

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA,  
Plaintiff,

V.

CITY OF NEW ORLEANS,  
Defendant.

CIVIL ACTION NO.  
2:12-CV-01924-SM-DPC

JUDGE SUSIE MORGAN

MAG. DONNA PHILLIPS  
CURRAULT

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MONTHLY REPORT OF NOPD  
ON THE REMEDIAL ACTION PLAN

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**Now Into Court**, comes Defendant, the City of New Orleans and its New Orleans Police Department (“NOPD”), who, in compliance with the Court’s Order of November 2, 2023 (R. **Doc. 756**), submit the report attached hereto as Exhibit 1, on the NOPD’s progress on its Remedial Action Plan.

*Respectfully submitted*, this 1<sup>st</sup> day of December 2023.

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*Counsel of Record for the  
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New Orleans Police Department*

**CERTIFICATE OF SERVICE**

I certify that I have served a copy of the above and foregoing pleading *via* Notice of Electronic filing using this Court's CM/ECF system to counsel of record participating in the CM/ECF system on this 1<sup>st</sup> day of December 2023.

/s/ Charles F. Zimmer II

CITY OF NEW ORLEANS



## DEPARTMENT OF POLICE

P.O. BOX 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



LATOYA CANTRELL  
MAYOR

ANNE E. KIRKPATRICK  
SUPERINTENDENT

December 1, 2023

Honorable Susie Morgan  
United States District Court  
(Eastern District)  
500 Poydras Street C336  
New Orleans, LA 70112

Dear Judge Morgan,

Thank you for giving the New Orleans Police Department the opportunity to update the court on the progress we have made in implementing the remedial measures we committed to in our October 30, 2023, letter. Our team identified ninety-five tasks in our remedial action plan. As you review the attached document you may note several remedial measures are contingent upon others being completed. For instance, we cannot train on a policy update until it is approved by all parties and implemented by the department. In other instances, we are still working with the monitoring team to craft an appropriate response such as the need to create a new way of tracking disciplinary investigation dispositions. It is our belief the use of the attached tracker will assist us in identifying next steps as well as areas we need to put more focus on. This tracker was shared with the Federal Monitoring Team for their awareness prior to being filed today.

Sincerely,

A handwritten signature in blue ink that reads "Anne E. Kirkpatrick".

