

COMMITTEE #4: Meeting #2 Agenda

2.24.2021

- I. Welcome and introductions (Mike)**
 - a. Approval of [staff notes](#) from Meeting #1.
- II. Review of [template](#) for recommendation analysis (Jeff)**
- III. Discussion of remaining recommendations (Mike leads discussion)**
- IV. Initial prioritization of recommendations for full task force (Mike)**
- V. Next Steps**
- VI. Adjourn**

DRAFT as of 2.22.2021

Reimagine public safety and reinvest in communities

- **Rec 1:** Respond more appropriately to situations concerning mental illness, autism, intellectual disabilities, substance abuse, homelessness, and other non-emergency situations (**Secondary Responsibility:** *Committee 1: Executive Branch Action, Committee 3: Legislative Action*)

Full Text: Emergency response strategies should emphasize that law enforcement is not the best fit for every type of call for services and instead focus on providing needed services and support.

Communities should consider approaches that include:

- Co-responder units pairing crisis-trained officers with social workers or other professionals, which the town of Chapel Hill has done since 1973.
- Models such as CAHOOTS (Eugene, Oregon) and STARS (Denver, Colorado) that provide for the dispatch of non-law-enforcement personnel to appropriate calls.
- At a minimum, the dispatching of officers with crisis intervention training (CIT), but ideally officers who specialize in crisis intervention and are CIT Officers.

Local jurisdictions should create and fund these new models to begin these best practices.

These models should track metrics and provide training on mental illness, autism, intellectual disabilities, substance misuse, and homelessness to all system stakeholders, including emergency dispatch operators, to ensure that these models are implemented in a racially equitable way. Legislative and grant funding at the state level will greatly assist communities in establishing these programs, as will the availability of training and technical assistance from the North Carolina Justice Academy (Justice Academy) and the North Carolina Department of Health and Human Services (NCDHHS). The North Carolina Criminal Justice Education and Training Standards Commission and North Carolina Sheriffs' Education and Training Standards Commission (Standards Commissions) have opportunities to consider rulemaking in this area.

Necessary Action: local policy change; administrative rule change by the Standards Commissions; legislative change.

Stakeholders: Chiefs Association; CJ Standards Commission; Cardinal Innovations

Next Steps: Identify potential funding sources [JW: survey police departments and sheriffs' offices about existing programs] HJ: Inventory community organizations across NC that

utilize strategies that promote community safety; Identify evidence-based community-based promising practices that promote public safety.

Goal: [JW: host an event/summit/roundtable for agencies/communities interested in this where existing programs could share knowledge?] HJ: Promote concrete examples of promising practices with local official (including LE)

- **Rec 3:** Fund grassroots organizations that employ promising and peaceful strategies to help communities promote public safety (*Secondary Responsibility: Committee 3: Legislative Action*)

Full Text: State and local governments should provide financial and other support to grassroots and community organizations that provide services to people, families, and communities, with particular focus on communities adversely impacted by drug use, drug sales, and drug enforcement. These organizations employ promising and peaceful strategies to help communities promote public safety for themselves while mitigating racial disparities in criminal justice involvement. Law enforcement agencies should communicate with these organizations and work with them to the extent possible.

Necessary Action: local policy change; state policy change.

Stakeholders: MH: Local & State Governments, Local Advocacy Organizations, Law Enforcement

Next Steps: Identify potential grassroots organizations or criteria by which to search for them. HJ: Inventory community organizations across NC that utilize strategies that promote community safety; Identify evidence-based community-based promising practices that promote public safety.

Goal: HJ: Promote concrete examples of promising practices with local official (including LE)

- **Rec 4:** Develop and provide funding to help communities build violence prevention programs (*Secondary Responsibility: Committee 3: Legislative Action*)

Full Text: Grant funding and technical assistance should be provided to support communities in developing violence prevention programs. Funding options include, but are not limited to, federal funds, state appropriated funds, grant funds through the Governor's Crime Commission (GCC), and local government funds. Violence prevention programs, such as Bull City United in Durham, include community- and hospital-based programs that approach violence as a public health problem and provide solutions including mediation, mentoring, job training, and counseling.

