APD Presentation

June 9, 2020

THE CITY OF ASHEVILLE



I have condemned, and will continue to condemn, as do the men and women of the Asheville Police Department, the unjustified killing of George Floyd by law enforcement. All four officers have been arrested and charged.

Now justice must prevail.

THE CITY OF ASHEVILLE

Key Takeaways

- We have heard community concerns about systemic racism and police violence nationwide, to include past APD incidents.
- APD has made progress since the August 2017 incident involving Mr. Johnnie Rush.
- More changes must and will be made.
- 30/60/90 day action plan for APD.

Acknowledgements

- There is community distrust for APD.
- Community concern regarding APD's ability to police itself.
- Residents deserve a detailed account of all that occurred during the protests.
- APD cannot solve systemic racism alone. Our plan forward will require the participation of government and community partners.

Independent Review

- Recommend an outside entity to complete a full after action report to determine if APD actions during the protests were justified.
- Just because actions are justified, doesn't make them necessary. This will be looked at as well.
- Due process will be followed.
- Unjustified or unnecessary action will result in the appropriate discipline.

THE CITY OF ASHEVILLE

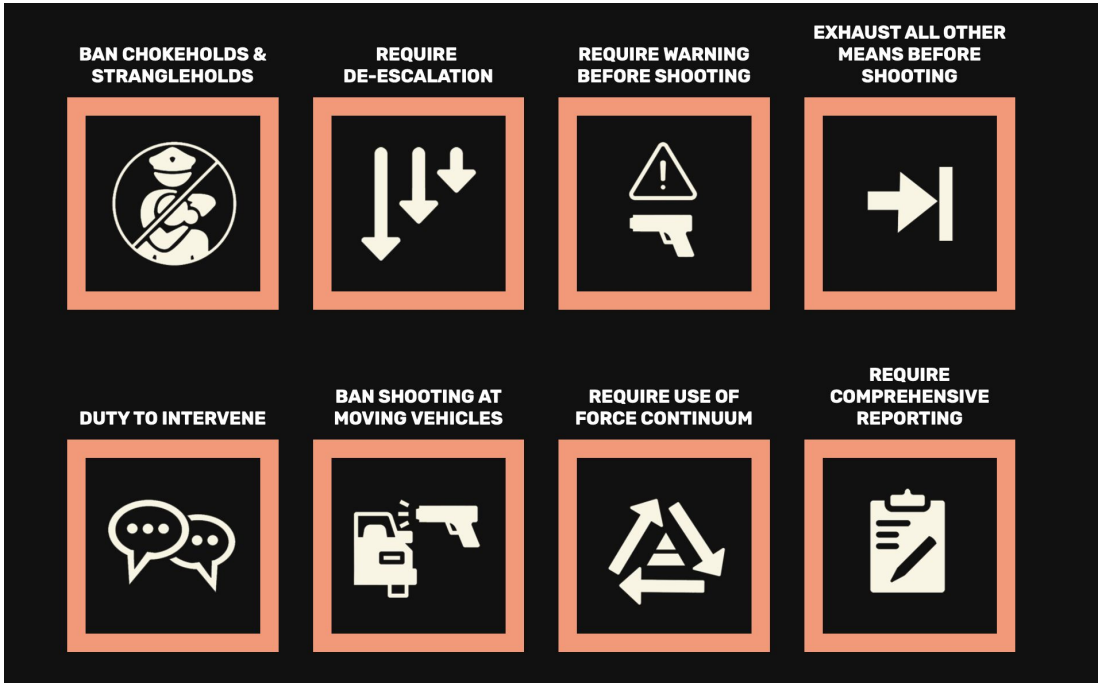
Community Incident Briefings

- After action reports on an incident of this magnitude takes significant time to complete.
- Asheville residents want some answers now, they will get them.
- Shortly after my arrival I contracted with LE transparency engagement advisors to keep the public better informed during critical incidents like this.
- They will be in our City as early as tomorrow with the goal of providing a better understanding of what took place during protests.

