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Durham Fraternal Order of Police Statement on Recent Officer Involved Shootings, Protests, and Police Reform

Over the last month, law enforcement officers across the country have endured a tremendous amount of negativity from various groups, activists, and the media. In addition to all of the hateful speech, officers nationwide have been assaulted, injured, and killed during the riots. While there have been peaceful protests with little or no property damage in some cities, other cities have dealt with looting, vandalism, arson, and assaults on citizens. Law enforcement officers nationwide have no issues with peaceful protests. We agree that all citizens should be able to speak freely and openly about how they feel.

Law enforcement officers across the nation agree that the death of George Floyd was avoidable and inexcusable. The officer responsible for George Floyd's death has been charged and should be held accountable for his actions. However, this tragic incident cannot be allowed to define our profession or our nation's law enforcement officers. We all hate and are negatively impacted when a bad officer tarnishes the badge. This incident has started discussion for some police reform, which we all agree could be beneficial for law enforcement officers and the citizens we serve. However, this incident has sparked a political wild fire. Elected officials are now using incidents across the nation to unjustly charge and terminate officers without even affording the officers their due process rights.

The latest incident which has gained national attention is the death of Rayshard Brooks in Atlanta, Georgia. Everyone is entitled to their opinion of whether the use of force in this situation was allowed and warranted. Regardless, the way these officers have been treated by their own department and the Fulton County District Attorney's Office is unethical and unprofessional. The Mayor fired one officer almost immediately and prior to any investigation. The District Attorney decided to charge both officers before the investigation had even been completed. The agency conducting the investigation of the incident, The Georgia Bureau of Investigation, had not completed the investigation and was unaware that the District Attorney was charging the officers without the results from this investigation. This type of knee jerk reaction by elected officials, like those in Atlanta, sets a bad precedent nationwide. Officers are being denied due process rights as well as fair and impartial investigation.

For the law enforcement officers who serve in Durham, NC, we have had to deal with critical incidents such as officer involved shootings and in custody deaths. While law enforcement officers try to do everything they can to keep everyone safe and to de-escalate situations,

there are times where they are forced with the tough decision and have to utilize deadly force.

The last thing any law enforcement officer wants to do in their career is to have to use deadly force against a person. However, officers have to be able to protect themselves or third parties. This includes the utilization of the level of force necessary to prevent injury to themselves or others. In the event that a law enforcement officer is involved in a critical incident, the State Bureau of Investigation is usually requested by the law enforcement agency to respond to conduct an independent investigation.

Traditionally in Durham, once the SBI has completed their investigation, they will present their findings and recommendations to the District Attorney to see if the officer was justified in using deadly force or see if criminal charges are warranted. In this manner, if criminal charges may be warranted, the investigation is completed and all relevant facts are presented to the District Attorney for a decision on how to proceed. The Durham Police Department has had two officer involved shootings since Durham District Attorney Santana Deberry has taken office. She has afforded these officers with their due process rights just as she does with every other citizen in Durham County. We are thankful that the Durham County District Attorney's Office has continued to have integrity, wait until they have been presented with a complete investigation, and has not submit to political pressure from outside groups before the investigation has been completed.

The Fraternal Order of Police will continue to fight for our members and to make sure that they receive the same rights and due process that is afforded to every other person in the country. While the Durham Police has already implemented policies such as body worn camera, written consent to search, and a use of force continuum, we can acknowledge that as policing is an ever changing profession, there can always be room for improvements. With that being said, we look forward to having conversations with law enforcement department heads and City Council members to help enact some of these police reforms that will be beneficial to both law enforcement and the citizens of Durham.