NOVEMBER 7, 2019

FINAL REPORT

Racial Bias Audit of the Charleston, South Carolina, Police Department

Suggested citation:

Rodriguez, D., Richardson, K., Thorkildsen, Z., Monroe, R., Medlock, H., Rickman, S. (2019). Final Report: Racial Bias Audit of the Charleston, South Carolina, Police Department. Arlington, VA: CNA.

Distribution:

Distribution unlimited.

November 2019

ACKNOWLEGEMENTS

CNA acknowledges Mayor John Tecklenburg, City Council, the City of Charleston, Chief Luther Reynolds, Lieutenant Jason Bruder, and the Charleston Police Department, the Citizen Police Advisory Council, Dr. Kylon Middleton, the Charleston Area Justice Ministry, the Palmetto State Law Enforcement Officers Association, the East Side Neighborhood Association, and the members from the Charleston area community. The assistance and input provided throughout our assessment were essential to this audit.

CNA AUDIT TEAM

Denise Rodriguez, Project Director, CNA; Keri Richardson, Research Specialist, CNA; Zoë Thorkildsen, Senior Research Scientist, CNA; Rodney Monroe, CNA Subject Expert and former Chief of the Charlotte-Mecklenburg, NC, Police Department; Harold Medlock, CNA Subject Expert and former Chief of the Fayetteville, NC, Police Department; and Stephen Rickman, CNA Subject Expert and former Advisor to the Presidential Task Force on 21st Century Policing.

THIS PAGE INTENTIONALLY LEFT BLANK.

TABLE OF CONTENTS

TABLE OF CONTENTS

TABLE OF CONTENTS

TABLES

FIGURES

TABLE OF CONTENTS

INTRODUCTION

In the mid-1800s, more than 40 percent of all slaves arriving in the US entered through Charleston, South Carolina.[1] The city's history and its role in the slave trade continue to influence the city and its community—most apparently in the 2015 massacre at Mother Emanuel Church. This tragedy served as an example to the nation of how a community can come together to work toward acknowledging and addressing racial tensions and ultimately achieve healing and forgiveness. The Charleston City Council further acknowledged this movement on June 19, 2018, when it issued a two-page resolution as an apology for its role in the slave trade and as a statement toward racial reconciliation.[2] To advance such efforts, in June 2019 the city created a Diversity, Racial Reconciliation and Tolerance manager position.

Today, Charleston's rich history provides context regarding the culture and perspectives of the local community and its relationship with the police. The community's efforts to address systemic racial bias in policing since the early mid-twentieth century provide historical context to the depth of the issues and challenges in developing and maintaining strong relationships between the local law enforcement in the Charleston area and the community. The Charleston Police Department (CPD), which employs 458 sworn police officers and 117 civilians and serves a population of more than 136,000, is increasingly becoming an active community partner in conversations and efforts to address the city's past and present challenges surrounding race.

Efforts to strengthen police-community relationships have been at the forefront of the city's priorities. The Illumination Project, established in late 2015, "created a unique, community-wide experience for both citizens and police with the purpose of further improving their relationship, grounded in trust and legitimacy."[3] The Illumination Project identified many strategies to improve police-community relationships, including the establishment of the Citizen Police Advisory Council. Although these efforts were important steps in strengthening relationships between police and community stakeholders, continued concern about potential racial bias, also brought forth during a Charleston Area Justice Ministry (CAJM) Nehemiah Call to Action Assembly in 2016, led the City Council to vote in favor of an independent audit of the CPD in November of 2017. Further adding to this urgency were the findings from the College of Charleston's report, *The State of Racial Disparities in Charleston County, South Carolina 2000-2015*, which noted racial disparities and the linkage to structural racism and economic inequality.[4] The call for an audit also stemmed from growing interest among city officials and the community to address concerns

---

1 Campisi, J. and Ahmed, S. Charleston, where 40% of all US slaves entered the country, finally apologizes for its role in the slave trade. CNN. June 19, 2018. Last accessed on August 21, 2019, at *https://www.cnn.com/2018/06/19/us/charleston-apology-slavery-juneteenth-trnd/index.html*

2 Ibid.

3 City of Charleston. Charleston Illumination Project: Community Engagement, Strategic Planning and Implementation Report. September 2016. *https://www.charleston-sc.gov/DocumentCenter/View/12061/Illumination-Project-Complete-Report?bidId=*

4 Patton, S. *The State of Racial Disparities in Charleston County, South Carolina 2000-2015*. The College of Charleston. 2017. *https://rsji.cofc.edu/wp-content/uploads/2017/01/The-State-of-Racial-Disparities-in-Charleston-County-SC-Rev.-11-14.pdf*

about racial bias in the CPD's procedures and practices. Subsequently, the City Council, city officials, and community stakeholders worked together to develop a request for proposals, review the proposals, and select an independent auditor.

In January 2019, the City of Charleston, through a competitive bid, selected the CNA Institute for Public Research (CNA) to conduct a racial bias audit of the CPD.

GOALS AND OBJECTIVES OF THE AUDIT

CNA's audit was designed to accomplish the following:

- Assess, monitor, and assist the CPD, in concert with the community, in uncovering any aspects of implicit bias or systemic and individual racial bias.
- Assess the effect of enforcement operations on historically marginalized and discriminated-against populations, particularly those in the African-American community.
- Provide recommendations for reforms that improve community-oriented policing practices, transparency, professionalism, accountability, community inclusion, fairness, effectiveness, and public trust, taking into account national best practices and community expectations.
- Engage the community to understand both the experiences and the expectations of interactions with CPD.

AREAS OF ASSESSMENT

The city, in partnership with local community stakeholders, identified five areas of assessment for the CPD audit. They included the following:

1. Traffic stops, including field contacts
2. Use of force, deadly and non-deadly
3. The complaint process, internal and external
4. Community-oriented policing practices
5. Recruitment, hiring, promotions, and personnel practices

METHODOLOGY AND APPROACH

The audit team based its approach to the racial bias audit on a number of guiding principles: (1) providing evidence-based assistance with an emphasis on research, including both academic research and documented lessons learned and best practices from the field; (2) using a multimethod assessment design, including interviews, community meetings, document review, and data analysis; and (3)

conducting a comprehensive review and applying best practices in police settings. CNA's approach encompassed four major components, described below.

Document review

The audit team reviewed CPD's general orders (GOs) and field guides related to the five areas of assessment identified above. These included General Order 1: Mission and Objectives, General Order 7: Community Relations, General Order 8: Fair and Impartial Policing, General Order 10: Professional Standards, General Order 20: Performance Evaluations, General Order 23: Response to Resistance and Aggression, General Order 25: Less-Lethal and Lethal Weapons, General Order 29: Constitutional Issues, General Order 49: Traffic Citations, Draft General Order 77: Body-Worn Cameras and In-Car Video Cameras, Field Guide: Body-Worn Cameras, Field Guide: BlueTeam, and Field Guide: Field Contact Card, among others. In addition to policies and procedures, we also reviewed the CPD Organizational Chart, Draft Recruitment and Hiring Plan, police officer job description, monthly STAT 360 reports, body-worn camera (BWC) retention schedule, CPD website, and a number of related training lesson plans.

Interviews

We also conducted semi-structured interviews with 75 CPD personnel and 12 government officials and community leaders. Interviews with community leaders were semi-structured and included representatives from the CAJM, Illumination Project, the American Civil Liberties Union, the National Association for the Advancement of Colored People, the Citizen Police Advisory Council, and the Criminal Justice Coordinating Council. These interviews focused on gaining a better understanding of the police-community relationship.

Our interviews with CPD personnel included command staff, supervisors, and line officers. We selected line officers at random for interviews; the sample was stratified for officer race, age, gender, tenure, assignment, and rank. The interviews provided a source of qualitative data in our assessment of community-oriented policing practices. The audit team also attended three master roll call sessions at the beginning of the audit to introduce the audit and answer questions or concerns from department members. The audit team also met with representatives from the Palmetto State Law Enforcement Officers Association.

The audit team also conducted two meetings with CPD personnel, one with CPD staff and another with CPD personnel, to deliver the preliminary findings and recommendations. The purpose of these meetings was to gather input and feedback on the preliminary findings and recommendations.

Community meetings

During the assessment, the audit team hosted six community meetings at locations throughout the city, one was specifically geared toward local youth. More than 290 diverse community members from the Charleston area attended these meetings. The meetings gave community members the opportunity

to provide their input, perspectives, concerns, and suggestions regarding the audit directly to the CNA audit team. Each section of this report documents specific perspectives and input from these community meetings.

In addition to the input from community meetings, the audit team received feedback from eight community members via email.

The audit team also conducted three community meetings and held one meeting with the City Council to deliver the preliminary findings and recommendations. The purpose of these meetings was to gather input and feedback on our preliminary analysis.

Data analysis

Our data analysis focused on four areas—traffic stops (including field contacts), use of force, the complaint process, and recruitment and hiring. We analyzed data for 2014 to 2018, when possible for each of these areas. Due to a lack of data related to recruitment and hiring, we were unable to conduct any detailed analysis. We used a combination of analytical approaches depending on the available data and the aim of the analysis. However, because of several data limitations detailed in Appendix B: Traffic stops and field contacts, Appendix C: Use of force, and Appendix D: Complaints, we were only able to conduct a comprehensive analysis of racial disparity in traffic stops (not including field contacts) and use of force. The findings from our analyses provided context for our review of policies and practices and, in many instances, affirmed the perspectives gathered from our interviews with officers and community members. An overview of the data analysis conducted for each of the three remaining areas is noted below. The detailed methodology is provided in Appendices B, C, and D.

Traffic stops and field contacts

The audit team reviewed traffic stop data, broken out into those traffic stops that result in warnings and those that result in citations, from 2014 through 2018, extracted separately from the RMS through January 25, 2018, and from South Carolina Collision and Ticket Tracking System (SCCATTS) from January 26, 2018, onwards. Because no single data system collects all traffic stop data, we analyze the two types of stops separately. We also conduct two comparative analyses aimed at understanding evidence of racial disparities in traffic stop activities. First, we consider stop rates for both the warning and citation traffic stops using traffic accidents as an external benchmark. We use a chi-square test of homogeneity to assess whether the population of drivers involved in accidents reported to law enforcement has a similar racial breakdown to the population involved in traffic stops.

Next, we review rates of searches that occur during traffic stops that end in warnings. We cannot analyze traffic stops ending in citations in terms of searches, as search data is not present in that database for all years in the given time period. We conduct propensity score matching to match traffic stops that are otherwise similar in terms of reason for the stop (moving or non-moving violation), driver age, driver race, and vehicle license plate state (in-state or out-of-state), but vary in the minority status of the driver, and compare the likelihood of searches taking place during these stops. We use a standard propensity

score matching approach using nearest neighbor matching, as well as three alternative specifications for sensitivity analysis. The audit team also reviewed field contacts extracted from CPD's RMS. We specifically considered field contact interactions with eight reason codes: citizen complaints, suspicious person, possible narcotic activity, possible suspect/matched description, loitering, PPP stop/search, observation only, and other. Our analysis of field contacts is purely descriptive; we do not include comparative analysis for these contacts.

Use of force

The audit team conducted both descriptive and comparative analysis of CPD's use of force incidents, interactions, and instances. CPD tracks use of force incidents in IAPro's BlueTeam software. Officers enter details about a use of force incident, including an incident narrative and basic information about the incident such as date, time, type of force used, and reason for use of force. We describe CPD's use of force over time, summarize characteristics of use of force incidents, describe types of force used, and summarize characteristics of officers and community members involved in use of force incidents. In conducting comparative analysis, we focus on disparities in use of force by the race of the community member involved in the incident. To assess whether racial disparity exists, we implement a propensity score matching approach. Propensity score matching is a quasi-experimental technique that compares the level of force used in incidents that are similar in ways other than the race of the involved community member. We use time of day (day or night), number of involved officers, reason for use of force, and circumstance prior to use of force to identify similar incidents and then compare at the level of the interaction (highest level of force used).

Complaints

The audit team reviewed employee and citizen complaints documented by CPD between 2014 and 2018. We exclude one complaint categorized as anonymous, since it cannot be attributed either to a community member or an employee. To capture all complaints and related actions, we include incidents CPD categorizes as "information calls," "investigations," "inquiries," and "supervisor complaint intake."

We primarily analyze complaint data descriptively, to include analysis of trends over time, allegations, complaint disposition and associated actions, and length of investigation. We also provide an overview of the characteristics of complainants for external complaints.

ORGANIZATION OF THIS REPORT

This report contains five sections. The first section delves into CPD's policies and practices as they relate to traffic stops and field contacts, the second section includes a review of use of force incidents and policies, the third section examines internal and external complaints, the fourth section reviews CPD's community-oriented policing practices, and the fifth section examines CPD's recruitment, hiring, and personnel practices. Within each section, we provide an overview of departmental policies and practices related to that area of assessment, a summary of the themes gathered from our interviews and community meetings, and the resulting findings and recommendations.

Also included as appendices in this report are the detailed descriptions of our analysis of traffic stops, field contacts, use of force, and complaints (Appendices B, C, D); a summary of the reforms and changes that CPD has put into place in response to the preliminary observations we made during our audit (Appendix E); and copies of the Summary Memos delivered after each site visit (Appendix F).

SUMMARY OF OUR FINDINGS AND RECOMMENDATIONS

Many of the findings and recommendations noted in this report are not unique to the CPD and include challenges that many police agencies across the country address. Policing has reached a pivotal point, and the role of the community in ensuring public safety is becoming more apparent and vital. CPD has made significant progress over the last several years; its continued investment in recruitment, training, and technology are just a few examples. However, CPD still needs to address a number of areas to ensure greater accountability and further improve its relationship with the community. Racial disparity in traffic stops,[5] poor data-collection practices, lack of clarity in policies on use of force and professional standards, gaps in efforts to engage various segments of the community substantively, and lack of accountability mechanisms are a few examples of the findings and recommendations noted in this report. The audit team is reassured both by CPD's commitment to change and willingness to address these findings and implement the recommendations, and by the community's support of the CPD. Although CPD has begun addressing a number of these findings and recommendations, continued effort and engagement with both officers and the community will be critical to ensuring the successful implementation and sustainability of these improvements. Appendix A includes a complete list of findings and recommendations.

[5] It is important to note that the comparative analyses conducted for this audit cannot uncover causal relationships or direct, conclusive evidence of racial bias; it finds evidence of disparity but does not identify the underlying causes of bias.

SECTION 1: TRAFFIC STOPS AND FIELD CONTACTS IN THE CHARLESTON POLICE DEPARTMENT

This section examines our assessment of CPD's policies, procedures, and practices related to traffic stops and field contacts. We begin with an overview of the related policies and any changes CPD has made to these policies over the past five years. We also include an overview of the perspectives we gathered from our interviews and community meetings as they relate to CPD traffic stops and field contact practices. We conclude this section with our findings and recommendations resulting from our review of related policies and procedures, interviews, community meetings, and data analysis.[6]

POLICIES AND PROCEDURES

CPD re-established the Traffic Unit in October 2018. Although its primary focus is traffic enforcement, traffic services are also incorporated into general department operations. The captain of the Special Operations division oversees the traffic unit, which is composed of 20 officers, including one lieutenant and two sergeants. The traffic unit includes 20 male officers, 18 White officers, and 2 Black officers.[7]

CPD's policies and procedures related to traffic enforcement are outlined in various general orders and field guides. These include General Order 48: Traffic Enforcement and Collisions, General Order 49: Traffic Citations, and Field Guide: Traffic Services. According to the latter, CPD's mission in the delivery of traffic services to the Charleston community is to "assist in safe, rapid and efficient movement of persons and goods on the streets and highways in the City of Charleston."[8] The legal and operational tactics related to traffic enforcement are included as part of academy and in-service training.

For this assessment, we focused largely on the traffic supervision function, which includes traffic law enforcement, namely the control of traffic law violations through preventive and active patrol techniques and enforcement.

CPD documents traffic stops through various methods. Currently, when an officer makes a traffic stop, the stop is documented as either a citation or warning (documented as public contacts). Officers complete field contact cards during traffic stops when no action is taken or when a search of a vehicle is conducted. Each outcome is documented in a separate dataset, but these records do not include unique identifiers that link the three datasets together, limiting CPD's ability to aggregate the data across databases. Further complicating this is the CPD's transition from RMS to South Carolina Collision and Ticket Tracking System

[6] The complete data analysis of the CPD traffic stop data is provided in Appendix B, and the analysis of CPD field contact data is provided in Appendix B.

[7] These personnel demographics were as of the conduct of our assessment, April 2019. The CPD has since made some changes to the composition of this unit, see Appendix E.

[8] Charleston Police Department, Field Guide: Traffic Services.

(SCCATTS) and the inability of each of the databases to integrate with the department's CAD system. These issues limited our ability to conduct a comprehensive analysis (see summary of data analysis below).

COMMUNITY PERSPECTIVES

Concerns about CPD's practices during traffic stops and field contacts were among the most prominent topics brought forth in our community meetings. The following is a list of the recurring themes.

The lack of procedural justice in traffic stops

Community members noted that, in some instances, officers failed to provide clarity regarding why they were conducting a traffic stop and/or field contact, which created a sense of confusion and mistrust for some community members.

The legality and prominence of pretextual reasons for stops

Community members often noted that the types of violations for which police stopped them seemed minor, such as a license plate light out, and they wondered if officers were purposely looking for minor violations as a reason to run their driver's license and/or conduct a search of their vehicle or person. Community members also noted racial bias in an officer's decision to conduct a traffic stop or field contact as an area of concern. In some instances, community members of color reported being stopped several times when in particular neighborhoods, while White community members stated that they had never been stopped in these same neighborhoods.

The general lack of trust in the CPD traffic stop practices

Community members questioned the priorities and objectives behind the CPD's policies and practices related to traffic stops and field contacts and expressed that their concerns ultimately left them with mistrust in the CPD's actions as a whole.

SUMMARY OF DATA ANALYSIS

Due to the limitations noted above, we were unable to aggregate all the traffic stops, so we had to analyze each of the databases provided by CPD (Warnings (referred to by CPD as Public Contacts), Citations, and Field Contacts) independently.

Upon analyzing the traffic stops in which a warning was issued, the audit team made several notable observations. Our analysis of the data revealed racial disparities in stop rates and search decisions for stops in which a warning was issued. Racial disparities also exist in the traffic stops that end in citations; however, follow-on analysis suggests this is not due to differences experienced by Black drivers and may be driven by the observed differences for another racial category, like Hispanic. Taken together, these findings suggest an overall indication of disparity in most measures, and that disparity may exist in overall traffic stops, since stops ending in warnings are more common than those ending in citations. However, to draw conclusive findings, it is necessary for CPD to collate a full database of traffic stop data.

It is also important to note that the comparative analyses conducted for this audit cannot uncover causal relationships or direct, conclusive evidence of racial bias; the analyses can find evidence of disparity but do not identify the underlying causes of bias.

The audit team also conducted additional descriptive analysis of traffic stops in which warnings and citations were issued. According to our analysis, traffic stops in which a warning was issued have, on average, declined by approximately 22 stops per month since January of 2014. Most stops occur between 8 p.m. and 11 p.m. We also found that 55 percent of the drivers were stopped for moving violations (e.g., speeding, failure to stop at a stop sign), and 45 percent were stopped for non-moving violations (e.g., expired registration tags, license plate light out). Traffic stops ending in citations, in contrast, have increased by approximately six stops per month since 2014. Stops ending in citations for moving and non-moving violations exhibited similar rates to stops ending in warnings. The time of day for stops ending in warnings versus citations varies, with citations occurring relatively more frequently in the afternoon and warnings occurring more frequently in the evening and overnight.

The analysis of field contacts was primarily descriptive. In reviewing the reasons for each contact, we found that contacts coded as "other" have steadily decreased over time, while contacts due to citizen complaints have increased. When examining the race of community members involved in field contacts, we found that contacts for suspicious persons, often considered one of the most subjective field contact reasons for law enforcement officers, closely mirror overall contacts in racial breakdown. However, we caution the over-interpretation of these results since there is no appropriate, readily available baseline with which to compare these breakdowns.

Various data limitations complicated our ability to conduct a comprehensive analysis. Because the CPD transitioned from using an RMS to the SCCATTS system to document traffic stops, it was difficult to compare the data across both systems. Further, as noted above, because we were unable to aggregate the data across the systems we were unable to analyze all traffic stops comprehensively.

The detailed analysis of the traffic stop and field contact data can be found in Appendix B. Appendix B also describes the limitations of our data analysis in greater detail.

FINDINGS AND RECOMMENDATIONS

Finding 1

The Traffic Unit does not have a guiding policy and/or field guide.

Although the Traffic Unit was re-established in October 2018, CPD has not yet drafted a related policy and/or field guide. Other special units, such as the Transportation Unit, the Crime Prevention Unit, and the Criminal Intelligence Unit, have policies that outline their purposes, missions, and operational guidelines. Although CPD provides policies and guidance related to department-wide traffic enforcement procedures and processes, a guiding document and policy specific to the Traffic Unit is not provided.

Recommendation 1.1

CPD should develop a general order and/or field guide for the Traffic Unit.

The related policy and/or field guide should outline the purpose, mission, and operational guidelines by which the Traffic Unit should operate. This policy should also include the roles and responsibilities of each member of the traffic unit, a review of accountability mechanisms, and references to other related policies, field guides, and strategic plans.

Finding 2

The Traffic Unit does not have an established strategic plan.

CPD's Traffic Unit does not have a formally established strategic plan. The informally established strategy guiding the Traffic Unit focuses heavily on traffic enforcement.

Recommendation 2.1

CPD should establish a strategic plan for the Traffic Unit.

The strategic plan should outline the multiple strategies that will be put into place to reduce accidents and traffic fatalities, list the activities it will undertake to increase community education about traffic safety, detail internal and external data-sharing mechanisms, and outline the Unit's performance metric goals.

Recommendation 2.2

CPD should establish data-driven strategies that more proactively address traffic-related public safety concerns.

CPD's Traffic Unit should analyze recent traffic accidents, injuries, and fatalities to identify and target enforcement in the areas where these traffic-related issues are most prominent. Data-driven approaches to crime and traffic safety (DDACTS) represents one example of an approach that has proven successful in police agencies across the country. [9,10] CPD should develop a tailored approach that best suits its priorities and the safety of the community. A strategic approach to traffic enforcement ensures that violations that directly affect the safety and wellbeing of the community (e.g., speeding, running a red light, DWI) are prioritized and serve as the primary focus of the Traffic Unit.

[9] Bryant, K., Collins, G, and Villa, J. An Evaluation of Data-Driven Approaches to Crime and Traffic Safety in: Shawnee, Kansas: 2010-2013. U.S. Department of Justice, Strategies for Policing Innovation. February 19, 2014

[10] U.S. Department of Justice, National Institute of Justice. Program Profile: Data-Driven Approaches to Crime and Traffic Safety (DDACTS) in Kansas. Crime Solutions.gov. July 11, 2016. Last Accessed September 16, 2019 at *https://crimesolutions.gov/ProgramDetails.aspx?ID=479*

Recommendation 2.3

CPD should ensure that any strategies developed are shared with the community in advance and provide opportunities for meaningful community input, especially those communities that will be most affected.

Communicating the goals and objectives of these traffic enforcement strategies to the public prior to their implementation, and inviting public input into the strategies, will create greater buy-in and transparency and will also ensure that community members understand the purpose behind potential increased law enforcement presence and activity in their communities.

Finding 3

The Traffic Unit does not have established internal reporting and review mechanisms for continually assessing the impact of traffic enforcement strategies on the community and efforts to reduce traffic fatalities.

Although the department does not have a quota for the number of citations officers in the Traffic Unit must issue, the unit's primary purpose is traffic enforcement. After reviewing related policies and procedures and conducting interviews with leadership and members of the Traffic Unit, it was clear to the audit team that, while the goal of the unit was to reduce traffic accidents, injuries, and fatalities, the unit lacked a mechanism for internal review of whether traffic enforcement activities had an impact on these public safety goals.

Recommendation 3.1

CPD should establish a continual review process to assess the impact of traffic-enforcement strategies.

CPD should conduct, and subsequently share with the community, an annual review of all activities and outcomes related to traffic enforcement (i.e., tickets issued, citations, arrests). Continually reviewing traffic-enforcement activities against established metrics is important for determining whether these strategies are having the intended effect. Metrics should include, for example, the number of traffic-related fatalities, pedestrian accidents, injuries, accidents, and DWI/DUI arrests. If traffic enforcement is not having the intended effect on these metrics, CPD should reassess and revise its strategies.

Recommendation 3.2

CPD should assess the impact of traffic-enforcement strategies on its communities on an annual basis.

CPD should assess traffic stop data on an annual basis to determine whether traffic enforcement is addressing crime and traffic related problems and the potential impact it is having on community members (i.e., increased enforcement with no or marginal impact on crime and/or traffic accidents). CPD should also examine the related data for potential racial disparities and continually seek input (e.g., via community meetings, surveys) from the community about possible unintended consequences of these

strategies for their communities. Increased traffic enforcement, if focused on non-moving violations, may have an adverse effect on certain communities, especially those of lower socioeconomic status. These adverse effects can lead to further tension and reduced levels of trust and cooperation.

Recommendation 3.3

CPD should include reports and analysis of traffic stops and traffic-related outcomes in its monthly STAT 360 meetings.

CPD should require all patrol teams to report data on the number of stops conducted and citations issued by their officers during the monthly STAT 360 meetings. Further, CPD should include the Traffic Unit commander in these monthly meetings. Including the commander in reporting the Unit's strategies, impact on the community, traffic enforcement activities conducted, and related outcomes (e.g., number of DUI arrests, number of traffic accidents) will ensure greater accountability and transparency.

Finding 4

Field contacts are not consistently documented.

After gathering the data related to the field contacts conducted by CPD, the audit team discovered that CPD officers document field contacts inconsistently. Although officers are directed to complete a field contact card (FCC) to "document proactive stops of individuals, when a person or vehicle is searched during a proactive stop, or as appropriate in response to calls for service,"[11] they do not always do so. For example, in some instances, if an officer subsequently arrested the person(s) they proactively stopped, they failed to complete a FCC to accompany the arrest report.

Recommendation 4.1

CPD should conduct training for officers on the proper use of FCCs.

CPD should conduct a roll call training with all officers, reinforcing the importance of completing an FCC for all proactive stops, even those that result in arrest. Similar refresher training should be provided to supervisors to ensure that they understand their responsibilities in reviewing the FCCs. This refresher training should be delivered to CPD officers and supervisors on a regular basis, at least every two years.

Recommendation 4.2

Supervisors should continually track officers' compliance with completing FCCs.

As part of their random reviews of officer activity, arrests/incident reports, and BWC video footage, supervisors should also review these reports to ensure that officers consistently complete an FCC, if appropriate, along with all other required documentation.

[11] Charleston Police Department Field Guide: Field Contact Card, 2017.

Recommendation 4.3

CPD should conduct an analysis of field contacts on a periodic basis and include this analysis in the annual Professional Standards Office (PSO) reports shared with the public.

CPD should conduct an annual review and analysis of all field contacts, along with the review of use of force incidents and complaints currently conducted by the PSO. This will ensure greater accountability and transparency and allow the CPD to adjust training and policy as needed. Further, this annual review will serve as a mechanism to ensure compliance of officer completion of FCCs in the field and supervisory review.

Finding 5

Analyses of CPD's traffic stop data indicate racial disparities in stop rates and search decisions during traffic stops where a warning was issued.

Our findings of disparities in stop rates by race and searches by race suggest the possibility of bias in law enforcement decisions. The methods we use for analysis of traffic stop data establish a correlation between driver race and stop outcomes, but they do not necessarily reveal whether the driver's race was the cause of the differences in stop outcomes. In addition, while our analysis can uncover disparities in outcomes based on race of the driver, no current techniques used in law enforcement analysis can establish whether those disparities are due to racial bias or other underlying causes, as noted in the report introduction. However, we do observe disparities in stop rates and search decisions for stops which a warning was issued (see analysis in Appendix B, tables B.1 and B.2). Racial disparities also exist in the traffic stops that end in citations; however, follow-on analysis suggests this is not due to differences experienced by Black drivers and may be driven by the observed differences for another racial category, like Hispanic. The community experiences these disparities regardless of underlying causes. This provides the impetus for ongoing assessment, analysis, and dialogue between CPD and its community. Taken together, these findings suggest an overall indication of disparity in most measures. Such a disparity may exist in overall traffic stops, since stops ending in warnings are more common than those ending in citations. However, to draw conclusive findings, it is necessary for CPD to collate a full database of traffic stops data (see finding 7).

Recommendation 5.1

CPD should develop an action plan to address the possibility of implicit bias in the department, including concrete activities such as training for officers.

CPD should develop and implement a plan to address the possibility of implicit bias, particularly relating to traffic stops and other field contacts, in the department. This plan should incorporate training to improve officer awareness of implicit bias and increase the strategies available to them to counteract implicit bias when making law enforcement decisions. CPD should begin implementing activities from this plan within the next year. Although CPD conducts fair and impartial policing training every 2-3 years, this

training should be updated and revised to more thoroughly address the possibility of implicit bias and further reinforce the principles of the training throughout the department.

Finding 6

CPD collects data regarding relatively few traffic stop and field contact outcomes as part of its standard collection procedures.

Analyses of post-stop and post-contact outcomes for traffic stops and field contacts can provide a better understanding of racial disparities in law enforcement decisions within an agency. Unlike pre-stop decisions, which are difficult to benchmark and may take place prior to an officer's assessment of an individual's race, post-stop outcomes can be compared using internal benchmarking techniques like propensity score matching, which provide greater confidence in findings.[12] See Appendix B for more detail on the data analysis of traffic stops.

Recommendation 6.1

CPD should implement additional data fields to capture, within a single data system, traffic stop outcomes including the stop start and end times (to allow for analysis of stop lengths), traffic stop disposition (written warning, citation, or arrest), and seizures during searches.

CPD should coordinate with SCCATTS to introduce additional data fields that clearly and concisely capture the data variables listed above within a single data system. CPD should plan for analyses of these additional outcomes once at least a year of data is available.

Finding 7

CPD does not collate traffic stop information into a single comprehensive database.

CPD documents traffic stops through various methods. Currently, when an officer makes a traffic stop the stop is documented as either a citation or warning (documented as public contacts). Officers complete field contact cards during traffic stops when no action is taken or when a search of a vehicle is conducted. Each outcome is documented in a separate dataset, and there are no common identifiers that allow a master list of traffic stop incidents to be collated across the three existing datasets. This presents issues in CPD's ability to aggregate the data across databases. Further complicating this is the CPD's transition from RMS to SCCATTS and the inability for each of the three databases to integrate with the department's CAD system. These issues limited our ability to conduct a comprehensive analysis.

[12] Pre-stop decisions must be compared with an external benchmark intended to estimate the driving population in a jurisdiction. Despite decades of effort by researchers and practitioners, few effective and practical external benchmarks have been established, and the most promising options typically involve use of data external to the agency (such as traffic accident data). Analyzing post-stop outcomes such as stop length, searches, citations versus warnings, and seizures during searches can be achieved using internal benchmarking techniques using an agency's internal data. Stops that are similar other than the race of the driver can be compared on these outcomes to establish differences in outcomes by race, using quasi-experimental techniques such as propensity score matching, which provides high confidence that observed differences are attributable to the race of the driver rather than other stop characteristics. Agencies that collect more data about stop outcomes and about stop characteristics are better able to perform these types of analyses.

Recommendation 7.1

CPD should assess its systems for documenting traffic stops and acquire the necessary technology or software to enter or collect all traffic stops into a master list.

This new database should include all traffic stops regardless of the outcomes (warning, citation, field contact). Further, as noted in recommendation 6.1, this database should also include information on search outcomes. The new database should also be integrated into the CAD system.

Recommendation 7.2

CPD's personnel in the Criminal Intelligence Unit and Professional Standards Office should receive analysis and data integration/management training.

CPD should ensure that the appropriate personnel in the Criminal Intelligence Unit and Professional Standards Office receive training related to data analysis and data management and integration. This will ensure that all personnel participating in the revisions to the traffic stop and use of force data and record systems (Recommendations 7.1 and 8.1) have the necessary tools and training to manage the data and conduct the appropriate analysis.

THIS PAGE INTENTIONALLY LEFT BLANK.

