



2020

INTERNAL AFFAIRS REPORT

Office of Professional Standards

Internal Affairs and Compliance

City of Charleston Police Department

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OFFICE OF INTERNAL AFFAIRS



The Office of Internal Affairs is responsible for ensuring that the Charleston Police Department operates within the boundaries and established guidelines of public trust and confidence. The department is committed to providing the highest standards of integrity and our administrative process plays an integral role in building and maintaining that public trust.

One of the functions of the Office of Internal Affairs includes the investigation, management, and review of both internal and external complaints and allegations of misconduct against department personnel, both civilian and sworn.

The police department's image and reputation greatly depends upon the personal integrity and discipline of all departmental employees. To a large degree, the department's public image is significantly influenced by the prompt and professional response to allegations of misconduct against its employees.

The Office of Internal Affairs also manages the reporting of all, "Response to Resistance/Aggression" employee-involved vehicle collisions, and all vehicle pursuits. In addition, the Professional Standards Office oversees the Early Intervention System.

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MISSION

It is the mission of the Charleston Police Department to serve all people within our jurisdiction with respect, fairness, and compassion.

Our mission will be accomplished by being committed to:

- The protection of life and property;
- The preservation of peace, order, and safety;
- The vigorous enforcement of local, state, and federal laws;
- The defense of the Constitution of the State of South Carolina and the Constitution of the United States of America, in a fair and impartial manner;
- Enhancing the quality of life and to nurture public trust by holding ourselves to the highest standards of performance and ethics;
- Serving as a deterrent to crime by developing relationships with community groups, and residential and business organizations;
- Promoting an environment receptive to tourism, visitors, and residents and to support historic preservation in our city; and
- Providing service of the highest quality to its community and fostering community partnerships in crime prevention.

CORE VALUES



H.E.A.R.T:

- **HONOR** – We serve with honor through our actions, conduct, and job performance. Performed with integrity, even at personal cost, we constantly strive towards ever-rising standards.
- **EXCELLENCE** – We seek excellence in all that we do and strive for continuous improvement. Our employees are encouraged to be innovative and creative.
- **ACCOUNTABILITY** – We are an organization of employees who do the right thing and are responsible for what we do and say.
- **RESPECT** – We value all citizens, each other and different points of view, regardless of race, gender, appearance, individual beliefs, or lifestyles.
- **TEAMWORK** – We support an environment that recognizes mutual cooperation and group accomplishments while encouraging individual contributions.

INTRODUCTION

The information presented in this annual report is obtained from the *Use of Force* reports completed by officers for incidents in the calendar year 2020 where some type of force was used in response to resistance. The BlueTeam software platform is what officers use to document a use of force entry. The Charleston Police Department has been using this software platform since 2009. This annual report is intended to provide an overview of these incidents and to also identify trends and other issues that need to be addressed. Each use of force report is reviewed by supervisors and command staff at various levels within the department.

The Charleston Police Department recognizes and respects the sanctity and value of every life. It is therefore the policy of the Charleston Police Department that force is to be regarded as an unusual procedure and an absolute last resort in police operations. Applied force should be limited to the force that is objectively reasonable and necessary under the circumstances existing at the time force is applied.

Employees of the Charleston Police Department will use only the force necessary to enforce lawful objectives and may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.

In addition, annual reporting and analysis of department use of force policies and procedures is required by the *Commission on Accreditation for Law Enforcement Agencies* (CALEA). This ensures that accredited agencies identify policy modifications, trends, improve training and officer safety, and provide timely information for the agency to promptly address use of force issues. The CALEA Law Enforcement Accreditation Program is the primary method for a police agency to voluntarily demonstrate their commitment to excellence in law enforcement by conducting an ongoing internal review and assessment of the agency's operations, policies and procedures. The Department became the first municipal agency in South Carolina to attain CALEA accreditation in 1991, and will have been accredited for 30 years in 2021.

OVERVIEW

- ❖ As a result of the CNA Audit, CPD implemented a change made in how officers complete their response to resistance/aggression reports in order for better data collection. The policy change was in effect for the entire year of 2020. There was an increase in the number of use of force reports submitted in 2020; however, the number of use of force incidents and number of individual involved officers remained nearly the same.
- ❖ CPD reviewed and updated both the Response to Resistance/Aggression Policy and the Less-Lethal and Lethal Weapons policy in 2020. The update included recognizing the sanctity and value of every life.
- ❖ In 2020, there were a total of 224 individual officers involved in these 295 incidents with some officers using force more than once throughout the year. Only 17 times were intermediate or less than lethal weapons used during these incidents.
- ❖ The most common type of service during use of force incidents in 2020 was officers being dispatched to a call. The second most frequent type of service was after officers reacted to an offense they viewed.
- ❖ Out of the 551 Response to Resistance/Aggression incidents reported in 2020, 35 officers were injured during 21 of these incidents.
- ❖ There were 36 citizens injured during the 551 use of force incidents, all of which were also considered minor, except for the officer-involved shooting that resulted in the suspect's death.
- ❖ There were three officer-involved shootings in 2020 involving 7 officers.
- ❖ The Office of Internal Affairs documented, managed, or handled 39 investigations throughout the calendar year of 2020.
- ❖ The 26 internally generated investigations make up approximately 66% of the complaints investigated in 2020.
- ❖ Of the 13 external investigations filed in 2020, 9 cases were sustained and 4 cases were unfounded.

FINDINGS AT A GLANCE

	2019	2020	Change
Calls for Service (Self-Initiated Not Included)	128,183	118,408	-9,775
Administrative Investigations	55	39	-16
Supervisor Complaint Intakes	150	191	+41
Use of Force Reports Submitted	303	551	+248
Arrests	4,647	3,606	-1,041
Est. Public Interactions (See Appendix A)	258,386	261,891	+3,505
Homicides	11	16	+5
Firearms Taken into Evidence	403	492	+89
Aggravated Assaults With Firearms	125	165	+40
Collisions Involving CPD Vehicles	157	101	-56
Vehicle Pursuits	4	5	+1

USE OF FORCE POLICY



Figure 1: Response to Resistance/Aggression Decision Model. Data Sources: CPD

In a complex urban society, officers are confronted daily with situations where they must respond to resistance or aggression in order to gain the control necessary to effect arrests and to ensure public safety.

The Charleston Police Department (CPD) continually reviews policies and procedures to ensure compliance with changes to state and federal laws and provides officers with guidance based on best practices in policing. As a result, the department's Response to Resistance / Aggression policy and the Less-Lethal and Lethal Weapons policy were updated in 2020. The policy also affirms that force is to be regarded as an unusual procedure and an absolute last resort in police operations.

USE OF FORCE POLICY

RESPONSE TO RESISTANCE OVERVIEW:

- Establishes that officers will only use the minimum amount of force necessary to accomplish lawful objectives.
- Establishes responsibility to render medical aid.
- Recognizes and respects the sanctity and value of every life.
- Establishes a ***duty to intervene*** to prevent any officer present from using force that is clearly beyond that which is objectively reasonable under the circumstances.
- Establishes that officers may use deadly force only when the officer has a reasonable belief that his/her life or that of another is in immediate danger of death or serious bodily injury.
- When a CPD employee exercises any response to resistance and/or aggression or applies any means of force as dictated in the policy, a “Response to Resistance/Aggression Report” will be submitted through the officer’s chain of command before the end of the employee’s shift.

Police officers are authorized to use less-than-lethal techniques and/or weapons to protect themselves or others from physical harm, restrain or subdue a resistant individual, and bring an unlawful situation safely and effectively under control. In these situations, police officers will evaluate the totality of the circumstances in order to determine which approved weaponless control techniques and/or less-than-lethal weapons may most effectively de-escalate the incident and bring the situation under control in a safe manner.

TRANSPARENCY & ACCOUNTABILITY

Independent Investigations

If an officer uses deadly force, State Law Enforcement Division (SLED) investigates the incident and presents the completed investigation to the Solicitor's Office. The Solicitor determines whether the use of deadly force was lawful or if the officer(s) should be criminally charged. An internal affairs investigation will also be conducted to determine if the officer violated department policies.

Tracking and Monitoring Use of Force Incidents

The department has procured IAPro, a software program that improves IA's ability to track Use of Force incidents and officer-involved shootings. This software will also support an early intervention system, allowing command staff to identify, address and prevent problematic behavior before it escalates to a matter for Internal Affairs.

Charleston Police Data Initiative (PDI)

As a participant in the White House Police Data Initiative (PDI), created under President Obama, the City of Charleston and the Charleston Police Department are committed to making policing activity data available to the public. The City of Charleston Police Department currently provides raw data on arrests, field contacts, electronic citations, hate bias incidents and calls for service (911), including officer initiated calls. Also, accessible in this database, is the Office of Internal Affairs' dashboard. This dashboard depicts information in relation to internal/external investigations, investigation allegations, investigation dispositions and compliments.

