

# **Orange County Bias Free Policing Coalition**

## **Policing Reform Recommendations**

### **Summary**

Racial profiling of minority members of the community by local law enforcement agencies is a problem in the United States, North Carolina and Orange County. Such policing results in mistrust between minority communities and the police, and undermines police legitimacy in the community.

Black and Hispanic motorists are disproportionately stopped by Chapel Hill, Carrboro, and Orange County law enforcement agencies. Further, once cars are stopped, the police are more likely to search cars with Hispanic or black drivers than cars with white drivers.

All studies show that marijuana use is no greater among the black population than among whites. Yet, in Chapel Hill, Carrboro, and Orange County, arrests for marijuana possession are grossly disparate by race.

Other jurisdictions including North Carolina cities such as Charlotte, Durham, Greensboro and Fayetteville, have adopted policies to combat racially biased policing. Both Carrboro and Chapel Hill Police Departments have adopted some policies and are considering others.

Following are eleven proposals designed to mitigate racially biased policing in Orange County.

1. Identify existing policies that result in disproportionate policing and change those policies to mitigate the impact of race.
2. Adopt written policies explicitly prohibiting racial profiling.
3. Conduct periodic review of law enforcement officers' stop, search and arrest data.
4. Require mandatory use of written consent-to-search forms.
5. Prohibit vehicle stops and requests to search based solely on a subject's "nervousness," "presence in a high crime neighborhood," or "criminal record."
6. Require dashboard cameras in police cars and body cameras for officers.
7. Designate marijuana a low law enforcement priority.
8. Mandate quarterly race reports to Council/Commission.
9. Mandate racial equity training for all officers.
10. Adopt measures to increase public confidence in official police response to police misconduct allegations.
11. Increase civilian involvement in police decision-making.

## **I. Introduction**

Recent events stretching from Ferguson, Missouri, to Cleveland, Ohio, to Staten Island, New York, and to North Charleston, South Carolina, have reminded us that no place in our country is immune from the harm caused by antagonistic relationships between communities of color and law enforcement. Much of the resentment minorities have towards the police arises from the practice of disproportionately stopping and searching people of color on the roads and in the streets, also known as “racial profiling.” The prevalence of racial profiling has been acknowledged and condemned by people across the political spectrum, including the United States Attorney General and the Director of the Federal Bureau of Investigation. A recent analysis of data submitted by law enforcement officers regarding vehicle stops and searches showed that profiling occurs throughout North Carolina, and specifically in Carrboro, Chapel Hill, and Orange County. Such policing results in deep mistrust between minority community members and the police and undermines legitimacy. Law enforcement agencies and governing bodies across the state have begun to respond to this problem by enacting various reforms. With this statement, the Orange County Bias Free Policing Coalition calls on law enforcement and legislative bodies in our community to take affirmative steps to ensure a more racially equitable system of justice.

The Orange Bias Free Policing Coalition is comprised of a diverse and representative group of Orange County residents committed to ensuring racially equitable and fair policing in Orange County. We formed in response to concerns expressed by residents at various policing forums in Chapel Hill and Carrboro. Organizations such as the Chapel Hill- Carrboro NAACP, the Jackson Center, the Hank Anderson Breakfast Club, the Justice in Action Committee of the Town of Chapel Hill, the Southern Coalition for Social Justice and the N.C. Public Defender Association Committee On Racial Equity have members who are a part of this coalition. Our first meeting was in November of 2014 and we have been meeting regularly since that time.

## **II. Definitions of Key Terms**

### **A. Racial Profiling**

The term “racial profiling” typically refers to law enforcement’s illegitimate use of race or ethnicity as a factor in deciding whether to stop, detain, question, or engage in an enforcement action against an individual. Racial profiling, in a broader sense, encompasses the routine use of broad generalizations about race as a factor, in combination with other factors, in causing an officer to react with suspicion where he or she otherwise would not.

