Report of Investigation

Allegation that former City Building Inspector Julie Tweeter failed to conduct onsite inspections of cement pours as required by the City of New Orleans Safety and Permits Department prior to a partial collapse of the building under construction located at 1031 Canal Street, New Orleans, LA., known as the Hard Rock Hotel

July 28, 2021

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OIG NEW ORLEANS OFFICE OF INSPECTOR GENERAL
Edward Michel

FINAL

REPORT OF INVESTIGATION

21-0003-I

TITLE: Allegation that former City Building Inspector Julie Tweeter failed to conduct onsite inspections of cement pours as required by the City of New Orleans Safety and Permits Department prior to a partial collapse of the building under construction located at 1031 Canal Street, New Orleans, known as the Hard Rock Hotel

LOCATION OF OCCURRENCE: 1031 Canal Street, New Orleans, LA

TIMELINE OF OCCURRENCE: From February 14, 2018 to October 1, 2019

INVESTIGATED BY: Chief of Investigations Michael J. Centola, City of New Orleans Office of Inspector General (504) 681-3229

Investigator Sean Beavers, Louisiana State Board of Contractors

Louisiana Revised Statutes: LSA R.S. 14:133 – Filing or maintaining false public records
LSA R.S. 14:134 – Malfeasance in Office

ACTION TAKEN: Referral for criminal prosecution to the Orleans Parish District Attorney's Office

BACKGROUND

The City of New Orleans Department of Safety and Permits (S&P) was established to administer and enforce the City's Comprehensive Zoning Ordinance, the Building Code, the Electrical Code, the Mechanical Code, and Flood Plain Regulations in order to ensure compliance with international standards for the construction, alteration, repair, use, occupancy, and demolition of buildings, structures, and properties.[1]

The City of New Orleans Land Management application system known as "LAMA" is currently being utilized to create, store, and maintain the documents created and collected during the permitting and construction process.

S&P is one of the City departments that utilizes the LAMA system.[2] S&P collects, creates and stores hundreds of documents on a daily basis. These documents include submitted permit and license applications, licenses, permits, inspections, and renewal requests. It is essential that these documents

[1] *See* Exhibits 1 and 2, Responsibilities of S&P as shown on City Website and the New Orleans Code of Ordinances, Chapter 2, Administration, Article IV, Chapter 7- Safety and Permits, Sec. 4-702, Functions.
[2] *See* Exhibits 3 and 4, Email from former S&P Director Jared Munster dated February 17, 2014 with Departmental Policy Memorandum attached.

are organized and maintained properly in order for the City to collect revenue, take enforcement actions, and formulate fiscally responsible decisions.

The nature of the work performed by S&P Inspectors is described in the Building Inspector Job Announcement (Class Code 2210) as shown below:[3]

> *KIND OF WORK:*
> *Beginning level work inspecting building construction and repair to secure compliance with municipal regulations, and related work as required.*
>
> *DISTINGUISHING FEATURES OF WORK:*
> *Employee in this class receive instruction and practical training in making field inspections of buildings for safe construction and condition, and for compliance with the city building code and zoning ordinance.*
>
> *EXAMPLES OF WORK:*
> - *Receives instructions in the municipal regulations applicable to zoning and safe building and construction practices.*
> - *Receives practical training in conducting building inspections.*
> - *Inspect building during construction for compliance with the city building code and safe construction.*
> - *Reviews applications for building permits for conformity with legal requirements.*

[3] *See* Exhibit 5, Building Inspector Job Announcement (Class Code 2210).

BASIS FOR INVESTIGATION

On October 12, 2019, there was a catastrophic collapse of a building under construction located at 1031 Canal Street, known as the Hard Rock Hotel. As a result of the collapse, three workers were killed and at least 18 were injured. On March 26, 2020, the Occupational and Safety Health Administration ("OSHA") issued a Citation and Notice of Penalty to Heaslip Engineering LLC for the following violation:[4]

> *OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to the hazards of falling materials and building collapse.*
>
> *On or about September 30, 2019, and at times prior thereto and thereafter, workers on floors 8-18 of the multi-story Hard Rock Hotel building were exposed to the hazards of falling materials and building collapse. Structural steel connections were inadequately designed, reviewed or approved, affecting the structural integrity of the connections.*

Three S&P Building Inspectors conducted inspections of concrete pours for each floor at the 1031 Canal Street construction site; Julie Tweeter, Eric Treadway, and Thomas Dwyer. All three inspectors conducted inspections of the newly poured cement slabs and foundations prior to the pouring of any additional concrete.

