

Citizen Police Advisory Council Complaints Review Subcommittee

Scheduled March 18, 2024- 5:00 pm – 6:00 pm

Meeting Minutes & Written Summary

1. Call to Order:

Attendees: Harrison McIver, Jamie Khan, Doris Grant, Thomas Hummel, Sara Mack, David Saulnier, Lilliana Taylor, Imogene Thomas, Jillian Edison, Capt. Anthony Cretella, Lt. Thomas Bailey & Steve Ruemelin

The meeting began at 5:00pm and ended at 5:50 pm.

2. Roll call- Subcommittee Members:

Harrison McIver, Chair, Jamie Khan & Phillip Lucier (excused absence)

3. Citizen Participation

None

- 4. Open Remarks:** Chairperson McIver opened the meeting expressing hope that the Subcommittee could move beyond some preliminary issues for the Subcommittee in concert with the CPD to “promote transparency” and at the same time, “improve the relationship between CPD and the community.” To achieve this, he expressed the desire to have open communication, build trust so that the community, as we do, recognizes that we have a very good CPD.
- 5. The charge and role of the Complaints Review Subcommittee (CRS)** as per CPAC Guidelines (approved by the Charleston City Council) were included as a part of the published agenda for emphasis and guidance to both CPAC and CPD.
- 6. Turning to Agenda Item #6,** Steve Ruemelin, CPD legal counsel, apologized for the delay in providing CPD’s response. Then, he gave a detailed explanation and response to the four CPAC- approved Complaints Subcommittee Operations Procedures (OPs). Both are

attached on a single page to this document. In the end, Mr. Ruemelin reaffirmed CPD's position that **no files**-only summaries of closed cases sustained would be made available for CPAC to review. He clarified that only external, not internal complaints, were subject to the Subcommittee's authority. [The Chair's following comments were not shared during the meeting but are here for the purpose of achieving consensus and understanding as we move forward under the CPAC Guidelines as approved by the City Council. McIver states, while a reading of the CPAC Guidelines could support CPD's interpretation reflected in response 1-3 from CPD. However, CPD's response #4 appears to discount the following language reflected in the Guidelines, which reads: ***"All documents provided shall be in accord with the provisions of the SC Freedom of Information Act. The CPD liaison will provide a copy of the file to the Chairperson and brief them on applicable CPD policy and process used to reach decisions. After the review, the Chairperson will report back to the Advisory Council. If the Advisory Council determines further review is warranted, the Chief of Police may direct the Office of Professional Standards to revisit the case. The Advisory Council may forward the decision of the Chief of Police to the Mayor for further review."***]

Hopefully, Mr. Ruemelin will provide an explanation during the CPAC meeting. Member Khan asked if Mr. Ruemelin planned to ask the City Council for revisions to the Guidelines. He indicated no plans at this time.

7. Under Agenda Item #7, Lt. Thomas Bailey of OIA, announced that he would serve as liaison to the Subcommittee. He explained the complaint Intake process at CPD and the difference between Class A & B complaints, indicating that Class A Complaints were more serious and gave examples of the same. He continued, Class B complaints were less serious, providing examples as well. Attached are three charts, Lt Bailey provided, that cover the period 2021-2023. He provided a detailed explanation regarding them. CPD's position is that CPAC could request statistical data on closed cases that are sustained stemming from citizen complaints against police officers, to identify trends and patterns to recommend policy, procedure, and training.

Lt. Bailey displayed the Professional Standards Dashboard, to explain the two pages, page 1- "Investigation" and page 2 – Allegations, covering the period 1/3/2020 through 12/27/2023. After explaining the "Dashboard" the Subcommittee was informed that the statistics included both internal and external complaints and CPD does not separate them at this time. The "Dashboard" also captures officers' compliments. Prior to the meeting, McIver forwarded to Capt. Cretella, Subcommittee members and others several questions relating to the "Dashboard ". McIver shared that they were not timely submitted for OIA to respond. However, given CPD's position that only external sustained complaints were within the purview of CPAC and no distinction between the external and internal complaints on the "Dashboard," Lt. Bailey limited his response to one minor question from the questions submitted. Council Member David Saulnier inquired if CPD benchmarks other police departments around the country. CPD responded that it does not.