### **B. Implicit Bias**

The term “implicit bias” refers to attitudes or stereotypes that affect a person’s understanding, actions and decisions in an unconscious manner. These biases encompass both favorable and unfavorable assessments, and are activated involuntarily without an individual’s awareness or intentional control.

### **C. Institutional Bias**

The term “institutional bias” refers to the employment of policies and procedures which, absent a compelling law enforcement rationale, produce racially disproportionate results. Examples include decisions to employ undercover narcotics officers’ disproportionately in minority and poor communities or to set up check-points in such communities, as well as the adoption of policies requiring strict enforcement of minor offenses which are most likely to be committed by poor and minority individuals.

### **III .Orange County Law Enforcement Agencies Own Data Indicate Clear Racial Disparities That Adversely Affect African-Americans and Hispanics**

According to analyses of data collected statewide<sup>1</sup>, race remains a significant predictor of whether an individual is likely to be stopped and searched in the course of a traffic stop in North Carolina. Orange County is not immune from these disparities. All three law enforcement agencies in the county stopped African-American drivers at a rate that is more than twice their representation in the population. Black people make up 10% of the population of Carrboro but 22% of individuals stopped by the Carrboro Police Dept.; 10% of the Chapel Hill population but 24% of stops by the Chapel Hill Police Dept.; and 12% of the rural Orange County population but 26% of stops by Sheriff’s Dept. Moreover, the statistics showed that officers are more likely to search cars with black drivers than those with white drivers in each of these jurisdictions. In Carrboro, 12% of all black motorists stopped by the police are searched, compared to 3.6% of whites. In Chapel Hill and more broadly in Orange County, black drivers are more than 100% more likely to be searched than white ones. UNC’s analysis of search rates state wide showed that Chapel Hill and Carrboro had higher disparities than all but a small number of North Carolina police agencies and were well above the state-wide average. The data also revealed significant racial disparities concerning consent searches—searches in which the officer lacks reasonable suspicion or probable cause that the person stopped has contraband, but nevertheless requests permission to search the vehicle. In Carrboro, 5.5% of black drivers stopped are subject to consent searches, compared to 1.2% of white drivers. In Chapel Hill, the numbers are 1.9% for black drivers, 0.6% for white; in Orange County, 4.8% for black drivers, and 2.5% for white. Overall, officers found contraband on a greater percentage of the white drivers they searched (21%) compared with the black drivers (18%), according to data collected over more than a decade by the Orange County Sheriff’s Department. Lower contraband hit rates suggest less probable cause in these stops.

Similarly, the statistics show that in each Orange County jurisdiction, officers are far more likely to search cars with Hispanic drivers than those with white drivers. In Carrboro, 12.7% of all Hispanic motorists stopped by the police are searched, compared to 3.6% of whites. In Chapel Hill, Hispanic drivers are more than 100% more likely to be searched than white ones (5.7% of Hispanics stopped are searched, compared to 2.5% of whites). The Orange County Sheriff’s Office has the largest search disparities in that OCSO officers searched 21.3% of Hispanic motorists they stopped, compared to 4.6% of white motorists stopped. The data also showed disparities concerning consent searches of Hispanic drivers. In Carrboro, 5.9% of Hispanic drivers stopped are subject to consent searches, compared to 1.2% of white drivers. In Chapel Hill, 1.6% of Hispanic drivers are consent searched, compared to 0.6% of white drivers. The Orange County

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<sup>1</sup> Data maintained pursuant to N.C.G.S. § 143B-903, and analyzed by Dr. Frank Baumgartner of UNC-Chapel Hill and the Southern Coalition for Social Justice

Sheriff's Office conducted consent searches on 7.5% of Hispanic drivers stopped, compared to 2.5% of white drivers. Overall, Hispanic drivers were less likely than white drivers to be found with contraband following searches. In Carrboro, 15.9% of Hispanics had contraband, compared to 28.1% of whites. In Chapel Hill, 14.5% of Hispanics had contraband, compared to 28.2% of whites. In Orange County, 5.7% of Hispanics had contraband, compared to 23.5% of whites.

