 to 5 percent would yield 72 to 180 use-of-force reports. However, in June of 2012, the EW database contained only seventeen (17) use-of-force reports.

If one assumed that all officers underreported force at the same level, then use of force could still be a reliable indicator. But this is an unlikely case. It is more likely that the officers who report force are officers who are more likely to follow the rules and use force appropriately. It is the unreported incidents of force that are a greater concern.⁴⁰ Using use-of-force reports as an indicator, when force is systematically underreported, will tend to have the highly undesirable effect of selecting officers who use force appropriately.

NOPD also relied solely on the four fixed, incident-based thresholds set by the software developers. As discussed above, an officer's activity level—because he is assigned to patrol and/or because he is more proactive than his peers when on patrol—may have a measurable effect on the number of complaints or use-of-force reports. Those distinctions will not be reflected in the lists generated by the database without employing peer-based or single-event thresholds. Peer-based and single-event analyses contextualize the data using additional variables, including the officer's assignment and/or level of activity. The thresholds in the EW

³⁷ Harris, "The Residual Career Patterns of Police Misconduct," 326.

³⁸ Thomas Bazley, T. Mieczkowski, and K. Lersch, "Early Intervention Program Criteria: Evaluating Officer Use of Force," *Justice Quarterly* 26, no. 1:1 (2009): 107-124.

³⁹ DOJ, *Investigation of the NOPD*, 2011, 14.

⁴⁰ PIB did not find any of the 305 use-of-force reports recorded in the EW database in 2012 to be unauthorized uses of force.

database could be customized, but NOPD used the pre-set thresholds that limited the analysis to fixed threshold analyses of indicators.⁴¹

C. NOPD did not have a protocol for reviewing or revising thresholds.

Relying on the predetermined thresholds failed to identify officers in a meaningful way. According to the deputy superintendent of PIB and the EW coordinator, the EW database identified 444 officers for intervention in 2012, approximately one-third of the total police force. Of those 444, ninety-one were selected for EW intervention.⁴²

The threshold that identified officers who had “three complaints or reports of any kind within a twelve-month period” accounted for almost half of the officers on the list.⁴³ By definition it subsumed two of the other thresholds (six citizen or six rank complaints within a twelve-month period), making those two thresholds irrelevant. An analysis of the information captured in the EW database would have revealed the internal inconsistencies with the pre-set thresholds. It would also have highlighted the extent to which the three-of-a-kind approach provided little specific behavioral information to managers making decisions about whom to recommend for intervention.

The absence of a policy also appeared to encourage ad hoc decision making; the officer who managed the EW database created additional complaint allegation indicators without the knowledge or approval of supervisors.⁴⁴ These ad hoc decisions—and the fact that other managers did not know about them—also pointed out poor communication among EW managers about program policies, management, and operations.

⁴¹ The recent consent decree requires the NOPD to begin using peer-based analysis, and the NOPD plans to implement this requirement. See Para. 319 of the NOPD Consent Decree filed with the Court on July 24, 2012, www.laed.uscourts.gov/Consent/12cv01924_Doc2-1.pdf.

⁴² Inspectors determined that the EW database was correctly identifying officers for inclusion by taking a random sample of 260 officers with alerts to see if they met the database’s selection criteria. Inspectors found that all of the officers had met the selection criteria programmed into the database.

⁴³ Based on sample data, if the threshold of three or more incidents of any kind had not been used, the database would have generated a list of approximately 187 officers instead of 444.

⁴⁴ The EW database manager created thresholds based on some specific allegations, but inspectors did not consider them, because the EW coordinator and other PIB staff were not aware of these thresholds and assumed they were database errors (see discussion in Observation 2 and Figure 4).

Observation 3. NOPD did not have a policy for determining which officers from the list generated by the database to include in the EW program intervention.

EW databases are not intended to generate a definitive list of officers for intervention without departmental review, but NOPD did not have a formal process for reducing the list of 444 officers identified by the database to the ninety-one officers who received intervention. Selection for intervention in model EW programs requires the active participation of managers and supervisors. At NOPD, the PIB Coordinator was solely responsible for reviewing the list generated by the EW database and selecting officers for intervention.

The Coordinator explained to inspectors that he selected candidates from the list based on their personnel files and attempted to minimize the impact on district offices by selecting only two officers per district for each class. However, no formal written policy provided guidance to the Coordinator regarding how to evaluate the profiles provided by the EW database or the information in an officer's file.

To gain insight into how the Coordinator used the information produced by the EW database, inspectors took a representative sample of all officers who were flagged with an alert in 2012 to determine the relationship between (1) the number of incidents of complaints and use-of-force reports and (2) the selection of officers for intervention. Inspectors looked at the number of citizen complaints, rank complaints, and use-of-force reports in the year prior to the generation of alerts and determined the average number of incidents in each category for employees with alerts. Inspectors then compared officers with alerts who were selected for intervention to those who had alerts but were not selected. The results are summarized in Figure 5.

Figure 5: Average Number of Reports for Selected and Not Selected Officers

	Average Selected	Average Not Selected	p value ⁴⁵
Citizen Complaints	2.02	0.92	<0.00
Rank Complaints	0.94	0.77	0.12
Use-of-Force Reports	0.99	0.97	0.47

⁴⁵ The p value represents the probability that the difference in average scores was due to chance. Inspectors considered mean scores to be significantly different with p values below 0.05.

There was no statistically significant difference between the two groups of officers in the number of rank complaints and use-of-force reports. However, there was a significant difference in the number of citizen complaints, indicating that the Coordinator relied heavily on citizen complaints when selecting officers for intervention.

Citizen complaints can be a problematic indicator in an EW program, and citizen complaints were not viewed as credible by NOPD officers. In fact, their use as an indicator appeared to undermine officers' opinion of the program. As part of the review of the NOPD early warning program, inspectors conducted a survey of participating officers to gather their feedback on the program.⁴⁶ Eleven of the seventeen respondents did not feel that citizen complaints were a good indicator of behavior that needed to change. One officer responded: "In my experience, many complaints have been from arrested subjects attempting to discredit me to help their case. I have had several complaints filed from citizens and [in] all [I] have been either exonerated or [the case was] NIM'ed [deemed "no investigation merited"] by PIB."

Officers' belief that citizen complaints were unfounded stemmed from the fact that PIB did not investigate many citizen complaints, and they were rarely sustained.⁴⁷ PIB hurt the credibility of the EW program among participating officers by relying heavily on citizen complaints as selection criteria but not consistently investigating them. If officers believed that citizen complaints were not credible, and PIB did not demonstrate that they were, officers would likely remain unconvinced that their behavior needed to change.

NOPD supervisors were not actively involved in the selection of candidates for the EW program, which also reduced the credibility of the NOPD EW program. The NOPD manual instructed the PIB Coordinator to send his recommendations to the Division Commanders and Bureau Chief for review before the list was finalized.⁴⁸ Use of the term "review" is vague, suggesting that supervisors played some role in the selection process but did not define what that role was. Interviews with supervisors revealed that their review was superficial; they relied almost exclusively on recommendations from PIB.

⁴⁶ See Appendix A for a discussion of survey methodology and results. Eighty-eight officers who completed the EW intervention in 2011 and 2012 were surveyed; seventeen responded. Despite the small sample size of respondents, their feedback provided insight into officers' opinions not otherwise available.

⁴⁷ In 59 percent of 2012 citizen complaints, PIB produced ambiguous findings including: "no data entered," "no further investigation merited," and "info only." In 31 percent of complaints, the officer was exonerated; in 9 percent, the complaint was sustained.

⁴⁸ NOPD Operations Manual, Chap. 13.27.

Officers stated that they did not know why they had been selected for EW participation in their responses to the OIG officer survey. Fifteen of seventeen respondents reported that they saw no need to change their behavior. One officer responded:

[A]pparently somebody did [feel my behavior needed improvement], but for what, I don't know. I guess it's a big secret. ... You want to correct me and spend a bunch of money on experts, independent police monitors, improved rat traps, etc, but you can't delegate authority to my immediate supervisor to tell me to stop doing something I shouldn't?

Selection is a critical step in the EW process and having a supervisor play a significant role in determining which of his officers need intervention increases the credibility of the selection process. Numerous studies stress the importance of having supervisors decide and document whom to identify for intervention and which interventions to use.⁴⁹ Officer selection by a PIB Coordinator with limited knowledge of the officers in question reduced the program's effectiveness.

Intervention

After the selection process described above, an officer may be recommended for an intervention designed to improve performance. According to a DOJ report, successful interventions include elements from the following list.

- Counseling by an Immediate Supervisor
- Additional Training
- Professional Counseling for Personal or Family Problems
- Peer Officer Support, including Mentoring
- Crisis Intervention Teams (formalized peer support during exceptional times such as officer involved shootings)
- Reassignment or Relief from Duty⁵⁰

⁴⁹ IACP, *Protecting Civil Rights*, 63; Walker, *Early Intervention Systems: A Planning and Management Guide*, 30; and Samuel Walker, Stacy Osnick Milligan and Anna Berke, *Strategies for Intervening with Officers through Early Intervention Systems: A Guide for Front-Line Supervisors* (U.S. Department of Justice, Office of Community Oriented Policing Services, February 2006), 21.

⁵⁰Ibid., 31-35.

NOPD's EW intervention is called the Professional Performance Enhancement Program (PPEP). According to the NOPD Manual, PPEP included forty hours of training and six months of monitoring by supervisors. PIB developed the curriculum for the training in 2010 with the assistance of community members and law enforcement professionals knowledgeable about policing practices and their effect on the New Orleans community.

In 2012 PIB hosted seven classes with an average of thirteen participants per class. The classes included training on topics including diversity, police ethics, and the effects and management of stress in law enforcement. The class also included presentations by the U.S. Attorney's Office and the Office of the Independent Police Monitor.

Observation 4. NOPD had not developed measurable objectives or an evaluation methodology for the intervention.

NOPD did not establish a formal evaluation process for assessing the effectiveness of the PPEP class nor were there any stated, measurable objectives. When inspectors asked NOPD to define the objectives of the PPEP class and how it would measure those objectives, the Coordinator listed the overall program goals of the EW program and suggested measuring indicators pre- and post-intervention. The curriculum included quizzes at the end of each section, but inspectors were told that the quizzes were not used to measure whether or not participants had achieved class objectives. Participants completed course evaluations, but these were used to provide feedback to instructors and not to evaluate the effectiveness of the class; the Coordinator gave the course evaluations to instructors and did not keep copies of them.

NOPD left the purpose of the class open to interpretation and limited its ability to make improvements to the EW program without an objective way to measure its effectiveness. In the absence of an evidence-based assessment of the program, managers and participants relied on personal, anecdotal observations. On the one hand, an NOPD commander told inspectors in an interview that he felt the class was effective and that he had observed improvement in officers' behavior after the course, especially in the way participants communicated with the public. On the other hand, in 2011 DOJ interviewed officers throughout NOPD and reported negative opinions on the PPEP class. DOJ found that the class did not have a reputation for making positive changes in officer behavior; instead, attendance was "seen by some as a badge of honor" instead of an indication that changes were necessary.⁵¹

⁵¹ DOJ, *Investigation of the NOPD*, 2011.

