

The Holly Springs Police Department has received multiple questions from residents recently. As always, our goals are to maximize transparency and accountability, and to build mutual trust with the community. We hope that our responses to the questions below will help continue the open dialogue that is crucial to maintain that trust. Please view our responses below, which have been organized into four categories.

Use of Force: Question 1

Transparency: Questions 2 - 26

Training: Questions 27 - 28

Funding: Questions 29 - 30

1. **Has there ever been a complaint of excessive force against the Holly Springs Police Department?** We have had no excessive force complaints. As far as Use of Force, we have had 45 occurrences over a 10-year period (2011 to current). For example, last year we answered 50,884 calls for service and had 5 Use of Force documentations which comes out to .0098% of all calls.

Departmental policy requires that an Officer that uses level three (3) Open Hand Control, level four (4) O.C. Pepper Spray/Electronic Control Weapons, or level five (5) Striking Techniques (personal weapons, collapsible, and flashlight) document and report the incident and identify the type of force used.

Below is the Use of Force Continuum that is in our policy:

- a. Officer Presence-The officer's presence in some situations will be the calming factor. There may be no need for any higher level of force.
- b. Use of Verbal Force-When dealing with people, each officer must attempt to inspire respect and generate cooperation and approval of the public. Officers will be courteous and civil in their relationships with the public. The manner in which an officer speaks can be effective means of exerting verbal force in order to control a situation. Verbal force may be in the form of warnings, advice, or persuasion. Volume and tone control in and of itself may be progressive in nature depending upon circumstances. Officers may not have to resort to other forms of force by using reasonable and necessary verbal force.
- c. Open Hand Control-When an officer, during a custody situation, is faced with low level passive resistance, and the subject will not comply with verbal commands, the officer is justified in using this level of force. Open Hand Control techniques are used to control and restrain a subject that is being taken into custody.

Open Hand Control techniques consist of arm bar holds, arm bar takedown techniques, wristlocks, wristlock takedown techniques, handcuff control techniques, handcuff takedown techniques, and any pressure point/pain compliance techniques. With each Open Hand Control technique, the officer who is applying them must give verbal commands.

With any physical force, officers must be in control of themselves before they can be in control of others. Physical force can be considered excessive if the officer uses more force than necessary or the officer does not de-escalate assaultive force when the subject/offender stops resisting.

- d. O.C. Pepper Spray/Electronic Control Weapon- When officers, during custody situations, have attempted and failed to control a subject by using Verbal Commands or Open Control techniques, or officers reasonably believe that they cannot control the subject by Verbal Commands or Open Hand Control techniques, officers may escalate to the O.C. Pepper Spray or Electronic Control Weapon level of force.
- e. Striking Techniques- When officers are faced with a subject(s) that is actively aggressive/resistive or assaultive or the officer reasonably believes the subject(s) to be aggressive or assaultive and the officer is in a custody situation or defending themselves or a third person, the officer is justified in using this level of force. The officer must be able to articulate through the totality of circumstances why he/she knew or reasonably believed the subject(s) to be actively aggressive/resistive or assaultive.
- f. Deadly Force- By statute (NC 15A-401(d)(2)) A law-enforcement officer is justified in using deadly physical force upon another person for a purpose specified in subdivision (1) of this subsection only when it is or appears to be reasonably necessary thereby:
 - a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force;
 - b. To effect an arrest or to prevent the escape from custody of a person who he reasonably believes is attempting to escape by means of a deadly weapon, or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay; or
 - c. To prevent the escape of a person from custody imposed upon him as a result of conviction for a felony.

Any failure of officers to deescalate their level of force could be considered excessive or assaultive force.

- 2. **Are there police quotas?** No. Our officers aren't under any type of quota or any management tool to limit their discretion. It would be unconstitutional to do so.

3. **Are officers safe to question each other?** Absolutely. The Holly Springs Police Department has trained officers to intervene for years and recently formalized a “duty to intervene” policy as part of our review of 8 Can’t Wait.

4. **What is the documentation process for misdemeanors of police officers?** The documentation process for misdemeanors can be documented in several places. First, it is documented in a Computer Aided Dispatch (CAD) entry of dispatch, then it can be documented on a uniform citation or a warrant for arrest. If a warrant is issued, the officer articulates probable cause for a warrant to the magistrate. Both are usually supplemented with a written report that is reviewed by a supervisor. In addition, the supervisor above that supervisor also reads the report.

