



North Carolina Task Force for Racial Equity in Criminal Justice

Working Group #1

Meeting #2

Date: 20 August 2020

Time: 10:10 AM EST

Chairperson: Mayor Mitch Colvin

Members in Attendance: Colvin, Mitch; Dismukes, Leslie; Davis, Cerelyn; Ingram, John; Towns, Angela

Other TREC Members in Attendance: Earls, Anita; Stein, Josh; Dyer, Karen; Robinson, Michael; McGhee, Jasmine; Spolar, Ellen

Members not in Attendance: Gailliard, James

Special Guest Speaker: Dr. Patrick Oliver

I. **Meeting Minutes:**

Chief Davis made a motion to accept the August 6, 2020 minutes as presented. Sheriff Ingram seconded the motion, and the minutes were unanimously approved.

II. **General Welcome:**

Mayor Colvin: It is the goal of the Working Group to be effective and efficient during meetings. Information is distributed in advance for review prior to each meeting. Our intent is to have a goal(s) and outcome(s) for each meeting. Our main goal is to build better trust and relationships between law enforcement and the community. This Working Group is comprised of two law enforcement officers, a legislator, and representation which has close contact with the citizenry and brings a local government perspective to the table which affords us great opportunity to come up with some great recommendations for the overall Task Force to consider.

III. Review of Last Meeting:

Dismukes: Leslie provided a review of the August 6, 2020 meeting which focused on recruitment and retention. The group decided to divide its meetings for our three (3) subject matter areas: recruitment and retention, training, and accountability and culture in an attempt to drill down on a particular area of focus at each meeting. The pre-work which was sent focused on recruitment and retention specifically which is now open for discussion. Leslie inquired of Sheriff Ingram whether the fourth bullet included in his survey responses, "*Enhancement of the law enforcement profession,*" is intended to be encompassed by the three other prongs the group is working on, or is it an addition?

Sheriff Ingram: The Sheriffs' Association has a working group of sheriffs focused on enhancing law enforcement professionalism. Sheriff Ingram expressed the need for consistency within the Sheriffs' Training and Standards Commission and CJ Standards Commission. In particular, there are inconsistencies on forms when a person leaves, resigns or is fired. CJ has a section which mentions conduct, whereas Sheriffs' simply mentions rules violation or criminal investigation. There needs to be consistency between the two Commissions to ensure an officer who falls into that loophole does not leave an agency without an investigation being completed and is potentially hired by another agency. There is also a lack of standardization with our agencies statewide, whether a sheriff's office or police department. There are approximately 6 or 7 sheriffs' offices statewide that are accredited. CJ is proposing a North Carolina based accreditation program. The cost to participate is minimal compared to the cost required to be a part of the CALEA Program. Participation in the accreditation program would raise these agencies up to minimal and acceptable standards, and hold them accountable with regards to proper reporting of potential problematic officers and ensure there are thorough background investigations and that that information is shared among agencies. Oftentimes, an agency will conduct a background check on an officer who has made application with them, but when they reach out to another agency, the agency provides very limited information, if any, which does not provide a clear understanding of who that officer is or potential issues involving that officer. There needs to be a lot more consistency among agencies and how we share information about these officers.

Dismukes: Today's discussion will focus on recruitment and retention, followed by Training on September 17th and Accountability and Culture on October 1st. There will be a lot of pre-work going into accountability and culture. The group discussed adding an additional meeting and then finalize our recommendations for the Task Force. Today, we have Dr. Oliver as our guest speaker. There will be other speakers at future meetings to speak on other topic areas. Members should let Leslie know if they have any questions or special needs. The Task Force may have an overall recommendation for pieces of data to be collected statewide. We need to be conscious, for our group, what types of data we want to recommend be collected throughout this process. Today's pre-work documents include the Idea Bank review, Dr. Oliver's article, IACP and COPS documents which were provided last

week. It was the consensus of the group that providing the documents electronically in advance works best.

Chief Davis: The documents previously sent have been quite comprehensive, so receiving them ahead of time has provided the group an opportunity to review them in order to have a well-informed meeting.

Dismukes: A question from our last meeting involved the types of data our Commissions collect. CJ collects demographic data from training records, but it is still a self-report. To Justice Earls' question, we do not have a breakdown by department. If we feel a departmental breakdown is helpful, that might be a data suggestion we have for the ultimate working group is that we need a breakdown by sheriff's office or department. Sheriffs' database has race and gender fields, but according to the Director of Sheriffs' Standards, Diane Kanopka, those fields are approximately 30% blank because applicants do not fill it out. The data collected by CJ is not mandated by a rule. CJ recently considered a new rule for collecting BLET data so now we have permission to collect data on the number of people who start BLET. In the past, we have only collected data on the number of people who finished. With the new rule, we will now know the attrition rate. Leslie confirmed with CJ staff that data does not include demographic data – only numbers, and neither have disaggregated data by department.

