

Charleston Citizen Police Advisory Council

January 30, 2020

A meeting of the Charleston Citizen Police Advisory Council was held this date beginning at 5:36 p.m., at Burke High School Auditorium, 244 President Street.

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

PRESENT

Thuane Fielding, Chair, Ryan Davis, Max Milliken, and Doris Grant **Also Present:** Chief Reynolds, Steve Ruemelin, Lt. Kristy McFadden, Captain Chito Walker, Captain Dustin Thompson, Lieutenant Cretella

Call to Order/ Welcome

The meeting was called to order. Ms. Fielding stated that they didn't have a quorum present, so there were a few things on the agenda they would not be able to discuss/take action. They were also going under a restructuring with some changes in their Council. They would not be able to review and approve the guidelines or elect the 2020 Chairperson. They also wouldn't be able to go into executive session, or approve the minutes. Ms. Fielding stated that currently a quorum for them was seven people. If the membership increased to the full 21, the quorum would be increased to 11.

Mr. Fielding said that one change to the guidelines was that the membership was increasing from 18 to 21 because there would be one more senior, and also the Advisory Council would choose two people as well. The second change was under officers and responsibilities and was that the Chairperson would be voted on every January by the other members, as opposed to being appointed.

Review of FOIA

Mr. Ruemelin stated that he wanted to give a quick summary of their FOIA law. He could also send others more detail. He wanted to make them aware that they were a public body and committee of the City. The meetings were public meetings, and a quorum had to be present no matter if they were meeting in person, by telephone or by computer. The meetings had to be noticed to the public and the public had the right to attend those. They couldn't get together at someone's house or on a conference call without noticing it. They had to give notice of meetings at least 24 hour in advance and they were supposed to post a regular meeting schedule at the beginning of the year. They needed to decide how often they wanted to meet. They would post the meetings much further in advance than 24 hours. The meetings would be posted online and at City Hall. The minutes were also public record and they had minutes from all the previous meetings. They hadn't been posted because they hadn't been able to vote to approve them. Under certain circumstances, a public body could go into executive session. By nature of this Council, they wouldn't typically have to do that. It would be very rare. If they had any questions about the procedure, they could ask him.

Ms. Fielding said that they did previously discuss a meeting frequency. Mr. Ruemelin said that the guidelines said that the meetings would be bi-monthly or more frequently as needed. Ms. Fielding asked if that was okay with everyone. The other members of the Council said that was fine. Ms. Fielding said they could set the next meeting. It would be on Thursday, March 19th. The location would be coordinated with the Police Department.

Public Comments Period

Jerry Harris asked when the meeting dates were. Ms. Whitaker called out the meeting dates for Mr. Harris. Mr. Harris asked if they had met since the June meeting. Ms. Fielding said they had not.

Arthur Lawrence stated that he wanted to say thank you for the work that they were doing for the City and for the Police Department. They could see the effort that everyone was putting out to bring people together and correct some issues. In the Westside neighborhood, they had been working with the Chief and Police Department on some issues. They had a meeting and they could see the changes from everyone working together. Everyone was doing a fantastic job, and they needed to continue to support the Police Department.

Tamika Gadsden stated that she had a few questions regarding the findings of the audit. Specifically, she wanted to know about the use of force stats. The Post & Courier had reported that there was insufficient statistical analysis for use of force. She wanted to know what the Police Department was doing to correct that, especially when it came to minors, in schools, and communities. There were a number of insufficiently reported areas in the audit. She wanted to know if there were any measures in place to address video retention. She wasn't clear on that. She also wanted to know more about civilian oversight. She knew that there was some funding going to area partners and the Illumination Project. She wanted to know if there was any effort or funding to create a civilian oversight committee. She could recommend non-profits that could help them.