8. Capt. Cretella stated that the OIA Annual Report was in draft form, under review, and will be presented at the end of the first quarter.
9. McIver announced he is likely to schedule quarterly or semi – annual meetings of the Subcommittee.
10. The meeting was adjourned at 5:50 pm.

CPAC COMPLAINT REVIEW SUBCOMMITTEE OPERATING PROCEDURES

Approved by CPAC October 5, 2023

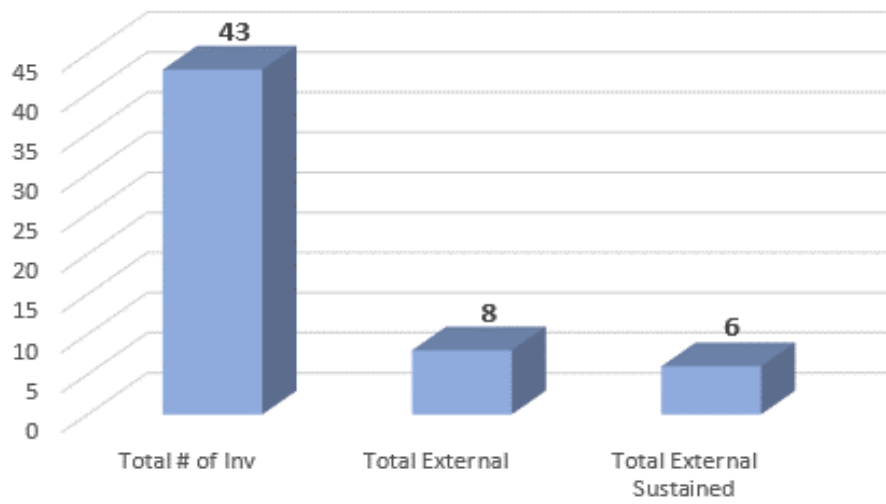
CPAC Complaint Review Subcommittee (CRS) proposes the following:

- 1) The CRS will meet quarterly or at least semi-annually with the OIA (its Liaison to CPAC) regarding citizen complaints against Charleston Police Dept. (CPD) unless there is a compelling need for a specially called meeting. (The latter would occur upon the request of OIA or at the instance of the Subcommittee Chair by and through CPAC Chair provided circumstances warrant a special meeting.)
- 2) In advance of such a meeting and with sufficient time to review and analyze, the OIA will be asked to provide an intermittent update on statistical data on citizen's police complaints and the nature of citizens' complaints.
- 3) Given the information/data provided, the Subcommittee Chair may request the CPAC Chair during a CPAC meeting to request a copy or copies of the cases and documents (files if appropriate) for further review.
- 4) At the request of OIA, the Subcommittee may entertain, review and provide comments/suggestions to proposed policies and training curriculum modifications occasioned by citizen complaints.

