

**A RESOLUTION ON NEXT STEPS IN ADVANCING RACIAL EQUITY IN
LAW ENFORCEMENT AND PUBLIC SAFETY IN CARRBORO**

WHEREAS, Black Lives Matter; and

WHEREAS, on June 9, 2020, the Town Council requested that Council Members Haven-O'Donnell, Seils, and Slade draft a resolution addressing next steps in advancing racial equity in law enforcement and public safety; and

WHEREAS, appreciating the diligence of the manager and the department heads in preparing a budget that aims to avoid increases in expenditures in anticipation of an economic downturn, the Town Council also asked that the manager provide more information about the recommended budget for fiscal year 2021, including details about the proposed 6.6 percent increase in the Police Department budget and options for lessening proposed increases; and

WHEREAS, in May 2015, the Orange County Bias Free Policing Coalition ("Coalition") submitted a report, "Policing Reform Recommendations," to the Carrboro Town Council, the Chapel Hill Town Council, and the Orange County Board of Commissioners; and

WHEREAS, the Police Department, under the leadership of Chief Walter Horton, provides a high level of service to and receives high marks from Carrboro residents, and has taken important steps toward achieving the Coalition's goals for bias-free policing, including confirming the existence of or newly adopting the following policies and practices: written policies explicitly prohibiting racial profiling; periodic reviews of data on law enforcement officers' motor vehicle stops, searches, and arrests; requirement to obtain written consent for consensual searches; use of dashboard-mounted and body-worn cameras; designation of marijuana-related enforcement as a low priority; deemphasis of regulatory and equipment-related motor vehicle stops; reports of enforcement data disaggregated by race and ethnicity; and racial equity training for officers; and

WHEREAS, in October 2015, the Campaign for Racial Equity in Our Schools submitted a report, "Excellence With Equity: The Schools Our Children Deserve," to the Chapel Hill-Carrboro City Schools Board of Education; and

WHEREAS, in October 2018, the Town Council authorized the Town to become a "core member" of the Government Alliance on Race and Equity (GARE), a commitment to advance racial equity across all functions and levels of municipal government; and

WHEREAS, on June 9, 2020, Governor Roy Cooper issued Executive Order No. 145, establishing the North Carolina Task Force for Racial Equity in Criminal Justice, which will "develop and help implement solutions that will eliminate disparate outcomes in the criminal justice system for communities of color"; and

WHEREAS, "Carrboro citizens are vocal in their concern for each other"; and "the town should continue to look for unmet needs," "continue to support human service needs that are above and beyond those met by the County," "consider the impact of its ordinances and policies on the well-being of its most vulnerable citizens," "continue to provide a high level of police, public works and fire service," and "continue its efforts towards community building by encouraging the use of facilitation and conflict resolution" (Carrboro Vision 2020);

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. GOALS; REPORTS REQUESTED

- A. The Town Council hereby establishes the following policy goals relating to racial equity and public safety:
- zero racial and ethnic disparities in motor vehicle stops;
 - zero racial and ethnic disparities in searches resulting from motor vehicle stops;
 - zero racial and ethnic disparities in citations and arrests resulting from motor vehicle stops;
 - zero racial and ethnic disparities in uses of force; and
 - zero arrests for low-level marijuana-related offenses.
- B. Consistent with recommendations and responses from the Coalition, the Town Council asks the manager to resume providing quarterly “race and policing reports,” including but not limited to overall stop rates, demographic information, residency tracking, reasons for stops, equipment and regulatory violations, number of searches, types of searches (e.g., consensual, probable cause), number of requests denied for written consent for searches, citations, arrests, uses of force, and complaints.
- C. The Town Council asks the manager to provide a report describing calls for service from the Police Department and the Fire-Rescue Department.
- D. In the interest of promoting transparency, the Town Council asks the manager to make available on the Town’s website the reports listed above, the Coalition’s responses to those reports, and the Town’s responses to the Coalition.
- E. The Town Council asks the manager to share the policy goals and reports listed above, and information about the work of the Town’s GARE team, with the Town’s Comprehensive Plan Task Force, which is currently being formed.