This report concerns the behavior of Julie Tweeter ("Tweeter"). She was first employed by the City of New Orleans as a management analyst on July 15, 1998 and held this position until she resigned on May 10, 2007. She was re-hired by the City as an S&P Building Inspector on March 1, 2015. She was promoted to the position of Senior Building Inspector on August 21, 2018.[5]

On July 22, 2015, permit number 13-43014-NEWC was issued for the construction of the façade for a 17 story, multi-use building at 1031 Canal Street.[6]

On July 22, 2015, permit number 13-43016-NEWC was issued for the construction of a 17 story, multi-use building at 1031 Canal Street.[7] The first inspection conducted by a S&P Inspector occurred on February 2, 2018.[8]

In January 2019, the City began equipping City vehicles used by S&P employees with Global Positioning System ("GPS") equipment. The GPS is a satellite-based navigation system made up of at least 24 satellites. GPS works in any weather conditions, and anywhere in the world, 24 hours a day. GPS satellites transmit a unique signal allowing GPS devices to compute the precise location of the satellite. GPS

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[4] *See* Exhibit 6, OSHA Citation and Notice of Penalty report issued to Heaslip Engineering LLC, pg. 8.
[5] *See* Exhibit 7, City employment history for Julie Tweeter as shown in ADP records
[6] *See* Exhibit 8, permit number 13-43014-NEWC issued on July 22, 2015
[7] See Exhibit 9, permit number 13-43016-NEWC issued on July 22, 2015
[8] *See* Exhibit 10, Page 3, of LAMA Permit summary for 13-43016-NEWC, pg. 3 which references Pile Cap inspection conducted by Thomas Dwyer on February 2, 2018.

receivers use this information and trilateration to calculate a user's exact location. With distance measurements from a few more satellites, the receiver can determine a user's position. Once a vehicle's position has been determined, the GPS unit can calculate other information, such as: Speed, Track, Trip Distance and Distance to destination. This information was maintained and stored by the City for all vehicles equipped with GPS equipment.

The OIG was aware that vehicle number DSP 3029 driven by Julie Tweeter was equipped with a GPS tracking device because S&P management had issued her a Notice of Suspension on November 22, 2019, which contained information derived from the device. Specifically, page three of the notice contains a table which indicates the location of her vehicle number DSP 3029 on various dates from Tuesday, May 14, 2019 to Monday, October 14, 2019. In the notice, Tweeter was cited for taking a lunch break longer than the allotted one hour on thirty-one (31) separate occasions without departmental notice or approval.[9]

Extent and Results of investigation

On February 10, 2021, Zachary Smith ("Smith"), Building Officer for the City of New Orleans, was interviewed by Michael J. Centola, Chief of Investigations for the City of New Orleans, Office of Inspector General (OIG) and Sean Beavers, Investigator for the Louisiana State Licensing Board for Contractors.[10] According to Smith, after an Inspector performs an inspection, the Inspector either uses the LAMA application on the City-issued cellular telephone or returns to the office to input the results and information developed from the inspection. At times, Inspectors find it difficult to use their cellular telephones to remotely upload information due to connection issues and the limited battery life of the cellular telephones. Information that is to be uploaded into the LAMA system includes photographs, documentation of a status change, and any additional notes. Entries are to be made for all inspections regardless of whether or not the outcome was documented as passed or failed.

According to Smith, a successful inspection documenting progress must be completed and permission to proceed must be given by the Inspector in order for a project to proceed. Inspections are normally assigned by the S&P Inspector's supervisor. The inspections are performed as soon as possible after they are assigned. Only Inspectors can create an Inspection Report. If an Inspector's name is listed on the report, that is an indication that the Inspector performed and documented the inspection. Each Inspector has their own unique login access to the LAMA system. Most of the information contained on an Inspection Report is automatically generated from information already entered for a specific permit. The inspection date and time can be manually entered, but it can also be auto-generated by the system while the inspection results are being entered into the LAMA system. The time could be the actual time of the inspection, particularly if the cellular telephone application is being used, but this is not always the case. The inspection date should always be entered correctly by the Inspector.

