

PUBLIC SAFETY COMMITTEE

February 23, 2021

A meeting of the Public Safety Committee was held this date beginning at 1:32 pm, by video conference.

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

PRESENT

Committee Members: Councilmember Shahid (Chair), Councilmember Seekings (Vice Chair), Councilmember Shealy, Councilmember Mitchell, and Mayor Tecklenburg

City Staff: Chief Dan Curia, Chief Luther Reynolds, Councilwoman Jackson, Heather Mulloy, Captain Jason Bruder, Captain Dustin Thompson, Captain Tony Cretella, Tracy McKee, Steve Ruemelin, Rick Jerue, Cassandra Payton, Meg Thompson, Shylah Murray, Mike Julazadeh, Mallary Scheer, Jason Kronsberg, Stirling Halversen, and Bethany Whitaker.

1. Invocation

The meeting was opened by an invocation led by Councilmember Shealy.

2. Approval of Minutes

On a motion of Mayor Tecklenburg, seconded by Councilmember Mitchell, the Committee voted unanimously to approve minutes from the January 26, 2021 meeting.

3. After Action Report

Councilmember Shahid said he knew this wasn't on the agenda, but he wanted to let the Committee members know that he had spoken with Chief Curia and Jason Kronsberg on the status of Fire Station #11. Things were moving in a positive direction, and they would receive a report at the next meeting. He said they had had a series of meetings and discussions concerning the CPD After Action report following the events of May 30th and 31st. They had had several drafts prepared. This draft contained more community input on the impact the events of those two days have had on the community.

Heather Mulloy, Assistant Corporation Council for the City, said she had been tasked with organizing and leading the fact finding process for CPD's After Action report for the events of May 30th and 31st. This report, titled Strengthening Charleston, was the final version and was publically available on the Police Department's website. She had asked some of the command staff, who were integral parts of the operation in May and members of the team who helped prepare this report, to be present to help with covering some of the sections of the report. She wanted to give a brief recap of events since the presentation of the Police Department's preliminary report.

On October 8th, 2020, the Police Department presented its preliminary report, which was a comprehensive, 63 page report. It contained a detailed timeline of events from May 30th and 31st and associated routes of protestors, rioters, and Police and Fire calls. The report also contained the number of officers responding from the Police Department and partnering agencies; arrest numbers; numbers of calls for service; assessment of equipment; damage and injury to Police, Fire, and outside agency

personnel; and information regarding Police Department response to resistance and aggression. The preliminary report also outlined an analysis of five key areas of review: command and control, internal communications, external communications, keeping track of resources and personnel, and responses to civil disturbances. Part of the analysis of those areas included a review of positive practices, areas for improvement, and lessons learned. It also contained a section titled “moving forward,” which included actions that the Police Department had taken and actions that were in progress as a result of the review. At the October 8th Public Safety Committee meeting, suggestions had been made to include anecdotal information from citizens, business owners, property owners, bystanders, and other third-party observers regarding their experiences, as well as additional information on damage to property and fire damage.

On October 28th, the Public Safety Committee met again to receive public comments. Captain Thompson’s email was shared so that the community could provide any additional information they had regarding events on May 30th and 31st. The initial deadline for citizen participation was the end of November but was later extended to the end of December. Immediately following the events of May 30th and 31st, the City conducted a survey of damage in an effort to obtain Federal assistance for business and property owners. The information gathered did not include actual property lost, as the survey was only a general overview of damages. However, the information did include a list of properties in the City that had visible, exterior damage, a general description of that damage, photos of the damage, and the location of those properties. Since then, the Fire Department had supplied fire damage information, including if the fires were set intentionally. In that information, property and content lost estimates were obtained, as well as estimates of property and content savings. That was all the activity that had occurred since they had last met. The report was now approximately 84 pages and contained several new sections. Updates had been made to the arrests and disposition information, the damage assessment section, and the portion titled “What has happened since?” There was also a new community feedback chapter, with all the anecdotes from the community, a new “Chief’s Final Thoughts” section, and new appendixes and maps.

