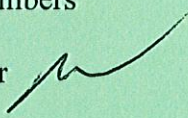


NOTES

TO: Honorable Mayor and City Council Members

FROM: Michael Cowin, Assistant City Manager 

DATE: December 28, 2016

SUBJECT: Materials for Your Information

Please find attached the following materials for your information:

1. A memo from Police Chief Mark Holtzman concerning Citizens Accountability Rights & Education

dr

Attachments

cc: Dave Holec, City Attorney
Carol Barwick, City Clerk

Memorandum

To: Barbara Lipscomb, City Manager
From: Mark Holtzman, Chief of Police *M.H.*
Date: December 28, 2016
Subject: Citizens Accountability Rights & Education

In continuing the efforts of community policing, the Greenville Police Department has prepared pocket-size brochures outlining Citizens Accountability Rights & Education (CARE) information. These CARE cards are available at the Police Department and all substations. Patrol officers also have them available to distribute upon request from citizens. A copy is attached for your information.

The cards were developed through the Cops and Barbers outreach program, which draws on the success from Charlotte-Mecklenburg Police Department's Cops and Barbers program. The cards are already being distributed through the barbershops participating in our Cops and Barbers initiative. They will also be made available through school resource officers, along with a traffic stop video developed by Greenville Police Department and City staff to educate the public on safe interactions with police officers.

These CARE cards and the educational video are just a couple of ways the department is working to offer positive relations between the police and the public we serve.

Attachment

YOUR RESPONSIBILITIES

- Do stay calm, be polite and respectful.
- Do not interfere with or obstruct the police.
- Obey all commands by the officer.
- Do not lie or give false information.
- Do not reach for anything unless instructed to do so by the officer.

YOUR RIGHTS

- You have the right to know if you are under arrest. If you are unsure, you may ask the officer.
- You have the right to know your criminal charges by the Pitt County Magistrate.
- Regardless of your immigration or citizenship status, you have constitutional rights.

IF YOU ARE STOPPED FOR AN INVESTIGATION

Stay calm. Don't run. Don't argue, resist or obstruct the police. Keep your hands where police can see them.

If you believe you are not free to leave, you may ask the officer if you are free to leave.

You may voluntarily speak to the officer; however, any information that you give to an officer must be truthful.

You may inform the officer if you have a weapon. You are free to voluntarily consent to a search. You cannot be forced to consent. However for officer safety, an officer may "pat down" your clothing if they suspect a weapon. You should not physically resist.

IF YOU ARE STOPPED IN YOUR CAR

Stop the car in a safe place as quickly as possible. You may continue driving to the nearest well-lit area, however turn on your hazard lights to notify the officer of your intentions. Once stopped, turn off the car, turn on the interior light, and open your window partially.

GPD COMPLAINT PROCESS

Remember: police misconduct cannot be challenged on the street. Don't physically resist officers or threaten to file a complaint. Politely ask for a supervisor.

Write down everything you remember. A complaint must be factually based. Write down your recollection while it is fresh in your mind.

File a complaint with GPD Internal Affairs or the appropriate GPD division office. You can file a complaint anonymously if you wish.

By Phone: 252-329-4373

By Mail: GPD Internal Affairs
500 S. Greene Street
Greenville, NC 27834

In Person: GPD Headquarters

Email: **Sgt. S. Groccia**
ssgroccia@greenvillenc.gov

Citizen complaint outcome. Citizens who file a complaint against a police officer will be notified that a case was investigated and appropriate action taken by the department. However, according to the law, the results of an investigation, including the findings and any related discipline are not provided to the citizen except in very limited circumstances.

This information is not intended as legal advice. Every law enforcement jurisdiction has a unique set of circumstances which may not be covered by this information and

Citizens
Accountability
Rights &
Education



Greenville
NORTH CAROLINA
POLICE DEPARTMENT

YOUR RESPONSIBILITIES,
YOUR RIGHTS,
GPD COMPLAINT PROCESS

Emergency: 911
Non-Emergency: 252-329-4315
File a Complaint: 252-329-4373

Keep your hands visible to the officer at all times. Do not reach around inside the car.

Show police your driver's license, registration and proof of insurance, if requested by the officer.

You can voluntarily consent to an officer searching your vehicle; however, you cannot be forced to consent to a search. If the police believe your car contains evidence of a crime, your car can be searched without your consent.

Both driver and passengers cannot be forced to make a statement. However, provide a truthful statement if a statement is given.

IF THE POLICE COME TO YOUR HOME

You cannot be forced to consent to a search. However for officer safety if there are people in the house with access to weapons or if the individual themselves have a weapon, the individual can notify the officers.

Do not interfere with a search warrant or arrest warrant.

- A search warrant allows police to enter the address listed on the warrant and search areas for the items listed.

- An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside.

IF YOU ARE ARRESTED

Do not resist arrest, even if you believe the arrest is unfair.

Miranda Rights do not apply simply because you are arrested. Miranda Rights only apply if you are being questioned while in custody.

You cannot be forced to speak. If you want to talk to the officer you must be truthful.

You have the right to make a local phone call while at the Pitt County Detention Center. Officers will not allow any phone calls during the arrest process.

Special considerations for non-citizens:

- Ask your lawyer about the effect of a criminal conviction or plea on your immigration status.
- Read all papers fully. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

WHEN OFFICERS CAN USE DEADLY FORCE

A law-enforcement officer is justified in using deadly physical force upon another person when it is or appears to be reasonably necessary:

- To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force.