

Parking Control Division Abuse of Work Rules & Failure to Cooperate with the OIG

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E. R. Quatrevaux, Inspector General

EXECUTIVE SUMMARY

The Department of Public Works (DPW) Parking Division is responsible for the enforcement of City ordinances in regard to public safety by managing on-street parking in certain densely populated areas. The City depends on this Division to take enforcement actions and collect revenue. The Office of Inspector General (OIG) initiated an investigation based on allegations by local businesses that several Parking Control Officers (PCOs) were sitting in their businesses for extended periods of time while on duty. The businesses alleged when they confronted the PCOs, they retaliated by issuing large quantities of citations to their employees and customers. The OIG also received complaints from local and federal law enforcement (LE) officers that LE vehicles parked in the vicinity of the federal courthouse were being cited despite displaying a dashboard placard with the agency's emblem and the words, "On Official Duty."

Investigators were able to confirm that PCOs were sitting for extended periods of time in coffee shops and hotel lobbies while on duty. The OIG verified that one PCO retaliated against a local business when confronted about sitting in their lobby for an extended period of time. Investigators were able to verify that the PCOs cited LE vehicles even though they bore placards displaying an agency's emblem and the phrase, "On Official Duty."

The OIG requested all citations issued to vehicles parked near the addresses of the complainants for the period of 2012 to 2014. The Parking Control Division did not produce the requested documents.¹ As a result of the Parking Control Division's failure to produce the requested documents, our office was unable to determine if other businesses had been subjected to retaliation by PCOs.

The Parking Control Division did not recognize LE vehicles with these placards as an official placard.² The Administrative Hearing Center later dismissed all of these citations upon receipt of a letter from the LE agency stating that the vehicle was on official business. In addition, the City incurred the cost of time spent issuing these citations, processing these citations, sending the citations to collections, sending collection letters and the cost of having the Adjudication Administrator dismiss these citations.

¹ Parking Administrator (PA) Zepporah Edmonds related that manpower, funding issues, and the fact that Duncan Solutions Inc. replaced Xerox as the City's ticket processing vendor contributed to their inability to produce the requested documents.

² According to PA Edmonds, vehicles that are clearly marked as LE vehicles are the only vehicles that will not be ticketed.

I. INTRODUCTION

The Office of Inspector General (OIG) initiated an investigation based on allegations by local businesses that several Parking Control Officers (PCOs) were sitting in their businesses for extended periods of time while on duty. Investigators interviewed Department of Public Works personnel and those of local business establishments. Also reviewed were applicable documents, policies and procedures.

EFFORTS TO OBTAIN DOCUMENTS FROM PARKING CONTROL MANAGEMENT

The Parking Control Division took approximately 9 months to provide the documents requested to investigate the above-described complaints. It took the Parking Control Division 5 months to respond to the initial requests for documents, and the Parking Control Division did not provide information directly related to the complaint until May 2015.

In August 2014, requests were made to Parking Administrator (PA) Zepporah Edmonds for any documents relating to the retaliation complaint. PA Edmonds never provided any information or documentation disclosing that the Parking Control Division had received the same retaliation complaint and responded to it by issuing a formal reprimand to the PCO.³

Also requested were historical reports regarding the number of citations issued by location, types of violations, dismissed citations, and citations issued by particular PCOs.⁴ The Parking Division did not provide the requested information.

On March 25, 2015, Xerox Vice President Brett Peze was interviewed telephonically by investigators. According to Peze, Xerox could have produced historical reports regarding the number of citations issued by location, types of violations, dismissed citations, and citations issued by particular PCOs. He did not recall at any time being asked by a City employee to produce such a report. They archived the data and provided it to the current contractor Duncan Solutions.⁵

Anderson Moore, Vice President of On-Street Parking Services for Duncan Solutions, Inc. was also interviewed in late March and early April of 2015. According to Moore, the PA asked for information on the whereabouts of certain PCOs and for access to reports which would allow them to track staff in 2015. He did not recall at any time being asked by a City employee to produce such a report for 2013 or 2014.

³ On May 19, 2015, PA Edmonds stated that the PCO was issued a formal reprimand for unprofessional behavior on June 26, 2013. The PCO resigned while under investigation for a different matter the following year, and was subsequently hired by the City of New Orleans Taxi Cab Bureau on July 6, 2014.

