

09-09-2020 Town Council Meeting Responses to Council Questions #2

ITEM #20: Consider a Structure for the Task Force on Developing New Community Approaches to Improve Racial Equity and Safety

Council Question:

Is the T-F being tasked with holding the listening sessions? I thought our original resolution called for the Town to host those in collaboration with community organizations?

Council Question:

The way the charge reads right now, the task force would take on the responsibility of putting on listening sessions. What is the rationale for this, given that listening sessions, per the resolution, were set to happen before the task force would begin its work?

Staff Response:

The staff proposes using outside facilitator(s) with experience in managing racial equity discussions for the listening sessions and are not proposing that the Task Force assume responsibility for the listening sessions. We do anticipate the Task Force would have public comment sessions as part of its work however. The staff is in the process of planning a couple of listening sessions in the coming weeks in collaboration with the NAACP. September 20th is a tentative date for the next listening session.

Council Question:

I was reviewing the new data website and CHPD policy manual and noted that some of the policy changes called for in the June resolution have not been made, specifically, the elimination of chokeholds and the establishment of a higher standard for use of force. Is that an oversight?

Council Question:

Where in the CHPD policies referenced online is there the Council-mandated prohibition on chokeholds and regulatory stops and higher standard for use of force?

Staff Response:

Many police departments around the nation and in our region have modified their policies on chokeholds and the use of force in recent months. CHPD has prohibited the practice of chokeholds to detain people for many years although it was not specifically referenced in the department's policy manual. That was recently rectified in response to the Council's June 24, 2020 resolution. The new policy language is consistent with the language used by many surrounding agencies including Raleigh, Greensboro, and Charlotte. It is also consistent with recommended language that has come out of the Governor's North Carolina Task Force for Racial Equity in Criminal Justice.

The modification in the CHPD policy, Use of Force: 1-1, that is referenced below for your convenience, reflects the understanding and acknowledgement by the department that chokeholds do pose an unacceptable risk of death or serious bodily injury. Chokeholds are

09-09-2020 Town Council Meeting Responses to Council Questions #2

prohibited in all other circumstances and as previously mentioned has long been consistent with the training and practice within our department.

Neck, carotid restraints, and chokeholds that restrict the blood flow to the brain and are likely to cause unconsciousness or death are therefore considered deadly force.

The policy has been changed to only allow officers to use deadly force when it is clear that there is an imminent threat of death or serious injury to others or themselves. The significant section of the policy has been pasted below for your convenience.

Officers may use deadly force only when it is **clear that there is an imminent threat of death or serious injury**. Specifically, officers may use deadly force under the following circumstances:

- A. To defend themselves or others from what they reasonably believe to be the use, or imminent use of deadly force.
- B. To effect an arrest or to prevent the escape from custody of a person who they reasonably believe is attempting to escape arrest or custody by means of a deadly weapon; or who by that person's conduct or any other means indicates that the person presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

CHPD Traffic Stop Policy 2-17 outlines our expectations for traffic stops.

Research has shown that traffic stops result in disparate outcomes for some members of our community. The Chapel Hill Police Department actively works to eliminate any possibility of bias, implicit or otherwise, in the execution of its duties. Since research has also shown that regulatory stops have a disparate impact on marginalized individuals within our community, it shall be our policy not to use them as a basis for conducting a traffic stop. This policy will outline the procedures, record keeping, and analysis we conduct towards that end.

Council Question:

The policy changes on the Staff Memo regarding ban on chokeholds and changing the language on Use of Force are not reflected in the CHPD Policy Manual pages linked on the Data Site. Why is that?

Staff Response:

We have made the changes to these policies as reflected above and we will fix the hyperlinks on the website so that the links will take users to the updated policy. Thank you for bringing this to our attention.

09-09-2020 Town Council Meeting

Responses to Council Questions #2

Council Question:

In the Council small groups over the course of the summer, several members have repeatedly expressed the importance of ensuring there is an outside resource/guide supporting the Task Force. Is there someone from GARE or another organization, outside the Town, who is going to work with the Task Force during the life of its work in this support role?

Staff Response:

We agree that the Task Force will need a significant level of support from both staff and professionals with expertise in racial equity discussions. The Town staff is preparing a Request for Proposal (RFP) that would solicit services to provide additional support for the Task Force.

