

February 20, 2025

Anne Kirkpatrick, Superintendent of Police
New Orleans Police Department
715 South Broad Street
New Orleans, LA, 70119

Re: NOPD LIBRS Certification

Dear Superintendent Kirkpatrick:

The Office of Inspector General (OIG) is authorized to comment on “rules, regulations, policies, procedures, and transactions” for the purpose of preventing fraud, waste, and abuse, or promoting efficient and effective government.¹ The OIG recently conducted an evaluation of the Orleans Parish Communication District’s contract for Hexagon OnCall Records (Hexagon).² While researching the Hexagon contract, the OIG became aware that the New Orleans Police Department (NOPD) was potentially ineligible to receive grants administered by the Louisiana Commission on Law Enforcement (LCLE) due to failure to report accurate crime statistics through the Louisiana Incident Based Crime Reporting System (LIBRS).³ This letter addresses the potential implications of the NOPD’s lack of LIBRS certification.

The FBI began providing crime statistics to the public in 1930 through the Uniform Crime Reporting (UCR) Program.⁴ The UCR Program originally collected aggregate, or summary, data for ten offense types, including murder, rape, robbery, aggravated assault, vehicle theft, and arson.⁵ In 2016 the FBI announced that, beginning January 1, 2021, it would no longer accept summary crime data and that all UCR submissions would be collected through the National Incident-Based Reporting System (NIBRS).⁶ To comply with NIBRS standards, Louisiana amended its Administrative Code. The amended law removed the option to submit summary data and required law enforcement agencies

¹ City Charter Sec. 9-401(2); City Code Sec. 2-1120(2) and (10)(f).

² New Orleans Office of Inspector General, *Orleans Parish Communication District Hexagon Contract* (New Orleans: Office of Inspector General, 2024), <https://nola.oig.gov/media/opcd-hexagon-contract-report/>.

³ La. Admin. Code Tit. 22, Pt III, § 5501.

⁴ “Crime/Law Enforcement Stats (Uniform Crime Reporting Program),” How We Can Help You, Federal Bureau of Investigation, accessed November 20, 2024, <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr>.

⁵ Marcus Berzofsky et al., *Indicators for Crime Estimates Using NIBRS Data* (Bureau of Justice Statistics and Federal Bureau of Investigation Criminal Justice Information Services, September 2022), 1, <https://bjs.ojp.gov/content/pub/pdf/iceunibrsd.pdf>.

⁶ *Ibid.*; There is evidence that the FBI did accept summary crime data for New Orleans during at least some years between 2021 and 2024.

to report crime statistics through LIBRS, Louisiana's subset of NIBRS data, by the beginning of 2021.⁷ According to the state statute, failure to become certified as a LIBRS agency would result in departments being ineligible to receive grant funding through the LCLE.⁸ Among other things, the LCLE serves as the State's administrator for Department of Justice grant funding and manages LIBRS in partnership with the Louisiana Sheriffs' Association.⁹

The transition from summary data to NIBRS required significant changes on the part of local law enforcement agencies. For example, NIBRS required more detailed contextual information about crimes than had previously been recorded, including the time of day, location, and types of weapons used.¹⁰ NIBRS also collected data on approximately 47 offenses that had not been included in the summary data reporting.¹¹ Additionally, NIBRS required agencies to collect data using standardized offense codes, which sometimes varied significantly from Louisiana statutes.¹² To make the transition, agencies had to ensure their records management systems (RMS) accommodated the additional data fields.¹³ Agencies also needed sufficient staffing to complete technological and data entry tasks associated with the project.¹⁴ Finally, they had to train field officers to enter accurate data using the new standards.¹⁵

The FBI and the LCLE offered local law enforcement agencies assistance to overcome the technological and training demands associated with the NIBRS/LIBRS transition. In collaboration with the Louisiana Sheriffs' Association, the LCLE offered LEMIS IBR, a free RMS that was capable of collecting and submitting data that met LIBRS standards.¹⁶ The NOPD did not adopt LEMIS IBR, however, due to concerns that the software was not suited for large police departments. According to a member of the NOPD's Information Technology (IT) staff familiar with the product, LEMIS IBR was commonly used by small agencies and would require significant staff time if used by large departments because it included a second step of coding data by hand after officers filed a police report.