The arrests for May 30th were now at 35, which was an increase of 3 from the last time they had reported. Those arrests were based on 104 warrants and charges. The charts on page 25 showed what those charges were for. For May 31st, there were still a total of 52 State and municipal charges, with a total of 47 defendants. The main change was the disposition of those cases. Thirty had been dismissed, 8 had entered into pre-trial diversion programs, 1 had plead guilty, 7 were pending jury trial, and 1 was disposed of in Family Court.

Immediately after the riots of May 30th, City officials began planning efforts to survey the property damage within the City, and on the 31st, tools were put in place to survey the impact and magnitude of the damage. The initial survey was done to determine whether Federal assistance was available, and many departments helped obtain that information, including the Fire Marshal Division, the Building Inspection Teams, and Business and Neighborhood Services. Those actions resulted in 136 visual surveys of building damage and included general descriptions of the exterior damage but not property damage estimates. Appendix 3 was a new map that had been added. They took the 136 buildings and divided them up by area so that people could get a good idea of where the damage had occurred. Ms. Mulloy said that when you compared it to other maps, it really lined up with route of the rioters. They broke

down the 136 damaged buildings, and 82 were in the upper King area, 20 in the lower King area, 10 in the Market area, 9 in the Queen Street area, 8 on Meeting Street, and 7 West of King. Councilmember Shahid clarified that the upper King area referred to King Street north of Calhoun. Ms. Mulloy said they had grouped the photographs in the report by area, so that people could have a clear visual of the damage. The types of building that sustained damage were restaurants, bars, retail stores, convenience stores, pharmacies, hotels, galleries, spirit and tobacco shops, and other small businesses. The businesses that received the majority of damage were bars/restaurants and retail stores. The external damage that businesses sustained included shattered windows/doors, fire, and graffiti. At that time, the City reduced the building permit fees related to business damages to only include administrative costs. The City also issued a press release encouraging citizens and business owners to report damages that occurred as a result of the civil unrest. On August 19th, following City, County, and State efforts, after obtaining property damage information, and at a requested disaster declaration from Governor McMaster, the U.S. Small Business Administration announced that disaster assistance in the form of Federal low-interest loans were available to small businesses and organizations in South Carolina affected by the civil unrest.

There were 22 fires reported from May 30- May 31. Appendix 4 featured an updated fire map and fire incidents list. On the morning of May 31st, members of the Fire Marshal Division reported to King Street to begin processing fire scenes and initiate fire assessments. Over the next few days, they continued fire investigations, surveying businesses, and meeting with property owners to answer questions about board up procedures. Of the 22 incidents reported, 20 were determined to be intentionally set and the cause of the other 2 remained unknown. Thirteen of those were recorded as building fires, 1 as a vehicle fire, 6 as dumpster or outside trash fires, and 2 were classified as other. Incident records noted property damage estimates on 19 of the 22. The total estimated property damage for those 19 incidents was \$2,281,769, and the total content loss was estimated to be \$944,800. The greatest amount of property damage sustained was as a result of building fires at Family Dollar, Sherwin-Williams, and West Elm. Fire response saved or protected an estimated \$24,787,331 of property and an estimated \$3,092,450 of contents. They determined that, in regards to external communication, there was a positive practice as it related to the communication between Police and Fire. CPD quickly coordinated security for fire teams, allowing them to respond to the fires while the riot was going on. Having trained together to implement rescue task forces, CPD and CFD were able to communicate and establish an effective and safe plan for a fire response that likely saved lives and limited property damage. In total, CPD received 104 incident reports for property damage as a result of the riots. Forty-seven burglaries were reported, 46 of which involved forcefully entering the location. There were 42 acts of vandalism, which included damages to businesses, vehicles, residents, a parking meter, and a monument. The damage was caused by graffiti, gunfire, rocks, bricks, chairs, wood, and a variety of other objects. There were 11 incidents of arson reported. Three vehicles were broken into, and one ATM machine was stolen.

Captain Jason Bruder covered the "What has happened since?" section. He said that the week following the riots, until June 8th, CPD remained on 12 hour shifts, which was the level they went to for hurricane response. July 9th was when they reinstated accepting permits again, specifically the parade permit, which is what was required to coordinate the public safety side of First Amendment assemblies. From July 9th to the end of the 2020, the Police Department issued 89 parade permits. A lot of those went to

the weekly protests held at the Battery. They had conducted all those events with the things they had learned from this report in mind.