However, officers' responses to questions included in the officer satisfaction survey indicated mixed assessments of the PPEP class.⁵² A majority of respondents to the survey, eleven of seventeen, stated that PPEP did not have a reputation for being a useful program among officers, but nine of seventeen stated that they found the program useful. After having participated, one respondent characterized this ambivalence in a narrative response:

Originally feeling 'punished,' I was hardened to even be open to what I was being told. However, I decided to open my mind to everything and accept my place and see what was being presented. I actually learned quite a bit of very useful information, and did not feel that the program itself was actually punishment, although at times some of the instructors came across as such.

Officers also stated that they gained knowledge in the class. Three questions asked officers what they had learned, and eleven of seventeen respondents said they learned rules for using force, ten of seventeen professed learning new techniques for personal stress management, and ten of seventeen said they learned more about available resources for personal or family issues.

Despite stating that they had gained relevant knowledge, ten of the seventeen respondents stated that they were no more effective in engaging the public during stressful situations after having taken the class than they had been before. The reported inability of the class to change behavior might be explained by the fact that fifteen of seventeen officers believed that there really was nothing wrong with their behavior prior to taking the class. One respondent put it this way: "I never had a problem with this prior to PPEP; therefore PPEP could not have benefited me in this area."

Observation 5. The EW program did not include tailored interventions.

A report commissioned by DOJ described the drawbacks of a general intervention such as the PPEP class:

There are a number of problems with this approach, however. First, the subjects covered in a class are general in nature and do not necessarily address the particular problems of individual officers. Second, they are difficult to schedule and considerable time may pass between the time an officer's problems are identified and he or she is enrolled in the intervention class. Third, there is evidence that bringing a group of selected officers together creates a dynamic of

⁵² See Appendix A for a discussion of survey methodology and results.

group solidarity that reinforces inappropriate attitudes. Such classes have been referred to as "bad boys" classes.⁵³

Model EW programs tailor the intervention to the needs of individual officers, but NOPD sent all officers identified to a class with a standard curriculum. The Commission on Accreditation for Law Enforcement Agencies⁵⁴ and the International Association of Chiefs of Police⁵⁵ provide recommended standards for interventions that include the need to tailor the intervention to the specific needs of the individual officer.

Monitoring

Supervisors monitored officers for six months after they completed the PPEP class, and it was the responsibility of supervisors to counsel officers and to submit monitoring reports to PIB twice a month. These reports were kept on file at PIB.

The reports included space to record ratings from not acceptable to superior in twelve categories during a two-week period. The twelve areas included the following criteria.

- | | |
|--|--|
| 1. Appearance | 7. Problem Solving and Decision Making |
| 2. Vehicle Condition | 8. Interaction |
| 3. Initial Suspect Approach/Assessment | 9. Field Performance in Stress Conditions |
| 4. Arrest Technique | 10. Field Performance in Non-Stress Conditions |
| 5. Control of Conflict | 11. Reports |
| 6. Investigative and General Work Practice | 12. Attitude |

There was also space available to list any new complaints or use-of-force reports and additional comments. (See Appendix B for a sample monitoring form.)

Observation 6. Supervisors did not develop behavioral objectives for participants during the monitoring phase.

NOPD required front-line supervisors to complete monitoring reports for EW participants but did not require them to document objectives for participants' improved attitudes and behaviors. The NOPD manual provided goals for the program overall: "[I]t is the intention of the

⁵³ Walker, *Early Intervention Systems: A Planning and Management Guide*, 36.

⁵⁴ CALEA, *Standards for Law Enforcement Agencies*, 35.1.9.

⁵⁵ IACP, *Protecting Civil Rights*, 65.

program to intercede and bring about corrective, non-disciplinary action, when needed, in order to enhance public relations, improve citizen interactive skills, and prevent an escalation of any inappropriate behaviors.”⁵⁶ These program goals did not provide supervisors with guidance for developing behavioral objectives or for measuring behavioral change. Specific objectives developed by supervisors for each officer could clarify and reinforce the kinds of behavior changes NOPD expected after participation in the EW intervention.

Observation 7. NOPD did not hold supervisors accountable for monitoring; supervisors submitted complete monitoring reports for three of ninety-one participating officers in 2012.

NOPD standards required supervisors to submit monitoring reports to PIB every two weeks,⁵⁷ but there were no consequences for supervisors who did not comply. The Coordinator reported that he expended significant effort to encourage supervisors to submit their reports with limited success.

Inspectors reviewed monitoring reports submitted to PIB in 2012 and found that supervisors submitted a complete set of monitoring reports for three of ninety-one participating officers (approximately 3 percent). There were no monitoring reports for sixty-three of the participants (69 percent). Inspectors also found that few reports contained narrative comments.

The Coordinator tried to address the issue of incomplete monitoring reports after the OIG review period by adding a section on monitoring to the supervisor in-service training class designed to increase knowledge about the program and improve the quality of the monitoring reports. In addition, he suggested that it might be helpful to have additional staff oversee the monitoring process.

Observation 8. There were no standard definitions for terms such as “Acceptable” and “Superior,” used by supervisors when rating officer behavior.

Monitoring forms included space to record observations of twelve specific behaviors using numerical ratings from “1-Not acceptable” to “5-Superior.” Inspectors analyzed ratings on monitoring reports and found that the ratings did not provide meaningful information about the behaviors observed. Most officers received either above average ratings or “not

⁵⁶ NOPD Operations Manual, 13.27, section 1.

⁵⁷ NOPD Operations Manual, 13.27, section 15.b.

observed.”⁵⁸ Also, numeric ratings on performance indicators changed very little between first report (average score 4.219) and last report (average score 4.229). It is unlikely that almost all of the participants started the monitoring process with nearly superior behavior; if this were the case, the program would have been unnecessary.

Supervisors received no guidance regarding what criteria or measures to use when evaluating and rating officer behaviors. The lack of clear standards and measures may have contributed to supervisors’ reluctance to give officers low ratings; supervisors could be concerned that the ratings would seem arbitrary. Supervisors would be more likely to evaluate officers’ behavior subjectively without well-defined behavioral measures. Ratings could only provide valuable feedback to officers if supervisors’ expectations were clear and consistently applied to all officers.

Observation 9. Supervisors did not make a formal determination of an officer’s satisfactory completion of the EW intervention at the end of the six-month monitoring period.

Model EW programs require a formal determination regarding an officer’s satisfactory completion of the intervention prior to releasing the officer from further monitoring or intervention. A COPS report commissioned by DOJ recommended that “supervisors follow through with an officer’s intervention—ensuring that it was the appropriate option and that the officer gained sufficient help to address the performance problem. Supervisors should recommend a different intervention if the first was unsuccessful.”⁵⁹

At the end of the six-month monitoring period, there was no formal process by which supervisors determined if participating officers had benefited from EW participation sufficiently to be released from additional monitoring or intervention. Supervisors were not required to document why an officer no longer required monitoring and on what evidence that decision was based. The Coordinator told inspectors that when he asked for nominations from supervisors for EW participation, supervisors occasionally referred someone who had already completed the program, suggesting that the performance of some participants had not improved sufficiently to warrant their release from the intervention after the six-month monitoring period.

⁵⁸ The large number of “not observed” behaviors either calls into question the utility of the behavioral indicator as part of the EW program or suggests the need for more active supervision.

⁵⁹ Walker, Milligan, and Berke, *Strategies for Intervening*, 24.

IV. ANALYSIS OF THE EFFECTIVENESS OF NOPD EW INTERVENTION

There have been few studies on the overall effectiveness of EW programs and little research validating the indicators used to identify officers for intervention. However, some studies have assessed the effectiveness of EW interventions. One study showed EW program effectiveness in reducing citizen complaints and use of force. The study compared 1999 officer complaint data pre- and post-intervention in three case-study cities: Miami-Dade, FL; Minneapolis, MN; and New Orleans, LA. In Minneapolis, participating officers averaged 1.95 complaints in the year before intervention and 0.65 complaints in the year after. In New Orleans, participating officers averaged 1.66 complaints in the year prior to intervention and 0.63 complaints in the year after. In Miami, fewer officers had use-of-force reports after intervention.⁶⁰ Similarly, in a 2007 evaluation of the Australian Victoria Police early intervention system, researchers found that interventions resulted in a 71.07 percent reduction in complaints over a two-year period.⁶¹

In 2009 the Police Assessment Resource Center (PARC) released its *27th Semiannual Report on the Los Angeles County Sheriff's Department* (LASD), which included an evaluation of the overall effectiveness of the LASD Performance Monitoring Program (PMP). Unlike the New Orleans EW program, the PMP did not include a group class. Instead, LASD employees were assigned three mentors who were responsible for counseling, monitoring, and reporting on identified employees. PARC found that participation in the program decreased risk-related incident rates for participants on both an average and an individual basis. For example, citizen complaints decreased from an average of 3.97 incidents in a three year period prior to intervention to 2.93 incidents in the three years after participation.⁶²

In a 2013 study of an unidentified agency's early intervention system, researchers looked only at the change in the number of complaints. Unlike other studies, they did not measure behavior changes in individual participants pre- and post-intervention. Instead, they compared participants to a control group and found no discernible decrease in the prevalence of complaints resulting from the intervention system.⁶³ Researchers also found that participation in the intervention decreased police activity, particularly proactive arrests. The researchers

⁶⁰ Walker, Alpert, and Kennedy, *Responding to the Problem Police Officer*, 1-11.

⁶¹ Macintyre, Prenzler, and Chapman, *Early Intervention to Reduce Complaints*, 238.

⁶² Bobb, *LACSD 27th Semiannual Report*, 75.

⁶³ The researchers compared the officers who received intervention to a control group of officers who did not receive an intervention. Each participant was paired with an officer from the same academy class to control for career length. The agency studied wished to remain unidentified.

criticized previous research on intervention programs, asserting that they were “vulnerable to several threats to internal validity: maturation, regression toward the mean, and history.”⁶⁴

Inspectors could not find any other quantitative analyses of the effectiveness of EW programs despite the program’s data-driven approach. However, inspectors did find reports that called for additional research. In 2007 Samuel Walker authored a report issued to the U.S. Department of Justice that called for more research on EW programs. The report listed some of the challenges associated with research related to EW programs and also listed six unanswered research questions. One of the questions highlighted a central issue: “Are [EW program] interventions successful in correcting officer conduct problems?”⁶⁵

With this question in mind, inspectors designed an analysis to measure the overall effectiveness of the NOPD EW intervention.⁶⁶ Inspectors compared officer complaints and use-of-force reports pre- and post-participation.⁶⁷ The current EW program has only been in effect since the fall of 2011; therefore we included the thirty-two officers who participated in EW program in September and October of 2011 and January of 2012 in the analysis. We counted all rank and citizen complaints for one year prior to the officer’s inclusion in the program and one year post-participation. We counted use-of-force reports during the nine months prior to participation and nine months after participation, because use-of-force reports were not entered into the EW database prior to January 2011.⁶⁸ We expected to see a decrease in complaints and use-of-force reports after participation.

