A Report from the Bureau of Governmental Research

ON THE BALLOT

ORLEANS PARISH SHERIFF'S OFFICE TAX, APRIL 29, 2023

INBRIEF

On April 29, New Orleans voters will decide whether to nearly double a 2.8-mill property tax for the Orleans Parish Sheriff's Office. The ballot proposition would replace the tax with a 5.5-mill tax, for an increase of 2.7 mills. The new tax would generate an estimated $11.7 million in additional annual revenue for employee compensation, training and capital improvements to help bring the jail into compliance with court-mandated reforms. If approved, the 10-year, 5.5-mill tax would take effect with tax bills to be sent out later this year and payable in early 2024. The existing 2.8-mill tax would no longer be levied.

The Sheriff's proposal comes a few months after the City of New Orleans, which provides more than three-quarters of the funding for the jail, declined the Sheriff's 2023 budget request for additional operating and capital funding.

The tax proposition received little public discussion until less than a week before the start of early voting on April 15. The Sheriff's Office had taken almost no steps to inform the public about the proposition beyond a mandatory public notice in a newspaper. This raises significant transparency concerns as voters have had little time and information to evaluate the proposition.

Report Highlights

To analyze the proposition, BGR considered three questions that address the efficient and effective use of public resources: (1) Has the Sheriff's Office carefully planned how it will spend the tax revenue and provide financial stewardship and accountability for taxpayer dollars? (2) Is the tax an acceptable way to fund the Sheriff's plan for improving the jail's performance in light of alternative funding options? (3) Is there evidence indicating the tax would result in effective outcomes for the public? Based on this analysis, BGR found the following:

- The Sheriff views the additional tax revenue as necessary to comply with court-ordered reforms to improve conditions of confinement at the jail and end more than 50 years of federal oversight and investigation. The 5.5-mill tax would generate up to $23.8 million a year, replacing the existing tax that generates up to $12.1 million a year.
- In response to BGR's review of the tax proposition, the Sheriff has provided significant evidence that low pay and benefits contribute to understaffing and limit progress toward improving jail conditions. The office also has substantial capital needs, including replacing outdated technology systems and physical repairs to the jail.
- However, the spending plan is incomplete and does not specify how the office would use $4.1 million, or more than a third of the additional tax revenue. The office also has not provided any details on a $1.8 million allocation for additional staff training. Nor has it completed a new pay structure that would provide sufficient detail on the use of tax revenues for salary increases.
- The spending plan does not address 409 vacant positions that the Sheriff's Office identifies as essential, including 278 at the jail. The plan also does not include looming expenses to staff a court-ordered "Phase III" mental health and medical services facil-

InBrief continues on next page >

ity to be built next to the main jail. Such a piecemeal approach to addressing the jail's needs is problematic, especially given longstanding disagreements between the City and the Sheriff's Office over jail funding levels.

- In addition to the office's failure to inform citizens about the tax proposition, other accountability questions have arisen. It is unknown how the office will manage a large increase in tax revenue amid the recent departures of four high-level administrators, including the chief financial officer. There are also fundamental weaknesses in accountability associated with the Sheriff's special taxing district and the City's financial oversight. While the City would still provide most of the funding for the Sheriff's Office, it lacks the clear oversight of other large counties that fund their jails from the general fund, and it has no control over the Sheriff's taxing district.
- The City could offset some or all of the additional tax revenue by decreasing its funding for the jail. This means voters cannot be assured the millage proposition would result in increased funding for the office for the purposes described.
- On the other hand, City officials have agreed to provide funding for a $2.43-per-hour raise for all hourly employees after the Sheriff's Office spends down its surplus revenues on the raise, which took effect in December. The raise amounts to about $5,000 per year per employee at a total cost of $3.3 million.
- The existing tax does not expire until 2025, providing time for the Sheriff to fully develop future jail staffing and compensation plans, and for the Sheriff and City to work toward an agreement on the jail's needs and an appropriate funding level as BGR recommends in its 2022 report, *Keys to the Jail*.

SHERIFF'S OFFICE SPENDING PLAN FOR ADDITIONAL TAX REVENUE ($ in millions)

Purpose	Amount
1.25% annual raises for all employees	$1.7
$3,000 longevity bonus every three years	$0.7
$2 per-hour hazardous duty pay for jail workers	$1.9
100% employer-paid health insurance	$1.5
Employee training	$1.8
Other uses not yet determined, including possible capital improvements, cost-of-living raises or pay plan revisions	$4.1
TOTAL	$11.7

BGR Position

AGAINST. Resolving jail employee pay disparities, improving employee recruitment and retention, and bolstering jail technology and security are essential to the jail's performance and the Sheriff's goal of improving compliance with federal court mandates. While the Sheriff deserves credit for developing clear priorities, this tax proposal is not the best way to achieve them. First, the proposal is premature. The office has not fully mapped out a spending plan, and a critical guiding document – the future employee pay plan – remains under development. Second, the spending plan fails to account for major declared needs to fill vacant positions the office has deemed essential. Third, the proposal lacks meaningful public accountability, both from the Sheriff and its partner in the jail's future, the City of New Orleans. The Sheriff has limited financial accountability to the City Council, and it is difficult for voters to observe jail conditions and operations. The risk of the City cutting its appropriations to the jail if the tax passes is significant, and it could hinder progress on addressing core needs. Finally, the tax is out of step with best practices and other large counties that use county-provided general revenues to fund their jails and deliver accountability through budgetary checks and balances. For New Orleans, this means the City should remain committed through its General Fund to meet pressing jail needs.

If voters reject this proposition, the Sheriff will have two years left under the current tax to further define jail funding needs and seek a budget solution with the City. The responsibility for negotiating that solution falls on both the Sheriff and the City. BGR urges them to pursue its recommendations in *Keys to the Jail* that include developing a mutual agreement that commits them to a joint strategic planning and budget process for the jail, with accountability on both sides.

This report is part of **BGR's *On the Ballot* series**, which provides voters with objective, nonpartisan analysis of significant ballot propositions in the New Orleans metropolitan area. In producing these reports, BGR recommends positions consistent with its mission of promoting informed public policy making and the effective use of public resources to improve local government. *On the Ballot* reports highlight the strengths and weaknesses of ballot propositions and assess the potential for government expenditures or actions to efficiently achieve beneficial outcomes for citizens.

INTRODUCTION

On April 29, New Orleans voters will decide whether to nearly double a 2.8-mill property tax for the Orleans Parish Sheriff's Office. The ballot proposition would replace the tax with a 5.5-mill tax, for an increase of 2.7 mills. The new tax would generate an estimated $11.7 million in additional annual revenue for employee compensation, training and capital improvements to help bring the jail into compliance with court-mandated reforms. If approved, the 10-year, 5.5-mill tax would take effect with tax bills to be sent out later this year and payable in early 2024. The existing 2.8-mill tax would no longer be levied.

The Sheriff placed the tax proposition on the ballot as the one-person governing authority of the Orleans Parish Law Enforcement District (Law Enforcement District), a parishwide taxing district that provides funding for the Sheriff's Office. The Sheriff told BGR the additional funding is necessary to comply with court-ordered reforms to improve conditions of confinement at the jail and end more than 50 years of federal oversight and investigation.[1]

The tax proposition received little public discussion until less than a week before the start of early voting on April 15. The Sheriff's Office had taken almost no steps to inform the public about the proposition beyond a mandatory public notice in a newspaper. This raises significant transparency concerns as voters have had little time and information to evaluate the proposition.

BGR prepared this report to provide voters with an independent, nonpartisan analysis to help them make an informed decision on the tax proposition. This analysis is grounded in BGR's mission of promoting the effective use of public resources. The report also provides background information on the proposition, as well as BGR's position. For an overview of how the proposed tax would affect taxpayers, see the "Taxpayer's Bottom Line" sidebar.