Captain Dustin Thompson said that after the last Public Safety Committee meeting, when they decided to do community feedback, he immediately reached out to the Business and Neighborhood Services Department. He and Meg Thompson made a list of individuals in the community that they knew of and also reached out to City Council, the citizens of the Police Advisory Council, Neighborhood Association presidents, and the 300+ central business district contacts they had. If anyone contacted him, he followed up privately to ask for either a personal statement or to meet in person or online. He received 28 responses from the community, which included one member of the clergy, two individuals associated with the College of Charleston, 7 business owners, and 18 citizens. Only 3 of those business owners wanted to meet with the Police Department, and those interviews had been conducted at the end of December. In the responses, there was a balance of encouragement and honest critique of CPD. He included three citizen statements in the new report. He also added some quotes that were repeatedly mentioned in the statements, as well as areas of improvement that citizens repeatedly mentioned, including intelligence gathering, preparation/prevention of future events, public safety (increased police presence), communication with the public, and review of social unrest response. Many of these concerns were consistent with the sentiments they heard directly after the events of May 30th and 31st.

Captain Tony Cretella said the majority of criticisms and complaints received during the public input period primarily centered around CPD's response to the activities on May 31st. Criticism and complaints ranged from objections to the presence of militarized vehicles to the level of force utilized on individuals during protest activities. After combining the complaints that were duplicated and multiple allegations of the same complaint, the Office of Internal Affairs had 15 cases to investigate. As part of the investigation, they reviewed hours of body-worn camera video and any other videos that were supplemented to them by the community. The investigation did take a bit longer than anticipated due to the amount of video footage. There was only one sustained allegation that they investigated. It was that an officer failed to take a report when he/she should have.

Chief Luther Reynolds said the report had been compiled from various perspectives to include those of officers, commanders, community leaders, business owners, visitors, residents, protestors, arrested criminal offenders, and others. Numerous lessons had been learned and areas of improvement were immediately addressed and utilized over the summer of 2020. CPD and other local law enforcement partners had implemented pre-incident briefings to discuss plans and expectations for pending events, which had proven to be successful while increasing communication amongst each other and the community. That involved collaborating with the community regarding current policies and how to get involved with police reform and the ongoing social justice movement. Leading change was a priority prior to May 2020, with a CAN racial bias audit, and remained integral to all of CPD's efforts. Leading, identifying, and implementing substantial change remained a top priority. They were allocating a significant amount of time and resources towards being a learning organization while working diligently, actively, and consistently to address topical areas and challenges brought to light in these movements. CPD provided various ways for citizens to get involved, including the Citizens' Police Advisory Council. They also participated with the Charleston County Criminal Justice Coordinating Commission Council and engaged in other substantial community outreach efforts. They had expanded the activity of the

Citizens' Police Advisory Council. He said it was amazing the amount of groups that were looking at policy, training, hiring, and many other aspects of the Police Department. He expressed his appreciation for City Council, the Mayor, the community, the troops, and to all the partnering agencies. He also gave a shout out to Chief Curia, Mike Julazadeh, and all troops they had – the courage and commitment that they had then and continue to have. He said CPD was a learning organization. They were constantly auditing themselves, and this was yet another example of that process.

Chief Dan Curia said he didn't have anything to add, he just wanted to echo what several had already said, that the close working relationship between the Police Department and the Fire Department, troops on the ground, command staff, he and Chief Reynolds, it really contributed to the best outcome they could have hoped for in the City. Mike Julazadeh said he also wanted to reiterate all the partnerships that went on, beyond the event, with Meg's team, Livability, and Building Inspections. They all played a very integral part in the recovery and getting information back out to businesses so they understood how to proceed.

