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### Charter vote set on N.O. inspector general

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Posted by vmfacian

New Orleans voters will decide Saturday whether to enshrine the city's year-old inspector general's office in the City Charter and guarantee it a significant budget each year.

At present, the City Council can abolish the office at any time by a two-thirds vote, and the council and mayoral administration can give it as much or as little money as they want.

The office, as defined in the proposed charter amendment, is to conduct a "full-time program of investigation, audit, inspections and performance review to provide increased accountability and oversight" of city agencies and of outside entities receiving money from the city, and to "assist in improving agency operations and deterring and identifying fraud, waste, abuse and illegal acts."

The office would be "specifically authorized to conduct audits of city entities," which city employees now are forbidden to do, and to employ its own attorneys independent of the city attorney's office.

The office also is directed to provide an "independent police monitor" to keep tabs on the New Orleans Police Department, particularly how the department handles complaints against officers.

Voters in 1995 amended the charter to authorize the council to create an inspector general's office, but the council made no move in that direction until 2006, when several newly elected members led by Shelley Midura made it a priority.

The council voted 7-0 in November 2006 to create the office, and Robert Cerasoli began work as the city's first inspector general in September 2007.

Although there was considerable debate about the value of creating such an office in 2006, with some community activists denouncing it as a plot to discredit black officials, the inspector general's office has quickly become an accepted part of city government.

Despite well-publicized delays in finding office space, hiring staff and getting a specially designed computer system installed, Cerasoli has received votes of confidence from all seven council members, and there appears to be no organized opposition to the proposed charter amendment.

The amendment, introduced by council President Jackie Clarkson and endorsed 6-0 by the council in June, would make the inspector general's office permanent. A future council or mayor could not abolish it or erode its authority without a vote of the people on another charter amendment.

In addition, the amendment would guarantee the office, together with the city's Ethics Review Board, an annual budget of at least three-quarters of 1 percent of the city's general fund operating budget. A mayor could not veto or reduce the appropriation.

The 2008 general fund budget amounts to about \$467 million. Under the formula in the proposed charter change, the inspector general would have received at least \$3.5 million, or approximately the same amount the council actually approved for this year.

"This (amendment) gives your office the permanency and the autonomy in order for you to do your job," Clarkson told Cerasoli when the council voted in June to put the measure on the October ballot.

The amendment would allow the council to lower the guaranteed percentage earmarked for the agency only "in cases of natural disaster or other extreme circumstances." Such a change would require a unanimous vote of the members present.

The amendment would require the inspector general to establish an independent monitor position to keep track of the Police Department's operations, "particularly in the areas of civilian and internally generated complaints, internal investigations, discipline, significant uses of force and in-custody deaths."

The idea of creating such a monitor -- designed to bolster citizens' confidence that charges of police misconduct will be addressed and, when appropriate, will result in action -- was debated for several years, but little was done until the council included \$200,000 for the monitor in Cerasoli's 2008 budget.

The council agreed in July on rules for how the monitor should operate, giving it authority to force new inquiries if it decides a department investigation has not been thorough or fair.

An analysis of the amendment by the Bureau of Governmental Research, an independent watchdog group, raises some questions about the charter proposal, including the fact it does not specify who will appoint the inspector general. The 2006 law gives that duty to the Ethics Review Board, but a future council could change it.

The BGR also questions guaranteeing a sizable chunk of the city budget -- more than similar offices in some other cities receive -- to a new agency that has not proved its value.

Nevertheless, the bureau has endorsed the amendment, saying that "an independent review of New Orleans' government, including police complaint procedures, is vital to fighting corruption and reducing waste."