

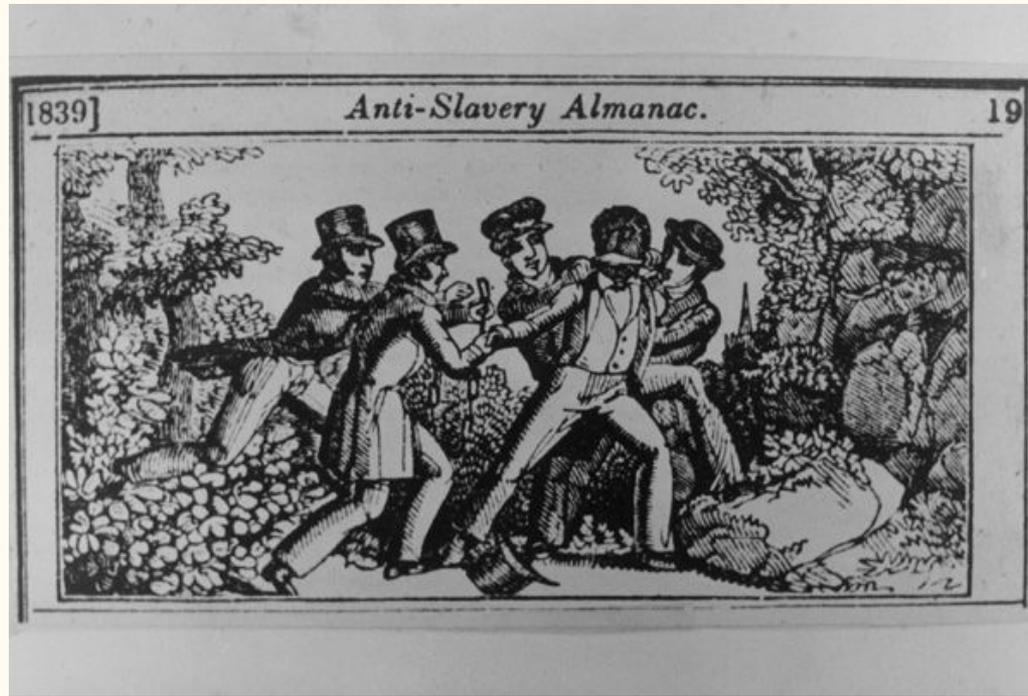
Greenbelt Fair and Just Policing Act of 2020

August 10th presentation

By Mayor Colin Byrd. City of Greenbelt.

Context

Origins of policing: slave patrols



National Law Enforcement Museum on slave patrols

When one thinks about policing in early America, there are a few images that may come to mind: A county sheriff enforcing a debt between neighbors, a constable serving an arrest warrant on horseback, or a lone night watchman carrying a lantern through his sleeping town. These organized practices were adapted to the colonies from England and formed the foundations of American law enforcement. However, there is another significant origin of American policing that we cannot forget—and that is slave patrols.

The American South relied almost exclusively on slave labor and white Southerners lived in near constant fear of slave rebellions disrupting this economic status quo. As a result, these patrols were one of the earliest and most prolific forms of early policing in the South. The responsibility of patrols was straightforward—to control the movements and behaviors of enslaved populations. According to historian Gary Potter, slave patrols served three main functions.

“(1) to chase down, apprehend, and return to their owners, runaway slaves; (2) to provide a form of organized terror to deter slave revolts; and, (3) to maintain a form of discipline for slave-workers who were subject to summary justice, outside the law.”^[1]

Organized policing was one of the many types of social controls imposed on enslaved African Americans in the South. Physical and psychological violence took many forms, including an overseer’s brutal whip, the intentional breakup of families, deprivation of food and other necessities, and the private employment of slave catchers to track down runaways.

Slave patrols were no less violent in their control of African Americans; they beat and terrorized as well. Their distinction was that they were legally compelled to do so by local authorities. In this sense, it was considered a civic duty—one that in some areas could result in a fine if avoided. In others, patrollers received financial compensation for their work. Typically, slave patrol routines included enforcing curfews, checking travelers for a permission pass, catching those assembling without permission, and preventing any form of organized resistance. As historian Sally Hadden writes in her book, *Slave Patrols: Law and Violence in Virginia and the Carolinas*,

TIME Magazine on slave patrols

In the South, however, the economics that drove the creation of police forces were centered not on the protection of shipping interests but on the preservation of the slavery system. Some of the primary policing institutions there were the slave patrols tasked with chasing down runaways and preventing slave revolts, Potter says; the first formal slave patrol had been created in the Carolina colonies in 1704. During the Civil War, the military became the primary form of law enforcement in the South, but during Reconstruction, many local sheriffs functioned in a way analogous to the earlier slave patrols, enforcing segregation and the disenfranchisement of freed slaves.