THE CITY OF ASHEVILLE

8 Can’t Wait Campaign

- 8 police reforms that Campaign Zero states will “decrease police violence by 72%”
- APD has all 8 in place



THE CITY OF ASHEVILLE

Use of Force Changes

- In 2018 APD worked with members of the community to establish the Community Police Policy Work Group.
- Group reviewed and provided feedback on APD use of force policy.
- Feedback was incorporated into current use of force policy.

THE CITY OF ASHEVILLE

Ban Chokeholds

- APD does not train or condone the use of chokeholds.
- Chokeholds are prohibited, except for situations where an officer reasonably believes that deadly force is necessary and there are no alternatives to that level of force.
- APD Use of Force Policy Section 402.4(D)

Require De-Escalation

- When safe, officers will use de-escalation techniques to attempt to slow down and/or stabilize a situation to allow for more time, options, and resources for incident resolution.
- APD Use of Force Policy, Section 402.1(A)

De-Escalation Training

- De-escalation is an element in all APD tactical training.
- Integrating Communication, Assessment, and Tactics (ICAT) - mandatory for all sworn personnel.
- Crisis Intervention Training - 85% of all APD officers are certified in CIT.
    - Certification a requirement to carrying a taser.

THE CITY OF ASHEVILLE

Require Warning Before Shooting

- Prior to use of lethal force, where safe and feasible, officers will identify themselves as law enforcement and order the subject to stop the activity which has caused the potentially deadly encounter.
- APD Use of Force Policy, Section 402.3(B)

Exhausting All Options

- Officers must only use the amount of force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.
- APD Use of Force Policy, Section 402.2(B)

Duty to Intervene

- Ethical Policing is Courageous (EPIC) - all sworn and non-sworn APD employees have completed this training where the duty to intervene is emphasized.
- Current APD Use of Force policy, section 402.2(C) states “any officer present and observing another officer that is using force that is clearly beyond that of which is reasonable or necessary, should safely intercede to prevent use of excessive force”
- Must be promptly reported to supervisor

THE CITY OF ASHEVILLE

Ban Shooting at Moving Vehicles

- Officers will not fire any weapon from or at a moving vehicle, except to counter an imminent threat of death or serious physical injury to officer or another person, and no other means are available at that time to avoid or eliminate danger.
- APD Use of Force Policy, Section 402.4(B)

THE CITY OF ASHEVILLE

Require Use of Force Continuum

- APD trains officers to operate on a use of force continuum.
- Training teaches officers to make force decisions based on the level of threat presented.
- Our defensive tactics training includes transitioning between responses so officers are well-equipped to move up and down the continuum based on the threat presented.

THECITYOF ASHEVILLE

Require Comprehensive Reporting

- Officers are required to report any use of force.
- All use of force incidents are reviewed by officer's chain of command and Professional Standards section.
- Review includes body worn camera footage, interviews with officers, witnesses, and person that had force used against them.
- APD Use of Force Policy, Section 402.6