SECTION 2. USE OF FORCE IN THE CHARLESTON POLICE DEPARTMENT

This section examines our assessment of CPD's policies, procedures, and practices related to use of force. We begin by providing an overview of the related policies and any changes CPD has made to these policies over the past five years. We include an overview of the perspectives we gathered from our interviews and community meetings as they relate to CPD use of force practices. We conclude with our findings and recommendations resulting from our review of related policies and procedures, interviews, community meetings, and data analysis.[13]

POLICIES AND PROCEDURES

When referring to use of force, CPD uses the term "Response to Resistance and Aggression." For this report, the audit team will refer to CPD's Response to Resistance and Aggression as use of force. CPD's use of force policy, General Order 23: Response to Resistance/Aggression, sets the standards and procedures that officers should follow when using and reporting force. This policy defines use of force, sets standards for its use, discusses the importance of de-escalation, reviews supervisory response, and lists the procedures that supervisors and officers must follow after a use of force incident.

Supplementing General Order 23 are various related policies and field guides that provide further direction to officers on the various aspects of use of force. These include General Order 10: Professional Standards Office, General Order 25: Less-Lethal and Lethal Weapons, Field Guide: BlueTeam, Field Guide: Body-Worn Cameras, Field Guide: CEW Critical Incident Response, Field Guide: Patrol Rifle, and Field Guide: Shooting Incident.

CPD has made some notable revisions to the procedures within the last five years. For example, CPD no longer uses a step-by-step decision model for use of force; this model was replaced with a wheel decision model in 2017. This change further encouraged officers to refer to force as a continuum, allowing the officer to de-escalate or escalate as the incident requires, rather than establishing a series of events that must be met in order for an officer to escalate or de-escalate the level of force used.

COMMUNITY PERSPECTIVES

Several concerns about the CPD's use of force were brought forth during our interviews with community leaders and community meetings. These concerns centered around potential systemic issues in accountability when an officer uses excessive force. Community members reported a general mistrust in the CPD's ability to hold its officers accountable, and stated that, although CPD had acquired BWCs for its officers, it was unclear to them if these videos were being retained and/or reviewed after instances involving force, complaints, or traffic stops.

[13] The complete analysis of the CPD use of force data is provided in Appendix C.

SUMMARY OF DATA ANALYSIS

The audit team conducted both descriptive and comparative analysis of CPD's use of force incidents from 2014–2018. CPD tracks use of force incidents in IAPro's BlueTeam[14] software. Officers enter details about a use of force inciden, including an incident narrative and basic information about the incident such as date, time, type of force used, and reason for use of force. We describe CPD's use of force over time, summarize characteristics of use of force incidents, describe types of force used, and summarize characteristics of officers and community members involved in use of force incidents. In conducting comparative analysis, we focus on disparities in use of force by the race of the community member involved in the incident.

During the five-year period from 2014 to 2018, there were 1,355 incidents of CPD officers using force with community members. The 1,355 incidents involved 437 unique officers and at least 1,588 community members. The number of use of force incidents has remained fairly stable over the five-year period, with an average of 271 incidents per year. When examining incident characteristics, we found that the most frequent occurrence is an officer responding to a call-for-service, followed by officers conducting proactive responses to on-view offenses. Over time, most of the common circumstances prior to use of force incidents have remained relatively stable, though use of force incidents precipitated by response to on-view offenses have decreased and use of force incidents when officers were dispatched to the call increased in 2016 and 2017, but decreased in 2018 back to levels similar to 2014 and 2015. In reviewing why force was used, we found that possible armed suspect, resisting arrest, and non-compliance to officer directives together accounted for just over half of the use of force incidents. Considering trends over time, the number of incidents involving possible armed suspect and high-risk stop as the reason for use of force application have increased, while the number of resisting arrest and combative subject as the reason for application of force have decreased. Other reasons for use of force that CPD tracks include fleeing subject, assault on police, protective sweep for suspect, assault on a citizen, emergency protective custody, crowd control, protection of evidence, and damage to private property. In our analysis of the types of force used, we found that the majority of use of force interactions involved physical hands-on use of force or undeployed lethal force (i.e., un holstering firearm). The types of force used year by year during the past five years were relatively similar. The department is not using substantively different levels of force (lethal, non-lethal, or physical) from year to year since 2015. As noted above, 437 individual CPD officers were involved in use of force incidents over the five-year period of this analysis. Although supplemental reports are completed by other officers involved in the incident, these reports are often collected separately and are not aggregated into the use of force data. Many of the 1,355 use of force reports document more than one type of force. Officers involved in use of force incidents were, on average, 32 years old and had worked in the department for five to six years. Within these interactions, 88 percent involved White officers, 8 percent involved Black officers, 2 percent involved Asian officers, 1 percent involved Hispanic officers, and the remaining 1 percent involved officers of another or unknown race. Ninety-two percent of interactions involved a male officer, and 8 percent involved a female officer.

[14] IAPro's BlueTeam is a reporting tool used by CPD to document use of force incidents.

When examining the characteristics of community members involved, we found that, on average, involved community members were 30 years old, ranging from 6 years old to 78 years old. Eighty-five percent were male, and 15 percent female. Sixty-one percent of involved community members were Black, 37 percent were White, 1 percent were Hispanic, and less than 1 percent were Asian or Middle Eastern. When comparing community members involved in use of force to the Charleston population (using 2017 Census American Community Survey 5-year estimates), Black community members are overrepresented in use of force incidents.[15] Specifically, the disparity index for White community members is 0.50, which indicates that White community members are involved in half as many incidents as we would expect based on their presence in the population. Black community members' disparity index is 2.80, indicating that they are involved in nearly three times as many incidents as would be expected based on their presence in the population. According to our analysis, Black men are involved in 53 percent of CPD's use of force incidents, and young Black men (25 years old or under) represent 23 percent of community members involved in use of force incidents.

To conduct a more accurate comparative analysis to determine racial disparity in the use of force, we filtered the data to focus first on those instances in which force was used against a specific community member and to focus second on the highest level of force used. Because of CPD's documenting practices, only one use of force incident report is required regardless of the number of officers or community members involved. Although supplemental reports are completed by other officers involved in the incident, these reports are often collected as separate attachments and are not aggregated into the use of force data. Of the 1,355 use of force incidents documented between 2014 and 2018, 1,208 (89 percent) met the above criteria (e.g., they involved use of force against a specific community member, and involved only one officer). Based on our analysis, minorities are overrepresented in use of force incidents compared to the Charleston population, though incidents involving minority community members do not involve significantly greater level of force than do those involving White community members.

The detailed analysis of the use of force data and additional detail on the limitations of our data can be found in Appendix C.

FINDINGS AND RECOMMENDATIONS

Finding 8

CPD's current data structure, in which use of force is understood primarily at the level of the incident, hinders analysis of trends in use of force and racial disparities at the individual level.

CPD's current method for encoding use of force incidents makes it difficult to disentangle the specific interactions and instances of force that took place during an incident. Thus, the audit team could

[15] Note that the US Census Bureau data collection adheres to the updated federal guidelines on race definitions, while CPD's internal data does not. Thus, there is no equivalent to CPD's Hispanic race category in the Census figures (as ethnicity is collected separately from race). We therefore collapse Hispanic and Middle Eastern into an "Other" category in CPD's data within the charts. For the purposes of comparison, we collapse the Census categories of two or more races, some other race, American Indian and Alaska Native, and Native Hawaiian and Other Pacific Islander into an "Other" category.

conduct disparity analysis only on incidents involving a single community member, as these were the only incidents in which we could assuredly align use of force interactions with specific community member characteristics.

Recommendation 8.1

CPD should review its use of force data system and identify a method to ensure clear linkages between officers, instances of force, and community members.

CPD should revise its policies and data system related to use of force incidents and consider adding additional fields or adjusting policy so that extracted data from IAPro indicates clear links between specific officers, uses of force, and community members (including officer and community member characteristics). Data extracted from IAPro for analysis should have the option to export a line for each instance of use of force during an incident, with the specific officer and community member characteristics included. This will ensure that future analyses of use of force incidents need not be limited to a subset of those incidents. CPD may need to consider workarounds such as entering multiple entries (one per officer/community member) or adding custom fields to indicate clear linkages and identifiers for involved officers and community members, depending on the restrictions of its IAPro configuration.

Finding 9

CPD currently uses 19 categories for describing the type of force used, including an "Other" category.

As part of the data coding and cleaning process, the audit team reviewed the 44 incidents that were coded as "Other" for the type of force used. In all but five of these incidents, we were able to code the use of force type into either a pre-existing category or as "tackle/take to ground" (a type not currently present in CPD's definitions).

Recommendation 9.1

CPD should revise policy, data structure, and training to reduce or eliminate use of the "Other" category in its use of force characterizations.

To reduce or eliminate the use of the "Other" category, CPD should implement one additional category for type of force used: "tackle/take to ground." This category would eliminate 10 uses of "Other" out of the 44 incidents (a reduction of 23 percent). In addition, CPD should review policy and training and provide refresher training to ensure that officers correctly code the type of force used. The audit team was able to code 29 of the incidents officers coded as "Other" into existing categories for type of force used. Thus a total of 39 of the 44 incidents coded as "Other" would be eliminated if these were coded correctly and if "tackle/take to ground" was added as a type of force used.

Finding 10

CPD does not consistently code the instances of use of force involved in an interaction or incident.

The audit team reviewed 25 randomly selected incidents from the five-year period and independently coded each instance of use of force in the incident based on the narrative. Across these 25 incidents, nine involved at least one additional instance of use of force than was present in CPD's data. For all nine incidents, one or more missing instances of use of force were use of restraints or restraint against the floor or wall. In one incident, pointing a firearm was also missing. Although 25 incidents represent a relatively small percentage of all incidents in the analyzed time period, the prevalence of missing use of force instances in the sample of 25 suggests this issue likely occurs regularly in CPD's data. Since the most commonly missing instances of use of force are also the lowest levels of use of force (restraint), we do not feel this undermines the analysis and findings in this report, but it does limit analytical methods (for example, analyzing counts of instances of use of force is not feasible since data is missing). These instances of use of force should also be clearly documented, as with all other instances of use of force, even if they are a lower level of force.

Recommendation 10.1

CPD should conduct a thorough audit of use of force reports for coding issues.

CPD should conduct a more thorough audit of instances of use of force coding in existing data to identify more specifically what training and policy adjustments should be made.

Recommendation 10.2

CPD should review policy and practice and provide refresher training to ensure that all instances of use of force are coded for each interaction and incident.

CPD should conduct a review of its policies and procedures to ensure that its guidelines for use of force coding are clear and promote consistency across classifications. CPD should consider developing guidance materials for officers to reference during report writing that include examples of proper use of force classifications. CPD should also develop a refresher training curriculum for use of force coding. This training curriculum should review the definition of pointing of a firearm, restraint against the floor or wall, and other (often misclassified) actions.

Finding 11

The CPD data structure and the use of force database limited the use of force analysis to incidents involving a single community member and the highest level of force used in that incident, thus ignoring about 11 percent of use of force incidents (see page 20 above).

Of the 1,355 use of force incidents, the audit team was able to conduct a comparative analysis of 1,208. It is important to note that data limitations precluded analysis of how many instances of force were used

in an incident, use of force interactions between specific officers and community members, and incidents involving multiple community members. These limitations prevented any meaningful analysis concerning the full range of use of force activity. The audit team's recommendations regarding data structure in the use of force database will address these limitations. CPD's current policy calls for a single IAPro entry for each use of force incident, which disallows the complete analysis of use of force holistically in the agency in its current data structure.

Recommendation 11.1

CPD should conduct regular analyses and audits of use of force incidents with the goal of assessing disparity in use of force related to the race of the involved community members.

Upon implementation of the audit team's recommendations regarding the use of force data structure, CPD should conduct additional analyses using outcomes other than the highest level of force used in single-community-member incidents. At a minimum, CPD should assess racial disparity in the number of instances of force used against community members, and the cumulative levels of force used against community members. In addition, CPD should establish an annual schedule for conducting these audits of racial disparity in use of force to track trends over time and monitor for racial disparity in use of force.

Finding 12

CPD's use of force data includes missing values on key variables such as time, incident type, and reason for use of force. Data are also missing from officer characteristics such as age at time of incident, race, and sex.

In reviewing the use of force data prior to analysis, the audit team identified missing data in several key variables related to analysis, as noted above. In many of these cases, the missing data could readily be extracted from the incident narrative or other supporting information.

Recommendation 12.1

CPD should develop data audit procedures to flag missing data upon entry into IAPro and develop processes for filling in missing data whenever possible.

CPD should implement policies and procedures for supervisors to review new entries in IAPro related to use of force and temporarily reject entries that are missing data, particularly in the time, incident type, and reason for use of force fields. CPD should not allow final submission of IAPro entries for review until all fields are completed or a satisfactory explanation is added to the narrative to explain missing information.

CPD should also develop a system used to link officer characteristics into the IAPro system and identify the root cause of missing data in officer characteristics fields. CPD should subsequently develop a strategy to prevent missing data in the future.

Finding 13

The process that supervisors follow in the review and investigation of non-deadly use of force incidents is not standardized.

Although CPD's General Order 23: Response to Resistance/Aggression outlines the responsibilities of supervisory members in reviewing response to resistance/aggression reports, it does not provide detail on the investigatory process supervisors should follow, such as interviewing witnesses and reviewing BWC video. This gap, coupled with limited supervisory training (see finding 44) presents the potential for a lack of standardization and comprehensiveness in the review of use of force incidents.

Upon reviewing the timelines of these reviews, the audit team found inconsistencies in the time it took for chain of command to conduct a review of use of force incidents. Final internal adjudication times ranged from 0 to 1,277 days (median of 38) from the date the incident occurred to its final adjudication (see Appendix C, Table C.6).

Recommendation 13.1

CPD should revise GO 23 to ensure clarity in the process and procedures that supervisors and chain of command should follow when reviewing all non-deadly use of force incidents.

G0 23 should describe, in detail, the investigatory process that supervisors and chain of command should follow in their review of use of force reports. This process should include responding to the scene, reviewing incident reports from witness officers, studying relevant body-worn camera video footage, analyzing witness statements, and interviewing witnesses (if appropriate). The GO should also outline the time frame during which these reviews should be conducted.

Recommendation 13.2

CPD should require supervisors to review BWC video footage for all reported use of force incidents.

The CPD should update the field guide for BWCs to require supervisors and all levels of chain of command to review BWC video footage for each use of force report. This will ensure greater comprehensiveness of the investigation and accountability in the management and regulation of use of force.

Finding 14

CPD does not have established BWC compliance and auditing procedures and processes.

Although the Field Guide for Body-Worn Cameras notes that supervisors "will conduct random monthly reviews of five selected recordings," and that the Professional Standards Office "may access the Video Management System for administrative investigations and/or for periodic reviews," it does not include a description of the auditing process or procedures.[16]

[16] Charleston Police Department. Field Guide: Body-Worn Cameras. December 15, 2017.

Recommendation 14.1

CPD should establish a formal compliance and auditing process to ensure that officers comply with the BWC policy and properly tag BWC videos.

In addition to supervisory review of randomly selected BWCs, the PSO office should conduct random reviews of all BWC video footage. CPD's Field Guide for BWCs should be updated to reflect the new auditing and compliance process, which should include procedures for administrative reviews, policy compliance reviews, and performance reviews and should be tailored to CPD's capacity to conduct these reviews. The audit team suggests CPD leverage the available technical assistance provided by the Bureau of Justice Assistance, Body-Worn Camera Training and Technical Assistance Program.[17] As a former body-worn camera policy and implementation program grantee, CPD may obtain access to subject expertise and peer to peer engagements to assist in the development of a compliance and auditing process.

Finding 15

CPD GO 23 does not include a statement related to the importance of sanctity of life.

GO 23: Response to Resistance and Aggression does not include a statement about the sanctity of life and the importance of understanding the sanctity of life when using force. We should note that GO 25: Less-Lethal and Lethal Weapons states "In deciding whether to use deadly force, the value of human life should outweigh all other considerations."[18] However, this statement is not made until section 25.11, page 8 of a 19-page document.

Recommendation 15.1

CPD should include a sanctity of life statement in its policies related to use of force.

Including a statement on the sanctity of life in policy reinforces the importance of all human life to the department and the community. Although this is not a new notion to officers, the inclusion of such a statement within the use of force policy, in addition to the statement included in GO 25, can have great impact on both the officers and the community, and it ensures that officers have a greater understanding of the gravity of their role and responsibility in serving the community. CPD should also emphasize the sanctity of life in its mission statement and in related training curricula. CPD should refer to the Police Executive Research Forum's *Guiding Principles on Use of Force Report* for examples of sanctity of life statements.

[17] Resources provided by the Body-worn Camera Training and Technical Assistance can be found and requested here: *www.bwctta.com*

[18] Charleston Police Department. General Order Less-Lethal and Lethal Weapons. September 4, 2018.

Finding 16

CPD policies and procedures, including the GO 23, are reviewed on an ad hoc basis.

Although CPD is certified by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), the certification process occurs only every three years, and the examination only ensures that policies meet CALEA standards, which may not always reflect the current practices of the department or needs of the local community. CPD also has no formal procedure or process in place to conduct a comprehensive review of policies and procedures on a more regular basis. In some instances, policies such as GO 23 and other policies related to, for example, community engagement and use of force, are reviewed on an ad hoc basis and only after a particular issue arises.

Recommendation 16.1

CPD should establish a formal annual review process to re-examine its policies and procedures to ensure that they align with departmental practices, training, and promising practices in the field of policing.

CPD should establish a procedure to review policies each year to ensure that they meet best practices and the needs of the community. CPD should conduct annual reviews of its policies, most importantly those that affect the community and officer accountability mechanisms, to ensure that practice matches policy, that policy meets best practice, and that policies are updated to address potential negative trends. These reviews should be completed in collaboration with the PSO to ensure that any negative trends identified in the review of complaints and use of force incidents are addressed both in policy and in training.

Recommendation 16.2

CPD should conduct periodic audits of operational practices as they relate to policy.

CPD should conduct audits, at least annually, of how various policies such as use of force, BWC, community policing, crisis intervention, and others are being carried out operationally to ensure greater understanding and compliance with policy. These audits can be conducted through a series of interviews and focus groups with various members of the department and staff, regular reviews of BWC footage, and random observations of operational activities, i.e., trainings, roll call sessions, and ride-alongs. CPD's Professional Standards division should conduct these audits.

Finding 17

CPD BWC video retention schedules for a number of incident types are not long enough and may present potential issues in evidence retention, auditing, and compliance.

There are some examples in which the CPD BWC video retention could be extended to ensure proper retention of evidence, auditing, and compliance with the BWC policy. They include the following:

- Field Contacts – (14 days): The 14-day retention period for BWC video captured during a field contact is not long enough to ensure that BWC video is retained should a community member file a complaint.
- Domestic Violence – (1 year): Because past history is significant in domestic violence (DV) outcomes, having footage available from past incidents is important. If a case goes to trial, then the 1-year retention period is too short. DV dynamics make BWC especially important because the victim/offender often changes his or her story after the initial traumatic incident and police response. Comparatively, CPD retains BWC for Crimes against Property for 7 years.
- Death Investigations – (1 year): If a death is deemed not suspicious, 1 year for retention of BWC footage is reasonable. However, out of caution, we recommend that CPD retain such footage for a longer period. Death by natural causes, overdoses, and even suicides can be obvious, but some are not.
- Assaulting/Resisting Officer – (6 months): If officers are injured mentally or physically by a member of the public, 6 months' retention of footage is too short. A longer retention is needed to ensure fair and just outcomes of potential civil suits. In addition, footage from these actions often demonstrates a suspect's violent nature, which can be used in other investigations. Such footage might also be used for training.
- Vehicle Stop, Felony – (6 months): If prosecutors believe they can close a case in 6 months, this retention period is sufficient. However, if the case goes to trial, 6 months may not be long enough.

Recommendation 17.1

CPD should examine complaints from 2014 to the present day to determine the appropriate BWC video retention period for all field contacts.

The 14-day retention period for BWC video captured during a field contact should be extended to a minimum of 30 or 45 days. To determine the appropriate retention period more accurately, CPD should conduct an analysis of previously filed complaints (and information calls) to determine the appropriate retention period for all field contacts and/or traffic stops that result in a warning citation.

Recommendation 17.2

CPD should consider attaching the same retention periods to BWC video as it does to other types of evidence.

By examining the retention periods for other types of evidence (e.g., physical, in-car camera footage), CPD will be able to establish the most appropriate retention period for BWC footage. For example, if case files for a Class 1 Felony Robbery are 7 years past final adjudication, then the BWC video can be destroyed at the same time as the paper files. However, if a Class 2 Felony Robbery is 5 years past final adjudication, we often see agencies use the same 7-year period as the Class 1 Felony.

SECTION 3. COMPLAINTS IN THE CHARLESTON POLICE DEPARTMENT

This section examines our assessment of CPD's policies, procedures, and practices related to external and internal complaints. External complaints are those submitted by members of the community. Internal complaints are those submitted by a fellow officer or department personnel. We begin by providing an overview of the related policies and any changes CPD has made to these policies over the past five years. Next, we present an overview of the perspectives we gathered from our interviews and community meetings as they relate to CPD use of force practices. We conclude with our findings and recommendations resulting from our review of related policies and procedures, interviews, community meetings, and data analysis.

POLICIES AND PROCEDURES

CPD's policy related to complaints is included in General Order 10: Professional Standards and Field Guide: Administrative Investigations. GO 10 sets the standards and procedures for officers for the Professional Standards Office (PSO). This policy outlines the roles and responsibilities of the PSO and includes procedures related to the complaint process. The GO also provides guidance on complaints categorized as information calls, classes of investigation, the role of PSO in conducting investigations, correspondence with a complainant, findings, and corrective actions. The Field Guide on Administrative Investigations outlines the investigative processes supervisors should follow when addressing use of force, complaints, and officer involved shootings, for example. CPD's policies related to the complaint process have remained mostly unchanged over the past five years.

Comprehending how CPD defines and documents complaints is important to establishing the context in which we developed our findings, recommendations, and related data analysis (Appendix D). There are two types of complaints—complaints and information calls. Class A offenses, such as excessive or misuse of force, criminal misconduct, and bias-based policing, are categorized as complaints and are investigated by the PSO. Class B offenses, such as failure to attend court, tardiness, and speeding, are categorized as information calls and typically do not rise to the level of an investigation by the PSO. Information calls are typically investigated by team leaders (e.g., lieutenants) and are not required to be entered into BlueTeam and formally documented by PSO. Complaints and information calls can come into CPD through a variety of methods—including directly to the PSO (in person or by phone, email, or website) or directly to a supervisor (in person, by phone, or by email).

COMMUNITY PERSPECTIVES

Concerns about CPD's practices as they relate to complaints were some of the most prominent topics brought forth in our community meetings. Community members expressed their lack of confidence in the complaint system. Some expressed confusion about the complaint process and the methods they could

use to file a complaint. When community members did file a complaint, many noted that they never heard back from CPD regarding the outcome of their complaint, and, if they did, it was often months later. The lack of timely responses and transparency in the outcomes related to their complaints left community members with a lack of confidence in CPD's complaint process and its ability to hold officers accountable. As a result, many community members noted that they no longer choose to file complaints.

SUMMARY OF DATA ANALYSIS

The audit team conducted a contextual analysis of internal and external complaints documented from 2014–2018. In examining internal complaints, we found that 240 different personnel had internal complaints filed against them during the five-year period. Internal complaints, allegations, and personnel involvement have declined steadily over the past three years, likely because of changes in policy and practice from revisions to the Field Guide: Administrative Investigations. In examining allegations, we also discovered that a majority of the allegations made as part of an internal complaint were failure to attend court or assignment; these complaints are generated automatically for missed court appearances and other incidents. Of these complaints, a majority were sustained. Forty-one percent of the corrective actions listed were written reprimands.

In examining documented external complaints for the five-year time period, we analyzed 89 complaints, which included 187 allegations. Across this time period, 92 different citizens filed complaints against CPD officers. On average, community members involved in external complaints were 38.4 years old, ranging from 20 to 67 years old. Complainants were 56 percent male and 44 percent female. They were 63 percent Black, 36 percent White, and 1 percent Hispanic. The more common allegations related to Courtesy and Customer Service, Improper Stop/Detention/Arrest, Attention to Duty, Bias-Based Profiling/Discrimination, and Conduct Unbecoming, which accounted for more than 5 percent of citizen allegations. No one allegation accounted for more than 15 percent of the allegations. When examining outcomes of these complaints, the audit team found that the plurality of citizen complaints from 2014 to 2018 were unfounded (61 of the 185 allegations, 33 percent), followed closely by sustained (59 of the 185 allegations, 32 percent).

The complete analysis of the complaint data and additional detail on the limitations of our data can be found in Appendix D.

FINDINGS AND RECOMMENDATIONS

Finding 18

Data on complaints extracted from IAPro indicate that two employees had action taken on a complaint against them before the relevant incident occurred.

The audit team calculated the time from incidents to complaint disposition and found two internal complaints had action taken a negative number of days from the incident in question, and one citizen

complaint had action taken a negative number of days from receipt of the complaint. Both of the internal incidents involved a failure to appear at court and, based on the narrative, reflect a monthly combined internal complaint levied against all officers who failed to appear at court in a particular month. The audit team could not determine a reason for the single citizen complaint incident to have a negative resolution time.

Recommendation 18.1

CPD should not group "failure to appear" complaints into one entry into IAPro, as it introduces data errors, including the impression that disciplinary action was taken before an incident took place.

CPD should enact policies and procedures to ensure that each IAPro entry is completely accurate for the individual officer(s), including the date an incident took place and the date action was taken in response to the complaint.

Recommendation 18.2

CPD should incorporate data auditing procedures in IAPro.

These auditing procedures, or a regular process for selecting records for comparison to original documents using sound sampling principles, will ensure that the date listed for Action Taken cannot precede the date of the incident in question or the date of the receipt of the complaint.

Finding 19

Internal complaints at CPD have nearly halved over the five-year period under analysis for the audit.

Total internal complaint incidents have fallen from 53 in 2014 to 31 in 2018 (a 42 percent decrease), and allegations have fallen from 95 to 38 (a 60 percent decrease) in the same period (see Appendix D, Table D.2). It is important to note that CPD revised its Field Guide: Administrative Investigations in early 2017; the revisions provided additional guidance on the process related to Class B complaints.

Recommendation 19.1

CPD should conduct an in-depth exploration of internal complaints over time, including a review of complaint procedures and input from current personnel, to determine the underlying causes of the decrease in internal complaints.

CPD should appoint an internal working group to assess the decrease in internal complaints experienced over the past 5 years. This working group should include individuals with expertise in internal procedural justice principles. The group should conduct an in-depth exploration of the internal complaint data, to include more detail about the origination of complaints over time, including the internal complainants' rank and position in the department. In addition, the working group should develop and disseminate surveys and other information-gathering mechanisms to solicit input and feedback from individuals in the

department about the internal complaint process and procedures, and perceptions of fairness and efficacy of internal complaints. CPD should produce a report detailing the findings of this working group and next steps if the decrease in complaints is associated with diminished reporting. This report should be shared internally and with the Charleston community.

Finding 20

Finding 20 in the preliminary report, dated September 30, 2019, noted that no corrective actions were taken in eight specific cases, upon further analysis and discussion with CPD we determined that the finding was no longer accurate. This inaccuracy was a result of the inconsistency in the processing of the data. Beginning in October 2018, CPD began using "No Action Taken" in the corrective action field rather than leaving the field blank.

Finding 21

General Order 10 lacks clarity on the complaint process, the role and responsibilities of the employee's chain of command, and the role and responsibilities of the PSO.

CPD GO 10 (dated January 18, 2019) fails to outline and delineate the investigative process and supervisor responsibilities for investigating complaints and information calls. It is unclear what the specific criteria are for assigning complaints to PSO and when they are assigned to the employee's chain of command. Although the GO specifies the difference in Class A and Class B complaints, it also notes that some Class A complaints may be investigated by the Team Lieutenant, and some Class B complaints may be referred to PSO, but it does not provide guidance on the specific circumstances for these investigations. Further, much of the guidance provided in GO 10 outlines the investigatory process and corrective actions for those complaints investigated by PSO. It provides little detail about the investigatory procedures and corrective actions for supervisors reviewing Class B complaints/information calls.

Recommendation 21.1

CPD should recraft the PSO policy to ensure clarity in the complaint process, the methods for community members to file a complaint, the role and responsibilities of the employee's chain of command, and the role and responsibilities of the PSO.

The revised policy should clearly specify the investigatory protocols for when cases are assigned to supervisors and/or PSO.

The revised policy should also include detailed information on the complaint process, including how community members should go about filing a complaint, i.e., online, in-person, at stations, by email, by phone call), the documentation process, investigatory process (for both Class A and Class B complaints), corrective actions, and follow-up procedures for both the officer and the complainant.

Recommendation 21.2

CPD should develop a disciplinary matrix.

CPD should develop a disciplinary matrix to ensure that discipline issued is consistent and equitable. This matrix will also ensure greater internal procedural justice among officers undergoing an internal investigation.

Finding 22

General Order 10 and Field Guide: Administrative Investigations lack clarity regarding the processes through which complaints and information calls are investigated, tracked, and reported.

Although complaints designated as Class A are formally investigated and tracked by PSO, complaints documented as Class B, such as failure to attend court or assignment, failure to notify supervisor, and speeding,[19] are categorized by CPD as information calls and are assigned to the officer's Team Lieutenant to address. Because the related policies do not specify the procedure or process that the Team Lieutenant should follow when he or she receives an information call, the level to which they are documented and the extent of their review (i.e., review of BWC video, interview of complainant and witnesses) is at his/her discretion, and thus inconsistent. Further, because information calls are often sent directly to the Team Lieutenant, these complaints and their outcomes are not formally tracked and documented as part of PSO's annual review of complaints. This presents a problem when trying to conduct an analysis of the complaints received, as PSO tracks and reports only those complaints that were formally investigated and not all complaints received. This difference in how complaints are reported back to the public has caused concern in the community about the legitimacy of the complaints process (see finding 23).

Recommendation 22.1

CPD should formally track and investigate all complaints received, including information calls.

GO 10 and Field Guide: Administrative Investigations should be revised to reflect that all complaints (Class A and B) will be documented using the same process. The revised policy should also provide specific direction on how Team Lieutenants are to document and investigate Class B complaints. Although PSO will continue to lead the investigation of all Class A complaints, and Team Lieutenants will lead the review of all Class B complaints, the documentation for each type of complaint should be the same. The revised policies should also provide more direction to supervisors about their roles and responsibilities when documenting and reviewing Class B complaints. This will ensure that there is consistency in how these reviews are being conducted and documented, as well as consistency in the disciplinary actions issued.

[19] Charleston Police Department. Administrative General Order: 10 Professional Standards, January 18, 2019.

Recommendation 22.2

CPD should include information on all complaints (Class A and B) in its annual PSO reports.

PSO's annual reports should include information and an analysis of all complaints (Class A and B). This will ensure greater transparency and accountability and also reinforce to both officers and community members the importance and rigor with which CPD investigates all complaints.

Recommendation 22.3

CPD should conduct training on the procedures for the new complaint process.

The revised policies should be reviewed with all officers during roll call training. CPD should also incorporate training on these policies into the Sergeants Training Academy.

Finding 23

Community members feel that the complaint process is illegitimate and are uncertain that their complaints will be addressed.

A recurring theme during our community meetings was the concern over the lack of follow-up after filing a complaint with CPD. Many community members noted that, in many instances, they did not hear back from CPD and were never informed of the outcome of their complaint. This lack of communication and lack of transparency in the complaint process increased the public's mistrust in the CPD and its complaint process.

As noted in finding 22, GO 10 lacks direction on the process that supervisors should follow after an information call has been reviewed and a finding made. Some Team Lieutenants interviewed reported that they followed up formally with a letter/email to the complainant, while others noted that their follow-up consisted of a phone call. The variance in when, and the manner in which, community members were informed of the results of the complaint explains the community's confusion with and lack of clarity into the follow-up process.

Recommendation 23.1

CPD should establish a formal process for following up with community members who file a complaint or grievance.

CPD should establish procedures that instruct the department when and how to follow up with community members after a complaint is filed so that the community member is informed of both the outcome of the complaint investigation and the reasoning for that outcome. CPD should ensure that the agency is consistently following through on this process for complaints. CPD should also be proactive in its outreach to community members relating to updates on complaint investigations.

Finding 24

CPD lacks updated policies that categorize complaint allegations by the severity of the allegation, limiting the potential to analyze complaints comparatively.

Although CPD has a policy to enumerate complaint allegation categories as Class A and Class B, the policy has not been updated to reflect current allegation types in use in CPD data. Thus, there is no system to classify allegations by seriousness or severity, making it difficult to compare complaints appropriately by outcome or processing time, as the severity of the complaint allegation necessarily influences outcomes.

