



Executive Branch
Executive Order JMR2023-2

SAFEAlex 2.0 / Total

(Hiring and Retention Practices for Expected Constitutional Policing)

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

WHEREAS, based in part on JMR2023-01 and directly upon findings made in January 2023 with regard to hiring practices within the Alexandria Police Department, retention and recruitment is in acute jeopardy. We therefore find:

- Community policing is the paramount goal toward true change and crime *prevention*. Alexandria needs the best-caliber officers available for effective trustworthy community policing.
- Since community policing is the only known, *proven* method of preventing crime followed closely by intelligence-led policing and data-driven outcomes measurements, highly trainable officers who are committed to constitutional policing are needed.
- The greatest threat to department operations is not within policing itself; it is a dearth of committed *leadership* acting “*on the same page*” across multiple spectra of city governance. The department itself is *starving* for *leadership and clear direction*. Interviews with current officers and retirees, stakeholders and confidants of officers, and the general public and other city leaders support this conclusion. In transition, further confirmations will occur, but this assumption was made clear by officers themselves in the very questions they pose when interactions occur.
- The Mayor, working with the Chief of Police and Commissioner, is committed to support those leaders and department leadership in implementing their tabled good ideas, needs, and changes to practices.
- Recently, police genuinely were worried about retaliation while trying to perform. This leads to multiple areas of underperformance based on the “*who’s on first*” leadership vacuum. It will be critical to establish a safe zone for expressing needs and getting back on track in the early days of a new administration—both to build trust and to *reset* expectations.
- Among other aspects of law enforcement, policing allows force by one person on another through consent of the governed. By consent, “*we the people*” grant to officers the right to use force upon us, to hamper liberty and to effect arrests but only through lawful detention, proper policy, and good practice.

- Part of the consent of the governed is consent granted to administrative supervision to hire proper persons upon whom we place such extraordinary power. Therefore, those in charge of hiring, retention, training, and discipline have a duty to get it right—from the outset. Negligent hiring and retention are increasingly used separate causes of action in Louisiana and elsewhere. We cannot tolerate deficiencies in this area.

WHEREAS, these hiring, recruitment, and retention practices (the “practices”) must be reformed immediately, with clear guidance provided to the Alexandria Police Department, in conjunction with national standards, on who is fit to serve, or more importantly, those redlines surrounding who is not fit to serve the public in the role of *guardian* as opposed to a warrior-styled department.

WHEREAS, currently there exists no clear policy on the practices; however, the Administration is committed to its defined use of its Commissioner. The Commissioner’s role is one of limited application, particularly focused on Advocacy, Policy, and Discipline, not the initial hiring process—which should remain the province of the Chief of Police and his designees.¹

WHEREAS, the practices require several areas of fundamentally presumed delimitations on police work. Candidates are presumptively disqualified who have a recent (and in some cases, any) history of breaching security protocols in prior employment; past history of crimes of dishonesty; histories of domestic violence; harming animals; associations with racist, lawless, vigilante, seditionist, or similar organizations or practices, calling into question the candidate’s ability to conform to the rule of law; and other levels of typical pre-employment issues, such as drug abuse, sexual harassment, and certain mental health challenges (all, the “obstacles to employment”). Discovery of these obstacles to employment at any time during pre-hiring, hiring, probationary employment, or employment may lead to changes in employment status up to and including termination within the rules of civil service.

WHEREAS, the City of Alexandria employs several methods of background checks to baseline and inform the Appointing Authority. These methods are designed to pick up cues that correlate with overuse of force, tendencies toward dishonest policing, propensities toward employment problems and leave abuse, problems with authority, and problems with drugs or alcohol abuse.

WHEREAS, the Administration performed a cursory and then, upon discovery of shocking lapses, more detailed review of the practices during January 2023. Under the previous administration’s practices, it was found APD leadership’s oversight was, in short, overcalled. There is probable cause to believe some hires were processed that violated both then-existing norms and certainly those outlined herein. There is evidence of overcalled declinations by the hiring, investigating, and vetting staff, by the Appointing Authority for various inappropriate reasons and improper insertions of political will into the practices.

