

## RESOLUTION ON THE PROTECTION OF CIVIL LIBERTIES DATE: TBD

**WHEREAS**, the City of Greensboro has long aspired to protect civil liberties and provide equal protection under the law to all persons in the city which includes a diverse population of many races, religions, national and ethnic origins, genders, sexual orientation, mental or physical disabilities, political opinions or activities, veterans and those currently in military service; including tourists, students, undocumented immigrants, and the homeless, whose contributions to the community's economy, culture and civic character are vast and important, and affirms its strong support for the fundamental constitutional rights of every person and recognizes that the preservation of civil liberties is essential to the well-being of a democratic society with respect to other jurisdictions within North Carolina and the United States of America; and

**WHEREAS**, the City Council wishes to make it clear that the City of Greensboro is committed to protecting the civil liberties of all members of the community by treating all people in a dignified and respectful manner; and

**WHEREAS**, the City Council opposes any measures or practices which originate from bias-based stereotyping or arbitrary profiling of any person. The City of Greensboro is committed to the equal and fair treatment of all members of the public, and will act responsibly in every capacity to continuously enhance public trust and support the ideals of a democratic and free society; and

**WHEREAS**, the Chief of Police of the City of Greensboro has implemented campaigns such as Neighborhood Oriented Policing (NOP) practices that seek to reframe and improve the relationship between law enforcement personnel and the public; and

**THEREFORE, BE IT RESOLVED** by the City of Greensboro that the City Council calls upon all City officials and employees to respect the civil rights and liberties of all members of our community, including those who are citizens of other nations, and also calls upon all members of the public – including residents, visitors, educators, employers and business owners – to similarly respect the rights and liberties of their fellow members of the community, and to respect the employees of the City of Greensboro who work on their behalf to improve our City.

### **Section 1. Definitions.**

- A. Arbitrary Profiling: describes any activity motivated by race, gender, ethnicity, religion, age, citizenship, sexual orientation, gender identity, or any stereotype rather than the behavior of an individual or information that leads to a particular individual that is reasonably suspected to be, or to have been engaged in, specific criminal activity.
- B. Bias: prejudice in favor of or against one thing, person, or group compared with another.
- C. Civil Liberties: outlines those personal guarantees and freedoms that the government cannot abridge, either by law or by judicial interpretation without due process.
- D. Law Enforcement Technology: as defined by 6 U.S. Code §163, this term refers to investigative and forensic technologies, corrections technologies, and technologies that support the judicial process. More specifically, we highlight CSI evidence gathering techniques, forensics laboratory processes, traffic and security cameras, license plate readers, mobile and stationary recording devices, body-worn cameras, dash board cameras and other electronic equipment.

E. Probable Cause: Knowledge of objective facts or circumstances that is sufficient for a reasonable person to believe that an individual has committed, or is committing a criminal offense. Under United States law, probable cause is the standard by which law enforcement authorities have reason to obtain a warrant for the arrest of a suspected criminal, or to conduct personal or property searches.

F. Procedural Fairness: A process characterized by the following tenants: (1) treating everyone with dignity and respect; (2) giving all parties a voice; (3) neutrality in decision making (e.g. unbiased and trustworthy); and (4) understanding the criminal justice process.

G. Reasonable Suspicion: Knowledge of objective facts or circumstances that is sufficient for a reasonable person to believe that an individual has committed, or is committing, a criminal offense. Under United States law this legal standard of proof is less than probable cause. Reasonable suspicion is more than a mere hunch, and serves as the legal standard for detention and further investigation.

H. Symbiotic: having an interdependent relationship. A relationship of mutual benefit.

## **Section 2. City Council and All City Employees**

A. In accordance with City of Greensboro Policy, the Mayor and members of City Council, and all City Employees are to conduct themselves with dignity at all times while providing excellent customer service and are to respect all persons regardless of social views, political affiliation, religious denomination, socio-economic status and/or individual association.

B. By recognizing and appreciating our differences, we serve at the will of the people – being the voice and face of this great city; adhering to our Core Values of Honesty, Integrity, Respect and Stewardship in our daily interactions in and outside of our employment.