Recommendation 24.1

CPD should update policies to ensure that all currently tracked allegation types can be readily classified by severity and seriousness.

CPD should review allegation types used in the past five years of complaint data and update its policies to classify them by seriousness and severity. CPD should also develop an annual schedule for revising and updating these policies to ensure that all future allegation categories are promptly incorporated into policies.

THIS PAGE INTENTIONALLY LEFT BLANK.

SECTION 4. COMMUNITY-ORIENTED POLICING PRACTICES OF THE CHARLESTON POLICE DEPARTMENT

This section examines our assessment of CPD's policies, procedures, and practices related to community-oriented policing and community engagement. We begin by providing an overview of the related policies and practices as they related to community engagement and outreach efforts. This is followed by an overview of the perspectives we gathered from our interviews and community meetings as they relate to CPD community oriented policing practices. We conclude with our findings and recommendations resulting from our review of related policies and procedures, interviews, and community meetings.

POLICIES AND PROCEDURES

In recent years, CPD has increased the level of focus on community engagement-related initiatives within the department. The department has established community action teams (CATs), developed training curricula, and collected data on community engagement. Some of CPD's engagement activities include attending neighborhood meetings and hosting events, such as Camp Hope, a summer program that provides at-risk youth the opportunity to build relationships with CPD officers. The CPD established CATs in 2010. These teams, located in Team 1 and Team 4, are the primary method for CPD to coordinate its community outreach efforts. Officers assigned to this unit are on duty from 11 am to 7 pm and focus on building community partnerships by providing a consistent presence and helping community members solve community concerns.

Besides the activities conducted by the CATs and the patrol division, the department participates in the Illumination Project, which seeks to strengthen relationships between the police and the community by enhancing community engagement and increasing opportunities for involvement. This participation included working with the Illumination Project and the community to develop strategies and a community engagement strategic plan.[20] CPD also participates in the Citizen's Advisory Council, which facilitates the involvement of neighborhood and community representatives to improve policing and strengthen the connection between citizens and the CPD.[21]

CPD seeks to foster this community engagement focus in all its officers by delivering training on topics related to community policing principles. The department has introduced new trainings intended to educate officers on the perspective of community members and to increase their understanding of community concerns. These trainings cover topics such as biased-based policing, civil rights history, and community policing. They are designed to cover concepts outlined in CPD policy.

[20] Charleston Illumination Project. Community Engagement, Planning, and Implementation Report. September 2016. *https://www.charleston-sc.gov/DocumentCenter/View/12061/Illumination-Project-Complete-Report?bidId=*

[21] Charleston Citizen Police Advisory Council: Guidelines. May 2018.

Various CPD policies delve into the operational procedures that officers should follow during interactions with community members. In addition to outlining procedures for activities such as citizen and pedestrian stops, CPD GO 7: Community Relations defines acceptable behavior of officers during contacts with the community. This GO mandates that all officers be courteous, fair, and professional during their interactions with members of the public. It also instructs supervisors to assign officers to attend community events and offer available resources whenever possible. Further complementing this policy are various policies related to community engagement, including General Order 8: Fair and Impartial Policing and GO 32: Mental Illness/Developmental Disabilities.

COMMUNITY PERSPECTIVES

In our community meetings, the public was most concerned about CPD's practices as they relate to its interactions and engagement with the community members. In particular, community members highlighted the following:

Lack of familiarity with neighborhood patrol officers

Community members voiced concerns about the inconsistency in patrol officer assignments to their neighborhoods. Many felt that this inconsistency prevented them from becoming familiar with and building relationships with the officers in their communities. Many residents agreed that CPD should work on diversity training for officers, particularly for those who may not demographically represent the culturally diverse neighborhoods they patrol.

Lack of understanding of the rights of community members when interacting with police

Community members noted that they are unsure what their rights are when interacting with police, most specifically during a traffic stop and/or field contact. They noted that this is particularly important for youth and can lead to increased tension during these interactions.

The need for greater CPD interaction with youth

Community members feel that CPD should conduct more non-enforcement activities with local at-risk youth. Several residents wanted to see a greater focus on early prevention of delinquency in the youth and an increase in youth programs in the community.

FINDINGS AND RECOMMENDATIONS

Finding 25

Although CPD's Camp HOPE Initiative is an excellent example of efforts to engage local youth, additional efforts are needed to increase engagement and relationship building between the youth and the police.

In 2007, CPD's Camp HOPE Initiative was launched to increase engagement and build relationships with

the local community, particularly at-risk youth. More than 1,300 youth have participated in Camp HOPE. CPD conducts three day camps and one evening camp each summer with about 25 youth in each camp. These camps provide an opportunity for youth to develop relationships with CPD officers and recruits through academic and/or recreational activities.

CPD also participates in the School Resource Officer program, and the Citizen's Police Advisory Council includes a member of the youth community. Although CPD maintains a Police Explorers program, it appears to be decentralized from CPD's other efforts to engage local youth.

Although these mechanisms to engage and build relationships with the youth are important, opportunities to engage youth in more substantive and in non-law enforcement activities are limited.

Recommendation 25.1

CPD should expand its current initiatives and develop others to further engage and build relationships with local youth.

CPD should expand its efforts to engage local youth in non-law enforcement activities. These efforts could potentially include expanding the reach and participation levels in its Camp Hope initiative to serve more local youth. CPD should also consider establishing a Police Athletics League (PAL) and/or a youth mentorship program. PAL programs provide an opportunity for officers to engage local youth in recreational and team building opportunities year round, allowing youth and officers to build relationships that extend beyond the badge. CPD should engage local businesses and foundations to garner financial support for a PAL program.

A youth mentorship program in partnership with local schools could provide another opportunity for CPD to engage at-risk youth in non-enforcement activities. These mentorship programs can be focused around a school sport and geared toward youth who may be at risk. As with the PAL program, a youth mentorship program provides an opportunity for youth and police to build substantive and supportive relationships with one another garnering trust and respect.

CPD should also leverage current programs such as Police Explorers and the Citizen's Police Advisory Council to increase awareness of its programs and solicit increased participation from the local youth. CPD should also leverage youth focused initiatives led by the community to further engage and build relationships with the local youth.

Finding 26

Officers' roles and participation in community policing activities are not taken into consideration as part of annual performance evaluations.

CPD officers receive community-policing training during the recruit academy and through in-service training, covering topics such as community challenges and methods of engagement. This training encourages officers to establish regular communication, find solutions to concerns, and engage the community in problem solving.

Although CPD leadership expect its officers to carry out activities that reflect the core values of community policing, such as those described in trainings, these actions are not tracked or measured. CPD does not have an effective method to report on the frequency and effectiveness of community-policing activities.

CPD's officer performance evaluation criteria do not include metrics to evaluate an officer's involvement and participation in community-policing activities. Further, districts and teams do not have established goals and objectives associated with community policing. As a result, community-policing principles are not a proactive part of an officer's operational priorities and are not considered during annual performance evaluations.

Recommendation 26.1

CPD should include community-policing performance metrics as part of performance evaluations.

CPD should modify its performance evaluation metrics to capture officers' community-policing activities. Experts have suggested that departments integrate community-policing principles into performance evaluations to promote such aspects as community collaboration and citizen satisfaction.[22]

Supervisors can begin to evaluate officers on their level of work performance, including their effort to engage the community outside of enforcement activities. CPD should continue to reinforce community-policing principles in training and encourage community action teams to work with patrol teams to promote officer participation in community engagement activities.

Recommendation 26.2

CPD should create community-policing strategies for each of its districts.

CPD should direct its teams to create a community policing strategy that includes goals and objectives that are reflective of community policing principles tailored to its districts. Teams should develop these strategies in partnership with community leaders and members in their districts.

Finding 27

Training practices highlighting the importance of cultural awareness and sensitivity, non-enforcement engagement, and other aspects of community policing are often interwoven into other aspects of training and are not prioritized.

Although CPD has highlighted the importance of key community policing aspects during academy training, important components such as cultural awareness and sensitivity, and non-enforcement engagement are often interwoven into other aspects of in-service training. Training on use of force, procedural justice, and crisis intervention is provided annually as part of in-service training. CPD also provides officers training on civil rights history, fair and impartial policing, and on gender identity.

[22] US Department of Justice, Office of Community Oriented Policing Services. 2012. Community Policing Defined. Washington, DC.

However, these types of trainings are delivered on an ad hoc basis. In addition, trainings on topics related to the key aspects of community policing are not provided as frequently as other trainings.

Recommendation 27.1

CPD should conduct additional training sessions on interpersonal skills, cultural awareness and sensitivity, non-enforcement engagement, and other fundamental aspects of community policing.

CPD should develop and implement new training courses, during either in-service or roll call, including lessons on interpersonal skills, cultural awareness, bias-based policing, sensitivity, problem identification and solving, and non-enforcement engagement. Recent studies have shown the positive impact that non-enforcement activities can have on public attitudes towards police.[23] Non-enforcement activities may include activities like foot patrols, coffee with a cop, police athletic leagues, mentorship programs, etc. CPD should also regularly engage community partners to identify new training topics related to community policing that will further increase officers' knowledge, skills, and abilities.

Finding 28

Community policing activities are often relegated to the CATs and are not well integrated with other policing strategies and activities.

CPD has had CATs since 2010. It is overseen by a lieutenant who manages day shift officers. The CATs are responsible for community outreach activities such as monitoring social media pages, organizing events, and engaging with community members. They organize basketball games, participate in toy drives, and hold other events. CAT members also engage youth in positive activities with law enforcement, like Camp Hope. The CATs also focus on crime, drugs, and patrol activities. The mission of the CATs does not clearly focus on community engagement. In addition, CAT teams are used to supplement CPD street operations, which can leave little time for community engagement activities.

Recommendation 28.1

CPD should reinforce the roles and responsibilities for all teams and patrol officers to engage in community policing activities and efforts.

CPD should review and consider revising its roles and responsibilities for patrol officers to ensure that they include community policing principles. CPD should reinforce the concept that community policing is the responsibility of all officers—not just those assigned to the CATs. Integrating community policing principles into the roles and responsibilities of all staff can help strengthen community cooperation and enhance public safety. CPD should leverage CAT team members to serve as liaisons to the community.

[23] Kyle Peyton, Michael Sierra-Arévalo, David G. Rand. A field experiment on community policing and police legitimacy. Proceedings of the National Academy of Sciences Sep 2019, 201910157; DOI: 10.1073/pnas.1910157116

Finding 29

The current rotating shift schedule affects CPD's ability to provide consistent community engagement and ensure officer wellness and satisfaction.

Most law enforcement agencies have abandoned the rotating shift philosophy over the past several years as the profession realized that these schedules could affect employee morale and job performance.[24] To reduce officer fatigue, some departments transitioned to operating with fixed hours. CPD officers noted that rotating shifts impede their ability to engage in effective and consistent community policing. Officers cannot effectively build relationships when their locations and shifts are constantly changing. Indeed, many noted that they did not see community members consistently enough to engage and build substantive relationships with them.

Recommendation 29.1

CPD's should re-evaluate the rotating shift schedule for officers.

CPD should develop fixed shift schedules with considerations to officer preference, impacts on community engagement, and officer performance. CPD should revise its current rotating shift schedule to ensure greater consistency in community engagement efforts. The department may want to consider fixed shift schedules that give officers the opportunity for relationship building in the community.

Finding 30

Community members noted that police officers often lack procedural justice and cultural awareness when interacting with the community.

Although CPD provides training on procedural justice, it focuses largely on the fairness of the justice system rather than on how officers can engage in procedurally just actions during their interactions with the community. CPD officers also receive "reality check" training on the history of Charleston and the perspectives of community members. However, many community members reported that officers lack understanding of the community culture. Some officers noted that having a better understanding of the community's culture could positively affect the way that officers serve their communities. Community members offered that additional and more frequent training in this area would help officers better understand and serve their communities.

Recommendation 30.1

CPD should integrate interpersonal skill building and procedural justice into its training program.

To better prepare officers to serve their community or neighborhoods, CPD should re-assess its training curriculum and introduce concepts of interpersonal skill building and procedural justice. To improve

[24] Amendola, K. L., Weisburd, D., Hamilton, E., Jones, G., Slipka, M., Heitmann, A., ... & Tarkghen, E. (2011). The impact of shift length in policing on performance, health, quality of life, sleep, fatigue, and extra-duty employment. Washington, DC: Police Foundation.

community relationships and enhance trust, CPD officers could be given the opportunity to learn more about the culture of the communities they serve.

Finding 31

Community engagement practices are not well ingrained in the STAT 360 process.

CPD holds a monthly STAT 360 meeting at which Command Staff and Crime Intelligence Unit representatives meet to discuss ongoing operations and department updates. During this meeting, CPD discusses its community engagement efforts and outcomes. However, these meetings provide minimal information. For example, updates on community engagement are limited to upcoming events and the number of meetings attended.

Recommendation 31.1

CPD should further integrate its community outreach/engagement efforts in its monthly STAT 360.

CPD should provide greater information on community engagement activities in its monthly STAT 360 meetings, including current citizen concerns or opportunities to work with community members regarding community safety projects. These meetings are also an opportunity to discuss strategies for addressing those concerns, including possible goals and outcomes.

These monthly meetings can also highlight upcoming community engagement opportunities with the team leaders and encourage more active participation in future community engagement activities.

Finding 32

The Citizen Police Advisory Council's role, responsibilities, and standard operating procedures remain unclear.

The Citizen Police Advisory Council was established in 2018 to facilitate the involvement of neighborhood and community residents in improving policing and strengthening the connection between the citizens and the CPD. It includes 12 members appointed by each City Council member, 4 appointed by the Mayor, 2 high school seniors, the mayor, and the Charleston police chief.

Although the intention of the Citizen Police Advisory Council is positive, its established guidelines have not been shared with the larger community, resulting in confusion about the roles and responsibilities and purpose of the group. Also unclear is the council's role in engaging and serving as a voice for the community.

Recommendation 32.1

CPD should work with the Citizen Police Advisory Council, the city, and other community stakeholders to share with the broader community the council's goals, objectives, and standard operating procedures.

CPD should work closely with the Advisory Council, the city of Charleston, and key community leaders to inform the broader the community about the Advisory Council, including its goals, objectives, and operating procedures. CPD should use established community meetings and activities to inform the community about the Council and generate interest in engagement.

Recommendation 32.2

CPD should leverage the Citizen Police Advisory Council to gather community feedback on policies and procedures.

CPD should leverage the advisory council to gather feedback from the community on existing and new policies and procedures. CPD can employ the council as a direct connection to the community to receive information regularly on community concerns. The council should organize or participate in community meetings to offer the opportunity for community input on department policy and procedures.

Recommendation 32.3

CPD, the Citizen Police Advisory Council, and the city should make a concerted effort to engage and inform the community about their efforts to increase transparency and transform the CPD.

CPD and the Citizen Police Advisory Council should establish a method to educate community members about its role and ongoing efforts within the community. The CPD, the council, and the city should create a messaging plan to inform their community members about their efforts to increase transparency with CPD. This plan should include a method for informing community members about ways they can contact the council and provide feedback.

Finding 33

CPD's community engagement activities and efforts to sustain and build relationships with community stakeholders lack a strategic and top down approach.

The City of Charleston has worked closely with the community and CPD to develop numerous community engagement strategies and a Strategic Plan through the Illumination Project. However, the department does not consistently use or communicate these strategies both internally, among its officers, and externally, to the community in which they serve.

Although the Illumination Project's strategies reflect actions important to building a strong police-community relationship, CPD's lacks true ownership in this strategic plan. The lack of a departmental community outreach and engagement strategy further hinders its ability to develop and sustain strong

partnerships with its community. Meetings and engagement efforts with key stakeholders often happen on an ad hoc basis with no overarching strategy or plan and oftentimes in a silo seperate from various teams and units. Further, CPD does not maintain an up-to-date list of community stakeholders and their contact information.

Recommendation 33.1

CPD should leverage the Illumination Project strategies and plan to develop the CPD community engagement strategic plan.

CPD should leverage the Illumination Project strategies and Strategic Plan to further refine and revise CPD's community engagement strategic plan to ensure that it accurately reflects the needs of the community and the department. This revised plan should identify goals and action items for the department to enhance its outreach, meetings, and activities within the community. Local community groups should be involved in providing input related to the content of the departmental community engagement strategic plan. An overarching departmental community engagement strategy should also reflect and incorporate the team or district level community engagement strategies, see recommendation 26.2.

Recommendation 33.2

CPD should work with its community stakeholders to establish mechanisms, e.g., neighborhood community councils, for engaging directly with the community.

CPD should work closely with its community partners and stakeholders to establish mechanisms to engage directly with the community, such as neighborhood community councils. The neighborhood council's goal would be to improve communication and engagement between the police and the community. These councils, unlike the Advisory Council, would be neighborhood-based, work on localized community safety issues, and provide input on CPD policies and practices as appropriate. Prior to establishing these neighborhood councils, CPD should work with community members to create clear goals, objectives, and operating procedures and work in conjunction with citywide advisory bodies.

Recommendation 33.3

CPD should communicate the importance of community support in effectively implementing changes to the community.

CPD will not be able to effectively implement these changes and improve relationships without strong support and involvement from the community. Charleston community members must be engaged and receptive to CPD's efforts to strengthen relationships and build trust. Community members should understand the importance of their role in fulfilling the goals shared by both the city and their community in improving police-community relationships.

There are a number of ways in which the Charleston community members can support CPD in reaching their goals for enhanced community engagement through partnership. These include:

- Invite CPD into Charleston communities and engaging them in conversations about the community.
- Work collaboratively with CPD members to become better familiar with Charleston community members, culture, issues, etc., by providing input in training related to community engagement, cultural sensitivity, and implicit bias.
- Participate in CPD-hosted community events and meetings.
- Contribute and provide input on the development of CPD's Community Engagement strategic plan.

Finding 34

Active engagement and input from the community throughout the process of implementing recommendations noted throughout this report will be key to CPD's success in institutionalizing and sustaining change.

CPD recognizes the importance of the community. The community will need to work with CPD as they implement recommendations related to community engagement activities. The department understands that it will be difficult to implement its community engagement efforts without community support.

Recommendation 34.1

CPD must actively engage and solicit input from the community throughout the process of implementing recommendations.

CPD and the community must work together to implement the recommendations and further enhance police-community relationships. CPD should engage and solicit input from the community in the development of policies and plans as they relate to the implementation of the recommendations listed in the report, specifically those with the greatest impact on the community. In addition to engaging the community in the review and development of plans and policies and the collaborative efforts noted in Recommendations 33.2 and 33.3, CPD should also regularly communicate and inform the community of its progress in implementing the reforms. This can be accomplished through periodic community meetings, briefs, press releases, and active engagement in a variety of community activities (i.e., town hall meetings, neighborhood association meetings).

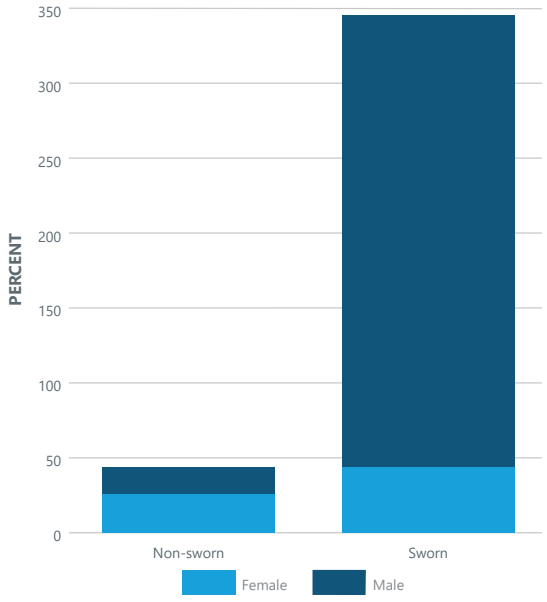
SECTION 5. RECRUITMENT, HIRING, PROMOTIONS, AND PERSONNEL PRACTICES OF THE CHARLESTON POLICE DEPARTMENT

This section examines our assessment of CPD's policies, procedures, and practices related to recruitment, hiring, promotions, and personnel. We begin by providing an overview of the demographics of CPD and the policies and practices related to recruitment, hiring, promotions, and personnel practices. This is followed by an overview of the perspectives we gathered from our interviews and community meetings as they relate to CPD recruitment, hiring, and personnel practices. We conclude with our findings and recommendations resulting from our review of related policies and procedures, interviews, and community meetings.

THE DEMOGRAPHICS OF CPD

CPD does not collect recruitment and hiring data in a comprehensive manner, thus the audit team was not able to conduct an in-depth analysis of CPD recruitment and hiring related data. To build context and provide background on the department, we have included the following review of the demographics of CPD. Figure 5.1 illustrates the gender breakdown of CPD employees. Figure 5.2 depicts the sworn and non-sworn personnel by race. Figures 5.3 and 5.4 provide the racial breakdown by division and by team, respectively. Although the department's overall demographics are fairly representative of the larger city population (see Table 5.1), it is clear that diversity is still an issue on a number of the teams.

Figure 5.1. Sworn and non-sworn personnel by sex (as of April 2019)[25]



[25] Source: Charleston Police Department, April 22, 2019.

Figure 5.2. Sworn and non-sworn personnel by race (as of April 2019)[26]

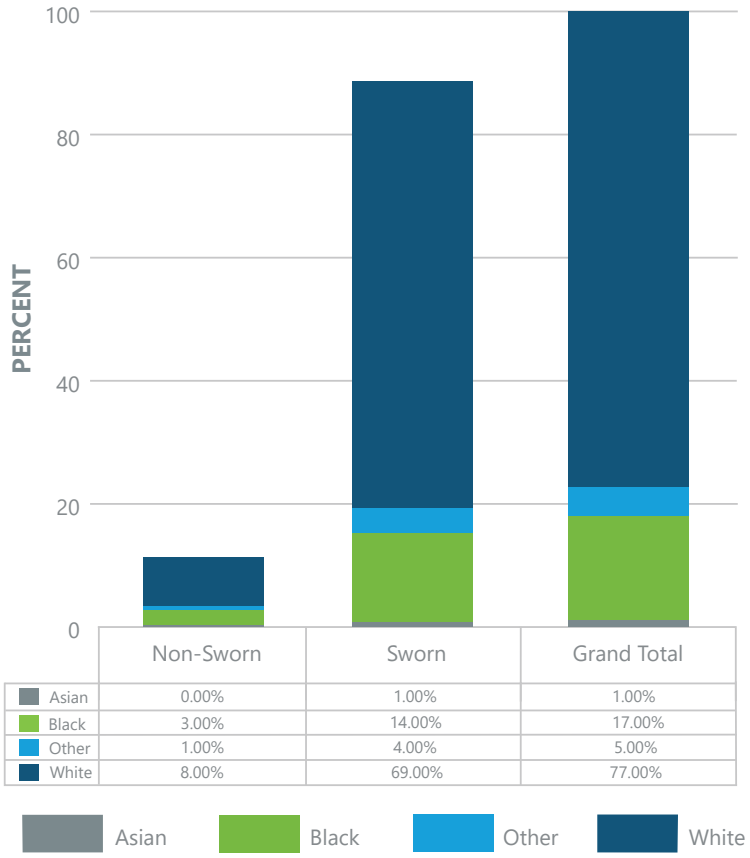


Table 5.1. City of Charleston demographics[27]

Race	Percentage
White	74.4%
Black or African American	21.9%
Asian	1.6%
Other (all other plus Hispanic/Latino plus two or more races)	2.1%

[26] Source: Charleston Police Department, April 22, 2019.

[27] Source: US Census Bureau. 2017 ACS 5-year estimates. City of Charleston, SC

Figure 5.3. Personnel race by division (as of April 2019)[28]

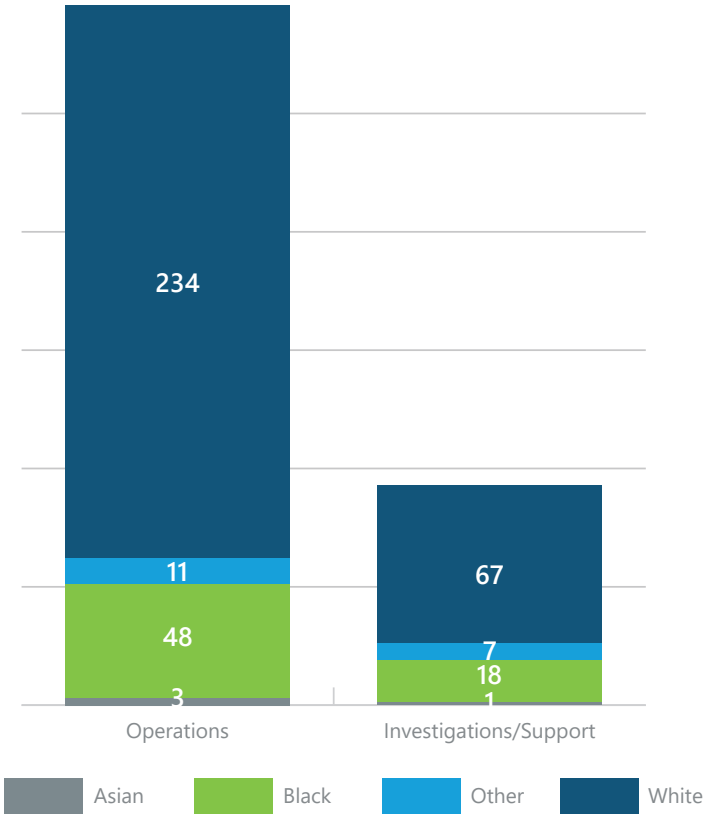
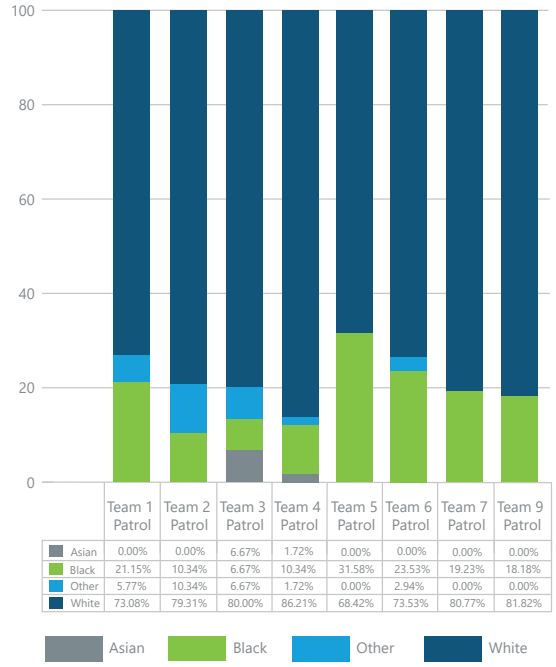


Figure 5.4. Personnel race by team (as of April 2019)[29]



[28] Source: Charleston Police Department, April 22, 2019.
[29] Source: Charleston Police Department, April 22, 2019.

POLICIES AND PROCEDURES

CPD's Recruitment and Retention Unit continues to make efforts to develop a more diverse and demographically representative workforce. Recruitment teams have gone from conducting recruitment activities with university students and members of the military, to participating in recruitment events at Historically Black Colleges and Universities (HBCUs) and community colleges. This unit also keeps track of information on their applicants and candidates and officers who chose to leave the department, which is included in quarterly reports that are reviewed by executive staff to evaluate effective initiatives.

Although the CPD Recruitment and Hiring Unit does not have an established strategic plan,[30] several policies provide direction to the unit. GO 13: Recruitment and Selection of Officers mandates that the department maintain an active recruitment effort. This policy guides the activities of recruitment officers and provides basic qualifications and ideal qualities for applicants. This guidance also includes key methods for recruitment efforts and selection processes. According to GO 13, CPD recruitment efforts must undergo an annual analysis that is evaluated by the chief of police. This analysis includes evaluating application and testing procedures to identify adverse effects and eliminate instances of discrimination on the basis of sex, race, or ethnicity.

This section also examines CPD personnel practices as they relate to training, performance evaluations, and internal procedural justice. CPD policies and procedures related to these personnel practices include GO 20: Performance Evaluations, which guides the responsibility of the department to deliver performance evaluations, and GO 21: Promotional Process, which outlines the promotion eligibility requirements, advancement process, and selection process.

COMMUNITY PERSPECTIVES

Several concerns relating to the CPD's recruitment and hiring were brought forth during our interviews with community leaders and community meetings. For example, community members wanted to see CPD recruit and hire a workforce that is more demographically reflective of the communities it serves.

FINDINGS AND RECOMMENDATIONS

Finding 35

CPD does not have an established recruitment and hiring plan.

CPD's recruitment unit has recently made efforts to increase diversity, such as attending career fairs, visiting HBCUs, and posting flyers at churches. However, CPD does not have a formal recruitment and hiring plan that strategically outlines these efforts and establishes goals and objectives for achieving increased diversity.

[30] Most recent changes to the unit, including the development of a Strategic Plan and recruitment website, are discussed in Appendix E.

Recommendation 35.1

CPD should develop a strategic plan for recruitment and hiring.

CPD should create a recruitment and hiring plan that documents trends in recruitment and hiring and provides strategic guidance for a more diverse and inclusive workforce. This plan should outline key goals and objectives, standard operating procedures, and performance measures. CPD should make the department aware of its recruitment and hiring plans and create the opportunity for staff to provide input on the strategy.

Finding 36

Although the demographics of the department are similar to the demographics of the city of Charleston, underlying concerns remain related to the lack of diversity and inclusivity across CPD's specialized units and teams.

CPD's recruitment mission statement underlines the department's commitment to building a workforce that is reflective of the community it serves. Although CPD has made progress in increasing overall workforce diversity, specialized units such as traffic, school resource officers, SWAT, and Special Investigations appear to lack the same level of diversity (see Figure 5.4).

Recommendation 36.1

CPD should closely re-examine the demographics of each specialized unit and team to ensure that these teams and units are diverse and inclusive.

CPD should review the workforce demographics of its specialized units. It should also assess the current process for assigning officers to specialized units. CPD should use the results of the review to adjust recruitment plans and initiatives and develop processes and procedures to ensure both diversity and a culture of inclusivity. Increasing diversity within each of the teams will also ensure that they more closely reflect the demographics of the communities in which they serve.

Finding 37

CPD's recruitment and hiring practices could be expanded to ensure that they reach more diverse audiences.

Although CPD has recently increased its efforts to reach communities of color, the department acknowledges that it can do more to increase these efforts.

Recommendation 37.1

CPD should continue to improve and expand its efforts to ensure greater reach of its recruitment and hiring efforts to attract more diverse candidates.

CPD's recruitment plan should include new proactive strategies for reaching and hiring more diverse candidates. This plan should be designed to develop new recruitment campaigns to feature members of its target audience, create new partnerships within the community and with minority associations, and establish internship or mentorship programs with members. CPD should consider partnering with an organization such as the Palmetto State Police Officers Association for recruitment efforts.

The department should survey its current applicants and recent hires to determine the most common method used to inform them about employment opportunities with the CPD. The department can use this information to guide future recruitment efforts.

Finding 38

CPD's process for tracking applicants through the application process is not comprehensive.

CPD's human resources department collects basic information on its applicants, including demographic data and performance scores achieved during the recruitment process. The department does not comprehensively collect data on applicants' reasons for not completing the hiring and training process. This data gap makes it difficult for CPD to determine if aspects of the recruitment process need adjusting.

Recommendation 38.1

CPD should establish a formal process to track applicants as they progress through the hiring process.

CPD should build a process for keeping track of its current applicants as they navigate the hiring process. This process would manage the data entry of information on all applicants. CPD should create a recruitment tracker that includes a database to capture information on applicants' job history, education, reasons for rejection, stage in process, interview dates, withdraw stages, and demographic information. The department should also consider developing a similar tracking mechanism for its academy. CPD could use information from this database to inform changes to its hiring procedures. CPD could also use the data from the tracker to understand common reasons for applicant withdraw. This information could be used to strengthen the hiring process and guide strategies to create a more diverse and inclusive workforce.

Finding 39

CPD's job description for officers does not accurately describe their roles and responsibilities or highlight the importance of community engagement.

CPD's current job description highlights potential job activities such as investigations, patrolling, and maintaining order. Although these are functions of an officer's job activities, the job description fails to include other functions such as community outreach, community problem solving, and other community policing principles that are important day-to-day activities for an officer. This description also does not highlight the need for skills that would foster positive community cooperation.

Recommendation 39.1

CPD should revise its officer job description to align with the department's recruitment and hiring priorities and community policing strategies.