TRANSPARENCY & ACCOUNTABILITY

Body-Worn Camera (BWC) Program

In 2015, the Charleston Police Department began implementing the body worn camera (BWC) program. The availability of BWCs enhances documentation of police-public contacts, arrests, and critical incidents, improves public trust, and advances the departmental goal of transparency.

The BWCs are not only utilized by all uniformed officers but by all transport officers, animal control officers, and plainclothes officers who have a reasonable expectation that they will interact with the public. CPD's body-worn camera policy requires officers to wear BWCs while on duty and performing any uniformed law enforcement function, as well as any off-duty assignment.

BWCs are activated upon arrival at the location and remain on until the call is cleared. There may be situations in which officers are unable to activate their BWC due to circumstances making it unsafe, impossible or impractical to do so. In these exigent circumstances, it is expected that once the immediacy of the situation is over, officers will activate their BWC at the first reasonable opportunity and document the reason for the delayed start in the incident report and/or as part of the recording. Officers have some discretion, in certain circumstances, where it is permissible to stop recording prior to clearing the call.

Supervisors will view all BWC footage related to a "Response to Resistance/Aggression" report. Furthermore, CPD requires supervisors and commanders to randomly select and review body worn camera videos monthly to ensure that policies and procedures are being adhered to and address any identified training issues.

BWC video/audio files are maintained by the department as determined by the retention policy. All complaints are thoroughly investigated and the BWC has proven to be a very useful tool in resolving complaints.

TRAINING & GEOGRAPHICAL OVERVIEW

Training

All officers are required to attend training, demonstrate proficiency with all approved lethal and/or less-than-lethal weapons, and review the department's Response to Resistance policy at least once every year. Officers also receive training regularly on techniques to reduce use of force incidents, such as conflict resolution, cultural diversity, de-escalation, responding to people with mental disabilities, and community policing.

In order to be authorized to carry lethal and/or less-than-lethal weapons, police officers must:

- Receive and sign a copy of the department's Response to Resistance Policy;
- Receive instruction on the Response to Resistance Policy;
- Pass the written Response to Resistance test; and
- Demonstrate proficiency in the use of all authorized weapons.

Geographical Overview

The City of Charleston is divided into five geographical teams. Team One and Team Two serve the peninsula of Charleston. The dividing line for Team One and Team Two is Calhoun Street. Specifically, everything north of Calhoun Street is in Team One and Team Two covers the area south of Calhoun Street, both of which are situated between the Cooper and Ashley Rivers. Team Three encompasses James and Johns Island and Team Four encompasses the area known as West Ashley. Team Five encompasses the Daniel Island area.

USE OF FORCE DATA

2020 USE OF FORCE INCIDENTS

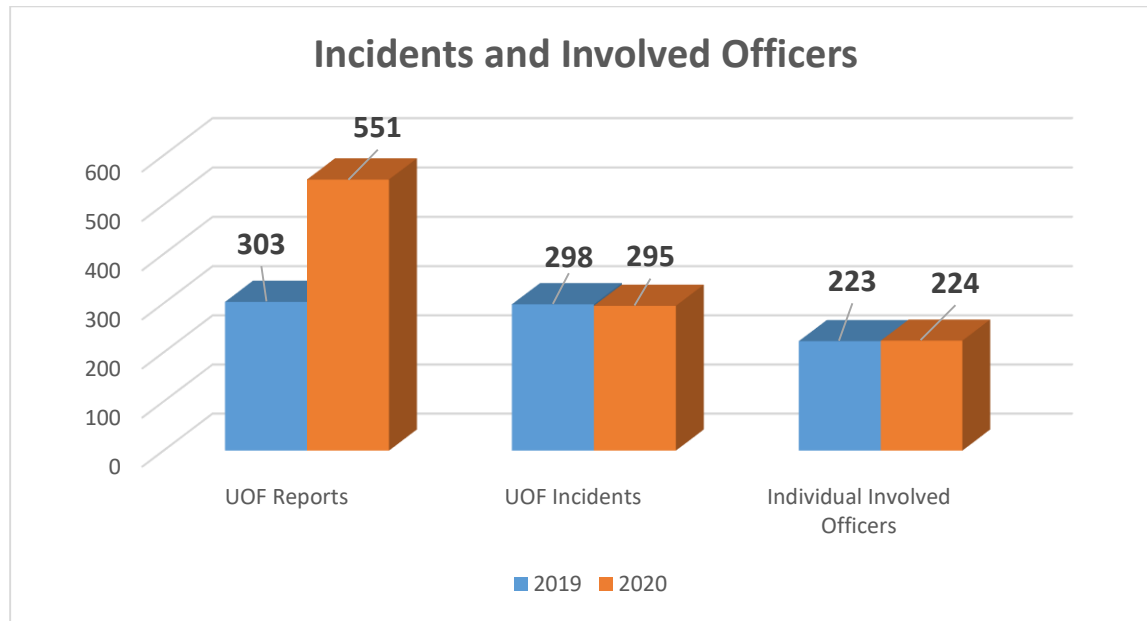


Figure 2: Number of times a use of force was reported and the number of involved officers. **Data Source:** CPD, IA PRO

During 2020, there were 551 response to resistance/aggression reports submitted; however, these 551 submissions resulted from 295 incidents. There were a total of 224 individual officers involved in these 295 incidents, with some officers using force more than once throughout the year. The data shows an increase (81%) in use of force reports submitted from 2019 to 2020; however, the number of individual officers involved and the number of use of force incidents in both years was nearly the same.

The large increase in reports submitted is due to a change made in how the officers complete their response to resistance/aggression reports. The policy change was in effect for the entire year of 2020. In years past, when there were multiple officers involved in a use of force incident, the primary officer would submit the use of force report, and the secondary officers would complete a memorandum that attached to the primary officer's report. To collect data more accurately, individual officers must now complete their own use of force report even when they use force in a support effort to the primary officer.

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Example: An officer attempting to arrest a suspect gets involved in a physical altercation with the suspect and uses an intermediate or less-lethal weapon. Two additional officers respond to assist and help the primary officer restrain the suspect. All three officers are required to complete a separate use of force report justifying their actions.

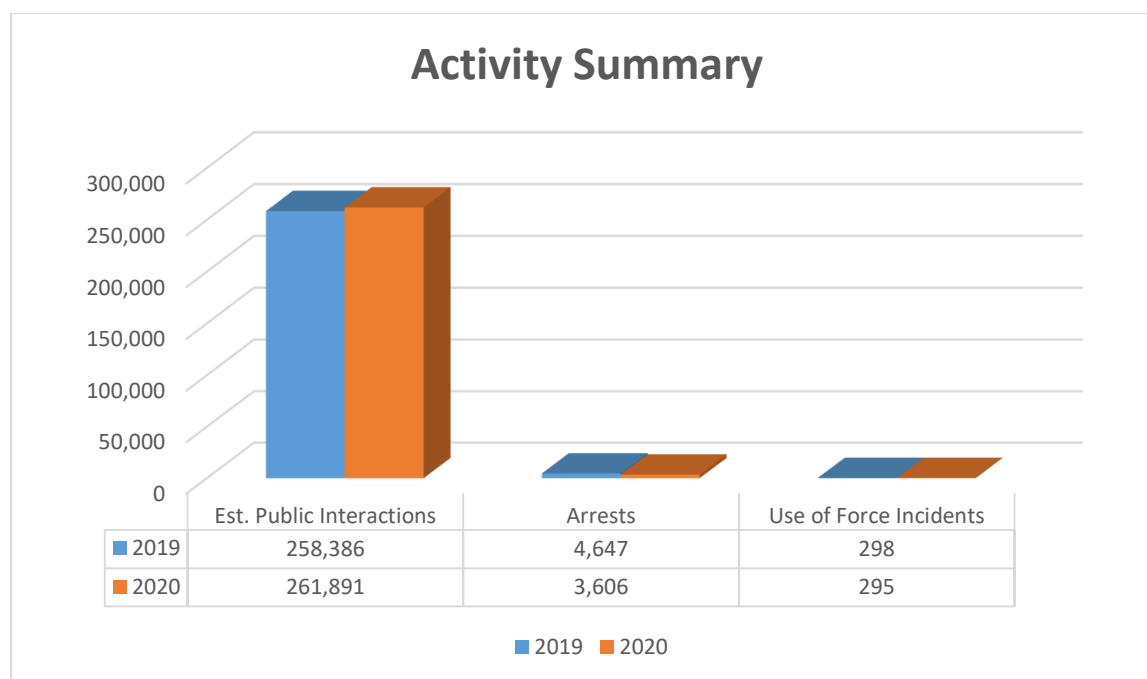


Figure 3: Summary of CPD Public Interactions, Arrests, and Use of Force Incidents. **Data Source:** CPD, IA PRO

This data indicates force being used in .11% of the estimated public interactions and 8.18% of the arrests made in 2020, compared to .11% of the estimated public interactions and 6.41% of the arrests made in 2019. This comparison indicates that for the overwhelming majority of public interactions and arrests, officers rarely use force in response to resistance in the performance of their duties. The Charleston Police Department considers an officer removing their firearm to “clear” a building a single use of force. If this is in view of a citizen, then the officer would document this incident as a use of force and be categorized under public interactions.

