



APEX POLICE DEPARTMENT

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Apex Police Department Provides Information on Arrests in Response to ABC News Story

This statement is to provide more complete information on arrests made by the Apex Police Department in 2018, in response to the ABC News story aired on June 11, 2020.

In a Facebook post prior to the story airing, local ABC affiliate WTVD (ABC11) reported “explosive new data” and that “one Wake County town reported arrests of blacks at a rate 700% higher than whites”. We learned that the town they were referring to was Apex, and communicated with their reporter to discuss their upcoming story. In the final story that aired on their 5:30 broadcast, that number was reduced to 600%; later in the story it was further reduced to “4 times”, based upon feedback they received from the Apex Police Department.

Our understanding of the method used by ABC News was that it was based on arrests made by the Apex Police Department in two data points; race and residential address (as reported in FBI Uniform Crime Reports), which were then compared to US Census data to determine ratios. As a result, their methodology is not based upon a complete view of related data, nor on the causative factors for police-citizen encounters, leading to inaccurate or incomplete conclusions.

As an example, the research does not seem to take into account the following factors:

- The Apex Police Department, and all law enforcement agencies, interact with, serve and potentially take enforcement action against people who are not residents. The Census data does not reflect daytime population, which can increase significantly by business activities, development, medical and professional office activities, shopping, dining, and motor vehicle travel to, from and through the community. As a result, Census data alone does not allow for an accurate comparison.
- The Apex Planning Department reports a significant number of people who “in commute” and “out commute” on a daily basis. As a result, the demographics reported for residential population can be significantly different from the demographics of people *actually in* the Town of Apex at any given moment. Numbers for 2014 are depicted in the following infographic:

Commuting Patterns

As of 2014, more than 13,909 people traveled into the Apex Planning for employment. However, over 21,000 of the Planning Area's employed population commuted out. The Planning Area has an estimated 1,774 people that live and work there, making up only 8.4% of the total employed population.



Of the 21,042 employed residents that commute outside of the Planning Area on a daily basis for jobs, more than 60% are traveling to Wake County (Graph 12). Durham County, where RTP is located, attracts another 17.6% of the commuters. Combined, these two counties attract 78.2% of the total commuters. The remaining 21.8% travel to other counties in and outside of the Raleigh-Durham-CSA.

- Those numbers increased in subsequent years as follows:

	<u>2017</u>	<u>2019</u>
In Commuting	13,785	13,965
Out Commuting	21,572	22,678
Live/Work	1,698	2,037

- Census data is reported by “Census Block” as well as by United States Postal Service Zip Code, not by municipal jurisdiction, and includes areas outside the corporate limits of the Town of Apex.
 - Census Blocks that include the Town of Apex also include, at a minimum, unincorporated areas of Wake County.
 - The United States Postal Service does not align their zip code system to actual city limits. As a result, the standard Apex zip codes also include addresses that are not in the city limits of Apex, and for which the Apex Police Department does not have jurisdiction or provide law enforcement services.
 - Apex zip codes include areas of the municipalities of Holly Springs and Cary, as well as unincorporated areas of Wake County, unincorporated areas of Chatham County, and others.
 - Zip codes of other municipalities may also include addresses in the city limits of Apex.
- The Apex Police Department, and most municipal law enforcement agencies, are largely *responsive* to calls for service seeking assistance. Where officers engage in self-initiated activity, such as a traffic stop, the race, gender or other demographic of the citizen is often unknown to the officer until he/she approaches the vehicle. The reason for police-citizen encounters is predominantly due to the actions of the citizen, not the police officer.
 - Victims of crime call the police, and have input into the outcome of their case. If probable cause exists for an arrest, the victim generally can choose for the police to make an arrest, or they can decline prosecution. This removes the police officer from the decision making process.

- In some cases, such as those related to domestic violence or violations of a Domestic Violence Protective Order, North Carolina General Statutes *require* an arrest. This removes the police officer from the decision making process.
- The Apex Police Department, and all law enforcement agencies, are commanded by Judicial Order to serve warrants for arrest issued by the court system. Warrants are issued by a judicial official (Magistrate or Judge) based upon probable cause. Officers often serve warrants on residents of a particular community when the actual crime occurred in another jurisdiction, which may be in another municipality, county, or even another state. The only nexus to Apex may be the last known, residential address. This removes the police officer from the decision making process.
- Arrest data from law enforcement agencies is reported to the State of North Carolina, and from there to the Federal Bureau of Investigation (FBI), in compliance with and following the guidelines of the Uniform Crime Reporting System (UCR). This system, initiated in 1930, is widely viewed by the federal government and other criminal justice system entities as providing an incomplete view of crime in the United States. As a result, the FBI developed the National Incident-Based Reporting System (NIBRS) and is transitioning all agencies to reporting in this format. Data from the two systems are difficult to compare.