Eastern Kentucky University on slave patrols

A Brief History of Slavery and the Origins of American Policing

Written by Victor E. Kappeler, Ph.D.

The birth and development of the American police can be traced to a multitude of historical, legal and political-economic conditions. The institution of slavery and the control of minorities, however, were two of the more formidable historic features of American society shaping early policing. Slave patrols and Night Watches, which later became modern police departments, were both designed to control the behaviors of minorities. For example, New England settlers appointed Indian Constables to police Native Americans (National Constable Association, 1995), the St. Louis police were founded to protect residents from Native Americans in that frontier city, and many southern police departments began as slave patrols. In 1704, the colony of Carolina developed the nation's first slave patrol. Slave patrols helped to maintain the economic order and to assist the wealthy landowners in recovering and punishing slaves who essentially were considered property.

John Lewis. Selma, Alabama.



George Floyd. Minneapolis, Minnesota.



Breonna Taylor. Louisville, Kentucky.



Rayshard Brooks. Atlanta, Georgia.



Michael Brown. Ferguson, Missouri.



Eric Garner. New York City, New York.



Anton Black. Eastern Shore, Maryland.



Freddie Gray. Baltimore, Maryland.



Rodney King. Los Angeles, California.



William Green. Prince George's County, Maryland.



The Greenbelt Fair and Just Policing Act of 2020

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The proposed framework

Baseline

- Mayor's Pledge
 - Policies called for by President Barack Obama
- 8 Can't Wait
 - Policies to reduce violence

What it covers

- De-escalation
- Use of force
- Duty to intervene
- Civil liberties
- Transparency
- Militarization
- Hiring
- Immigration
- Racial profiling
- Civilian oversight
- Stop and Frisk
- Accountability

De-escalation

- Requiring officers to de-escalate situations through communication, maintaining distance, slowing things down, and otherwise eliminating the need to use force

Use of force

- Banning
 - Neck restraints
 - Shooting at moving vehicles
 - Pulling a gun on an unarmed civilian
 - Hitting, verbally abusing, or physically threatening a civilian who is handcuffs or otherwise restrained
- Limiting use of force
- Last resort = deadly force (only to stop an imminent threat of death or serious bodily injury to the officer)
- Verbal warning (before shooting, tasing, or pepper spraying)

Use of force

- Reporting use of force and threats of force (e.g. pointing a gun at someone) by self or others
- Sanctity of life pledge
- Banning the use of chemical irritants (e.g. tear gas) to disperse a nonviolent crowd of protesters
- Requiring officers to immediately loosen restraints and seek appropriate medical attention for any civilian who says, “I can’t breathe” or who is otherwise visibly in respiratory distress

Some of this codifies existing general orders.

14 USE OF CHOKE HOLDS AND LATERAL VASCULAR NECK RESTRAINTS: The use of choke holds and Lateral Vascular Neck Restraints are **prohibited**.

- JJ.** Duty to Report: Employees are required to expeditiously report direct knowledge of incidents involving excessive force, other unlawful acts, ethical violations, and violations of this General Order either directly to the Chief of Police, to the chief through the chain of command, or to the chief by some other supervisor personnel. There is a duty to report even if intervention prevented or reduced the violation. Examples of direct knowledge include, but may not be limited to, witnessing an event, receiving an admission, receiving a complaint, receiving information from a witness, or obtaining direct evidence of a violation.
- KK.** Duty to Intervene: Each department member has the individual responsibility to intervene and attempt to stop any other member from committing an unlawful or improper act, including but not limited to, acts of excessive force, abuses of process, abuses of authority, and any other criminal acts or major violations of department rules and procedures. Successful intervention does not negate a duty to report.

Duty to intervene

- Excessive or unnecessary force (or threats of force)
- Immediate reporting to supervisor
- Banning retaliation against officers who report misconduct by another officer

Civil liberties

- Banning
 - No knock warrants
 - Violations of civilians' constitutional rights
 - Detaining a civilian who is not suspected of a specific crime
- Regulating interrogations of children
 - Notice to parents
 - Consultation with attorney

Transparency

- Prohibiting an officer from telling a civilian not to record video footage of a police-civilian interaction
- Complaints and disciplinary records
 - Public
 - Banning the deletion of complaints and discipline issues from personnel file
- Body cameras
 - Releasing footage upon request within 3 days of the request
 - Automatically releasing footage online within 3 days of a use of force resulting in physical injury to civilian
 - On before exiting car or otherwise beginning interaction with civilian
 - Not turning off until the end
 - Exceptions for cases in which civilians request to not be recorded
- Settlements