When specifically looking at the Response to Resistance/Aggression submissions by geographical team, Teams One and Four led the patrol teams in the number of submissions in 2020. This is due to those teams having a high call volume and the

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largest complement of officers of all the patrol teams. It is expected that these officers would have more encounters and contacts with the public.

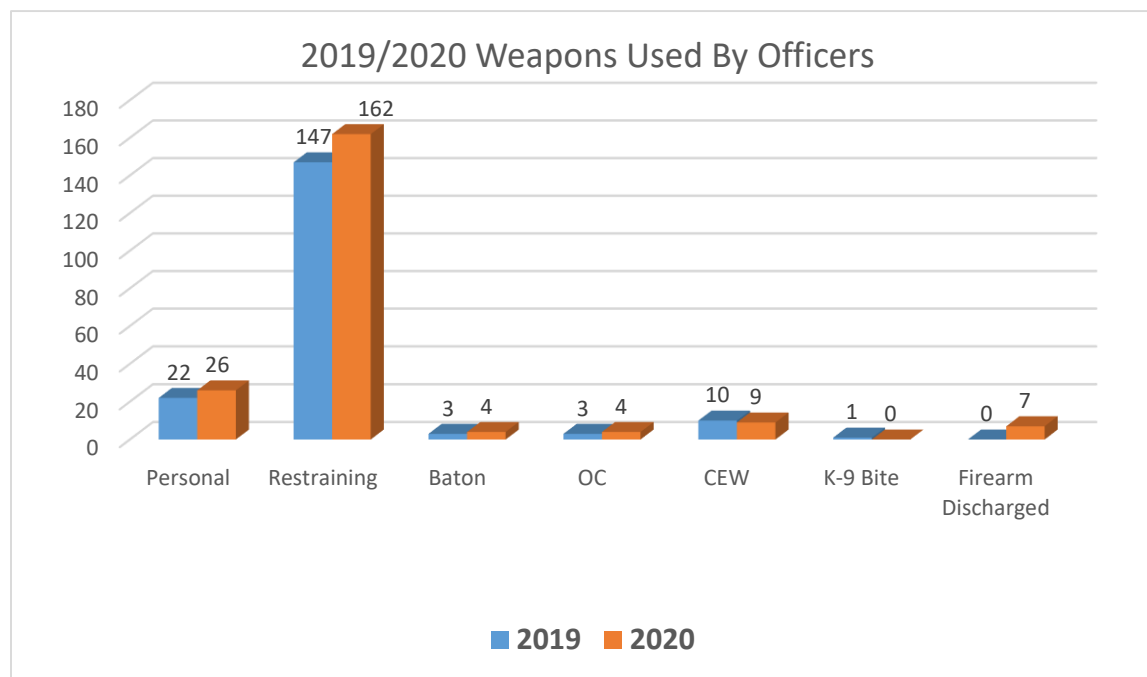


Figure 4: Weapons used by Officers during Use of force incidents. Personal Weapons includes knee/hand strikes as well as pressure points and joint locks.

Any single use of force incident may have included the use of multiple weapons or types of force used by one or more officers, which is why the number of weapons used is greater than the number of incidents.

Officers must report when empty hand control (i.e., Bringing a non-compliant suspect to the ground, escorting a disorderly/uncooperative citizen out of a business or to a police cruiser, etc.) is used to gain compliance. 211 Officers reported the use of empty hand control in 2020.

Officers must also report to their chain of command when their firearm or Conducted Electrical Weapon (CEW, commonly referred to as a “Taser”) is removed in the view of the public and/or when their firearm is displayed to gain compliance. Throughout the year 2020, the number of officers that displayed/pointed their firearms was 323 (281 in 2019) and the removal of the CEW was 26 (42 in 2019). The removal of a firearm and/or CEW is used in a multitude of scenarios to include high-risk traffic stops, building

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clearances, suicidal subjects, response to in-progress felony calls, etc. The frequent occurrences of these types of responses allow officers to de-escalate incidents by either the necessary display of the weapon, thereby gaining compliance, or with the good use of verbal skills. The removal of a firearm was the most common type of force reported, followed by empty hand control, and thirdly by restraining. These were also the most common types of use of forces reported in 2019.

In 2020, 224 individual officers involved in these 295 incidents with some officers using force more than once throughout the year. Only 17 times were intermediate or less than lethal weapons used during these incidents. The use of the CEW decreased by one from the previous year.

Special Unit Activations

The Special Weapons and Tactics (SWAT) team deployed 12 times and the Civil Disturbance Unit (CDU) deployed 5 times throughout 2020.

SWAT

1. 01.07.2020 --- Residential Search Warrant (Violent Crime Offense)
2. 01.31.2020 --- Residential Search Warrant (Narcotics Offense)
3. 02.13.2020 --- Dignitary Protection Detail
4. 02.19.2020 --- Criminal Barricaded Subject
5. 02.25.2020 --- Dignitary Protection Detail
6. 03.06.2020 --- Residential Search Warrant (Violent Crime Offense)
7. 05.30.2020 --- Response to civil unrest
8. 05.31.2020 --- Response to civil unrest
9. 07.23.2020 --- Violent Crime Detail
10. 08.02.2020 --- Suicidal Barricaded Subject
11. 08.29.2020 --- Response to civil unrest
12. 11.13.2020 --- Residential Search Warrant (Narcotics Offense)

CDU

1. 05.30.2020 --- Response to civil unrest
2. 05.31.2020 --- Response to civil unrest
3. 06.17.2020 --- Mayor Press Conference on John C. Calhoun Statue
4. 06.22.2020 --- John C. Calhoun Statue Protest
5. 08.29.2020 --- Black Lives Matter Protest

USE OF FORCE DATA

As mentioned above, the Department's Civil Disturbance Unit was deployed May 30th and May 31st in response to protests/riots in downtown Charleston. CPD uses a tiered response plan. Tier 1 (Small Demonstration/Protest) and Tier 2 (Expanded Demonstration/Protest) are somewhat interchangeable and the police response changes according to the size and demeanor of the crowd. Tier 3 (Demonstration/Protest with Disorderly or Destructive Behavior) involves the Civil Disturbance Unit (CDU) as a mobile field force that is equipped with full riot gear, helmet, gas mask, baton, and shields or less lethal options (if needed).

CDU trained regularly and officers were prepared to respond for this event. CPD had also trained alongside other neighboring agencies, which assured the consistency of responses between teams. There were also officers assigned to provide security for fire stations and fire trucks, as needed.

An analysis of the Civil Disturbance Unit response was analyzed and could be referenced by using the link to the after action report, "Strengthening Charleston".

<https://www.charleston-sc.gov/DocumentCenter/View/28718/Strengthening-Charleston-Final-Report>

The below table is a breakdown of the munitions used during CDU deployments on May 30th and May 31st.

Munitions used on May 30 th and May 31 st	
Description	Amount
40mm Direct Impact Munitions	79
Chemical Munitions	26
OC pepper ball rounds	300

Type of Service Rendered

The most common type of service during use of force incidents in 2020 was officers being dispatched to a call. The second most frequent type of service was after officers reacted to an offense they viewed. These categories were the same in 2019. The higher numbers noted in the below table in 2020 are a result of the policy change requiring each officer to submit a use of force report previously mentioned. The "Dispatched to Call" type of service being rendered in both 2019 and 2020 accounted for 76% of the

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use of force submissions in each year. The “On-View Offense” type of service being rendered decreased from 27% in 2019 to 19% in 2020 of total number of use of force reports submitted in each year.

Type of Service Being Rendered	2019	2020
Code Enforcement	1	0
Collision Inv.	9	5
Dispatched to Call	230	419
On-View Offense	82	103
Foot Pursuit	20	33
Traffic Enforcement	35	53
Warrant Service	22	33
Patrolling / Driving	23	31
Field Contact	10	16
Follow Up Investigation	12	12
Walk and Talk	1	2
Transporting	3	5

2020 Demographics in Use of Force Incidents

It is important to point out that it is very common for one single response to resistance/aggression incident to have involved more than one citizen or more than one officer. For example, one incident can involve a single citizen, but involve several officers, which might be the case in a High-Risk Car Stop. Conversely, a single response to a resistance/aggression incident can involve several citizens and one officer, which might be the case in a large physical disturbance.

The below table shows a breakdown of the Sworn Officer Demographics including race, sex, and age. As of February 2021, there are 409 Sworn Officers employed with the Charleston Police Department.