The Taxpayer's Bottom Line

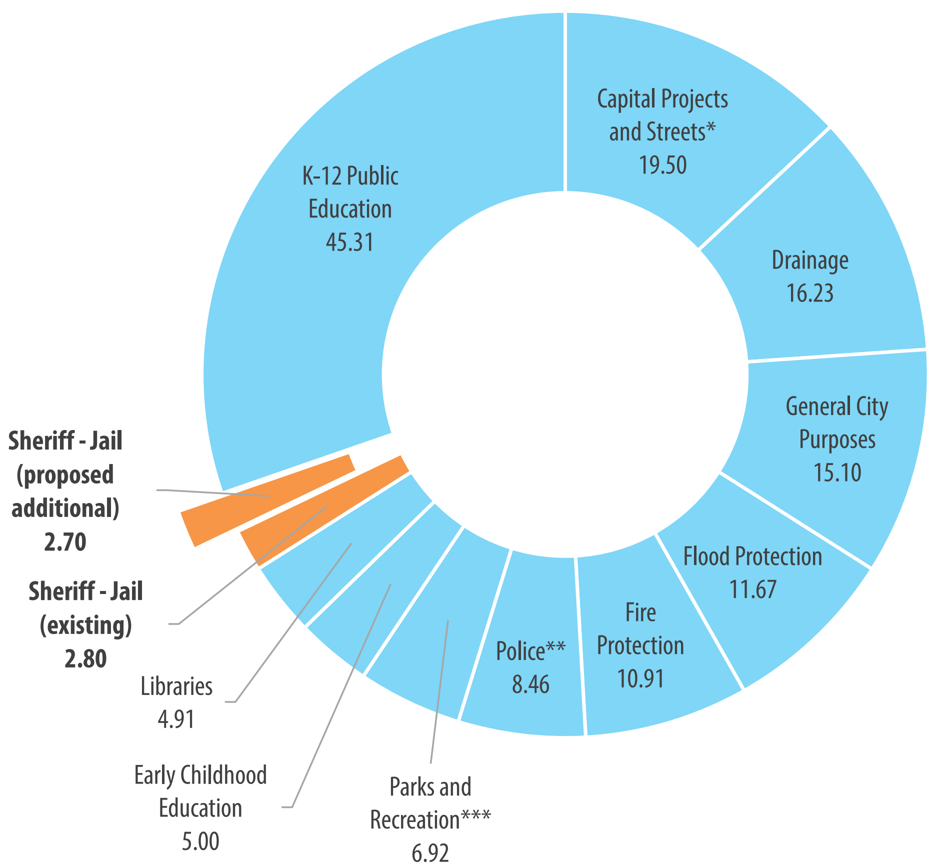
Under the current tax, homeowners pay $28 a year on each $100,000 of property value above the $75,000 homestead exemption. This amounts to $107.80 for a home valued at the average sales price of $460,000.* If voters approve the proposition, homeowners will pay an additional $27 annually on each $100,000 of taxable property value, or an additional $103.95 per year for the sample $460,000 homestead-exempt property. Thus, the total bill if the tax passes would be $55 per $100,000 of value, or $211.75 for a $460,000 property.

In 2023, the total property tax rate on the east bank of New Orleans is 146.81 mills.** Assuming those rates remain the same in 2024, the Sheriff's Office tax increase would bring the total rate to 149.51 mills and represent 1.8% of the new total, as shown in Chart A.

* The average sales price for a single-family home in Orleans Parish during the 12 months ending June 2022 was $460,000, according to data from the University of New Orleans Institute for Economic Development and Real Estate Research.

** The total property tax rate for New Orleans' west bank is 146.79 mills for 2023.

CHART A. BREAKDOWN OF 2023 PROPERTY TAXES ON THE EAST BANK OF NEW ORLEANS, INCLUDING SHERIFF'S PROPOSED TAX INCREASE AND ASSUMING CURRENT RATES CONTINUE (Rates in mills)



BGR analysis. Calculations do not include taxes for neighborhood security districts or the Downtown Development District.
* The 19.5 mills for capital projects and streets pay debt service on general obligation bonds for construction projects. It does not pay for street maintenance.
** Because some police and fire protection taxes are levied on a home's total assessed value, before deducting the homestead exemption, the percentages shown do not perfectly reflect the breakdown of a homeowner's tax bill. In addition, for simplicity, BGR split a 6.4-mill tax for police and fire services evenly between those two uses. The General Fund budgets for the police and fire departments substantially exceed the revenue from that tax, and the City of New Orleans treats the revenue as part of the overall General Fund sources available for those departments.
*** BGR included the Lakefront Management Authority's 0.61-mill allocation of the Orleans Levee District's 12.28-mill tax under Parks and Recreation because the authority manages parks and other district assets unrelated to flood protection. The Algiers Levee District tax rate totals 12.26 mills.

BACKGROUND

ORLEANS PARISH SHERIFF'S OFFICE RESPONSIBILITIES AND BUDGET

Under Louisiana law, the Sheriff's Office is responsible for staffing and operating the New Orleans jail.[2] The office also handles civil process duties, including executing court orders, providing bailiffs, serving subpoenas and seizing property. Unlike all other sheriffs in Louisiana, the Orleans Parish sheriff does not serve as the parish's chief law enforcement officer or its property tax collector. The New Orleans Police Department (NOPD) is the chief law enforcement agency in Orleans Parish, and the City of New Orleans (City) is the tax collector.[3] Despite having fewer responsibilities, the Orleans Parish Sheriff has many of the same powers as other sheriffs, including taxing authority as head of the parish's Law Enforcement District.

Louisiana law establishes shared responsibility for the jail between the Sheriff and the City, as illustrated in Chart B. The Sheriff is an independent elected official, established in the State constitution, and the City has no direct control over the Sheriff's powers and responsibilities.[4] State statutes set forth the Sheriff's powers relative to operating the jail, as well as the City's obligation to fund it.[5] The City provides some funding directly to the Sheriff and pays certain jail costs on the Sheriff's behalf.

State law allows the Sheriff to supplement City funding with voter-approved property taxes of up to 10 mills that the Sheriff levies through the Law Enforcement District.[6] The Sheriff currently levies a total of 2.8 mills.

The 2023 budgeted operating revenue for the Sheriff's Office totals $81.5 million. As Chart C indicates, the bulk of the funding – $62.7 million, or 77% – will come from the City. This makes the jail the third largest line item in the City's budget after the police and fire departments.[7] The Sheriff's second largest source of revenue is the Law Enforcement District's current property tax, which will yield an estimated $8.9 million for jail operations in 2023.[8] The budget also includes $6.1 million from various Sheriff's Office fees, charges and grant revenue, and $3.9 million from the State of Louisiana for housing State prisoners and supplemental pay for commissioned deputies.

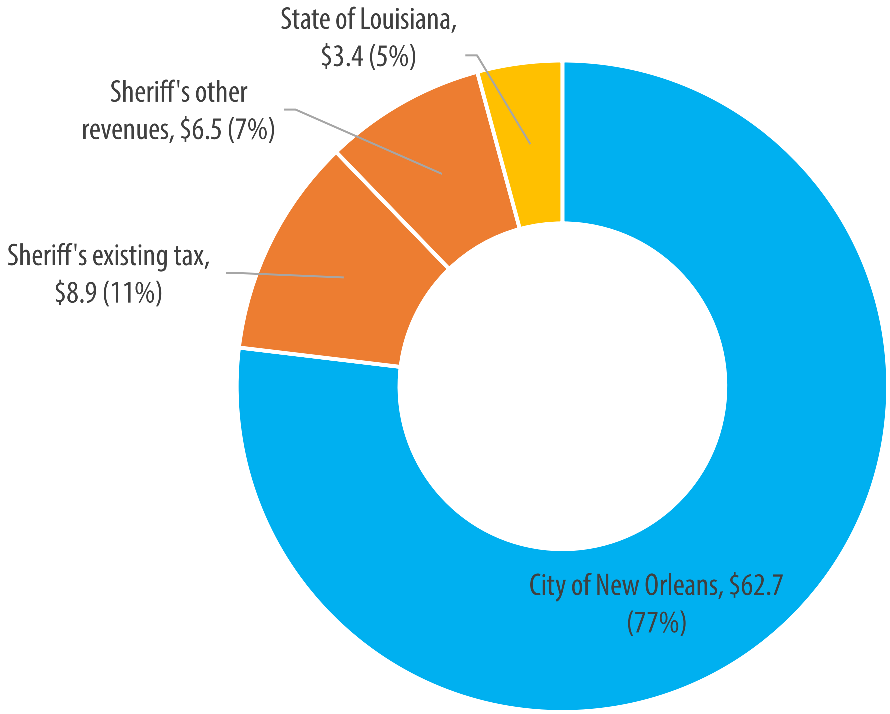
The vast majority of these revenues – $77.4 million – support the Sheriff's Criminal Division, which includes the jail. About $4.1 million goes to the Civil Division, which is mostly self-funded through fees. For a more detailed breakdown of 2023 budgeted revenues, see the appendix.