CPD should revise the officer job description to make sure that it describes skills that align with the goals of the department. These descriptions should be more reflective of the necessary skills that CPD is prioritizing, such as community engagement. This also needs to emphasize the need for key skills that will support the department's efforts to strengthen its presence and involvement in the community.

Finding 40

CPD does not have a comprehensive training plan.

CPD abides by the annual state mandated training requirements; however the department lacks a strategic and evidenced-based approach in developing a formal training plan that also includes ancillary training topics key to the departmental strategy. Further, although CPD has incorporated additional training hours into its training academy and in-service training, topics are informally chosen each year by leadership and training staff.

Recommendation 40.1

CPD should develop a comprehensive training plan on an annual basis.

This plan should outline the department's strategy for training both in the academy and in-service. This strategy should take into account any modifications made as a result of trends and/or issues identified in the previous year.

Recommendation 40.2

CPD should conduct a training needs assessment to identify potential training gaps.

This needs assessment should include participation from a variety of CPD members and staff and can be conducted in a variety of methods including an on-line survey and/or focus groups.

Recommendation 40.3

CPD should engage community leaders and other external stakeholders in the development of the training plan.

CPD should engage line officers, supervisors, and members of the community and seek their input in the development of the training plan. CPD can do this by establishing working groups and leveraging the Citizen Police Advisory Council.

Finding 41

Officers interviewed noted the need to have more CIT trained officers available to support response to calls for service involving community members in a mental health or behavioral crisis.

As of August 2019, CPD has over 108 officers certified in crisis intervention team (CIT) training. This training encompasses 40 hours of training on a variety of topics including de-escalation, persons with disabilities, family violence, and autism and includes curricula delivered by local mental health professionals. Officers interviewed noted the importance of CIT training and reported the appreciation for having support from officers with this training to assist in responses to incidents involving mental illness. However, officers interviewed also noted that having additional officers with this training would be far more beneficial, as there are instances in which officers with this training are not available to quickly respond to assist. In 2018, CPD had over 1,500 calls for service involving mental illness, disorder, and/or suicidal persons.

Recommendation 41.1

CPD should increase the number of officers that have received CIT training to ensure that CIT officers are available on each team/unit/shift.

CPD should work with the South Carolina Criminal Justice Academy and their local mental health stakeholders and advocacy groups to conduct additional CIT training sessions for 60 to 70 percent of its officers. This will ensure that CIT trained officers are available on every shift, team, and special unit. CPD should also consider having the CIT trained officers conduct brief roll call training sessions to all officers on a periodic basis. This will further support CPD's efforts to train all officers on some of the basic CIT concepts and further supplement the information provided during academy and/or in-service training.

Furthermore, CPD and the City of Charleston should consider working with the Charleston County to provide CIT training to all dispatchers.

Finding 42

CPD has not conducted recertification training for the CIT trained officers.

The 108 officers trained in CIT have not received recertification training since they first received CIT training. Although CPD provides officers with training related to response to persons in a mental health crisis, it is unclear how often this training is conducted and whether this training meets the standards of a proper CIT recertification course. CIT training often evolves to the changing needs of the community. Substance abuse within a community evolves with the changing drug market, requiring officers and medical health professionals to be aware of the potential reactions and behavioral alterations an individual might experience.

Recommendation 42.1

CPD should ensure that its CIT officers receive recertification training on a periodic basis, at least every two years.

CIT trained officers should receive recertification training every two years. CIT recertification training often encompasses 8-16 hours of instruction. Continued partnerships with mental health stakeholders, advocacy groups, and community stakeholders is essential in the development of these recertification courses. This will ensure that they are up to date on the latest training strategies and are aware of any changes to how they should best respond to instances involving mental illness and/or substance abuse.

CPD should also coordinate with the South Carolina Criminal Justice Academy. Resources provided by the Department of Justice Bureau of Justice Assistance, National Alliance on Mental Illness, and CIT International should also be leveraged in the development of recertification training.[31]

Finding 43

Although included in policy, de-escalation is not well integrated into scenario-based training as a tool that officers should readily use to control a situation.

Officers interviewed were able to describe de-escalation as noted in departmental policies; however many expressed the importance of also including de-escalation as part of the department's scenario based training. Officers noted the importance of such training in developing "muscle memory" for appropriate response and how further incorporating de-escalation as a tool in scenarios would ensure that officers understand how and when to best de-escalate a situation.

[31] These resources include the Bureau of Justice Assistance's *VALOR program*, which offers CIT training and related resources, CIT International's *Best Practice Guide*, and the *National Alliance on Mental Illness*, which provides a wealth of information and education related to CIT.

Recommendation 43.1

CPD should further integrate de-escalation into its scenario-based training and other related training curricula.

CPD's scenario training should provide an opportunity for officers to train on when and how to best de-escalate a situation. An officer's use of de-escalation tactics should be included as a metric in the evaluation of an officer's performance during training.

Finding 44

CPD lacks a formal supervisory training program for newly appointed supervisors.

CPD does not provide extensive supervisory training for newly appointed supervisors. In some cases, newly promoted sergeants and lieutenants were provided with the opportunity to attend a command college and/or national leadership training, but this typically occurred on an ad hoc basis and sometimes one or two years after being promoted. Many supervisors noted that they often learned their duties and responsibilities "on the job" and through informal mentorship by other supervisors.

Recommendation 44.1

CPD should establish a formal supervisory training program for newly appointed supervisors.

The formal supervisory training program should encompass all aspects of the supervisory position and include training topics such as roles and responsibilities, how to conduct a proper UOF investigation, documenting and investigating complaints, leadership skills, communication skills, community-oriented policing, problem-solving skills, disciplinary procedures, etc. This training program should be provided to all supervisors prior to or within three to four months of being promoted. Further, CPD should consider providing leadership courses to officers interested in seeking promotion. This introductory course will prepare and inform potential supervisors of their roles and responsibilities once promoted.

Finding 45

CPD does not effectively measure and evaluate officer performance in training.

Most of the training conducted by CPD does not include related objectives or practical or written testing, and if it does, progress towards meeting the objectives is not always measured in a comprehensive manner.

Recommendation 45.1

CPD should establish objectives and performance metrics for each of its training lesson plans and measure officer performance against these objectives after each training session.

As noted above, each lesson plan should include a list of objectives and performance metrics. Officers should then be tested and/or evaluated and provided with a feedback survey after each training session.

Surveying the officers for their feedback allows the department to gauge their understanding of training material, and allows officers to provide feedback as to how training was delivered and the content value. Results of these evaluations and feedback surveys should be used to modify the training lesson if needed and/or conduct additional training if needed to improve officer performance.

Finding 46

CPD does not consistently conduct annual performance evaluations of its officers.

Although a requirement, per GO 20: Performance Evaluations, during interviews with CPD officers, several noted that they do not always formally receive performance evaluations on an annual basis. Many of the officers that did recall receiving a performance evaluation noted that the process was more of a "check the box" and little constructive feedback was provided.

Several officers raised concerns about how performance evaluations are sometimes conducted by newly assigned supervisors who are unfamiliar with the officer's performance in the prior year. This was often a result of recent re-organization of the teams and/or shift schedule changes.

Recommendation 46.1

CPD should re-examine the guidance provided to supervisors upon promotion as they relate to conducting performance evaluations.

CPD should revise training, policies, procedures as they relate to supervisory responsibilities to ensure that they note the importance of conducting substantive performance evaluations. The conduct of these performance evaluations should also be included as a performance metric as part of the supervisor's performance evaluation.

CPD should also allow officers to identify topics that they would like to discuss during performance evaluations prior to each performance evaluation period. This could help to better engage officers in the performance evaluation process, creating an avenue for more substantive and beneficial feedback.

Recommendation 46.2

In the event that a supervisor is newly appointed (under six months), CPD should encourage them to seek feedback from previous supervisors, if able, about each of the officers under their supervision.

In the instance that supervisors are reassigned in the months leading to an officer's annual performance evaluation, CPD should encourage the supervisor to seek feedback from the previous supervisor. This additional feedback can supplement the newly assigned supervisor's evaluation to create a stronger assessment of that officer's performance.

Finding 47

Officers interviewed often noted the lack of internal procedural justice practices as they relate to internal complaints, use of force review, and the promotional process.

Many of the officers interviewed noted that they are often unaware of the status and/or outcomes of internal complaints and use of force reviews, and that there was inconsistency in when and how updates about their involvement in these processes were communicated with them. Further, officers interviewed noted that they felt the department's promotional process was unclear and potentially inequitable.

Recommendation 47.1

CPD should examine its current internal communications process and procedures, especially as they relate to the complaints, use of force review, and promotional processes.

CPD should examine the current processes it follows to provide updates and outcomes about officer's use of force reviews, internal complaints, and the promotional process to better understand where these inconsistencies are taking place and update policies and procedures as needed.

Recommendation 47.2

CPD leadership should leverage the Chief's Advisory Council as a means to gather input and share information.

The Chief's Advisory Council is a group of informal leaders in the department, of all ranks. This group meets on a monthly basis. The Chief's Advisory Council should gather officers' perspectives and input about departmental strategies, policies, procedures, and any general concerns. The officers participating in the council should be encouraged to solicit input from their peers to share at these group meetings.

The input from this group will be particularly essential as the CPD begins to implement the recommendations provided in this report. Keeping officers apprised of the purpose and goals behind these changes will be essential to obtaining buy-in and in the sustainability of reform.

Finding 48

An independent, objective, and ongoing assessment of CPD's progress towards implementation of the reforms noted in this report will be essential to the success and sustainment of the reforms.

Monitoring of CPD's progress will be essential to ensuring that change takes hold within the department, CPD is held accountable to instituting the recommendations, assistance in implementing the reforms is provided, and the community is involved and apprised of the progress.

Recommendation 48.1

The City of Charleston and CPD should engage an independent audit firm to track and monitor CPD's progress toward implementing the recommendations in this report.

This independent audit firm should provide oversight over an 18-month period. This period will allow the firm to thoroughly document the implementation of many of the recommendations noted in this report (i.e., policy development, conducting training, and acquiring the necessary technology). The activities and tasks the independent monitoring firm should undertake as part of its tracking and documentation of the CPD's implementation of these reforms may include the following:

- Working with the CPD and the community in prioritizing the implementation of the recommendations.
- Working with the CPD to identify the prioritization and implementation steps for each recommendation.
- Working with the City of Charleston and the CPD to identify the resources necessary to implement each recommendation.
- Providing technical assistance as needed (i.e., subject expertise, identifying potential funding sources) to best support the CPD in implementing the recommendations.
- Continually tracking CPD's progress in implementing the recommendations.
- Working with the City of Charleston and CPD to develop and release progress updates to the public at regular intervals, i.e., every four or six months.

THIS PAGE INTENTIONALLY LEFT BLANK.

CONCLUSION

CPD's willingness to participate in this audit and begin making changes to address issues that CNA uncovered based on the team's preliminary observations are clear indications that the department is on the right path toward transformation. Updates to policy, a greater focus on substantive community engagement, and enhanced accountability mechanisms are just a few areas that CPD has begun addressing. However, as clearly noted in the 48 findings in this report, CPD has much work to do to mitigate the issues discussed in this report. CPD's partnership with its key community partners and the broader community will be essential in ensuring that required changes are institutionalized and in changing CPD's culture. The community's input and oversight of CPD's progress in implementing the recommendations in this report will be crucial to its continued success.

THIS PAGE INTENTIONALLY LEFT BLANK.

APPENDIX A. TABLE OF KEY FINDINGS AND RECOMMENDATIONS

The following is a list of the findings and recommendations noted in the report.

Finding No.	Finding	Recommendation
1	The Traffic Unit does not have a guiding policy and/or field guide.	1.1 CPD should develop a general order and/or field guide for the Traffic Unit.
2	The Traffic Unit does not have an established strategic plan.	2.1 CPD should establish a strategic plan for the Traffic Unit.
		2.2 CPD should establish data-driven strategies that more proactively address traffic-related public safety concerns.
		2.3 CPD should ensure that any strategies developed are shared with the community in advance and provide opportunities for meaningful community input, especially those communities that will be most affected.
3	The Traffic Unit does not have established internal reporting and review mechanisms for continually assessing the impact of traffic enforcement strategies on the community and efforts to reduce traffic fatalities.	3.1 CPD should establish a continual review process to assess the impact of traffic-enforcement strategies.
		3.2 CPD should assess the impact of traffic-enforcement strategies on its communities on an annual basis.
		3.3 CPD should include reports and analysis of traffic stops and traffic-related outcomes in its monthly STAT 360 meetings.
4	Field contacts are not consistently documented.	4.1 CPD should conduct training for officers on the proper use of FCCs.
		4.2 Supervisors should continually track officers' compliance with completing FCCs.
		4.3 CPD should conduct an analysis of field contacts on a periodic basis and include this analysis in the annual Professional Standards Office (PSO) reports shared with the public.
5	Analyses of CPD's traffic stop data indicate racial disparities in stop rates and search decisions during traffic stops where a warning was issued.	5.1 CPD should develop an action plan to address the possibility of implicit bias in the department, including concrete activities such as training for officers.

Finding No.	Finding	Recommendation
6	CPD collects data regarding relatively few traffic stop and field contact outcomes as part of its standard collection procedures.	6.1 CPD should implement additional data fields to capture, within a single data system, traffic stop outcomes including the stop start and end times (to allow for analysis of stop lengths), traffic stop disposition (written warning, citation, or arrest), and seizures during searches.
7	CPD does not collate traffic stop information into a single comprehensive database.	7.1 CPD should assess its systems for documenting traffic stops and acquire the necessary technology or software to enter or collect all traffic stops into a master list.
		7.2 CPD's personnel in the criminal intelligence unit and professional standards office should receive analysis and data integration/management training.
8	CPD's current data structure, in which use of force is understood primarily at the level of the incident, hinders analysis of trends in use of force and racial disparities at the individual level.	8.1 CPD should review its use of force data system and identify a method to ensure clear linkages between officers, instances of force, and community members.
9	CPD currently uses 19 categories for describing the type of force used, including an "Other" category.	9.1 CPD should revise policy, data structure, and training to reduce or eliminate use of the "Other" category in its use of force characterizations.
10	CPD does not consistently code the instances of use of force involved in an interaction or incident.	10.1 CPD should conduct a thorough audit of use of force reports for coding issues.
		10.2 CPD should review policy and practice and provide refresher training to ensure that all instances of use of force are coded for each interaction and incident.
11	The CPD data structure and the use of force database limited the use of force analysis to incidents involving a single community member and the highest level of force used in that incident, thus ignoring about 11 percent of use of force incidents.	11.1 CPD should conduct regular analyses and audits of use of force incidents with the goal of assessing disparity in use of force related to the race of the involved community members.
12	CPD's use of force data includes missing values on key variables such as time, incident type, and reason for use of force. Data are also missing from officer characteristics such as age at time of incident, race, and sex.	12.1 CPD should develop data audit procedures to flag missing data upon entry into IAPro and develop processes for filling in missing data whenever possible.

Finding No.	Finding	Recommendation
13	The process that supervisors follow in the review and investigation of non-deadly use force incidents is not standardized.	13.1 CPD should revise GO 23 to ensure clarity in the process and procedures that supervisors and chain of command should follow when reviewing all non-deadly use of force incidents.
		13.2 CPD should require supervisors to review BWC video footage for all reported use of force incidents.
14	CPD does not have established BWC compliance and auditing procedures and processes.	14.1 CPD should establish a formal compliance and auditing process to ensure that officers comply with the BWC policy and properly tag BWC videos.
15	CPD GO 23 does not include a statement related to the importance of sanctity of life.	15.1 CPD should include a sanctity of life statement in its policies related to use of force.
16	CPD policies and procedures, including the GO 23, are reviewed on an ad hoc basis.	16.1 CPD should establish a formal annual review process to re-examine its policies and procedures to ensure that they align with departmental practices, training, and promising practices in the field of policing.
		16.2 CPD should conduct periodic audits of operational practices as they relate to policy.
17	CPD BWC video retention schedules for a number of incident types are not long enough and may present potential issues in evidence retention, auditing, and compliance.	17.1 CPD should examine complaints from 2014 to the present day to determine the appropriate BWC video retention period for all field contacts.
		17.2 CPD should consider attaching the same retention periods to BWC video as it does to other types of evidence.
18	Data on complaints extracted from IAPro indicate that two employees had action taken on a complaint against them before the relevant incident occurred.	18.1 CPD should not group "failure to appear" complaints into one entry into IAPro, as it introduces data errors, including the impression that disciplinary action was taken before an incident took place.
		18.2 CPD should incorporate data auditing procedures in IAPro to ensure that the date listed for Action Taken cannot precede the date of the incident in question or the date of the receipt of the complaint.
19	Internal complaints at CPD have nearly halved over the five-year period under analysis for the audit.	19.1 CPD should conduct an in-depth exploration of internal complaints over time, including a review of complaint procedures and input from current personnel, to determine the underlying causes of the decrease in internal complaints.
20	Finding 20 in the preliminary report, dated September 30, 2019, noted that no corrective actions were taken in eight specific cases; upon further analysis and discussion with CPD, we determined that the finding was no longer accurate. This inaccuracy was a result of the inconsistency in the processing of the data. Beginning in October 2018, CPD began using "No Action Taken" in the corrective action field rather than leaving the field blank.	

Finding No.	Finding	Recommendation
21	General Order 10 lacks clarity on the complaint process, the role and responsibilities of the employee's chain of command, and the role and responsibilities of the PSO.	21.1 CPD should recraft the PSO policy to ensure clarity in the complaint process, the methods for community members to file a complaint, the role and responsibilities of the employee's chain of command, and the role and responsibilities of the PSO.
		21.2 CPD should develop a disciplinary matrix.
22	General Order 10 and Field Guide: Administrative Investigations lack clarity regarding the processes through which complaints and information calls are investigated, tracked, and reported.	22.1 CPD should formally track and investigate all complaints received, including information calls.
		22.2 CPD should include information on all complaints (Class A and B) in its annual PSO reports.
		22.3 CPD should conduct training on the procedures for the new complaint process.
23	Community members feel that the complaint process is illegitimate and are uncertain that their complaints will be addressed.	23.1 CPD should establish a formal process for following up with community members who file a complaint or grievance.
24	CPD lacks updated policies that categorize complaint allegations by the severity of the allegation, limiting the potential to analyze complaints comparatively.	24.1 CPD should update policies to ensure that all currently tracked allegation types can be readily classified by severity and seriousness.
25	Although CPD's Camp HOPE Initiative is an excellent example of efforts to engage local youth, additional efforts are needed to increase engagement and relationship building between the youth and the police.	25.1 CPD should expand its current initiatives and develop others to further engage and build relationships with local youth.
26	Officers' roles and participation in community policing activities are not taken into consideration as part of annual performance evaluations.	26.1 CPD should include community-policing performance metrics as part of performance evaluations.
		26.2 CPD should create community-policing strategies for each of its districts.
27	Training practices highlighting the importance of cultural awareness and sensitivity, nonenforcement engagement, and other aspects of community policing are often interwoven into other aspects of training and are not prioritized.	27.1 CPD should conduct additional training sessions on interpersonal skills, cultural awareness and sensitivity, non-enforcement engagement, and other fundamental aspects of community policing.

Finding No.	Finding	Recommendation
28	Community policing activities are often relegated to the CATs and are not well integrated with other policing strategies and activities.	28.1 CPD should reinforce the roles and responsibilities for all teams and patrol officers to engage in community policing activities and efforts.
29	The current rotating shift schedule affects CPD's ability to provide consistent community engagement and ensure officer wellness and satisfaction.	29.1 CPD's should re-evaluate the rotating shift schedule for officers.
30	Community members noted that police officers often lack procedural justice and cultural awareness when interacting with the community.	30.1 CPD should integrate interpersonal skill building and procedural justice into its training program.
31	Community engagement practices are not well ingrained in the STAT 360 process.	31.1 CPD should further integrate its community outreach/engagement efforts in its monthly STAT 360.
32	The Citizen Police Advisory Council's role, responsibilities, and standard operating procedures remain unclear.	32.1 CPD should work with the Citizen Police Advisory Council, the city, and other community stakeholders to share with the broader community the council's goals, objectives, and standard operating procedures.
		32.2 CPD should leverage the Citizen Police Advisory Council to gather community feedback on policies and procedures.
		32.3 CPD, the Citizen Police Advisory Council, and the city should make a concerted effort to engage and inform the community about their efforts to increase transparency and transform the CPD.
33	CPD's community engagement activities and efforts to sustain and build relationships with community stakeholders lack a strategic and top down approach.	33.1 CPD should leverage the Illumination Project strategies and plan to develop the CPD community engagement strategic plan.
		33.2 CPD should work with its community stakeholders to establish mechanisms, e.g., neighborhood community councils, for engaging directly with the community.
		33.3 CPD should communicate the importance of community support in effectively implementing changes to the community.

Finding No.	Finding	Recommendation
34	Active engagement and input from the community throughout the process of implementing recommendations noted throughout this report will be key to CPD's success in institutionalizing and sustaining change.	34.1 CPD must actively engage and solicit input from the community throughout the process of implementing recommendations.
35	CPD does not have an established recruitment and hiring plan.	35.1 CPD should develop a strategic plan for recruitment and hiring.
36	Although the demographics of the department are similar to the demographics of the city of Charleston, underlying concerns remain related to the lack of diversity and inclusivity across CPD's specialized units and teams.	36.1 CPD should closely re-examine the demographics of each specialized unit and team to ensure that these teams and units are diverse and inclusive.
37	CPD's recruitment and hiring practices could be expanded to ensure that they reach more diverse audiences.	37.1 CPD should continue to improve and expand its efforts to ensure greater reach of its recruitment and hiring efforts to attract more diverse candidates.
38	CPD's process for tracking applicants through the application process is not comprehensive.	38.1 CPD should establish a formal process to track applicants as they progress through the hiring process.
39	CPD's job description for officers does not accurately describe their roles and responsibilities or highlight the importance of community engagement.	39.1 CPD should revise its officer job description to align with the department's recruitment and hiring priorities and community policing strategies.
40	CPD does not have a comprehensive training plan.	40.1 CPD should develop a comprehensive training plan on an annual basis.
		40.2 CPD should conduct a training needs assessment to identify potential training gaps.
		40.3 CPD should engage community leaders and other external stakeholders in the development of the training plan.

Finding No.	Finding	Recommendation
41	Officers interviewed noted the need to have more CIT trained officers available to support response to calls for service involving community members in a mental health or behavioral crisis.	41.1 CPD should increase the number of officers that have received CIT training to ensure that CIT officers are available on each team/unit/shift.
42	CPD has not conducted recertification training for the CIT trained officers.	42.1 CPD should ensure that its CIT officers receive recertification training on a periodic basis, at least every two years.
43	Although included in policy, de-escalation is not well integrated into scenario-based training as a tool that officers should readily use to control a situation.	43.1 CPD should further integrate de-escalation into its scenario-based training and other related training curricula.
44	CPD lacks a formal supervisory training program for newly appointed supervisors.	44.1 CPD should establish a formal supervisory training program for newly appointed supervisors.
45	CPD does not effectively measure and evaluate officer performance in training.	45.1 CPD should establish objectives and performance metrics for each of its training lesson plans and measure officer performance against these objectives after each training session.
46	CPD does not consistently conduct annual performance evaluations of its officers.	46.1 CPD should re-examine the guidance provided to supervisors upon promotion as they relate to conducting performance evaluations.
		46.2 In the event that a supervisor is newly appointed (under six months), CPD should encourage them to seek feedback from previous supervisors, if able, about each of the officers under their supervision.
47	Officers interviewed often noted the lack of internal procedural justice practices as they relate to internal complaints, use of force review, and the promotional process.	47.1 CPD should examine its current internal communications process and procedures, especially as they relate to the complaints, use of force review, and promotional processes.
		47.2 CPD leadership should leverage the Chief's Advisory Council as a means to gather input and share information.
48	An independent, objective, and ongoing assessment of CPD's progress towards implementation of the reforms noted in this report will be essential to the success and sustainment of the reforms.	48.1 The City of Charleston and CPD should engage an independent audit firm to track and monitor CPD's progress toward implementing the recommendations in this report.

THIS PAGE INTENTIONALLY LEFT BLANK.

APPENDIX B. DATA ANALYSIS: TRAFFIC STOPS AND FIELD CONTACTS

The following appendix details our analysis of CPD's traffic stop and field contact data from 2014 through 2018. The analysis provided below provides context for our review of policies, practices, and the perspectives gathered from our interviews with officers and community meetings.

METHODOLOGY

The audit team reviewed traffic stop data, broken out into those traffic stops that result in warnings and those that result in citations, from 2014 through 2018, extracted separately from the RMS through January 25, 2018, and from South Carolina Collision and Ticket Tracking System (SCCATTS) from January 26, 2018, onwards. Because no single data system collects all traffic stop data, we analyze the two types of stops separately. Due to the change in data systems, some variables could not be included in the analysis, including location data, as CPD's RMS and SCCATTS use different geographic systems. The audit team used data from the RMS and SCCATTS public contacts and eCitations database, filtered to include only contacts labeled as moving and non-moving violations. In this section, the audit team describes general trends in traffic stop activity within CPD. While we cannot analyze traffic stops as a whole, we find consistent results in both the warnings and citations data and therefore use the two sets of findings together to draw conclusions about CPD's traffic stop activity.

We also conducted two comparative analyses aimed at understanding evidence of racial disparities in traffic stop activities. First, we considered stop rates for both the warning and citation traffic stops using traffic accidents as an external benchmark. It is important to note that the use of traffic accident data as an external benchmark for traffic enforcement activities is an emerging practice that has not been extensively tested in the policing literature. There are arguments that traffic accident data may overestimate or underestimate minority populations, since traffic accident data reflects only accidents reported to law enforcement. Results from this comparative analysis should be taken as a whole with other findings in this report. We use a chi-square test of homogeneity[32] to assess whether the population of drivers involved in accidents reported to law enforcement has a similar racial breakdown to the population involved in traffic stops.

Next, we reviewed rates of searches that occur during traffic stops that end in warnings. We cannot analyze traffic stops ending in citations in terms of searches, as search data is not present in that database for all years in the given time period. We conducted propensity score matching to match traffic stops that are otherwise similar in terms of reason for the stop (moving or non-moving violation), driver age, driver race, and vehicle license plate state (in-state or out-of-state), but vary in the minority status of the driver,

[32] The chi-square test of homogeneity indicates if the distribution of items into mutually exclusive categories (in this case, race) is the same across two (or more) conditions (in this case, drivers involved in accidents and drivers involved in traffic stops). This is a specific application of the chi-square test, a versatile statistical tool.

and compared the likelihood of searches taking place during these stops. We used a standard propensity score matching approach using nearest neighbor matching, as well as three alternative specifications for sensitivity analysis.[33]

Propensity score matching is a quasi-experimental method to produce statistical comparisons. Analysts use quasi-experimental methods in situations where random assignment (i.e., experimental approaches) are not feasible or practical, and use specific data structure and statistical techniques to approximate experimental conditions. [34] Propensity score matching uses characteristics of an incident, in this case, a traffic stop, to find other very similar incidents. Specifically, propensity score matching identifies the most similar events in and out of a condition of interest (in this case, minority drivers) using a propensity score.[35] In the case of racial disparity analysis, we focused on finding incidents involving a minority community member and matching them with very similar incidents that do not involve minority community members. By then comparing the outcomes of those incidents, which are similar other than the race of the community member, we can assess the disparate impacts on minority versus non-minority community members.

A key limitation, as in all statistical techniques to assess outcomes and behavior from law enforcement personnel, is that the results from these analyses can only uncover likely evidence of disparities in outcomes based on race. They do not "prove" the existence of bias and cannot provide insight into the underlying causes of these disparities.

The audit team also reviewed field contacts extracted from CPD's RMS. We specifically considered field contact interactions with eight reason codes: citizen complaints, suspicious person, possible narcotic activity, possible suspect/matched description, loitering, PPP stop/search,[36] observation only, and other.[37] In some analyses, we restricted to specific reason codes; these are noted below. Our analysis of field contacts is purely descriptive; we do not include comparative analysis for these contacts.

Data limitations

As noted above, CPD does not collate traffic stop information into a single comprehensive database, nor are there identifiers to collate a master list of traffic stop incidents from the three existing datasets containing traffic stops information. Therefore, we must present the analysis of traffic stops involving warnings and citation separately.

Limitations in the data restricted our ability to conduct a comprehensive analysis of CPD field contacts. As noted in Section 1, CPD officers do not consistently document field contacts using the FCC as required

[33] Due to the sensitivity of propensity score matching analysis to matching mechanisms and assumptions, we also conduct sensitivity analysis using nearest 5 neighbor matching and radius matching with radii of 0.05 and 0.10.

[34] Shadish, W. R., Cook, T. D., & Campbell, D. T. (2002). Experimental and quasi-experimental designs for generalized causal inference. Belmont, CA: Wadsworth Cengage Learning.

[35] Rosenbaum, P. R., & Rubin, D. B. (1983). The central role of the propensity score in observational studies for causal effects. Biometrika, 70(1), 41-55.

[36] A PPP stop/search is a search conducted on an individual under supervised probation.

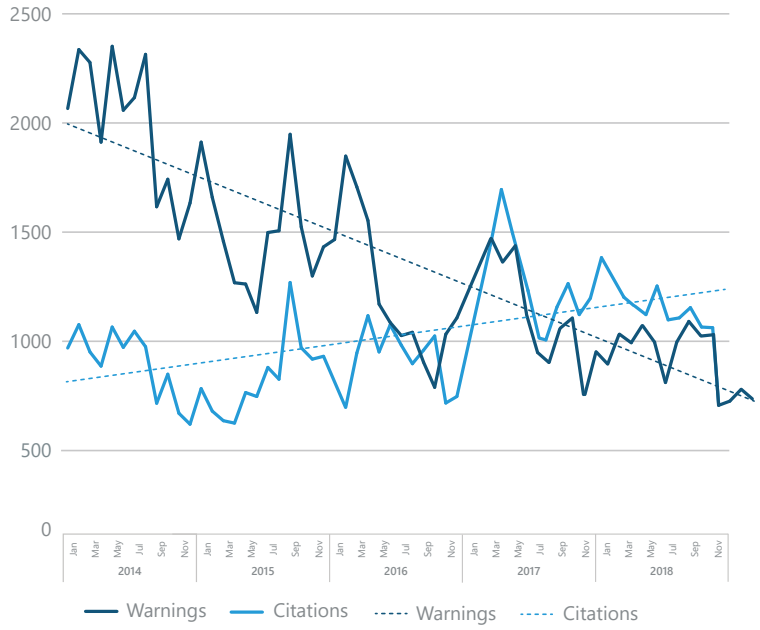
[37] These eight reason codes are used, omitting suspicious vehicles, traffic stops, and bicycle stops.

by policy. As such, our analysis is limited to those FCCs that are completed and is not an accurate representation of all the field contacts that CPD conducts. Further, like traffic stops, outcomes from field contacts are not documented for all years between 2014 and 2018. This hinders our ability to conduct a more robust examination of racial bias using this data set. Aggregating the data across the two record-keeping systems, RMS and SCCATTS, also hindered our ability to geographically analyze where these field contacts were occurring.

Traffic stops: Historical trends

Between 2014 and 2018, CPD executed 79,077 traffic stops ending in warnings of community members coded as moving or non-moving violations, of a total 104,178 public contacts tracked in RMS or SCCATTS. During this same period, CPD executed 60,598 traffic stops ending in citations of community members coded as moving or non-moving violations. Figure B.1 presents traffic stop counts by year and month over this period. As Figure B.1 shows, traffic stops ending in warnings have been steadily declining over time in CPD while traffic stops ending in citations have been increasing. We include a trend line that shows that traffic stops ending in warnings have, on average, declined by approximately 22 stops per month since January of 2014, and those ending in citations have increased approximately 6 stops per month in that period, and that the time trend alone is a strong predictor of the variation in traffic stops numbers.

