

## **PUBLIC SAFETY COMMITTEE**

February 25, 2019

A meeting of the Public Safety Committee was held this date beginning at 3:00 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 (left at 3:44 p.m.), Councilmember Wagner, Councilmember Lewis, and Mayor Tecklenburg **Staff:** Chief Reynolds, Chief Curia, Deputy Chief Broughton, Lieutenant Bruder, and Bethany Whitaker, Council Secretary Also: Amy Barch, Turning Leaf, and Aulzue Fields

The meeting was opened with an invocation provided by Councilmember Lewis.

### **Approval of Minutes**

On the motion of Councilmember Seekings, seconded by Councilmember Lewis, the Committee voted unanimously to approve the minutes of the January 4, 2019 meeting.

### **Update on Turning Leaf Project**

Ms. Barch stated that she was the director of Turning Leaf. They ran a re-entry program in the closed down state prison. They leased it from the Department of Corrections. They ran re-entry programs and also operated an on-site screen printing business. They worked with men between the ages of 25-50 recently released from prison or jail who were at a high risk to reoffend. They differed from a lot of other re-entry efforts in that employment was not really their main focus. Many other programs focused on employment as the primary strategy to get their lives turned around. Anti-social personality patterns, such as being impulsive and aggressive, not being able to delay gratification and some cognitive/thinking issues, were the real things that kept these individuals in the pattern of reoffending. So, that was what they targeted. They ran daily classes. They ran cognitive behavioral classes which was a way of saying they were giving them skills to handle risk situations differently. They did a lot of role play. The men were in classes for 15 hours per week. They gave them a stipend to be in classes and then they worked in the print shop in the afternoon. Ultimately, they worked towards job placement. They had a job placement program, but they used that as an incentive for the men to participate in all the classes that they knew would be instrumental to their success. They

used employment as a strategy for engagement and change and also to help them maintain change over time. The City was their first job partner and continued to be the major job partner. They had 16 men that worked for the City in different departments and two men who were supervisors and had worked for the City for many years. They enrolled fifty men last year and this year they were aiming for eighty. It was year one of a three-year expansion plan. They were working towards being able to prove out the model and the problem was that with only fifty men per year, that didn't give a lot of data. So, they were going to scale over the next few years so they could get more data. That would position them for larger federal and foundation funding. They were aiming for eighty this year, 110 next year, and 150 in three years. They had pretty good initial results for recidivism. They measured rearrests and they were only at a 20% rearrest rate. 67% was the average rate after three years for everybody and they were only working with the highest risk. They had hired a few new staff members. They had six people and two had been hired in the last four months. They hired a job developer this year to help coordinate job placement to help transition to the private industry. They had also hired Alzue Fields, who was their Peer Specialist and had also been a program participant. He was helping with the recruitment and getting the men who were at the highest risk of reoffending to participate in the program. A lot of the men had done many programs, and didn't want to do another one. They were distrustful and so, Mr. Fields helped convince them to come in. Since he had been on staff, they had a waiting list now.

Mr. Fields said he had served 17 years in prison after taking someone's life. He ended up living that life because of his aggressiveness, impulsivity, and making bad choices. He decided that was not where he wanted to be and that there was a greater purpose for him. He participated in other programs that helped him change his routine, but not his thought process. Right before he got out, he saw a flyer for Turning Leaf and he enrolled in the program. While enrolled, he experienced people who cared about him making a difference and wanted him to do better and have a better chance at life as much as he wanted to. He had been given the opportunity to help others and be a part of the step. It was a great desire of his to see people want to do better. He didn't know what Cognitive Behavioral Therapy (CBT) was before, but he was able to use it to regulate his emotions, and help with his thinking and problem solving skills. It had been beneficial and had given him a better relationship with his family and children. Chairman Shahid asked if it was successful and Mr. Fields said it was.