CHART B. KEY ROLES AND RESPONSIBILITIES IN CURRENT JAIL GOVERNANCE STRUCTURE

	Orleans Parish Sheriff	City of New Orleans
Function	Roles and Responsibilities	Roles and Responsibilities
Jail Management, Operations and Security	• Appoint administrator/warden • Hire deputies, other employees • Manage security and safety • Support medical care delivery • Set strategy and policy	• Limited approval of pay raises • Select medical contractor
Jail Budget and Funding	• Create and manage budget • Limited authority to levy taxes	• Review, but not approve, budget • Pay most jail operating costs
Jail Facilities	• Can build tax-funded facilities • Perform facility maintenance	• Provide a "good and sufficient" jail • Pay for facility maintenance

For a more detailed discussion, see BGR's *Keys to the Jail* report.

CHART C. SOURCES OF $81.5 MILLION IN 2023 BUDGETED OPERATING REVENUE FOR THE ORLEANS PARISH SHERIFF'S OFFICE ($ in millions)



Note: The City's funding includes $37.1 million in lump-sum payments and $25.6 million for jail health care services, utilities, vehicle fuel and other operating costs that the City pays directly on behalf of the Sheriff. The Sheriff's other revenues include Civil Division revenue. The tax revenue figure does not include $3.2 million levied separately for the Law Enforcement District's outstanding general obligation bond debt service.

BGR analysis of the following budget documents: City of New Orleans, 2023 Adopted Budget; Orleans Parish Sheriff's Office 2023 Budget; and Orleans Parish Sheriff's Office, Proposed 2023 Budget Templates provided to the New Orleans City Council.

ORIGIN AND OVERVIEW OF THE TAX PROPOSITION

In November 2022, the Sheriff asked the City Council for an additional $12.4 million to fund increases in salaries and benefits in 2023 to address staffing shortages that are particularly acute at the jail.[9] The Sheriff also requested $25.3 million in one-time revenue from the City's federal pandemic relief funds for technology upgrades and capital improvements to the jail and other facilities.[10] The council declined both requests and kept the City's funding for the Sheriff's Office at the same level as in 2022, mirroring the mayor's proposed budget.[11] City officials told BGR that they had concerns about the office's financial transparency and accountability.

However, the council and City administrators found merit in one of the Sheriff's proposals, which would raise salaries for all hourly employees by $2.43 an hour – or about $5,000 a year – at a cost of $3.3 million. According to the Sheriff's Office, this is the first broad-based pay raise since approximately 2017 and would bring starting pay for deputies working in the jail to $18 an hour, nearly $1 more than in Jefferson Parish and about $2 less than East Baton Rouge Parish.[12] The council did not provide City revenue for the raises, based on the City administration's view that the Sheriff can use available surplus revenues to fund them initially. City administrators told the council they do not anticipate having to increase funding until the third quarter of 2023 to cover the costs of the raises.[13] The Sheriff's Office has not finalized its year-end 2022 surplus revenue.[14]

The Sheriff implemented the raises in December.[15] And on February 16, the Sheriff – acting as the chief executive officer of the Law Enforcement District – placed the tax proposition on the April 29 ballot to pay for other elements of the Sheriff's budget proposal that the City Council declined to fund.

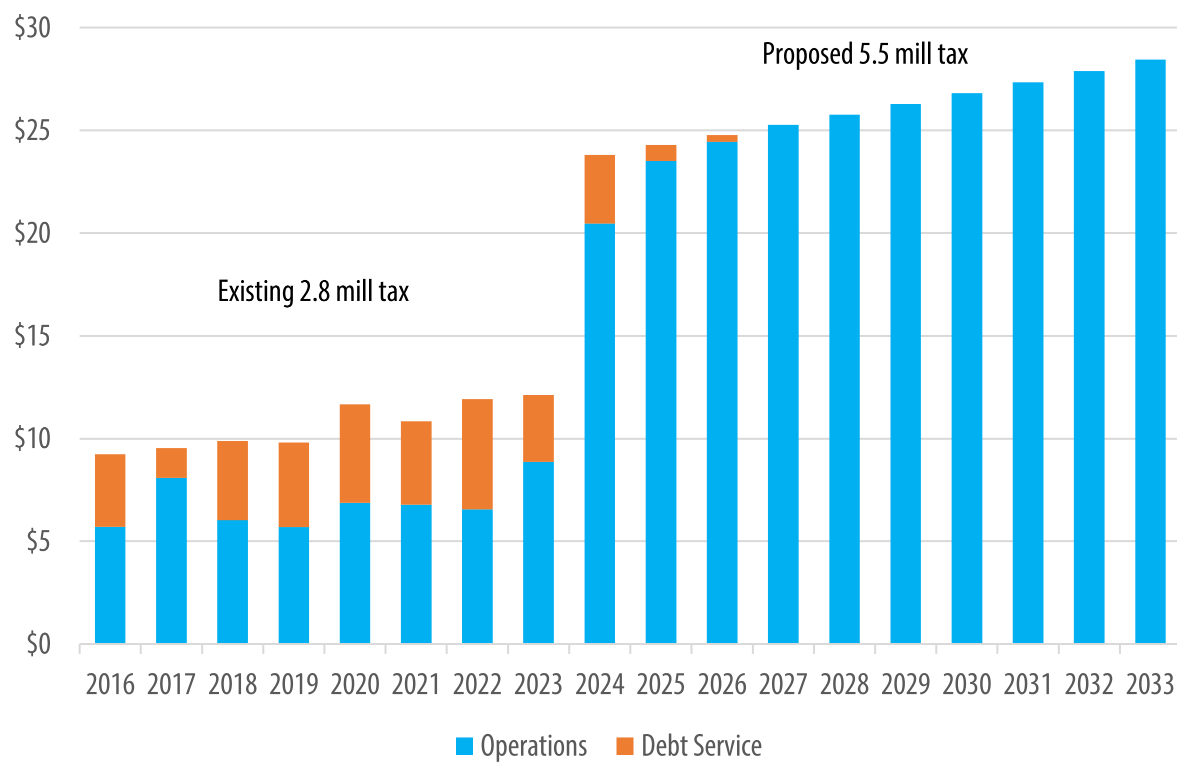
The proposed 5.5-mill tax would replace a voter-approved 2.8-mill tax that took effect in 2016. The 2.8 mills will generate an estimated $12.1 million in 2023.[16] Of this amount, the money available for jail operating costs is reduced by $3.2 million that must cover principal and interest payments on voter-approved bonds for capital projects for several entities in the Orleans Parish justice system besides the Sheriff's Office. That leaves $8.9 million for operating costs. The portion for debt service costs will expire in 2026 when the bonds are retired. The Sheriff cannot issue new general obligation debt without voter approval.

As Chart D shows, the proposed 5.5-mill tax, which would replace the 2.8-mill tax in 2024 and expire in 2033, would generate an estimated $23.8 million in the first year, increasing total Sheriff's Office revenues by $11.7 million, or 14%. Like the existing tax, a portion of the revenue would go toward principal and interest on bonds – about $3.3 million in 2024.[17] The remaining $20.5 million would go to operating costs. After the bonds are retired in 2026, all the tax revenue would go to operating costs.

