

## **PA PAC Questionnaire for Mayor and City Council Candidates – 2019**

*When answering this questionnaire, please repeat the questions in your response document with each question numbered and organized as it appears here. Type your responses in italics, bold, or a different font to distinguish your responses from the questions. Please do not use colors. Please try to confine your responses within the word limits set for each question. Do not feel obliged to exhaust the limit for each question. If you use words or ideas from another person, please attribute your source.*

**Please return the completed form along with your resume describing education, work history, community service, and prior political experience as soon as possible, but by August 5, at the latest.**

**You may e-mail your responses to Tom Miller at [tom-miller1@nc.rr.com](mailto:tom-miller1@nc.rr.com) or you may send a printed copy of your responses to Durham PA PAC c/o Tom Miller 1110 Virginia Avenue, Durham, NC 27705-3262**

**Please note that following the August 5 deadline, the People's Alliance PAC may publish your responses to this questionnaire and your resume.**

**Thank you for completing this questionnaire and your willingness to serve the people of Durham.**

Candidate's name:

Steve Schewel\_\_\_\_\_

Office for which you have filed for election (circle one): **Mayor** / City Council

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### **Government and the Public Good**

1. Of all the issues confronting city government, which single issue is most important to you and why? What would you do about it if elected? *Please limit your answer to 200 words.*

The most important question facing Durham today is this: Can we help all of our residents share in our newfound prosperity? This question – and the way in which we choose to answer it – crosses the boundaries of the rest of the questions in this questionnaire. While most of our residents benefit from our prosperity and growth, fully 20 percent of our residents, mostly people of color, do not. Durham is growing dramatically. The *Washington Post* recently cited

Durham as having the fourth highest per capita in-migration among all of our nation's cities, and the average person who moves here has \$10,000 more in income than the average current resident. This is driving gentrification, displacing long-term residents, mostly in communities of color. At the same time, many of our residents are unable to get the good-paying jobs that are attracting newcomers to Durham. I have a strategy to meet this challenge. It begins with bold action on affordable housing, which I will describe in detail below. And it takes on the other side of the affordability conundrum—wages and wealth-building—as well, as I will also describe in detail below.

2. What can the city do to lift the wages of the lowest-paid workers in Durham and reduce growing income inequality in our community? *Please limit your answer to 400 words.*

It is a terrible fact that our General Assembly has refused to raise the state's minimum wage above the federal minimum of \$7.25 per hour and outlawed local minimum wages above the state minimum.

Given these major constraints, here is what we in Durham can do to help raise wages;

- (1) The City Council has taken major steps in the last two years to make City government, with its 2,600 employees, a model employer. On July 1, 2018, we began paying the lowest-paid full-time City employee \$15 per hour. In two months, the City minimum wage will rise to \$15.48 per hour, and all part-time and seasonal employees will now be included in that wage. In addition, the City now offers 12 weeks of paid parental leave as well as a superb health insurance plan to its employees.
- (2) When I ran for Mayor in 2017, I said I would work with unions and Fight For Fifteen to persuade Duke University to raise its minimum wage to \$15 per hour, which Duke has done. We need to continue to support organizing to target other large employers, including particularly in the fast-food industry, to raise their wages accordingly.
- (3) We can support the Living Wage Project by encouraging Durham businesses to certify with the Project as living wage businesses, thus putting upward pressure on wages in the city.

Beyond raising wages, the best way to attack income inequality in Durham is through minority business formation, support and capitalization. Please see Question 5 for my response on this issue.

Along with attacking income inequality, it is crucial that we help low-income people turn their income into assets through a Financial Inclusion Strategy. There is a broad spectrum of strategies to increase asset-building. Some of them Durham is already doing well: We have successful matched children's education savings accounts, with more to come. All of our Summer Youthworks interns now have bank accounts and direct deposit. We are

aggressively recruiting people for free tax preparation and EITC application at our neighborhood VITA sites. We have acted on several occasions this year to curb predatory consumer lending through our zoning powers.

Important work in this area remains. Most important, we need to certify and promote low-cost transaction and savings products at our local banks so that banking for low-income Durham residents is safe and affordable.

3. Describe your interest in and commitment to public amenities such as playing fields, open space, street trees, traffic calming, and walking and biking facilities. Are you willing to raise property taxes to provide for and maintain these amenities? Are public amenities allocated to neighborhoods equitably? Please explain and cite examples. *Please limit your answer to 400 words.*

As a youth soccer coach for 18 years, and as a runner and cyclist, I am deeply committed to the public amenities which are critical to creating a healthy community—and these public assets must be equitably distributed throughout Durham. It is our impoverished neighborhoods which are most in need of healthy infrastructure.