Chief Reynolds said that he had sat in on a training session and had been to an event to meet some of the students who had succeeded. It was amazing what they were doing. It was tangible, specific, and disciplined. There was nothing easy about the program. They had to be committed. To hear Mr. Fields articulate what he did, he had so much respect for those who had succeeded and wanted to be role models for others. He asked what made them different and how they would succeed when most didn't. Most programs didn't work. One of the guys,

who was employed and out of the program, but went back to mentor, stated that they had to have individual purposes. Everyone had a different one. The program was amazing and had yet to see all of its outcomes and fruit. They were starting to crack the code. There was no easy answer, but it was exciting to see people like Ms. Barch. He had respect for her honesty, commitment, and own discipline. He congratulated them on what they had seen so far. Councilmember Lewis congratulated the City for supporting the program. It was a great opportunity and he would always support it.

Ms. Barch said that the City was who got them started. They were the first funding and first job partner. They had a group come down from Chicago who was running a massive recidivism project. They came down and paid Turning Leaf and wanted to consult with them because their classroom and curriculum was the best they had ever seen. They wanted to put cameras in the classrooms and do training for all of their facilitators. They were small, but on the edge of doing something great. Chairman Shahid stated that the human toll of a person reoffending, they couldn't put a figure on that. IT was huge cost benefit for the community though. They wanted Turning Leaf to be successful and productive. Families could stay intact. They couldn't put a number on that. Their success was the City's access. Councilmember Seekings asked what their annual budget was and Ms. Barch said it was \$350,000 last year and this year was \$500,000. It was about \$5,000 per person to get through the program. The screen-printing business helped offset some of the costs, but not entirely. But, they were very efficient.

### **Police Department: Update on CNA Audit**

Chief Reynolds said he was going to let Lieutenant Bruder give an overview. He was the lead and had done a lot of great work through the procurement process all the way through the visits.

Lieutenant Bruder stated they had come into town and they had a press conference. They had some initial meetings with the community, including CAJM. They also interviewed several commanders. They had provided some feedback at the end of the visit pertaining to use of force review process, internal and external accountabilities, processes for body-worn cameras, and strategic recruiting plans. So, they had people already working on that feedback. The next visit would be from March 26<sup>th</sup>-March 30<sup>th</sup>. They didn't have specific agenda items yet. They were working with community members regarding some specific events for that time period. They were hoping to interview 40-50 officers and they were also working on getting the data that was requested. The deadline for that was April 1<sup>st</sup>, but they were hoping to have it done early. That information included what they outlined in the RFP including public contacts, field contacts, traffic collisions, use of force, arrests, etc. It was a myriad of items.

Chairman Shahid asked if they had a date for the next forum. Lieutenant Bruder said they had not sent that to him. They had asked that the Police Department and the City not participate in those because they wanted people to feel free to speak. Chief Reynolds stated that one of the feedback items they received was that the one Town Hall they did have was not well-coordinated or well attended. That wasn't uncommon for the first visit, but they needed to do better for this visit. CNA wanted to hear the negative. Reverend Middleton and CAJM was helping to get a good public response, as well as other groups. Councilmember Lewis said they needed to notify the neighborhood presidents. CAJM seemed well satisfied and they were willing to work with them.

Councilmember Wagner asked how far off the Peninsula they were going. Chief Reynolds said he believed that was the plan. Councilmember Wagner said there were some people who were undocumented and they could do some outreach in that area. Chief Reynolds said they wanted any and all contacts. It was their duty to protect everyone.

