



Frequently Asked Questions For Executive Order 145 June 9, 2020

What does this Executive Order do?

Executive Order 145 (“the Order”) establishes the North Carolina Task Force for Racial Equity in Criminal Justice (“the Task Force”). This Task Force will develop solutions that seek to eliminate disparate outcomes in the criminal justice system for communities of color.

The Order also directs Cabinet agencies with sworn law enforcement entities to conduct policy reviews on use of force, de-escalation techniques, arrest procedures, treatment of persons in custody, cultural sensitivity training, crisis intervention, and internal investigation processes. Cabinet agencies are also directed to ensure that each sworn law enforcement entity division has a clear policy articulating a duty to intervene and report in any case where an officer may be a witness to what they know to be an excessive use of force or other abuse of a suspect or arrestee.

The Order also directs the North Carolina State Bureau of Investigation to create a Center for the Reduction of Law Enforcement Use of Deadly Force.

What is the goal of the Task Force?

The Task Force will develop solutions to eliminate disparate outcomes in the criminal justice system for communities of color. Areas of focus will include:

- Law enforcement training to promote public safety and build community support;
- Use of force;
- Community policing;
- Recruiting and retaining a diverse and racially equitable workforce;
- Law enforcement accountability and culture;
- Investigations;
- Pre-arrest diversion and other alternatives to arrest;
- Pre-trial release and bail practices;
- Charging decisions and criminal trial; and
- Use and impact of fines and fees.

The Task Force will submit a report to the Office of the Governor with recommendations submitted by December 1, 2020. The Task Force will meet twice a month through November 2020.

Who will be represented in the Task Force?

The North Carolina Task Force for Racial Equity in Criminal Justice will be made up of no more than 25 representatives from:

- North Carolina Department of Justice;
- North Carolina Department of Public Safety;
- North Carolina Judicial Branch;
- District and Superior Court Judges;
- District Attorneys;
- Public Defenders;
- Organizations that represent or advocate with communities of color;
- Justice-involved individuals;
- Victim advocates;
- Chiefs of Police;
- Sheriffs;
- North Carolina General Assembly; and
- Local elected officials.

The Task Force may also include other appropriate representatives from local or state government, academic institutions, and research or advocacy groups. Attorney General Josh Stein and State Supreme Court Associate Justice Anita Earls will serve as co-chairs of the Task Force. Task Force members will be announced following the signing of the Order.

What changes does the Order make to state law enforcement agencies?

On June 8, 2020, Secretary of the Department of Public Safety Erik Hooks [directed](#) all law enforcement agencies under the purview of DPS to conduct a thorough review of their existing policies on use of force and de-escalation techniques, arrest procedures, treatment of persons in custody, cultural sensitivity training, crisis intervention, and internal investigation processes. Additionally, he directed all DPS law enforcement agencies to ensure each division has a clear policy articulating a duty to intervene and report in any case where an officer may be a witness to what they know to be an excessive use of force or other abuse of a suspect or arrestee.

All other Cabinet agencies with sworn law enforcement entities are also directed to conduct these reviews and ensure there is a clear “duty to intervene” policy in place. All non-Cabinet state agencies with sworn law enforcement entities are strongly urged to take these actions.

What is the Center for the Reduction of Law Enforcement Use of Deadly Force?

The Order directs the North Carolina State Bureau of Investigation to create a Center (“the Center”) for the Reduction of Law Enforcement Use of Deadly Force. The Center will:

- Collect data, conduct behavioral and situational analysis, and produce applied research on the precursors and outcomes of law enforcement use of intermediate and lethal force;
- Develop lessons learned and produce training for law enforcement officers that is intended to reduce the potential use of intermediate and lethal force within North Carolina whenever possible to assure the mutual safety and well-being of the general public and law enforcement;
- Promote transparency, mutual understanding, and public engagement related to law enforcement use of force issues, with a focus on outreach to minority communities of color and diverse populations; and
- Pursue collaborations and partnerships with law enforcement partners, higher education institutions, and community organizations to advance the public policy and research agenda of the Center.

Why is this Order needed?

Communities of color are disproportionately affected at most stages of the criminal justice system, with national data showing the following:

- Black adults are 5.9 times as likely to be incarcerated than white adults;
- Hispanic adults are 3.1 times as likely to be incarcerated than white adults;
- Black drivers are approximately twice as likely as white drivers to be pulled over by law enforcement for a traffic stop;
- Black defendants are more likely to be jailed before trial than white defendants;
- The murders of white people are more likely to be solved than the murders of Black people;
- When Black men and white men are convicted of the same crime, Black men receive a prison sentence that is 20 percent longer;
- Black women are imprisoned at twice the rate as white women; and
- Black men are 2.5 times more likely to be killed by law enforcement than are white men, and Black women are 1.4 times more likely to be killed by law enforcement than are white women.