USE OF FORCE DATA

Sworn Personnel Demographics Summary

Current SWORN: 409

Male: 342
Female: 67

White: 323
Minority: 86

	Age Groups					Total Count / %
	20-29	30-39	40-49	50-59	>=60	
White	77	145	69	26	6	323 / 79.0%
Female	14	26	7	1	-	
Male	63	119	62	25	6	
Black	13	21	12	11	3	60 / 14.7%
Female	3	5	4	3	-	
Male	10	16	8	8	3	
Asian	2	0	0	0	0	2 / 0.5%
Male	2	-	-	-	-	
Hispanic	3	5	4	0	2	14 / 3.4%
Female	-	2	-	-	-	
Male	3	3	4	-	2	
Other	1	6	2	0	0	9 / 2.2%
Female	-	1	1	-	-	
Male	1	5	1	-	-	
Unreported	1	0	0	0	0	1 / 0.2%
Male	1	-	-	-	-	
TOTAL:	97	177	87	37	11	409

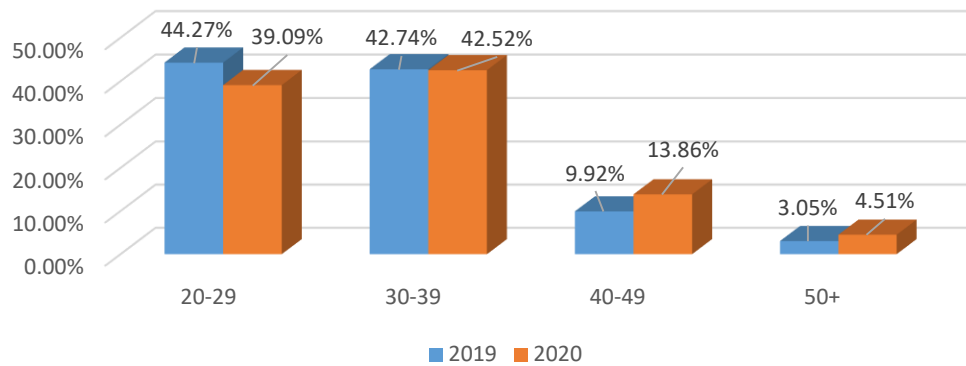
The demographic information with regard to the age, race, and gender of the officers in these incidents for both 2019 and 2020 is depicted in the following table and charts:

Officer Demographic Information	2019	2020
Total # of Individual Involved Officers	223	224
Age of Involved Officers		
20 to 29	44.27%	39.09%
30 to 39	42.74%	42.52%
40 to 49	9.92%	13.86%
50+	3.05%	4.51%
Total	100%	100%
Race of Involved Officers		
White	87.32%	85.36%
Black	9.46%	10.28%
Hispanic	2.44%	3.27%

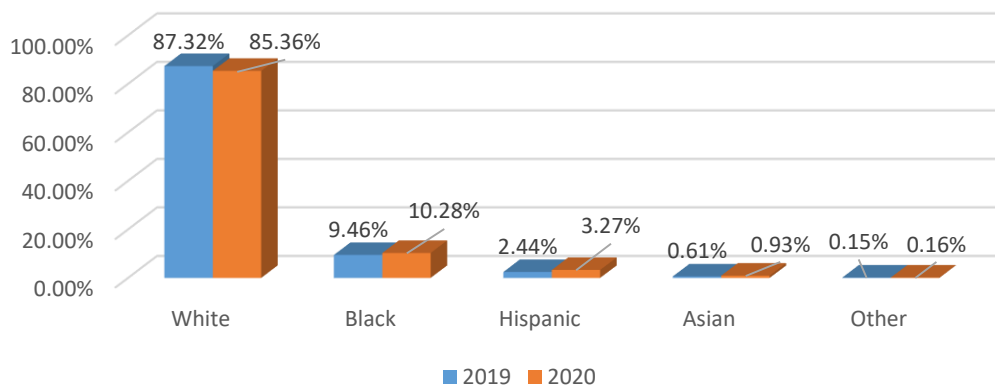
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Asian	0.61%	0.93%
Other	0.15%	0.16%
Total	100%	100%
Gender of Involved Officers		
Male	92.97%	91.90%
Female	7.02%	8.10%
Total	100%	100%

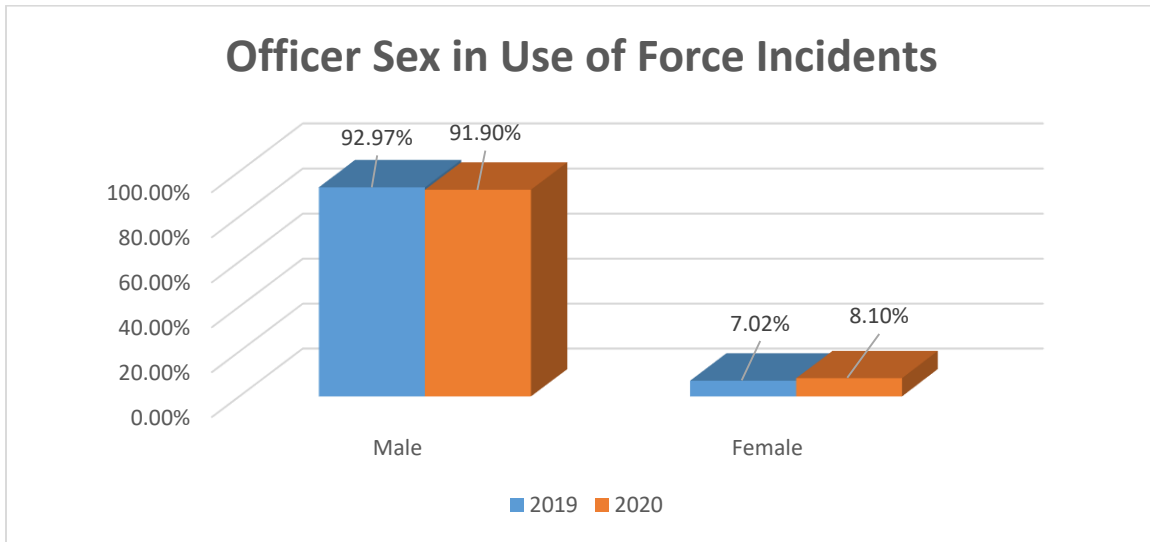
Officer Age in Use of Force Incidents



Officer Race in Use of Force Incidents



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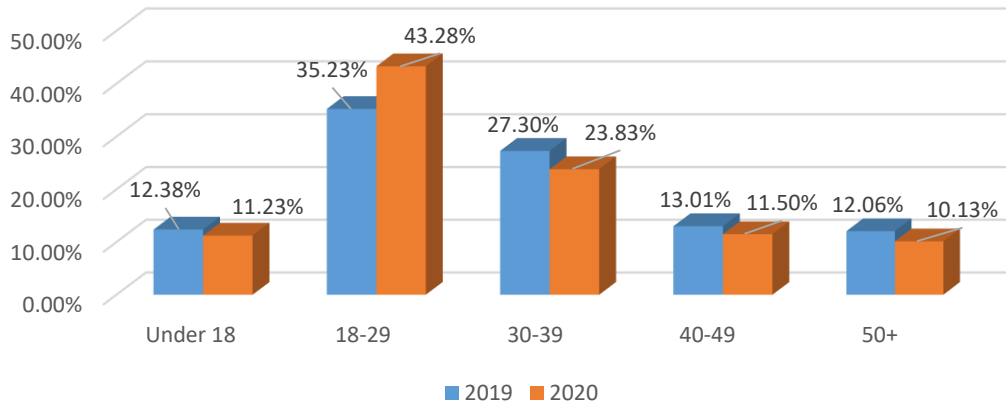


The demographic information with regard to the age, race, and gender for the citizens in these incidents for both years is depicted in the following table and charts:

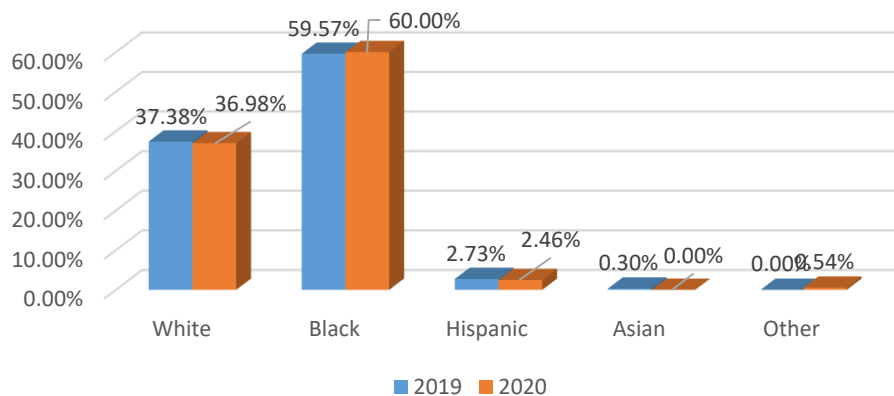
Citizen Demographic Information	2019	2020
Total # of Involved Citizens	318	365
Age of Involved Citizens		
Under 18 *(15 to 19 in 2019)	12.38%	11.23%
18 to 29 *(20 to 29 in 2019)	35.23%	43.28%
30 to 39	27.30%	23.83%
40 to 49	13.01%	11.50%
50+	12.06%	10.13%
Race of Involved Citizens		
White	37.38%	36.98%
Black	59.57%	60.00%
Hispanic	2.73%	2.46%
Asian	0.3%	0.0%
Other	0.0%	0.54%
Total	100%	100%
Gender of Involved Citizens		
Male	82.06%	78.63%
Female	17.93%	21.36%
Total	100%	100%