In some areas—trail miles, sidewalk miles, and ball fields—Durham sorely lags behind our neighbors. In addition, some healthy infrastructure is not equitably distributed. The tree canopy, in particular, can be traced through neighborhoods by simply following the old bank redlining maps from the early 1900's.

Changing these facts is something that I constantly work to drive forward. To advance the funding of parks and trails, I pulled together a meeting of diverse advocates at my home several years ago. This group campaigned for and won a half-cent on the tax rate to be annually dedicated to improving our parks and trails, and this has greatly enhanced these important assets.

I am honored that my work in this area was recognized by the North Carolina Recreation and Parks Association which presented me with its statewide “Distinguished Legislator” of the year award.

Here is what the City is doing to enhance our public amenities:

- We have put in motion \$20 million in sidewalk and bike lane construction in the next five years, including having built the first of many protected bike lanes.
- We have completed the Ellerbe Creek West Trail, purchased the Beltline Trail, and designed two other significant trails slated for

construction soon. We have also approved a strong Equitable Engagement Plan for community involvement in green infrastructure projects, and we have added staff and \$250,000 in funding for this grassroots work.

- We are moving toward our goal of 100,000 new trees in the next 30 years. We have doubled the number of trees the City is planting to 1,500 per year, and our non-profits are now planting 500 per year. It is important that the planting is predominantly in neighborhoods which have historically been bereft of tree canopy. In addition, in the next few months we will take up and pass stronger protection for our tree canopy during the development process.
- We have purchased and now allocated funds for the development of 50 acres of land in East Durham that will soon be the home of several badly needed new soccer fields.

4. What is your position on providing public incentives to private firms to promote economic development in Durham? How can city government use development incentives to promote more widely shared prosperity, including better jobs and higher wages for Durham residents? *Please limit your answer to 400 words.*

For a decade or more, the City of Durham's key economic strategy was offering incentives, essentially partial property tax abatements, to businesses locating downtown. The need for this strategy is over, and for the past two years, the council has offered no such incentives. We do continue to offer other, smaller, incentives, the largest by far in recent years being the \$700,000 grant to Self-Help to support the development of a center for minority businesses at the corner of Angier and Driver.

Our incentive policy should be, and currently is, that we offer incentives rarely and these incentives be targeted for specific economic development purposes such as minority economic development or the development of specific neighborhood corridors like Angier and Driver. These incentives must meet certain criteria, especially around hiring and contracting. Each year for the past several years, we have offered small incentives--\$50,000 or \$75,000, say—to individual businesses that meet these criteria. I support the criteria enumerated by the Durham groups comprising People First in their Equitable Development Scorecard: (1) Paying a living wage; (2) Hiring local people, especially historically excluded minorities; (3) Supporting local businesses, especially minority businesses; (4) Developing a public scorecard and transparent processes that hold developers accountable for their commitments; (5) In the cases when the incentives involve housing, making sure that the housing is affordable; (6) Supporting environmental sustainability; (7) And

providing the public with ample opportunity to participate in incentive decisions.

I do have an important practical concern: How do we match the on-the-ground timing of incentive negotiations with the work that needs to be done to satisfy the criteria for the Equitable Development Scorecard? For example, occasionally, the State of North Carolina may come to us with an incentive request around recruiting or retaining a large employer for which a decision needs to be prompt, and I think the practicalities of that need to be considered and worked out. As is often the case with government actions, the need for speed and the need for public involvement can compete.

Finally, for any tax-incentive project, the incentive must not be paid out until the building is redeveloped and taxes are being paid to the City. In that way, the incentive leads to positive financial results for our taxpayers from Day One.

5. What are the biggest barriers to increasing business ownership by local people of color, and what is the city's role in reducing those barriers? How could the city's supplier diversity or other practices foster more business growth opportunities? *Please limit your answer to 400 words.*

The greatest barriers to increasing business ownership by local people of color are lack of access to capital and the need for expertise in marketing, finance and accounting. Because of Durham's historic pride in the businesses of Black Wall Street, Durham has a reputation as a hotbed of black business success. The facts are otherwise. Since the recession, Durham's black business formation has badly lagged other cities in North Carolina. The number of black-owned businesses in the trades, especially, has greatly diminished in Durham. We need to change that, and we can.

During the past year, I have pushed for a two-stage plan for support of minority businesses. First, we need an advocacy organization, much like Downtown Durham, Inc., to advocate for minority businesses. Second, we need to develop a debt and equity fund to support minority businesses. I am pleased that in the current budget, the Council budgeted \$300,000 to stand up the Bull City Foundation to advocate for minority businesses and to begin the formation of the debt and equity fund. The City can potentially provide risk capital, and we can work with our community partners and banks to raise the rest of the needed capital. I look forward to helping to lead that work.

