

## **2019 Raleigh City Council and Mayoral Candidate Questionnaire**

The Raleigh Police Accountability Community Taskforce (PACT), the American Civil Liberties Union (ACLU) of North Carolina, Carolina Justice Policy Center, and El Pueblo would like to provide voters with information about where Raleigh's 2019 Mayoral and City Council candidates stand on important issues of police accountability and oversight. Our goal is to educate voters about local candidates' positions on local policing issues.

All candidates for City Council and Mayor are receiving this questionnaire. Responses will be made publicly available in an effort to hold candidates accountable to their communities' fundamental need for justice, safety, and respect.

Please submit all responses on or before **August 27, 2019 at 6:00 p.m.**

Save a copy of this document and type your responses under each question, using additional space as needed.

Email your completed questionnaire to: **[sbirdsong@acluofnc.org](mailto:sbirdsong@acluofnc.org)**.

**Candidate Name: Nicole Stewart**

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1. PACT has called for the City Council to pass a resolution asserting the Council's public support for a Community Oversight Board of local police with investigatory, subpoena, and disciplinary power. We propose focusing our community's energy on securing Raleigh's authority to create a board with subpoena power and later convening dialogues with community stakeholders to discuss details of the board's structure. The Council's support of an external Community Oversight Board with meaningful authority would communicate that we want to work together toward a system where people's concerns would be justly investigated.

*Do you support the creation of a Community Oversight Board that has the power to investigate, subpoena, and discipline police officers when there is injustice?*

**Response (Please give a clear "Yes" or "No" and any explanation):**

No. Raleigh is at a stand still on this decision, and I do not believe that forcing a yes or no answer is productive at this point. I think we need to pivot from focusing on one tool - a Community Oversight Board - to refocusing on our community's common goals, which I believe are: 1) no more deaths at the hands of police, 2) police accountability, 3) more transparency, and 4) improved community-police relations.

Many candidates are going to tell you that they support an oversight board, and will then pivot to sending the decision out to the community for input. That also is unproductive and will result in SE Raleigh asking for a Community Oversight Board, with the vast majority of the rest of the city's residents saying no. It's our responsibility as Council to have this hard conversation and make a decision. And, we can't do it without meaningful input from the community.

I strongly believe it's time we dig in deep on this issue and not just pay lip service to community members who want more oversight and accountability. One solution I think we should immediately implement is to create a process that allows individuals who have a negative interaction with a police officer(s) to report their interaction to an individual/City of Raleigh department that is not the Raleigh Police Department.

2. For so many people, particularly Black and Latino residents, a routine encounter with a police officer can become a traumatic experience that results in unnecessary, invasive searches. This happens because the individual doesn't know that they have the right to refuse a consent search of their person, vehicle, or home. RPD has created a consent-to-search form that states an individual's right to refuse a search, and RPD policy requires that an individual sign their

consent before a vehicle or property search, but only requires written consent before individuals themselves are searched “where possible.” It is unclear whether this policy is effectively enforced.

*Are you in favor of requiring Raleigh Police Department to require and enforce the use of consent-to-search forms prior to any search and pat down that is not based on probable cause?*

**Response (Please give a clear “Yes” or “No” and any explanation):**

Yes.

3. While Raleigh has implemented a body-worn camera program, it lacks a key element to ensure it is fully implemented: disciplinary consequences for violating the policies. This was illustrated in the failure of the officer who killed Soheil Antonio Mojarrad to turn on his body-worn camera. In order to ensure proper use of body cameras, policies should specify additional training opportunities and disciplinary consequences for officers who repeatedly misuse body cameras and improperly handle recordings. Similar policies have been implemented in other cities, including Durham and Charlotte.

*Do you support the development and implementation of an effective discipline policy to enforce the existing RPD body-worn camera program?*

**Response (Please give a clear “Yes” or “No” and any explanation):**

Yes. While Council does not have the authority to get involved in personnel matters, I would encourage a policy that looks to other cities as an example. In addition, after the death of Soheil Antonio Mojarrad, I asked our Chief of Police for recommendations on how we ensure that body cameras are turned on anytime an officer responds to a call. My request, in part, allowed the Raleigh Police Department to respond with a new policy that all body worn cameras be in passive recording mode at all times, which means they are filming without sound. In addition, the body cameras are still required to be turned on (which will include sound) as they were before.

4. Another tool for ensuring the consistent use of body-worn cameras is to use a camera system that automatically turns on when officers draw their weapon from its holster. The body-worn cameras that Raleigh has purchased from a company called WatchGuard apparently do not support this feature, and are turned on by the officer clicking a button on the camera.

*Do you support allocating funds to implement a holster activated body-worn camera system?*

**Response (Please give a clear “Yes” or “No” and any explanation):**

No. My understanding is that this feature is prohibitively expensive, and we are still in the process of fully rolling out the purchase and use of body cameras for all officers. In addition, we need officers to be accountable at all times, not just when their weapons are drawn. So much of what happens in these situations happens before a police officer's weapon is drawn, and residents and government officials should be able to see the entire interaction.

5. Wake County's jail has regularly been overcrowded, and at times as many as 90 percent of the people in the jail are being held before their day in court, and before being convicted of any crime. Studies show it can take months or years to recover from the job loss and other damage caused by even a day or two of incarceration. There are many ways to reduce the harm to the community of jailing people before trial. One option is to expand the use of citations in lieu of arrest for certain misdemeanor charges. This policy can not only prevent harmful pretrial incarceration, but it can also reduce jail overcrowding and save time and police department resources.

*Do you favor expanding the Raleigh Police Department's use of citations in lieu of arrest for certain misdemeanor charges?*

**Response (Please give a clear "Yes" or "No" and any explanation):**

I have not explored this challenge and solution in-depth before. I would be very interested in learning more. Yes, though, I believe we need to be making fewer arrests.

6. *Are you in favor of requiring, and ensuring funding for, de-escalation training for all RPD officers? Do you support establishing consequences for officers who do not attempt to de-escalate prior to any use of force?*

**Response (Please give a clear "Yes" or "No" and any explanation):**

Yes. I have a track record of supporting and advocating for advanced training. To this point, after the death of Soheil Antonio Mojarrad, I asked at the Council table for a list of resources, training, and tools our police officers need to feel better prepared in the future and encouraged Crisis Intervention Training for all officers. The Police Chief came back and reported that all field officers would receive CIT by 2020. The Raleigh Police Department is one of the best trained agencies in the country and has proven to actively seek out new training opportunities. Again, as Council does not have authority over personnel matters, I would encourage establishing consequences for officers who do not attempt de-escalation if there are other cities we can point to as an example.

7. *Do you support promoting police transparency by requiring that RPD make the pictures, names, and ranks of RPD officers available on the city website?*

**Response (Please give a clear "Yes" or "No" and any explanation):**

I would need more information on this idea and to see best practices from other cities before making a decision.