THE CITY OF ASHEVILLE

Require Comprehensive Reporting

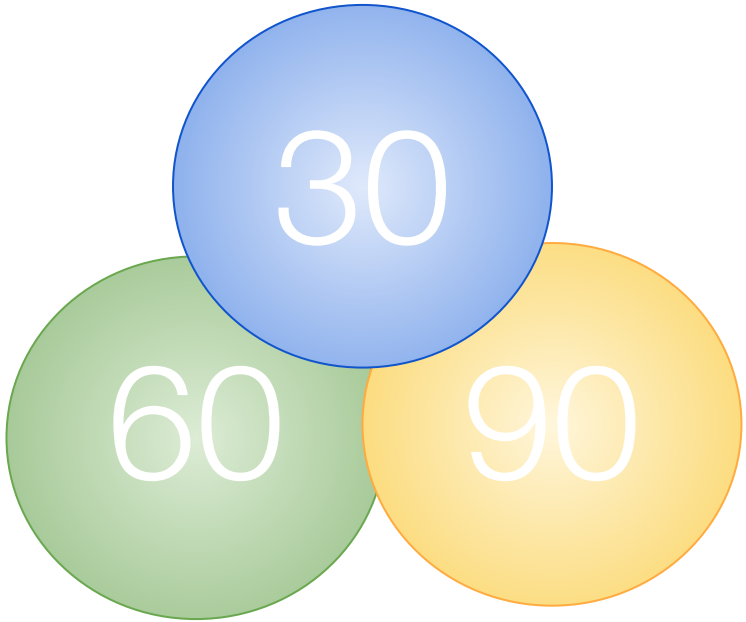
- Within five days of receiving a use of force report, Professional Standards Commander will submit a report to the FBI Use of Force Data Collection Database.
- Fewer than 45% of agencies report this information to FBI.

THE CITY OF ASHEVILLE

30/60/90 Day Action Plan for APD

Highlights:

- department-wide restructuring
- equitable promotional process
- higher accountability in use of force reporting



THE CITY OF ASHEVILLE

30 Days

- Expand current definition of what constitutes use of force.
- Increase indicators into early intervention system to identify/address issues before they become a problem.
- Revise promotional process to reflect merit based and equity
- Drug Suppression Unit (DSU) will be abolished. Too much emphasis has been placed on enforcement of low level drug crimes. Must place greater focus on violent and property crime.
- We must partner with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to assist with reducing gun violence in particular.