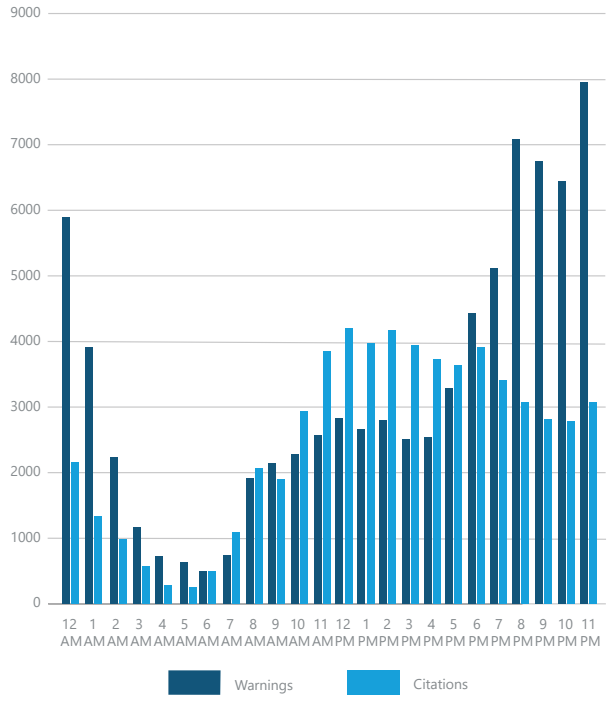
Figure B.1. Traffic Stops over time



Traffic stops: Timing

Figure B.2 includes traffic stop activity categorized by time of day. The majority of traffic stops take place in the evening hours, but traffic stops involving citations are highest in the late afternoon, while traffic stops ending in warnings are highest in the evening and overnight.

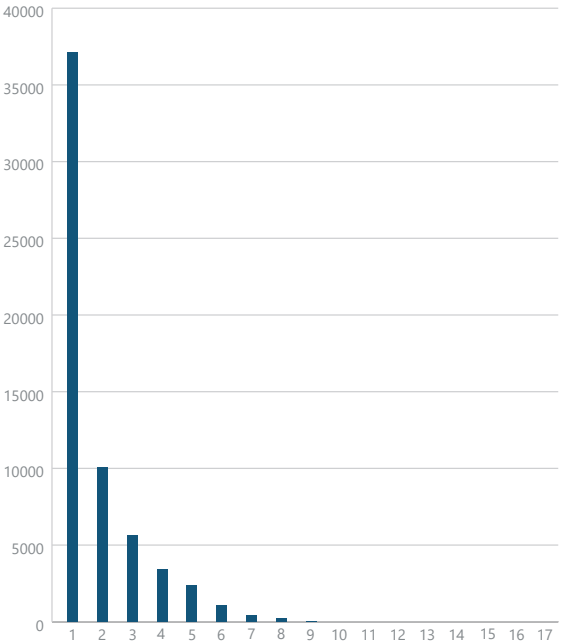
Figure B.2. Traffic stops by time of day



Traffic stops: Citations

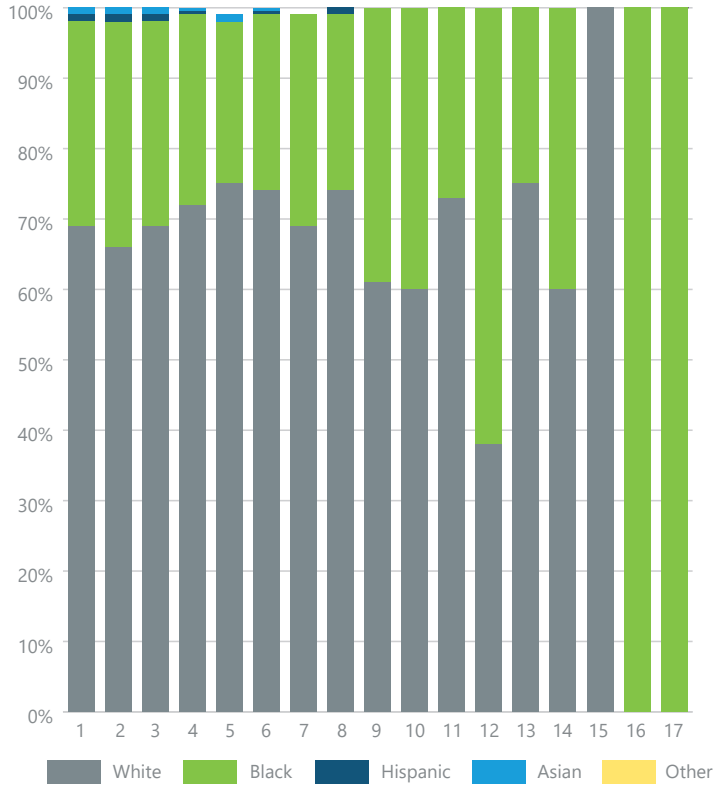
The audit team also reviewed traffic stops that end in citations in terms of the number of citations issued in a single stop. On average, traffic stops involving citations resulted in 1.9 citations issued by the officer, ranging from 1 citation to 17 citations. Figure B.3 presents the count of citations by stop in a histogram.

Figure B.3. Citations counts during traffic stops



We also explored the relationship between driver race and total citations issued during a traffic stop. Figure B.4 presents the breakdown within the citation count by the race of the driver. On average, White drivers are issued 1.9 citations at the conclusion of a stop ending in a citation, while Black drivers are issued 1.8 citations and Hispanic drivers 1.9 citations.

Figure B.4. Citation counts by race of driver



Traffic stops: Driver characteristics and outcomes

The audit team reviewed driver characteristics of age and sex as well as race. Drivers ranged from age 14 to 106, averaging 36 years old in warned drivers, and from 15 to 93, averaging 37 years old in cited drivers.[38] Sixty-four percent of warned drivers and 58 percent of cited drivers were male while 36 percent of warned drivers and 42 percent of cited drivers were female. Fifty-five percent of warned drivers and 56 percent of cited drivers were stopped for moving violations (e.g., failure to stop at a stop sign or speeding) and 45 percent of warned drivers and 44 percent of cited drivers were stopped for non-moving violations (e.g., expired registration tags or non-functional brake light).

To compile a plausible baseline for the driving population, the audit team collated traffic accident data from CPD. These data were extracted from RMS for January 1, 2014, to January 25, 2018, and from SCCATTS for January 26, 2018, to December 31, 2018. The audit team filtered the data to include only

[38] The audit team omitted several nonsensical age data points, such as ranging from -1 to 10 years old. We attribute these points to input errors. We retained all driver ages from 14 years old and over.

drivers and to remove any duplicates (identified by combining incident identification numbers with driver identification numbers). Unfortunately, the SCCATTS system does not track CPD's defined neighborhoods as a variable, so estimates of driving population by race are collated only at the level of the entire city. We limit the data to only those accidents taking place in Charleston proper. Of 60,943 accidents, 6,706 are missing race data. For the remaining stops, Table B.1 summarizes the racial breakdown. Since CPD used legacy race definitions prior to 2018, we collapse Asian, Asian Islander, and Asian Pacificer into one category. We also group Multi-racial with Other.

Table B.1. Comparison of race of drivers involved in accidents and race of drivers involved in traffic stops

Race	Accident percentage	Traffic stops ending in warning percentage	Traffic stops ending in citation percentage
Asian	1.09%	0.63%	0.76%
Black	28.70%	41.50%	29.20%
Hispanic	0.22%	0.21%	0.64%
Native American	0.13%	0.08%	0.07%
Other	0.29%	0.15%	0.11%
Unknown	0.50%	0.12%	0.21%
White	69.07%	57.32%	69.00%
Total	100%	100%	100%

As noted above, we conducted a Chi-square test to compare the relative proportions of drivers by race in accidents reported to law enforcement and traffic stops ending in warnings and citations. The Chi-square test for both traffic stop types indicates that the proportions are not the same in the two types of interactions ($p<0.0001$). While the Chi-square test does not specifically indicate which pairwise comparisons include significant differences, we also consider the subset of traffic accidents and stops only involving Black and White drivers, who comprise the majority of the Charleston population. In this two by two Chi-square comparison, we observe a statistically significant difference in relative ratios ($p<0.0001$) for only traffic stops ending in warnings, indicating that Black drivers are involved in traffic stops more frequently than would be predicted based on their involvement in traffic accidents. However, the results are not statistically significant for the traffic stops ending in citations, indicating that the results from the initial test may be driven by the observed differences for another racial category, like Hispanic.

We also construct disparity ratios to summarize the racial disparity between traffic stops and accidents for Black and White drivers (who comprise the majority of the population in Charleston). The disparity ratio for Black drivers is 1.45 for warnings and 1.02 for citations. This indicates that Black drivers are overrepresented in traffic stops ending in warnings; Black drivers are involved in traffic stops resulting in a warning 45 percent more than would be expected based on their involvement in traffic accidents. They are only marginally overrepresented in traffic stops ending in citations, however, being involved

in those incidents 1.02 times more often (2 percent more) than would be expected based on their involvement in traffic accidents. For White drivers, the disparity ratios are 0.83 for warnings and 1.00 for citations, indicating they are underrepresented in stops ending in warnings but exactly represented in stops that result in a citation at the same rate as they are involved in accidents. Taken together, these findings suggest an overall indication of disparity in most measures, including overall traffic stops, since stops ending in warnings are more common than those ending in citations. However, to draw conclusive findings, CPD must collate a full database of traffic stops data.

Using the propensity score matching approach described above, with matching variables including driver age, driver sex, reason for stop, and vehicle license plate, we compare the likelihood of searches during traffic stops ending in warnings for minority community members versus White community members in otherwise similar stops. For this analysis, we consider only searches that are not incidental to arrest or towing of a vehicle. Officers conduct searches in 4 percent of traffic stops involving minority drivers and 2 percent of traffic stops involving White drivers. Based on the results of the propensity score analysis, stops involving minority community members do involve significantly greater rates of searches than those involving White community members.[39],[40],[41] Table B.2 presents the results from the propensity score matching analysis.

Table B.2. Propensity score matching analysis

Model	Difference in highest search rates (minority v. White)	t-statistic	Statistically significant?	Common support
Nearest neighbor	0.02	3.34	Yes (p<0.001)	All observations
Nearest 5 neighbors	0.02	8.63	Yes (p<0.001)	All observations
Radius of 0.05	0.02	3.34	Yes (p<0.001)	All observations
Radius of 0.10	0.02	3.34	Yes (p<0.001)	All observations

Field contacts: Reason

CPD made 54,206 field contacts within the reason codes noted above between 2014 and 2018. The majority of the reasons listed for field contacts were coded as "other," followed by citizen complaints[43] and suspicious person. Table B.3 summarizes reasons for the entire time period, and Figure B.5 breaks out

[39] Common support is present for all observations in the analysis; thus, no observations are dropped due to lack of common support. Common support is a measure of whether there is sufficient overlap between the p-scores (generated in the matching step) of those observations in the condition of interest and not. It can be loosely understood to evaluate whether there are sufficiently similar stops available across the various stop characteristics. Achieving common support without dropping observations from analysis is the ideal outcome.

[40] These results are consistent across all four propensity score matching specifications.

[41] We are unable to conduct analysis of other stop outcomes, as CPD does not collect data on the stop end time (to allow for analysis of stop lengths), traffic stop disposition (verbal warning, written warning, citation, or arrest), and seizures during searches. See Finding 6 for more detail.

[42] We report the average treatment effect, reflecting the difference in search rates incidents involving minority community members versus White community members. Average treatment effect is reported in lieu of average treatment on the treated, which is largely appropriate when individuals can choose their assignment into the condition of interest, which is not the case for minority status.

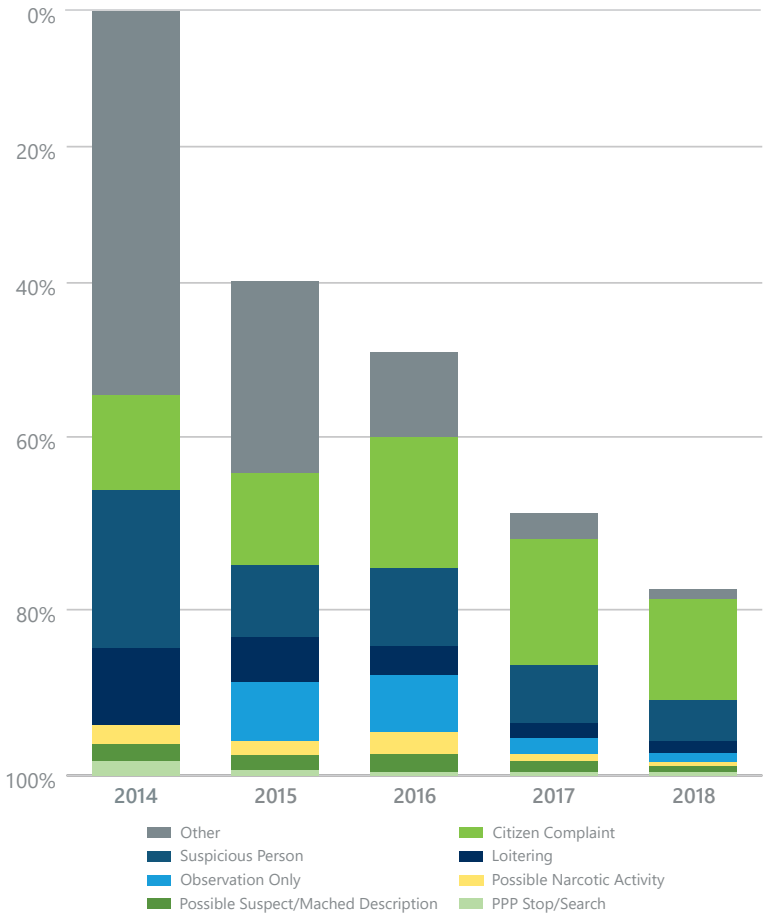
[43] Here Citizen Complaint refers to field contacts that were initiated due to a call for service.

contact reasons by year. As can be seen in Figure B.5, contacts coded as "other" have steadily decreased over time, while contacts due to citizen complaints have increased.

Table B.3. Field contact reasons

Contact reason	Count
Other	17,727
Citizen complaint	13,886
Suspicious person	10,350
Loitering	4,544
Observation only	3,537
Possible narcotic activity	1,725
Possible suspect/matched description	1,642
PPP stop/search	795
Total	54,206

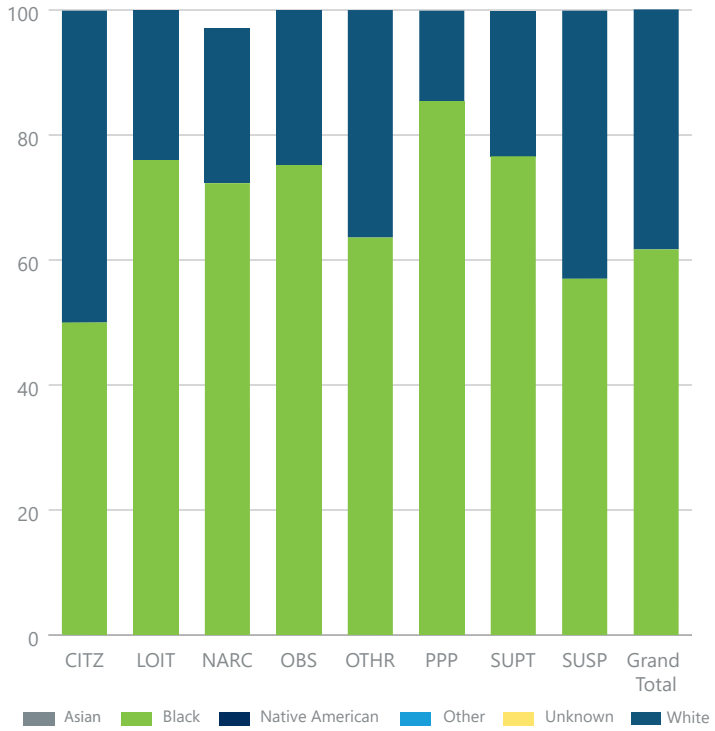
Figure B.5. Field contact reasons over time



Field Contacts: Race of community member involved

The audit team also tabulated contact reasons broken out by race of the involved community member. These findings are presented in Figure B.6. We caution against over-interpretation of these results since there is no appropriate, readily available baseline against which to compare these breakdowns. However, we do note that contacts for suspicious persons, often considered one of the most subjective field contact reasons for law enforcement officers, closely mirror overall contacts in racial breakdown. Contacts due to PPP stops/searches and loitering diverge the most.

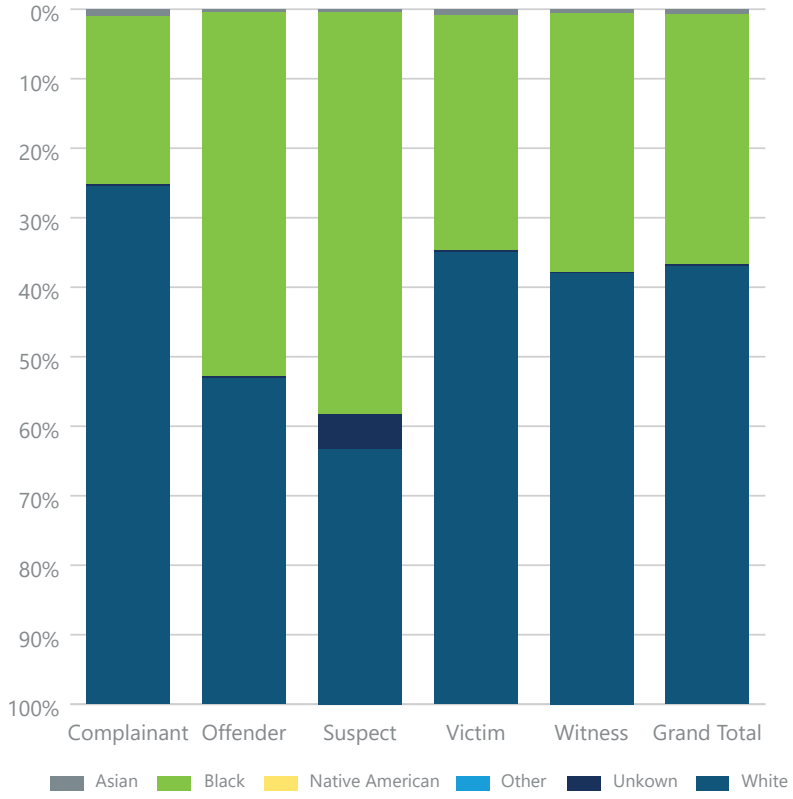
Figure B.6. Field contact reasons by race



Note: percentages for all races other than Black and White are below 1 percent in all contact reasons, resulting in very slim bars.

The audit team also considered the racial breakdown of law enforcement contacts using incident data (as collected by CPD in RMS), and broke this out by the role of the individual in the incident. Figure B.7 presents this information. This data represents a mixture of proactive and reactive activities, and also encompasses more and less discretionary activities. It provides more context about law enforcement contacts with the community in Charleston.

Figure B.7. Incident roles by race



APPENDIX C. DATA ANALYSIS: USE OF FORCE

The following appendix provides detail on our analysis of CPD's use of force data from 2014 through 2018. The analysis provided below provides context to our review of policies, practices, and the perspectives gathered from our interviews with officers and community meetings.

METHODOLOGY

CPD's use of force data requires explanation and definitions before the presentation of analysis. In this section, we discuss several ways of quantifying instances of use of force due to idiosyncrasies in CPD's database for use of force. Related recommendations are provided in Section 2. First, CPD defines a use of force interaction as an incident between potentially multiple officers, multiple community members, and involving multiple instances of force. For the purposes of clarity, we refer to this high-level grouping of instances of force as "incidents." We use the term "interaction" to refer to a particular officer's highest level use of force against a particular community member. Further, a use of force "instance" refers to each individual use of force by an officer against a particular community member. However, due to CPD's current data structure, we cannot analyze interactions at the level of use of force instances; CPD's data structure does not include unique identifiers to extract specific unique combinations of officers, community members, and instances of force used (for more information, see Section 2). We therefore focus on incidents and interactions for this analysis.

The audit team conducted both descriptive and comparative analysis of CPD's use of force incidents, interactions, and instances. CPD tracks use of force incidents in IAPro's BlueTeam software. Officers enter details about a use of force incident, including an incident narrative and basic information about the incident such as date, time, type of force used, and reason for use of force. We describe CPD's use of force over time, summarize characteristics of use of force incidents, describe types of force used, and summarize characteristics of officers and community members involved in use of force incidents. In conducting comparative analysis, we focus on disparities in use of force by the race of the community member involved in the incident. To assess whether racial disparity exists, we implement a propensity score matching approach. Propensity score matching is a quasi-experimental technique that compares the level of force used in incidents that are similar other than the race of the involved community member. We use time of day (day or night), number of involved officers, reason for use of force, and circumstance prior to use of force to identify similar incidents and then compare at the level of the interaction (highest level of force used).

Data limitations

One limitation in our analysis of CPD's use of force incident is the result of how CPD documents uses of force. As noted above, CPD requires that only one use of force report be completed per incident,

regardless of how many officers were involved and/or used force. This presents problems when trying to analyze all instances of force as well as racial disparity in the use of force. As noted in Section 2, because of CPD's documenting practices, only one use of force incident report is required regardless of the number of officers or community members involved. Although other officers involved in the incident complete supplemental reports, these reports are often collected separately and are not aggregated into the use of force data. Further, because we could analyze only incidents that involve a single community member, we were not able to make definitive statements about racial bias in use of force beyond those incidents where it was clear only one officer and one community member were involved. In these incidents, we are able to know with certainty that all force used in the incident involved that specific officer and that specific community member. In incidents with multiple community members, we are not able to link specific instances of force with specific individual community members.[44]

Further, due to the problems in the lack of proper documentation of use of force (see Section 2), we were not able to conduct a comprehensive analysis of all the types of force used in each incident and across the incidents over the four years analyzed.

CPD's IAPro does not include an entry item to capture outcomes of use of force reviews; outcomes, such as whether discipline was issued or training was required, are noted in the narrative section of the chain of command review and are not able to be extrapolated for further analysis. As such, we were not able to conduct a descriptive analysis of the outcomes of the use of force reviews.

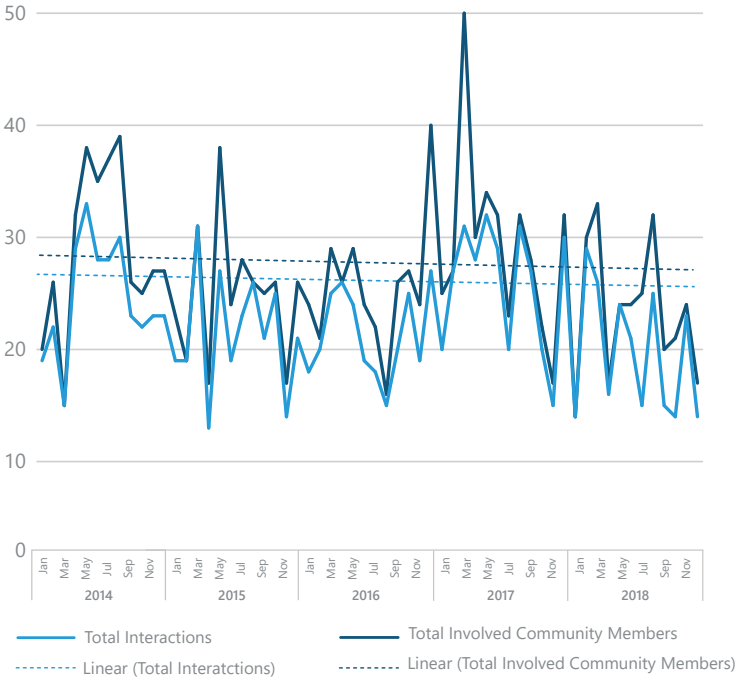
Historical trends

Between January 1, 2014, and December 31, 2018, CPD officers used force during 1,355 incidents with community members. For the purposes of the use of force analysis, an incident could include multiple officers, multiple community members, and multiple uses of force. The 1,355 incidents involved 437 unique officers and at least 1,588 community members.[45] Incidents involved from 1 to 11 officers (with a mean of 1.72 and a mode of 1) and from 1 to 11 community members (with a mean of 1.17 and a mode of 1). Figure C.1 displays the number of incidents involving use of force by month over the analyzed time period. CPD's use of force numbers have remained fairly stable over the five-year period, with a slight downward trend over time.

[44] We use a standard propensity score matching approach using nearest neighbor matching, as well as three alternative specifications for sensitivity analysis.

[45] Unique community member identifiers are not present in the CPD analyzable data; this count of community members relies on date of birth as an identifier and therefore likely undercounts the total number of community members that experienced use of force in the five-year time period.

Figure C.1. Use of force incidents and involved community members over time



Use of force: Incident characteristics

CPD tracks when in the course of an officer's duties UOF incidents take place. Figure C.2 summarizes this data over the five-year period. The most frequent occurrence is that an officer is responding to a call for service, followed by officers conducting proactive response to on-view offenses. Over time, most of the common circumstances prior to use of force incidents have remained relatively stable, though use of force incidents precipitated by response to on-view offenses have decreased and use of force incidents when officers were dispatched to the call increased in 2016 and 2017 but decreased in 2018 back to levels similar to 2014 and 2015.

Figure C.2. Use of force circumstances

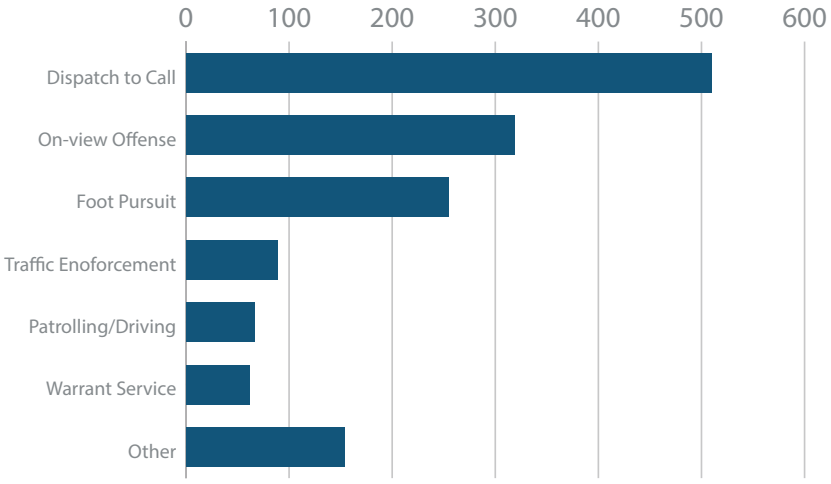
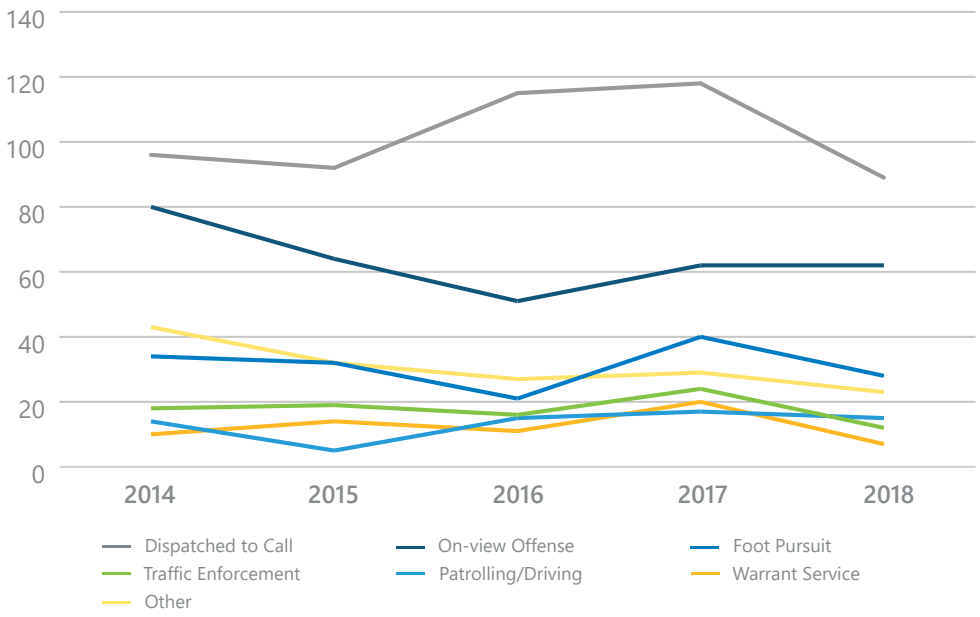


Figure C.3. Use of force circumstances over time



CPD also tracks why force is used. Figure C.4 summarizes these data. No single reason accounts for a majority percentage of the reasons for use of force; possible armed suspect, resisting arrest, and non-compliance together account for just over half of incidents. Over time, the count of incidents involving possible armed suspect and high-risk stop as reasons for use of force application have increased, while counts of resisting arrest and combative subject as the reason for application of force have decreased. Fleeing subject and non-compliance as reasons have also decreased, but to a lesser degree and with less stability. For ease of interpretation and readability, we only include these six categories, which each were attributed as reasons for over 100 incidents in the past five year.

Figure C.4. Use of force reasons

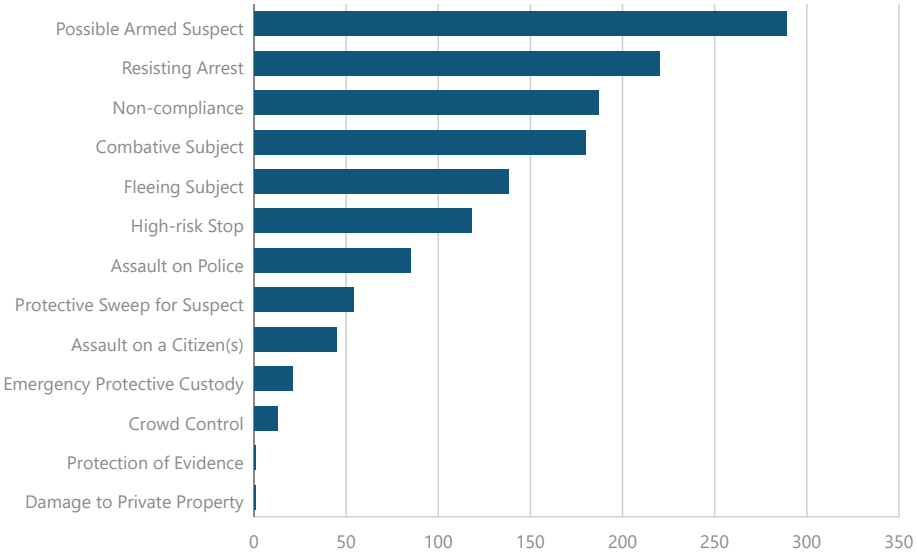
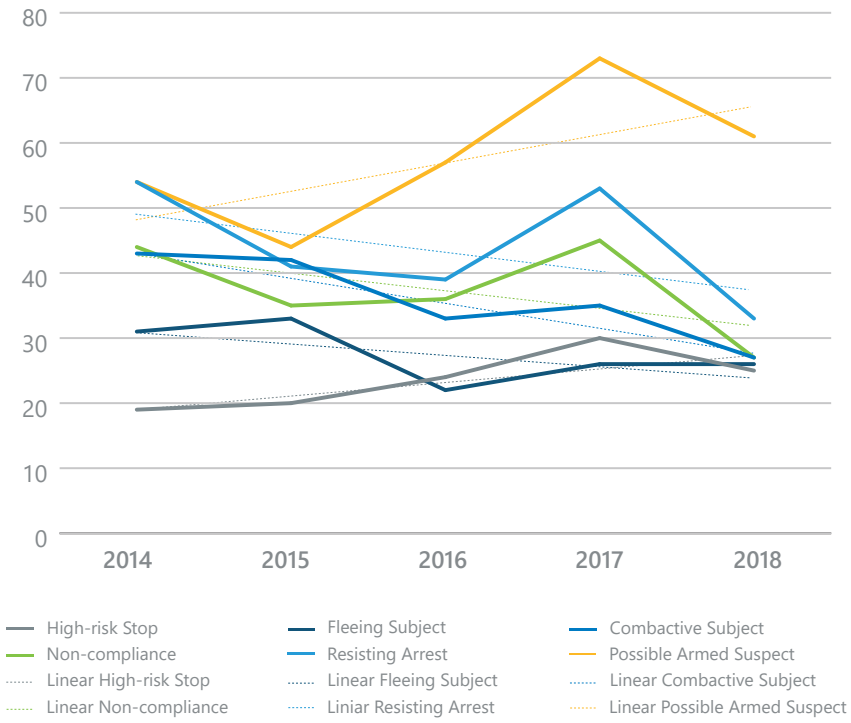
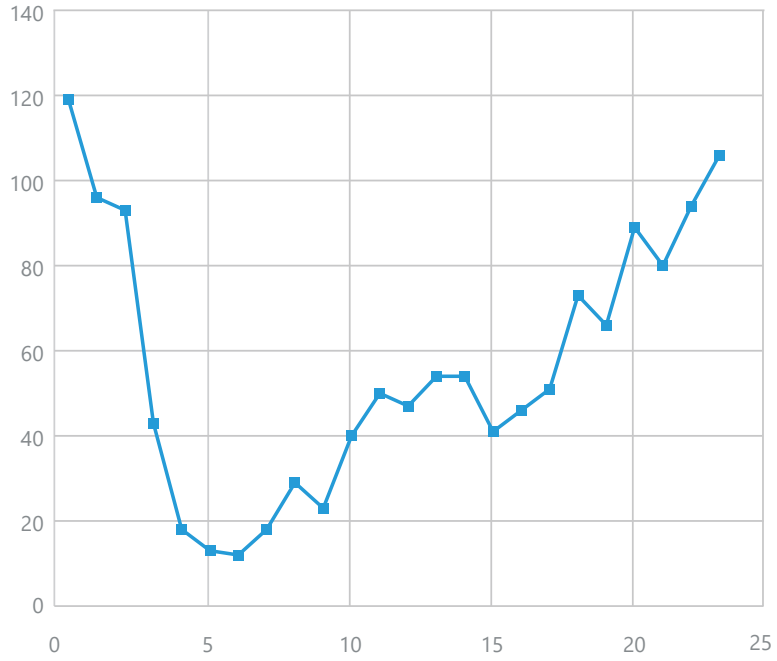


Figure C.5. Use of force reasons over time



The majority of use of force incidents in CPD take place during the evening and nighttime, as illustrated below.