While the existing tax dedicates this operating revenue to running and maintaining the jail and related facilities, the proposed tax would authorize using the revenue for any Sheriff's Office expense.[18] Administrators said the proposed expansion in permissible uses of tax revenues is designed to increase the office's flexibility to address its many needs, including understaffing, outdated technology and capital upgrades to the jail.

If voters reject the tax proposition, the Sheriff's Office would continue to receive revenue from the existing tax for two more years through 2025. The tax would then expire unless voters approved a proposition to renew or replace it.

CHART D. ORLEANS PARISH SHERIFF'S OFFICE REVENUES FROM THE EXISTING TAX AND THE PROPOSED TAX ($ in millions)



BGR analysis of actual and budgeted millage revenue figures through 2023. BGR estimated future revenues by assuming a 2% annual increase, starting with the proposition's $23.8 million estimated revenue for 2024.

PERSISTENT PROBLEMS AT THE JAIL

The Sheriff's Office proposed the tax increase as a stable funding stream to help bring the jail up to federal constitutional standards, especially as City funding has stagnated in recent years. The New Orleans jail is subject to a 2013 federal consent decree or court-ordered legal settlement that mandates sweeping reforms to address long-standing problems, including frequent acts of violence, high inmate suicide rates, poor sanitation, readily available contraband, and inadequate staffing and supervision.[19] Among other things, the decree requires the Sheriff's Office to increase staffing levels, provide intensive employee training, and improve medical and mental health care for inmates.

To bring an end to the consent decree and federal court oversight, the jail must be in substantial compliance with 174 court-mandated reforms for two consecutive years. A decade after the consent decree took effect, the jail is in substantial compliance with just 56% of the reforms, a figure that has dropped in each of the court's last two compliance monitoring reports.[20] These reports relate to the period of the previous Sheriff's administration. The court has not yet published a monitoring report on jail operations under the current administration, which began in May 2022.

A 2022 BGR report entitled *Keys to the Jail* links the jail's chronic problems, in part, to an unusual governance structure or division of jail responsibilities.[21] While the City must provide most of the funding, it has no control over how the Sheriff runs the jail. Conversely, the Sheriff's ability to improve jail conditions can be limited by the City's control of the purse strings. Over the decades, the City has blamed the jail's deficiencies on mismanagement, while the Sheriff has cited inadequate funding. The resulting power struggles have impeded cooperative problem solving. BGR's report covers a 50-year period of jail operations that does not include the current Sheriff's administration, which began in May 2022.

The current tax proposition is a response to yet another funding disagreement between the City and Sheriff. The Sheriff emphasizes that the City's funding level – which doubled to about $60 million in 2015 under court mandates in the early years of the consent decree – has essentially stagnated at that level ever since. City officials told BGR they support the Sheriff's goal of improving jail conditions and recognize that doing so will require additional funding. However, they said the lack of a clear picture of the office's staffing needs and finances makes it difficult to determine appropriate funding levels. City officials said these problems predate the current Sheriff's tenure and are intensified by outdated and failing technology systems. They also note that the office's most recent audited financial statement is from 2020, putting the office nearly two years behind schedule. The Sheriff briefly discussed the tax proposition with City officials around the time the Sheriff placed it on the ballot, but those discussions did not result in any agreements on how best to fund the jail.

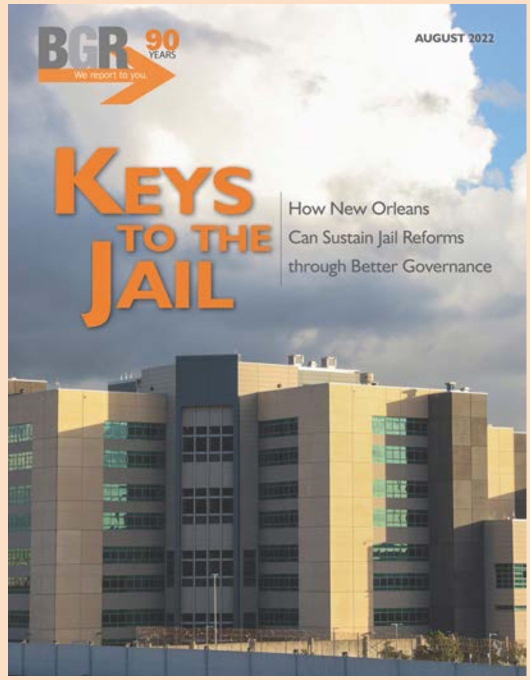
Meanwhile, the City has proposed using $30 million of its pandemic-relief funds from the federal American Rescue Plan Act (ARPA) to pay for a multi-agency modernization of criminal justice information technology systems, including the jail management system used by the Sheriff's Office. The jail management system, installed in 1982, is the oldest technology system in the Orleans Parish criminal justice technology infrastructure.[22] The Sheriff's Office told BGR that it creates significant inefficiencies for jail operations and other justice system agencies which rely on its information. The Sheriff's Office and City are cooperating on replacing the jail management system as part of the ARPA-funded modernization project, which will save local taxpayers that $3.9 million cost. However, the Sheriff's Office stresses that is a fraction of the jail's overall capital and technology needs. The City administration says it recognizes these needs, but they should be addressed in coordination with other criminal justice system actors and following a clear roadmap of the necessary timing and cost of the capital outlays.[23]

As discussed in the sidebar, BGR's prior report on the jail's governance structure urged, among other things, that the City and Sheriff's Office develop a collaborative process to assess the jail's needs and establish an adequate funding level to meet those needs. Their inability to do so places voters in the difficult position of having to try to resolve the matter for them.

Ways to Strengthen New Orleans Jail Governance

BGR's 2022 report, *Keys to the Jail*, shows that the jail governance structure in New Orleans diverges sharply from national norms as well as recommended practices.* Key deficiencies include insufficient collaboration, strategic planning, transparency and accountability. To remedy these flaws and help sustain constitutional jail operations, BGR recommends that the City and Sheriff develop a multi-year agreement to:

- Establish an ongoing strategic planning process in which they collaborate on the budget, facilities, employee compensation and training, and other jail needs.
- Improve fiscal transparency and accountability to ensure adequate City funding for the jail and careful tracking of how the Sheriff uses it.
- Strengthen the appointment process for the top jail administrator by defining the job's responsibilities and qualifications and by enabling City and public input on the candidates.
- Create an independent local entity to oversee jail performance to ensure ongoing monitoring of jail conditions and treatment of people in custody after federal court oversight ends.



Subsequently, the Legislature should establish the reforms in State law to ensure they will endure beyond the term of any agreement and the tenures of individual sheriffs, mayors and City Council members. State lawmakers also should require reforms in any key areas where the City and Sheriff either do not reach agreement or lack the power to make permanent changes, such as establishing local external oversight of the jail.

The Sheriff's Office informed BGR of several initiatives that make some progress toward these recommendations although BGR notes that they generally fall short of the more collaborative City-Sheriff approaches the Keys to the Jail report recommends. The Sheriff's Office said that it has developed its own compensation strategy and is following a strategic plan for jail improvement based on recommendations from the Sheriff's transition advisers in 2022. However, the Sheriff's Office and the City have not developed a formal strategic planning process. In addition, the Sheriff's Office notes that it has continued meeting with a budget working group, originally established by the federal court to facilitate financial solutions between the office and the City. And the office has begun presenting financial updates to the City Council on a quarterly basis, most recently on April 13. And although the Sheriff's Office has not engaged with the City on developing a formal process for appointing a jail administrator or establishing independent, external jail oversight, the Sheriff's Office told BGR has taken steps to further define the roles of top jail administrators and create an internal department for compliance and accountability.

* Bureau of Governmental Research, *Keys to the Jail: How New Orleans Can Sustain Jail Reforms through Better Governance*, August 2022.

