A photograph of a classical building facade with a pediment and columns. The text is overlaid on the image.

Office of the Inspector General

City of New Orleans

Report of Investigation

OIG-ID-2013-0016-I

E. R. Quatrevaux
Inspector General

April 3, 2014

FINAL
REPORT OF INVESTIGATION

13-0016-I

TITLE: Complaint alleging that City of New Orleans Taxicab and Hire Bureau Investigator Ronnie Blake physically assaulted a taxi cab driver

LOCATION OF OCCURRENCE: 100 block of Dauphine Street New Orleans, LA

DATE OF OCCURRENCE: On or about October 23, 2013

INVESTIGATED BY: Investigator Gordon Hyde Jr. [w] (504) 681-3233, [c] (504) 330-8943 (email) ghyde@nolaoig.org

Louisiana Revised Statute VIOLATED: R.S. 14:34.1 – Second Degree Battery, R.S. 14:59(5) – Criminal Mischief (Giving of any false report or complaint to...any officer of the law) and R.S. 14:134 – Malfeasance in Office

ACTION TAKEN: Referral for criminal prosecution to the Orleans Parish District Attorney's Office

BASIS FOR INVESTIGATION

The investigation into this matter was predicated on a complaint received by the City of New Orleans, Office of Inspector General (OIG) alleging that Ronnie Blake, an Investigator with the City of New Orleans Taxicab and Hire Bureau, pepper sprayed and handcuffed Taxicab driver Emmanuel Esterlin. The incident occurred on Wednesday, October 23, 2013, in the 100 Block of Dauphine Street, in front of the Hyatt French Quarter Hotel, located in the French Quarter area within the City of New Orleans. Officers from the New Orleans Police Department (NOPD) responded to the incident and arrested Esterlin for Simple Battery based upon information provided to them by Blake (see **Exhibit 1**).

EXTENT AND RESULTS OF INVESTIGATION

Investigator Gordon Hyde Jr. with the Office of Inspector General obtained the NOPD item number J-31909-13 that documented the incident. A photocopy of this report is attached as **Exhibit 1**. According to this police report, on Wednesday, October 23, 2013, at approximately 1:00 PM, Officer Simone Quintero of the New Orleans Police Eighth District was assigned to investigate a Simple Battery in the 100 block of Dauphine Street. Upon Officer Quintero's arrival, she met and spoke with Ronnie Blake, an investigator with the City of New Orleans Taxicab and Hire Bureau. The second paragraph of Officer Quintero's report contains the following statements made by Blake at the scene of the incident:

“Blake stated on October 23, 2013 at 12:30 PM, he received a complaint call from the manager at the Hyatt Hotel about several taxicabs parked in the Fire Lane in front of the business. Blake stated that the taxi cabs were in violation of several municipal codes. Blake relocated to the 100 block of Dauphine Street to assist with the situation. Blake stated he began an inspection on several taxicabs that were parked in the fire lane. Blake stated when it came to an inspection on Emmanuel Esterlin, he refused to give any paperwork and refused to leave. When Blake asked Esterlin to comply to (sic) the rules and regulations of the Taxi Cab Bureau, He stated "Im (sic) not leaving." Blake attempted to place Mr. Esterlin into handcuffs, and at that time Esterlin punched Blake in the left eye. Blake feared that he would be attacked again so he stepped back to defend himself and sprayed Esterlin in the eyes with OC spray.”

The police report also noted that City of New Orleans Emergency Medical Service (EMS) unit number 3230 “manned by Mornay” arrived at the scene. Blake refused treatment on the scene. Esterlin’s eyes were washed with water and he was transported to University Hospital.

According to the police report, Esterlin was later transported to Central Lock-Up and charged with M.C.S. 54-96: Relative to Simple Battery on Ronnie Blake, under affidavit number F94096.

The police report classified Blake’s injury as minor, but did not give a detailed description of the injury or the extent of the injury except to note that it was minor. The police report also did not give a description of the injuries Esterlin suffered.

Esterlin was eventually transported to Central Lock-Up and charged with M.C.S. 54-96: Relative to Simple Battery on Ronnie Blake, under affidavit number F94096 (See page 5 of **Exhibit 1**).

Incident History Report from the NOPD Communication’s Division

Investigator Hyde obtained the Incident History Report from the NOPD Communication’s Division listing all calls received by this department and identifying all units dispatched to the incident. A photocopy of the report is attached as **Exhibit 2**.

NOPD audio communications

Investigator Hyde also obtained a recording of all NOPD audio communications concerning the incident from the New Orleans Police Department Communication’s Division. A CD containing these audio recordings is attached as **Exhibit 3**. Investigator Hyde’s description of contents of these audio recordings is provided below:

- 1) The first communication is from a caller that states investigators need assistance at the Hyatt Hotel on Bourbon Street. The dispatcher inquires as to what the problem is. The dispatcher then asked “if it is a taxicab investigator and a black male.” The caller responded, “Yes.” The dispatcher then asked, “Are they fighting at this time or arguing.” The caller responded, “They sound like they are fighting too ma’am.” The dispatcher again asks, “Are they are fighting now.” The caller responded, “Yes ma’am.”

(The voice of the caller heard in this communication is similar to that of Director of Taxicab & Hire Bureau Malachi Hull.)

- 2) The second communication is from a caller that identified herself as Investigator Martin and requested a police officer at 800 Iberville Street, the Hyatt French Quarter. Martin told the dispatcher, "Yeah we need they to come ASAP we have an investigator's life is being endangered." The dispatcher asked, "If someone is threatening him." Martin responded, "Yes, someone is threatening him, he is right here, he is threatening the investigator." The dispatcher requested Martin give a description of the person (taxicab driver), which she does. As the dispatcher is asking the caller her name, Martin could be heard in the background saying, "Why you did not cooperate, why you did not cooperate." The taxicab driver could be heard saying, "For what." Martin responded, "He just asked you to get out the cab." The dispatcher continued to ask Martin some basic questions. As the audio is silent for a period, Martin is then heard saying, "Spray him, spray his ass again, spray him again Blake, spray him again."
- 3) The third communication contains the NOPD Communication's Division transmission of the incident. This includes the dispatch of Eighth District units to the incident and unit 4553 calling in the incident requesting police units and EMS for Esterlin.

Patient Care Report from EMS

Investigator Hyde obtained the Patient Care Report regarding Esterlin from EMS via fax on January 24, 2014. A photocopy of the report is attached as **Exhibit 4**. The report documented Esterlin's transportation to University Hospital and the subsequent treatment he received for being sprayed with "mase" (sic). (OIG Note: EMS chose to use the term "mase" for the substance that was sprayed into Esterlin's eyes.)

EMS audio communications

Investigator Hyde obtained all audio communications from the EMS Communication's Division pertaining to this incident. A CD containing these audio recordings is attached as **Exhibit 5**. A description of the significant portions of the audio recording is provided below:

- 1) NOPD Communication Division is heard requested an EMS unit from EMS Communication to be dispatched to the incident at the 100 block of Dauphine Street
- 2) EMS Communication is heard dispatching a unit to the incident
- 3) EMS unit advises they are going to University Hospital with a "10-15" (prisoner/Esterlin)
- 4) EMS unit is heard talking to Doctor O'Neal at University Hospital relative to the patient's condition

Medical records from University Hospital

Investigator Hyde obtained Esterlin's medical records from University Hospital pursuant to the issuance of an OIG subpoena.



Video recording from Hyatt French Quarter Hotel

A surveillance camera attached to the Hyatt French Quarter Hotel recorded the incident in the 100 block of Dauphine Street on video, which occurred on October 23, 2013. On November 26, 2013, City Attorney Sharonda Williams emailed an MPEG-4 Audio file to the OIG, which contained a copy of the surveillance video. Investigator Hyde reviewed and copied the file to a CD (**Exhibit 7**). His description of contents of the video is provided below:

- 1) A City of New Orleans (CNO) vehicle (Ford Explorer, four door, red in color, bearing a CNO logo) is seen parking behind the last of what appeared to be three taxicabs parked in the 100 Block of Dauphine Street. The driver, identified as Investigator Blake, exited the vehicle and proceeded to walk to the passenger side (street side) of the nearest cab. Blake continued walking past the nearest and middle cabs and proceeded toward the front of the first cab. Shortly thereafter a passenger in Blake's vehicle, identified as Linda Martin, Investigator with the TCB, exited the front passenger door of the vehicle and proceeded walking on the street toward Blake.
- 2) Sometime later, Blake eventually appears from behind the first cab and is seen walking to the sidewalk with several cabdrivers. After several seconds, Blake walked backed to the last cab and appears to be speaking with the driver. Blake then returned to the cabdrivers on the sidewalk. Sometime later Blake again returned to the last cab and appeared to be speaking with the cabdriver, who is inside the vehicle. Eventually, Martin joined Blake on the sidewalk near the cab. The cabdriver, later identified as Emmanuel Esterlin, exited the cab while Martin gestures with her arm for Esterlin to relocate on the sidewalk with his back to the hotel wall. Simultaneously, Blake appeared to be physically forcing Esterlin toward the hotel wall by pushing him with his arm.

- 3) Esterlin does not appear to resist Blake and Martin's request. Esterlin and Blake at this time are on the sidewalk facing each other and appeared to be engaged in a heated exchange of words. Shortly thereafter, Blake made several steps toward Esterlin coming within inches of Esterlin. Blake then rotated his body and entered into a stance that is used by law enforcement prior to making an arrest. Blake also extended one of his arms toward Esterlin, which appeared to be placed against Esterlin's chest area. Blake then changed his stance while advancing toward Esterlin and continuing to place his arm against Esterlin's chest. Esterlin then pushed away from Blake and the two separate. The two then proceed to slowly walk on the sidewalk and appeared to become involved in a heated exchange of words. Blake attempted at one point to grab one of Esterlin's arms, but is unsuccessful. Both continued walking on the sidewalk toward the Hyatt's Hotel entrance (Dauphine Street entrance), while their exchange of words are obviously becoming more heated.
- 4) At this point Blake directed his attention toward two other cabdrivers that had approached him and were exchanging words with him. Blake gestured for the two cabdrivers to move back and approached them, forcing the cabdrivers to back away. Blake then returned to Esterlin and the two appeared to become involved in a heated exchange of words. Blake, while continuing to exchange words with Esterlin, removed a can of Pepper Spray from his waist area and then shakes the canister. The two continued to walk slowly and at one point Esterlin goes into a kneeling position. Esterlin then stood up and the two continued walking while exchanging words.
- 5) Shortly thereafter, Blake activated his Pepper Spray in the direction of Esterlin's head area. Esterlin bent down while retreating backwards and swung his arm in Blake's direction. Blake grabbed a hold of Esterlin's collar and pulled him toward the street. Blake continued to activate his Pepper Spray, while Esterlin attempted to hit Blake with his arms but was unsuccessful. Esterlin then succumbed to the Pepper Spray and crouched down to the sidewalk.
- 6) At this point Blake removed a pair of handcuffs from his rear waist area and forcefully pulled Esterlin's arms back one at a time and placed the handcuffs on Esterlin's wrists. Blake then removed a radio from his waist band and appeared to be talking into it, while maintaining a physical position on top of Esterlin. Other cabdrivers apparently observing the incident proceeded to Blake and Esterlin's location. The cabdrivers then appeared to become involved in a heated exchange of words with Blake and Martin.
- 7) While the incident was transpiring, Martin was in possession of a clipboard and continued to maintain close proximity to Blake. However, she does not appear to be physically engaged in the incident. Instead, she is seen holding a cellular telephone up to her mouth. (Martin's voice is heard on the recorded call she placed to the New Orleans Police Department.)

8) Two New Orleans Police officers arrived and flushed Esterlin's eyes with clean water.

Interview of Emmanuel Esterlin

On November 25, 2013, Emmanuel Esterlin was interviewed by OIG investigators. A photocopy of the Memorandum of Interview for Emmanuel Esterlin is attached as **Exhibit 8**. Esterlin advised that at noon time on October 23, 2013, Blake pulled his vehicle behind Esterlin's vehicle while he was parked in a line with other taxis in the 100 block of Dauphine Street. Blake positioned his vehicle such that he was blocking Esterlin, and prevented him from being able to move his vehicle. Esterlin knew he was parked illegally and would receive a citation. Blake exited the vehicle and walked past Esterlin's vehicle accompanied by another investigator. According to Esterlin, Blake was collecting the permits and the driver's licenses of taxicab drivers parked ahead of Esterlin.

When Blake approached Esterlin's vehicle, he asked Blake not to write him a citation because he could not afford a ticket. Esterlin asked Blake a second time and Blake responded loudly, "Give me what I asked for." Esterlin advised that he responded to Blake's request by handing Blake his permit and driver's license through the open window. Blake grabbed the driver's door handle and attempted to open the door, but could not do so since the door was locked. Blake told Esterlin to exit the vehicle; Esterlin complied. At this time, Blake took handcuffs from his right side of his belt and told Esterlin to face the wall they were standing near. Esterlin refused feeling he did nothing to warrant being handcuffed.

Blake again ordered Esterlin to face the wall. Esterlin questioned him why, but still provided Blake with the paperwork he requested. Blake said it was due to Esterlin not cooperating. Esterlin responded that he did cooperate by giving Blake the paperwork. At this time, Esterlin began walking away from the vehicle toward the middle of the block heading toward Canal Street. Blake followed him. After walking approximately eight to ten steps, Blake tried to pull Esterlin's hand behind Esterlin's back. Esterlin took Blake's hand off and kept walking. Esterlin saw something in Blake's hand but did not know what it was.

Esterlin was talking to Blake the whole time he was walking away from Blake. Esterlin looked away in an attempt to identify any witnesses to the incident. When Esterlin turned back toward Blake, Blake sprayed him with pepper spray over his face and head. Esterlin stated it was "enough spray to kill me." After being sprayed, his eyes were closed; he swung and attempted to hit Blake. Esterlin stated this was in defense of himself and that Blake had provoked him. During the altercation, Martin was on the telephone and did not do anything to intervene on behalf of Blake or Esterlin.

Esterlin dropped to his knees because of the pain. Blake commented "there we go." When Esterlin was on his stomach, Blake placed his knee in the back of Esterlin and placed the handcuffs on Esterlin. Someone poured water on Esterlin's head after complaining of the pain. Esterlin repeatedly requested water and assistance; three taxi cab drivers gave him water. Blake did not provide him with water.

According to Esterlin, an NOPD officer arrived on the scene and spoke to Blake. Esterlin heard Blake tell the Officer he sprayed Esterlin after Esterlin struck Blake. The Officer asked Blake if he had the authority

to handcuff and spray individuals. Blake responded he did. Esterlin did not recall ever being told he was under arrest by either Blake or NOPD. The Officer did not take a statement from Esterlin or any other witnesses. According to Esterlin, EMS transported him to University Hospital for treatment.

According to Esterlin, approximately four or five days after the incident, Malachi Hull, Director of Taxicab & Hire Bureau, called him and told him to come to the TCB office to receive a citation regarding the incident. Esterlin recorded the meeting utilizing his cellular telephone. (OIG Note: Neither Hull nor Martin were aware that Esterlin was recording their conversations.) During the meeting, Hull told Esterlin that Blake was not going to press charges against him. After the meeting, Martin wrote Esterlin a citation for illegal parking and refusing to cooperate. (OIG Note: The date of the citation is November 6, 2013. Since the date of the incident was October 23, 2013, Esterlin's estimation that the meeting with Hull occurred four or five days after the incident is incorrect. A photocopy of the citation is attached as **Exhibit 9**.)

Audio recordings of Esterlin, Malachi Hull and Linda Martin

On January 21, 2014, Esterlin emailed a MPEG-4 Audio file to Investigator Hyde, which contained the two recordings that he made with his cellular telephone on November 6, 2013. Investigator Hyde copied the audio file on to a CD (**Exhibit 10**). The recording which Esterlin made with his cell phone on November 6, 2013 actually consists of two separate recordings. The first recording mainly consists of Esterlin and Malachi Hull; Linda Martin participated in the conversation toward the end of the recording. The recording takes place in Hull's office, located on the second floor of City Hall. Investigator Hyde's description of contents of the audio recording is provided below:

- 1) The first recording started with Hull asking Esterlin, "When is your court date?" Esterlin told Hull it is the eleventh of December. Hull responded, "Eleventh of December, why is it so far out." A few seconds later Hull said, "Here, here, here is what I am going to do man. I just spoke to; I just spoke to uh Blake. Right. Blake is not going to press charges against you. Okay." Esterlin replied, "Okay." Hull continued by saying, "He needs, I am trying to figure out how he can get to, to speak to uh the folks in court though." Esterlin tells Hull he does not know how he is going to get notified to go to court. Hull asks Esterlin if he has any paper work. Esterlin replies, "Not on me now." Hull asks, "Do you have it at the house." Esterlin tells Hull he has it at the house. Hull says, "Okay, what I am going to do uh, I am going to give you uh, one of our investigator's is going to write you a citation, right. The citation is going to allow you to operate, okay." Esterlin says, okay. Hull says, "All right, okay, they're going to cite you for parking in the zone, okay and uh so give me one second and I'll have the folks do what they suppose to do, alright." Esterlin responds, "Alright." Hull says, "And that's going to allow you to continue, to drive. Until your court date." Esterlin, "Alright." Hull, "Okay." Esterlin, "That sounds good."

Hull then appears to open a door and to leave the room. Hull then returned and told Esterlin that Investigator Martin is going to cite him. Hull then told Esterlin he needs to bring in his court documents. Investigator Martin then entered the room. Hull told

Martin, to cite Esterlin for the incident on that day, cite him for where he parked and then for driving for good conduct. (OIG note: Hull chose to use the phrase “driving for good conduct” to refer to the City of New Orleans Municipal Ordinance Chapter 17271 Section 162-446, entitled “Driver's good conduct.”) Hull, Esterlin and Martin then discussed a court date for the citation.

Hull then tells Esterlin, “Boss, do the right thing the first time man, alright.” Esterlin responds, “Alright.” Hull states, “Hey, Emmanuel you got a family to take care of (inaudible), you don’t have time to be messing around.” Hull leaves the room. Martin and Esterlin have a casual conversation while Martin completes and issues the citation.

- 2) The second recording does not consist of any conversation, but appears to record Esterlin inside a restroom facility at an unknown location.

Video recordings from inside of Esterlin’s taxicab

On January 7, 2014, City Attorney Sharonda Williams emailed three AVI video clips to the OIG, which contained three separate video recordings captured by the video recording devices located inside of Esterlin’s taxicab on October 23, 2013. Investigator Hyde copied the video clips onto a CD (**Exhibit 11**). Investigator Hyde’s description of contents of the CD is provided below:

- 1) The first recording shows the interior of Esterlin’s taxicab facing toward the back with no one visible inside the vehicle. The cab is stopped and appears to be parked on the side of the street. The front of the vehicle Blake was driving can be seen parked behind Esterlin’s taxicab. After several minutes the taxicab departs. This copy of the recording contains time gaps and the entire audio portion is missing.
- 2) The second recording shows Esterlin sitting in the driver’s seat of his taxicab. Esterlin then disappears from the recording and is believed to be exiting from the cab, upon Blake’s request. A black male, later identified as Esterlin’s father, enters the cab and drives away. This copy of the recording contains time gaps and the entire audio portion is missing.
- 3) The third recording shows an exterior view facing forward from Esterlin’s taxicab with a taxicab, Elk’s Elite #1629, parked in front. Several seconds later, Blake is seen walking on the sidewalk from the direction of the Elk’s Elite taxi toward Esterlin’s taxicab. While walking, Blake appears to be pointing at Esterlin saying something. Blake then continued to walk out of view. Several seconds later, Blake reappears back in view and walks back toward the Elk’s Elite taxi, and then out of view. Audio now can be heard. Someone in the taxi, which is believed to be Esterlin, said something that is inaudible. Several seconds later, Blake, who is out of view, can be heard asking Esterlin, “May I have your permit.” Esterlin responded, “How you’re doing man.” Blake again says, “May I have your permit.” Esterlin said, “Okay.” The taxicab is then seen departing.

The recording does not show who is operating the taxicab. This copy of the recording contains time gaps and portions of the audio are missing.

Esterlin compliant to the NOPD Eight District Station

On January 13, 2014, Esterlin went to the NOPD Eight District Station to file a complaint regarding his arrest on October 23, 2013. Officer Fredrica Palmer met with Esterlin and completed incident report number A-16174-14A concerning Esterlin's complaint (**Exhibit 12**). The report also contains an NOPD Voluntary Statement Form completed by Esterlin. Esterlin's written statement as it appears on the form is shown below:

"I was parked on the left side of the street when Mr. Ronnie Blake shortly arrived and parked behind my vehicle. As a driver of the City of New Orleans, for the last 9 years, I knew that I was going to get a citation for the illegal (sic) park. The officer asked me for my driver's license and my for hire permit, and I said please give me a chance Mr. Blake. He did not want to hear me as he was yelling very loud on the street. I then gave him everything through the window. He asked me to get out of the vehicle, and I did so. He then (sic) took his handcuff (sic) and asked me to face the wall. I told him that I was sorry. He asked me to cooperate, (sic) I told him that I cooperated enough with him. As I walked to the middle of the block, he followed me. Other drivers tried to record the situation, but Blake and the other inspector, Mrs. Martin wouldn't let them to (sic). While I was turning my face, Mr. Blake punched me on my head and pepper sprayed me on my face and head and then (sic) handcuffed me and called police. The (sic) brought me to the hospital at the LSU, where I was treated, and then (sic) brought me to jail, where I was charged for battery against him because he told the officers that I punched (sic) him first. That now, (sic) the video came out and proved that I was innocent, all of the charges that I had against me already dropped. Bless god there was a camera on the street. All I need today is justice. I need Mr. Blake to get the Battery Charges, has (sic) he deserve (sic) it.

Interview of Kent Wilkins

On February 4, 2014, Investigator Hyde met with Kent Wilkins, Director of Security of Hyatt French Quarter regarding the October 23, 2013 incident. Wilkins advised Hyde that he was asked by Malachi Hull to give a witness statement of what he observed between Blake and Esterlin. Wilkins responded to Hull's request by sending Hull an email on November 27, 2013. On February 4, 2014, Wilkins forwarded a copy of the above-described email to the OIG. A photocopy of the email is attached as **Exhibit 13**. The email contains the following statement from Wilkins regarding the incident:

"On October 23, 2013 5 taxi cabs were illegally parked in the fire lane and freight zone in the 100 block of Dauphine street. I asked the cab drivers to move because they were partially blocking our shipping and receiving area. They refused. I called inspector Blake and informed him of the situation. Within 5 minutes inspector Blake and a Female officer arrived. They asked all drivers who were parked illegally to hand over their license and permits. One driver refused to comply. Blake repeatedly asked and he refused. The driver

was then asked to exit the vehicle several times. He finally complied, handed over his permit and exited the vehicle. Blake then reached for him and asked him to stand against the wall. As Blake reached the cab driver pushed his hand. Blake then began to instruct him to get against the wall and place his hands behind his back. The driver refused and began to walk away. The driver became very hostile and began shouting obscenities as he walked toward the employee entrance of the hotel where I was standing. Blake asked him to comply and pulled out a can of pepper spray. The driver refused and Blake reached for him. They got entangled, the pepper spray was released. Some of the spray got into my eyes. I did not see what happened after that”.

Interview of Bugeaud (Ronnie) Escarmant

On January 21, 2014, Bugeaud (Ronnie) Escarmant was interviewed by OIG investigators. A photocopy of the Memorandum of Interview for Bugeaud (Ronnie) Escarmant is attached as **Exhibit 14**. Escarmant advised that on October 23, 2013, he was parked in a Cab Stand waiting for a fare with four other cabs, in the 100 block of Dauphine Street. Escarmant recalled there were two Lyons taxis and one unknown taxi, that was a black Chevrolet Suburban, waiting. The Cab Stand was adjacent to the Ritz Carlton Hotel. TCB Investigator Blake parked his vehicle behind the taxis. A female TCB Investigator exited the passenger side of the vehicle and walked on the street toward the taxis. Escarmant was not in his vehicle. Escarmant was standing on the sidewalk nearby the parked taxis talking with the other taxicab drivers. The female Investigator approached Escarmant’s taxi. The Investigator apparently realizing no one was inside the cab walked over to Escarmant and the other drivers and said, "Don't move, give me your permit." Before Escarmant and the other taxi drivers could relinquish their documents, Investigator Blake approached the drivers from the sidewalk and said, "Everybody give me your fucking permit, everybody don't move." Escarmant gave the female Investigator his driver’s license and taxi permit.

Blake then walked to taxicab driver Emmanuel Esterlin's taxi and tried to open it by pulling on the driver’s door handle. Blake told Esterlin, who was sitting in the driver's seat of his taxi, "Get out or I’m going to cuff you." Blake then tried to physically pull Esterlin from his cab. Esterlin then exited his cab. Esterlin, once out of his cab, tried to give Blake his permit, but Blake was trying to place handcuffs on Esterlin. Esterlin told Blake, "Don't touch me, don't touch me. Don't put your hands on me." Esterlin kept backing away from Blake while Blake continued walking toward Esterlin and continued to confront Esterlin. Blake never accepted Esterlin's permit.

Escarmant and the other taxicab drivers gave their documents to the female Investigator as ordered by her and Blake. Escarmant then heard some screaming in the direction of where Esterlin and Blake were located. Escarmant looked in the direction and observed Esterlin on the ground with Blake firmly putting his knee on Esterlin's back. Escarmant ran to them and asked Blake, "Why are you doing that, are you trying to kill him?" Escarmant at this time realized the Blake had used pepper spray on Esterlin. Escarmant did not observe Blake using the pepper spray against Esterlin as he and the other drivers were talking with the female Investigator. Esterlin, who was handcuffed, was repeatedly calling out for

help. Esterlin was crying and was in obvious pain. Blake offered no assistance to Esterlin who remained handcuffed on the ground in pain.

Escarment went to inform Esterlin's father, who is a taxicab driver and was waiting for a fare on Canal Street in front of the Ritz Carlton Hotel, about the incident involving his son and Blake. According to Escarmant, the father proceeded to Dauphine Street, confronted Blake and told him, "Blake, I can't believe you're doing my son like this."

Blake at one point told the female Investigator to tell all the taxicab drivers, who were now at their location questioning Blake as to why he had pepper sprayed and handcuffed Esterlin, to move the taxicab drivers away.

Escarment reiterated at no time during the entire incident did Esterlin show any aggressive behavior toward Blake and that Blake was strictly the aggressor.