Transparency

- Public database on excessive use of force
- Trainings attended

Militarization

- Military vehicles
 - Ban
 - Return existing

Hiring

- Banning the hiring of officers with a history of misconduct in previous department
- Diversity
 - Hiring
 - Promotion

Immigration

- Banning police cooperation with ICE on immigration enforcement

Racial profiling

- Banning racial profiling
- Prohibiting an officer from stopping a perceived suspect who does not match the description provided in a service call beyond race and gender (e.g. “black male”)

Civilian oversight

- Civilian police accountability board
 - Nine Greenbelt residents
 - Appointment by mayor and city council
 - Powers regarding complaints
 - Information
 - Investigation
 - Examples of issues
 - Excessive force
 - Abusive language
 - Harassment
 - False arrest
 - False imprisonment
 - Discipline
 - Final decisions = binding

Civilian oversight (continued)

- Civilian police accountability board
 - Review and make recommendations on:
 - Training
 - Policies
 - Procedures
 - Officers who have been the subject of repeated behavior-related complaints from civilians

Stop and Frisk

- Expressly ban it.

A few words about accountability and transparency

- LEOBR
- PIA

Why police reform is difficult



Rosa Parks. Montgomery, Alabama.



Why police reform is difficult



Why police reform is difficult



Michael Brown. Ferguson, Missouri.



Why police reform is difficult

- There are many police officers in- and outside of the Greenbelt Police Department who have done great work, who have treated civilians with dignity and respect, and who embrace the diversity of their communities. Some feel this alone should preclude any talk of police reform.

Commendable work

WTOP

Three suspects have been arrested in connection to the [fatal stabbing of a Prince George's County, Maryland, father](#).

Kai Angel Sudama, 19, of Lanham, [was arrested last January](#) in North Carolina; Ishmail Wurie Jabbe, 19, of Lanham, was arrested in March; and Grayson Iran Espinal, 19, of Lanham, was arrested Wednesday.

All suspects are charged with murder.

Police said on Jan. 17 just before 11 a.m., Billy Owens Smith, 41, was inside his apartment on Mandan Road in Greenbelt when three masked men broke in.







**COME OUT AND SHOW
YOUR SUPPORT FOR THE
GREENBELT POLICE**

MONDAY, JULY 6 at 6pm

**Meet at the Sunoco Station on
the corner of Gardenway &
Crescent Rd.**

**It's time for the Greenbelt
Community to stand up for our highly
trained, community
oriented officers. Greenbelt Police lay
their lives on the line and professional-
ly serve our community each and every
day. They uphold the Greenbelt
Community Pledge.**

SUPPORT OUR POLICE DEPARTMENT

We stand in complete solidarity with the fine men and women of the Greenbelt Police Department. These dedicated officers serve each day to uphold the laws of the state of Maryland and to protect the Constitutional Rights and Liberties of **ALL CITIZENS** of Greenbelt. In service to our community, these devoted men and women consistently fulfill the Community Pledge in the performance of their duties. We strongly support the ongoing development of a fair and equitable Collective Bargaining Agreement between the City of Greenbelt and Fraternal Order of Police Lodge No. 32. We encourage all members of our community to support of these fine officers.

Paid by Supporters of the Greenbelt Police Department

Minneapolis Police Use Force Against Black People at 7 Times the Rate of Whites

By Richard A. Oppel Jr. and Lazaro Gamio June 3, 2020

tistics taken from the Law Enforcement Accreditation Report (CALEA) for 2019-2020 about the Greenbelt Police Department. The numbers that follow are a four-year compilation of the citations given out to either Greenbelt citizens or driving through while Black and Brown.

Over the past four years Black men and women have received 6,996 citations: white men and women have received 1,437 and Spanish speakers have received 2,042. So, people of color either living in or driving through Greenbelt have received 9,038 citations, compared to 1,437 for white people. That reminds me of Ferguson, where Black people received the majority of traffic tickets. The same thing apparently occurs annually in Greenbelt. There is a saying among many in Maryland Black communities that one must be very careful when driving through Greenbelt. The numbers speak for themselves.

Use of force over a four-year period: Black men 42 times; Black women 10 times; white men 3 times; white women 2 times; Spanish-speaking men 5 times; Spanish-speaking women

Black Lives Matter

Peaceful Citywide Protests For Racial Justice/Equality

by Melissa Sites

Greenbelters turned out in significant numbers at various places around town over the weekend to protest violence against people of color. Vigils of unity, solidarity and peace were held at Roosevelt Center, Hanover Parkway, Franklin Park, Greenbelt Community Church and Beltway Plaza, as well as at impromptu neighborhood gatherings including on the Spellman Overpass.