Racial Bias Audit Updates

- Overall updates

Chief Reynolds said thank you to everyone for being there. He would try to address some of the comments and concerns just shared. He was going to give a brief overview of the some of the findings of the audit. They had a lot of meetings in the public, meetings with officers, and with constituents. There had been a lot of engagement and discussion. They had a report that had 48 findings and a large number of recommendations. They were embracing all of them and intended to adopt all of them. There had been a draft in the public for about 30 days and this was the final version. Every single one of the recommendations/findings had been assigned to someone in Command. Some of them they had been able to complete fairly quickly and others would take years to implement. If they did it right, they would always be auditing themselves. They wanted to constantly identify areas that they could improve and constantly ask questions different ways. That way, they were always accountable and had practices supported by evidence that what they were doing made sense. In the budget this year, they requested and received funding for a variety of positions. That was important because someone had to own the additional workload of the recommendations of the audit. They needed officers to focus on what was going on in the communities. In addition to the people they had, they had a director level, non-sworn position. It was a fairly high level position that would report directly to him. That position had been announced and they were in the process of filling it. That person would have the responsibility for the audit. They would work with everyone to complete the recommendations and do research to look at practices for areas they could improve. A second position was an audit position so that, in whatever they were doing, they were constantly auditing. They also placed a sergeant in their Academy that was focused on leadership development. He was passionate about that. If there was a team that was highly

functioning and good at their jobs, there was probably a great leader there. Developing leaders was something that the audit had pointed out. They didn't currently have relationship with other private organizations, but they intended on having those in the future. They knew there were organizations that they could benefit from. If they were smart, they would reach out to them and forge partnerships. Another budget item was the Illumination Project increasing its dollar amount from \$25,000 to \$50,000. That would help them do more outreach in the community and would help them facilitate the engagement they had throughout the City. The last budget item was \$100,000 to help with expertise in areas like data analytics. To accomplish meaningful change, it would take expertise of some outside influence.

Chief Reynolds continued and said that the Command had met twice to talk about their priorities and put them in writing. They were trying to codify a five year strategic plan. Included in that plan would be all of the findings and recommendations of the audit. It would also include what the Illumination Project would be moving forward. This would be a guiding document for what they did. He wanted to touch on a few comments made during the public comment period. They had highlighted some things that the audit had pointed out. For the use of force statistics, they had software that they had since upgraded. They had analytics now that would help them capture what they needed to. The audit had said that they didn't have the sufficient data to have the conversation around race in many areas. For the use of force, he would say it was on the easier end of the continuum to discuss because it was a small number of events and officers. It wasn't something that happened frequently in the day to day operations, compared to things like traffic stops, arrests, and dispositions of field contacts. They had a lot of different databases that were completely separate. Most communities in the Country were struggling with this same problem, but some had made a lot of progress. They were going to learn from those communities and honestly assess that they weren't where they needed to be. They had a lot of work to do and it would take some time. The other analytics that were super important such as disproportionality and bias would take more time to get to where they needed to be. Another thing they talked about was video retention. They had, at one point, a 14 day automatic deletion, which was very low. They had an unfortunate incident in the City and he had immediately changed that retention to 180 days. That was the very least. For more serious cases, the retention was much longer. They were actually looking at making the minimum 410 days. They were still working on that. They believed they should have a longer automatic retention period. They loved when people voiced their concerns and wanted more partners in the community. They didn't want to surround themselves with people who agreed with everything they were doing.

- Traffic Stops, including Field Contacts

Lieutenant Kristy McFadden stated that she took over the traffic unit in July. They had made a few changes and were trying to move forward. They had moved to a research-based, data driven strategy regarding traffic stops. The overall goal was still to reduce collisions, save lives, and combat impaired driving. With the data, they used it to identify the problem areas and public safety concerns with motorists and impaired driving. They used the data to create the operational plan, as well, on a weekly and monthly basis. They tried to educate citizens and change behaviors that were causing a lot of traffic concerns in the City. As they moved forward, she would like to use some of the analysts to be able to

analyze the information from traffic stops and research they had obtained, in hopes that what they were doing would reduce collisions. They were also focused on building trust within the community and maintain the integrity within the unit. They had done some things within the unit to maintain and build on that integrity and build trust with the community. They had implemented an officer supervision program with the unit and they were tracking a lot of what they doing, where they were, how long they were there etc. They were constantly reviewing that. They had implemented some traffic stop procedures to promote safety and how they would handle the stops and engaging drivers. They were also monitoring all officers actions through body camera reviews and documenting that. They had done a lot of community engagement and would continue to educate citizens on traffic safety concerns and impaired/distracted driving issues in the City. They were putting out safety videos and presentations.