VACANT POSITIONS

The Sheriff's Office linked the stalled progress on implementing jail reforms to what it characterizes as severe understaffing. In addition to its 641 employees, the office has 409 vacant positions that it deems essential, according to a Sheriff's Office assessment provided to BGR in March 2023. That translates to a vacancy rate of 39%. The assessment found that the understaffing is most acute among employees who work in the jail. As Table 1 indicates, the office has 302 correctional workers and 278 declared vacancies in jail positions. That is a vacancy rate of 48%.

The Sheriff has previously cited understaffing as a contributing factor in an incident in June 2022 when no security deputies were present on a jail pod where a fight broke out, leaving one incarcerated person dead and two others hospitalized. The Sheriff's Office said the understaffing also adds to overtime costs that have averaged about $4 million in recent years. In March 2023, after the City denied its request for additional funding, the office implemented an emergency deployment plan that uses employees from other divisions to temporarily fill key vacancies at the jail. Overall, the plan is filling the equivalent of fewer than 10 vacant positions at the jail.[24]

BGR asked the Sheriff's Office for details about how it conducted the staffing analysis, including any data on staff attrition rates. But the office did not answer these questions. Meanwhile, the federal court has been seeking a jail staffing plan from the Sheriff's Office since October 2022, but the office has yet to complete it.

TABLE 1. ORLEANS PARISH SHERIFF'S OFFICE STAFFING LEVELS BY DIVISION ($ in millions)

Division	Current staff	Vacancies	% Vacant
Corrections	302	278	48%
Facilities and Vehicles	90	64	42%
Civil Division	80	20	20%
Administration	44	14	24%
Other*	125	33	21%
TOTAL	641	409	39%

*Includes, among others, the Investigative Services Bureau, the training academy and Criminal District Court security.

Source: Orleans Parish Sheriff's Office, March 2023.

SHERIFF'S OFFICE REVIEW OF THE STAFFING PROBLEMS

The Sheriff's Office began working with a consultant in September 2022 to determine the underlying causes of the staffing shortages and identify potential solutions. The consultant received completed surveys from 36% of the office's employees and held discussions with small groups of employees at different pay grades. The consultant also talked with five peer agencies and reviewed Orleans Parish Sheriff's Office documents, including organizational charts, compensation levels and budgets. The consultant's analysis of this information and data linked the staffing shortages to multiple factors, including low salaries and benefits; a lack of clear opportunities for career advancement; and insufficient employee engagement. [25] The president of the consulting firm is a member of BGR's board of directors but recused himself from the board's discussions of this report and its position on the tax in accordance with BGR's Ethics Policy Statement.

Of the office's 641 employees, 115, or 18%, have a base salary of less than $15 per hour, or $31,200 a year, which is a typical benchmark for a livable wage. The average salary is $38,885. A common refrain from employees was that they find their work meaningful, but they are discouraged by the low pay. Deputies indicated a wage of $25 an hour, or $52,000 a year, would make a meaningful difference in their quality of life, according to the consultant.

The consultant also found a high degree of compression in the salary structure with relatively small increases for employees with more responsibilities and experience. For example, a sergeant at the jail with 15 years of experience earns $41,400, which is just $100 more per year than another sergeant in the jail with three years of experience. This salary compression and the absence of a clear process governing promotions can make it difficult for employees to envision establishing a career at the Sheriff's Office. The salary figures in the consultant's report do not include the $2.43 per-hour raises that all hourly employees received in December. Including the raises would increase the annual salaries by about $5,000.

The consultant found that employees' concerns about pay and promotions are often compounded by a lack of engagement and communication from their supervisors, which reduces morale.

The consultant completed its analysis in January 2023 and made recommendations for further study and implementation of solutions. The Sheriff's Office told BGR in late March that it is finalizing plans to implement a new promotion process based on those recommendations. The office's objective is to create a clearer, more objective path to promotions.

ANALYSIS

To analyze tax proposals, BGR applies three criteria related to the efficient and effective use of public resources. This framework derives from BGR's research on government finance and taxation, as well as consultation with government finance experts.

A government entity asking voters to approve a tax should demonstrate that:

- It has carefully planned how it will spend the tax revenue and provide financial stewardship and accountability for taxpayer dollars.
- The tax is an acceptable way to fund the purposes in light of alternative funding options.
- There is evidence indicating the tax would result in effective outcomes for the public.

In essence, the framework emphasizes that government entities must exercise taxing authority judiciously to ensure sufficient funding for the services and infrastructure voters demand. And they must make a compelling case for any new tax they propose.

Has the Sheriff's Office carefully planned how it will spend the tax revenue and provide financial stewardship and accountability for taxpayer dollars?

The Sheriff has set a clear and important goal of bringing the jail into compliance with the federal consent decree. To get there, the Sheriff has provided significant evidence of the need to raise employee pay and benefits; fill vacancies, particularly in corrections; address outdated technology; and make capital improvements to ensure the safety and security of the jail. However, the spending plan is not fully mapped out. The Sheriff provided no details about an allocation for staff training, and more than a third of the additional tax revenue is not allocated to specific uses. The plan also does not address the office's 400-plus declared vacancies in positions it deems essential. There also are questions about the office's financial stewardship and ability to manage significant new tax revenue after the recent terminations of several top administrators, including its chief financial officer. Finally, the office's failure to inform citizens about the tax proposal in a timely fashion reinforces transparency concerns that have included delays in providing information to the public and court about incidents at the jail.

The Spending Plan

As a stand-alone taxing authority for a single governmental function, the Sheriff is not required to consider other community priorities before proposing a tax. This underscores the need for the Sheriff's Office to carefully specify and justify its proposed uses of the tax dollars so citizens can assess those uses in the context of the community's other needs.

The Sheriff's Office provided BGR with an outline of a spending plan that would use the $11.7 million in additional tax revenue for increases in salaries and benefits, employee training and capital improvements. As Table 2 indicates, all employees would receive 1.25% annual raises at an average cost of $1.7 million a year during the life of the 10-year proposed tax. Adding these step increases to the pay scale would keep employees' salaries from stagnating. Over time, they will also help to relieve some of the salary compression in the current pay structure. All employees would also receive a $3,000 longevity bonus every three years to help improve retention at a cost of $700,000 a year. The Sheriff's own salary is set by State law at approximately $205,800.

The plan includes an additional $2 per hour for jail workers who have contact with incarcerated persons, and another $2 per hour for those working the night shift. At an annual cost of $1.9 million, this "hazardous duty" pay is designed to target tax revenue to the office's most acute staffing shortage. It would increase hourly starting pay for jail deputies to $20 for day shifts and $22 for night shifts.

The Sheriff's Office indicated it would use about $1.5 million of the tax revenue to cover the full cost of employee health insurance, saving the average employee about $2,340 a year. The office said this would match benefits that other agencies offer, including the Jefferson and East Baton Rouge sheriff's offices and NOPD.

The spending plan would allocate $1.8 million a year to employee training. However, the Sheriff's Office did not respond to BGR's questions about what this training would entail. This prevents voters from assessing the necessity of a major component of the spending plan. The proposed allocation, if applied equally to all 641 employees, amounts to $2,800 a year in additional training for each employee.

These planned expenditures would leave an estimated $4.1 million a year that the office would use for other expenses. The uses have yet to be determined but could include capital projects, cost-of-living salary increases and additional raises as the Sheriff's Office revises its pay structure. The office said it would direct some of the tax revenue to projects from a $25.3 million list of technology and other capital needs at the jail, which it presented to the City in the unsuccessful funding request last fall. The office has prioritized three failing technology systems and physical security improvements to the jail that need an immediate infusion of about $10 million.[26] The office asserts that it is unable to gain significant operational efficiencies with the outdated, problematic systems currently in place.

Noting that the proposed 1.25% step raises would lose value due to inflation, the officials said they would like to provide a cost-of-living-adjustment or COLA to all employees every five years. Finally, if the office implements a new pay structure, additional raises would be needed in many positions to relieve salary compression and place employees in the appropriate step for their level of experience. For example, based on a consultant's preliminary proposal, this could result in a $5,000 raise for the previously discussed 15-year-veteran sergeant who is paid the same as a sergeant with three years of experience. At the time this report was completed, the office had not finalized a pay plan or any pay adjustments for individual employees.