As anyone who follows the Council's work sessions knows, nearly every meeting I and other Council members closely question our contractors about their minority employment and sub-contracting. The Council pays especially close attention to our minority contracting goals, especially for black businesses. We need to continue to leverage City contracting to support minority firms. We usually meet those goals—but they are often met with

minority firms outside of Durham because we don't have the businesses, especially the black-owned businesses, here in Durham. We have to change this, and this will be among my very highest priorities during the next two years as Mayor.

Along with the measures outlined above, we need to work with self-employed individuals in the trades to prepare them for small business ownership. We must invest in a coordinated effort at technical assistance for minority businesses by Durham Tech and other providers. We must bring Duke University and the Research Triangle Park companies into a procurement strategy that targets minority firms and gets these firms prepared to win this corporate business.

### **Housing, City Planning, and Neighborhoods**

6. Do you think Expanding Housing Choices (EHC) will increase or decrease gentrification and displacement of lower-income residents? How can the city ensure equity in the use of EHC by people of color and other homeowners who have not had equal access to financing? *Please limit your answer to 400 words.*

Expanding Housing Choices (EHC) is an important matter that is about to come to the City Council for a public hearing and a decision. It is my practice in all public hearing matters to listen to all voices through the end of the public hearing before making a final decision, and I will do in this case as well. So I won't comment here on the specifics of what we have before us.

But I will make some general comments to answer this question. There is no question that adequate supply of housing is necessary to keep housing prices as low as possible, and Durham is not producing this adequate supply, especially in our central city neighborhoods where many newcomers want to live. This is driving housing prices higher in these neighborhoods as wealthier newcomers compete for housing, and this is a powerful force of gentrification.

So we need to add housing in these neighborhoods, and adding density is a good way to do so, as proposed by EHC. The devil is in the details. I will be closely studying the EHC proposal as it comes to us. But in general, I am, and have been, a strong advocate of density rather than its alternative, which is sprawl—and now gentrification as well. While duplex units added to neighborhoods under EHC provisions will not often themselves be affordable to low-income people, they will add badly needed units to the housing supply in those neighborhoods, thereby reducing the pressure for gentrification in the central city neighborhoods.

The concern about financing for low-income homeowners to take advantage of EHC is an important one. That is why the Affordable Housing Bond includes

\$3.5 million to support the financing of accessory dwelling units for low-income people, as well as to fund the preservation of small units of naturally occurring affordable housing. This funding will leverage bank funding of ADU's for low-income residents which can be key for keeping them in their homes over the long term.

7. What should the city seek to accomplish through its power to stimulate and regulate growth? What principles and considerations will guide your decisions in zoning cases and other development issues? *Please limit your answer to 400 words.*

As we grow, our planning and zoning regulations and decisions should (1) protect our critical drinking water resources and dwindling open space, (2) provide for sufficient industrial and commercial zones to encourage job creation, (3) discourage sprawl while encouraging density around the eventual transit corridors, (4) protect residential neighborhoods from commercial encroachment, (5) accommodate housing at a variety of price points for the onslaught of new residents, (6) ensure orderly transition from residential neighborhoods to commercial and industrial uses, (7) interlock with our transportation plans to encourage walkable, bike-able neighborhoods and mass transit, (8) incentivize mixed use, mixed income development around transit stations, (9) create form-based compact design districts which require that developers pay attention to how property relates to the public realm, (10) ensure that each design district has its own unique set of characteristics that meets the area's particular needs, (11) protect significant historic and cultural sites, (12) give developers, residents and everyone reliable expectations about the dependability of the Future Land Use Map, (13) incentivize the creation and preservation of affordable housing, (14) be nimble enough to accommodate necessary changes such as tiny houses on non-conforming lots, (15) require adequate infrastructure before a rezoning, and, (16) in general, provide for the orderly, sustainable growth of our community.

These principles are best served by a transparent, participatory zoning process, and I am proud of Durham's current process. Evidence of our success is the enormous numbers of Durham residents who often get involved in zoning cases and follow them all the way through to the City Council. We have excellent notification practices, generally good guidance for inquiring residents by our Planning staff, and robust public hearings.

In addition to zoning, we approve other planning regulations which affect Durham's quality of life. I make these decisions with the values above in mind. So our development ordinances should encourage the preservation of our tree canopy, adequately buffer our streams and reservoirs, require developer compliance with bike, trail and transit plans, effectively regulate stormwater runoff, encourage green building and infrastructure, value preservation of significant historic sites, require significant tree-save on new developments, and require appropriate buffering when new developments are built.

8. Do you support the \$95 Million Housing Bond and the city's Five-Year Affordable Housing Plan? Why or why not? *Please limit your answer to 400 words.*

Yes! The passage of this bond is critically important. The bond is based on an extraordinary five-year affordable housing plan developed by City staff and the community. The entire plan costs about \$157 million, and the \$95 million bond is needed along with current local and federal resources to fund it.