5. **How extensive is the psychological assessment of candidates, specifically for PTSD?** All candidates are given a psychological assessment (FMRT) prior to be selected for a police officer position. The candidate is either determined suitable or unsuitable for police work.

6. **Do Holly Springs police officers use body cameras?** The Holly Springs Town Council is moving forward with a plan to equip all members of the Police Department with body-worn cameras. During the June 9, 2020 budget workshop, the Council unanimously decided to immediately begin steps to equip all sworn officers with cameras. The initiative is estimated to cost between \$100,000 to \$200,000 per year, depending on the types of camera technology used. The council will review funding availability in January 2021 and may be able to equip some officers with cameras at that time, with full implementation anticipated by summer/early fall of 2021. The Holly Springs Police Department has already formed a staff committee to begin researching available technologies and vendors, identify best practices associated with body worn cameras, work on developing a comprehensive policy for camera usage and begin testing various options. Once the body-worn cameras are available for demonstration, the Police Department will hold a community outreach event for residents to learn about the cameras, how they can be used, ask questions, and be involved in the process.

HOLLY SPRINGS POLICE DEPARTMENT

BODY WORN CAMERAS IMPLEMENTATION PLAN

PHASE	ACTION	ESTIMATED DURATION	DESCRIPTION
1	Research & Evaluation	July thru October 2020	Research body worn camera usage across U.S., identify best practices, and begin developing recommendations
2	Policy Development	October thru December 2020	Develop HSPD policies to govern training, expectations, and usage
3	Testing & Evaluation	January thru March 2021	Test and evaluate optional body worn camera systems from vendors

			Conduct mid-year budget review with Council to assess if revenues are available to advance funding for cameras
4	Implementation	March thru June 2021	Finalize policy and body worn camera training and roll-out plan for all sworn officers. Begin outfitting officers with body worn cameras (subsequent to funding availability).
5	Full Implementation	Summer 2021 thru Fall 2021	Complete funding for body worn cameras in Fiscal Year 2021-22 budget and complete full implementation.

7. **If someone calls 911 or the non-emergency number and HSPD responds and can see that the call should have never been made (busy-body, racist motivations, etc.), does HSPD have a heart to heart with that caller? Or are callers like that encouraged to “if you see something, say something” and carry on making racially motivated calls? Are callers being held accountable for reporting people who are going about their business living their lives? Those ‘they look suspicious’ or ‘something seems off’ type calls.** Every situation and call is different and the situation will dictate. We are professional in all of our interactions.

8. **Does Holly Springs have a SWAT team? If so, under what circumstances is it used? How much money is allocated to equipment and training? How many of these men are Veterans? What additional mental health screening is available for this team?**

The Holly Springs Special Response Team (SRT) is a part-time division that responds to very specific critical incidents and specialized operations that require highly trained and appropriately equipped operators. Our team consists of eight officers who train twice a month in addition to their primary duties for a total of 240 hours per year to maintain proficiency in their skills as recommended by the best practices established by the National Tactical Officers Association. This team is used for 7 critical incidents that may arise in town:

- a. Hostage situations
- b. Barricaded subjects
- c. Sniper situations
- d. Fugitive apprehension
- e. Warrant service
- f. Personal Protection/Dignitary protection
- g. Special Assignments (surveillance/counter-surveillance operations, site security surveys and training, mass casualty/terrorist response)

The team is made up of both officers who have served in the military (five) and those who have not (three). Team members are selected after completing a rigorous process of selection which includes skills performance tests, physical fitness evaluations, decision-making evaluations, work performance history, and in-person panel interviews.

All officers are sent for psychological evaluation by an independent, licensed psychiatrist who must make a favorable recommendation of the candidate prior to being hired as a police officer with the Town of Holly Springs. Officers assigned to the SRT are continuously evaluated by their command to ensure that they remain mentally fit and are able to make sound decisions and exercise impeccable judgement. In addition, after every SRT mission involved team members are required to attend after action debriefs to ensure that policies and best practices were followed, that officers are mentally and physically healthy, and that any opportunities for improvement can be identified.

Training and equipment costs associated with the SRT are included in our yearly base budget for all law enforcement equipment and supplies and law enforcement training for the overall department. Asset forfeiture funds are sometimes utilized for some purchases of defensive body armor that the operators are outfitted with.

