



A message from Concord Police Chief Gary Gacek: forward together

June 5, 2020

The events of the last two weeks have understandably focused attention across the United States on how police departments operate and interact with their communities, particularly with community members of color. I welcome the conversations to come on how we can continue to partner with you to accomplish shared goals. It is important to us as a department, as well as to our elected officials and city management, that we provide as much information to the public so we can approach this conversation together from a common perspective.

I am proud of the work the men and women of the Concord Police Department do every day. I have the utmost faith and confidence in my officers to do the right thing. I frequently tell them to be in the right places at the right times, doing the right things the right way. It's always the right time to do what's right.

One of the reasons I am so confident in the officers who serve you, is that each of us who swore to serve and protect also commit to a common set of values. This was formalized in 2017, when we established a Code of Conduct comprised of our Vision Statement, Mission Statement, Core Values and Guiding Principles, and Standard Operating Procedures. This Code establishes fundamental standards of conduct and performance consistent with the highest professional standards of policing.

Concord Police have a long history of partnership with the community. Since I arrived in Concord five years ago, we have taken additional steps to improve our recruitment and training, community engagement, policies and procedures, and transparency. We have done this to make our community safer, and also to avoid the type of tragedy that occurred in Minneapolis and so many other communities across the country.

As noted in our most recent annual report, these steps are producing positive results for the community. We have consistently reduced crime in this city each year by partnering with the community, making Concord one of the safest cities in North Carolina.

That being said, I recognize the pain so many in our community are feeling when they see unspeakable violence at the hands of law enforcement. We can and must do better as a nation to ensure police are working in their communities with a spirit of humility and compassion. I look forward to listening to your thoughts on this in the weeks, months, and years to come.

Let's take a closer look at what has changed over the last five years in Concord as we think about our path forward.

Recruitment and Training

We believe that it is important for the officers of our department to reflect the community they serve. A diverse workforce not only helps community members identify with officers, but also helps officers understand the perspectives of the people they encounter through shared experiences.

We have focused our [recruitment efforts](#) to this effect. Although we still have a way to go, I am proud of our results so far. In terms of race and ethnicity, [US Census data](#) indicate that our city's population is approximately

66 percent White, 21 percent Black, and 5 percent Asian, with about 12 percent reporting as Hispanic or Latino. While our share of White male officers remains over-representative, our recruiting strategies are working. Of the 129 officers hired since July 2015, 19 percent were Black, and 5 percent reported as Hispanic or Latino. Women made up 20 percent of new hires over the last five years. Our efforts around recruiting show that we have been able to closely match the demographics of our community – and we have done so at a time in which recruiting people to this profession has been very difficult in NC and across the country.

We have enhanced our training to ensure our officers are best equipped to treat everyone they encounter with dignity and respect. This includes Fair and Impartial Policing (FIP) training, which has been completed by 205 sworn law enforcement staff and hosted in our facility for other area departments. FIP focuses on the science of implicit bias and how to avoid making decisions based on implicit bias.

All sworn staff have completed scenario-based de-escalation training, and two have been certified as instructors by the Police Executive Research Forum. This course focuses on integrating communications, assessment, and tactics.

Mental illness and substance abuse create particular challenges for responding police officers. Our department is committed to every officer completing Crisis Intervention Team training (CIT). This 40-hour program is a community partnership of law enforcement, mental health and addiction professionals, individuals who live with mental illness and/or addiction disorders, their families, and other advocates. It is an innovative first-responder model of police-based crisis intervention training to help persons with mental disorders and/or addictions access medical treatment rather than place them in the criminal justice system due to illness related behaviors. It also promotes officer safety and the safety of the individual in crisis. While the professional standard is for 20 percent of officers to complete this program, we are well on our way to 100 percent with 190 officers CIT certified so far.

In addition, I joined with sixteen members of my command staff in attending the Racial Equity Institute's two-day Phase 1 training organized locally by Racial Equity Cabarrus. This powerful course is designed to develop the capacity of participants to better understand racism in its institutional and structural forms. Moving away from a focus on personal bigotry and bias, this workshop presents a historical, cultural, and structural analysis of racism. For several years, we have partnered with Racial Equity Cabarrus to host offerings of this course at our headquarters. I encourage everyone in our community to consider attending a future offering. Learn more at racialequitycabarrus.org.

Community Engagement

Our department has a history of partnering with the community, which has been a cornerstone of the [City of Concord's mission statement](#) since it was created over 20 years ago. Participating in the Concord 101 citizens academy, Public Safety Academy, [Partnership for Stronger Neighborhoods](#), and providing 22 School Resource Officers continue to be core ways of engaging in the community. A number of our new initiatives are making this work even more successful. We have hosted 7 Youth Police Academy sessions, reaching 225 students, and partnered 31 young people interested in a law enforcement career with 22 department mentors in the Police Cadet Program (31 cadets and 22 department mentors).