Other responses to data questions involved OIS/SBI investigations and Citizen Review Boards. Leslie is still looking into these matters and expect to have answers on discussions involving Accountability and Culture.

III. Presentation – Dr. Patrick Oliver:

The Task Force for Racial Equity in Criminal Justice is dealing with a number of different topics, but our focus today will be to talk about the hiring of law enforcement officers.

1. **The hiring of law enforcement officers is an agency's most important function.** Great organizations hire well. Getting good people takes a lot of work and you have to be intentional about it. The vast majority of hires will become future managers in an organization. Most do not deny that people are our most important resource; but it is not practiced by the vast majority of agencies in hiring well. Great organizations have great people. People evaluate the quality of the agency through the quality of the people they are dealing with. For a local community member, the officer they deal with on the streets provides the reputation for that law enforcement agency. An officer who treats a community citizen with dignity and respect, and handles the problem with care and compassion, as far as they are concerned, that is a good law enforcement agency. If not, one will feel it is not a good law enforcement agency because of the way they were treated. Hiring is critical – the quality of the organization is reduced down to the quality of its people. No amount of training, equipment or resources will ever replace the quality of the individual officer.

Talent searches are the first and most important battle for quality organizations. One thing that the great organizations of the world do better than other organizations they compete

with is they hire the best people from the same demographics as their competitors. A research study out of Ohio State University posed the question, “Do Division I college football teams that have the top recruiting classes show up in the most wins over losses?” The answer is absolutely yes. More important that the x’s and o’s are the Jimmy’s and Joe’s. You have to get the top people.

2. **Top manager’s key role in hiring.** Hiring is an executive’s most important decision because whomever he or she hires is going to be the person providing the service in your organization. The individual that controls hiring controls the quality of the organization. Head coaches in professional organizations want to have influence over players being drafted because they believe whoever controls the talent controls output on the playing field. Having the right people determines the level of agency effectiveness. If the people within your organization are not competitive, then how can your organization be competitive in the profession. You also need to develop your leadership bench strength. Who will be effective managers or front-line leaders, or middle-line leaders, etc. Are you looking at those qualities that are important when you hire? Do you know what they are?
3. **Six top qualities of effective law enforcement officers and the importance of Emotional Intelligence (in order of importance).**
 - a. **High moral character.** The role of a law enforcement officer is one of integrity. That person is supposed to be the most trustworthy individual in our society. In theory, this is a person you know you can trust. If a law enforcement officer does not have integrity, they have nothing to sell to the public.
 - b. **Service-orientation.** Service is what is primarily being sold in law enforcement -- whether you work at small town PD or big town PD, 80% of the calls will be for service. If you are not a service-minded individual, law enforcement is not a good profession for you. Service mindset, making other people more important than yourself, is critical to doing well in the law enforcement profession.
 - c. **Good human relation skills.** Law enforcement officers meet and deal with people all day long and oftentimes have to go into a negative situation and attempt to leave people with something positive. You can only do that if you have good human relation skills. You are often dealing with people at their worst, and you may not be able to give them their property back or heal their wounds, but you can be kind, compassionate, caring, professional, listen well, and do those things that you can do. If you have great human relation skills, you leave people better than you found them and they are thankful for the demeanor exhibited by the officer involved.
 - d. **Team compatibility.** Law enforcement officers work under the concept of team—come in early, stay late, work holidays, and weekends. One can only do that if they are a team player. If the goal of the organization is more important than their personal goals, they have to be committed to the organization’s vision, mission, core values, and major goals. That means they have to be a team player and if they are not a team player, to do what needs to be done when it needs to be done to the best of their ability, then they are not compatible for law enforcement service.

- e. **Performance Driven.** Most law enforcement officers work independently, and they have to be the individual that seeks to be the very best that they can be. The only real competition you face in this life is not being as good as someone else; it's being the best that you can be—doing your best and putting forth your best effort; having a good work ethic when there is not a call for service. Are you caring about people, serving people, helping people...are you setting and achieving organizational goals? A law enforcement officer who is good at the job must be a performance driven individual who strives for excellence in all that they do.
- f. **Self Control.** When things get out of control, does a law enforcement officer stay under control? Do they do what needs to be done, but do it professionally, with care and compassion? As a former Police Chief, officer have told him, "No, Chief, I treated that person the way they deserved to be treated." Wrong answer. You treat people better than they deserve to be treated—they way you would want your mother, father, brother, sister, child or wife treated if they were the murderer or rapist. You do what you have to do, but with care and compassion.

