

FORMAL DISCIPLINARY INVESTIGATION TRANSMITTAL

ORIGINAL TRANSMITTAL--INVESTIGATIVE CASE EXHIBIT A

PIB Control # 2017-0630-R IPM # _____ OIG # _____ Originated from Wet
 PIB Commander Review (Initials) [Signature] Date: 11/9/17 RFC: _____ 120 3/7/18

Case Type

Adherence to Law	Criminal (Orleans Parish)	Unauthorized Force	False/Inaccurate	1st Amendment	Work Retaliation
X Administrative	Criminal (other jurisdiction)	Domestic Violence	BWC	Workplace Discrimination	
Bias/Racial/Profiling/Discrimination Policing		Policy 402			

PIB Only

Date of Cognizance of Allegation	<u>10/31/2017</u>
Date Control # Issued	<u>11/2/2017</u>
Date Complaint Form Received in PIB	<u>11/3/2017</u>
Date Investigation Determined (w/in 3 days receipt)	<u>11/2/2017</u>
Date of Classification (due w/in 14 days of cognizance) <small>(date of classification is "DATE FORM COMPLETED")</small>	<u>11/7/2017</u>

Due Dates

Date Invest due in PIB (40 days from classification)	<u>12/17/17</u>
Date Invest due to PIB if extension is approved	<u>2/15/18</u>
Date Invest Final (60 days from classification)	<u>1/6/18</u>
Date Invest returned to PIB	_____
90 Days	<u>2/5/2018</u>
120 Days	<u>3/7/2018</u>

Transmittal Form	
Form completed by whom	<u>J. Jordan</u>
Date form rec'd/completed	<u>11/9/2017</u>

Assigned to: PIB Admin

Number of CD: <u>2</u>
Number of Photos: _____
Other (specify) <u>4 Attachments</u>

(Ext due date 100 days from classification date; date entered by PIB)

Rec'd by Bureau Rep. sign & date _____

150 days 4/6/2018

Remarks _____

MUST BE COMPLETED BY INVESTIGATOR AND INVESTIGATOR'S COMMANDER

Date Investigator rec'd from Bureau Rep	_____
Assigned Investigator (sign and print name)	_____
Date Extension request sent to Civil Service	_____
Date receipted copy of ext. request emailed to PIB	_____
Date intro letter sent to <u>complainant</u>	_____
Date Completed Invest due to Invest's Supervisor	_____
Date Comp. Invest given to Invest's Commander	_____
	Date
Verbal notice of disposition to <u>accused</u>	_____
Written notice of disposition to <u>accused</u>	_____
Written notice of disposition <u>signed</u> by <u>accused</u>	_____

Granted? Y/N/MOOT (Circle one)

Date(s) status letter(s) sent 12/22/2017

Date Rec'd by Supervisor _____

Approved by Commander: _____

By Whom

Remarks _____

MUST BE COMPLETED BY INVESTIGATOR'S BUREAU

Rec'd by Bureau Rep (signature, printed name, and date of receipt)	_____
Date Completed Investigation due to Bureau Chief	_____
Date Completed Investigation rec'd to Bureau Chief	_____
Completed Invest approved by Bureau Chief (sign and date)	_____

Remarks _____

P.I.B. Misconduct Complaint Determination

P.I.B. Representative: Inv. Arlen S. Barnes

CTN#:2017-0630-R

Receipt of Misconduct Complaint Date: 10/30/2017

Determination Date: 11/02/2017

(Within 3 days of receipt of misconduct)

Investigation will be assigned to: (circle one)

ICO - Supervisor P.I.B. Criminal F.I.T. Outside Agency
Bureau

INTAKE SUPERVISOR: Barnes Date: 11/8/17

CIRCLE ONE: FDI MVI NFIM NGS MEDIATION CANCELLED
Bureau

ICO - Supervisor P.I.B. Criminal F.I.T. Outside Agency
Bureau

PIB Chief: Approve/Disapprove

Date: _____

<u>MEDIATION</u>	<u>NEGOTIATED SETTLEMENT</u>
<ul style="list-style-type: none"> • Internal Complaint Y/N • Public Complaint Y/N • Two within 12 month period Y/N • Violations Qualify Y/N <ul style="list-style-type: none"> - Professionalism - Courtesy - Neglect of Duty 	<ul style="list-style-type: none"> • Internal Initiated Y/N • Public Complaint Y/N • Minor Violation Y/N • Discipline ranges from Letter to 10 days Y/N

*** Attach short forms and highlight previous mediation/negotiated settlements***

INTAKE CASE TRACKING FORM

TO: Lieutenant Precious M. Banks

FROM: Investigator Arlen S. Barnes

CTN: 2017-0630-R

CIRCLE ONE: BWC FDI INSIGHT MEDIATION MVI NFIM NSA REDIRECTION

DATES OF COMPLETION

SUBMITTED TO SUPERVISOR FOR REVIEW 11/07/2017

RETURNED FOR CORRECTIONS _____

SUPERVISORY APPROVAL 11-8-17

RECOMMENDED MEDIATION _____

CRIMINAL TO ADMINISTRATIVE _____

SUPERVISOR FOR MVI INSIGHT DOCUMENTATION _____

MSB FOR GRIEVANCE REVIEW _____

FORM COMPLETED BY: Inv. Arlen S. Barnes

DATE: 11/07/2017

**YOU MAY COMPLETE THIS BY HAND WRITING
INFORMATION IF YOU PRINT LEGIBLY**

INITIATION OF A FORMAL DISCIPLINARY INVESTIGATION

TRACKING NUMBER: 2017-0630-R DATE COMPLAINT RECEIVED: 10/31/2017

DATE FORM COMPLETED: 11/07/2017 DATE FORM RECEIVED BY PIB: 11/03/2017

DOMESTIC INCIDENT: ___

SEXUAL HARASSMENT: ___

<u>Source</u>		
<input type="checkbox"/> Citizen Complaint	<input checked="" type="checkbox"/> NOPD Supervisor X	<input type="checkbox"/> NOPD Employee

<u>How Complaint Received</u>			
Violation Observed ___	In Person ___	Telephone ___	Correspondence <input checked="" type="checkbox"/> Investigation ___

Supervisor Initiating Complaint: Investigator Arlen S. Barnes
Assignment: Public Integrity Bureau

Complainant's Name, Employee No. Commander Gwendolyn Nolan
Employee No. 07925

Complainant's Address, Zip Code, Home and Business Phone: 1340 Poydras St. Suite 1900
New Orleans, LA 70112
(504) 658-6800

Date and Time Incident of Complaint Occurred: 09/23/2017 @ 11:53A.M.

Location Where Incident of Complaint Occurred: 501 N. Rampart St.

<u>Duty Status:</u>		<u>Shift:</u>		<u>Clothing:</u>	
On Duty <input checked="" type="checkbox"/>	/Off ___	Detail ___	1 st <input checked="" type="checkbox"/> / 2 nd ___ / 3 rd ___	Regular Uniform <input checked="" type="checkbox"/>	Task Force Uniform ___ Plainclothes ___

Total Number of Accused Employees: two (2)

Accused Member: (A-1) Lieutenant John O'Brien, F.O.B. First District
"A" Platoon, Employee No. 14633

Suspended: ___
Reassigned: ___

Alleged Rule Violation/s: (V-1) Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Policy 344.1.1 Report Preparation - Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty, unless permission to delay submission of the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where he suspect remains in custody should not be delayed.

Alleged Rule Violation/s continued:

All reports shall accurately reflect the identity of the persons involved, witnesses, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such (item # I-30056-17).

(V-2) Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Chapter 1.2.4 Search and Seizure, Paragraph 47, Strip Searches – Strip Searches shall be conducted in a Secure Area of a NOPD Facility unless exigent circumstances exist. The following requirements apply to all strip searches: (a) The officer shall obtain written authorization from his or her supervisor prior to the strip search, and the supervisor shall be on-scene at all times during the search. (k) Strip searches shall not be video recorded or photographed unless required for evidentiary reasons and specifically authorized in writing, in advance, by a supervisor.

(V-3) Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Chapter 1.2.4 Search and Seizure, Paragraph 51, Body Cavity Search. No person may be subject to a body cavity search without a search warrant.

(V-4) Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.9 Arrests – Paragraph 12 Supervisor's Responsibilities – The Supervisor shall approve the officer's arrest recommendation based on the existence of probable cause and consistency with NOPD regulations (Traffic Affidavit #J869655).

(V-5) Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.2.4 Search and Seizure, Paragraph 5, Search & Seizures - The U.S. Constitution generally requires law enforcement to obtain a warrant prior to conducting a search. There are, however, limited exceptions to the warrant requirement, such as valid consent, incident to a lawful arrest, and exigent circumstances. (Instructed Officer Anita McKay to search minor child for illicit narcotics).

Accused Member's Supervisor (Name, Rank): Commander Hans Ganthier #06045

INITIATION OF A FORMAL DISCIPLINARY INVESTIGATION

TRACKING NUMBER: 2017-0630-R DATE COMPLAINT RECEIVED: 10/31/2017

DATE FORM COMPLETED: 11/07/2017 DATE FORM RECEIVED BY PIB: 11/03/2017

DOMESTIC INCIDENT: ___

SEXUAL HARASSMENT: ___

<u>Source</u>		
<input type="checkbox"/> Citizen Complaint	<input checked="" type="checkbox"/> NOPD Supervisor	<input type="checkbox"/> NOPD Employee

<u>How Complaint Received</u>			
Violation Observed ___	In Person ___	Telephone ___	Correspondence <input checked="" type="checkbox"/> Investigation ___

Supervisor Initiating Complaint: Investigator Arlen S. Barnes
Assignment: Public Integrity Bureau

Complainant's Name, Employee No. Commander Gwendolyn Nolan
Employee No. 7925

Complainant's Address, Zip Code, Home and Business Phone: 1340 Poydras St. Suite 1900
New Orleans, LA 70112
(504) 658-6800

Date and Time Incident of Complaint Occurred: 09/23/2017 @ 11:53A.M.

Location Where Incident of Complaint Occurred: 501 N. Rampart St.

<u>Duty Status:</u> On Duty <input checked="" type="checkbox"/> / Off ___ Detail ___	<u>Shift:</u> 1 st <input checked="" type="checkbox"/> / 2 nd ___ / 3 rd ___	<u>Clothing:</u> Regular Uniform <input checked="" type="checkbox"/> Task Force Uniform ___ Plainclothes ___
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Total Number of Accused Employees: two (2)

Accused Member: (A-2) Sergeant Stephanie Taillon, F.O.B. First District Staff, Employee No. 12967

Suspended: ___
Reassigned: ___

Alleged Rule Violation/s: (V-1) Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.9 Arrests – Paragraph 12 Supervisor's Responsibilities – The Supervisor shall approve the officer's arrest recommendation based on the existence of probable cause and consistency with NOPD regulations (NOPD Item # I-30056-17)

Accused Member's Supervisor (Name, Rank): Commander Hans Ganthier #06045

INITIATION OF A FORMAL DISCIPLINARY INVESTIGATION

WITNESSES: (W-1) Officer Frank Vitrano #26938, 501 N. Rampart St., New Orleans, La. 70112 (504) 658-6010

(W-2) Officer Arthur Cleveland #09373 501 N. Rampart St., New Orleans, La. 70112 (504) 658-6010

(W-3) Officer Anita McKay #19423, 501 N. Rampart St., New Orleans, La. 70112 (504) 658-6010

GIST OF COMPLAINT: On Tuesday, October 31, 2017, at about 2:30PM, Public Integrity Bureau Commander Gwendolyn Nolan, directed Investigator Arlen Barnes to review an e-mail complaint received via the OCDM/DOJ (Office of the Consent Decree Monitor / Department of Justice), regarding N.O.P.D. item # I-30045-17 & I-30056-17. The e-mail, dated October 30, 2017, was authored by Mr. Matt Seagraves, Compliance Manager, of the N.O.P.D. Compliance Bureau. The e-mail indicated the following:

"OCDM and DOJ are concerned about this one. They don't think the officers had PC to conduct a strip search. The Lt. who was involved in the case approved the strip search. They think it was a cavity search (not a strip search) and should have had a search warrant. They don't think the officers had PC to search the kid in the car at the time of the stop.

The admin sgt approved the epr which was created by the Lt."

Investigator Barnes reviewed the attachments included in the e-mail complaint which was recorded under item I-30056-17. One of the attachments was a copy of a Traffic Affidavit #J869655, which documented the arrest of Mr. William Bailey, of 2533 Gravier St., New Orleans, La. 70119, for violation of traffic statues R.S. 32:295 (Child Seat Belt Required Usage) and R.S. 32:295.1, (Seat Belt Required Usage) under N.O.P.D. Item I-30045-17. The affidavit indicated the arrest took place on Saturday, September 23, 2017, at 11:53AM; the violation occurred at the intersection of Orleans Ave. & N. Rocheblave St. Officer Frank Vitrano, assigned to the F.O.B. First District, was listed as the affiant. Lieutenant John O'Brien was listed as the supervisor who authorized the arrest of Mr. William Bailey.

The investigator obtained a copy of the N.O.P.D. Field Interview authored by Officer Vitrano of the detention of William Bailey under item I-30045-17.

The investigator also obtained a copy of the N.O.P.D. arrest report recorded under N.O.P.D. item I-30056-17. The report was classified as a signal 966 – Drug Law Violation which occurred on Saturday, September 23, 2017, at 11:53AM. The arrest location was indicated as the 2200 block of Orleans Ave. The Offender section indicated Mr. William Bailey, of 2533 Gravier St., New Orleans, La. 70119 was arrested by Lieutenant John O'Brien, assigned to the F.O.B. First District.