Escarment advised that he and the other taxicab drivers had walked over to where Blake and Esterlin were located. When the police arrived on the scene, Blake told the taxicab drivers to leave from the location. The drivers did not comply with Blake's request. Blake then told the police to order the drivers to leave. The drivers then complied and moved back several feet. The police only spoke with Blake and did not speak or interview any of the taxicab drivers. The female Investigator gave Escarmant driver's license and permit to the police. After some time, the police told the female Investigator that they were not issuing Escarmant a ticket. The police gave Escarmant his driver's license, however, the female Investigator kept his permit.

Escarment learned from Esterlin that Malachi Hull called Esterlin shortly after the incident and ordered Esterlin to take his cab to a shop called Ellis for an inspection. Escarmant believed this was unusual because he thought Esterlin's taxi was recently inspected and the shop mostly installs video cameras that are now required in taxicabs.

According to Escarmant, about 2 to 3 days after the incident, Escarmant received a telephone call from the TCB to come into their office. Escarmant, upon arriving at the office, was issued a citation for parking in a fire lane. Escarmant was eventually found guilty of the charge and was required to pay \$50. At this time, Escarmant's taxi permit was returned to him and he was allowed to operate again.

The TCB provided the OIG with copies of the citation that Escarmant was issued by the TCB (**Exhibit 15**) on November 5, 2013 and a Vehicles for Hire Hearing Panel Recommendation form (**Exhibit 16**) showing Escarmant was assessed a \$50 fine for the citation.

Second Interview of Emmanuel Esterlin

On January 21, 2014, Emmanuel Esterlin was interviewed by OIG investigators for a second time. A photocopy of the Memorandum of Interview for Emmanuel Esterlin is attached as **Exhibit 17**. Esterlin advised that he received a telephone call from the owner of Alliance Cab Company (Alliance) on October 24, 2013, in which the owner told him that Malachi Hull had called, via telephone, and instructed him to have Esterlin, Leonel Sanon, the CPNC owner of Esterlin's taxi, to come to the TCB office that same day.

The owner of Alliance also advised Esterlin that Hull had further instructed him to tell Esterlin to bring the taxi that Esterlin was operating the day he was arrested (October 23, 2013). Esterlin owns Alliance Cab taxicab #1680. According to Esterlin, the owner of Alliance also telephoned Leonel Sanon and told him what Hull had said. Esterlin added that Hull did not tell the owner of Alliance the reason why he wanted them.

Sanon and Esterlin brought the taxi to City Hall and met Hull in the TCB Office, located within City Hall. Hull told them he wanted Sanon, Esterlin, and the taxi to relocate with him to Ellis' Shop. Hull did not tell them the reason why he wanted them to go. Sanon asked Hull since he was not operating the taxi on the day of Esterlin's arrest was it necessary for him to go to Ellis'. Hull told Sanon he did not have to go.

Esterlin, Hull, and another Investigator whom Esterlin knows only as "Pastor", relocated to Ellis' Shop. (OIG Note: The investigator that Esterlin knows only as "Pastor" has been identified as Terrence Wimberly.) According to Esterlin, once they arrived at the Shop, Hull, "Investigator Pastor", and Ellis began working inside Esterlin's taxi for about two hours. The three worked on Esterlin's taxi in the shop area of the business. They did not tell Esterlin what they were doing to his taxi. Esterlin remained in the lobby area of the business and fell asleep. Esterlin added that he was tired because of a lack of sleep from the previous day, when Esterlin was pepper sprayed, arrested, brought to the hospital for evaluation, and finally released from jail. Esterlin awoke about two hours later and asked Ellis, "Where is Malachi?" Ellis said, "They left and everything is okay." However, Esterlin was charged approximately \$10 to install credit card stickers on the windows of his taxi.

Esterlin received a receipt from Ellis for the payment of the credit card stickers dated October 24, 2013. A photocopy of the receipt is attached as **Exhibit 18**.

Esterlin upon looking back believed Hull made Esterlin bring his taxi to Ellis' to clear the cab's video surveillance system of any incriminating evidence that could be used against Investigator Blake.

Esterlin believes Hull and Ellis, the owner of Ellis' Shop, have a friendly relationship.

Esterlin showed Investigator Hyde ten (10) photographic images stored in his cellular telephone of the October 23, 2013 incident. On January 21, 2014, Esterlin emailed the ten (10) pictures to Investigator Hyde. These photos had been sent to Esterlin by two taxicab drivers who witnessed the incident. (OIG Note: Eight of the photographic images were taken by taxicab driver Denes Joseph (**Exhibit 19**) and two were taken by **taxicab driver** Solomon M. Meles.)

On March 31, 2014, Investigator Hyde met with Meles and obtained copies of the five (5) photographic images he had taken on October 23, 2013 (**Exhibit 20**). Two of these images matched the ones on Esterlin's cellular telephone.

Interview of Leonel Sanon

On January 22, 2014, Leonel Sanon was interviewed by OIG investigators. A photocopy of the Memorandum of Interview for Leonel Sanon is attached as **Exhibit 21**. Sanon advised that the day after

Emmanuel Esterlin was arrested; he received a telephone call on his cellular telephone from Wesner Derosier, who is the Manager of Alliance Cab Service. Derosier told Sanon he just received a telephone call from the TCB. The TCB told Derosier to call Sanon and Esterlin and tell them to go to the TCB and bring Esterlin's taxi with them. Sanon asked Derosier what was the purpose of them going to the TCB. Derosier told Sanon the TCB did not say.

Sanon called Esterlin and told him about Derosier's telephone call and that he would meet Esterlin at the TCB. When they arrived at the TCB, Sanon asked to speak with Malachi Hull, Director of TCB. Hull came into the lobby area of the TCB and told them he was in a meeting and he would not be able to see them for approximately thirty minutes. Sanon and Esterlin left the lobby and walked around City Hall and outside, returning to the TCB approximately thirty-five minutes later.

Upon returning to the TCB, Hull came out into the lobby and asked Esterlin what type of meter and camera system he had in his taxi. Esterlin told Hull what type. Another Investigator, who at this time had accompanied Hull in the lobby, told Hull it was a 24 hour system. Hull told Sanon and Esterlin to bring his taxi to Ellis' Shop, where he would meet them. Sanon asked Hull if it was necessary for him to go to Ellis' since he was only the owner of the taxi's CPNC (Certificate of Public Necessity and Convenience). Hull told Sanon, "Only the driver of the taxi has to go." Sanon asked Hull why Esterlin needed to bring the taxi. To which Hull responded, "Just bring the vehicle." Esterlin complied and brought his taxi to Ellis' shop.

After some time, Sanon called Esterlin and asked if he was still at Ellis' shop and what were they doing to the taxi. Esterlin told Sanon he was still at Ellis' shop and that they were working on his taxi. About 2 to 2.5 hours later, Sanon called Esterlin again and asked what was going on. Esterlin told Sanon that he was finished at Ellis' shop and that he had fallen asleep while they working on his taxi. Esterlin also told Sanon that when he awoke, Hull was no longer at Ellis' shop. Esterlin questioned Ellis as to what they had done to his taxi and Ellis refused to tell Esterlin.

Interview of Maxo Emil

On January 23, 2014, Maxo Emil was interviewed by OIG investigators. A photocopy of the Memorandum of Interview for Maxo Emil is attached as **Exhibit 22**. Emil stated that he has been employed by the Liberty Cab Company as a taxicab driver for about two years; his cab number is 0087.

Emil recalled that Emmanuel Esterlin got sprayed on October 23, 2013 but that he came on the scene after the incident happened. He advised that he was parked at the cab stand by the Ritz Carlton Hotel on Canal Street when the incident took place. Emil said he walked up and observed another cab driver, Emmanuel Esterlin, on the ground handcuffed with TCB Investigator Ronnie Blake's knee in his back.

Emil said he approached Ronnie Blake and asked him why he was treating Esterlin like that. He advised that Ronnie Blake asked him if he was a cab driver. When he said that he was a taxicab driver, Blake told him to step back. He advised that he told Blake he would not step back until Blake told him what had happened. He said Blake told him the police were on the way.

Emil recalled hearing Emmanuel Esterlin call out repeatedly, “I need water, I need water” and “He sprayed me, he sprayed me.”

Emil advised that when uniformed police officers arrived they asked him what had happened. He noted that after telling the police his story, the female police officer shook her head in disgust. He said the police then told him he could return to his cab.

Emil stated that Ronnie Blake instructed a female TCB Investigator who was with him to get his permit because he was present. (OIG Note: Linda Martin is the female TCB Investigator who accompanied Blake.) Emil commented that he gave Ms. Martin his permit but neither she nor Blake gave him a citation at the scene.

Emil reported that Ronnie Blake called him about a week later and told him to come to the TCB. He advised that he was issued a citation by Blake for misconduct and was scheduled to appear in court on 12/6/2013. He said the judge dismissed the citation and he was given back his permit.

Emil said that he did not see Malachi Hull at the scene of the incident or in court. He advised that he took no pictures of the incident.

Interview of Denes Joseph

On January 23, 2014, Denes Joseph was interviewed by OIG investigators. Joseph speaks Creole French, but does not speak English well. At his request, Nesly Pierre Rodrigue of WWTI Translation Services was present during the interview as a translator. A photocopy of the Memorandum of Interview for Denes Joseph is attached as **Exhibit 23**. Joseph has been employed by the Alliance Cab Company as a taxicab driver for about six months. He advised that his taxicab number is 566.

Joseph admitted that on October 23, 2013 he was parked illegally on Dauphine Street waiting for a spot to open at the cab stand in front of the Ritz Carlton Hotel. He advised that he was the second of four cabs on Dauphine Street waiting to get in the cab line. His description of the taxicab drivers waiting in line is as follows:

1. Bugeaud (Ronnie) Escarmant
2. Denes Joseph
3. Unidentified female cab driver
4. Emmanuel Esterlin

According to Joseph, TCB Investigator Ronnie Blake approached the taxicab drivers on foot and asked for their permits. Joseph advised that Ronnie Blake approached him and asked for his driver’s license and registration in addition to asking for his permit. He noted that Blake did not say why he wanted these items but assumed it was because they were parked illegally. He described Blake’s language as “vulgar.”

Joseph advised that he saw Ronnie Blake trying to force open the driver’s side door of Emmanuel Esterlin’s taxicab. He indicated that the other cab drivers called to each other, then walked over to see why Blake was doing that. He advised that when Blake saw the other cab drivers approaching, he told

them to stop. He noted that when they stopped, Emmanuel Esterlin got out of his cab and walked towards Ronnie Blake and the other taxi cab drivers. According to Joseph, Ronnie Blake told Emmanuel Esterlin to turn around so he could handcuff him. He advised that when he and the other taxicab drivers saw Blake trying to arrest Esterlin, they walked towards them but Blake told them to stop. He advised that Ronnie Blake told Esterlin again to turn around so he could handcuff him. Esterlin resisted by walking away from Blake and hiding his hands so he could not be handcuffed. Blake had his handcuffs out and pinned Esterlin against a wall trying to handcuff him but was unable to. According to Mr. Joseph, Blake then put away his handcuffs and pulled out his pepper spray. He advised that both men were talking loud but he did not see Esterlin act aggressively towards Blake.

Joseph advised that a female TCB Investigator stopped the taxicab drivers from walking towards Blake and Esterlin, telling them that they could not take any pictures or video of what was happening. (OIG Note: Linda Martin is the female TCB Investigator who accompanied Blake.) According to Mr. Joseph, the female TCB Investigator forcibly tried to take his cell phone away from him but he still managed to take several pictures. Joseph advised that he gave the pictures he took of the incident to Emmanuel Esterlin (see **Exhibit 19**).

Joseph advised that he saw Ronnie Blake pepper spray Emmanuel Esterlin. He indicated that when Esterlin fell to the ground, Blake put his foot on Esterlin's neck and handcuffed him. Mr. Joseph heard Emmanuel Esterlin call out repeatedly for water. He went to his cab and brought back some water but Ronnie Blake would not let him give Esterlin any water.

Joseph advised that the female TCB Investigator took his permit and issued him a citation that day for misconduct. He appeared in court with his lawyer, John (last name unknown), and had to pay \$300 to get his permit back. Joseph's attorney's office is located at 1515 Loyola Avenue New Orleans, LA across from the Hyatt Hotel. He said that he has heard of Malachi Hull but has never met him. He also said he did not speak with Ronnie Blake at the hearing.

The TCB provided the OIG with a photocopy of the citation issued to Joseph by the TCB on October 29, 2013 (**Exhibit 24**). The TCB also provided the OIG with a Vehicles for Hire Hearing Panel Recommendation form and a Taxi Driver's Offense Card showing that Joseph was assessed a \$300 fine for the citation. Both documents are attached as **Exhibit 25**.

Esterlin provided the OIG with a carbon copy of the above described citation issued to Joseph (**Exhibit 26**) bearing a handwritten notation stating, "\$300 fine, 21 days to pay, 11-15-13." Esterlin also provided the OIG with a CNO receipt (**Exhibit 27**) showing that Joseph paid the \$300 fine on December 9, 2013. Joseph had provided both of these items beforehand to Esterlin and had instructed Esterlin to provide them to the OIG.

Interview of Terrence Wimberly

On February 11, 2014, Terrence Wimberly was interviewed by OIG investigators. A photocopy of the Memorandum of Interview for Terrence Wimberly is attached as **Exhibit 28**. Wimberly has been an employee with the City of New Orleans (CNO) since 1993. Wimberly originally was assigned to the Taxicab Bureau (TCB) as an Investigator and held this position from 1993 through 2001. In 2001,

Wimberly was transferred to the Office of Municipal Investigation (OMI) as a Special Agent Investigator and worked in that Division until 2009. OMI was abolished in 2009 and Wimberly was reassigned to the Office of Inspector General until 2011, as a Criminal Investigator I. At this time, Wimberly was transferred back to the Taxicab Bureau as a Senior Investigator.

Wimberly's responsibilities as a Senior Investigator since his return to the Taxicab Bureau consist mainly of issuing citations, writing reports, conducting research via computer system, patrolling/street enforcement, and attend court hearings in regard to citations being issued to taxicab drivers.

When Wimberly was originally assigned to the TCB he received training when he attended the New Orleans Police Department Academy (NOPD). However, Wimberly never received his Peace Officer Standards and Training Council (POST) Certification. Wimberly has not received any further training since then. Neither the CNO nor the TCB has provided any form of training to TCB Investigators since his original training with NOPD. Wimberly believes he is the only TCB Investigator that attended the NOPD Academy.

Wimberly does not carry a firearm, handcuffs, or any form of chemical/pepper spray while working as a TCB Investigator. Wimberly has never been trained in any of those defensive tools and does not believe any current TCB Investigator has received such training.

Wimberly has seen Investigator Ronnie Blake while on duty as an investigator carrying handcuffs on his waist belt. Wimberly has never seen any investigator carrying a firearm or chemical/pepper spray. All investigators carry CNO handheld radios that allow them to communicate with each other and the TCB. The radios do not have New Orleans Police Department channels.

Wimberly is aware of the incident between Blake and taxicab driver Emmanuel Esterlin in which Blake used pepper spray on Esterlin in the 100 block of Dauphine Street. Wimberly was working on that day and was assigned to the inspection station in New Orleans East inspecting for-hire vehicles. Wimberly recalls Blake requesting assistance over the handheld radio. Wimberly left the inspection station and responded to the 100 block of Dauphine Street.

Upon arriving in the 100 block of Dauphine Street, Wimberly observed a taxicab driver on the ground handcuffed. Sometime later, Wimberly learned the taxicab driver's name was Emmanuel Esterlin. Wimberly met and checked on Blake's condition. Blake did not tell Wimberly anything about the circumstances surrounding the incident nor did Wimberly ask. Wimberly saw TCB Investigator Linda Martin on the scene and did not ask her about the incident. Hull was on the scene prior to Wimberly's arriving. Wimberly was on the scene for a short period of time and was told by Hull to return back to the inspection station. Wimberly complied. Wimberly did not recall seeing the NOPD on the scene.

The day after the incident, Hull told Wimberly at the TCB Office to meet him at Ellis' Meter Shop. Wimberly did not know the reason and did not ask Hull why. They left in separate vehicles. Wimberly recalled a taxicab was brought into one of the Shop's work bays. However, he was unable to provide a

description of the vehicle. Wimberly saw Ellis' son, Ellis Jr., working inside the taxicab. Wimberly observed Hull standing near the taxicab but never saw him enter the vehicle. Wimberly believed they were downloading images from the taxicab's camera system. Wimberly remained outside the work bays near the fence. Wimberly estimated that he had been at Ellis' shop for 30 to 40 minutes when Hull told him he could leave. Wimberly never saw the taxicab driver. Wimberly was unaware the taxicab belonged to Esterlin's until being questioned in this interview.

Wimberly does not know why it was necessary for the taxicab to be brought to Ellis in order to download data from the camera system since TCB has laptop computers at their office that can retrieve the data. Normally when an incident occurs within a taxi, a TCB Investigator will proceed to the taxi with a laptop computer or the taxi will relocate to the TCB Office. Wimberly thought it was unusual for the taxi to be brought to Ellis in order to retrieve the data.

According to Wimberly, in order for images to be retrieved from within a taxicab's camera system, a TCB laptop computer is needed along with a "key" to access the data. Hull, NOPD, and Ellis' Meter Shop have keys. The laptop computer, which has a special program, is plugged into the camera system via a wire in the taxi's glove box. The data is saved on the computer. TCB Investigators are not required to write a report documenting the removal of data from a taxi camera system. Wimberly has never written a report documenting the removal of data and does not believe any TCB Investigator has done so.

Wimberly advised that TCB has four laptop computers, but he could not recall the name of the manufacturer. He added that TCB had recently received three new "Toughbooks" laptop computers.

Wimberly identified two camera systems that owners of taxicabs have the option to install in their taxis. The first was identified as Verifone. This system activates the cameras within the vehicle when a door to the taxi is opened. Wimberly identified the second system as a 24/7. The cameras in this system run continuously. The retention capability of the 24/7 system is shorter than the Verifone. The Verifone system has a log program which catalogues all access within the system and usage. Wimberly does not know if the 24/7 system has a log program.

Wimberly does not know what camera system was contained within the taxi that Hull and Ellis were working on at Ellis' shop.

According to Wimberly, all TCB Investigators were given training recently on how to approach and deal with people by Hull and Ava Rogers, Deputy CAO for Operations of the City of New Orleans. This training was given after the incident between Blake and Esterlin.

Wimberly advised that TCB Investigators are given a yearly uniform allowance from the CNO. TCB Investigators wear uniforms, but they are not required to wear a standard uniform. Wimberly wears a short sleeve polo type shirt that has TCB patches on the sleeves; his name is embroidered on the front of the shirt, and a pair of uniform pants. Other TCB Investigators wear dark blue Battle Dress Uniform

(BDU) shirt and pants that have TCB patches on the sleeves, and the word "INVESTIGATOR" on the back of the shirt.

Wimberly said that Hull did not speak to TCB Investigators about the incident involving Blake and Esterlin.

Request for Documents letter

On January 8, 2014, Investigator Hyde sent a Request for Documents letter to Malachi Hull, Director of Taxicab & Hire Bureau, requesting photocopies of all TCB policies and General Training Records from November 2002 to June 2013, and New Training Records from November 2013 to the present. A photocopy of this letter is attached as **Exhibit 29**.

On January 15, 2014, Hull sent a response letter to Investigator Hyde in which he described the documents he was providing and copies of the documents themselves. A photocopy of this letter is attached as **Exhibit 30**. According to Hull, the Individual Training Records on file with the TCB for Blake consisted of an Oath of Office Form dated November 7, 2011 and a Certificate of Completion for a four hour Defensive Driving Course dated September 16, 2003. These forms are attached as **Exhibits 31 and 32**. (OIG Note: The only TCB training records attached to this Report of Investigation concern Ronnie Blake. The entire file which contains training records for other TCB investigators is available for review.)

CONCLUSIONS AND RECOMMENDATIONS

The investigation conducted by the Office of Inspector General, concerning the altercation between Emmanuel Esterlin and Ronnie Blake, found no evidence to support Blake's contention that it was necessary to spray Esterlin in the eyes with OC pepper spray because Blake feared for his safety. In addition, no evidence was found showing that Esterlin punched Blake in his left eye, as Blake reported in his statement to the New Orleans Police Department.

City Attorney Sharonda Williams for the City of New Orleans informed the OIG that during the NOPD investigation involving TCB Investigator Wilton Joiner, she had concluded that TCB investigators do not have the legal authority to detain anyone. Williams' statement regarding her conclusion is found on Page 5 of NOPD Item K-12494-13 (Supplemental) which is attached as **Exhibit 33**. In this Supplemental, Williams cited the City of New Orleans Municipal Ordinance Chapter 17271 Section 162-48 Duties and responsibilities, paragraph (b) to substantiate her conclusion (**Exhibit 34**).

With the totality of all the facts and evidence collected in this investigation, Investigator Gordon Hyde Jr. believes Blake committed three criminal offenses as cited below:

1. R.S. 14:34.1 – Second Degree Battery on Emmanuel Esterlin
2. R.S. 14:59(5) – Criminal Mischief by giving a false report/compliant to an officer of the law relative to the commission of crime
3. R.S. 14:134 – Malfeasance in Office by intentionally performing a duty in an unlawful manner

The OIG also conducted a separate administrative investigation concerning the conduct of TCB Investigator Blake. The administrative investigation was performed and supervised by a separate unit within the OIG Investigation Division. All interviews, documents, and material that had the potential to contain compelled statements from Blake were kept from all OIG investigators and OIG management personnel involved in the criminal investigation to prevent the possibility of tainting the criminal investigation.

PERSONAL AND CRIMINAL HISTORY

Ronnie Blake is 54 years old and was born on [REDACTED]. He has been employed by the CNO since June 27, 2000. He currently holds the position of Senior Taxicab Investigator. He resides at [REDACTED]. A photocopy of Blake's criminal history as shown in MOTIONS is attached as **Exhibit 35**. Blake was arrested on April 12, 2011 and charged with R.S. 14:134 – Malfeasance in Office and R.S. 14:133 – Filing False Public Records. The case has not been adjudicated as of the date of this Report of Investigation. On December 9, 1998, Blake was arrested and charged with R.S. 14:30.1 – Attempted 2nd Degree Murder. The charge was refused on February 9, 1999 due to "victim no show."

EXHIBITS ATTACHED

- Exhibit 1: A photocopy of NOPD Incident J-31909-13 report dated October 23, 2013 (5 pages).
- Exhibit 2: A photocopy of Incident History Report listing all calls received by the communications department and all units dispatched to the incident (4 pages).
- Exhibit 3: A CD containing audio recordings of all NOPD audio communications concerning the incident obtained from the New Orleans Police Department Communication's Division.
- Exhibit 4: A photocopy of a fax from EMS containing the Patient Care Report on Esterlin dated January 24, 2014 (2 pages).
- Exhibit 5: A CD containing all audio communications from the EMS Communication's Division pertaining to the incident involving Esterlin.
- Exhibit 6: A photocopy of Esterlin's medical records from University Hospital and a photocopy of the OIG subpoena (24 pages).
- Exhibit 7: A CD containing a copy of the surveillance video from the Hyatt French Quarter Hotel from October 23, 2013.
- Exhibit 8: A photocopy of the Memorandum of Interview for Emmanuel Esterlin dated November 25, 2013 (2 pages).
- Exhibit 9: A photocopy of the citation for illegal parking and refusing to cooperate issued to Esterlin on November 6, 2013 for an infraction that occurred on October 23, 2013 (1 page).
- Exhibit 10: A CD containing recordings made by Esterlin with his cellular telephone of his meeting with Malachi Hull and Linda Martin on November 6, 2013.
- Exhibit 11: A CD containing three video recordings captured by the video recording devices located inside of Esterlin's taxicab on October 23, 2013 and provided by to the OIG by City Attorney Sharonda Williams on January 7, 2014.
- Exhibit 12: A photocopy of a NOPD Incident report number A-16174-14A dated January 13, 2014 in which Esterlin files a complaint regarding his arrest on October 23, 2013.

The report also contains an NOPD Voluntary Statement Form prepared by Esterlin (6 pages).

- Exhibit 13: A photocopy of an email sent by Kent Wilkins, Director of Security of Hyatt French Quarter to Gordon Hyde dated February 4, 2014 containing an email Wilkins sent to Malachi Hull on November 27, 2013, which contained a statement of what he (Wilkins) observed between Blake and Esterlin (1 page).
- Exhibit 14: A photocopy of the Memorandum of Interview for Bugeaud (Ronnie) Escarmant dated January 21, 2014 (2 pages).
- Exhibit 15: A photocopy of a citation for illegal parking issued to Escarmant on November 5, 2013 for an infraction that occurred on October 23, 2013 (1 page).
- Exhibit 16: A photocopy of a Vehicles for Hire Hearing Panel Recommendation form showing that Escarmant was assessed a \$50 fine for the citation (1 page).
- Exhibit 17: A photocopy of the Memorandum of Interview for Emmanuel Esterlin dated January 21, 2014 (1 page).
- Exhibit 18: A photocopy of the receipt Esterlin received from Ellis for the payment of the credit card stickers dated October 24, 2013 (1 page).
- Exhibit 19: A photocopy of the eight (8) photographic images taken by taxicab driver Denes Joseph and sent to Esterlin (8 pages).
- Exhibit 20: A photocopy of the five (5) photographic images taken by Taxicab driver Solomon Meles (5 pages).
- Exhibit 21: A photocopy of the Memorandum of Interview for Leonel Sanon dated January 22, 2014 (1 page).
- Exhibit 22: A photocopy of the Memorandum of Interview for Maxo Emil dated January 23, 2014 (1 page).
- Exhibit 23: A photocopy of the Memorandum of Interview for Denes Joseph dated January 23, 2014 (2 pages).
- Exhibit 24: A photocopy of a citation for illegal parking issued to Denes Joseph on October

29, 2013 for an infraction that occurred on October 23, 2013 (1 page).

- Exhibit 25: A photocopy of a Vehicles for Hire Hearing Panel Recommendation form and a Taxi Driver's Offense Card showing that Joseph was assessed a \$300 fine for the citation (2 pages)..
- Exhibit 26: A photocopy of a carbon copy of the citation for illegal parking issued to Denes Joseph on October 29, 2013 for an infraction that occurred on October 23, 2013 (1 page).
- Exhibit 27: A photocopy of a CNO receipt showing that Joseph showing that Joseph paid a \$300 fine on December 9, 2013 (1 page).
- Exhibit 28: A photocopy of the Memorandum of Interview for Terrence Wimberly dated February 11, 2014 (3 pages).
- Exhibit 29: A photocopy of a Request for Documents letter sent to Malachi Hull, Director of Taxicab & Hire Bureau dated January 8, 2014 (2 pages).
- Exhibit 30: A photocopy of Hull's response letter dated January 15, 2014 (2 pages).
- Exhibit 31: A photocopy of Blake's Oath of Office Form dated November 7, 2011 (1 page).
- Exhibit 32: A photocopy of Blake's Certificate of Completion for a four hour Defensive Driving Course dated September 16, 2003 (1 page).
- Exhibit 33: A photocopy of NOPD Item K-12494-13 (Supplemental) [6 pages].
- Exhibit 34: A photocopy of City of New Orleans Municipal Ordinance Chapter 17271 Section 162-48 (4 Pages).
- Exhibit 35: A photocopy of Blake's criminal history as shown in MOTIONS (7 pages).

