

# CHARLOTTE EMBRACED THE 'DEFUND THE POLICE' MOVEMENT

## The fall-out is impacting our communities.

March 13, 2023

### Executive Summary

The horrific beating of George Floyd, captured on video for the world to witness, changed policing in major cities across the country, including Charlotte. Rahm Emanuel famously said, "Never let a crisis go to waste." Amid the riots and looting that ensued throughout the summer of 2020, led by ANTIFA, anti-police activists like Black Lives Matter moved swiftly to press their 'defund the police' agenda at the federal, state and municipal levels.

Progressive politicians fell in line. In North Carolina, Governor Roy Cooper formed a largely partisan task force, led by Attorney General Josh Stein, to investigate the causes of "disparate outcomes" in the criminal justice system. The findings of the Governor's commission, released in December 2020, were predictable: Citing only the fact that North Carolina blacks are arrested, subjected to traffic stops and incarcerated in disproportionate numbers relative to whites, the task force concluded:

"North Carolina's criminal justice system is afflicted with longstanding systemic racism. It is pervasive and wrong and must be remedied."<sup>1</sup>

With its goal of "equity" in criminal justice, the task force made 125 recommendations designed to *decrease* arrests, convictions, and incarcerations of persons of color who commit crimes and *increase* prosecutions of police officers.

In Charlotte, Mayor Vi Lyles (D) and the democrat-controlled City Council also moved swiftly to adopt anti-policing measures. Awash with federal funds from Biden's Safer America Plan<sup>2</sup> the city hired management consultants to develop and implement untested approaches to remaking the culture and policing practices within the Charlotte-Mecklenburg Police Department ("CMPD"). The city also:

- implemented plans to provide millions in grants to community organizations with questionable track records to replace traditional policing with civilian-led crime intervention programs,
- enhanced its diversity, equity and inclusion ("DEI") bureaucracy within CMPD that seeks to replace veterans with inexperienced officers on the basis of race and gender, and
- the Mecklenburg County Office of Violence Prevention, within the Department of Health Services, also hired consultants to develop a five-year Community Violence Strategic Plan, focused on community services.

As a result of these policy initiatives – which stem from a false narrative that traditional policing is inherently racist – police morale is at an all-time low, retirements are at an all-time high and recruitment is faltering. As of September 2022, CMPD had 300 unfilled officer positions. In 2022, the department increased its civilian population by a greater percentage than its officer population.

Moreover, this 'great experiment' in Charlotte crime prevention is occurring at a time when crime in Charlotte and across the country is soaring. In a recent interview, Christopher Wray, the Director of the Federal Bureau of Investigation, described the myriad of new crime the department is now facing – such as fentanyl sales by drug cartels, human trafficking, and cyber-crime – as "going through the roof."<sup>3</sup>

For those of us old enough to remember New York City in the late 20<sup>th</sup> century, or who have visited San Francisco, Los Angeles or Chicago in the last few years, this scenario is all too familiar. Reductions in arrests, prosecutions and incarcerations encourage more criminal activity. Crime statistics show that for every repeat criminal offender left on the streets, there are 80 victims.<sup>4</sup> Community safety, cleanliness, and quality of life for law-abiding citizens – particularly in low-income neighborhoods – is jeopardized.

## Recommendations

We learned in the 1980's and 1990's what it takes to control crime waves: crime deterrence through intensive, strategic policing in the neighborhoods most affected, incarceration of criminals and getting the guns used by criminals off the streets.<sup>5</sup> In New York City at the end of the 1990's, for example, the number of annual homicides – the bell weather for violent crime – dropped from over 2,000 to 300 homicides, after intensive, deterrent policing was added to city streets.<sup>6</sup>

We need to stop attacking the police and falsely attributing their actions to racism. Rather than cutting or reallocating the budget of CMPD, we support hiring more police officers and paying them more. And large numbers of well-trained officers should be deployed and visible in high crime areas as a means of deterring crime.<sup>7</sup> Higher pay, combined with unwavering hiring standards commensurate with the job requirements, will attract better-qualified officers more likely to act in a more professional manner. Hiring standards and background checks should not be watered-down in order to meet diversity objectives. At the same time, we should provide officers with state-of-the-art training and support. Higher investments in training will help avoid unprofessional conduct.<sup>8</sup>