⁷ La. Admin. Code Tit. 22, Pt III, § 5501.

⁸ Ibid.

⁹ La. R.S. 15:1204(9); "LIBRS," Louisiana Crime Reporting, Louisiana Commission on Law Enforcement and Louisiana Sheriffs' Association, accessed November 19, 2024, <https://crimeinla.org/librs/>.

¹⁰ Department of Justice, *The Report of the Attorney General Pursuant to Section 18(a) of Executive Order 14074: Department of Justice Review of the Transition of Law Enforcement Agencies to the National Incident-Based Reporting System (NIBRS)* (Department of Justice), 2-3.

¹¹ Ibid.

¹² For instance, an attempted murder under Louisiana law was recorded in NIBRS and LIBRS as a completed aggravated assault. See "Offenses (Segment 20)," LIBRS FAQ, Louisiana Commission on Law Enforcement and Louisiana Sheriffs' Association, accessed November 22, 2024, <https://docs.librs.org/faq#offenses-segment-20>.

¹³ Department of Justice, *The Report of the Attorney General Pursuant to Section 18(a) of Executive Order 14074: Department of Justice Review of the Transition of Law Enforcement Agencies to the National Incident-Based Reporting System (NIBRS)* (Department of Justice), 10.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ "LEMIS IBR," Louisiana Crime Reporting, Louisiana Commission on Law Enforcement and Louisiana Sheriffs' Association, accessed November 22, 2024, <https://crimeinla.org/la-lemis/>.

Additionally, both the FBI and the LCLE offered LIBRS/NIBRS training. However, the LCLE reported the NOPD did not make use of available trainings. LIBRS administrators reported they offered trainings to the NOPD multiple times, but the NOPD did not accept the offered assistance.

Changes to the Electronic Police Reports System

In May 2019, the LCLE awarded the NOPD a federal NCS-X subgrant worth \$358,120 to help the police department become LIBRS certified. According to one former NOPD IT staff member, early efforts to retroactively extrapolate existing data to meet LIBRS standards were completely unsuccessful. The NOPD's application for the NCS-X grant outlined proposed modifications to the NOPD's existing RMS, including changes needed to allow data to be extracted and sent to the state moving forward.¹⁷ The grant's final deliverable was the NOPD becoming certified to report LIBRS data.

Although the NOPD hired a contractor to make changes to their RMS, as required by the NCS-X grant, the department never achieved LIBRS certification. The NOPD's monthly progress reports for its NCS-X grant indicated some of the reasons the project failed to produce LIBRS certification in a timely manner. These reasons included a hold on the project by the City of New Orleans' (City) technology team, the City's desire to "totally redo" criminal justice information security, and the City's concurrent efforts to explore replacing the RMS system entirely.¹⁸ In the monthly reports, the NOPD also noted a cyberattack against City IT infrastructure delayed the project, as did a stay-at-home order associated with the COVID-19 pandemic. Individuals who participated in the LIBRS project on behalf of the City, the LCLE, and the Louisiana Sheriffs' Association also noted that leadership changes at NOPD, conflicting priorities, and insufficient IT staff contributed to the difficulty in becoming LIBRS certified.

The LCLE granted the NOPD an extension on the project's deadline from July 2020 to October 2020, but the department never produced full, accurate LIBRS reports. In 2023 the NOPD submitted an average of 182 incidents per month through LIBRS.¹⁹ According to the FBI, New Orleans saw 23,498 violent crimes and property crimes that year.²⁰ In contrast, the Baton Rouge Police Department, which had almost 10,000 fewer crimes that year, submitted an average of 2,376 incidents per month in 2023.²¹

¹⁷ New Orleans Police Department, *NCS-X Grant Proposal* (New Orleans, LA), 3.