**NEW ORLEANS POLICE DEPARTMENT
INCIDENT J-31909-13**

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin
35	SIMPLE BATTERY	10/23/2013 1:00 PM	10/23/2013 2:00 PM	CLEARED BY ARREST	NO
Location		Dist/Zone/Sub		Lighting	
100 DAUPHINE STREET		8D01		GOOD	

VICTIM PERSONS

VICTIM					
Last Name	First Name	Race	Sex	DOB	
BLAKE	RONNIE	BLACK	MALE	[REDACTED]	
Home Address		Home Phone	SSN	Driver's License	
[REDACTED]		[REDACTED]	000-00-0000	UNK	
Work Address		Work Phone	Occupation		
1300 PERDIDO, NEW ORLEANS, LA 70119		(504) 658-7170	TAXI CAB INVESTIGATOR		
Sobriety	Injury	Treated	Victim Type	Email Address	
SOBER	MINOR	REFUSED	ORLEANS RESIDENT		

OFFENDERS

OFFENDER 1 - ARRESTED								
Last Name	First Name	Nickname	Race	Sex	DOB	Height	Weight	
ESTERLIN	EMMANUEL		BLACK	MALE	[REDACTED]	5'7"	[REDACTED]	
Home Address					SSN	Driver's License		
1300 PERDIDO, NEW ORLEANS, LA 70130					000-00-0000	UNK		
Arrest Location			Dist/Zone/Sub	Arrest Date/Time		Arrest Credit		
100 DAUPHINE			8D01	10/10/2013 1:30 PM		08		
Sobriety	Injury	Treated	Rights Form	Transported By		Unit		
SOBER	MINOR	TREATED		QUINTERO		815		
Arrest Type		Resident Status	Juvenile Disposition					
ON VIEW		NON-RESIDENT						

CHARGES		
Charge	Victim No.	Relationship
17271MCS 54 96 BATTERY	1	EMPLOYER

Reporting Officer	Badge	Reporting District	Unit	Supervisor	Victim
PC SIMONE RUIBER	152	8D01	815		
Detective Assistant	Approving Supervisor	Badge	Unit	Title	
	SERGEANT JORNE BLANCHER	152			
J-31909-13					

DEFENDER DESCRIPTORS

<u>01 Build</u> 03 Medium	<u>02 Oddities</u>	<u>03 Scars</u>	<u>04 Tattoos</u>	<u>05 Apparel</u>
<u>06 Speech</u>	<u>07 Accent</u>	<u>08 Facial Odd.</u>	<u>09 Eyes</u>	<u>10 Nose</u>
<u>11 Teeth</u>	<u>12 Hair Color</u> 04 Black	<u>13 Hair Style</u> 07 Short	<u>14 Facial Hair</u>	<u>15 Complexion</u> 07 Dark

Additional Description

DARK SHIRT, BLACK JEANS

MODUS OPERANDI

<u>16 Criminal Activity</u> 10 Other (Describe)	<u>17 Motive</u> 02 Argument	<u>18 Targets</u> 05 Person
<u>19 Method of Entry</u>	<u>20 Point of Entry/Exit</u>	<u>21 Security Used</u> Security Defeated
<u>22 Residential</u>	<u>23 Outdoor Area</u> 01 Street/Road/Alley	<u>24 Comm. Establishment</u> <u>25 Public Access Area</u>
<u>26 Movable</u>	<u>27 Structure Type</u>	<u>28 Structure Status</u>
<u>29 Off. Approach</u> 06 Approached From Front	<u>30 Impersonated</u> 05 Friend	<u>31 Weapon</u> <u>32 Firearm Features</u>
<u>33 Property Crimes</u>	<u>34 Person Crimes</u>	<u>Sex Crime Specific</u>

Additional Descriptions

16, 10 SIMPLE BATTERY

NARRATIVE

ON WEDNESDAY, OCTOBER 23, 2013 AT 1:00 PM, OFFICER SIMONE QUINTERO UNIT 9881, WAS DISPATCHED TO A SIGNAL 35, RELATIVE TO SIMPLE BATTERY, WHICH OCCURRED IN THE 100 BLOCK OF DAUPHINE STREET. OFFICER QUINTERO SPOKE TO THE VICTIM RONNIE BLAKE (TAXI CAB INVESTIGATOR) WHO STATED THE FOLLOWING INFORMATION.

BLAKE STATED ON 10-23-12 AT 12:30 PM, HE RECEIVED A COMPLAINT CALL FROM THE MANAGER AT THE HYATT HOTEL ABOUT SEVERAL TAXI CABS PARKED IN THE FIRE LANE, IN FRONT THE BUSINESS. BLAKE STATED THAT THE TAXI CABS WERE IN VIOLATION OF SEVERAL MUNICIPAL CODES. BLAKE RELOCATED TO THE 100 BLOCK OF DAUPHINE STREET TO ASSIST WITH THE SITUATION. BLAKE STATED HE BEGAN DURING AN INSPECTION ON SEVERAL TAXI CABS THAT WERE PARKED IN THE FIRE LANE. BLAKE STATED WHEN IT CAME TO AN INSPECTION ON EMMANUEL ESTERLIN, HE REFUSED TO GIVE ANY PAPER WORK AND REFUSED TO LEAVE. WHEN BLAKE ASKED ESTERLIN TO COMPLY TO THE RULES AND REGULATIONS OF THE TAXI CAB BUREAU, HE STATED "IM NOT LEAVING". BLAKE ATTEMPTED TO PLACE MR. ESTERLIN INTO HANDCUFFS, AND AT THAT TIME ESTERLIN PUNCHED BLAKE IN THE LEFT EYE. BLAKE FEARED THAT HE WOULD BE ATTACKED AGAIN SO HE STEPPED BACK TO DEFEND HIMSELF AND SPRAYED ESTERLIN IN THE EYES WITH OC SPRAY.

EMS UNIT 3230 MANNED BY MORNAY MADE THE SCENE AND RENDER AID TO MR. BLAKE HE REFUSED MEDICAL TREATMENT. EMMANUEL ESTERLIN WAS TREATED ON SCENE (WASH EYES OUT) AND WAS TRANSPORTED TO UNIVERSITY HOSPITAL.

EMMANUEL ESTERLIN WAS LATER TRANSPORTED TO CENTRAL LOCK UP AND BOOKED FOR 54-96, RELATIVE TO SIMPLE BATTERY ON RONNIE BLAKE.

ANY ADDITIONAL INFORMATION WILL BE SUBMITTED VIA SUPPLEMENTAL REPORT.

ATTACHED DOCUMENTS LIST

Document 1 - Municipal Affidavit

**LAW
ENFORCEMENT
USE ONLY**

NEW ORLEANS POLICE DEPARTMENT
ATTACHED DOCUMENTS LIST J-31909-13

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin
35	SIMPLE BATTERY	10/23/2013 1:00 PM	10/23/2013 2:00 PM	CLEARED BY ARREST	NO
Location				Dist/Zone/Sub	Lighting
100 DAUPHINE STREET				8D01	GOOD

Document 1 - Municipal Affidavit

LAW ENFORCEMENT
USE ONLY

Reporting Officer #1	Badge	Reporting Officer #2	Badge	Car Number	Platoon
PO II SIMONE QUINERG	1592		0	816	
Detective Assigned		Approving Supervisor	Badge	Crims. Lab	Other
		<i>[Signature]</i>	0		
J-31909-13					

STATE OF LOUISIANA

PARISH OF ORLEANS

AFFIDAVIT

ITEM

NO. 100 MARTINE

MUNICIPAL COURT SECTION

CAR NO. 082 DISTRICT 3 ZONE D ARREST CREDIT 0

BEFORE ME, THE UNDERSIGNED AUTHORITY, AT 100 MARTINE (LOCATION WHERE SWORN)

NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED POLICE OFFICER SIMONE QUINTERO BADGE NO. 102

WHO, FIRST BEING DULY SWORN, DID DEPOSE AND SAY, THAT HE HAS REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON 03 THE 23 DAY

OF OCT YEAR 2013 AT OR ABOUT 1:15 P M. EMMANUEL ESTERLE DEFENDANT

WHO GAVE HIS NAME ABOVE AND HIS BIRTHDATE [REDACTED] RACE B SEX M AGE AND HIS ADDRESS AND HIS EMPLOYMENT

F94096

DID AT LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN AND THERE WANTONLY AND UNLAWFULLY VIOLATE

CITY OF NEW ORLEANS CODE, AMMENDED 1995 LOUISIANA REVISED STATUTES

- | (1) | STATUTE/ORD.# | SECT./PARA. | VIOLATION |
|-----|---------------|-------------|-----------|
| (1) | | | |
| (2) | | | |
| (3) | | | |
| (4) | | | |

ALL AGAINST THE PEACE AND DIGNITY OF SAME

SWORN TO AND SUBSCRIBED BEFORE ME ON THE DAY OF YEAR AFFIRANT'S SIGNATURE POLICE SUPERVISOR

SUMMONS

THEREFORE, YOU, THE ACCUSED:

ARE HEREBY, NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED POLICE OFFICER TO PERSONALLY APPEAR BEFORE SECTION OF THE MUNICIPAL COURT OF NEW ORLEANS, LA., 727 SOUTH BROAD ST., ON THE DAY OF YEAR AT M. TO BE ARRAIGNED WITHOUT FAIL; OTHERWISE A WARRANT FOR YOUR ARREST MAY BE SOUGHT ALL ACCORDING TO LAW, PARTICULARLY LA. C. CR. P. ART 211.

POLICE OFFICER BADGE NO.

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS.

ACCUSED

DEFENDANT

Patient Care Report

Incident Number: 01-J-3704-13

Date of Service: 10/23/2013

Chief Complaint: Pain (Non-traumatic) -
Pain (Non-traumatic) EYE PAIN

Unit/Crew: 3230 - Titus Tero B1841236,
Marlo Mornay



Patient Information

Last Name:

ESTERLIN

First Name:

EMMANUEL

MI:

DOB:

[REDACTED]

Age: 33

MEMORANDUM OF INTERVIEW

On November 25, 2013, Emanuel Esterlin, [REDACTED] was interviewed by investigators Michael J. Centola and Kristen Morales, City of New Orleans, Office of Inspector General. Also present during this interview was Tom Shlosman, Attorney for Esterlin. After being advised of the official identities of the interviewing Investigators, Esterlin voluntarily provided the following information:

Esterlin has lived in the New Orleans area since 2004, living in the Marrero, Gretna and Harvey, LA, areas. Prior to living in the area he lived in Port Au Price, Haiti. He became a Naturalized United States Citizen in 2008. He has been a taxi cab driver since November 2004. He recalled obtaining a permit from City Hall. He did not pay for the first license and is unsure if he took a test prior to receiving the permit. He has renewed the permit every two years since obtaining it. Since 2004, he has driven for the following lines: Bell, White Fleet and Alliance. He has driven within the city and "made the airport run."

Esterlin has received citations in the past. He went to the hearing as required and pled his side of the situation. He feels if He is wrong then he should accept being wrong. If not wrong he feels he should present his side. The last citation he received was approximately one year ago while working at the airport. He feels he wrongly received this citation. He did not recall who has issued citation to him in the past. He has not received a citation in the past two years. He has never received a suspension or a revocation of his permit.

At noon time on October 23, 2013, while waiting for his second fare, Esterlin was parked in line with other taxis in the 100 block of Dauphine. Taxi Cab Bureau (TCB) Investigator Blake pulled behind him and parked, blocking him where he could not move his vehicle. Esterlin knew he was parked illegally on the street and would receive a citation. Esterlin recognized Blake and the vehicle Blake was driving. Blake exited the vehicle and walked past Esterlin's vehicle. Another TCB employee who is unknown to Esterlin was accompanying Blake. Esterlin described her as a black female approximately 45-48 years old. Esterlin advised her last name may be Martin. Blake was collecting the permits and drivers license of the drivers parked ahead of Esterlin. Esterlin could not move from the line as Blake had his car blocked in. Esterlin stated he did not attempt to move as he feels he would receive an additional citation for leaving.

When Blake approached Esterlin's vehicle, Esterlin asked Blake not to write him a citation because he could not afford a ticket financially. Esterlin asked Blake a second time and Blake responded loudly "give me what I asked for." Esterlin handed Blake his permit and drivers license through the window. Blake grabbed the door handle and attempted to open the door, but could not do so since the door was locked. Blake told Esterlin to exit the vehicle. Esterlin exited the vehicle. At this time Blake took handcuffs from the right side of his belt and told Esterlin to face the wall they were standing near. Esterlin refused feeling he did nothing to warrant being handcuffed. Esterlin did not notice anything else on Blake's belt.

Blake again ordered Esterlin to face the wall. Esterlin questioned him why and stated that he did provide Blake with the paperwork he requested. Blake said it was due to Esterlin not cooperating. Esterlin responded that he did cooperate by giving Blake the paperwork. At this time Esterlin began walking away from the vehicle toward the middle of the block heading toward Canal Street. Blake

followed him. After walking approximately eight to ten steps, Blake tried to pull Esterlin's hand behind Esterlin's back. Esterlin took Blake's hand off and kept walking. Esterlin saw something in Blake's hand but did not know what it was. The other TCB employee was following a few steps behind Blake talking on the telephone. During this time, other taxi cab drivers arrived and began taking pictures and video of Blake and Esterlin.

Esterlin was talking to Blake the whole time he was walking away from Blake. Esterlin looked away in attempts to identify any witnesses to the incident. When he turned back toward Blake, Blake sprayed him with pepper spray over his face and head. Esterlin stated it was "enough spray to kill me." After being sprayed, his eyes were closed, he swung and attempted to hit Blake. Esterlin stated this was in defense of himself and that Blake had provoked him. Several taxi cab driver witnessed Esterlin being sprayed. During this altercation the female TCB employee was on the telephone and did not do anything to intervene on behalf of Blake or Esterlin.

After Esterlin swung at Blake, Esterlin dropped to his knees on his own because of the pain of the pepper spray. Blake commented "there we go." When Esterlin was on his stomach, Blake placed his knee in the back of Esterlin and placed the handcuffs on Esterlin. Esterlin was not fighting Blake as the pepper spray was burning his skin. Someone poured water on his head after he was complaining of the pain. Esterlin was repeatedly requesting water and assistance; three taxi cab drivers gave him water. Blake denied him water. Esterlin felt he was on his stomach for approximately 20 minutes.

Subsequently the New Orleans Police (NOPD) arrived. Blake spoke to the officer and advised he sprayed Esterlin after Esterlin struck Blake. The Officer asked Blake if he the authority to handcuff and spray individuals. Blake responded that he did. The NOPD Officer did not take a statement from Esterlin or any other witnesses. The NOPD Officer moved the handcuff to the front of Esterlin prior to Esterlin receiving medical treatment in an ambulance that also arrived on the scene. Esterlin was transported to the LSU hospital.

Esterlin did not recall ever being told he was under arrest by either Blake or the NOPD Officer. Esterlin's father was not allowed to talk to him while in the ambulance. After receiving treatment at the hospital, Esterlin was transported to jail in the NOPD vehicle. He was released approximately 11:30 p.m. after his brother-in-law posted a \$415.00 bond. Sholman has all paperwork Esterlin received during this incident.

After being released from jail, Esterlin went home and took a shower. Due to the severity of his pain, his body was shaking, so he took prescription Advil PM to help him sleep. Esterlin was still experiencing stomach pain. He believes this was due to his ingesting pepper spray.

Esterlin resumed driving either three or five days after the incident. His trip sheet would have the correct date.

Either four or five days after the incident, Esterlin was contacted by Malachi Hull, Director, TCB. Hull advised Esterlin he was to come to the TCB office to receive a citation regarding the incident. Once he arrived there he met with Hull. Esterlin recorded the conversation utilizing his cellular telephone. During this meeting Hull advised that Blake was not going to press charges against Esterlin. After the meeting the lady who was with Blake on October 23, 2013 wrote him a citation, citing him for illegal parking and refusing to cooperate.

CITY OF NEW ORLEANS GROUND TRANSPORTATION BUREAU
SUMMONS

CASE NO. 3059 HEARING ROOM 2W84
CAR NO. 3059 ARREST CREDIT 97

BEFORE ME, THE UNDERSIGNED AUTHORITY, AT
1300 Perdido St. Rm 2W84

LOCATION WHERE SWORN
NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED INVESTIGATOR

L. Martin BADGE NO. N/A

WHO, FIRST BEING DULY SWORN, DID DEPOSE AND SAY THAT HE HAS
REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON

Wednesday THE 6 DAY OF November 20 13

AT ABOUT 11:16 AM pr
Emmanuel Esterlin DEFENDANT

WHO GAVE HIS/HER NAME ABOVE, BIRTH DATE [REDACTED]

RACE N/A SEX M AGE 33 AND HIS

ADDRESS [REDACTED]

AND HIS EMPLOYMENT Alliance Cab

C.P.N.C. # / HOLDER 1680 qmsgraga PERMIT # 041DR006

LIC. PLATE # 2011680 DRIVER LIC. # [REDACTED]

DID AT Dauphin to Canal

LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN
AND THERE WANTONLY AND UNLAWFULLY VIOLATE SECTION 162-249 OF ORDINANCE NO.
17271 M.C.S. CODE OF THE CITY OF NEW ORLEANS AS AMENDED RELATIVE TO:

SECTION 162 PARAGRAPH 446 RELATIVE TO Driver's
Good Conduct

SECTION 162 PARAGRAPH 654 RELATIVE TO Restricted
Area Defined

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

ALL AGAINST THE PEACE AND DIGNITY OF SAME

L. Martin
AFFIANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME ON THE _____ DAY OF

20 INVESTIGATOR SUPERVISOR

ALLOWED TO OPERATE NOT ALLOWED TO OPERATE

WARNING: I ACKNOWLEDGE RECEIPT OF THE ABOVE WARNING.

ACCUSED 7th Floor City Hall Rm 7E05

SUMMONS: THEREFORE, YOU, THE ACCUSED:
Emmanuel Esterlin

ARE HEREBY NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED
INVESTIGATOR TO PERSONALLY APPEAR BEFORE HEARING OFFICER OF THE CITY OF NEW
ORLEANS, 1300 PERDIDO ST., RM. 2W84 ON THE

13 DAY OF December 20 13 AT 7:30 AM

TO BE ARRAIGNED WITHOUT FAIL, OTHERWISE A WARRANT FOR YOUR ARREST MAY BE
SOUGHT ALL ACCORDING TO LAW, PARTICULARLY 17271 M.C.S. FAILURE TO APPEAR MAY
RESULT IN FINES, REVOCATION OF C.P.N.C., DRIVER'S PERMIT, TOUR GUIDE LICENSE
AND/OR TOUR PLANNERS LICENSE.

L. Martin INVESTIGATOR BADGE NO. N/A

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS.
ACCUSED [Signature]

Defendant: Please read notice on the other side of this summons.
OFFICER: Yellow Copy DEFENDANT: Green Copy COURT: White Copy

10845

**NEW ORLEANS POLICE DEPARTMENT
INCIDENT A-16174-14**

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin
21	MISCELLANEOUS INCIDENT	10/23/2013 1:00 PM	1/13/2014 2:12 PM	CLEARED BY EXCEPTION	NO
Location		Dist/Zone/Sub		Lighting	
100 DAUPHINE STREET		8D01		GOOD	

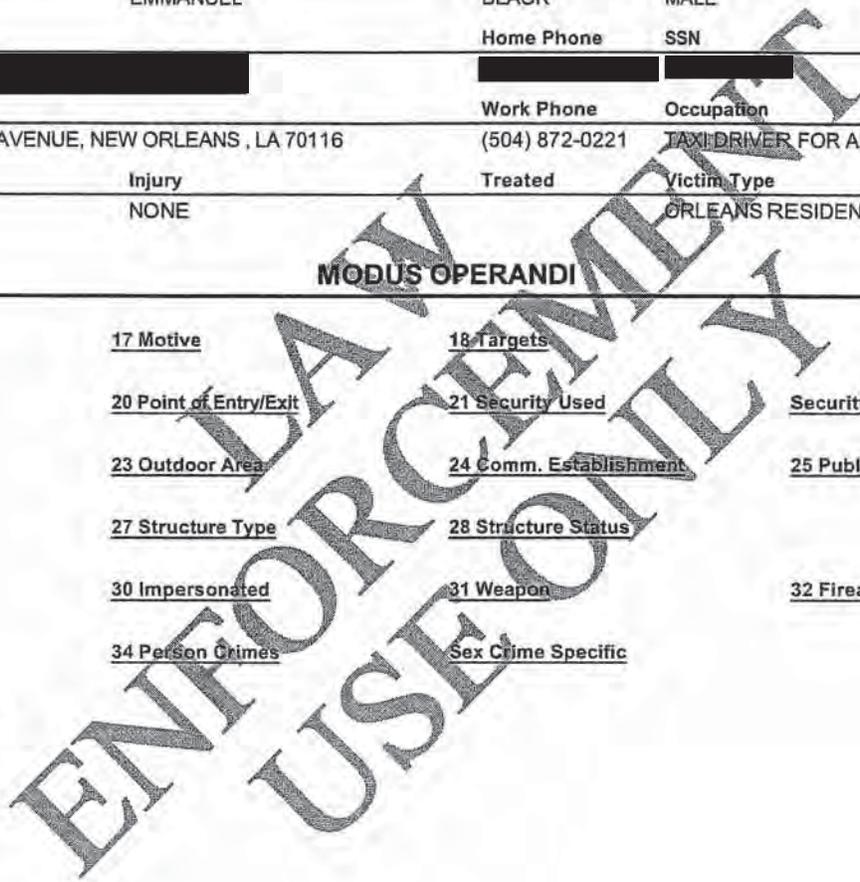
VICTIM PERSONS

#1 REPORTING PERSON

Last Name	First Name	Race	Sex	DOB
ESTERLIN	EMMANUEL	BLACK	MALE	[REDACTED]
Home Address	Home Phone	SSN	Driver's License	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
Work Address	Work Phone	Occupation		
1201 SAINT BERNARD AVENUE, NEW ORLEANS, LA 70116	(504) 872-0221	TAXI DRIVER FOR ALLIANCE		
Sobriety	Injury	Treated	Victim Type	Email Address
UNKNOWN	NONE		ORLEANS RESIDENT	

MODUS OPERANDI

- 16 Criminal Activity
- 17 Motive
- 18 Targets
- 19 Method of Entry
- 20 Point of Entry/Exit
- 21 Security Used
- Security Defeated
- 22 Residential
- 23 Outdoor Area
- 24 Comm. Establishment
- 25 Public Access Area
- 26 Movable
- 27 Structure Type
- 28 Structure Status
- 29 Off. Approach
- 30 Impersonated
- 31 Weapon
- 32 Firearm Features
- 33 Property Crimes
- 34 Person Crimes
- Sex Crime Specific
- Additional Descriptions



Reporting Officer #1	Badge	Reporting Officer #2	Badge	Car Number	Platoon
POII FREDRICA B. PALMER	1152			849	
Detective Assigned	Approving Supervisor		Badge	Crime Lab	Other
RYAN ST MARTIN UNIT 1624	SERGEANT ALEXIS HAWKINS		242		17 ANGELO SMITH
A-16174-14					

NARRATIVE

ON MONDAY, JANUARY 13, 2014 AT 2:09PM OFFICER FREDRICA PALMER UNIT 849A OF THE EIGHTH DISTRICT HAD THE OCCASION TO HANDLE A SIGNAL 21 RELATIVE TO MISCELLANEOUS INCIDENT WHICH OCCURRED OCTOBER 23, 2013 IN THE 100 BLOCK OF DAUPHINE STREET.

OFFICER PALMER WAS INFORMED OF THE FOLLOWING FROM REPORTING PERSON EMMANUEL ESTERLIN:

ON OCTOBER 23, 2013 HE WAS ARRESTED AND CHARGED WITH BATTERY ON TAXI CAB INVESTIGATOR RONNIE BLAKE, AT WHICH TIME HE WAS HANDCUFFED AND BROUGHT TO CENTRAL LOCK-UP. AT SOME POINT DURING THE COURT PROCEDURES A VIDEO OF THE INCIDENT BECAME AVAILABLE TO HIS DEFENSE LAWYER, ONCE THAT OCCURRED THE CHARGES WERE DROPPED AGAINST HIM. THE ORIGINAL INCIDENT WAS DOCUMENTED UNDER NOPD ITEM NUMBER J-31909-13.

IN MR. ESTERLIN'S STATEMENT WHICH IS ATTACHED TO THIS REPORT HE STATED HE WAS ILLEGALLY PARKED WHEN MR. BLAKE ARRIVED AND ASKED FOR HIS DRIVERS LICENSE AND HIRE PERMIT, AT WHICH TIME HE ASKED MR. BLAKE TO GIVE HIM A CHANCE. AFTER GIVING MR. BLAKE THE ITEMS REQUESTED MR. BLAKE ASKED HIM TO GET OUT OF HIS VEHICLE, UPON DOING SO MR. BLAKE TOOK OUT HIS HANDCUFFS AND ASKED HIM TO FACE THE WALL, AT WHICH TIME HE TOLD MR. BLAKE "IM SORRY". MR. BLAKE THAN ASKED HIM TO COOPERATE, AND HE RESPONDED BY TELLING MR. BLAKE I'VE COOPERATED ENOUGH WITH YOU AND BEGAN WALKING AWAY. AT WHICH TIME MR. BLAKE BEGAN TO FOLLOW HIM MEETING UP WITH HIM IN THE MIDDLE OF THE BLOCK, WHILE OTHER DRIVERS TRIED TO RECORD THE INCIDENT BUT WAS INSTRUCTED NOT TO BY BLAKE AND ANOTHER INSPECTOR NAMED MRS. MARTIN.

MR. ESTERLIN'S STATEMENT WENT ON TO STATE HE WAS PUNCHED AND PEPPER SPRAYED THEN HANDCUFFED BY MR. BLAKE PRIOR TO MR. BLAKE CONTACTING THE POLICE.

UPON THE ARRIVAL OF POLICE HE WAS ARRESTED FOR BATTERY ON MR. BLAKE, AND TRANSPORTED TO LSU HOSPITAL WHERE HE WAS TREATED, THEN TRANSPORTED TO CENTRAL LOCK-UP.

