



Charlotte City Council
Safe Communities Committee
Meeting Summary
August 18, 2020

COMMITTEE AGENDA TOPICS

- I. Review of Feedback from the Community Input Group - Informational and Input
- II. Updates on Alignment of CMPD Practices with the “8 Can’t Wait” Initiative - Informational
- III. Continued Discussion on Reviewing the Roles of the Civil Service Board and the Citizens Review Board - Informational and Input
- IV. Continued Discussion on the Review of Police Training and Recruitment - Informational and Input
- V. Review of CMPD Rules of Conduct - Informational and Input

COMMITTEE INFORMATION

Committee Members Present: Larken Egleston (Chair), James Mitchell, Jr. (Vice Chair), Dimple Ajmera, Renee Johnson, Victoria Watlington

Additional Council Present: Ed Driggs, Matt Newton, Braxton Winston

Staff Resources: Marcus Jones, City Manager
Johnny Jennings, Deputy Police Chief
Federico Rios, Office of Equity, Mobility and Immigrant Integration

Meeting Duration: 11:05 a.m. – 1:54 p.m.

ATTACHMENTS

1. Agenda
2. Follow-Up Information from August 4, 2020 Safe Communities Committee
3. Overview of the Citizens Review Board and Civil Service Board
4. Overview of Citizens Review Board Recommendations and Opportunities
5. Safe Communities Committee Input Group Sub Group Analysis
6. CMPD Training and Education PowerPoint
7. CMPD Rules of Conduct

DISCUSSION HIGHLIGHTS

The meeting was called to order at 11:05 a.m. by the Chair, Larken Egleston. City Manager Marcus Jones provided an overview of the agenda and explained that the process being used for material presentation will be to bring information to the Committee, allow the Committee

members an opportunity to digest the information and come back to the Committee with a topic for further discussion before a recommendation is made.

He also shared background on the work being done outside the Committee meetings. The Council, with the various Committee Chairs, have referrals which are specific to violence reduction, how policing is addressed, and how the City is made safe, which includes roads, streets, and sidewalks. He also provided an update on violence interrupters. The Community Executive Steering Committee met to discuss how the City, County and health organizations can further collaborate on violence prevention. The four intervention efforts underway include:

- 1) Cure Violence will be present both virtually and in person in a few weeks.
- 2) Atrium will partner with the City for a Hospital Based Violence Intervention Interrupters Program.
- 3) The County will partner with the City for a Street Based Violence Interrupter Program.
- 4) Staff will unveil the Community Violence Data Dashboard.

Review of Feedback from the Community Input Group

Federico Rios discussed attendance challenges being addressed with Community Input Group (CIG) members. He provided a recap of the group's last meeting where the Rules of Conduct presentation was made. Facilitators and participants provided excellent feedback. The Sub Group Analyses were provided to Committee members. Mr. Rios noted that beginning the week of September 15th, the CIG will begin meeting on the Thursday during the weeks of the Safe Communities Committee meetings. The CIG's next meeting will focus on peaceful protests.

Updates on Alignment of CMPD Practices with the "8 Can't Wait" Initiative

Chief Johnny Jennings shared that CMPD's Policy Team has continued to meet with the architects of the "8 Can't Wait" Initiative on four items: Duty to Intervene, Ban Shooting at Moving Vehicles, Require Exhaust of All Alternatives Before Shooting, and Require Comprehensive Reporting. They have met standards for the Reporting Requirement with Body Worn Cameras, Tagging and Reporting, as well as the Signal Sidearm. They have also met the Duty to Intervene Standard. There are two items they will continue to discuss in hopes of a resolution: Restriction of Shooting at Moving Vehicles (there is a disagreement on whether vehicles can be used as a weapon) and Exhaust All Alternatives Before Shooting (he believes CMPD's wording already satisfies their statement request). Chief Jennings reported that all patrol officers have received Signal Sidearm equipment. They expect to issue the equipment to all sworn officers as the order is filled. There may be exceptions with undercover officers.

Continued Discussion on Reviewing the Roles of the Civil Service Board and the Citizens Review Board

City Clerk Stephanie Kelly made a presentation that provided an overview of the Civil Service Board (CSB) and Citizen Review Board's (CRB) purpose, membership, counsel and types of complaints they review. Individuals who need assistance completing an appeal request can contact the Community Relations Department. Additionally, the Mecklenburg County Bar has 15 attorneys who will provide pro bono legal assistance in completing the form. The form is available in several different languages. Ms. Kelly emphasized that the two boards are very distinct. The Citizens Review Board reviews appeals by citizens who file complaints on dispositions imposed by the Chief of Police or his designee relating to allegations of misconduct against a sworn officer. Their hearings are confidential and closed to the public. The Civil Service Board is a quasi-judicial board that was established in 1929 by the North Carolina General Assembly to approve applicants and promotions for fire and police departments, as

well as hold hearings for employees of these departments who have been cited for termination or had charges brought against them. The Civil Service Board also has the authority to request investigations of incidents involving matters of public interest with police or fire. Their hearings can be open to the public if the employee agrees.

