



SAFE Coalition NC

Safety Accountability Fairness Ethics

Notes for Safe Communities Committee Community Input Group.

1. Police accountability.

- **(Problem)** CMPD is being dishonest on its compliance with 8 Can't Wait policies which Charlotte City Council instructed CMPD to report back on. (Per Sam Sinyangwe Data Scientist for Campaign Zero) Specifically Chokehold policy, Duty to Intervene Policy, and Shooting into Motor Vehicles policy and Data Collection.
- **(Action Step)** This committee needs to hold a conference call with Campaign Zero on 8 Can't Wait Compliance. The Council needs to force CMPD to get within compliance with these basic human rights violations. If Council does not have the ability to force CMPD into compliance of these 8 basic points, it has no power to make CMPD adopt any other changes.
- **(Problem)** Charlotte City Council has little control of purchases by CMPD. Any purchase under \$500,000 is handled by the City Manager and does not require consent by City Council. This means that CMPD can purchase as much crowd control, militarized or surveillance equipment as they want without an affirmative vote by City Council.
- **(Action Step)** This Committee should review the Civil Liberties Protection Act of 2018 that we submitted to City Council and was denied. The Act also had a section of mass arrest that City Council refused to pass. **(1)**. We request that this committee lobby Charlotte City Council for the passage of the Civil Liberties Act of 2018.

2. Police transparency

- **(Problem)** CMPD cannot be forced to be transparent if Charlotte City Council is not held to the same standard. Including a new Helicopter in the Neighborhood Corridor section

of the 2021 budget did not build public trust in the transparency of City Council, or the commitment they have now expressed to reimagine policing. Council spent time the night of the 2021 Budget vote falsely crediting itself with removing \$103,000 from CMPD's budget for tear gas, and not one second talking about the \$4.7 million they budgeted for a new CMPD Helicopter out of needed neighborhood dollars.

- **(Action Step)** City Council still must vote on spending the \$4.7 it has allocated for the Helicopter. We ask that no such vote occurs and that the \$4.7 million is reallocated to pay for an independent audit on CMPD's spending and efficiency, and to collect data on arrest in categories that can be redirected to community alternatives.
- **(Problem)** CMPD units like CEU, VCAT and Swat do not have attachments on their tactical uniforms for Body Worn Cameras to be mounted on their uniforms. SAFE Coalition NC has fought for years to have all officers equipped with BWC;s, Recently CMPD became the first department in the state to add holster monitors that activate an officers BWC automatically when they draw their service weapon or taser. The Holster Monitor also activates the BWC's of all officers within 90 feet of the officer that unholstered their service weapon or BWC. This equipment is not serviceable for tactical officers who are engaging in the most aggressive response calls simply because they can not be attached to their uniform.
- **(Action Step)** CMPD needs to immediately purchase uniforms that allow for the mounting of Body worn Cameras and holster monitors.

3. **Police oversight**

- **(Problem)** Charlotte finally made Subpoena power part of its 2019 Legislative agenda with the support of then CMPD Chief Kerr Putney. As we start planning for the city's 2021 Legislative Agenda, CMPD states that they are not in favor of subpoena power (per WCNC). **(2)**
 1. How will not having support for subpoena power by CMPD impact the city's ability to lobby for it?
 2. The local bill that Charlotte submitted to the NC General Assembly for subpoena power did not have support from the Republican members of the Mecklenburg Delegation.
- **(Action Step)** City of Charlotte has to obtain support from CMPD Chief Johnny Jennings, the local to Fraternal Order of Police, and Republican State Senator Rob Bryan to

successfully win Subpoena Power for the Charlotte Citizens Review Board—if the continued strategy is to achieve that through a local bill.

- **(Problem)** Our community has pushed for over a decade to empower the Charlotte Citizens Review Board with the ability to subpoena witnesses, investigate cases brought before them, and make binding decisions on the cases that they hear.