NOTE: MR. ESTERLIN DID NOT LEAVE COPY OF THE VIDEO.

LT. ANGELO SMITH UNIT 810A WAS NOTIFIED AND SPOKE WITH MR. ESTERLIN IN THE LOBBY OF THE EIGHTH DISTRICT STATION.

DETECTIVE RYAN ST. MARTIN UNIT 1824 WAS NOTIFIED BUT DID NOT SPEAK WITH MR. ESTERLIN.

ANY ADDITIONAL INFORMATION WILL BE SUBMITTED VIA SUPPLEMENTAL REPORT AFTER THE CITY ATTORNEY IS CONTACTED.

LAW ENFORCEMENT
USE ONLY

ATTACHED DOCUMENTS LIST

Document 1 - Voluntary Victim Statement Form (2pgs)

**LAW
ENFORCEMENT
USE ONLY**

1/14/2014 9:48 AM

A-16174-14

Page 1 of 1

**NEW ORLEANS POLICE DEPARTMENT
ATTACHED DOCUMENTS LIST A-16174-14**

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin
21	MISCELLANEOUS INCIDENT	10/23/2013 1:00 PM	1/13/2014 2:12 PM	CLEARED BY EXCEPTION	NO
Location				Dist/Zone/Sub	Lighting
100 DAUPHINE STREET				8D01	GOOD

Document 1 - Voluntary Victim Statement Form (2pgs)



Reporting Officer #1	Badge	Reporting Officer #2	Badge	Car Number	Platoon
PO III FREDRICK B PALMER	1152		0	849	A
Detective Assigned	Approving Supervisor		Badge	Crime Lab	Other
RYAN ST. MARTIN UNIT 1824	SERGEANT ALEXIS HAWKINS		242		LT. ANGELO SMITH
A-16174-14					

New Orleans Police Department
VICTIM/WITNESS VOLUNTARY STATEMENT FORM

ITEM NO. A-11074-14 Page 1 of 2

PLACE: 341 Royal DATE: 01-13-14 TIME STARTED: 2:09 P.M.
(STATEMENT LOCATION) (H.O.P.) (A/P)

I, Emmanuel Esterlin, residing at [REDACTED]
(VICTIM/WITNESS) (HOME ADDRESS)

Whose date of birth is [REDACTED], am giving a voluntary statement to F. Palmer
(I.O.P.) (INVESTIGATING OFFICER)

I am knowingly rendering this statement without the aid of an attorney. I have not been promised a reward for giving this statement or threatened with physical harm, coerced, or offered leniency by a law enforcement officer or representative from the District Attorney's Office. [REDACTED]

On 23 the Wed of Oct 2013, at about [REDACTED] M, at: 100 Dauphine St.
(DAY) (DATE) (MONTH) (YEAR) (TIME) (A/P) (LOCATION OF INCIDENT)

I parked on the left side of the street when Mr Ronnie Blake shortly arrived and parked behind my vehicle. As a driver of the City of New Orleans for the last 9 years, I knew that I was going to get a citation for the illegal park.
The officer asked me for my driver's license and my for Hire permit. And I said please give me a chance Mr Blake. He didn't want to hear me as he was yelling very loud on the street. I then gave him everything through the window. He asked me to get out of the vehicle, and I did so. He then took his hand cuff, and asked me to face the wall. I told him that I was sorry. He asked me to cooperate, I told him that I cooperated enough with him. Has I walked

[Signature]
Officer's Initials

Victim/Witness Initials

SWORN TO and subscribed before me on the 13 day of Jan 2014 at New Orleans, Louisiana.

Supervisor: _____ Badge: _____

New Orleans Police Department
VICTIM/WITNESS VOLUNTARY STATEMENT FORM

ITEM NO. A-110174-H Page 2 of 2

CONTINUATION SHEET

to the middle of the block, he followed me. Other drivers tried to record the situation, but Blake and the other inspector, Mrs Martin wouldn't let them do. While I was turning my face, Mr Blake punched me on my head and pepper sprayed me on my face and head than handcuffed me and called police. They brought me to the Hospital at the LSU, where I was treated, and then brought me to jail, where I was charged for battery against him. because he told the officers that I punched him first. That now, the video come out and proved that I was innocent, all of the charges that I had against me already dropped. Bless god there was a camera on the street. All I need today is justice. I need Mr Blacke to get the Battery Charges, was he deserve it.

Gordon Hyde

From: [REDACTED]
Sent: Tuesday, February 04, 2014 11:30 AM
To: Gordon Hyde
Cc: Terence Barrett
Subject: Fwd: Witness Statement

----- Forwarded message -----
From: [REDACTED] >
Date: Wed, Nov 27, 2013 at 2:46 PM
Subject: Witness Statement
To: "mbull@gnola.gov" <mbull@gnola.gov>

On October 23, 2013 5 taxi cabs were illegally parked in the fire lane and freight zone in the 100 block of Dauphine street. I asked the cab drivers to move because they were partially blocking our shipping and receiving area. They refused. I called inspector Blake and informed him of the situation. Within 5 minutes inspector Blake and a Female officer arrived. They asked all drivers who were parked illegally to hand over their license and permits. One driver refused to comply. Blake repeatedly asked and he refused. The driver was then asked to exit the vehicle several times. He finally complied, handed over his permit and exited the vehicle. Blake then reached for him and asked him to stand against the wall. As Blake reached the cab driver pushed his hand. Blake then began to instruct him to get against the wall and place his hands behind his back. The driver refused and began to walk away. They driver became very hostile and began shouting obscenities as he walked toward the employee entrance of the hotel where I was standing. Blake asked him to comply and pulled out a can of pepper spray. The driver refused and Blake reached for him. They got entangled, the pepper spray was released. Some of the spray got into my eyes. I did not see what happened after that.

Sent from my iPhone

MEMORANDUM OF INTERVIEW

On Tuesday, January 21, 2014, Investigators Gordon B. Hyde Jr. and Terry Barrett of the City of New Orleans Office of Inspector General (OIG), met and interviewed Bugeaud (Ronnie) Escarmant, black male, [REDACTED], home address [REDACTED] cellular telephone number [REDACTED], at the intersection of North Maestri Place and Camp Street. After being advised of the identity of Investigator Hyde and Barrett and the nature of the interview, Escarmant voluntarily provided the following information:

Escarmant has been driving taxicabs for about 15-16 years in the New Orleans metro area. For the past two years Escarmant has been working for Carriage Cab Company.

On October 23, 2013, Escarmant was parked in a Cab Stand waiting for a fare with four other cabs, in the 100 block of Dauphine Street. Escarmant recalled there were two Lyons taxis and one unknown taxi, that was a black Chevrolet Suburban, waiting. The Cab Stand was adjacent to the Ritz Carlton Hotel. Taxi Cab Bureau (TCB) Investigator Blake parked his vehicle behind the taxis. A female TCB Investigator exited the passenger side of the vehicle and walked on the street toward the taxis. Escarmant was not in his vehicle. Escarmant was standing on the sidewalk nearby the parked taxis talking with the other taxicabs drivers. The female Investigator approached Escarmant taxi. The Investigator apparently realizing no one was inside the cab walked over to Escarmant and the other drivers and said, "Don't move, give me your permit." Before Escarmant and the other taxi drivers could relinquish their documents, Investigator Blake approached the drivers from the sidewalk and said, "Everybody give me your fucking permit, everybody don't move." Escarmant gave the female Investigator his drivers' license and taxi permit.

Blake then walked to taxicab driver Emmanuel Esterlin's taxi and tried to open it by pulling on the drivers' door handle. Blake told Esterlin, who was sitting in the driver's seat of his taxi, "Get out or I'm going to cuff you." Blake then tried to physically pull Esterlin from his cab. Esterlin then exited his cab. Esterlin once out of his cab tried to give Blake his permit, but Blake was trying to place handcuffs on Esterlin. Esterlin told Blake, "Don't touch me, don't touch me. Don't put your hands on me." Esterlin kept backing away from Blake while Blake continued walking toward Esterlin and continued to confront Esterlin. Blake never accepted Esterlin's permit.

Escarmant and the other taxicab drivers gave their documents to the female Investigator as ordered by her and Blake. Escarmant then heard some screaming in the direction of where Esterlin and Blake were. Escarmant looked in the direction and observed Esterlin on the ground with Blake firmly putting his knee on Esterlin's back. Escarmant ran to them and asked Blake, "Why are you doing that, are you trying to kill him?" Escarmant at this time realized the Blake had used pepper spray on Esterlin. Escarmant did not observe Blake using the pepper spray against Esterlin as he and the other drivers were talking with the female Investigator. Esterlin who was handcuffed, was repeatedly calling out for help. Esterlin was crying and was in obvious pain. Blake offered no assistance to Esterlin who remained handcuffed on the ground in pain.

Escarmant went to inform Esterlin's father, who is a taxicab driver and was waiting for a fare on Canal Street in front of the Ritz Carlton Hotel, about the incident involving his son and Blake. According to Escarmant, the father proceeded to Dauphine Street, confronted Blake and told him, "Blake, I can't believe you're doing my son like this."

Blake at one point told the female Investigator to tell all the taxicab drivers, who were now at their location questioning Blake as to why he had pepper sprayed and handcuffed Esterlin, to move the taxicab drivers away.

Escarmant reiterated at no time during the entire incident did Esterlin show any aggressive behavior toward Blake and that Blake was strictly the aggressor.

Escarmant advised that he and the other taxicab drivers had walked over to where Blake and Esterlin were. When the police arrived on the scene, Blake told the taxicab drivers to leave from the location. The drivers did not comply with Blake's request. Blake then told the police to order the drivers to leave. The drivers then complied and moved back several feet. The police only spoke with Blake and did not speak or interview any of the taxicab drivers. The female Investigator gave Escarmant driver's license and permit to the police. After some time the police told the female Investigator that they were not issuing Escarmant a ticket. The police gave Escarmant his driver's license, however, the female Investigator kept his permit.

About 2-3 days after the incident, Escarmant received a telephone call from the Taxi Cab Bureau to come into their office. Escarmant, upon arriving at the office, was issued a citation for parking in a fire lane. Escarmant was eventually found guilty of the charge and was required to pay \$50. At this time Escarmant taxi permit was returned to him and he was allowed to operate again.

Escarmant learned from Esterlin that Malachi Hull called Esterlin shortly after the incident and ordered Esterlin to take his cab to a shop called Ellis for an inspection. Escarmant believed this was unusual because he thought Esterlin taxi was recently inspected and the shop mostly installs video cameras that are now required in taxicabs.

CASE NO. 7309 HEARING ROOM 2W84
ARREST CREDIT 97

BEFORE ME, THE UNDERSIGNED AUTHORITY, AT

1300 PERDIDO ST 2W84

LOCATION WHERE SWORN

NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED INVESTIGATOR

R. BLAKE

BADGE NO. #102

WHO, FIRST BEING DULY SWORN, DID DEPOSE AND SAY THAT HE HAS REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON

WEDNESDAY THE 23RD DAY OF OCTOBER, 20 13

AT ABOUT 1:00 pm X BUGEAUD R
ESCLARMANT

DEFENDANT

WHO GAVE HIS/HER NAME ABOVE, BIRTH DATE [REDACTED]

RACE N/A SEX MALE AGE [REDACTED]

ADDRESS [REDACTED]

AND HIS EMPLOYMENT NEW ORLEANS CARRIAGE CAB

C.P.N.C. # / HOLDER 1405 PERMIT # 05202-00121

LIC. PLATE # N/A DRIVER LIC. # [REDACTED]

DID AT FRENCH QUARTER APART. DAUPHINE

LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN AND THERE WANTONLY AND UNLAWFULLY VIOLATE SECTION 162-249 OF ORDINANCE NO. 17271 M.C.S. CODE OF THE CITY OF NEW ORLEANS AS AMENDED RELATIVE TO:

SECTION 162 PARAGRAPH 654, RELATIVE TO RESTRICTIONS
AREA DEFINED S/P FIRE LANE

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

ALL AGAINST THE PEACE AND DIGNITY OF SAID

R. H. [Signature]

AFFIANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME ON THE 5TH DAY OF

NOVEMBER, 20 13

R. H. [Signature]
INVESTIGATOR SUPERVISOR

ALLOWED TO OPERATE NOT ALLOWED TO OPERATE ROOM

WARNING: I ACKNOWLEDGE RECEIPT OF THE ABOVE WARNING.

ACCUSED 7TH FLOOR CITY HALL 7505

SUMMONS; THEREFORE, YOU, THE ACCUSED:

BUGEAUD R ESCLARMANT

ARE HEREBY NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED INVESTIGATOR TO PERSONALLY APPEAR BEFORE HEARING OFFICER OF THE CITY OF NEW ORLEANS, 1300 PERDIDO ST., RM. 2W84 ON THE

15TH DAY OF NOVEMBER, 20 13 AT 1:30 pm X

TO BE ARRAIGNED WITHOUT FAIL; OTHERWISE A WARRANT FOR YOUR ARREST MAY BE SOUGHT ALL ACCORDING TO LAW, PARTICULARLY 17271 M.C.S. FAILURE TO APPEAR MAY RESULT IN FINES, REVOCATION OF C.P.N.C., DRIVER'S PERMIT, TOUR GUIDE LICENSE AND/OR TOUR PLANNERS LICENSE.

R. H. [Signature]
INVESTIGATOR

BADGE NO. 102

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS.

ACCUSED Bugeaud R

Defendant: Please read notice on the other side of this summons.

OFFICER: Yellow Copy DEFENDANT: Green Copy COURT: White Copy

11768

CITY OF NEW ORLEANS GROUND TRANSPORTATION BUREAU
SUMMONS

CASE NO. _____ HEARING ROOM 2W84
CAR NO. 7309 ARREST CREDIT 97

BEFORE ME, THE UNDERSIGNED AUTHORITY, AT

1300 PERDIDO ST 2W84
LOCATION WHERE SWORN

NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED INVESTIGATOR
R. BLAKE BADGE NO. #100

WHO, FIRST BEING DULY SWORN, DID DEPOSE AND SAY THAT HE HAS
REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON
WEDNESDAY, THE 23RD DAY OF OCTOBER, 20 13
AT ABOUT 1:00 pm N. BUSBAUD 12
ESCARMANT DEFENDANT

WHO GAVE HIS/HER NAME ABOVE, BIRTH DATE _____
RACE N/A SEX MALE AGE _____ AND HIS
ADDRESS _____

AND HIS EMPLOYMENT NEW ORLEANS CARRIAGE CAB
C.P.N.C. # / HOLDER 1905 PERMIT # 05200-00121

LIC. PLATE # N/A DRIVER LIC. # _____
DID AT FRENCH QUARTER MOUNT - DAUPHINE

LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN
AND THERE WANTONLY AND UNLAWFULLY VIOLATE SECTION 162-249 OF ORDINANCE NO.
17271 M.C.S. CODE OF THE CITY OF NEW ORLEANS AS AMENDED RELATIVE TO:

SECTION 162 PARAGRAPH 654 RELATIVE TO RESTRICTED
AREA DEFINED - S/P FIRE LANE

SECTION 162 PARAGRAPH _____ RELATIVE TO _____
SECTION 162 PARAGRAPH _____ RELATIVE TO _____

SECTION 162 PARAGRAPH _____ RELATIVE TO _____
SECTION 162 PARAGRAPH _____ RELATIVE TO _____

ALL AGAINST THE PEACE AND DIGNITY OF SAID
R. A. Blake
AFFIANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME ON THE _____ DAY OF
_____, 20____ INVESTIGATOR SUPERVISOR

ALLOWED TO OPERATE NOT ALLOWED TO OPERATE ROOM
 WARNING: I ACKNOWLEDGE RECEIPT OF THE ABOVE WARNING.
ACCUSED 7TH FLOOR CITY HALL 7005

SUMMONS: THEREFORE, YOU, THE ACCUSED:
BUSBAUD R ESCARMANT

ARE HEREBY NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED
INVESTIGATOR TO PERSONALLY APPEAR BEFORE HEARING OFFICER OF THE CITY OF NEW
ORLEANS, 1300 PERDIDO ST., RM. 2W84 ON THE

15TH DAY OF NOVEMBER, 20 13 AT 1:30 pm

TO BE ARRAIGNED WITHOUT FAIL; OTHERWISE A WARRANT FOR YOUR ARREST MAY BE
SOUGHT ALL ACCORDING TO LAW, PARTICULARLY 17271 M.C.S. FAILURE TO APPEAR MAY
RESULT IN FINES, REVOCATION OF C.P.N.C., DRIVER'S PERMIT, TOUR GUIDE LICENSE
AND/OR TOUR PLANNERS LICENSE

R. A. Blake BADGE NO. #102
INVESTIGATOR 504-564-8467

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS.
ACCUSED BUSBAUD R

Defendant; Please read notice on the other side of this summons.
OFFICER: Yellow Copy DEFENDANT: Green Copy COURT: White Copy

Guilty #5000

11768



City of New Orleans

Taxicab and For Hire Vehicle Bureau

Case10-11768-13

TO: Deputy Director Malachi S. Hull
FROM: Hearing Officer: Maria Julianna Auzenne, Esg.
DATE: 11-15-13
RE: Vehicles for Hire Hearing Panel Recommendation

Court Date
Reset 12-6-13

CPNC #: 1405
Driver: Bugeaud Escarmant
Co. Name: New Orleans Carriage Cab
CPNC Holder:
Charges: 162-654 Restricted Area Defined

Finding of facts: [] Guilty [] Not Guilty [] Signed Waiver [] Failed to Appear (FTA)
(Attorney: Write a Brief Description of Findings of Facts Below.)

Recommendations: [] Dismissal [x] Fine [] Suspension [] Revocation

Fines: 50.00

Driver: _____ Company: _____ CPNC Holder: _____

HEARING OFFICERS' SIGNATURES:

- 1. _____
2. _____
3. _____

MEMORANDUM OF INTERVIEW

On Tuesday, January 21, 2014, Investigators Gordon B. Hyde Jr. and Terry Barrett of the City of New Orleans Office of Inspector General (OIG), met and interviewed Emmanuel Esterlin, black male, [REDACTED] home address [REDACTED] cellular telephone number [REDACTED] at the intersection of North Maestri Place and Camp Street. After being advised of the identity of Investigator Hyde and Barrett and the nature of the interview, Esterlin voluntarily provided the following information:

Esterlin advised that he received a telephone call from the owner of Alliance Cab Company (Alliance) on October 24, 2013, in which the owner told him that Malachi Hall had called, via telephone, and instructed him to have Estelin, Leonel Sanon, the CPNC owner of Esterlin's taxi, and the taxi Esterlin was operating the day he was arrested (October 23, 2013) come to the Taxi Cab Bureau office today. Esterlin owns Alliance Cab taxicab #1680. According to Esterlin, the owner of Alliance also telephoned Leonel Sanon and told him what Hall had said. Esterlin added that Hall did not tell the owner of Alliance the reason why he wanted them.

Sanon and Esterlin brought the taxi to City Hall and met Hall in the Taxi Cab Bureau Office, located within City Hall. Hall told them he wanted Sanon, Esterlin, and the taxi to relocate with him to Ellis' Shop. Hall did not tell them the reason why he wanted them to go. Sanon asked Hall since he was not operating the taxi on the day of Esterlin's arrest was it necessary for him to go to Ellis'. Hall told Sanon he did not have to go.

Esterlin, Hall, and another Investigator whom Esterlin knows only as "Pastor", relocated to Ellis' Shop. Once at the Shop, Hall, "Investigator Pastor", and Ellis began working inside Esterlin's taxi for about two hours. The three worked on Esterlin's taxi in the shop area of the business. They did not tell Esterlin what they were doing to his taxi. Esterlin remained in the lobby area of the business and fell asleep. Esterlin added that he was tired because of a lack of sleep from the previous day, when Esterlin was pepper sprayed, arrested, brought to the hospital for evaluation, and finally released from jail. Esterlin awoke about two hours later and asked Ellis, "Where is Malachi?" Ellis said, "They left and everything is okay." However, Esterlin was charged approximately \$10 to install credit card stickers on the windows of his taxi.

Esterlin received a receipt from Ellis for the payment of the credit card stickers and will provide Investigator Hyde a copy of the receipt at a later date.

Esterlin upon looking back believed Hall made Esterlin bring his taxi to Ellis' to clear the cab's video surveillance system of any incriminating evidence that could be used against Investigator Blake.

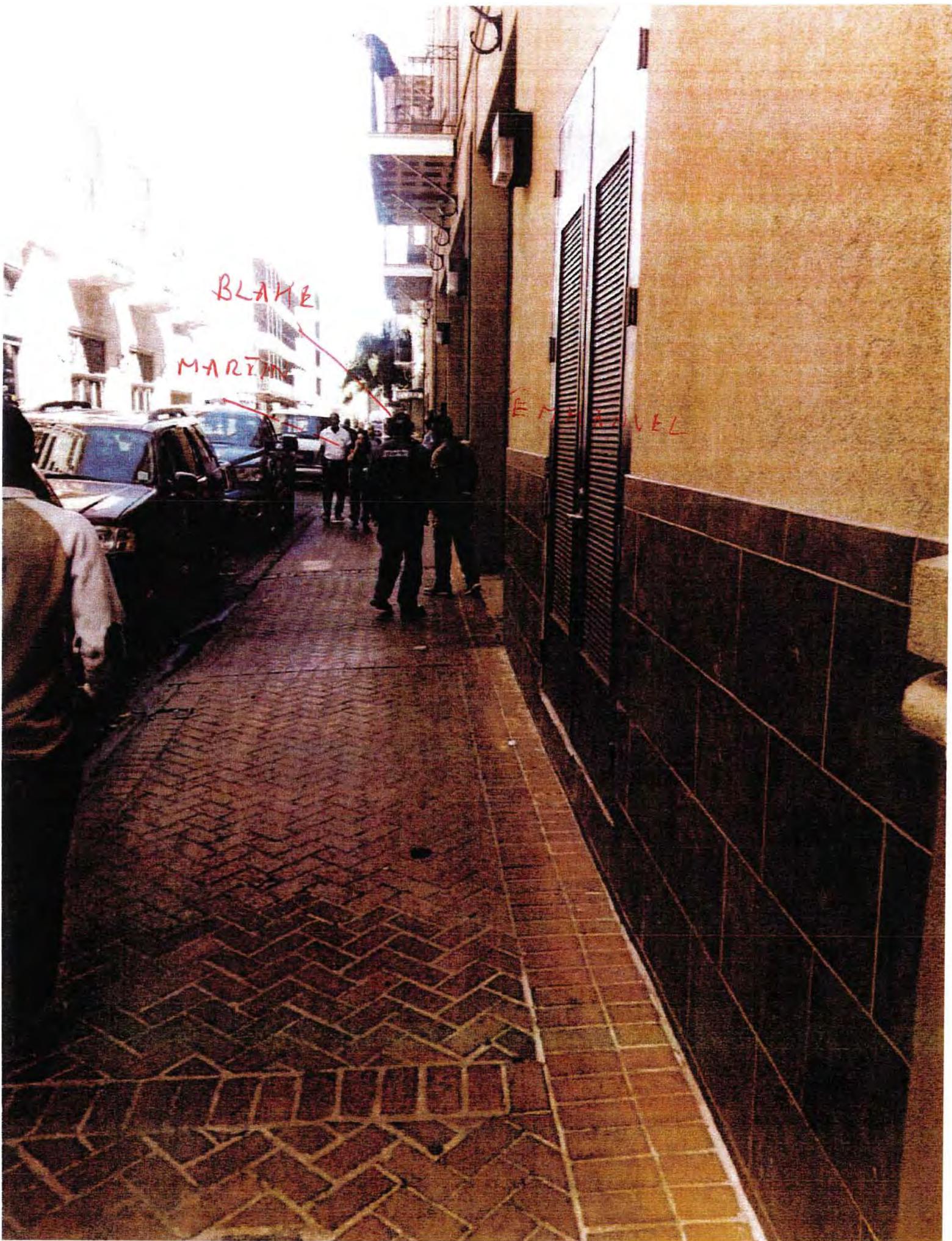
Esterlin believes Hall and Ellis, the owner of Ellis' Shop, have a friendly relationship.

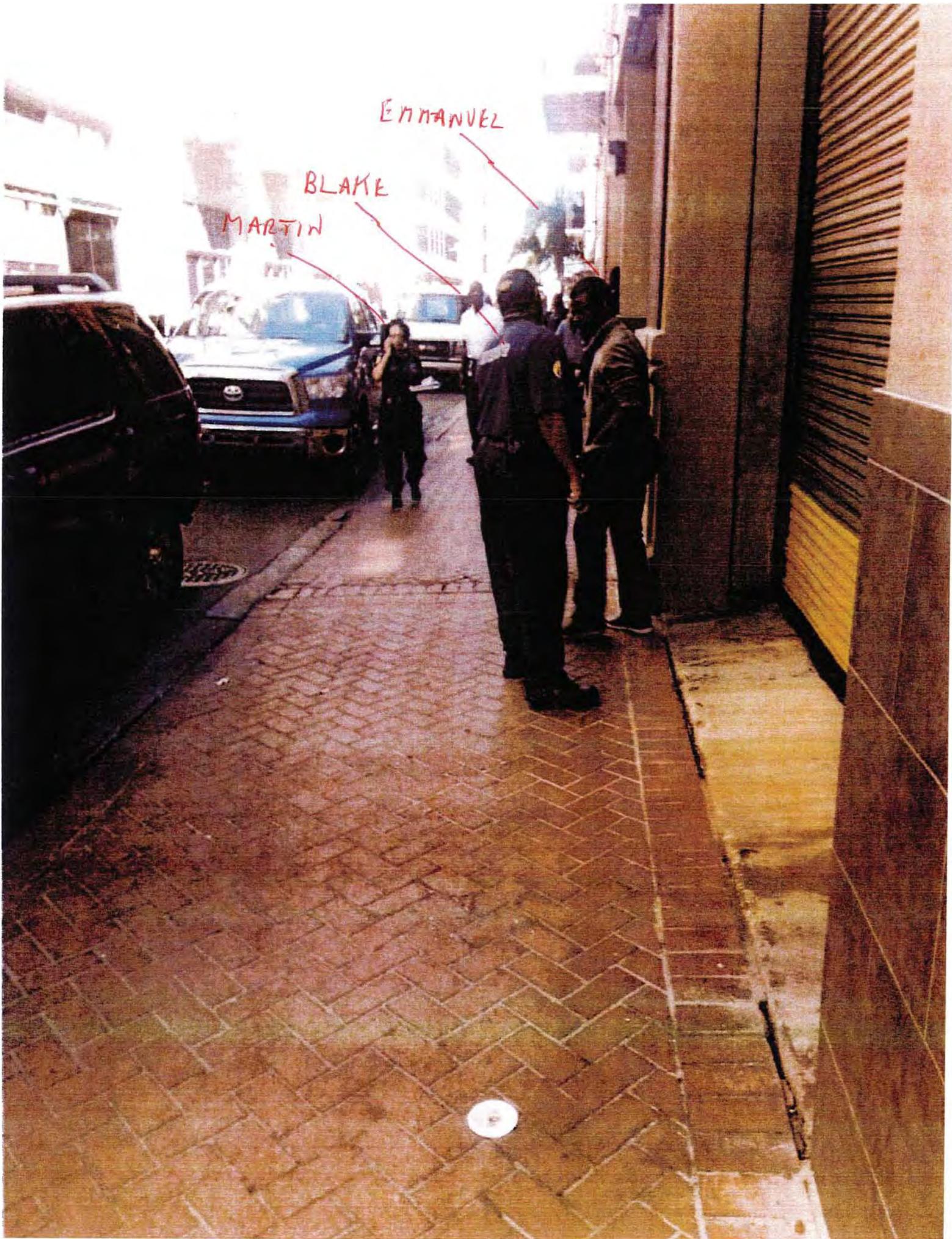
Esterlin showed Hyde and Barrett pictures in his cellular telephone of the incident when Esterlin was pepper sprayed and arrested by Blake. Esterlin obtained the pictures from a taxicab driver who witnessed his arrest. Esterlin will email the pictures to Hyde.

