

Agenda

Greensboro City Council

CRC Enhancement Committee

Wednesday, April 9, 2014

5:00 p.m.

Council Chambers

- I. Call to Order-Mayor Nancy Vaughan, Chair
- II. Approval of the March 19, 2014 Minutes, Committee
- III. Introduction- Chris Wilson, Interim Assistant City Manager
- IV. Follow-up Information from March 19, 2014 Meeting- Jim Clark, Police Attorney,
Love Crossling, Human Relations Director
- V. Public Comment Session-Mayor Nancy Vaughan, Chair
- VI. Committee Discussion-Committee
- VII. Committee Follow-Up and Direction to Staff-Mayor Nancy Vaughan, Chair

MEMBERS OF COUNCIL

NANCY VAUGHAN, Mayor
YVONNE J. JOHNSON, Mayor Pro Tem
MIKE BARBER, At Large
MARIKAY ABUZUAITER, At Large

SHARON M. HIGHTOWER, District One
JAMAL T. FOX, District Two
ZACK MATHENY, District Three
NANCY HOFFMANN, District Four
TONY G. WILKINS, District Five

DRAFT

MINUTES OF THE COMPLAINT REVIEW COMMITTEE ENHANCEMENT COMMITTEE
OF THE CITY OF GREENSBORO, NORTH CAROLINA

COMMITTEE MEETING

19 MARCH 2013

The Complaint Review Committee Enhancement Committee of the City of Greensboro met at 5:00 p.m. on the above date in the City Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor and Chair Nancy Vaughan; Mayor Pro-Tem Yvonne J. Johnson and Councilmembers Jamal T. Fox and Tony Wilkins. Absent: None.

Also present were Interim Assistant City Manager Wesley Reid, Police Chief Ken Miller, Police Attorney Jim Clark, and City Clerk Elizabeth H. Richardson.

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Mayor Vaughan opened the meeting at 5:00 p.m.; stated the meeting would be televised; and asked for a motion to approve the minutes of the February 26th committee meeting.

Moved by Mayor Pro-Tem Yvonne J. Johnson, seconded by Councilmember Jamal T. Fox to approve the minutes. The motion carried by voice vote.

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Mayor Vaughan recognized Interim Assistant City Manager Wesley Reid who stated Interim Assistant City Manager Wilson was not here; and outlined the schedule for the meeting.

Police Attorney Jim Clark made a presentation on an internet canvass of Police Review processes of North Carolina and Selected Regional Cities which outlined if a review board existed; the process; if a hearing was conducted; if complaints were rejected; if the IA process was reviewed; if the committee took evidence; if the committee had subpoena power; and if they committee made discipline recommendations. Police Attorney Clark explained the process for the other cities; spoke to the similarities and differences of the other cities; referenced the Council/Manager form of government processes; noted that all of the boards were boards of the elected officials; stated the CRC was a sub-body of the Human Relations commission; and that most of the other boards were independent of any other City related Department.

Alan Hunter of the Human Relations Department spoke to the training for the CRC members; stated he provided the committee with a copy of the training manual; provided an overview of the PowerPoint Presentation that was shown to the new members; spoke to the collaboration between the Professional Standards Division and the City Attorney's office; reviewed the structure of the committee which was highlighted at the last meeting; and provided an outline of how the appointments were made.

Councilmember Wilkins inquired if the advisory members had voting capacity; if the members had the same residency requirements as other City boards and commissions; and voiced concern that one of the members was a Jamestown resident.

Mr. Hunter confirmed that all seven members were voting members; were required to be City residents; and explained that a portion of Jamestown fell within the City jurisdiction.

Mayor Pro-Tem Johnson clarified that the board members needed to be City residents.

Mr. Hunter reminded the Committee that Chairman Wendell Phillips had resigned; that an appointment would need to be made; spoke to the jurisdiction of the committee; added that staff periodically reinforced the importance of confidentiality; emphasized that the committee's role was to review, advise and report; spoke to his role in the interview process; and referenced that the draft outreach packet had been provided to the Committee.

Police Attorney Clark referenced the recent annexation where land had been swapped out with Jamestown; and stated he would provide that information to the committee.

