

Local Policy Committee Meeting 1 – 1/27/2021

Introductions

- Mike Hawkins, Committee Chair
- Josh Stein, TREC Co-Chair
- Anita Earls, TREC Co-Chair
- Deborah Dicks Maxwell, Committee Member
- Angelica Wind, Committee Member
- Jeff Smythe, Committee Member
- Mayor Mitch Colvin – absent
- Ronnie Smith – absent
- Jasmine McGhee, TREC Co-Lead
- Holly Jones, Committee Staff
- Jeff Welty, Committee Staff
- Greg Sabin, Committee Staff

Overview of Task Force Operations – Jeff Welty

- The Local Policy Committee has both primary and secondary responsibility for implementing various TREC recommendations from the Final Report.
- Our committee meetings will be monthly for 90 minutes.
- The goal of today's meeting is to overview the primary and secondary responsibility recommendations to prioritize and strategize their implementation.

Prioritization of Recommendations – Discussion led by Mike Hawkins

- Justice Earls – The committee has autonomy on how to implement the Task Force's recommendations. The committee should think broadly and creatively to identify funding sources.
- Attorney General Stein – One of the first goals of the committee should be to identify stakeholders for outreach.
- Mike Hawkins – Read through each of the recommendations below in Reimagine public safety and reinvest in communities.

PRIMARY RESPONSIBILITY

NOTE: The Recommendations listed below are the primary responsibility of Committee #4. However, as we wrote in the report, there is often more than one way to implement our recommendations. Therefore, other Committees may have been also been assigned many of these recommendations in a secondary or supporting role. If so, the name of the secondary committee(s) is listed in parentheses. **As the primary committee, you have ownership of the implementation process and coordinate with these other committees as you see fit.**

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**)

- Jeff Welty – the Working Group that put forward this recommendation heard from co-responders in Chapel Hill and social service responders in Denver (STARs Program). Lack of funding for local departments is usually a constraint in hiring social workers. What are ways to further the dialogue with local law enforcement in this area?

- Jeff Smythe – The Chiefs Association and CJ Standards Commission are strong places to start identifying stakeholders. Cardinal Innovations may have connections to identify funding/grant sources. Jacksonville Police may be involved in developing or using a co-responder model. At a high level, many departments are aware of co-responder models. There will likely be a moderate lift in providing a cost-benefit analysis to local departments.

- Jasmine McGhee – There is also a crisis intervention training component. At a minimum, it may be prudent to pursue Mental Health First Aid or CIT training for departments.

- Jeff Smythe – Mental Health First Aid is a shorter class than CIT. Often, it is a hurdle to take an officer off of their post to attend longer trainings, especially for smaller agencies.

- Jeff Welty – The BLET training is under revision and CIT/Mental Health First Aid training may be a component. The committee could also ask CJ Standards to send out a survey to departments to see what practices currently exist in NC departments.

- Jeff Smythe – There may be some push back to having CIT classes in BLET. Some law enforcement leaders feel the training may be better suited for officers after a year of service, and a lighter training like Mental Health First Aid may be more appropriate for new officers.

- Deborah Dicks Maxwell – There may be other trainings to identify and other opportunities for in-service classes.

- Jeff Smythe and Angelica Wind – Mental health training varies widely by department. Small, rural agencies generally have challenges accessing advanced training.

- Mike Hawkins – This topic will be heavily funding-driven. One of the goals should be to identify financial resources to help implement the recommendation.

- **Rec 3:** Fund grassroots organizations that employ promising and peaceful strategies to help communities promote public safety (*Secondary Responsibility: Committee 3: Legislative Action*)
- **Rec 4:** Develop and provide funding to help communities build violence prevention programs (*Secondary Responsibility: Committee 3: Legislative Action*)
- **Rec 5:** Form local Community Safety and Wellness Task Forces to examine public safety and wellness needs

- Jeff Welty and Jasmine McGhee – These three recommendations are closely related, but different players are associated with Rec. 4, like hospital-based intervention programs. Bull City United and Cure Violence are models in the violence-prevention space.

