



Executive Branch  
Executive Order JMR2023-1

**SAFEAlex 2.0/Total**  
*(Recruitment and Retention)*

*The Administration of the City of Alexandria, Louisiana, finds the following:*

WHEREAS, Alexandria, like many cities, suffers from critical shortages in available commissioned officers employed by the Alexandria Police Department (“APD”). Retaining and recruiting competent police officers was declared a national challenge during multiple panel discussions hosted by the United States Conference of Mayors-Winter Conference, held in Washington D.C. in January 2023 (the “USCM”). Famed criminologist, police chief, and commissioner Charles Ramsey stated if he were to amend *The President’s Task Force on 21st Century Policing* (May 2015), he would add as an additional and separate pillar a section on retention and recruitment (“R&R”). One prominent mayor stated he diverted recruitment dollars solely to higher pay for existing officers, for a pure retention plan, because of the emergency predicted shortage in available officers in his city.

WHEREAS, Alexandria requires paradigm-shifting interventions in policing—crime is rampant, basic and current policy evolution is stagnated, and police leadership has been unable to come together to offer solutions—often through challenges external to those leaders.

WHEREAS, as a result, the Administration funded and placed into leadership a Commissioner of Public Safety in Executive Order JMR2022-1 to aid the Chief of Police and police leadership.

WHEREAS, this Administration in 55 days determined the status quo presents a clear and present disruption to policing, *categorically disagreeing* with the position things are changing quickly enough in response to clearly outlined expectations following JMR2022-1, thereby requiring this and future executive actions to implement JMR2022-1.

WHEREAS, further loss of officers to retirements, resignations, and discipline must be expected to exceed the rate of recruiting replacement officers. This presents another clear and present danger, and indeed an emergency, which is hereby declared to exist, as explained hereafter regarding R&R.

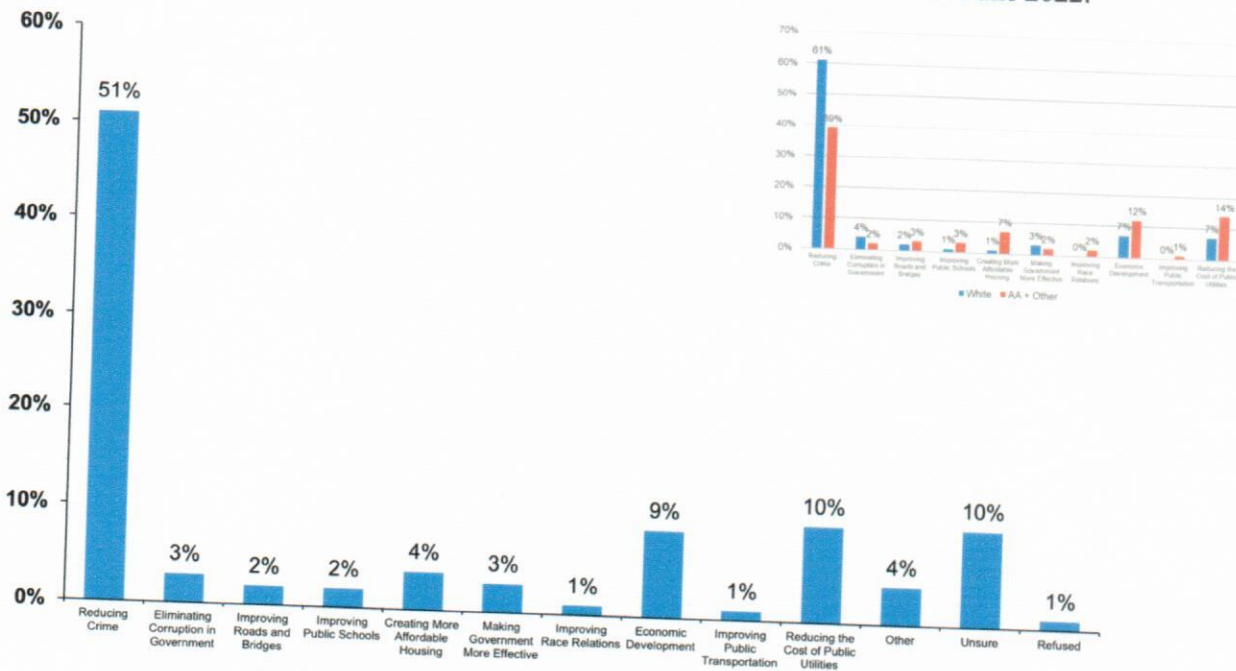
WHEREAS, Alexandria is suffering from a shortage of perhaps as many as 40 officers. While we think there is no magic number, and we think one of many takeaways from Ramsey and others at the USCM symposia caution about making achievement of some fictional number the goal, it is safe to say we are short. While attaining 40-50 officers may not be the primary goal, and it certainly is not a panacea to the challenges we face, significantly more competent, qualified, properly trained police would be optimal. In addition, a multi-disciplinary approach that lessens 911-call dependence solely on the backs of APD and law enforcement has to be a paramount and fundamental change in modern policing by APD.