All six of these traits are character-based. You hire for character and you train for skills. This deals with one's emotional intelligence. Emotional intelligence is simply defined as the intelligent management of one's emotions. It is those people who know how to deal with others with care and compassion, listen well, and are conscious of how what they do impact other people. More important than how smart you are is how you are smart. We want people who are emotionally intelligent ... who have the soft skills which are the character-based skills. In law enforcement, in the vast majority of cases, when someone is receiving a written or verbal reprimand, suspension, termination, or in the worst case scenario, is indicted, it is because they have displayed poor character. Rarely are job actions taken because of a lack of technical ability and when we hire, there tends to be an over-focus on technical abilities and skills and under-focus on good character-based skills. That is not to say you do want people with the mental horsepower. There are some hard skills you do want. You want people who are good writers and should assess for one's writing ability before you hire them because law enforcement is a writing intensive career field. You do want people who are good oral communicators, or critical thinkers but the character-based skills have to be the most important. When we send someone to a law enforcement academy to train them to be a police officer, they do not really need to know anything about law enforcement. We train them to do everything—how to shoot, make an arrest, laws, how to wear a uniform, but it is difficult to take an adult whereby those character traits have been largely set. So it is important to focus on those traits when you do your hiring which are essential job functions. Dr. Oliver made the assertion that an entry level assessment should be used to evaluate and measure and assess critical soft skills that cannot be seen in other parts of the process.

- 4. **Top two recruiting strategies.** There are two recruiting strategies in law enforcement that work better than any other:
 - a. **Grow your own.** This is where you identify people who are interested in law enforcement at a young age before they are ever eligible to work at a law enforcement agency. You bring them into your agency in some formal capacity at age 13, 14, 16 of age and you train them, mentor them, develop them, support them

in their educational program. You get them in early before they develop problems in their lives and create a separate pathway into your organization. This method is so effective that the FBI is now doing it through their Honors Intern Program used at colleges. There is a rigorous selection process, but 2-3 years while still in college, participants are backgrounded and screened, and are then placed on a squad to assist in a support role in their work. Upon graduation, they are hired by the FBI in a full-time support position, and after 3-5 years, they attend new agents school. This is done in an attempt to attract minorities. Growing your own works better than anything else. The best example was probably 12 years ago during an invitation to speak at a recruitment selection retention conference in Kansas City, KS. There were agencies from across the country there, mostly in the mid-west. When the Kansas City PD spoke, they indicated they have a 17-member command staff and all their command level officers. Fourteen of the 17 command level officers were hired by the agency in a cadet program. They grew their top talent and they rose right to the top. This is a long-time, intentional hardworking commitment in growing your own...going into your community and identifying people who have an interest, bringing them in, pouring into them and developing them. The mentoring process is very powerful. The master apprentice method is the oldest and best training method in the world where you basically develop your talent.

- b. **Targeted selection.** Targeted selection is identifying who would be successful in a job, and where can you find that individual. This is what executive search firms do. They sit with the hiring authority to determine what is the knowledge, skills abilities, education, training, experience, behaviors and traits would make one effective in this job. Once they develop this profile, they go out and find matches to that profile. They are intentional and know where to go out and find that person and bring that person to the organization. The top people and the best people in most cases do not initiate their application. The person is found/sought out for the position. Targeted selection is where you know the target you are trying to hit and you know what it looks like. Dr. Oliver has found that most agencies have really not taken the time to identify who succeeds in this job. What are the critical success factors? What other knowledge, skills, education, abilities, training behaviors and traits are we looking for in someone that succeeds in a job. Any agency can do that because you can run this process of reverse engineering by identifying the best police officers in your agency and then say, what are the things they have in common. Now you have a profile of what to look for. Targeted selection does mean setting up a booth with brochures and handouts about your program, but instead, it means identifying people who have access to a pool of candidates that fit the profile and then being intentional about recruiting them. This process is effective and efficient.

- 5. **Key philosophies in hiring for diversity.** The achievement of diversity is leader-lead. You have to be intentional. You have to be involved with diverse sectors in the minority community that you are trying to recruit. This is done from the top down – the Chief, CEO or Sheriff has to drive this process. They have to set goals, hold managers accountable, ensure every manager is going to be a recruiter, and develop long-term relationships with the minority community to develop a pool of candidates who come into the organization.

CALEA has a long-term standard on diversity that the population of the law enforcement officers should match its service community. When you do that, you have a lot more credibility by that community and you will make more effective decisions in that community as an agency. There are a number of things that benefit from that. Dr. Oliver encouraged the group to read his article written for IACPs online magazine which talks about the benefit of human diversity. Diversity must be an organizational philosophy. If it is a philosophy, it must start with the CEO of that law enforcement agency from the top down. They need to see you, hear from you, and they will be held accountable by you. If there is a lack of diversity, you can probably assume that implicit or hidden bias has been at work and has kept your agency from hiring the diversity people that you could hire. If your agency is not as diverse as your service population, you have to ask why and do some examination. There may be gatekeepers in your organization who are blocking your goals to be a diverse organization. You need to set and achieve diversity goals. In setting diversity goals, it is not hiring people that are unsuitable for the job. That is never ever been a good approach to achieving diversity. When you achieve diversity or affirmative action, it is a recognition there is a diverse pool of candidates who qualify for the position and that you have to be intentional to go out and find them and get them. There must also be some policy and management controls over what you want to do. You have some goals and objectives to lead to the goals, and periodically, you are measuring how you are doing on those goals and making sure there is proper training, leadership, accountability and an understanding of where you are going and why so that you have a vision.

6. **How to assist small and other local law enforcement agencies in hiring.** The Governor of Ohio has created an Office of Law Enforcement Recruitment with a focus on getting more minorities and women in law enforcement. Dr. Oliver is the lead consultant on that effort. Some of the things they are doing is to provide information on how to hire well. What does a good process look like? The process needs to be comprehensive. There needs to be a written exam, polygraph, personal history questionnaire, background, psych, medical, physical agility test should be made a part of the hiring process. Three components every law enforcement agency must have: a personal history questionnaire which precedes the background investigation; a psychological examination to determine if people are psychologically suited or not; and a medical exam to ensure they are medically suited to endure the rigors of the law enforcement profession. Agencies need to create a website with links to other websites that provide information to law enforcement agencies about hiring. IACPs website for hiring is located at discoverpolicing.org. It is funded by a grant from BJA and assists law enforcement agencies with hiring. Any law enforcement agency in America can put their job openings on that site. It is a site to educate the general public about the law enforcement job, what it requires, how to prepare yourself, what happens in the Basic Academy and answers to other really good questions. Perhaps it is something you wish to replicate in North Carolina and add a link to that site. You may wish to develop recruitment fairs to assist other law enforcement agencies in finding quality candidates by putting together a process where you prescreen and identify viable candidates for law enforcement agencies, coaching/mentoring/training, and then bringing them to a certain location and invite law enforcement officer out to meet and talk with those people as potential candidates. You might also develop and share model policies and procedures, perhaps with a good personal history questionnaire. If that document is less than 25 pages, it probably is not that good. A good solid background investigative process is a must because it is a

character-based job. The purpose of a background investigation is to evaluate someone's suitability for the job based on character. The psychological evaluation should be administered in two parts: an interview ideally with a police psychologist and the use of some instrument where they assess the psychologist fitness. Training on hiring should be provided. The hiring process should start and conclude in no longer than 120 days. Dr. Oliver's hiring processes go on for six months, eight months, nine months and one year. People start the process and go into the tunnel and do not know when they are coming out. Training on how to hire well is important.

Two other items not included in the slideshow presentation are decertification and accreditation. There are too many officers that have problems in one agency and then end up in another agency. That needs to be avoided. That's the Tamir Rice story where it was not documented that the officer came out of a suburban agency where they basically documented that in their opinion he was not suitable for law enforcement work, yet he ends up at the Cleveland Police Department. North Carolina needs a rigorous, robust decertification process. You want to take away someone's certification if they have demonstrated they are not fit for law enforcement service. You want to promote accreditation, whether it is state accreditation or international accreditation through CALEA. When agencies are accredited, you know they are doing those things in the best interest of their community and in the best interest of their staff. If they are not accredited, they might be doing them or they may not.

Chief Davis: Question pertaining to decertification...Are you guided by a policy in the police department as it relates to decertification or is it just a practice that the agency has adopted or is that through an accreditation sort of policy or recommendation already drafted?

Dr. Oliver: Every state in the US has what's called a POST (Peace Officer Standards and Training Board) which means you are certified as a peace officer through the state, therefore you are decertified as a peace officer through the state. The decertification process in Ohio is through the Ohio Peace Officer Training Commission which is where this process should be housed in every state—that you take away someone's license as a police officer. Additionally, what is being discussed on a national basis is to have a national database of decertified peace officers.

Chief Davis: We have that here in the State of North Carolina. I was just wondering if that process sort of an automatic flow into the state's decertification process as a result of some disciplinary action or some internal affairs investigation that it automatically goes to the state for decertification?

Dr. Oliver: There are rules that are promulgated that indicate under what circumstances or situations one might be decertified. When that happens, it triggers a process being initiated by the local agency to the state to have them review that officer to determine if the officer should be decertified. That happens on a board level to determine if they should be decertified.

Chief Davis: Deferred to Leslie as to whether a case stumbles across the Commission only as a resort of someone making an appeal to us, or are there some automatic triggers that present a case before us for decertification?

Dismukes: We have talked about the wandering officer – making sure one officer does not leave under a cloud of suspicion and go someplace else. It is always if an officer is switching commissions. So if someone leaves a police department and goes to a sheriff's office, the background check will always go through the new commission for certification with the new commission. When switching types of law enforcement, it will always get checked through our commissions. The issue if you go from one sheriff's office to another or one police department to another, it is not always captured. It would depend on what was written on the Affidavit of Separation and whether or not when that was sent to CJ or Sheriffs', that they would then initiate an investigation. That is sometimes where that kind of gap appears. There have been discussions about when an officer leaves an agency, it would triple the work for staff that would require huge increase in budgets and staff in both commissions to accommodate that kind of transfer.

Sheriff Ingram: Pointed out there is a national listing of decertified officers maintained by IADLEST (International Association of Directors in Law Enforcement Standards and Training). You can go through the process of signing up to gain access. The Sheriffs' Working Group has had discussions about expanding on that within our state. We report our state training and standards report to that group as well. There is currently a push for federal funding to support that effort because it has been difficult for them to promote that and expand on it at that level due to limited funding. IADLEST is looking for funding to support and maintain it adequately.

Dismukes: To that point, CJ Commission just voted last Friday to have CJ and Sheriffs' Standards divisions create a website within DOJ where you can input an officer's name and search and it will tell you whether or not they are decertified because that information is public record, but we did not want to put a list of people and opted for the search engine method instead.

Sheriff Ingram: Representatives from CJ Standards and Sheriffs' Standards were present at the last Sheriffs' Working Group meeting and mentioned putting that in place. Sheriff Ingram proposed the idea at the time of placing a link from that page to IADLEST and being able to access the national database that they can build upon because we have a number of people applying for work at his agency from outside of our state.

Dr. Oliver: Another important point is that one of the reasons you have been formed as a Task Force is really in response to national incidents of police misconduct. Whenever you have an actual national incident of police misconduct (ex., George Floyd), you have to wonder, what is the background of that individual? In almost every incident of police misconduct, usually it was a case of either negligent hire where the agency knew or should have known this person was not suitable for police work; should never have been hired in the first place, or it is a situation of negligent retention. The person had a series of law enforcement problems, demonstrated

dysfunctionality, was not suitable for the position, and the issues were never addressed. You can look at almost every case and the officers involved, it was either negligent hire or negligent retention. Dr. Oliver began studying police hiring because he became frustrated looking around the state of Ohio and the country and seeing problem officers doing things. He wondered, "how did this officer get hired?" Sample case, Dr. Oliver is working with a law firm in Ohio now where an officer who actually raped a person while on duty. You have to ask, how does a person like that get hired? What went wrong? Law enforcement hire their problems. An Ohio research study on hiring made him wonder, "do we really hire bad officers or do we make bad officers?" In reality in law enforcement, we do both. For most of the problems, we hire them.

IV. Review of Last Meeting and Update.

Mayor Colvin: We want to allocate enough time for a discussion session, and have Ms. Dismukes provide information on some requested research information. Dr. Oliver was asked to stick around if time permits. Task Force meetings were set to last approximately 90 minutes, but it appears we may run over a bit today, so he wanted to ensure we spend time discussing some of the ideas and the recommendations.

Dismukes: The purpose of today's discussion is intended to come up with some concrete recommendations. These are potential recommendations for discussion based on the research I was asked to do at the last meeting surrounding recruitment and retention. One of the things we discussed is whether we want a recruitment and retention best practices document. Something that says for the State of North Carolina, here is what we prioritize, what types of ideas we want to go into that document, would we want to focus on a nationwide hue, etc. Some of the principles Dr. Oliver spoke about this morning, would you want to consider some of those thoughts for a best practices document. We do not have to have a best practices document by December 1. We have the second six months of the Task Force for the implementation phase because I know we have really short time and we want to get the best practices document right. So I think we could specify in the recommendation we want to have this best practices documents unique to North Carolina that focuses on the challenges we face in North Carolina.

Another is whether we want to consider recommendations of different state models such as the Ohio model Dr. Oliver talked about the creation of the Ohio Office of Law Enforcement Recruitment and he is going to head that up. That is an interesting idea and something we might want to consider for North Carolina.

We also talked about adding criteria to the qualifications or revising criteria for minimum qualifications to address barriers to entry. Leslie provided the code provisions that we would look at for both CJ and Sheriffs' with 09B.0101 and 09B.0111 are where those minimum requirements live for police officers. As you can see, emotional intelligence is not really captured. One idea is raising the bar to entry to get good people. How do we get good people who have the qualities we want. Another question is how do we revise the criteria to make sure we do not

have barriers to entry. Looking at the Class B Misdemeanor manual, are there other things there? If you look at 09B.0101(3)(d), it talks about drug testing. Would we want to be more specific to also recommend statements about past drug use? If someone smoked marijuana as a teen, do we want it to be a barrier to entry in this profession now that you are an adult? That could be a more affirmative statement if you want to consider that. In thinking of some of the cases that have come before us in CJ Standards, sometimes officers feel they cannot put that information on their personal history statement. Then the problem becomes that they left it off their personal history statement because they were afraid they would not get hired, and now have a material misrepresentation issue where they have not told the truth and it becomes a Commission issue and it affects their certification. Can we be more intentional about that?

Per Sheriff Ingram in his remarks, consistency between CJ and Sheriffs' codes. For example, psych evals are required in the CJ code but not the Sheriffs' code. Do we want to consider making those recurring as something that is not in the code but something we can look at. We cannot put it in the code, but can make a recommendation to each Commission to make the change within their Commission. That would be the nature of our recommendation coming out of this Working Group.

Probation and Parole deal with the public and are governed under the corrections rules, and there are largely separate definitions of what misdemeanor convictions disqualify candidates. So do we want to consider that as part of our recommendation?

Also, do we want to consider expanding the CJ Fellows Program? It allows someone to have their education paid for if they will commit to a certain amount of time as a police officer (4 yrs). That opportunity exists but it was only limited to certain counties. The barrier was 75K people, and a county had to be below 75K for someone who lives in that county to apply. The legislature just raised that number of 125K or Tier 1 during its last session which now includes Pitt and Cumberland counties. We still have 20 other counties that are not eligible. We would need to request legislation to make the other 20 eligible for that, but also need to request budget support for tuition and program administration needs. So whether that is something this group wants to consider, that can be part of the discussion.

These are the discussion points for the day and hopefully make some recommendations. If you decide certain recommendations or changes need to be made, Leslie agreed to make them in a more concrete manner and send them out ahead of time for discussion. At this juncture, what does this group want to recommend with respect to recruitment and retention?

Robinson: Does the group have any questions related to Dr. Oliver's presentation?

Chief Davis: Some of the themes that resonated were the quality of applicants that agencies are looking for as opposed to thinking in terms of numbers, ensuring our focus is identifying the most qualified people for the position. I think sometimes it is a mess

when we look at the person who runs the fastest, has the military experience—great applicants but there are so many other individuals who have those very key and core qualities that can make a good police officer but traditionally, more has been centered around the physical. We are a para-military type organization, and it has only been in recent years that we starting thinking about what emotional intelligence looks like. For police departments, when most of the trouble that comes our way is because we have applicants that possibly did not navigate a situation with good judgment. The issue for a lot of police chiefs is how do you identify those qualities sometimes in those applicants in the hiring process when sometimes it takes them a much deeper dive into who an applicant is before you can really unearth those types of qualities. Mostly, everything is on a piece of paper, and applicants respond to questions based on what they think the department wants to hear. Then you find out later on that's not exactly who this person is. Maybe we look more at emotional intelligence and how do you make those kinds of assessments on the front end.

Dr. Oliver: Chief Davis, you mentioned emotional intelligence. There are two types of domains of emotional intelligence: social awareness and relationship management. The traits I talked about fit into both of those categories. So it is very important – that background investigation process is critical, and is complimented by the personal history questionnaire that goes over their entire background (places they have lived, attended school, etc) and gives a very thorough, complete overview of that person's background. And that is what the background investigators work through to evaluate the suitability of the candidate.

Mayor Colvin: Is there a standard application or process that accreditation agencies give or is it based on the department's individual process?

Dr. Oliver: As far as the background investigation process and personal history questionnaire, those are developed by the local agency. Accreditation sets the standards that you should be doing them. They tell you what you need to do and it is up to you [the agency] to determine how you are going to do it.

Dismukes: Our Commissions have a personal history statement that is required and pretty comprehensive.

Sheriff Ingram: On that note, it is important that when an officer applies to another agency and they are required to fill out another F-3, the one gap we have now is on the CJ side. There is a loophole where they are not necessarily required to go back through the entire process and CJ is looking at correcting that. On the Sheriffs' side, you are required to go back through the entire process each time, filling out the form completely and going through the process. They compare those forms as well to ensure there are no omissions on the initial form or the current form. In a lot of instances, there are issues brought to the Standards Commission on those very topics where an applicant might not disclose marijuana use for fear of not being hired years ago, but it is more commonplace for people to disclose it now, so they disclose it and those discrepancies are brought before the Commission.

Robinson: Dr. Oliver spoke to the importance of the gatekeeper. How do we add the emotional intelligence or quality aspect to the hiring process? Where does it need to be implemented, and how do we get to the people doing the interviewing and making those assessments?

Dr. Oliver: The first place you have to start is with a job task analysis to look at those job tasks that must be done by someone who is a law enforcement officer, and then you rate those job tasks by importance and frequency. When you complete that process, you can ultimately identify job tasks that are essential job functions. Essential job functions are covered under the ADA because you can deny someone a job if they cannot do a job without reasonable accommodations. You want to be very clear on what the knowledge, skills, abilities, education, training, experience behaviors and traits make them qualified for the job. You develop a "flexible" profile and then you hire to that profile. You have to first know what you are looking for. If you don't know what you are looking for, you can't hit the target.

Chief Davis: Dr. Oliver said something important that probably does not exist in too many agencies and that is training for recruiters; training for a background investigator. All too often, we pass on these responsibilities to officers and it is their responsibility to check off the boxes that this person met certain requirements, but how do we ensure that quality customer service is baked into that process and that we are not turning off applicants because oftentimes, we can have a mirror kind of syndrome that if you don't look like me, talk like me, or act like me, you don't get to be a part of the club. Chief Davis has spent a lot of time in recruitment, it takes time to condition officers to realize you are sitting in that chair one day and someone gave you a chance and you were flawed and had issues and was not perfect and as long as the person meets the requirements, they don't have to look like you or talk like you or be from where you are from. But some of that comes from conditioning my officers to understand what we expect in that process as opposed to it just being check the box off and this person gets to go through. That whole gatekeeper sort of conversation – what does training look like for the gatekeepers?

Dr. Oliver: There should be training for recruiters who are the most important people in an organization. There needs to be specific training for a recruiter and you need to have people who do it. In a mid- to large-size agency, there should probably be full-time, year round recruiters.

Dismukes: Sounds like what I hear you saying is we do want to look at best practices in recruitment and retention. I do not think we can mandate a state job task analysis, but we can recommend that CJ should do that. I will draft that for your review for the next meeting. Also to include emotional intelligence in our best practices. Are there other things that you wish to highlight in the best practices document?

Mayor Colvin: What was the final outcome involving the tracking of the decertification? Whenever there is an issue with an officer, what is the resolution for that?

Dismukes: The decertification of any officer is public record in North Carolina, and will be available on the DOJ website as soon as our IT folks can get that done. Leslie noted Sheriff Ingram's suggestion to add a link for IADLEST.

Robinson: Recruiters becoming managers. What is the criteria to becoming a manager? Inquired of Leslie the process for submitting recommendations to the Task Force.

Dismukes: Leslie will prepare documents to be presented to the Task Force and provide members of the Working Group with a copy for their input.

Robinson: Based on what we have heard today and shared, what other things would the group like to consider recommending to the Task Force involving recruitment and retention?

Chief Davis: Is it possible for our training commission to look at what orientation or fundamental training is available for recruiters and background investigators? We could look at providing some type of consistent process and a better understanding of individuals in those roles of what success looks like when we are looking to hire diversity or people with great moral character. What are appropriate/inappropriate questions? It would be great to have some type of short or virtual training for recruiters and background investigators.

Sheriff Ingram: Believes that would be better served through our Justice Academy to develop program or some type of certification process and have it fall under the Academy as being recognized by both Commissions. The Justice Academy could do a very good job developing one and maybe an annual in-service training for recruiters. Sheriff Ingram expressed concern about the recruitment portion of it is not so much the agencies that have full-time recruiters, but the smaller agencies and there are so many of them across the state with 20 people or less, the person responsible for recruiting is doing it double duty and investigator who is working a caseload with no one really focusing on that, just giving them enough time to check the block. How do we cross that hurdle as a state to ensure that those agencies are performing at a level to perform recruitment as Dr. Oliver mentioned.

Chief Davis: Good point by Sheriff Ingram. The Justice Academy would be a great spot to potentially launch some type of training. Also correct that North Carolina has a number of small agencies that one day Officer Jones is checking the box and the next day it could be someone else processing an application.

Dismukes: It sounds like I am hearing two potential areas to look at, as Dr. Oliver mentioned earlier, that a lot of our agencies are CALEA, but some smaller agencies cannot afford it which is the reason CJ Standards is looking at North Carolina accreditation, we can ensure they have that accreditation. So do we want to include this in the potential accreditation for North Carolina that both Commissions are considering? In addition to recommending a training course at the Justice Academy for in-service training for people who are doing the recruiting for agencies? Do you want to recommend a change to the Administrative Code that requires agencies to have a

person training in recruiting? I need to know your thoughts so that I can draft recommendations for the Task Force to consider.

Sheriff Ingram: I think we need to make some recommendations with regard to being uniform with our Commissions.

Chief Davis: It would be great if we could package it in a way that agencies see this as a new opportunity for them that everyone has to go through a recruiting process no matter how big or small the agency. Really believes it is a standalone course that Sheriffs and Chiefs say, "you are the recruiter for the day, and I want you to go through this training because this is something that will help to ensure we are following some of the best practices as it relates to hiring and recruiting. How that falls into the accreditation process – may it could be both that a great organization or law enforcement agency has this component included also in their accreditation.

Sheriff Ingram: I agree, Chief. Going through the process with our agency, what we took away from that more than anything else was our early warning system. That was one of the best takeaways since I have been Sheriff. It allows you to identify problems early on and get on top of that. Human beings have good and bad days, ups and downs like any other human being but being able to identify those especially as it relates to use of force is critical. This state accreditation would also potentially incorporate something like the early warning system which I think is key in the retention side of this discussion. We should promote that as much as possible. I do think they are ready to kick off the program with the state. The only issue they have right now is funding. It was in the budget proposed last year and there are discussions to seek other funding to get that off the ground because they have to have someone of administer the program and technology to create a database. A lot of it would be supported as with the accrediting agency, you have assessor's come in from other agencies around the country to conduct an assessment of agencies within North Carolina. The costs associated with the state program is extremely affordable for any size agency and that was intentional so we could encourage as many agencies as possible to be a part of that.

Robinson: Any other thoughts as far as recommendations for recruitment and retention?

Dismukes: How does the Working Group feel about recommending there be consistency between CJ and Sheriffs' codes? Right now, they are separate and each set their rules currently. For the most part, they are consistent and check in with each other. Do we feel it is important enough for us to make a recommendation?

Sheriff Ingram: I would be the first to encourage better consistency between the two, even with the forms that are used, psych evaluations being required by both. Although there is a cost, the cost is minimal compared to what the potential is on the back end if you get it wrong. We need to encourage more communication and more consistency with both commissions. In fairness, one would question why there are two Commissions instead of one? The function of Sheriffs' as compared to the police department in some respects is very different. We have to handle court

proceedings, telecommunicators, certifications, civil process and things of that nature. It involves a different area than CJ.

Robinson: Parole and probation – Is this a recommendation for next week or is more discussion required?

Dismukes: Leslie shared her slide on parole and probation. Do we feel the need to include recommendations for this now or further down the road? CJ Fellows as well. Do we want to recommend that expansion or hold off until a later date?

Sheriff Ingram: Recommended parole and probation be postponed for discussion at a later date. It will be very involved and there are other matters that can be addressed now and be very effective. Sheriff Ingram does support the expansion of CJ Fellows. His county is one that is ineligible and he would love to see his county be able to participate in that program as a way to grow your own.

V. Next Steps.

Dismukes: Leslie will take all of the information gathered today and put it in a document that lays out the options we need to consider. We can have discussions over email, use track changes to edit or change your thoughts. Once changes are the made, the document will be distributed among the group again. Suggested the group work on these recommendations offline as they move to the next topic which is training – if that works for everyone.

The question last meeting when we talked about training was:

- What type of training are we talking about; and
- What are the training courses we want people to take

Is there any topic you would like to have researched before the next meeting? Any area or speaker you think would be particularly helpful? Leslie will identify resources based on the ideas we have thus far and send it out to you in advance.

Dr. Oliver indicated he would be willing to continue this conversation and be involved with us and lend his expertise.

The meeting adjourned at 11:45 a.m.