

## **PUBLIC SAFETY COMMITTEE**

January 21, 2020

A meeting of the Public Safety Committee was held this date beginning at 4:34 p.m., at 80 Broad Street, City Hall, First Floor Conference Room

Notice of this meeting was sent to all local news media.

### **PRESENT**

Councilmember Shahid, Chair, Councilmember Seekings, Councilmember Sakran, Councilmember Shealy and Mayor Tecklenburg (arrived at 4:38) **Staff:** Chief Curia, Chief Reynolds, Steve Ruemelin, and Bethany Whitaker, Council Secretary

The meeting was opened with a moment of silence provided by Councilmember Shealy.

### **Approval of Minutes**

On a motion of Councilmember Seekings, seconded by Councilmember Shealy, the Committee voted unanimously to approve the minutes of the January 14, 2020 meeting.

### **Good Deed Award Program between the City of Charleston Police Department and The Citadel Athletic Department**

Mr. Ruemelin stated that this was presented to him by Captain Thompson. He had been approached by The Citadel about this and they looked it up. There would be a committee comprised of a few people from the Police Department, and some members from The Citadel, to pick a citizen for an award that would be presented at the half time of The Citadel basketball games. The schedule was in the materials submitted. It would be signed by the Chief and there would be a representative from the police department at the game for a photo opportunity. They would be looking at any form of selfless acts such as donating time, money, or in-kind to an organization or non-profit, an act of valor such as CPR, first aid, or rescue from peril, or serving as an inspirational role model to the community.

Councilmember Shealy asked what the date was. Mr. Ruemelin stated that the first one was coming up on February 16<sup>th</sup>, and there was one a month in March, April, and May. Chief Reynolds stated that he thought the last one would be at a baseball game. Mr. Ruemelin stated that the only concern he had, which they could address, was if there was someone that the City didn't necessarily endorse, that they wanted to have a way to have a veto power over that. Chairman Shahid said that there was a possibility of a tie. Mr. Ruemelin said that there was an additional person from The Citadel that could be appointed.

Chairman Shahid asked if they needed to vote and Mr. Ruemelin said they were just looking for the Committee and Council's blessing before they went ahead. Chairman Shahid asked who the point person would be from the Police Department. Chief Reynolds said that it would probably be Captain Thompson.

Mayor Tecklenburg arrived at 4:38 p.m.

**An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days.**

Mr. Ruemelin said currently, for a first offense, it was a \$25 fine. For all subsequent offenses, it was a \$50 fine. That had been effective to some degree, however there were some people that had gone beyond that and didn't pay the fines or show up to court. So, they had looked at the possibility of adding a trespass provision to the ordinance that would provide that if a person committed a third or subsequent violation, they could be prohibited from returning to the streets that were outlined in the ordinance for a period of 60 days. If they did return, they would be charged with trespassing.

Chairman Shahid asked if they were on the sidewalk, which was a public right-of-way, could they be charged with trespassing on the right-of-way. Mr. Ruemelin said they could, if they had been convicted of the third violation. Chairman Shahid said it was a public right-of-way. Councilmember Seekings said they had an ordinance in place that allowed for no sitting or lying on the sidewalk and he assumed this would be a third violation of that ordinance. He asked if that passed constitutional muster. Mr. Ruemelin said he believed it did. It wouldn't be a life-time ban. He had spoken with Ms. Herdina about it and they limited it to the sixty days. They had a similar ordinance, the trespassing from public property, such as Marion Square. If someone broke a rule of the park or the City, they charged with trespassing. This mirrored that ordinance.

Councilmember Sakran asked what the reason was for this getting amended and if there had been an incident. Mr. Ruemelin said that it was his understanding, from certain King Street vendors and businesses, that there were some repeat offenders that didn't get the message when they received a citation from this. This would give the ordinance a little more teeth. There weren't a lot of people that were repeat offenders, just a very few. When they originally passed this, they heard from the officers that it had been effective. Councilmember Sakran asked if there was an age limit for the infractions or for those that were guilty of this. He sat on the Mayor's Commission and had heard about the kids selling the roses and the discussion that a lot of the businesses brought up, that there were a lot that weren't registered with the City. He asked what would happen for juveniles. Mr. Ruemelin said this would be like any other criminal violation and they would go into juvenile court.

Mayor Tecklenburg said he liked the concept of adding this. It reminded him of a conversation with Chief Reynolds recently about all the drug arrests on the Eastside. The Chief had been talking with the Solicitor about having a prohibition of those who were arrested from being able to come back to the Eastside. He thought the same thing applied in the King Street and main shopping districts, that there were some bad apples that ruined the whole batch. They were repeat offenders and causing inconvenience. He asked if they could make other violations, or offenses, part of the three strikes. If someone received one citation for sitting on the sidewalk, and then another for minor assault, or other offense, within the same area, both of those offenses should count for the three strikes, and not just a

repetitive sit and lie offense. Mr. Ruemelin said his first reaction to that was that they probably could do that. He would have to do a little more research on it, and they would probably want a completely separate ordinance that would have all the different violations that would count as strikes. Mr. Ruemelin said the court did have the ability to do that. In cases where someone was a habitual problem, as part of the sentence they would tell someone to stay out of an area and not return. Mayor Tecklenburg said his other thought was, if they couldn't do that, they could reducing it to two strikes. He had a sense, that even for repeat offenders, that catching them three times was a pretty high bar. Chief Reynolds said that they did have to find a balance, but it was logical and made sense. He said there were a small number of offenders that were disproportionately creating a lot of the problems. They needed to focus on those, and this was a strategy that would help them do that. They needed to coordinate with the judges to make sure they understood what they were doing and why, so that they had outcomes that would help the City stay safe. Chairman Shahid asked if anyone that had been convicted had not paid their fine. Mr. Ruemelin said he didn't know for a fact, but he could almost guarantee that was the case.

On the motion of Councilmember Seekings, seconded by Councilmember Shealy, the Committee voted unanimously to approve the above item.

**An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against the watercraft and that the City may bring an action to recover these costs from the owner.**

Mr. Ruemelin stated that Ms. Herdina came to him asking if they could amend the ordinance to provide that if the City had to remove someone's abandoned vessel, it would clarify in the ordinance that that person would be responsible for the cost of doing so. They would have lien against the property. They would also have the right to bring an action to recover the cost associated with removal. It was very costly to remove those vessels. Chairman Shahid said that for vessels, the last lien would take priority, which was different than something like a mortgage. He said that was a potent consideration for someone if they wanted their boat back, as long as the law hadn't changed.

Mayor Tecklenburg asked if they had put a little money in the budget for boat removal. Chief Reynolds said he believed so. They had extensive conversations about it. Mayor Tecklenburg said that the point of that was to respond more quickly, even though they still had to give proper notice.

On the motion of Mayor Tecklenburg, seconded by Councilmember Seekings, the Committee voted unanimously to approve the above item.

Having no further business, the Committee adjourned at 4:56 p.m.

Bethany Whitaker  
Council Secretary