WHEREAS, Alexandria has lost APD officers to other agencies or non-police jobs for myriad reasons, not only to pay concerns. Quality of life and other drivers, such as societal attitudinal and unsupportive changes toward police, are among the many challenges to R&R. Misuse of information by police support groups, poor communication by administrations, notable infiltration of election politics into civil service, and many other internal and external challenges affect modern policing and certainly Alexandria policing.

WHEREAS, during the USCM, it was clear that competition for less officers is increasing and more and more competition is *extraterritorial*. Officers have access to *more information* and a *willingness* to leave home-base communities for benefits, notably as much non-monetary as those traditionally monetized benefits.

WHEREAS, of those monetized benefits, *health insurance* and *retirement* employer contributions are meaningful value propositions in the battle for R&R.

WHEREAS, the Administration identified these findings during the USCM and from innumerable studies, white papers, and treatises; and more importantly, Alexandria citizens identified crime and policing as the overwhelming, most important issue in scientific polling conducted in late June 2022.



WHEREAS, for a public purpose, based on an authorization by law, and for commensurate value shown whereby the public benefit is justified by the public expenditure, Alexandria may, and should, amend the budget to provide a retention benefit tied to a commensurate return whereby each officer accepting the supplemental benefit shall agree to stay employed for an agreed-upon period of time (the “**exchange of value**”).

WHEREAS, for a public purpose, based on an authorization by law, and for commensurate value shown whereby the public benefit is justified by the public expenditure, the Administration further specifically finds:

**I. Introduction**

During 2022 and especially after attendance of the USCM, the Administration declares it to be an emergency action in the public interest to retain officers, recruit more officers, and therefore and hereby does create and implement a recruitment and retention incentive program—which shall provide for the exchange of value through the purpose of providing to regular, properly tenured for purposes of the payments hereunder, full-time commissioned law enforcement officers (the “**Qualified Officers**”) a “Supplemental Contribution to Insurance” (the “**Benefit**”). This “Benefit Policy” (the “**Policy**”) establishes the guidelines under which the Benefit will be made to Qualified Officers, within the exchange of value. (*Notably, if desired, the Benefit could be substituted with a retirement contribution benefit or mix of health insurance and retirement.*)

**II. Purpose of the Benefit**

The Administration recognizes the need to *prospectively* increase the compensation and benefits of its police force, *to the greatest extent possible*. Accordingly, the broad purpose of the Benefit is to provide *supplemental* benefits to retain Qualified Officers for the provision of deliverables by the Qualified Employees. The Administration shall establish a mechanism for certification of meeting said deliverables, refunding payments or contributions made hereunder and not commensurately and correspondingly achieved by Qualified Officers, and to provide for said claw backs, refunds, and reimbursements from Qualified Officers failing to meet such deliverables through deduction(s) from their regular check, final checks upon separation, or deductions from other funds, as allowed by law and as agreed to by the Qualified Officer, in writing, upon receipt of the Benefit.

The exchange of value is therefore for a public purpose, with proper protections against risk of loss, and shall be further subject to specific Policy guidelines formulated along the following delineations:

**III. Eligibility to Receive the Benefit**

Upon approval of the exchange of value by the Legal Division of the City of Alexandria, Qualified Officers of the City shall be defined, as provided after working with department leadership and the Commissioner. The Administration shall form its SF #2 in part for this purpose.

**IV. Funding of the Benefit**

The Benefit optimally shall be funded by budget amendment for Qualified Employees, unless the fiscal condition of the City allows otherwise. It is noted an Ordinance, and therefore Council approval, may be required.

**V. Period of Service Compensated by the Benefit**

The Benefit shall be based on *good and proper service*. The determination of substantially meeting the requirements of *good and proper service* shall be made by the division of personnel, human resources, and shall be non-reviewable or appealable, which shall be specifically agreed to in

writing by the Qualified Officer upon acceptance of the Benefit. The Administration's SF #2 shall participate in the definition of *good and proper service*.

**VI. Parameters and Deliverables of the Benefit**

The Benefit may (or may not) be approved and disbursed on an annual basis, and is not a "recurring" benefit which necessarily is forthcoming each year.

