



---

June 17, 2020

Response to BPD clarifications: June 21, 2020

To: City Council Members: Burlington, Elon, Graham, Mebane, Gibsonville  
NC Legislative State Representatives: Rick Gunn, Dennis Riddell, Stephen Ross  
Alamance County District Attorney: Sean Boone  
Alamance County Commissioner Chair, Amy Galey  
Sheriff Terry Johnson  
Burlington Police Department Police Chief, Jeffrey Smythe  
Elon Police Department Police Chief, Kelly Blackwelder  
Graham Police Department Police Chief, Jeffery Prichard  
Mebane Police Department Police Chief, Terrence Caldwell  
Gibsonville Police Department Police Chief, Ron Parrish

From: 7 Directions of Service  
Alamance Racial Equity Alliance (AREA)  
Rev. LaShauna Austria, Minister for Racial Equity & Social Justice, SOC UCC  
Rev. Tamara Kersey-Brown, Assoc Pastor & Social Action Chair, Wayman Chapel AME  
Dr. Charley Flint  
Claire Haslam  
Crystal Keck  
Jason Keck  
Nathan Page  
Mtende Roll  
Beverly Scurry  
Rion Thompson  
Saxapahaw Social Justice Exchange  
Sandy Wittevrongel

Police officers are involved in our everyday lives and are charged with leading communities in public safety. Our country's approach to public safety was created with structural inequity and racism from the early days of its inception. This type of structural inequity has compromised and eroded citizens' trust. It is evident that the nation is experiencing the tension created through years of lack of transparency or accountability and ineffective policies.

Nationwide, officers stop black drivers at a higher rate, black people are four times more likely to be killed by police. With this in mind, and to ensure that police brutality, specifically against the Black community, along with racism, and discrimination are eradicated, we have several asks that ensure the county and city models the type of reform that ensures zero-tolerance against discrimination:

- Sensitivity training for all members of law enforcement/police officers.  
**[BPD] Can you elaborate on this? By sensitivity training do you intend implicit bias training, trauma informed training, or some other form of training? How many hours of training would you propose? Who will conduct the training and who will pay for the training?**

[AAFC] For true reform, the city should allocate funds for this training in the onboarding and continued employment of officers. Your agency could support this by requesting funds in your annual budget. This training could include annual implicit bias training, racial equity training, as well as trauma-informed training. It should be attended by staff, officers, and law enforcement administration at least once a year.

Also, of the CALEA standards, how many of those requirements do you currently meet? Finally, this should be the responsibility of the law enforcement/officers to find these opportunities and requirements or for the department to offer continuous ways to engage staff in racial equity learning opportunities.

- Enact the Open Records Act ensuring misconduct information and disciplinary histories are reported, documented and not shielded from the public.

[BPD] Recognizing this is a legislative issue, the Burlington Police Department cannot control this suggestion. I am not opposed given certain controls for appropriateness, but I cannot do this at my level.

[AAFC] We are aware this is a state and/or federal issue. You are still able to implement some of these practices. What are you and your department willing to do to communicate to the state to support changes?

- Removal of all members of law enforcement with any history of racial, sexual, and/or homophobic misconduct; demonstrated xenophobia, transphobia or other discriminations.
- Immediate removal for membership in hate groups (e.g., ACTBAC, Ku Klux Klan/KKK), Proud Boys, etc.) or use of language that incites racial or gender violence.

[BPD] What source do you propose to verify that a group is a hate group?

And is the membership enough to cause termination or does it require some over act on the part of the employee? Don't think I am saying I want an employee in the KKK to stay, I am seeking to clarify what groups and recognizing that all groups are not created equally, and all actions should be evaluated in a case by case manner.

[AAFC] One way would be to allow citizens to submit inquiries, reports, or complaints about behavior, sightings, social media posts or communications that indicate such behavior and an investigation to occur. The steps for termination should be included in a citizen-supported review process. You can also look at the Hate Crimes Prevention Act (North Carolina Justice Academy).

- Ban the use of hog ties, knee holds, and choke/carotid holds as an acceptable practice for police officers, with disciplinary action and reporting if policy violated.
- Require officers stop, or attempt to stop, another officer when force is being inappropriately applied or is no longer required with disciplinary action and reporting if policy violated.
- Ban no-knock warrants with disciplinary action and reporting if policy violated.
- The Use of Force Continuum for any police department in the county must ensure that there are at least 6 levels of steps, with clear rules on de-escalation to include: verbal warning before discharging a weapon, chemical or otherwise; banning shooting at moving vehicles.
- Mandatory reporting to the FBI database for all use-of-force events resulting in death.
- Recertification credentials will be denied for law enforcement members if determined that their use of excessive and/or deadly force was unwarranted by local, state, or federal guidelines.

**[BPD]** The credentialing body for police officers is the Law Enforcement Standards and operates at the state level. I do not have any control of this group.

**[AAFC]** We are aware this is a state and/or federal issue. You and the BPD are still able to implement some of these practices. What are you willing to do to communicate to the state to support changes?

- Court ordered body camera footage to be released within 72 hours of a police-involved death or injury and ensure footage is used for accountability.

**[BPD]** Would it be appropriate to further define injury? Are we talking about ANY injury or do we intend this for a serious injury that would require medical treatment? Hospitalization? Or what?

**[AAFC]** We would deem injuries requiring hospitalization/medical treatment as appropriate.

- Mandatory drug test for officers anytime there is a weapon including chemical weapons discharged (i.e., taser, gun, tear gas, pepper spray).

**[BPD]** There are some very specific laws and court cases we use now for drug testing. Do you have specific lawful authority in mind that would allow this as a policy decision for us to make?

**[AAFC]** Your current policies should be included in the response.

- Independent investigations of every law enforcement member involved shooting and independent autopsy for police-involved death.

**[BPD]** We would, and do, currently use the NC State Bureau of Investigation for officer involved shooting investigations. Does this meet this requirement or are you looking to create a new investigative body just for this purpose? Also, I think we use the normal medical examiner system, primarily in Raleigh for autopsy work. Are you suggesting someone different?

**[AAFC]** An entity outside of the NC SBI. Options on who/how will vary and are open for discussion.

- Recruitment and implementation of the county's Citizen Review Board to hold police departments accountable and to build public trust. Review Board will include an annual review of departmental policies and recommendations for community town hall topics.

**[BPD]** You say "the county's Citizen Review Board". Does one exist now that you are pointing to as a model? Are you suggesting a county wide board that all police departments in Alamance would fall under? Can you expand on the powers of the board, lawful authority to convene, funding and other essential details? This would help evaluate the functionality of this recommendation.

**[AAFC]** Charlotte, Asheville, Greensboro and Winston Salem have Community Oversight Committees as commissions under the auspices of the city. The outlines and models are available on the individual city websites. The implementation and approach are open to discussion.

Please note that this is not an all-inclusive list. These asks are to address the immediate need to ensure public safety. This request is also the beginning of an ongoing dialogue to assist in

the transformation of law enforcement policies and greater transparency for our collective safety.

Alamance Agents for Change are requesting a response within 7 business days (June 25th) as well as potential dates for Alamance Agents for Change coalition to meet with your office(s) virtually.

Alamance Agents for Change can be reached at: **ACconcernedcitizens@gmail.com**