

# Activist Groups' Demands September 2016

Various Activist Groups' provided the Charlotte-Mecklenburg Police Department (CMPD) with a list of demands to enhance police-community relations. While there were several items directed to other entities and not within the purview of the CMPD, all requests and recommendations have a common goal of improving police-community relations. The CMPD is committed to continually building trust and legitimacy within the community and welcome input from individuals, groups and organizations that will further enhance our ability to serve the Charlotte-Mecklenburg community.



## Pillar I: Building Trust and Legitimacy – Promoting trust and ensuring legitimacy through procedural justice, transparency, accountability, and honest recognition of past and present obstacles

Activist Groups' Demand	Response and Actions
<b>1.1a</b> Immediate release & disclosure of remaining video footage relative to Mr. Scott.	On Friday, September 30, 2016 CMPD made arrangements for members of Mr. Scott's family to review the remaining Body Worn Camera (BWC) and dash-cam video of events following the shooting in its entirety.
<b>1.2a</b> Accountability for on-scene officers who did not turn on their BWC.	At the time of the police-involved shooting, no tactical officers were assigned a BWC.
<b>1.3a</b> Appropriate funds to data warehousing and dissemination from BWC. (Also Pillar IV)	CMPD currently has sufficient funding for storage of all BWC video.
<b>1.4a</b> Undercover police officer requirement to have BWC. (Also Pillar IV)	<p>CMPD implemented the use of Body Worn Cameras (BWC) in April 2015 with rollout in September 2015 to assist in monitoring emergencies, identifying training and policy deficiencies, and to promote trust, transparency and accountability. CMPD considered best practice policies from other law enforcement agencies and input from the American Civil Liberties Union and Police Executive Research Forum in the development of a BWC policy.</p> <p>In addition to BWC worn by officers assigned to patrol duties, the CMPD issued BWCs to officers for off-duty employment, tactical officers (SWAT and VCAT) and expanded the issuance to all sworn employees below the rank of Deputy Chief in June 2017. To maintain the confidentiality of minors, School Resource Officers will not wear a BWC, and to maintain the integrity of operations and to avoid jeopardizing the safety of officers, covert (undercover) officers will not wear a BWC.</p>
<b>1.5a</b> Provide report on status of CMPD meeting policy changes implemented	CMPD implemented an Arbitrary Profiling Policy in response to the Resolution & updated all associated current Directives. Policies and Directives are available to the public on CMPD's website ( <a href="http://www.cmpd.org">www.cmpd.org</a> ).

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through the Charlotte Civil Liberties Resolution.	<p>In December 2015, CMPD added a Rule of Conduct directive concerning arbitrary profiling. The directive states officers will not conduct any law enforcement activity that is motivated by an arbitrary stereotype or profile. All law enforcement activities involving the detention of a member of the public must be based on a lawful and articulable action. The addition of this rule of conduct allows for more accurate tracking of arbitrary profiling allegations and compliant dispositions.</p> <p>CMPD met with the NAACP &amp; SAFE Coalition and provided the report.</p>
<b>1.6a</b> Police not allowed to militarize unless protests lead to property damages that amass \$500,000.	CMPD accommodates peaceful demonstrations through crowd and traffic control. All equipment and tactics surrounding riot control is based on police response to civil disobedience for the protection of the public, officers, and property.
<b>1.7a</b> Continued de-escalation and demilitarization of police practices used on protestors exercising First Amendment rights.	<p>CMPD collaborates with Mecklenburg County Health Department and Trauma and Justice Partnerships to deliver Crisis Intervention Team (CIT) training. CMPD has trained a total of approximately 500 officers and 90 Communications personnel on the CIT model.</p> <p>CMPD personnel receive 8 hours of Mental Health/First Aid training on an annual basis. Incorporated in this training are effective strategies on interacting with members of the public who may experience a wide range of mental health crises.</p> <p>CMPD accommodates peaceful demonstrations through crowd and traffic control. All equipment and tactics surrounding riot control is based on police response to civil disobedience for the protection of the public, officers, and property.</p> <p>CMPD's Civil Emergency Unit incorporates FEMA's Center for Domestic Preparedness training principles that focus on protecting First Amendments rights, employing crowd management de-escalation techniques, and ensuring due process of those detained or arrested.</p> <p>Both State and Federal law require that all force be reasonable, as outlined in <i>Graham v Connor</i>. This serves as the basis for CMPD's Use of Force policy. The policy also stipulates that officers employ de-escalation techniques when feasible in encounters with members of the public.</p> <p>In October 2016, CMPD began conducting mandatory in-service de-escalation training for all police officers, including an emphasis on scenario-based components.</p> <p>In 2015, CMPD's mandatory tactical response training incorporated de-escalation tactics which became a core element of this annual training.</p> <p>CMPD no longer has or receives military surplus equipment.</p>