#### **IV. Policies Have Been Adopted by Other North Carolina Jurisdictions to Combat Racially Biased Policing**

In recognition of similar troubling disparities, a number of municipalities around the state have recently adopted policies and procedures designed to mitigate the likelihood that police officers will improperly consider race when engaging in enforcement actions. Fayetteville (2012) and Durham (2014) passed policies mandating the use of written consent-to-search forms prior to any search for evidence or contraband that is not based on probable cause, and prior to any search for weapons that is not based on reasonable suspicion. *See* Richard A. Oppel Jr., *Wielding Search Data to Change Police Policy*, THE NEW YORK TIMES, A1, November 21, 2014. Charlotte and Durham took steps to strengthen civilian oversight of the police. Charlotte, Durham and Greensboro adopted new training protocols with respect to racial bias. Fayetteville enacted a policy prohibiting officers from requesting consent to search where suspicion of criminal activity is based solely on the stopped party's "nervousness" or "presence in a high crime neighborhood." Durham has instituted periodic reviews of all officer stop, search, and arrest data for unexplainable racial disparities. Chief Blue of the Chapel Hill Police Department has also implemented such a policy. Each of these policy changes represents an affirmative step to ensure a more racially equitable system of justice and should receive serious consideration in Orange County.

#### **V. Recommended Policies for Orange County**

Following are eleven proposals designed to mitigate racial profiling in Orange County and to provide the impetus for better communication and trust between racial and ethnic minorities and law enforcement in Orange County.

##### **1. Adopt Policies Limiting the Impact of Institutional Bias**

Each law enforcement agency and legislative authority in Orange County should seek to identify policies which lead to law enforcement disproportionately and unfairly targeting people of color, and should adopt policies designed to mitigate the impact of institutional bias, as defined above.

##### **2. Adopt Policies Prohibiting Racial Profiling**

Each law enforcement agency and legislative authority in Orange County should adopt written policies banning racial profiling, as defined above, and should provide for explicit consequences for violating such policies.

##### **3. Conduct Periodic Reviews of Officers' Stop, Search, and Arrest Data**

All law enforcement agencies in Orange County regularly collect and report traffic stop data, as required by law under N.C.G.S. § 143B-903 (formerly codified at § 114-10.01). Using these data, police chiefs, sheriffs, and agency administrators can evaluate the enforcement activities of the officers under their command. On a properly configured computer, a police chief or sheriff can, with a few clicks of a button, identify those officers generating the largest racial enforcement disparities and compare their enforcement patterns to those of similarly assigned officers. However, until Chapel Hill started doing so a year or so ago, no agency in Orange County regularly reviewed or analyzed the data.

Advocates in neighboring jurisdictions have already used traffic stop data to bring specific officer profiles to the attention of command staff. In some cases, the information discovered resulted in officer discipline and training. Police agencies have all of the tools necessary to conduct reviews, however, and should not rely on citizens to identify concerns. Carrboro Police Chief Horton set a positive example with his recent decision to invite a statistician and technician from the Southern Coalition for Social Justice to visit his department to demonstrate for his staff how to access and analyze traffic stop data. This Coalition recommends that each agency in Orange County adopt a policy requiring a member of the department's command staff to review officer stop, search, and arrest data on a quarterly basis, with a specific eye towards identifying racial disparities in officer enforcement patterns.

#### **4. Require the Mandatory Use of Written Consent-to-Search Forms**

In light of racial disparities surrounding consent searches, all Orange County law enforcement agencies should adopt a policy requiring officers to obtain a signed, written affirmation of the motorist, delineating the scope of the search to be undertaken, prior to any consent searches of vehicles. Mandatory written consent is a policy that exists in various departments across the state and country, and it represents a modest, common sense, low cost policy change that can be implemented without much difficulty to the department. *See, e.g.,* City of Fayetteville, Consent to Search Form, POL-572 (Rev. 3/2012); City of Durham, Consent to Search Policy (Rev. 10/2014).