Several times a year, we hold public Crime and Safety meetings, giving the public an opportunity to learn about issues in the community, ask us questions, and otherwise hold us accountable for our service delivery. These opportunities include specific Spanish-language meetings within key locations in the Hispanic community.

Officers are engaging the old-fashioned way, through more frequent foot patrols that allow positive interactions and relationship-building. We have also equipped 36 officers with bicycles that offer a similar level of engagement within the community while on patrol.

Policies and Procedures

In the last five years, we have updated all department policies and procedures to match professional best practices. Our [Code of Conduct](#), implemented January 1, 2017, incorporates critical guidance on public trust, use of force, and misconduct. Here are some key excerpts:

We cooperate with our colleagues, other agencies and citizens to ensure public safety, improve the quality of life, protect those who cannot protect themselves and enforce the law.

Coworkers shall oppose and, if possible, prevent any violation of the Code of Conduct and report violations if they occur. Coworkers will not be punished, but will be protected and supported for reporting a violation of the Code of Conduct, unless the report is shown to be malicious or ill founded.

Failure to intervene when a violation of the Code of Conduct occurs, or is about to occur, shall be treated the same as if the coworker committed the violation.

Coworkers shall exercise powers of arrest, search, seizure and surveillance only when it is lawful, necessary and proportionate to do so.

Personal failure to intervene to prevent or stop misconduct, when there is an opportunity to do so, demonstrates not only a lack of courage, but also a failure of leadership.

We hold life in the highest regard. We treat all citizens and colleagues with dignity and respect, and are fair and impartial as we perform our duties. We openly and effectively communicate with the public and each other by sharing information and soliciting feedback to accomplish the department's vision and mission.

Coworkers shall act with fairness, self-control, tolerance and impartiality when carrying out their duties.

We use the minimum force and authority necessary to accomplish a proper police purpose. We demonstrate self-discipline, even when no one is listening or watching. Guiding Principles:

1. Sworn officers shall exercise restraint in the use of force and act in proportion to the seriousness of the offense and the legitimate law enforcement objective to be achieved.
2. Coworkers shall not subject any person to torture or cruel, inhumane or degrading treatment or punishment. No circumstances whatsoever may be invoked as a justification for torture or other cruel, inhumane or degrading treatment or punishment.

Other policies, referred to as General Orders, delve into more details on use of force, personnel investigations (citizen complaints), vehicle pursuits, body cameras, less-lethal force, fair and impartial policing, and recording of police activity (to protect citizens' constitutional right to film/record what we do). Of particular importance, our use of force policy is a best practice policy that incorporates all 8 aspects being promoted through the [#8cantwait campaign](#). These address chokeholds and strangleholds, de-escalation, verbal warnings, exhausting all alternatives before using deadly force, duty to intervene, shooting at moving vehicles, use of force continuum, and reporting.

While these suggested practices are not spelled out as strictly as the campaign suggests, our policies are in line with #8cantwait as much as possible. An example is the suggested ban on shooting at moving vehicles. Our policy bans that practice, with the exception of someone inside a vehicle actively using deadly force to harm a member of the public or an officer. All of these and other policies are available to the public at concordnc.gov/Departments/Police/Policies-Procedures and I hope you will review them.

In July of 2019, the rank of lieutenant was restored in our department to expand career pathways for the future leadership of the department. Three of the four lieutenants in the department are watch commanders, who serve as the highest-ranking officer working overnight. Their valuable experience and leadership help ensure our policies and procedures are clear and being followed at all times. This will continue to be a valuable addition to our leadership structure that will benefit the public for years to come.

We believe our policies and procedures meet or exceed all professional standards for law enforcement. To ensure this and build public accountability into our maintenance of these standards, we are actively pursuing accreditation from the [Commission on the Accreditation of Law Enforcement Agencies \(CALEA\)](#).

Transparency

Perhaps more than any of our peer departments within the City of Concord organization, transparency is critical to the public's trust in our work. In addition to the previously noted [policies and procedures available on concordnc.gov](#), we have a variety of other practices to enhance our transparency to the public.

The camera technology available to police agencies has helped us take a huge step forward in this regard. Every officer has been required to use a body-worn camera since late 2015. Our [policy guiding their use](#) was developed in part through public meetings and community feedback. Even though we have body-worn cameras, City Council continues to fund in-car cameras so there are redundant systems in place.

Beyond our open crime and safety meetings held several times each year, we are committed to being accessible to hear your concerns. Our sworn officers and code enforcement officers regularly attend neighborhood meetings with the dozens of recognized neighborhoods in the City's Partnership for Stronger Neighborhoods. Staff is available to meet with any other neighborhood or community group upon request.