Inspectors conducted a paired-sample T-test to evaluate the impact of EW participation on the number of citizen complaints, rank complaints, and use-of-force reports during the one year

⁶⁴ Worden et.al, *Intervention with Problem Officers*, 411.

⁶⁵ Samuel Walker, “Police Accountability: Current Issues and Research Needs” (paper presented at the National Institute of Justice (NIJ) Policing Research Workshop: Planning for the Future, Washington D.C., November 28-29, 2006), 16.

⁶⁶ Inspectors asked PIB staff how they would like to measure the value of the EW program and looked at other evaluations of EW programs to develop methodology for determining if NOPD’s EW program met its stated goals. PIB told inspectors that they wanted to measure the program’s effects by comparing indicators pre- and post-EW participation.

⁶⁷ OIG’s analysis included a control group of officers who had similar assignments to the participants, but because inspectors saw no effects in the experimental group, we did not include results for the control group. Inspectors would have liked to measure whether the selection process identified the correct officers for participation but were unable to identify who the correct officers were without objectives for the program. Additionally, NOPD management told inspectors that NOPD did not have reliable historical data necessary for a longitudinal study. Inspectors compared the number of indicators pre-intervention for participants and a control group and found that participants had a statistically significant higher number of complaints. This was to be expected, as the Coordinator relied heavily on complaints when selecting officers for the intervention.

⁶⁸ There may have been more than one allegation in a complaint or more than one incidence of use of force in a report.

prior to EW participation and the one year post-EW participation.⁶⁹ The T-test found no significant difference in the average number of incidents for officers pre- and post-participation.

Figure 6: Average Number of Incidents Pre- and Post-EW Participation

	Average Pre EW	Average Post EW	p value
Citizen Complaints	1.50	0.91	0.08
Rank Complaints	0.63	0.75	0.32
Use-of-Force Reports	0.44	0.63	0.12

Statistically significant decreases in all three areas after participation would indicate that the program was effective at reducing the number of reported incidents, but inspectors saw no effects from the EW intervention based on this analysis. Participating officers' rank complaints and use-of-force reports increased to a small degree after EW participation, but these increases were not statistically significant.

Although inspectors did not see statistically significant results, it is unclear that the program was ineffective. A T-test would have generated useful results if all participants changed in the same way and the distribution after the intervention was comparable to the distribution prior to the intervention. In this case, the data showed movement in all directions.

The analysis was limited both by the data's variability and by the amount of time the program had been active. The data's variability limited the interpretability of the analysis, because the three variables (rank complaints, citizen complaints, and use-of-force reports) were not correlated. An officer could have a high number of incidents in one category, but have no incidents in another category. Because inspectors had no way of knowing why officers were selected, and because all officers received the same intervention, we compared the entire pool on each variable. Therefore, an officer who might have been selected because of a high number of citizen complaints but a low number of rank complaints was compared with an officer who was selected because of a high number of rank complaints. Comparing officers to one another told inspectors very little due to the differences in the variables. For this reason, inspectors determined it might be more meaningful to look at the data for each officer individually. Figure

⁶⁹ A T-Test compares the average of two sets of data to determine if the groups are different. The p value represents the probability that the difference in average scores was due to chance. Inspectors considered mean scores to be significantly different with p values below 0.05.

7 shows the number of pre- and post-incidents and complaints for each of the thirty-two participating officers (Officers A-FF).

Figure 7: Individual Officer Incidents Pre- and Post-EW Participation

Officer	Rank Complaints		Citizen Complaints		Use-of-Force Reports	
	Pre EW	Post EW	Pre EW	Post EW	Pre EW	Post EW
A	0	2	1	0	0	3
B	3	0	0	0	0	0
C	1	0	0	1	0	1
D	2	1	11	1	0	0
E	0	0	5	1	0	1
F	0	0	2	0	0	0
G	0	1	1	0	1	0
H	1	0	8	4	0	0
I	0	0	0	0	1	1
J	0	0	3	1	0	0
K	0	1	1	3	2	1
L	0	0	1	0	1	0
M	1	0	0	1	1	2
N	3	5	0	2	0	1
O	0	1	1	1	0	1
P	0	3	0	1	1	0
Q	0	0	0	1	0	0
R	0	2	0	0	0	1
S	3	0	1	0	1	2
T	0	0	1	0	0	0
U	0	0	1	0	0	1
V	0	2	1	3	0	1
W	0	0	3	1	0	0
X	2	0	1	4	2	2
Y	0	1	1	0	0	1
Z	0	1	2	1	0	0
AA	0	0	1	1	0	0
BB	0	2	0	2	0	0
CC	3	0	1	0	1	0
DD	0	0	0	0	0	0
EE	0	1	0	0	2	1
FF	1	1	1	0	1	0

Figure 7 shows changes taking place on an individual level after the EW program, but the data show few trends. Officers D and H experienced the kinds of changes NOPD would like to see after the intervention; they experienced a sizable decrease in citizen complaints, smaller decrease in rank complaints, and neither had any use-of-force reports. Officer N, on the other hand, experienced increases in all three areas.

As Figure 7 indicates, the majority of officers in the program did not meet a threshold within the year prior to participating in the intervention (nineteen of the thirty-two). However, almost all officers on the list met thresholds based on reports or incidents that occurred from 2010 up to the class.⁷⁰ PIB entered a backlog of 2010 and 2011 data into the newly-acquired database in 2012, and the database identified officers based on the date a report is entered into the database, not the date an incident occurred. For this reason, officers who attended a PPEP class during late 2011 or early 2012 could have been identified based on incidents that actually occurred in longer than a twelve-month period or in a twelve-month period more than a year prior to the class.⁷¹

The second limitation to the analysis was the amount of time the program had been active. Because the year after intervention included the six months of monitoring, the analysis only looked at complaints for six months post-monitoring and use of force for only three months post-monitoring. Three or six months of post-monitoring data may have not been enough time to show the program's effects. It is possible that data were variable during the first year after participation but could settle into a trend after a longer amount of time. Analyzing the data over a longer period of time would also have generated a larger sample size; it is possible that outliers unduly affected the results due to the small sample size. As the program matures, NOPD should be able to analyze larger data sets over a longer period of time, resulting in more reliable findings and trends in the data.

It is also difficult to make an overall value statement regarding the program model at this point, because there were several fundamental problems related to implementation of the program. Missing data, arbitrary thresholds, and a lack of monitoring no doubt contributed to the data's

⁷⁰ One officer did not have enough incidents to reach a threshold and may have been recommended for the program by a supervisor.

⁷¹ An officer might not associate behaviors that occurred many months previously (and likely determined unfounded) with his or her inclusion in the program; it would be understandable to be confused about the selection process as a result. Also, if the behavior that resulted in an officer's selection occurred more than twelve months prior to the class but had improved to the point that he or she did not meet thresholds in the twelve months immediately preceding, one might question the need for his or her participation in the class.

variability and the resulting unreliability of findings for the pre- and post-intervention comparison.

NOPD should repeat an analysis of the program after implementing the changes recommended in this report and bringing the EW program up to best practice standards. Inspectors suggest waiting at least two years to perform an analysis of the effectiveness of the intervention so that changes have a chance to take effect. The analysis could also be more informative if it incorporated an experimental research design in which control and experimental groups randomly selected from officers eligible for participation received different kinds of intervention. The OIG is available to assist NOPD in designing an experiment that could isolate the effects of individual planned interventions.

V. CONCLUSION AND SUGGESTIONS

Conclusion

Inspectors' review of the NOPD EW program found a number of problems with the program: missing data, vague indicators, a one-size-fits-all curriculum, and an ineffective monitoring process. The OIG has reviewed these challenges with NOPD and inspectors commend the department's commitment to improving the program.

The data management problems inspectors uncovered were not unique to this NOPD program. As the OIG reported in *Inspection of the New Orleans Police Department Field Interview Data Reported from January to June of 2011*, NOPD's data-collection shortcomings made it impossible to perform statistical analyses of the FIC data that could alleviate concerns about biased or unconstitutional policing.

The NOPD is planning an overhaul of its EW program based on requirements in the consent decree and considering a costly new EW database. Inspectors found numerous shortcomings in the NOPD EW program, but none of them was a result of the current database; program design and management problems undermined the program's credibility and effectiveness. NOPD should use the current database to collect the additional data required by the consent decree; an evidence-based program depends on reliable, centralized data consistently collected over time and available for future statistical analysis.

Inspectors offer the following suggestions to NOPD as it redevelops its EW program.

Suggestions

Suggestion 1. PIB should eliminate the handwritten intake log and use the EW database to document intake.

The database did not include all the complaint entries in the handwritten intake log, and the ability to rely on the information in the EW database is essential in order to identify officers for program intervention. Also, files cannot be searched or readily accessed without a searchable database. PIB should eliminate the handwritten complaint intake log and use the EW database to document intake and ensure that the database is complete.

Suggestion 2.

NOPD should establish policies for collecting, managing, and using data on officer performance that are consistent with the findings of experts.

NOPD should establish policies for collecting, managing, and using data on officer performance that are consistent with the findings of experts, including tracking and analyzing multiple indicators, developing procedures for establishing and reviewing threshold types and settings, and writing guidelines for program managers that include thoughtful and regular analysis of program data and operations.

- A. Indicators should be selected independently from the standards for internal investigations.

The PIB EW behavioral indicators included rank complaints as a single category but did not include details about specific infractions. A “rank complaint” could include everything from something minor, such as tardiness, to something major, such as unauthorized use of force. The standards created for internal investigations should not double as behavioral indicators for the EW program: NOPD should identify EW indicators based on the EW program’s stated goals and objectives. Additionally, PIB should expand its criteria to include more specific indicators and require supervisors to provide detailed descriptions of all rank complaints.

- B. Indicators should include more than citizen and rank complaints and use-of-force incidents.

DOJ provided NOPD with a list of nineteen indicators, and the City is currently in the process of designing a system that includes all of them. NOPD’s current EW database has the ability to track most of this information. The City collects the detailed information needed to track these indicators, but it is not kept in a central place, and NOPD supervisors do not have easy access to it. The current EW database could access these sources of information.

Figure 8 includes the data elements required by the consent decree; the agency, department, or division currently charged with collecting and maintaining those data; and how the data could be included in NOPD’s EW database. Data in the first column are already included in the NOPD’s EW database, though more than one indicator may be grouped together (for example, rank complaints). NOPD collects data in the second column as specific incidents, but they are not currently linked to the EW database; however, they could be.

Data in the last column are not incidents that NOPD currently tracks. NOPD will have to develop calculations in the databases that collect these data and link those reports to the EW database. For example, NOPD could develop a report within its payroll database that could identify officers who may have abused sick leave rules by taking sick days next to vacation days. These reports could be uploaded to the EW database.

NOPD's current EW software has the ability to permit users to input data remotely into the system. For example, to add the data on civil claims filed against an officer to the EW database, the law department could create an incident report and enter that report remotely.