According to Smith, the S&P Employee Policy Memorandums require City Inspectors to perform inspections in person, unless a previous inspection was failed for a technical reason. An example would

[9] *See* Exhibit 11, Notice of Suspension dated November 22, 2019

[10] *See* Exhibit 12, Memorandum of Interview of Zachary Smith on February 10, 2021

be if the building did not have a permanent numerical address affixed to the building. A picture of the numbers attached to the building could be sent to the Inspector to be included into the Inspection Report. Smith was referring to S&P Standard Operating Procedure Memorandum 14-02, Section 1 - Procedures Applicable All Times, Paragraph C which states:[11]

> *The inspector must request permission to enter a structure and any enclosed yard. An adult is required to be on site during any inspection. If the only person on site is a minor, then the inspector shall not enter the structure or conduct an inspection. A "failed" inspection sticker should be posted for a building inspection or a Gain Access Letter should be mailed to the property owner for a complaint inspection.*

Additionally, S&P Standard Operating Procedure Memorandum 14-02, Section 1 - Conducting the Inspection, requires that S&P Inspectors adhere to the following procedures:[12]

- *Upon arrival at the site, promptly introduce yourself to the contact (contractor, owner, etc.).*
- *Explain the goal of your activity and request or verify that permission is granted to conduct the Inspection.*
- *Ask that a person accompany you throughout the inspection, preferably a person with authority, knowledge and/or ability to access all areas.*

Smith was also referring to Employee Policy Memorandum 13-02(2)(A)(c): Standards of Professional Behavior which states:

> *All employees shall be truthful in their written and spoken word at all times.*[13]

Smith was also shown an email with an attached Departmental Policy Memorandum authored by former S&P Director Jared Munster dated February 17, 2014. This directive was sent via email to S&P Inspectors on February 17, 2014.[14]

The first paragraph of the Departmental Policy Memorandum dated February 17, 2014 states:

> *Effective immediately, all permit inspections, license inspections (passed or failed) and complaint-driven inspections are required to be documented with photographs. These photographs are to document the conditions at the building site as they are observed at the time of inspection. This will allow the Department to demonstrate the reasons for failed inspections and provide evidence for enforcement of any unpermitted changes which may occur after an inspection which brings the property out of compliance.*

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[11] *See* Exhibit 13, S&P Standard Operating Procedure Memorandum 14-02, Page 1

[12] *See* Exhibit 13, S&P Standard Operating Procedure Memorandum 14-02, Page 2

[13] *See* Exhibit 14, S&P Employee Policy Memorandum 13-02, Standards of Professional Behavior, Section II A(c), bottom of Page 1

[14] *See* Exhibits 3 and 4, Email from former S&P Director Jared Munster dated February 17, 2014 with Departmental Policy Memorandum attached

Smith advised this is another instance where it is documented that Inspectors must physically inspect buildings. (Tweeter's name does not appear as a recipient of this email concerning the Departmental Policy Memorandum dated February 17, 2014 because she was not employed as an S&P Building Inspector prior to March 1, 2015.) Smith also reiterated that photographs cannot be taken if the Inspector is not present for the inspections. According to Smith, there are no exceptions to this requirement. Photographs are to be loaded into the Land Management System (LAMA) which is used by S&P to track and document permits and progress on permitted projects. [15]

Tweeter signed page 5 of the S&P Standard Operating Procedure Memorandum 14-02 and page 7 of the S&P Employee Policy Memorandum 13-02, Standards of Professional Behavior and acknowledged that she read these memorandums and understood their requirements.[16]

The procedures described above and the language in the Building Inspector Job Announcement require that the person conducting the inspection be physically present on site.

Smith also recalled another instance upon which Inspectors were reminded of the requirement that they be physically present on site to conduct inspections. On September 16, 2019, Smith attended a meeting held by Larry Chan ("Chan"), City Building Inspector Supervisor, and Terry Willis, Chief Building Inspector with the S&P Inspectors in attendance.

Smith recalls the date because someone made a recording of the meeting and it was played on WWL during the news segment. Smith believes Chan recorded the meeting. During this meeting, Inspectors were directed and required to physically inspect buildings. Inspectors were also instructed to utilize the application on their City issued cellular telephones to record and document inspections.[17]

The WWL Channel 4 News broadcast occurred on February 19, 2020. The broadcast featured a tape recording made by former City Building Inspector Supervisor Chan on September 16, 2019. The tape recording was of a staff meeting, which was attended by Smith, Chief Building Inspector Terry Willis, and all S&P Building Inspectors. In recorded portions of the meeting, which can be heard on the broadcast, Smith and Chan both advised Inspectors that building inspections must be performed in person and documented in the LAMA system. Chan also directed the Inspectors to use their mobile app to upload time-stamped photos of site visits, which would record their location. Chan can be heard saying, "Some of y'all use this, some of y'all don't," he further said, "How do we know you were out there [at the job site]? I mean, I know you have GPS in the truck. That doesn't mean you physically made an inspection," Terry Willis also advised attendees "So if you make an inspection right now and take pictures, it should automatically be on my computer. Fess up right now because we can tell you who is not doing this."

