



City of **GREENSBORO** *North Carolina*

House Bill 193: Prohibit Discriminatory Profiling

Office of the City Attorney
July 16, 2015





House Bill 193: Prohibit Discriminatory Profiling:

1) Prohibit the use of discriminatory profiling by law enforcement officers in the performance of their duties.

Discriminatory profiling is defined as: “subjecting a person to investigation...based on the person’s real or perceived race, ethnicity” (etc.), “rather than on the person’s behavior” or “identifying the person has having engaged in criminal activity.”



2) Increase the kind of information required to be reported by law enforcement agencies concerning traffic law enforcement.

“whether the officer making the stop attempted to determine the immigration status” of the driver or any passengers.”



3) Require certain law enforcement agencies to report certain statistical information concerning use of deadly force.

This statistical information is already being reported to the U.S. Bureau of Justice Statistics as required under Federal law.

In addition the Greensboro Police Department publishes relevant statistical homicide data annually.



4) Require law enforcement officers to receive annual education and training concerning discriminatory profiling and recording and storing information.

The Greensboro Police Department is in full compliance with education and training mandated by the North Carolina Law Enforcement Training and Standards Commission.

During the state required 2014 In-Service Training, Bias Based Policing was included within the four (4) hours of Legal Update and within the two (2) hours of Juvenile Minority Sensitivity Training.



5) Require that certain training be provided to members of neighborhood crime watch programs established by counties and cities.

The Greensboro Police Department currently offers Community Watch establishment and training through our Community Resource Officers. Our Community Watch efforts are highlighted annually during National Night Out and have been recognized for decades as a national model.



6) Citizen Review Board.

Creation: A City may provide for: Composition of the board;
Qualifications of members; Procedure for appointing members;
Duration of terms; How hearings are held.

Powers and Duties:

- Investigate complaints against officers.
- Review internal investigations and discipline of officers.
- Make findings and decisions on disciplinary actions.
- Recommend policy changes to city council.
- Exercise any other power deemed necessary.
- Subpoena Power: Board may issue subpoenas to be enforced by the courts (the courts may enforce by contempt).
- **Testimony given pursuant to a subpoena may NOT be used in any civil or criminal action.**



Personnel Records: Police shall make available the personnel file of the officer and any other material deemed necessary by city council for the board to complete its investigation or review.

Findings and Decisions: are public records and decisions by the board shall be binding on the Police Chief or the city council.

Appeals: City shall establish an appeals process. If the appeal results in overturning the board's decision, the officer shall be entitled to all relief necessary to make the officer whole.

Judicial Review: shall be through the Administrative Procedures Act

Reports: Board shall make semi-annual and annual reports to Police Chief and city council.



BODY WORN CAMERAS



Body & Dash Cam Recording/Public Access HB 713

Objective: Treat Body Worn Camera footage the same as records of criminal investigations. Viewing or release of the footage will be at the discretion of the police.



GREENSBORO'S PROPOSED BILL

Objective: Treats Body Worn Camera footage the same as Personnel Records. Personnel Records are not public records, yet the people who appear in the video have the right to view, but not possess, the footage. Permits obscuring of portions of the video to protect privacy rights. Permits Council to release footage to maintain public confidence.