Figure 8: Required Indicators and Data Sources

Per Consent Decree Data Required	Information Source
Currently in tracked EW database as	Reports needed to be developed to track
a) All uses of force, including critical firearm discharges, both on-duty and off-duty.	Use-of-Force
b) The [serial] number of ECW [Taser] units in use.	Use-of-Force
c) Each canine officer's bite ratio.	PIB (Force) or Canine
d) All injuries to persons in custody, including in-custody deaths.	Use-of-Force
e) All instances in which force is used and a subject is charged with obstructing or resisting an officer, interfering with a law enforcement investigations, or similar charges.	Use-of-Force
f) All misconduct complaints (and their dispositions).	Rank and Citizen
g) Data compiled under the stop data collection mechanism.	NOPD Field Interview Card Database
h) All criminal proceedings initiated against an officer, as well as all civil or administrative claims filed with, and all civil lawsuits served upon, the City and/or its officers or agents resulting from NOPD operations or the actions of NOPD personnel. ⁷²	Rank (Adherence to law) New Orleans Law Department
i) All judicial proceedings where an officer is the subject of a protective or restraining order.	Louisiana Protective Order Registry
j) All vehicle pursuits and traffic collisions involving NOPD equipment.	NOPD Fleet and Equipment Services Division
k) All loss or theft of NOPD property or equipment in the custody of the employee, including currency, firearms, force instruments, and identification cards.	NOPD Evidence Management System and NOPD Fleet and Equipment Services Division
l) All interviews or interrogations in violation of NOPD policy.	Rank (Authoritative Source)
m) All instances in which NOPD learns or is informed by a prosecuting or judicial authority that a declination to prosecute any crime was based upon concerns about the credibility of an NOPD employee or that a motion to suppress evidence was granted on the grounds of a constitutional violation by an NOPD employee.	Criminal Case Management System
n) All disciplinary action taken against employees.	Rank (Disposition)
o) All non-disciplinary corrective action required of employees.	Rank (Disposition)
p) All awards and commendations received by employees.	NOPD Supervisors
q) Training history, including firearm qualifications and other weapon certifications, for each employee.	Training Academy
r) Sick leave usage.	City payroll through ADP
Total Count	8
	8
	3

⁷² This requirement is included with the previous requirement in the consent decree, but information is kept in two different places.

- C. NOPD should create a policy that develops procedures for reviewing and refining its indicators and thresholds to ensure that they meet the objectives of the EW program.

NOPD relied on the software manufacturer and the EW database manager to set thresholds for the EW database. NOPD was surprised by the length of the list of identified officers and believed the length of the list was due to a database malfunction. However, it is possible to customize the current EW software by adding indicators and setting thresholds tailored to NOPD's EW program. NOPD should establish a process for selecting and officially adopting and reviewing thresholds, and all PIB staff and NOPD officers should be told what they are and the rationale behind why they were chosen.

Suggestion 3. NOPD should create a formal policy for determining which officers from the database-generated list to include in EW intervention.

After the EW database created a list based on thresholds, the Coordinator relied heavily on citizen complaints to reduce the list further. Research suggests that better decisions can be made about which officers to select if a number of indicators and different types of thresholds are considered.

In 2012 the EW coordinator created the list of officers for EW participation with minimal input from supervisors. Numerous experts stressed the importance of involving supervisors in the selections process for two reasons: to exclude officers who may have triggered threshold but do not necessarily need intervention and to increase the program's credibility. Officers would likely be more engaged in the process if they knew that their immediate supervisor played an active role in selecting them and expected to see a change in their behavior.

The Coordinator should continue to send lists of flagged officers to supervisors, but supervisors should be required to review the list and provide a rationale that describes either specific behaviors that warrant the officer's inclusion in the program or specific reasons why the alert is unwarranted. Additionally, NOPD should establish selection criteria and a formal selection process. Selection should be done by a committee that meets regularly and includes PIB staff who manage the program, the database administrator, and management representatives from the following: NOPD Education and Training Division, NOPD risk management staff, and supervisors of officers being considered for the program. The NOPD manual should be amended to reflect any changes in the process.

Suggestion 4.

NOPD should create objectives specifically for the intervention and measure whether the objectives of the intervention have been met.

NOPD did not define measurable objectives for or evaluate the PPEP class. The class required a significant expenditure of time and resources, and NOPD should be able to demonstrate its effectiveness by documenting that it achieved stated objectives. NOPD has many options for designing an evaluation methodology. For example, it might be appropriate to design a pre- and post-test based on course objectives and the specific knowledge and understandings the instructors hope the participants will gain from the course. NOPD already uses quizzes in the PPEP class, and these could be used to measure whether participants met the class objectives. It might also be appropriate to use course evaluations completed by the participants, both to provide the instructor with feedback and to measure the achievement of course objectives. Officers should be required to demonstrate mastery of the objectives before completing the intervention.

Suggestion 5.

NOPD should redesign the forty-hour PPEP training so that it provides individualized interventions based on each participant's needs.

NOPD's EW intervention included a forty-hour training class that all EW participants attended. Experts studying EW programs have advised against a one-size-fits-all intervention. In 2011 NOPD officers of all ranks told DOJ interviewers that "being subjected to the program's single intervention—a one-size-fits-all course commonly referred to as 'bad boy school'—[was seen] as a badge of honor."⁷³

Based on expert recommendations and the fact that the effectiveness of the PPEP class has not been demonstrated, NOPD should consider changing the format of its intervention. NOPD could tailor interventions to individual needs through additional supervisor monitoring, psychological counseling, or an officer mentor program.⁷⁴ NOPD could also create a catalog of courses or trainings, permitting supervisors to select forty hours of classes that address the needs of individual participants. NOPD should develop measurable objectives and an evaluation process for the intervention regardless of its format.

⁷³ DOJ, *Investigation of the New Orleans Police Department*, 25; and Walker, Alpert, and Kenney, "Early Warning Systems for Police."

⁷⁴ Merrick Bobb, *The Los Angeles County Sheriff's Department: 27th Semiannual Report*, Los Angeles: PERF (2009): 67-81, found Los Angeles Sheriff's Department's mentoring program was "effective in reducing or minimizing involvement in risk-related activity for participants." (p. 81) These results appeared to hold regardless of how many years an officer had been out of the program. *Mentors should be high-performing, experienced officers who qualify as mentors only after a rigorous training and selection process.*

Suggestion 6. **NOPD supervisors should establish and document behavioral objectives for individual participants during the monitoring phase.**

Supervisors completed monitoring reports for EW participants but did not document objectives and expectations for changes in officer behavior. NOPD had a guide for establishing performance objectives and evaluation developed for use with all NOPD officers, the Job Performance Improvement Plan (JPIP). The JPIP program guides supervisors through the process of setting behavioral objectives for improvement, creating steps for achieving those objectives, and setting a time frame to review progress.⁷⁵ Although intended for general supervisory use, it could supplement the EW monitoring form and help supervisors set behavioral objectives for officers during EW intervention and monitoring.

Suggestion 7. **PIB should alert commanding officers when supervisors do not submit monitoring reports; commanders should hold supervisors accountable for submitting reports.**

Supervisors did not consistently submit monitoring reports. PIB had a complete set of monitoring reports for 3 percent of participants, and there were no monitoring reports on file for 69 percent of participants. Chapter 13.27, Section 15.b of the NOPD manual requires supervisors to submit reports to PIB. This provision of the manual should be enforced, and PIB should notify commanding officers when supervisors do not submit monitoring reports.

Suggestion 8. **NOPD should create a framework that defines criteria, and supervisors should use it when rating officer behavior during monitoring.**

The ratings provided on the monitoring reports provided little valuable feedback and showed negligible improvement over the six-month monitoring period. However, supervisors may have been uncomfortable providing negative ratings without a standardized rating scale. NOPD should develop a rubric that standardizes behaviors for each performance rating.

A model training program developed for DOJ provides guidance on creating standards for ratings. The model program includes developing a learning matrix that documents what officers have learned and by what standards they will be evaluated. The guide suggests that each agency develop a matrix that takes into account “local procedures, policies, laws, and

⁷⁵ NOPD Operations Manual, 13.27.1.

philosophies for dealing with policing activities.”⁷⁶ An illustrative example developed by the South Carolina Criminal Justice Academy (SCCJA) shows how one state created standards for ratings. SCCJA provided these criteria for conflict resolution:

- Rating 1: **Unacceptable:** Improper voice inflection, i.e., too soft, too loud, confused voice command or indecisive, poor officer bearing. Cowardly, physically weak, or uses too little or too much force for given situation. Unable to use proper restraints.
- Rating 3: **Acceptable:** Speaks with authority in a calm, clear voice. Maintains control without excessive force, good physical condition.
- Rating 5: **Superior:** Always gives appearance of complete command through voice tone and bearing. Excellent knowledge and ability to use restraining holds. Always prepared to use necessary force.

(See Appendix C for the standards from the SCCJA grading framework.)

Suggestion 9. **NOPD should implement a process for determining when a participant has successfully completed the EW intervention.**

The EW process did not include a decision point at the end of the monitoring period indicating a participant had successfully completed the intervention. The lack of a decision point was a missed opportunity for supervisors to provide feedback to officers about whether they had improved and to determine what other kinds of interventions might be necessary if they had not. NOPD should develop a process by which supervisors either acknowledge that officers have met the behavioral objectives of the EW intervention and subsequent monitoring period or recommend officers for additional intervention if they have not sufficiently improved. Supervisors should include on the JPIP form the specific criteria being used to determine if the officer has achieved pre-determined behavioral objectives, as suggested above.

⁷⁶ Community Oriented Policing Services. *A Problem-Based Learning Manual for Training and Evaluating Police Trainees*. Washington, D.C.: U.S. Department of Justice, 2001, 19-20.

VI. OFFICIAL COMMENTS FROM CITY OF NEW ORLEANS

City Ordinance section 2-1120(8)(b) provides that a person or entity who is the subject of a report shall have 30 working days to submit a written explanation or rebuttal of the findings before the report is finalized, and that such timely submitted written explanation or rebuttal shall be attached to the finalized report.

An Internal Review Copy of this report was distributed on October 21, 2013 to the entities who were the subject of the review in order that they would have an opportunity to comment on the report prior to the public release of this Final Report. Comments were received from NOPD; these comments are attached in this section.



Mitchell J. Landrieu
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

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"to protect and to serve"



Ronal W. Serpas, Ph.D.
SUPERINTENDENT

November 27, 2013

Ed Quatrevaux, Inspector General
Office of the Inspector General
City of New Orleans
525 St. Charles Avenue
New Orleans, LA 70130-3049

RE: Review of the New Orleans Police Department's Early Warning Program

Dear Inspector General Quatrevaux:

Thank you for giving the New Orleans Police Department the opportunity to review and comment on your report titled "Review of the New Orleans Police Department's Early Warning Program." While we certainly appreciate your recommendations and will consider them seriously as we build a true "Early Warning System" (EWS), let me be clear – our current early warning capabilities are minimal at present and the elements your report evaluates under the label of NOPD's 'Early Warning Program' are not sophisticated enough to function as a modern EWS. That is why we are going to build a modern EWS.