Police Chief Ken Miller spoke to the difficulty in the role of policing; outreach initiatives by the Department; challenges with the complaint review process; referenced the possibility of moving towards a mediation process which would allow for a better understanding between the parties; and fair and partial police training. Police Chief Miller outlined the upcoming community dialogue sessions over the next several months; attempts to connect better with the City's youth; and added that the entire department would go through training. Police Chief Miller made a Power Point Presentation regarding the purpose, required use, types of service calls the cameras were utilized for, and provided an outline of restricted usage.

Police Chief Miller emphasized that it was difficult to prove or disprove what the officer did or did not do or what the victim did or did not do; provided the criteria for body cameras when performing a strip search; stated he had a video to show; spoke to the types of encounters that were recorded; addressed restricted uses where the cameras were not used; addressed strip search restriction and spoke to record requirements for keeping the video.

Councilmember Fox inquired about the initiative within the college community.

Police Chief Miller referenced meetings with university delegates to look at alternatives to arrest, improving policing of off campus student housing; improved coordination with campus police; spoke to the venues that were represented; having ongoing dialogue to improve coordination and outreach; spoke to getting in front of student bodies; to educate them to improve their awareness and understanding; and spoke to an upcoming meeting with the District Attorney to talk about alternatives.

Councilmember Fox inquired if there had been discussions regarding restorative justice and practices; suggested the Police Chief reach out to Guilford College; and made reference to a recent incident.

Police Chief Miller informed the committee that conversations had taken place regarding restorative justice; stated that he had not had any conversation about community courts; stated there were some principals with restorative justice that could be applied; and spoke to the legal standards and thresholds needed before officers detained persons.

Mayor Pro-Tem Johnson inquired who would be considered as mediators. Chief Miller responded they were working with a couple from UNCG; and added the department wanted to bring in a diverse group of mediators.

Mayor Pro-Tem Johnson informed the committee that there were close to one hundred volunteer mediators who did not charge; stated that she could provide Chief Miller with a list; voiced concerns with using a husband and wife team; and asked what the next step would be should the parties not come to an agreement during mediation.

Chief Miller outlined the process should a resolution not be found.

Councilmember Wilkins inquired about the process when a party filed a complaint two or three months following an incident.

Chief Miller explained that personnel records were kept 20 or 30 years beyond the end of the employment of the employee; stated cloud storage was used; and that the records became part of an investigation and would be part of the case file.

Chief Miller provided example footage from a Body-Worn video camera; added that the video was one of the first pilot group trained last June; provided the history of the incident; stated it was not redacted; talked through the video; and informed the committee they could get a sense of what took place.

Mayor Pro-Tem Johnson stated she wished to encourage the department to develop a diverse mediation pool; that she would be glad to assist the Chief; spoke to the different ethnic groups in the City; and voiced concern with a greater chance of resolution if a mediator with a similar ethnicity was used.

Councilmember Fox reiterated restorative justice, restorative practice and requested Police Chief Miller work with the professor at Guilford College and area college students.

Police Chief Miller stated he was scheduled to meet with Professor Sherry Giles next week; spoke to some things the department was doing; the impact that arrests had; the current mechanism in place; and addressed the issue of data being on the internet which did not always get cleared off in a timely manner.

Police Attorney Clark provided an outline of the other boards who reported to the elected officials; different roles the CRC served; referenced the review boards in sister cities; and added that the GTA Board had long term standing committees.

Councilmember Wilkins asked that the committee be provided with the copy of slide which outlined what the other cities did in comparison, to which Police Attorney Clark responded he would provide that.

The Committee discussed how the CRC appointments were currently made; term limits of the CRC; and asked for a list of when the members had been appointed.

Police Attorney Clark responded that the CRC members were currently appointed by the Human Relations Commission Chair; spoke to the ordinance; verified that the term limits were 3 years; and stated he would provide a list to the committee.

Mayor Vaughan stated this was the time to hear from speakers.