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<p><b>1.8a</b> Plan a meeting with the community activists to determine what has been gained from the data collection project.</p>	<p>CMPD is in the forefront of agencies to publish its data on the website giving the public direct access to the data.</p> <p>The External Advisory Committee (EAC) was intimately involved in the development of the Open Data page, and continues to be engaged with CMPD in the evaluation of its effectiveness.</p> <p>The Police Foundation's assessment provided activist groups the opportunity to be heard on their recommendations and concerns through community listening sessions.</p>
<p><b>1.9a</b> Hotline to report unruly police officers. (Also Pillar IV)</p>	<p>Complaints against CMPD personnel may be filed through the CMPD website, the City of Charlotte, US mail, email, in-person, by telephone or anonymously. Complaints can also be filed directly with the Charlotte-Mecklenburg Community Relations Committee.</p>
<p><b>1.10a</b> Diversity quotas that reflect demographics of the City – strategic placement of officers in communities they reside in/hail from. -TF 1.8-</p>	<p>CMPD values the importance of diversity and understands the need to recruit employees who are reflective of the community. CMPD is intentional about recruiting at Historically Black Colleges and Universities in the southeast and solicits the participation of CMPD employees who are alumni of these institutions. There is active recruitment from women's organizations, the military, and numerous other groups and associations. CMPD also recruits within the Charlotte-Mecklenburg community to diversify the applicant pool further. CMPD strives to create a Workforce Diversity that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities. To that end, CMPD actively seeks qualified minority applicants to fill both sworn and civilian positions throughout the department.</p>
<p><b>1.11a</b> Form a delegation of community activists (not just establishment organizations)</p> <ul style="list-style-type: none"> <li>• Review CMPD training to ensure it is culturally competent</li> <li>• CMPD meets the demands expressed by Charlotte Uprising</li> </ul> <p>-TF 1.3-</p>	<p>In January 2017, CMPD began hosting Transparency Workshops. The Workshops are three-day training events intended to provide community members an inside understanding of CMPD's processes, services, and operations to strengthen relationships, increase understanding, and equip the public to provide productive and meaningful input into how our police department functions.</p> <p>In 2015, CMPD established an External Advisory Committee (EAC), comprised of community leaders, to review three areas of the Department: Professional Development, Professional Standards, and Recruitment &amp; Retention. The Lee Institute facilitated discussions between the EAC and CMPD, and prepared a final report on the group's findings. The "CMPD External Committee Final Report 2016" provides recommendations on ways to continue increasing transparency, collaboration, and communication with the community. The EAC is a standing committee that remains active in an advisory capacity to the Chief of Police.</p>

**Pillar II: Policy and Oversight – Developing comprehensive and responsive policies on key topics while also implementing formal checks/balances and data collection/analysis**

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<p><b>2.1a</b> If an undercover assignment leads to bodily harm or death, the video</p>	<p>G. S. Sec. 132-1.4A governs the disclosure (viewing) and release of law enforcement video. CMPD does not have the authority to disclose a video without a court order to anyone other than individuals portrayed in the video or their</p>