As you are well aware, building such a state of the art EWS is one of the City's requirements under the terms of the Consent Decree between the City of New Orleans and the U.S. Department of Justice. The City and the NOPD are currently *working to design and develop a state-of-the-art Early Warning System*. The Consent Decree specifically mandates many requirements that our current capabilities cannot readily meet and requires that we implement a compliant EWS within three years. We are nearly complete with planning for this system and we will meet this deadline. However, until this system can be fully designed and implemented, our early warning measures will not meet national best practices. Thus, we believe the main recommendations contained in this report would be more appropriately framed as advice to the City as we undertake this important activity, rather than a critique of how our current capabilities fail to measure up. We are already well aware of those limitations, but will use this report as further recommendations for building this new, modern EWS.

In March 2013, I asked Deputy Superintendent Kirk Bouyelas to establish an Early Warning System Implementation Committee. This Committee is composed of representatives from all five NOPD Bureaus, as well as members of the City's Office of Information Technology and Innovation and the Sheppard Mullin team designated by the U.S. District Court to monitor NOPD's compliance with the consent decree. The Committee has developed a plan for procuring and implementing an Early Warning System and is on track to release a Request for Proposals in the coming months. I am confident that the Early Warning System produced by this process will meet consent decree requirements, as well as many of the principles outlined in your report.

In the interim, NOPD is using the tools at its disposal to identify officers that could benefit from participating in its Professional Performance Enhancement Program (PPEP). We believe that this program has significant value and are confident that our current selection process enables us to enroll those officers who could most benefit from PPEP.

I appreciate your input into our ongoing effort to develop an Early Warning System. I will ask the EWS Implementation Committee to review your report and consider its observations and suggestions as they move forward with their work. Detailed responses to your specific suggestions follow below.

Observation #1: The EW database did not contain all of the complaints recorded in the PIB handwritten complaint intake log; complaints were not entered in a timely manner, and the complaints entered were not always complete.

Suggestion #1: PIB should eliminate the handwritten intake log and use the EW database to document intake.

NOPD rejects the suggestion that PIB eliminate the handwritten intake log. The 'EW database' referred to in this report is a software application called 'IAPro.' NOPD is grateful that the Inspector General and Independent Police Monitor were able to procure this software for the Public Integrity Bureau (PIB) and continue to financially support it to this day. This program has been a valuable case management and investigative tool, and it gives NOPD early warning capabilities that were not previously available. However, there have been a number of technical issues with the program since its installation that have limited its effectiveness and which are the root of many of the issues noted in this report. Altogether, PIB has documented at least 51 incidents since IAPro's implementation that have resulted in the system being unavailable for a period of time. These periods of unavailability create backlogs of complaints and can lead to complaints being entered late. It is our understanding that many of these issues are the result of the software being hosted within the Office of Inspector General's technical environment rather than internally within the City's network and that the City's Office of Information Technology and Innovation is working with your office to mitigate these problems going forward.

PIB procedure requires that most complaints be entered into IAPro either on the day of receipt or on the morning of the next business day. It is our hope that resolving IAPro's technical issues will severely minimize system downtime, thus eliminating backlogs and enabling PIB to always follow this procedure. However, there are some complaints that will not be entered into IAPro immediately after being filed. Out of the 100 complaints reviewed in this report, 17 were associated with investigations deemed to be "secret" because they required criminal investigations. Such complaints are not immediately entered into IAPro for security reasons and are instead only entered once an investigator determines that doing so will not compromise an ongoing investigation. It is not accurate to assert that these complaints were not entered in a timely fashion.

Additionally, complaints that do not contain required information when submitted to PIB are often entered into IAPro regardless of their completeness. Investigators then work to compile the missing information and update the IAPro database accordingly. The alternative to entering complaints with incomplete information would be delaying entry until all information is compiled and investigated.

PIB intends to continue using the handwritten intake log for the foreseeable future. The handwritten intake log is not used as the primary record for complaints, but instead as a backup to the data in IAPro. Given IAPro's technical issues and intermittent availability since implementation, these files are an invaluable safeguard against losing data due to system crashes.

Observation #2: NOPD did not have a policy for collecting, managing, and using data on officer performance that reflected experts' best practices for EW programs.

Suggestion #2: NOPD should establish policies for collecting, managing, and using data on officer performance that are consistent with the findings of experts: (a) indicators should be selected independently from the standards for internal investigations; (b) indicators should include more than citizen and rank complaints and use-of-force incidents; (c) NOPD should create a policy that develops procedures for reviewing and refining its indicators and thresholds to ensure that they meet the objectives of the EW program.

NOPD agrees that as it deploys an Early Warning System it is important to develop policies which draw on a range of indicators and create thresholds for triggering review and intervention. The EWS Implementation Committee has met several times to discuss a range of potential EWS indicators and has developed an EWS Policy Development Strategy. This strategy identifies specific NOPD policies that will need to be revised in order to implement an Early Warning System and establishes a process for completing these changes. NOPD plans to work with the vendor selected through its RFP process to develop these policies.

Observation #3: NOPD did not have a policy for determining which officers from the list generated by the database to include in the EW program intervention.

Suggestion #3: NOPD should create a formal policy for determining which officers from the database-generated list to include in EW intervention.

NOPD agrees that this policy should be created as it deploys an Early Warning System. This will be accomplished through the same process described in the previous response. In the interim, PIB intends to revise its internal directives to establish set criteria for selecting officers for participation in PPEP.

Observation #4: NOPD had not developed measurable objectives or an evaluation methodology for the intervention.

Suggestion #4: NOPD should create objectives specifically for the intervention and measure whether the objectives of the intervention have been met.

NOPD agrees that formalizing measurable objectives for PPEP will help the Department make continual improvements to the program. PIB will work to articulate program goals and create methods for measuring progress towards these goals.

Observation #5: The EW program did not include tailored interventions.

Suggestion #5: NOPD should redesign the forty-hour PPEP training so that it provides individualized interventions based on each participant's needs.

PPEP training by its nature is a group activity. While this is an effective intervention in many circumstances, NOPD recognizes that it is not able to address all the potential challenges facing NOPD officers. Rather, the program attempts to address the most common issues faced by the majority of officers. This is not the only intervention available to NOPD supervisors. When supervisors determine that specific individual issues are impacting officer performance, they can recommend the development of a Job Performance Improvement Plan (JPIP). JPIPs identify specific individual issues and define objectives that the selected officer must obtain to complete the program.

Once an Early Warning System is established, supervisors will have the data at their disposal to make more informed determinations about the nature of intervention warranted in each case. This data will

also help NOPD design more individualized interventions targeted towards specific officers. While it is anticipated that PPEP will remain an important intervention under the Early Warning System, it will not be the only potential intervention available for officers and it may be adapted to meet specific needs. A clear objective of our EWS planning process is to create a menu of intervention options with varying levels of intensity and specificity.

Observation #6: Supervisors did not develop behavioral objectives for participants during the monitoring phase.

Suggestion #6: NOPD supervisors should establish and document behavioral objectives for individual participants during the monitoring phase.

NOPD agrees that all interventions should be accompanied by clear and measureable objectives. Since the PPEP training is a group intervention, all program participants are assessed on a common set of twelve criteria. Supervisors are required to report progress on these criteria and to provide documentation that supports these assessments. However, supervisors are not expected and should not be expected to create individualized program goals for each officer that passes through PPEP. If supervisors identify specific areas (e.g. legal knowledge, communication skills, etc.) that require improvement in an officer, they are expected recommend the creation of a JPIP to remedy these deficiencies. Each JPIP establishes individualized objectives and provides clear accountability for meeting these outcomes. As NOPD explores new intervention options during the EWS implementation process, it will create objectives to accompany all interventions.

Observation #7: NOPD did not hold supervisors accountable for monitoring; supervisors submitted complete monitoring reports for three of ninety-one participating officers in 2012.

Suggestion #7: PIB should alert commanding officers when supervisors do not submit monitoring reports; commanders should hold supervisors accountable for submitting reports.

It is important that monitoring reports be submitted in a timely fashion and NOPD plans to enhance accountability in this area. Moving forward, PIB will provide written notice to the applicable Commander and Bureau Chief when a supervisor fails to submit a required monitoring report. Furthermore, NOPD is currently considering adopting IAPro's "Blue Team" module. This module appears to have the capability to allow monitoring forms to be completed and submitted online, with electronic alerts provided up the chain of command when these reports are not completed on deadline. Therefore, this module potentially could provide an automated method of tracking compliance.

Observation #8: There were no standard definitions for terms such as "Acceptable" and "Superior," used by supervisors when rating an officer's behavior.

Suggestion #8: NOPD should create a framework that defines criteria, and supervisors should use it when rating officer behavior during monitoring.

NOPD uses a standard 1-5 rating scale that is easy for supervisors to understand and adhere to. It is not accurate to claim that the fact that many officers receive relatively high average scores during the monitoring process invalidates the usefulness of this scale. The monitoring period is initiated after an officer receives PPEP training and involves very close supervision. Officers know that they are being actively observed and evaluated on their actions and decisions. In fact, it would be surprising if an officer were not exhibiting good behavior under these circumstances. NOPD does not plan to develop a new rating scale, but PIB will review monitoring reports to ensure that accurate and properly documented information is being submitted by supervisors.

Observation #9: Supervisors did not make a formal determination of an officer's satisfactory completion of the EW intervention at the end of the six-month monitoring period.

Suggestion #9: NOPD should implement a process for determining when a participant has successfully completed the EW intervention.

NOPD agrees that the final report submitted by supervisors at the conclusion of the monitoring period should require the supervisor to make a final determination of the participating officer's progress and recommend whether additional intervention steps are required. PIB will create a 'final report' form that requires the supervisor to articulate this final judgment and recommendation.

Sincerely,



Ronal W. Serpas
Superintendent of Police

cc: First Deputy Mayor & CAO Andrew Kopplin
Deputy Mayor Jerry Sneed
Deputy Superintendent Arlinda Westbrook
File

OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



MANAGEMENT RESPONSE FORM

PLEASE COMPLETE THIS FORM AND RETURN AS SPECIFIED BELOW. SUPPLY YOUR RESPONSES IN THE SHADED BOXES.

PLEASE INDICATE YOUR AGREEMENT OR DISAGREEMENT WITH EACH OF THE FOLLOWING SUGGESTIONS BY SELECTING A RESPONSE FROM THE DROPODOWN BOX. IF YOU REJECT OR PARTIALLY ACCEPT THE SUGGESTION, PLEASE EXPLAIN WHY IN THE SPACE PROVIDED. PLEASE DESCRIBE EACH ACTION YOUR AGENCY WILL TAKE TO IMPLEMENT THE SUGGESTION, OR FIX THE PROBLEM, ALONG WITH THE NAME AND CONTACT INFORMATION OF THE PERSON(S) RESPONSIBLE FOR THE ACTION AND THE COMPLETION DATE (IF ONE IS ALREADY NOT PROVIDED).

RETURN THIS COMPLETED FORM TO ELIZABETH.PAPE@NOLAIG.ORG BY DECEMBER 2, 2013.