Figure C.6. Use of force time of day (hour)



CPD's use of force incidents involve between 1 and 11 community members and between 1 and 11 officers, with the vast majority involving 1 community member and 1 officer, as shown in Figure C.7 and Figure C.8.

Figure C.7. Number of involved community members

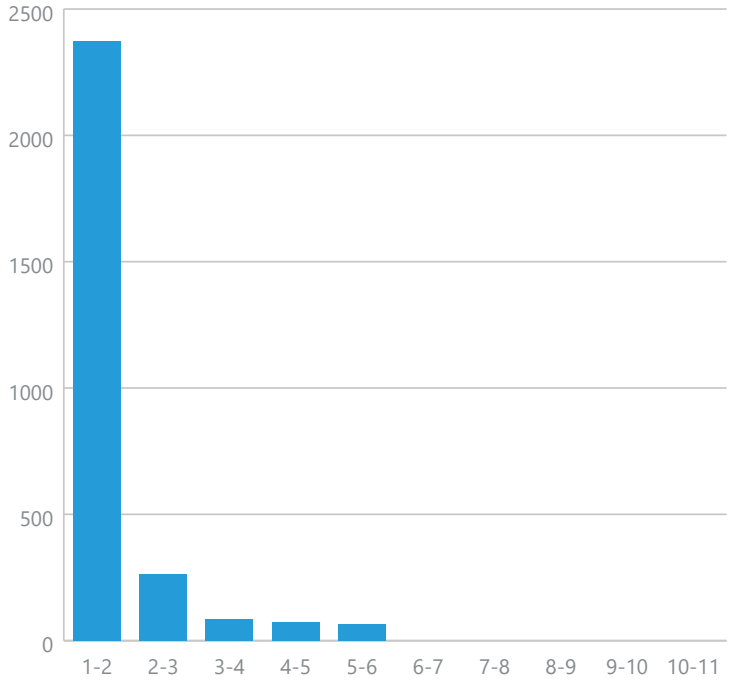
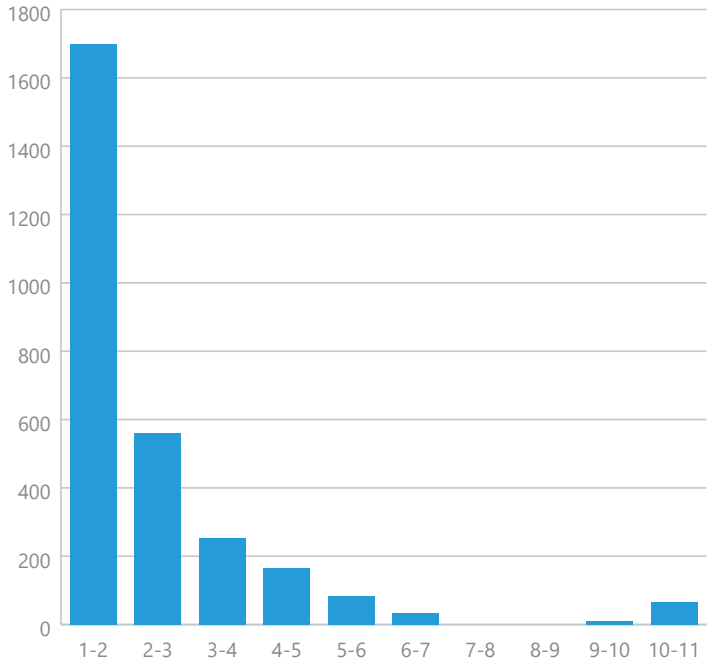


Figure C.8. Number of involved officers



Use of force: Type of force

CPD has 19 categories of type of force, listed in Table C.1. For the purposes of this analysis, the audit team condensed these into seven broader categories of force, aligned as described in Table C.1. CPD currently has an "Other" category for type of force. The audit team reviewed each of the 44 incidents that were coded as involving "Other" types of force and attempted to align them with the seven broader categories. After this process, we were able to code all but five incidents of use of force. For four incidents, no specific use of force could be identified from the incident narrative. For one incident, the audit team dropped it from the analysis as the circumstances of the incident involved throwing an object towards a fleeing vehicle, rather than use of force against an individual.

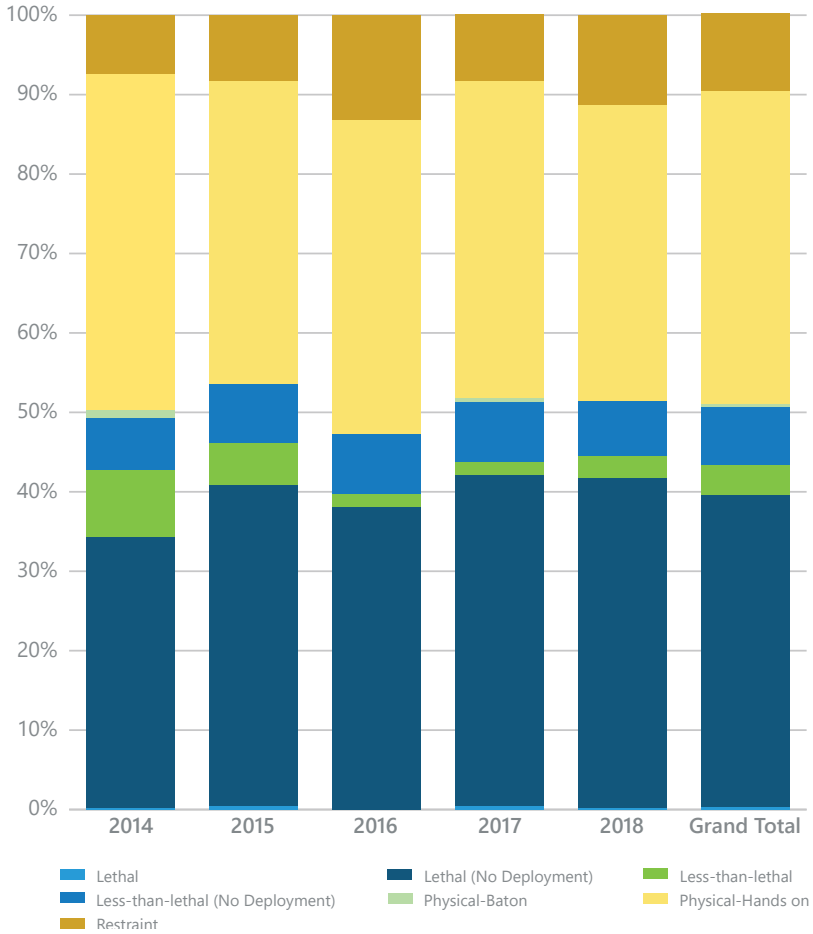
Table C.1. CPD types of force

Type of force	Use of force category
Canine	Less-than-lethal
CEW	Less-than-lethal
CEW Removal	Less-than-lethal (no deployment)
Discharged Firearm	Lethal
ECD	Less-than-lethal
ECD Removal	Less-than-lethal (no deployment)
Empty Hand Control	Physical-hands on
Expandable Baton	Physical-baton
Impact Munitions	Less-than-lethal
Impact Munitions Removal	Less-than-lethal (no deployment)
Kick/leg strike	Physical-hands on
Knee/Hand Strikes	Physical-hands on
OC Spray	Less-than-lethal
Other - see narrative	Coded individually
Pointing of a Firearm	Lethal (no deployment)
Pressure point	Physical-hands on
Removal of a Firearm	Lethal (no deployment)
Restrain on Floor / Wall	Restraint
Restraining	Restraint

Figure C.9 presents the types of force used among the seven categories, ranging from the lowest level of force (restraint) to the highest (lethal). We also present these data broken out by year to show trends in type of force used over time. As can be seen in Figure C.8, when considering the highest level of force used during an interaction, the majority of interactions involve physical hands-on use of force or undeployed lethal force (i.e., un-holstering firearm). There are relatively fewer incidents involving

less-than-lethal force as the highest level used, or only restraining actions as the highest level used. CPD's use of force in terms of the highest level used does not exhibit any particular patterns over time; in other words, the types of force used during each of the past five years are relatively similar. The department is not using substantively different levels of force (lethal, non-lethal, or physical) from year to year.

Figure C.9. Use of force categories over time



Note that lethal use of force is so rare that the bar segments are barely visible.

Use of force: Officer characteristics

As noted above, 437 individual CPD officers were involved in use of force incidents over the five-year period considered for this analysis. Across 2,319 unique officer-incidents, officers were, on average, 32 years old and had worked in the department for 5 to 6 years. Within these interactions, 88 percent involved White officers, 8 percent involved Black officers, 2 percent involved Asian officers, 1 percent involved Hispanic officers, and the remaining 1 percent involved officers of another or unknown race. Ninety-two percent of interactions involved a male officer with 8 percent involving a female officer. In 9 percent of interactions, an officer was injured, and in 30 percent of those incidents, the officer was treated at a hospital.

Figure C.10. Use of force interactions by officer age

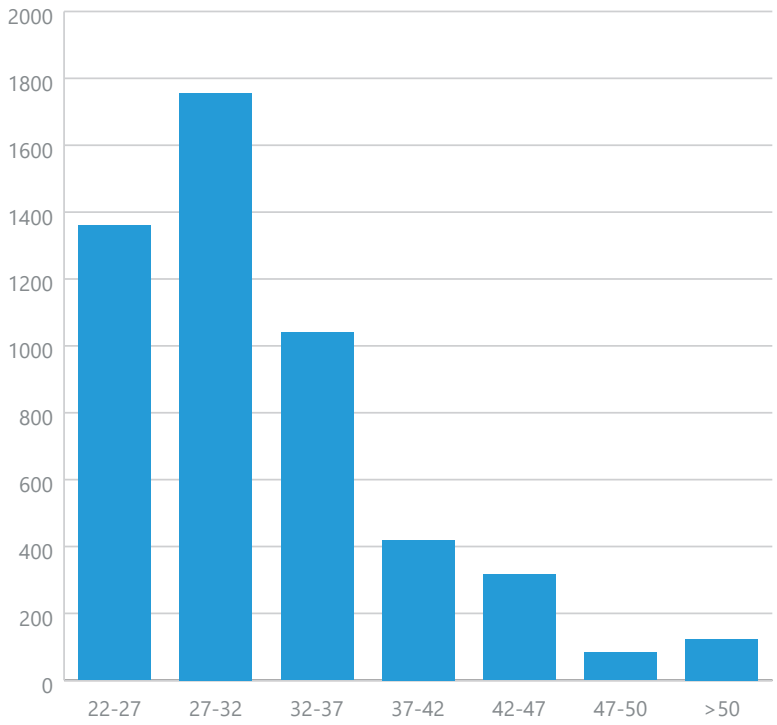
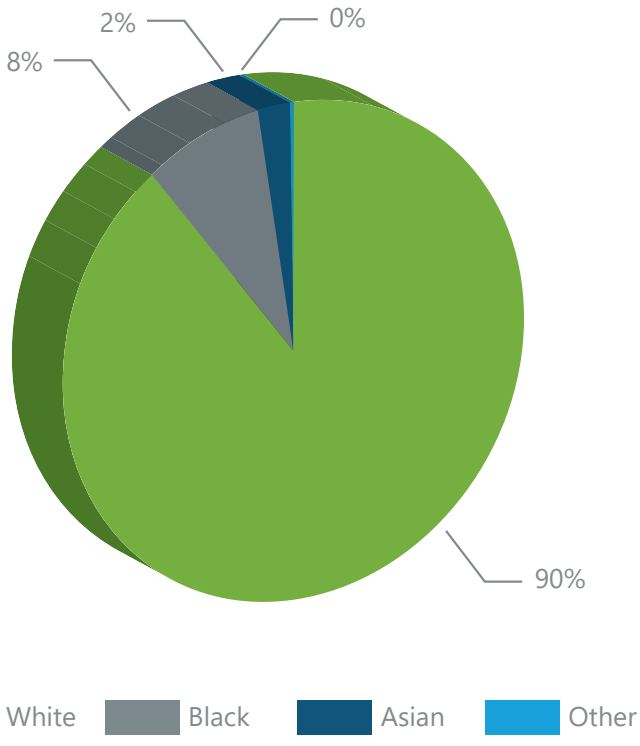


Figure C.11. Use of force interactions by officer race

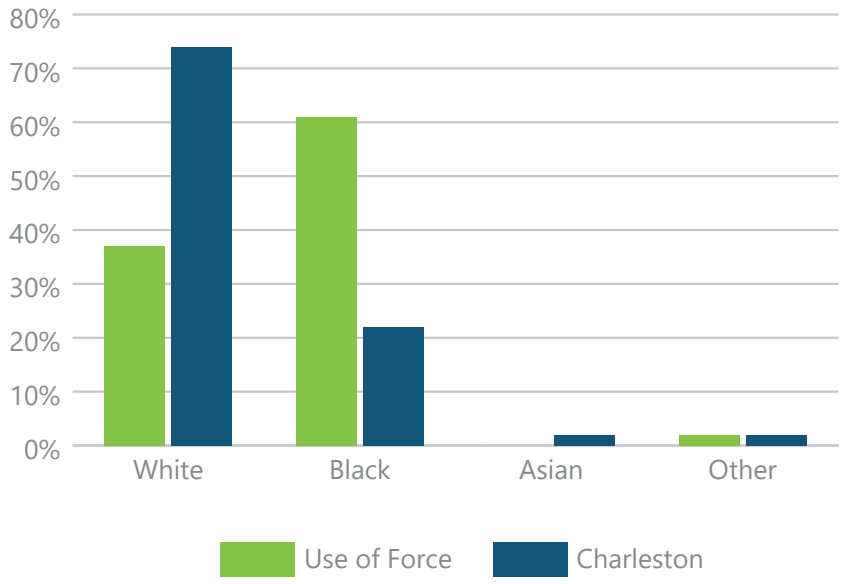


Use of force: Community member characteristics

As noted above, CPD's use of force data does not include unique community member identifiers, making the analysis of community member characteristics difficult. The audit team considered the unique combination of an incident and a community member's date of birth to report the following descriptive statistics. This resulted in 1,588 community members involved across the 1,355 use of force incidents. It is possible this number slightly undercounts the total community members involved in use of force incidents, if any incidents involved two individuals with the same birthdate.

On average, involved community members were 30 years old, ranging from 6 years old to 78 years old. Sixty-one percent of involved community members were Black, 37 percent were White, 1 percent were Hispanic, and less than one percent were Asian or Middle Eastern. When comparing community members involved in use of force to the Charleston population (using 2017 ACS five-year estimates), Black community members are overrepresented in use of force incidents.[46] Specifically, the disparity index for White community members is 0.50, indicating that White community members are involved in half as many incidents as would be expected based on their presence in the population. Black community members' disparity index is 2.80, indicating that they are involved in nearly three times as many incidents as would be expected based on their presence in the population. According to our analysis, Black men are involved in 53 percent of CPD's use of force incidents, and young Black men (25 years old or under) represent 23 percent of community members involved in use of force incidents. Regarding sex, 85 percent were male; 15 percent were female.

Figure C.12. Community members involved in use of force by race



[46] Note that the US Census Bureau data collection adheres to the updated federal guidelines on race definitions, while CPD's internal data does not. Thus there is no equivalent to CPD's Hispanic race category in the Census figures (as ethnicity is collected separately from race). We therefore collapse Hispanic and Middle Eastern into an "Other" category in CPD's data within the charts. For purposes of comparison, we collapse the Census categories of two or more races, some other race, American Indian and Alaska Native, and Native Hawaiian and Other Pacific Islander into an "Other" category.

Nine percent of community members were injured during the use of force interaction. In addition, 72 percent of community members were arrested pursuant to the use of force interaction.

To compare use of force incidents by the race of the community member, we must restrict analysis to those incidents that involve only a single community member, and then further consider only the highest level of force used across all officers that interacted with that community member during the incident. The first filter is necessary due to the limitations of CPD's data discussed above and further in the recommendations section. The second filter is necessary to ensure with certainty that the force in the incident involved that specific community member. Since the approach will compare a given incident to the next most similar incident on the matching variables, each incident must be represented only once in the data set, or the incidents will be matched with themselves (since an incident is most similar to itself). We also must drop two incidents in which the type of use of force was listed as "Other" and could not be identified from the narrative. The data set available for analysis represents 1,208 incidents of use of force, which are in this case equivalent to instances of use of force. These incidents represent 89 percent of total use of force incidents.

We use a propensity score matching approach for this analysis, with matching variables including daytime (versus night), total officers on the scene, the reason for use of force,[47] and the incident type. We compare the highest level of force used during an incident for minority community members versus White community members in otherwise similar incidents. Propensity score matching is a quasi-experimental method to produce statistical comparisons. Analysts use quasi-experimental methods in situations where random assignment (i.e., experimental approaches) are not feasible or practical, and use specific data structure and statistical techniques to approximate experimental conditions.[48] Propensity score matching uses characteristics of an incident (in this case, a use of force incident) to find other very similar incidents. Specifically, propensity score matching identifies the most similar events in a condition of interest (in this case, minority community members) and not in that condition using a propensity score.[49] In the case of racial disparity analysis, we focus on finding incidents involving a minority community member and matching them with very similar incidents that do not involve minority community members. By then comparing the outcomes of those incidents, which are similar other than the race of the community member, we can assess the disparate impacts on minority versus non-minority community members.

One critical limitation of propensity score matching in use of force analysis is data availability related to outcomes. Since we are restricted to those incidents in which we know force was applied, we cannot use

[47] Three reasons for use of force are dropped from the matching analysis due to statistical constraints: "damage to private property and protection of evidence" are dropped as they perfectly predict an incident involving a minority community member (i.e., all these incidents involve minorities); "resisting arrest" is dropped because it is significantly correlated with incident type on-view offense. Incident types "not on duty" and "office/administrative" are dropped because they perfectly predict an incident involving a minority community member (i.e., all these incidents involve minorities); "warrant service" is dropped because it is significantly correlated with incidents occurring during the day.

[48] Shadish, W. R., Cook, T. D., & Campbell, D. T. (2002). Experimental and quasi-experimental designs for generalized causal inference. Belmont, CA: Wadsworth Cengage Learning.

[49] Rosenbaum, P. R., & Rubin, D. B. (1983). The central role of the propensity score in observational studies for causal effects. Biometrika, 70(1), 41-55.

propensity score matching to understand differences in rates of use of force. Therefore we focus on those outcomes that are seen in all use of force incidents (i.e., the level of force used). Another key limitation, as in all statistical techniques to assess outcomes and behavior from law enforcement personnel, is that the results from these analyses can only uncover likely evidence of disparities in outcomes based on race but cannot provide insight into the underlying causes of these disparities.

Based on the results of the propensity score analysis, incidents involving minority community members do not involve significantly greater level of force than those involving White community members.[50,51] Table C.2 presents the results from the propensity score matching analysis.

Table C.2. Use of force propensity score matching analysis

Model	Difference[52] in highest use of force level (minority v. white)	t-statistic	Statistically significant?	Common support
Nearest neighbor	0.08	0.82	No	All observations
Nearest 5 neighbors	0.11	1.13	No	All observations
Radius of 0.05	0.14	1.39	No	All observations
Radius of 0.10	0.18	1.84	No	All observations

Use of force: Timeline for review

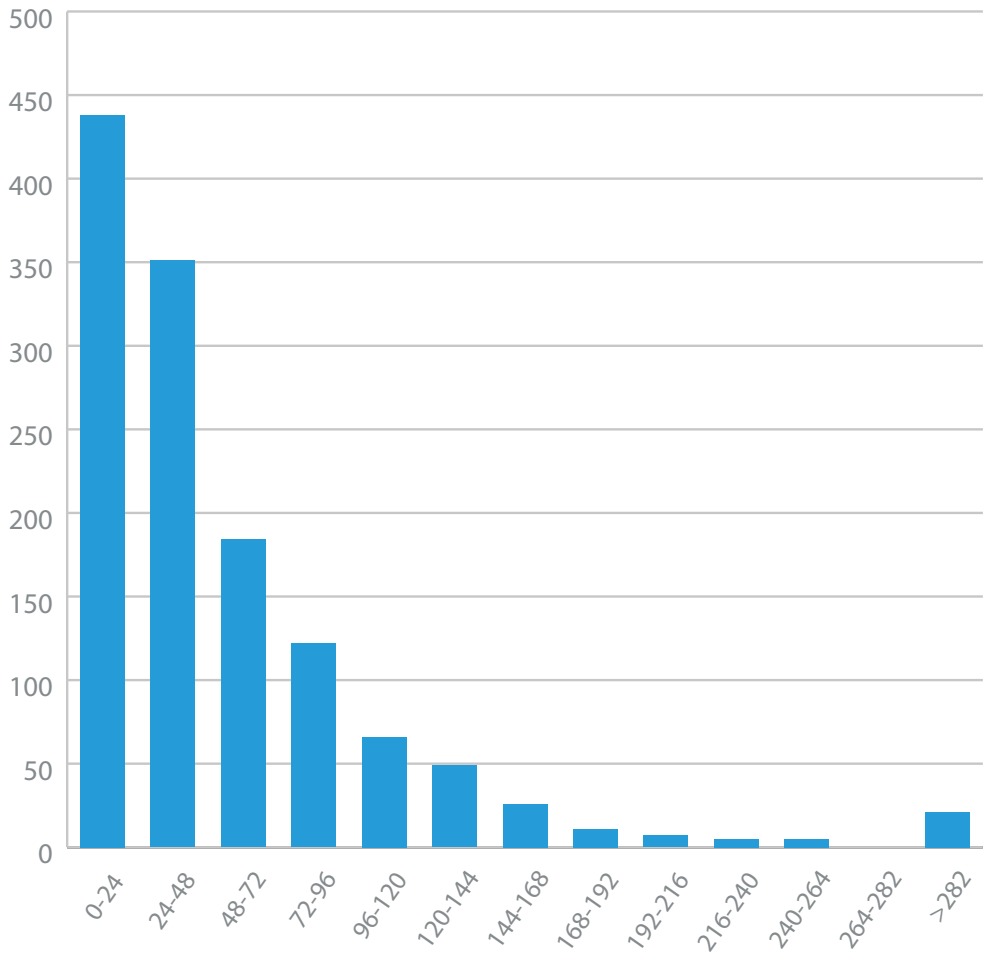
We reviewed the time and number of approval steps that occurred until final internal adjudication of use of force incidents. Each step represents a review stage by a particular individual. If that person marks it approved, it proceeds to the next step. If it is marked not approved, it returns to the previous step for revision and re-approval. Final internal adjudication times ranged from 0 to 1,277 days from the date the incident occurred to its final adjudication, averaging 56.7 days, and incidents involved from 1 to 19 adjudication steps, averaging 5.7 steps. Incidents included from 0 to 7 non-approvals (requiring additional review stages).

[50] Common support is present for all observations in the analysis; thus, no observations are dropped due to lack of common support. Common support is a measure of whether there is sufficient overlap between the p-scores (generated in the matching step) of those observations in the condition of interest and not. It can be loosely understood to evaluate whether there are sufficiently similar stops available across the various stop characteristics. Achieving common support without dropping observations from analysis is the ideal outcome.

[51] These results are consistent across all four propensity score matching specifications.

[52] We report the average treatment effect, reflecting the difference between the highest level of force used in incidents involving minority community members versus White community members. Average treatment effect is reported in lieu of average treatment on the treated, which is largely appropriate when individuals can choose their assignment into the condition of interest, which is not the case for minority status.

Figure C.13. Summary of days to final adjudication in use of force incidents



Use of force incidents did not have noted actions taken within the IAPro data, so the audit team was not able to analyze outcomes from the review process, or link them to timelines.

THIS PAGE INTENTIONALLY LEFT BLANK.

APPENDIX D. DATA ANALYSIS: COMPLAINTS

This appendix provides details on our analysis of CPD's complaint data from 2014 through 2018. The analysis provided below provides context regarding our review of policies, practices, and the perspectives gathered from our interviews with officers and community meetings.

METHODOLOGY

The audit team reviewed employee and citizen complaints documented by CPD between 2014 and 2018. We excluded one complaint categorized as anonymous, since it cannot be attributed either to a community member or an employee. To capture all complaints and related actions, we included incidents CPD categorizes as "information calls," "investigations," "inquiries," and "supervisor complaint intake." The audit team notes that CPD also captured 44 compliments over the five-year analysis period in which 285 officers and other employees received praise by other employees (27 compliments covering 255 employees) or citizens (16 compliments covering 85 employees).[53]

We primarily analyzed complaint data descriptively, to include analysis of trends over time, allegations, complaint disposition and associated actions, and length of investigation. We also provide an overview of the characteristics of complainants for external complaints.

Data limitations

The primary data limitation among complaint data, noted in Section 3, is that CPD does not have a policy or system for classifying allegations by severity. Without such a classification, comparative analysis of complaint types is limited. Further limiting our analysis, also noted in Section 3, is the inconsistency and failure to document information calls (complaints categorized as Class B). As such, our analysis is only limited to those complaints that were documented and/or formally investigated by PSO.

Internal complaints: Historical trends

During the five-year period for analysis, 201 internal complaint incidents took place with a total of 401 individual allegations;[54] each incident involved allegations against between 1 and 18 department personnel, with personnel receiving between 1 and 4 allegations in an incident. A total of 240 unique personnel had internal complaints filed against them during the five-year period. Figure D.1 displays the number of complaint incidents, allegations, and total personnel overall and by year over the 5-year period. Complaints, allegations, and involved personnel have steadily declined over the past three years (See Figure D.2).

[53] Note that some employees were complimented both by other employees or by citizens in unique incidents.

[54] Thirty incidents had no associated allegations; the audit team reviewed these incidents and were unable to determine a consistent pattern or reason for the lack of entered allegations for these incidents. These incidents are subsequently omitted from the remaining analysis.

Figure D.1. Total complaints

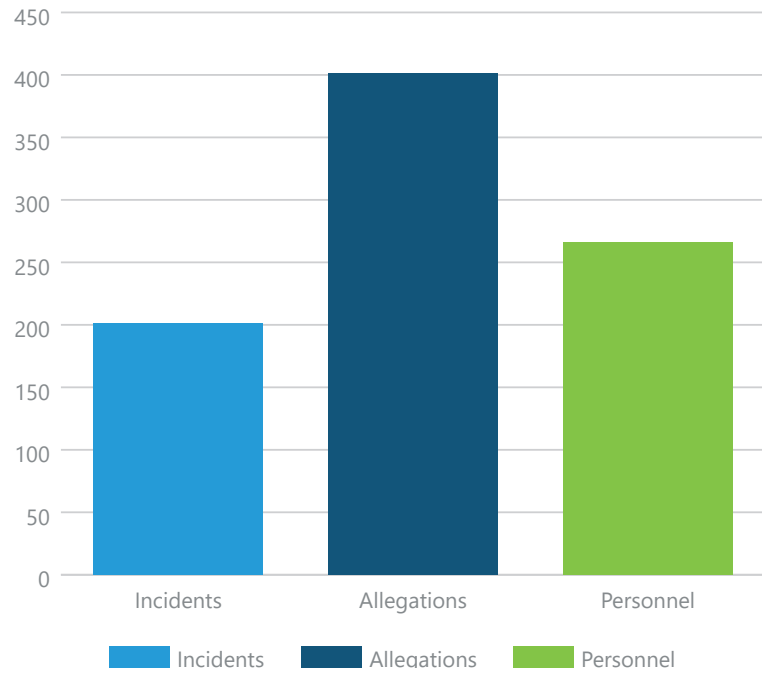
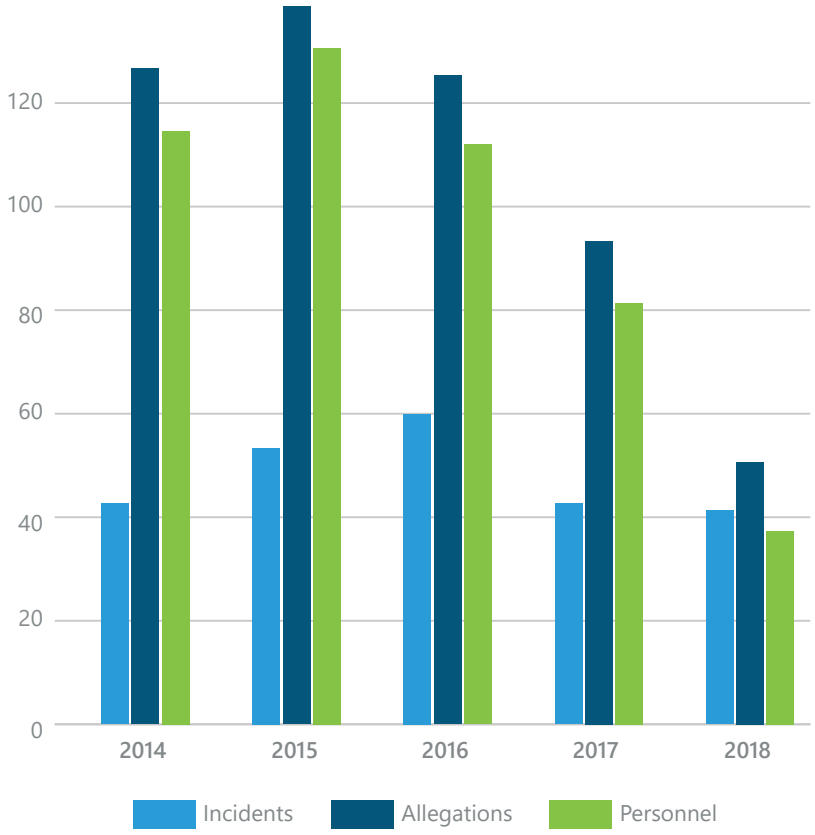


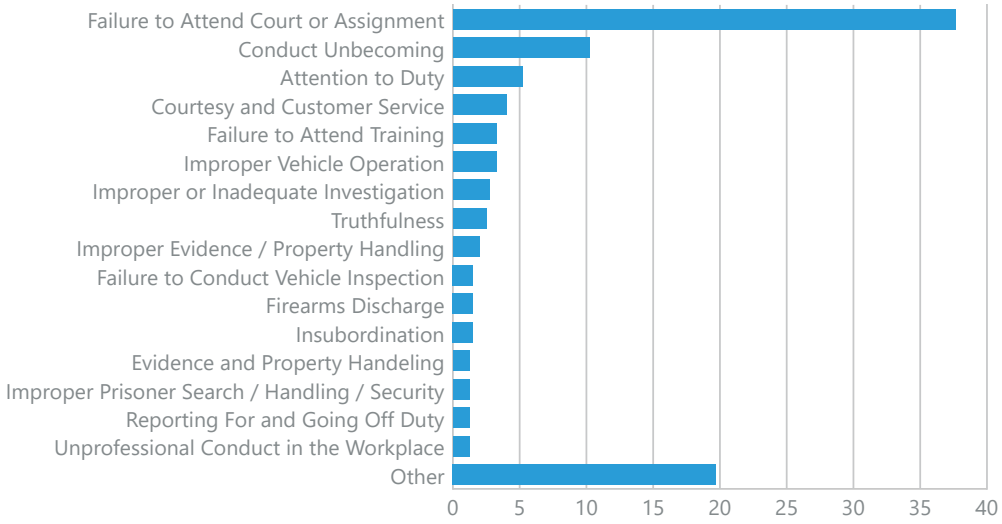
Figure D.2. Complaints over time



Internal complaints: Allegations

CPD documented 60 types of internal allegations from 2014–2018. For the purposes of this report, we focus on only the 16 allegations types that represent more than 1 percent of the total 401 allegations. Figure D.3 summarizes the types of allegations found among CPD's internal complaints. Failure to attend court or assignment represents a plurality of all internal complaints, as these complaints are automatically generated for missed court appearances and other incidents.