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<p>should be reviewed by an outside – nonbiased entity (preferably the CRB with the supervision of the DA).</p>	<p>representative. To maintain the integrity of covert (undercover) operations and to avoid jeopardizing the safety of officers, those engaging in these operations will not wear a BWC.</p>
<p><b>2.2a</b> Prohibit law enforcement officers from racially profiling (racial bias training, data collection of stop-and-frisk, other police encounters, officer-involved killings). -TF 2.13-</p>	<p>CMPD policy prohibits arbitrary profiling, and an alleged violation of this policy is reviewable by the Citizens Review Board (CRB).</p> <p>In June 2015, the Charlotte City Council adopted the Civil Liberties Resolution. This ordinance protects citizens from racial profiling and provides the CRB the opportunity to hear complaints related to arbitrary profiling.</p> <p>In December 2015, CMPD added a Rule of Conduct to its Directives concerning arbitrary profiling. The Directive states officers will not conduct any law enforcement activity that is motivated by an arbitrary stereotype or profile. All law enforcement activities involving the detention of a member of the public must be based on a lawful and articulable action. The addition of this rule of conduct allows us to more accurately track allegations of arbitrary profiling and complaint dispositions.</p>
<p><b>2.3a</b> Give Citizens Review Board meaningful authority. -TF 2.8-</p>	<p>The CRB is an independent board comprised of 11 members of the public who are appointed by the City Manager, Mayor, and City Council. The CRB hears cases involving CMPD employees related to Arbitrary Profiling, Arrest Search &amp; Seizure, Discharge of a Firearm with Injury, Unbecoming Conduct, and Use of Force.</p> <p>CMPD supports State government granting additional authority to the CRB to subpoena witnesses. Two Bills were filed in the House. The first Bill, HB 165, was sponsored by Representatives Moore and Autry and would have provided subpoena power to the Board. HB 165 was referred to the Committee on State and Local Government on 02/23/17. This Bill never made it out of committee. The second Bill, HB 350 also sponsored by Representatives Moore and Autry, would have provided subpoena power to the Chair for the Board. This Bill was referred to the Committee on Rules on 3/15/17, but was never voted out of committee.</p>
<p><b>2.4a</b> Hands Up/Apprehension Policy change. (Also Pillars V &amp; VI) -TF 2.2-</p>	<p>Both State and Federal law require that all force be reasonable, as outlined in <i>Graham v Connor</i>. This serves as the basis for CMPD's Use of Force policy. The policy also stipulates that officers employ de-escalation techniques when feasible in encounters with members of the public.</p> <p>The CMPD Use of Force Continuum is a guideline to assist officers in assessing which level of control may be appropriate when confronted with a certain level of resistance. Officers will use only the amount of force that is objectively reasonable and necessary under the circumstances.</p> <p>In 1997, Charlotte's City Council established the Citizens Review Board (CRB) to help restore public confidence in the police after a string of officer-involved shootings. The CRB serves in an advisory capacity to the Chief of Police, the City Manager, and the City Council. The CRB hears citizen's appeals regarding the Chief's decisions on discipline for certain allegations of misconduct.</p> <p>CMPD instituted Subject Matter Expert Boards (SMEBs) in 2015 to provide expert knowledge related to Use of Force</p>

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	<p>and Conducted Energy Weapon, Driving/Accident Review, Fourth Amendment, and other investigatory areas determined by the Chief of Police. SMEB members have prior training and experience in their respective subject-matter area.</p> <p>In the spring of 2016, CMPD revised the Use of Force policy to hold officers accountable for incidents where officers instigate the need to rise to a higher level of force during encounters with individuals.</p> <p>The Use of Force Policy has been reviewed by the Police Executive Research Forum (PERF) and also by the EAC.</p> <p>The EAC discussed and reviewed police policies, and Committee members are committed to continuing the work with CMPD to make substantive advances in police-community actions and relations.</p>
<p><b>2.5a</b> Police officers not granted administrative leave if clear that their actions led to severe bodily injury or death of unarmed citizen.</p>	<p>Administrative leave ensures that officers are accessible for investigative and administrative follow-up. This includes ensuring the officer is fit to return to duty.</p>
<p><b>2.6a</b> Less pressure on police to meet arrest quotas. -TF 2.9-</p>	<p>CMPD prohibits any practices related to predetermining the number of tickets, citations, arrests, etc. and does not use quota systems in determining citizen stops and contacts.</p>
<p><b>2.7a</b> Reevaluate how warrants are issued – nonviolent offenders cannot be approached by plainclothes officers.</p>	<p>It is impossible to accurately predict violent or nonviolent behaviors of offenders during police encounters. CMPD sworn employees wear various types of clothing in the performance of their duties. Officers working in plainclothes assignments are given specific requirements and direction depending on the function they are performing. A plainclothes officer is defined by policy to be a sworn officer not in uniform but equipped with the necessary equipment and identification to perform a law enforcement function. Officers working in plainclothes are required to have the appropriate equipment readily accessible and identifiable as law enforcement to quickly transition into an apprehension or other law enforcement related activity, if needed.</p> <p>CMPD has recently reorganized the Professional Standards Bureau and has mandated procedures for supervisors to regularly review body worn camera (BWC) footage. CMPD has also updated procedures to require situations when plainclothes detectives/officers must activate and record interactions with citizens via the BWC assigned to them.</p> <p>CMPD took an extra step to review and update the directive regarding search warrants in March, 2017. Policy still directs that the first person(s) to enter the premise must be in a police uniform. Non-uniformed officers on the search will wear the proper CMPD search attire identifying them as sworn officers. CMPD has a set schedule to review all policies and procedures in order to maintain high standards of policing for the Commission on Accreditation for Law Enforcement Agencies (CALEA).</p>
<p><b>2.8a</b> Revamp of Authority/Lethal Force Training – must be citizen approved. -TF 2.2-</p>	<p>The Police Foundation's assessment provided activist groups the opportunity to be heard on all of their recommendations and concerns through community listening sessions.</p>