Why do we need this? Every single day I hear from people who simply can't afford their rent. Our homeless advocates tell me they can't find places for their clients any more. How can the city we love be a city for all if many low-income people, predominantly people of color, can no longer afford to live in the neighborhoods they have lived in for years, even decades?

So we face two possible futures, and we get to choose between them. One future is to continue doing all the good work on affordable housing that we are doing now, to know that it is not even remotely enough, and to watch as our city slips away, becoming even less affordable and less diverse.

But there is another possible future, and that is the future in which we choose to fight back. Passing the \$95 Affordable Housing Bond is a bold step towards making our city affordable for everyone. The five-year housing plan is detailed, and there is not room to detail it here. Suffice it to say that with passage of the bond, we will affordably house thousands and thousands of people:

We will support the creation of more than 1,800 new affordable rental units, with the great majority of them downtown.

We will support the preservation of more than 800 affordable rental units, most of them downtown.

We will move at least 1,700 homeless households into permanent housing.

We will create at least 190 home ownership opportunities for low-income families.

We will stabilize more than 2,000 low-income renters in their homes through eviction diversion, emergency rental assistance, property tax assistance and repairs.

We will act on a scale that few, if any, other cities in this country are doing, certainly no other cities of our size. We will create an inclusive, racially diverse,

affordable central city in Durham, the impossible dream for growing American cities.

We will choose the future that is worthy of a city that wants to live up to its claim to be a progressive beacon for the South and the nation.

9. Would you vote to approve a rezoning that does not include commitments to meet the City's affordable housing goal? If yes, how would you ensure that the city meets its goal? *Please limit your answer to 400 words*

Because North Carolina law prohibits inclusionary zoning, we are not allowed to require the inclusion of affordable units when a developer comes to the Council for a rezoning. So we have not had a "stick" to require affordable units from developers, and we haven't had much of a "carrot" either. That is, the tools that the City has had to incentivize developers to include affordable units have been minimal and ineffective. We now have a new, very aggressive density bonus to offer developers in exchange for affordable housing, and we will soon see if that can work.

Meanwhile, I and all of my colleagues frequently vote for rezonings that do not include any housing that is affordable to low-income people. If we did not approve these rezonings, we would drastically restrict the production of housing in Durham, thus driving the prices of existing housing sky high. With all the people moving to Durham, we must increase our housing supply or we will speed the forces of gentrification.

But our lack of inclusionary zoning powers means we can't count on developers to meet our affordable housing needs. And we certainly can't count on the state legislature or the federal government to do it. That's why we have to pass the Affordable Housing Bond. Durham has to take its future into our own hands by passing the bond and striking back against the market forces, the funding failures of the federal government, and the restrictions mandated by state legislation. If we want to meet our affordable housing goals, we need to do it ourselves. That is why the Affordable Housing Bond is so critical to our future.

10. How should Durham's Unified Development Ordinance define a "single-family dwelling?" *Please limit your answer to 200 words*

Here is the current UDO definition of a single-family dwelling: "*Single-Family*: A residential use consisting of one dwelling unit per lot of record. As described in Sec. 7.1, Housing Types, includes: single-family detached house; zero lot line house; traditional house; patio house; or semi-attached house. Not to include manufactured housing."

As far as I know, this definition is adequate, and I have not to date heard any complaints about it or suggestions for its revision. I know that Expanding Housing Choices does not change the definition of a single-family dwelling in the UDO.

If there are people who have suggestions about how to revise this definition, I am happy to listen to those suggestions and take them seriously.

11. What non-traditional funding schemes (such as public banking, community investment trusts, community development venture capital) have you been exploring for the City of Durham to implement that can bolster our fight against economic inequality in our community? *Please limit your answer to 400 words*

We have not just been exploring such innovative community development funding. I am proud that we have this year implemented the first of these innovative funds—Durham’s Affordable Housing Loan Fund. I called for the establishment of such a Fund in my 2018 State of the City address, and I am thrilled that it has become a reality. The purpose of the fund is to allow Durham’s affordable housing developers to compete in the market against for-profit developers, to be able to move quickly when naturally occurring affordable housing becomes available for purchase.

The Fund, which just closed on its funding investments this spring, totals \$10 million. The “top loss,” or risk capital, has been provided by the City of Durham with our \$2 million investment. The North Carolina Community Development Initiative has provided \$2 million, and Duke University and SunTrust Bank have each provided \$3 million at no- or very-low interest for a ten-year period.