BLAKE

MARTIN

EMERSON





EMMANUEL

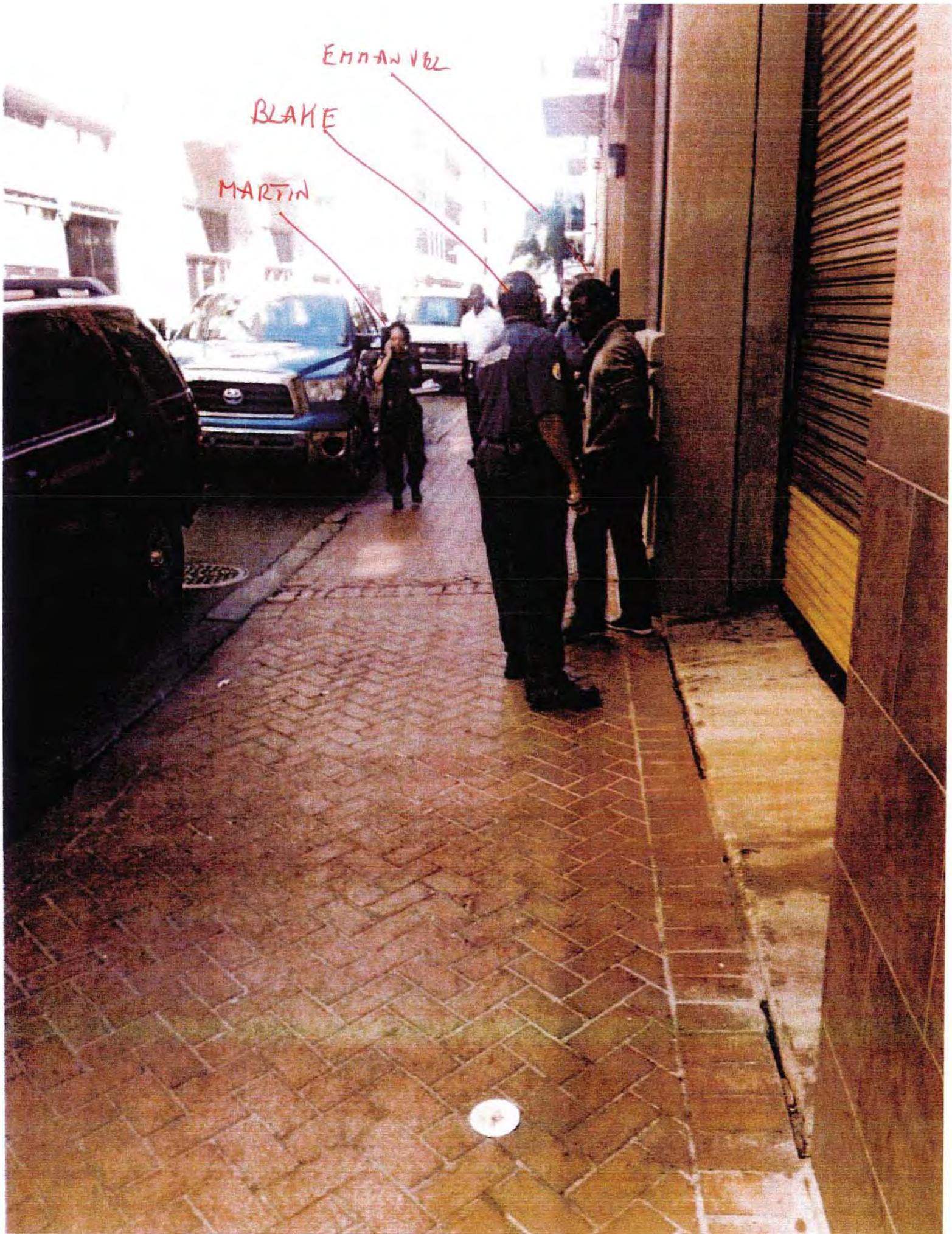
BLAKE

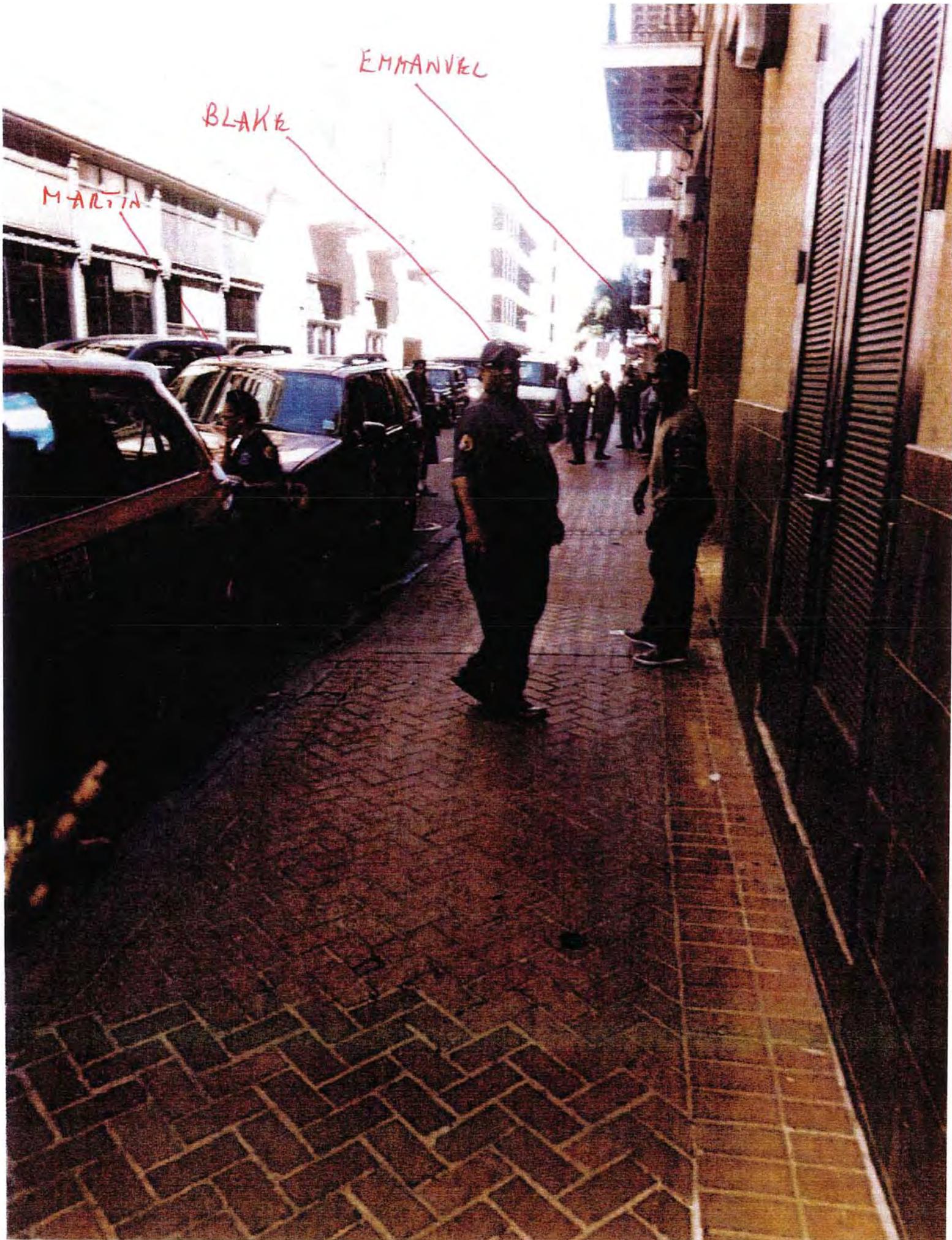
MARTIN

EMMANUEL

BLAKE

MARTIN





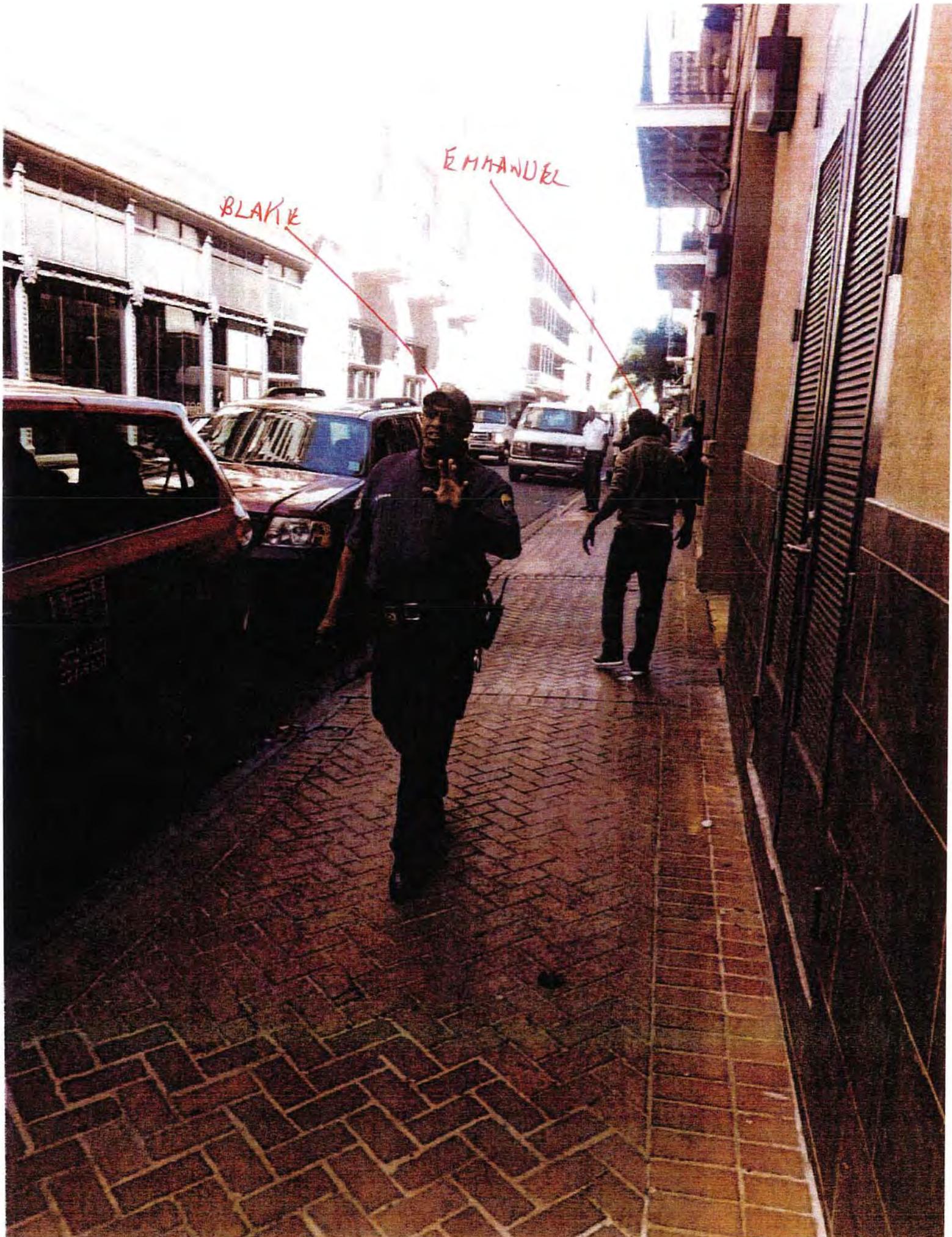
MARTIN

BLAKE

EMMANUEL

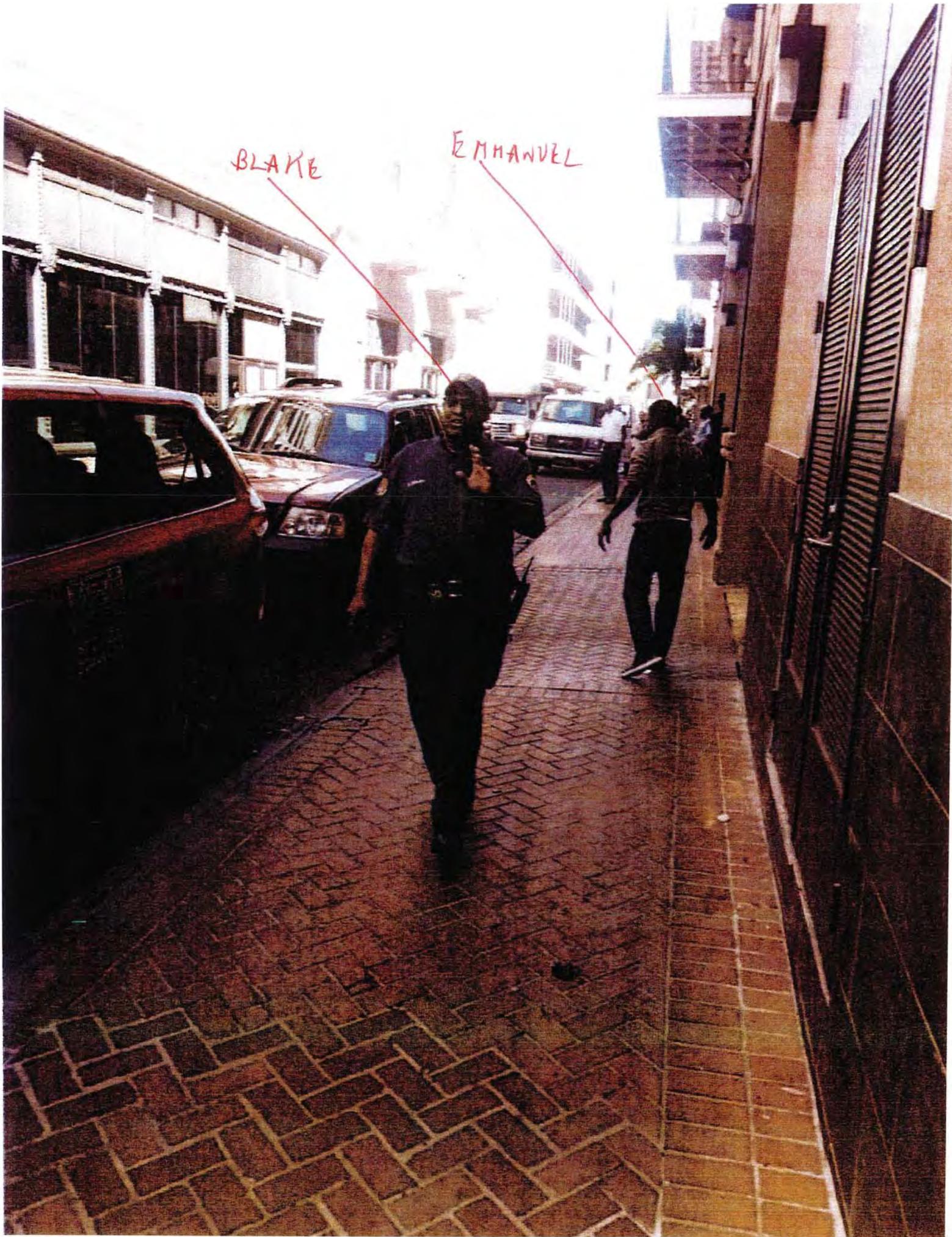
BLAKE

EMMANUEL



BLAKE

EMMANUEL





EMMANUEL

BLAKE

BLAKE

MANTON

EMMANUEL



Time/Date	Trans Type	User ID	Console ID
13:09:55 10/23/2013	PER INFO	opcd188	03
Person 1 Added		Role: INITIAL CALLER	
First: LINDA		Last: MARTINO	
Phone: [REDACTED]		Contact: May	
Is Property Seized: No			
13:09:55 10/23/2013	PREM/HAZ	opcd188	03
Prem/Haz Check		Title: MAXINE	
Title: 921 CANAL ST			
13:09:55 10/23/2013	INC CREATE	opcd188	03
Jurisdiction		Area: D8	
Sector: 8D		Beat: 8D01	
Rprt Dist: 8D01			
13:09:55 10/23/2013	INC CREATE	opcd188	03
Incident Created		Started: 13:07:25 10/23/2013	
Details to Follow: None		Location: 800 IBERVILLE ST	
Loc Name: HYATT FRENCH QUARTER		Latitude: 29.954677	
Longitude: -90.069710		City: NO	
Cross Strs: 200 DAUPHINE ST / 200 BOURBON ST		Source: 0	
Incid Type: 103		Priority: 2A	
Validation Level: Premise Lvl			

Time/Date	Trans Type	User ID	Console ID
13:12:56 10/23/2013 Unit Location Location: 800 IBERVILLE ST City: NO	UNIT MGMT	opcd144	C2 Unit ID: NP/9881 Loc Name: HYATT FRENCH QUARTER
13:12:56 10/23/2013 Unit Status Status: DS (C)	UNIT STAT	opcd144	C2 Unit ID: NP/9881
13:12:56 10/23/2013 Dispatch SIMONE)	DPTCH	opcd144	C2 Assigned Unit: NP/9881 (Officers: NP/QUINTERO
13:12:50 10/23/2013 Person 2 Added First: MALE CALLER Contact: May	PER INFO	opcd299	51 Role: INVOLVED Phone: [REDACTED] Is Property Seized: No
13:12:34 10/23/2013 Comments UNK IF WEAPONS INV	CMNTS	opcd299	51
13:12:26 10/23/2013 Comments STS SUBJS ARE FIGHTING AT LOC	CMNTS	opcd299	51
13:12:22 10/23/2013 Priority Ack'd	ACK	opcd144	C2 Priority Update: 13:12:15 10/23/2013
13:12:20 10/23/2013 Unit Status Status: EN (DS)	UNIT STAT	opcd144	C2 Unit ID: NP/820A
13:12:15 10/23/2013 Incident Timeout Reset	TIMEOUT	opcd299	51 Timeout Value: 1
13:12:15 10/23/2013 Incident Updated Incid Type: 103F (103)	INC UPDT	opcd299	51 Priority: 2B (2A)
13:12:11 10/23/2013 Unit Location Location: 800 IBERVILLE ST City: NO	UNIT MGMT	opcd144	C2 Unit ID: NP/820A Loc Name: HYATT FRENCH QUARTER
13:12:11 10/23/2013 Unit Status Status: DS (C)	UNIT STAT	opcd144	C2 Unit ID: NP/820A
13:12:11 10/23/2013 Incident Status	INC STAT	opcd144	C2 Status: Active (Initial)
13:12:11 10/23/2013 Primary Unit	PRIM UNIT	opcd144	C2 Primary: NP/820A
13:12:11 10/23/2013 Dispatch	DPTCH	opcd144	C2 Assigned Unit: NP/820A (Officers: NP/HAWKINS ALEXI:
13:11:55 10/23/2013 Comments COMP IS TAXICAB INVESTIGATOR,,NFI	CMNTS	opcd188	03
13:10:42 10/23/2013 Person 1 Updated	PER INFO	opcd188	03 Last: MARTIN (MARTINO)
13:10:00 10/23/2013 Incident Timeout	TIMEOUT	System	System
13:09:55 10/23/2013 Comments B/M,,GRY SWEATER THAT ZIP UP IN THE FRT,,BLU JEANS,,OUTSIDE LOC THREATENING TO HARM EMPLOYEE,,UNK IF ANY WEAPONS INVL	CMNTS	opcd188	03

Time/Date	Trans Type	User ID	Console ID
14:06:13 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/891A
Status: C (EN)			
13:58:26 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/820A
Location: NULL (800 IBERVILLE ST)			Loc Name: NULL (HYATT FRENCH QUARTER)
City: NULL (NO)			
13:58:26 10/23/2013	FREE UNIT	opcd144	C2
Unit Freed			Unit ID: NP/820A
13:58:26 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/820A
Status: C (OS)			
13:57:27 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/9881
Location: UNIV HOSP 1X (800 IBERVILLE ST)			City: NO
13:57:27 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/9881
Status: TR (OS)			
13:37:17 10/23/2013	TIMEOUT	System	System
Unit Timeout			Unit ID: NP/891A
13:26:16 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/820A
Status: OS (EN)			
13:21:46 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/9881
Status: OS (EN)			
13:18:51 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/4553
Status: OS (EN)			
13:18:16 10/23/2013	UNIT MGMT	opcd144	C2
Temp Unit Created			Unit ID: NP/4553
13:18:16 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/4553
Status: EN			
13:18:16 10/23/2013	DPTCH	opcd144	C2
Dispatch			Assigned Unit: NP/4553
13:18:13 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/891A
Status: EN (DS)			
13:18:01 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/891A
Location: 800 IBERVILLE ST			Loc Name: HYATT FRENCH QUARTER
City: NO			
13:18:01 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/891A
Status: DS (C)			
13:18:01 10/23/2013	DPTCH	opcd144	C2
Dispatch			Assigned Unit: NP/891A (Officers: NP/GENNARO
MATTHEW)			
13:16:45 10/23/2013	CMNTS	opcd144	C2
Comments			
VIA 4553 STS 10-55,,WITH TAXI CAB BUREAU,, PERP PEPPER SPRAYED ,,EMS 445 NTYFD			
13:13:03 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/9881
Status: EN (DS)			

Incident History Report

Incident #: LNP13102300031909

History

Time/Date	Trans Type	User ID	Console ID
15:00:21 10/23/2013	ACK	opcd299	C9
Priority Ack'd			Priority Update: 13:12:15 10/23/2013
Priority Update: 14:58:14 10/23/2013			
14:58:29 10/23/2013	CMNTS	opcd144	C2
Comments (Unit)			Unit ID: NP/9881
1 MUN			
14:58:29 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/9881
Location: NULL (UNIV HOSP 1X)			Loc Name: NULL (HYATT FRENCH QUARTER)
City: NULL (NO)			
14:58:29 10/23/2013	FREE UNIT	opcd144	C2
Unit Freed			Unit ID: NP/9881
14:58:29 10/23/2013	INC UPDT	opcd144	C2
Disposition			Dispo: RTF
Unit ID: NP/9881			
14:58:29 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/9881
Status: C (TR)			
14:58:29 10/23/2013	INC STAT	opcd144	C2
Incident Status			Status: Closed (Active)
14:58:14 10/23/2013	PREM/HAZ	opcd144	C2
Prem/Haz Check			Title: MAXINE
Title: 921 CANAL ST			
14:58:14 10/23/2013	INC UPDT	opcd144	C2
Incident Updated			Cross Strs: 900 IBERVILLE ST / 900 CANAL ST (200
DAUPHINE ST / 200 BOURBON ST)			HighCrossStreetNumber: 900 (200)
Latitude: 29.954656 (29.954677)			Location: 100 DAUPHINE ST (800 IBERVILLE ST)
Loc Name: NULL (HYATT FRENCH QUARTER)			Longitude: -90.070536 (-90.069710)
LowCrossStreetNumber: 900 (200)			
14:42:06 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/4553
Location: NULL (800 IBERVILLE ST)			Loc Name: NULL (HYATT FRENCH QUARTER)
City: NULL (NO)			
14:42:06 10/23/2013	FREE UNIT	opcd144	C2
Unit Freed			Unit ID: NP/4553
14:42:06 10/23/2013	UNIT STAT	opcd144	C2
Unit Status			Unit ID: NP/4553
Status: NULL (OS)			
14:42:04 10/23/2013	PRIM UNIT	opcd144	C2
Primary Unit			Primary: NP/9881 (NP/820A)
14:17:55 10/23/2013	TIMEOUT	System	System
Unit Timeout			Unit ID: NP/4553
14:06:13 10/23/2013	UNIT MGMT	opcd144	C2
Unit Location			Unit ID: NP/891A
Location: NULL (800 IBERVILLE ST)			Loc Name: NULL (HYATT FRENCH QUARTER)
City: NULL (NO)			
14:06:13 10/23/2013	FREE UNIT	opcd144	C2
Unit Freed			Unit ID: NP/891A



