



2015 INTERNAL AFFAIRS REPORT

COLUMBIA POLICE DEPARTMENT
Office of Professional Standards



We Are Columbia





2015 INTERNAL AFFAIRS REPORT

COLUMBIA POLICE DEPARTMENT
Office of Professional Standards

**City of Columbia Police Department
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MESSAGE FROM THE CHIEF

Citizens of Columbia,

It is my pleasure to present to you the Columbia Police Department's 2015 Internal Affairs Report. Our internal affairs process plays an integral role in building and maintaining community trust and confidence. The Internal Affairs Unit within our Office of Professional Standards is tasked with producing this annual report to inform the public of the process we use to investigate complaints of officer misconduct, use of force incidents, vehicle pursuits and officer involved crashes. The report provides a complete overview of our internal affairs activities along with supporting data and information.

During the past year, we have continued our efforts to build strong relationships with those we serve. The 2015 Internal Affairs Report highlights some of the organizational and operational changes the Department put into place to further demonstrate transparency and accountability.

In 2015, the Columbia Police Department:

- ▶ continued to review and modernize Department policies and procedures relating to use of force;
- ▶ established a Citizen Advisory Council;
- ▶ implemented a body-worn camera program, equipping and training all patrol officers;
- ▶ expanded community problem-solving partnerships;
- ▶ developed an Implementation Plan for the Recommendations of the President's Task Force on 21st Century Policing;
- ▶ became a participant in the White House Police Data Initiative; and,
- ▶ implemented strategies aimed at preventing and reducing crime in our neighborhoods.

With all that the CPD has accomplished in 2015, our work is far from done. We are making every effort to become a model 21st century police department for the citizens of Columbia. We will continue to work tirelessly to bridge any gaps through communication and engagement with all of our citizens and stakeholders.

It is my hope you find the Columbia Police Department's 2015 Internal Affairs Report both helpful and informative. For additional information about the Department and all of our operations, please visit our website at www.columbiapd.net.

Sincerely,



William H. "Skip" Holbrook
Chief of Police



IN MEMORIAM



Stacy Case

COLUMBIA POLICE OFFICER

End of Watch November 7, 2015



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MISSION, VISION AND CORE VALUES

MISSION STATEMENT

The Columbia Police Department will provide professional and ethical service in protection of our citizens while preventing crime and reducing the fear of crime through problem solving partnerships.

We will accomplish our mission by:

- ▶ Enforcing the law with integrity, fairness and compassion
- ▶ Solving crimes
- ▶ Meeting the expectations of our community
- ▶ Upholding the constitutional rights of our citizens
- ▶ Building and maintaining public trust
- ▶ Reducing victimization
- ▶ Demonstrating fiscal responsibility

VISION STATEMENT

Through our steadfast commitment to policing excellence, the Columbia Police Department will be transformed to exhibit the innovation, engagement and professionalism of an exceptional organization whose workforce truly reflects the values and diversity of the City of Columbia.



CORE VALUES

PROFESSIONALISM: We will conduct ourselves in a manner that is consistent with the law enforcement code of conduct, national law enforcement standards, best practices and the expectations of our community.

INTEGRITY: Our commitment to the highest standards of honesty and ethical conduct will be evidenced by our accountability to each other and the citizens we serve. Integrity is the foundation of trust internally and externally, and it is pursuant to this foundation that we will perform our duties to protect and serve the citizens of the City of Columbia.

DIVERSITY: We will acknowledge and promote the acceptance, inclusion and professional contributions of all, and our recruitment, hiring, retention, training and development practices will reflect a strong commitment to diversity and the diverse populations we serve.

SERVICE ORIENTATION: We will improve the quality of life of those we serve by reducing fear, engaging the community and enhancing public safety.

FAIRNESS: We are committed to the fair and equitable treatment of all citizens as fundamental to the delivery of professional police service.

COURAGE: We will remain physically and morally courageous in all our duties.

COLLABORATION: We believe that cooperation and teamwork will enable us to combine our diverse backgrounds, skills and styles with the capacities of others to achieve common goals.

COMMUNICATION: Effective and open communication at all levels is the cornerstone of a progressive organization. We value honest and constructive discussions of ideas, suggestions and practices that help accomplish the goals of our Department and the communities it serves.

2015 INTERNAL AFFAIRS REPORT – AT A GLANCE

Department Personnel

- Authorized Sworn Strength: 409
- Sworn Officers: 346
- Demographics: 295 Males / 51 Females
- 230 White 66% / 102 Black 29% / 11 Hispanic 3% / 3 Asian 1%
- Civilian Employees: 97
- Demographics: 41 males / 55 females
- 36 White / 59 Black / 1 Hispanic

Columbia Population

- Residents: 133,358*
- Daytime Population: 205,764*
- City Demographics*: 52% White / 42% Black / 4% Hispanic / 2% Asian

*Source: 2010 U.S. Census Report

Internal Statistics:

- Calls for Service / Citizen Encounters: 163,555
- Citizen Complaints: 127
- Internal Complaints: 24
- Arrests: 5,921
- Use of Force Incidents: 89
- Deadly Force Incidents: 1
- Miles Driven: 4,197,793
- Vehicle Collisions: 96

Public Encounters

	2014	2015
Calls for Service (CFS)	168,838	163,555

Types of Public Encounters of CPD Personnel and Citizens

	2014	2015
Public Contact/Warnings	6,636	4,249
Field Interviews	2,209	1,763
Traffic Citations	28,558	19,227
Criminal Arrest	7,175	5,921
Criminal Citations	8,491	8,243
Traffic Stops	24,013	17,280
Arrest Warrants	3,034	2,650
Bench Warrants	1,715	891
	81,831	60,224

Others CFS

	87,007	103,331
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Examples of other type CFS would include reports, alarm calls, residence checks, suspicious persons or vehicles, etc.

INTRODUCTION

All of us have witnessed the detrimental effects controversial police actions have had on relationships between law enforcement agencies and various communities throughout the country. We understand that every interaction a Columbia Police Officer has with a member of the public, whether through an enforcement action or community engagement, is an opportunity to build trust and legitimacy, enhance the reputation of the police department and increase citizen satisfaction with the services we provide. On the other hand, if just one officer abuses the authority granted to him by our citizens, any trust and confidence established can be quickly erased.

The citizens of Columbia expect and deserve the utmost professionalism from Columbia Police Officers. To ensure Department employees are demonstrating exemplary conduct in interactions with the public as well as their coworkers, the Department is committed to an internal affairs process that handles complaints of officer misconduct and investigates use of force incidents in a fair, consistent and transparent manner.

Sir Robert Peel (1788-1850), the founder of modern policing, created nine principles for law enforcement. Although Peel established these principles in 1829, they remain pertinent to policing in the 21st century, particularly in the context of community-police relations, officer misconduct and use of force.

SIR ROBERT PEEL'S NINE PRINCIPALS APPLIED TO MODERN DAY POLICING

1. *"The basic mission for which the police exist is to prevent crime and disorder."*
2. *"The ability of the police to perform their duties is dependent upon public approval of police actions."*
3. *"Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public."*
4. *"The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force."*
5. *"Police seek and preserve public favour not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law."*
6. *"Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient."*
7. *"Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence."*
8. *"Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary."*
9. *"The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it."*

Sir Robert Peel's principles remind us that the authority delegated to our police officers is granted to them by the people we serve, and the Columbia Police Department cannot fulfill its mission without the trust, confidence and cooperation of our citizens. In summary, we can put Peel's principle of "the police are the public and the public are the police" in modern and local terms – **"WE are Columbia."**