The spending plan focuses on increasing salary and benefits to retain current employees, but it does not include funding to fill any of the more than 400 vacant positions that the Sheriff's Office deems essential. The plan also does not account for looming expenses to staff a court-ordered "Phase III" mental health facility to be built next to the main jail. The City has requested bids to construct the facility.[27] City officials said they do not have current estimates of the additional staffing costs, but they expect those costs to be a significant factor in funding the jail going forward.

These are significant omissions that reduce the spending plan to a piecemeal approach to addressing some of the jail's needs. The plan fails to cover major expenses for declared needs. For example, filling 400 positions at the office's average salary of $38,885 would cost $15.6 million, not including benefits. Such large unaddressed costs are particularly problematic given the longstanding disagreements between the City and the Sheriff's Office over jail funding levels.

Ideally, a government entity should have a complete and detailed spending plan in place well in advance of a vote on a proposed tax. This is important so that citizens can assess both the necessity and size of the tax. The Sheriff's Office has not determined how it would use more than a third of the additional $11.7 million in tax revenue. It has proposed areas of spending that generally respond to identified needs for enhancing the existing jail building, improving technology and addressing pay, but without clearly defining their relative priority. Moreover, the future pay plan remains a work in progress. While the Sheriff's Office has illustrated how salaries for many of its employees are not competitive and have resulted in understaffing, it has not connected the rough salary structure outline to the current roster of employees to provide voters with a complete picture of how employee compensation would change.

TABLE 2. ORLEANS PARISH SHERIFF'S OFFICE SPENDING PLAN FOR ADDITIONAL TAX REVENUE ($ in millions)

Purpose	Amount
1.25% annual raises for all employees	$1.7
$3,000 longevity bonus every three years	$0.7
$2 per-hour hazardous duty pay for jail workers	$1.9
100% employer-paid health insurance	$1.5
Employee training	$1.8
Other uses not yet determined, including possible capital improvements, cost-of-living raises or pay plan revisions	$4.1
TOTAL	$11.7

Source: Orleans Parish Sheriff's Office

Financial Stewardship, Transparency and Accountability

The current Sheriff's administration inherited some financial accountability problems from the previous administration. For example, it had to complete and file the 2020 audit in January 2023 and is now working on the 2021 audit.

Still, the current administration has faced some transparency and accountability issues of its own since taking office less than a year ago.

When BGR gathered information for this report about a month before the election, there had been no news coverage and little public discussion of the tax proposition from when the Sheriff placed it on the ballot February 16 until at least early April. BGR learned of the proposition from a mandatory public notice in the classified section of a local newspaper. The Sheriff's Office could point to no other efforts to inform the public about the tax proposition. And while the office has issued news releases and held press conferences on several other topics in recent weeks, it did not mention the proposed tax. There was also no mention of it on the office's website. Sheriff's Office administrators told BGR in late March that they had not been able to change the office's website for a few weeks due to technical issues. However, they acknowledged they could have used other means to inform the public about the proposed tax increase. This lack of transparency is troubling as it is important to provide citizens with adequate time and information to assess any request for additional tax revenue.

Voters will decide the tax proposition after the departures in late March of four high-ranking Sheriff's Office administrators, including the chief financial officer. The Sheriff's Office told BGR the administrative overhaul would not hamper the office's ability to manage the future tax revenue. The office said that a longtime administrator in the finance department is heading the department on an interim basis as the office seeks a permanent replacement. The office said it has also restructured duties among its executive staff to help ensure administrative effectiveness during the transition. The Sheriff characterized the departures as a planned restructuring nearly one year after taking office in May 2022. But one of the departing officials attributed the overhaul to internal disagreements about the office's recent spending on hotel rooms.[28] According to news reports, the office paid about $19,000 to house more than a dozen Sheriff's Office commanders at hotels for up to 11 days as they helped with Carnival parade security.[29] The New Orleans Office of Inspector General, which is authorized to investigate the uses of City revenues, has subpoenaed the Sheriff's Office for documents related to the room rentals, which the Sheriff's Office told BGR it has provided.[30]

In addition, a judge overseeing the consent decree has faulted the office for not providing information on incidents at the jail in a timely fashion.[31] The judge also rejected the Sheriff's request that parties to the consent decree sign nondisclosure agreements before receiving access to certain records concerning the jail.[32]

Another transparency issue that predates the current Sheriff's tenure is the difficulty for the public to assess the office's finances. This includes the two-year lag in audited financial statements. Also, because the City and Sheriff usually do not come to an agreement on a final budget, there is not a comprehensive picture of Sheriff's Office finances.[33] Creating one requires cobbling together information from three different sources, an exercise that is unreasonable for members of the public.

At a more fundamental level, the Sheriff's taxing district presents transparency and accountability concerns. Like sheriffs in all other parishes, the Orleans Parish Sheriff is the sole governing authority of the Law Enforcement District and has total control over the tax revenue. However, this broad taxing authority does not align well with the Orleans Sheriff's limited responsibilities, which do not include serving as the parish's chief law enforcement agency as all other sheriffs do. The City – which must fund both the jail and law enforcement (New Orleans Police Department) in Orleans Parish – has no control over the Law Enforcement District. This creates a misalignment of powers and responsibilities that is not present in other parishes, where the sheriff, as the chief law enforcement officer, oversees the law enforcement district.

While State law requires the Orleans Parish Sheriff to prepare public budgets and audits, the Sheriff has limited accountability to the City Council. Currently, the Sheriff's Office does appear quarterly before the council to provide an update on the office, and the office presents a detailed annual budget request for City funding to the council. This provides some information to the council, but common checks and balances on public funding are not built into the district's budget processes.

In addition, there is insufficient accountability between the City and the Sheriff that arises from the underlying governance structure, as BGR detailed in *Keys to the Jail*.[34] Even if voters approve the tax, the City remains responsible for providing most of the funding for the Sheriff's Office. During the past 50 years, the City has tended to exercise control through its funding process. The federal court has repeatedly found the City's jail funding to be inadequate over the decades and ordered the City to increase its allocations. At the same time, the Sheriff's independence from the City limits the reach of the City's existing accountability mechanisms. Accountability questions about the Sheriff's spending can contribute to underfunding if the City has unresolved concerns about where its money goes or the effectiveness of the Sheriff's jail management.

> *The City and the Sheriff should negotiate an agreement clarifying their roles and expectations in the budget process and their mutual accountability for the jail's long-term fiscal sustainability.*

The proposed tax's 10-year duration aligns with statewide norms for property taxes. It also balances the office's need for recurring revenue to cover the increased personnel costs and the public's ability to hold the office accountable for its use of tax revenues through the tax renewal process.[35] Voters also could hold the Sheriff accountable for the office's use of tax dollars and the jail's performance in future elections for Sheriff.

But voters face unique challenges in trying to gauge the performance of a jail, which is largely closed to public observation. Citizens generally lack direct knowledge of jail operations and conditions. This limits their ability to evaluate the Sheriff's performance. The Sheriff's role is also less visible than sheriffs in other parishes, where they also function as the chief law enforcement officer.

Instead, BGR has found that improving public fiscal accountability for the jail must begin with the City and the Sheriff. The Law Enforcement District is not structured to facilitate that. As BGR recommended in *Keys to the Jail*, the City and the Sheriff should negotiate an agreement clarifying their roles and expectations in the budget process and their mutual accountability for the jail's long-term fiscal sustainability.

Is the tax an acceptable way to fund the Sheriff's plan for improving the jail's performance in light of alternative funding options?