ENTER NAME HERE: ARINDA P. WESTBROOK

SUGGESTION #1	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
1. PIB should eliminate the handwritten intake log and use the EW database to document intake.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	Reject
IF YOU <u>REJECT</u> OR <u>PARTIALLY ACCEPT</u> SUGGESTION #1, PLEASE EXPLAIN WHY: PIB INTENDS TO CONTINUE USING THE HANDWRITTEN INTAKE LOG FOR THE FORESEEABLE FUTURE. THE HANDWRITTEN INTAKE LOG IS NOT USED AS THE PRIMARY RECORD FOR COMPLAINTS, BUT INSTEAD AS A BACKUP TO THE DATA IN IAPRO. GIVEN IAPRO'S TECHNICAL ISSUES AND INTERMITTENT AVAILABILITY SINCE IMPLEMENTATION, THESE FILES ARE AN INVALUABLE SAFEGUARD AGAINST LOSING DATA DUE TO SYSTEM CRASHES.		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #1 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
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SUGGESTION #2	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
2. NOPD should establish policies for collecting, managing, and using data on officer performance that are consistent with the findings of experts.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	PARTIALLY ACCEPT
IF YOU <u>REJECT</u> OR <u>PARTIALLY ACCEPT</u> SUGGESTION #2, PLEASE EXPLAIN WHY: NOPD AGREES THAT AS IT DEPLOYS AN EARLY WARNING SYSTEM IT IS IMPORTANT TO DEVELOP POLICIES WHICH DRAW ON A RANGE OF INDICATORS AND CREATE THRESHOLDS FOR TRIGGERING REVIEW AND INTERVENTION. THE EWS IMPLEMENTATION COMMITTEE HAS MET SEVERAL TIMES TO DISCUSS A RANGE OF POTENTIAL EWS INDICATORS AND HAS DEVELOPED AN EWS POLICY DEVELOPMENT STRATEGY. THIS STRATEGY IDENTIFIES SPECIFIC NOPD POLICIES THAT WILL NEED TO BE REVISED IN ORDER TO IMPLEMENT AN EARLY WARNING SYSTEM AND ESTABLISHES A PROCESS FOR COMPLETING THESE CHANGES. NOPD PLANS TO WORK WITH THE VENDOR SELECTED THROUGH ITS RFP PROCESS TO DEVELOP THESE POLICIES.		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #2 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
2.1 EWS POLICIES TO BE DEVELOPED IN CONJUNCTION WITH SYSTEM DESIGN AND SCHEDULED DEPLOYMENT.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	TBD
2.2		
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SUGGESTION #3	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
3. NOPD should create a formal policy for determining which officers from the database-generated list to include in EW intervention.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	PARTIALLY ACCEPT
IF YOU <u>REJECT</u> OR <u>PARTIALLY ACCEPT</u> SUGGESTION #3, PLEASE EXPLAIN WHY: NOPD AGREES THAT THIS POLICY SHOULD BE CREATED AS IT DEPLOYS AN EARLY WARNING SYSTEM. THIS WILL BE ACCOMPLISHED THROUGH THE SAME PROCESS DESCRIBED IN THE PREVIOUS RESPONSE. IN THE INTERIM, PIB INTENDS TO REVISE ITS INTERNAL DIRECTIVES TO ESTABLISH SET CRITERIA FOR SELECTING OFFICERS FOR PARTICIPATION IN PPEP.		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #3 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
3.1 EWS POLICIES TO BE DEVELOPED IN CONJUNCTION WITH SYSTEM DESIGN AND SCHEDULED DEPLOYMENT.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	TBD
3.2 DIRECTIVES RELATED TO CRITERION FOR PPEP SELECTION UNDER REVIEW FOR POSSIBLE REVISIONS.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	1 ST QUARTER/2014
3.3 [REDACTED]	[REDACTED]	[REDACTED]
3.4 [REDACTED]	[REDACTED]	[REDACTED]
3.5 [REDACTED]	[REDACTED]	[REDACTED]

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SUGGESTION #4	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
4. NOPD should create objectives specifically for the intervention and measure whether the objectives of the intervention have been met.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	Accept
IF YOU REJECT OR PARTIALLY ACCEPT SUGGESTION #4, PLEASE EXPLAIN WHY:		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #4 OR FIX THE PROBLEM:		RESPONSIBLE PERSON:
4.1 PIB WILL WORK TO ARTICULATE PROGRAM GOALS AND CREATE METHODS FOR MEASURING PROGRESS TOWARDS THESE GOALS.		ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU
4.2		
4.3		
4.4		
4.5		

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SUGGESTION #5	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
5. NOPD should redesign the forty-hour PPEP training so that it provides individualized interventions based on each participant's needs.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	PARTIALLY ACCEPT
<p>IF YOU REJECT OR PARTIALLY ACCEPT SUGGESTION #5, PLEASE EXPLAIN WHY: PPEP TRAINING BY ITS NATURE IS A GROUP ACTIVITY. WHILE THIS IS AN EFFECTIVE INTERVENTION IN MANY CIRCUMSTANCES, NOPD RECOGNIZES THAT IT IS NOT ABLE TO ADDRESS ALL THE POTENTIAL CHALLENGES FACING NOPD OFFICERS. RATHER, THE PROGRAM ATTEMPTS TO ADDRESS THE MOST COMMON ISSUES FACED BY THE MAJORITY OF OFFICERS. THIS IS NOT THE ONLY INTERVENTION AVAILABLE TO NOPD SUPERVISORS. WHEN SUPERVISORS DETERMINE THAT SPECIFIC INDIVIDUAL ISSUES ARE IMPACTING OFFICER PERFORMANCE, THEY CAN RECOMMEND THE DEVELOPMENT OF A JOB PERFORMANCE IMPROVEMENT PLAN (JPIP). JPIPs IDENTIFY SPECIFIC INDIVIDUAL ISSUES AND DEFINE OBJECTIVES THAT THE SELECTED OFFICER MUST OBTAIN TO COMPLETE THE PROGRAM.</p> <p>ONCE AN EARLY WARNING SYSTEM IS ESTABLISHED, SUPERVISORS WILL HAVE THE DATA AT THEIR DISPOSAL TO MAKE MORE INFORMED DETERMINATIONS ABOUT THE NATURE OF INTERVENTION WARRANTED IN EACH CASE. THIS DATA WILL ALSO HELP NOPD DESIGN MORE INDIVIDUALIZED INTERVENTIONS TARGETED TOWARDS SPECIFIC OFFICERS. WHILE IT IS ANTICIPATED THAT PPEP WILL REMAIN AN IMPORTANT INTERVENTION UNDER THE EARLY WARNING SYSTEM, IT WILL NOT BE THE ONLY POTENTIAL INTERVENTION AVAILABLE FOR OFFICERS AND IT MAY BE ADAPTED TO MEET SPECIFIC NEEDS.</p>		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #5 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
5.1 INTERVENTION OPTIONS WITH VARYING LEVELS OF INTENSITY AND SPECIFICITY WILL BE PART OF EWS DESIGN AND DEPLOYMENT.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	TBD
5.2 ADAPTATIONS SPECIFIC TO PPEP WILL BE CONSIDERED DURING EWS DESIGN AND DEVELOPMENT.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	TBD
5.3		
5.4		
5.5		

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SUGGESTION #6	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
6. NOPD supervisors should establish and document behavioral objectives for individual participants during the monitoring phase.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	REJECT
<p>IF YOU <u>REJECT</u> OR <u>PARTIALLY ACCEPT</u> SUGGESTION #6, PLEASE EXPLAIN WHY: NOPD AGREES THAT ALL INTERVENTIONS SHOULD BE ACCCOMPANIED BY CLEAR AND MEASUREABLE OBJECTIVES. SINCE THE PPEP TRAINING IS A GROUP INTERVENTION, ALL PROGRAM PARTICIPANTS ARE ASSESSED ON A COMMON SET OF TWELVE CRITERIA. SUPERVISORS ARE REQUIRED TO REPORT PROGRESS ON THESE CRITERIA AND TO PROVIDE DOCUMENTATION THAT SUPPORTS THESE ASSESSMENTS. HOWEVER, SUPERVISORS ARE NOT EXPECTED AND SHOULD NOT BE EXPECTED TO CREATE INDIVIDUALIZED PROGRAM GOALS FOR EACH OFFICER THAT PASSES THROUGH PPEP. IF SUPERVISORS IDENTIFY SPECIFIC AREAS (E.G. LEGAL KNOWLEDGE, COMMUNICATION SKILLS, ETC.) THAT REQUIRE IMPROVEMENT IN AN OFFICER, THEY ARE EXPECTED RECOMMEND THE CREATION OF A JPIP TO REMEDY THESE DEFICIENCIES. EACH JPIP ESTABLISHES INDIVIDUALIZED OBJECTIVES AND PROVIDES CLEAR ACCOUNTABILITY FOR MEETING THESE OUTCOMES. As NOPD EXPLORES NEW INTERVENTION OPTIONS DURING THE EWS IMPLEMENTATION PROCESS, IT WILL CREATE OBJECTIVES TO ACCOMPANY ALL INTERVENTIONS.</p>		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #6 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
6.1 [redacted]	[redacted]	[redacted]
6.2 [redacted]	[redacted]	[redacted]
6.3 [redacted]	[redacted]	[redacted]
6.4 [redacted]	[redacted]	[redacted]
6.5 [redacted]	[redacted]	[redacted]

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SUGGESTION #7	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
7. PIB should alert commanding officers when supervisors do not submit monitoring reports; commanders should hold supervisors accountable for submitting reports.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	Accept
IF YOU <u>REJECT</u> OR <u>PARTIALLY ACCEPT</u> SUGGESTION #7, PLEASE EXPLAIN WHY:		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #7 OR FIX THE PROBLEM:		
7.1 PIB WILL IMMEDIATELY BEGIN PROVIDING WRITTEN NOTICE TO THE APPLICABLE COMMANDER AND BUREAU CHIEF WHEN A SUPERVISOR FAILS TO SUBMIT A REQUIRED MONITORING REPORT WITH INSTRUCTIONS TO COMMANDER TO DOCUMENT FORMAL CORRECTIVE ACTION, AS WARRANTED.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU	IMMEDIATE ACTION TAKEN
7.2		
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SUGGESTION #8	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
8. NOPD should create a framework that defines criteria, and supervisors should use it when rating officer behavior during monitoring.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	REJECT
If you <u>REJECT</u> or <u>PARTIALLY ACCEPT</u> Suggestion #8 PLEASE EXPLAIN WHY: NOPD USES A STANDARD 1-5 RATING SCALE THAT IS EASY FOR SUPERVISORS TO UNDERSTAND AND ADHERE TO. IT IS NOT ACCURATE TO CLAIM THAT THE FACT THAT MANY OFFICERS RECEIVE RELATIVELY HIGH AVERAGE SCORES DURING THE MONITORING PROCESS INVALIDATES THE USEFULNESS OF THIS SCALE. THE MONITORING PERIOD IS INITIATED AFTER AN OFFICER RECEIVES PPEP TRAINING AND INVOLVES VERY CLOSE SUPERVISION. OFFICERS KNOW THAT THEY ARE BEING ACTIVELY OBSERVED AND EVALUATED ON THEIR ACTIONS AND DECISIONS. IN FACT, IT WOULD BE SURPRISING IF AN OFFICER WERE NOT EXHIBITING GOOD BEHAVIOR UNDER THESE CIRCUMSTANCES. NOPD DOES NOT PLAN TO DEVELOP A NEW RATING SCALE, BUT PIB WILL REVIEW MONITORING REPORTS TO ENSURE THAT ACCURATE AND PROPERLY DOCUMENTED INFORMATION IS BEING SUBMITTED BY SUPERVISORS.		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #8 OR FIX THE PROBLEM:	RESPONSIBLE PERSON:	COMPLETION DATE:
8.1 [REDACTED]	[REDACTED]	[REDACTED]
8.2 [REDACTED]	[REDACTED]	[REDACTED]
8.3 [REDACTED]	[REDACTED]	[REDACTED]
8.4 [REDACTED]	[REDACTED]	[REDACTED]
8.5 [REDACTED]	[REDACTED]	[REDACTED]