Figure D.3. Complaints by allegation



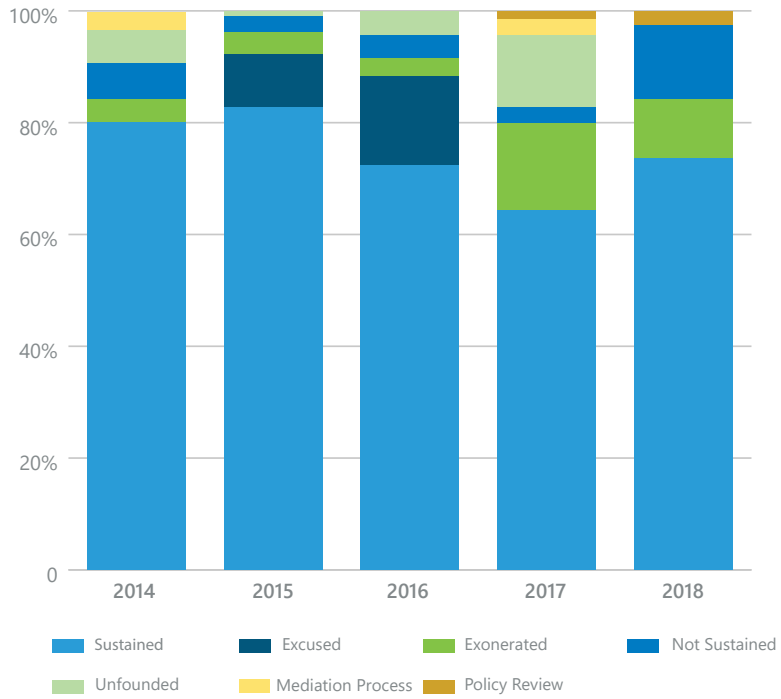
Internal complaints: Outcomes

The majority of internal complaints from 2014 to 2018 were sustained, 303 of the 401 entered allegations (76 percent). Table D.1 summarizes the outcomes from internal complaints by disposition of individual allegations. We also provide allegation disposition trends over time in Figure D.4.

Table D.1. Allegation dispositions

Allegation Disposition	Count
Sustained	303
Exonerated	26
Excused	25
Not Sustained	20
Unfounded	20
Mediation Process	5
Policy Review	2
Grand Total	401

Figure D.4. Allegation dispositions over time



Due to the large number of allegation types, it is not possible to discern patterns between allegation types and complaint disposition.

Internal complaints: Corrective actions

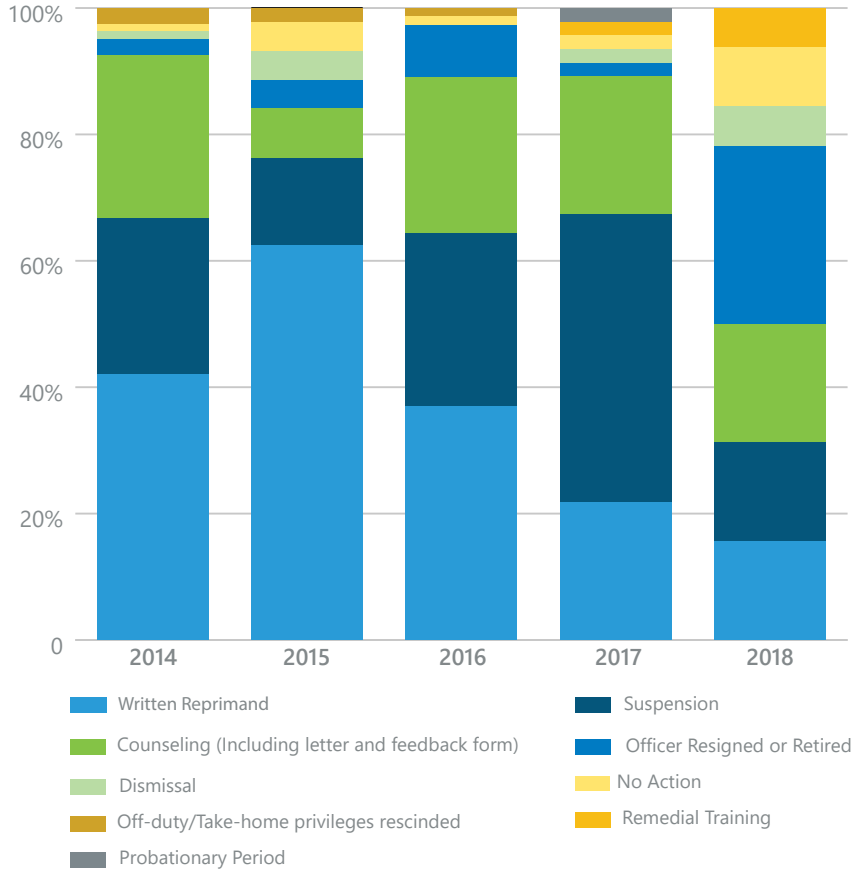
Three allegation dispositions are associated with corrective actions: sustained, not sustained, and unfounded. For the purposes of this analysis, we combined corrective actions into the categories presented in Table D.2, which breaks out the 320 allegations with associated corrective actions.[55] Written reprimands and suspensions are the most common corrective actions, followed by various counseling options. Suspensions range from 20 hours to 8 days, with 1 and 2 day suspensions representing 85 percent of the corrective action suspensions. Figure D.5 displays corrective actions taken over time. A substantially larger percentage of actions were closed due to the resignation or retirement of the officer in 2018 than in previous years.

[55] Twenty-three allegations within the three corrective action allegation types had missing data for corrective action; these are omitted from this analysis.

Table D.2. Complaint corrective actions

Row Labels	Percent
Written reprimand	41%
Suspension	24%
Counseling (including letter and feedback form)	19%
Officer resigned or retired	7%
No action	3%
Dismissal	3%
Off-duty/Take-home privileges rescinded	2%
Remedial training	1%
Probationary period	0%
Grand Total	100%

Figure D.5. Corrective actions over time

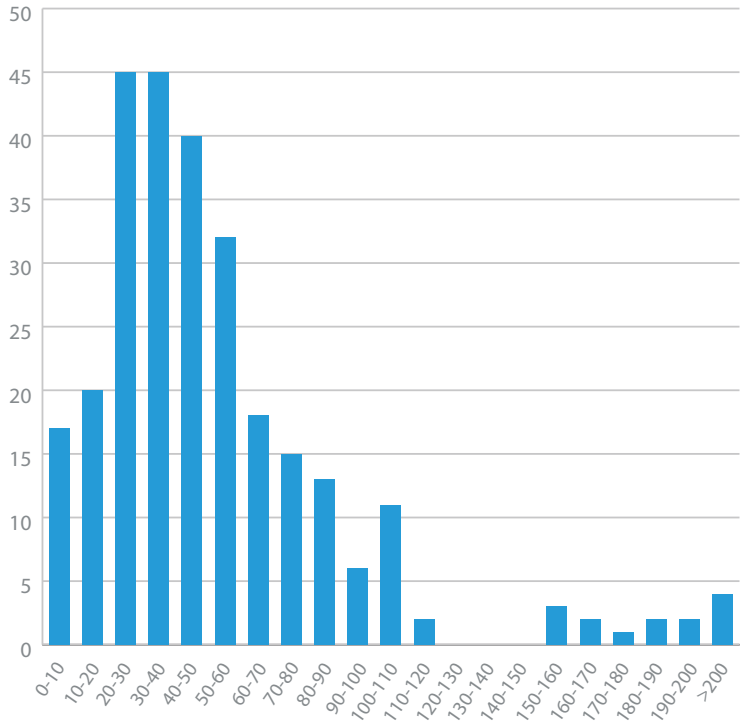


Internal complaints: Length of investigation

The audit team calculated the length of investigations as the number of days between the incident itself and the date that action was taken in response, and also as the number of days from receipt of the complaint to the date action was taken in response. We used both definitions as, in review of the data, the date of the incident itself was sometimes inferred when complainants came forward well after an incident took place and were unable to remember the specific date of the incident. Ten entries were omitted from this analysis as they were found to have negative investigation length (see Section 3). Note that all allegations against a specific officer in an incident are resolved on the same day; we therefore present this data at the level of the complaint (not the individual allegations).

Overall, internal complaints reached a disposition at CPD in 87 days from the incident or 58 days from the complaint receipt, and time to disposition ranged from 0 days to 490 days from the incident or 0 to 361 days from the complaint receipt. Twenty-seven complaints took over 100 days from receipt to disposition. Figure D.6 presents a histogram of length of time to complaint resolution from complaint receipt.

Figure D.6. Length of internal complaint investigations



Citizen complaints: Complainant characteristics and historical trends

During the five-year period for analysis that were 89 citizen complaint incidents[56] with a total of 187 individual allegations;[57] each incident involved allegations against between 1 and 6 department personnel,

[56] See Section 3. CPD does not formally document all complaints categorized as information calls.

[57] One hundred and eight recorded citizen complaint incidents had no associated allegations. These incidents are omitted from this analysis.

with personnel receiving between 1 and 8 allegations in an incident. A total of 110 unique personnel had internal complaints filed against them during the five-year period. Figure D.7 displays the number of complaint incidents, allegations, and total personnel overall and by year over the 5-year period. Complaints, allegations, and involved personnel have fluctuated over the five-year period, with the lowest numbers in 2017 and the highest in 2014 (see Figure D.8).

Figure D.7. Total citizen complaints

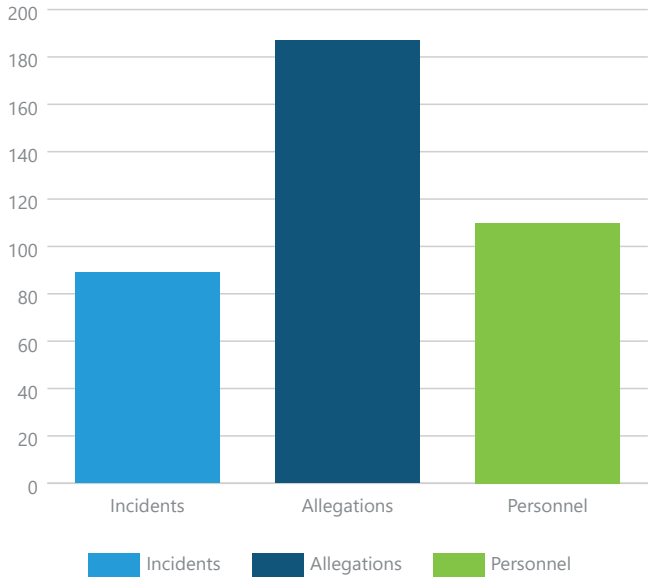
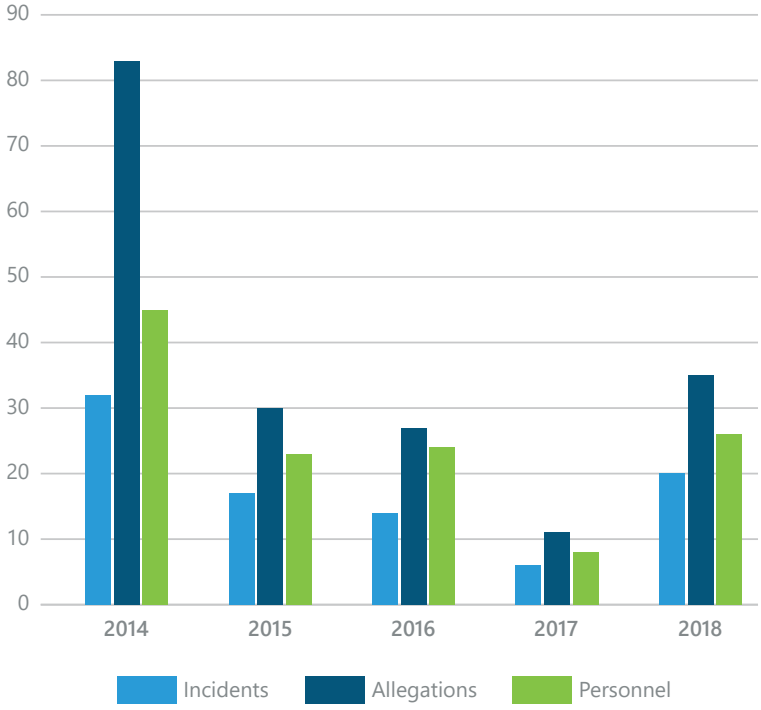


Figure D.8. Citizen complaints over time

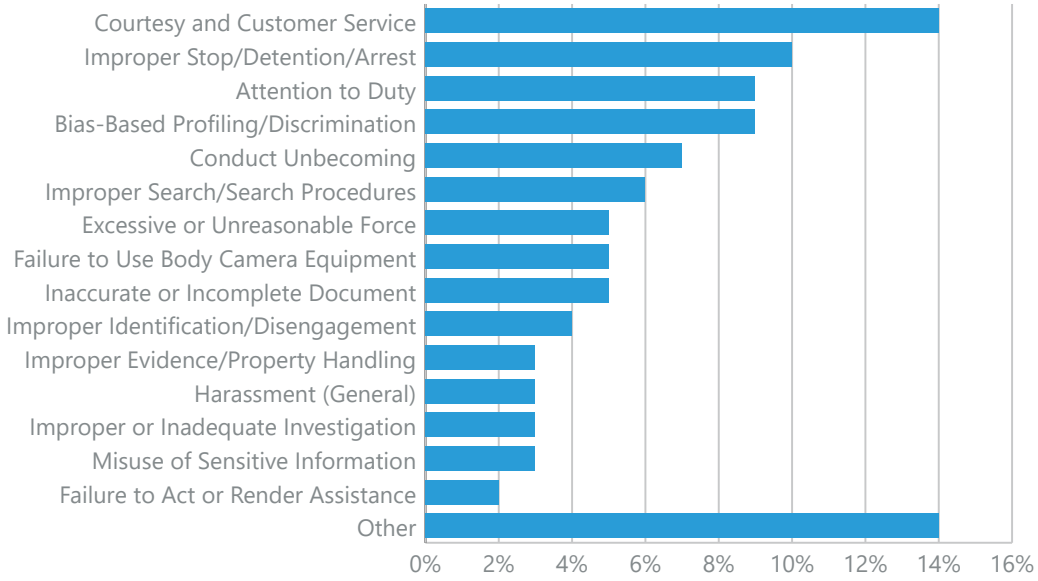


Across the five-year period, 92 unique citizens filed complaints against CPD officers. Two of these individuals were involved in two separate complaints each, and 5 complaint incidents involved multiple citizens: 4 involved 2 citizens, and 1 involved 3 citizens. For the 92 citizens, age data are available for 67, race data for 86, and data on sex for 90. On average, citizens involved in external complaints were 38.4 years old, ranging from 20 to 67 years old. Complainants were 56 percent male and 44 percent female. Complainants were 63 percent Black, 36 percent White, and 1 percent Hispanic.

Citizen complaints: Allegations

CPD documented 33 types of citizen allegations from 2014–2018. For the purposes of this report, we focus on only the 21 allegation types that represent more than 2 percent of the total 187 allegations. Figure D.9 summarizes the types of allegations found among CPD's citizen complaints. Courtesy and Customer Service, Improper Stop/Detention/Arrest, Attention to Duty, Bias-Based Profiling/Discrimination, and Conduct Unbecoming each account for over 5 percent of citizen allegations, but none constitute more than 15 percent.

Figure D.9. Citizen complaint allegation types



Citizen complaints: Outcomes

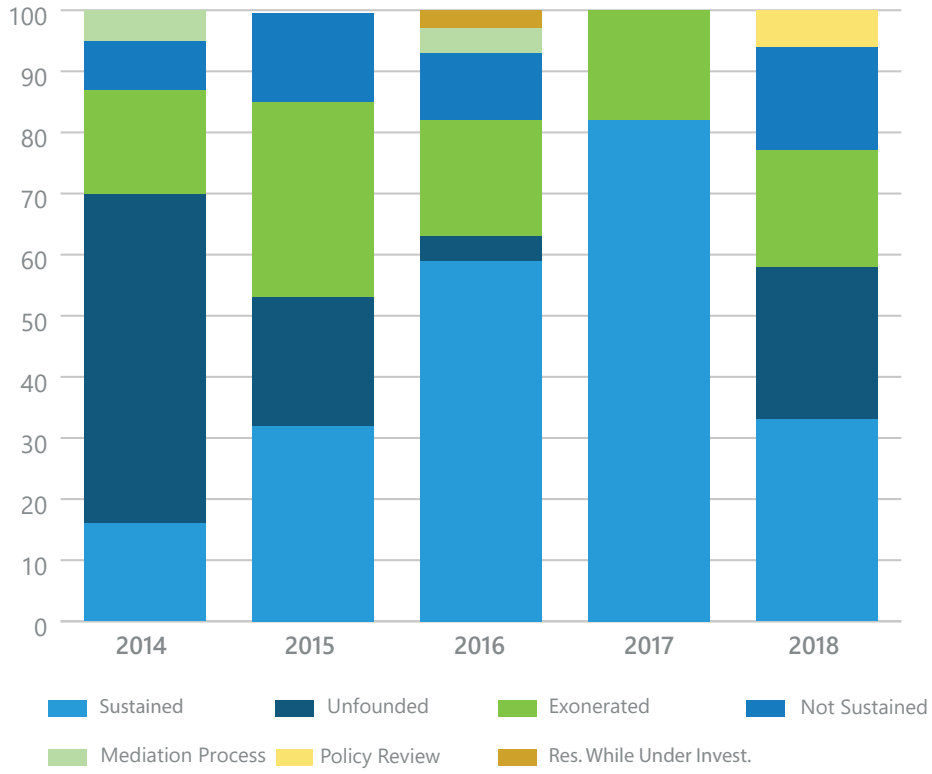
The majority of citizen complaints from 2014 to 2018 were unfounded, 61 of the 185 allegations (33 percent), closely following by sustained, 59 of the 185 allegations (32 percent).[58] Table D.3 summarizes the outcome from citizen complaints by disposition of individual allegations. We also provide allegation disposition trends over time in Figure D.10. While a large percentage of complaints were sustained in 2017, only 11 total allegations were adjudicated that year.

[58] Note that two allegations had no outcome noted and are therefore omitted from this analysis.

Table D.3. Citizen complaint outcomes

Outcome	Count
Sustained	59
Unfounded	61
Exonerated	37
Not Sustained	20
Mediation Process	5
Policy Review	2
Resolved While Under Investigation	1
Total	185

Figure D.10. Allegation disposition trends over time



Citizen complaints: Corrective actions

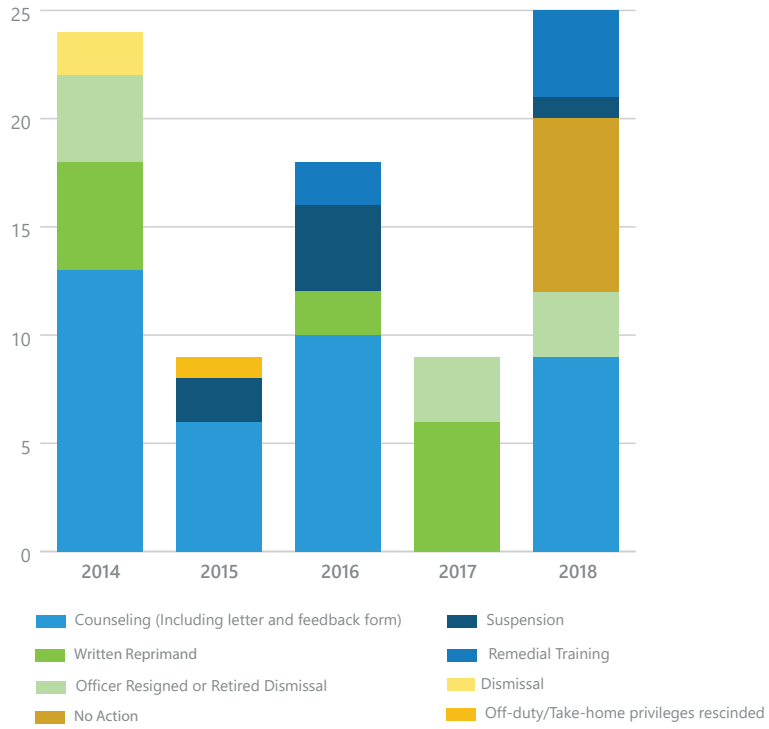
Three allegation dispositions are associated with corrective actions: sustained, not sustained, and unfounded, which account for 140 of the allegations. For the purposes of this analysis, we combine corrective actions into the categories presented in Table D.4, which breaks out the 85 allegations with

associated corrective actions.[59] Counseling and written reprimands are the most common corrective actions, followed by the officer leaving the department and no action taken. Figure D.11 displays corrective actions taken over time. Again, 2017 has an unusual distribution compared to other years but also had only 11 allegations. 2018 was the first year that no action was taken in response to some citizen complaints, a total of 8 allegations representing 9 percent of allegations that year.

Table D.4. Citizen complaint corrective actions

Row Labels	Percentage
Counseling (including letter and feedback form)	45%
Written reprimand	15%
Officer resigned or retired	12%
No action	9%
Suspension	8%
Remedial training	7%
Dismissal	2%
Off-duty/Take-home privileges rescinded	1%
Grand Total	100%

Figure D.11. Citizen complaint corrective actions over time



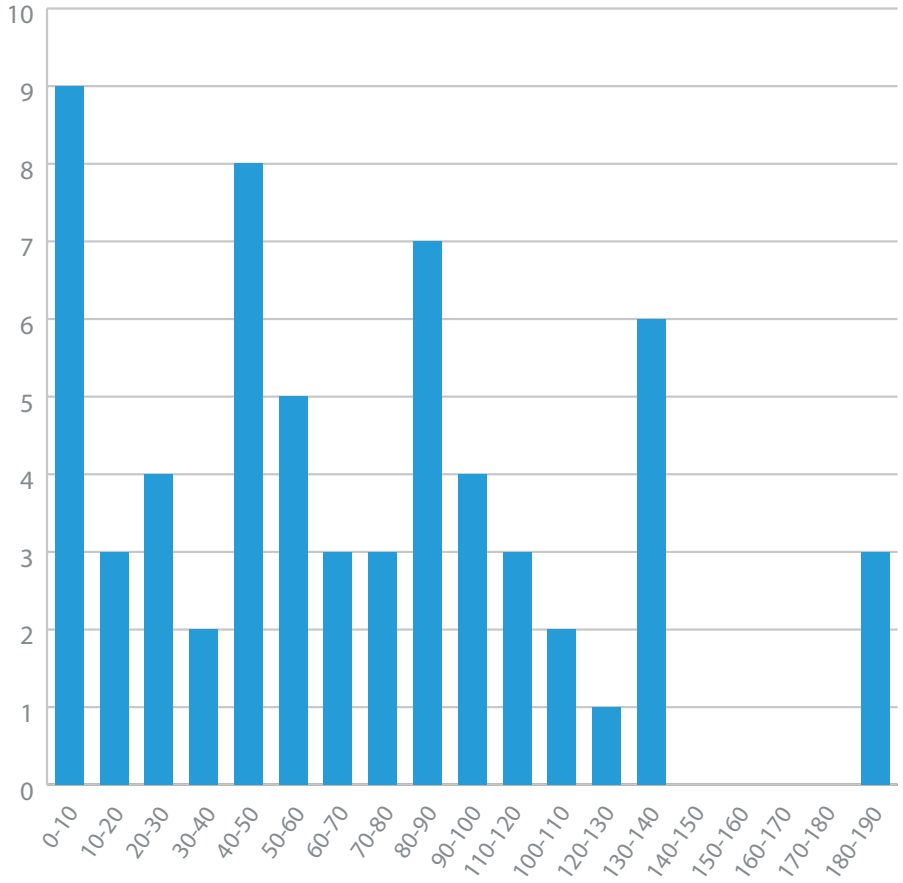
[59] Fifty-five allegations within the three corrective action allegation types had missing data for corrective action; these are omitted from this analysis.

Citizen complaints: Length of investigation

The audit team calculated the length of investigations as the number of days between the incident itself and the date that action was taken in response, and also as the number of days from receipt of the complaint to the date action was taken in response. We use both definitions as, in review of the data, the date of the incident itself was sometimes inferred when complainants came forward well after an incident took place and were unable to remember the specific date of the incident. One entry was omitted from this analysis as it was found to have negative investigation length. Note that all allegations against a specific officer in an incident are resolved on the same day; we therefore present this data at the level of the complaint (not the individual allegations).

Overall, internal complaints reached a disposition at CPD in 112 days from the incident or 84 days from the complaint receipt, and time to disposition ranged from 5 days to 1,202 days from the incident or 0 to 184 days from the complaint receipt. Twenty-seven complaints took over 100 days from receipt to disposition. Figure D.12 presents a histogram of length of time to complaint resolution from complaint receipt.

Figure D.12. Length of citizen complaint investigations



THIS PAGE INTENTIONALLY LEFT BLANK.

APPENDIX E. EFFORTS TOWARD REFORM

This appendix outlines some of the reforms that CPD has undertaken as a result of the preliminary observations the team made during its audit (see Appendix F, Site Visit Summary Memos). The information presented below is an excerpt from information provided to the audit team by the Charleston Police Department.[1]

On January 9, 2019, the Charleston Police Department had their first conference call with the CNA Audit Team to discuss the process of the racial bias audit, however, changes at CPD were already taking place. Noticing some areas for improvement, in August 2018, Chief Reynolds reorganized the command structure of the department by creating a separate Special Operations Division, which was previously part of a Patrol Division. Chief Reynolds also created a lieutenant position of Chief of Staff to assist the department's Chiefs with various tasks including coordinating with outside agencies. There were several other staffing changes that followed in a large transfer order on October 2, 2018. Additional staffing was placed in the Central Business District Team, Special Investigations Unit, the Traffic Unit was nearly doubled in size, and an officer was added to the Recruiting Office. With the shift in staffing, a second lieutenant position was created to the Special Operations Division to lead the School Resource Officers, School Security Response Team, and Housing Unit. In May 2019, four of the six Captains and 14 of 19 Lieutenants were assigned to new positions in the department. This sizeable change of commands was done to help facilitate improvement throughout the department.

All of the recent changes were not only in the areas of staffing and organizational structure. Chief Reynolds requested assistance from neighboring agencies to conduct an audit of the Professional Standards Division to improve consistencies with investigations and dispositions. The department was also in the process of moving away from weekly Compstat command meetings to a format that focused on more than crime statistics. The first version of the new Stat 360 model was used in February 2019 and the model continues to be refined each month (see attached Stat 360 - August 2019). CPD is also looking to implement Police Foundation's National Law Enforcement Applied Research & Data Platform ("The Platform"). This survey tool is used by other agencies around the country for measuring safety & wellness, community perceptions, and police-community interaction. In addition, the results can be compared to other departments and cities comparable to the City of Charleston. CPD hopes to have this program in use by the end of 2019.

Over the past several years, CPD has been a participating member of the Charleston County Criminal Justice Coordinating Council (CJCC). The CJCC has partnered law enforcement agencies, the Solicitor's Office, the Public Defender's Office, Judges from throughout the County, Charleston Mental Health, and various other segments of the community to improve the criminal justice process. One major milestone was the reduction in the number of people taken into custody by the jail for lesser offenses such as simple possession of marijuana, shoplifting, and trespassing. CPD continues to work closely with the CJCC as they begin to work on improving REDD (Racial & Ethnical Disproportionality & Disparity) within Charleston County. Some of this work included three community engagement events over the summer, which was strongly attended by CPD Officers and included Chief Reynolds sitting on a panel.

The CNA Audit Team conducted site visits on February 7-8, March 26-30, and May 6-7, 2019. The interviews and discussions held during that time frame, as well as other incidents that occurred

[1] Charleston Police Department. *Charleston Police Changes*. October 22, 2019.

locally and nationally, caused commanders to start looking for areas for improvement. Even though CNA had not provided any specific recommendations, CPD began to make changes in various areas of the department. The following sections document some of these observations and changes CPD has made or is in the process of making. Observations from CNA site visit summary memorandums will be noted as appropriate.

Community Engagement

In recent years, CPD has had numerous projects and efforts throughout the City, but particularly in the Eastside neighborhood. In CNA's initial site visit, the community relayed that CPD efforts were not being well received by the public. In order to provide the level of attention Community Policing requires, in May 2019, Chief Reynolds created the Office of Community Oriented Policing and assigned newly promoted Captain Dustin Thompson to lead the division. The Community Outreach Team, led by Lieutenant Shylah Murray, was moved to the Office of Community Oriented Policing (COP).

Since the inception of the COP, Captain Thompson has been developing a strategic plan for Community Oriented Policing. He is working with two workgroups which are led by a civilian employee and a sergeant and consist of sworn and civilian personnel. He expects to have the strategic plan developed and implemented in 2020. The plan will provide direction in the following areas related to Community Oriented Policing:

1. Improve Community Outreach/Engagement Impact (MEMO 1)
    a. COP unit will create, track and review all events to include neighborhood association meetings, community events, crime prevention presentations etc.
        i. Tracked on a special event document created beforehand which includes name, date, time, length, number of attendees, description, action plan, resources etc.
        ii. A special event AAR will be completed after an event which will include synopsis, Pros/Cons and suggestions.
2. Improve CPD's community outreach strategy, specifically its non-law enforcement engagement efforts with youth and underrepresented populations (MEMO 1)
    a. CAT Team youth involvement efforts thus far in 2019
        i. Reading Partners weekly program (tutoring)
        ii. Participation in monthly "game nights" (board games)
        iii. Participation in weekly Lunch Buddy program (lunch with children at local schools)
        iv. Participation in Be a Mentor Now program for youth
    b. These efforts will continue and be expanded upon in the future
3. Clearer strategy from command officials relating to community policing (MEMO 2)
    a. COP and Patrol Captains meet to ensure community policing initiatives are built into daily patrols and immediate action plans after violent crimes have been committed.
    b. Community Walk and Talks are scheduled daily and documented in those communities where citizens trust the police the least. This information is shared between COP and Patrol Captains.
    c. Strategies for the entire police department will be clear in policy and the strategic plan.

4. The performance evaluation process and the inclusion of community engagement priorities as metrics for performance (MEMO 2)
    a. COP Team was implemented on Saturday July 27th. Performance objectives have been selected and COP commanders are in the process of completing new performance plans for officers up to command level.
    b. Patrol Captain has already implemented community engagement priorities in performance objectives for patrol lieutenants and sergeants for all of patrol. (See Patrol section)
5. The role of supervisors in supporting and participating in community engagement effort (MEMO 2)
    a. COP supervisors have been tasked with creating, planning, and monitoring new community engagement efforts. They will involve the CAT team officers to facilitate these plans by involving the CAT team in the decision making process and follow ups for improvement.
    b. COP officers will have clear community priorities documented in their performance evaluations.
    c. Patrol Captain has already implemented community engagement priorities in performance objectives for patrol lieutenants and sergeants for all of patrol. (See Patrol section)
6. Training practices as they relate to highlighting the importance of de-escalation, cultural awareness and sensitivity, non-enforcement engagement, and other aspects of community policing (MEMO 2)
    a. Discussions have been held to involve CAT Team Sgt. Louis Staggers for community policing pre-academy and block training. (See PD&T, 4)
7. The integration of community policing into all policing operations, strategies, and training beyond the Community Action Teams (MEMO 2)
    a. This is the focal point for the policy review and strategic plan.
8. The role of the community in providing input on CPD's policies and procedures (MEMO 2)
    a. Pending development
9. The importance of local youth understanding their rights when engaged with police (MEMO 3)
    a. COP attempted to plan a youth 101 event this summer for youth in our area. This event would mirror our policing 101 event for adults. The event walks a person through fair and impartial policing, search/seizure, defensive tactics up to lethal force, scenarios etc. We did not get enough interest from the community so it was canceled.
    b. We continue to discuss ways to grow our Police Explorers program.
10. The lack of community engagement opportunities and activities between the youth and the police (MEMO 3)
    a. In the past, we have had hosted and participated in several youth activities in Team 1 and Team 4 (Prior locations for the CAT teams). One of the goals of the new COP team is to incorporate these activities in other areas of the city that have not seen CAT team initiatives for several years. Example: True Blue 3 day Basketball Camp in Team 4 July 2019.
11. The importance of procedural justice when police engage with the community; community members expressed the impact that a lack of understanding of the community's culture can

have on how the police engage and serve their communities (MEMO 3)

a. Citizens Police Advisory Council
    i. Appointed by city council members to engage with the citizens in their districts to discuss issues with the police and bring those issues before the command staff at quarterly (or more frequently) meetings.
    ii. The COP Commanders communicate with CPAC members regularly to address issues either internally or externally.
b. Citizens Academy
    i. Held twice a year with approximately 30 participants.
    ii. Curriculum mirrors the Policing 101 event developed and piloted by the Illumination Project.
    iii. Runs for eight weeks and walks the citizen through the training of a police officer up to participation in scenarios.
c. Joint Leadership Academy
    i. Planned to begin in Team 1 this year for roundtable discussions with police officers to engage police and citizens in a positive manner.
    ii. We hope to have 5 listening sessions which will result in a published action plan for the area to be modeled in other teams.