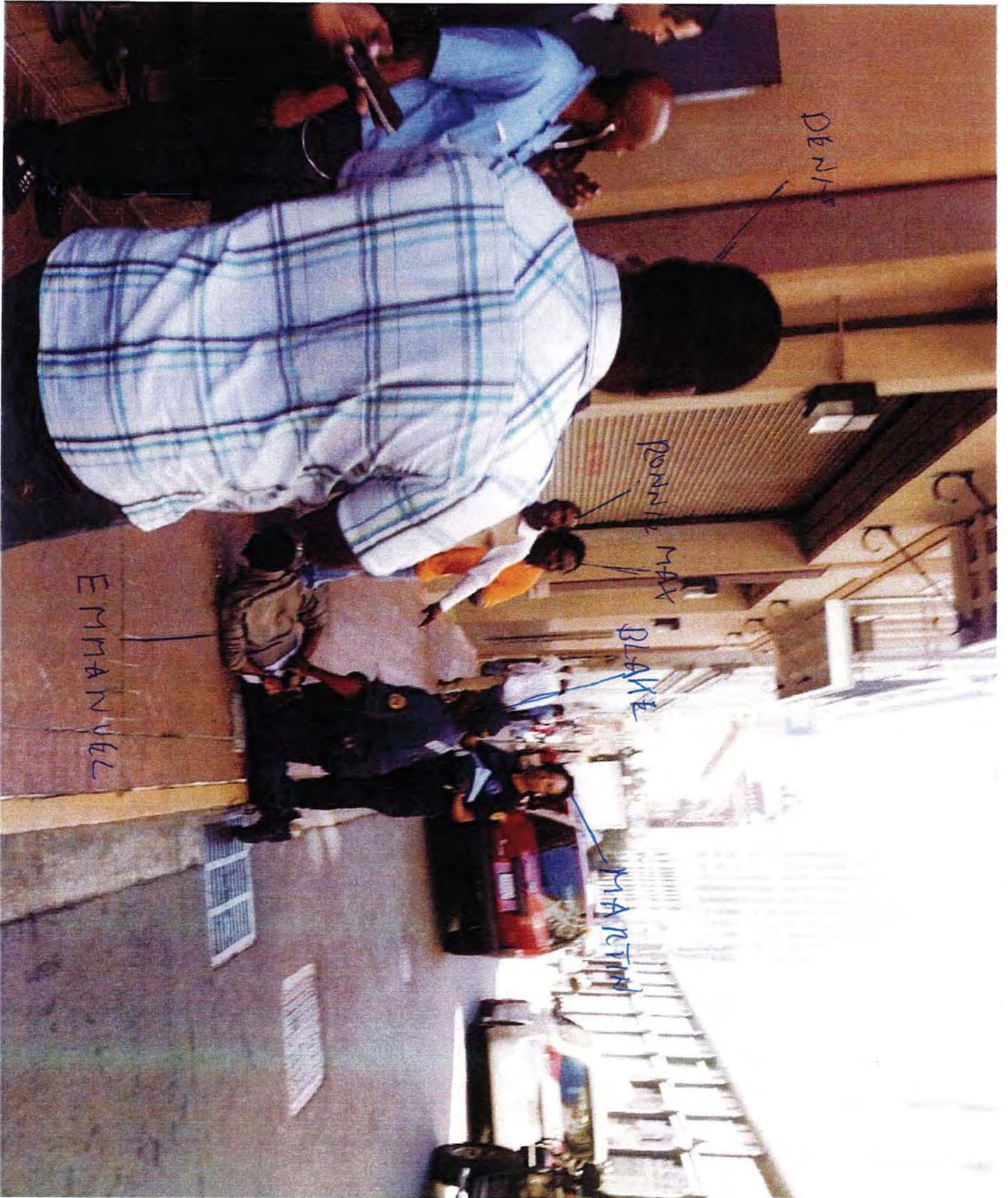
DENIS

EMMANUEL

MAX

MARTIN

BLAHE



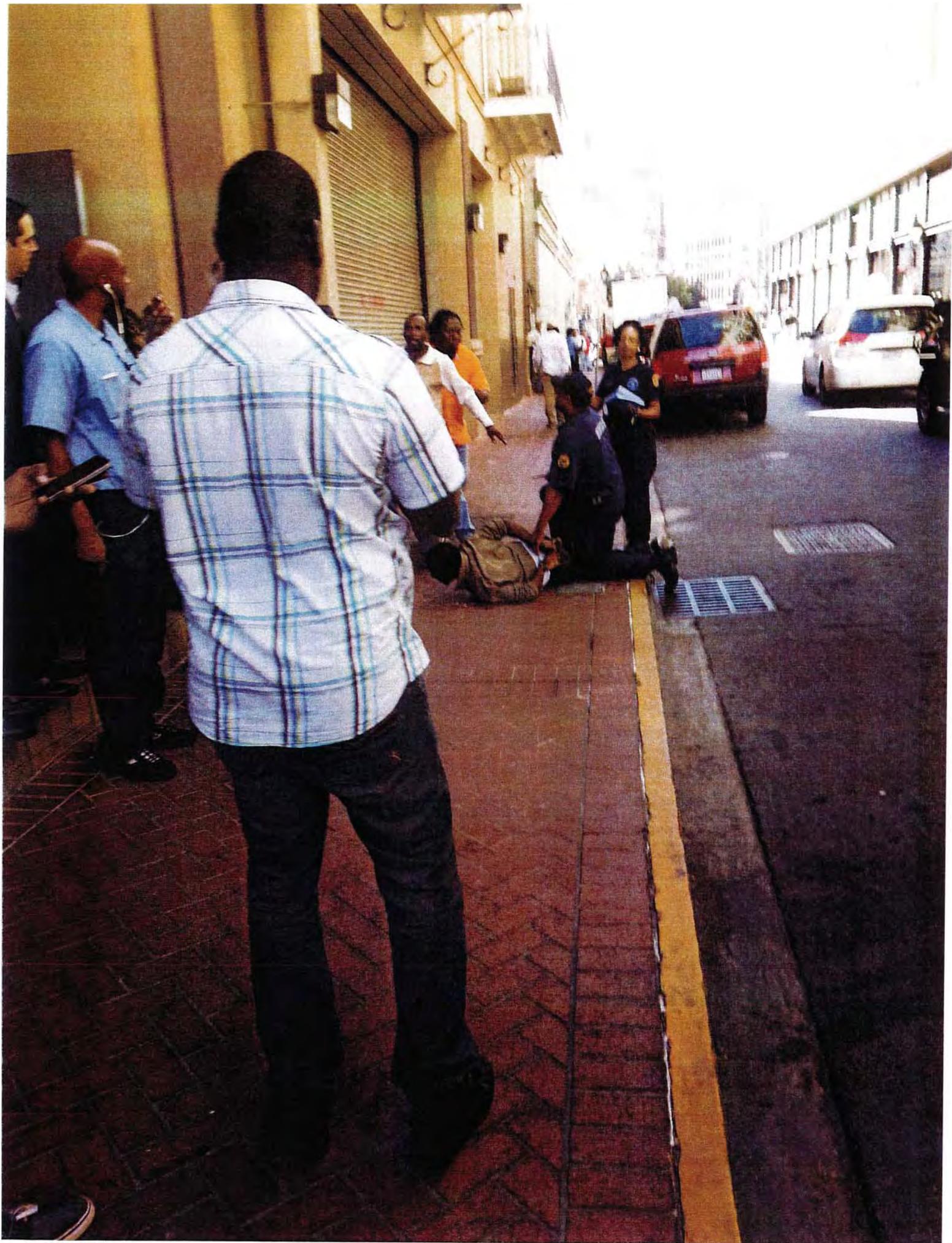
DENNIS

RONNIE MAX

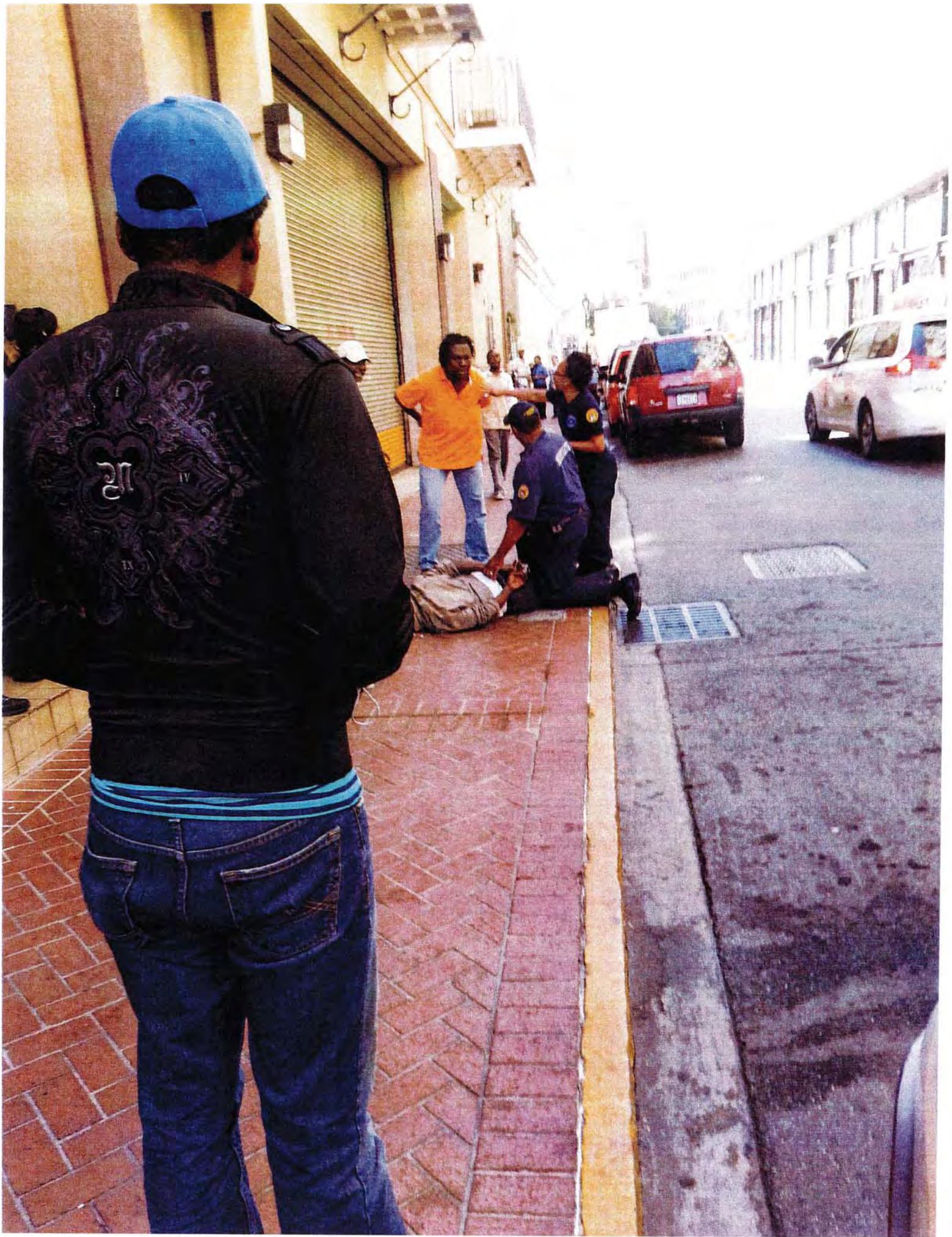
BLAKE

MARTIN

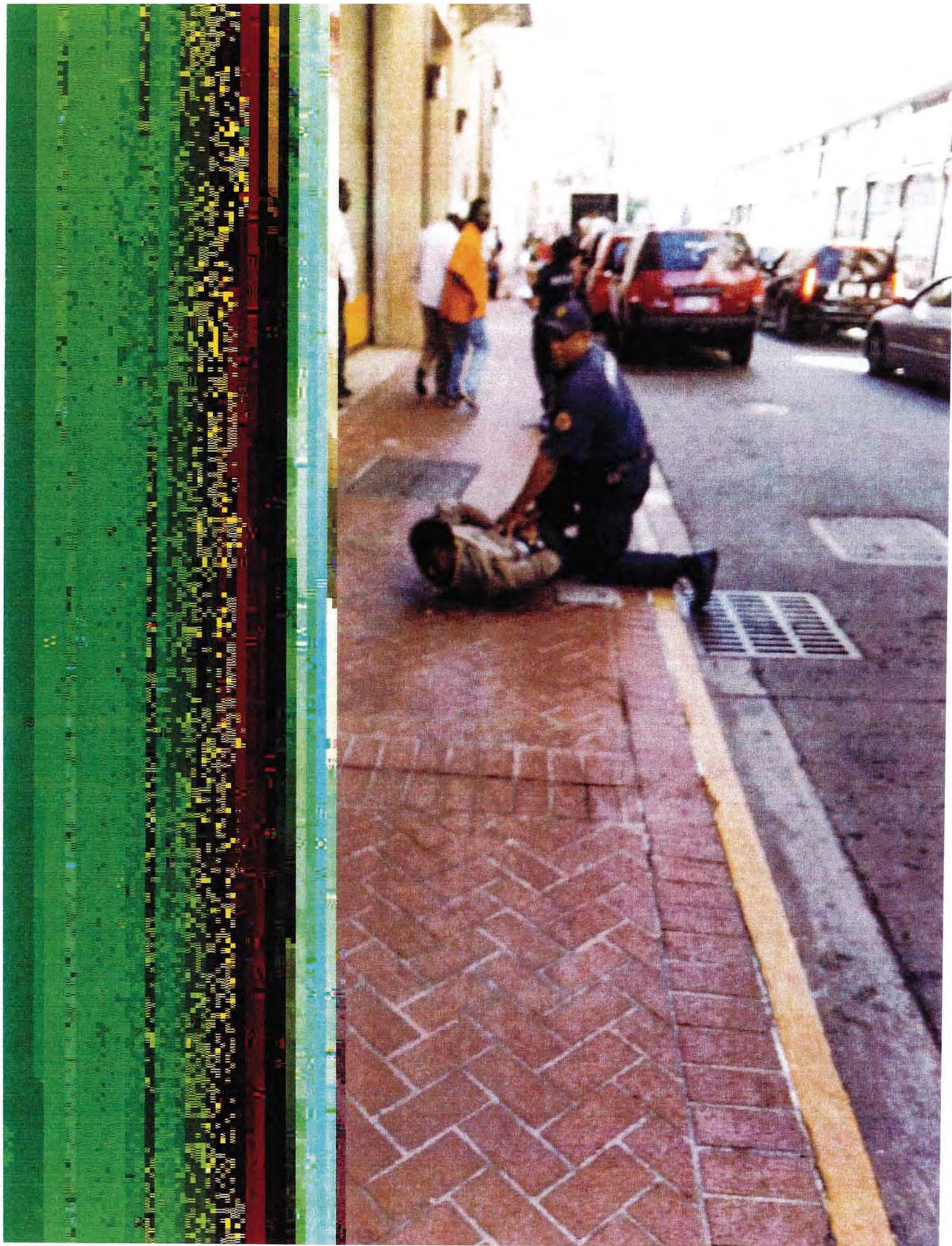
EMMANUEL











G. Hyde
TK Barrett

3/31/2014 @ 1150 HRS

In front of The Lafayette Hotel
ST. Charles Avenue

Solomon M. Meles

[REDACTED]

[REDACTED]

cell

DOB

[REDACTED]

Yellow cab # 0860

6 years as a cab driver for Yellow cab

Drove Truck before becoming a cab driver

MEMORANDUM OF INTERVIEW

On Wednesday, January 22, 2014, Investigators Gordon B. Hyde Jr. and William Bonney of the City of New Orleans Office of Inspector General (OIG), met and interviewed Leonel Sanon, black male, [REDACTED] home address [REDACTED] cellular telephone number 504-[REDACTED] at Lot "C" / Cell Phone Parking Lot, of Louis Armstrong International Airport. After being advised of the identity of Investigator Hyde and Bonney and the nature of the interview, Sanon provided the following information:

The day after Emmanuel Esterlin was arrested Sanon received a telephone call on his cellular telephone from Wesner Derosier, who is the Manager of Alliance Cab Service. Derosier told Sanon he just received a telephone call from the City of New Orleans Taxicab Bureau (TCB). The TCB told Derosier to call Sanon and Esterlin and tell them to go to the Taxicab Bureau and bring Esterlin's taxi with them. Sanon asked Derosier what was the purpose of them going to the Taxicab Bureau. Derosier told Sanon the TCB did not say.

Sanon called Esterlin and told him of Derosier telephone call and that he would meet Esterlin at the TCB. When they arrived at the TCB, Sanon asked to speak with Malachi Hull, Director of TCB. Hull came into the lobby area of the TCB and told them he was in a meeting and he would not be able to see them until approximately thirty minutes. Sanon and Esterlin left the lobby and walked around City Hall and outside, returning to the TCB approximately thirty-five minutes later.

Upon returning to the TCB, Hull came out into the lobby and asked Esterlin what type of meter and camera system he had in his taxi. Esterlin told Hull what type. Another Investigator who at this time had accompanied Hull in the lobby told Hull it was a 24 hour system. Hull told Sanon and Esterlin to bring his taxi to Ellis' Shop, where he would meet them. Sanon asked Hull if it was necessary for him to go to Ellis' since he was only the owner of the taxi's CPNC, Certificate of Public Necessity and Convenience. Hull told Sanon, "Only the driver of the taxi has to go." Sanon asked Hull why Esterlin needed to bring the taxi. Hull said, "Just bring the vehicle." Esterlin complied and brought his taxi to Ellis'.

After some time Sanon called Esterlin, and asked if he was still at Ellis' and what were they doing to the taxi. Esterlin told Sanon he was still at Ellis' and that they were working on his taxi. About 2-2.5 hours later Sanon called Esterlin again and asked what was going on. Esterlin told Sanon that he was finished at Ellis' and that he had fallen asleep while they working on his taxi. Esterlin also told Sanon that when he awoke Hull was no longer at Ellis'. Esterlin questioned Ellis' as to what they had done to his taxi and Ellis' refused to tell Esterlin.

MEMORANDUM OF INTERVIEW

On 1/23/2014 Maxo Emil voluntarily appeared at the City of New Orleans Office of Inspector General (OIG), 525 St. Charles Avenue, New Orleans, LA 70130 and met with Investigators Terence Barrett and Gordon Hyde. Mr. Emil was advised of the identity of the interviewing OIG personnel and then voluntarily provided the following information:

Maxo Emil stated that he has been employed by the Liberty Cab Company as a taxicab driver for about two years. He said his cab number is 0087.

Maxo Emil recalled that Emmanuel Esterlin got sprayed on October 23, 2013 but that he came on the scene after the incident happened. He advised that he was parked at the cab stand by the Ritz Carlton Hotel on Canal Street when the incident took place. Mr. Emil said he walked up and observed another cab driver, Emmanuel Esterlin, on the ground handcuffed with Taxicab Bureau Investigator Ronnie Blake's knee in his back.

Mr. Emil said he approached Ronnie Blake and asked him why he was treating Esterlin like that. He advised that Ronnie Blake asked him if he was a cab driver. When he said that he was a taxicab driver, Blake told him to step back. He advised that he told Blake he would not step back until Blake told him what had happened. He said Blake told him the police were on the way.

Mr. Emil recalled hearing Emmanuel Esterlin call out repeatedly, "I need water, I need water", and "He sprayed me, he sprayed me".

Mr. Emil advised that when uniformed police officers arrived they asked him what had happened. He noted that after telling the police his story, the female police officer shook her head in disgust. He said the police then told him he could return to his cab.

Mr. Emil stated that Ronnie Blake instructed a female Taxicab Bureau Investigator who was with him (OIG Note: Taxicab Bureau Investigator Linda Martin) to get his permit because he was present. Mr. Emil commented that he gave Ms. Martin his permit but neither she nor Blake gave him a citation at the scene.

Mr. Emil reported that Ronnie Blake called him about a week later and told him to come to the Taxicab Bureau. He advised that he was issued a citation by Blake for misconduct and was scheduled to appear in court on 12/6/2013. He said the judge dismissed the citation and he was given back his permit.

Mr. Emil said that he did not see Malachi Hull at the scene of the incident or in court. He advised that he took no pictures of the incident.

MEMORANDUM OF INTERVIEW

On 1/23/2014, Denes Joseph voluntarily appeared at the City of New Orleans Office of Inspector General (OIG), 525 St. Charles Avenue, New Orleans, LA 70130 and met with Investigators Terence Barrett and Gordon Hyde, Jr. Mr. Joseph speaks Creole French and does not speak English well. At his request, Nesly Pierre Rodrigue of WWTI Translation Services was present during the interview as a translator. Mr. Joseph and Mr. Rodrigue were advised of the identity of the interviewing OIG personnel and then voluntarily provided the following information:

Mr. Joseph provided OIG personnel with his Louisiana Driver's License, number [REDACTED] and gave his date of birth as [REDACTED]. Denes Joseph stated that he has been employed by the Alliance Cab Company as a taxicab driver for about six months. He advised that his taxicab number is 566.

Denes Joseph admitted that on October 23, 2013 he was parked illegally on Dauphine Street waiting for a spot to open at the cab stand in front of the Ritz Carlton Hotel. He advised that he was the second of four cabs on Dauphine Street waiting to get in the cab line. His description of the taxicab drivers waiting in line is as follows:

1. Bugeaud (Ronnie) Escarmant
2. Denes Joseph
3. Unidentified female cab driver
4. Emmanuel Esterlin

According to Mr. Joseph, Taxicab Bureau Investigator Ronnie Blake approached the taxicab drivers on foot and asked for their permits. Mr. Joseph advised that Ronnie Blake approached him and asked for his driver's license and registration in addition to asking for his permit. He noted that Blake did not say why he wanted these items but assumed it was because they were parked illegally. He described Blake's language as "vulgar".

Mr. Joseph advised that he saw Ronnie Blake trying to force open the driver's side door of Emmanuel Esterlin's taxicab. He indicated that the other cab drivers called to each other, then walked over to see why Blake was doing that. He advised that when Blake saw the other cab drivers approaching, he told them to stop. He noted that when they stopped, Emmanuel Esterlin got out of his cab and walked towards Ronnie Blake and the other taxi cab drivers. According to Mr. Joseph, Ronnie Blake told Emmanuel Esterlin to turn around so he could handcuff him. He advised that when he and the other taxicab drivers saw Blake trying to arrest Esterlin, they walked towards them but Blake told them to stop. He advised that Ronnie Blake told Esterlin again to turn around so he could handcuff him. Esterlin resisted by walking away from Blake and hiding his hands so he could not be handcuffed. Blake had his handcuffs out and pinned Esterlin against a wall trying to handcuff him but was unable to. According to Mr. Joseph, Blake then put away his handcuffs and pulled out his pepper spray. He advised that both men were talking loud but he did not see Esterlin act aggressively towards Blake.

Mr. Joseph advised that a female Taxicab Bureau Investigator stopped the taxicab drivers from walking towards Blake and Esterlin, telling them that they could not take any pictures or video of what was happening (OIG Note: Taxicab Bureau Investigator Linda Martin). According to Mr. Joseph, the female Taxicab Bureau Investigator forcibly tried to take his cell phone away from him but he still

managed to take several pictures. Mr. Joseph advised that he gave the pictures he took of the incident to Emmanuel Esterlin.

Mr. Joseph advised that he saw Ronnie Blake pepper spray Emmanuel Esterlin. He indicated that when Esterlin fell to the ground, Blake put his foot on Esterlin's neck and handcuffed him. Mr. Joseph heard Emmanuel Esterlin call out repeatedly for water. He went to his cab and brought back some water but Ronnie Blake would not let him give Esterlin any water.

Mr. Joseph advised that the female Taxicab Bureau Investigator took his permit and issued him a citation that day for misconduct. He appeared in court with his lawyer, John (last name unknown), and had to pay \$300 to get his permit back. His attorney's office is located at 1515 Loyola Avenue New Orleans, LA across from the Hyatt Hotel. He said that he has heard of Malachi Hull but has never met him. He also said he did not speak with Ronnie Blake at the hearing.

Denes Joseph provided the OIG a copy of the summons he was issued by the Taxicab Bureau and his receipt of payment for the fine.

LOCATION WHERE SWORN

NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED INVESTIGATOR

J. Kimberly SR BADGE NO. 7805

WHO, FIRST BEING DULY SWORN, DID DEPOSE AND SAY THAT HE HAS REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON

Monday THE 28th DAY OF October 20 13
AT ABOUT 12:50 P M.

DONES Joseph DEFENDANT

WHO GAVE HIS/HER NAME ABOVE, BIRTH DATE [REDACTED]

RACE [REDACTED] SEX M AGE [REDACTED] AND HIS

ADDRESS [REDACTED]

AND HIS EMPLOYMENT Alliance Cars

C.P.N.C. # / HOLDER 0566 PERMIT # BLR 2975

LIC. PLATE # QNTX 0566 DRIVER LIC # [REDACTED]

DID AT Dauphiné / Iberville

LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN AND THERE WANTONLY AND UNLAWFULLY VIOLATE SECTION 162-249 OF ORDINANCE NO. 17271 M.C.S. CODE OF THE CITY OF NEW ORLEANS AS AMENDED RELATIVE TO:

SECTION 162 PARAGRAPH 410 RELATIVE TO Driver's
conduct / involved in altercation 10-23-13 1 15

SECTION 162 PARAGRAPH 654 RELATIVE TO Restricted
Area (defined) (parked illegally) 00 1

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

SECTION 162 PARAGRAPH _____ RELATIVE TO _____

ALL AGAINST THE PEACE AND DIGNITY OF SAME

[Signature]
AFFIDANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME ON THE 28th DAY OF
October 20 13 R-H-B
INVESTIGATOR SUPERVISOR

ALLOWED TO OPERATE NOT ALLOWED TO OPERATE
 WARNING: I ACKNOWLEDGE RECEIPT OF THE ABOVE WARNING.
ACCUSED _____

SUMMONS: THEREFORE, YOU, THE ACCUSED:
DONES Joseph

ARE HEREBY NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED INVESTIGATOR TO PERSONALLY APPEAR BEFORE HEARING OFFICER OF THE CITY OF NEW ORLEANS, 1300 PERDIDO ST., RM. 2W84 ON THE

15th DAY OF November 20 13 AT 1:30 p M.

TO BE ARRAIGNED WITHOUT FAIL: OTHERWISE A WARRANT FOR YOUR ARREST MAY BE SOUGHT ALL ACCORDING TO LAW, PARTICULARLY 17271 M.C.S. FAILURE TO APPEAR MAY RESULT IN FINES, REVOCATION OF C.P.N.C., DRIVER'S PERMIT, TOUR GUIDE LICENSE AND/OR TOUR PLANNERS LICENSE

[Signature] BADGE NO. 7805
INVESTIGATOR

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS.
ACCUSED [Signature]

Defendant: Please read notice on the other side of this summons.
OFFICER: Yellow Copy DEFENDANT: Green Copy COURT: White Copy
275-9323



City of New Orleans

CITY OF NEW ORLEANS

Taxicab and For Hire Vehicle Bureau

Case-10-15181-13

TO: Deputy Director Malachi S. Hull
FROM: Hearing Officer: Maria Julianna Auzenne, Esg.

DATE: 11-15-13

RE: Vehicles for Hire Hearing Panel Recommendation

CPNC #: 0566

Driver: Denes Joseph

Co. Name: Alliance Cab

CPNC Holder:

Charges :

162-446 Drivers' Good Conduct

162-654 Restricted Area Defined

Finding of facts: Guilty Not Guilty Signed Waiver Failed to Appear (FTA)
(Attorney: Write a Brief Description of Findings of Facts Below.)

Based upon testimony of Dispatch Blake & Dispatch Martin
guilty on §162-446. Driver does not contest §162-654

Recommendations: Dismissal Fine Suspension Revocation

Driver: _____ Company: _____ Fines: 300.00
CPNC Holder: _____

HEARING OFFICERS' SIGNATURES:

- 1. [Signature] 11.15.13
- 2. _____
- 3. _____

CITY OF NEW ORLEANS GROUND TRANSPORTATION BUREAU
SUMMONS

CASE NO. _____ HEARING ROOM 2W84
CAR NO. _____ ARREST CREDIT 97

BEFORE ME, THE UNDERSIGNED AUTHORITY AT

LOCATION WHERE SWORN
NEW ORLEANS, LOUISIANA, PERSONALLY CAME AND APPEARED INVESTIGATOR

WHO FIRST BEING DULY SWORN, DID DEPOSE AND SAY THAT HE HAS
REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

MONDAY THE 11th DAY OF OCTOBER 2013
AT ABOUT 10:30 AM

WHO GAVE HIS/HER NAME ABOVE, BIRTH DATE [REDACTED]

RACE [REDACTED]

ADDRESS [REDACTED]

AND HIS EMPLOYMENT [REDACTED]

C.P.N.C. # HOLDER [REDACTED] PERMIT [REDACTED]

LIC. PLATE # [REDACTED] DRIVER LIC. # [REDACTED]

DID AT [REDACTED]

LOCATED IN THE CITY OF NEW ORLEANS, PARISH OF ORLEANS, STATE OF LOUISIANA, THEN
AND THERE WANTONLY AND UNLAWFULLY VIOLATE SECTION 162-249 ORDINANCE NO.
17271 MCC'S CODE OF THE CITY OF NEW ORLEANS AS AMENDS RELATIVE TO

SECTION 162 PARAGRAPH 162-249 RELATIVE TO [REDACTED] 15-11-13
[REDACTED]

SECTION 162 PARAGRAPH 162-249 RELATIVE TO [REDACTED] 15-11-13
[REDACTED]

SECTION 162 PARAGRAPH [REDACTED] RELATIVE TO [REDACTED] 15-11-13
[REDACTED]

SECTION 162 PARAGRAPH [REDACTED] RELATIVE TO [REDACTED] 15-11-13
[REDACTED]

ALL AGAINST THE PEACE AND DIGNITY OF SAID

SWORN AND SUBSCRIBED BEFORE ME ON THE

20th DAY OF OCTOBER 2013

IN WITNESS WHEREOF, I HAVE HEREIN SET MY HAND AND SEAL

AT NEW ORLEANS, LOUISIANA, THIS 20th DAY OF OCTOBER 2013

NOT ALLOWED TO OPERATE [REDACTED] NOT ALLOWED TO OPERATE [REDACTED]

WARNING: I ACKNOWLEDGE RECEIPT OF THE ABOVE WARNING
ACCUSED

SUMMONS THEREFORE YOU THE ACCUSED

ARE HEREBY NOTIFIED AND SUMMONED BY THE AUTHORITY VESTED IN THE UNDERSIGNED
INVESTIGATOR TO PERSONALLY APPEAR BEFORE HEARING OFFICER OF THE CITY OF NEW
ORLEANS, 430 PERRIN ST. RM. 2W84, AT THE

TO BE ARRIGNED WITHOUT FAIL, OTHERWISE A WARRANT FOR YOUR ARREST MAY BE
SOUTHERED ACCORDING TO LAW, PARTICULARLY TO THE EFFECT THAT FAILURE TO APPEAR MAY
RESULT IN FINES, REVOCATION OF C.P.N.C. DRIVERS PERMIT, TOUR GUIDE LICENSE
AND/OR TOUR PLANNERS LICENSE

INVESTIGATOR [REDACTED] BADGE NO. [REDACTED]

I ACKNOWLEDGE RECEIPT OF THE ABOVE SUMMONS

ACCUSED

Defendant: Please read notice on the other side of this summons

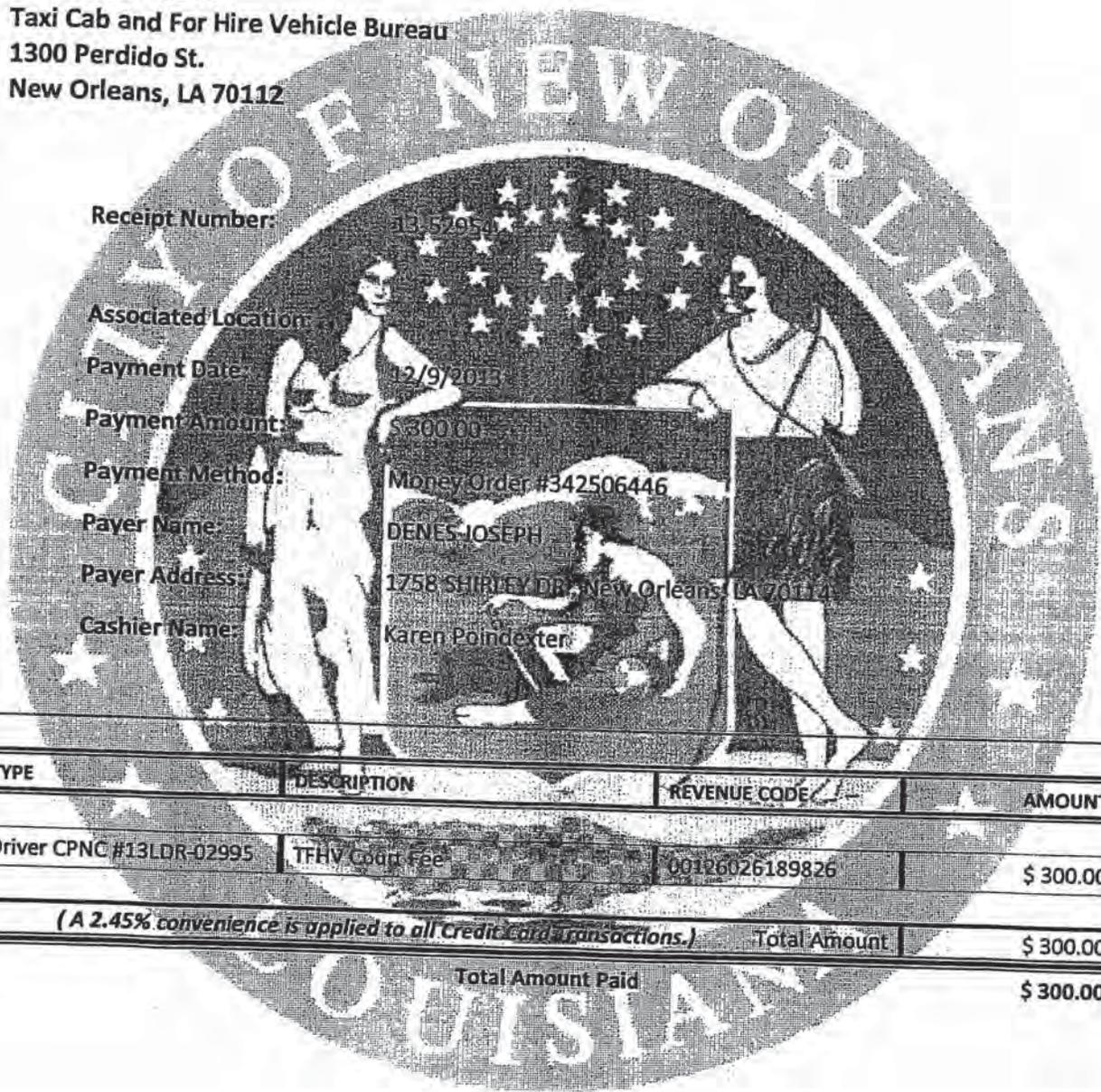
OFFICER: Yellow Copy DEFENDANT: Green Copy ACCUSED: Yellow Copy

300.00 Fine pay 11-15-13
201 days to pay

CITY OF NEW ORLEANS

RECEIPT

City of New Orleans
Taxi Cab and For Hire Vehicle Bureau
1300 Perdido St.
New Orleans, LA 70112



Receipt Number: 13-57954
Associated Location:
Payment Date: 12/9/2013
Payment Amount: \$300.00
Payment Method: Money Order #342506446
Payer Name: DENES JOSEPH
Payer Address: 1758 SHIRLEY DR, New Orleans, LA 70114
Cashier Name: Karen Poindexter

TYPE	DESCRIPTION	REVENUE CODE	AMOUNT
Driver CPNC #13LDR-02995	TFHV Court Fee	00126026189826	\$ 300.00
<i>(A 2.45% convenience is applied to all Credit Card transactions.)</i>			
Total Amount			\$ 300.00
Total Amount Paid			\$ 300.00

MEMORANDUM OF INTERVIEW

On Tuesday, February 11, 2014 Terrence Wimberly, black male, [REDACTED], home address [REDACTED], [REDACTED], work cellular telephone number [REDACTED] office telephone number 504-658-7275, voluntarily appeared at the City of New Orleans Office of Inspector General (OIG), 525 St. Charles Avenue, New Orleans, LA 70130 and met with Investigators Gordon Hyde Jr. and Terence Barrett. After being advised of the identity of Investigator Hyde and Barrett and the nature of the interview, Wimberly voluntarily provided the following information:

Wimberly has been an employee with the City of New Orleans (CNO) since 1993. Wimberly originally was assigned to the Taxicab Bureau (TCB) as an Investigator and held this position from 1993 through 2001. In 2001, Wimberly was transferred to the Office of Municipal Investigation (OMI) as a Special Agent Investigator and worked in that Division until 2009. OMI was abolished in 2009 and Wimberly was reassigned to the Office of Inspector General until 2011, as a Criminal Investigator I. At this time, Wimberly was transferred back to the Taxicab Bureau as a Senior Investigator.

Wimberly's responsibilities as a Senior Investigator since his return to the Taxicab Bureau consist mainly of issuing citations, writing reports, conducting research via computer system, patrolling/ street enforcement, and attend court hearings in regard to citations being issued to taxicab drivers.

Wimberly writes a report when he assists another agency involving an incident with a taxicab or taxicab driver. Wimberly said he sometimes writes a report when he investigates an incident involving a taxicab or taxicab driver. Wimberly bases his decision of when he writes a report on the severity of the incident. The TCB does not have a policy concerning when a report should be written to document an incident nor has Wimberly ever been told when a report should be written. Wimberly believes it is left up to the individual TCB Investigator to determine when a report should be written.

All written reports are submitted to and approved by Malachi Hull, Director of the Taxicab Bureau. Reports are mostly written in Microsoft Word. The TCB does not have a standardized system for reports.

When Wimberly was originally assigned to the TCB he received training when he attended the New Orleans Police Department Academy (NOPD). However, Wimberly never received his Peace Officer Standards and Training Council (POST) Certification. Wimberly has not received any further training since then. Neither the CNO nor the TCB has provided any form of training to TCB Investigators since his original training with NOPD. Wimberly believes he is the only TCB Investigator that attended the NOPD Academy.

Wimberly does not carry a firearm, handcuffs, or any form of chemical/pepper spray while working as a TCB Investigator. Wimberly has never been trained in any of those defensive tools and does not believe any current TCB Investigator has received such training.

Wimberly has seen Investigator Ronnie Blake while on duty as an investigator carrying handcuffs on his waist belt. Wimberly has never seen any investigator carrying a firearm or chemical/pepper spray. All investigators carry CNO handheld radios that allow them to communicate with each other and the TCB. The radios do not have New Orleans Police Department channels.

According to Wimberly, all TCB Investigators have been removed from the "Street". There are currently no investigators conducting patrols or street enforcement. All investigators are either performing for-hire vehicle inspections in New Orleans East or assigned to the TCB Office handling follow up complaints through the CNO 3-1-1 system or email.

Wimberly is aware of the incident between Blake and taxicab driver Emmanuel Esterlin in which Blake used pepper spray on Esterlin in the 100 block of Dauphine Street. Wimberly was working on that day and was assigned to the inspection station in New Orleans East inspecting for-hire vehicles. Wimberly recalls Blake requesting assistance over the handheld radio. Wimberly left the inspection station and responded to the 100 block of Dauphine Street.

Upon arriving in the 100 block of Dauphine Street, Wimberly observed a taxicab driver on the ground handcuffed. Sometime later, Wimberly learned the taxicab driver's name was Emmanuel Esterlin. Wimberly met and checked on Blake's condition. Blake did not tell Wimberly anything about the circumstances surrounding the incident nor did Wimberly ask. Wimberly saw TCB Investigator Linda Martin on the scene and did not ask her about the incident. Hull was on the scene prior to Wimberly's arriving. Wimberly was on the scene for a short period of time and was told by Hull to return back to the inspection station. Wimberly complied. Wimberly did not recall seeing the New Orleans Police Department (NOPD) on the scene.

The day after the incident, Hull told Wimberly at the TCB Office to meet him at Ellis' Meter Shop. Wimberly did not know the reason and did not ask Hull why. They left in separate vehicles. Wimberly recalled a taxicab was brought into one of the Shop's work bays. However, he was unable to provide a description of the vehicle. Wimberly saw Ellis' son, Ellis Jr., working inside the taxicab. Wimberly observed Hull standing near the taxicab but never saw him enter the vehicle. Wimberly believed they were downloading images from the taxicab's camera system. Wimberly remained outside the work bays near the fence. Wimberly estimated that he had been at Ellis' shop for 30 to 40 minutes when Hull told him he could leave. Wimberly never saw the taxicab driver. Wimberly was unaware the taxicab belonged to Esterlin's until being questioned in this interview.

Wimberly does not know why it was necessary for the taxicab to be brought to Ellis in order to download data from the camera system since TCB has laptop computers at their office that can retrieve the data. Normally when an incident occurs within a taxi, a TCB Investigator will proceed to the taxi with a laptop computer or the taxi will relocate to the TCB Office. Wimberly thought it was unusual for the taxi to be brought to Ellis in order to retrieve the data.

According to Wimberly, in order for images to be retrieved from within a taxicab's camera system, a TCB laptop computer is needed along with a "key" to access the data. Hull, NOPD, and Ellis' Meter Shop have keys. The laptop computer, which has a special program, is plugged into the camera system via a wire in the taxi's glove box. The data is saved on the computer. TCB Investigators are not required to write a report documenting the removal of data from a taxi camera system. Wimberly has never written a report documenting the removal of data and does not believe any TCB Investigator has done so.

Wimberly advised that TCB has four laptop computers, but he could not recall the name of the manufacturer. He added that TCB had recently received three new "Toughbooks" laptop computers.

Wimberly identified two camera systems that owners of taxicabs have the option to install in their taxis. The first was identified as Verifone. This system activates the cameras within the vehicle when a door to the taxi is opened. Wimberly identified the second system as a 24/7. The cameras in this system run continuously. The retention capability of the 24/7 system is shorter than the Verifone. The Verifone system has a log program which catalogues all access within the system and usage. Wimberly does not know if the 24/7 system has a log program.

Wimberly does not know what camera system was contained within the taxi that Hull and Ellis were working on at Ellis' shop.

All TCB Investigators were given training recently on how to approach and deal with people by Hull and Ava Rogers, Deputy CAO for Operations of the City of New Orleans. This training was given after the incident between Blake and Esterlin.

TCB Investigators are given a yearly uniform allowance from the CNO. TCB Investigators wear uniforms, but they are not required to wear a standard uniform. Wimberly wears a short sleeve polo type shirt that has TCB patches on the sleeves; his name is embroidered on the front of the shirt, and a pair of uniform pants. Other TCB Investigators wear dark blue Battle Dress Uniform (BDU) shirt and pants that have TCB patches on the sleeves, and the word "INVESTIGATOR" on the back of the shirt.

Wimberly said that Hull did not speak to TCB Investigators about the incident involving Blake and Esterlin.

OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



ED QUATREVAUX
INSPECTOR GENERAL

January 8, 2014

Department of Safety and Permits
Attn: Malachi Hull, Director of Taxicab & Hire Bureau
City of New Orleans
1300 Perdido Street, Suite 2W89
New Orleans, Louisiana 70112

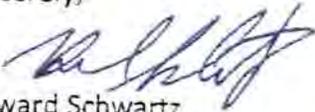
Dear Mr. Hull:

We request your cooperation and assistance, in an on-going criminal investigation. Pursuant to Article XIII of Chapter 2, Sections 18 and 20, of the Code of the City of New Orleans and Chapter 44 of Title 33 of the Louisiana Revised Statutes, Section 9613, please provide this office with the following documents and information in the possession, custody, or control of the City of New Orleans or any department, agency, board, commission, or public benefit corporation thereof:

1. A current list of all training records, training certifications, training courses, course content, training material, duration, dates, schedule and frequency of training including but not limited to:
2. Report writing, legal aspects, which include Municipal, Traffic, and State Ordinances (Laws).
3. Baton Training, Search/ Handcuffing/Arrest Techniques, Pepper Spray, also known as OC spray, OC gas and Capsicum spray, Weapon Retention, Defensive Tactics, Physical Training, Use of Force Continuum, and Conflict Resolution.
4. Louisiana Peace Officer Standards and Training Council (P.O.S.T.) qualification, firearm qualification, written examinations, performance exercise, and remedial training.

I am requesting that these documents be provided on or before January 17, 2014. Please contact Investigator Gordon Hyde Jr. at (504) 330-8943 when the information is available. You can also contact him if you have any questions. I can be reached at (504) 681-3200 or via email at hschwartz@nolaogig.org. Thank you again for your cooperation and assistance in this matter.

Sincerely,



Howard Schwartz
Assistant Inspector General for Investigations

This correspondence is part of an ongoing investigation, examination, audit, inspection, or performance review and is exempt from the Public Records Act until the investigation, examination, audit, inspection, or performance review is complete. See La. R.S. 33:9614 and La. R.S. 44:4.1(B) (18). Please notify this office immediately should you receive a Public Records Request which includes this correspondence.

DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

JARED E. MUNSTER
DIRECTOR

MEMORANDUM

To: Howard Schwartz, Assistant Inspector General for Investigations

From: Malachi S. Hull, Deputy Director, Taxicab and For Hire Vehicle Bureau *MSH*

cc: Andy Kopplin, First Deputy Mayor/Chief Administrative Officer
Ava Rogers, Deputy Chief Administrative Officer for Operations *OK*
Sharonda Williams, City Attorney

Date: January 15, 2014

Subject: **Response – Request for Cooperation dated January 8, 2014**

The Taxicab and For Hire Vehicle Bureau is in receipt of your request for documents and information in the possession, custody, or control of the City of New Orleans, dated January 8, 2014. Please find the following documents attached in response to your request:

Individual Training Records

- Sr. Inv. Ronnie Blake
 - Oath of Office – November 7, 2011
 - National Safety Council – September 16, 2003
- Sr. Inv. Wilton Joiner
 - Oath of Office – November 7, 2011
 - City of New Orleans Department of Police “For In-Service Re-qualifications Only” form – December 17, 2010
 - Use of Force Test – December 17, 2010
 - National Safety Council – Defensive Driving – June 30, 2004
- Sr. Inv. Terrence Wimberly
 - Oath of Office – November 7, 2011
 - International Police Mountain Bike Association’s Police Cyclist Course Certification - February 5-8, 2001
 - Louisiana State Board of Private Security Examiners – “Firearm Training Verification” forms (2) – February 27, 1999 and May 11, 1996
- Other Staff
 - Oath of Office – November 7, 2011

1300 PERDIDO STREET SUITE 7E07 NEW ORLEANS, LOUISIANA 70112
PHONE 504-658-7200 FAX 504-658-7208



DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

JARED E. MUNSTER
DIRECTOR

- Email from Sr. Inv. Wimberly advising that all training records were lost in Hurricane Katrina – January 13, 2014
- Investigators' Training Memo
 - Memo from Cheryl Adams regarding training records between 2009 and 2011 – January 10, 2014

General Training Records: November 2002 – June 2013

- Department of Safety and Permits – Uniform and Dress Code Requirements – June 28, 2013
- Notice for Investigator training class for writing parking citations – November 30, 2011
- Calendar Notice for Investigator training on writing municipal court summons – November 7, 2011
- Request for Assistance memo to NOPD requesting formal training program for all investigators – July 27, 2011
- Taxicab and For Hire Vehicle Bureau Command Memorandums:
 - Work Rules – July 29, 2011
 - Jazzy Driver Testing – July 11, 2011
 - Inspections – July 11, 2011
 - Reporting for Duty – July 11, 2011
 - Driver Permit/Renewal/Transfer Process – July 11, 2011
 - New Orleans Civil Service Announcement – dated November 21, 2008
 - Taxi and For Hire Driver Safety Procedures and Recommendations – dated November 20, 2002
 - Duties and Responsibilities of the Taxicab Bureau as prescribed by law – November 20, 2002
 - Performance By Investigators Memo – dated November 19, 2002

New Training Records: November 2013 – Present

- Citation Issuance - SOP - December 31, 2013; Trainer: Deputy CAO Ava Rogers
 - Signed Acknowledgments from all Investigators
- Training on Writing Citations / Role Playing - December 31, 2013; Trainer: Deputy CAO Ava Rogers
- Training on Administrative Court Dockets and Writing Citations – December 10, 2013; Trainers: City Attorney Sharonda Williams and Hearing Officer Maria Julianna Auzenne
- Training/Role Playing – November 22, 2013; Trainer: Deputy CAO Ava Rogers
- Emails regarding uniform to Ronnie Blake and Terrence Wimberly – dated November 12, 2013

1300 PERDIDO STREET SUITE 7E07 NEW ORLEANS, LOUISIANA 70112
PHONE 504-658-7200 FAX 504-658-7208



OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



ED QUATREVAUX
INSPECTOR GENERAL

January 8, 2014

Department of Safety and Permits
Attn: Malachi Hull, Director of Taxicab & Hire Bureau
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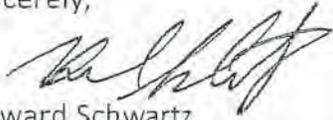
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Howard Schwartz

Assistant Inspector General for Investigations

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Office of Inspector General
CITY OF NEW ORLEANS
Gordon Hyde, Jr.
Criminal Investigator



525 St. Charles Avenue
New Orleans, LA 70130-3049

Tel: (504) 681
Cell: (504) 330
Fax: (504) 681
Email: ghyde@nolao

OATH OF OFFICE

STATE OF LOUISIANA

PARISH OF ORLEANS

I, RONNIE HAMILTON BLAKE do solemnly swear

(or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent on me as an agent/officer of the City of New Orleans Taxicab Bureau according to the best of my ability and understanding, so help me God.

R. H. Blake
(Signature)

Sworn to and subscribed before me this 7th day of Nov, 2011.

Robert W. Drouant
Notary Public 5085
(Signature and Title of Official
Administering Oath)

(Officials authorized to administer oaths: Governor, Secretary of State, Judge, Clerk of Court,
Notary Public, Justice of the Peace)



National Safety Council®

Drivers License Number: LA 007920169
Course Completion Date: 9/16/2003

Control No.
1082-03

Security Control No.
416986

Name: Ronnie Blake
Address: 224 S. Dupre St.
Address: New Orleans, LA 70119-
y. State, Zip

Training Center: National Safety Council, South Louisiana Chapter, New Orleans, LA 484-7969
Instructor Name: Kenneth S. Hicks, RN
Instructor Number: 0469936

Defensive Driving Course Four-Hour CERTIFICATE OF COMPLETION

This certifies that the person named above has successfully completed the National Safety Council four-hour Defensive Driving Course.

THIS DOCUMENT IS VOID IF REPRODUCED

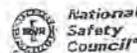


National Safety Council®

Founded in 1913, the National Safety Council is a non-governmental, not-for-profit, international public service organization devoted to protecting life and promoting health.

Our mission: to educate and influence society to adopt safety, health and environmental policies, practices and procedures that prevent and mitigate human suffering and economic losses arising from preventable causes.

- Remember to use your Safety Belt
- Keep children buckled, in the back seat



National Safety Council®

Control No.
1082-03

Ronnie Blake

has completed the National Safety Council
4-hour Defensive Driving Course.

Drivers License Number: LA 007920169
Course Completion: 9/16/2003

Alan C. McMillan
Alan C. McMillan, President

National Safety Council, New Orleans, LA
TRAINING CENTER

Kenneth S. Hicks, RN 0469936

Instructor Name: Kenneth S. Hicks, RN
Security Control No: 416986
Instructor No:

NEW ORLEANS POLICE DEPARTMENT INCIDENT K-12494-13 (SUPPLEMENTAL)

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin
21	MISCELLANEOUS INCIDENT	11/9/2013 9:30 PM	12/5/2013 11:27 AM	CLEARED BY ARREST	695508
Location				Dist/Zone/Sub	Lighting
600 GOV NICHOLS STREET				8E05	GOOD

VICTIM PERSONS

0 VICTIM

Last Name	First Name	Race	Sex	DOB
THOMPSON	MARK	UNKNOWN	MALE	[REDACTED]
Home Address		Home Phone	SSN	Driver's License
[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
Work Address		Work Phone	Occupation	
[REDACTED]		[REDACTED]	[REDACTED]	
Sobriety	Injury	Treated	Victim Type	Email Address
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

0 INTERVIEW

Last Name	First Name	Race	Sex	DOB
SMITH	SIDNEY	WHITE	MALE	[REDACTED]
Home Address		Home Phone	SSN	Driver's License
[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
Work Address		Work Phone	Occupation	
[REDACTED]		[REDACTED]	OWNER	
Sobriety	Injury	Treated	Victim Type	Email Address
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

0 WITNESS

Last Name	First Name	Race	Sex	DOB
BRYANT	DAVID	UNKNOWN	MALE	[REDACTED]
Home Address		Home Phone	SSN	Driver's License
[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
Work Address		Work Phone	Occupation	
[REDACTED]		[REDACTED]	[REDACTED]	
Sobriety	Injury	Treated	Victim Type	Email Address
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

0 WITNESS

Reporting Officer #1	Badge	Reporting Officer #2	Badge	Car Number	Platoon
DETECTIVE JAMIE ROACH	1164		0	1822	NA
Detective Assigned	Approving Supervisor		Badge	Crime Lab	Other
	SERGEANT BRADLEY RHODES		189		
K-12494-13 (SUPPLEMENTAL)					

Last Name	First Name	Race	Sex	DOB
CULP	RODD	UNKNOWN	MALE	[REDACTED]
Home Address	Home Phone	SSN	Driver's License	
[REDACTED]	[REDACTED]	[REDACTED]		
Work Address	Work Phone	Occupation		
Sobriety	Injury	Treated	Victim Type	Email Address

0 WITNESS

Last Name	First Name	Race	Sex	DOB
TOOLEY	DAWN	UNKNOWN	FEMALE	[REDACTED]
Home Address	Home Phone	SSN	Driver's License	
[REDACTED]	[REDACTED]	[REDACTED]		
Work Address	Work Phone	Occupation		
Sobriety	Injury	Treated	Victim Type	Email Address

1 VICTIM

Last Name	First Name	Race	Sex	DOB
BOSMA	WENDY	WHITE	FEMALE	[REDACTED]
Home Address	Home Phone	SSN	Driver's License	
[REDACTED]	[REDACTED]	[REDACTED]		
Work Address	Work Phone	Occupation		
97 FOUNTAINBLEA DR, NEW ORLEANS, LA 70119		TOUR GUIDE		
Sobriety	Injury	Treated	Victim Type	Email Address
SOBER	MINOR		ORLEANS RESIDENT	

OFFENDERS

OFFENDER 1 WANTED

Last Name	First Name	Nickname	Race	Sex	DOB	Height	Weight
JOINER	WILTON		BLACK	MALE	[REDACTED]	5'11	240
Home Address			SSN	Driver's License			
[REDACTED]			[REDACTED]				
Arrest Location	Dist/Zone/Sub		Arrest Date/Time		Arrest Credit		
Sobriety	Injury	Treated	Rights Form	Transported By	Unit		
Arrest Type	Resident Status	Juvenile Disposition					

CHARGES

Charge	Victim No.	Relationship
LA R.S. 14 35 SIMPLE BATTERY	1	STRANGER

OFFENDER DESCRIPTORS

<u>01 Build</u>	<u>02 Oddities</u>	<u>03 Scars</u>	<u>04 Tattoos</u>	<u>05 Apparel</u>
<u>06 Speech</u>	<u>07 Accent</u>	<u>08 Facial Odd.</u>	<u>09 Eyes</u>	<u>10 Nose</u>
<u>11 Teeth</u>	<u>12 Hair Color</u>	<u>13 Hair Style</u>	<u>14 Facial Hair</u>	<u>15 Complexion</u>

Additional Description**MODUS OPERANDI**

<u>16 Criminal Activity</u>	<u>17 Motive</u>	<u>18 Targets</u>	
<u>19 Method of Entry</u>	<u>20 Point of Entry/Exit</u>	<u>21 Security Used</u>	<u>Security Defeated</u>
<u>22 Residential</u>	<u>23 Outdoor Area</u>	<u>24 Comm. Establishment</u>	<u>25 Public Access Area</u>
<u>26 Movable</u>	<u>27 Structure Type</u>	<u>28 Structure Status</u>	
<u>29 Off. Approach</u>	<u>30 Impersonated</u>	<u>31 Weapon</u>	<u>32 Firearm Features</u>
<u>33 Property Crimes</u>	<u>34 Person Crimes</u>	<u>Sex Crime Specific</u>	

Additional Descriptions

LAW ENFORCEMENT USE ONLY

NARRATIVE

ON 11/11/2013 AT 3:00 PM, DETECTIVE JAMIE ROACH, BEGAN THE FOLLOW-UP INVESTIGATION INTO A SIGNAL 21, RELATIVE TO A MISCELLANEOUS INCIDENT, THAT OCCURRED IN THE 600 BLOCK OF GOV. NICHOLS. THE SIGNAL WAS LATER DETERMINED TO BE A SIMPLE BATTERY.