The Benefit represents an additional, prospective benefit to certain City employees for services to be rendered during the time period described. The Benefit is not a "bonus" or any other form of retroactive compensation for services already rendered by City employees, but rather, is for future earned exchange of value, retention, and recruitment—*declared a public emergency herein*.

The Benefit will not be characterized as or become part of any employee's base salary or benefits package. The Benefit also will not alter or modify any employee's base rate of pay, or any other aspect of the existing system under which City employees are compensated. Rather, the Benefit is purely supplemental in nature, and will remain entirely separate from all employees' base pay.

**VII. Disbursement of the Benefit**

The maximum amount of the Benefit and application to family members shall be determined. Disbursement of the Benefit will take place following certification by the City's Director of Finance, as well as the Appointing Authority, that the Qualified Officer has accepted, in writing, the Benefit Policy, agreeing to be bound thereby, for the Qualified Officer's obligation to perform the future acts incident to qualification and eligibility.

WHEREAS, it is the opinion of the Alexandria City Attorney that in order for an expenditure or transfer of public funds or property to comply with Art. VII, Sec. 14(A), the public entity must show: 1. A public purpose for the expenditure or transfer; 2. That the expenditure or transfer, taken as a whole, does not appear to be gratuitous; and 3. Evidence demonstrating that the public entity has a reasonable expectation of receiving a benefit or value at least equivalent to the amount expended or transferred.

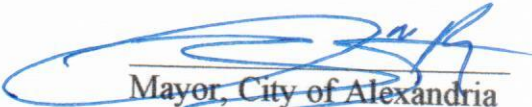
WHEREAS, it is the opinion of the Administration that the expenditure of the Payment is for the public purposes outlined herein and is to provide for the real and substantial deliverables owed by the Qualified Officers as detailed herein.

WHEREAS, any payment made hereunder as a pay adjustment shall not be an addition to base pay or salary; is not a retroactive payment or a "bonus" for services already rendered or performed by employees of the City of Alexandria; and should not be considered wages or salary for retirement or other purposes incident thereto. This benefits adjustment shall have prospective application only, in accord with Louisiana law and specifically as found and relied upon by the Alexandria City Council in the case of *McElveen v. Callahan*, 309 So.2d 379, 381 (La.App. 3rd Cir. 1975), *writ denied*, 313 So.2d 602 (La. 1975), wherein the court stated "[p]ayments to be legal must be in the form of salary increases for the future, not extra compensation for past services rendered."

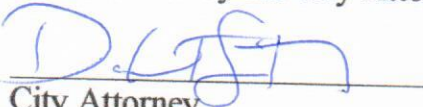
**THEREFORE, IT IS ORDERED:**

- 1) That the Commissioner shall, at all times, directly work with any designees of the Mayor to effectuate the goals of this executive order and any subsequent legislation with a sense of *urgency and priority*.
- 2) That all requested reports from individual police organizational units *shall be compiled within a timeline* approved by the Commissioner of Public Safety, who shall work with the organizational units to establish such a timeline, and who, may from time to time extend such timelines.
- 3) That the director of finance shall *prepare, publish, and provide* to the Administration the budget amendment necessary to fully fund 100% of the employer portion of health insurance for period of the rest of this fiscal year for all qualifying officers.
- 4) That the director of finance *shall prepare each future budget* for the next two fiscal years to fully fund 100% of the employer portion of health insurance for all qualifying officers.
- 5) That the Legal Division working with the Administration *shall ensure qualifying officers uphold* the exchange of value through appropriate means, including claw backs, offset benefits, contractual arrangements and civil service resolutions, as needed; and
- 6) That the Legal Division is instructed to consider Title 42 of the Revised Statutes and Louisiana Const.art. VII, Section 14, and the need for any declaratory or other relief *before making an actual benefit investment*. If such relief is required, in the sole discretion and opinion of the Alexandria City Attorney, then that decision shall be incorporated into this Order as if fully state herein; and most importantly, *no action hereunder shall occur* in the absence of compliance with that opinion, and
- 7) That the director of finance *shall coordinate* with Section 6's requirements; provided, however, it is understood the budgeting amendments and documentation *shall proceed forthwith* independently from the question of actually making the payments in compliance with Section 6.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the seal of the City of Alexandria, at Alexandria, Louisiana, on this 9 day of February, 2023.

  
Mayor, City of Alexandria

Witnessed to by the City Attorney or Clerk of the City of Alexandria

9/5/0  
  
City Attorney,  
City of Alexandria