Council Question:

Similarly, in the Council small groups, several members expressed the importance of ensuring community perspectives of those most impacted by policing be on the task force, such as African Americans, undocumented immigrants, the refugee community and young people and community advocates working with these communities. The resolution right now makes no mention of these groups. Why not?

Staff Response:

The staff heard the Council's request from the small group discussions. We believe that the statement below from the resolution includes the perspectives and lived experience mentioned above and people who are members of organizations in the community.

"The Council seeks broad Task Force representation from persons with lived experiences related to policing. The Task Force should include both individuals who may be associated with one (or more) groups with an interest in reimagining community safety in Chapel Hill, as well as individuals who bring their own experiences to the conversation without affiliation to any particular group or organization."

Some Council Members have requested a more specific list of general groups of people be included in the resolution.

Council Question:

How will the openings for the Task Force be advertised and how will members be recruited?

Staff Response:

Membership applications will be available on the Town's website and offered in print forms, and publicized via Town social media channels and community partner networks. The staff is modifying the application so it better reflects the Council's interests.

09-09-2020 Town Council Meeting

Responses to Council Questions #2

Council Question:

I read the requirements to mean Town and ETJ residents can serve. Is this understanding correct?

Staff Response:

We believe it would be reasonable for non-Chapel Hill residents to be appointed to the Task Force if they have connections in the community, represent organizations, or have lived experience that would complement the Task Force's work.

Council Question:

According to Council materials, the policy regarding the prohibition on regulatory stops focuses on traffic stops that are safety-driven. What are all of the types of traffic stops that this policy revision affects?

Staff Response:

It is our intent to have officers focus on things that make our roads safer and not on regulatory issues that have no connection to safety. The most common type of stop we do related to safety is for excessive speeding. However, other traffic violations like careless or reckless driving, impaired driving or running stop lights or signs can also fit into this category. These are moving violations that can result in collisions or create unsafe situations for motorists, bicyclists, and pedestrians.

Council Question:

Were the responses of community organizations/partners sought out, when the data page was rolled out? If so, what were the responses of these organizations?

Staff Response:

We did not seek any input on the page prior to publishing it but we expect the page will evolve and will include additional information as the Task Force completes its work.

Council Question:

Responsive to Council request for info, staff provided info on what is needed to recruit highly qualified officers. One challenge cited is that other agencies offer more incentives. Can you describe what these incentives are?

Staff Response:

Many other agencies are not only offering a higher starting salary but are also offering incentives such as take-home cars, shift differential and tuition reimbursement well beyond what we currently offer.

09-09-2020 Town Council Meeting

Responses to Council Questions #2

Take-home cars are the most commonly requested incentive by our employees (and the most often cited in exit interviews). We are one of the only municipal or county agencies in Wake, Durham and Orange Counties without such a program. Shift differential, or higher pay for those who work overnight, is also becoming more common. We do not currently offer this. Finally, tuition reimbursement well over what we can currently offer is often cited as a desirable incentive by current (and potential) employees.

Council Question:

What is the barrier to having CHPD having take-home cars? What are the positives and negatives to providing take home cars?

Staff Response:

The biggest barrier to a take-home program is the cost. We would need to add approximately 21 additional vehicles to our current fleet. We expect to get a longer service life from these vehicles so, over time, we would get a return on that investment, but it would take years to see that return.

The benefits of a take home fleet include a longer service life for the car since they are not being shared between 2 or more people and we expect to see reduction in maintenance and repair costs. This is due to the reduction in overall mileage and idle time (engine running w/o moving) placed on the vehicle. From our research, over time this reduction could be as high as 25% - 30%. Lastly, as mentioned above this would allow us to be more competitive in our recruiting and retention efforts since surrounding agencies have such a program.

The cost of adding over 20 vehicles to our fleet is significant. It costs approximately \$60,000 to fully equip a police car and most agencies who embark on a take home program implement it over several years.

Council Question:

For how long has there been a vacancy for the crisis counselor position?

Staff Response:

This position has been vacant for 12 weeks and we have recently initiated steps to begin the hiring process.

09-09-2020 Town Council Meeting

Responses to Council Questions #2

Council Question:

Regarding the 911 calls chart, what does “Misc. Officer Init.” mean and cover on the top ten 911 call natures chart?