DETECTIVE ROACH MET WITH WENDY BOSMA, A TOUR GUIDE FOR THE HAUNTED HISTORY, AND SIDNEY SMITH, THE OWNER OF HAUNTED HISTORY. THEIR ATTORNEY, TOM SHLOSMAN, WAS ALSO PRESENT. THE MEETING TOOK PLACE AT THE 8TH DISTRICT STATION, 334 ROYAL STREET.

DETECTIVE ROACH SPOKE TO WENDY BOSMA, WHO STATED THE FOLLOWING:

ON 11/9/2013 AT ABOUT 9:30 PM, WENDY BOSMA WAS WORKING AS A TOUR GUIDE FOR THE HAUNTED HISTORY TOURS. SHE WAS IN THE 600 BLOCK OF GOV NICHOLS, GIVING A TOUR OF 28 TOURISTS, A BACKGROUND ON THE HAUNTING OF THE LALAURIE HOUSE. AS SHE WAS IN THE MIDDLE OF HER DIALOG, WILTON JOINER, A TAXI CAB INSPECTOR FOR THE CITY OF NEW ORLEANS, APPROACHED HER AND REQUESTED HER CITY TOUR LICENSE. BOSMA REFUSED TO GIVE JOINER HER LICENSE AT WHICH TIME JOINER TOOK HER LICENSE OFF OF THE LANYARD ON HER PURSE. HE ADVISED HER SHE WAS IN VIOLATION OF THE CITY ORDINANCE THAT TOUR GUIDES MUST MAINTAIN A DISTANCE OF 50 FEET FROM ANOTHER TOUR GROUP. JOINER WALKED BACK TO HIS CITY VEHICLE. BOSMA, ANGRY JOINER HAD TAKEN HER LICENSE AND BECAUSE SHE DID NOT THINK SHE WAS IN VIOLATION OF THE 50 FEET RULE, WALKED BACK OVER TO JOINER, AND TOOK HER CITY LICENSE BACK FROM JOINER. BOSMA STATED JOINER THEN "SLAMMED" HER AGAINST A VEHICLE AND PLACED HER ARM BEHIND HER BACK. BOSMA BEGAN TO ATTEMPT TO GET AWAY, BUT JOINER FORCEFULLY DETAINED HER UNTIL SHE RELINQUISHED HER CITY LICENSE. AFTER JOINER GAINED CONTROL OF BOSMA'S LICENSE, HE SHOVED HER FROM BEHIND, AWAY FROM THE VEHICLE. BOSMA STATED THERE WERE NUMEROUS WITNESSES TO THE INCIDENT.

BOSMA PROVIDED THE DETECTIVE WITH THE SUMMONS JOINER ISSUED HER FOR 17271 MCS SECTION 162 PARAGRAPH 30-1489- RELATIVE TO 50 FEET BETWEEN TOURS. THIS SUMMONS WAS PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE. BOSMA COMPLAINED OF BRUISING TO HER UPPER ARM AND A TENDER RIGHT WRIST. ON SUNDAY, NOVEMBER 10TH AROUND 1:00 PM, BOSMA RELOCATED TO TOURO HOSPITAL. BOSMA WAS ADVISED SHE HAD BRUISING TO HER RIGHT ARM.

DETECTIVE ST. MARTIN TOOK THREE PICTURES OF BOSMA'S ARM. THESE WERE PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

DETECTIVE ROACH SPOKE TO SIDNEY SMITH. HE STATED HE DID NOT SEE THE INCIDENT AND SHOWED UP AFTER THE FACT. SIDNEY SMITH WAS ABLE TO OBTAIN SEVERAL OF THE WITNESSES' INFORMATION WHO WERE ON THE TOUR. SIDNEY SMITH PROVIDED THESE WITNESSES INFORMATION. A COPY OF THE WITNESS'S INFORMATION WAS PLACED ON THE BOOKS.

SMITH ALSO SHOWED THE DETECTIVE HIS VIDEO FOOTAGE OF THE AFTERMATH OF THE INCIDENT. HE WAS ABLE TO DOWNLOAD IT FOR THE DETECTIVE AND THE DISC WAS PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

MR. SMITH USED HIS PERSONAL CELL PHONE TO CONTACT ONE OF THE WITNESSES WHO WAS ON THE HAUNTED HISTORY TOUR, DAVID BRYANT. HE IMMEDIATELY HANDED HIS CELL PHONE TO THE DETECTIVE. MR. BRYANT ADVISED THE DETECTIVE HE WAS A TOURIST ON THE HAUNTED HISTORY TOUR AND HAD WITNESSED THE INCIDENT. HE GAVE THE SAME ACCOUNT OF THE INCIDENT AS BOSMA DID. HE ALSO WAS ABLE TO VIDEO THE INCIDENT ON HIS PHONE. HE DOWNLOADED THE INCIDENT TO YOUTUBE BECAUSE THE FILE WAS TOO BIG TO EMAIL. DETECTIVE ROACH DOWNLOADED THE YOUTUBE VIDEO TO A DISC AND PLACED IT ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

MR. SMITH AGAIN USED HIS CELLPHONE TO CONTACT ANOTHER WITNESS WHO WAS ON THE HAUNTED HISTORY TOUR, RODD CULP. HE PROVIDED THE SAME ACCOUNT AS BOSMA. HE ADDED THAT BOTH SIDES WERE EXTREMELY UNPROFESSIONAL. JOINER WAS TOO AGGRESSIVE WITH THE CROWD AND BOSMA WAS AGITATING THE CROWD AND CURSING. HE DID NOT HAVE ANY VIDEO FOOTAGE TO PROVIDE TO THE DETECTIVE.

DETECTIVE ROACH ADVISED MR. SMITH THAT SHE WOULD CONTACT THE OTHER WITNESSES AT ANOTHER TIME.

ON 11/12/13 AT 1150 AM, DETECTIVE ROACH CONTACTED DAWN TOOLEY, A TOURIST WHO WAS ON THE HAUNTED HISTORY TOUR. SHE GAVE THE SAME SET OF FACTS AS BOSMA. SHE DID NOT VIDEO THE INCIDENT.

DETECTIVE ROACH EMAILED THE LAST FOUR WITNESSES BUT DID NOT RECEIVE A RESPONSE BACK. THESE SUBJECTS WERE AS FOLLOWS:

ON 11/13/13 AT 930 AM, DETECTIVE ROACH AND DETECTIVE ST MARTIN MET WITH MR. MALACHI HULL, DEPUTY DIRECTOR OF THE DEPARTMENT OF SAFETY & PERMITS FOR THE GROUND TRANSPORTATION DIVISION. HE STATED ON 11/09/13 AT ABOUT 900 PM, HULL AND JOINER OBSERVED SEVERAL TOURS IN VIOLATION OF THE MUNICIPAL ORDINANCE THAT TOUR GROUPS SHOULD MAINTAIN AT LEAST 50 FEET FROM ANOTHER TOUR. THE FIRST TOUR JOINER APPROACHED WAS WENDY BOSMAS TOUR GROUP. JOINER APPROACHED WENDY BOSMA AND REQUESTED BOSMA'S TOUR GUIDE LICENSE. SHE REFUSED AND BEGAN TO VIDEO HIM WITH HER PHONE. MR. HULL THEN OBSERVED JOINER WALK AWAY WITH BOSMA'S LICENSE. AT THAT POINT, BOSMA AND THE TOURISTS

APPROACHED AND SURROUNDED JOINER. THEY BECAME VERY HOSTILE DEMANDING JOINER SHOW THEM HIS BADGE. MR. HULL ADVISED JOINER TO NOTIFY THE NEW ORLEANS POLICE DEPARTMENT DUE TO THE INCREASING AGGRESSION OF THE SUBJECTS. MR. HULL STATED JOINER WALKED AWAY ON HIS CELLPHONE. THE NEXT THING MR. HULL OBSERVED WAS JOINER DETAINING BOSMA AGAINST THE VEHICLE AND TAKING BACK THE CITY LICENSE.

MR. HULL ADDED JOINER HAD STATED TO HIM BOSMA HAD PUSHED HIM FIRST.

MR. HULL BELIEVED JOINER HAD TAKEN A NOPD TRAINING FOR SECURITY GUARDS BUT WAS NOT POST CERTIFIED. MR. HULL WAS AWARE THE DETECTIVE AUDIO RECORDED THE INTERVIEW WITH HIM AND THE RECORDING WAS PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

MR HULL EMAILED THE DETECTIVE A PICTURE OF THE VIOLATION HE HAD OBSERVED PRIOR TO THE INCIDENT. THIS WAS PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

MR. HULL PROVIDED THE DETECTIVE WITH THE INFORMATION OF THE TAXI CAB DRIVER WHO STATED HE WITNESSED THE INCIDENT. THE TAXI CAB DRIVERS NAME WAS MARK THOMPSON.

DETECTIVE ROACH CONFERRED WITH INVESTIGATOR GORDAN HYDE WITH THE OFFICE OF INSPECTOR GENERAL (OIG) OFFICE. HE PROVIDED THE DETECTIVE WITH THE CIVIL SERVICE JOB DESCRIPTION OF A SENIOR TAXICAB INVESTIGATOR. MR. HYDE ALSO PROVIDED THE DETECTIVE WITH THE MUNICIPAL CODE OF ORDINANCES OF CHAPTER 162- VEHICLES FOR HIRE. DETECTIVE ROACH REVIEWED SEC 162-48 DUTIES AND RESPONSIBILITIES PARAGRAPH (B) WHICH STATES THE FOLLOWING: "IT SHALL BE THE PRIMARY RESPONSIBILITY OF THE TAXICAB AND THE FOR- HIRE VEHICLE BUREAU, UNDER THE DIRECTION OF THE DIRECTOR THROUGH DESIGNATED ENFORCEMENT AGENTS, TO ENFORCE ALL OF THE PROVISIONS OF THIS CHAPTER RELATIVE TO TAXICABS AND OTHER FOR-HIRE VEHICLES BY EITHER FILING COMPLAINTS WITH THE SUPERVISOR OF THE TAXICAB AND FOR-HIRE BUREAU FOR APPROPRIATE ADMINISTRATIVE ACTION OR BY ARREST OR FILING PROPER CHARGES AGAINST THE OFFENDER". ALL OF THE PAPERWORK PROVIDED BY INVESTIGATOR GORDAN HYDE WAS PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

ON MONDAY NOVEMBER 18TH 2013 AT ABOUT 1230 PM, DETECTIVE ROACH RECEIVED AN EMAIL FROM TOM SHLOSMAN, THE VICTIMS ATTORNEY. HE PROVIDED THE DETECTIVE WITH TWO MORE VIDEOS OF THE INCIDENT TAKEN FROM WITNESSES. DETECTIVE ROACH REVIEWED BOTH VIDEOS. THE FIRST VIDEO WAS OF THE INCIDENT. THIS VIDEO HAD BEEN CLEANED UP AND LIGHTENED BY THE VICTIM'S LAWYER. THE SECOND VIDEO WAS OF THE AFTERMATH OF THE INCIDENT. THESE WERE PLACED ON THE BOOKS AT CENTRAL PROPERTY AND EVIDENCE.

ON MONDAY NOVEMBER 18TH 2013 AT ABOUT 200 PM, DETECTIVE ROACH SPOKE WITH CITY ATTORNEY SHARONDA WILLIAMS VIA TELEPHONE. SHE ADVISED THE OFFICER AFTER REVIEWING SEVERAL DOCUMENTS, JOINER DID NOT HAVE THE LEGAL AUTHORITY TO DETAIN ANY ONE. SHE REFERRED THE DETECTIVE TO MUNICIPAL ORDINANCE 17271 SEC 162-48 DUTIES AND RESPONSIBILITIES PARAGRAPH (B).

BASED ON THE VICTIM AND WITNESSES STATEMENTS, THE VIDEO FOOTAGE OF THE INCIDENT AND AFTER CONFERRING WITH CITY ATTORNEY SHALONDA WILLIAMS, DETECTIVE ROACH DETERMINED THAT JOINER COMMITTED A BATTERY ON BOSMA. JOINER DID NOT HAVE THE LEGAL AUTHORITY TO PUSH BOSMA AGAINST THE VEHICLE AND DETAIN HER TO TAKE BACK HER CITY LICENSE. HE ALSO COMMITTED A BATTERY BY SHOVING BOSMA FROM BEHIND AFTER HE RETRIEVED THE LICENSE BACK FROM HER.

ON NOVEMBER 18TH 2013 AT 340 PM, DETECTIVE ROACH RELOCATED TO MAGISTRATE COURT. DETECTIVE ROACH MET WITH MAGISTRATE COMMISSIONER JUANA LOMBARD WHO REVIEWED AND ISSUED THE WARRANT FOR WILTON JOINER BM 9-15-1957 FOR R.S 14:35- RELATIVE TO SIMPLE BATTERY. DETECTIVE ROACH RELOCATED TO NATIONAL CRIME INFORMATION CENTER (NCIC) AND PROVIDED THEM WITH A COPY OF THE WARRANT.

ON DECEMBER 2ND 2013-AT 1100 AM, DETECTIVE ROACH SPOKE TO MARK THOMPSON, A TAXI CAB DRIVER FOR CARRIAGE TAXIS. MARK THOMPSON STATED ON 11-9-13 AT ABOUT 900 PM, HE APPROACHED JOINER IN REGARDS TO A QUESTION. AS HE APPROACHED JOINER, HE OBSERVED JOINER ON A CELLPHONE. A WHITE FEMALE WAS STANDING NEAR JOINER AND SNATCHED SOME PAPERWORK FROM JOINERS HAND. HE ALSO STATED THE WHITE FEMALE "NUDGED" JOINER WITH HER ELBOW. JOINER THEN PUSHED HER AGAINST THE VEHICLE AND TOOK THE PAPERWORK BACK. DETECTIVE ROACH REQUESTED THAT MARK THOMPSON EXPLAIN EXACTLY WHAT HE MEANT BY "NUDGED". HE WAS UNABLE TO DESCRIBE EXACTLY WHAT HE MEANT, ONLY THAT "SHE NUDGED HIM WITH HER ELBOW".

DETECTIVE ROACH DETERMINED THAT THE CORRECT SIGNAL WAS A SIMPLE BATTERY. A CHANGE OF SIGNAL FORM WAS SUBMITTED.

ANY ADDITIONAL INFORMATION WILL BE FORWARDED IN A SUPPLEMENTAL REPORT.

ATTACHED DOCUMENTS LIST

Document 1 - Arrest Warrant

Document 2 - Bulletin - #695508

Document 3 - CE & P Receipt

Document 4 - Other - witness list

Document 5 - Other - picture from Mr. Hull

Document 6 - Other - 3 pictures of Bosma

Document 7 - Other - signed lineup

Document 8 - Other - lineup

Document 9 - Other - picture of joiner

Document 10 - Other - summons for Bosma

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New Orleans, Louisiana, Code of Ordinances >> PART II - CODE >> Chapter 162 - VEHICLES FOR HIRE
>> ARTICLE II. - ADMINISTRATION >> DIVISION 1. GENERALLY >>

DIVISION 1. GENERALLY

- Sec. 162-46. Administration, enforcement generally.
- Sec. 162-47. Bureau created.
- Sec. 162-48. Duties and responsibilities.
- Sec. 162-49. Bureau to maintain records of CPNC's.
- Sec. 162-50. Police municipal courts to assist.
- Sec. 162-51. Owners/driver to report change of employment of driver.
- Sec. 162-52. Designation of routes.
- Sec. 162-53. Unlawful use of vehicles for hire by businesses and their employees.
- Secs. 162-54, 162-55. Reserved.
- Sec. 162-56. Not provide the bureau with any material false or misleading information.
- Sec. 162-57. Evidence of attempt to bribe.
- Sec. 162-58. Prohibited vehicles.
- Sec. 162-59. Driver's permits and CPNCs are privileges.
- Secs. 162-60—162-80. Reserved.

Sec. 162-46. Administration, enforcement generally.

The department of safety and permits shall be responsible for the administration and enforcement of the provisions of this chapter. The director of the department of safety and permits shall make such administrative regulations as may be necessary to implement or administer the provisions of this chapter.

(Code 1956, §§ 12-22, 12-31; M.C.S., Ord. No. 21480, § 5, 4-1-04)

Sec. 162-47. Bureau created.

There is hereby created a taxicab and for-hire vehicle bureau, which shall consist of a supervisor appointed by the director of the department of safety and permits and such other employees as may be necessary to carry out the functions and duties of the bureau.

(Code 1956, § 12-32; M.C.S., Ord. No. 21480, § 5, 4-1-04)

Sec. 162-48. Duties and responsibilities.

- (a) It shall be the duty of the taxicab and for-hire vehicle bureau, under the direction of the director of the department of safety and permits, to see that all applications to own or operate taxicabs or other for hire CPNC licensed vehicles conform to all requirements established by this article and other articles of this chapter where applicable; and to certify that such requirements have been met; to execute all policies established; and carry out duties as may be assigned from time to time by the director of the department of utilities.
- (b) It shall be the primary responsibility of the taxicab and for-hire vehicle bureau, under the direction of the director through designated enforcement agents, to enforce all of the provisions of this chapter relative to taxicabs and other for-hire vehicles by either filing

complaints with the supervisor of the taxicab and for-hire vehicle bureau for appropriate administrative action or by arrest or filing proper charges against the offender.

(Code 1956, § 12-33; M.C.S., Ord. No. 21480, § 5, 4-1-04)

Sec. 162-49. Bureau to maintain records of CPNC's.

A record of the issuance of certificates of public necessity and convenience and driver's permits is to be maintained by the taxicab and for-hire vehicle bureau to be available to the public at all times. The record shall include the names and addresses of the certificate holders or permittees and the number of the certificates or permits. A description of the vehicles, the motor numbers thereof, the trade name of the vehicle (except for horse-drawn vehicles) and a complete list of the certificates or permits issued shall be available to the director of the department of safety and permits by the supervisor of the taxicab and for-hire vehicle bureau at all times.

(Code 1956, § 12-34; M.C.S., Ord. No. 21480, § 5, 4-1-04)

Sec. 162-50. Police, municipal courts to assist.

All officers and members of the department of police and the municipal and criminal court personnel shall assist the taxicab and for-hire vehicle bureau or enforcement agents in the necessary performance of their duty when so requested. The superintendent of police shall furnish the taxicab and for hire bureau with a monthly report of all arrests of persons engaged in the taxicab or transportation for hire business. The clerk of the municipal court shall promptly report daily in writing all convictions for violations in such court.

(Code 1956, § 12-35)

Sec. 162-51. Owners/driver to report change of employment of driver.

All owners/drivers of taxicabs or other for-hire vehicles shall notify the taxicab and for-hire vehicle bureau in writing of the names, addresses and driver's permit numbers of all persons permitted by them by agreement of any nature to drive any such vehicle within five working days after each such occurrence, and they shall also furnish such information in writing to the taxicab and for-hire vehicle bureau relative to the termination of every driver's employment or agreement within five working days after the termination of such employment or agreement. The date of termination of the driver shall be provided by such notice.

(Code 1956, § 12-48)

Sec. 162-52. Designation of routes.

The director of the department of public works and the director of the department of safety and permits may jointly designate routes over which CPNC vehicles may operate and may prohibit the operation of certain classes of vehicles in specified areas and at specified times upon the approval of the city council.

(Code 1956, § 12-76; M.C.S., Ord. No. 21480, § 5, 4-1-04)

Sec. 162-53. Unlawful use of vehicles for hire by businesses and their employees.

(a)

It shall be unlawful for any agent or employee of any entity required to have an occupation tax license pursuant to section 150-951, et seq., to direct patrons to any unlicensed and/or un-permitted vehicle for hire, or for any entity required to have an occupation tax license pursuant to section 150-951, et seq., to knowingly permit or allow any of its agents or employees to direct patrons to any unlicensed and/or un-permitted vehicle for hire.

- (b) In addition, it shall be unlawful for any agent or employee of any entity required to have an occupation tax license pursuant to section 150-951, et seq., to allow a vehicle, which is not pre-arranged, to stage. For purposes of this section, stage shall mean to stop, park, or otherwise place a vehicle for hire, other than a taxicab, in the loading or curbside area of any business required to have an occupation tax license pursuant to section 150-951, et seq., when the vehicle is not engaged in a pre-arranged round trip or one-way fare. Prearrangement, as required by this subsection, shall be via a communicated contract prior to pick-up, evidenced by a properly completed trip sheet. The trip sheet shall include, but not be limited to, the guest's name, number of passengers to be picked up, time of pick up, final destination, hotel room number, if applicable, and a valid contact phone number. Vehicle for hire operators shall make said trip sheets available for verification by employees of the pickup location, as well as all law enforcement agencies. In addition, said trip sheets shall be completed prior to arrival at the pickup location.
- (c) It shall be unlawful for any agent or employee of any entity required to have an occupational tax license pursuant to [section] 150-951, et seq., to request, demand, or accept any gratuity from a for hire operator in order to procure a fare, whether pre-arranged or not.
- (d) It shall be unlawful for any taxicab or for hire operator to offer a gratuity, tip, or any other compensation, in order to procure a fare, whether pre-arranged or not.

(M.C.S., Ord. No. 24840, § 1, 4-19-12)

Secs. 162-54, 162-55. Reserved.

Sec. 162-56. Not provide the bureau with any material false or misleading information.

In order to obtain or maintain a driver permit, company permit, or CPNC, the applicant, driver, company, or CPNC holder shall not provide the bureau with any material false or misleading information. A violation of this article shall constitute cause for denial of the application or suspension or revocation of the driver permit, company permit, or CPNC. False or misleading information is considered "material" if the driver's permit or CPNC may have been denied had an accurate response been given.

(M.C.S., Ord. No. 24841, § 1, 4-19-12)

Sec. 162-57. Evidence of attempt to bribe.

- (a) In order to obtain or maintain a driver permit, company permit, or CPNC, the applicant, driver, company, or CPNC holder (or someone acting on his/her behalf) must not offer or give any gift or gratuity to any employee, representative, public servant, or member of the bureau.
- (b) An applicant must immediately report to the director of the department of safety and permits if any employee, representative, public servant, or member of the bureau makes a request or demand for any gift of gratuity.
- (c)

Denial of an application/revocation of a permit or CPNC. The director may deny or revoke a driver permit, company permit, or CPNC for the reasons specified in this section. If the director identifies that the applicant meets the criteria in this section, the director will deny or revoke the driver's permit, company permit, and/or CPNC and no application fees will be refunded.

- (d) Any person violating this section will be banned from reapplying for a CPNC or driver's permit for a period of ten years.

(M.C.S. Ord. No. 24842, § 1, 4-19-12)

Sec. 162-58. Prohibited vehicles.

- (a) The director shall not issue CPNCs for motor vehicles to operate as for-hire vehicles according to the following:
- (1) Any vehicle which has ever been issued the title class of either "salvage", "rebuilt", "junk", "total loss", "reconditioned" or any equivalent classification in any jurisdiction is not eligible for operation as a for-hire vehicle.
 - (2) Any vehicle which has been previously used as a taxicab or law enforcement vehicle, in any jurisdiction, may not be placed in service as a for-hire vehicle.
- (b) It is the affirmative duty of the CPNC holder to ascertain that the for-hire vehicle is in compliance with this subsection
- (c) Any vehicle placed in operation by a CPNC holder as a for-hire vehicle in violation of this subsection is unsafe, and subject to immediate CPNC suspension and or revocation.
- (d) The director may require CPNC holders to submit a car history report at the CPNC holder's expense.

(M.C.S., Ord. No. 24854, § 1, 4-19-12)

Sec. 162-59. Driver's permits and CPNCs are privileges.

Driver's permits and CPNCs are privileges and not rights. The director of safety and permits or his designee has full discretion in determining whether a driver's permit or CPNC shall be issued.

(M.C.S., Ord. No. 24843, § 1, 4-19-12)

Secs. 162-60—162-80. Reserved.