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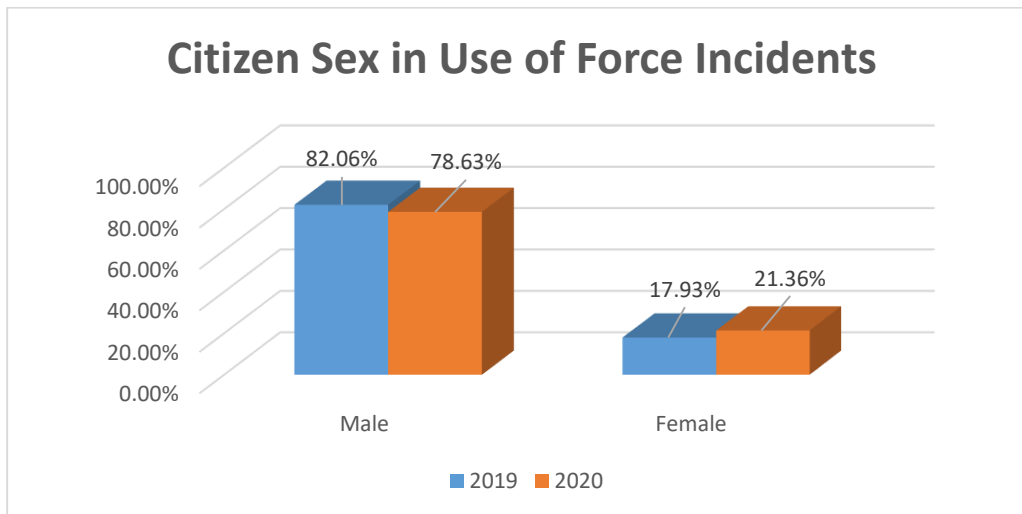
Citizen Age in Use of Force Incidents



Citizen Race in Use of Force Incidents



USE OF FORCE DATA



2020 Citizen Demographics: Race and Gender By Age

	Juvenile	18-29	30-39	40-49	50-59	60+	Total
Black	37	98	42	21	19	2	219
Female	12	11	5	5	2	2	37
Male	25	87	37	16	17	-	182
Hispanic	-	5	2	1	1	-	9
Male	-	5	2	1	1	-	9
White	3	55	42	20	7	8	135
Female	2	17	10	9	-	2	40
Male	1	38	32	11	7	6	95
Other	1	-	1	-	-	-	2
Female	1	-	-	-	-	-	1
Male	-	-	1	-	-	-	1
Total	41	158	87	42	27	10	365

The analysis of the officer and citizen demographics did not yield any significant concerns regarding the response to resistance/aggression actions administered by CPD personnel during citizen encounters in 2020. The length of service time for the majority (approx. 57%) of the involved officers is 5 years or less. In 2019, the majority of use of force submissions were also from officers employed 5 years or less (approx. 65%).

USE OF FORCE DATA

2020 Day of the Week and Time of Day Analysis

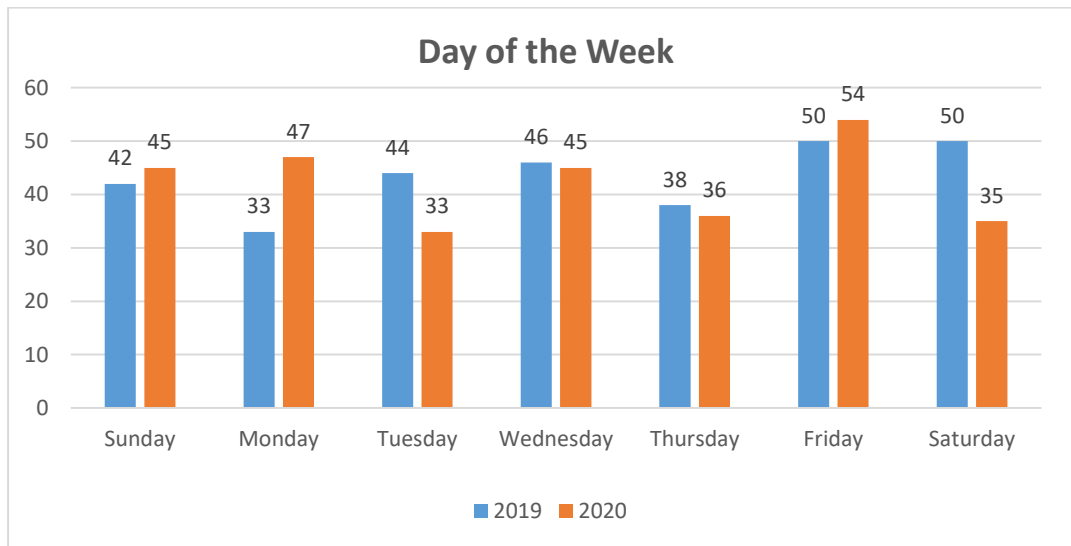
The tables and charts below depict the day of the week and the time of day when a response to resistance/aggression incident occurred between a citizen(s) and officer(s).

An analysis of the response to resistance/aggression occurrences in 2020 shows the most common day of the week for such incidents is Friday, and the second highest occurred on Sunday and Wednesday. In comparison, 2019 showed the most responses to resistance/aggression occurred on Friday and Saturday, followed by Wednesday. Friday is consistent as being the day of the week of the last three years with the highest number of response to resistance/aggression incidents; however, the second-highest day and the lowest day are not consistent between the two years.

Some contributing factors that might be attributed to Friday being the highest number of use of force incidents could include the following: 1) the fact that in 2020 Friday had the highest average number of calls for service (an average of 799 calls for service and an average of 420 of the 799 being self-initiated) and 2) the 2020 patrol schedule “double day” occurs on a Friday the majority of the time, which could attribute to more contacts between citizens and police.

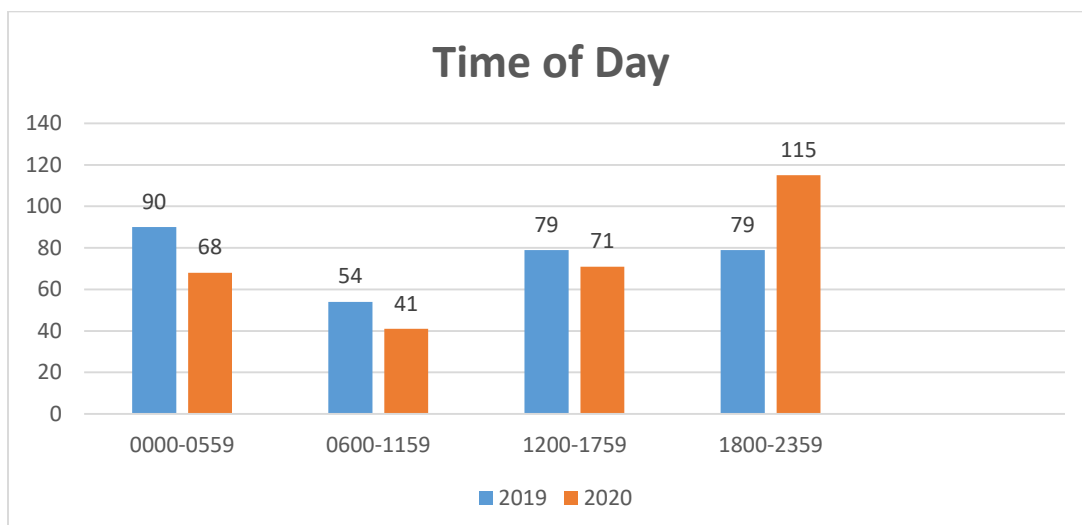
Day of the Week	2019	2020
Sunday	42	45
Monday	33	47
Tuesday	44	33
Wednesday	46	45
Thursday	38	36
Friday	50	54
Saturday	50	35

USE OF FORCE DATA



An analysis of the response to resistance/aggression occurrences in 2020 shows that the most common time of day for such incidents is between 1800-2359 hours followed by 1200-1759 hours. In 2019, the most common times were 0000-0559 hours, followed by 1200-1759 hours and 1800-2359 hours (which had the same number of incidents). The increase of criminal activities in the hours of dusk and darkness can lead to a higher number of police responses to in-progress calls for service and self-initiated events.

Time of Day	2019	2020
0000-0559	90	68
0600-1159	54	41
1200-1759	79	71
1800-2359	79	115



USE OF FORCE DATA

2020 Injuries during Responses to Resistance/Aggression

Out of the 551 Response to Resistance/Aggression incidents reported in 2020, 35 officers were injured during 21 of these incidents. The most serious injury (not including the officer injury sustained during an officer-involved shooting) was bleach to an officer's eye. The rest of the injuries were minor, such as lacerations, scratches, abrasions, stitches, etc.