CPD Response to Complaints Subcommittee

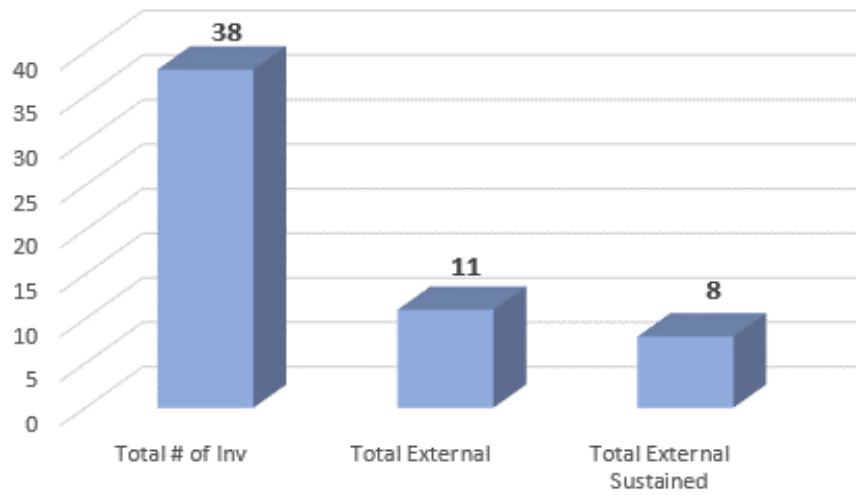
1. Upon CPAC's request, CPD will provide statistical data on closed, sustained cases stemming from external citizen complaints against police officers.
2. Upon CPAC's request, CPD will provide summaries of closed, sustained cases stemming from external citizen complaints.
3. Statistical data and summaries are provided for purposes of identifying trends and patterns so that CPAC may make recommendations regarding policy, procedure, and training where appropriate.
4. CPD will not be providing files for review or revisiting closed investigations.

2021 Investigations



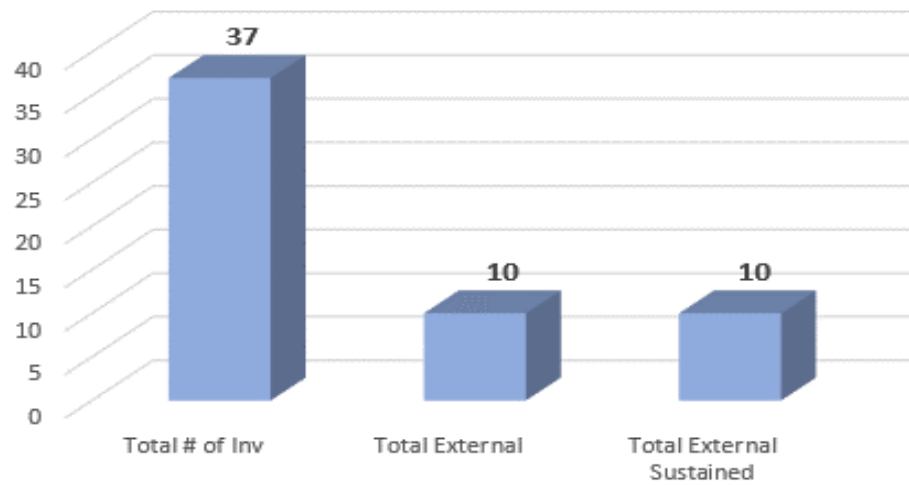
#	Allegation	# of Officers
1	Improper Identification Conduct Unbecoming	1
2	Improper Records Check	1
3	Failure to Use BWC	1
4	Handling of individuals who consume narcotics Failure to Use BWC Failure to Use BWC	3
5	Conduct Unbecoming	1
6	Dispatch and Radio Violations Failure to Use BWC	1

2022 Investigations



#	Allegation	# of Officers
1	Courtesy and Customer Service	1
2	Courtesy and Customer Service	1
3	Improper Evidence / Property Handling Improper Evidence / Property Handling	2
4	Conduct Unbecoming	1
5	Failure to Use BWC Improper Identification / Disengagement Inadequate Investigation / Job Task Performance	3
6	Courtesy and Customer Service	1
7	Improper Evidence / Property Handling	1
8	Improper Stop / Detention / Arrest	1

2023 Investigations



#	Allegation	# of Officers
1	Failure to Attend Court	1
	Courtesy and Customer Service	
2	Off-Duty Employment Violations	1
3	Improper Evidence / Property Handling	1
4	Conduct Unbecoming	1
	Improper Vehicle Operation	
5	Conduct Unbecoming	1
6	Courtesy and Customer Service	1
	Failure to Take Report / Improper Documentation	
7	Failure to Act or Render Assistance	1
8	Off-Duty Employment Violations	1
9	Conduct Unbecoming	1
10	Attention to Duty	1