

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

Plaintiff

v.

THE CITY OF NEW ORLEANS

Defendant

CIVIL ACTION NO.

12-cv-01924

SECTION E

JUDGE SUSIE MORGAN

DIVISION (2)

Notice To The Public Regarding Motion to Enter Sustainment Period

Earlier today, the United States Department of Justice and the City of New Orleans filed with the Court a “Joint Motion To Enter Into The Sustainment Period” for the Consent Decree, with a proposed Sustainment Plan attached. The proposed Sustainment Plan is available to the public on the Monitor’s website (www.consentdecree-monitor.com) and the Court’s website:

<https://www.laed.uscourts.gov/case-information/mdl-mass-class-action/nopdconsent>.

As the Monitor and the Court have explained on several occasions, the parties to the Consent Decree agreed NOPD would be released from the Consent Decree once the City and NOPD had been in full and effective compliance with its requirements for two years. For ease of reference, the Parties and the Court refer to this two-year period as the “Sustainment Period.” The Joint Motion filed today, if granted, will commence the Sustainment Period, during which the City and the NOPD must: (1) demonstrate they are sustaining the reforms put in place to date, and (2) continue to diligently pursue the corrective actions and remedial measures identified in the Sustainment Plan.

The public is assured that there will be continued monitoring and Court oversight during the Sustainment Period, and, should there be a failure by NOPD or the City to comply with the Sustainment Plan, the Court will take swift and decisive action as appropriate.

The Consent Decree affects the entire New Orleans community. Over the life of the Consent Decree, the Court has been gratified by the significant public interest in the implementation of the Consent Decree’s requirements by the City and NOPD. Reflecting that interest, the Court and the Monitor have received extensive communication and input from organizations and individual members of the public. In light of the public’s interest in the implementation of the Consent Decree, the Court will provide the following opportunities for members of the public to learn about the Sustainment Plan and to raise any concerns they may have:

- Over the next 45 days, the Monitor will hold multiple virtual and/or in-person public meetings to hear community reactions and answer

community questions. The Monitor will inform the Court of all issues raised in the course of those meetings.

- Within the next 45 days, the Court will hold a public hearing, much like the Fairness Hearing held at the outset of this case prior to the adoption of the Consent Decree. The Fairness Hearing will provide any interested members of the community the opportunity to come to Court and publicly share their views on (a) whether the motion to enter the Sustainment Period should be granted, and (b) whether the Sustainment Plan proposed by the Parties adequately protects the interests of the community, the NOPD, its officers, and the City. The Court will provide public notice of the date and time of the public hearing and how members of the public may request an opportunity to speak.
- The public is encouraged to submit written comments to the Court before October 25, 2024, via email to Clerk@laed.uscourts.gov or addressed to Clerk of Court, U.S. District Court, EDLA, 500 Poydras St., Room C-151, New Orleans, LA 70130. Comments received will be made public and posted on the Court's website with the author's name, unless a separate motion to seal is granted by the Court.
- The Court further invites community members to submit comments and questions to the Court in writing before October 25, 2024 through the Monitor's email address, aburns@consentdecreemonitor.onmicrosoft.com.
- The Court will encourage NOPD and the DOJ to conduct their own public awareness efforts prior to the Court hearing.
- Within the next 60 days, the Court plans to hold a hearing to hear oral argument from the Parties in support of their joint motion.

Only after the members of the public has had an opportunity to review the Sustainment Plan and express their views will the Court consider the Joint Motion and determine whether the parties' Joint Motion should be granted and the Sustainment Period should commence.

The Court applauds the progress that has been made by the NOPD to date, with the support of DOJ and the Monitor, and looks forward to hearing from the public on this important matter.

New Orleans, Louisiana, this 27th day of September, 2024.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE