



## CHARLESTON POLICE DEPARTMENT

To: Chief Jerome Taylor

From: Lt. Anita Craven  
Professional Standards Office

Subject: **Professional Standards Office Annual Report for 2017**

Date: March 8, 2018

The Professional Standards Office is responsible for ensuring that the Charleston Police Department is operating 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 investigative process plays an integral role in building and maintaining that public trust.

One of the functions of the Professional Standards Office includes the investigation, management, and review of complaints and allegations of misconduct against department personnel, both civilian and sworn.

The Police Department's image and reputation depend on the personal integrity and discipline of all departmental employees. To a large degree, the public image of the department is determined by a professional response to allegations of misconduct against its employees.

The Professional Standards Office also manages the reporting of all "Response to Resistance / Aggression" reports submitted by Charleston Police Department officers throughout the year, the reporting of all employee-involved vehicle collisions, and the reporting of all vehicle pursuits. In addition, the Professional Standards Office manages the Early Intervention System.

This report will be broken down into two sections:

Section 1 – Investigations

Section 2 – Response to Resistance / Aggression

## **Geographical Overview**

The City of Charleston is divided into 5 geographical teams. Team One serves the peninsula of Charleston. The dividing line for Team One is Calhoun Street. Specifically, everything north of Calhoun Street is in Team One, which is situated between the Cooper and Ashley Rivers. Team Two is also located on the peninsula and covers the area south of Calhoun Street. Team Two is also 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.

The Charleston Police Department is also divided into numerous other divisions, which are comprised of sworn officers and non-sworn personnel. The Professional Standards Office conducts investigations and also analysis of all the distinctive divisions and units within the police department.

## **Body Worn Cameras**

In 2015, the Charleston Police Department began full implementation of its new body worn camera program. In 2016, the Department completed its implementation program. To date, over 460 officers, including patrol and school resource officers, have been trained on and issued the new Getac devices.

Officers turn on their camera when taking police action. The videos are then uploaded into a secured Microsoft Azure Cloud storage system and retained for a period of time, ranging from 14 days for routine citizen contacts, to decades for serious offenses, where they may be utilized for evidence at trial. Supervisors regularly review videos for quality assurance.

The training potential in body worn cameras is certainly worthy of mention. The footage can be used to coach and mentor officers in how they conduct themselves. The videos could be utilized in one-on-one sessions, for example, in which newer officers actually train with their own footage. This could potentially improve their demeanor and safety awareness when dealing with suspects, victims, and witnesses.

Body worn camera videos are also utilized by the Professional Standards Office during administrative investigations into officer actions when necessary. These cameras have been shown to contribute to a reduction in not only citizen complaints, but also in the number of responses to resistance / aggression incidents. The use of cameras can be an excellent tool to help modify the behavior of both the police and members of the community. The effects of the cameras show that people tend to be more inclined to adhere to social norms and change their conduct when they are aware that their behavior is being recorded. Under camera scrutiny, people become more conscious that unacceptable behaviors will be captured on film, and that they are expected to

follow the rules. This “self-awareness effect” caused by the camera affects the actions of officers and suspects alike, prompting suspects to cool down aggressive actions and deterring officers from reacting with excessive or unnecessary force and unprofessional behavior.

The body worn cameras have so far shown to be invaluable in providing an objective view of police and citizen encounters, as well as being useful in the collection of visual evidence during those important first moments of a police response. They are a valuable tool in enhancing transparency and the legitimacy of the police, thereby increasing accountability and trust.

**Section 1 – INVESTIGATIONS**

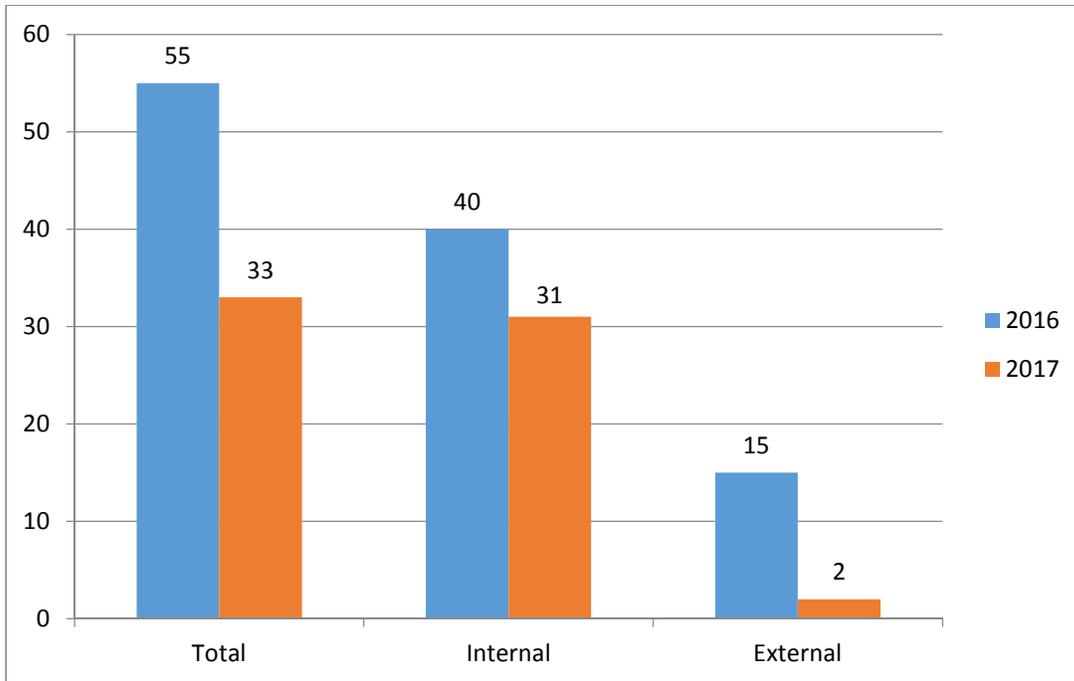
The intake and disposition of complaints is an ongoing process. During the investigations, cases may be reclassified as a result of information obtained during the investigatory process. Moreover, it is also important to note that the specific allegations linked to a case and the policies cited are determined during the Command Review process and hence, are not linked to the individual cases until the file is returned to the Professional Standards Office to be closed out and classified as *completed*. Due to the fluid nature of investigations and the directions taken during investigations, and during the subsequent Command Review process, numerical differences may exist if compared historically.

Investigations were conducted either at the Sergeant Level, the Command Level, or by the Professional Standards Office. The nature of the complaint determines the investigating entity.

Throughout the calendar year of 2017, the Professional Standards Office documented, managed, or handled 33 investigations. This is a considerable decrease of 40% from the previous year of 2016, during which the Professional Standards Office managed 55 investigations.

Depicted in the following table and graph are the number of investigations in 2017, as compared to the number in 2016, and the percentages of the cases that were generated internally, by someone within the police department, and those cases generated externally, by someone outside of the police department.

<b>PSO Investigations</b>	<b>2016</b>		<b>2017</b>	
Total Cases	55	100%	33	100%
Internally Generated	40	72.73%	31	93.94%
Externally Generated	15	27.27%	2	6.06%



As previously noted, we incurred a sizable decrease in the overall number of investigations in 2017. Of particular significance is the 86.67% decrease incurred in the number of externally generated investigations, from 15 in 2016 to only 2 in 2017. These decreases can be attributed to a couple of factors. The increased accountability on the part of the first-line supervisors is a major factor. That is, when possible issues present themselves, they are being noticed and subsequently, handled by the supervisors before the issues get to the actual point of an investigation needing to occur.

Additionally, as mentioned previously, in 2015, the Charleston Police Department began implementation of the body worn camera program, and completed implementation in 2016. It appears that there is the potential for officers and the public alike to remain on their best behavior when they know their actions are being recorded. Citizens are less likely to file false complaints when they know the interactions are being recorded, and officers are less likely to engage in a behavior that may result in a complaint.

As reflected in the table on page 3, in 2017, 93.94% of the investigations were generated in-house. In 2016, 72.73% of the cases were generated in-house. With regard to the complaints generated in-house in 2017, 66.67% resulted in *at least* one sustained allegation against the employee. This is evidence that we, as a Department, do not and will not hesitate to hold our own accountable when we see possible violations that need to be addressed. Moreover, we value the importance of identifying an issue and then taking proactive measures to correct any deficiencies the employee

may have. Only one of the two externally generated complaints, or 50%, resulted in at least one sustained allegation.

**Demographic Information-Externally Generated Cases**

There were 26 officers linked to the 15 externally generated cases in 2016 and 4 officers linked to the 2 externally generated cases in 2017. The demographic information with regard to the race and gender for the officers in these cases for both years is depicted in the table below.

<b>Officer Demographic Information</b>	<b>2016</b>	<b>2017</b>
<b>Total # of Involved Officers</b>	<b>26</b>	<b>4</b>
<b>Race of Involved Officers</b>		
White	76.92%	75%
Black	19.23%	25%
Hispanic	0%	0%
Asian	3.85%	0%
Total	100%	100%
<b>Gender of Involved Officers</b>		
Male	80.77%	75%
Female	19.23%	25%
Total	100.00%	100%

There were 17 complainants linked to the 15 externally generated cases in 2016 and 2 complainants linked to the 2 externally generated cases in 2017. The demographic information with regard to the race and gender for the complainants for these cases for both years is depicted in the table below.

<b>Complainant Demographic Information</b>	<b>2016</b>	<b>2017</b>
<b>Total # of Complainants</b>	<b>17</b>	<b>2</b>
<b>Race of Complainants</b>		
White	11.76%	0%
Black	88.24%	2
Hispanic	0%	0%
Asian	0%	0%
Total	100%	100%
<b>Gender of Complainants</b>		
Male	58.82%	0
Female	41.18%	2
Total	100.00%	100%

For statistical purposes, investigations are classified into the following allegations:

Abuse of Authority	Failure to Act or Render Assistance
Abuse of Break or Meal Privileges	Failure to Attend Court or Assignment
Associating With the Criminal Element	Failure to Comply with Drug & Alcohol Testing
AWOL	Failure to File Internal Report
Bias-based Profiling/Discrimination	Failure to Follow Computer Security Protocol
Conduct Unbecoming	Failure to Notify Supervisor
Conducting an Unauthorized Investigation	Failure to Report Collision/Loss/Damage
Corruption	Failure to Report Violations of the Law
Courtesy and Customer Service	Failure to Supervise
Dispatch and Radio Violations	Failure to Take Report/Improper Doc.
Excessive or Unreasonable Force	Failure to Use Tactics as Trained
Harassment (General)	Failure to Use Vehicle Recorder Equip.
Hostile Work Environment/Harassment	Firearms Discharge
Improper Entry to Land/Structure	Improper Uniform and Grooming
Improper Evidence/Property Handling	Improper Use/Notification of Leave
Improper Handling of City Funds	Improper Vehicle Operation
Improper Identification/Disengagement	Improper Weapons Handling
Improper or Inadequate Investigation	Inaccurate or Incomplete Document
Improper Prisoner Search/Handl./Secur.	Inadequate Work/Job Task Perform.
Improper Search/Search Procedures	Inattention to Facility Security
Improper Stop/Detention/Arrest	In-custody Injury/Suicide/Death
Improper Training Practices	Insensitivity (Racial, Cultural, Handicap)
Improper Tow/Inventory Procedure	Insubordination
Improper Vehicle Maintenance	Leaving Assigned Area or Post
Involvement in Criminal Misconduct	Misuse of City Computers/Access.
Major Vehicle Collision	Misuse of Sensitive Information
Misuse of City Mail, Phone, E-mail, etc.	Tardiness
Misuse of City Vehicles, Equip., Resources	Off-duty Employment Violations
Sexual Harassment	Other
Truthfulness	

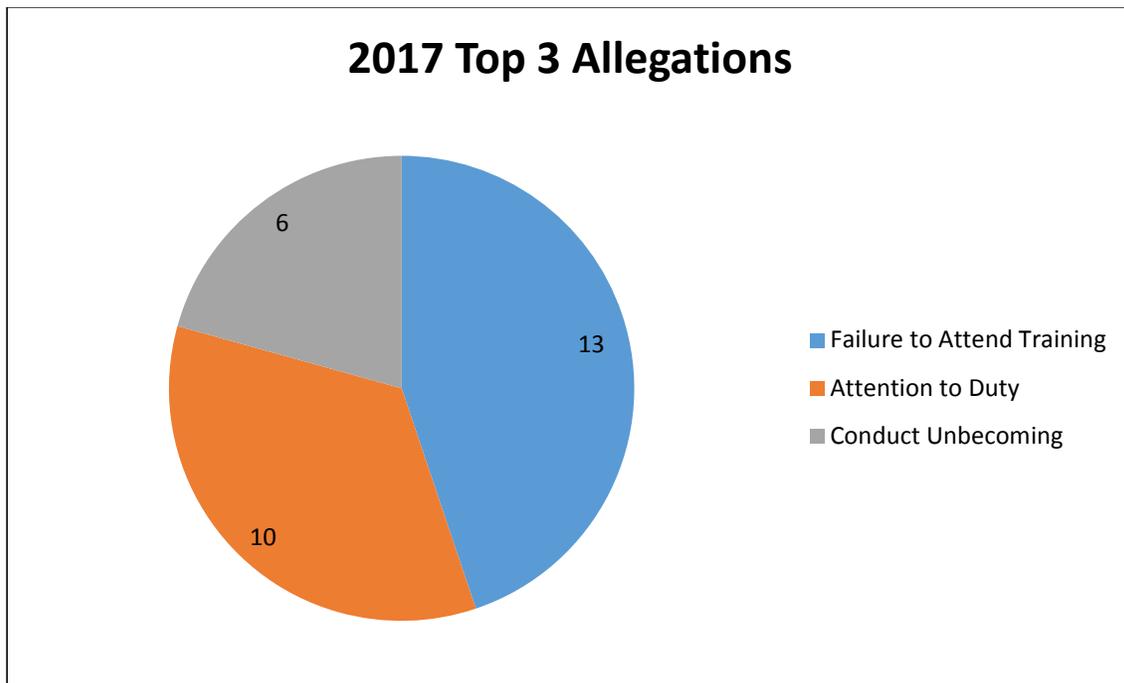
It is important to note that at the time of this report, there are 2 incomplete investigations from 2017. That being said, much of the data in the following sections of the document is based on information from the 31 investigations opened and completed in 2017.

## ALLEGATIONS

There were a total of 75 allegations linked to the 31 completed cases in 2017.

A closer review of the type of allegations that were investigated during 2017 was conducted. The top 3 allegations are noted in the following table and pie chart. Also reflected in the table is the percentage of the total number of allegations. The top 3 allegations represented 38.67% of all of the allegations. For reference, there were 23 different allegations linked to the 31 completed investigations.

<b>Top 3 Allegation Types - 2017</b>	<b># of Allegations</b>	<b>% of Total Allegations</b>
Failure to Attend Training	13	17.34%
Attention to Duty	10	13.33%
Conduct Unbecoming	6	8%
Total	100	38.67%



It's important to point out that with regard to these top 3 allegations, the majority of them, or 89.66%, are the result of the 31 internally generated cases, and aren't allegations brought forward by citizens.

It should be noted that many of the investigations involved more than one officer and more than one allegation. Hence, there may be instances in which, for example, there were 2 allegations of Attention to Duty in the same case because there were two different officers involved. It is important to point out that with regard to this specific

allegation, there were not 10 individual cases in 2017 (table below). In fact, there were only 7 cases, with two of these cases involving more than one officer.

The table below depicts the top 3 allegations of 2017 and their occurrences in 2016, and the percent change in the number of allegations between the two years. The table also shows the number of these allegations that were sustained.

2017 Top 3 Allegations Type	2017			2016			Change % change in # of Allegations
	#	Cases	Sustained	#	Cases	Sustained	
Failure to Attend Training	13	2	6	0	0	0	0%
Attention to Duty	10	7	9	11	6	11	-9.09%
Conduct Unbecoming	6	4	2	3	3	3	100%

The Failure to Attend Training allegations account for 17.34% of all the allegations. There were no such allegations of this type in 2016. This can be explained by the fact that in 2017, a greater emphasis was placed on tracking and addressing training related absences. A little less than half of the 13 allegations of this type were sustained.

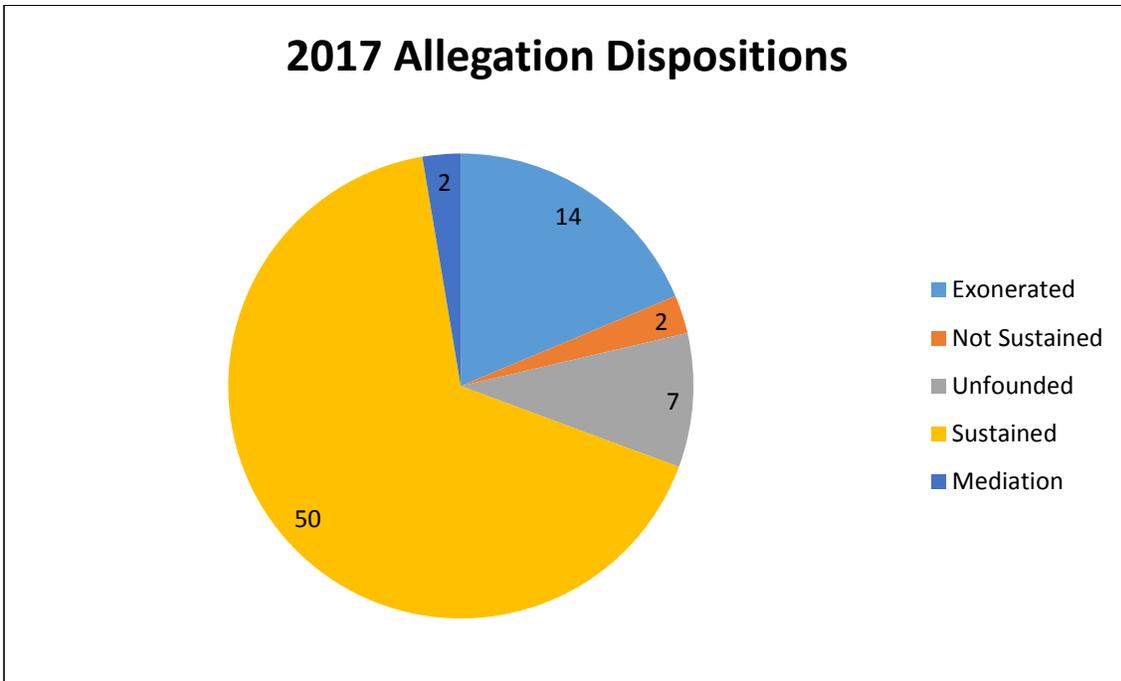
There was a slight decrease in the number of allegations of Attention to Duty in 2017, from 11 in 2016 to 10. In 2017, 90% of these allegations were sustained. In 2016, 100% of these allegations were sustained.

There was a 100% increase in the number of Conduct Unbecoming allegations in 2017, from 3 in 2016 to 6. With regard to the two allegations that were sustained in 2017, the two employees involved in the two separate cases tendered their resignations from the agency before the investigative process reached completion.

**DISPOSITIONS**

A review of the dispositions for all of the 75 allegations from the completed cases in 2017 is depicted in the following table and pie chart.

Allegation Dispositions-2017		
Disposition	Count	Percent of Total
Exonerated	14	18.67%
Not Sustained	2	2.67%
Unfounded	7	9.32%
Sustained	50	66.67%
Mediation	2	2.67%
Total	75	100%



Of the 75 allegations in 2017, 66.67% resulted in a sustained disposition.

Of the 7 allegations resulting from the two externally generated complaints, 85.71% resulted in a sustained allegation.

With regard to the 68 allegations resulting from the complaints generated in-house, 64.71% of them resulted in a sustained disposition against the employee. This high percentage is explained by the fact that with most internally generated complaints, there’s already a strong initial indication that a violation has, in fact, occurred. Hence, the cases will more than likely result in a sustained allegation.

When looking at the 50 sustained allegations, it’s important to note that 44 of them, or 88%, resulted from investigations that were generated internally. Only 12% resulted from investigations that were generated externally. This certainly speaks to the point, as stated previously in this report, that we, as a Department, do not and will not hesitate to hold our own accountable when we see possible violations that need to be addressed.

**ACTIONS TAKEN**

While specific disciplinary actions taken against an employee as a result of an investigation cannot usually be disclosed to the complainant or to the public, we want to assure the public that action is indeed taken when it is found that an officer was not acting in accordance with all the governing rules, procedures, and laws.

The following table and pie chart contain a summary of all actions taken in response to the 50 sustained allegations from cases that were received and completed during the period of January 1, 2017, through December 31, 2017:

<b>Sustained Allegations - 2017</b>	
<b>Action Taken</b>	<b>Number</b>
Suspension	15
Counseling	2
Written Reprimand	12
Remedial Training	8
Letter of Counseling	9
Employee Feedback Form	11
Dismissal	1
Resigned While Under Investigation	4
<b>Total</b>	<b>62</b>



For the 50 sustained allegations from investigations received in 2017, there were a total of 62 actions taken. It's 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. And, 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 far as retraining and counseling, these are mainly used as corrective measures.

In 2017, the overall number of written reprimands decreased substantially due to the decrease in the number of allegations of Failure to Attend Court. In 2016, there were a total of thirty-two written reprimands, which reflects a decrease in 2017 of 62.50%. It should be noted that in 2014, there was a change in the administering of discipline with regard to missing court. Before the change, if an officer missed a court appearance, the discipline administered was a 1 day suspension. Instead of an automatic suspension for a first offense of failing to attend court, the officer receives a written reprimand.

There was a slight decrease of 16.67% in the number of suspensions in 2017, from 18 in 2016 to 15 in 2017. An officer would have received a suspension for missing court as opposed to a written reprimand if they had a second sustained allegation for missing court or other mandatory appointment within the previous three years.

There were 4 employees who resigned during ongoing 2017 investigations. All four of the investigations were internally generated, and three of the four employees were sworn. There was 1 dismissal of a non-sworn employee, and the investigation was internally generated.

The administering of discipline among employees has been consistent and appropriate when necessary. Follow-up and continued counseling and coaching by the first line supervisor seem to provide the best available methods of lowering the recidivism rate of employee misconduct.

### **Bias-Based Profiling/Discrimination**

Bias-Based Profiling/Discrimination is one of the most complex and controversial issues facing law enforcement professionals today. In view of the current social environment and to limit civil liability often associated with allegations of racial profiling, law enforcement agencies must first develop written policies specifically prohibiting bias-based policing and condemning any conduct by an employee that leads to the disparate treatment of any person based on race or ethnicity. In addition, it is essential for police departments, just as the Charleston Police Department has, to establish a comprehensive approach that includes:

- Increased education and training in racial diversity and cultural awareness for all personnel
- Community outreach
- A citizen complaint system that is both fair and effective.

There were no investigations in 2017 dealing with bias-based profiling or discrimination. The national spotlight on recent incidents across the country, namely officer-involved shootings, has highlighted the issue. It is an extremely complex and controversial matter facing law enforcement professionals today and it is an issue that provokes impassioned debate and can result in extensive division within all segments of the community.

The fact that there were no investigations in 2017 dealing with such issues speaks to the emphasis the Department places on instilling in the officers the importance and value of conducting fair and impartial policing. Moreover, this speaks to the type of professional, fair, and honest culture the Department has created and consistently cultivates on a daily basis.

The Department conducts training on issues that pertain to bias-based profiling in accordance with guidelines. Moreover, the in-service training, Fair and Impartial Policing, which began in 2013 and was initially provided to Sergeants, has been incorporated into the Block Training schedule for all officers, regardless of rank.

Upon completing an analysis of the Professional Standards Office investigations, the existence of patterns or trends could be predictive of policy modification needs or indicative of training needs. There were no issues that appeared to be the result of a lack of training. However, the analysis did show that there are areas in which the officers would benefit from refresher training on certain issues (customer service and selling the stop). These areas were addressed with recommendations. Other than the training recommendations mentioned thus far in this report, no further action is required. The Training Office continues to provide quality in-service training in many areas.

## **Section 2 – RESPONSE TO RESISTANCE/AGGRESSION**

The following is an analysis of the responses to resistance/aggression by officers of the Charleston Police Department during the period of January 2017 through December 2017. The data for this document, which was obtained from IA Pro, reflects Response to Resistance/Aggression reports that were completed by the involved officers and subsequently reviewed by their chain of command.

When a CPD employee exercises any response to resistance and/or aggression for other than training or recreational purposes, takes any action that results in, is alleged to have resulted in, injury or death of another person, applies force through the use of less-lethal or lethal weapons or applies force through any other means identified through this policy, a “Response to Resistance/Aggression Report” will be submitted by the employee using force directly to the Operations Bureau Commander, via his chain of command, before the end of the employee’s shift. The “Response to Resistance/Aggression Report” will be submitted to the Professional Standards Office,

through the chain of command, via the department's *BlueTeam* program. The report will follow an outline of Situation (the nature of the call or situation that caused the officer to come into contact with the resistor) and Results. The report will also briefly outline the types of force used, the reason for its use, and the date and time and place of its occurrence. The "Response to Resistance/Aggression Report" will also note any injuries and list the names and addresses of civilian and police witnesses, if any. The original Incident Report OCA, if available, will be attached to the "Response to Resistance/Aggression Report". Failure to report the response to resistance/aggression will be cause for disciplinary action whether or not such force is justified.

Our department and community benefit from a comprehensive review and analysis of each response to resistance/aggression incident. The review and analysis help discern potential patterns in incidents. This is helpful in evaluating our training needs and in determining if our policies and procedures warrant reviews or revisions.

During 2017, there were 315 incidents resulting in a reported response to resistance/aggression, with a total of 574 officers being involved in these 315 incidents. In 2016, there were 266 incidents resulting in a reported response to resistance/aggression, with a total of 473 officers. This is an increase of 18.42% more incidents in 2017.

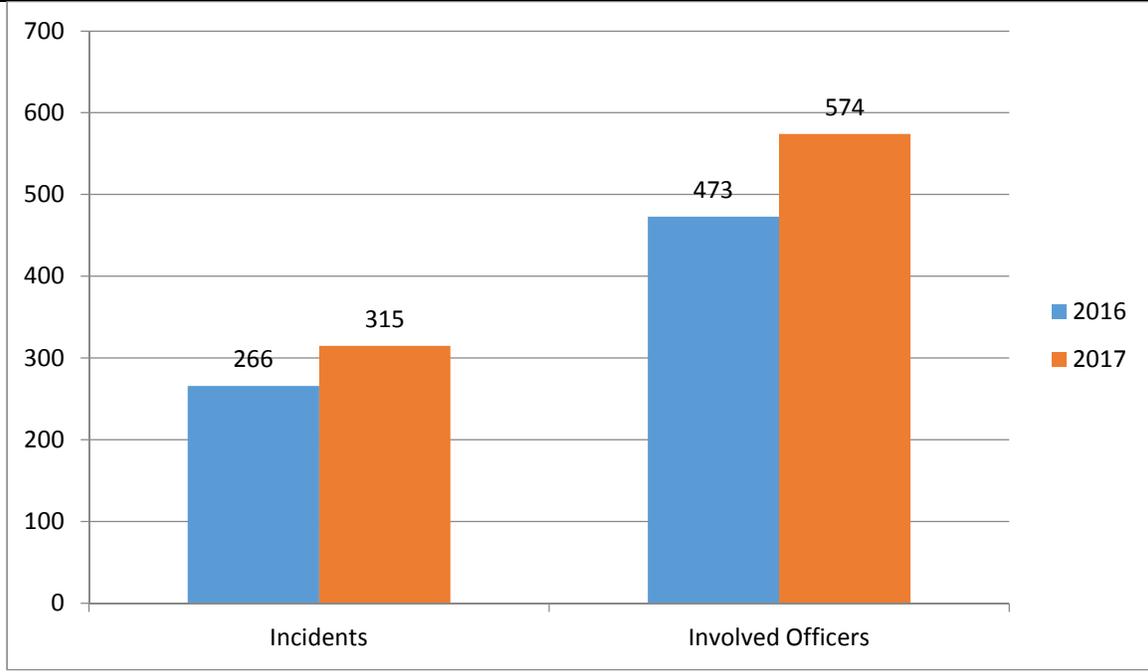
The current social environment may explain the Department's increase in use of force during the year of 2017, especially when you factor in the more meticulous reporting requirements that all officers are being trained in due to an ongoing effort to increase accountability and transparency.

The last several years have been traumatic for the policing profession and for communities across the nation, with issues of use of force being questioned and public trust in the police being diminished. The impact of these events on the level of trust by community members in their police departments is an important factor in day to day interactions. If members of the public do not trust the police, they are less likely to recognize and voluntarily submit to authority. This, in turn, can lead to police officers using force in situations that they may not have needed to in previous years. Moreover, the PSO staff has instructed officers, during Pre and Post Academy instructional sessions and during yearly Block Training, on the importance of more thorough and precise reporting practices.

In addition, the Department saw an increase in the total number of people arrested: 6149 in 2017 compared to 6027 in 2016. While the increase was small, 2.02%, this coupled with the other two factors goes a long way toward explaining the Department wide uptick in use of force.

This data is depicted in the following table and graph.

Response to Resistance/Aggression	2016	2017	
Incidents	266	315	18.42% increase
Involved Officers	473	574	



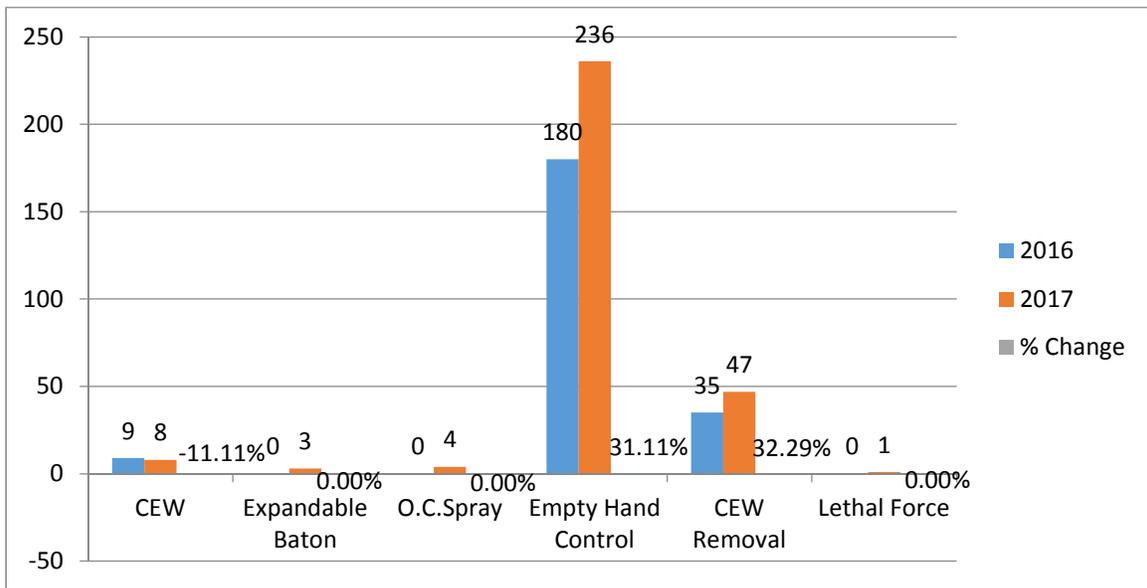
When specifically looking at the occurrence of incidents by geographical team, Teams One and Four led the patrol teams in the number of incidents for both 2016 and 2017 of all reported incidents. This is due to those teams having a high call volume and to those teams having the largest complement of officers of all the patrol teams. It is expected that these officers would have more encounters and contacts with the public.

The significantly low number of incidents in 2016 and in 2017, as compared to the number of incidents in previous years that resulted in a response to resistance/aggression, can be attributed in part to the deployment of the body worn cameras. Also, the quality of training provided to our officers during Pre-Academy and during Block Training is certainly a causal factor in the reduction. The training aspect will be discussed further later in this report.

### **Responses**

Some of the recorded types of responses used in 2017 are compared with 2016 data in the following table and bar graph.

Type of Force	2016	2017	% Change
CEW	9	8	-11.11%
Intermediate Weapons			
Expandable Baton	0	3	0%
O.C. Spray	0	4	0%
Empty Hand Control	180	236	31.11%
CEW Removal	35	47	32.29%
Lethal Force	0	1	0%



Due to the reasons stated previously, just as the number of response to resistance/aggression incidents increased in 2017, an increase in the types of force also incurred an increase in 2017.

The Expandable Baton and OC Spray were used 3 and 4 times, respectively, in 2017, with no uses for either type in 2016. There was an increase of 31.11% in the use of Empty Hand Control. There was a very slight *decrease of 11.11% in the deployment of the CEW*, with 1 less deployment.

Empty Hand Control was clearly the most common response reported in 2017, with this being the case in 2016, as well. This type of force is predictably the most commonly used in encounters that result in a response to resistance / aggression.

Although there was increase in the number of reported incidents resulting in a response to resistance/aggression in 2017, the low numbers of these incidents overall can be directly attributed to the Department’s commitment to providing the officers with up-to-date, yearly training and instruction in defensive tactics, in the proper use of the Conducted Electrical Weapon, in proper disengagement techniques, and in de-

escalation techniques, which was discussed in depth previously. And again, the implementation of the body worn cameras, has, no doubt, contributed to the low number of incidents.

There were only 2 accidental CEW discharges in 2017. There were only 2 in 2016.

There were 101 Removal of Firearm types and, as pointed out previously, 47 CEW Removals in 2017. It can't be stressed enough that this speaks to the level of training the Department provides its officers as well as to the quality of patrol officers that are provided to the public and community. These types of responses result in a lower level of force being applied once the display has occurred. The frequent occurrences of these allow officers to de-escalate incidents by either the necessary display of the weapon, thereby, being able to gain compliance, or with the good use of verbal skills. The displays of the weapon system seem to tremendously assist officers in bringing situations under control and subjects into compliance, helping to avoid injuries to the suspect and to the officer.

In 2016, the Office of Professional Development and Training incorporated de-escalation training aspects into all response to resistance/aggression training. This includes defense tactics, OC/CEW refresher, and instruction at the firearms range. The purpose of this training was to better inculcate the thinking process of response to resistance/aggression from a classroom setting, to being part of the more "real world" setting in the physical training environment. Thus, this not only builds muscle memory skills in regards to force options, but also combines them with the mental side that emphasizes re-assessing each response to resistance, be it multiple strikes, sprays, electronic control devices, or firearms. Central to this is the idea that de-escalation continues throughout the response to resistance/aggression, and is always the "best" alternative.

To emphasize this, the scenarios in Block Training were designed to have successful de-escalation outcomes if the officers applied the principles of de-escalation properly. These included scenarios with emotionally disturbed persons and persons with elevated emotional states. Officers were critiqued not only on positioning, inter-partner communication, force option selection, and use of cover and concealment, but also on their ability to recognize and call for appropriate resources, establish a dialog with a disturbed person, listen to what that person was telling them, and on their ability to actually obtain compliance via verbal skills.

In 2017 the scenarios again incorporated the principles of de-escalation. The Department's plan is to continue the holistic approach to de-escalation training during any physical response to resistance/aggression training to emphasize that de-escalating a situation verbally is not only the preferred option, but that we should never lose sight of the ability to return to it even after force has been used if the subject begins to comply.

To the above point and of special significance is the fact that out of the 315 response to resistance/aggression incidents in 2017, which involved 574 officers, there were a total of only 27 injuries to the officers, all of which were categorized as minor (scrapes, cuts, bumps, bruises) and only 28 injuries to the offenders, 27 of which were categorized as minor in nature, as well. There were two officer-involved shootings in 2017, with one of them resulting in the suspect's death. In the other incident, the citizen, who was occupying a vehicle, fled the scene and has never been identified. The South Carolina Law Enforcement Division conducted an investigation into both incidents, which were subsequently reviewed by the Solicitor. The Solicitor ruled that, in both cases, the involved officers were cleared of any wrong doing.

Completely eradicating responses to resistance/aggression is unlikely, as some force will always be required against some offenders in some circumstances. But, the use of body cameras has been shown to help contribute to fewer incidents in that the cameras seem to influence civilian behavior, which, in turn, will affect police behavior and the entire interaction.

Analyzing the 2017 data with regard to types of force used, it was determined there was no obvious pattern or trend developing that would cause concern for the Department.

### **Demographic Information-Response to Resistance Incidents**

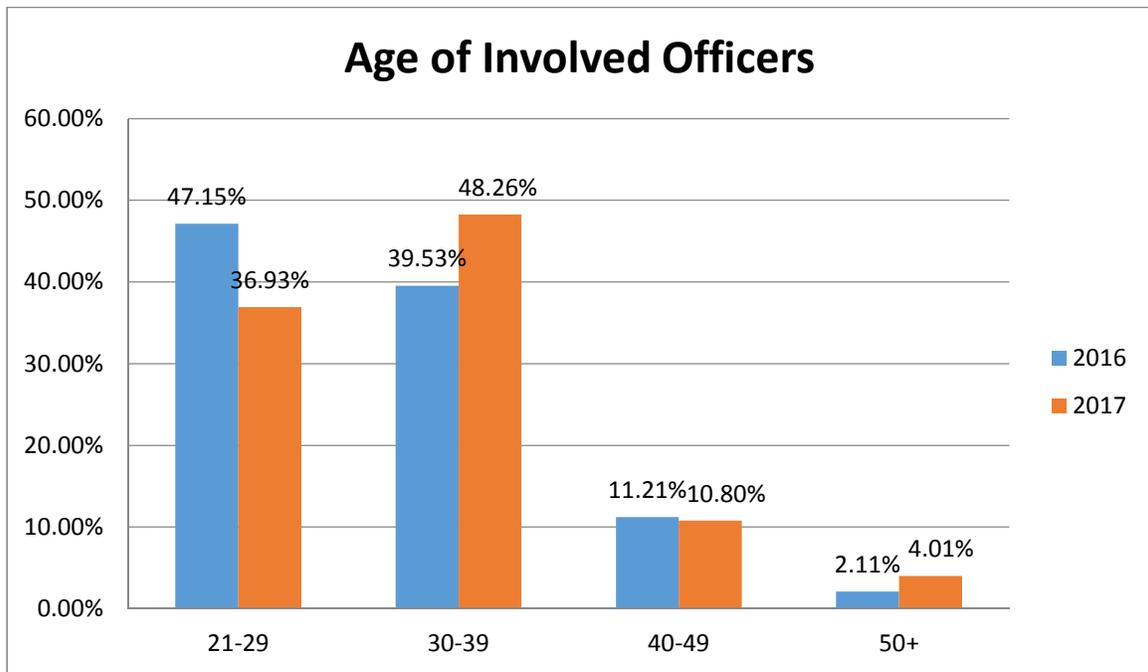
It's important to point out that it's not uncommon for one single response to resistance/aggression incident to involve more than one citizen or more than one officer. For example, one incident can involve a citizen, but several officers, which might be the case in a High-Risk Car Stop. Conversely, a single response to resistance/aggression incident can involve several citizens and one officer, which might be the case in a large physical disturbance.

There were 473 officers linked to the 266 response to resistance incidents in 2016 and 574 officers linked to the 315 responses to resistance in 2017.

The demographic information with regard to the age, race, and gender for the officers in these incidents for both years is depicted in the following table and graphs.

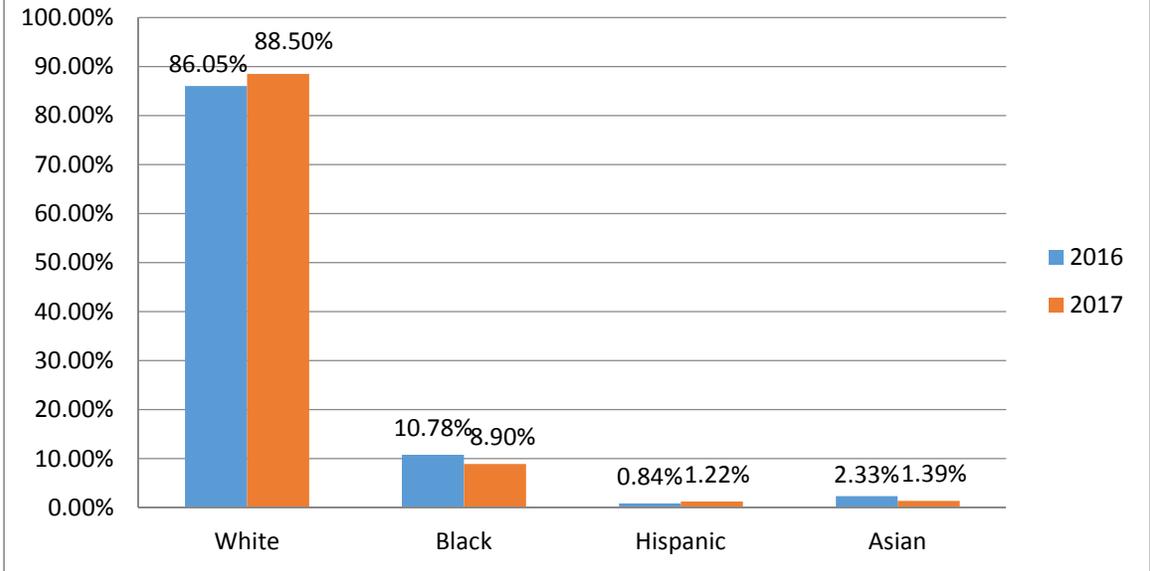
<b>Officer Demographic Information</b>	<b>2016</b>	<b>2017</b>
<b>Total # of Involved Officers</b>	<b>473</b>	<b>574</b>
Age of Involved Officers		
21 to 29	47.15%	36.93%
30 to 39	39.53%	48.26%
40 to 49	11.21%	10.80%
50+	2.11%	4.01%
Total	100%	100%

Length of Service of Involved Officers		
5 Years or Less	69.18%	68.83%
Race of Involved Officers		
White	86.05%	88.50%
Black	10.78%	8.89%
Hispanic	.84%	1.22%
Asian	2.33%	1.39%
Total	100%	100%
Gender of Involved Officers		
Male	92.60%	93.90%
Female	7.40%	6.10%
Total	100%	100%

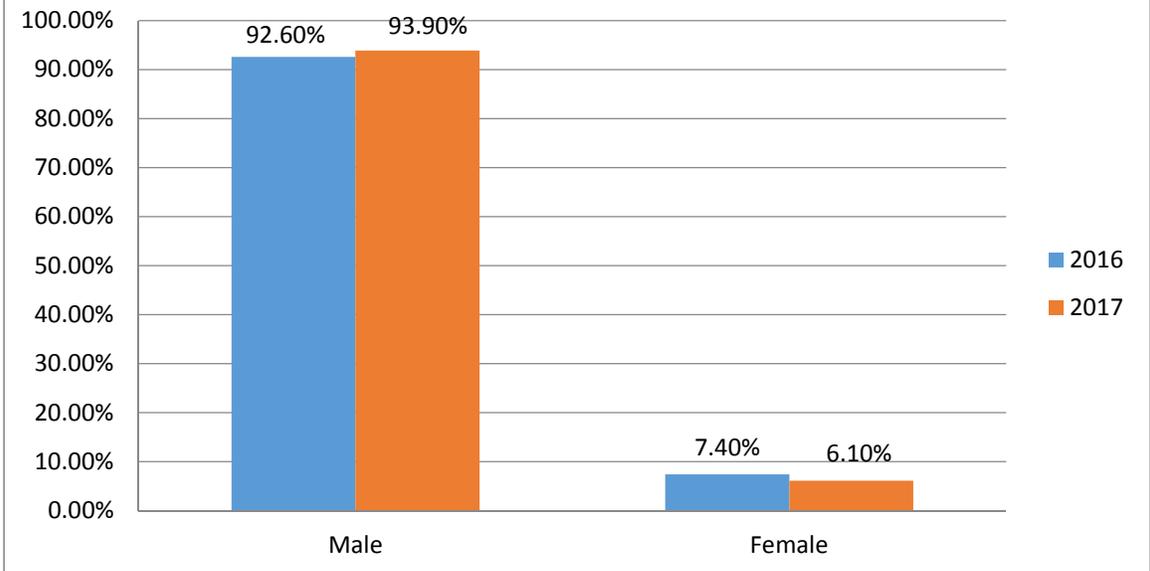


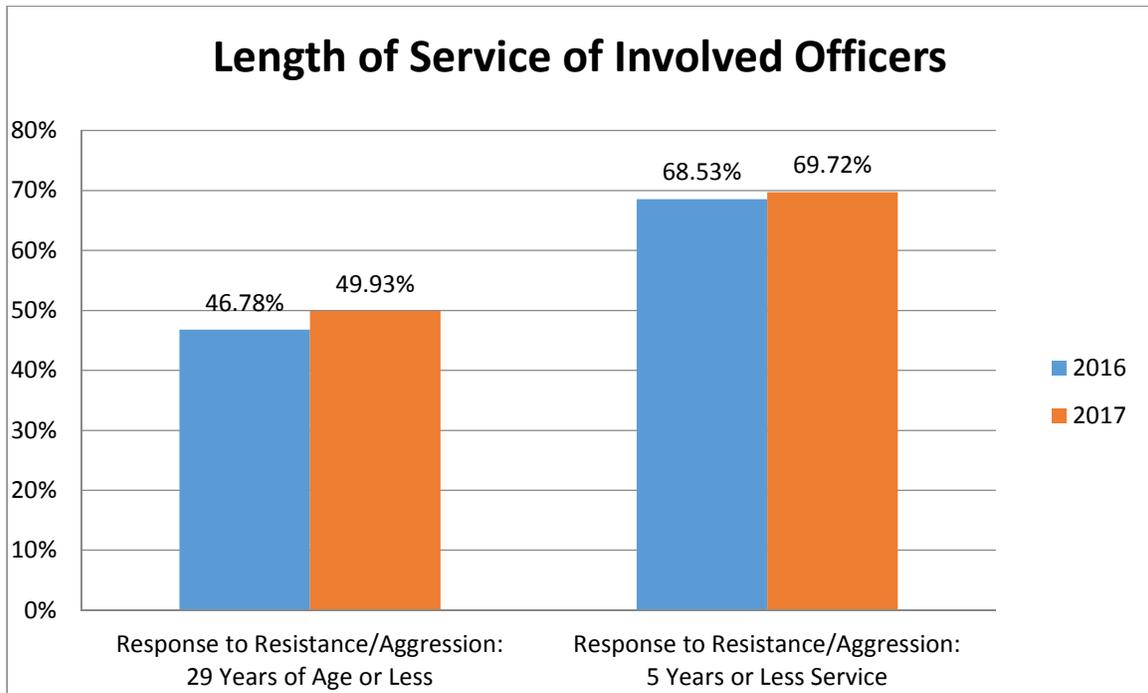
Officer age is negatively correlated with the response to resistance/aggression. Younger officers are generally more likely to use force than older officers, evidenced by the highest number of response to resistance/aggression incidents being reported by officers 29 years old or less. Moreover, younger officers report using force more often because they are typically the most active and productive officers. Older officers are more likely to be working as supervisors with low call workload, but are more likely to be involved in more serious calls involving force. The length of service time for the majority of the involved officers is 5 years or less. This was the case in 2016, as well.

### Race of Involved Officers



### Gender of Involved Officers



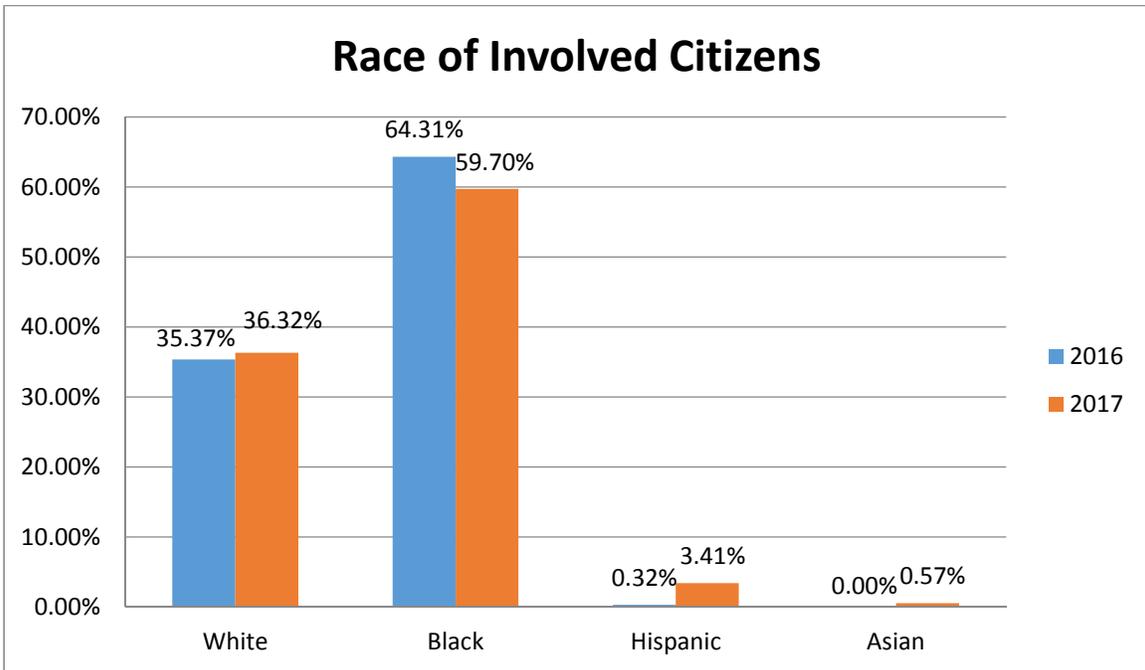
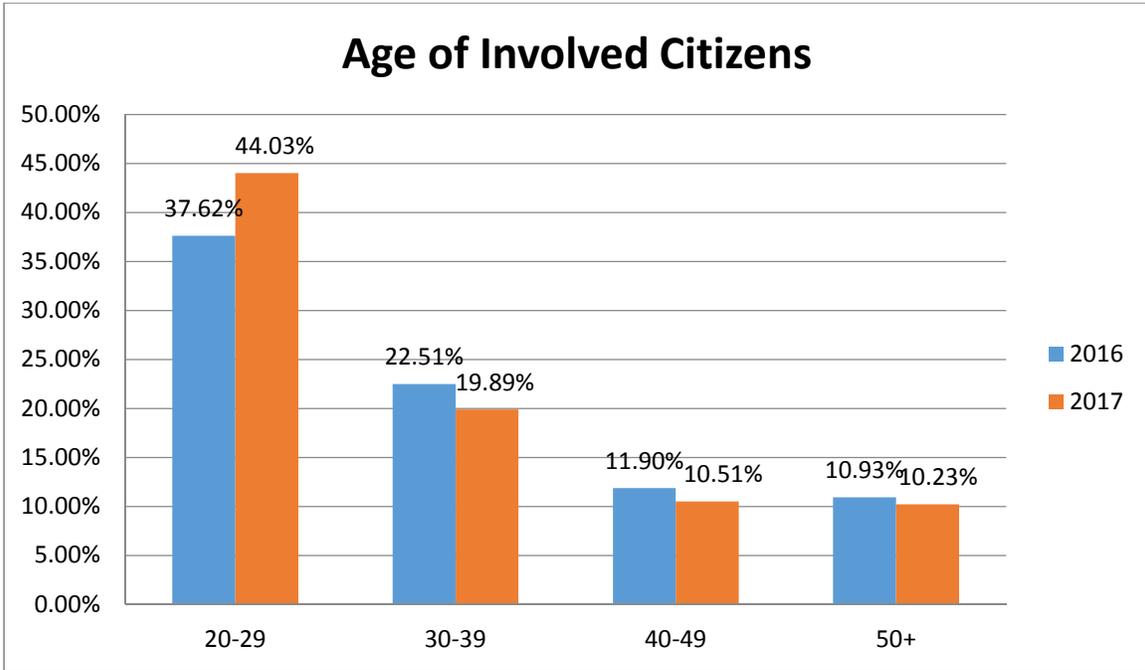


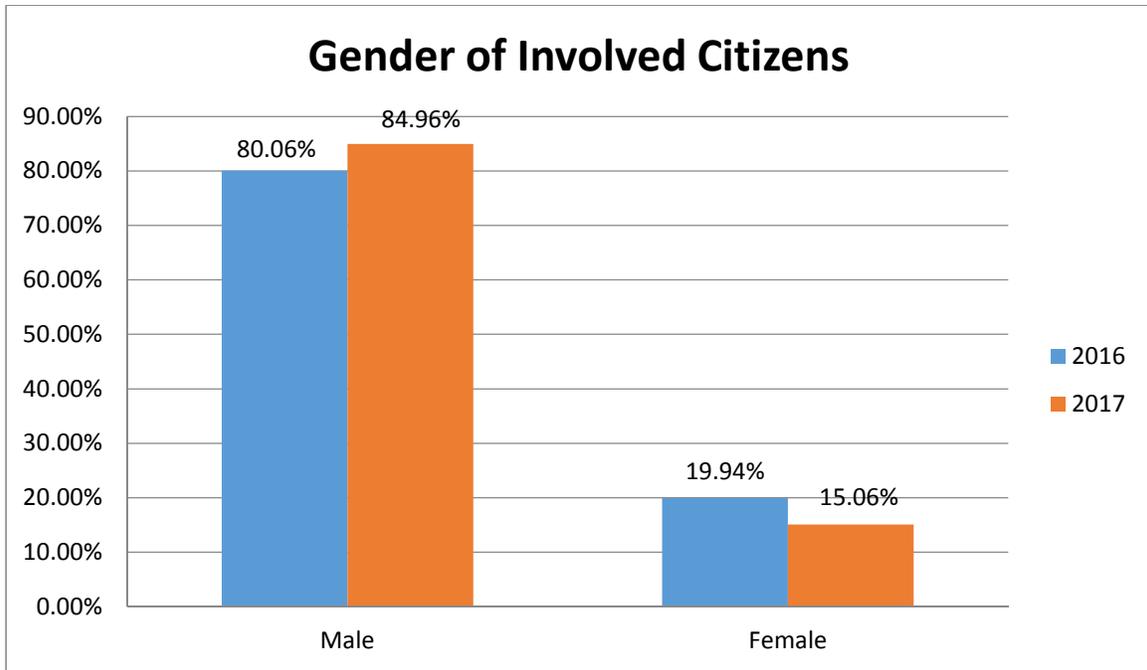
The length of service time for the majority of the involved officers is 5 years or less. This was the case in 2016, as well.

There were 311 citizens linked to the 266 response to resistance incidents in 2016 and 352 citizens linked to the 315 responses to resistance in 2017. The demographic information with regard to the age, race, and gender for the citizens involved in these incidents for both years is depicted in the following table and graphs.

Citizen Demographic Information	2016	2017
<b>Total # of Involved Citizens</b>	<b>311</b>	<b>352</b>
Age of Involved Citizens		
10 to 19	17.04%	15.34%
20 to 29	37.62%	44.03%
30 to 39	22.51%	19.89%
40 to 49	11.90%	10.51%
50+	10.93%	10.23%
Total	100%	100%
Race of Involved Citizens		
White	35.37%	36.32%
Black	64.31%	59.70%
Hispanic	.32%	3.41%
Asian	0	.57%
Total	100%	100%

Gender of Involved Citizens		
Male	80.06%	84.96%
Female	19.94%	15.06%
Total	100%	100%





This analysis and statistical summary noted no significant concerns regarding the response to resistance/aggression actions administered by CPD personnel during citizen encounters during 2017.

#### **Response to Resistance/Aggression Investigations**

There were no investigations conducted regarding an allegation of excessive or unreasonable force in 2017.

None of the applications of force by CPD officers were found to be excessive and/or improper. In all reported responses to resistance/aggression instances in 2017, no officer was found negligent, abusive, or in violation of any department policy regarding the application of force. Policy 23 – Response to Resistance/Aggression was reviewed and found to be appropriate and up-to-date with current national practices and procedures.

As a result of this analysis, there was nothing that would indicate a failure of the department to properly train, and, in fact, actually speaks to the level of training provided to our officers by our defensive tactics instructors during yearly Block Training and during Pre-Academy Training. This information seems to indicate that we are properly educating our workforce on how to maintain compliance with our Response to Resistance/Aggression policy. This needs to continue, and the policy needs to be consistently and constantly upheld by our first-line supervisors and all other supervisory personnel.

## **2016 PROACTIVE POLICY AND PROCESS REVIEW AND IMPROVEMENT**

Of significant relevance and importance is that during 2016, the Charleston Police Department formed numerous work groups to study The President's Task Force on 21<sup>st</sup> Century Policing, the 30 Guiding Principles on Use of Force Initiative and the Department of Justice Collaborative Reform reports of the following locations: Fayetteville Police Department, Las Vegas Police Department, Salinas Police Department, Philadelphia Police Department and St. Louis County Sheriff's Office. By studying the governmental recommendations, the Charleston Police Department was able to make proactive improvements to numerous policies and procedures. The following modifications were made:

- The Administrative Investigation Field Guide was modified to allow for Public Safety Statements after a deadly force incident. This allows the Department to utilize a structured set of questions to obtain adequate and essential information quickly to better protect the public and officers.
- The Crisis Intervention Team Field Guide was changed to require annual refresher training for all CIT members following their initial forty hour training class.
- General Order #8 (Fair and Impartial Policing) was modified to include annual training dealing with unconscious bias, procedural justice, problem solving/building partnerships and cultural immersion related topics.
- General Order #17 (Officer Conduct) had "Duty to intervene" added as a section.
- General Order #23 (Response to Resistance/Aggression) was changed to show a graphical Response to Resistance/Aggression Decision Model. This allows officers to see a visual representation of the different officer force levels and the suspects' levels of resistance. It was also changed to ensure that officers were meeting Fourth Amendment requirements of "objectively reasonable" force. Additionally, sections were added placing an emphasis on De-Escalation wherever feasible to ensure that force is only used when absolutely necessary. A section was added outlining an officer's duty to intervene in situations where another officer is using force beyond that which is "objectively reasonable". Another section was added to ensure that supervisors will respond to all situations where police use of force is probable. Finally, the requirement that all officers be trained for situations involving multiple officers using deadly force during an incident using reality based training was added to the appropriate section.
- General Order #25 (Less-Lethal & Lethal Weapons) was modified to place additional emphasis on De-Escalation. De-Escalation is the first section of that policy now and the order of force options was changed to flow from Chemical Agents to Lethal Force. Under the Conducted Electrical Weapons, greater emphasis was placed on

limiting the number of cycles utilized and the requirement to explore other force options when the CEW is not effective. In addition, a clarification was made to the Shooting at or from Moving Vehicles to ensure that officers can easily find and understand the policy and know what is expected of them. Within the General Order, a Critical Incident Review Board (CIRB) was established to hear and review all situations involving firearm discharges and other situations where serious injury, death or unusual circumstances exist. A final report form was created for the CIRB to allow for consistency in the recommendations and ensure that follow up regarding training, equipment or disciplinary issues are followed up on and completed.

- General Order #37 (Criminal Intelligence Unit) to allow a summary of officer proactivity and citizen encounter demographics to be made available to commanders on a quarterly basis. This will allow commanders to better review officer behavior and enforcement for any biased-based profiling issues and address it swiftly.
- General Order #55 (Canine Unit) was modified to remove the use of canines during crowd control incidents. For the safety of all persons, canines will not be utilized during civil unrest or other crowd control situations.
- General Order #74 (Public Information Officer) was changed to require the PIO to monitor monthly all Departmental social media and webpages for accuracy, relevancy and timeliness.

## **2017 PROACTIVE POLICY AND PROCESS REVIEW AND IMPROVEMENT**

During 2017, the Charleston Police Department continued to make proactive improvements based on published governmental recommendations, CALEA standards and best practices from across the nation. Over fifty different policies and procedures were reviewed; modifications and additions were made as appropriate. The following are highlights of some of the more important improvements that were made:

- General Order #8 (Fair and Impartial Policing) was modified to give officers guidance during interactions with the transgender community.
- General Order #21 (Progression and Promotional Process) was modified to allow for greater retention of officers by allowing prior law enforcement experience to count toward years needed to gain the rank of Senior Police Officer.
- General Order #30 (Authority to Exercise Alternatives to Arrest) was modified to capture the Department's involvement in Criminal Justice Coordinating Council (CJCC) Risk Assessments.
- General Order #48 (Traffic Enforcement & Collisions) was modified to address the Department's expectations of officers during enforcement in regards to

quotas: “The Department expects all uniformed officers to contribute to the traffic enforcement effort, but does not establish quantitative objectives for individual officers, such as citation, arrest or field contact quotas.”

- The Body Worn Camera Field Guide was modified with additional language outlining use of the BWC during security related off-duty assignments.
- The Family Assistance Field Guide was created and published.
- The Safeguarding Children of Arrested Parents Field Guide was created and published.
- The School Resource Officers Field Guide was created and published to give more in-depth guidance for the Department’s SROs during their day to day operations.