Requests to search are primarily directed at people stopped for run-of-the-mill traffic infractions in situations where officers lack probable cause to believe a crime has been committed or reasonable suspicion to believe that the driver is armed. Nevertheless, many drivers are unaware they have the legal right to say “no,” mistaking a request to search for a mere nicety. Other drivers feel genuinely intimidated, particularly when the request is accompanied by a show of force or an implicit threat of force.<sup>2</sup> According to UCLA law professor Devon Carbado, racial dynamics play a significant role in consent searches:

[B]ecause of racial stereotypes there is greater pressure for blacks to say yes to consent searches than there is for whites. Consenting to a search may be the only way a black person can demonstrate his innocence, particularly if the black person is young, male, “unprofessionally” dressed, and in a high crime (read: black

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<sup>2</sup> As one court put it, “This Court would ill-expect *any* citizen to reject, or refuse, to cooperate when faced with the trappings of power like badges and identification cards. And these officers know that—that is one reason that they display those trappings.” *State v. Kerwick*, 512 So. 2d 347, 349 (Fla. Dist. Ct. App. 1987).

neighborhood) or predominantly white (read: low crime) area. Thus, assuming that consent searches are a means by which any person can establish his innocence, the extent to which one perceives the need to do this—that is, to give up privacy to prove innocence—is a function of race.<sup>3</sup>

In some instances, drivers assert that they did not give consent to search where police officers report having obtained consent verbally. A written consent to search form would provide documentary evidence to assist the finder of fact. In addition to promoting transparency, the adoption of a mandatory written consent-to-search policy would promote trust between people and the police in those communities where it is most needed. As one scholar observed:

[E]mpirical research supports the view that people do not evaluate the police “by focusing primarily on either the impact of [that] institution[] on the rate of crime or other instrumental issues such as delay or cost. Instead, people base their judgments on how well the police . . . treat the public.” Police departments that adopt reforms in light of this view, which is part of the procedural justice approach, can reap the benefits of greater legitimacy and, perhaps, increased law-abiding behavior. . . . By enacting and vigorously enforcing reformist consent search policies, police departments can simultaneously fight crime and improve their relationship with the community.<sup>4</sup>

## **5. Prohibit Vehicle Stops and Requests to Search Based Solely on a Subject’s “Nervousness,” “Presence in a High Crime Neighborhood,” or “Criminal Record”**

In 2012, the Fayetteville Police Department adopted a policy stating that officers may not request consent to search an individual or vehicle without first being able to “articulate at least one reasonable factor that the driver and/or occupant(s) may be involved in criminal activity.” Further, a stopped party’s “nervousness” may not constitute the “one reasonable factor” giving rise to an officer’s request to search. *See Fayetteville PD Policy 3.5.2 (Consent Searches)*. Under a related policy, an individual’s known criminal record or presence in a high crime neighborhood can no longer be used as a legitimate basis to initiate a stop. *See Fayetteville PD Policy 9.5.3 (Vehicle Stops)*.

Because African Americans are disproportionately likely to have had prior contact with the criminal justice system, and because they are disproportionately likely to live in so-called “high crime” areas, allowing officers to initiate contact on the basis of such observations has the aggregate effect of lowering the threshold for reasonable suspicion for black drivers. Similarly, because of the legacy of racial discrimination and racial violence on the part of the police against the African-American community, black drivers have significantly more reason than whites to be nervous during otherwise routine police encounters.

In the absence of other factors, the character of a given neighborhood, nervousness, and past criminal history do not indicate that a person is engaging in criminal conduct. As such, police

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<sup>3</sup> Devon W. Carbado, *(E)racing the Fourth Amendment*, 100 MICH. L. REV. 946, 1017 (2002).