SECTION 2. USE OF FORCE

- A. The Town Council recognizes that the number of use-of-force incidents in the Police Department is low and that officers’ decisions about use of force must be guided by concern for the safety of themselves and others and must be tactically and legally sound.
- B. The Town Council is grateful to the police chief for responding to residents’ and council members’ inquiries about use-of-force policies by confirming that the following departmental policies are in effect:
- require officers to de-escalate situations when possible;
 - require officers to intervene and stop excessive force used by other officers and report these incidents to a supervisor;
 - establish a force continuum that restricts the most severe types of force to the most extreme situations; and
 - require officers to report each time they use force or threaten to use force.
- C. The Town Council hereby establishes that it is Town policy that the use of chokeholds and strangleholds—broadly defined to include all maneuvers that involve choking, holding the neck, or cutting off blood flow in the neck—is prohibited as a policing tactic.

- D. The Town Council hereby establishes that it is Town policy that officers must provide a verbal warning, when practicable, before using deadly force. The Town Council affirms that officers' decisions must remain safe and tactically sound.
- E. The Town Council hereby establishes that it is Town policy that the use of deadly force against individuals (including individuals in moving vehicles or on foot) is limited to situations where it is necessary for self-defense or defense of others against an imminent deadly threat or threat of serious bodily injury. Chapter 5 of the Police Department's Policy and Procedure Manual (revised February 1, 2020) is consistent with this policy.
- F. The Town Council hereby establishes that it is Town policy that the use of specialized impact munitions (as defined in Chapter 5, Section II.H) or chemical agents on crowds or persons exercising their First Amendment rights is prohibited.

SECTION 3. SCHOOL RESOURCE OFFICERS

The Town Council asks the manager to request information from the superintendent of the Chapel Hill-Carrboro City Schools about the status of the following recommendations from the "Excellence With Equity" report submitted to the Board of Education in October 2015:

- "Complete the revisions discussed by the School Board and adopt immediately the Memorandum of Understanding between the District and local police departments regarding the role of School Resource Officers (SROs) that has been under development and consideration for the last 18 months" (page 73).
- "Develop a plan to replace SROs with school-based programs that have been shown to increase safety and security" (page 73).

SECTION 4. BUDGET

- A. The Town Council asks the manager to postpone filling the currently vacant position(s) in the Police Department, pending further discussion about budgetary and public safety needs.
- B. The Town Council asks the manager to provide more information about the vehicle replacement program in the Capital Projects Fund as one potential area for lowering expenditures in fiscal year 2020-2021.
- C. The Town Council asks the manager to allocate \$7500 in fiscal year 2020-2021 for a contribution to the Town of Chapel Hill's Criminal Justice Debt Program to expand program eligibility to Carrboro residents.

SECTION 5. INTENT TO ESTABLISH A PUBLIC SAFETY TASK FORCE

- A. The Town Council intends to establish a task force on public safety, in the interest of developing new approaches to public safety beyond policing and of investing in what scholar and community organizer Patrisse Cullors has called an "economy of care."
- B. The task force will consider a range of issues related to public safety, including but not limited to law enforcement practices; alternatives to assigning responsibilities for human service needs to the Town's public safety departments; and coordination with the County and other jurisdictional partners to increase investments in programs and services that keep communities healthy and safe through budget reallocations and additional funding.

- C. The Town Council recognizes that investments in public safety and in programs and services that keep communities healthy and safe must advance racial equity, be grounded in community demands, and be informed by authentic engagement with grassroots and community organizations.
- D. The Town Council asks the manager to schedule a work session, after the summer recess, to enable the Town Council to develop a charge for the task force, consider a timeline for its work, and identify resources to enable it to be successful.

This the ____ day of _____, 2020.