Staff Response:

Misc. Officer Initiated is a category for anything that an officer initiates that is not a traffic stop or a call they were dispatched to as a result of a 911 call. For example, if an officer tells our dispatcher that they will be walking an area where we recently had cars broken into. The dispatcher will categorize this as Misc. Officer Initiated. This puts the officer in a status where they are not on the list of officers available for a call and it gives the dispatcher notice that they are looking into something or are otherwise busy. Traffic stops are coded on their own and not included in this category.

Council Question:

Regarding the 911 calls chart, what does public service cover?

Staff Response:

Public service is a category for calls where the immediate nature is not known. For example, a person calls 911 and wants advice from an officer or wants to pass on information. These are typically handled by phone and an officer will call the person and inquire as to the nature of the caller’s need.

Council Question:

Regarding the 911 calls chart, does “alarms” cover residential and business alarm systems?

Staff Response:

Yes, these are both residential and business alarms.

Council Question:

Regarding the 911 calls chart, what does info message cover?

Staff Response:

This is a category for informational messages that are given to officers over the radio. For example, if our dispatchers get a call of a vehicle that is driving recklessly, they will give out the information to all officers over the radio in hopes that someone will see the car or be in a position to stop the car. It can also refer to information on attempting to locate someone that is being passed over to us from another jurisdiction.

09-09-2020 Town Council Meeting

Responses to Council Questions #2

Council Question:

Regarding the 911 calls chart, with hang ups, is it a situation where someone calls and as soon as the operator picks up, there is a hang up? Or does this include scenarios in which part way thru the exchange between caller and operator, there is a hang up?

Staff Response:

This will include both types of calls. The majority of them are calls where someone mistakenly dials 911 and hangs up without saying anything. The 911 operators will make attempts to call the person back and see if they need assistance but sometimes, they cannot get a response. Some less common ways these calls happen are someone needing help but the person they are calling about is in the room or they feel threatened. We also see calls where children are playing on the phone and intentionally or accidentally dial 911.

Council Question:

Regarding the 911 calls chart, what is the further breakdown between suspicious and wanted, because these can be very different circumstances, no?

Staff Response:

This category is related to anything being dispatched as suspicious and also anything "wanted" such as a stolen vehicle or a person with warrants. This is categorized by Orange County 911 as they process calls for service prior to dispatching us. Examples could include suspicious circumstances like someone front door being left open over night or a suspicious person doing something that caused someone to call 911. It also includes calls where a person might be reported as having a warrant or a car being found that was stolen and entered into a national database.

Council Question:

Under crisis unit activity, how do calls for service come in? What do community agency consultations entail?

Staff Response:

Calls for service are referred to in a variety of ways. Officer may make a referral to the Crisis Unit or request the assistance of the Crisis Unit while already on scene which results in the Crisis Unit deploying a Crisis Counselor into the field. There are also times when a community member or a community partner will contact the Crisis Unit directly requesting assistance. This too will result in a field response by a Crisis Counselor. Additionally, the Crisis Unit Supervisor assigns follow up cases based on police reports to Crisis Counselors daily. At times, these too will result in a field response by the Crisis Unit.

In June 2019, 40 of the 58 calls for service were initiated after an officer requested the assistance of the Crisis Unit. In June 2019, 5 of the 58 calls for service were the result of a case

09-09-2020 Town Council Meeting Responses to Council Questions #2

assigned for follow-up while 13 of the 58 were referred by a community member who initiated direct contact with the Crisis Unit. In June 2020, 68 of the 93 were officer referred (1 additional referral made by an outside police agency); 1 of the 93 were in response to a case assigned for follow-up; 16 of the 93 were initiated by a community member contacting the Crisis Unit directly. Additionally, in June 2020, 7 of the 93 were initiated by a community partner contacting the Crisis Unit requesting a Crisis Counselor respond in the field.

Community agency consults can be as simple as a phone call to the Crisis Unit inquiring as to whether the Crisis Unit is aware of a certain community member and has service provider recommendations that would offer support to the community member's current situation. The consult could also be initiated by the Crisis Unit in order to foster collaboration with a community partner in regards to a particular community member. In more complex cases, the Crisis Unit has established treatment team meetings in which the Crisis Unit will facilitate a multidisciplinary meeting where service providers come together to identify issues, discuss problem-solving strategies, and make service recommendations.

Council Question:

When will the information related to the role of CHFD, OC EMS and other entities in public safety efforts be available?

Staff Response:

We expect to complete this section in the next week.