SUMMARY OF FINDINGS – CALENDAR YEAR 2015

- ▶ **163,555 calls for service** were received by the Columbia Police Department, all involving various levels of citizen interaction. **The North Region had the highest number of calls for service.**
- ▶ **151 complaint cases alleging misconduct by employees** were processed by the Internal Affairs Unit, **a significant decrease from the 170 processed in 2014.** A disposition of “sustained” was determined in 35 of the allegations, 20 of which were external complaints made by the citizens of Columbia.
- ▶ **89 use of force incidents** were reported, of which **1 involved deadly force with a firearm**, with no fatalities. The most common type of force was **Electronic Control Devices (ECDs)**, followed by **personal or bodily force (hands).**
- ▶ Of the **89 suspects involved in use of force incidents**, **15 were white, 70 were black, 1 was Asian and 3 were Hispanic.** The overwhelming majority of suspects in the use of force incidents were male. Of the **Columbia Police Officers in those same incidents 88 were white, 17 were black, 2 were Asian and 1 was Hispanic.**
- ▶ **5,921 arrests were made;** 89 use of force incidents represents approximately 1.5% of arrests.
- ▶ **138 confirmed shootings** occurred; **68.5% of the shooters arrested had previous criminal histories;** 475 firearms were seized.
- ▶ **81% of the shooters responsible for the 13 homicides in 2015 had previous criminal histories;** 46% of the homicide victims had previous criminal histories.
- ▶ **35 Columbia Police officers were assaulted** in 29 separate incidents.
- ▶ **4,197,793 miles were driven by Department employees;** **96 collisions were reported which represents a significant increase compared to the 77 collisions reported in 2014.**
- ▶ **28 vehicle pursuits were initiated** by members of the Columbia Police Department. The majority of pursuits were initiated for stolen vehicles.
- ▶ **No in-custody deaths were reported.**
- ▶ **1 Columbia Police Department employee was charged criminally for offenses allegedly committed while off duty.**

Note: The data referenced in the 2015 Internal Affairs Annual Report is not static and may change following publication. Every attempt is made to minimize changes by fully adjudicating complaint investigations prior to report publication. However, depending on the complexity and severity of the allegation, some complaints may take several months to adjudicate, and in certain instances, go through the appeal process. Please use this report to help understand the yearly trends related to our internal investigations and our commitment to thoroughly investigating all citizen complaints.

USE OF FORCE AND OFFICER INVOLVED SHOOTINGS

Use of Force Policies of the Columbia Police Department

Vesting officers with the lawful authority to use force to protect the public welfare requires a careful balancing of all human interests. The Use of Force or Response to Resistance Policy of the Columbia Police Department:

- ▶ Affirms the value of each human life;
- ▶ Establishes that officers will only use the minimum amount of force necessary to accomplish lawful objectives.
- ▶ Establishes that police officers may use deadly force only when the officer believes that such force is necessary to protect the officer or others from imminent danger of physical injury or death, or to prevent the escape of a fleeing felon who the officer has probable cause to believe is attempting to escape by means of a deadly weapon or who, by conduct or other means, indicates that he presents an imminent threat of serious physical injury or death to others unless apprehended without delay.
- ▶ Prohibits the discharging of firearms from a moving vehicle or at a moving vehicle, except when the officer has probable cause to believe there is a threat of serious bodily injury or death and that deadly force is the only means of protecting the officer's safety or the safety of others.
- ▶ Prohibits officers from discharging their firearm when doing so would endanger the safety of innocent persons.
- ▶ Prohibits discharging a firearm as a warning shot.
- ▶ Requires use of force incidents resulting in serious bodily injury or death be referred to South Carolina State Law Enforcement Division (SLED) for independent investigation.



- Use of force may range from simple restraint to the discharge of a firearm and is categorized as non-lethal or deadly force. The use of force continuum set out below serves as a guideline for administering force.

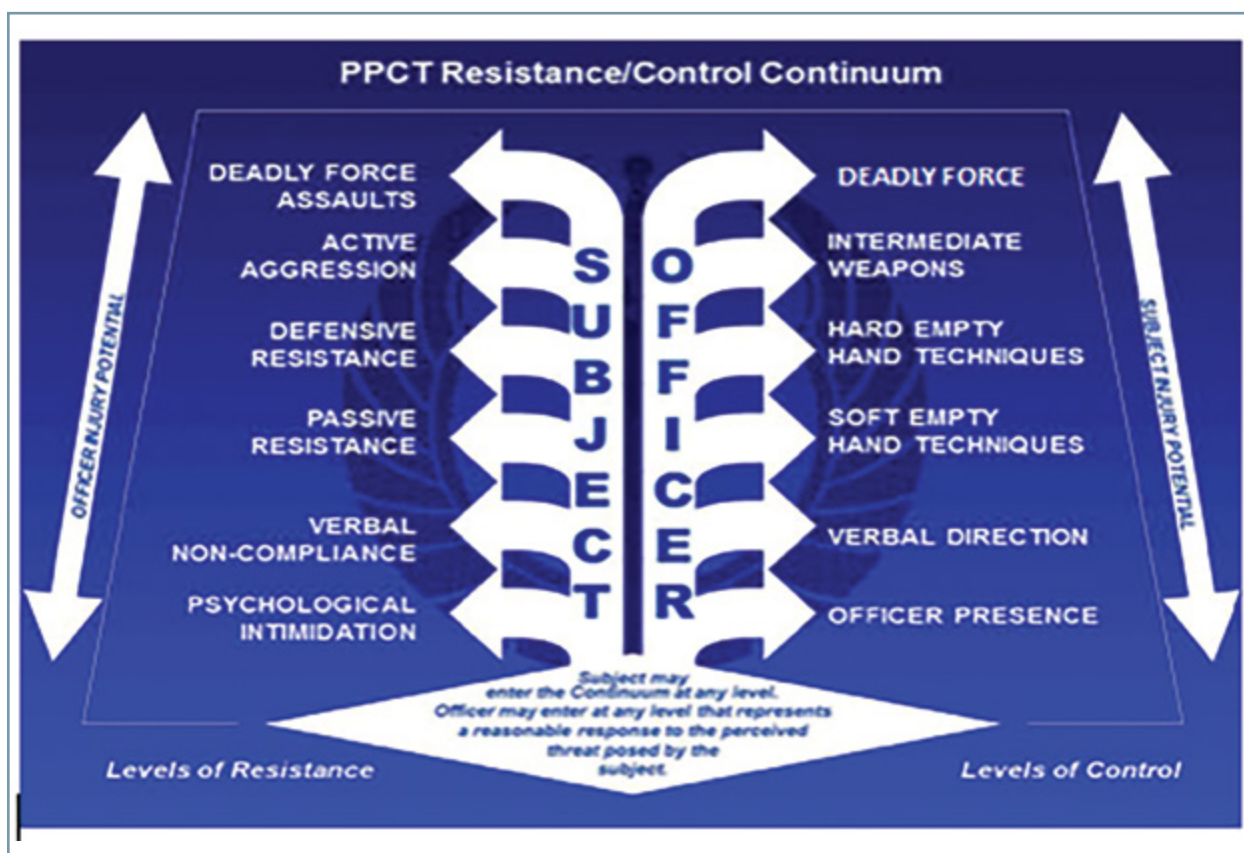


FIGURE 1: Use of force continuum. DATA SOURCES: CPD

Officers of the Columbia Police Department must report:

- ▶ Pointing or presenting of any weapons, lethal or nonlethal, for the purpose of gaining compliance;
- ▶ Discharging a firearm m for purposes other than training or recreation;
- ▶ Application of use of force using lethal or nonlethal weapons; and
- ▶ Weaponless force that results in injury.

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 deescalate the incident and bring the situation under control in a safe manner.

Columbia Police Department policy prohibits the use of Electronic Control Devices (ECDs, i.e. Tasers) in a number of circumstances, such as to force compliance from a suspect who is passively resisting. ECDs will not be used on vulnerable populations, such as the elderly, children, those who have mental disabilities, and those who are known to be pregnant, unless these individuals have weapons and/or the ability to do serious bodily harm to the police officer, themselves or others. Department policy also prohibits the use of ECDs when a perpetrator is fleeing and does not pose an imminent threat to the officer or the public.

The application of deadly force is a measure to be employed only in the most extreme circumstances and only when all lesser means of force have failed or could not be reasonably employed. The use of any level of force carries the responsibility to render appropriate medical aid.



WHEN DEADLY FORCE IS USED – TRANSPARENCY & ACCOUNTABILITY

Independent Investigations

If a Columbia Police Officer uses deadly force, the S investigates the incident and presents the completed investigation to the 5th Circuit Solicitor's Office. The Solicitor determines whether the use of deadly force was lawful or the officer should be criminally charged. An administrative investigation is also conducted by members of the Department's Internal Affairs Unit to determine if Department policies were violated by the officer.

Body-Worn Camera (BWC) Program – Policy and Implementation

In December 2015, after a successful BWC pilot program in the city's entertainment districts, the Columbia Police Department announced all uniformed patrol officers of the rank sergeant and below would soon be equipped with BWCs.

The Department developed a policy governing BWCs, which was submitted to and approved by the South Carolina Law Enforcement Training Council. The policy requires officers to wear BWCs while on duty and performing any uniformed law enforcement functions. BWCs record dispatched calls for service, officer initiated calls, and public contacts that require law enforcement response. BWCs are activated upon arrival at the location and remain on until the call is cleared. Officers have some discretion, and in certain circumstances, may stop recording prior to clearing the call. Officers are permitted to view their own BWC footage, but not the video footage recorded by other officers. BWC video/audio files are maintained by the Department for at least 60 days. The video/audio files are not subject to release pursuant to Freedom of Information Act (FOIA) requests, but the files may be released at the discretion of the Chief of Police. The Columbia Police Department's written BWC policy will soon be posted on the agency's website.

White House Police Data Initiative (PDI)

In 2015, the Columbia Police Department began participating in the White House's Police Data Initiative (PDI) and has begun efforts to submit use of force related datasets to the Police Foundation's Public Safety Data Portal. The data contained in the national Public Safety Data Portal will be available to the public for accessing, visualizing and analyzing local and national law enforcement public safety open datasets. Housed in the portal are datasets which include officer involved shootings, calls for service, incidents, assaults on officers and national data.

Release of Information to the Public

It is the goal of the Department to be as open as possible without jeopardizing ongoing investigations or releasing any information not part of the public record that may harm the reputation of individuals. Only the Chief of Police will release information regarding internal affairs investigations. The decision to release information pertaining to an ongoing investigation will be made by the Chief of Police or his designee.

Department and Officer Wellness

When a Columbia Police Officer uses deadly force, the subject officer is placed on "Relieved of Duty" status pending referral to the South Carolina Law Enforcement Assistance Program (SC LEAP), or another psychological service provider. Assignment to "Relieved of Duty" status is non-disciplinary with no loss of pay or benefits. Officers remain on "Relieved of Duty" status until determined "fit for duty" by the psychological service provider. Upon being determined "fit for duty" the officer is placed on "administrative duty" until final disposition is reached in both criminal and administrative investigations.

TRAINING

Prior to being authorized to carry lethal and/or less-than-lethal weapons, police officers must:

- ▶ Receive and sign for 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
- ▶ Demonstrate proficiency in the use of all authorized weapons.

All Columbia Police 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. Columbia Police Officers also receive training on a regular basis on techniques to reduce use of force incidents, such as conflict mediation, cultural diversity, de-escalation techniques, responding to people with mental disabilities, and community policing.

2015 Use of Force Incidents

In 2015, the Columbia Police Department reported 89 use of force incidents, one (1) of which involved deadly force with a firearm, with no fatalities. The number of use of force incidents represents approximately .06% of the citizen encounters with Columbia Police Officers, and approximately 1.5% of arrests.

Use of Force, Public Encounters and Arrests			
	2014	2015	2014-2015 Change
Total Use of Force Events	108	89	-19
Total Public Encounters	168,838	163,555	-5,283
Total Arrests	7,175	5,921	-1,254

FIGURE 2: Number of times officers used force or made an arrest as a result of contact with the public. **DATA SOURCE:** CPD

□ The most commonly used weapon in use of force situations continues to be Electronic Control Devices (ECDs), such as Tasers. These devices are categorized as a form of less-than-lethal force.

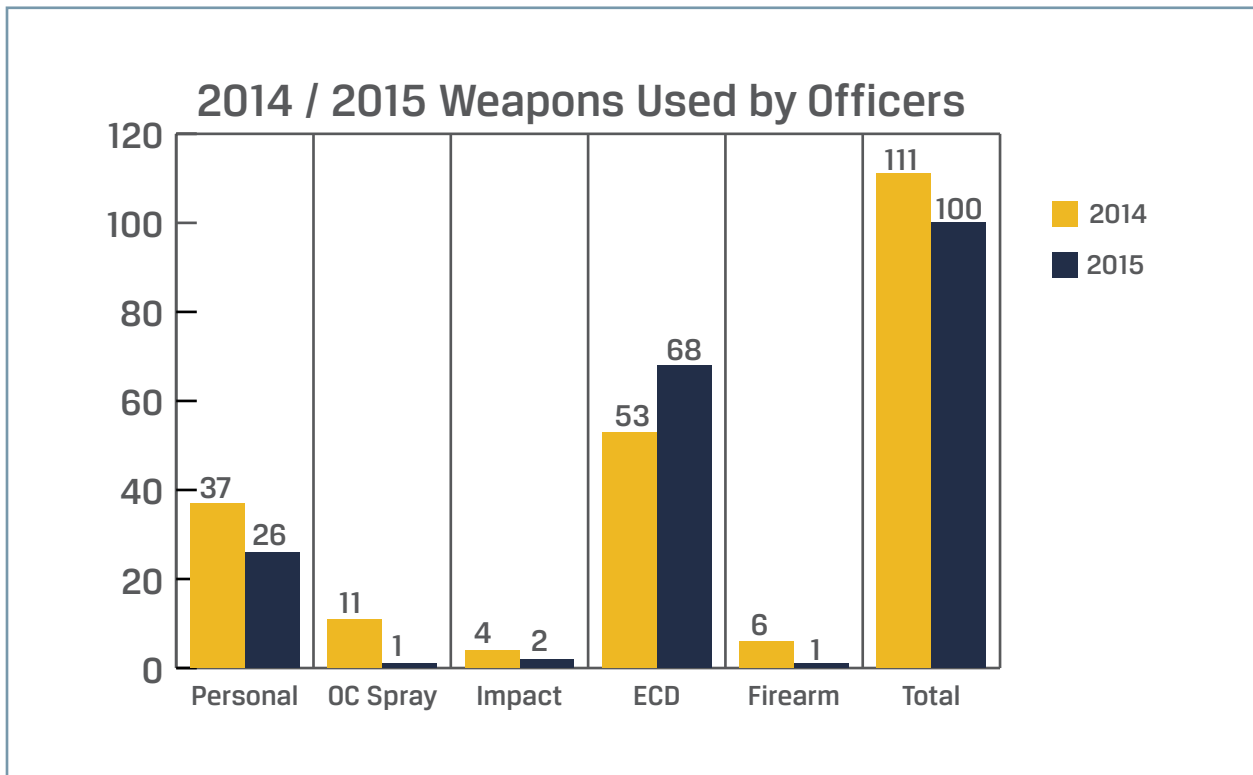


FIGURE 3: Weapons used by Officers during use of force situations. Note: any single use of force event may have included the use of multiple weapons by one or more officers, which is why the number of weapons used is greater than the number of events. **DATA SOURCE:** CPD



- Columbia Police Officers discharged their firearms three (3) times in 2015: one (1) accidental discharge, one (1) aggressive animal shooting and one (1) deadly force incident against a person. The majority of use of force incidents occurred in the South Region in 2015. The East Region had the fewest (1) use of force incidents in 2015.

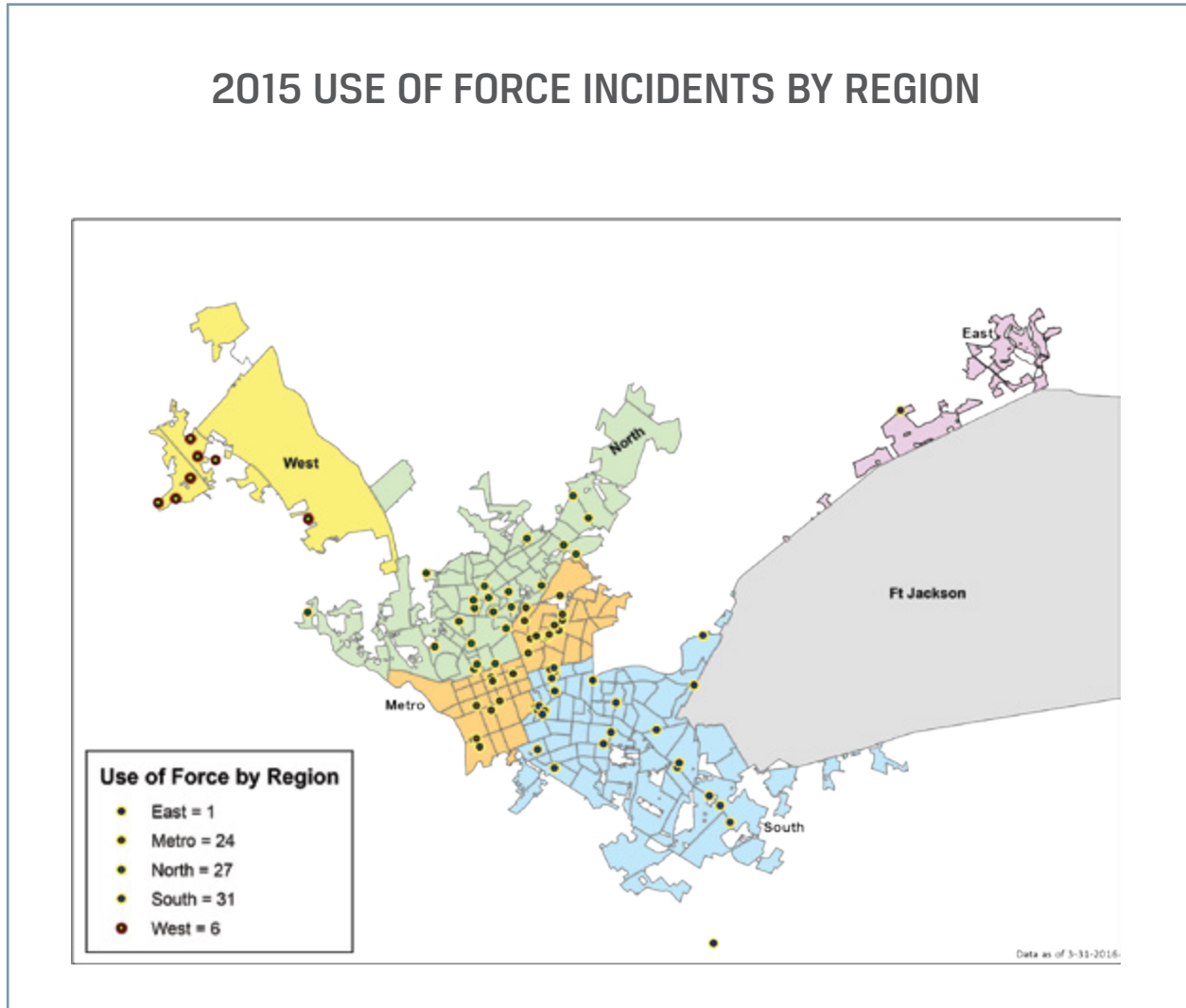


FIGURE 4: 2015 Use of Force Incidents by CPD Region

DATA SOURCE: CPD

Typically, patterns of gun crime correlate with higher numbers of use of force incidents. In 2015, the Columbia Police Department received 1,607 reports of shots fired and confirmed 138 shootings within the City of Columbia.

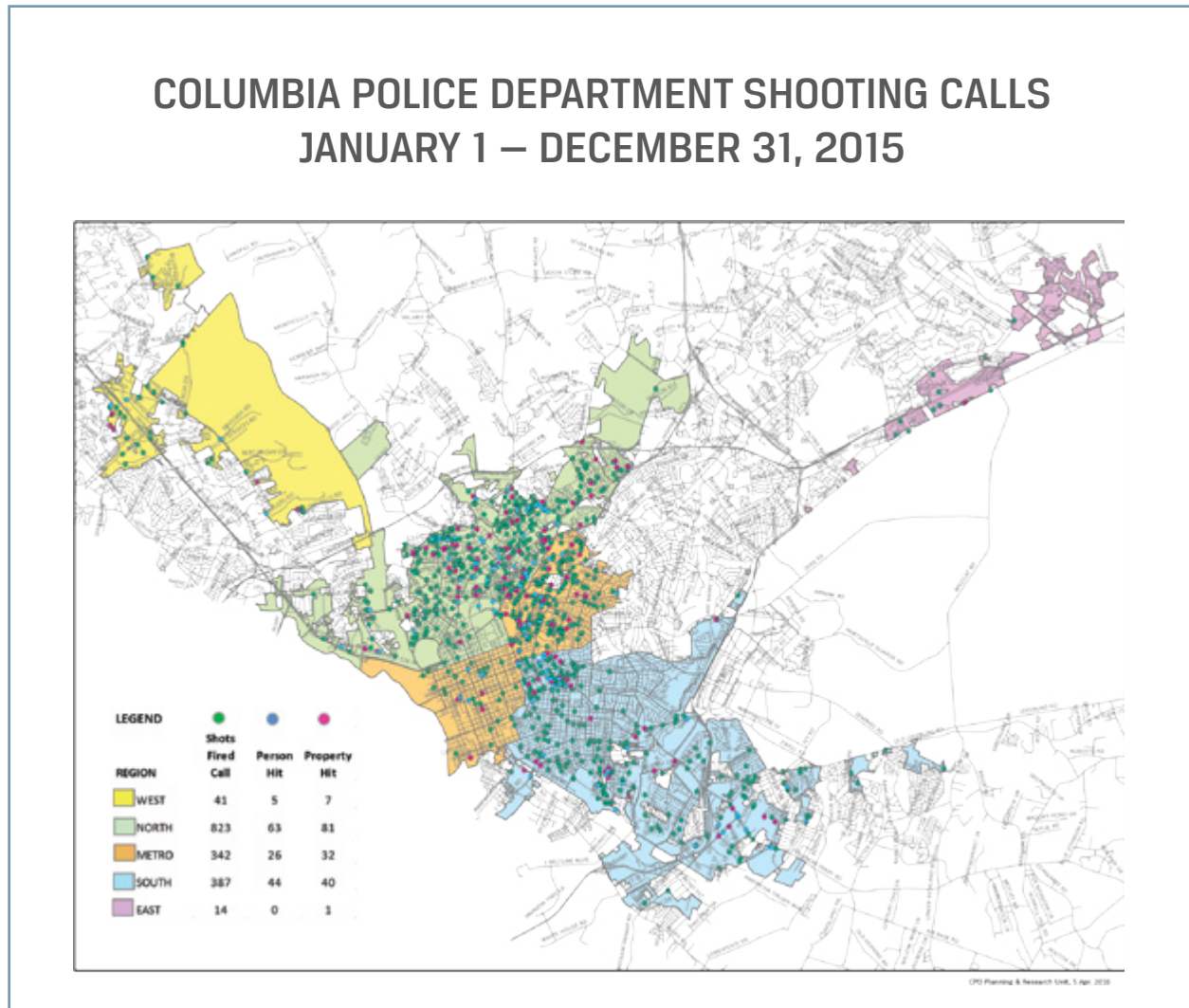


FIGURE 5: Shots Fired Calls by CPD Region

DATA SOURCE: CPD

Of the 89 suspects involved in use of force incidents in 2015, 15 were white, 70 were black, 3 were Hispanic and 1 was Asian. The overwhelming majority of suspects were male. Of the Columbia Police Officers in those same incidents 88 were white, 17 were black, 1 was Hispanic and 2 were Asian.

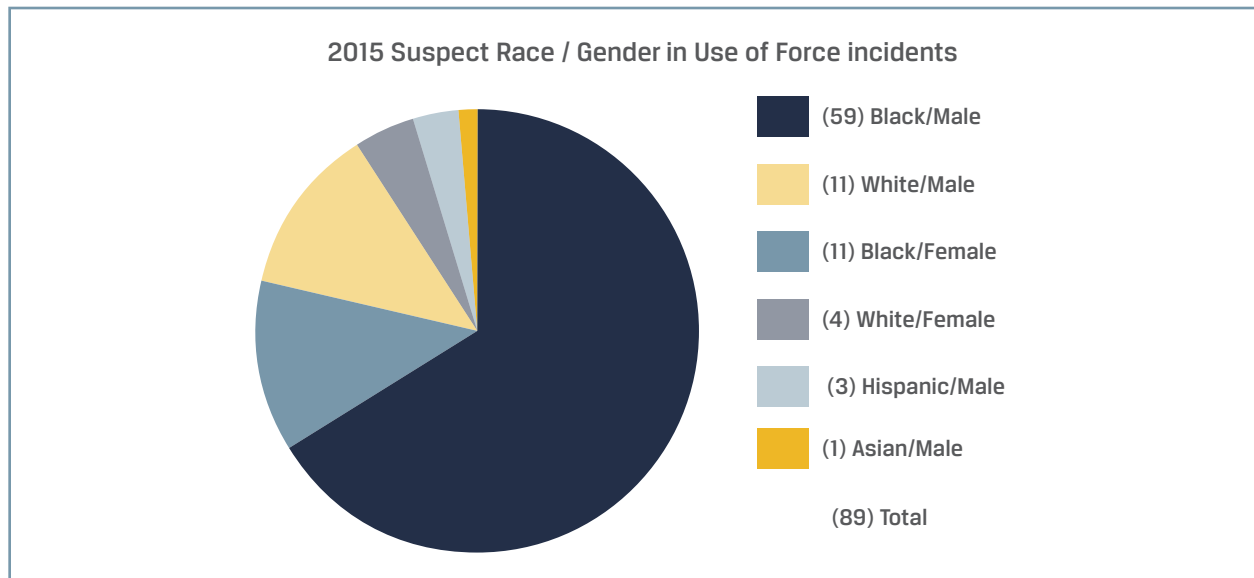


FIGURE 6 | DATA SOURCE: CPD

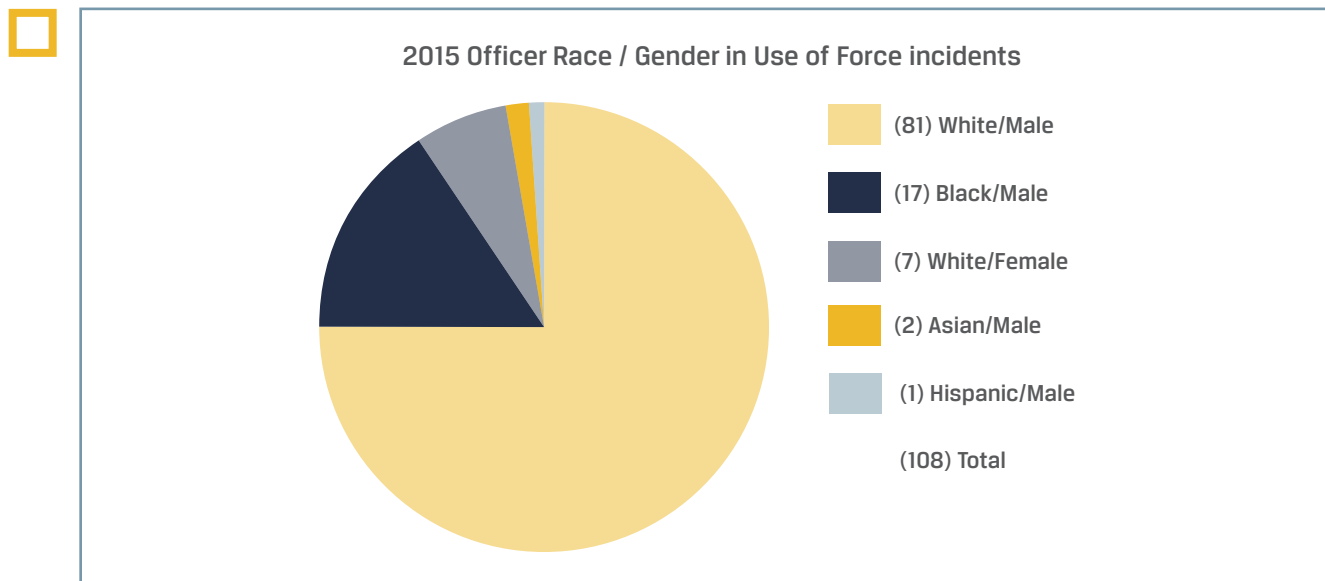


FIGURE 7 | DATA SOURCE: CPD

FIGURES 6 AND 7: The race and gender of suspects and officers of the Columbia Police Department involved in the 89 use of force incidents in 2015.

Of the 108 suspects involved in use of force incidents in 2014, 79 were Black, 27 were White, 1 was Hispanic and 1 was Asian. Again, the overwhelming majority of suspects in the use of force incidents were male. Of the Columbia Police Officers in those same incidents, 86 were White, 20 were Black, 1 was Hispanic, and 1 was Native American.

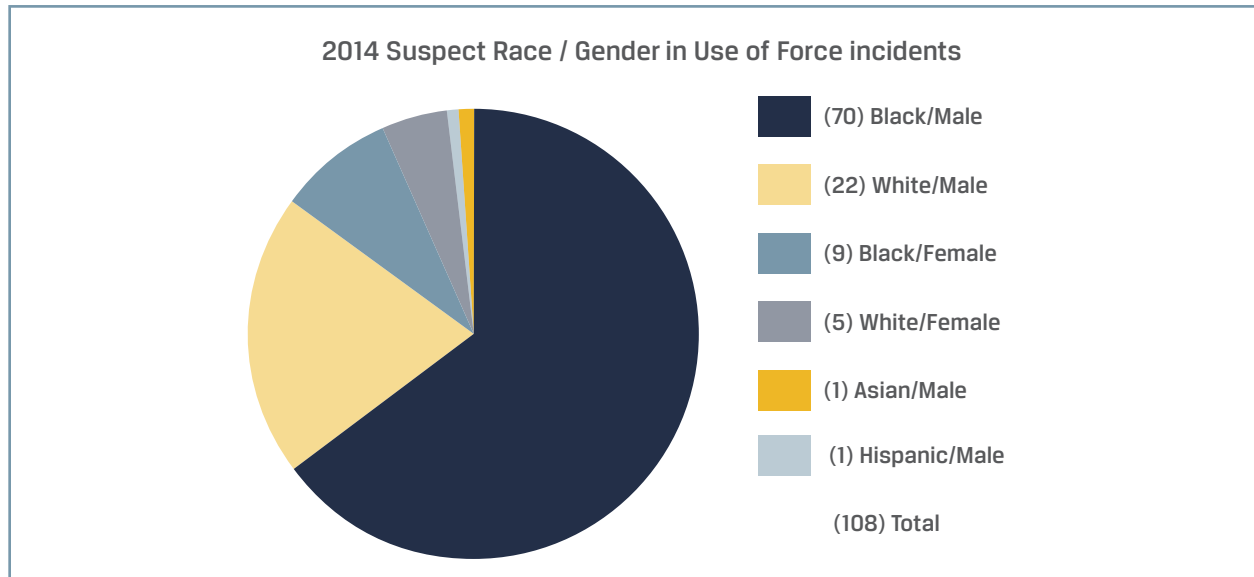


FIGURE 8 | DATA SOURCE: CPD

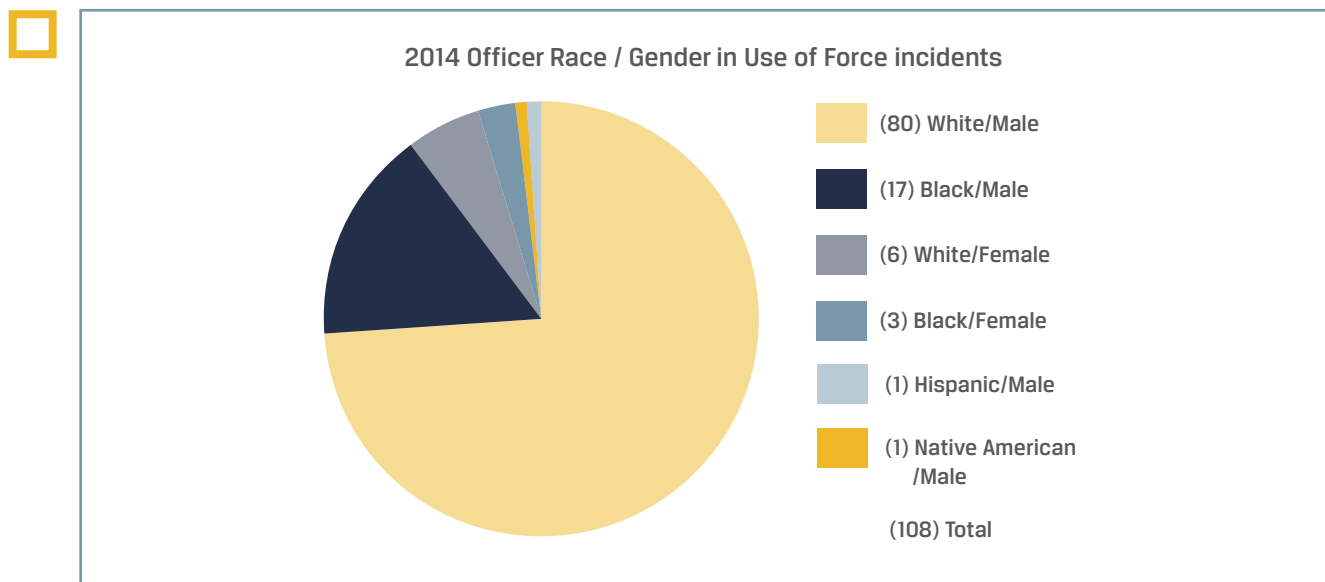


FIGURE 9 | DATA SOURCE: CPD

FIGURES 8 AND 9: The race and gender of suspects and Officers of the Columbia Police Department involved in the 108 use of force incidents in 2014.

Summary of 2015 Deadly Force/Officer Involved Shooting Incidents

In 2015, there was one (1) deadly force incident in which an officer discharged a firearm without injury. A criminal investigation was conducted by SLED and forwarded to the Fifth Circuit Solicitor's Office where it is pending final disposition. Upon disposition, an incident summary will be made public and included in the 2016 Internal Affairs Report.

The incident below occurred in 2014, but the case reached disposition in 2015.

Date/Time of Incident: October 24, 2014 @ 8:57

Location: 2715 Chestnut Street (Metro Region)

CPD Officer: Steven K. Sulser, Patrol Division, Native American male, 2 years police experience

Suspect: Mack Wells, black male

On October 24, 2014 Columbia Police Officer Steven Sulser was on routine patrol traveling on the 2700 block on Chestnut Street. Officer Sulser smelled a strong odor of what he believed to be marijuana in the area. Officer Sulser parked his patrol vehicle in a parking lot on the 2700 block of Chestnut Street. Officer Sulser exited his patrol vehicle and began to patrol the area on foot. Officer Sulser saw a male black, later identified as Mack Wells, sitting in the driver's seat of a Nissan Versa parked in the driveway at 2715 Chestnut Street. A female subject, later identified as Shaquana Thompson, exited the passenger side of the vehicle. Officer Sulser observed smoke emitting from the vehicle and the smell of marijuana getting stronger as he approached the vehicle. Officer Sulser questioned Wells and Wells informed Officer Sulser that he had just finished smoking a blunt (marijuana cigarette). Officer Sulser advised Wells to exit the vehicle. Wells told Officer Sulser he was not getting out of the vehicle, Wells then placed the vehicle in reverse and proceeded to back into the roadway. Officer Sulser commanded Wells to stop the vehicle while he had his Columbia Police Department issued nine millimeter handgun pointed at Wells. Wells ignored Officer Sulser's commands and proceeded to back into the roadway, Wells began to travel east on Chestnut Street as Officer Sulser began to run west on Chestnut Street towards his patrol vehicle. Wells turned his vehicle around and began to travel in the direction towards Officer Sulser. The vehicle's front bumper struck Officer Sulser in the right arm and leg. After being struck by Wells' vehicle, Officer Sulser discharged his weapon three times into the side window of the vehicle striking Wells twice in the stomach area. Wells fled the area and came to a stop on Chestnut Street at Two Notch Road.

Conclusion: *A criminal investigation was conducted by SLED regarding the shooting of Wells by Officer Sulser. The Fifth Circuit Solicitor's Office reviewed the investigation and concluded that the use of deadly force by the Officer Sulser was lawful under South Carolina law. An administrative investigation was conducted by the Columbia Police Department Internal Affairs Division regarding Officer Sulser's actions. The administrative investigation was reviewed by Officer Sulser's chain of command and Command Staff. It was determined that Officer Sulser's use of force was justified and was not in violation of Columbia Police Departments Procedure and Directives.*

THE INTERNAL AFFAIRS STRUCTURE AND PROCESS

We recognize that despite our best efforts, there will be times when citizens, co-workers or supervisors deem an employee's behavior as inappropriate. When this occurs, a well-established process for receiving, investigating, and adjudicating complaints is utilized.

Columbia Police Department Internal Affairs Unit

The Internal Affairs (IA) Unit facilitates the complaint process, investigates allegations of officer misconduct, and conducts administrative reviews of use of force incidents, officer involved shootings, criminal charges against employees and collisions involving Department vehicles. The staff of the Internal Affairs Unit ensures that all complaints are handled fairly, objectively and thoroughly investigated. The personnel assigned to the Internal Affairs Unit are dedicated to protecting the rights of all persons involved in the complaint process and treating everyone with dignity and respect. The IA Unit currently has a staff of one (1) Sergeant, three (3) Investigators, and one (1) Administrative Assistant. The staff of the IA Unit reports to the Captain/Commander of the Office of Professional Standards, who in turn, reports directly to the Chief of Police.

Complaints that involve the allegations listed below are referred directly to the IA Unit for investigation. The IA Unit will immediately notify the Chief of Police of any these allegations:

- ▶ Use of force (or any incident) involving serious injury or death;
- ▶ Criminal misconduct
- ▶ Moral turpitude
- ▶ Vehicle accidents involving on-duty personnel

All other complaints are investigated by the subject employee's supervisors.

Complaint investigations, whereby the allegation would constitute a violation of law, misconduct, and breach of departmental directives, policies or procedures, are handled by an investigator in the IA Unit or someone in the officer's command.



Chain of Command Review Board

In 2015, the Columbia Police Department established a Chain of Command Review Board (Executive Order 2015-02 (revised)) for the purpose of providing a more transparent decision-making process for administrative investigations. The Board is comprised of the following personnel, assigned by the Chief of Police or his designee:

- ▶ Chief of Police/Deputy Chief of Police will serve as Chairperson of the Board
- ▶ Professional Standards Division Commander (advisory capacity)
- ▶ Bureau/Division Major
- ▶ Regional Commander/Captain (Chain of Command)
- ▶ Regional Executive Officer/Lieutenant (Chain of Command)
- ▶ Regional Sergeant/Corporal (Chain of Command)
- ▶ Peer Member (same job classification and/or tenure as accused employee)
- ▶ Columbia Police Department's Citizen Advisory Council representative

Chain of Command Review Board hearings are convened to review completed internal investigations that result in an initial finding of sustained, with a recommendation for disciplinary action of suspension, demotion or termination, and make recommendations as to disposition and disciplinary action. The Chairperson of the Review Board, the Chief or Deputy Chief of Police, makes the final determination concerning disciplinary actions.

The Chief of Police or his designee may convene a Chain of Command Review Board hearing for any circumstance deemed appropriate.