Self-Help and the Initiative are the Fund managers. They will pre-qualify affordable housing developers so that these developers can move quickly to obtain a loan from the fund so that they can act in the market when properties go up for sale. Most of the Fund will go towards the purchase of multi-family properties, but groups like Habitat can also apply for single-family properties.

This Fund can only go towards projects that will be kept permanently affordable by the purchaser.

The loans from the Fund will be for five years. This will allow the affordable housing developers to hold the properties long enough to develop a subsidy plan to keep the properties permanently affordable.

The Affordable Housing Bond, when it passes, will provide another \$1.5 million of City funds for the Fund which will leverage more private funds and raise the Fund total to at least \$15 million.

I am expecting the first loans from the Fund to occur soon.

When I first became Mayor, I asked Dr. Phail Wynn, vice-president of Duke University at the time, to take the leadership on developing this Fund. With the help of City staff, Self-Help and others, Dr. Wynn led the successful fundraising for this Fund before his tragic death. He left an incredible legacy.

Our next innovative community development fund needs to be a debt and equity fund to support minority businesses. For more on that, see Question 5 above.

12. What planning policy goals and priorities do you wish to see from the upcoming review and revision of Durham's Comprehensive Plan? *Please limit your answer to 400 words*

In Question 7 above, concerning zoning, planning and growth, I enumerated the principles that are important as we plan and as we consider individual zoning cases. These are the same principles that I believe should be central as we revise our Comprehensive Plan. We must create a Comp Plan that will (1) protect our critical drinking water resources and dwindling open space, (2) provide for sufficient industrial and commercial zones to encourage job creation, (3) discourage sprawl while encouraging density around the eventual transit corridors, (4) protect residential neighborhoods from commercial encroachment, (5) accommodate housing at a variety of price points for the onslaught of new residents, (6) ensure orderly transition from residential neighborhoods to commercial and industrial uses, (7) interlock with our transportation plans to encourage walkable, bike-able neighborhoods and mass transit, (8) incentivize mixed use, mixed income development around transit stations, (9) create form-based compact design districts which require that developers pay attention to how property relates to the public realm, (10) ensure that each design district has its own unique set of characteristics that meets the area's particular needs, (11) protect significant historic and cultural sites, (12) give developers, residents and everyone reliable expectations about the dependability of the Future Land Use Map, (13) incentivize the creation and preservation of affordable housing, (14) be nimble enough to accommodate necessary changes such as tiny houses on non-conforming lots, (15) require

adequate infrastructure before a rezoning, and, (16) in general, provide for the orderly, sustainable growth of our community.

I am particularly pleased that the Planning Department, as part of the Comp Plan review, will be leading our local effort to plan for regional transit. It is critically important as we develop a new transit plan that that plan be integrated with our land use planning.

In addition, I am pleased that the Council allocated \$250,000 for robust community outreach in the process of revising the Comprehensive Plan. This outreach will be critical to creating a plan that is truly representative of the needs and desires of our whole community, including voices that are often left out of the planning process.

13. Why do you believe that the recent light rail project failed in Durham? Where do we go from here?  
*Please limit your answer to 400 words.*

I gave my heart and soul to the light rail project. It was painful not only to see this mammoth effort fail, but also to surrender the \$1.45 billion in federal and state funds that were at our fingertips.

Immediately, however, our new job became clear: We need a beautiful Phoenix to rise from the ashes of the light rail.

The light rail failed for several reasons. The state legislature twice defunded the project and then hobbled it with artificially tight deadlines. The North Carolina Railroad and Duke University placed difficult constraints on the project and finally refused to sign necessary cooperative agreements.

But that is ancient history now, and we need to move forward together as a region. It is important that we not make any major new decisions without broad community discussion, and the City/County Planning Department (see above) is going to lead that process.

There are some things that we know now:

- We need to continue to improve our local bus system which has 20,000 daily boardings. We need shorter headways, more routes, and more bus shelters. We made the bus service free this past year for all youth through 18, and we need to continue to add free service categories and keep the system affordable for all. I am proud that the average bus fare now is about 30 cents per rider.

- GoTriangle is in the process of studying the Commuter Rail project from Durham to Raleigh with an eye towards submittal into the federal funding process early next year. Durham voters supported this project as the centerpiece of the 2011 sales tax referendum. We need community discussion of this over the next several months, and we need early cooperation from key stakeholders to avoid another debacle.
- We need a new plan for connecting Durham and Orange Counties. This could involve bus rapid-transit, rail, and new technologies. We need the Metropolitan Planning Organization, which is made up of elected representatives of both counties, to begin this planning soon.
- All along the way, we need constant cooperation among key stakeholders like the NC Railroad, Duke University, GoTriangle and others.

There is broad agreement that we need effective, affordable regional transit in the Triangle so we can keep our wonderful quality of life, provide access to good jobs, and protect our environment. This is imperative.