<sup>4</sup> Steven L. Chanenson, *Get the Facts, Jack! Empirical Research and the Changing Constitutional Landscape of Consent Searches*, 71 TENN. L. REV. 399, 461–63 (2004) (internal citations omitted).

departments should implement a policy prohibiting officers from stopping or searching a vehicle based on these factors, and should require officers to provide a written explanation for searching a vehicle following a routine traffic stop. Fayetteville has operated under such a policy for a couple of years and has seen a significant drop in the African-American stop rate and search rate without a concomitant increase in the crime rate.

## **6. Require Dashboard Cameras in Police Cars and Body Cameras for Officers, and Adopt Strict Use, Disclosure, and Data Retention Policies**

Recent developments in technology have made dashboard cameras in police cars and body cameras more accessible and cost efficient than ever before. Such cameras, in many cases, are capable of providing a clear record of police-citizen interactions and provide benefits to all parties involved. For community members concerned about police misconduct, cameras provide a means of holding officers accountable. For officers themselves, dashboard and body cameras provide a means of protection against false accusations. The use of cameras may deter police misconduct. In Rialto, CA, for example, following the decision to equip officers with body cameras, “complaints filed against officers fell by 88 percent,” and “[u]se of force by officers fell by almost 60 percent.” See Ian Lovett, *In California, a Champion for Police Cameras*, THE NEW YORK TIMES, August 21, 2013. Given the privacy interests involved, however, as well as concerns for fairness, it is necessary to enact policies to govern the use of such cameras, as well as the retention, access, and preservation of the data recorded.

In the wake of the Ferguson tragedy, President Obama proposed “a three-year \$263 million investment package . . . [to] increase use of body-worn cameras,” among other related goals. See The White House, *Fact Sheet: Strengthening Community Policing*, December 1, 2014. The program offers local police agencies 50% in matching funds for the purchase of body camera equipment, provided storage and maintenance guidelines are observed. *Id.* We believe that all three Orange County agencies should investigate this initiative as well as other potential sources of funding. Even if outside funding is not available, we believe this is an investment worth making.

## **7. Designate Marijuana Each Agency’s Lowest Law Enforcement Priority**

In North Carolina, non-violent drug crimes were the most frequent type of crime committed by people placed on probation and sent to prison in 2011. The general racial disparities inherent in the prosecution of the drug war nationwide are well-documented and largely undisputed. The state’s African-American community is particularly hard hit by law enforcement’s continued focus on low-level marijuana offenses, a conviction for which can trigger more than 100 civil penalties, imposed outside the criminal justice system and affecting an individual’s ability to get a job, housing, or student loans.

All studies show that marijuana use is no greater among the black population than among whites. Yet, in Chapel Hill, where blacks make up only 10% of the population, they comprise 47% of the people arrested for possessing marijuana; in Carrboro, blacks make up 9% of the population and comprise 44% of arrests, and in rural Orange County, where the Sheriff’s Department has law enforcement responsibility, blacks make up 12% of the population and comprise 27% of marijuana

possession arrests.<sup>5</sup> A large number of these arrests involve young people between the ages of 15 and 24. Because North Carolina is currently the only state in the country that automatically prosecutes 16 and 17 year-olds as adults, these low-level marijuana arrests routinely become part of a permanent record that can significantly inhibit an individual's ability to obtain education and employment when they reach adulthood.

Marijuana arrests have an adverse effect on community relations and divert resources from the kind of police work that can make an appreciable difference in our neighborhoods. A number of cities around the country, including Oakland, California and Fayetteville, Arkansas, have adopted the marijuana Lowest Law Enforcement Priority (LLEP) initiative in recent years, and initial reports indicate that they are better for it.

We would also ask our elected officials to re-examine all aspects of our community's drug enforcement strategy, and in particular, to give serious consideration to the adoption of policies directing law enforcement to use citations instead of arrests for minor, non-violent misdemeanor offenses, especially drug offenses. It is only by adopting substantive pre-trial diversion programs that we can begin to turn the tide on the enormous racial disparities and injustices that have resulted from America's failed Drug War.