- Justice Earls – Identifying grassroots organizations from Rec. 3 will be a good place to start. A tenant of reimagining public safety is the idea that the community may have ways and organizations to peacefully prevent violence before it starts. Deborah Weissman, a professor at UNC Law and domestic violence

expert, provided information on NC's offender treatment programs. The data shows these programs may be effective, but are drastically underfunded.

- Mike Hawkins, Justice Earls, Jasmine McGhee – Allowing communities to divert from the criminal justice system could help mitigate systemic racism in the criminal justice system. An important component of these recommendations will be data collection and program evaluation.

Strengthen community policing practices

- **Rec 6:** Adopt community policing philosophies and plans in collaboration with the communities law enforcement serve
- **Rec 8:** Encourage or require officers to spend non-enforcement time, or live in, the neighborhoods they serve
- **Rec 9:** Publicly acknowledge mistakes by law enforcement to build trust and transparency

- Jeff Welty – Every agency in the state likely believes they are doing community policing, but that means different things to different departments.

- Jeff Smythe – The strength of locally-based policing in America is that policing can be adapted to the community. Therefore, community policing will look different in different areas. There is work to be done both definitionally and practically. Creating a “standard definition” may be a good next step for each of these recommendations. Off-duty interactions build trust and empathy, but achieving it can be very difficult. City governments could give tax breaks to police officers to make home ownership in the jurisdiction more economically viable. Also, this benefit would be a great recruiting tool. Elected officials and lawyers are a barrier to implementing Rec 9. For example, apologizing for mistakes may be used as an admission of culpability in lawsuits.

- Deborah Dicks Maxwell – One way to acknowledge mistakes could be to do it through the associations rather than individually. For example, the sheriffs could admit their historical role in enforcing slavery.

- Angelica Wind – There has to be a mechanism to create accountability to build trust. Where has this been done successfully in a way that repairs distrust between the police and community? Breaking the cycle of community trauma will go a long way to safer communities.

- Justice Earls – The medical field and the city of Greensboro may be a good place to look for model programs.

- Mike Hawkins – The league of municipalities may be a good stakeholder to approach as an education component.

- Jasmine McGhee – The city/county attorneys associations and the state bar are good stakeholders to identify as well.

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**)
- **Rec 12:** Deemphasize felony drug possession arrests for trace quantities under .25 grams
- **Rec 13:** Prioritize traffic stops that improve traffic safety

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

- Jeff Welty – There is a statute that requires motor vehicle checkpoints to be standardized and based on objective criteria.

- Jeff Smythe – Data collection and analysis is a hurdle for many small departments, but small departments could partner with nearby cities or the state to create data analysis hubs.

- Jeff Welty – Part of the challenge of this recommendation is identifying which data is most illuminating and measures racial inequity. Jeff will send around a paper from Joe Kennedy at UNC Law which shows that arrests for trace amounts of drug possession rarely lead to arrests of drug traffickers. Focusing traffic stops on violations that affect public safety can help improve community relations.

- Jeff Smythe – Written consent is a higher bar than informed consent. The Chiefs Association opposes written consent.

- Justice Earls – Officer Billy Gartin provided examples of how officers can sometimes push the boundaries of what “informed consent” means. Written consent can be a strong tool to increase community trust and reduce racial disparities in policing.

- Jeff Smythe – In Burlington, they’ve seen success by increasing racial equity training without a written consent policy. Federal asset forfeiture laws are robust, and restricting the use of it can be detrimental to police department’s ability to fund community programs.

- Jeff Welty and Jasmine McGhee – The data team could help with identifying how many of these asset forfeiture cases occur in North Carolina. The data team could also provide data on objective policing criteria.

Conclusion

- Mike Hawkins – Staff and the committee chair will convene to talk about the meeting today and identify paths forward for the full committee. Adjourned meeting.