After the broadcast, the OIG requested a copy of the recording in its entirety from the City Attorney's Office. The OIG was advised that the City did not possess a copy of the recording.

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[15] *See* Exhibit 12, Memorandum of Interview of Zachary Smith on February 10, 2021

[16] *See* Exhibits 14 and 15, S&P Standard Operating Procedure Memorandum 14-02 and page 5 of S&P Employee Policy Memorandum 13-02, Standards of Professional Behavior both bearing Tweeter's signature

[17] *See* Exhibit 12, Memorandum of Interview of Zachary Smith on February 10, 2021

On February 24, 2021, Tim Thornton was interviewed by Michael J. Centola.[18] Thornton previously worked for Citadel Builders, as the Project Manager for the Hard Rock Hotel construction. As the Project Manager, Thornton was responsible for the daily operations of the construction project, which included scheduling and participating in the inspections performed by City Building Inspectors.

Thornton explained that he would place a telephone call either directly to an Inspector or to the City's S&P office's main number and request an inspection. Thornton advised that work such as pouring concrete could not be performed without an inspection being conducted and the go ahead to pour concrete was received. Thornton advised that he maintained a daily log of the construction progress and work being performed on the construction site of the Hard Rock Hotel. The daily reports contained a section titled "Job Visitors/Inspections." This section is used to document inspections performed by City Building Inspectors. Thornton advised that, if there is a notation that an Inspector was not present in his daily log, Thornton is sure the Inspector was not present on that date. When the Inspector did come to the site, they were greeted and dealt with either Thornton himself or Thornton would send a representative. Thornton would know when Inspectors were on site.

Thornton advised that, on September 20, 2018, there was not an inspection performed. His log entry "City Inspector was no show" indicates that there was no physical inspection performed. Thornton's log for November 13, 2018, had an entry, "Sent pictures of 6A to Julie with the City Inspectors Office," indicates Tweeter was not present for a physical inspection, causing him to send her pictures. The reference to 6A is a reference to the 6th floor and A denotes the section location of the cement pour.

Thornton stated that if he indicated in his log that he sent pictures, then it was safe to say he sent pictures and the reason he sent pictures was due to the fact the Inspector was not present for an Inspection. If the Inspector was present, they would have taken the pictures themselves.

According to documentation within the City LAMA system, Tweeter conducted 32 inspections. In particular, she conducted six slab inspections and one Pile Cap inspection under permit number 13-43014-NEWC.[19] Tweeter also conducted twenty-six inspections under permit number 13-43016-NEWC consisting of fifteen slab inspections, eight foundation inspections, one Pile Cap inspection, and one footing inspection.[20]

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[18] *See* Exhibit 16, Memorandum of Interview of Tim Thornton on February 24, 2021

[19] *See* Exhibit 17, LAMA Inspection summary 11/12/2019 for permit number 13-43014-NEWC

[20] *See* Exhibit 10, LAMA Permit summary 10/13/19 for 13-43016-NEWC

Thornton entries in "Job Visitors/Inspections" section of Citadel Builders Daily Logs

The OIG Investigations Division has obtained the 32 inspection reports described above[21] and compared the time and date of the inspections conducted by Tweeter as shown in LAMA and the inspection reports to the Citadel Builders Daily Logs prepared by Thornton.[22]

Thornton initially maintained handwritten daily log entries in a notebook and then typed his notes onto a form. Thornton referred to his hand-written notes as "field notes", and described the typed format as the "daily log." Thornton was referring to the Citadel Builders Daily Logs. Thornton did not always create the log on a daily basis and at times there could be up to a 30-day delay in creating the log from the field notes. He did create the handwritten notes daily, making notes during the day as events occurred.

The information in the table shown below was derived from a review of inspection reports and LAMA entries completed by Tweeter and compares that information to the 29 Citadel Builders Daily Logs prepared by Thornton prior to the installation of a GPS tracking device in Tweeter's vehicle number DSP 3029. GPS location data for Tweeter's vehicle number DSP 3029 first became available on March 8, 2019.[23] The information that Thornton provided concerning the last two dates, September 16, 2019 and October 1, 2019, came from his handwritten daily log entries in a notebook, rather than a Citadel Builders Daily Log. He did not transcribe these notes into a Citadel Builders Daily Log.