There were 36 citizens injured during the 551 use of force incidents, all of which were also considered minor, except for the officer-involved shooting that resulted in the suspect's death.

Officer Involved Shootings

There were three officer-involved shootings in 2020 involving 7 officers. One incident involved the shooting of a canine, and the other two involved a human suspect. An internal administrative investigation was conducted for the canine shooting. It was determined that the officer's actions were within policy. The South Carolina Law Enforcement Division (SLED) conducted a criminal investigation into both citizen shootings. The first incident involved two officers, and the suspect was not injured. The second incident involved 4 officers. This shooting resulted in the suspect's death and an officer was injured as well (struck in the chest by gunfire). In both shootings, the Solicitor reviewed SLED's investigative report and subsequently ruled that the officers were justified in their actions with no wrongdoing.

Training

EPIC (Ethical Policing is Courageous) is a peer intervention program developed by the New Orleans Police Department (NOPD), in collaboration with community partners, to promote a culture of high quality and ethical policing. EPIC educates, empowers, and supports the officers on the streets to play a meaningful role in "policing" one another.

EPIC teaches officers how to intervene to stop a wrongful action before it occurs. At its core, EPIC is an officer survival program, a community safety program, and a job satisfaction program. EPIC represents a cultural change in policing that equips, encourages, and supports officers to intervene to prevent misconduct and ensure high-

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quality policing. Everyone benefits when potential misconduct is not perpetrated or when a potential mistake is made.¹

The Office of Professional Development and Training implemented the EPIC program into the 2020 Block Training. CPD also incorporates the EPIC program in the training of the new recruits.

The Department encourages and trains officers to use de-escalation tactics in any situation where the use of force is applicable. With the proper application of de-escalation tactics and techniques, officers can avoid physical confrontations, unless the need to protect themselves or others from harm is immediate. The tactics used are to increase the likelihood of voluntary compliance and cooperation. When the circumstances of an incident indicate it is safe and feasible to do so, an officer should slow down to allow the officer to process the situation properly. This can create an avenue of communication between the officer and the suspect and further allow the on-scene officers to utilize any additional resources and/or equipment that is available. Such examples include a crisis negotiator, a member of the Crisis Intervention Team, additional less-lethal options, etc. The process of de-escalating a situation can allow the officers to further communicate with each other in order to formulate the best plan with the appropriate resources to use the least amount of force necessary (if any) to resolve the situation.

The Department also integrated Civil Liability training into the annual block training. The training, presented by the City of Charleston Corporation Counsel, provided awareness on the different types of civil actions that exist and how it can be applied to Law Enforcement. The training provided officers with the basic knowledge of civil liability and reinforces the importance of sound decision-making skills.

The Office of Professional Development and Training implemented a Pre-Academy for new recruits during the 2020 calendar year. The program is 12 weeks in duration and includes, but not limited to, training in the following areas; the South Carolina Criminal Justice Academy (SCCJA) Legal requirements, physical fitness, handgun and rifle, less-lethal weapons, defensive tactics, fair and impartial policing, de-escalation, report and affidavit writing, CPR, SCCJA Active Shooter response, traffic collision investigations, and familiarization of department functions.

¹ New Orleans Police Department - <http://epic.nola.gov/home/>

USE OF FORCE DATA

Once the new recruits successfully complete and graduate from this program, they will attend the SCCJA for 8 weeks of additional training in order to obtain certification as a Law Enforcement Officer in South Carolina. This program has benefited both CPD and the SCCJA. As a result, SCCJA has acknowledged this extensive training before attending the academy has greatly improved the likelihood of the recruit being able to successfully complete the SCCJA, and who often excel when doing so. Further, it has benefited CPD in that the cadets, who have now completed a cumulative of 20 weeks of training, are more prepared and successful in completing the 14-week patrol training officer program, once they obtain their SCCJA police officer certification from the SCCJA.

The low number of reported incidents resulting in response to resistance/aggression in 2020 can be attributed to the Department's commitment to providing up-to-date, yearly training and instruction in defensives tactics, the proper use of less-lethal force options, to include the Conducted Electrical Weapon, proper firearms handling and training, along with proper disengagement techniques, and de-escalation training. This consists of scenario-based training that requires officers to communicate amongst each other, apply the appropriate force option, use proper cover/contact tactics when engaging the suspect, and the appropriate use of cover and concealment.

Analyzing the 2020 data with regard to types of force used, it was determined that there were no obvious patterns or trends developing that would create concern for the department.

Response to Resistance/Aggression Investigations

There were five complaints that alleged excessive or unreasonable force throughout the year of 2020. All five complaints were investigated and no policy violations were noted.

Following the riots and protests of May 30 and May 31 through the public comment period, CPD's Office of Internal of Affairs received several complaints related to the events of May 30 and May 31. After combining complaints that were duplicative and multiple allegations of the same complaint, the Office of Internal Affairs had 15 cases to investigate. The combined complaints were as follows: six complaints referenced dissatisfaction with arrests of protestors, three complaints referenced dissatisfaction with use of force, two complaints claimed First Amendment violations, and the remaining complaints concerned the use of militarized vehicles, an unlawful traffic stop, failure to take a police report, and rudeness. The complaints were received, logged, categorized, and reviewed to ensure policy compliance.

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As part of the investigation of the complaints, the Office of Internal Affairs reviewed extensive hours of body worn camera videos pertaining to the protests/riots that occurred. Because of the amount of body worn camera footage that had to be reviewed, the investigation took longer than expected. One of the complaints received was formalized into an Administrative Investigation. The outcome of the investigation concluded that two officers in one incident failed to properly take a report. The remaining complaints were closed out with a finding of no policy violation.

Policy 23 – Response to Resistance/Aggression was reviewed and updated in 2020 and 2021 to reflect current national practices and procedures.

A review was conducted of the 551 response to resistance/aggression incidents in 2020. Based on the review, it was determined that there were no trends or patterns that existed. This conclusion was based on examining the occurrences with regard to the day of the week, the time of the day, the type of service being rendered and the reason for the response.

A more in-depth look into the 35 officers injured during 21 response to resistance/aggression incidents revealed that all were minor injuries with one injury including an offender throwing bleach in an officer's eye. Additionally, 9 officer injuries of the 35 reported injuries were a direct result of being assaulted by an offender. After taking a closer look into these 9 incidents with regard to the above criteria, along with the incident type and officer history, there does not appear to be any patterns or specific concentrations.

The review assists the Department in accommodating requests for information regarding response to resistance/aggression events and implementing training objectives and scenarios that are derived from real data from events that occur in our jurisdiction, as well as worldwide.

Out of the 551 response to resistance/aggression submissions involving 224 individual officers, intermediate and/or less-lethal weapons (baton, OC, CEW) were used only 17 times by CPD Officers. This data suggests that we properly educate officers on how to maintain compliance with our Response to Resistance/Aggression policy. It is paramount that the policy is continually and consistently reinforced and upheld by all officers and supervisors.

INTERNAL AFFAIRS

Internal Affairs Unit

The department has a well-established process for receiving, investigating, and adjudicating complaints made by citizens, co-workers, and supervisors regarding allegations of employees' misconduct.

It is the mission of the Office of Internal Affairs (OIA), within the Professional Standards Division, to ensure public confidence in the department through objective and thorough investigations of all allegations of employee offenses. It is the policy of the Charleston Police Department to accept and appropriately investigate all complaints, including anonymous complaints, against department employees, both internally and externally, to equitably determine the validity of any allegation.

OIA currently has a staff of one lieutenant and two sergeants, and the members of the OIA report to the Captain of Professional Standards, who in turn, reports directly to the Chief of Police.

Making a Complaint

Complaints against CPD Employees can originate externally (from a citizen) or internally (from an employee of CPD). A complaint can be submitted in a variety of ways:

- **Online** – email the OIA at InternalAffairs@charleston-sc.gov;
- **In-Person** – file a written or in-person complaint at CPD headquarters or any team office;
- **Mail** – Send a letter to:
Charleston Police Department
Professional Standards Office
180 Lockwood Boulevard
Charleston, SC 29403;
- **Phone** – Call the OIA at 843-720-2447.

Investigations

A complaint is defined as an expression of discontent, dissatisfaction, or accusation made in a written or verbal form that alleges illegal activity, misconduct, or a violation of rules or regulations of the police department and/or the policies of the City of Charleston.

A complaint is reviewed and then assigned to either the chain of command of the involved employee or an investigator in the OIA. The nature of the complaint determines the investigating entity; however, all cases are centrally recorded, tracked, and managed by the OIA within the Professional Standards Office, to ensure timely completion and consistency.

While all allegations of misconduct are considered important to the department, the Office of Internal Affairs investigates allegations of misconduct that generally carry more serious consequences for the employee, the department, or community confidence in the police; while supervisors investigate those with less serious consequences. For example, OIA would investigate complaints of excessive force or unbecoming conduct, while an employee's unit supervisor would investigate allegations of rudeness.