Ms. Fielding stated that at a previous meeting, some of the members had talked about the fact that some traffic stops occurred and no ticket was written. She asked how they were recording those stops when no ticket was written and it could be received as a harassment. Lieutenant McFadden stated that for every traffic stop in the State, individuals were supposed to receive either a citation or written warning. That was law and those were all recorded in the system. If someone had not received one of those, she urged them to contact the Police Department immediately so they could figure out why they hadn't received that. They would investigate further. Ms. Fielding said that the concern that many people had in the community was the fact that there was no apparent data of that kind of activity. She asked if when a car stopped, if headquarters was notified that an officer had stopped and the camera was off. Lieutenant McFadden stated that the policy was to utilize the cameras for everything and if the policy wasn't followed, the supervisor would launch an investigation. If the camera was turned off however, they didn't get notified.

Chief Reynolds stated that question was a good one. Years ago, there were no body cameras. Now, they were trying to find the balance with them. They had a good retention period and good policies and audits. They were trying to find that balance. They wanted officers to feel free to do their jobs because the community needed that. The balance was that the cameras were used. They had to have audits in place and have good policies and practices in place. They had to check up on those things. He would say that those things weren't as strong a year ago. Based on the audit, they were in a much better place today. Ms. Fielding said she asked that because the community needed to know what was happening. Mr. Davis asked if they were tracking demographics. Lieutenant McFadden said that it was tracked in the system and they were moving towards one database where they could pull all the information. Chief Reynolds said that the audit had pointed out that they had a lot of data, but it didn't help a lot when it wasn't in context. They didn't want to tell officers how to do their job. They wanted their officers to be able to be in different communities and keep them safe, but when they saw warnings like 'disproportionate numbers', it should be an ongoing discussion that was meaningful, so that they could have that feedback in real time. When it came to race and policing, it was very complex and there wasn't specific technology or data sets that could get them to where they needed to be. A big part of it was training and leadership. The big thing that was missing right now for data specifically was context. If they put data out that wasn't filtered, it would sometimes create more problems and confusion than if they never put it out.

- Use of Force, deadly and non-deadly
- The complaint process, internal and external
- Recruitment, hiring, promotions and personnel practices

Captain Walker stated that he had Lieutenant Cretella with him as well, who was the Commander for Internal Affairs. One of the first changes that they had made was completing the body-camera policy dealing with retention period and training. That was ongoing. The officers would be trained on February 6th and 7th on all the changes being made in regards to the cameras. The other change was an overhaul of the administrative investigative policy, which was also ongoing. The old policy consisted of over 26 pages, and they were trying to make it more concise. They were working on that with the legal attorneys. For the Internal Affairs office itself, they added an additional Sergeant to the office to help field complaints. That had helped out tremendously with the process. In the past, they were only looking at major complaints. As part of the audit, they changed the process, so they could now capture in field complaints. There was a new position for a Compliance Officer. That position would help ensure that they were compliant with all the policies and procedures they were doing in the office. New protocols were being implemented to document, and follow up on investigations and complaints. That was the supervisor intake complaint process. All internal affair personnel were required to take advanced training in investigations. They weren't required to do so in the past. They also changed the use of force recording process. One of the big things that the audit pointed out was that multiple officers were completing use of force forms, and it skewed the numbers. They corrected that, so they were making it a 'one officer for one incident' system.

Lieutenant Cretella stated that when it came to the office reporting use of force incidents, the baseline would be low this year. But, there would be an uptick in the next year. It didn't mean that use of force was being used more. It was just that every officer was doing the use of force forms. Prior to the change, if he and Captain Walker were involved in a use of force incident, it would be categorized under one memo. Now, they would both do a separate form, so there would be two 'use of force' numbers for one incident. Ms. Fielding asked how they were looking at the actual use of force. Lieutenant Cretella said that for every use of force, it went through a review stage. It would go to the supervisor, and then the Lieutenant would review it. It would then go to the Captain level and then the Internal Affairs office. It had a four stage review process. They also did spot check reviews and spot checks on body cameras to ensure that officers were complying. Captain Walker said everything was checked. Major complaints would go straight to the Internal Affairs office. Courtesy complaints would also go to the Internal Affairs office which was new. They were missing those complaints in the past. All of that was being recorded now.