## **8. Mandate Quarterly Race Reports to Council/Commission, Along With Quarterly Crime Reports**

Because of the difficulty of addressing issues of structural racism, we believe the Carrboro Board of Aldermen, the Chapel Hill Town Council, and the Orange County Board of Commissioners should find a way to institutionalize their concern for the issues addressed in this letter. One simple way to do this would be to require "Race and Policing Reports," detailing the demographic breakdown of stop, search, arrest, and use-of-force statistics, to be presented to the Board, Council and Commission alongside each public quarterly crime report. This practice has already been adopted in Durham. Such reports allow county leaders, as well as community members, with an easy means of evaluating the impact of various policing initiatives on different racial and ethnic groups.

## **9. Mandate Racial Equity Training for Law Enforcement Officers**

In light of the statistical evidence we have assembled, as well as the litany of concerns expressed at recent public meetings, we request that all commanding and patrol officers within our local law enforcement agencies participate in formal racial equity training. This type of training will be essential if the law enforcement is ever to undergo the sort of cultural shift we would like to see. Even if none of the local Orange County agencies employ overtly racist officers on their forces, the evidence would appear to indicate that officers' enforcement patterns have at least been informed by some degree of unconscious or implicit bias and stereotyping.

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<sup>5</sup> Statistics compiled by Mike Dolan Fliss, Epidemiology PhD student UNC-CH, and based on data from NC DOJ annual support reports, available at <http://crimereporting.ncdoj.gov/>.

The real utility of the NCAJ-Baumgartner study is its ability to compare the criminal justice outcomes of similarly situated persons of different races. At base, it asks questions like, “what is the average outcome for a white driver stopped in the city for not wearing his seat belt as compared to the average outcome for a black driver stopped for the same offense?” The ultimate conclusion reached—that traffic stop outcomes are correlated with race and ethnicity—calls out for a thoughtful and coordinated response.

It bears emphasizing that the numbers to which we have been drawing attention do not represent a mere “snapshot” of enforcement activity. Rather, they represent a comprehensive picture of policing over a fourteen year period. The sort of disparities they indicate cannot be fixed overnight. Reversing these trends will require a sustained and conscious effort on the part of our law enforcement agencies to reduce the racial disparities in criminal justice administration. The data collection statute provides a useful index by which the community can gauge, over time, the effectiveness of the department’s efforts to eradicate racial disparities in policing. We therefore request that each agency provide initial and recurring training to all officers that sends a clear, consistent, and emphatic message that racially biased policing and other forms of discriminatory policing are prohibited. Training should include:

- 1) Relevant legal and ethical standards;
- 2) Information on how stereotypes and implicit bias can infect police work;
- 3) The importance of procedural justice and police legitimacy on community trust, police effectiveness, and officer safety; and
- 4) The negative impacts of profiling on public safety, town and county budgets, and crime prevention.

In addition, each agency or department should:

- 1) Provide training to supervisors and commanders on detecting and responding to biased profiling and other forms of discriminatory policing;
- 2) Include community members from groups that have expressed high levels of distrust of police in officer training; and
- 3) Take steps to eliminate all forms of workplace bias from each agency.

We are aware of several institutions that specialize in precisely the sort of training from which we feel the department could benefit. An organization at the forefront of policing reform that we would encourage our local agencies to familiarize themselves with is the Center for Policing Equity (CPE), formerly known as the Consortium for Police Leadership in Equity. “At the core of CPE’s mission,” it explains on its website, “is a deep concern for equity and inclusiveness within the police department itself and between the police department and the community it polices. . . The goal of the CPE is to simultaneously aid police departments to realize their own equity goals as well as advance the scientific understanding of issues of equity within organizations and policing.” See Center for Policing Equity, University of California, Los Angeles, <http://cpe.psych.ucla.edu/about>. Another organization that is well respected in policing reform is Fair and Impartial Policing whose primary trainer is Dr. Lorie Fridell. <http://www.fairimpartialpolicing.com/people/>. Finally, the Racial Equity Institute (REI), based in Greensboro, NC, conducts a two day workshop on institutional and structural racism. Its workshop

is specifically designed to assist individuals and organizations in developing tools to challenge existing patterns of conduct that result in racially disparate and discriminatory outcomes. REI's training, unlike the other two, does not have a law enforcement focus.