¹⁸ The RFP drafted in preparation for potentially replacing the NOPD's existing RMS was later used as an informal "requirements document" in the Orleans Parish Communication District's Hexagon project. See New Orleans Office of Inspector General, *Orleans Parish Communication District Hexagon Contract*, 15.

¹⁹ The NOPD made two submissions for some months in 2023. In each of these instances, the police department made an initial submission and later submitted a new, smaller dataset that included only incidents that had not been rejected the first time. The OIG calculated monthly averages based on the larger initial submission.

²⁰ Federal Bureau of Investigation, Crime Data Explorer Data Discovery Tool, last modified January 1, 2024, <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/query>.

²¹ *Ibid.*

The Cost of Non-Compliance

The OIG was not able to determine the exact amount of money lost due to the NOPD's lack of LIBRS certification. However, the NOPD paid Geocent, LLC. \$427,241 to transition their current RMS for LIBRS certification. The LCLE reimbursed the NOPD \$198,429 of that money through the NCS-X grant. When the NOPD failed to become certified by the extended deadline, the LCLE requested the police department refund the \$198,429 that had already been disbursed and forfeited the remainder of the initial \$358,120 award.²² Further, the LCLE informed the Mayor of New Orleans in September 2022 that

“the New Orleans Police Department (NOPD) [was] not compliant with LCLE's LIBRS reporting requirements. Due to this non-compliance, we wanted to give advance notice that the NOPD will not be eligible for any 2022 pass-through federal or state funding from LCLE.” (emphasis original)

Despite this, OIG evaluators received contradictory statements from City officials and the LCLE about whether the NOPD was technically eligible for any grants through the LCLE in 2024. A representative of the City's Office of Criminal Justice Coordination (OCJC) said the NOPD was currently eligible to receive pass-through funding from the LCLE because the department was submitting small LIBRS reports “in good faith.” Similarly, representatives from both the NOPD and the LCLE felt the NOPD was eligible to receive funding in 2024 because the department was meeting certain benchmarks for LIBRS. However, other LCLE administrators stated the NOPD was “not eligible for anything.”

Notwithstanding the statements of some LCLE administrators regarding eligibility, the LCLE and the NOPD provided documentation that the LCLE awarded grant money to the NOPD each year between 2022 and 2024. It was unclear how much money the NOPD might have missed out on as a result of failure to meet the LIBRS reporting requirements, though. Federal law enforcement funds were either formula-based or discretionary. Discretionary grants were most often issued through a competitive process, and could be granted or not granted to any eligible recipient. As such, the granting agency had the discretion to award or withhold funds based on the content of the grant application.²³

Alternatively, formula-based grants relied on the NOPD's ability to provide crime data. Many federal law enforcement grants were allocated to local agencies through a funding formula that designated a percentage of the state's total funding to each district. In Louisiana, that formula calculated a region's percentage of state funding based on its population size, criminal justice workforce, and portion of the state's total Part 1 Offenses.²⁴ Prior to 2023, the Orleans District received 15.89

²² The NOPD transferred the funds to the LCLE in March 2021.

²³ “Discretionary Grants,” Justgrants, US Department of Justice, accessed January 13, 2025, <https://justicegrants.usdoj.gov/taxonomy/term/discretionary-grants#0-0>.

²⁴ La. Admin. Code Tit. 22 § 5703. The FBI defines Part 1 Offenses as criminal homicide, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, and human trafficking. See “Offense Definitions,” Crime in the United States, Federal Bureau of Investigation, accessed December 8, 2024, <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/offense-definitions>.

percent of Louisiana’s formula-based criminal justice grants.²⁵ In the most recently updated version of the funding formula, adopted in December 2023, the LCLE recalculated each district’s Part 1 Offenses by combining the number of each offense reported in 2020 and 2021. However, at the time the formula was developed, the NOPD still had not reported even summary crime data for 2021.²⁶ As a result, the LCLE calculated the formula using only 2020 crime numbers for New Orleans while other districts’ total crimes combined two years of data. In essence, because the NOPD did not report 2021 crimes to the state, the funding formula was calculated as though New Orleans saw zero crime that year.