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<p><b>2.9a</b> Look into potential officers' history as well as family history and affiliations.</p>	<p>CMPD completes a background investigation on all police applicants. This investigation includes, but is not limited to, interviewing friends, family, teachers/professors, past employers, references (those provided and those CMPD develops independently). The background investigation also includes reviewing all social media outlets and any information found in an internet search. A criminal background check is completed for each location an applicant has resided, and the applicant is polygraphed and given a psychological test. The background investigation is a 4 to 6 month process.</p>
<p><b>2.10a</b> Provide the public with the data being collected in its data collection project within the next month or as soon as it is available. -TF 2.6-</p>	<p>North Carolina General Statute (NCGS) 143B-902 stipulates that the NC Department of Public Safety collect, correlate, and maintain traffic and pedestrian stop information by law enforcement officers. Pursuant to the law, CMPD collects, maintains, and analyzes demographic data on all traffic and pedestrian stops and arrests.</p> <p>CMPD is voluntarily participating in the White House Police Data Initiative (PDI). The CMPD Open Data webpage includes data on Officer-Involved Shootings, Traffic Stops, and other information. The data is posted at <a href="http://www.cmpd.org">www.cmpd.org</a> and on the City of Charlotte's Open Data Portal.</p>

**Pillar IV: Community Policing & Crime Reduction – Encouraging the implementation of policies that support community-based partnerships in the reduction of crime**

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<p><b>4.1a</b> Mandatory meetings with victims of police violence prior to joining CMPD.</p>	<p>Recruit training includes a Community Day designed to provide members of the community an opportunity to impact recruits by sharing their experiences and perspectives of policing in Charlotte-Mecklenburg. Speakers include family members of those affected by CMPD's actions, and those who work exclusively with males between the ages of 10 and 24.</p> <p>Community Day classes will continue to include individual community members and various activist groups, even those of a controversial nature, to provide a platform for candid conversation, education, and awareness.</p>
<p><b>4.2a</b> Incentivize positive police interactions. -TF 4.1, 4.2, 4.5-</p>	<p>Imbedded in CMPD's Mission Statement is our pledge to "build problem-solving partnerships with our citizens to prevent the next crime and enhance the quality of life throughout our community...."</p> <p>Central to CMPD's policing practices is the concept of community policing. All department policies and procedures incorporate principles consistent with community policing.</p> <p>CMPD believes public trust is paramount to building strong communities and reducing crime, and that the community and its stakeholders should have the greatest voice in issues concerning their neighborhoods. As such, CMPD's crime fighting model goes beyond looking at the crime numbers alone, to focusing on victimization. In line with this model, CMPD uses Community Safety Forums to disseminate crime information, exchange ideas with community members on current issues, no matter how difficult the conversation, and encourage community members to participate in determining what is most important to them concerning crime and quality of life issues.</p>

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	<p>Community engagement is a major factor in the yearly evaluation for all officers and in all promotional processes. CMPD tracks police commendations from the public and recognizes the positive work. The public can make commendations through the CMPD website, the City of Charlotte, US Mail, Email, In-person, Telephone or Anonymously. Complaints can also be filed directly with the Community Relations Committee (CRC).</p> <p>The CRC Awards Banquet Committee processes over 400 positive recommendations for positive work by police in communities in which they serve.</p> <p>The Chief's Award for Excellence in Policing is awarded annually to CMPD employees who have distinguished themselves by exceptional performance in the area of community policing.</p> <p>Community safety is a shared responsibility that requires a partnership with neighborhood residents, community stakeholders, and the police. The CMPD Community Engagement Services Bureaus' purpose is to seek mutual understanding and communication between the police and the communities CMPD serves. Its primary goal is to build trust and relationships, and to facilitate meaningful dialogue that addresses community issues and problems.</p>

**Pillar V: Training & Education – Emphasizing the importance of high quality and effective training and education through partnerships with local and national training facilities**