We have enhanced our presence on a variety of social media platforms, including [Facebook](#), [Twitter](#), [Instagram](#), [Nextdoor](#), and [YouTube](#). In addition to getting an inside look at our operations, district captains are using these tools to share relevant information with community members. We highly encourage you to follow us on any of these platforms, look for @ConcordNCPolice.

To help demonstrate our value to the community on an annual basis, we have published [four annual reports since 2015](#) and will continue to do so going forward. These reports are an excellent resource for evaluating our progress towards goals, analyzing crime statistics over time, and monitoring our stewardship of your tax dollars. You can also meet many of the people working for you in our department, and learn about officers who have been recognized for going above and beyond over the last year. You can find the latest report at [concordnc.gov/Police](#).

Forward Together

In closing, I thank you for taking the time to better understand what we have in place as an organization to hold ourselves to the highest standards. I value our partnership with the community, and depend on your feedback to help us improve. Let's move forward, together.

In service,



Gary J. Gasek
Chief of Police
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Appendix A: Frequently Asked Questions

Q: Are Concord Police Officers being trained to de-escalate altercations by using peaceful conflict resolution strategies? **A: Yes. De-escalation is a commitment that requires ongoing training throughout one's career. We have incorporated this into our training for the last three years and officers receive ongoing training on de-escalation principles and tactics.**

Q: Are Concord Police Officers forbidden from using carotid restraints (chokeholds, strangleholds, etc.) and hog-tying methods? **A: Yes. Chokeholds and strangleholds are viewed by us and the courts as deadly force. Use of these methods is forbidden unless under circumstances outlined in the use of force policy that authorize deadly force.**

Q: Are Concord Police Officers forbidden from transporting civilians in uncomfortable positions, such as face down in a vehicle? **A: Yes.**

Q: Are Concord Police Officers required to intervene if they witness another officer using excessive force? If so, will they be reprimanded if they fail to intervene? **A: Yes, our Code of Conduct includes a "Duty to Intervene." An officer who fails to intervene would face discipline consistent with department policy.**

Q: Are Concord Police Officers forbidden from shooting at moving vehicles? **A: No, not necessarily forbidden. Officers shall avoid being in front of or behind a moving vehicle so that they never have the need to shoot at a moving vehicle. But if they had no other choice and believed that their life or the life of another was in danger then by law they would be justified to shoot at a moving vehicle. Please note the possibility that someone could shoot at officers or the public from said moving vehicle – so therefore we cannot prohibit such a tactic entirely.**

Q: Is there a clear and enforced use-of-force continuum that details what weapons and force are acceptable in a wide variety of civilian-police interactions? **A: NC does not use a use-of-force continuum; however, we emphasize that the use of force must be objectively reasonable and proportionate to the situation at hand. Essentially, we use a continuum without calling it a continuum.**

Q: Are Concord Police Officers required to exhaust every other possible option before use of force? **A: Prior to using force, when safe and practical to do so and without compromising law enforcement objectives, officers shall use de-escalation techniques to attempt to slow down and/or stabilize a situation to allow for more time, options, and resources for incident resolution.**

Q: Are Concord Police Officers required to give a verbal warning before drawing their weapon or using deadly force? **A: Police officers may draw or display their firearms in circumstances where they reasonably believe it may be necessary to use their firearm in the performance of their duties. Doing so is not considered, by itself, to be a use of force. The firing of warning shots is prohibited. When practicable prior to the discharge of a firearm at a person, officers should identify themselves as law enforcement officers and verbalize their intent to use deadly force.**

Q: Are Concord Police Officers required to report each time they threaten to or use force on civilians? **A: Officers are required to report a use of force to a supervisory officer of higher rank. Supervisors investigate the use of force to determine if such use of force was necessary, lawful, and within department policy. That report is reviewed by the officer's commanding officer and bureau commander. On a quarterly basis an independent Use of Force Committee, comprised of subject-matter experts within the department, reviews all uses of force to identify trends or patterns and whether a need exists for modifying policy and/or providing additional training to officers. That report is provided to the Chief of Police with recommendations, if applicable.**

Q: Are Concord Police Officers thoroughly vetted to ensure that they do not have a history with abuse, racism, xenophobia, homophobia / transphobia, or discrimination? **A: Yes. We conduct a thorough background investigation that includes but is not limited to a criminal history check, polygraph, drug screen, and psychological evaluation.**

Q: Are Concord Police Officers trained to perform and seek necessary medical action after using deadly force? **A: Officers are required to provide medical attention within the scope of their training and capabilities and summon EMS or Fire to the scene immediately for any person who needs medical attention, regardless of the reason why they need medical attention.**