The Orleans District’s portion of statewide formula funding fell from 15.89 percent to 10.63 percent when the formula was recalculated using no crime data for 2021. In contrast, the Capital District, which included Baton Rouge and surrounding areas, increased from 15.95 percent to 19.31 percent. Based on the 2021 crime statistics the NOPD eventually reported, OIG evaluators used the LCLE’s funding formula and determined that, had the NOPD submitted 2021 crime statistics timely, the Orleans District would have been allocated 15.33 percent of statewide formula grant funding instead of the 10.63 percent it ultimately received. See **Figure 1**. This would have resulted in approximately \$700,000 of additional funding in fiscal year 2023. Instead, the Orleans District will receive funding based on the current formula until 2031.²⁷

Figure 1: Percentage of Statewide Formula Grant Funding

District	Previous Formula	Existing Formula	OIG Recalculation ²⁸
Northwest	11.07%	12.20%	11.57%
North Delta	10.77%	10.09%	9.49%
Red River	9.74%	9.59%	9.07%
Evangeline	10.66%	10.28%	9.80%
Capital	15.95%	19.31%	18.28%
Southwest	10.44%	10.11%	9.51%
Metropolitan	15.48%	17.79%	16.96%
Orleans	15.89%	10.63%	15.33%

Source: La. Admin. Code Tit. 22 § 5703, 38 La. Reg. 1588 (July 20, 2012), FBI Crime Data Explorer, and OIG evaluation of documents provided by the Louisiana Commission on Law Enforcement²⁹

²⁵ 38 La. Reg. 1588 (July 20, 2012). The Orleans District included the NOPD and other entities that serve Orleans Parish.

²⁶ The NOPD submitted 2021 summary crime data in March 2024.

²⁷ La. Admin. Code Tit. 22 § 5703.

²⁸ The OIG recalculated the existing grant formula using the summary crime data the NOPD ultimately submitted. These numbers indicate the percentage of statewide formula grant funding the Orleans District would have received if the NOPD had submitted crime data in a timely manner.

²⁹ “Data Discovery Tool,” Crime Data Explorer, Federal Bureau of Investigation, accessed January 10, 2025, <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/query>.

The OIG noted that the NOPD is not the only entity affected by decreased formula grant funding. Formula grants for the Orleans District, including those available through the Victims of Crimes Act (VOCA), were also distributed to nonprofit service providers and other governmental entities through the City's OCJC. These included, but were not limited to, the following: the Orleans Parish Juvenile Court's Human Trafficking Victim Assistance Program, the Sexual Trauma Awareness and Response Center, Catholic Charities' Domestic Violence Legal Assistance Program, Children's Hospital's CARE Center Child Abuse Program, and domestic violence programs through the Orleans Parish District Attorney's Office and Orleans Parish Criminal District Court. As such, the NOPD's failure to timely report crime numbers reduced the amount of formula-based funds available for agencies serving crime victims throughout the city.

Moving Forward

More than eight years after the FBI announced the transition to NIBRS, and five and a half years after the NCS-X grant was awarded, the NOPD was still not LIBRS certified at the time of the OIG's inquiries. In that time, \$427,241 of public money was spent on an unsuccessful attempt to upgrade the department's RMS for that purpose. The OIG learned, however, that the City issued a Request for Proposals in December 2023 for a new RMS for the NOPD, specifically identifying the ability to achieve LIBRS compliance as a key feature of the desired product.³⁰ The City's functional specifications for the product included that the new RMS must be able to generate and submit LIBRS reports to the LCLE, validate incident reports for LIBRS compatibility before submission, and identify trends that indicated additional training needs.