Anne Kirkpatrick  
Superintendent of Police  
New Orleans Police Department

AEK/NLG/nlg

Exhibit 1

CD #	Remedial Plan	Owner	Actions	Action Status	Last completed task	Current action / task	Next Step	Notes	
306	Revisit/re-emerge the Serious Discipline Review Board (SDRB)	NG	OCMDM to give feedback on proposed changes	In Progress	Held SDRB on November 9 - awaiting feedback	Awaiting feedback			
		NG	NOPD to draft policy changes and submit them to OCMDM/DOJ	In Progress	Sent to OCMDM DOJ 11/15	DOI approved 11/20	Awaiting OCMDM approval		
		NG	OCMDM/DOJ to approve policy changes and return to NOPD	Pending		Awaiting OCMDM approval			
		NG	NOPD to implement policy changes	Pending					
		KS	NOPD to hold first SDRB on 11/29/23 following the UOFRB	Pending	SDRB WAS HELD ON 11/29 - OCMDM Scott Huntsberry attended	OCMDM Scott Huntsberry provided feedback	Discuss logistical and confidentiality challenges if any exist with OCMDM	The recommendation by OCMDM was centered around NOPD employees facing discipline and the impact it may have on family members	
		KS	NOPD to keep OCMDM/Court apprised of SDRB schedules, agendas, and outcomes	In Progress	SDRB email/calendar invite for 11/29/23 sent to OCMDM on 11/22/23 by Sgt. LaShawn Rondeno. SDRB held on 11/29/2023. OCMDM Robert McNeilly was present. Additionally, OCMDM is apprised of the results of the most recent SDRB at their weekly meetings with PIB. Next UOFRB	Next SDRB is scheduled for January 11, 2024 following the recent UOFRB	Review by OCMDM		
		LD	NOPD to assign a full-time Sgt to EP	Complete	Sgt. Jaque transferred to EP unit 8/18/23	NA	NA	Personnel Transfer # 19-2023	
		LD	NOPD to move EP to Chief of Ops	Complete	EP Unit transferred to Chief Dupree 8/18/23	NA	NA	Personnel Transfer # 19-2023	
		NG	All parties to develop EP SOP	In Progress	DOI approval	Awaiting OCMDM permission to implement	Dissemination of policies		
		LD / MW	All parties to develop EP policy 46.6 NOPD to train EP on policies and SOP	Pending	ibid	ibid	ibid	All members have had formal EP training in outside schools	
309	Revisit NOPD assignment/reassignment policies	NG	NOPD to draft policy changes and submit them to OCMDM/DOJ	In Progress	PSAB revisiting existing policy				
		NG	OCMDM/DOJ to approve policy changes and return to NOPD	Pending					
		NG	NOPD to implement policy changes	Pending					
		NG	NOPD to revise NOPD's assignment/reassignment forms (pending)	Pending					
		NG	See actions for 306 re SDRB	NA					
		NG	OCMDM to advise whether the current system suffices	In Progress	Information shared by PSAB on current system is under review by OCMDM				
		NG	OCMDM to review NOPD's request for shift data enhancements	Pending	11/9 meeting with Finance / IT / OCMDM / OPSE				
		MW	NOPD to develop the training	Pending					
		MW	OCMDM to assist with developing a system for measuring the training	Pending					
		NG	OCMDM to review current revisions to 52.1	In Progress	NOPD sent most recent set of proposed revisions 10/19/23	Awaiting DOI approval / meeting discussion scheduled for 11/28			
313	Draft/Enhance policies related to reviewing supervisors' roles in misconduct	NG	NOPD to implement OCMDM's suggestions for 52.1	In Progress	Incorporated all OCMDM suggestions				
		MW	PIB to train intake personnel on complaint classifications	Pending		Need to identify current training gaps / needs	Development of lesson plan / training mod		
		MW	PSAB to train intake personnel on complaint classifications	Pending		Awaiting 52.1 approval to do all retraining at the same time.			
		NG	OCMDM to approve revisions to 52.1 that requires superintendent's authorization to delay admin investigation when criminal investigation is in progress	In Progress	NOPD sent most recent set of proposed revisions 10/19/23	Awaiting DOI approval / pending discussion scheduled for 11/28			
		NG	NOPD to implement revisions to 52.1	Pending					
		KS	PIB to draft SOP for conducting concurrently investigations	In Progress	Discussion with City Attorneys regarding "POBIR" R.S. 202531 and Garity vs. New Jersey to be scheduled. Additionally, on about 10/17/2023 PIB executive staff met to discuss logistical and manpower issues related to concurrent investigations.	PIB submitted a KSA to address the manpower issues associated with concurrent investigations. PIB received 20 resumes and will begin conducting interviews in 12/1/2023.			
		KS	OCMDM to review SOP	Pending					
		KS	PIB to implement SOP	Pending					
		NG	OCMDM to review the proposed guidance in the revisions to 52.1	In Progress	NOPD sent most recent set of proposed revisions 10/19/23	Awaiting DOI approval / pending discussion scheduled for 11/28		Currently outsourced at least one (possibly two) cases.	
		KS	NOPD to implement the revised 52.1	Pending	Awaiting DOI approval / pending discussion scheduled for 11/28	Next meeting to discuss is Dec. 6			
399	Create system for outsourcing integrity investigations	SL	NOPD to seek funding sources for outsourcing	Pending	Awaiting DOI approval / pending discussion scheduled for 11/28				
		NG	OCMDM to review revisions to 52.1 for this purpose	In Progress	Done				
		ER	NOPD to implement revised 52.1	Pending					
		ER	City Attorney to draft CD amendment	In Progress					
		ER	OCMDM/DOJ to review amendment	Pending					
		ER	Court to amend CD	Pending					
		NG	NOPD to update secondary employment and overtime policies to align with amendment	Pending					
		NG	NOPD to implement policy changes	Pending					
		NG	PSAB to ensure protocol covers proper intake classification	In Progress					
		NG	PSAB to ensure protocol covers 399	In Progress					



	IS	PIB to develop system for transmitting info to OCDM			Coordinated with OCDM and established a protocol to transmit information regarding criminal investigations as well as 454 violations to OCDM		
Provide guidance to command staff re 454	NG / ER AK	Geron and City Attorney to craft language Superintendent to issue memo with guidance			In Progress		
Enhance PIB Intake form re 454	NG	PSAB to work with OCDM to determine needed enhancements			Pending		
Include 454 in misconduct investigations protocol	NG	PIB to update intake form PSAB to update misconduct investigations audit protocol to ensure it covers 454			Pending		
Ensure OCDM/DOJ receive requesting info	NG / ER AK	Geron to draft language for Superintendent's memo Superintendent to send memo to command staff			In Progress		
470/472					Pending		