#### **Fire Department: Update on Fire Station #16**

Chief Curia stated that Station #16 was at a little bit of a standstill. They met with Parks, BFRC, and Fire on January 11. Parks had roughly \$425,000 to do some work to #16. Of that, \$125,000 was spent to get renderings for a new firehouse. The consensus was that the Firehouse had outlived its use. There was \$300,000 remaining, but they had come to realize that, with the current storm water regulations, they couldn't rebuild if they tore the station down. So, the plan that Parks proposed, was that with the remaining \$300,000, they could target specific upgrades to the facility, such as renovating the kitchen, making sure water wasn't getting into the station, and removing non-load bearing walls, to make it more open. It was on Ashley Hall Plantation Road. It looked like a house, and was built to fit in the community. There were issues with its location and flooding. One issue that Parks and Fire would run into, was that if the value of renovations exceeded more than 50% of the value of the building, it had to be brought up to code. So, Parks was trying to determine what the value of the building was. The building was not worth a lot of money, so they were trying to figure out what renovations they could do right now. They were also trying to locate land that would be suitable for a replacement. In the same meeting, Parks mentioned that the same situation with the storm water requirements, would also be something to deal with for Station #13 on Folly Road.

Chairman Shahid said that when a storm came, they had to move out of the building. Chief Curia said the flooding came to the back door. They didn't necessarily leave, but they were always prepared to have to evacuate.

#### **Fire Department: Discussion regarding policy change on department responses to citizen calls**

Chief Curia stated if he hadn't followed proper protocol on this, he apologized. There were three things that the Mayor tasked him with as he started. One was to improve morale. Another was to develop a facilities plan, and the third was to manage call volume, specifically on the Peninsula. He remembered the Mayor saying that the first plan should not be to have more resources. So, it seemed like the logical thing to do was to look at the medical calls that the Fire department would go on. When they looked at it, the Fire Department would go on any medical calls, including things like headaches, stubbed toes, all the way up to respiratory arrest and gunshot wounds. A few years ago, North Charleston Fire Department altered their responses and took out a host of calls that weren't life threatening in nature. They did it with the buy-in of Charleston County EMS and the County Medical Director. They decided to copy what North Charleston had in place. North Charleston reduced calls three years ago to no ill effect. They hadn't missed calls they should have been on. They anticipated that the bulk of the call reduction would be on the Peninsula. So, in any given day, whatever number of calls they went on, half of them were on the Peninsula. So, they reduced the call volumes and took out those that weren't life threatening. With that, if it looked like Charleston County EMS would be more than 10 minutes in their response time, the Fire Department would go automatically or if Charleston County EMS requested assistance, they would go. They enacted that on January 1<sup>st</sup>-December 31<sup>st</sup>. They were seeing that they were down 452 total medical calls. IT was about 8 calls per day. That may not seem like a lot, but it enabled them to better manage resources. It kept the units in service for cardiac arrest calls and structure fires. If there would be gaps in service, the gap couldn't be on the Peninsula. They were always moving resources onto the Peninsula. When they did this, with the auto-aid agreements they had with surrounding jurisdictions, North Charleston County was supportive, Charleston County EMS was supportive, St. Andrews wasn't supportive initially until they sat down and explained what they were planning, James Island and St. Johns were very vocal in explaining that they weren't supportive of this. He met with them last week, and everyone indicated that they received no complaints from citizens.

Councilmember Seekings said it seemed like eight calls a day was a pretty big reduction. Chief Curia said it added up to a couple of hours for a unit. One call was at least 30-45 minutes. Councilmember Lewis referred to the rapid response unit. Chief Curia said this would include the rapid response unit, as well. This would reset the call volume level to 2016, so it would buy them a few years before they had to put additional units on the Peninsula. Councilmember Lewis said that one area that was getting a lot of service was 676 King Street. There were constant calls for that area.

Deputy Chief Broughton stated they had a lot of medical calls to that area. She said they relied on the Fire Department a lot. Chief Curia said even if they weren't dispatched automatically, if the Police Department needed them, they just had to ask.

Councilmember Seekings left at 3:44 p.m.

### **Miscellaneous-Update from Police Chief**

On the motion of Mayor Tecklenburg, seconded by Councilmember Lewis, the Committee voted unanimously to add an update from Chief Reynolds regarding the arrest and subsequent death of Nathaniel Rhodes.