The report indicated Bailey was charged with violation of R.S. 40:967, Prohibited Acts – Schedule II Drugs: Relative to Possession with Intent to Distribute a Schedule Two Controlled Dangerous Substance to wit: Crack Cocaine (Several Rocks, Approx. 5.1 Grams). He was also charged with La. R.S. 14:91.13, Illegal Use of a C.D.S. in Minor Presence: Relative to possession of a Controlled Dangerous Substance in the Presence of a Minor (6 year old male child).

The offender section of the report indicated Mr. William Bailey had a Texas Driver's License (23947488) at the time of his arrest. Officer Frank Vitrano was listed as the transporting officer. Sergeant Stephanie Taillon, badge 290, was listed as the approving supervisor.

The narrative of the report indicated Lieutenant O'Brien, assisted by Officers Frank Vitrano, Anita McKay and Brianne Verrett; arrested Mr. William Bailey for the aforementioned narcotics and traffic violations. Lieutenant O'Brien indicated at the time of the arrest he was attired in plain clothes and operated a surveillance vehicle. The assisting officers were attired in N.O.P.D. (short sleeve) uniforms with Body Worn Cameras and operated marked police vehicles equipped with Mobile Video Units.

The report indicated on Friday, September 22, 2017, Lieutenant O'Brien obtained a Search Warrant from Criminal District Court to search a 2016 Nissan Maxima, white in color, bearing La. license plate 511 AUT.

The report indicated on the morning of Saturday, September 23, 2017, he relocated to the area of Orleans Ave. & S. Galvez St. to conduct a pre-search warrant surveillance of the Nissan Maxima. He indicated he had previous information and knowledge the vehicle and target of the investigation (William Bailey) frequented the area where he would sell illicit narcotics, and store drugs in the vehicle. He informed Officer Vitrano his intentions were to observe William Bailey in or near the vehicle; then directing Officer Vitrano to conduct a take-down stop in order to conduct a search of the vehicle.

The report indicated on Saturday, September 23, 2017, at about 11:00AM, he observed the unoccupied Nissan Maxima parked in the 2200 block of Orleans Ave. He conducted a surveillance of the vehicle until 11:50AM, when he observed a subject fitting the description of Bailey enter the vehicle, and drive away. He noted the driver was not wearing his seat belt. He radioed the vehicle's path of travel to Officer Vitrano, who located the vehicle and conducted a traffic stop.

The report indicated Officer Vitrano came in contact with the driver of the vehicle, (William Bailey) and a male child (Bailey's nephew) who was standing unrestrained in the front passenger seat of the vehicle. Officer Vitrano handcuffed Bailey, conducted a "pat down" for weapons, and then placed him in the rear of his police vehicle. Officer Vitrano advised Mr. Bailey of his Miranda rights and told him Lieutenant O'Brien would apprise him of the investigation.

The report indicated Lieutenant O'Brien, while on scene, instructed Officer Anita McKay to check the small child (Bailey's nephew) before turning the child over to a relative. The report indicated the reason for the search was **"due to Lieutenant O'Brien's prior experience in narcotic investigations where drug dealers would conceal contraband on small children in the belief that police officers won't search small children"**. Officer McKay searched the small child, which yielded no contraband being found. The report also indicated the child was released to an unidentified family member who arrived on scene.

The report indicated Lieutenant O'Brien instructed Officer Verrett to relocate the Nissan Maxima to the First District Police Station's sally port located at conduct at 501 N. Rampart St. Officer Vitrano transported Bailey to the First District Station. Lieutenant O'Brien showed the search warrant to Bailey and explained the investigation to him. He informed Bailey that he would be provided with a copy of the search warrant and a handwritten inventory on the rear of the warrant for any confiscated items. Bailey remained in the lobby area of the station, with Officer Vitrano, while Lieutenant O'Brien and Officer Verrett searched the Nissan Maxima. After approximately an hour into the search, no contraband was found.

The report indicated "based on Lieutenant O'Brien's previous information on Bailey, in addition to his experience in street level illegal drug activity, Lieutenant O'Brien had a strong reason to believe that Bailey was concealing contraband within his inner clothing garments. Based on that Lieutenant O'Brien decided to perform a strip search on Bailey per N.O.P.D. Policy 1.2.4".

The report indicated Lieutenant O'Brien explained to Bailey a strip search would be conducted. Lieutenant O'Brien, along with Officer Vitrano and Officer Arthur Cleveland, escorted Bailey to the men's locker room located inside of the police station. *Officer Vitrano's Body Worn Camera was activated. Officer Cleveland utilized a Departmental digital camera in record mode during the escort and search of Bailey.*

The report indicated Lieutenant O'Brien located \$612.00 in various denominations in Bailey's right rear pants pocket. The report also indicated *"Lieutenant O'Brien continued to search Bailey while using a handheld flashlight, all the while being recorded on Officer Vitrano's Body Worn Camera and the Digital Recorder held by Officer Cleveland. As Lieutenant O'Brien held back the rear portion of the inner boxer shorts worn by Bailey, he (O'Brien) could clearly see in plain view a piece of clear plastic paper sticking out between Bailey's buttocks. The paper was sticking out approximately a half-inch. Upon observing the plastic paper, Lieutenant O'Brien instructed Bailey to spread his legs further and not to clench his buttocks. Lieutenant O'Brien removed the plastic with his right hand and immediately observed it was a small clear wrapped bag containing what appeared to be several small pieces of crack cocaine. Lieutenant O'Brien dropped the bag on the locker room floor and instructed Officer Cleveland to record the bag"*.

The report indicated, *“Lieutenant O’Brien asked Bailey if he had anything else on his person, in which Bailey did not answer. Lieutenant O’Brien believed that Bailey may have had additional contraband hidden on his person. At that point Lieutenant O’Brien and Officer Vitrano removed Bailey’s boxer shorts completely. Lieutenant O’Brien, with the aid of the handheld flashlight, visually checked under Bailey’s genitals for any additional contraband in which no further contraband was found”*.

The report indicated the contraband was field tested by Officer Vitrano and Lieutenant O’Brien, which showed a positive test result for cocaine. He also indicated he conducted a handwritten inventory of the confiscated items on the rear of the search warrant which was provided to Bailey.

The report indicated Officer Vitrano completed a traffic affidavit charging Bailey with traffic violations of no seat belt and no child restraint. The affidavit was reviewed and signed by Lieutenant O’Brien.

The report indicated Lieutenant O’Brien completed a handwritten arrest gist which was reviewed and signed by Sergeant Stephanie Taillon. The report also indicated Sergeant Taillon assisted Lieutenant O’Brien in preparing the interoffice correspondence for the strip search policy.

The investigator reviewed the handwritten gist authored by Lieutenant O’Brien and approved by Sergeant Taillon. The gist indicated Bailey was arrested following a traffic stop of a vehicle which was the target of a search warrant. The gist did not explain the justification for the “strip search” or the reason Bailey was charged with Illegal Use of a Controlled Dangerous Substance in the Presence of a Minor.

The investigator reviewed Officer Frank Vitrano’s Body Worn Camera footage of the traffic stop and subsequent arrest of William Bailey. The footage confirmed Officer Vitrano was directed by Lieutenant O’Brien to stop the vehicle being operated by William Bailey. Lieutenant O’Brien came to the location of the stop and instructed Officer Vitrano to place Bailey in the rear of his patrol vehicle and inform him of his Miranda warnings and the narcotics investigation and the search warrant for the vehicle. Officer Vitrano’s Body Worn Camera Footage also confirmed he assisted Lieutenant O’Brien conduct the strip search of William Bailey.

The investigator reviewed Officer Anita McKay’s Body Worn Camera footage of the search of the child, who identified himself as “Terrance”. The footage confirmed Officer McKay was directed to search the child by Lieutenant O’Brien.

The investigator reviewed the Application for a Search Warrant and Order of Search obtained by Lieutenant O’Brien for the 2016 Nissan Maxima bearing La. License 511 AUT. The Return on Search Warrant indicated \$612.00 and a clear bag containing several pieces of rock substances (5.1GM) were seized pursuant to the Search Warrant.

Based on the information reviewed, a Formal Disciplinary Investigation was initiated to determine if Lieutenant John O'Brien violated Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Policy 344.1.1 Report Preparation by failing to document justification for the search of the six year old child (Terrance) and justification for the strip search of William Bailey in the incident report recorded under item I-30056-17. The investigation should also determine why Lieutenant O'Brien listed the monies and narcotics found during the strip search of William Bailey on the Return of Search Warrant. The investigation should also determine why the six year old child (Terrance) was not listed as the victim in the incident report.

The investigation should also determine if Lieutenant John O'Brien violated Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Chapter 1.2.4 Search and Seizure, Paragraph 47, Strip Searches. Subparagraph (a) states: The officer shall obtain written authorization from his or her supervisor prior to the strip search, and the supervisor shall be on-scene at all times during the search. Subparagraph (k) states: Strip searches shall not be video recorded or photographed unless required for evidentiary reasons and specifically authorized in writing, in advance, by a supervisor. The investigation should determine why Lieutenant O'Brien did not obtain written authorization from a supervisor to conduct a strip search of William Bailey and have the supervisor present at the scene when the strip search was conducted. The investigation should also determine why Lieutenant O'Brien did not obtain written authorization to video record the strip search of William Bailey.

The investigation should also determine if Lieutenant John O'Brien violated Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, Subparagraph c-6; failing to comply with instructions, oral or written, from any authoritative source to wit: Chapter 1.2.4 Search and Seizure, Paragraph 51, Body Cavity Searches. The investigation should determine if Lieutenant O'Brien conducted a Body Cavity Search of William Bailey without obtaining a search warrant in accordance with Departmental policy.

The investigation should also determine if Lieutenant John O'Brien violated Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.9 Arrests – Paragraph 12 Supervisor's Responsibilities – The Supervisor shall approve the officer's arrest recommendation based on the existence of probable cause and consistency with NOPD regulations (Traffic Affidavit #J869655). The investigation should determine if William Bailey should have been issued a traffic summons in lieu of arrest in accordance with N.O.P.D. Policy 516 – Traffic Citations, Procedure 516.4 and Article 211 of the La. Criminal Code of Procedure (summons by officer instead of arrest and booking) under item I-30045-17.

The investigation should also determine if Lieutenant John O'Brien violated Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.2.4 Search and Seizure, Paragraph 5, Search & Seizures. The investigation should determine if Lieutenant O'Brien had justification to instruct Officer Anita McKay to search a child "Terrance" for illicit narcotics before releasing the child to a relative.

The investigation should also determine if Sergeant Stephanie Taillon violated Rule 4: Performance of Duty; Paragraph 4, Neglect of Duty, Subparagraph (b); An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures to wit: Chapter 1.9 Arrests – Paragraph 12 Supervisor's Responsibilities – The Supervisor shall approve the officer's arrest recommendation based on the existence of probable cause and consistency with NOPD regulations. The investigation should determine if Sergeant Taillon approved the gist and subsequent incident report authored by Lieutenant John O'Brien with did not contain justification for the strip search and arrest of William Bailey under N.O.P.D. item I-30056-17.

Attachments:

- 1) E-mail from Commander Gwendolyn Nolan
- 2) P.I.B. Initial Intake Form #2017-0630-R
- 3) N.O.P.D. Field Interview under item I-30045-17
- 4) N.O.P.D. Incident Report under item I-30056-17
- 5) BWC footage of Officer Frank Vitrano
- 6) BWC footage of Officer Anita McKay



Inv. Arlen S. Barnes

2017-0630-R

Arlen S. Barnes

From: Gwen M. Nolan
Sent: Tuesday, October 31, 2017 2:26 PM
To: Arlen S. Barnes; Precious M. Banks; Arlinda P. Westbrook
Subject: FW: I-30045-17 and I-30056-17
Attachments: I-30056-17 Attachments.pdf

From: Daniel P. Murphy
Sent: Tuesday, October 31, 2017 12:27 PM
To: Gwen M. Nolan <gmnolan@nola.gov>
Cc: Arlinda P. Westbrook <apwestbrook@nola.gov>; Simon B. Hargrove <sbhargrove@nola.gov>; Otha Sandifer <osandifer@nola.gov>; Matthew H. Segraves <mhsegraves@nola.gov>; Paul M. Noel <PMNoel@nola.gov>
Subject: FW: I-30045-17 and I-30056-17

Commander Nolan – OCDM is planning to initiate an immediate action request on this item. OCDM has multiple concerns with it: mainly, a lieutenant authorizing a possible cavity search where there may not have been PC for the search. FOB has reviewed and likewise finds it problematic. Can PIB review and propose a course of action? Let us know if you would like to discuss.

Thanks,
Danny

From: Matthew H. Segraves
Sent: Monday, October 30, 2017 4:23 PM
To: Daniel P. Murphy <dpmurphy@nola.gov>; Otha Sandifer <osandifer@nola.gov>
Cc: Paul M. Noel <PMNoel@nola.gov>
Subject: RE: I-30045-17 and I-30056-17

EPR attachments attached
FIC <http://cno-eprweb01.cityofno.com/fic/editFieldInterview.aspx?fid=421401>
EPR <http://cno-eprweb01.cityofno.com/epr/facesheet/event.aspx?rid=582999>

Monitors think Lt Obrien should have applied for an arrest warrant

I haven't watched any video. The reports say the strip search was video-ed (another policy violation mentioned by OCDM/DOJ)

From: Daniel P. Murphy
Sent: Monday, October 30, 2017 4:07 PM
To: Matthew H. Segraves <mhsegraves@nola.gov>; Otha Sandifer <osandifer@nola.gov>
Cc: Paul M. Noel <PMNoel@nola.gov>
Subject: RE: I-30045-17 and I-30056-17

Matt – I'm with Chief Noel. Can you point us to the relevant documentation on the strip search?

2017-10-30-17
From: Matthew H. Segraves
Sent: Monday, October 30, 2017 3:34 PM
To: Daniel P. Murphy <dpmurphy@nola.gov>; Otha Sandifer <osandifer@nola.gov>
Subject: I-30045-17 and I-30056-17

OCDM and DOJ are concerned about this one. They don't think the officers had PC to conduct a strip search. The Lt. who was involved in the case approved the strip search. They think it was a cavity search (not a strip search) and should have had a search warrant. They don't think the officers had PC to search the kid in the car at the time of the stop.