Necessary Action: local policy change; state policy change.

Stakeholders: Bull City United; CURE Violence; Deborah Weissman, UNC Law [JW: the Health Alliance for Violence Intervention, a group dedicated to hospital-based violence prevention that presented to Working Group 2; major hospital systems such as Duke, UNC, and Atrium Health]

Next Steps: Identify violence prevention programs HJ:Inventory template of successful community-based violence prevention programs; Inventory NC Funding opportunities; Promote recommendation with private funders;

Goal: [JW: create a guide for communities seeking to establish these programs?] HJ: Raise awareness of best practices of violence prevention programs and promote these effectiveness and need with funders

- **Rec 5:** Form local Community Safety and Wellness Task Forces to examine public safety and wellness needs

Full Text: Local communities should form Community Safety and Wellness Task Forces to examine communities' needs, educate residents on existing safety and wellness resources, and provide recommendations for additional programs to enhance public safety and wellness that rely on community-based prevention, intervention, and re-entry services as alternatives to criminal justice involvement. An example of this is Durham's newly enacted Community Safety and Wellness Task Force.

Necessary Action: local policy change.

Stakeholders: Durham Community Safety and Wellness Task Force

*Next Steps:*HJ: Identify template for Community safety and Wellness Task Force Development; Attain description and history of Durham's Task Force

Goal: [JW: have Durham present information to other cities via the League of Municipalities?]

HJ: Promote importance of documentation of public safety and wellness needs with local officials – Through presentations; brief; etc

Strengthen community policing practices

- **Rec 6:** Adopt community policing philosophies and plans in collaboration with the communities law enforcement serve

Full Text: Law enforcement agencies should adopt community policing as an agency-wide philosophy. Adopting this philosophy requires agencies to work with neighborhood residents to co-produce public safety, including jointly identifying problems and collaborating on solutions.

Agencies should develop community policing plans in collaboration with the communities they serve. This also requires developing and cultivating trusted relationships between members of the community and law enforcement officers and meeting regularly with those liaisons and other community members.

Necessary Action: local agency policy change; state agency policy change.

Stakeholders: [JW: agency heads and supervisors; community activists/organizations; entities representing officers, e.g., FOP]

Next Steps: Create a standard definition of community policing. HJ: Promote relationship building between communities and LE. Including assembling of best practices. Emphasize/Encourage the importance of local law enforcement including community input into community policing methods.

Goal: [JW: expand NC Justice Academy programming re community policing? Create a community policing toolkit to help agencies deepen their work? Encourage the Chiefs' Association to have someone from TREC present to the Association about community policing?] HJ: Include in JA info the essential component of shared ownership with community. JA to consider having a community advocacy board relating to community input process.

- **Rec 8:** Encourage or require officers to spend non-enforcement time, or live in, the neighborhoods they serve

Full Text: Agencies should encourage or require officers to spend non-enforcement time in the neighborhoods they serve. Non-enforcement time may include officers coaching sports teams, doing community service projects, or simply engaging in conversation with residents. Providing more non-directed time to officers may require changes to officer scheduling.

Law enforcement agencies and city and county governments should consider working together to provide financial incentives, such as housing subsidies, to encourage officers to live in the communities they serve.

Necessary Action: local agency policy change; state agency policy change; local government policy change.

Stakeholders: Local municipal governments; City/County attorneys associations; State Bar [JW: agency heads; officers and organizations that represent them]

Next Steps: [JW: survey agencies about existing policies?] HJ: Collect current examples and success stories of this practice. (including outcome if available) determine methods for such intervention to be successful – Ex. Community input.

Goal: HJ: Build trust between communities and LE. Communities welcome LE and freely communicate

- **Rec 9:** Publicly acknowledge mistakes by law enforcement to build trust and transparency

Full Text: When law enforcement agencies make mistakes that impact the community, they should publicly acknowledge the mistakes as a way of building trust and transparency.