Types of Dispositions

Complaint dispositions are classified as one of the following:

- **Exonerated** – Incident occurred, but the employee's actions were proper;
- **Sustained** – There is SUFFICIENT evidence to prove the allegation;
- **Not Sustained** - There is INSUFFICIENT evidence to prove or disprove the allegation.
- **Unfounded** - Allegation is proven to be false; and
- **Policy Review** - Employee's actions were within policy, but the consequences of the policy need to be addressed with the employee. If a finding indicates a review of the policy with the employee is necessary, then the employee should be exonerated. A policy may need to be reviewed and updated as well.

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Once an investigation is complete, the complainant will be notified of the disposition. In matters where a violation was deemed sustained, the complainant will be notified that appropriate action has been taken by the department. Information regarding any related discipline will not be provided due to Human Resource privacy rules.

Discipline Procedures

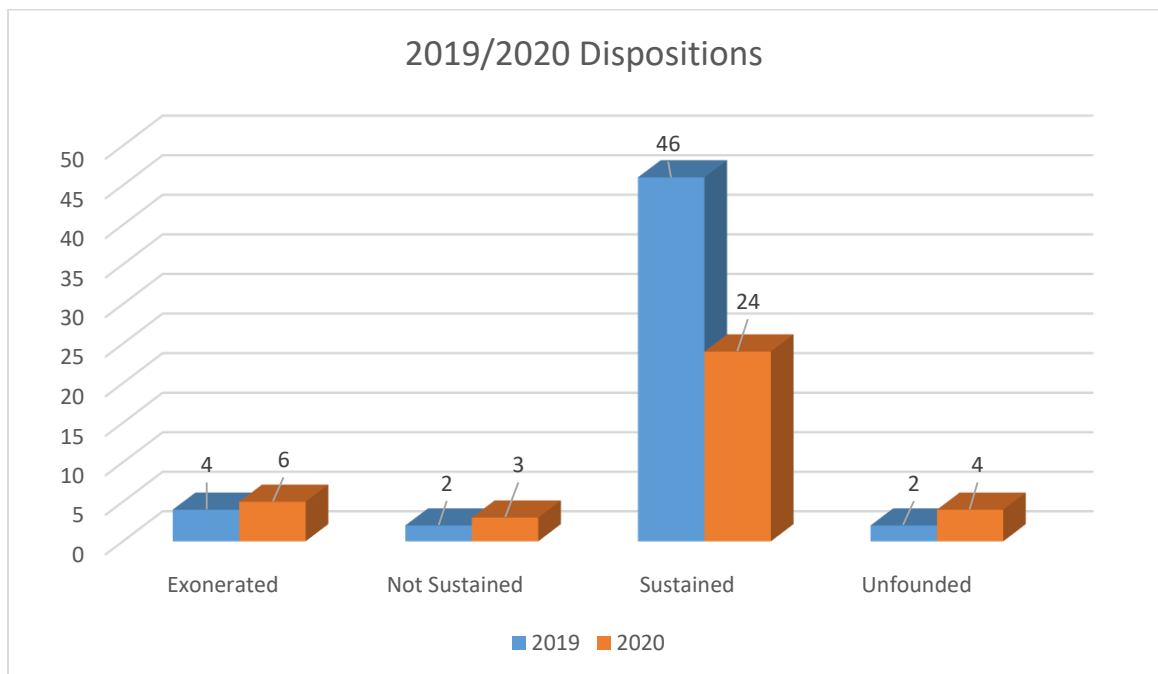
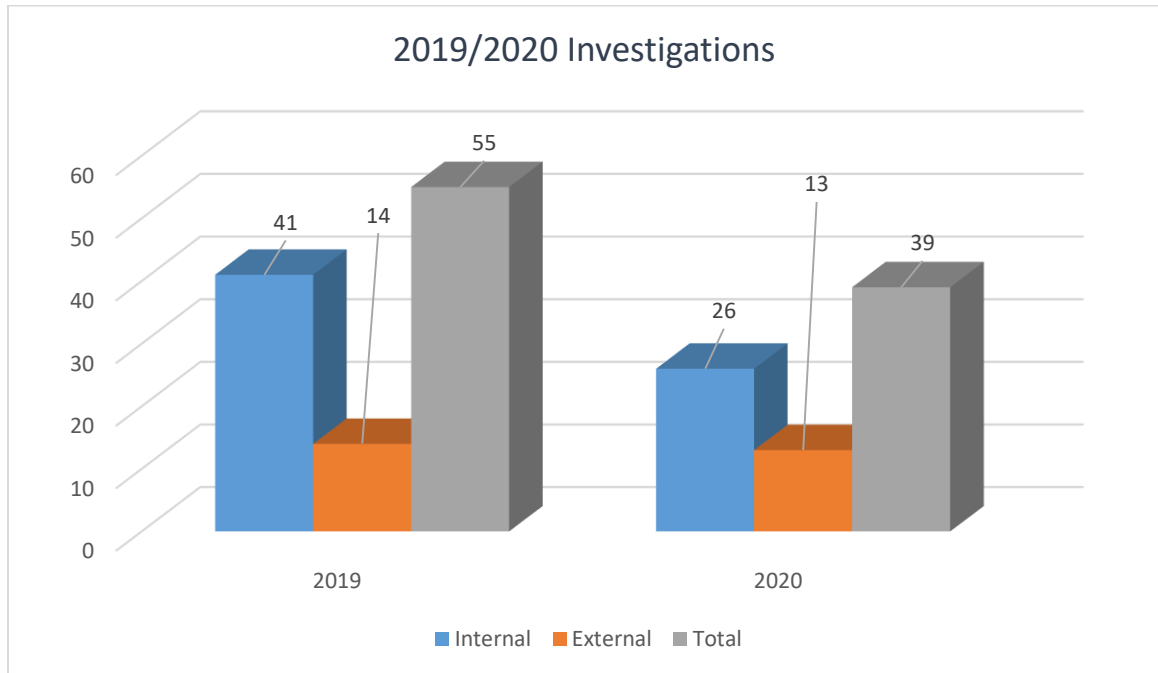
The investigator handling any Administrative Investigation will recommend a finding. The case will then begin the command review process, which is when the employee's chain of command reviews the case and agrees or disagrees with the recommended finding. During the review for corrective action, all information associated with the investigation must be reviewed by the employee's chain of command. The Captain/Manager dispensing corrective or disciplinary actions for sustained allegations will review the employee's discipline history and consult the discipline matrix. This will maintain consistency with the amount and type of discipline that the employee may receive. The action to be taken will be determined by the disciplinary matrix. It will be commensurate with the circumstances surrounding the incident while considering the employee's service record and any prior sustained complaints. Corrective action and disciplinary action should serve to encourage the employee to perform at an acceptable level in the future.

Types of Discipline

- Mediation
- Verbal or Written Counseling
- Employee Assistance Program
- Remedial Training
- Written Reprimand
- Suspension
- Demotion
- Termination

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2020 Investigations and Dispositions



NOTE: Two of the investigations from 2020 are not completed; therefore, are not reflected in the above chart.

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The following disciplinary actions were given in the 2020 allegations that were sustained:

Sustained Allegations - 2020	
Actions Taken	Number
Counseling	1
Verbal Reprimand	24
Written Reprimand	15
Off-Duty Privileges Revoked	3
Take-Home Privileges Revoked	1
Remedial Training	23
Resigned	3
Resigned in Lieu of Dismissal	3
Retired While Under Investigation	1
Suspension	5
Mediation Process	1
TOTAL	80

The investigations from 2020 that resulted in sustained action (24 cases) resulted in 54 sustained allegations, which totaled 80 actions taken. It is important to note that for some of the allegations; more than one action was taken. For example, an officer may have received a written reprimand and remedial training for one allegation. There may be circumstances when an officer may have had three sustained allegations, but only one action was taken to cover all three allegations.

As indicated in the graph above, The Office of Internal Affairs documented, managed, or handled 39 investigations throughout the calendar year of 2020. This is a slight decrease of 29% from the previous year of 2019, during which the Office of Internal Affairs managed 55 investigations. It should be noted that investigations may contain multiple allegations and involve multiple officers.

When possible issues or policy violations present themselves, they are being identified, reported, and subsequently dealt with in the proper manner. The 26 internally generated investigations make up approximately 66% of the complaints investigated in 2020. While the total number of investigations dropped by 14 investigations (29%), the number of externally generated investigations in 2020 (13) nearly remained the same

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from the previous year. This accounts for approximately 33% of the total investigations for the year 2020. Of the 13 external investigations filed in 2020, 9 cases were sustained and 4 cases were unfounded. Approximately 65% of all internally generated investigations resulted in at least one sustained allegation. Further, approximately 69% of all externally generated investigations resulted in at least one sustained allegation against the employee.

Demographic Information-Externally Generated Cases

There were 16 employees linked to the 14 externally generated cases in 2019, and there were 36 employees linked to the 13 externally generated cases in 2020. Of note, one externally generated case involved 23 employees and involved misuse of city computers. The demographic information with regard to race and gender for the employees in these cases for both years is depicted in the table below.