WHEREAS, APD shall treat obstacles to employment with all due care; these obstacles will be properly cataloged and monitored. Obstacles to employment shall be overcome only by clear and convincing evidence. Overcoming these obstacles shall be maintained through clearly outlined measures and clearly indicated by the proper subject matter expert that such remedial measures can be had. Thereafter,

¹ The Administration considered that one method would be to place the practices under the Commissioner *for a time certain*—i.e. until the emergency abated. However, this subjects the practices, and ultimately hiring, away from the apparatus that should make recommendations to the Appointing Authority with concomitant confidence, proper investigation, and vetting of candidates to serve as protectors and guardians of the City. Instead, we should reform the actual recommending authority with guardrails and fix the problem head on and without deferral *under the guise of* acting in extraordinary times. In government, these declarations of emergency have a way of never “coming off the books” and create institutional creep—neither of which is a desired goal in reformation of the practices. Instead, reformation from within the department will serve a better, more elastic change because we have empowered the officers themselves through their leadership to take control. With leadership, we acknowledge trust in officers to fix the practices.

the balance of funding remediation shall be properly allocated so that the City is not unfairly burdened. Finally, the risk of harm must be lessened only after considering that risk in relation to the particular gravity of the obstacle. When exceptions to the presumptive prevention of risk by simply not making the hire occur, *i.e.* taking the risk, they will be dealt with by adding independent review and negative feedback—*e.g.* we know that officers who have had the unfortunate duty to use deadly force (appropriately) or who honorably served in the military during active combat may be scored on certain personality and other indices more harshly. (We should consider these instances case by case.)

WHEREAS, in Memphis, Tennessee, our Nation witnessed problems with police culture, training, and vetting in such a bold and stark fashion there can be no doubt about the power of police groupthink and culture when it comes to interventions by officers in the midst of criminal actions by cohorts—and it goes without saying that police officers will face these challenges and so many other high stress events. When reviewing obstacles to employment, therefore, any responsible agency must carefully cull out individuals with coping challenges and propensities already making a high-stress job's coping responses a challenge.

WHEREAS, bad hiring practices to overcome shortages in police rosters specifically was warned against *as not a proper* response by experts. It is clear that bad hiring and unfit officers pose challenges to: building trust and legitimacy of policing in the community; policy and oversight; and officer wellness and safety. Officers with coping challenges and propensities toward violence are particularly susceptible to escalatory use of force instead of de-escalatory actions and de-conflicting practices. Effective policing comes from being pro-community and pro-police—that commitment cannot start any sooner than at the hiring level.

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 obstacles to employment will be *properly cataloged*.
- 3) That policies shall be written to consider risk *balanced against remediation* while maintaining the presumption that most doubt should be resolved against hiring a candidate or retaining an officer who present with an obstacle to employment. Exceptions shall be maintained only after *clear and convincing evidence* shows remediation can be had; that the balance of funding remediation is proper; and that the risk of harm is properly lessened in relation to the particular gravity of the obstacle.
- 4) That for the purpose herein of rulemaking, policy, and better practice, this executive order directs the Commissioner, Chief of Administration, and their designees immediately to *investigate and report* on those hiring practices and specific cases which gave rise to the need for the drastic action of this order. Those findings may involve both public and non-public (civil service or employment-related strictures) publications. Careful adherence to privacy concerns shall be had.
- 5) That future policy shall reflect that hiring should be primarily from a *qualitative philosophy*, not quantitative one.

February 9, 2023

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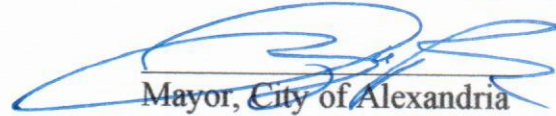
Proclamation of the Executive Branch

Mayor Jacques M. Roy to City Employees

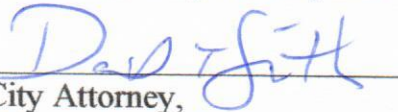
Executive Order JMR2023-2

- 6) That this Executive Order *shall be reviewable* for compliance in thirty (30) days, and any person who is subject to supervision under the Mayor as provided by the Home Rule Charter who fails to comply with this Order shall be subject to discipline; and
- 7) That it shall be understood this Order is *a declaration of emergency action* and shall be implemented *with all deliberate speed and status*, and
- 8) That, as indicated by previous reports and orders of this office, the Commissioner of Public Safety *is authorized to solicit and is charged with the responsibility to produce a report*, certified by the Chief of Police regarding the status of, and obstacles to, issues contained in **Executive Order JMR2023-2**; provided, however, that debriefing occurring the first week of February 2023 may be found sufficient with further corroborative information confirmed.

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

2/6/23 
City Attorney,
City of Alexandria