As evening fell in Roosevelt Center on Saturday, a crowd of at least 200 assembled for a Unity gathering, drum circle and candlelight vigil to demonstrate peace and solidarity in the Greenbelt community. The idea was set rolling by Franklin Park resident Carla Johns, who spread



Three of LaWann Stribling's children participate in the candlelight vigil on Hanover Parkway. From left, Sanaa (5), twins Samuel (8) and Samiya (8).

Black Lives Matter

Council Ponders First Steps Toward Making Police Reforms

by Diane Oberg

From Councilmember Rodney Roberts' emphasis on the word justice in leading the pledge of allegiance, through the unanimous approval of a proclamation declaring that black lives matter in Greenbelt, and elsewhere to acknowledging the need for more discussion of what police reform steps may be necessary, the Greenbelt City Council, at its Monday, June 8 meeting, took its first actions in response to the murder of George Floyd by Minneapolis police. Many of the councilmembers, officers and staff had participated in peaceful demonstrations and they now turned to "what happens next?"

While the councilmembers and Police Chief Richard Bowers expressed confidence in city

must evaluate its current practices and identify any areas needing improvement.

Mayor Colin Byrd presented two proclamations, neither tied directly to the current situation but both still relevant. The first, presented virtually to Alexander Barnes Sr., proclaimed June to be Peace Month in Greenbelt. The proclamation noted the longstanding efforts by the city through its various social service entities such as the Community Relations Advisory Board, CARES youth and family counseling, and recreation programs to nurture a culture pervaded by peace and nonviolence and continue their commitment to diversity, cooperation, peace and nonviolence.



(PART 7)
**STOP POLICE BRUTALITY
PEACE RALLY**
#DEMANDJUSTICE



JOIN THE MOVEMENT

#PGCSTILLNOTFREE

MONDAY JULY 6TH @ 6PM

GREENBELT

131 CENTERWAY GREENBELT, MD 20770

Support mayor Colin's legislative agenda, the Fair and Just Policing Act 2020 and invest in services to meet the needs of Greenbelt residents.

Due to COVID-19 we ask that everyone wear a mask.

Contact: Krystal 713-498-5179 /@KrystalOriadha or Amity 240-705-2106

HOSTED BY: @PGCHANGEMAKER @LGBTQDIGNITYPROJECT @OURPRINCEGEORGESMD

GRETA

Dear Greenbelt City Council Members,

We support Mayor Colin Byrd's leadership and courage in calling Greenbelt residents to rethink what public safety and policing mean for our community.

His proposed *Greenbelt Fair and Just Policing Act of 2020* is an important first step in needed policy changes and codifications into municipal law around de-escalation; use of force; interventions when other officers use unnecessary force; civil liberties; transparency, data, and reporting; civilian oversight; racial profiling and bias; militarization; hiring; and accountability. Please deliberate carefully and support these proposals.

We also ask that the Greenbelt City Council shift police from social service roles:

- Remove School Resource Officers from schools so there is more money for education and counseling services.
- Reduce the work police have been asked to take on that can be better addressed by mental health and social service professionals. Repurpose a significant amount of money that is earmarked for the police budget for the kinds of mental health and social services that have been shown to enhance public safety. For example, shifting more money to CARES for expanded services including a 24-hour special crisis response unit would be more impactful and effective.

Mayor Byrd's recent decision to inform residents of aspects of the Police-Union Collective Bargaining Agreement that would seek to preserve LEOBR protections for our local department regardless of proposed changes to state law was important, timely, and effective. We note that public feedback did help to get removal of the local LEOBR provision. We were disappointed that consideration of further public feedback was deferred to the next Collective Bargaining Agreement. We look forward to an open and transparent process for next year's agreement.

The Greenbelt Police Department is not immune to racial bias in citations and use of force. Statistics taken from the Law Enforcement Accreditation Report (CALEA) for 2019-2020 about the Greenbelt Police Department indicate the need to examine and address racism in policing practices. According to the CALEA report, over the past four years: (1) people of color either living in or driving through Greenbelt have received **8,768 citations** compared to **1,407** for white people and (2) **Use of force** was used on people of color **56** times in comparison to **5** times for white people.

Therefore, we ask each Council Member to join Mayor Byrd in efforts to re-evaluate the city's priorities around policing and racial equity. Given the troubling racial history of our city (beginning with the whites-only rules from the federal government), and the data from the CALEA Report, this review is long overdue. This is not a time for business as usual as we face multiple crises.









Thank you!