The Sheriff's Office told BGR that, unless the City decides to provide a larger budget allocation, it has no other viable options to pay for its plan to improve jail conditions. While the office can temporarily cover an initial round of raises for hourly employees with available surplus revenue, it would need a larger recurring source of revenue to implement the full plan on a long-term basis. Similarly, administrators said the office – which recently received a $3.9 million federal appropriation for efforts to reduce recidivism and update technology[36] – cannot rely on one-time grants to address core issues, such as employee compensation, ongoing technology system maintenance and upgrades, and jail facility repairs and enhancements. The Sheriff's Office has not finalized and audited its year-end 2022 reserves, or fund balances, but it has told the City Council that it is far from achieving a minimum desired target of 10% of operating revenue.[37]

Still, the proposed tax has shortcomings as a funding mechanism for the Sheriff's plan. These include the previously discussed accountability issues associated with the Law Enforcement District. More fundamentally, there is no guarantee that if voters approve the tax, the City will not reduce its funding for the Sheriff's Office to offset some or even all of the additional revenue from the tax. Tax propositions sometimes have a "non-supplant" clause that prohibits the taxing entity from reducing its current funding levels to offset or supplant some or all the new revenue from the tax. In this case, the Law Enforcement District cannot control the City's actions as an independent government entity. Thus, the City could still reduce its funding level.

The Sheriff's Office said it has discussed this issue briefly with City officials but has not reached any agreement on how the tax would impact City funding. City officials told BGR that they would have a fiduciary duty to take the tax into account as they do for all other revenue sources when determining how much to appropriate for the jail. The officials noted that the longstanding transparency and accountability concerns that left the City Council reluctant to fund the Sheriff's plan have not been resolved. Thus, even if voters approved the tax, it would not necessarily end the funding disagreement between the City and Sheriff's Office. In fact, the tax could result in less incentive to collaborate and share information on City funding levels after the Sheriff's Office received a substantial new source of revenue under its control.

In general, an appropriation from a city or county's General Fund is preferable to a dedicated tax as a source of funding for a jail. This is because an appropriation provides a clearer path to oversight and accountability by the funding entity. In addition, BGR's *Keys to the Jail* report showed that a General Fund appropriation is, by far, the most common funding approach for other jails in large counties.[38]

Whether voters approve or reject the tax, the City and Sheriff's Office should improve their collaboration on assessing the jail's needs and setting appropriate funding levels as BGR has previously recommended.

Is there evidence indicating the tax would result in effective outcomes for the public?

Ensuring the jail's financial sustainability is essential to improving its performance and achieving the Sheriff's goal of exiting the federal consent decree. And the office is taking meaningful steps to set new strategic goals and address non-financial drivers of jail performance. But incomplete spending and employee pay plans, accountability weaknesses and the risk of City budget decreases limit clear evidence of jail performance gains resulting from the tax.

The current Sheriff has committed to improving jail conditions and presenting opportunities to help incarcerated persons address problems and improve their lives. It is a daunting task given the size of the jail at slightly more than 1,000 people in custody.[39] Last year, the Sheriff's transition task force completed an extensive set of strategic recommendations for achieving those goals.[40] The Sheriff's Office has struggled through several high-profile jail management problems during the past year, but administrators have begun making some progress toward implementing the recommendations. For example, the Sheriff's Office has established a grievance process for persons in custody, as well as increased case management and programs to assist them with education, skill development and counseling. In addition, the office has established an internal compliance and accountability bureau to conduct audits, manage consent decree compliance and support employee training. Use-of-force incidents in 2022 remained significantly below those reported in prior years.[41]

The Sheriff's Office is also addressing non-financial factors affecting employee satisfaction. It is nearing implementation of the office's promotional process and is developing methods to increase employee engagement. Because these initiatives are new, there is not yet data to evaluate their impact.

Overall, however, it is difficult for citizens to clearly assess the impacts the additional tax revenue may have on future jail performance. While it would likely support employee pay increases and certain core technology and infrastructure needs, the lack of a completed spending plan makes it difficult to tell how. The plan for the 10-year tax also does not address current staffing vacancies or the substantial upcoming costs to staff the mental health and medical services facility. In addition, the lack of a fully developed pay plan inhibits an assessment of how employees might gain from the tax and be positioned relative to others in local law enforcement and jail operations. Voters should have a clearer picture of how the proposed tax revenue will specifically address funding needs.

Finally, any potential City action to reduce the jail budget risks limiting or undermining the potential resolution of those problems. Likewise, there is not a commitment to increase funding if certain resolutions, such as the new pay structure, require revenue beyond what the tax would generate.

If voters reject the tax, the Sheriff's Office would continue to receive the existing tax revenue through 2025. This would provide time for the Sheriff and City to work toward an agreement on the jail's needs, including appropriate staffing and funding levels. In the meantime, the Sheriff's Office and the City could seek to fund certain initiatives and capital projects that have pressing importance.

BGR POSITION

AGAINST. Resolving jail employee pay disparities, improving employee recruitment and retention, and bolstering jail technology and security are essential to the jail's performance and the Sheriff's goal of improving compliance with federal court mandates. While the Sheriff deserves credit for developing clear priorities, this tax proposal is not the best way to achieve them. First, the proposal is premature. The office has not fully mapped out a spending plan, and a critical guiding document – the future employee pay plan – remains under development. Second, the spending plan fails to account for major declared needs to fill vacant positions the office has deemed essential. Third, the proposal lacks meaningful public accountability, both from the Sheriff and its partner in the jail's future, the City of New Orleans. The Sheriff has limited financial accountability to the City Council, and it is difficult for voters to observe jail conditions and operations. The risk of the City cutting its appropriations to the jail if the tax passes is significant, and it could hinder progress on addressing core needs. Finally, the tax is out of step with best practices and other large counties that use county-provided general revenues to fund their jails and deliver accountability through budgetary checks and balances. For New Orleans, this means the City should remain committed through its General Fund to meet pressing jail needs.

If voters reject this proposition, the Sheriff will have two years left under the current tax to further define jail funding needs and seek a budget solution with the City. The responsibility for negotiating that solution falls on both the Sheriff and the City. BGR urges them to pursue its recommendations in *Keys to the Jail* that include developing a mutual agreement that commits them to a joint strategic planning and budget process for the jail, with accountability on both sides.

APPENDIX

2023 BUDGETED REVENUES FOR THE ORLEANS PARISH SHERIFF'S OFFICE

Figures in $ millions	2023 Budgeted Operating Revenue
City of New Orleans:	
General Fund Budget Appropriation to Sheriff	$37.1
On-Behalf Payment: Jail Medical Care	18.6
Other On-Behalf Payments (including fuel and utilities)	7.0
Subtotal: City Funding	62.7
Sheriff's Office:	
Law Enforcement District Property Tax (Operations)*	8.9
Civil Division	4.1
Inmate Telephone	0.6
Commissary	0.6
Federal and State Grants	0.5
3% Bail Bond Fee	0.2
Fees for Services	0.2
Other Revenues	0.3
Subtotal: Sheriff's Office	15.4
State of Louisiana Payments:	
Department of Corrections Charges	1.9
State Supplemental Pay	1.6
Subtotal: State of Louisiana Payments	3.4
Total Funding for Operations	$81.5

* Tax revenue figure does not include $3.2 million levied separately for the Law Enforcement District's outstanding general obligation bond debt service.

BGR analysis of the following budget documents: City of New Orleans, 2023 Adopted Budget; Orleans Parish Sheriff's Office 2023 Budget; and Orleans Parish Sheriff's Office, Proposed Budget Templates, provided to the New Orleans City Council.

ENDNOTES

1 For a history of the jail's problematic conditions, federal intervention and the current consent decree, see Bureau of Governmental Research, *Keys to the Jail: How New Orleans Can Sustain Jail Reforms through Better Governance*, August 2022, p. 17.

2 La. R.S. 13:5539 and 15:704, as interpreted by court decisions such as *Amiss v. Dumas*, 411 So.2d 1137 (La.App. 1 Cir. 1982), writ denied, 415 So.2d 940 (La. 1982).

3 While not the chief law enforcement officer in New Orleans, the Sheriff retains the statutory duty applicable to all sheriffs to preserve the peace and the power to make arrests within the parish. See *Jackson v. State*, 980 F.2d 1009, 1013 (5th Cir. January 12, 1993), citing La. R.S. 13:5539(C): "Each sheriff shall be keeper of the public jail of his parish and shall preserve the peace and apprehend public offenders."