Chief Reynolds stated that on Wednesday of last week, the Mayor's office, and Jack O'Toole received some inquiries from NBC National News about this event. Specifically, they requested reports and information related to this. The City was responsive and met those requests and began to do its own investigation. He had directed an internal affairs investigation to capture what had occurred and began the process of finding more details because he had questions that were starting to come up. On Friday, late afternoon, they requested and received an EMS form, which was a refusal/declination to transport a patient. He wasn't used to officers being involved in that process and he didn't like it. At some point, Nathaniel Rhodes was on a gurney and was going to be transported from the scene. Instead, he was transported to the Police Department. When they got to the station, he was in medical distress. Charleston County EMS was notified and they responded to the station. Mr. Rhodes was in conversation with EMS and the officers and ultimately transported to the hospital, where he died four days later. The form was an electronic form with a signature block. The only signature was in the patient section, and it was signed by an officer, Paul Kelley, with his ID Number. The signature was not fraudulent and this was how officers signed. What was problematic, was that it appeared on the face of the form, that he signed for the release of the patient. AS he understood it, it was not uncommon, to sign, as a witness, a refusal form. They had not talked to the officer yet. Immediately, when they got a copy of the form, he called SLED, who was receptive and agreed to take over the investigation. The EMS people had been interviewed by the investigators. The family had done a press conference that day, and it wasn't good. He said that because it didn't show the City in a good light. They could have done better. It showed Mr. Rhodes, who was 58, a father, and a husband. They now knew he had eight broken ribs, a lacerated liver, and other health concerns and had no business ever being in the police station. There was a video of him in their processing area being questioned, and he believed the conduct of EMS wasn't what it should have been. He wasn't saying that as a professional, but as a father. Ultimately, he did go the hospital and got care and died four days later. He had a lot of questions. The advocate for the family articulated their questions very well, and he shared those same questions. They would find out what happened very quickly.

There was body camera footage that should have been retained, that wasn't. If they had that footage, it would have cleared it up quickly. The officer mis-categorized some of the video. He attempted to get an in-car video camera, but couldn't get access, so he used his body-camera. In his categorizations, outside of his vehicle, that video was deleted. They had a 30-day retention policy, which was inadequate, and he was going to try to change that. In his experience, they had 210 day retention policy. He had never heard of 30 days. They had the ability at no additional cost to change it immediately and his recommendation would be 180 days. He met with his entire command the day before on a conference call to find out how they could make sure they had policy, training, and protocol in place to make sure they didn't lose a video they should have had in the first place. The good news, that the City should be proud of, was that they had embraced body cameras well before the State required. But, they didn't do what they should have done. If they had, they wouldn't be sitting there having that conversation. So, they were looking at the body camera program, getting in-car vehicle cameras, death investigations like this that were collision, that would not normally be looked at closely. Essentially, they were called to the scene of a collision. His blood alcohol content was .119 and he ran a red light at a high speed, not wearing a seatbelt and collided into another vehicle. That was why they were originally called. That

didn't matter as to how it was handled. At some point, they didn't know how the form came into existence, or if the practice should continue. He didn't believe it should. They needed to get this right and find out the truth and what occurred. They needed to be respectful because the citizens and the family of this man deserved better. They didn't do everything right and he still had questions he didn't have answers to.

Chairman Shahid thanked them for being upfront and transparent about it. They needed to let the community know that they were taking this seriously. Councilmember Lewis asked if the family came to them about this when it happened. He had told the family to get in touch with the Police Department and the Mayor if they didn't get the answers they wanted. The man had been one of his constituents. There was a lot of talk in the community. This was right after it happened. Chief Reynolds said no one had been in touch with them. Chief Reynolds said it wasn't good. He wasn't happy. When they saw the press conference, with the family in tears, and the video showed, in his opinion, very unprofessional behavior. It was a bad outcome and they had to deal with it now. Chairman Shahid said it was tragic, and now they had the opportunity to respond.

Having no further business, the Committee adjourned at 4:07 p.m.

Bethany Whitaker  
Council Secretary