Necessary Action: local agency policy change; state agency policy change.

Stakeholders: Sheriffs and Chiefs Associations; City/County attorneys associations; State Bar

Next Steps: Identify models/examples to achieve this, i.e. the medical field, city of Greensboro (Fayetteville Police apologized for destroying SAECKs) HJ: consider proactively examining if there are legal deterrents.

Goal:

Reform investigations

- **Rec 11:** Use data and objective criteria, instead of officers' subjective perceptions and beliefs, to drive the level of police presence in neighborhoods (**Secondary Responsibility: Committee 3: Legislative Action**)

Full Text: The amount of law enforcement presence in a neighborhood should be driven by objective factors including calls for service, community policing practices, and reports of serious crimes, rather than by officers' subjective perceptions or beliefs, which could lead to negative community interactions.

Necessary Action: state policy change; local policy change.

Stakeholders:

Next Steps: Review similar law for motor vehicle checkpoints, [§ 20-16.3A](#). MH: Identify existing programs which serve as templates, especially with smaller LE orgs

Goal:

Commented [MJ1]: Refer to data?

- **Rec 12:** Deemphasize felony drug possession arrests for trace quantities under .25 grams

Full Text: Deemphasize (or make the lowest drug law enforcement priority) drug possession arrests for trace quantities under 0.25 grams in non-ABC permitted locations.

Necessary Action: state agency policy change; local agency policy change.

Stakeholders: Joe Kennedy, UNC Law

Next Steps: MH: assemble data to support potential positive results of policy change

Goal:

- **Rec 13:** Prioritize traffic stops that improve traffic safety

Full Text: Agencies should focus on traffic stops that improve traffic safety, including by:

- Deprioritizing “regulatory” traffic stops.
- Reducing pretextual stops.
- Focusing on traffic enforcement on thoroughfares rather than in residential neighborhoods absent complaints or clear safety concerns.
- Not using quantity of vehicle stops as a consideration in measuring productivity/performance.

Necessary Action: state agency policy change; local agency policy change.

Stakeholders: [JW: Frank Baumgartner, UNC; former Chief Harold Medlock, Fayetteville; NHTSA; UNC Highway Safety Research Center; agency heads?]

Next Steps: MH: assemble data to support potential positive results of policy change

Goal: [JW: create/release sample policy?]

- **Rec 14:** Require all consent searches to be based on written, informed consent (**Secondary Responsibility: Committee 3: Legislative Action**)

Full Text: Require all consent searches to be based on written, informed consent.

Necessary Action: state agency policy change; local agency policy change; legislative change.

Stakeholders: Chiefs Association [JW: Frank Baumgartner, UNC?]

Next Steps: MH: collaborate with LE to identify strengths and weaknesses, look at examples elsewhere to begin formulating sample policy

Goal: [JW: create/release sample policy?]

- **Rec 15:** Restrict state law enforcement use of asset forfeiture on low-level seizures where there is no conviction (*Secondary Responsibility: Committee 3: Legislative Action*)

Commented [MJ2]: Referred to data?

Full Text: North Carolina should follow best practices of other states by placing suitable restrictions on the use of equitable sharing of federal asset seizures of currency. Federal adoptions occur when a state or local law enforcement agency calls in federal agents to adopt a currency seizure. Ideally, these restrictions will completely ban federal adoptions, and prevent state or local law enforcement agencies from sharing the proceeds of assets seized in the course of joint investigations, if they do not result in a criminal conviction and the dollar amount of the seizure is \$5000 or less.

Necessary Action: Task Force collaboration; legislative change; agency policy change.

Stakeholders: [JW: agency heads; narcotics officers; USDOJ?]

Next Steps: Review results from data team on how many of these cases occur in North Carolina. MH: Assemble data on usage of seizure assets

Goal:

Promote diversion and other alternatives to arrest

- **Rec 16:** Establish and expand access to diversion programs (*Secondary Responsibility: Committee 3: Legislative Action*)

Full Text: Local government entities, including city councils, county commissions, judicial/prosecutorial districts, and school boards, in partnership with law enforcement agencies, service providers, and directly impacted people, should establish pre-arrest and post-arrest diversion programs throughout the state. Law enforcement and prosecutors should consider the impact of collateral consequences of a criminal record during charging decisions and the state should encourage and support these programs through appropriated and/or grant funding.