4 La. Const. Art. 5, Sec. 32 establishes the office of Orleans Parish Sheriff. La. Const. Art. 6, Sec. 5(G) provides: "No home rule charter or plan of government shall contain any provision affecting a school board or the offices of district attorney, sheriff, assessor, clerk of a district court, or coroner, which is inconsistent with this constitution or law."

5 BGR, *Keys to the Jail*, p. 6.

6 La. R.S. 13:5901 et seq., with Orleans Parish Law Enforcement District taxing authority provided at R.S. 13:5903(D).

7 BGR, *Keys to the Jail*, p. 12.

8 The tax will yield $3.2 million for debt service. Orleans Parish Law Enforcement District, Summary of General Obligation Bonds and Projected Millage Requirements.

9 Orleans Parish Sheriff's Office, 2023 Budget Presentation to New Orleans City Council, November 11, 2022, pp. 15-16.

10 Orleans Parish Sheriff's Office, Proposed 2023 Budget Templates provided to the New Orleans City Council.

11 City of New Orleans, Adopted 2023 Budget, p. 97.

12 Lane, Emily, "Orleans deputies get a raise, now above poverty line for families with mortgage or renting," *The Times-Picayune | NOLA.com*, January 10, 2018, updated July 12, 2019.

13 See discussion at the New Orleans City Council's budget hearing for the Sheriff's Office on November 11, 2022. City officials confirmed their view in an interview with BGR.

14 The office recently provided BGR with an estimate of $2.53 million but cautioned that additional cost accruals for 2022 may lower it further.

15 Memorandum from Sheriff Susan Hutson to All OPSO Employees, December 1, 2022.

16 What the report refers to as a 2.8-mill tax for simplicity is technically two taxes totaling 2.8 mills. One tax is capped at a rate of 2.8 mills to pay for "operations, maintenance and upkeep of jails and related facilities." This tax rate is reduced by the rate of another millage needed to service general obligation bonds of the Orleans Parish Law Enforcement District. The bond millage rate is set each year at level necessary to cover interest and principal payments. As the bonds are retired, that millage decreases and the rate of the operations tax increases. Thus, the total millage for the Sheriff's Office remains at 2.8 mills. For example, in 2023, the district levies 0.75 mills for debt service and 2.05 mills for operations.

17 As with the existing tax, the proposed 5.5-mill tax would technically be two taxes totaling 5.5 mills. The tax rate would be reduced by the millage needed to service general obligation bonds of the Law Enforcement District. The bond millage rate is set each year at level necessary to cover interest and principal payments. As the bonds are retired, that millage decreases and the rate of the operations tax increases. The total millage for the Sheriff's Office would remain at 5.5 mills.

18 The ballot proposition for the existing tax dedicates the tax revenue "for the purpose of providing additional funding for the operation, maintenance and upkeep of jails and related facilities." The current ballot proposition would dedicate the revenue "for the purpose of providing additional funding for (the) Orleans Parish Sheriff's Office, including, but not limited to, payment of salaries, equipment and training."

19 Order Approving Consent Judgment and Certifying Settlement Class, *Jones v. Gusman*, No. 12-859 (E.D. La. June 6, 2013).

20 The most recent report of the court's compliance monitors was published last summer. See Report No. 15 of the Independent Monitors in *Jones v. Gusman*, No. 12-859 (E.D. La. July 18, 2022), p. 6.

21 BGR, *Keys to the Jail*.

22 Letter from Tenisha Stevens, Criminal Justice Commissioner, and Gilbert Montaño, Chief Administrative

Officer, City of New Orleans, to Sheriff Susan Hutson, February 17, 2023.

23 See discussion at the New Orleans City Council's budget hearing for the Sheriff's Office on November 11, 2022.

24 Information provided by the Orleans Parish Sheriff's Office.

25 Evan James Consulting, *Compensation, Promotion, and Employee Engagement Planning*, reports prepared for the Orleans Parish Sheriff's Office, 2022.

26 According to the Sheriff's Office, these projects consist of a new jail management system ($3.9 million), server upgrades ($2 million), safety and security enhancements to the jail facility ($3.2 million), and the replacement of broken kiosks with tablets that facilitate visitation, educational opportunities and other services for persons in custody ($0.5 million).

27 City of New Orleans, Invitation to Bid No. 2876: Orleans Justice Center Medical Services Building (Re-Bid), issued March 6, 2023.

28 Daley, Ken, "Ousted CFO says he was fired by Sheriff Hutson after questioning OPSO's Carnival hotel spending," *FOX 8*, March 28, 2023.

29 Amid news reports questioning this use of public funds, a private donor covered the hotel costs.

30 Perlstein, Mike, "Inspector General subpoenas Orleans Parish Sheriff records on payroll, Carnival security," *WWL-TV*, March 30, 2023, and information provided by the Sheriff's Office.

31 Kramer, Jillian, "Judge rebukes Sheriff Susan Hutson for lack of transparency in jail violence; 'not one phone call'," *The Times-Picayune | NOLA.com*, August 18, 2022.

32 Kramer, Jillian, "Judge puts kibosh on Orleans Parish Sheriff's Office attempt to hide records," *The Times-Picayune | NOLA.com*, December 7, 2022.

33 The council approves only the amount of City funding. BGR, *Keys to the Jail*, p. 14.

34 Ibid., p. 27.

35 In 2020, BGR found that 81% of the roughly 2,000 voter-approved property taxes in Louisiana had durations of 10 years or less: 78% were for 10 years, 3% were less than 10 years and 19% were for more than 10 years.

36 Office of Congressman Troy A. Carter, Sr., "Congressman Carter Highlights Funding for Justice Reform Initiatives," press release, March 14, 2023.

37 Orleans Parish Sheriff's Office, 2023 Budget Presentation to New Orleans City Council, November 11, 2022. Best practice guidelines indicate that governments should maintain at least 17% of general operating expenditures, about two months of operations, in reserve, although some governments may need higher levels if they face special risks or capital needs. Government Finance Officers Association, "Fund Balance Guidelines for the General Fund," September 30, 2015.

38 BGR, *Keys to the Jail*, p. 22.

39 Orleans Parish Sheriff's Office presentation to the New Orleans City Council Criminal Justice Committee, February 7, 2023.

40 Transition Committee for Sheriff Susan Hutson, *Transition Report*, prepared for the Orleans Parish Sheriff's Office, June 2, 2022.

41 In its February 7 presentation to the council's Criminal Justice Committee, the Sheriff's Office reported 242 incidents in 2022, compared to 321 in 2021 and 420 in 2020.

2023

BGR REVIEW COMMITTEE

Steven W. Usdin, Chair
Christine Albert
Melanie Bronfin
Louis M. Freeman, Jr.
Gary L. Lorio
David Rieveschl
Lamar Villere
Anne P. Baños
Vanessa Claiborne
Norma Grace
Graham Ralston
Vera Triplett
Jonathan A. Wilson

BGR PROJECT STAFF

Rebecca Mowbray, President & CEO
Stephen Stuart, Vice President & Research Director
Paul Rioux, Research Analyst

This report is available on BGR's website, www.bgr.org.

BGR ETHICS POLICY

We safeguard the independence of our work at the staff and board levels. This includes a board-adopted BGR Ethics Policy Statement that requires recusal from discussions of reports and recommendations where an actual or perceived conflict of interest exists. BGR followed its policy for this report and obtained all appropriate recusals from staff and board members.

BECOME A MEMBER

To preserve its independence, BGR relies on financial support from a diverse membership of individuals, corporations and foundations. To find out how you can support our work, go to www.bgr.org/membership or call us at 504-525-4152 x108.

The Bureau of Governmental Research is a private, nonprofit, independent research organization dedicated to informed public policy making and the effective use of public resources for the improvement of government in the New Orleans metropolitan area.

BUREAU OF GOVERNMENTAL RESEARCH
1055 St. Charles Ave., Suite 200
New Orleans, LA 70130
Phone 504-525-4152
www.bgr.org
@bgrnola

Photography by Sophia Germer