9. **Race - race has not been addressed in the Transparency Report as it was for Apex PD.** We keep statistical information on our departmental demographics and update them annually.

a. Ethnicity

- i. 5.19% Black or African American
- ii. 1.30% American Indian
- iii. 0% Asian or Pacific Islander
- iv. 5.19% Hispanic or Latino
- v. 81.82% White/Caucasian
- vi. 5.19% Prefer not to answer
- vii. 2.6% Other

b. Gender

- i. 28.57% Female
- ii. 71.43% Male

10. **What is the SOP for officer following traumatic reports and calls? Are officers required to take time off and see therapists before they are cleared to return? What kind of support is available to officers and how often is it utilized?** The department conducts a de-brief/after action review after all critical incidents. In addition, we have a peer support program, a Chaplain program, a Town Employee Assistance Program and early intervention system to help combat this.

11. **In Holly Springs, how many charges are related to drugs, which drugs and what is the race breakdown?** Over the last year the Holly Springs Police Department had 82 incidents where individuals were charged with drug offenses. Of these charges 54 were for Misdemeanor Simple Possession of Marijuana or Possession of Marijuana Paraphernalia. The remaining 28 offenses were either felonies associated with drug possession due to their amounts, possessions of cocaine, illicit prescription drugs, or heroin, or charges for Possession with the Intent to Sale or

Deliver a Controlled Substance. The racial breakdown of the charges to include the residency of the offender are listed in the table below.

Race	Resident of Holly Springs	Not a Resident of Holly Springs
African American (32.92%)	15 (18.29%)	12 (14.63%)
Caucasian (64.62%)	26 (31.70%)	27 (32.92)
Asian (1.21%)	0 (0.00%)	1 (1.21%)
Undetermined* (1.21%)	0 (0.00%)	1 (1.21%)

*Undetermined race category is used when the individual does not disclose their race to the officer.

12. Does our PD work with, receive legal advice/support, and train under a police union? No.

While officers are free to associate in professional groups, North Carolina has a statutory provision that makes NC a 'right to work' state, meaning we cannot hire someone only because they are in a union. The town cannot engage in collective bargaining with a union, and if an officer or any other public employee were to engage in a work strike, it would be grounds for termination.

13. How much overtime is allowed? Overtime is allowed and its use is typically associated with unique town events with large crowds where staffing beyond regular levels is necessary.

14. What kind of education is required for officers to apply? You must be at least 21 years old at the time of application. You must have a high school diploma or GED, although the Department encourages candidates to possess an associate's degree. You must either possess or have the ability to obtain a North Carolina driver's license. You must be a United States citizen. We accept applications for those who currently possess Basic Law Enforcement Training (BLET) certification and we have a cadet program. We will send someone through BLET and pay them while they are in training.

a. Department Educations Statistics

i. Education

1. High School or GED 11.69%
2. Some College but No Degree 33.77%
3. Associates Degree 16.88%
4. Bachelor's Degree 31.17%
5. Graduate Degree 6.49%

ii. Professional Certificates (77 surveyed)

1. Probationary Certification 2.6%

2. General 22.08%
3. Intermediate 18.18%
4. Advanced 46.75%

iii. Military Service (77 surveyed)

1. No Service Affiliation 77.94%
2. Army 4.41%
3. Air Force 0%
4. Navy 7.35%
5. Marines 11.75%
6. Coast Guard 0%

iv. Hours of Training Outside of Mandated (77 surveyed)

1. 0-24 hours-32 (41.56%)
2. 24-76 hours-27 (35.6%)
3. 76-120 hours-8 (10.39%)
4. 120 hours or more-11 (14.29%)

15. Is there a plan to recruit officers of varying backgrounds so that our police force is representative of our community? Yes.

- Recruiting at local colleges and universities (NCSU, Meredith, NCCU, Shaw, UNC, WTCC)
- Officers certified as Law Enforcement Instructors teach at, and recruit directly from, BLET programs at WTCC, CCCC, and other community colleges.
- Participation in other regional job fairs
- Participation in Regional Recruitment Partnership Steering Committee led by the Triangle J Council of Governments (COG)
- Participation in the Inclusive and Diverse Talent Acquisition for 21st Century Public Safety Forum at Fayetteville State University
- Recruiting partnership with Blue Lights College, Apex

16. What does the HSPD plan on doing to keep these types of things from happening? What are you doing to eradicate racism in your force?

