



Everything New Orleans

The Times-Picayune

Police sued over public records

TP says reports are delayed, unreleased

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By Gordon Russell

Staff writer

The Times-Picayune filed a lawsuit Friday against the New Orleans Police Department, alleging that the department has failed to provide a long list of public records requested by the newspaper and routinely delays the release of initial incident reports intended to promptly inform the public about crime in the city.

The suit, filed in Civil District Court, outlines six written requests for records made between Dec. 18 and March 4 by two reporters and an editor at the paper in accordance with the Louisiana Public Records Act. The case has been allotted to Civil District Judge Kern Reese, and a hearing is set for May 23.

Among the items sought by the newspaper:

- Records showing the number of crimes committed in each police district.
- Reports produced weekly by each district showing where various major crimes were committed.
- A homicide log.
- Statistics on arrests.

To date, none of the requests has been fulfilled, the suit contends, though the law requires that records be made available for inspection within three business days.

"NOPD has failed to comply with the mandates of the Louisiana Public Records Act by failing to timely produce the requested records and has refused to comply with its statutory obligations under the Public Records Act in numerous other respects," the lawsuit says.

In hopes of avoiding a lawsuit, The Times-Picayune's attorney, Lori Mince, alerted the city attorney's office on Monday of the newspaper's intention to file suit.

The newspaper is asking a judge to force the Police Department to provide the records already requested. In addition, its suit asks the judge to require the Police Department to provide in electronic form certain records that it stores on computers but which the department has thus far been willing to provide only on paper.

Those items include the "RTF report," which lists all calls for service received by the department

and the reason for the call, and the "major offense report," which contains basic information about every major crime reported within the past 24 hours.

The Police Department previously agreed to provide both of those reports electronically on a daily basis, but it has "since failed to do so," the suit says.

The suit also challenges a departmental policy holding that initial police reports become public records only after they are "finalized," a process that can take weeks.

While state law allows police to shield from public view some documents that are compiled during an investigation, it requires law enforcement agencies to release promptly an initial incident report that includes basic information such as the time and location of the alleged offense, the name of anyone arrested and a narrative description of the alleged offense.

The NOPD has argued it cannot provide such basic information until the report works its way to the Police Department's record room. As an example, the lawsuit says the newspaper requested a police report about an incident in which a man claimed he had been searched improperly during a traffic stop.

"Sixteen days after the incident, the report still had not reached the record room," the suit says.

The suit argues that the NOPD cannot delay releasing initial police reports by claiming they are not "finalized."

Ceeon Quiett, a spokeswoman for Mayor Ray Nagin, said she could not comment on a pending lawsuit.

Sgt. Joe Narcisse, a police spokesman involved in the production of public records, did not respond to a message seeking comment.

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