The admin sgt approved the epr which was created by the Lt.

Matt Segraves
Compliance Manager
Compliance Bureau, New Orleans Police Department
Cell (504) 235-6965 Office (504) 658-5088
mhsegraves@nola.gov HQ 515



CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

P.O. Box 51480
New Orleans, Louisiana 70151



MITCHELL J. LANDRIEU
MAYOR

"to protect and to serve"

MICHAEL S. HARRISON
SUPERINTENDENT

PUBLIC INTEGRITY BUREAU INITIAL INTAKE FORM

(circle one)

COMMENDATION, COMPLAINT OR DOCUMENTATION OF MINOR VIOLATION

(NOPD Only) PIB CTN #: 2017-0630-R Today's Date: 11/02/2017 Time: 4:30PM
Complainant's Last Name: Nolan First Name: Gwendolyn Race: W Sex: F DOB:
Address: 1340 Poydras St. Suite 1900 City: New Orleans State: LA ZIP: 70112
Contact #1: (504) 658-6800 Contact #2: Email: gmnolan@nola.gov
Location(s) Incident Occurred: 501 N. Rampart

Date & Time Incident(s) Occurred: 09/23/2017 @ 11:53AM NOPD Item# I-30056-17

Do you have a COMMENDATION for [] or COMPLAINT against [X], an NOPD employee? (Circle one)

Accused Officer 1: John O'Brien Rank: Lt. Badge #: 110

Accused Officer 2: Stephanie Taillon Rank: Sgt. Badge #: 290

(Please list additional officers in narrative) Were you directly involved in the incident? YES [] NO [X]

Please list the names and contact information for all witnesses: Officers Anita Mckay, Frank Vitrano & Arthur Cleveland, 501 N. Rampart St., New Orleans, LA. 70112 (504) 658-6010

Were you arrested? YES [] NO [X] Did you receive a ticket and/or summons for this incident? YES [] NO [X]

Were you injured during this incident? YES [] NO [X] If so, did you seek medical attention? YES [] NO [X]

If injured, please describe the injury and how it occurred.

The below section is to be completed by NOPD supervisors ONLY*****

If this is a public complaint, immediately obtain a complaint tracking number and provide it to the complainant along with a copy of this form. Submit this form to PIB before your tour of duty ends. Was the complainant's interview recorded? YES [] NO [X] (If no, explain why)

Internally generated complaint

Shift designation (Circle One) 1st [X] 2nd [] 3rd [] Duty Status (Check One) On duty [X] Off []

Please print your name: Arlen S. Barnes Rank: Investigator Assignment: P.I.B.

Signature: [Signature] Phone #: 504 658-6825 Today's Date: 11/03/2017

NARRATIVE PAGE

If you are making a complaint: What is your *primary* complaint and what outcome do you expect?
If you are making a commendation: What officer(s) would you like to commend, and why?
If you are reporting a minor violation, please summarize the behavior that constituted the violation.

See attached Initiation of Formal Disciplinary Investigation

under P.I.B. Complaint Tracking Number 2017-0630-R

(Lined area for handwritten notes)

Please Print Complainant Name: CMDR Gwendolyn Nolan Signature: _____

NARRATIVE CONTINUED

The below section to be completed by NOPD supervisors for reporting minor violations/infractions ONLY***

Please list the NOPD Rule and Paragraph, Chapter, or General Order violated:

The disciplinary action taken against the accused employee is one or more of the following (check one):

Verbal Counseling Remedial Training Other provide attachments to document other actions)

Accused Employee's Information

Name: _____ Date of violation: _____

Race: _____ Sex: _____ Empl ID #: _____ Rank: _____ Assignment: _____

Shift designation (Circle One) 1st 2nd 3rd Duty Status (Check One) On duty Off

Issuing Supervisor Name: _____ Title/Rank, Employee ID #: _____

Signature of Accused: _____ Date of signature _____

<i>PIB USE ONLY</i>	NON-DISCIPLINARY COUNSELING FOR MINOR VIOLATION
APPROVED BY: _____	DISAPPROVED BY: _____
FORMAL DISCIPLINARY INVESTIGATION INITIATED BY: _____	

2017-0650-02



NOPD Field Interview

OFFICER INFO

Event Date:	Time:	Location	District:	Zone:	Duration Of Stop:
09/23/2017	11:53	ORLEANS AVENUE / NORTH ROCHEBLAVE	1	1	20 min

Officer 1:	Badge #:	Employee ID#:
FRANK VITRANO	1519	26938

Officer 2:	Badge #:	Employee ID#:

Event Type:	Car #:	Assignment:	Item No.:
TRAFFIC VIOLATION	117A	1st District	I-30045-17

VEHICLE INFO

Year:	Make:	Model:	State:	Lic. Plate:	Style:	Color:
2016	NISSAN		LA	511-AUT	FOUR DOOR	WHITE

VIN:	Damage/Characteristics:
1N4AA6APOGC430660	

SUBJECT INFO

Data retrieval failed for the subreport, 'Subreport1', located at: /FICReports/FICSubjectsList. Please check the log files for more information.

Fully Articulate Reason for Stop of Each Person

ON SATURDAY, SEPTEMBER 23, 2017 IN THE MID-MORNING HOURS, OFFICER FRANK VITRANO, MANNING UNIT #117A OF THE NOPD FIRST DISTRICT A PLATOON, CONDUCTED A SIGNAL 18 STOP, RELATIVE TO A TRAFFIC VIOLATION, AT ORLEANS AVENUE AND NORTH ROCHEBLAVE STREET UNDER NOPD ITEM NUMBER I-30045-17, AS PER THE DIRECTION OF NEW ORLEANS POLICE DEPARTMENT FIRST DISTRICT LIEUTENANT JOHN O'BRIEN, UNIT #10-A. OFFICER VITRANO WAS OPERATING FULLY MARKED NOPD SUV MARKED UNIT #15037, AS A ONE PERSON UNIT AS THE DRIVER. OFFICER VITRANO WAS DRESSED IN FULL NOPD CLASS "B" UNIFORM. OFFICER VITRANO WAS EQUIPPED WITH NOPD DEPARTMENT BWC(BODY WORN CAMERA), AND VEHICLE #15037 WAS EQUIPPED WITH AN ACTIVE MVU (MOBILE VIDEO UNIT). BOTH WERE ACTIVATED AND REMAINED ON FOR THE DURATION OF THE AFOREMENTIONED TRAFFIC STOP.

IT SHOULD BE NOTED; OFFICER VITRANO WAS ON STAND-BY WITHIN THE LOGISTICAL NEIGHBORHOOD, AS PER LIEUTENANT O'BRIEN, WHO WAS THE PRIMARY SURVEILLANCE UNIT CONDUCTING SURVEILLANCE WITHIN THE VICINITY OF ORLEANS AVENUE AND NORTH GALVEZ STREET.

LIEUTENANT O'BRIEN WAS IN POSSESSION OF A SEARCH WARRANT FROM THE CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS, STATE OF LOUISIANA THAT HE AUTHORED ON SEPTEMBER 22, 2017. SAID SEARCH WARRANT WAS LISTED AS A NARCOTIC SEARCH WARRANT IN REFERENCE TO THE SUBJECT MR. WILLIAM BAILEY III, (B/M, DOB: 02/01/1979) WHO WAS THE LISTED OWNER OF A 2016 NISSAN MAXIMA, VIN #1N4AA6APOGC430660, BEARING LOUISIANA LICENSE PLATE # 511-AUT.

ON THE ABOVE MENTIONED DATE AND IN THE MID-MORNING HOURS, OFFICER VITRANO RECEIVED TWO-WAY RADIO COMMUNICATIONS FROM LIEUTENANT O'BRIEN, THAT STATED HE OBSERVED THE SUBJECT WILLIAM BAILEY DRIVING THE AFOREMENTIONED VEHICLE ON ORLEANS AVENUE TRAVELING TOWARDS NORTH GALVEZ STREET. HE FURTHER STATED HE WAS PREPARED TO EXECUTE THE AFOREMENTIONED SEARCH WARRANT CONCERNING THE AFOREMENTIONED SUBJECT AND VEHICLE. OFFICER VITRANO WAS INSTRUCTED TO CONDUCT A SIGNAL 18 STOP. DURING WHICH TIME, OFFICER VITRANO OBSERVED THE SUBJECT DRIVING THE AFOREMENTIONED VEHICLE AS HE INITIATED AND COMPLETED A U-TURN AT THE

INTERSECTION OF ORLEANS AVENUE AND NORTH GALVEZ. THE SUBJECT BEGAN TO TRAVEL ON ORLEANS AVENUE TOWARDS NORTH ROCHEBLAVE STREET WHEN OFFICER VITRANO NOTICED THE SUBJECT WAS NOT WEARING HIS DRIVER'S SIDE SEAT-BELT. OFFICER VITRANO ALSO NOTICED INSIDE THE VEHICLE WAS A MALE YOUTH WHO WAS STANDING UP IN THE RIGHT FRONT SIDE PASSENGER SEAT OF THE AFOREMENTIONED VEHICLE. OFFICER ACTIVATED HIS PATROL UNIT OVERHEAD LIGHTS AND SIREN THEN POSITIONED HIS PATROL UNIT BEHIND THE SUBJECT VEHICLE. SUBSEQUENTLY, THE SUBJECT STOPPED HIS VEHICLE AND REMAINED SEATED IN THE DRIVER'S SEAT AS THE AFOREMENTIONED MALE YOUTH WAS STANDING IN THE PASSENGER SEAT. OFFICER VITRANO APPROACHED THE DRIVER'S SIDE DOOR/WINDOW, THEN INTRODUCED HIMSELF BUT RESERVED THE REASON FOR THE STOP UNTIL A LATER POINT IN TIME.

UNDER THE DIRECTION OF LIEUTENANT O'BRIEN, OFFICER VITRANO ASKED THE SUBJECT TO EXIT THE VEHICLE, FROM WHICH HE COMPLIED WITHOUT INCIDENT. OFFICER VITRANO PLACED THE SUBJECT IN HANDCUFFS BEHIND HIS BACK, CHECKED THEM TWO TIMES FOR PROPER FIT AND TIGHTNESS, THEN DOUBLE LOCKED EACH HANDCUFF. OFFICER VITRANO CONDUCTED A PAT-DOWN SEARCH FOR WEAPONS WITH NEGATIVE FINDINGS. AFTERWARD, OFFICER VITRANO ESCORTED THE SUBJECT TO OFFICER VITRANO'S NOPD PATROL UNIT, WHERE THE SUBJECT VOLUNTARILY ENTERED THE REAR SEAT AREA ON THE RIGHT SIDE WITHOUT INCIDENT. OFFICER VITRANO SECURED THE SUBJECT WITH A SEAT-BELT, THEN ACTIVATED THE REAR SEAT MOBILE MVU (VIDEO CAMERA UNIT) CONCERNING THE DIRECT OBSERVATION OF THE SUBJECT AS HE REMAINED SEATED INSIDE THE PATROL UNIT. OFFICER VITRANO READ THE SUBJECT HIS MIRANDA RIGHTS VIA A MIRANDA CARD. THE SUBJECT AGREED HE UNDERSTOOD BY VERBALLY STATING "YES" HE UNDERSTOOD HIS RIGHTS AND VERBALLY STATED "YES" HE AGREED TO WAIVE HIS RIGHTS. IT SHOULD BE NOTED, THE SUBJECT WAS ARRESTED AND CITED UNDER ITEM #I-30045-17, AND CITED UNDER TICKET #J869655 FOR 32:295 (CHILD PASSENGER RESTRAINT SYSTEM) AND 32:295.1 (SAFETY BELT USE).

SUBSEQUENTLY, FIRST DISTRICT NEW ORLEANS POLICE OFFICERS BRIANNE VERRETT, UNIT #103A AND ANITA MCKAY, UNIT #115A ARRIVED ON SCENE, AND TOOK CUSTODY OF THE MALE YOUTH INSIDE THE SUBJECT'S VEHICLE. THAT YOUTH WAS IDENTIFIED BY THE SUBJECT AS "TERRANCE" (B/M, AGE:6). ADDITIONALLY, THE SUBJECT STATED "TERRANCE WAS HIS NEPHEW. OFFICERS VERRETT AND MCKAY RELOCATED "TERRANCE" TO HIS MOTHER'S RESIDENCE.

UNDER THE DIRECTION OF LIEUTENANT O'BRIEN, OFFICER VITRANO RELOCATED THE SUBJECT TO THE FIRST DISTRICT STATION WHERE A FULL SEARCH WAS CONDUCTED (NOPD POLICY CH. 1.2.4 STRIP SEARCH) DURING THE COURSE OF THE SEARCH, THE A/S WAS FOUND IN POSSESSION OF \$612.00 IN HIS REAR PANTS POCKET AND ONE BAG CONTAINING SEVERAL PIECES OF CRACK COCAINE (APPROXIMATELY 5.3 GRAMS) HIDDEN BETWEEN HIS BUTTOCKS. NOTE: THE CONTRABAND PLASTIC BAG WAS STICKING OUT IN PLAIN VIEW, THE CONTRABAND WAS NOT INSIDE THE A/S CAVITY. THE SUBJECT'S VEHICLE (2016 NISSAN MAXIMA, LA. TAG # 511-AUT) WAS ALSO RELOCATED TO THE FIRST DISTRICT STATION BY OFFICER VERRETT AND SUBSEQUENTLY SEARCHED PURSUANT TO THE SEARCH WARRANT BY LIEUTENANT O'BRIEN AND OFFICER VERRETT. NO CONTRABAND WAS FOUND. A/S SUBJECT WAS BOOKED WITH R.S. 40:967 (PWIT CRACK COCAINE) AND R.S. 14:91.13 CDS IN PRESENCE OF A (6-YEAR OLD MALE CHILD)

IT SHOULD ALSO BE NOTED, THE SUBJECT WAS ON PAROLE UNTIL THE YEAR 2000 FOR DRUG LAW VIOLATION AND A FIELD TEST SHOWED POSITIVE RESULT FOR COCAINE. OFFICER VITRANO RELOCATED THE SUBJECT TO ORLEANS PARISH CENTRAL LOCK-UP WHERE HIS CUSTODY WAS THEN TURNED OVER TO THE ON-DUTY DEPUTIES AND HE WAS BOOKED ACCORDINGLY.

SUBJECTS

Subject: 1

Last Name:	First Name:	M. I.:	Race:	Sex:	DOB:
BAILEY	WILLIAM		BLACK	MALE	01/01/1979

Photo ID:	Height:	Weight:	Eyes:	Hair:	Nickname:
No	5' 7"	207	Brown	Black	

SSN:	Driver's License:	State:	Year:
[REDACTED]		TX	2019

Residence Address

No:	Dir:	Street Name:	Sfx:	Apt:
25		GRAVIER	ST	

City:	State:	Zip Code:
NEW ORLEANS	LA	70119

Additional Descriptors

Tattoos:	Scars:	Marks:

Other Descriptors:

THE SUBJECT WAS OBSERVED TO HAVE SOME GOLD TEETH.

Consent To Search	No
Exit Vehicle	Yes
Stop Results	Citation issued
Stop Results	Arrest made
Subject Type	Driver
Search Occurred	Yes
Search Types	Vehicle
Search Types	Driver
Legal Basises	Warrant
Evidence Seized	Yes
Evidence Types	Drugs

End of Report

2017-0630-R

NEW ORLEANS POLICE DEPARTMENT
INCIDENT I-30056-17

Signal	Incident	Occurrence Date/Time	Reported Date/Time	Status	Bulletin	Domestic Violence	Hate Crime
986	DRUG LAW VIOLATION	9/23/2017 11:53 AM	9/23/2017 11:53 AM	CLEARED BY ARREST	NO	NO	NO
Location						Dist/Zona/Sub	Lighting
2200 ORLEANS AV						1101	GOOD

VICTIM PERSONS

#1 VICTIM				
Last Name	First Name	Race	Sex	DOB
STATE OF LOUISIANA				
Home Address	Home Phone	SSN	Driver's License	
Work Address	Work Phone	Occupation		
Sobriety	Injury	Treated	Victim Type	Email Address
	NONE		GOVERNMENT	
English Proficiency	Language Access	Language		

OFFENDERS

#1 OFFENDER ARRESTED							
Last Name	First Name	Nickname	Race	Sex	DOB	Height	Weight
BAILEY	WILLIAM	NONE GIVEN	BLACK	MALE	2/1/1979	57	207
Home Address	SSN			Driver's License			
25 GRAVIER ST, NEW ORLEANS, LA 70119							
Arrest Location	Dist/Zone/Sub	Arrest Date/Time		Arrest Credit			
2200 ORLEANS AV	1101	9/23/2017 11:53 AM		01			
Sobriety	Injury	Treated	Rights Form	Transported By	Unit		
UNKNOWN	NONE		161328	OFFICER FRANK VITRANO	117-A		
Arrest Type	Resident Status	Juvenile Disposition					
ON VIEW	ORLEANS RESIDENT						
English Proficiency	Language Access	Language					
Injured While in Custody	Injured While In Custody - Injury Type			Died While In Custody			
NO				NO			

Reporting Officer #1	Badge ID	Emp ID	Reporting Officer #2	Badge ID	Emp ID	Car Number	Platoon
LEUTENANT JOHN O'BRIEN	116	14663		01	110	A	
Detective Assigned	Approving Supervisor	Badge	Emp ID	Other			
	SERGEANT STEPHANIEL TAILLON	290		OFFICER FRANK VITRANO UNIT 117			

CHARGES

Charge	Victim No.	Relationship
LA R.S. 40 967 PROHIBITED ACTS-- SCHEDULE II DRUGS: RELATIVE TO POSSESSION WITH INTENT TO DISTRIBUTE A SCHEDULE TWO CONTROLLED DANGEROUS SUBSTANCE TO WIT: CRACK COCAINE (SEVERAL ROCKS, APPROX.5.1 GRAMS)	1	STRANGER
LA R.S. 14 91.13 ILLEGAL USE OF CDS IN MINOR PRESENCE: RELATIVE TO POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE IN THE PRESENCE OF A MINOR (6 YEAR OLD MALE CHILD)	1	STRANGER

OFFENDER DESCRIPTORS

01 Build	02 Oddities	03 Scars	04 Tattoos	05 Apparel
06 Flabby				
06 Speech	07 Accent	08 Facial Odd.	09 Eyes	10 Nose
01 Soft/Polite		01 African	02 Brown	
11 Teeth	12 Hair Color	13 Hair Style	14 Facial Hair	15 Complexion
	03 Brown	07 Short	08 Unshaven	06 Brown

Additional Description
 WHITE TANK TOP, DARK CLOTH PANTS

MODUS OPERANDI

16 Criminal Activity	17 Motive	18 Targets
05 Possession w/ Intent to Sell 07 Possessing/Concealing	16 Unknown	
19 Method of Entry	20 Point of Entry/Exit	21 Security Used
	01 Street/Road/Alley	Security Defeated
22 Residential	23 Outdoor Area	24 Comm. Establishment
		25 Public Access Area
26 Movable	27 Structure Type	28 Structure Status
04 Personal Vehicle		
29 Off. Approach	30 Impersonated	31 Weapon
		32 Firearm Features
33 Property Crimes	34 Person Crimes	Sex Crime Specific

EVIDENCE

Loss Type	Type	Qty	Narc Weight	Narc Type	Description	Brand	Serial No.	Value
CONFISCATED / SEIZED	CURRENCY / COIN	1			\$612.00 IN VARIOUS DENOMINATIONS	UNITED STATES	NONE	
CONFISCATED / SEIZED	DRUGS	5	GRAM	CRACK COCAINE	(1) CLEAR BAG CONTAINIG (1) CLEAR BAG CONTAINING SEVERAL PIECES OF ROCK SUBSTANCES, 5.1 GRAMS	N/A	NONE	
CONFISCATED / SEIZED	OTHER PROPERTY	1			DISC	MEMOREX	NONE	

2017-0642-R

NARRATIVE

CASE INVESTIGATOR: LIEUTENANT JOHN O'BRIEN (UNIT 110-A)

ASSISTING CASE INVESTIGATORS: OFFICER FRANK VITRANO (UNIT 117-A), OFFICER ANITA MCKAY (UNIT 115-A) AND OFFICER BRIANNE VERRETT (UNIT 103-A)

ON SATURDAY, SEPTEMBER 23RD, 2017 AT APPROXIMATELY 11:53 A.M., THE AFOREMENTIONED CASE INVESTIGATORS, WHO WERE ASSIGNED TO THE NEW ORLEANS POLICE DEPARTMENT FIRST DISTRICT A-PLATOON (DAYWATCH), ARRESTED WILLIAM BAILEY (BLACK MALE, D.O.B. 2/1/1979) FOR LOUISIANA STATE CHARGES OF POSSESSION WITH INTENT TO DISTRIBUTE CRACK COCAINE AND POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE IN THE PRESENCE OF A MINOR (6 YEAR OLD MALE CHILD). BAILEY WAS ALSO ARRESTED FOR TRAFFIC VIOLATIONS FOR NO SEAT BELT AND NO CHILD RESTRAINT. DURING THE TIME OF THAT ARREST, LIEUTENANT O'BRIEN WAS ATTIRED IN PLAIN CLOTHES AND OPERATED AN UNMARKED SURVEILLANCE VEHICLE WITH NO PASSENGERS. THE SURVEILLANCE VEHICLE WAS NOT EQUIPPED WITH RECORDING DEVICES AND LIEUTENANT O'BRIEN WAS NOT EQUIPPED WITH A BWC (BODY WORN CAMERA). THE ASSISTING INVESTIGATORS WERE ALL ATTIRED IN N.O.P.D. CLASS "B" UNIFORM AND OPERATED FULLY MARKED N.O.P.D. SUV'S WITH NO PASSENGERS. THE ASSISTING INVESTIGATORS WERE ALL EQUIPPED WITH BWC'S AND THE SUV'S WERE EQUIPPED WITH MVU'S (MOBILE VIDEO UNITS). THE FACTS AND CIRCUMSTANCES SURROUNDING THAT INVESTIGATION ARE AS FOLLOWS.

ON FRIDAY, SEPTEMBER 22ND, 2017 AT APPROXIMATELY 3:00 P.M., LIEUTENANT O'BRIEN MET WITH THE HONORABLE JUDGE BRIGID COLLINS OF ORLEANS PARISH MAGISTRATE COURT SECTION M-2 AT 2700 TULANE AVENUE (ORLEANS PARISH CRIMINAL DISTRICT COURT). LIEUTENANT O'BRIEN PRESENTED A SEARCH WARRANT AND APPLICATION FOR SEARCH WARRANT TO JUDGE COLLINS FOR AN AUTHORIZED SEARCH OF A 2016 FOUR DOOR WHITE IN COLOR NISSAN MAXIMA, BEARING LOUISIANA PLATE NUMBER 511 AUT(VIN-1N4AA6AP0GC430660). AFTER REVIEWING THE AFOREMENTIONED DOCUMENTS, JUDGE COLLINS SIGNED THE SEARCH WARRANT AND APPLICATION FOR SEARCH WARRANT AUTHORIZING A SEARCH OF THE 2016 NISSAN MAXIMA. FOR THE CUMULATIVE FACTS REGARDING THAT SEARCH WARRANT, REFER TO THE ATTACHED DOCUMENTS SECTION OF THIS INCIDENT REPORT.

ON SATURDAY, SEPTEMBER 23RD, 2017, DURING MORNING DAYLIGHT HOURS, LIEUTENANT O'BRIEN RE-LOCATED TO THE AREA OF ORLEANS AVENUE AND SOUTH GALVEZ STREET WITH THE INTENTIONS OF CONDUCTING A PRE-SEARCH WARRANT SURVEILLANCE ON THE VEHICLE IN QUESTION (2016 NISSAN MAXIMA). LIEUTENANT O'BRIEN HAD PREVIOUS INFORMATION AND KNOWLEDGE THAT THE VEHICLE IN QUESTION, ALONG WITH THE TARGET OF THE INVESTIGATION (WILLIAM BAILEY) FREQUENTED THE AFOREMENTIONED AREA WHERE HE WOULD SELL ILLEGAL DRUGS, MORE SPECIFICALLY CRACK COCAINE, USING THE WHITE NISSAN MAXIMA TO STORE THE ILLEGAL DRUGS. LIEUTENANT O'BRIEN UTILIZED AN UNMARKED SURVEILLANCE VEHICLE AND WAS ATTIRED IN PLAIN CLOTHES WITH NO PASSENGERS. LIEUTENANT O'BRIEN BRIEFED OFFICER FRANK VITRANO ON THE CIRCUMSTANCES SURROUNDING THE VEHICLE AND PERSON IN QUESTION PRIOR TO CONDUCTING THE SURVEILLANCE. IT WAS LIEUTENANT O'BRIEN'S INTENTIONS OF OBSERVING WILLIAM BAILEY EITHER NEAR THE NISSAN OR INSIDE THE NISSAN, AND HAVING OFFICER VITRANO DO A TAKE-DOWN STOP IN ORDER TO CONDUCT A SEARCH OF THE NISSAN.

AT APPROXIMATELY 11:00 A.M. (9/23/2017), LIEUTENANT O'BRIEN OBSERVED THE VEHICLE IN QUESTION PARKED IN THE 2200 BLOCK OF ORLEANS AVENUE UNOCCUPIED. THE NISSAN WAS PARKED ON THE UPTOWN (WEST) SIDE OF THE STREET AND FACING IN A RIVER (SOUTH) DIRECTION. LIEUTENANT O'BRIEN AFFORDED HIMSELF WITH A STATIONARY SURVEILLANCE POSITION WITH A CLEAR AND UNOBSTRUCTED VIEW TOWARDS THE TARGET VEHICLE. APPROXIMATELY (10) MINUTES INTO THE SURVEILLANCE, LIEUTENANT O'BRIEN OBSERVED A BLACK MALE SUBJECT WALKING DOWN ORLEANS AVENUE AND TURNED RIGHT ONTO SOUTH GALVEZ STREET. LIEUTENANT O'BRIEN DID NOT GET A GOOD LOOK AT THAT SUBJECT, BUT BELIEVED IT MAY HAVE BEEN WILLIAM BAILEY. LIEUTENANT O'BRIEN, WHO MAINTAINED CONSTANT RADIO TRANSMISSION WITH OFFICER VITRANO ON A SPERATE TALK CHANNEL, INSTRUCTED OFFICER VITRANO TO DO A PEDESTRIAN STOP ON THAT SUBJECT TO VERIFY IF IN FACT IT WAS WILLIAM BAILEY. LIEUTENANT O'BRIEN LEFT HIS STATIONARY SURVEILLANCE POSITION IN ORDER TO GET A VISUAL CONTACT ON THE PEDESTRIAN BELIEVED TO BE WILLIAM BAILEY. OFFICER VITRANO CONDUCTED A PEDESTRIAN STOP ON THAT SUBJECT, BUT VERIFIED IT WAS NOT WILLIAM BAILEY. THE SUBJECT WAS SUBSEQUENTLY RELEASED WITHOUT INCIDENT. OFFICER VITRANO LATER ENTERED AN ELECTRONIC FIELD INTERVIEW ON THAT SUBJECT.