The table below shows that Tweeter uploaded 25 inspection reports with the notation "PASSED" into LAMA with dates and times during which she was not physically present on site to conduct the inspections according to Thornton's entries in "Job Visitors/Inspections" section of the Citadel Builders Daily Logs regarding inspections.

Date Tweeter conducted inspections as per LAMA and Inspection Reports	LAMA Inspection Time	Type of Inspection	Permit#	Tweeter's comments in LAMA Permit summary [24]	Thornton entries in "Job Visitors/Inspections" section of Citadel Builders Daily Logs regarding inspections[25]
February 14, 2018	12:00 AM	Pile Cap	13-43016	No entry	No entry
February 22, 2018	8:15 AM	Pile Cap	13-43014	No entry	Julie from City oln (sic) site to inspect pile cap pour
March 6, 2018	7:45 AM	Foundation	13-43016	No entry	No entry
April 2, 2018	4:15 PM	Footing	13-43016	504 235 3003	City Inspector came by, gave clearance to

[21] *See* Exhibit 18, 33 inspections purportedly conducted by Tweeter
[22] See Exhibit 19, Citadel Builders Daily Logs
[23] *See* Exhibit 20, Page 1 of GPS record for vehicle number DSP 3029 driven by Julie Tweeter from March 8, 2019 to October 12, 2019. GPS location data for Tweeter's vehicle number 3029 first becomes available on March 8, 2019.
[24] *See* Exhibit 17 & 10, LAMA Permit summaries for 13-43014-NEWC and 13-43016-NEWC
[25] *See* Exhibit 19, Citadel Builders Daily Logs

					pour tunnel slab and columns. Said they don't have to come back to look at cols
June 22, 2018	8:00 AM	Slab	13-43014	No entry	No entry
July 3, 2018	7:45 AM	Slab	13-43014	No entry	No entry
July 3, 2018	2:45 PM	Foundation	13-43016	No entry	No entry
August 3, 2018	8:00 AM	Slab	13-43014	No entry	No entry
August 23, 2018	10:15 AM	Slab	13-43016	Tim 235-3003	City Inspector and Leron from SES inspected slad (sic), good to go
August 31, 2018	11:00 AM	Slab	13-43016	235-3003	No entry
September 13, 2018	10:30 AM	Slab	13-43016	Tim 235-3003	City Inspector Julie was on site and gave the all clear.
October 3, 2018	2:15 PM	Foundation	13-43016	Tim 235-3003 OK to pour 4	No entry
October 10, 2018	8:15 AM	Slab	13-43016	Tim 235-3003 OK to pour the rest of 4	No entry
October 17, 2018	8:45 AM	Slab	13-43016	No entry	"No City Inspector for pour" in Superintendent Remarks
October 17, 2018	3:30 PM	Slab	13-43014	Tim 235-3000	"No City Inspector for pour" in Superintendent Remarks
November 2, 2018	7:45 AM	Slab	13-43016	No entry	City inspection showed up. Sent pictures.
November 13, 2018	9:45 AM	Slab	13-43016	Tim 235-3000	Sent pictures of 6A to Julie with City inspectors office
November 19, 2018	9:00 AM	Slab	13-43016	No entry	"Sent pictures to City Inspector for pour" in Superintendent Remarks
November 28, 2018	8:45 AM	Foundation	13-43016	Tim	No entry
December 6, 2018	7:45 AM	Foundation	13-43016	OK to pour 7A and 1st floor	Julie from the City came out for 7A and 1B
December 27, 2018	9:30 AM	Slab	13-43014	tom 432-4110	No log found from Thornton

January 3, 2019	11:30 AM	Slab	13-43016	Tim 235-3003	Sent pictures of slab 7C to City Inspector per request.
January 16, 2019	11:00 AM	Slab	13-43016	Tim 235-3003	No entry
February 22, 2019	7:45 AM	Slab	13-43016	tim 235-3003	No entry
April 5, 2019	7:15 AM	Slab	13-43016	No entry	No entry
April 12, 2019	7:30 AM	Foundation	13-43016	No entry	No entry
June 4, 2019	5:30 PM	Foundation	13-43016	Tim 235-3003	No entry
June 26, 2019	11:22 AM	Slab	13-43014	No entry	No entry
July 18, 2019	3:00 PM	Slab	13-43016	Tim 235-3003	No entry
August 29, 2019	7:30 AM	Slab	13-43016	OK to pour 16A	"Sent pictures to City inspector" in Superintendent Remarks
September 16, 2019	1:00 PM	Foundation	13-43016	Tim 235-3003 OK to pour 17A	No entry in handwritten log
October 1, 2019	12:45 PM	Slab	13-43016	235-3003	No entry in handwritten log

Comparison of GPS location data for Tweeter's vehicle number DSP 3029 to inspection reports, LAMA entries, and Thornton entries in "Job Visitors/inspections" section of Citadel Builders Daily Logs

According to S&P records, vehicle number DSP 3029 was assigned to Julie Tweeter.[26] This vehicle was considered a "Take Home" vehicle, allowing Tweeter to take this vehicle to her residence where it would remain overnight. There were times according to GPS records, Tweeter would begin and or end her work day in the vicinity of her residence at 3233 Belfort Avenue, New Orleans, LA.[27]

Tweeter purportedly conducted eight (8) inspections at 1031 Canal Street after the GPS equipment was installed in her vehicle or a pool vehicle she was driving. Seven of these appear in the LAMA Permit summary for 13-43016-NEWC,[28] and one appears in LAMA Permit summary for 13-43014-NEWC.[29]

The information in the table shown below was derived from a review of inspection reports and LAMA entries completed by Tweeter and compares that information to GPS location data for vehicle number DSP 3029 assigned to Tweeter or a pool vehicle she was driving.[30] Tweeter drove pool vehicle 3043 on June 4, 2019.

The comparison shows that Tweeter uploaded eight (8) inspection reports with the notation "PASSED" into LAMA with dates and times during which she was not physically present on site to conduct the

[26] See Exhibit 21, Device report from S&P showing vehicle number DSP 3029 assigned to Julie Tweeter
[27] *See* Exhibit 20, GPS record for vehicle number DSP 3029 from March 8, 2019 to October 12, 2019
[28] *See* Exhibit 10, LAMA Permit summary for 13-43016-NEWC
[29] *See* Exhibit 17, LAMA Permit summary for 13-43014-NEWC
[30] *See* Exhibit 22, Email from Paul Marina to Zach Smith dated February 22, 2021

inspection according to GPS derived location records for her vehicle or a pool vehicle she was driving. Thornton entries in "Job Visitors/Inspections" section of Citadel Builders Daily Logs regarding inspections also show that she was not physically present on site to conduct these eight (8) inspections.

Date Tweeter conducted inspections as shown in LAMA and Inspection Reports	LAMA Inspection Time	Type of Inspection & Permit#	Tweeter's comments in LAMA Permit summary[31]	Thornton entries in "Job Visitors/Inspections" section of Citadel Builders Daily Logs regarding inspections	GPS derived location of Tweeter's vehicle at reported time of inspection
April 5, 2019	7:15 AM	Slab 13-43016	No entry	No entry	Stationary No record of travel within vicinity of 1031 Canal St[32]
April 12, 2019	7:30 AM	Foundation 13-43016	No entry	No entry	Stationary No record of travel within vicinity of 1031 Canal St[33]
June 4, 2019	5:30 PM	Foundation 13-43016	Tim 235-3003	No entry	Tweeter drove Pool vehicle 3043[34] GPS log for 3043 shows no record of travel within vicinity of 1031 Canal St[35]
June 26, 2019	11:22 AM	Slab 13-43014	No entry	No entry	Tweeter did not use her vehicle and did not sign out a pool vehicle[36]
July 18, 2019	3:00 PM	Slab 13-43016	Tim 235-3003	No entry	405 Lasalle St, NOLA (City Hall)[37]
August 29, 2019	7:30 AM	Slab 13-43016	OK to pour 16A	"Sent pictures to City inspector" in Superintendent Remarks	Tweeter did not utilize a pool car on this date. Her vehicle was either at the vehicle maintenance facility or 7252

[31] *See* Exhibits 17 & 10, LAMA Permit summaries for 13-43014-NEWC & 13-43016-NEWC
[32] *See* Exhibit 23, April 5, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter
[33] *See* Exhibit 24, April 12, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter
[34] *See* Exhibit 22, Email from Paul Marina to Zach Smith dated February 22, 2021
[35] *See* Exhibit 25, June 4 2019 GPS log for vehicle number DSP 3043 driven by Julie Tweeter
[36] *See* Exhibit 22, Email from Paul Marina to Zach Smith dated February 22, 2021
[37] *See* Exhibit 26, July 18, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter

					Warfield St for the entire day.[38]
September 16, 2019	1:00 PM	Foundation 13-43016	Tim 235-3003 OK to pour 17A	No entry Handwritten log not transcribed	405 Lasalle St, NOLA (City Hall)[39]
October 1, 2019	12:45 PM	Slab 13-43016	235-3003	No entry Handwritten log not transcribed	1300 Perdido, NOLA (City Hall)[40]

On February 21, 2020, Tweeter was given a Notification of Emergency Suspension and Pre-Termination Hearing which advised her that she was being placed on a thirty-day emergency suspension without pay from her employment as Senior Building Inspector.[41] Tweeter was cited in the notification for:

> *failure to conduct inspections of buildings as assigned and required by your job duties, as well as subsequent falsification of public records pertaining to these unconducted inspections. These unconducted inspections occurred at multiple locations and on at least the following dates: March 29, 2019, April 1, 2019, April 3, 2019, April 4, 2019,[42] April 5, 2019, April 12, 2019, July 18, 2019, and September 16, 2019.[43] The pattern of behavior discovered included receiving photos of job sites from third parties and uploading those photos to LAMA as though they were taken by you during an inspection, as well as the input of information into LAMA that was intended to indicate that you had been present at the job sites for the inspections in question. Furthermore, you provided written and oral statements to the Director of Safety and Permits falsely indicating that inspections in question had been conducted. This failure to conduct inspections as assigned and the falsification of inspection records is a clear violation of Standard Operating Procedure Memorandum 14-02 and Employee Policy Memorandum 13-02(2)(A)(c): Standards of Professional Behavior.*

[38] *See* Exhibit 27, August 29, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter
[39] *See* Exhibit 28, September 16, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter
[40] *See* Exhibit 29, October 1, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter
[41] *See* Exhibit 30, Notice of Suspension dated February 21, 2020
[42] Tweeter did not conduct any inspections at 1031 Canal Street on March 29, 2019, April 1, 2019, April 3, 2019, and April 4, 2019
[43] Tweeter purportedly conducted inspections at 1031 Canal Street on April 5, 2019, April 12, 2019, July 18,2019, and September 16, 2019

CONCLUSIONS AND RECOMMENDATIONS

This investigation has determined that on eight (8) occasions Tweeter created entries in the LAMA system which falsely represented that she performed physical inspections at the 1031 Canal Street construction site in violation of LSA R.S. 14:133 – Filing or maintaining false public records on the dates shown below:[44]

April 5, 2019	April 12, 2019	June 4 2019
June 26, 2019	July 18, 2019	August 29, 2019
September 16, 2019	October 1, 2019	

Her absence from the job site at the times and dates upon which she purportedly conducted these inspections is documented through the GPS data of her assigned City vehicle and by the testimony of Tim Thornton.

In particular, she uploaded eight (8) inspection reports with the notation "PASSED" into LAMA with dates and times during which she was not physically present on site to conduct the inspection according to the GPS derived location records for her vehicle or a pool vehicle she was driving.[45] Thornton entries in the "Job Visitors/Inspections" section of the Citadel Builders Daily Logs regarding inspections also show that she was not physically present on site to conduct these inspections.[46]

This investigation has also determined that Tweeter uploaded a total of 25 inspection reports, including the eight (8) occasions described above, with the notation "PASSED" into LAMA with dates and times during which she was not physically present on site to conduct inspections according to Thornton's entries in the "Job Visitors/Inspections" section of the Citadel Builders Daily Logs regarding inspections.[47]

Adherence to S&P Standard Operating Procedure Memorandum 14-02, Employee Policy Memorandum 13-02(2)(A)(c): Standards of Professional Behavior and the language in the Building Inspector Job Announcement requires that the person conducting the inspection be physically present on site. Tweeter did perform six inspections in person as required by S&P procedures.[48] This shows that Tweeter knew that inspections are required to be performed on site and in person.

In addition, Tweeter's failure to conduct physical inspections on eight (8) occasions at the 1031 Canal Street construction site as required by S&P procedures and her position as Senior Building Inspector also constitutes a violation of R.S. 14:134 (A)(1) – Malfeasance in Office.

Louisiana Code of Civil Procedure Art. 572 A(2) provides that the above listed felony charges are within statute because they may be prosecuted within 4 years of the commission of the offense.

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[44] *See* Exhibit 18, 32 inspections purportedly conducted by Tweeter
[45] *See* Exhibits 23 through 29
[46] *See* Exhibit 19, Citadel Builders Daily Logs
[47] Ibid
[48] See Exhibit 19, Citadel Builders Daily Logs

PERSONAL AND CRIMINAL HISTORY

Tweeter is described as a white female, born on [redacted]. She currently resides at [redacted].[49] She has no criminal history.

She was first employed by the City as a management analyst on July 15, 1998 and held this position until she resigned on May 10, 2007. She was re-hired by the City as an S&P Building Inspector on March 1, 2015. She was promoted to the position of Senior Building Inspector on August 21, 2018.[50]

As previously described, she was suspended on November 11, 2019 for taking a lunch break longer than the allotted hour on thirty-one (31) separate occasions without departmental notice or approval.[51] She was also suspended on February 21, 2020 for failure to conduct inspections of buildings as assigned and required by her job duties, as well as subsequent falsification of public records pertaining to these unconducted inspections.[52]

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[49] *See* Exhibit 31, Louisiana Driver's License for Tweeter with home address.
[50] See Exhibit 7, City employment history for Julie Tweeter as shown in ADP records
[51] *See* Exhibit 11, Notice of Suspension dated November 22, 2019
[52] *See* Exhibit 30, Notice of Suspension dated February 21, 2020

EXHIBITS ATTACHED

Exhibit 1:	Responsibilities of S&P as shown on City Website (2 pages)
Exhibit 2:	New Orleans Code of Ordinance, Chapter 2, Administration, Article IV, Chapter 7-Safety and Permits, Sec. 4-702, Functions (1 page)
Exhibit 3:	Email from former S&P Director Jared Munster dated February 17, 2014 with Departmental Policy Memorandum attached (1 page)
Exhibit 4:	Departmental Policy Memorandum authored by former S&P Director Jared Munster dated February 17, 2014 (1 page)
Exhibit 5:	Building Inspector Job Announcement (Class Code 2210) [2 pages]
Exhibit 6:	Page eight (8) of OSHA Citation and Notice of Penalty report issued to Heaslip Engineering LLC (1 page)
Exhibit 7:	City employment history for Julie Tweeter as shown in ADP records (4 pages)
Exhibit 8:	Permit number 13-43014-NEWC issued on July 22, 2015 (1 page)
Exhibit 9:	Permit number 13-43016-NEWC issued on July 22, 2015 (1 page)
Exhibit 10:	LAMA Permit summary for 13-43016-NEWC (3 pages)
Exhibit 11:	Notice of Suspension dated November 22, 2019 (3 pages)
Exhibit 12:	Memorandum of Interview of Zachary Smith on February 10, 2021 (2 pages)
Exhibit 13:	S&P Standard Operating Procedure Memorandum 14-02 (5 pages)
Exhibit 14:	S&P Employee Policy Memorandum 13-02, Standards of Professional Behavior, bearing Tweeter's signature (7 pages)
Exhibit 15:	S&P Standard Operating Procedure Memorandum 14-02, bearing Tweeter's signature on page 5 (1 page)
Exhibit 16:	Memorandum of Interview of Tim Thornton on February 24, 2021 (4 pages)
Exhibit 17:	LAMA Permit summary for 13-43014-NEWC (2 pages)
Exhibit 18:	32 inspections purportedly conducted by Tweeter (32 pages)
Exhibit 19:	29 Citadel Builders Daily Logs (110 pages)
Exhibit 20:	GPS record for vehicle number DSP 3029 driven by Julie Tweeter from March 8, 2019 to October 12, 2019 (26 pages)
Exhibit 21:	Device report from S&P showing vehicle number DSP 3029 assigned to Julie Tweeter (1 page)
Exhibit 22:	Email from Paul Marina to Zach Smith dated February 22, 2021 (2 pages)
Exhibit 23:	April 5, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)
Exhibit 24:	April 12, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)

Exhibit 25:	June 4 2019 GPS log for vehicle number DSP 3043 driven by Julie Tweeter (1 page)
Exhibit 26:	July 18, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)
Exhibit 27:	August 29, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)
Exhibit 28:	September 16, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)
Exhibit 29:	October 1, 2019 GPS log for vehicle number DSP 3029 driven by Julie Tweeter (1 page)
Exhibit 30:	Notice of Suspension dated February 21, 2020 (2 pages)
Exhibit 31:	Louisiana Driver's License for Tweeter with home address (2 pages)