State, local, and municipal police forces should increase cooperation with federal agencies, including the FBI, Drug Enforcement Agency, and the U.S. Immigration and Customs Enforcement. Federal agency involvement improves the quality of investigations and increases the likelihood that federal charges will be brought in federal court. The unchecked flow of illegal immigrants into all cities of the U.S., including Charlotte, is feeding the surge in crime. All available resources should be used to identify and deport or prosecute those who have come across the border illegally to commit crime.

Finally, reviews of police conduct should remain within the department, rather than being put in the hands of civilian appointees who may lack knowledge and experience of policing and could be subject to political bias. Policing, by nature, requires the use of force. Police officers who put their lives on the line daily to protect the public should be given the benefit of the doubt. When they use their best judgment and training in highly charged incidents, any subsequent review of their actions should apply qualified immunity.

Treatment of those with severe mental illness and drug addiction, who have not committed, nor are in danger of committing, violent crimes may require alternatives to prison. However, allowing the mentally ill and drug addicts to remain unattended or on the streets is not a viable option. Drug addicts commit crimes to support their drug habits.<sup>9</sup> Those with severe mental illness can turn violent unexpectedly if they fail to take medication or their illness worsens. In circumstances where they refuse or are unable to maintain treatment, involuntary commitment should be used for the safety of the person and the community.

Addressing the socioeconomic challenges faced by low-income communities should be part of the solution. We support the areas of focus and goals articulated in the Mecklenburg County Community Violence Strategic Plan adopted by the Department of Public Health. Support for youth programs and families, increased job opportunities, safer and healthier neighborhoods and better intergovernmental collaboration are all indispensable to solving the pernicious crime problem. The county should take account of social programs already in place and seek to combine existing programs with new initiatives to achieve efficiencies,<sup>10</sup> while applying appropriate success metrics for each program.

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<sup>1</sup> Governor's Task Force for Racial Equity in Criminal Justice (TREC) Report 2020, Executive Summary. These statistics and cursory conclusions ignore the fact that young black North Carolinian men commit crimes – particularly violent crimes – to a greater degree than white North Carolinians.

<sup>2</sup> “The Plan established a new \$15 billion over 10 years Accelerating Justice System Reform grant program that jurisdictions can use to advance strategies that will 1) prevent violent crime and/or 2) ease the burden on police officers so they do not have to respond to non-violent situations that may not merit police intervention. Doing so not only enhances public safety, but also delivers evidence-based criminal justice reform that advances racial equity.” Fact Sheet: President Biden’s Safer America Plan, August 2022.

<sup>3</sup> See, Special Report with Brett Baier, Interview with Wray, February 28, 2023.

<sup>4</sup> Comments of Chris Swecker, former Assistant Director, FBI, before the Republican Women of Greater Charlotte, March 8, 2023 (“Swecker comments”).

<sup>5</sup> One of the greatest achievements of Mayor Giuliani, for example, was the policies he implemented that measurably reduced and ultimately halted the crime wave in New York City in the late 20<sup>th</sup> century. Attorney General William Barr led a joint task force between federal and local law enforcement in South Chicago that resulted in a large number of guns being taken off the streets and federal prosecutions in federal criminal courts, in the midst of the crime wave there.

<sup>6</sup> Swecker comments.

<sup>7</sup> For further information regarding the cost/benefit analysis of hiring more police to engage in intensive policing in high crime areas, see Intensive Community Policing, Jon Guze, John Locke Foundation.

<sup>8</sup> Id.

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<sup>9</sup> Comments of Sheriff Carmichael, former sheriff of Mecklenburg County, before the Republican Women of Greater Charlotte, March 8, 2023 (“Carmichael comments”).

<sup>10</sup> We note, for example, that both the CMPD and the Department of Health describe youth and other community programs as part of their initiatives. It is unclear whether both agencies are running similar programs.