Officer Demographic Information	2019	2020
Total # of Involved Employees	16	36
Race of Involved Employees		
White	93.75%	66.66%
Black	6.25%	25%
Hispanic	0%	5.55%
Asian	0%	0%
Other	0%	2.77%
Total	100%	100%
Gender of Involved Employees		
Male	87.5%	72.22%
Female	12.5%	27.7%
Total	100%	100%

There were 14 complainants linked to the 14 externally generated cases in 2019 and 11 complainants linked to the 13 externally generated complaints in 2019. The two other external complainants remained anonymous. The demographic information with regard to the race and gender of the complainants for these cases for both years is depicted in the table below.

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Complainant Demographic Information	2019	2020
Total # of Involved Complainants	13	11
Race of Involved Complainants		
White	38.46%	63.63%
Black	61.53%	36.36%
Hispanic	0%	0%
Asian	0%	0%
Total	100%	100%
Gender of Involved Complainants		
Male	69.23%	63.63%
Female	30.76%	36.36%
Total	100%	100%

Supervisor Complaint Intakes

Supervisor Complaint Intakes (SCI's) were created at the beginning of 2019. A Supervisor Complaint Intake is an entry in BlueTeam designed to document complaints taken by supervisors or the OIA to address and document any concern or question about a possible policy violation, the procedure used, or action taken by any employee of the Department. Supervisory Complaint Intakes will be forwarded to the OIA to be entered into IAPro. This module was created to establish a method for complaints to be fielded at any time and documented in CPD's internal system.

Should a supervisor develop or receive information that a Department employee is suspected of a Class "A" Offense, that supervisor will report the violation to their Chain of Command and in turn, the OIA will be notified. It will be the responsibility of the OIA to record all Class "A" complaints in IAPro as an Investigation.

Any supervisor receiving a Class "B" Offense complaint will complete a BlueTeam "Supervisory Complaint Intake" and forward it through the employee's chain of command. If the supervisor can handle the complaint at the time it was reported, it will be noted in the intake along with how the complaint was resolved and their findings. If the complaint cannot be resolved, or if the supervisor requests the complaint be opened as an investigation, then the OIA will generate an Investigation.

In 2020, 191 complaints were generated and logged into the system as Supervisor Complaint Intakes (SCI) and 161 were external complaints. Below is an analysis of the manner in which the complaints were resolved:

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Disposition	Number
Exonerated	19
Unfounded	96
Not Sustained	26
Sustained	44
Mediation	1
Referred for Investigation	5
Total	191

In 2020, 44 SCI's resulted in the complaint being sustained against the accused officer(s). The actions taken in these cases were either verbal counseling/reprimand, off-duty privileges taken away, take-home vehicle privileges taken away, restitution, remedial training, or an employee feedback form. Out of the 191 SCI's, 5 were referred to an Investigation conducted by the OIA or the employee's chain of command. Actions taken in these cases ranged from verbal counseling, written reprimand, suspension, and/or dismissal. An employee's discipline history can be a factor when determining if an SCI needs to be referred to an investigation (Example: A citizen files a complaint about an officer speeding. If this specific officer has had a prior sustained SCI pertaining to driving issues, then a referral to an investigation is warranted).

VEHICLE PURSUITS & COLLISIONS

Vehicle Pursuits – Policy and Practice

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers, and suspects involved in the pursuit. The primary goal of the department is the protection of life and property. It is the policy of this department to protect all persons' lives to the fullest extent possible when enforcing the law. To effect these obligations, it will be the policy of the department to strictly regulate the manner in which a vehicular pursuit is undertaken and performed. Officers involved in pursuits are permitted to exceed the speed limit and travel through traffic control devices, BUT ONLY WITH DUE REGARD FOR THE SAFETY OF OTHER PERSONS. Officers must understand the laws of the state of South Carolina and any questions that arise must be immediately directed to a supervisor. Officers are reminded that in the security of their patrol cars, they may not naturally focus on the risks that their driving and the driving of the offender's car create, but such attention is critical. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties.

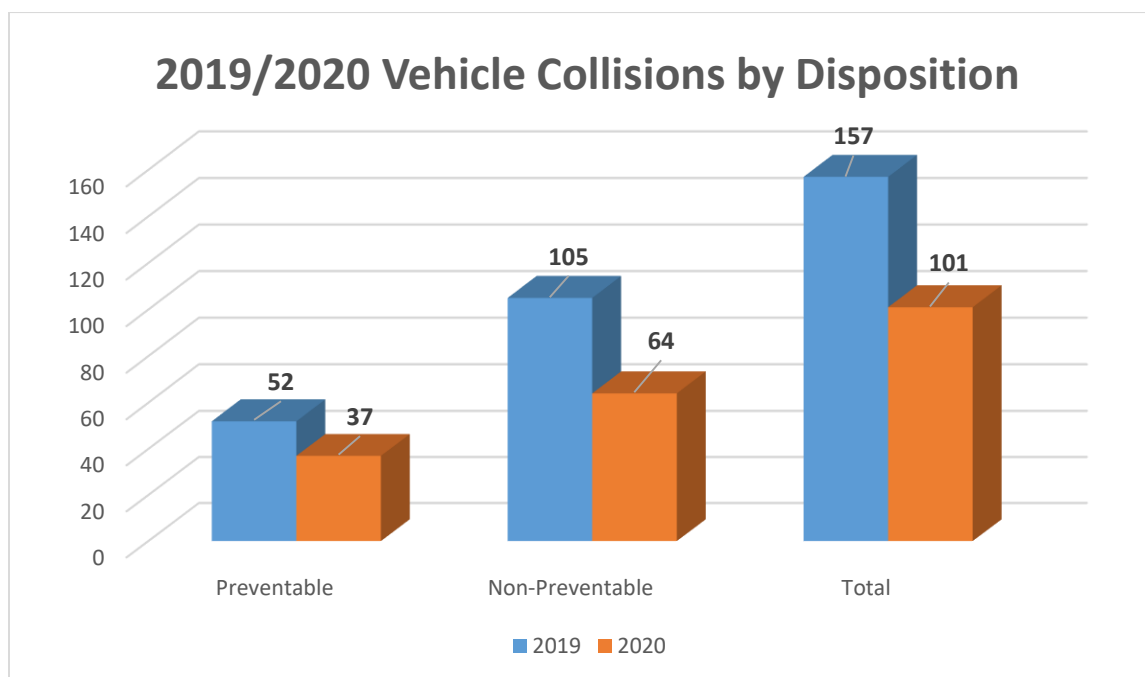
	2019	2020
CPD Pursuits		
Total Pursuits	4	5
Officers involved	9	8
Terminated by Supervisor	0	1
Terminated by Officer	1	1
Terminated by Suspect Action	3	3
Policy Compliant	3	4
Policy Non-compliant	1	1
Injuries:		
Officer	0	1
Suspect(s)	2	2
Third Party	0	0
Reason Initiated:		
Traffic Offense	0	0
Criminal Offense	4	5

VEHICLE PURSUITS & COLLISIONS

Offenses Initiating a Pursuit	2019
Assault w/ Deadly Weapon	2
Larceny of a Vehicle	1
Robbery – Armed	1
Total Pursuits	4

The number of vehicle pursuits in 2020 was consistent with the prior year and the analysis did not yield any anomalies. One pursuit was deemed to be not be within CPD policy, which resulted in a policy change regarding pursuit-rated vehicles.

Employee Motor Vehicle Collisions



The total number of collisions dropped from 157 to 101 between 2019 and 2020, which is a 35.66% decrease. The collisions that were deemed preventable decreased by 28.84% in 2020.

APPENDIX A

2020 CPD Citizen Encounters

Source: OSSI RMS, TriTech CAD

Prepared by CIU (1950) on January 6, 2021

	Q1	Q2	Q3	Q4	Total YTD
Calls to CCCD	29,882	28,389	30,500	29,637	118,408
Self-Initiated	35,252	35,647	32,224	37,393	140,516
Investigations	849	648	716	754	2,967
Est. Interactions	65,983	64,684	63,440	67,784	261,891
Traffic Stops	3,051	2,681	2,990	2,744	11,466
Field Contacts	1,113	982	1,030	1,129	4,254
Arrests	986	812	843	965	3,606

2019 CPD Citizen Encounters

Source: OSSI RMS, TriTech CAD

Prepared by CIU (1950) on January 14, 2020

	Q1	Q2	Q3	Q4	Total YTD
Calls to CCCD	29,485	33,382	34,156	31,160	128,183
Self-Initiated	32,469	27,490	33,438	32,580	125,977
Investigations	902	1,062	1,050	852	3,866
Est. Interactions	63,216	61,934	68,644	64,592	258,386
Traffic Stops	6,724	4,688	3,538	3,086	18,036
Field Contacts	1,107	1,225	1,252	1,183	4,767
Arrests	1,350	1,134	1,094	1,069	4,647