14. What if anything, should the city do to distribute the property tax burden with greater equity and fairness? *Please limit your answer to 400 words.*

Since state law prohibits differential property tax rates, we need a “Durham solution” to make our property taxes more progressive. The challenge we face is that gentrification is causing property values to rise dramatically in neighborhoods where many long-term low-income homeowners reside. This increase is driving up property taxes and in some cases threatening these homeowners’ ability to stay in their homes. For disabled or elderly low-income homeowners, there is a state circuit-breaker program that gives them property tax relief. But for homeowners who are not elderly or disabled, there is no state relief.

The City of Durham is in our third year of a pilot project to give grants to long-term low-income homeowners in three neighborhoods who do not qualify for state relief. These grants are equal to the difference between the homeowners’ property taxes at the last revaluation and their taxes now. This program has had limited uptake by residents for several reasons including lack of County participation and administrative effort needed on the part of both homeowners and City staff.

This pilot, however, points the way to a potential solution that would reduce bureaucratic hassle and more than double the homeowners’ property tax relief. It would require the cooperation of Durham County whose taxes are about 60

percent of property tax bills. I am in discussions with County leaders now about County involvement during the next budget cycle.

Here are the potential outlines of a new program: It would be a countywide circuit-breaker. Low-income homeowners who have been in their homes for at least five years and do not qualify for state relief would be eligible. Rather than the complication of calculating property tax increases from one valuation to the next, eligible homeowners would pay no more than 3% of their incomes in property taxes. County and City taxes alike would be included in the relief program. And the application process would be simplified with applicants certifying their income with the County tax office like people applying for the state relief program do now. Homeowners or their heirs would be required to repay the last three years of deferred taxes if the owner dies, transfers the property, or ceases to use the property as a permanent residence.

This idea requires significant staff and community vetting. But I believe it could offer a workable way for hundreds of long-term low-income homeowners to stay in their homes.

## **Policing**

15. Is there a trust problem between the people of Durham and the police department? Are you satisfied with the department's leadership and responses to issues of use of force, racial profiling, deployment of personnel, searches, and communication with the public? *Please limit your answer to 400 words.*

Yes, despite our best efforts and the superb leadership of Chief Davis, there is still a trust problem between the people of Durham and the police department, and it is critically important that this trust be restored.

In addition to the remedies I cite below in Question 18, I support the significant trust-building reforms instituted by Chief Davis. These include (1) the appointment of liaison officers to the Northeast Central Durham community, the LGBTQ+ community, and the Hispanic community—all of whom have been very well received; (2) racial equity training, de-escalation training and crisis intervention training for all officers; (3) the expectation that drug possession and other small offenses by people up to 26 will be referred to Durham's Misdemeanor Diversion Court rather than criminalized; (4) the Chief's decision to cease traffic checkpoints which have created significant problems for Durham's immigrant population; (5) the Chief's decision to open up the U-Visa process for undocumented immigrants who help to solve crimes;

(6) the patient, non-confrontational way the department now deals with demonstrations.

I continue to believe that the City's deployment of body cameras can be trust-building, but the verdict is still out. While the legislature has undermined the privacy and transparency features of our own local body camera ordinance, I believe that body cameras improve behavior on both sides of the camera if—and only if—cameras are turned on at all appropriate times, without exception, and residents interacting with police know that the cameras are on.

Finally, I want to emphasize that this trust problem is a two-way problem. That is, as our survey of the police department shows, officers overwhelmingly feel that they do not have the support of the City Council and City management. If we are to successfully reform the culture of our police department to win the trust of the community, the council must simultaneously work to win the trust of police officers. No policing reforms we mandate will take hold in the field without the rank-and-file police officers feeling that they are valued for their dangerous and difficult work. We must hire the best officers, pay and train them well, hold them accountable to very high standards of behavior, and let them know that we value their work.

16. To what degree, if any, should the city cooperate with U.S. Department of Homeland Security: Immigration & Customs Enforcement and Homeland Security Investigations? What should the relationship be between local government and federal agencies such as ICE, DEA, and the US Marshals? *Please limit your answer to 400 words.*

Durham is and should continue to proclaim itself to be a welcoming city to all people, regardless of immigration or refugee status, and we must do everything within our limited power to protect our neighbors.

This includes continuing the current position of our police department that it will not do the enforcement work of ICE. It includes Chief Davis' decision to cease traffic checkpoints that were ensnaring immigrants in significant difficulty. It includes her opening up of the U-Visa process, which I have been advocating since I first got on the City Council. And it includes the City's endorsement and police recognition of the Faith ID provided by El Centro Hispano to undocumented immigrants who are not able to get a driver's license.

It also includes my vocal support for Sheriff Birkhead's decision not to honor ICE detainer requests in the Durham jail.