## **10. Adopt Measures to Increase Public Confidence in the Official Response to Allegations of Officer Misconduct**

In part, the antagonistic relationship between communities of color and law enforcement agencies stems from the perception that police agencies do not respond fairly and openly to allegations of officer misconduct made by people of color. We recommend that law enforcement and governing bodies in Orange County consider adopting the recommendations on this subject contained in the recent U.S. Department of Justice report on law enforcement practices in Ferguson, Missouri. Noting that “[r]esponding to allegations of officer misconduct is critical not only to correct officer behavior and identify policy, training, or tactical concerns, but also to build community confidence and police legitimacy,” the Department of Justice recommended that the authorities in Ferguson should:

- 1) Modify procedures and practices for accepting complaints to make it easier and less intimidating for individuals to register formal complaints about police conduct, including providing complaint forms online and in various locations throughout the City and allowing for complaints to be submitted online and by third parties or anonymously;
- 2) Require that all complaints be logged and investigated; and
- 3) Develop and implement a consistent, reliable, and fair process for investigating and responding to complaints of officer misconduct.

As part of this process, Orange County law enforcement agencies should:

- 1) Investigate all misconduct complaints, even where the complainant indicates he or she does not want the complaint investigated, or wishes to remain anonymous;
- 2) Not withdraw complaints without reaching a disposition;
- 3) Develop and implement a fair and consistent system for disciplining officers found to have committed misconduct;
- 4) Terminate officers found to have been materially untruthful in performance of their duties, including in completing reports or during internal affairs investigations;
- 5) Timely provide in writing to the Orange County District Attorney all impeachment information on officers who may testify or provide sworn reports, including findings of untruthfulness in internal affairs investigations, for disclosure to the defendant under *Brady v. Maryland*, 373 U.S. 83 (1963);
- 6) Document in a central location all misconduct complaints and investigations, including the nature of the complaint, the name of the officer, and the disposition of the investigation;
- 7) Maintain complete misconduct complaint investigative files in a central location;
- 8) Develop and implement a community-centered mediation program to resolve, as appropriate, allegations of officer misconduct;

- 9) Provide regular and specific public reports on police stop, search, arrest, ticketing, force, and community engagement activities, including particular problems and achievements, and describing the steps taken to address concerns;
- 10) Provide regular public reports on allegations of misconduct, including the nature of the complaint and its resolution; and
- 11) Make available online and regularly update a complete set of police policies.

## **11. Increase Civilian Involvement in Police Decision-Making**

In addition to engaging with all segments of Orange County as part of implementing community policing, departments should develop and implement a system that incorporates civilian input into all aspects of policing, including policy development, training, use-of-force review, and investigation of misconduct complaints.

### **Conclusion**

Trust between law enforcement agencies and the people they are sworn to protect and serve is essential in our democracy. The reforms recommended above will help build and maintain trust and legitimacy between law enforcement agencies in Orange County and communities of color. The time and effort required will make us safer and more united. We respectfully request that you respond by July 3<sup>rd</sup> 2015 if at all possible.

This report and the reform recommendations contained herein are endorsed by:

1. The Chapel Hill Carrboro NAACP
2. The Justice In Action Committee of the Town of Chapel Hill
3. The Marion Cheek Jackson Center
4. The Hank Anderson Breakfast Club
5. The University of North Carolina Center for Civil Rights
6. The Southern Coalition for Social Justice
7. The North Carolina Public Defender Association Committee on Racial Equity
8. The Chapel Hill Carrboro Human Rights Center
9. The Dan Pollitt Criminal Defense Bar
10. Organizing Against Racism NC