AFTER THE PEDESTRIAN STOP WAS COMPLETED, LIEUTENANT O'BRIEN RE-LOCATED TO THE AREA AROUND THE 2200 BLOCK OF ORLEANS AVENUE AND ESTABLISHED ANOTHER STATIONARY SURVEILLANCE POSITION WITH A CLEAR AND UNOBSTRUCTED VIEW TOWARDS THE VEHICLE IN QUESTION. LIEUTENANT O'BRIEN DID NOT USE BINOCULARS DURING THE SURVEILLANCE DUE TO HIS UNOBSTRUCTED VIEW TOWARDS THE NISSAN.

AT APPROXIMATELY 11:50 A.M. (9/23/2017), LIEUTENANT O'BRIEN OBSERVED A BLACK MALE SUBJECT MATCHING THE DESCRIPTION OF WILLIAM BAILEY ENTER THE NISSAN ON THE FRONT DRIVER SIDE. LIEUTENANT O'BRIEN DID NOT SEE WHERE BAILEY HAD CAME FROM PRIOR TO ENTERING THE VEHICLE, BUT APPEARED HE MAY HAVE EXITED A NEARBY RESIDENCE IN THE 2200 BLOCK OF ORLEANS AVENUE. AS BAILEY ENTERED THE NISSAN, HE DROVE OFF DOWN ORLEANS AVENUE AND MADE A U-TURN ONTO THE DOWNTOWN (EAST) SIDE OF ORLEANS AVENUE AND BEGAN TO TRAVEL IN A LAKE (NORTH) DIRECTION UP ORLEANS AVENUE. AS THE NISSAN TRAVELED UP ORLEANS AVENUE, LIEUTENANT O'BRIEN COULD CLEARLY SEE THAT THE DRIVER (BAILEY) WAS NOT WEARING A SEATBELT. LIEUTENANT O'BRIEN RELAYED THE PATH OF TRAVEL TO OFFICER VITRANO, WHO QUICKLY MADE HIS WAY ONTO ORLEANS AVENUE TO CONDUCT A VEHICLE STOP ON THE NISSAN MAXIMA. LIEUTENANT O'BRIEN TOLD OFFICER VITRANO TO SWITCH OVER TO THE OPEN RADIO CHANNEL IN ORDER TO LET OTHER UNITS KNOW ABOUT THE SITUATION AT HAND.

OFFICER VITRANO OBSERVED THE NISSAN TRAVELING UP ORLEANS AVENUE AND ACTIVATED EMERGENCY EQUIPMENT IN ORDER TO PULL THE NISSAN OVER. THE NISSAN, AT A NORMAL RATE OF SPEED, CONTINUED TO TRAVEL UP ORLEANS AVENUE FOR APPROXIMATELY 4-5 BLOCKS WITHOUT STOPPING. LIEUTENANT O'BRIEN LEFT HIS STATIONARY SURVEILLANCE AND MADE HIS WAY TO THE AREA OF OFFICER VITRANO AND THE NISSAN. THE NISSAN TOOK A LEFT TURN ONTO NORTH ROCHEBLAVE STREET AND CAME TO A

STOP NEAR THE INTERSECTION OF ORLEANS AVENUE AND NORTH ROCHEBLAVE STREET. AS THE NISSAN CAME TO A STOP, OFFICER VITRANO EXITED AND APPROACHED THE NISSAN. AS OFFICER VITRANO CAME INTO CONTACT WITH THE DRIVER, HE VERBALLY INSTRUCTED HIM TO EXIT AND ASKED FOR HIS NAME. THE DRIVER SAID HIS NAME WAS "WILLIAM" AS HE COMPLIED AND EXITED. OFFICER VITRANO OBSERVED A SMALL BLACK MALE CHILD UNRESTRAINED STANDING ON THE FRONT PASSENGER SIDE SEAT (THE CHILD WAS LATER LEARNED TO BE BAILEY'S NEPHEW AND WAS TURNED OVER CUSTODY TO A FAMILY MEMBER WHO ARRIVED ON SCENE). LIEUTENANT O'BRIEN, ALONG WITH OFFICERS ANITA MCKAY, BRIANNE VERRETT, JEFFREY CARRADINE, DWIGHT SALLIER, AND SERGEANT STEPHANIE TAILLON ARRIVED ON SCENE. LIEUTENANT O'BRIEN CONFIRMED FROM OFFICER VITRANO THAT THE DRIVER WAS IN FACT WILLIAM BAILEY. LIEUTENANT O'BRIEN ALSO RECOGNIZED BAILEY FROM A DMV "THINKSTREAM" PRINTOUT WHICH WAS PART OF THE INFORMATION REGARDING THE SEARCH WARRANT ON THE NISSAN MAXIMA (SEE ATTACHED DOCUMENTS).

OFFICER VITRANO PLACED THE SUBJECT IN HANDCUFFS BEHIND HIS BACK USING THE DOUBLE LOCK METHOD AND CONDUCTED A BRIEF OUTER CLOTHING PAT DOWN FOR WEAPONS. OFFICER VITRANO THEN ESCORTED BAILEY TO THE MARKED SUV (#15037) OPERATED BY OFFICER VITRANO. OFFICER VITRANO PUT BAILEY IN THE REAR SEAT WITH A SEATBELT OVER HIS BODY. OFFICER VITRANO ADVISED BAILEY THAT LIEUTENANT O'BRIEN WOULD EXPLAIN THE INVESTIGATION TO HIM. OFFICER VITRANO ADVISED BAILEY OF HIS MIRANDA WARNINGS FROM A CARD, IN WHICH BAILEY STATED HE UNDERSTOOD BY SAYING "YES" AND AGREED TO WAIVE HIS RIGHTS. OFFICER VITRANO LATER INFORMED LIEUTENANT O'BRIEN THAT BAILEY UNDERSTOOD AND WAIVED HIS RIGHTS.

WHILE ON SCENE, LIEUTENANT O'BRIEN INSTRUCTED OFFICER MCKAY TO CHECK THE SMALL CHILD (BAILEY'S 6 YEAR OLD NEPHEW) BEFORE RELEASING CUSTODY. THE REASON FOR THE SEARCH WAS DUE TO LIEUTENANT O'BRIEN'S PRIOR EXPERIENCE IN NARCOTICS INVESTIGATIONS WHERE DRUG DEALERS WOULD CONCEAL CONTRABAND ON SMALL CHILDREN IN THE BELIEF THAT POLICE OFFICERS WON'T SEARCH SMALL CHILDREN. OFFICER MCKAY SEARCHED THE SMALL CHILD, WHICH YIELDED IN NO CONTRABAND BEING FOUND. THE CHILD WAS THEN RELEASED CUSTODY TO A FAMILY MEMBER WHO ARRIVED ON SCENE. NOTE THE FAMILY MEMBER'S INFORMATION (UNKNOWN BLACK FEMALE) WAS NOT WRITTEN DOWN. LIEUTENANT O'BRIEN INSTRUCTED OFFICER VERRETT TO RE-LOCATE THE NISSAN MAXIMA TO THE N.O.P.D. FIRST DISTRICT STATION SALLYPORT LOCATED AT 501 NORTH RAMPART STREET, NOLA. OFFICER VERRETT RE-LOCATED THE VEHICLE IN QUESTION AND PARKED IT IN THE SALLYPORT.

OFFICER VITRANO TRANSPORTED BAILEY TO THE FIRST DISTRICT STATION WHERE HE WAS ESCORTED UPSTAIRS. LIEUTENANT O'BRIEN SHOWED THE SEARCH WARRANT TO BAILEY AND EXPLAINED THE INVESTIGATION TO HIM. LIEUTENANT O'BRIEN INFORMED BAILEY HE WOULD BE PROVIDED WITH A COPY OF THE SEARCH WARRANT WITH A HANDWRITTEN INVENTORY ON THE REAR OF THE SEARCH WARRANT FOR ANY CONFISCATED ITEMS DURING THE INVESTIGATION. BAILEY REMAINED IN THE LOBBY AREA OF THE FIRST DISTRICT STATION, ALL THE WHILE BEING MONITORED BY OFFICER VITRANO. NOTE THAT OFFICER VITRANO COMPLETED AN N.O.P.D. PRISONER LOG BOOK FOR BAILEY.

LIEUTENANT O'BRIEN, ALONG WITH OFFICER VERRETT, CONDUCTED A FULL SEARCH OF THE NISSAN MAXIMA. AFTER APPROXIMATELY AN HOUR INTO THE SEARCH, NO CONTRABAND WAS FOUND. THE VEHICLE WAS RE-LOCATED TO THE 1200 BLOCK OF SAINT LOUIS STREET BY OFFICER VERRETT, WHO LOCKED AND SECURED THE VEHICLE IN A LEGAL PARKING SPOT. OFFICER VERRETT LATER GAVE THE KEYS TO LIEUTENANT O'BRIEN, WHO THEN LATER GAVE THE KEYS BACK TO BAILEY. BASED ON LIEUTENANT O'BRIEN'S PREVIOUS INFORMATION ON BAILEY, IN ADDITION TO HIS EXPERIENCE IN STREET LEVEL ILLEGAL DRUG ACTIVITY, LIEUTENANT O'BRIEN HAD A STRONG REASON TO BELIEVE THAT BAILEY WAS CONCEALING CONTRABAND WITHIN HIS INNER CLOTHING GARMENTS. BASED ON THAT, LIEUTENANT O'BRIEN DECIDED TO PERFORM A STRIP SEARCH ON BAILEY PER N.O.P.D. POLICY, CHAPTER 1.2.4 (SEE ATTACHED DOCUMENTS). AN N.O.P.D. INTEROFFICE CORRESPONDENCE WAS LATER COMPLETED (SEE ATTACHED DOCUMENTS) AND A COPY WAS PROVIDED TO BAILEY.

LIEUTENANT O'BRIEN EXPLAINED TO BAILEY A STRIP SEARCH WOULD BE CONDUCTED IN ACCORDANCE TO N.O.P.D. POLICY. LIEUTENANT O'BRIEN, ALONG WITH OFFICER VITRANO AND OFFICER ARTHUR CLEVELAND (DESK OFFICER) ESCORTED BAILEY INTO THE MENS LOCKER ROOM OF THE FIRST DISTRICT STATION. OFFICER VITRANO'S BODY WORN CAMERA WAS STILL ACTIVATED FROM THE ORIGINAL TRAFFIC STOP AND OFFICER CLEVELAND UTILIZED AN N.O.P.D. DEPARTMENTAL DIGITAL CAMERA IN RECORD MODE DURING THE ESCORT AND SUBSEQUENT SEARCH OF BAILEY.

WHILE INSIDE THE LOCKER ROOM, LIEUTENANT O'BRIEN REITERATED TO BAILEY THE REASONS WHY A STRIP SEARCH WAS TO BE CONDUCTED. LIEUTENANT O'BRIEN FOUND THAT BAILEY WAS IN POSSESSION OF VARIOUS DENOMINATIONS OF CURRENCY INSIDE HIS RIGHT REAR PANTS POCKET. THE CURRENCY WAS COUNTED BY OFFICER VITRANO (\$612.00) IN THE PRESENCE OF BAILEY. A MONEY RECEIPT WAS LATER COMPLETED BY OFFICER VITRANO (SEE ATTACHED DOCUMENTS) AND A COPY WAS SUPPLIED TO BAILEY. LIEUTENANT O'BRIEN ASKED BAILEY ABOUT THE CURRENCY. BAILEY STATED HE WAS ABOUT TO BRING HIS NEPHEW TO GET A HAIR CUT. LIEUTENANT O'BRIEN QUESTIONED BAILEY ABOUT THE REASONS WHY HE HAD THAT AMOUNT OF CURRENCY ON HIS PERSON, IN WHICH BAILEY GAVE HESITANT AND INDECISIVE ANSWERS WHICH FURTHERED LIEUTENANT O'BRIEN'S BELIEF THAT THE MONEY WAS FROM ILLEGAL DRUG SALES BY BAILEY.

LIEUTENANT O'BRIEN CONTINUED TO SEARCH BAILEY WHILE USING A HANDHELD FLASHLIGHT, ALL THE WHILE BEING RECORDED ON OFFICER VITRANO'S BODY WORN CAMERA AND THE DIGITAL RECORDER HELD BY OFFICER CLEVELAND. AS LIEUTENANT O'BRIEN PULLED BACK THE REAR PORTION OF THE INNER BOXER SHORTS WORN BY BAILEY, HE (O'BRIEN) COULD CLEARLY SEE IN PLAIN VIEW A PIECE OF CLEAR PLASTIC PAPER STICKING OUT FROM BETWEEN BAILEY'S BUTTOCKS. THE PAPER WAS STICKING OUT APPROXIMATELY A HALF-INCH. UPON OBSERVING THE PLASTIC PAPER, LIEUTENANT O'BRIEN INSTRUCTED BAILEY TO SPREAD HIS LEGS FURTHER AND NOT TO CLINCH HIS BUTTOCKS. LIEUTENANT O'BRIEN REMOVED THE PLASTIC WITH HIS RIGHT HAND AND IMMEDIATELY OBSERVED IT WAS A SMALL CLEAR WRAPPED BAG CONTAINING WHAT APPEARED TO BE SEVERAL SMALL PIECES OF CRACK COCAINE. LIEUTENANT O'BRIEN DROPPED THE BAG ON THE LOCKER ROOM FLOOR AND INSTRUCTED OFFICER CLEVELAND TO RECORD THE BAG. THE DIGITAL RECORDING OF THE ESCORT AND SUBSEQUENT SEARCH OF BAILEY WAS LATER PUT ONTO A DISC AND PLACED INTO THE FIRST DISTRICT STATION CENTRAL EVIDENCE AND PROPERTY DROPBOX BY LIEUTENANT O'BRIEN (SEE ATTACHED DOCUMENTS). LIEUTENANT O'BRIEN ASKED BAILEY IF HE HAD ANYTHING ELSE ON HIS PERSON, IN WHICH BAILEY DID NOT ANSWER. LIEUTENANT O'BRIEN BELIEVED THAT BAILEY MAY HAVE HAD ADDITIONAL CONTRABAND HIDDEN ON HIS PERSON. AT THAT POINT, LIEUTENANT O'BRIEN AND OFFICER VITRANO REMOVED BAILEY'S BOXER SHORTS COMPLETELY. LIEUTENANT O'BRIEN, WITH THE AID OF THE HANDHELD FLASHLIGHT,

VISUALLY CHECKED UNDER BAILEY'S GENITALS FOR ANY ADDITIONAL CONTRABAND, IN WHICH NO FURTHER CONTRABAND WAS FOUND. LIEUTENANT O'BRIEN DID NOT TOUCH BAILEY'S GENITALS, NOR CONDUCT A BODY CAVITY SEARCH AT ANY TIME DURING THE STRIP SEARCH. NOTE THAT PRIOR TO THE SEARCH, LIEUTENANT O'BRIEN EXPLAINED TO BAILEY THAT A BODY CAVITY SEARCH WOULD NOT BE CONDUCTED, DUE TO A SEARCH WARRANT BEING NEEDED. OFFICER VITRANO'S BODY WORN CAMERA AND THE DIGITAL RECORDER UTILIZED BY OFFICER CLEVELAND RECORDED WHAT LIEUTENANT O'BRIEN SAID TO BAILEY. LIEUTENANT O'BRIEN, AT A LATER DATE, WATCHED THE RECORDING ON OFFICER VITRANO'S BODY WORN CAMERA.