## **Section 3. The Greensboro Community**

A. From the archives of history to present day, the Greensboro community plays a leading role in civil rights and civil liberties, consistently promoting the fundamentals of non-violent protest, unyielding tolerance and encouraging respect of all peoples in the city we call home. The multitude of languages and cultural differences makes Greensboro unique in many aspects.

B. Members of the community agree to fair and equal treatment of each other as the foundation of successful coexistence within our neighborhoods. This is accomplished by understanding our biases, learning to be cooperative, engaging in truthfulness and honesty, and adhering to the reciprocity of The Golden Rule; treating others in a similar manner that one would like to be treated.

## **Section 4. The City of Greensboro Police Department**

A. GPD Values. In addition to the Core Values of the City of Greensboro, the Greensboro Police Department incorporates Respect, Trust and Accountability to align with the mission and vision of having a safer city through selfless public service and effective community partnerships.

B. Symbiotic Relationship. The primary roles of police officers are: (1) protect constitutional freedoms, (2) safeguard lives and property and (3) enforce the law. In kind, it is prudent that members of the community cooperate in the investigative process. The community should strive to maintain a viable

and livable city by reporting suspicious activity and inform the Department of neighborhood safety concerns. To build good sustainable relationships, the community and police must continue to engage in dialogue, develop programs that create positive interactions, and explore methods to foster trust between each other.

C. Unbiased Policing. The Greensboro Police Department will continue in its efforts to promote procedural fairness and not engage in arbitrary profiling that will impede an individual's constitutional rights. The Department opposes enforcement measures designed to have a disparate impact on members of the community. To serve as a catalyst for change, the Department implemented Neighborhood Oriented Policing (NOP), the Greensboro Police Citizens' Academy (GPCA), the Ride-Along Program, National Night Out as well as other social and civic endeavors.

1. Protecting Individual Rights. Whether a member of the community is a victim, witness or suspect in a criminal matter, police officers will respond appropriately, effectively carry out the objectives of law enforcement, and perform their duties according to local, state, and federal laws; as well as Departmental policies and directives.

2. Voluntary Encounters. A tenant of the Greensboro Police Department is to have positive and effective community interactions between police and the community. An individual in a consensual dialogue with an officer has the right to terminate the contact, and the officer will not prevent the individual from leaving.

3. Stops, Searches and Arrests. The Greensboro Police Department opposes arbitrary profiling to establish reasonable suspicion and/or probable cause in order to carry out a government action that will deprive an individual of his or her constitutional rights.

4. First Amendment Activities. The Greensboro Police Department, in accord with the state and federal constitution, will not impede the rights of individuals to engage in passive protests and demonstrations. Enforcement is necessary when the activity infringes upon the constitutional protections of others. The Greensboro Police Department, along with City of Greensboro officials, will work with organizers to ensure safety of the public and protection of property.

D. Use of Technology. The collection of video and audio footage shall at all times adhere to Department policy and follow the mandates of North Carolina state law and United States federal law. The Greensboro Police Department maintains a considerable lead in its implementation of body-worn camera equipment and governing policy, and strives to maintain its cutting-edge position in this field.

1. Individual Recording. An individual has a right to record and observe police activities as long as that person's physical presence does not interfere with an investigation.

2. Law Enforcement Recording. The Greensboro Police Department shall follow Departmental policy and North Carolina state law when it comes to the collection and retention of data, dissemination of audio and/or video footage for investigatory purposes, or for adjudication in the courtroom.

E. Public Accountability.

1. The Greensboro Police Department shall provide training to its sworn and non-sworn employees regarding the provisions in this resolution. Such training will be incorporated into the Police Academy and in-service instruction modules.

2. There shall be open lines of communication between the Chief of Police, the Assistant City Manager of Public Safety, the Mayor, members of City Council and the City Manager to address any issues that may arise within the Department and surrounding community.

**BE IT FURTHER RESOLVED** that this day forward, the City of Greensboro shall foster trust, protect civil liberties, and promote and support positive and collaborative relations on behalf of this fine city and its diverse population.