Pre-arrest diversion efforts should build on current examples such as Law Enforcement Assisted Diversion (LEAD) or the Coordinated Opioid Overdose Reduction Effort (COORE) program in Orange County, North Carolina. For post-arrest diversion, we should fund and establish recovery courts and other types of diversion programs. If a case should be dismissed outright, prosecutors should not route to diversion instead. All programs and treatment offered should be evidence-informed.

Many of these diversion programs have not historically benefited people of color, but they are an upstream intervention that can prevent criminal justice involvement. Those who design, implement, or fund such programs should insist that the programs emphasize racial equity in every aspect of the program and guard against the risk of racial inequity in a discretion-based program, including by:

- Prioritizing systematic data collection on race and ethnicity at all points of programming.
- Comparing program demographics to county- or state-level demographics for people who are eligible for the program but not enrolled.
- Including cultural competency training and education not just on substance misuse but also on racial equity and the overuse of the criminal justice system, the concept of collateral consequences of criminalization, and the effects of the racialized War on Drugs.
- Ensuring that these programs are provided at no cost to the participant and do not exclude people because of their criminal history.

Necessary Action: state policy change; local policy change; legislative change.

Stakeholders: [JW: “Local government entities, including city councils, county commissions, judicial/prosecutorial districts, and school boards, [and] law enforcement agencies, service providers, and directly impacted people”?]

*Next Steps:*HJ: develop comprehensive inventory of NC Diversion programs; Draft a sample description with budgets; Collect data on effectiveness

*Goal:*HJ Distribute helpful information to local entities considering development of these programs (Promotion)

- **Rec 18:** Encourage citations and summons in lieu of arrest whenever possible (*Secondary Responsibility: Committee 3: Legislative Action*)

Full Text: Encourage law enforcement to issue citations in lieu of arrest whenever possible for misdemeanors. For Class III misdemeanors and violations of local ordinances, the process shall be the issuance of citations. Magistrates are encouraged to issue summons in lieu of arrest whenever possible, including for any civilian-initiated charges. Before a local hospital police force can issue a citation for minor assault against a patient who committed the offense while psychotic or otherwise cognitively impaired, a physician must also sign the petition.

Necessary Action: state agency policy change; local agency policy change; legislative change.

Stakeholders: [JW: agency heads; NCAOC; UNC School of Government?]

Next Steps: HJ; Identify jurisdiction where this is happening with successful outcomes. Develop evaluation criteria for this policy change

Goal: [JW: create/release model policies? Include content in BLET? In training for magistrates?]

Revise the role of School Resource Officers

- **Rec 19:** Hire behavioral health professionals in schools (*Secondary Responsibility: Committee 3: Legislative Action*)

Full Text: Schools should devote resources to hiring a sufficient number of nurses, counselors, psychologists, and social workers to meet the needs of students with behavioral difficulties. If additional resources are needed, they should be provided. Funding sources that should be considered include at a minimum: local funding, state funding, State Children's Health Insurance Program (SCHIP) funding, and Medicaid funding.

Necessary Action: legislative change; local policy change. HJ . This is a lot about budget allocation

Stakeholders: [JW: school boards; principals; funders?]

Next Steps: HJ: Collect research that promotes conclusion that this provides better outcomes

Articulate what outcomes are being targeted. MH: This needs to be more precisely defined, what is "sufficient"

Goal:

- **Rec 20:** Fund school personnel training on mental health, first aid, cultural competence/diversity/inclusion, and developmental disability (**Secondary Responsibility: Committee 3: Legislative Action**)

Full Text: There should be funding for all school personnel to complete Mental Health First Aid, first aid, cultural competence/diversity/inclusion, and developmental disability training.