Activist Groups' Demand	Response and Actions
<p><b>5.1a</b> Ensure that all CMPD officers have received all training in compliance with the Charlotte Civil Liberties Resolution and the President's Council on 21<sup>st</sup> Century Policing within one calendar year.</p>	<p>CMPD currently conducts mandatory legal training annually for all police officers which remains consistent and compliant with the Resolution.</p> <p>CMPD developed a response to each of the 59 recommendations made by the President's Task Force on 21<sup>st</sup> Century Policing, to include action items where needed. The report was presented to the Charlotte City Council's Community Safety Committee and was published electronically for public consumption.</p>
<p><b>5.2a</b> Undercover engagement tactic training to be facilitated by veteran military operatives with relative experience in how to not shoot to kill.</p>	<p>CMPD is a paramilitary organization; therefore, it would be inappropriate to have military operatives training, as they have different rules of engagement. However, we are always open to assessing and reevaluating our tactical training.</p>
<p><b>5.3a</b> Required amount of Community Service hours per week in respective areas where they will serve. -TF 5.2-</p>	<p>CMPD encourages community engagement by all police officers. However, officers will not be required to do so in an unpaid, off-duty capacity.</p> <p>Altruism is a component of promotional processes implemented in 2016.</p>

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<p><b>5.4a</b> Required amount of Community Service, prior to receiving a gun and badge, in respective areas they will serve. -TF 5.2-</p>	<p>CMPD exceeds State mandated requirements for recruit training, which includes a community engagement component. Recruits will not be required to work in an unpaid, off-duty capacity.</p> <p>Each recruit class must complete a minimum of three community-based initiatives prior to graduating from the Police Academy.</p> <p>Recruit training includes a Community Day designed to provide members of the community an opportunity to impact recruits by sharing their experiences and perspectives of policing in Charlotte-Mecklenburg. Speakers include family members of those affected by CMPD's actions, and those who work exclusively with males between the ages of 10 and 24.</p> <p>Community Day classes will continue to include individual community members and various activist groups, even those of a controversial nature, to provide a platform for candid conversation, education, and awareness.</p>

**Pillar VI: Officer Wellness & Safety – Endorsing practices that support officer wellness and safety through the reevaluation of officer shift hours and data collection/analysis to help prevent officer injuries**

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<p><b>6.1a</b> Protect police who are willing to speak up against injustice.</p>	<p>Federal Law protects against retaliation of employees who report misconduct within an agency. CMPD requires employees to report policy violations to include misconduct and encourages intervention when recognized.</p> <p>CMPD is accountable to its employees through internal reporting of misconduct. On average, 79% of complaints against employees are made by other CMPD employees.</p>
<p><b>6.2a</b> Administrative / Psychological police complaint follow-up. -TF 6.1, 6.2-</p>	<p>CMPD currently conducts administrative follow up of all complaints on employees. Psychological follow up is conducted when appropriate which is determined on a case-by-case basis.</p> <p>CMPD's clinical partners at Mecklenburg County recognized the critical need to address officers' professional trauma exposure and to promote wellness and resilience. As a result, a position was created for a Clinical Director for CMPD that reports to the Program Administrator of Trauma &amp; Justice Partnerships. This position oversees officer health and wellness, and provides recommendations that promote employee resilience in response to traumatic events.</p>

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	<p>CMPD employs a Community Wellness Analyst to increase mental health awareness, wellness, and resilience among CMPD members. The Community Wellness Analyst also facilitates collaborative mental health efforts and initiatives with community partners.</p> <p>CMPD supports the continuing research into the efficacy of mental health checks for officers, as well as fitness, resilience, and nutrition.</p> <p>CMPD is currently working with UNC Charlotte professors to develop and validate a measure of emotion management for use in the selection of new police officers.</p> <p>CMPD officers of all ranks received Emotional Survival training in 2015 as part of NC Criminal Justice Education &amp; Training Standards Commission mandated training.</p> <p>CMPD continues to collaborate with the University of Chicago to enhance the Early Intervention System (EIS). The EIS seeks to identify patterns of behavior, cumulative stressors or traumas that could potentially lead to future adverse interactions or events involving an employee.</p> <p>The City of Charlotte provides Employee Assistance Program (EAP) services to employees. A variety of services are provided through EAP.</p> <p>CMPD is enhancing its Early Intervention System (EIS) with the assistance of the University of Chicago to provide assurance that the Department is being proactive in detecting undesirable behaviors. The enhanced EIS will also provide for additional assistance and monitoring of the wellness of our employees. We are committed to addressing issues with our employees in a timely, empathetic, and responsible manner. The EIS allows us to hold ourselves accountable and take necessary action(s) to remediate issues. It also provides an opportunity for training and other interventions to prevent future adverse interactions with the public. The tentative rollout date is November 1, 2017.</p>

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