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SUGGESTION #9	RESPONSIBLE PERSON: (NAME AND CONTACT)	RESPONSE CHOICE (SELECT ONE):
9. NOPD should implement a process for determining when a participant has successfully completed the EW intervention.	ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU (504) 658-6800	<input checked="" type="checkbox"/> Accept
IF YOU REJECT OR PARTIALLY ACCEPT SUGGESTION #9, PLEASE EXPLAIN WHY:		
DESCRIBE THE ACTIONS YOU WILL TAKE TO IMPLEMENT SUGGESTION #9 OR FIX THE PROBLEM:		RESPONSIBLE PERSON: COMPLETION DATE:
9.1 PIB WILL CREATE A 'FINAL REPORT' FORM THAT REQUIRES THE SUPERVISOR TO ARTICULATE THIS FINAL JUDGMENT AND RECOMMENDATION.		ARLINDA P. WESTBROOK, DEPUTY SUPERINTENDENT PUBLIC INTEGRITY BUREAU 1 ST QUARTER/2014
9.2		
9.3		
9.4		
9.5		

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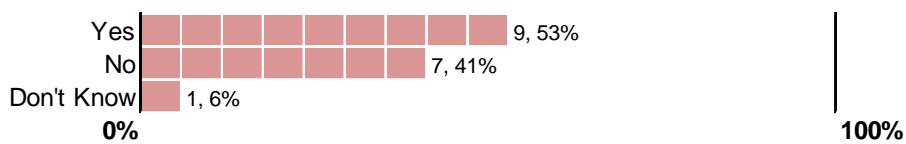
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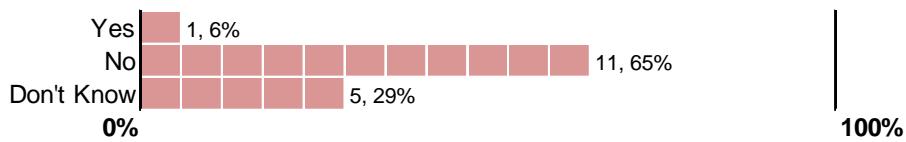
APPENDIX A: SURVEY RESULTS

To gather feedback from participants about their experiences with the PPEP class, the OIG conducted an officer satisfaction survey. The OIG designed the survey instrument with assistance from PIB staff. The survey was sent to all active NOPD employees who had taken the PPEP class in 2011 and 2012 (eighty-eight officers). Inspectors distributed the survey through a web-based survey instrument. Officers received notification of the survey through their nola.gov email accounts and filled out the survey online. Officers were told that responses to the survey would remain anonymous. The survey was sent to officers on March 28, 2013 and the results were compiled on April 8, 2013. Seventeen of the eighty-eight officers who received surveys responded. With such a small sample size, we were unable to draw conclusions about the opinions of all participants, but the responses provided an opportunity to hear the views of some class participants. The complete survey responses are presented below.

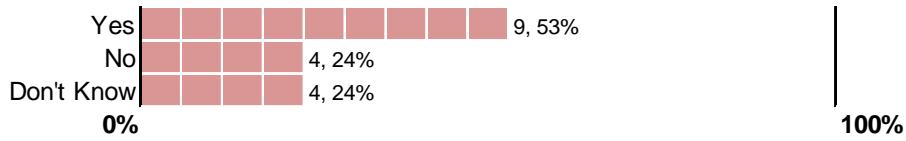
1) Did you know about the Early Warning System before participating in PPEP?



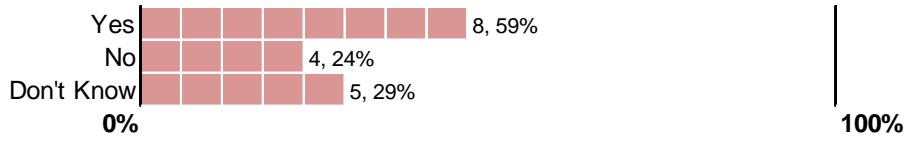
2. Does PPEP have a reputation for being a useful program?



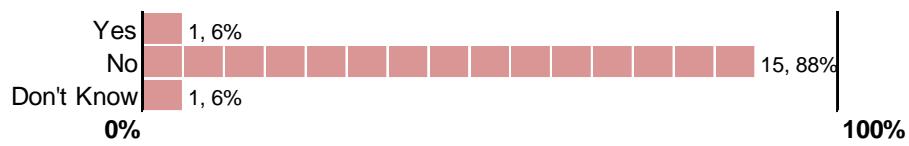
3. Having participated in PPEP, do you perceive the program as helpful?



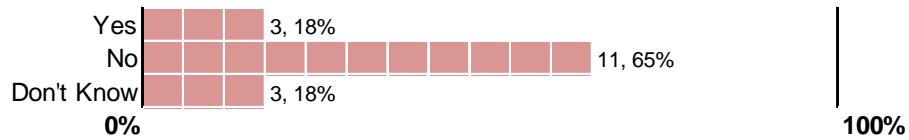
4. Do you perceive the program as punishment?



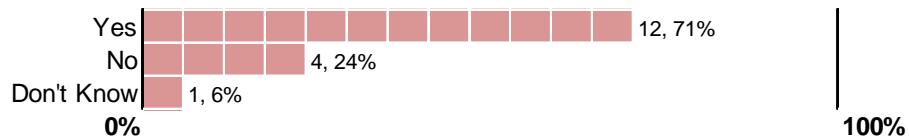
5. Do you feel that you needed intervention to improve your behavior?



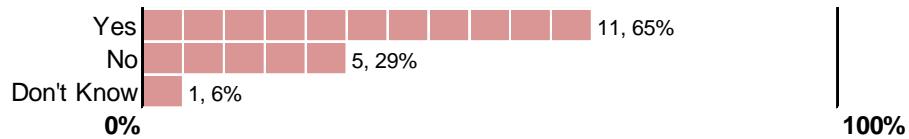
6. Are citizen complaints a good indicator that an officer needs to improve behavior?



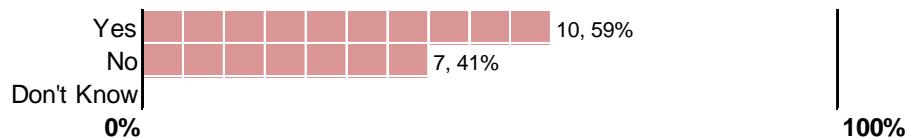
7. Was the content presented in the PPEP class useful?



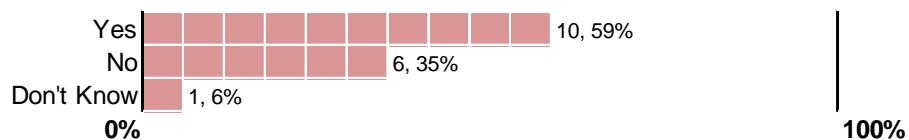
8. Did you learn rules for appropriately using force during PPEP?



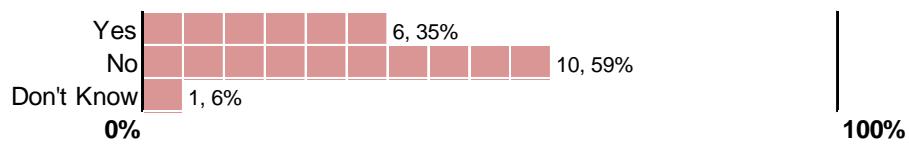
9. Did you learn techniques for personal stress management during PPEP?



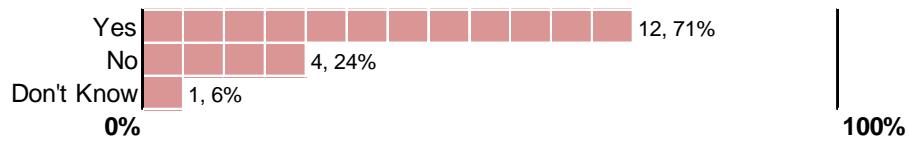
10. Do you know more about resources available to you and your family for personal issues having completed PPEP?



11. Are you more effective at engaging the public during stressful situations due to your participation in PPEP?



12. Did the instructors demonstrate expertise in the subject matter they were presenting?



APPENDIX B: SAMPLE MONITORING FORM

Page 1 of 2

PPEP MONITORING FORM

To be completed bi-weekly

Time Period 2-27-11 / 3 -11-12 # days employee worked 5
Beginning and ending dates of two week period

Employee Name (print): [REDACTED] Supervisor [REDACTED]
(sign/print) [REDACTED]

Total # calls or contacts made with Office in his/her work environment
____ vehicle/traffic stops ____ disturbance calls
____ pedestrian stops ____ other calls for service
____ traffic investigations ____ other activites (office activities; meetings, etc)
____ crime investigations

Not acceptable	Acceptable	Superior	Not Observed		
1	2	3	4	5	00

Please check mark <input checked="" type="checkbox"/> in appropriate box:		1	2	3	4	5	00
1. APPEARANCE							
a. Uniform (Section 800) (Clean; Pressed; Polished)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Personal (Chap. 13.28) (Haircut; Facial Hair; Jewelry)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. VEHICLE CONDITION							
a. Neat / Clean	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Contains only authorized equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. INITIAL SUSPECT APPROACH/ASSESSMENT							
a. Conducts assessment of suspect before approach (Physical size/abilities; Mental state? Intoxicated?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Assesses suspect's environment/resources (Weapons available? Means of escape? Family/others present?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Assesses own resources (Backup available? Additional transport vehicles available? Necessary type/amount restraints available?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Coordinates efforts with other personnel on scene?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. ARREST TECHNIQUE & CUSTODIAL SECURITY							
a. Uses proper positioning before advising suspect he is "under arrest"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was selection of arrest location best for affecting arrest (away from family or other interfering individuals? Lessened opportunity for fight/flight?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Took advantage of security measures available to ensure safety of officers, prisoners and others (Handcuffs? Prisoner placed in vehicle or other secure area? Prisoner never left unattended? Sufficient personnel always present to control situation/prisoner?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Adjusts initial assessment of suspect's controllability if prisoner's behavior changes after arrest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. CONTROL OF CONFLICT							
a. Voice command (Controls situations with voice tone, word selection, & inflection without angering listeners)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Not acceptable	Acceptable	Superior	Not Observed		
1	2	3	4	5	00

Please check mark in appropriate box:

1	2	3	4	5	00
---	---	---	---	---	----

6. INVESTIGATIVE & GENERAL WORK PRACTICES					
a. Shows respect for general public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Handles citizen's problem/situation as completely as possible, before referring to others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Explains decisions to public/suspects when necessary (Why no report? Who no arrest? What are charges?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interviews all involved parties & records via appropriate documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Proper interview/interrogation techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. PROBLEM SOLVING / DECISION MAKING (Reasonable perceptions, forms valid conclusions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. INTERACTION (Courteous, Professional, Unbiased, Service-oriented) WITH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Citizen in general (includes suspects)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Ethnic groups other than own	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other Department members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. FIELD PERFORMANCE: STRESS CONDITIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. FIELD PERFORMANCE: NON-STRESS CONDITION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. REPORTS AND/OR OTHER OFFICIAL DOCUMENTS/CORRESPONDENCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Thorough (Victim/witness statements? Officer's observations? Detailed descriptions? Evidence confiscated & documented?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Correct Grammer/Spelling?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. List RTF Item #'s or types of other documents reviewed:					
12. ATTITUDE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Acceptance of feedback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Attitude toward police work	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST COMPLAINTS RECEIVED AND ACTION TAKEN INCLUDE COMPLAINTS RECEIVED/ HANDLED DIRECTLY BY SUPERVISOR (Counseling; DI-3, DI-1; no action, employee followed proper procedure.)