Unlike most cities in NC, Charlotte has an existing Civil Service Board that makes decisions on an officer’s discipline. How do we reconcile the problem that the CRB hears appeals from the public but does not have the ability to discipline, and the CSB has the power to discipline, along with subpoena and investigative powers, but does not hear cases brought by the public.

(Action Step) We propose that the ordinances governing both the CRB and CSB be amended to allow complaints that are sustained by the CRB, and refused any further action by either the City Manager or CMPD Police Chief, to be referred to the Civil Service Board. In this scenario, the CRB acts as a Grand Jury and the CSB hears their sustained cases as a trial jury.

- **(Problem)** There are very few complaints taken to the Charlotte Citizens Review Board by Charlotte residents. In 2015, Charlotte City Council recognized this as a problem and committed to raising public awareness of the board’s existence through advertisements and referrals.

Board	Year	Complaints	Request for Appeals
Charlotte CRB	2016	45	2
Charlotte CRB	2017	27	4
Charlotte CRB	2018	26	0
Charlotte CRB	2019	34	?

Per Charlotte Observer

- **(Action Step)** We request that Charlotte City Council, with the help of the Charlotte Community Relations Committee, revisit its marketing plan for the CRB and update its outreach efforts

- **(Problem)** In 2017, Charlotte City Council adopted changes that we championed on the interview & selection process for members of the Charlotte Citizens Review Board and Civil Service Board. One change was that the Charlotte Community Relations Committee could interview candidates to ensure the diversity of the boards. We have not been able to ascertain if this process has been implemented or ever used.

Charlotte Ordinances Sec. 16-56 (a1)

Candidates for the board may be interviewed by a panel comprised of a representative from the community relations committee, the citizens review board, and the city manager's office to assess core characteristics necessary to serve on the board. Such panels shall provide their assessments to the relevant appointing authority. (3)

- **(Action Step) SAFE** Coalition NC would like an update from the city on how many interviews have been performed in the selection of CRB and CSB members since the ordinance change in 2017.

4. Eliminating Targeted & Disproportionate Enforcement.

- **(Problem)** Traffic stop data continues to show that CMPD disproportionately stops African Americans. We do not believe that this is due to calls for service or helps make the community safer, but is a pattern and practice of institutional racism. In 2015, we attempted to reduce the number of these stops by mandating CMPD give an articulable reason for a traffic stop and requiring officers obtain Consent to Search affirmations to be recorded during the traffic stops. This was part of the Civil Liberties Resolution we lobbied for and was passed unanimously in 2015. Even with these enhanced protections and mandating that CMPD officers record all traffic stops and store them in a requestable database, CMPD continues to stop African-Americans disproportionately. **(4)**

It is our opinion that CMPD monetizes poverty in African-American neighborhoods to raise money through fines, tickets, and arrest. These stops are for minor infractions like missing license plates, expired tags, missing taillights etc. In addition, unwarranted traffic checkpoints in predominantly African-American neighborhoods are not making the community safer.

These targeted enforcement strategies are collecting money from the African American community disproportionately for the City of Charlotte and costing poor people unneeded money in court cost and lawyer fees. The independent audit of the Ferguson Police Department after Michael Browns death exposed the national practice of monetizing fines on the African American community. We believe CMPD & the local courts are similarly engaged in these practices. **(5)** Targeted traffic stops, and checkpoints also lead to harassment complaints and create situations where African Americans have an increased chance of being harmed when questioning CMPD's motives for stopping them.

- **(Action Step)** Action NC would ask this Input Group to investigate alternatives to police conducting traffic stops and a complete elimination of checkpoint stops that are not tied to a direct incident of someone committing a Class A Felony. We would recommend investigating what cities like Berkley, CA are doing around outsourcing traffic stops to civilian organizations. **(6)**

“It’s hugely significant,” said Cheryl Phillips, co-founder of the Stanford Open Policing Project at Stanford University. “It has the potential to transform what is, I think, the most common interaction with police that people have.”