Attorney Cary Davis, Counsel for the Citizens Review Board, provided a summary of the Board's policy recommendations that have been proposed, implemented, or partially implemented. Attorney Davis noted that the following areas are still being discussed in order to strengthen the Citizens Review Board:

- Subpoena power (CMPD supports the request for officers to appear at evidentiary proceedings, but would like for the same condition to be applied to civilians before consenting)
- "Justified but potentially preventable" disposition (for situations where the shooting itself may have been justified but police actions escalated the situation unnecessarily);
- Jurisdiction to review Neglect of Duty violations (now incorporated into CMPD's policy, but the Citizens Review Board does not have jurisdiction to hear this category) Would require City Ordinance to be amended to include this new category

CMPD Attorney Jessica Battle provided clarification on CMPD's process to explain any differences between a civilian being charged with the same crime (i.e. homicide) as an officer conducted in the line of duty.

Mr. Ryan McGill, Civil Service Board Chair, shared highlights of their work, as well as their interactions and engagement with CMPD. He also spoke regarding their subpoena power authority. Mr. McGill shared recommendations made by the Civil Service Board members some of which would require state level approval such as having the CSB act as an appeals board for CRB. As well as the recommendation for officers to live in Charlotte to promote more connection with the communities they serve.

Continued Discussion on the Review of Police Training and Recruitment

Deputy Chief Stella Patterson and Lt. Jason Helton provided an overview of the training and education provided by CMPD, as well as the work they are doing externally with some of their partners. She covered the police academy curriculum, leadership training for in-service officers, and community training opportunities. The State of North Carolina requires 640 hours of Basic Law Enforcement Training. CMPD's curriculum is 1,040 hours.

In 2008, the County began hosting Crisis Intervention Team Training as in-service training for CMPD officers, dispatchers, and non-emergency police services personnel that have been with the department for 1 – 2 years. The training follows the International Best Practices Model approved by the National Alliance on Mental Health. CMPD launched the Community Policing Crisis Response Team in April 2019.

Additional Trainings outlined were:

- De-Escalation and Cultural Competency
- Professional curriculums for leadership development
- Racial Equity Institute Training in partnership with Race Matters for Juvenile Justice (RMJJ)
- Communicating Law Enforcement Actions and Responsibilities (CLEAR) Workshops for community members
- An 8-week Citizens Academy

Review of CMPD Rules of Conduct

Chief Johnny Jennings presented details of the Rules of Conduct Policy. He emphasized that all employees are expected to maintain professional standards in their conduct on and off duty. All complaints of rules of conduct are investigated by Internal Affairs. Any employee arrested or charged

with a crime must notify the Chief of Police within 48 hours. Additionally, suspended or revocation of a driver's license must be reported to the Chief of Police.

Discussion of Next Steps

The City Manager confirmed that upcoming topics included:

- Continue Community Input Group Report Outs
- Continue Discussions on Review of Rules of Conduct
- "8 Can't Wait" Initiative Updates
- Review Passive Protest, Peaceful Demonstrations and First Amendment Activities directives

Motion and Vote:

Council Member Watlington made a motion, seconded by Council Member Mitchell, to update the City's ordinance to enable Neglect of Duty violations to be reviewed by the Citizens Review Board. The motion carried unanimously. The motion will go to the full Council for discussion and consideration.

Feedback from the Committee and other Elected Officials present:

1. The Intergovernmental Relations Committee is developing a legislative agenda and requests individual letters from the Committee, CMPD and the Citizens Review Board stating their position on Subpoena power by September 22, 2020 to assist with creating an overall intergovernmental strategy for a multi-committee approach.
2. Consider a follow-up meeting with Safe Communities Committee members, Dana Fenton, Council members Braxton Winston and Tariq Bokhari, and the CRB and Civil Service Board for a detailed discussion on why one has subpoena power and the other doesn't.
3. Consider which committee could undertake conversations regarding broadcasting the Citizens Advisory Boards and Committee meetings deemed most important by citizens.
4. Include more statistics or data along with recommendations coming to the Committee for consideration. For example, with the request for subpoena power for CRB, what are the statistics on the percent of citizens that do not show up for Citizens Review Board hearings?

Additional information was requested for the following items:

1. How have cities that have implemented Ban Shooting at Moving Vehicles policies, per Campaign Zero's analysis, written their respective policies?
2. What suggestions are there for increasing citizen participation with the Citizens Review Board other than legal authority of a subpoena?
3. Request that the City Attorney obtain a legal opinion for Council's ability to enact the Safe Coalition recommendation whereby there could be an appeal of the Citizens Review Board over to the Civil Service Board. Does the City Council need permission from the General Assembly to enact that type of provision into our ordinances?
4. CMPD training costs.
5. Statistics on the percent of citizens that do not show up for Citizens Review Board hearings
6. Contact information for citizens to sign up to participate in the CLEAR workshops
7. An overlay of CMPD youth program participants with the Opportunity Corridors

The meeting was adjourned at 1:54 p.m.