NATURE OF COMPLAINT	ACTION / REMEDY TAKEN

_____ LIST NUMBER OF "USE OF FORCE" INCIDENTS AND ITEM NUMBER(S):

COMMENTS: (on Officer, PPEP Program, or Monitoring Form): *Please use additional paper for comments*

NOPD Form #209

APPENDIX C: SCCJA GRADING FRAMEWORK⁷⁷

CORE COMPETENCIES:
1. Police Vehicle Operations Rating 1: Unacceptable: Involved in accident(s). Overuses blue lights and siren. Aggressive and unnecessary speed. Fails to slow for intersections and loses control on corners. Continually violates traffic laws, lacks dexterity and coordination during vehicle operation. Rating 3: Acceptable: Maintains control of vehicle while being alert to activity outside of vehicle. Practices good defensive driving techniques. Rating 5: Superior: High degree of reflex ability and competence in driving skills. Sets good example of lawful, courteous driving while exhibiting good manipulative skill required of patrolman, i.e., operate radio.
2. Conflict Resolution Rating 1: Unacceptable: Improper voice inflection, i.e., too soft, too loud, confused voice command or indecisive, poor officer bearing. Cowardly, physically weak, or uses too little or too much force for given situation. Unable to use proper restraints. Rating 3: Acceptable: Speaks with authority in a calm, clear voice. Maintains control without excessive force, good physical condition. Rating 5: Superior: Always gives appearance of complete command through voice tone and bearing. Excellent knowledge and ability to use restraining holds. Always prepared to use necessary force.
3. Use of Force Rating 1: Unacceptable: Becomes emotional and panic-stricken, unable to function, loses temper. Rating 3: Acceptable: Exhibits calm and controlled behavior, does not allow situation to further deteriorate. Rating 5: Superior: Maintains control and brings order under any circumstances without assistance.
4. Procedures, Policies, Laws Issues Rating 1: Unacceptable: No knowledge of common practices and procedures, and makes no attempt to learn. Doesn't know elements of basic sections. Not able to learn; no attempt at improvement. Is not familiar with the more often violated laws taught. Confuses criminal with noncriminal activity. Does not recognize when offenses are committed. Violates procedural requirements; attempts to conduct illegal searches, fails to search when appropriate, attempts to illegally seize evidence, and attempts to unlawfully arrest. Rating 3: Acceptable: Familiar with most common acceptable practices and procedures. Working knowledge of commonly used sections; relates elements to observed criminal activity, applies appropriate sections of laws. Knows and recognizes commonly encountered criminal violations. Follows required procedure in commonly encountered situations. Conducts proper searches and legally seizes evidence. Arrests within legal guidelines. Rating 5: Superior: Outstanding knowledge of Penal Code, and ability to apply it to both normal and unusual criminal activity. Exceptional working knowledge of common practices and procedures; accurately applies law relative to searching, seizing evidence and affecting arrests. Outstanding knowledge of commonly used sections; relates and applies it to both normal and unusual observed related situations.
5. Report Writing Rating 1: Unacceptable: Unable to determine proper form for given situations; forms are incomplete. Totally incapable of organizing events into written form. Illegible, misspelled words, incomplete sentence structure. Requires 2-3 hours to complete basic simple reports. Rating 3: Acceptable: Knows most standard forms and understands format. Completes forms with reasonable accuracy. Converts field situations into a logical sequence of thought to include all elements of the situation. Grammar, spelling and neatness are satisfactory in that errors are rare and do not impair understanding. Completes simple, basic reports in 31 minutes. Rating 5: Superior: Consistently and rapidly completes detailed forms with no assistance. High degree of accuracy. A complete and detailed account of what occurred from beginning to end; written and organized so as to assist any reader in comprehending the occurrence. Very neat and legible; no spelling mistakes and excellent grammar. Completes simple basic reports in no more time than that of a skilled veteran officer.
6. Leadership Rating 1: Unacceptable: "It's just a job"; uses job for ego trip; abuses authority (badge heavy); no dedication. Began as a follower and remained a follower throughout. Disregarded crimes or obvious procedures; swept crimes aside. Lazy, distracted, shirks responsibility, avoids contact, avoids people of different cultures, genders. Rating 3: Acceptable: Expresses active interest toward the job. Actively engaged in the scenario; steps up. Rating 5: Superior: Maintains high ideals toward professional responsibilities.
7. Problem Solving Skills Rating 1: Unacceptable: Acts without thought or is indecisive. Over reliance on others to make his/her decision. Does not accept assistance from peers to the detriment of the situation. Rating 3: Acceptable: Able to reason out problems and relate it to what he/she was taught. Has good perception and ability to make his/her own decisions. Rating 5: Superior: Excellent perception in foreseeing problems and arriving at advanced decisions. Addresses situations which if left unchecked would deteriorate or aggravate a problem.
8. Community-Specific Problems Rating 1: Unacceptable: Unable to recognize community specific issues or explain how they relate to training; is unable to analyze or apply which laws, SOPs, or regulations relate to community issues. Rating 3: Acceptable: Understands and generally can recognize community specific issues and generally applies the appropriate resource to the situation. Rating 5: Superior: Easily able to describe community specific problems and explain how they relate to training; is able to analyze and determine useful resources in handling these problems.

⁷⁷ Developed by the South Carolina Criminal Justice Academy; downloaded from www.sccja.sc.gov/6Forms/files/Rubric-Grading-Sheet-4-9-12.pdf on April 9, 2013.

9. Cultural Diversity/Sensitivity & Special Needs Groups

Rating 1: Unacceptable: Hostile or overly sympathetic. Is prejudicial, subjective and biased. Treats different ethnic group members differently than members of his/her own ethnic or racial group.

Rating 3: Acceptable: Comfortable with relating to members of other ethnic/racial groups. Serves their needs objectively and with concern. Does not feel threatened when in their presence. Finds common ground.

Rating 5: Superior: Understands various cultural differences and uses this understanding to competently resolve situations and problems. Is objective and communicates in a manner that furthers mutual effectiveness.

10. Legal Authority

Rating 1: Unacceptable: Not able to describe laws, SOPs, or common practices, and is not able to explain how they provide legal authority for policing activities.

Rating 3: Acceptable: Adequately describes laws, SOPs, or common practices, and can generally explain how they provide legal authority for policing activities.

Rating 5: Superior: Well-versed at describing laws, SOPs, and common practices, and can easily explain how they provide legal authority for policing activities.

11. Individual Rights

Rating 1: Unacceptable: Not able to describe laws, SOPs, or common practices, and is not able to explain how they relate to individual rights.

Rating 3: Acceptable: Adequately describe laws, SOPs, or common practices, and can generally explain how they relate to an individual's rights.

Rating 5: Superior: Well-versed at describing laws, SOPs, and common practices, and can easily explain how they relate to individual rights.

12. Officer Safety

Rank 1: Unacceptable: Fails to "pat search" or confront suspicious persons; fails to handcuff potentially hazardous prisoners or felons; and fails to thoroughly search prisoners or their vehicles; fails to maintain position of advantage with prisoners to prevent attack or escape.

Frequently fails to exercise officer safety by committing any of the following errors:

- a. Exposes weapons to suspect (baton, OC, handgun, etc.)
- b. Fails to keep weapons hand free during enforcement situations
- c. Stands directly in front of violator's car door
- d. Fails to control suspect's movements
- e. Does not maintain sight of violator while writing citation
- f. Failure to use illumination when necessary
- g. Fails to advise Communications when leaving a vehicle
- h. Fails to utilize or maintain personal safety equipment properly
- i. Does not foresee potentially dangerous situations
- j. Points gun at other officers
- k. Stands too close to vehicle traffic
- l. Stands in front of door when knocking
- m. Fails to have weapon ready when appropriate; fails to put weapon away when appropriate
- n. Fails to cover other officers
- o. Fails to search police vehicle prior to duty or after transporting. Fails to check equipment

Rank 3: Acceptable: Understands principles of officer safety and generally applies same. Generally displays awareness of potential danger from suspicious persons and prisoners; maintains position of advantage.

Rank 5: Superior: Always keeps a safe position. Always watchful on approach to a call and able to do the same for his/her partner. Does not become paranoid or overconfident. Always alert to changing conditions.

13. Communication Skills

Rating 1: Unacceptable: Abrupt, belligerent, overbearing, escalates problems, brings high emotions. Uncommunicative, avoids contact, dismissive. Does not or rarely uses appropriate tactical communication skills.

Rating 3: Acceptable: Courteous, friendly and empathetic; communication is professional and unbiased.

Rating 5: Superior: Establishes rapport and is always objective. Always appears to be at ease in any person-to-person situation. Exceptionally utilizes tactical communication skills in relationships with others.

14. Ethics

Rating 1: Unacceptable: Lacks good judgment in making ethical decisions. Disregards his duties and obligations to the profession, the public, fellow officers. Lies, cheats, steals or condones the same.

Rating 3: Acceptable: Generally uses sound ethical judgment toward other individuals.

Rating 5: Superior: Exceptional at using ethical judgment when dealing with other officers and citizens.

15. Personality Stressors, Self-Awareness, Self-Regulation/Control

Rating 1: Unacceptable: Does not handle stress well and does not recognize strengths or weaknesses pertaining to job performance. Unable to control emotions and bring clarity to the situation.

Rating 3: Acceptable: Adequately handles stress and generally recognizes strengths and weaknesses.

Rating 5: Superior: Is exceptional at handling stress and is excellent at recognizing strengths and weaknesses.