Citizen Advisory Council

The Columbia Police Department Citizen Advisory Council was formed in 2015 to strengthen relationships between the police department and the community by establishing open dialogue and transparency concerning Department policies and procedures. The Citizen Advisory Council provides insights and recommendations on many issues, including but not limited to, law enforcement and safety concerns in the community, policy review and development, police training and improving police-community relations. A member of the Citizen Advisory Council also serves on the Chain of Command Review Board which hears administrative cases concerning officer misconduct. The Citizen Advisory Council is comprised of at least 10 members representing the diverse demographics of the City of Columbia. The Mayor/City Council appoints 7 representatives and the Chief of Police appoints 3 representatives to the Citizen Advisory Council. The Council meets on a quarterly basis.

THE COMPLAINT PROCESS

Employee misconduct complaints can originate externally (from a citizen of Columbia or anyone outside of the Columbia Police Department), or internally (from an employee of the Columbia Police Department).

Making a Complaint

Complaints against employees of the Columbia Police Department can be submitted in a variety of ways:

- ▶ **Online** – Visit CPD’s website at www.columbiapd.net, and select “Online Services,” then “Complaints” to complete the “Employee Complaints” form.
- ▶ **In person** – Request to speak to the employee’s supervisor at any time, or file your written complaint at the Columbia Police Department headquarters located at #1 Justice Square, Columbia, SC. You can also visit any district or region office and ask to speak to a supervisor.
- ▶ **Mail** – Send a letter to the Chief of Police or the Internal Affairs Unit. Letters should be sent to the Columbia Police Department at #1 Justice Square, Columbia, SC 29201
- ▶ **Phone** – Call the Internal Affairs Unit at 803-545-3583 or 803-545-3936.

Upon receipt of citizen complaints, the Internal Affairs Unit will notify and provide the information submitted to the employee’s Unit/Section Commanding Officer and Region/Division Commanding Officer. All complaints are taken very seriously and every effort is made to process them in a timely manner.

To learn more, please visit www.columbiapd.net, select “Departments,” then “Chief of Police,” and then “Professional Standards.” This area of our website contains detailed information about the complaint process.

CPD INTERNAL AFFAIRS UNIT



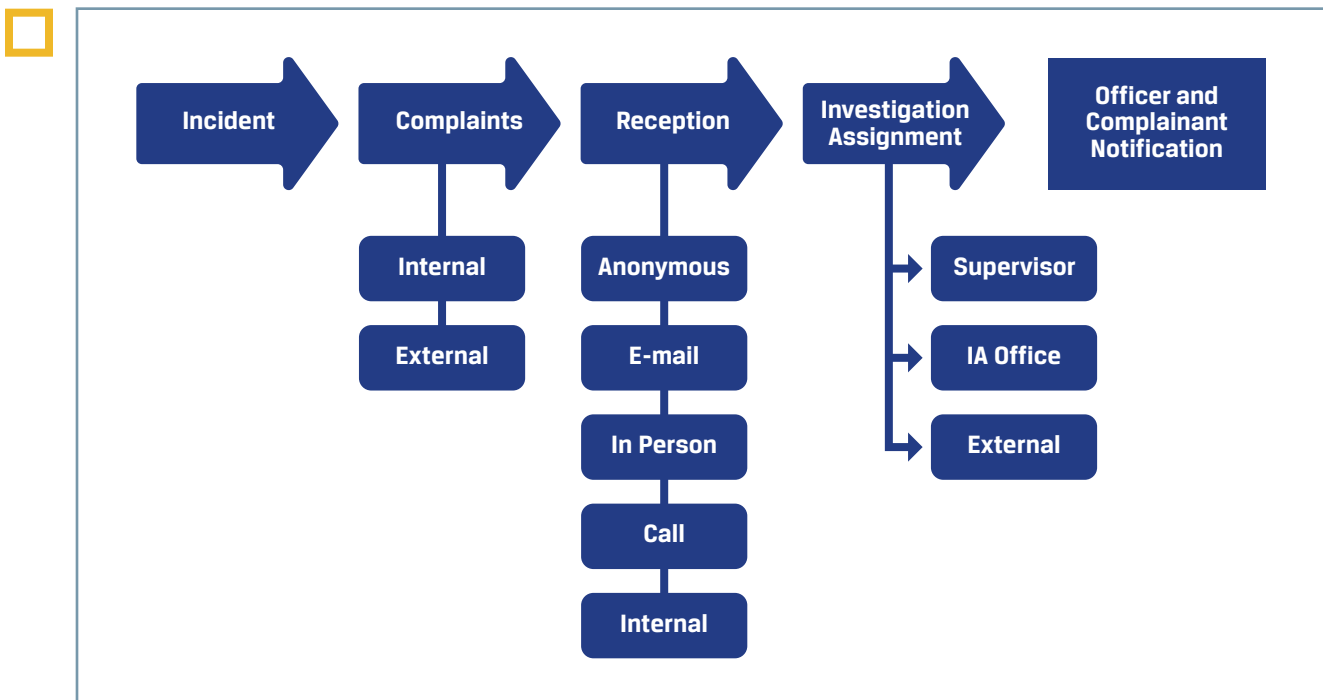


FIGURE 10: The Complaint Process **DATA SOURCES:** *Building Trust Between the Police and Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement U.S. Department of Justice COPS Office 2009*



Investigations

After a complaint is filed, the following procedures will be followed:

- ▶ The complaint is processed through the Internal Affairs Unit for tracking purposes and assigned to the employee’s supervisor or the Internal Affairs Unit to investigate.
- ▶ An investigator will contact the complainant and arrange an appointment for an interview. While the Internal Affairs Unit would like to communicate effectively with complainants and assist complainants through the process, anonymous complaints are also investigated.
- ▶ At the time of the interview the complainant is placed under oath and a sworn statement is taken. Complainant interviews are recorded.
- ▶ Once the statement is prepared in writing, the complainant is given the chance to review the statement for accuracy and signature.
- ▶ Interviews and statements are obtained from all witnesses in each incident. All documentation is assembled in the case file for review by the employee’s chain of command, the Department’s command staff, and in appropriate circumstances to the Chain of Command Review Board.



FIGURE 11: The Complaint Investigation Process **DATA SOURCES:** *Building Trust Between the Police and Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement U.S. Department of Justice COPS Office 2009*

Dispositions

Complaint dispositions are classified as one of the following:

Exonerated - The incident occurred but was lawful and proper.

Sustained - The allegation is supported by sufficient evidence to indicate that the allegation is true.

Not Sustained - There is insufficient evidence to prove or disprove the allegation.

Unfounded - The allegation is false or there is insufficient evidence to support the allegation.

If an allegation is found to be Exonerated, Not Sustained or Unfounded, then the Commander of the Internal Affairs Unit will review the investigation with the subject employee's chain of command. Completed investigations that result in an initial finding of Sustained and a disciplinary action of suspension, demotion or termination is recommended, the case is referred to the Chain of Command Review Board and a hearing will be scheduled. At the conclusion of the hearing, for each allegation of employee misconduct, the Board will recommend a final disposition to the Chair. The Chief of Police or Deputy Chief serves as Chairperson of the Board. Board members will also make recommendations for corrective action to the Chair based on the Department's Disciplinary Philosophy.

Upon disposition of a complaint allegation, Internal Affairs mails a letter to the complainant to advise them their complaint has been thoroughly investigated and resolved. The Columbia Police Department makes every effort to investigate and adjudicate all complaint allegations within a practical time frame from the time a complaint is made. However, there are circumstances, including case complexity and witness availability, which prevent this goal from being achieved in every instance.

Discipline Philosophy

The department is committed to a system of discipline that minimizes abuse of authority and promotes the Department's reputation for professionalism.

The Chief of Police makes the decisions regarding appropriate disciplinary actions, ensuring all such actions are consistent with the Department's established Discipline Philosophy. The Columbia Police Department's Discipline Philosophy is based on the understanding that employees will occasionally make errors in judgment in carrying out their duties, and that some errors call for greater consequences than others.