On council, I have been proud to stand with our undocumented neighbors. I have introduced council resolutions welcoming unaccompanied minors fleeing violence in their own countries and offering City support to El Centro Hispano for the issuance of the Faith ID. I have visited undocumented men in sanctuary in local churches, and I have invited their families and church members to my State of the City Address to recognize and support them. I have marched often in support of “Dreamers” and local youth facing deportation. I will continue to do so.

17. Should the city allocate more, less, or about the same money to policing? Please explain your answer. If your answer is less, would you allocate more money to other services to improve public safety? Again, please explain. *Please limit your answer to 400 words.*

I strongly support Chief C.J. Davis’ emphasis on community outreach, racial equity and building trust. I support her efforts to battle violent crime as well. Every two days someone is shot in Durham, mostly resulting in terrible wounds and sometimes in death. Communities that experience this violence want fast, effective police response. I will continue to work towards a police force that effectively fights violent crime while actively seeking to build the trust of our entire community.

During this year’s budget deliberations, Chief Davis requested 18 new patrol officers. I proposed a compromise that would have added nine patrol officers to our force and still kept us within our budget guidelines. Although I respect the council majority’s reasoning, I felt it was important to support Chief Davis in this regard. Chief Davis has brought us tremendous, effective reform. She brought us real enforcement of the council’s written-consent-to-search policy. Our traffic stops are down by two-thirds (which is an incredible number). Our searches of cars are down by two-thirds. Our drug arrests are down by 50 percent. Chief Davis has required that small misdemeanors, especially drug possession, be mandatorily referred to our Misdemeanor Diversion Court pre-arrest. She has appointed representatives to marginalized communities. The LGBTQ police liaison has established safe spaces in businesses all over town. Chief Davis has expanded the U-Visa program which has opened the way to visas for many undocumented Durham residents. I could go on and on. These are effective, important reforms. So when Chief Davis asked us for more officers and made a strong case against our current practice of filling patrols out through overtime hours, I felt it important to support her. I continue to believe that was the right decision.

At the same time, our budget funds many other things that broadly contribute to public safety, notably job training, economic development efforts, affordable housing, and an enormous and wide-ranging parks and recreation program.

In addition, I support serious study of non-policing responses to violence to see what is working around the nation. I believe we need first responses to some 911 calls that are from social workers or mental health counselors rather than police officers. I believe in the “violence interrupter” model of Bull City United, and I think we can and must do much more in this regard. I’m looking forward to working with our residents to explore these ideas.

## **Civil Rights**

18. Name one issue in Durham that directly impacts, or is directly impacted by, race inequity, and explain how the city can incorporate a race equity framework in addressing this issue? *Please limit your answer to 400 words.*

Anyone who attends even a handful of council meetings will know that racial equity is at the top of the council’s agenda. The City has instituted racial equity training across City government, with hundreds of employees, including all top managers, having attended REI training. Now the City has created our new Department of Equity and Inclusion to promote and monitor racial and gender equity across the organization.

One issue to which we especially apply a racial equity lens is policing. Durham unquestionably has a history of racial profiling by the police. To take one clear example, four years ago the police department commissioned a “veil of darkness” study by RTI which showed that white and black drivers were stopped at approximately equal ratios after sunset; but before sunset, black drivers were significantly more likely to be stopped. The good news is this: RTI replicated the “veil of darkness” study this past year, and the disparity between stops of white and black drivers had disappeared. Focused attention on racial equity and training of officers can make a difference.

In order to apply a race equity framework to policing, the City has taken the following actions:

- (1) Collecting and regularly reporting data about traffic stops and searches to the council for public scrutiny;
- (2) Assertively recruiting African-American and Latinx officers to serve on the Durham police force, including in the top ranks;
- (3) Training every new recruit in racial equity, de-escalation and procedural justice—and training every veteran officer in racial equity as well;
- (4) Requiring, by City Council direction, written consent to any consent search, putting Durham in the national forefront of progressive policies on consent searches. Total searches of cars have fallen by half - which means hundreds of people, mostly African-American and

Latinx, are being spared jail and criminal records for minor violations that might result from a search.

So we are making progress, but there is so much more to do. African-Americans whose cars are stopped still endure a higher ratio of searches than whites. Several young black men have died at the hands of Durham police in recent years. In two of the cases, it is clear to me that these men—each depressed and calling out for help—did not have to die. We need more crisis intervention training, and more patience, in these situations so this will never happen again. Black Lives Matter.