Lewis Pitts, 129 Tate Street, voiced appreciation for member's time and focus on the issue, voiced concerns from the perspective of the lack of responsibility of the police to the citizens; referenced the Constitution; voiced that he had concerns with the police not being able to police themselves; spoke to the makeup of the committee; and concern with the law enforcement perspective being the only perspective presented. Mr. Pitts spoke to having civil rights lawyers who were trained to be on the committee; code of silence of the officers; spoke to the amount of time allowed for public comment; emphasized the need to have some other perspective; encouraged citizen involvement in the process; and referenced the book *The New Jim Crow*.

Bishop Chip Marble, 1611 Red Forest Road thanked the committee; spoke to the pressure that citizens had put on the City and the Police Chief; to the need for accountability of the Citizens Review Board; asked Chief Miller what his opposition was to having a board that was a truly independent review board which would not be under the police; spoke to the conflict of interest when persons made claims to the abuser; referenced persons coming to the Beloved Community Center; stated the Center had developed an interim citizens review committee; and stated he was appealing again for an independent review board that was from the public to build relations with the ethnic community.

Susan Feit, 1114 Jefferson Road, spoke on behalf of NCCJ on the outreach aspect of the issue; stated she had worked with Dr. Crossling and Chief Miller to raise awareness of the issue; wanted to bring the youth perspective; referenced the university and high school students; spoke to cultivating relationships between the youth and police; and confirmed that NCCJ was willing to be a resource to assist the City.

Councilmember Wilkins inquired about the estimated time per month the committee spent on the one to three cases it reviewed.

Dr. Love Crossling explained the process for providing informational materials to the committee approximately two weeks in advance of the meeting for independent review; stated that the committee designated approximately two hours to deliberate as a group; and deferred to Mr. Hunter for further explanation.

Mr. Hunter elaborated on the way the process worked; outlined the steps taken once the complainant had the initial contact with the Human Relations Department; timeline for providing information to the necessary parties; outlined the data and process for collecting information from the complainant; spoke to the confidentiality of providing information to the committee; stated that the committee was not allowed to print information out; explained that once

a decision had been made and the case was closed the information was shredded and destroyed; and verified that a maximum of two cases were handled per meeting.

Councilmember Wilkins asked for clarification as to how much time members spent at the actual meetings. Mr. Hunter responded that the majority of individual time was spent reviewing the materials; that approximately two hours were utilized for the actual meetings which were scheduled at 10:00 a.m. monthly prior to the Human Relations Commission meetings; and that members spent individual time reviewing the information forwarded to them.

Mayor Pro-Tem Johnson voiced concerns for diversified mediation in the process; and stated she had been involved in mediation for over thirty years.

Mayor Vaughan spoke to hearing the speakers concerns regarding an independent review board; stated she had a tough time wrapping her mind around the concept as police officers were City employees and the Police Department was a City department; that she was not sure how a decision from a completely independent board would be implemented; informed the speakers that ten minutes would be delegated at the next meeting for speakers to provide information on an independent review committee with regard to how the appointments would be made; how the accountability of an independent review board would be applied; and emphasized that she was having a hard time reconciling how that would be possible and still be able to maintain the public records law regarding personnel.

The committee discussed the need for balance and for the Human Relations Commission to consider what the speakers had said; the need to provide the community additional time to speak when there were only several speakers; concern with the fact that one person made the appointments to the CRC Committee versus district representatives which would provide more diversity; and getting a better understanding of how the process worked.

Police Attorney Clark spoke to the similarities to the way that the Mayor selected members for Council committees; stated that the process was analogous to how Council functioned; followed a model that already existed, but that it could be changed; and spoke to his lack of institutional knowledge on how the process was put into effect.

Councilmember Wilkins emphasized that comments were not meant as an insult to the Human Relations Chair.

The committee discussed the need for the direct appointments to the CRC by Council; lack of accountability; removing the layer as there was no way for a person to express their displeasure like at the ballot box; the need to focus on specific positions and skill sets for a variety of slots to be filled; that every district should have a representative; and a request for the current composition of the CRC Committee as well as some options regarding what other cities appointment processes were.

Dr. Crossling interjected that she would provide the professional background for the various members who were currently serving on the CRC; and stated she would provide research with appointment and oversight mechanisms for other municipalities.

Councilmember Fox reiterated that he had requested Mr. Hunter work closely with the Police Department during the investigative process to avoid a gap; and stated that he would like to see what it would look like should Council make the CRC Committee appointments.