⁴ The Parking Control Division responded to the request by producing reports that only showed the number of citations issued.

⁵ Xerox has the data archived and would be able to provide a report but at this time it would be a large expense to the City for them to reconstitute the data, sort through the data, and produce a report.

It appears that the Parking Control Division could have fulfilled the request for information regarding the number of citations issued by location, types of violations, dismissed citations, and citations issued by particular PCOs simply by forwarding the request to its current ticket processing vendor. Instead, the Parking Control Division continued to insist that it was unable to provide the information that the OIG had requested.

PARKING CONTROL OFFICERS WASTED EXTENDED PERIODS OF TIME

All PCOs sign for and receive a standard operating procedures manual that details the rules and responsibilities for PCOs. PCOs are allowed three breaks on a shift, two 15 minute breaks and one 30 minute lunch break. If the weather is inclement, PCOs are authorized after walking their “beat” once to take a five to ten minute break from the weather. PCOs are to radio in when they take their 30 minute lunch break. PCOs are not allowed to walk “beats” or to take breaks together.

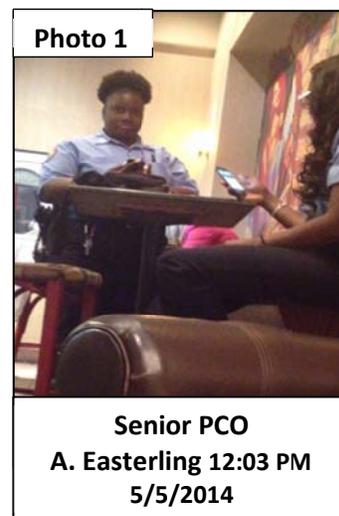
PCOs in the below photographs were observed using their personal cellphones for an extended period of time in violation of CAO Policy 83(R) Standards of Behavior for City Employees concerning personal cell phone usage, effective October 28, 2013. In particular, Section 2, Standards, Paragraph h of the above-describe policy states:

- *Personal telephone calls shall be kept to a minimum and shall be brief in duration. If possible, personal telephone calls should be made during breaks and lunch time, and in an area that is not used by the public.*

On May 1, 2014, an employee of CC’s Coffee House at 650 Poydras Street stated that she had observed on numerous occasions including that day, several PCOs sitting for hours at the establishment from the morning until closing. The PCOs would sit in the rear of the store consuming outside food and drink, using the free WiFi, and talking on their personal cell phones.

On May 5, 2014, Senior PCO A. Easterling was observed for approximately two and half hours, while on duty, seated at CC’s Coffee House. During this time, Easterling was also observed using her personal cell phone.⁶ **(See photo 1 on the right).**

The OIG observed Senior PCO J. Robiho at Starbucks Coffee at 2801 Magazine Street on August 11, 2014 for more than two hours using her personal cell phone. **(See photo 2)**



⁶ A review of citations issued by Easterling on May 5, 2014 verified that she was not issuing tickets during this period of time.

DISMISSAL OF LAW ENFORCEMENT PARKING CITATIONS PERIODS OF TIME

Not all LE vehicles have “Public” license plates; some are intentionally made to appear as a common automobile owned by a private individual. When these vehicles are acting in an official capacity, a dashboard placard is displayed that includes the agency’s emblem and the words, “On Official Duty.” According to PA Edmonds, the Parking Control Division does not consider the agency placard or any placard that may be purchased at a law enforcement supply store as an official placard and will issue citations to those vehicles. When such a vehicle receives citations, the responsible agency submits a request for dismissal to the Administrative Hearing Center stating that the vehicle was on official business.

The Administrative Hearing Center maintains dismissed citations and these dismissed citations were found at the Administrative Hearing Center unsecured in bankers boxes stored in a well-travelled hallway (**See photo 3**). The dismissal requests from LE agencies contain sensitive information in regards to LE vehicles and were found interspersed with other citation dismissals.⁷

Many of these requests for dismissal by LE agencies included evidence attached supporting that the vehicles were clearly marked “on duty” or on “official business” (**See photos 4 & 5**).

