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Department of Justice Releases Investigative Findings Involving the New Orleans Police Department

WASHINGTON – Following a comprehensive investigation, the Justice Department today announced its findings that the New Orleans Police Department (NOPD) has engaged in patterns of misconduct that violate the Constitution and federal law. The investigation, announced on May 15, 2010, was conducted pursuant to the Violent Crime Control and Law Enforcement Act of 1994, the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964.

The Justice Department’s thorough and independent investigation involved extensive community engagement and in-depth review of NOPD practices. Department attorneys and investigators held interviews and meetings with NOPD officers, supervisors and command staff, as well as members of the public, city and state officials, and other community stakeholders. The Justice Department participated in more than 40 community meetings with various advocacy groups, civic leaders and public officials. The investigation also involved thorough review of a wide range of NOPD documents, as well as ride-alongs and other opportunities to observe police activity. On May 5, 2010, Mayor Mitch Landrieu sent a letter to the Justice Department asking for an independent investigation of NOPD’s systems and operations.

The Justice Department found reasonable cause to believe that patterns and practices of unconstitutional conduct and/or violations of federal law occurred in several areas, including:

- Use of excessive force;
- Unconstitutional stops, searches and arrests;
- Biased policing, including:
 - Racial and ethnic profiling and lesbian, gay, bi-sexual and transgender (LGBT) discrimination;
 - A systemic failure to provide effective policing services to persons with limited

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English proficiency; and

- A systemic failure to investigate sexual assaults and domestic violence.

The Justice Department also found a number of long-standing and entrenched practices within NOPD that caused or contributed to these patterns or practices of unconstitutional conduct, including:

- Failed systems for officer recruitment, promotion and evaluation;
- Inadequate training;
- Inadequate supervision;
- Ineffective systems of complaint intake, investigation and adjudication;
- A failed “Paid Detail” system;
- Failure to engage in community oriented policing;
- Inadequate officer assistance and support services; and
- Lack of sufficient community oversight.

“For far too long, the New Orleans Police Department failed to adequately protect the citizens of the city. This was a result of its failure to ensure respect for and adherence to the Constitution,” said Deputy Attorney General James Cole. “Today’s findings should serve as a foundation not only to rebuild the police department, but to help restore the community’s trust in fair, just and effective law enforcement.”

“Our findings show that the problems facing the NOPD are wide ranging, systemic, and deeply rooted in the culture of the Department,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. “Our team looks forward to working with the people of New Orleans, Mayor Landrieu, Chief Serpas and his officers in creating and implementing a comprehensive blueprint for sustainable reform.”

“Today, the Justice Department has taken a critical step forward towards building a police department which the people deserve and desperately need – one which is free from corruption and which is dedicated to the protection of its citizens,” said U.S. Attorney for the Eastern District of Louisiana James Letten. “Through this partnership, and through the tireless efforts of our U S Attorney’s Office, the department’s Civil Rights Division and our federal partners, we will continue to do whatever it takes to reach these essential goals and to restore trust in the men and women of the police department.”

The Justice Department will work with the NOPD and the city of New Orleans to address the violations of constitutional and federal law by developing and implementing comprehensive reforms that will reduce crime, ensure respect for the Constitution and the rule of law, and restore public confidence in the NOPD. The NOPD must develop and implement new policies and protocols and train its officers in effective and constitutional policing. In addition, the NOPD must implement systems to ensure accountability, foster police-community partnerships, improve the quality of policing to all parts of the city and eliminate unlawful bias from all levels of policing decisions.

This investigation was not related to any ongoing federal criminal prosecutions of NOPD officers.

This investigation was conducted by the Special Litigation Section of the Civil Rights Division with

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the assistance of the U.S. Attorney's Office for the Eastern District of Louisiana. In addition, the investigators consulted with a number of police experts from around the country and with Department experts within the Office of Justice Programs, the Office on Violence Against Women, the Office of Community Oriented Policing Services, the Office on Juvenile Justice Delinquency Prevention and the Access to Justice Initiative. Over the past six months, the Community Relations Service has facilitated community participation, allowing community members to express their concerns and to share their ideas.

The executive summary and full report can be found at www.justice.gov/crt/about/spl/nopd.php. Over the next few weeks and months, Department of Justice personnel will be meeting with interested community groups. Comments or suggestions can also be e-mailed to Community.NOPD@usdoj.gov.

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Civil Rights Division

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