

ATTACHMENT A

June 16, 2015

Orange County Bias Free Policing Coalition:
James E. Williams, Jr.
Malcolm "Tye" Hunter
William Hendrick

Re: Policing Reform Recommendations

Dear Mr. Williams, Mr. Hunter and Mr. Hendrick:

We would like to thank the Orange County Bias Free Policing Coalition for taking the time to carefully examine the issues of racial profiling and bias by police, and looking more closely at how these issues might affect our local police and sheriff departments within Orange County and providing the Police Reform Recommendations. It is an issue that the Board of Aldermen also takes very seriously, and is actively pursuing and continually improving within the Carrboro Police Department.

The Board of Aldermen are also very thankful and proud of our Police Department for being proactive on this topic and making strides to eliminate racial profiling and bias in Carrboro. While this is an on-going process that will likely never be "complete," we are excited to share with the Coalition the measures and programming already being employed by the Carrboro Police Department as well as future plans and actions.

The Carrboro Police Department's (CPD) current policies address all types of discrimination, including racial profiling and bias, by stating that citations shall not be issued, nor shall arrests be made, for frivolous, technical, or borderline violations. Factors unrelated to the formulation of probable cause, such as race, gender, economic status, or political or fraternal affiliation, shall not be considered by an officer in deciding whether to make an arrest. In addition, a total policy review is in the works, and explicitly prohibiting racial profiling and mitigating the impact of race during arrest are being taken under consideration during this process. Research and discussions are taking place for the consideration of utilizing written consent-to-search forms as well.

CPD Staff are being trained to develop accurate and quality reports including race reports that would be available to the Board of Aldermen. While requested information and data are always provided promptly, in the future, the department hopes to expand staff in this area to complete this and any other statistical request on a quarterly and annual basis.

Currently, vehicle stops are made based on violations of the law, probable cause, and/or reasonable suspicion. The totality of circumstance will dictate the actions of law enforcement. Officers make decisions based on their training and experience as well as any articulable fact and/or observation during each incident. No two incidents will be exactly alike and the reasonableness of each officer's actions is judged by the totality of the circumstances and applicable state and federal law.

In September, 2014, CPD implemented Mobile Video Recording (MVR) devices in three patrol cars. By the end of 2015, there will be 14 MVR outfitted vehicles. Each year as funding allows the Town will work toward outfitting all vehicles assigned to the Patrol and Community Services Divisions.

Testing for Body Worn Cameras (BWC) has taken place periodically over the last few years, even before the tragic events in Ferguson. CPD has collaborated with the local ACLU on development of policy concerning the operations of BWC and MVR. Once the policy is approved, implementation of BWC use by police officers in Carrboro will begin.

Marijuana law enforcement by CPD is already designated as low priority. However marijuana use cannot be ignored, because it is, in fact, against the law. Marijuana charges are situation dependent; officers have to use discretion depending on the circumstances in the field at the time. This may include the amount, how it is packaged and past violations and/or encounters with officers. In 2014, CPD had 689 arrests. Out of those 689 arrests, 49 individuals were charged with marijuana offenses, of these 49, 35 were given a citation and custodial arrests made up 13 of these 49 charges. In 2014, 7.11% of total arrests were for marijuana.

We are excited to share that all officers have gone through the Fair and Impartial Policing training recommended to the department by James Williams. Every new officer will also attend this training. In addition, our Human Resources Department is looking into providing racial equity training for all Town employees in the future.

On June 29, from 7:00-9:00pm at Carrboro Town Hall, the second Policing in Carrboro Public Forum will take place. The first was well attended and took place in October of 2014. The purpose of these forums is to increase civilian involvement, input and understanding of policing in Carrboro. This is an opportunity for citizens to voice their concerns, ask questions, and learn about how CPD operates. Chief Walter Horton and his staff closely listen and evaluate the comments and recommendations they receive from the forum and decide if and how they can implement or make changes within CPD.

From staff research, trends show citizen review boards are much more prevalent in large communities and large police departments. In a small department such as Carrboro's, the Board of Aldermen provides oversight for the police department's actions and the way our community is policed in the same way a citizen board would in a larger city.

We look forward to continuing these efforts with the input and consideration of the Coalition and are confident that together we can decrease racial profiling and bias of police in Carrboro. If we can further address any of the previously discussed issues, please contact us. Additionally, we hope to see Orange County Bias Free Policing Coalition representatives on June 29th at the next Policing in Carrboro Public Forum.

Please feel free to share our comments with the other members of the Orange County Bias Free Policing Coalition.

Sincerely,

Lydia E. Lavelle
Mayor

cc: Police Chief Walter Horton, Town of Carrboro