



August 27, 2020

Cumberland County Board of Commissioners
117 Dick Street
Room 561
Fayetteville, NC 28301

Fayetteville City Council
433 Hay Street
Fayetteville, NC 28301

Dear Elected Officials,

Fayetteville Police Accountability Community Taskforce (PACT) and Butterflies and Pearls organizations, would like to present a resolution to responding police to mental illness citizens. We believe after recent murder of the Cumberland County Sheriff Department of mental illness response, of 911 call or serve of being committed. Several incidents have occurred in the last 2 years regarding use of force towards mental illness citizens. These are the following cases:

August 20, 2020- Adrian Roberts was served with an involuntary committed order. It is alleged that he lunged at the officer with a machete. Mr. Roberts was a combat veteran who suffered from PTSD, schizophrenia, and paranoia which was documented. Deputies have been to his home several times regarding his mental illness.

November 6, 2019- Treva Smutherman was murder by City Police Officer while seeking medical attention after being arrested. While escorted to Cape Fear Valley Medical Center by Cumberland County Deputy, it is alleged that he grabbed a weapon from Cumberland County Deputy. However, he was murdered by a Fayetteville Police Officer, shot in the chest multiple times.

September 9, 2019- Joshua Oxendine was murdered by a City Police Officer in the prone resistant position. Joshua Oxendine allegedly was jumping on vehicles and trying to get in houses. He suffered from substance abuse induced psychosis.

January 19, 2017- Gerard Atkinson was wrongfully imprisoned for 1,065 days in Cumberland County Detention Center. He called the veteran suicide hotline who called the City of Fayetteville Police. The police showed up without introducing themselves and Mr. Atkinson's weapon went off accidentally and he was arrested by Fayetteville Police Officers for assault on a police officer, even though the weapon discharged prior to the arrival of the police.

Procedures that are not followed in Fayetteville Police Manual 2018:

3.14.4 DISPATCH OF CALL AND ACCESSING RESOURCES.

A. When the Communication Division receives a call through 911 of a situation that appears to involve a mental health crisis, the dispatcher will obtain as much information as possible from the caller regarding the subject's behavior, level of distress, potential threat and observation of any weapons. In each of these situations, at least two officers and a supervisor will be dispatched to respond. When possible, the closest available CIT officer should be directed to respond to the call as one of the responding officers.

B. If a call is received that is not immediately recognized as a mental health crisis response call, however if the first arriving officer on the scene determines that a CIT officer is needed, the first arriving officer will request a CIT certified officer to respond. **This did not occur for Gerard Atkinson and Joshua Oxendine.**

C. The Communication Division will have access to all referral information available for Behavioral HealthCare resources and authorized emergency evaluation facilities. Upon request Communications will provide this information to employees or citizens. During BLET, in-service training and new employee orientation, employees will be familiarized with procedures for accessing available community mental health resources.

Gerard Atkinson called the VA suicide hotline they immediately dispatched to Fayetteville Police, well aware of the information.

A.14.5. GUIDELINES

A. Should an officer suspect that an individual may be mentally ill and a potential threat to himself or the officer, or who may otherwise require law enforcement intervention for humanitarian reasons as prescribed by statute, the following responses may be taken:

1. Request a backup officer, and always do so in cases where the individual will be taken into custody.
2. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual (the practice of non-violent intervention techniques are particularly valuable in assuming a non-threatening posture). When the individual has not engaged in violence or destructive acts; avoid physical contact and take time to assess the situation. Move slowly and do not excite the disturbed person. Provide reassurance that the police are there to help and that he will be provided with appropriate care.
3. Communicate with the individual in an attempt to determine what is bothering him. Relate your concern for his feelings and allow him to ventilate his feelings. Where possible, gather information on the subject from acquaintances or family members and/or request professional assistance if available and appropriate to assist in communicating with and calming the person.
4. Do not threaten the individual with arrest or in any other manner as this may create additional fright, stress, and potential aggression.
5. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual to a state of calm.

Crisis Intervention Teams (CIT) or officers that have been trained should be available to help serve this petition. In this case there weren't any de-escalation strategies employed which are designated for people during an involuntary commitment order.

GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017 SESSION LAW 2018-33 SENATE BILL 630

Those individuals identified in the transportation agreement are required to participate in identified trainings, with the exception of law enforcement. However, the law states law enforcement agencies may be comprised of one or more programs and may include a Crisis Intervention Team program or other mental health training program or a combination of these programs.

We would like to have a special council meeting to present a resolution for a citizen's response if the individual suffers from mental illness or substance abuse induced psychosis. The policies for the city police and county sheriff office should have been followed. Police must be available to serve the citizens that are accepting them to protect them. We ask for transparency from the police and our elected officials on being accountable for their actions. We also ask for the integrity of the Chief of Police and the Sheriff when there is a mental illness response that involves police brutality or police misconduct. De-escalation is used and excessive force is not used when involving mental illness citizens. The use of excessive force while responding should be Civilian Police Oversight Authority with a Citizen Review Board to review and make recommendations to the city manager and chief of police.

In conclusion, feel free to email us at fayettevillepact@gmail.com or call (910) 494-6914. We are here to contribute to transforming our community and country for the better.

Respectfully,



Kathy Gregg
Co-Founder/President

Chermaleta Brown

Chermaleta Brown
Founder
Butterflies and Pearls



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