



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**.

Candidate Name: Zainab Baloch

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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):

Yes. The number of officers in Raleigh is less than the national average. In a city of almost half a million people, we have only 19 police officers for every 10,000 residents. We have a shortage of officers to address the growing number of issues that come with a rise in poverty, mental health and crime. On top of that, officers aren’t paid well and aren’t able to afford the rising costs of housing and transportation in our city. These factors contribute to the inequitable treatment of people of color by the RPD. I’ve been working with PACT to reinforce our essential right to feel secure in our homes and exist under a government we can trust. That trust is called into question when we have a police department suffering from higher than average racial disparities. How do you build trust when [Black women are 17 percent more likely to get pulled over during the day than at night in Southwest Raleigh?](#) A police oversight board would help build that trust — and, so would decriminalizing marijuana. We must combine oversight with other initiatives, such as reviewing how we can build our policies within a racial and equitable lens, and increase resources to better equip officers to do their job.

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, if used properly and not coerced. Consent forms eliminate the need for a warrant and are meant to provide police and individuals with a layer of legal protection. It provides documentation that a search was consented, but also that it was performed. This could prevent officers from making unnecessary searches if the policy was enforced. However, this could also lead to abuse if individuals are coerced to sign or if another individual signs the form. This was the case in NY where a 75 year old mother with dementia signed a consent form for her son when threatened. Once we determine how to reduce the risk of abuse, consent forms should be translated into multiple languages and translators should be available if needed.

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, a policy is only as good as its enforcement.

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, there are plenty of other companies that do have this feature around the same price. Raleigh is unique that we have great partnerships with our thriving tech sector. We should utilize these partnerships to enhance our current product, keep our data safe, and analyze

how we can use the data to improve our services. I, alongside other community organizers, have been advocating Raleigh City Council for months about body cameras and the choice of this contract.

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 will help alleviate our overcrowded jails and put less pressure on officers to arrest individuals for low-level offenses. It would, also, help reduce racial bias. In Wake County, African-Americans represent 67% of low-level marijuana arrests, yet only make 21% of the population. By decriminalizing marijuana enforcement, we can focus on issues more important to our safety.

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, we should definitely be training our officers to do whatever possible to de-escalate a situation before deciding to use force. This training gives police more options to safely resolve conflicts. As mentioned above, a policy is only as good as its enforcement, so consequences would be necessary.

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):

Yes, there should be a database where a resident can reach out to an officer if needed on the city website. Many schools have pictures and names for all their teachers online which gives residents the option to better know their community officers.