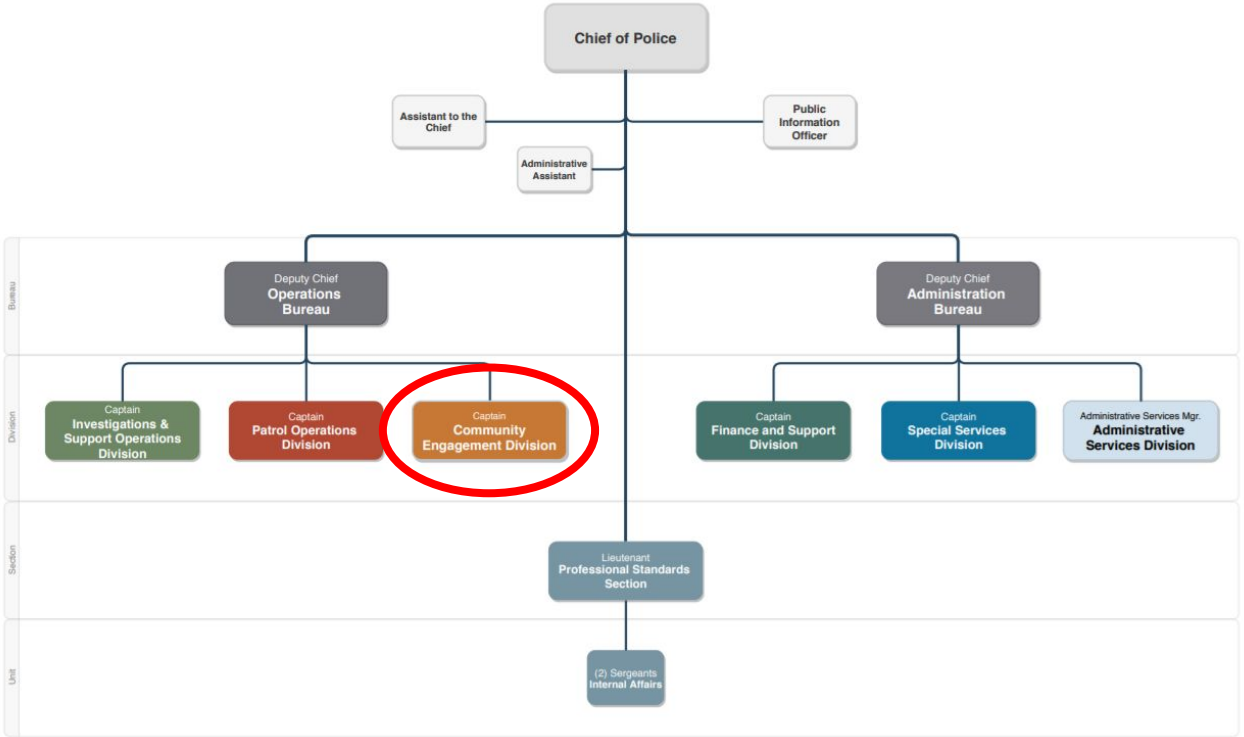
THE CITY OF ASHEVILLE

60 Days

- Complete promotional processes to support a department wide restructuring.
- Have independent monitor in place to conduct after action report.
- Create a department liaison with the District Attorney's Office to identify cases that could not meet prosecution standards as they apply to interrogation, search and seizure, warrant application, and evidence collection and storage.
- Implementation of TIP411 to provide community ability to anonymously report crime and officer misconduct.

THE CITY OF ASHEVILLE

Beyond 90 Days



THECITYOF ASHEVILLE

Community Engagement Division

- Fully staffed division whose sole purpose will be to quickly respond to neighborhood quality of life issues and more complex societal issues such as substance abuse, homelessness, and mental health.

Community Engagement Division

- **Homeless Outreach Team**
  - Full time officers dedicated to facilitating access to mental, medical, and social service care. This will be their only function.
  - We will be researching existing models in cities such as Austin, San Diego, and Cincinnati who have developed successful programs.

Community Engagement Division

- **Mental Health Addiction Coordinator**
  - Review reports for any underlying mental health conditions and follow up after all reports of overdose.
  - Arrests and incarceration only exacerbates these conditions.

Community Engagement Division

- **Integrity Unit**
  - Sole focus will be to ensure policies and procedures are consistently being followed through random and scheduled oversight.
  - Consistently monitoring our soon to be established customer satisfaction surveys where residents can more readily provide positive and negative feedback following calls for service, traffic stops, random encounters, etc. where a formal complaint may not normally be considered.

Community Engagement Division

- **Implementation of gun violence reduction strategy**
  - Data-driven identification of responsible groups and individuals at highest risk of being involved in a shooting
  - Respectful communication of risk directly to those high risk groups and individuals
  - Make services, supports, and opportunities available to those highest risk groups
  - Focused enforcement on groups/individuals that continue to engage in violence crime

Summary

- Our community demands and expects change.
- APD has been evolving and will continue to.
- Our plans are actions and not words.
- Our goals are reachable and will define our agency culture.
- It is our intent to bring to the residents of Asheville a police department they can be proud of.

THE CITY OF ASHEVILLE

Response to Rallying Together -Community Demands

THE CITY OF ASHEVILLE

30 Days

- Resolution to remove monuments on tonight's agenda
- Work with the community on the renaming of streets - process already in place to rename any city street
- Provide protocol, practices and resource allocation data from the Equity and Inclusion Department on the our City Website

THE CITY OF ASHEVILLE

60 Days

- Continue partnering with Asheville City Schools and Buncombe County Schools to address Opportunity Gaps
- Community conversations around budget to support transparency and needs.
  - Initiate conversations with the district attorney's office regarding the probation decision for Mr. Hickman

THECITYOF ASHEVILLE

90 Days

- Better understand and work through solutions for remaining demands:
  - Creation of “Harm Free Zones”
  - All Civilian Oversight Committee
- Utilize best practices to recruit people of color
- Develop Race and Gender Conscious Policy in response to the disparity study as part of City contracting and procurement.

THE CITY OF ASHEVILLE