HSPD has historically held our officers accountable to extremely high standards of professional conduct in the performance of their duties. We have exceedingly stringent independent validated psychological screenings that occur prior to the confirmation of a conditional offer of employment. These evaluations are conducted by license professionals with The Fitness Medical Risk Training (FMRT) Group. Thorough background investigations are completed and look at every aspect of a potential officers' personal, academic, and professional lives. We train our officers on a multitude of concepts surrounding racial equity, diversity and inclusion, community oriented policing, and minority sensitivity training. We continually work to expand on this mandatory training and seek to keep issues such as implicit bias in the forefront of our personnel's mind so that decisions are derived from a position of objectivity, sensitivity, and compassion. We simply do not recruit, nor would we tolerate, nor would we retain officers who

demonstrate a propensity for racism or prejudice of any kind. It would be completely against our collective organizational culture and would detract from the overarching philosophy of our department's place within the community of being one department, one community, and one family.

17. How do you plan on holding immoral cops accountable?

We hold our personnel accountable through clearly stated expectations, directives, and policy. Additionally, we maintain an organizational culture that does not tolerate deviations from selfless service, empathy and compassion, and inclusive community problem solving and advocacy. Officers who deviate from the highest standards outlined in the Law Enforcement Code of Ethics face investigation, disciplinary action, and potentially criminal charges. Should we identify a situation, it would be handled expeditiously and efficiently and the offending officer would be removed from our organization.

18. How will you prevent future harm to black citizens? Our intent is to protect every citizen and visitor from harm through proactive enforcement and outreach efforts.

19. Have you reached out to key black leaders in our community to understand their perspective and how they feel the HSPD are protecting and empowering them? Yes. Our department has reached out to several leaders in the community, worked with protest groups, and are also collaborating with a group in town to address most of the questions presented here.

20. What are you doing to empower black citizens in our community? Collaborating and working with civic and church organizations. We also try to include all demographics in all outreach efforts and events that we conduct.

21. What is the process to ensure HSPD doesn't include officers with a history of misconduct? We have a thorough hiring and background process.

22. What is the policy for ensuring the department doesn't hire such officers? Background checks, references and psychological evaluations.

23. How many of our officers live here in Holly Springs versus traveling in from other areas? A majority of our officers do not live within town limits.

24. Can the public easily access the annual budget, and if so where/how?

<https://www.hollyspringsnc.us/174/Budget-and-Financial-Reports>

25. Where does current HSPD policy stand with regard to Campaign Zero Initiatives and www.8cantwait.org ?

- a. *Ban chokeholds and Strangleholds*- Our Use of Force Policy does not allow for this.

- b. *Require de-escalation*- Our current Use of Force Policy requires officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.
 - c. *Require warning before shooting*- It will be the policy of this Department, for its officers to use the phrase "Police, don't move" when challenging any suspect. The determination of when it shall be appropriate to use a challenge will be at the discretion with the officer's consideration for the totality of the circumstances. However, if a challenge is issued to a suspect it will be, "Police, don't move.
 - d. *Requires exhausts all alternatives before shooting*- Our current policy require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.
 - e. *Duty to intervene*- Our current policy requires officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.
 - f. *Bans shooting at moving vehicles*-General Order 3-34 Section VII C. 4. Police officers will not discharge a firearm at or from a moving vehicle except as a necessary measure of defense of self or another when the subject is using deadly force.
 - g. *Requires Use of Force Continuum*- We have an established Use of Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic
 - h. *Requires comprehensive reporting*- Our policy requires that officers that use level three (3) Open Hand Control, level four (4) O.C. Pepper Spray/Electronic Control Weapons, or level five (5) Striking Techniques (personal weapons, collapsible, and flashlight) will document the incident and the use of force on the proper departmental form.
26. **Would HSPD work with community to implement Campaign Zero initiatives?** Absolutely. Our agency already complies with these standards.
27. **Do police conduct de-escalation training?** Yes. We do de-escalation training annually.
28. **What kind of professional development, sensitivity, equity training etc. is provided/mandated?** Annual training occurs, focusing on Juvenile Minority Sensitivity Training, COHORT Implicit Bias Training, Emotional Intelligence Training and verbal de-escalation training, among other topics.
29. **What are the sources of funding received by our police force? Is any of it associated with drug enforcement?** The police department is funded from municipal taxes (primarily property and sales taxes). On occasion, the town receives asset forfeiture funds following drug convictions. We only get drug enforcement money if we have worked on a federal task force, and then the

asset forfeiture is done by the federal government and they give us a proportionate share. The town has received asset forfeiture funds in the past, it has all been used to purchase protective equipment for the K9 and the Special Response Team.

30. **Do you receive funds from traffic stops?** No. In North Carolina all traffic citation revenue by law goes to the school system.