Councilmember Shahid thanked Ms. Mulloy for leading the team on this. It was a very extensive and detailed report, and he appreciated all the collaborative efforts that she had had with Chief Reynolds, Chief Curia, and their teams. Councilmember Seekings asked Chief Reynolds what the biggest lesson learned from the events in May was. Chief Reynolds said leadership was all about relationships, working with regional partners and building trust. They had a unique relationship with the Fire Department. The teams trained together, the commands talked to each other, they had developed rescue task forces and some other entities where there was a high level of trust. He said the Fire Department was really interested in being part of the solution in any and all scenarios. That came down to command talking to each other, trusting each other, and being physically present in the operations center. Building partnerships, trust, and engagement were big things that were integral to navigating and leading through this and were important as they looked ahead. Councilmember Shealy said he didn't have any questions but wanted to give a big thank you to everyone for all the work that had been put into the report. Strengthening Charleston was a good title because he thought that they would be stronger and better because of that work. Councilmember Mitchell said they were still working hard in the Police Department and Fire Department, everyone was working in collaboration with one another. Working together would enable them to solve any problem that came before them. He also asked for someone to send him a hard copy of the report. Mayor Tecklenburg first thanked Heather Mulloy and the team for this necessary, instructive After Action report. He thanked Chief Curia and Chief Reynolds. He said everyone owed thanks to the first responders, fire, and police who were subjected to a riot and violence, as were the citizens of Charleston. He said they should thank and recognize the citizens for their perseverance and resilience and acknowledged that some citizens and businesses were not just vandalized from a property point of view but also traumatized. Saying that, he felt blessed that no one was seriously injured or killed. There was also the amazing cooperation between the Fire and Police Departments that prevented dozens of fires from not getting out of control and could have destroyed major parts of the City. He knew you often got a report like this and thought, "well, we're finally moving on," but he appreciated the approach about lessons learned and process improvements. He said they should take this as being instructive and put their best foot forward to improve protocol,

communications, and processes so that they could continue to strive to be better in all of the public safety and services that they provided.

Councilmember Shahid noted out that Councilwoman Jackson, who was not a member of the Committee, had been listening in on the call. He asked if the Committee was ready to vote to recommend that this report be adopted and submitted to Council for review and adoption. Councilmember Shealy said he would move for approval on that. Mayor Tecklenburg asked if a better way to say it was that they had received it, not adopted it. Councilmember Shahid said that was a good point, they had certainly received the report and had been interactive with questions and suggestions, and this was the final product of that. He said that maybe a better way to say it was that they were prepared to submit it to Council for review. Councilmember Seekings suggested combining the two and reporting to Council that all the questions that the Committee had put forward and all the things they had asked to be done had been done, they had received the final report, and they were now passing it on to City Council for their information. Councilmembers Shealy and Mitchell said they were comfortable with that recommendation.

Councilmember Shahid expressed appreciation to Captains Bruder, Thompson, and Cretella for their coordination and work with Heather and the rest of the team. He said that an important element in all of this was that the different departments were working together and coordinating. When you looked at the numbers, it provided a framework to understanding, in statistical figures, the impact of the events of May 30th and 31st. You couldn't measure, as the mayor said, the trauma that citizens experienced. When you looked at the numbers from the Fire Department and the response that they had to put out those fires and the property damage, those numbers climbed very quickly. This was a learning document, not something that they would put on the shelf and say, "this is behind us now." This was something that they would learn from, grow from, and use as a benchmark document so that they were always improving as a City. The goal was to protect citizens and visitors, it was the number one responsibility. He expressed his deep appreciation for all first responders and all they have done in the face of a lot of adversity over the past year. Mayor Tecklenburg said he had two more observations. First, he wanted to thank the protestors who protested peaceably. Captain Bruder mentioned how they had issued many more permits after May because they honored people's right to express themselves and they believed in the First Amendment. The terrible and racist murder of George Floyd led to the protests and riots. It was a nationwide response as the scab of racism had once again been ripped off. He stood with those peaceable protestors against racism and hatred, but at the same time, he condemned those who resorted to and perpetrated violence in the City and society. The response of the City, by the prior racial bias audit of the Police Department and the ongoing work of the Commission on Racial Conciliation, were all positive kinds of progress that they looked at to ameliorate the challenge of the reality of racism. All the while, he condemned and could not tolerate when folks resorted to violence.

Having no further business, the Committee adjourned at 2:32 pm.

Andrea Derungs

Clerk of Council's Office