The Administrative Hearing Center was not able to provide all dismissed citations issued to LE vehicles in 2014.⁸ Investigators were only able to find 207 dismissed parking citations to LE vehicles in 2014. The total cost for the fines of the 207 dismissed citations was \$6,865. This does not reflect the cost of issuing the citation, processing the citation, sending the citation to collections, sending collection letters, or the cost of having the Adjudication Administrator or his staff dismiss the citation.



Photo 2

Senior PCO
Jamie Robiho
9:16 AM 8/11/2014



Photo 3

Dismissed Parking and
Photo Safety Tickets
1/9/2015

⁷ Administrative Hearing Center staff was informed that the LE request for dismissals should be kept separate and secure from other dismissed citations.

⁸ Adjudication Administrator stated that Duncan Solutions Inc. replaced Xerox as the City’s ticket processing vendor which contributed to their inability to produce the requested documents.

However, citations issued to LE vehicles are counted when Parking Control Supervisors conduct daily checks of the number of citations written by a PCO.

Photo 4



Ticket issued 7/8/2014 for parking in a, "No Stopping Anytime" by PCO J. Robiho.

Photo 5



City of New Orleans PARKING VIOLATION	
CITATION #: 613093386	
Date 10/16/2014	Time Issued 08:34PM
Administrative Hearing Date 11/11/14 NOON - 04:00PM	
<small>THE ABOVE VIOLATION IS SUBJECT TO A 30 DAY GRACE PERIOD. IF YOU DO NOT PAY THE FINE WITHIN THE GRACE PERIOD, YOU WILL BE SUBJECT TO A 30 DAY GRACE PERIOD. IF YOU DO NOT PAY THE FINE WITHIN THE GRACE PERIOD, YOU WILL BE SUBJECT TO A 30 DAY GRACE PERIOD.</small>	
State LA	Year 2016
Vehicle Identification Number [REDACTED]	
Seat 00	URDL U
Location 500 CAPEVIELLE STREET	
Meter No. [REDACTED]	
VIOLATION 154.876 ENFORCEMENT ZONES	
Fine \$40.00	1st Penalty after 30 Days \$80.00
2nd Penalty after 60 Days \$160.00	
<small>The above fine is based on the violation code and the amount of the fine is based on the violation code. The above fine is based on the violation code and the amount of the fine is based on the violation code. The above fine is based on the violation code and the amount of the fine is based on the violation code.</small>	
Officer A. Easterli	Agency 10
Badge No. 4026	
Comments: No ID visible Sign Posted - No Activity / Unattended	
<small>Place check or money order payable to the City of New Orleans and this ticket in the envelope provided and mail promptly. If payment of this fine is not received within 30 calendar days, significant late penalties are added. DO NOT MAIL CASH. See the reverse side of this ticket for additional information.</small>	

Ticket issued 12/16/2014 for, "No ID Visible" by PCO A. Easterling.

III. CONCLUSION

The investigation confirmed that two PCOs were sitting for extended periods of time in coffee shops and hotel lobbies while on duty and that a PCO retaliated against a local business when confronted about sitting in the lobby for an extended period of time. These two PCOs violated CAO Policy regarding “Standards of Behavior for City Employees” 83(R)(II)(h), *“Personal telephone calls shall be kept to a minimum and shall be brief in duration. If possible, personal telephone calls should be made during breaks and lunch time, and in an area that is not used by the public.”*

PCOs cited law enforcement vehicles even though they bore placards clearly displaying an agency’s emblem and the phrase, “On Official Duty.” Consequently, PCOs who patrol the streets around City Hall, the Federal District Court on Camp Street and the Orleans Parish Criminal District Court at Tulane Avenue and Broad Street can appear productive by writing citations to LE vehicles even though all the citations are later dismissed.

PA Edmonds failed to cooperate with the OIG by not providing the requested information and documentation in a timely manner, did not provide all requested documentation, responded five months after requests for information were made, and omitted pertinent information directly related to an investigation for ten months after being made aware of the investigation. Based on the information above PA Edmonds violated the Code of the City of New Orleans, Chapter 2, Article XIII, Section 2-1120(20)(a), *“It shall be the duty of every city officer, employee, department, agency, board, commission, public benefit corporation, contractor, subcontractor, licensee of the city, and applicant for certification of eligibility for a city contract or program, to cooperate with the office of inspector general in any investigation, audit, inspection, performance review, or hearing pursuant to this chapter.”*