Calls For Service – Arrest Data

The Apex Police Department handled 47,900 Calls for Service in 2018, and made 593 arrests. Following the focus of the news story, this Table compares arrests of African Americans to arrests of people of other demographics:

2018 Arrests	Total Arrests	Apex Residents	Apex Population (as of July 1)
African American	203	80	3,824 (7.1%)
Other	390	232	50,038 (92.9%)
TOTAL	593	312	53,862 (100%)
<small>*5 Warrant Arrests are not identified by race *Approximately 50% of the Warrant Arrests were based on warrants forwarded to the Apex Police Department from another agency, indicating the crime was committed in another jurisdiction *23 Non-Warrant Arrests are not identified by race *All data contained in this report are based on RMS records and is current and correct as of the time of publication.</small>			

Arrests of Apex residents based upon a call for service generally limit officer discretion for the reasons noted above. The 2018 arrest data includes the following Call For Service and Warrant based arrests:

Type	African American	Other
Domestic Violence (Assault, Kidnapping, Other)	12	29
Assault/Affray (Non Domestic Violence)	4	7
Larceny/Shoplifting/Burglary, etc.	1	12
Driving While Impaired – Wreck	3	15
Drug Offense	4	21
Warrant Arrests	31	79
Other	6	58
* NOTE: Some of the arrests relate to multiple incidents involving the same person, indicating a pattern of criminal behavior.		

- The Apex Police Department has historically investigated a high volume of cases related to domestic violence. As a result, and in keeping with our focus on serving victims, we applied for, and were awarded, a grant by the North Carolina Governor’s Crime Commission to hire a full-time, civilian Victim Advocate specifically to work with and serve victims. This victim-centered approach has resulted in more victims coming forward to report and prosecute cases.

Employee Demographics

A common question related to service delivery and enforcement actions relates to employee demographics. The Apex Police Department strives to recruit, select and hire the most qualified employees, with a goal to be at least as diverse as our community, as evidenced by the following Table:

Apex Police- Employee Demographics				
	Sworn Officers		Total Staff	
Caucasian	78	84.8%	101	83.5%
African American	6	6.5%	9	7.4%
Other	8	8.7%	11	9.1%
Total	92	100%	121	100%
Hispanic Ethnicity	5	5.4%	5	4.1%
Staffing as of June 2020 Includes Limited-Service Employees				

Summary

The Apex Police Department is open to media inquiries to help us identify concerns and ensure we are carrying out our duties in a bias-free, constitutional manner, which is in line with our Mission Statement:

“Through our every action, we enhance the quality of life by providing exceptional public service while respecting the rights and dignity of all people.”

We take our Oath and our duty seriously, and actively seek input from our community. We investigate allegations of misconduct, including allegations of bias-based policing, and address the findings in accordance with the Town of Apex Personnel Manual. In 2018 we received 12 complaints from the public; no complaints were received from any person arrested or charged alleging bias on the part of Apex Police Officers.

We are committed to transparency and working with our community to answer questions and address concerns, as we seek to continuously improve our ability to serve. In addition to general information about the department, the following documents are available for review on our website at:

<https://www.apexnc.org/261/Police-Department>.

- 2019 Annual Report
- 2019 Community Satisfaction Survey
- Response to the 21st Century Policing Task Force Report – An Assessment of the Apex Police Department
- Reiteration of Policy Related to Campaign Zero Research
- The process for filing a complaint, as well as for commending an officer or employee

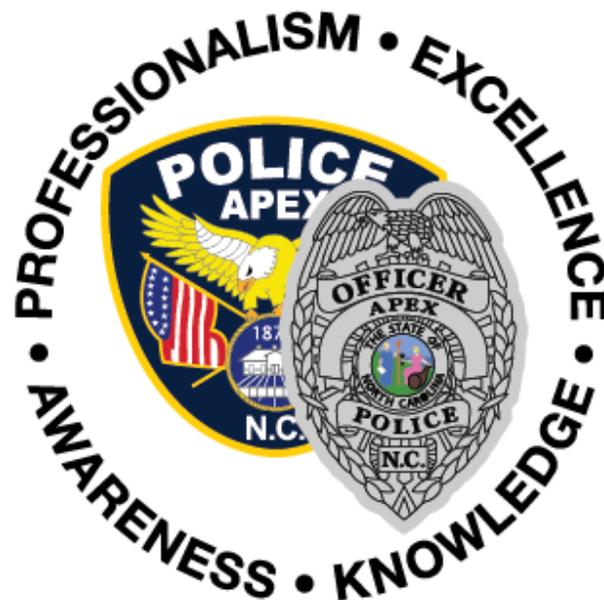
As one of the few agencies in North Carolina consistently awarded Advanced Accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA), we have a robust written directive system, which includes reviews, inspections, analyses, etc. of all aspects of our administration, training and operations. The program includes an independent, outside assessment of those systems to ensure compliance with applicable Standards, which are widely considered to be the “gold standard” in police professionalism and agency management.

Apex Police Officers carry out their duties honorably, respectfully and with integrity, in accordance with our Mission, Vision and Values. Our actions are based upon the behavior of the citizen, the laws that govern and restrict our authority, and the expectations of our community to enhance public safety. To suggest otherwise based upon inadequate analysis is irresponsible, and harms the very fabric of the relationships we have built throughout our community.

Our intent is not to criticize; it is to provide a more thorough perspective of the data so that the public can make their own conclusion based upon the complex nature of law enforcement authority and limitations, and the myriad of factors that lead to police-citizen encounters. Numbers absent context do not allow for valid conclusions, and do not do justice to the issues, concerns and opportunities to be explored in this very important conversation.

We respect the role of the media to question, research and inform, and have a strong history and relationship of working positively with our media partners. We continue to encourage effective communication among media representatives and all law enforcement agencies so that a balanced perspective can be presented.

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