19. If the city could adopt an ordinance concerning the civil rights of members of the LGBTQ community, what provisions should that ordinance contain? *Please limit your answer to 400 words.*

This issue is of paramount importance to me and to our community. When the state legislature seeks to diminish the rights of LGBTQ+ people, we must stand as a united community to vigorously defend those rights. Here is my record:

- During the battle for marriage equality, I and my wife Lao Rubert held a fundraiser at our home in opposition to Amendment One. More than 200 people attended and contributed over \$20,000 to organizations fighting Amendment One.
- I introduced a resolution for the City Council to defend marriage equality by opposing Amendment One.
- Nearly thirty years before marriage equality was affirmed by the Supreme Court, I wrote what I believe was North Carolina's first "wedding announcement" for a same-sex couple and published it prominently in my newspaper, *The Independent*.
- *At The Independent*, we crusaded for LGBTQ rights over three decades beginning in the early years of the AIDS epidemic.

An ordinance guaranteeing the civil rights of LGBTQ+ people would recognize that all citizens, in the words of EqualityNC, are "deserving of equal treatment under the law, access to the same opportunities and subject to the same responsibilities, regardless of their age, race, nationality, immigration status, ability, gender, socioeconomic status, sexual orientation, gender identity or expression, or other inherent characteristics."

Such an ordinance would (1) prohibit employment discrimination against LGBTQ+ people, (2) prohibit public accommodations from denying service to LGBTQ+ people, (3) guarantee the rights of transgender people to use the restroom of their choice, (4) deny the ability of local magistrates and registers of deeds to refuse to marry LGBTQ+ couples, (5) provide for City endorsement of a

local ID card, much like the local Faith ID for undocumented immigrants, that would be available to transgender residents and would allow them to update any changes in their name and gender.

Most of these potential ordinance provisions are against the law in North Carolina. It is necessary that we change the membership of our legislature before we can guarantee these rights.

Finally, we must defend and embrace the liberation of our LGBTQ+ friends and neighbors that goes far beyond the essential but narrow guarantees of rights. We must nourish the strength of LGBTQ+ institutions and support a flourishing LGBTQ+ culture. We must make it breathtakingly clear to the people of Durham, to North Carolina and to the world that in Durham, all love is beautiful. In Durham, LOVE WINS.

20. What can the city do to enhance its capacity to facilitate the reintegration of justice-involved individuals into our community, including removing barriers and providing economic opportunities for justice-involved individuals? *Please limit your answer to 400 words.*

I am incredibly proud of the work that City staff has done to make Durham a city of second chances. We need to continue and strengthen this work.

The Durham Expunction and Restoration Program (DEAR) is a collaboration of many organizations led by the City's Innovation Team to remove barriers to employment and housing for individuals who are justice involved.

One such barrier is a suspended driver's license. Over 50,000 of our neighbors have suspended licenses – most for minor traffic violations not involving DWIs. Over 100,000 of our neighbors – 80 percent of them people of color -- have a charge or conviction on their criminal record eligible for expungement that still shows up on background checks whenever they apply for a job. There are over 11,000 people in Durham with a suspended license due to unpaid traffic tickets that are, on average, 16 years old. That is not and cannot be justice.

Now, through DEAR, anyone can visit our courthouse Monday through Friday and meet with a free attorney to expunge criminal charges or restore driving privileges.

As a result of DEAR, over 50,000 old traffic charges dating back to the 1980s but still leading to driver's license suspensions have been dismissed for

35,000 people. In addition to getting these charges dismissed, the program is working now to waive fines and fees for 15,000 old traffic tickets that are on average 16 years old. This is transformative change for thousands of our neighbors. In the coming months, the program will work to achieve this same kind of success with expungement.

As part of another new program, Welcome Home, I now write welcoming letters to each of our residents returning from prison as part of the program developed by our Innovation Team in partnership with Durham's Local Reentry Council. Since November, the program has welcomed 70 people back to Durham with care packages that include food, clothing and bus passes. We have also hired two peer support specialists who have lived experience of reentry and who work one-on-one with our returning residents to provide a trusted source of support.

In another effort to give people a second chance, the City is piloting a transitional jobs program. These ten jobs are specifically intended for returning residents and are designed to build job readiness while providing employment and wrap-around services. This program will serve as a model for other employers to follow.

### **Personal**

21. Have you ever been convicted of a criminal offense? If your answer to this question is yes, please describe the charge or charges, the circumstances, and the outcome. *Please limit your answer to 200 words.*

I have twice been charged with misdemeanors as a result of civil disobedience. The first time was in the 1970s when I was charged with misdemeanor trespassing in an anti-nuclear demonstration, and I was convicted and served eight days in the Wake County Jail. The second time was during the Moral Monday demonstrations of 2013 during which I was arrested for charges related to failing to depart the General Assembly building when asked. I chose to do community service hours in exchange for the charges being dropped.

**Thank you for completing this questionnaire. Please do not forget to send us your resume or a brief biographical statement.**