



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**.

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Candidate Name: Stef Mendell- City Council District E

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):

I support a police oversight board and conversation with members of the Wake County delegation to the NC General Assembly regarding subpoena and disciplinary power. I do want to hear more from the community and the police about what kind of board they think would best help build trust. We need to think carefully about what types of representation would be appropriate on such a board – community members, mental health professionals, retired police officers, education professionals. Adequate orientation and training to understand what it is like to serve as a police officer should be a prerequisite for service on any proposed board.

Being a police officer today is an often thankless job in which you put your life on the line every day. We were reminded of that very viscerally with the tragic shooting of RPD Officer Charles Ainsworth last year.

At the same time, people of color throughout our city, our state, and our nation sometimes have had very bad interactions with police officers, including fatal interactions, from Akiel Denkins in 2016 to Soheil Mojarrad in 2019.

Increased communication, outreach, and engagement is a priority for building trust.

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. Body-worn cameras help the community understand more about encounters with police and their proper use needs to be enforced. RPD has implemented a policy in response to this issue where the cameras are constantly recording video without the officer having to turn on the camera manually. This does not entirely address the problem, but is a step in the right direction.

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):

Yes and I would like to investigate what additional options are available. Having a camera turn on when a gun is pulled from a holster may actually be too late to help understand what led up to such an incident.

In fact, California has a new law that we may want to investigate regarding the use of lethal force and what is called “officer-created jeopardy.” If an officer puts themselves

into danger in a manner that is not justified, then that can factor into whether the officer's use of force was appropriate.

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):

Yes. This makes sense from the perspective of the individual who has been charged, as well as from the larger community. We don't need to put barriers in the way of people trying to hold on to a job. We don't need to criminalize people who have been arrested, but not convicted, in cases of non-violent crimes. And we should be more efficient in our use of public resources. Sociologists know that people who are arrested for allegedly committing a crime represent a small fraction of all individuals who actually do commit crimes. We need to do what we can to destigmatize these situations and help individuals remain functioning members of society.

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. As I mentioned in response to an earlier question, I would like to see us investigate California's new law regarding the use of lethal force and what is called "officer-created jeopardy." If an officer puts themselves into danger in a manner that is not justified, then that can factor into whether the officer's use of force was appropriate.

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):

This seems like a reasonable request, but I would want to understand how it would impact officers who operate undercover.