Data analyses by the open policing project also found that Black and Latino motorists were searched far more often than whites, Phillips said, but the searches turned up fewer drugs, guns and other contraband. She also said it’s notable that the racial disparity in stops decline after sunset, presumably because it is harder to see the race of a driver.

- **(Problem)** Marijuana arrests in Charlotte are also disproportionately skewed towards African Americans being arrested for possessing small amounts, while white residents are not. In 2016, following the death of Keith Lamont Scott, multiple quantitative and qualitative articles were written on the problem.

<https://www.charlotteobserver.com/news/local/crime/article60170981.html>

- **(Action Step)** Action NC request this Input Group investigate CMPD's marijuana arrest history, data and enforcement strategies. Ultimately, we would like there to be changes to local marijuana law enforcement to ensure that the disproportionate fines, stops and arrest of African Americans can be ended. This process is another example of why Action NC is requesting an independent audit of CMPD.

Below is suggested language that we would like to see included in CMPD's marijuana enforcement SOP's. The language is based on Austin Texas Police Departments Marijuana policy.

"CMPD will no longer cite or arrest individuals with sufficient identification for Class 1 or Class 3 misdemeanor "possession of marijuana" offenses, unless there is an immediate threat to a person's safety or doing so as part of the investigation of a high priority, felony-level narcotics case or the investigation of a violent felony. "

(Will not be impactful without independent audit of CMPD)

5. Community Alternatives to Policing.

- **(Problem)** The modern expectations on police to perform social service roles is untenable. The police are ill equipped to handle the expectations that have been placed on them to perform clinician duties, community building, counseling and mentorship that now make up a large share of their daily duties. The completion of 30 hours in this course work and another 10 hours in that course work will never make an officer fit to perform these social service duties at the level of a trained social worker or clinician. The actual job itself will always be reactive to the needs of the community in these areas instead of proactively preventing the harms that communities in crisis struggle with.

This role as part-time social worker, coupled with the complex history of systemic racism in police departments from their inception in southern cities, has led to a distrust especially in the African-American community that will not change until the role of police is reimagined.

It is impossible for the African-American community to have faith in the police system birthed in the south from slave patrols, used as a system of control during Jim Crow, mobilized to enforce peonage in the post WWII era, crush opposition to segregation during the Civil Rights movement, quell white fear of the black community during white flight to the suburban ring during the 70's - 80's and disproportionately profile, stop & arrest African Americans to this day without reimagining their role. All internal efforts by police department to address a problem they readily admit have not amounted to much measurable

change. This is not a problem with police officers as individuals but as a profession that's history is problematic, and is now asked to perform roles they are never going to be able to do with much efficiency. It's hard to imagine an officer being able to get a 12-year-old living in a fragile neighborhood to ever get to the level the trust of a clinician or social worker when the mere appearance of the police cruiser and armed officer responding to a low-level call for service strikes fear in them. That will not change until their exposure to police changes.

We believe that calls for service of a domestic nature, and calls for service for what are referred to as "Broken Window" violations ,can be reassigned to a clinician-based response. A response that is better suited to offer direct crisis support and immediate social service referrals is needed. Action NC further contends that violence interruption programing would proactively reduce community violence, and help empower the community to build safe, strong, and resilient neighborhoods without police interactions

- **(Action Step)** The two immediate areas that we believe are imperative for "Reimagining Policing "beyond those covered in the Eliminating Targeted & Disproportionate Enforcement section of this document are violence interruption and the outsourcing of non-emergency calls for service. It is our desire that the Input Group will work with the county and city in their efforts to start a violence interruption program and investigate alternatives such as the Cahoots program to replace police as first responders to domestic calls for service and misdemeanor calls for service.

<https://cvg.org/>

<https://whitebirdclinic.org/what-is-cahoots/>

(Will not be impactful without independent audit of CMPD)

6. Independent Audit of CMPD Requested

- See Attached PDF.