This resulted in a \$4,590,464 three-year contract between the City and Mark43, Inc., signed in June 2024.³¹ According to City personnel, the City anticipates Mark43 will launch in August 2025. At that time, the NOPD will be able to start collecting detailed incident-level data sufficient for LIBRS certification. LIBRS administrators said they anticipated it would take at least 12 to 16 months for the NOPD to achieve LIBRS certification after beginning to submit high-quality data from a new RMS. A representative of the City estimated the NOPD will not submit a full year of compliant data until late 2026.

The NOPD's efforts toward LIBRS certification should not rely solely on the quality of its new RMS product, though. A 2023 Attorney General report identified two relevant roadblocks law enforcement agencies face when transitioning to incident-based crime reporting: training and adequate staff dedicated to data submission.³² LCLE representatives identified both of these issues as reasons the NOPD was unable to gain certification prior to the LCLE's deadline. NOPD should address these issues as it prepares to launch Mark43.

³⁰ City of New Orleans, RFP No. 3790, Request for Proposals for Records Management System (RMS) for Law Enforcement (December 27, 2023), 29.

³¹ City of New Orleans, *Professional Services Agreement By and Between the City of New Orleans and Mark43, Inc. Request for Proposals No. 3790*, Contract No. K24-630, June 26, 2024, 22.

³² Department of Justice, *The Report of the Attorney General Pursuant to Section 18(a) of Executive Order 14074: Department of Justice Review of the Transition of Law Enforcement Agencies to the National Incident-Based Reporting System (NIBRS)*, 10.

First, the NOPD should ensure that officers in the field are trained to enter meaningful field interview data that include all fields needed for LIBRS submission. As previously mentioned, LIBRS and NIBRS classify offenses in ways that sometimes differ from the names and definitions used in Louisiana statutes. As such, both LIBRS administrators and City IT leaders identified training as a key to successful LIBRS reporting. LIBRS requires information about factors that were not included in UCR summary data reports. Previous attempts to retroactively extrapolate this additional information from the more limited data collected by the RMS before the LIBRS transition were unsuccessful, indicating the importance of fully training officers to collect all needed information before launching a new RMS. The NOPD should make use of training resources available from the LCLE and the FBI when appropriate.

The NOPD should also allocate additional staff resources to verifying and approving police report submissions. According to LCLE representatives, the NOPD's failure to achieve LIBRS certification was partially due to the lack of sufficient IT staff. Current and former NOPD IT staff also noted the department would need additional staff to perform quality control duties related to LIBRS data collected by the new Mark43 RMS.

Finally, the NOPD should commit to submitting full months of LIBRS data immediately upon launching its new RMS. As previously mentioned, the NOPD submitted only an average of 182 incidents per month in 2023. LIBRS administrators reported that they had urged the NOPD to submit full months of data in the past but had never gotten it. Receiving information on all incidents, even with extremely high error percentages in the data, is crucial in the early stages of LIBRS certification because it allows the state to identify the sources of the errors and helps departments learn to improve their procedures. "Everybody starts out with messy data," one administrator said. That initially messy data provides an opportunity to detect problems early and indicates areas in which additional training might be required.

The ability to collect and report accurate data is critical to public safety and to continued funding for the NOPD and community partners. The OIG is encouraged by the City's recent efforts toward implementing Mark43 RMS software and attaining LIBRS certification. However, the NOPD has already had more than eight years to become LIBRS certified. The department spent more than \$427,000 upgrading software for this purpose but never submitted adequate crime data to the LCLE. Indeed, the NOPD failed to submit even limited summary crime data in at least one year, leading to a significant decrease in federal formula grant support to local government entities, nonprofits, and crime victims. The City and the NOPD should work with the LCLE and the FBI to optimize staffing and training resources, and to ensure that NOPD attains LIBRS certification as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Edward Michel". The signature is written in a cursive style with a small dot above the letter 'i' in "Michel".

Edward Michel, CIG
Inspector General