Captain Walker stated that one of the big things that came out from the audit was underrepresented groups. Out of 35 new hires in 2019, 43% of those fell in the underrepresented group categories. That was something that they really focused on in 2019 and something that they were focusing on even prior to the audit pointing it out. Ms. Fielding said they had talked before about leadership development and she asked if that would include diversity training. Chief Reynolds said it would. Captain Walker said that they were also encouraging all executives to continue to educate themselves in leadership training. Ms. Fielding asked if diversity training was for everyone. Captain Walker said it was. Ms. Fielding said they

had asked in a previous meeting about the amount of that training. Diversity training was a sensitive issue and they couldn't just hit it once and not look at it again for another year. She asked if it had been revamped to include it more. Chief Reynolds said that one of the things he had been passionate about, state-wide, was to have a regional academy. He had spoken in Columbia about this. One of the things they learned was that in the entrance level program in Columbia, there was not a single hour on community policing. His argument was that diversity training was that important and it shouldn't be from a person in another location. It should be done locally, because they did a lot in Charleston that needed to be paid attention to. The training was wonderful, but when they came, they needed to know more about the City of Charleston. Some things covered in the diversity block they did were things like the Hanging Tree and what it was. They talked about things like Mother Emanuel, the Slave Trade in the City. They had actually been taking some groups of new officers to the Slave Museum and talking about why that was important and what the context of it was in the City. There were a lot of things for them to learn to be a good leader in Charleston. They had to be intentional about that and work hard on that piece because it made them better decision makers and problem solvers. They could better communicate with their residents when they understood the history and background. They couldn't learn that in a one, two, or three block. The trainers did a fantastic job, but he felt like localizing the training within the region would make them a lot more effective.

- Community Orientated Policing Practices

Captain Thompson stated that in the last quarter, they had met with the Chief and wanted to focus on the new recruits for training. In 2020, they wanted to expand to the rest of the department. The block instruction was eight hours for the new recruits. They would go to the Slave Museum and sit down and listen to the staff there. It also included a trip to a senior center on James Island to interact with them. There was a lot that went on during that block, but it was learning from the community that the community wanted to see officers walking in the community and wanted them to slow down. They also had a two day training in the last quarter for first line supervisors and a portion of that block was some of the same things. In 2020, they were really focusing on the bike program to get officers in the communities. They had about 6-8 prepared so far, and had just completed their first class in December where they got about 15 people certified. They would start with Team 1 on the Eastside and then eventually expand to other areas in the City. That was one of their top goals for 2020. One lesson that he had learned was that they had to listen to the community and problem solve. A big thing for him was the importance of communication. They heard early on that the citizen's didn't know what the Police were doing and vice versa. Since he had been in the position, that had been a big push. The first pilot project they had was with the Eastside, and he felt like the communication had improved. Some parts of the audit revealed a lack of familiarity with community officers and lack of understanding of rights, as well as the need for greater interaction with the community. They met regularly with the patrol commander and the message was that it was a balanced approach for building partnerships and for enforcement. They had to have a buy in from the whole police department for these things to work. They had found that informal sessions, such as 'Ask a Cop' had been very beneficial. They wanted the community to feel comfortable with talking to police. They were working on moving some of the sessions to James and Johns Island. To help with the lack of understanding with the Police Department,

one thing they were doing was allowing citizen's to come into the Police Department. They could see the offices and ask questions. They were extending the citizen's academy by two weeks, and they were also extending Camp Hope by two weeks. They were going to hold a youth academy in the summer. They were continuing to work with youth doing things like Reading Partners and Lunch Buddies. They were involved in parades and community cookouts by actually attending them as guests.

Ms. Fielding said that a lot of what they were hearing was in the E. section of the audit. They could also put it on the agenda for the next meeting to be able to discuss again.

- Commissioner Updates in Districts and Concerns

Max Milliken stated that he used be a youth representative and now he was an adult member of the Council. He was pleased to see members from the public at the meetings. He hoped that grew and that the meetings would remain in the public.

Doris Grant stated that they had an extensive overview of the Police Department and it would be good to invite people from the community, especially youth, so that they could learn those things as well.

- Council Goal and Agenda Settings for Next Meeting

Ms. Fielding said they could add talking about the racial bias audit to the next agenda. They could receive an update on the Chief Compliance Officer and training. Mr. Davis stated that one thing he would love to get an update on at the next meeting was schools and school resource officers. Mr. Milliken asked if they could talk more about the data collection process.

Chief Reynolds said there was a lot of hate in their society. They needed to take a stand on that.

Chief Reynolds stated that he wanted to honor Barry Wright who was an amazing member of the Council. He came in on his own and came to all of the meetings. He cared deeply about the City, James Island, and the Police Department. He was highly engaged, selfless, and always part of the solution. He wanted to recognize him and his contributions. He was greatly missed in the community and on the Council.

Having no further business, the Council adjourned at 6:56 p.m.

Bethany Whitaker

Council Secretary