Interim City Manager Wesley Reid stated he appreciated the comments; voiced that staff would bring information back to the committee; suggested that the next meeting be April 9 from 5 – 7 p.m.; and provide the opportunity to focus on community feedback.

Mayor Vaughan encouraged persons to attend the meetings.

It was the consensus of the committee to meet on Wednesday, April 9 from 5-7 p.m.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Jamal T. Fox to adjourn the meeting. Motion carried by voice vote of the committee.

(Copies of the presentations which were hereby referred to are made a part of these minutes).

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The CRC Enhancement Committee meeting adjourned at 6:40 p.m.

NANCY VAUGHAN
CHAIRMAN & MAYOR

ELIZABETH H. RICHARDSON
CITY CLERK

INTERNET CANVASS OF POLICE REVIEW PROCESSES*Of North Carolina and Selected Regional Cities*

Comparison Cities	Review Board	Type of Process	Conduct Hearing	Rejects Complaint	Review IA Process	Takes Evidence	Subpoena Power	Recommend Discipline
GREENSBORO	Yes	Appeal	Yes	No	Yes	Yes	No	No
10 Largest Cities in NC								
Charlotte	Yes	Trial	Yes	Yes	No	Yes	No	Yes
Raleigh	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Winston-Salem	Yes	Trial	Yes	Yes	No	Yes	No	Yes
Durham	Yes	Trial	Yes	Yes	No	Yes	No	Yes
Fayetteville	Yes	Trial	Yes	Yes	No	Yes	No	No
Cary	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Wilmington	No	None	N/A	N/A	N/A	N/A	N/A	N/A
High Point	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Asheville	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Similar-sized US Cities								
Lexington, KY	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Anchorage, AK	No	None	N/A	N/A	N/A	N/A	N/A	N/A
St. Paul, MN	Yes	<i>Review</i>	<i>No</i>	<i>No</i>	Yes	<i>No</i>	<i>No</i>	Yes
Cincinnati, OH	Yes	Trial	Yes	Yes	No	Yes	No	Yes
Plano, TX	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Lincoln, NE	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Ft. Wayne, IN	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Norfolk, VA	No	None	N/A	N/A	N/A	N/A	N/A	N/A
Orlando, FL	Yes	Trial	Yes	Yes	No	Yes	No	Yes



City of **GREENSBORO** *North Carolina*

Body Worn Video Cameras in Assessing Police/Community Interactions

March 19th, 2014





Police Body-Worn Video Cameras

- Purpose
 - Unbiased documentation of field contacts and interactions
 - Assist investigations, prosecution, training and policy development
- Required use:
 - Field Contacts -
 - Traffic stops
 - Suspicious person or vehicle (self initiated)
 - Arrest situations
 - Consensual encounters of an investigative nature
 - Calls for service types –
 - Disturbance or disorder
 - Emotionally/mentally disturbed individuals
 - Offenses involving weapons or violence
 - Any “In-Progress” call for service, until all is stabilized



Police Body-Worn Video Cameras

- Required use (Con't):
 - Calls for service types –
 - Disturbance or disorder
 - Emotionally/mentally disturbed individuals
 - Offenses involving weapons or violence
 - Any “In-Progress” call for service, until all is stabilized
 - Other situations –
 - Vehicle operation with blue lights and siren
 - Tactical activities, incl. execution of search warrants
 - Warrantless searches of individuals, vehicles, buildings, other places
 - During inventorying of seized money or high value property
 - Any encounter that becomes adversarial after initial contact
 - Any situation in which an officer believes its use to be beneficial



Police Body-Worn Video Cameras

- Restricted Uses:
 - Uses restricted to law, departmental policy and City personnel policy
 - Bathrooms, locker rooms or other places where there is a reasonable expectation of privacy and officer is not on an eligible call type
 - Certain restrictions for strip search situations (360*; audio only)
 - Interactions with confidential informants/undercover officers
 - Personal activity
 - Patient care areas of health care facilities (event/party specific recordings only)



Example Footage:

- Emergency Response
- Armed/disorderly child
- Assault on officer/Child secured