BAILEY WAS THEN ESCORTED OUT OF THE MENS LOCKER ROOM AND SEATED ON A CHAIR INSIDE THE LOBBY AREA. OFFICER VITRANO COMPLETED A RIGHTS OF ARRESTEE FORM (#261328, SEE ATTACHED DOCUMENTS), IN WHICH BAILEY REFUSED TO SIGN AND WRITE ANY REMARKS. A COPY OF THAT FORM WAS LATER PROVIDED TO BAILEY. THE BAG CONTAINING THE CONTRABAND WAS FIELD TESTED BY OFFICER VITRANO AND LIEUTENANT O'BRIEN, WHICH SHOWED A POSITIVE RESULT FOR COCAINE (SEE ATTACHED DOCUMENTS). LIEUTENANT O'BRIEN CONDUCTED A HANDWRITTEN INVENTORY OF THE CONFISCATED ITEMS ON THE REAR OF THE SEARCH WARRANT WHICH WAS EXPLAINED AND PROVIDED TO BAILEY. A COPY OF THE HANDWRITTEN INVENTORY IS INCLUDED IN THE ATTACHED DOCUMENTS SECTION.

LIEUTENANT O'BRIEN COMPLETED A HANDWRITTEN ARREST GIST (SEE ATTACHED DOCUMENTS), WHICH WAS REVIEWED AND SIGNED BY SERGEANT STEPHANIE TAILLON (UNIT 130-A). SERGEANT TAILLON ALSO ASSISTED LIEUTENANT O'BRIEN IN PREPARING THE INTEROFFICE CORRESPONDENCE FOR THE STRIP SEARCH POLICY.

OFFICER VITRANO COMPLETED A TRAFFIC AFFIDAVIT CHARGING BAILEY WITH TRAFFIC VIOLATIONS OF NO SEAT BELT AND NO CHILD RESTRAINT. THE AFFIDAVIT WAS REVIEWED AND SIGNED BY LIEUTENANT O'BRIEN (SEE ATTACHED DOCUMENTS).

AFTER ALL THE PRELIMINARY PAPERWORK WAS COMPLETED, AT APPROXIMATELY 2:40 P.M. (9/23/2017), OFFICER VITRANO ESCORTED BAILEY DOWNSTAIRS (HANDCUFFED IN FRONT OF HIS BODY) AND PLACED HIM IN THE REAR OF FULLY MARKED SUV#15037 AND SECURED A SEATBELT OVER HIS BODY. NOTE THAT BAILEY INQUIRED ABOUT HIS CELL PHONE WHILE IN THE LOBBY AREA PRIOR TO BEING ESCORTED TO THE DOWNSTAIRS SALLYPORT. LIEUTENANT O'BRIEN RECALLED PLACING THE CELL PHONE ON THE FRONT PASSENGER SIDE AREA OF THE NISSAN WHILE CONDUCTING THE VEHICLE SEARCH. LIEUTENANT O'BRIEN INFORMED BAILEY THAT OFFICER VITRANO WOULD MAKE ARRANGEMENTS FOR HIM TO RETRIEVE HIS PHONE. OFFICER VITRANO RE-LOCATED TO THE 1200 BLOCK OF SAINT LOUIS STREET AND ALLOWED BAILEY TO EXIT THE POLICE SUV AND RETRIEVE HIS PHONE. THE NISSAN WAS LEFT AT THAT LOCATION LOCKED AND SECURED IN A LEGAL PARKING SPOT. OFFICER VITRANO THEN TRANSPORTED BAILEY TO ORLEANS PARISH CENTRAL LOCK-UP WHERE BAILEY WAS BOOKED WITH LOUISIANA STATE CHARGES OF R.S.40:967, RELATIVE TO POSSESSION WITH INTENT TO DISTRIBUTE A SCHEDULE TWO CONTROLLED DANGEROUS SUBSTANCE TO WIT: CRACK COCAINE, R.S.14:91.13, RELATIVE TO POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE WHILE IN THE PRESENCE OF A MINOR (6 YEAR OLD CHILD) AND TRAFFIC CHARGES OF NO SEAT BELT (R.S.32:295.1) AND NO CHILD RESTRAINT SEAT (R.S.32:295).

LIEUTENANT O'BRIEN PLACED THE CURRENCY AND CRACK COCAINE (5.1 GRAMS) ON THE BOOKS AS EVIDENCE AT N.O.P.D. CENTRAL EVIDENCE AND PROPERTY LOCATED AT 1116 MAGNOLIA STREET, NOLA (SEE ATTACHED DOCUMENTS).

NOTE THAT DURING THE INITIAL INVESTIGATION PRIOR TO THE SEARCH WARRANT, LIEUTENANT O'BRIEN RESEARCHED BAILEY VIA THE N.O.P.D. FIELD INTERVIEW DATABASE AND LEARNED HE WAS ENTERED BY OFFICER CALVIN ROGOFF ON 8/9/2017 (SEE ATTACHED DOCUMENTS). ALSO NOTE THAT LIEUTENANT O'BRIEN COMPLETED A RETURN ON SEARCH WARRANT (SEE ATTACHED DOCUMENTS) WHICH WAS HAND DELIVERED TO MAGISTRATE COURT ON 9/25/2017 BY OFFICER VITRANO.

ATTACHED DOCUMENTS LIST

Document 1 - THINKSTREAM PRINTOUT WITH HANDWRITTEN INFORMATION

Document 2 - MVU PRINTOUT/NISSAN/WILLIAM BAILEY (5 PAGES)

Document 3 - FIELD INTERVIEW PRINTOUT (3 PAGES)

Document 4 - SEARCH WARRANT

Document 5 - APPLICATION FOR SEARCH WARRANT (5 PAGES)

Document 6 - RETURN ON SEARCH WARRANT

Document 7 - COPY-HANDWRITTEN INVENTORY BY LT.JOHN O'BRIEN

Document 8 - PRELIMINARY FIELD DRUG TEST SHEET

Document 9 - INTEROFFICE CORRESPONDENCE FOR STRIP SEARCH

Document 10 - PRINTOUT-N.O.P.D. CHAPTER 1.2.4, PARAGRAPH 49...

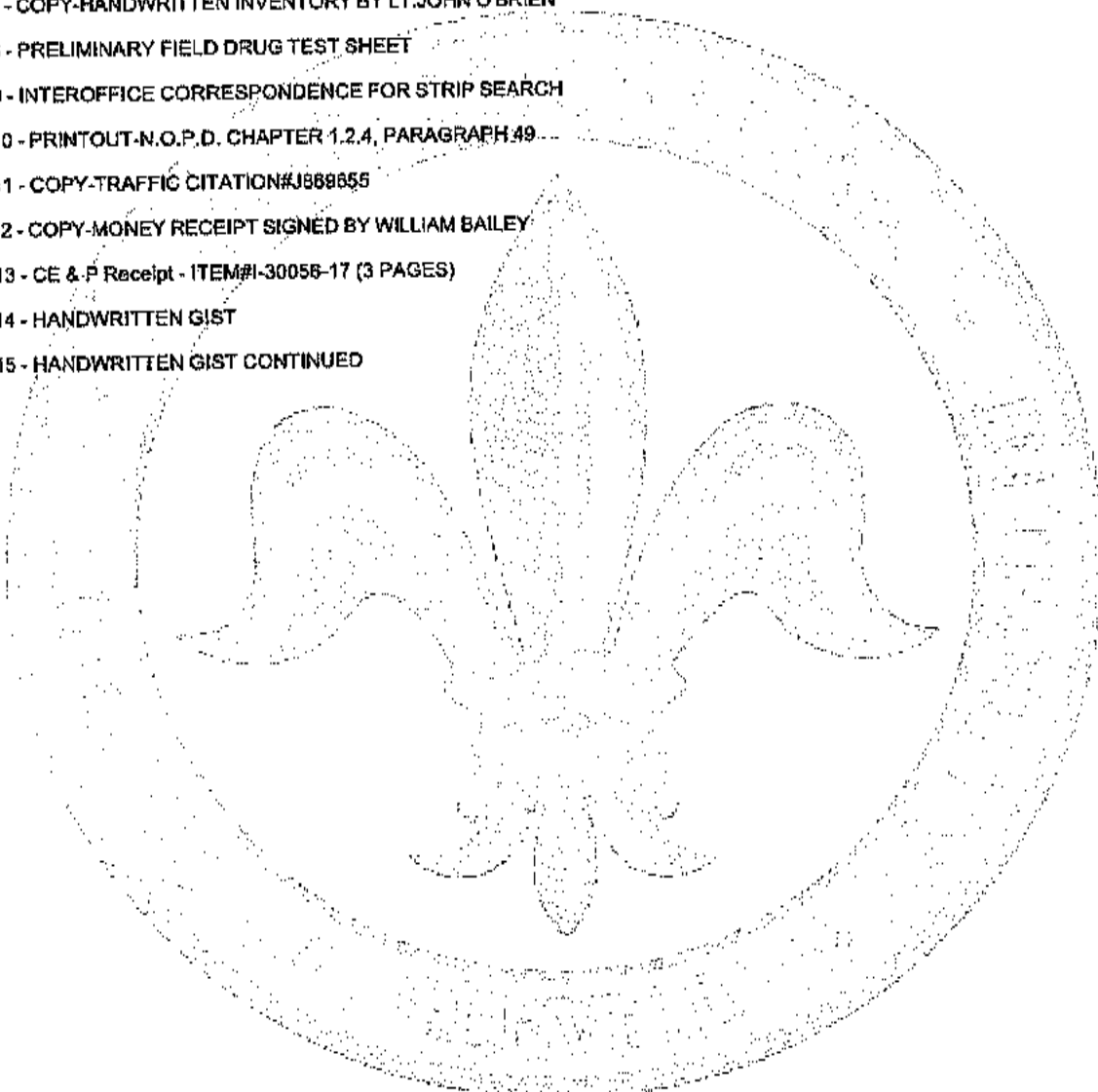
Document 11 - COPY-TRAFFIC CITATION#J889855

Document 12 - COPY-MONEY RECEIPT SIGNED BY WILLIAM BAILEY

Document 13 - CE & P Receipt - ITEM#I-30056-17 (3 PAGES)

Document 14 - HANDWRITTEN GIST

Document 15 - HANDWRITTEN GIST CONTINUED



NEW ORLEANS POLICE DEPARTMENT
ATTACHED DOCUMENTS LIST I-30056-17

Signal Incident	Occurrence Date/Time	Reported Date/Time	Status	Bufile#	Domestic Violence	Hate Crime
866 DRUG LAW VIOLATION	9/23/2017 11:53 AM	9/23/2017 11:53 AM	CLEARED BY ARREST	NO	NO	NO
Location	Dist/Zone/Sub	Lighting				
2200 ORLEANS AV				1101		GOOD

- Document 1 - THINKSTREAM PRINTOUT WITH HANDWRITTEN INFORMATION
- Document 2 - MVU PRINTOUT/NISSAN/WILLIAM BAILEY (5 PAGES)
- Document 3 - FIELD INTERVIEW PRINTOUT (3 PAGES)
- Document 4 - SEARCH WARRANT
- Document 5 - APPLICATION FOR SEARCH WARRANT (5 PAGES)
- Document 6 - RETURN ON SEARCH WARRANT
- Document 7 - COPY-HANDWRITTEN INVENTORY BY LT.JOHN O'BRIEN
- Document 8 - PRELIMINARY FIELD DRUG TEST SHEET
- Document 9 - INTEROFFICE CORRESPONDENCE FOR STRIP SEARCH
- Document 10 - PRINTOUT-N.O.P.D. CHAPTER 1.2.4, PARAGRAPH 9
- Document 11 - COPY-TRAFFIC CITATION#J869655
- Document 12 - COPY-MONEY RECEIPT SIGNED BY WILLIAM BAILEY
- Document 13 - CE & P Receipt - ITEM#1-30056-17 (3 PAGES)
- Document 14 - HANDWRITTEN GIST
- Document 15 - HANDWRITTEN GIST CONTINUED

ENFORCEMENT
USE ONLY

Reporting Officer	Bridge ID	Reporting Officer	Bridge ID	City	Station
LIEUTENANT JOHN O'BRIEN	1018			NO	1101
Detachable	Approving Supervisor	Bridge ID	City	Station	
	SERGEANT STEPHANIE L TALPONI				OFFICER FRANK VITANO UNIT 117