Schools and communities should create structured and well-supported opportunities for youth involved in the juvenile justice system to participate in decision making activities, ensuring lived experience is integrated into knowledge base of the SRO training curriculum and School Justice Partnerships.

Law enforcement agencies should participate in the International Association of Chiefs of Police One Mind Campaign, which seeks to ensure successful interactions between police officers and persons affected by mental illness.

Necessary Action: legislative change; local policy change.

Stakeholders: [JW: school boards; principals; funders; NC Justice Academy; NCAOC; agency heads?]

Next Steps: HJ: Collect information on what training currently exists MH: I think many localities already do at least some of this

Goal:

- **Rec 21:** Develop inclusive processes for selecting and overseeing SROs

Full Text: Law enforcement agencies that provide SROs, in collaboration with the communities they serve, should develop processes for selecting SROs that include input from schools and parents and that prioritize assigning officers who actively desire to serve as SROs. Communities should also use inclusive tools to monitor and provide feedback on the work of SROs; some communities may choose to use advisory boards for this purpose.

Necessary Action: local policy change.

Stakeholders: [JW: agency heads, mostly sheriffs; SROs; school boards/systems; principals; teachers; students; parents] MH: county commissions, they're the funding mechanism for this

Next Steps: [JW: identify models?] MH: does this tie into R6 (community policing), if so, should they be linked

Goal: [JW: create/release model policy? Add content to SRO curriculum?]

Support restorative justice initiatives and victim equity

- **Rec 61:** Establish and fund restorative justice programs in local communities across the state and at various points of the criminal justice system (*Secondary Responsibility: Committee 2: Judicial Branch Action*)

Commented [MJ3]: Referral to Comms?

Full Text: Restorative justice is “a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available when that is impossible.” We recommend establishing and funding Restorative Justice programs in local communities across the state. These programs should be available at various points of the criminal justice system, including at the start of a potential criminal proceeding and during incarceration. These programs should not require the use of traditional criminal justice processes.

Necessary Action: local policy change.

Stakeholders: [JW: crime victims/organizations representing same, e.g., NC Victim Assistance Network; defendants/defense attorneys; law enforcement?]

Next Steps: [JW: identify models?] HJ: conduct inventory of NC programs

Goal: HJ: Promote this with private funders

- **Rec 62:** Form a victim advisory group to help develop restorative justice programs and other equity programs for crime victims

Commented [MJ4]: Referral to Comms?

Full Text: During the implementation of the Task Force’s recommendations, form a victim advisory group to help develop restorative justice programs and other equity programs for victims of crime.

Necessary Action: Task Force collaboration; local policy change.

Stakeholders: [JW: crime victims/organizations representing same, e.g., NC Victim Assistance Network?]

Next Steps: HJ: Consult with other Victim serving groups (ex. NC VAN) ; Identify templates for such advisory groups

Goal:

Decriminalize marijuana possession

- **Rec 71:** Deprioritize marijuana-related arrests and prosecution

Full Text: Deemphasize (or make the lowest drug law enforcement priority) marijuana possession arrests in non-ABC permitted locations. Prosecutors should immediately deprioritize marijuana-related prosecution.

Necessary Action: state agency policy change; local agency policy change; prosecutorial policy change.

Stakeholders: [JW: agency heads; city councils; county commissions; marijuana offenders?]

Next Steps: [JW: identify places where this has been done?]

Goal: [JW: create/release model policy?]

Improve pre-trial release and accountability practices

- **Rec 83:** Create independent pretrial services and improve data collection

Full Text: Encourage the use of independent pretrial services whenever possible at no cost to defendant. Explore state funding and regional models to support best practice pretrial services in small or rural counties.

Improve statewide data collection to ensure robust evaluation of pretrial practices, including equity considerations.

Necessary Action: local policy change; legislative change; state policy change by the NCAOC.

Stakeholders: [JW: all court actors, including prosecutors, defense attorneys, magistrates, and judges; NCAOC; defendants; city councils and county commissions; sheriffs and jail administrators]

Next Steps: [JW: identify models?]

Goal:

