

A RESOLUTION ON DEVELOPING NEW COMMUNITY APPROACHES TO IMPROVE RACIAL EQUITY AND PUBLIC SAFETY IN CHAPEL HILL (2020-06-24/R-1)

WHEREAS, Black Lives Matter; and

WHEREAS, in recognition of the need to redress the systems of power, positions of authority, and the treatment of people of color, we highlight the need to critically examine the role of racial bias and institutional racism in Chapel Hill; and

WHEREAS, the Chapel Hill Town Council recognizes that the Chapel Hill Police Department (CHPD), under the leadership of Chief Chris Blue, takes a progressive approach to public safety and has worked diligently to create a culture of policing and policies that seek to respect all of our residents; and

WHEREAS, the CHPD has embraced community recommendations to improve policing and increase equity, such as implementing the Orange County Bias Free Policing recommendations; maintaining a staff of five social workers trained to provide assistance in nonviolent situations; adopting written policies expressly prohibiting racial profiling; requiring the use of written consent-to-search forms; and mandating racial equity training for all officers, among other actions; and

WHEREAS, at the same time, policing as an institution has rightly been called into question for its historic roots in the South in slave patrols and the enduring violence committed against black and brown bodies in the name of law and order; and

WHEREAS, we have heard loud and clear that policing in our nation is deeply flawed, leading many black and brown men, women, and families to live in fear; and

WHEREAS, it has become clear that a more fundamental re-imagining of how equitable public safety services are offered in our society is needed; and

WHEREAS, the Town Council recognizes that investments in public safety and in programs and services that keep communities healthy and safe must advance racial equity, must be grounded in community needs, and must be led and informed by those most affected and most knowledgeable through authentic engagement with grassroots and community organizations and community members.

WHEREAS, this re-imagining of policing and public safety should include both immediate measures to ensure safety and equitable treatment today and a commitment—with a clear timeline and accountability—to a full and open process to critically re-examine policing and re-invest community resources in a way that continues to demonstrate that Black lives matter in Chapel Hill.

NOW, THEREFORE, BE IT RESOLVED that the Chapel Hill Town Council commits to increasing public and community safety in Chapel Hill by enacting the following:

1. We commit to take these actions immediately to ensure the safety of black and brown lives in Chapel Hill:

1. Direct that CHPD policy authorizes deadly force only when there is clear and convincing evidence of imminent threat of death or serious physical injury.
2. Prohibit chokeholds and ensure that CHPD policies and training reflect that prohibition, as this procedure poses an unacceptable risk of death or serious bodily injury.
3. Ensure that CHPD policies include clear accountability for officers who violate department policies, including failure to use dash and body cameras as required and failure to intervene and/or report violations committed by other officers.
4. End all regulatory traffic stops (low level, non-moving violations that do not address public safety), which has been shown to significantly decrease disparities in stops, and instead to focus on traffic stops that are safety-driven, such as stops for running red lights or driving at high speeds.

2. We commit to acquiring and distributing the information needed to inform a data-driven and transparent process for long-term change: To this end, we will require that over the summer, the Town Manager collect the following data (and other information as required) as a basis for upcoming community discussions and to make policing in Chapel Hill more transparent and accountable. The Manager will share this information with the Council at a meeting and with the community in an easily accessible format on the Town's website, with all such data shared no later than September 1, 2020:

1. Current staffing levels of officers in the CHPD (broken down by role and function) and current service needs, as well as what is needed to recruit and retain the highest-quality officers.
2. Number of calls to 911 and nature of each call for past year.
3. Crisis Unit activity (numbers of deployments and reasons; number of calls taken alone versus with officers) for the past year.
4. Reasons for and outcomes of traffic stops, disaggregated by race, gender, and geography, including number and types of searches, broken down by consent v. based on probable cause.
5. Number and reasons for deployment of the tactical response team in the last five years.
6. Role of CHFD, OC EMS, and any other entities in public safety efforts.
7. CHPD policies around the use of force, use of body and vehicle-based cameras, use of chemical agents and specialized impact munitions, recent updates to policies to ensure alignment with #8CantWait, disciplinary and accountability procedures, and the requirement for officers to report violations committed by other officers.

8. Budget fact sheet showing money allocated to the department in total, as part of the larger town budget, and broken down by functional area.

9. A listing of local ordinances that may criminalize poverty, specifically those related to panhandling and sleeping in public.

3. We commit to these Council actions to strengthen equity, transparency, and oversight:

1. Direct the Council Committee on Boards and Commissions to clarify—including identifying ways to increase the police oversight capabilities of—the charge of the Community Police Advisory Committee (CPAC) and the Justice in Action Committee, encourage collaborative work between the two committees, and ensure sharing of all concerns and recommendations with Council.

2. Ensure that CPAC is receiving required notification of use of force incidents and whether footage exists of any such incidents.

3. Institute a semi-annual presentation of CHPD data, which is already publicly available on the Town's website, at a regular Council meeting. This will include review of any instances of exercising mutual assistance agreements.

4. Engage with our school board and county partners to compile and publicize data on number and types of School Resource Officer (SRO) referrals made (broken down by grade level) and explore alternatives to SROs such as mental health service professionals, counselors, and additional trained staff in middle and high schools.

5. Request that staff bring information to Council this fall on the Criminal Justice Resource Department and Orange County Partnership to End Homelessness's Harm Reduction Diversion and Street Outreach Programs for consideration for funding.

6. Commit to not making any changes in the number of CHPD officer positions until community input has been received and the task force work is complete.

7. Request a report from staff on the Town's use of the Government Alliance on Race and Equity (GARE) Racial Equity Toolkit and bring options for Council consideration to expand use of the Toolkit to additional Town departments and the Town Council to strengthen accountability for racially inclusive engagement and decision-making and increase equitable governance practices.

BE IT FURTHER RESOLVED THAT

4. We commit to a process and a path to change that centers the work on the lived experience of black and brown people and includes other marginalized people impacted by policing in our community: Re-imagination includes looking at town budgets and reallocating resources in a way that reflects our commitment to justice, equity, and a safe community. To this end, we request that the Manager work in partnership with and fund community and faith-based groups to create a

process for organizing, publicizing, and holding a series of community-wide listening sessions and other information-gathering events within the next four months, utilizing a human-centered design approach with affected members of our community to re-imagine public safety in Chapel Hill. Based on the above, the Town Manager will propose a structure, process, and timeline and provide staffing and resources for re-imagining and restructuring public safety in Chapel Hill by September 30, 2020.

Such a process should include forming a community-based, Town Council appointed task force to consider a range of issues related to public safety, including but not limited to the right-sizing of our police force; improving law enforcement practices and training techniques; alternatives to assigning responsibilities for human service needs to the Town's public safety departments; reallocating resources as necessary, including from CHPD, to accomplish the goals set out by the task force; and coordinating with the County and other jurisdictional partners to increase investments in programs and services that keep communities healthy and safe. The task force will draft a set of recommendations for consideration by the Council on specific approaches to public safety beyond policing, drawing on all available national, state, and local efforts, including the Governor's North Carolina Task Force for Racial Equity in Criminal Justice, experts and evidence-based resources and research, and community input. Recommendations will be presented to Council by March 1, 2021. This the 24th day of June, 2020.