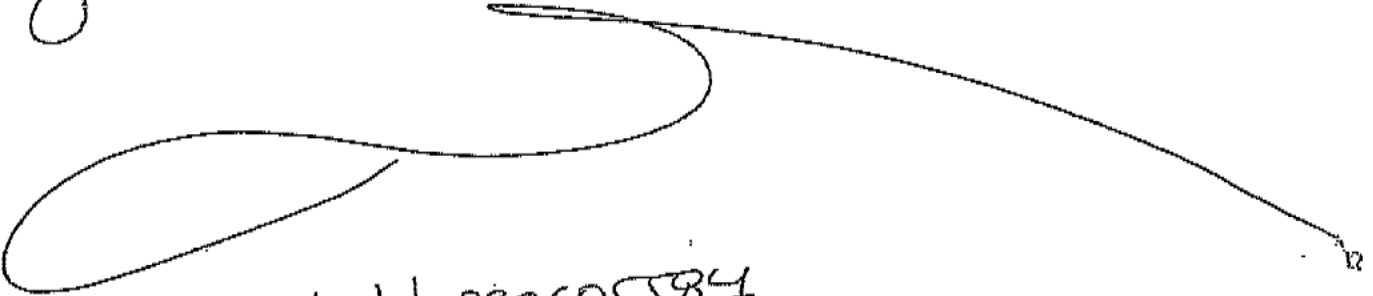
Suspect Results

[Search Details](#)

William Bailey [LA-CCH]		
First Name: William	Middle Name:	Last Name: Bailey
Suffix:	Date of Birth: 02/01/1979	Race: Black
Gender: Male	Hair Color: Black	Eye Color: Brown
Height: 5'5"	Weight: 160	Build:
Beard:	Drivers License State:	Drivers License Num:
SSN:	FBI Number: [REDACTED]	State ID: [REDACTED]
DOC ID Number: 397605		



966 Dealer on Lafayette Greenway
 white Nissan Maxima
 S11 Aut parked on the corner
 of Rocheblave Street.



~~obaldassaross84~~

L011-0030-R

Response

Page 1 of 1

I-30056-17

VYR/2016 VMA/NISS VMO/MAX VST/4D VCO/WHI
VIN/1N4AA6AP0GC430660 LIC/511AUT EXP/072019

WILLIAM BAILEY JR

28 ■ GRAVIER STREET

NEW ORLEANS LA 70119

FLAGS 1L EL

SN

TITLE ESNB

2017-0630-1

Response

Page 1 of 1

I-30056-17

PDNO0157.MSG 0B7C01B664 PDNO0157 056380 NLETS B8547C 20170921 13:58:30

LANPD01F7

CTL/

ATN/CLEVELAND0

DR.TXOLN0000

11:58 09/21/2017 83622

11:58 09/21/2017 24368 LANPD01F7

*0B7C01B664

TXT

QUERY DATA: NAM/ DOB/ SEX/ OLN/

NAME: BAILEY, WILLIAM, III

DESCRIPTION: BLACK\MALE\02011979\5-07\200\BLACK\BROWN

SEX OFF: COMM IMPED: ORGAN DONOR: N VISA EXP:

PHYSICAL ADD: 9[REDACTED] MAGNOLIA VIEW

CI/CO/ST/ZIP: HOUSTON,HARRIS,TEXAS,77099-0000, UNITED STATES

MAILING ADD: 9[REDACTED] MAGNOLIA VIEW

CI/ST/ZIP: HOUSTON,TEXAS,77099-0000, UNITED STATES

REC STATUS: ELIGIBLE

ADMIN STATUS:

CARD STATUS:

HME THR ASMT: EXP:

CARD TYPE: DL # [REDACTED] CLASS: C TYPE: DL EXPIR DATE: 02012018

RESTRICTIONS:

ENDORSEMENTS:

**** DRIVER RECORD INFORMATION IS PERSONAL INFORMATION PROTECTED UNDER THE FEDERAL DRIVER PRIVACY ACT OF 1994 (18 USC 2721, ET SEQ.) AS AMENDED AND THE MOTOR VEHICLE RECORDS DISCLOSURE ACT, TEXAS TRANSPORTATION CODE 730 ****

***** END OF RECORD*****

I-30056-17

Suspect Results

[Search Details](#)



William Bailey [LA-DMV]

First Name: William	Middle Name:	Last Name: Bailey
Suffix: III	Date of Birth: 02/01/1979	Race: Black
Gender: Male	Hair Color:	Eye Color: Brown
Height: 5'6"	Weight: 175	Build:
Beard:	Drivers License State: LA	Drivers License Num: [REDACTED]
SSN: [REDACTED]	FBI Number:	State ID: [REDACTED]
DOC ID Number:		

[Create Lineup](#)



William Bailey [LA-CCH]

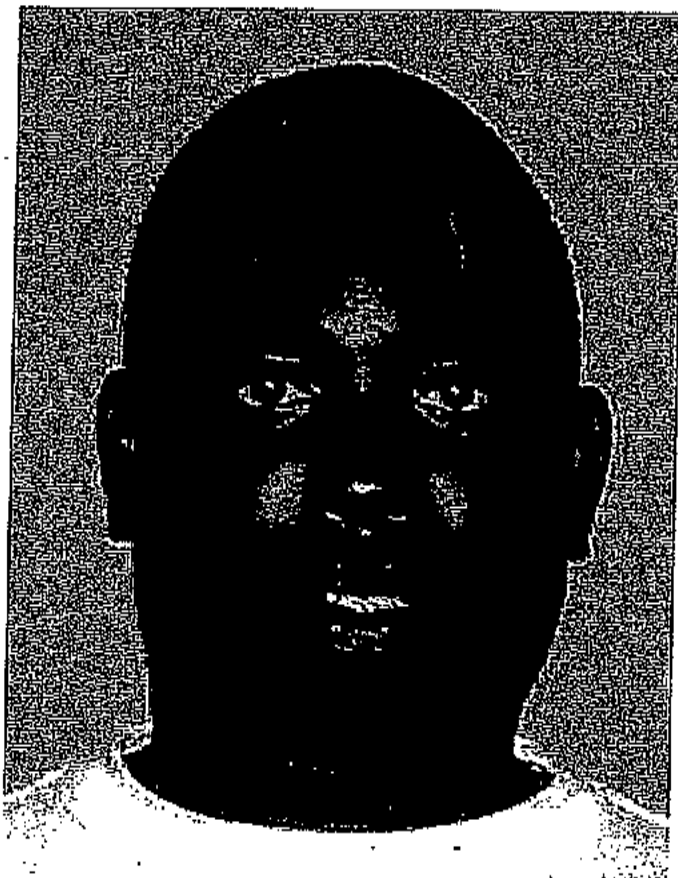
First Name: William	Middle Name:	Last Name: Bailey
Suffix:	Date of Birth: 02/01/1979	Race: Black
Gender: Male	Hair Color: Black	Eye Color: Brown
Height: 5'5"	Weight: 160	Build:
Beard:	Drivers License State:	Drivers License Num: [REDACTED]
SSN: [REDACTED]	FBI Number: 214093FB7	State ID: [REDACTED]
DOC ID Number: 397605		

[Create Lineup](#)

[New Search](#)

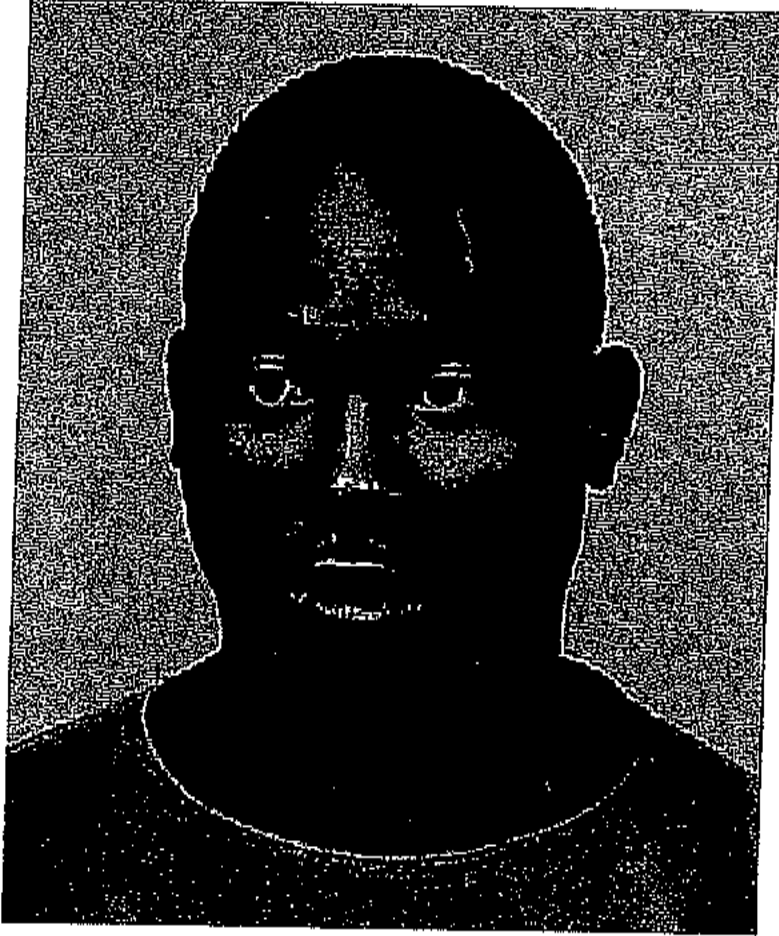
Z017-0630-R

I-30056-17



2017-0630-R

I-30056-17



NOPD Field Interview

OFFICER INFO

Event Date:	Time:	Location	District:	Zone:	Duration Of Stop:
08/09/2017	22:05	2707 ORLEANS	1	1	5 min
Officer 1:	Badge #:	Employee ID#:			
CALVIN K. ROGOFF	849	25794			
Officer 2:	Badge #:	Employee ID#:			

Event Type:	Car #:	Assignment:	Item No.:
SUSPECT VEHICLE	181B	1st District	H-12264-17

VEHICLE INFO

Year:	Make:	Model:	State:	Lic. Plate:	Style:	Color:
2016	NISSAN		LA	511AUT	FOUR DOOR	WHITE
VIN:	Damage/Characteristics:					
1N4AA6AP0GC430660						

SUBJECT INFO

Data retrieval failed for the subreport, 'Subreport1', located at: /FICReports/FICSubjectsList. Please check the log files for more information.

Fully Articulate Reason for Stop of Each Person

1ST DISTRICT DIU RECEIVED INFORMATION THAT THE ABOVE VEHICLE WAS POSSIBLY INVOLVED IN A 64J, AND THE VEHICLE MATCHED THE DESCRIPTION OF THE SUSPECT VEHICLE DESCRIBED BY THE VICTIM. THE VEHICLE WAS STOPPED AT THE ABOVE LOCATION. AS THE ALLEGED OFFENSE INVOLVED A FIREARM AND A DEGREE OF VIOLENCE, FOR OFFICER SAFETY, THE DRIVER AND PASSENGER WERE INSTRUCTED TO EXIT THE VEHICLE, AND THEY COMPLIED. THE VICTIM WAS BROUGHT TO THE LOCATION OF THE STOP TO CONDUCT A SHOW-UP IDENTIFICATION. THE IDENTIFICATION PROCEDURE WAS MET WITH NEGATIVE RESULTS. THE DRIVER AND HIS PASSENGERS WERE RELEASED WITHOUT INCIDENT.

SUBJECTS

Subject 1						
Last Name:	First Name:	M. I.:	Race:	Sex:	DOB:	
BAILEY	WILLIAM		BLACK	MALE	02/01/1979	
Photo ID:	Height:	Weight:	Eyes:	Hair:	Nickname:	
Yes	5' 7"	200	Brown	Black		
SSN:	Driver's License:	State:	Year:			
		TX	2019			
Residence Address						

2017-0630-R

I-30056-17

No:	Dir:	Street Name:	Sfx:	Apt:
25		GRAVIER	ST	

City:	State:	Zip Code:
NEW ORLEANS	LA	70119

Additional Descriptors

Tattoos:	Scars:	Marks:
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Other Descriptors:

Reason for Search:

EXPIRED LA ID: [REDACTED]

Consent To Search	No
Exit Vehicle	Yes
Stop Results	No action taken
Subject Type	Driver
Search Occurred	No
Evidence Seized	No

Subject: [REDACTED]

Last Name:	First Name:	M. I.:	Race:	Sex:	DOB:
PATTERSON	COLBY		BLACK	FEMALE	08/15/1990

Photo ID:	Height:	Weight:	Eyes:	Hair:	Nickname:
No	4' 11"	113	Brown	Brown	

SSN:	Driver's License:	State:	Year:
[REDACTED]	[REDACTED]	LA	2019

Residence Address

No:	Dir:	Street Name:	Sfx:	Apt:
48	N	TONTI	ST	

City:	State:	Zip Code:
NEW ORLEANS	LA	70119

Additional Descriptors

Tattoos:	Scars:	Marks:
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Other Descriptors:

Reason for Search:

Consent To Search No

2017-0630-R

I-3005677

Exit Vehicle	Yes
Stop Results	No action taken
Subject Type	Passenger
Search Occurred	No
Evidence Seized	No

End of Report

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS
STATE OF LOUISIANA

SEARCH WARRANT

ORDER OF SEARCH

TO: THE SUPERINTENDENT OF THE NEW ORLEANS POLICE DEPARTMENT and / or HIS DESIGNATED REPRESENTATIVES.

AFFIDAVIT (S) HAVING BEEN MADE BEFORE ME BY: Lieutenant John O'Brien (Badge#114).