Body Worn Cameras

Having our body worn camera program in place for nearly five years, there were several areas for improvement regarding the body worn camera policy. The below listed recommendations will be adopted in a new policy (previously a field guide):

1. Review BWC Policies / Practices including Retention Schedule to allow adequate time for follow up and investigation.
    a. Increased minimum video retention to 180 days for all video types
        i. CNA consulted regarding retention schedule;
        ii. Update policy / email to department was distributed in March 2019
        iii. Master Roll Call held by Lt. Farrell
        iv. Patrol Captains attended roll calls to speak directly to the officers;
2. Create Body Worn Camera Work Group to ensure body worn camera policies and practices are up to date with best practices.
    a. Training Initiatives
        i. Move the BWC training for new officers to post academy instead of pre-academy, so the information is fresh in their minds upon release for duty (Change made already)
        ii. Include some BWC learning objectives in the PTO program (Being developed at this time)
        iii. Etiquette for Officers training (Lt. Farrell reaching out to BWC TTA Program for instructor)
    b. Technical
        i. Survey of end users to gauge user experience (Survey developed and executed by Sgt. Light)
            1. Majority of officers satisfied with BWC equipment and process.

2. Overwhelmingly appreciate Generation 2 Camera for battery life and ease of use vs. Generation 1 device
3. Some would like to see accommodation on uniforms to mount the device; i.e. a loop to clip on the device. (To be discussed with Logistics and uniform vendor.)

ii. Review Categories and make additions and deletions as necessary (in progress)
iii. Move Getac products to active directory for ease of use. (Currently being researched by Data Integration Manager and City IT)

c. Policy Review & Audit
   i. BWC Field Guide reclassified to General Order 77 Body Worn Cameras to place it on the same level as other important policies (i.e. Response to Resistance/Aggression, Vehicle Pursuit, Officer Conduct, etc.)
   ii. Section 77.2 Policy
      1. Removed requirement that only officers in the Patrol Division with the rank Sergeant and below would have BWC (Section 77.2 Policy) to allow more BWCs to be utilized in day to day operations
   iii. Section 77.5 Officer Responsibility
      1. Transport and Animal Control Officers added to the first sentence
      2. Bullet 5 added outlining the protocol to get a replacement BWC if damaged, both during the day and night
      3. Second to last sentence added articulating that officers should charge their BWC prior to shift, preferably using the wall charger
   iv. Section 77.6 Operating Procedures
      1. Bullet 4 added stating that BWCs will remain activated while transporting prisoners until custody has been transferred.
      2. Bullet 5 added articulating the officer's responsibility to notify hospital staff of their intent to record.
      3. Bullet 9 modified to allow recording with the BWC during criminal investigations in certain areas that normally would not be recorded (locker rooms, restrooms, etc.).
      4. Bullet 13 modified to notify officers that they will not be able to review recordings after a critical incident until permission is obtained from the independent investigating agency.
      5. Bullet 15 modified to allow the Video Management System to be utilized by employees for administrative investigations and reviews, not just Internal Affairs personnel.
   v. Section 77.7 BWC Use in Schools
      1. Bullet 1 modified to require SROs to record when they have developed reasonable suspicion or probable cause that a criminal act is taking place.
   vi. Section 77.8 BWC Use During Off-Duty Assignments
      1. Modified to require ALL officers working off-duty to wear and utilize BWCs on off-duty assignments (previous requirement was only those

vii. Section 77.9 Supervisor Responsibility
    1. Bullet 1 modified to require supervisors utilize activity reports to ensure that BWC activations match CAD dispatched calls for service.
    2. Bullet 2 modified to list Team Sergeants as another level of review. Supervisors will document reviews in BlueTeam and make appropriate recommendations.
    3. Bullet 3 added requiring all BWC videos associated with the following BlueTeam entries to be reviewed (MEMO 1):
        a. Use of force
        b. Pursuits
        c. Supervisory complaint intakes
        d. Officer involved vehicle collision
        e. Equipment damage, etc.

viii. Section 77.10 Video Evidence and Retention
    1. Bullet 3 modified to reflect the six month (180 day) default retention period.

3. Increase quantity and quality of video reviews by supervisors.
    a. CIU conducting random reviewing videos (This process is still in discussion and specifics will be included in policy change when released.)
    b. Increased quantity of videos reviewed in patrol by adding Team Sergeants to the list under Supervisor Responsibility (forthcoming in General Order 77 Body Worn Cameras, Section 77.9.)
    c. Expectations added by the Patrol Division Captain to each Patrol Team Commander and Patrol Team Supervisor evaluations to review a selection of at least 6 videos within their areas of responsibility (Completed, see Patrol section).

Professional Standards Division

Led by Captain Chito Walker, the Professional Standards Division includes the Professional Standards Office (Internal Affairs), Professional Development & Training, and Recruitment & Retention. Captain Walker assumed command of this division in August of 2018, and was tasked with conducting an audit of the Professional Standards Division in coordination with the SC State Law Enforcement Division and the Mount Pleasant Police Department. The recommendations from the audit included an improved process for logging complaints, clearer definitions of the types of investigations, and a more streamlined explanation of our administrative investigations. At the time, the instructions for our administrative investigations included a two-page policy and a 43-page field guide. The objective of this audit was to improve consistencies with investigations and dispositions. Because of the PSO audit, the process of revising the complaint and administrative investigation policy and field guide were underway when CNA began their audit.

<u>PSO - Internal/External Complaints:</u>

The following are some of the areas CPD has made changes regarding the investigation of internal and external complaints:

1. Adequacy of Internal & External Accountability (MEMO 1)

a. The following items have occurred and are included in the revised policy, which is pending release.
    i. The Professional Standards Office will now be titled the Office of Internal Affairs and remain a part of the Professional Standards Division. This name is for clarity in mission and better understanding by the public.
    ii. The Captain of Professional Standards reports directly to the Chief of Police for Internal Affairs matters.
    iii. Increased staffing in the Office of Internal Affairs by one Sergeant, which was assigned in July 2019.
b. Working with IA Pro & Blue Team vendor (CI Technologies) to improve efficiency of reporting and auditing within the system.

2. Process for tracking, investigating, and reporting all external complaints/information calls. (MEMO 1 & Internal Audit)
   Although CPD has a policy of investigating and following up on all complaints, a process did not exist to document complaints that were not reported or involve PSO.
    a. Implemented new process for submitting Supervisor Complaint Forms
        i. There have been a total of eighty-six (86) Supervisor Complaint Intakes from the inception of the changeover.
        ii. Five (5) of these intakes have led to a formal investigation (it should be noted that these formal investigations would have occurred regardless of the supervisor intake complaint being completed)
        iii. Updated in revised policy.
3. The CPD's practices as they relate to internal procedural justice (e.g., fairness in processes, communicating changes to policy and procedures, notifying officers of the result of use of force incidents, complaints, discipline) (MEMO 2)
    a. Each Officer that is involved in an administrative investigation is formally notified throughout the different stages of the process via e-mail. They are notified when the investigation has been initiated, turned over for the command review process and at the conclusion of the investigation. Should an extension be requested, the Officer is now notified of this request as they were not notified before, which has not been done in the past.
    b. PSO is researching different types of discipline matrices. This will be included with the new policy.

<u>PSO - Use of Force</u>

CNA provided observations regarding the investigation of use of force incidents and training in the area of use of force. CPD is working on the following items pertaining to use of force:

1. Use of Force Chain of Command Review Process & Use of Force Incident Data to determine the adequacy & completeness of non-deadly use of force incidents. (MEMO 1)
   Recommendation: Policy created/revised to address proper investigation of non-deadly, but potential injury related use of force. Specific guidance regarding review of BWC.

2. Body worn camera policy to determine when supervisors are required to review BWC footage as part of Use of Force and whether policy is being followed. (MEMO 1)

a. Although this process is addressed in the body worn camera section, it is also listed here to ensure response to resistance/aggression policies are updated accordingly.

3. The prevalence of crisis intervention team training (including refresher training) among officers and other related training on responding to incidents involving mental illness (MEMO 2)
    a. Pending further recommendation(s) from CNA

4. Begin participation with the FBI's Use of Force Database
    a. CPD's participation and contribution to this database will assist with nationwide reviews of incidents involving law enforcement use of force resulting in serious bodily injury or death.
    b. Expected to begin participation by 2020.
        i. It should be noted that CPD has not had a qualifying incident this year.

Recruitment & Retention

For the past couple of years, CPD has averaged approximately 35 vacancies. Although this is less than 10% of our total sworn allocation, CPD is seeking to reach complement within two years. As CPD recruits and hires individuals, there is a need to become more diverse by hiring more minority and female officers. CNA's site visits provided the following observations, which CPD has started to address:

1. Create a Strategic Plan for Recruitment (MEMO 1)
    a. Contacted various departments and received their recruitment plans.
    b. Draft submitted, pending Command Review
2. Supervisory Training and informal/formal mentorship programs for newly appointed supervisors (MEMO 2)
    a. PD&T will be implementing a first line supervisor training class (16 hours) for all Sergeants, which will be completed by the end of 2019.
    b. PD&T is implementing a commander training class (8 hours) for all Command Staff.
    c. In 2020, all Sergeants will be required to take a two week supervisor course, which is currently under development by PD&T.
    d. Mentorship programs are pending further recommendation(s) from CNA.
3. The CPD's policies and culture related to diversity and inclusion of underserved populations among officers, teams, specialized units, and the communities they police (MEMO 2)
    a. Pending further discussion and review of recommendations from CNA
4. Improve Police Officer Job Posting (CNA)
    a. June 2019 – JoinCPD.com website launched
    b. Job description updated, approved by HR and disseminated
5. Informal/formal mentorship programs for minority officers (MEMO 3)
    a. Interviewed additional Officers to become mentors for all cadets.
    b. Mentors are assigned a cadet and initiate contact at the beginning of Police Corps.
    c. Mentors are in a formal capacity until completion of the training, then undertake an informal role.
    d. This process was implemented with the first Police Corps class in July 2019.
    e. Policies are currently being reviewed to determine where this should be documented.

6. CPD's practices and strategies in the recruitment and hiring of minority officers (MEMO 3) – See Recruitment Plan.
7. Leadership support in encouraging diversity/inclusivity within the department (MEMO 3) – Pending review of recommendations from CNA
8. The lack of equity, or perceived lack of equity, in the performance evaluation process (MEMO 3) – Pending review of recommendations from CNA

Professional Development & Training (PD&T)

Throughout the process of the audit, CPD has been working with other agencies throughout the state to improve the efficiency of the SC Criminal Justice Academy (SCCJA). Agencies around the state have been struggling with getting officers through the academy for a variety of reasons – some based on SCCJA processes and some due to the individual agencies. In July of 2019, the SCCJA began a new program which allows for a portion of basic law enforcement training to be conduct at the agency. This significant change in SCCJA policy came at a time when a new Commander was assigned to PD&T, which provided an excellent opportunity for improving new recruit/cadet training. The following articulates recent changes:

1. New leadership assigned to the PD&T Unit to develop a comprehensive long-term strategy and programs to support the mission of the department and the community it serves.
2. New legal counsel assigned to the PD&T Unit to support leadership team, review policies, procedures and training modules and provide legal training and legal updates.
3. Police Corps
    a. The CPD Pre-Academy was dissolved, and a newly created City of Charleston Police Corps was implemented as a 10 week (to be expanded to a projected 16 weeks in 2020) training program for newly hired Police Cadets.
    b. This objective driven and performance based training program is aimed at addressing training deficiencies at the beginning of law enforcement careers.
    c. The Police Corps curriculum provides for a proactive approach to developing leadership at an early stage of an officer's career, while providing training based upon SCCJA standards and above through more advanced and lengthier training.
    d. The reality-check training module was reviewed and removed from the course vitae as its pertinence and overall training objectives was not clear nor did it make a significant contribution toward departmental goals.
4. Community Oriented Policing
    a. During the Academy block, Police Cadets were introduced to the concepts of "Community Oriented Policing" and "Problem Oriented Policing" in the Basic Patrol Operations class.
    b. Cadets will receive an additional 8 hours of Community Policing instruction as part of their pre-academy instruction.
    c. Police Corps has incorporated Community Policing training modules into the curriculum. Through collaboration with the Community Oriented Policing unit, a training module will be taught that encompasses both classroom and planned community involvement during a day-long training program.

d. Prior to training, Cadets supported the Community Oriented Policing unit at Camp Hope, a summer-long community outreach program aimed at increasing positive community interactions with school aged children and teenagers in the Charleston community.
e. The book, "Problem Oriented Policing," by Herman Goldstein is required reading for all Cadets. Cadets must read the book, identify a community- based problem relating to law enforcement, and identify a solution.
f. Cadets will present the problem and solution in writing and orally in front of the entire class. This will aid in the development of their interpersonal skills.
g. CPD runs a "Citizen's Academy," that invites community members to become oriented with CPD's policies and procedures. Citizen are able to participate in training modules.
h. CPD has an Explorers Program as part of Community Outreach that supports youth interested in law enforcement.

5. EPIC (Ethical Policing is Courageous) Training
    a. EPIC is a peer intervention program developed by NOPD and its community to promote a culture of ethical policing.
    b. Program teaches officers peer intervention techniques to prevent wrongful action before it occurs.
    c. Program goal is to provide cultural change in policing that encourages officers to intervene to prevent misconduct and ensure high-quality policing.
    d. PD&T Sergeant certified to teach EPIC.
    e. CPD held "train the trainer" session for EPIC.
    f. Command Staff attended EPIC training presentation.
    g. Cadets received EPIC in first week of training during the leadership development module. Cadets received training on Ethics, as well.
    h. EPIC concepts resonate through all training concepts particularly with police stressors, individual wellbeing, community policing, use of force training, and leadership development.
6. Fair and Impartial Policing Training
    a. Cadets will receive 3 hours of instruction on Fair and Impartial Policing.
    b. Cadets have received training through the Academy titled: "Prejudice and Personality".
    c. Prejudice and Personality class gave Cadets an understanding of diversity to prepare them to professionally serve their communities and enforce laws in a fair and unbiased manner.
    d. Class discusses prejudice, intolerance and stereotypes, differing personalities and generational differences.
    e. Cadets received Gender Identity training to include current issues involving the community.
7. Development of Interpersonal Skills
    a. To address interpersonal skills and improve communication of police officers long term, certain types of training methods were incorporated into Police Corps.
    b. Through peer- based scenario training, Cadets are expected to "teach back" findings from their scenarios to the class. By doing this, they learn public speaking skills, active listening/understanding, as well as rapport building through their communication.

c. Cadets present adjunct instructor biographies to the class prior to training sessions to develop communication skills.

8. ICAT (Integrated Communication & Tactics)
    a. ICAT was previously implemented throughout the department and is an ongoing training program with the CPD Police Corps.
    b. Principles of ICAT have notable parallels to EPIC and, therefore, they are built upon together through use of force scenarios in the means of risk mitigation to the public/subject, officer survivability, and to expound upon de-escalation techniques.
    c. Cadets will receive 8 hours of ICAT instruction.
9. Course Evaluations
    a. Course evaluations are now implemented across the board for Police Corps training modules.
    b. Evaluations are aimed as assessing content, delivery, instructor competency, and identifying further needs that can be addressed through future training. For future training courses and block training in 2020, course evaluation will be incorporated.
10. Testing
    a. Cadets are tested following each Academy Block during Police Corps.
    b. Though tests have not been incorporated in the past with CPD Block Training, there are plans for performance-based evaluations in 2020 Block Training materials.
    c. Across the board, it has been discussed that measurable objectives are necessary to ensure comprehension and compliance with changing training.
    d. Evaluation forms used to assess student comprehension will also address remediation or further future action/training needs for the student.
11. CPD State Standards for Instructors
    a. CPD instructors teaching state mandated (SCCJA) disciplines (Firearms, OC, Defensive Tactics, Driving) are at minimum certified as Specific Skills Instructors through SCCJA and some are Basic Instructor Development certified (which is a two-week training course).
    b. Certification classes through SCCJA are taught on a very limited basis by SCCJA staff, but attempts will be made to offer CPD facilities to SCCJA in hopes they will be willing to host at least one class at CPD.
12. Outside SME Instructors
    a. The training division has begun to utilize outside members of the department for training modules, particularly with the Police Corps program.
    b. These members include local fire department officials, members of the solicitor's office, and representatives from discipline specific advocacy group such as People Against Rape, My Sisters House, Trident Area Agency on Aging, and the local Chaplaincy Group.
    c. CPD has relied on trusted outside community members to include Dr. Nic Butler (a local historian), Dr. Bernard Powers, and Harlen Greene, who teach a course titled "Civil Rights in Charleston". This course brings a historical perspective of the racial issues that recognized in the Charleston area and their current impact on policing in the local area. This class is also part of the Police Corps program.

13. Annual Training
    a. As part of the Annual Training Plan, the 2020 block training curriculum is under review, with possible plans to expand the content provided to officers, beyond yearly requirements.
    b. This includes building upon scenario-based training, which also focuses on the principles of EPIC, ICAT and de-escalation techniques.
    c. Development of the plan will also include review of training for Sergeants and Command.
    d. The curriculum will be reviewed to support principles of Community Oriented Policing.

Operations

One of the specific topics for CNA's audit is reviewing the practices of CPD traffic and person stops for racial disparity. While recommendations are pending, there are already some areas being addressed. Listed below are some areas observed by CNA as well as some topics identified by CPD for improvement.

Traffic Stops

In July 2019, Lt. Kristy McFadden assumed command of the Special Units Team, which includes the Traffic Unit. Lt. McFadden was placed into this position to bring a fresh approach to traffic enforcement. She is in the process of developing a Traffic Plan which will provide specific and measurable outcomes for the department as a whole and the Traffic Unit. The below listed recommendations are being included as the plan is developed.

1. Traffic Units Internal reporting and review mechanisms and the impact of current traffic enforcement strategies on the community. (MEMO 1)
2. The CPD's strategies regarding traffic enforcement (moving and non-moving violations), specifically examining the impact that these stops have on communities of color (MEMO 2)
3. The CPD's practices as they relate to external procedural justice (e.g., fairness in processes, communicating the outcomes of complaints, reason for stops) (MEMO 2)

Field Contacts

In the process of collecting information on field contact for CNA, CPD Commander realized there appeared to be some inconsistencies among officers and how they document interactions with the public. In order to ensure field contacts are properly recorded, the following areas are being addressed:

1. CPD's practices on documenting all field/public contacts. The inconsistency in which officers document field/public contacts may inhibit our ability to conduct a complete analysis of the related data (MEMO 2)
    a. Currently working with CIU to incorporate specific CAD information to the current "Team Activity Report", attached, that will provide data that can be utilized to ensure FCC's are completed in all cases where they are required. This data will also provide body worn camera activation numbers that can be compared to officer activity to ensure that body worn cameras are being utilized within policy.
    b. The goal is to have software in place to merge the CAD data into RMS by December 2019.

2. FCC module (2016) not being used as originally intended for traffic stops and possibly pedestrian stops
    a. Review with Operations Exec Staff
        i. FCC reviews are conducted by the Command Duty Officers, Patrol Team Commanders and Administrative Sergeants.
        ii. Reviews are completed to ensure that all fields are filled out accurately and completely.
        iii. Any FCC's that are found to have errors and/or missing information are sent to the officers for corrections.
    b. Disseminate through Lieutenants to Sergeants
        i. As of Wed, March 27, 2019, all Operations Lieutenants are aware of intent and disseminated to their Sergeants;
        ii. As part of the monthly roll call discussions in the performance plans, the Field Contact Card field guide will be reviewed by the Commanders and CDO's at each roll call with the patrol officers in the month of September.
    c. Create review process to ensure accuracy and intent is being met for accountability
    d. Covered above with the data integration pulling the CAD information into RMS.

Performance Plans

After being transferred in May 2019, Captain Weiss created performance plans for all Team Commanders in the Patrol Division and the Command Duty Officers in June 2019. Captain Weiss conducted meetings with all of the Commanders and CDO's in the Patrol Division to discuss the plans in detail and answer any question with regard to these expectations, and any other question and/or concerns that the Commanders and CDO's had. These plans laid out expectations for the commanders in areas of leadership, mentoring, documentation review and community engagement.

In July 2019, Captain Weiss created performance plans for all supervisors assigned to the Patrol Division. Captain Weiss conducted meetings with all of the supervisors in the Patrol Division to discuss the plans in detail and answer any question with regard to these expectations, and any other question and/or concerns that the supervisors had. These plans laid out expectations for the supervisors in areas of leadership, mentoring, documentation review and community engagement. (attached Patrol Team Supervisor Initial Performance Plan document)

On August 2nd and 5th 2019, Captain Weiss held meetings with the officers in the Patrol Division during their scheduled roll call time prior to each shift. The officers were given information on the performance plans that were given to the Patrol Commanders, CDO's and supervisors. The officers were given expectations with regard to community engagement, body worn cameras, report writing and other topics. Lastly the officers were advised of why recent changes took place with regard to transfers and organizational structure, and items that were currently being worked on.

Patrol Schedule

Both from community and officer input, CNA observed the impact of the current rotating shift schedule on CPD's ability to provide consistent community engagement and officer wellness (e.g., assigning officer[s] to a particular shift/location over an extended period) (MEMO 2). Shortly before CNA conducted their second site visit, the Chief's Council decided to look into the possibility of a revised

patrol schedule. A survey of the department was conducted in April and showed 85% of the department was in favor of adjusting the hours for patrol, however, the proposed hours would lead to a significant decrease in staffing during some of the busiest and most dangerous times. The Chief Council members began a series of meetings with Commander to discuss more options which include the possibility of a non-rotating patrol shift schedule. Another survey is currently underway and must be completed by the end of August. Should the proposed plan be accepted, the plan for transition will be completed by the end of 2019 for implementation during the first quarter of 2020.

APPENDIX F. SITE VISIT SUMMARY MEMOS

Date: February 18, 2019

To: Rick Jerue, City of Charleston, SC

From: Denise Rodriguez, CNA

Subject: Racial Bias Audit of the Charleston Police Department: CNA Site Visit Summary

From February 7–8, 2019, CNA made its first site visit to Charleston, South Carolina, as part of the Racial Bias Audit of the Charleston Police Department (CPD). Over the two days on-site, CNA participated in the press conference announcing the start of the audit and conducted 11 interviews with CPD personnel and 4 interviews with community members and city officials. In addition, CNA attended 3 master roll call sessions, went on ride-alongs, and held a community meeting. The site visit was productive, resulting in a number of preliminary observations that the CNA team will explore further as they continue to conduct research and analysis and draft their final report.

This summary documents our observations made during the first site visit. Based on these preliminary observations, CNA will further examine the following areas:

- The adequacy of internal and external officer accountability mechanisms
- The use of force chain of command review process and use of force incident data to determine the adequacy and completeness of the investigation of non-deadly use of force incidents
- CPD's body-worn camera (BWC) policy to determine whether supervisors are required to review BWC footage as part of their review of all use of force incidents and whether policy is being followed
- The traffic unit's internal reporting and review mechanisms and the impact of current traffic enforcement strategies on the community
- CPD's process for tracking, investigating, and reporting all external complaints/information calls
- CPD's strategic plan for recruitment as it is drafted
- Concerns raised by community members, including the lack of trust in the complaint process, the lack of substantive community outreach, and the lack of sufficient accountability
- CPD's community outreach strategy, specifically its non-law enforcement engagement efforts with youth and underrepresented populations

CNA's audit will not be limited to the activities listed above. As we continue our audit, we will identify additional areas that will require us to conduct more in-depth examinations to develop valid findings and recommendations. CNA's audit will be comprehensive and will examine CPD's policies and procedures in the following topic areas: 1) Use of force; 2) Traffic Stops and Field Contacts; 3) Internal/External Complaints; 4) Recruitment and Hiring; and 5) Community Engagement.

Next Steps

- CNA will conduct a follow-up discussion with CPD's Professional Standards Office to review the data required (this includes use of force, complaints, and BWC records).
- CNA expects to receive all requested traffic stop and field contact related data by April 1, 2019.
- CNA will work with the Charleston Area Justice Ministries, the Eastside neighborhood, the NAACP, and other community groups to schedule community meetings.
- CNA will conduct the second site visit to Charleston in March 2019. The purpose of this visit will be to interview line officers, conduct follow-up interviews with division commanders, hold community meetings, and interview key community stakeholders.

Date: April 15, 2019

To: Rick Jerue, City of Charleston, SC

From: Denise Rodriguez, CNA

Subject: Racial Bias Audit of the Charleston Police Department: CNA Site Visit Summary

From March 26–30, 2019, CNA made its second site visit to Charleston, South Carolina, as part of the Racial Bias Audit of the Charleston Police Department (CPD). Over the five days on site, CNA hosted four community meetings, conducted 64 interviews with CPD personnel, met with the Charleston Area Justice Ministry, observed a Criminal Justice Coordinating Council monthly meeting, and conducted interviews with Susan Dunn (American Civil Liberties Union) and Dr. Kylon Middleton (Project Illumination). The site visit was very productive, resulting in a number of preliminary observations that the CNA team will explore further as we continue to conduct research and analysis and draft our final report.

This summary documents the preliminary observations we made during the second site visit. Based on these observations, CNA will examine further the following areas:

- Supervisory training and informal/formal mentorship programs for newly appointed supervisors
- Clearer strategy from command officials relating to community policing
- The performance evaluation process and the inclusion of community engagement priorities as metrics for performance
- The role of supervisors in supporting and participating in community engagement efforts
- Training practices as they relate to highlighting the importance of de-escalation, cultural awareness and sensitivity, non-enforcement engagement, and other aspects of community policing
- The integration of community policing into all policing operations, strategies, and training beyond the Community Action Teams
- The CPD's strategies regarding traffic enforcement (moving and non-moving violations), specifically examining the impact that these stops have on communities of color
- The CPD's policies and culture related to diversity and inclusion of underserved populations among officers, teams, specialized units, and the communities they police
- The CPD's practices as they relate to internal procedural justice (e.g., fairness in processes, communicating changes to policy and procedures, notifying officers of the result of use of force incidents, complaints, discipline)
- The CPD's practices as they relate to external procedural justice (e.g., fairness in processes, communicating the outcomes of complaints, reason for stops)
- The prevalence of crisis intervention team training (including refresher training) among officers and other related training on responding to incidents involving mental illness
- The impact of the current rotating shift schedule on CPD's ability to provide consistent community engagement and officer wellness (e.g., assigning officer[s] to a particular shift/location over an extended period)
- The role of the community in providing input on CPD's policies and procedures

- The CPD's practices on documenting all field/public contacts. The inconsistency in which officers document field/public contacts may inhibit our ability to conduct a complete analysis of the related data
- Below are the areas we examined during the first site visit, which we also examined during our second site visit:
    - CPD's process for tracking, investigating, and reporting all external complaints/information calls
    - Concerns raised by community members, including the lack of trust in the complaint process, the lack of substantive community outreach, and the lack of sufficient accountability on the part of the CPD.
    - CPD's community outreach strategy, specifically its non-law enforcement engagement efforts with youth and underrepresented populations

CNA's audit will not be limited to the activities listed above; as we continue our audit, we will identify additional areas requiring more in-depth examination to develop valid findings and recommendations. CNA's audit will be comprehensive and will examine CPD's policies and procedures in the following topic areas: 1) Use of Force; 2) Traffic Stops and Field Contacts; 3) Internal/External Complaints; 4) Recruitment and Hiring; and 5) Community Engagement.

Next Steps

- CNA will conduct a follow-up discussion with CPD's training and community engagement divisions.
- CNA expects to receive all requested recruitment, retention, and hiring related data by May 1, 2019.
- CNA will begin examining all the data provided to determine if additional data are required and, if necessary, CNA will discuss potential limitations in the data analysis with CPD and city officials.
- CNA will work with the City of Charleston and its community partners to schedule meetings/focus groups with youth groups.
- CNA will conduct the third site visit to Charleston in May 2019. The purpose of this visit will be to meet with local youth groups and conduct any follow-up meetings with the community and CPD personnel.

Date: June 6, 2019

To: Rick Jerue, City of Charleston, SC

From: Denise Rodriguez, CNA

Subject: Racial Bias Audit of the Charleston Police Department: CNA Site Visit Summary

From May 6–7, 2019, CNA made its third site visit to Charleston, South Carolina, as part of the Racial Bias Audit of the Charleston Police Department (CPD). Over the day-and-a-half site visit, CNA attended the 2019 Nehemiah Action, met with members from the Palmetto State Law Enforcement Association, met with Rick Jerue and Chief Luther Reynolds, and conducted a community meeting with local youth. The very productive site visit resulted in several preliminary observations that the CNA team will explore further as we continue our research and analysis and draft our final report.

This summary documents the preliminary observations we made during the third site visit. Based on these observations, CNA will examine further the following areas:

- Informal/formal mentorship programs for minority officers
- CPD's practices and strategies in the recruitment and hiring of minority officers
- Leadership support in encouraging diversity/inclusivity within the department
- The lack of equity, or perceived lack of equity, in the performance evaluation process
- The importance of local youth understanding their rights when engaged with police
- The lack of community engagement opportunities and activities between the youth and the police
- The importance of procedural justice when police engage with the community; community members expressed the impact that a lack of understanding of the community's culture can have on how the police engage and serve their communities
- Below are the areas we observed during the previous site visits, which we also examined during our third site visit:
    - CPD's community outreach strategy, specifically its non-law enforcement engagement efforts with youth and underrepresented populations
    - Supervisory training and informal/formal mentorship programs for newly appointed supervisors
    - The CPD's policies and culture related to diversity and inclusion of underserved populations among officers, teams, specialized units, and the communities they police
    - The impact of the current rotating shift schedule on CPD's ability to provide consistent community engagement and officer wellness (e.g., assigning officer[s] to a particular shift/location over an extended period)

Additional outreach efforts to gather input from the local youth may be necessary to ensure that CNA adequately captures and represents their perspectives in our report.

CNA's audit will not be limited to the activities listed above; as we continue our audit, we will identify additional areas requiring more in-depth examination to develop valid findings and

recommendations. CNA's audit will be comprehensive and will examine CPD's policies and procedures in the following topic areas: 1) Use of Force; 2) Traffic Stops and Field Contacts; 3) Internal/External Complaints; 4) Recruitment and Hiring; and 5) Community Engagement.

Next Steps

- CNA will conduct a follow-up discussion with CPD's training and community engagement divisions.
- CNA will continue examining all the data provided to determine if additional data are required, and, if necessary, CNA will discuss potential limitations in the data analysis with CPD and city officials.
- CNA will work with the City of Charleston and its community partners to schedule additional community meetings as needed.
- CNA will conduct its fourth site visit to Charleston in September 2019. The purpose of this visit will be to conduct a community meeting with the local youth and review the draft findings and recommendations with community members and stakeholders, city officials, and CPD personnel.

APPENDIX G. ACRONYMS

BWC	Body-worn camera
CAD	Computer aided dispatch
CALEA	Commission on Accreditation for Law Enforcement Agencies
CAT	Community Action Team
CIT	Crisis Intervention Team
CAJM	Charleston Area Justice Ministry
CPD	Charleston Police Department
DDACTS	Data-Driven Approaches to Crime and Traffic Safety
FCC	Field Contact Card
GO	General Order
PAL	Police Athletics League
PSO	Professional Standards Office
RMS	Record Management System
SCCATTS	South Carolina Collision and Ticket Tracking System

THIS PAGE INTENTIONALLY LEFT BLANK.

Dedicated to the Safety and Security of the Nation

3003 Washington Boulevard, Arlington, VA 22201

www.cna.org | 703-824-2000