THAT he had good reason to believe that inside the vehicle (2016 Nissan Maxima, LA Lic.plate#511 AUT, VIN-1N4AA6APOGC430660, white in color, 4-door) located within the Parish of Orleans, State of Louisiana, as more fully described in the application for this warrant, there is now being concealed certain property, namely; Controlled dangerous substances particularly crack cocaine. Any contraband and/or paraphernalia related to the manufacturing, packaging, and/or distribution of controlled dangerous substances. All financial proceeds, currency, valuables, weapons, and/or documents commonly associated with sales and/or consumption of controlled dangerous substances. Any document(s) related to occupancy and/or ownership of aforesaid vehicle.

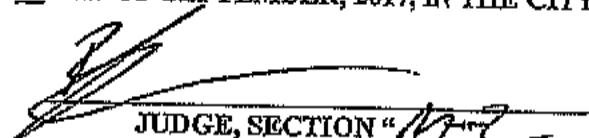
WHICH said property constitutes evidence of the commission of a crime or offense against the Laws of the State of Louisiana set forth in the Louisiana Revised Statutes, and as I am satisfied from the affidavit(s) submitted in support of the application for this warrant that there is probable cause to believe that the aforesaid property is being concealed on the premises above described, and that the aforesaid grounds for the issuance of this search warrant exist;

YOU ARE HEREBY ORDERED to search forthwith the above vehicle for the property specified, serving this search warrant and making the search, and if the property be found there, to seize it, leaving a copy of this warrant and a receipt for the property seized, to make your written return on this warrant including a written inventory of the property seized, and to bring the said seized property into the court (before the judge, the clerk, the sheriff, or any court officer who usually acts as the custodian) within ten (10) days of this date as required by law.

YOU ARE AUTHORIZED to execute this warrant and to make this search during the daytime or the nighttime and if the property herein described be found on the vehicle herein described to seize said property in accordance with law.

YOU ARE AUTHORIZED to execute this warrant and to make this search on a Sunday and if the property herein described be found on the vehicle herein described to seize said property in accordance with law.

THIS WARRANT MADE IN DUPLICATE ORIGINAL THIS 22nd DAY OF SEPTEMBER, 2017, IN THE CITY OF NEW ORLEANS, STATE OF LOUISIANA.


JUDGE, SECTION "12"
CRIMINAL DISTRICT COURT

15/17

COPIES:

- Original - Unit File
- 1st Copy - Judge signing Warrant
- Copy - Person upon whom Warrant is served
- Copy - District Attorney
- Copy - Record Room
- Copy - Judge signing Warrant when making Return

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANSSTATE OF LOUISIANAAPPLICATION FOR A SEARCH WARRANT

BEFORE ME, the undersigned Judge of the Criminal District Court, Parish of Orleans, State of Louisiana, personally came and appeared: Lieutenant John O'Brien (badge#114), employed by the New Orleans Department of Police, 715 South Broad Street, New Orleans, Louisiana, WHO, after being duly sworn by me, deposed and said: THAT a search warrant should be issued for the search of the following described vehicle, which is described as white 4-door Nissan Maxima, bearing Louisiana License Plate# 511 AUT, VIN-IN4AA6APOGC430660.

FOR the purpose of seizing the following described property: Controlled dangerous substances particularly crack cocaine. Any contraband and/or paraphernalia related to the manufacturing, packaging, and/or distribution of controlled dangerous substances. All financial proceeds, currency, valuables, weapons, and/or documents commonly associated with sales and/or consumption of controlled dangerous substances. Any document(s) related to occupancy and/or ownership of aforesaid vehicle.

The reasons and facts for the request of this search warrant are:

During the early part of September 2017, Lieutenant John O'Brien, who was assigned to the NOPD First District A-Platoon, received a copy of a "Thinkstream" DMV printout from Lieutenant Octavio Baldassaro. Lieutenant Baldassaro received the printout from First District Persons Crimes Detective Decynda Chambers regarding a subject who was allegedly selling drugs from a white Nissan Maxima (LA plate#511 AUT). Detective Chambers received the aforementioned information from an anonymous source. The information on the "Thinkstream" printout showed: "966 Dealer on Lafitte Greenway White Nissan Maxima 511 AUT parks on the corner of Rocheblave Street". The subject info on the "Thinkstream" printout was William Bailey, black male, d.o.b. 2/1/1979, 5'5 in height and 160 pounds. For verification, NOPD signal "966" refers to drug law violation. After receiving that information, Lieutenant O'Brien researched the NOPD database system and learned that Baily was stopped numerous times along the Orleans Avenue corridor (more specifically around the 2000 block of Orleans Avenue) and was also arrested from a narcotics search warrant during the early part of September of 2017 on Orleans Avenue. A further check of Bailey showed his last known address was 2523 Gravier Street, NOLA and showed he was on parole in Orleans Parish from possession with intent to distribute cocaine until 2000, with an extensive arrest history in Orleans Parish including several drug law violations.

After receiving and researching the aforementioned information, on Wednesday, 9/20/17, during daylight unspecified afternoon hours, Lieutenant O'Brien followed-up on the information by using an unmarked surveillance vehicle and was attired in plain clothes. Lieutenant O'Brien observed the vehicle in question parked on South Galvez Street just before Orleans Avenue. Lieutenant O'Brien afforded himself with a clear and unobstructed view towards that vehicle acting in an undercover capacity. After observing the vehicle for approximately five minutes, he (O'Brien) observed a black male who matched the description of William Baily exit from the driver seat of the Nissan Maxima. The subject walked approximately twenty feet from the vehicle and met with a second black male who arrived on a black bicycle. The two subjects appeared to engage in a brief conversation when the second black male handed over with his right hand what appeared to be green paper currency to the first black male, who took the currency with his right hand and walked back over to the parked Nissan. The first black male opened the driver door and leaned into the vehicle with his back facing the street, and reached towards the center console area. After approximately ten seconds later, the subject exited the vehicle, shutting the door behind him and walked back towards the second black male subject. At that point, the first black male handed over with his right hand an unknown object(s) to the second black male, who took the object(s) with his right hand and placed it into his front right pants pocket. The second subject then took off on the bicycle towards Laffite Street. The first subject re-entered the Nissan and drove down South Galvez Street towards Canal Street. Lieutenant O'Brien left his stationary surveillance position and attempted to follow the subject on the bicycle with the intentions of calling for a "take-down" unit to do an investigatory stop on the subject. However, due to the heavy traffic in the area, Lieutenant O'Brien lost sight of the subject on the bicycle, as well as the subject who drove off in the white Nissan Maxima. Lieutenant O'Brien periodically re-located to the area of Orleans Avenue and South Galvez Street on 9/21/17, but did not locate the vehicle nor the subject in question. Based on Lieutenant O'Brien's extensive experience in street level drug activity during his fifteen year career with NOPD, the actions displayed by the two aforementioned black males were indicative to a hand-to-hand drug transaction. In addition to that, Lieutenant O'Brien believed the first subject that matched the description of William Bailey retrieved contraband from the parked Nissan Maxima before giving it to the second black male on the bicycle.

On Thursday, 9/21/17, during daylight unspecified afternoon hours, Lieutenant O'Brien re-located to the area of Orleans Avenue and South Galvez Street with the intentions of locating the vehicle in question. Lieutenant O'Brien utilized an unmarked surveillance vehicle and was attired in plain clothes. Lieutenant O'Brien located the vehicle in question (Nissan Maxima) parked on Orleans Avenue on the uptown (west) side of the street, approximately fifty feet from the intersection as South Galvez Street. Lieutenant O'Brien observed the same black male from the previous day (believed to be William Bailey) standing next to the passenger side

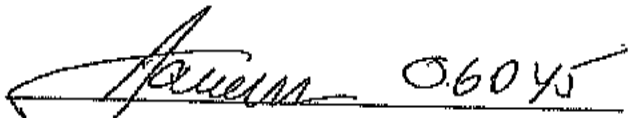
N.O.P.D. Form 117 - A (Revised 7/93)

of the Nissan. The subject then walked over to the driver side and entered. After the subject entered, he pulled back the front driver side seat which appeared he was attempting to conceal himself inside the vehicle. After approximately five minutes later, a black male subject (later identified as Sedrick Carter, d.o.b. 8/24/78) arrived on the grassy area on a bicycle next to the parked Nissan. Carter immediately dismounted the bicycle and entered the Nissan through the front passenger side seat. While inside the vehicle, it appeared that Carter and the other subject believed to be Bailey engaged in a brief conversation. Lieutenant O'Brien could not see if anything was occurring while inside the vehicle, due to the lower half of the vehicle being out of sight. After approximately thirty seconds later, Carter exited the vehicle and got back onto the bicycle. Carter rode the bicycle on the sidewalk down South Galvez Street towards Laffite Street. Based on what Lieutenant O'Brien believed to be a possible drug transaction, in addition to Bailey being in violation of riding on the sidewalk by a person over the age of fifteen, Lieutenant O'Brien called via radio Officer Travious Nash to conduct a "take-down" stop on Carter.

Officer Nash was attired in full NOPD class "B" uniform and operated a fully marked SUV with an active MVU (mobile video unit) and was also equipped with a BWC (body worn camera). Lieutenant O'Brien followed Carter as he took a right turn onto Laffite Street and traveled in a lake (north) direction, all the while riding on the sidewalk which was a violation. As the subject passed the intersection at Laffite Street and North Rocheblave Street, Officer Nash located the subject and conducted a bicycle stop. Lieutenant O'Brien parked the surveillance vehicle nearby and quickly walked towards the bicycle stop location. Just before Lieutenant O'Brien arrived, Officer Nash had instructed the subject to get off the bicycle, in which he complied. The subject (Carter) voluntarily relinquished a syringe from his person, which was immediately recognized as heroin paraphernalia. The subject was placed in handcuffs and a name check revealed he had an outstanding attachment from Jefferson Parish. A search of Carter revealed he was also in possession of a pack of "Kool-Aid", which was common use for heroin. Lieutenant O'Brien removed from Carter's front left shirt pocket (1) piece of hard rock substance, which was immediately recognized as crack cocaine. The substance was field tested which showed a positive result for cocaine. Carter was advised Miranda warnings by Officer Nash, in which he (Carter) stated he understood and waived his rights. Upon placing Carter in the rear seat of the marked SUV, Lieutenant O'Brien asked Carter if he had just bought the crack cocaine from "Bailey". Carter, in a look of disgust, put his head down and told Lieutenant O'Brien he knew he was going to jail, but never admitted he bought the contraband from Bailey. Carter had a pre-existing injury to his right arm, and was refused at Orleans Parish Central-Lock Up. Officer Nash subsequently brought Carter to University Medical Center and released him. Officer Nash obtained an arrest warrant for Carter on 9/22/17 for Louisiana State charges of possession of drug paraphernalia and possession of crack cocaine.

After clearing the scene with Officer Nash, Lieutenant O'Brien re-located to the area where the Nissan Maxima was parked, but the vehicle had moved and was not found by Lieutenant O'Brien.

Based on the information received from Detective Chambers, the background research of William Bailey by Lieutenant O'Brien which showed Bailey with an extensive history of drug law violations, in addition to the observed hand-to-hand transaction on 9/20/17 and the take-down arrest of Mr. Carter on 9/21/17, Lieutenant O'Brien strongly believes that the aforementioned described white 4-door Nissan Maxima (LA# 511 AUT) contains contraband, more specifically crack cocaine. Lieutenant O'Brien also strongly believes that the aforementioned described subject (William Bailey, black male, d.o.b. 2/1/179) is storing crack cocaine inside the aforementioned Nissan Maxima and selling to subjects around the area of Orleans Avenue and South Galvez Street. It is therefore respectfully requested that an Order Of Search be granted the 2016 Nissan Maxima, white in color, 4-door, bearing Louisiana License Plate# 511 AUT, VIN-1N4AA6APOGC430660.


Approving Supervisor's Signature & Emp. ID#

2017-0630-R

I-30056-17

Item No. I-30056-17

RETURN ON SEARCH WARRANT

At 11:53 A.M. o'clock on SATURDAY, SEP 23RD, 20 17, I, the undersigned member of the New Orleans Police Department, executed the foregoing SEARCH WARRANT as follows: I searched (premises), (person), (vehicle) described in the said SEARCH WARRANT, and I left a copy of the said SEARCH WARRANT with WILLIAM BAILEY (B/M, 2/1/79) Together with a receipt for the items seized.

THE following is an inventory of property seized pursuant to the said foregoing SEARCH WARRANT.

Quantity	Item Description (Make, Model, Serial No., Color, etc.)
\$612.00	\$612.00 U.S. PAPER CURRENCY IN VARIOUS DENOMINATIONS
1	(1) CLEAR BAG CONT. (1) CLEAR BAG CONT. SEVERAL PIECES OF ROCK SUBSTANCES-5.1 GM

Names of Persons Arrested: WILLIAM BAILEY (BLACK MALE, D.O.B. 2/1/17 OF 2523 GRAVIER ST.
Names of Persons Wanted: NONE

THIS inventory was made in the presence of OFFICER FRANK VITRANO and OFFICER ARTHUR CLEVELAND. THIS RETURN MADE IN DUPLICATE ORIGINAL THIS 23RD DAY OF SEPTEMBER, 20 17, NEW ORLEANS, LOUISIANA.

LT. JOHN O'BRIEN Badge No. 114
New Orleans Department of Police

- Original- Unit File
- 1st Copy - Judge signing warrant (except when used in CDC)
- Copy - Judge signing warrant when used in CDC
- Copy - Person upon whom warrant was served
- Copy - Police Record Room

2017-0630-R

I-30056-17

★ WRITTEN INVENTORY CONDUCTED
BY LT. JOHN O'BRIEN, B#114,
I.D.# [REDACTED] ON 9-23-17

1- \$612.00 IN US-PAPER
CURRENCY

2- (1) BAG CONT. SEVERAL
PIECES OF CRACK
COCAINE APPROX. 5.3 GM

★ NOTE: ABOVE ITEMS
CONFISCATED FROM THE
PERSON OF MR. WILLIAM
BAILEY, B/A, 2-1-79