Employees of the Columbia Police Department are expected to conduct themselves, both in interactions with each other and the public, in a manner that conveys respect, honesty, integrity, and dedication to public service. In turn, employees of the department can expect to be treated fairly, honestly and respectfully, by their peers and other employees of the department holding positions at all levels of organizational authority.

The Department has an obligation to make its expectations for employee behavior and the consequences of failing to meet those expectations very clear to employees. Disciplinary action can range from counseling/retraining to a recommendation for employee termination. In many cases, employees receive additional training in the subject areas where violations occur.

When behaviors occur that are not in keeping with the expectations of the Columbia Police Department, the consequences or discipline imposed is based upon a balanced consideration of several factors. These factors are interactive and carry equal weight, unless there are particular circumstances associated with an incident that would give a factor greater or lesser weight. All of these factors will not apply in every case. Some factors may not apply to a particular incident.

The factors considered in disciplinary matters are:

- ▶ **Employee motivation:** An employee's conduct will be examined to determine whether the employee was operating in the public's interest or if they were motivated by personal interest.
- ▶ **Degree of harm:** The degree of harm an error causes is also an important aspect in deciding the consequences of an employee's behavior. Harm can be measured in terms of monetary cost to the department and community, personal injury, and by the impact of the error on public confidence.
- ▶ **Employee experience:** The experience of the employee will be taken into consideration as well. A relatively new employee will be given more lenient consideration when errors in judgment are made. Employees with more experience who make the same errors may expect to receive more serious sanctions.
- ▶ **Intentional/Unintentional Errors:** An unintentional error is an action or decision that turns out to be wrong, but at the time it was taken, seemed to be in compliance with policy and the most appropriate course, based on the information available. An intentional error is an action or a decision that an employee makes that is known (or should be known) to be in conflict with law, policy, procedures or rules at the time it is taken. Generally, intentional errors will be treated more seriously and carry greater consequences. Within the framework of intentional errors there are certain behaviors that are entirely inconsistent with the responsibilities of police employees.
- ▶ **Employee's Past Record:** To the extent allowed by law and policy, an employee's past record will be taken into consideration in determining the consequences of a failure to meet the department's expectations. An employee that continually makes errors can expect the consequences of this behavior to become progressively more punitive. An employee that has a record of few or no errors can expect less stringent consequences.

Disciplinary actions are not taken if an employee resigns while under investigation. However, even when the employee resigns, the investigation continues until its completion.

2015 COMPLAINTS AND DISPOSITIONS

□ The Internal Affairs Unit processed 151 complaint cases of misconduct against employees of the Columbia Police Department. The vast majority of complaints were initiated by the citizens of Columbia.

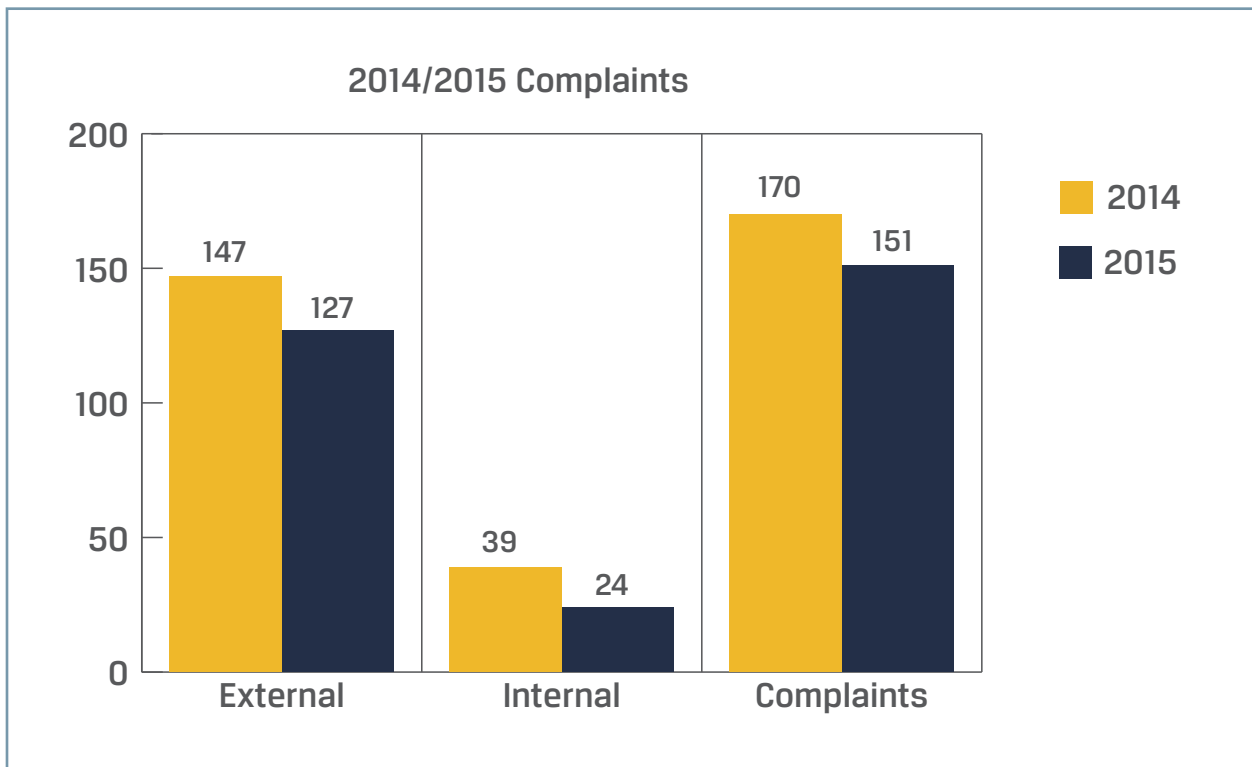


FIGURE 12: The total number of internal and external complaints received in 2014 and 2015. Please Note: Complaints may contain multiple allegations. **DATA SOURCE:** CPD

□ The Columbia Police Department’s misconduct and rule violations are classified into 5 categories.

Categories of Alleged misconduct allegations and rules violations						
	External		Internal		Total	
	2014	2015	2014	2015	2014	2015
Insubordination Offenses	1	1	2	0	3	1
Neglect of Duty Offenses	59	71	7	7	66	78
Unlawful Conduct Offenses	13	2	8	1	21	3
Improper Conduct Offenses	59	77	18	15	77	92
Harassment Directive	15	7	4	8	19	15
TOTAL	147	158	39	31	186	189

FIGURE 13: The misconduct and rule violations alleged in complaints in 2015. **DATA SOURCE:** CPD **PLEASE NOTE:** In some cases, a complaint event includes more than one officer and/or a given officer may be accused of more than one act of misconduct in the same event; therefore, it is often the case that the number of alleged rule of conduct violations is higher than the number of complaint events.

□ As can be seen in Figure 14, the most common complaint lodged by citizens against Columbia Police Officers involved general dissatisfaction with performance, closely followed by courtesy, or lack thereof.

Most Common Alleged Directive and Procedures Violation									
	External			Internal			Total		
	2014	2015	Change	2014	2015	Change	2014	2015	Change
Unsatisfactory Performance	43	60	17	0	10	10	43	70	27
Courtesy	41	54	13	3	3	0	44	57	13
Excessive/Unnecessary Force	13	8	-5	5	1	-4	18	9	-8
Conduct Unbecoming	19	5	-14	3	4	1	22	9	-13
Completion of Reports and Documents	7	3	-4	1	0	-1	8	3	-5
Dissemination of Information	3	0	-3	2	0	-2	5	0	-5
Profiling	4	0	-4	0	0	0	4	0	-4
Abuse of Position	4	1	-3	0	0	0	4	1	-3
Harassment	0	7	7	0	8	8	0	15	15
Willful Violation	0	2	2	0	0	0	0	2	2

FIGURE 14: The most common violations of directives and procedures that account for the majority of misconduct allegations. **DATA SOURCE:** CPD

Of the complaints received and investigated in 2015, a disposition of “Sustained” was reached in 35 of the allegations. Of the 35 sustained allegations, 20 were external complaints made by the citizens of Columbia.

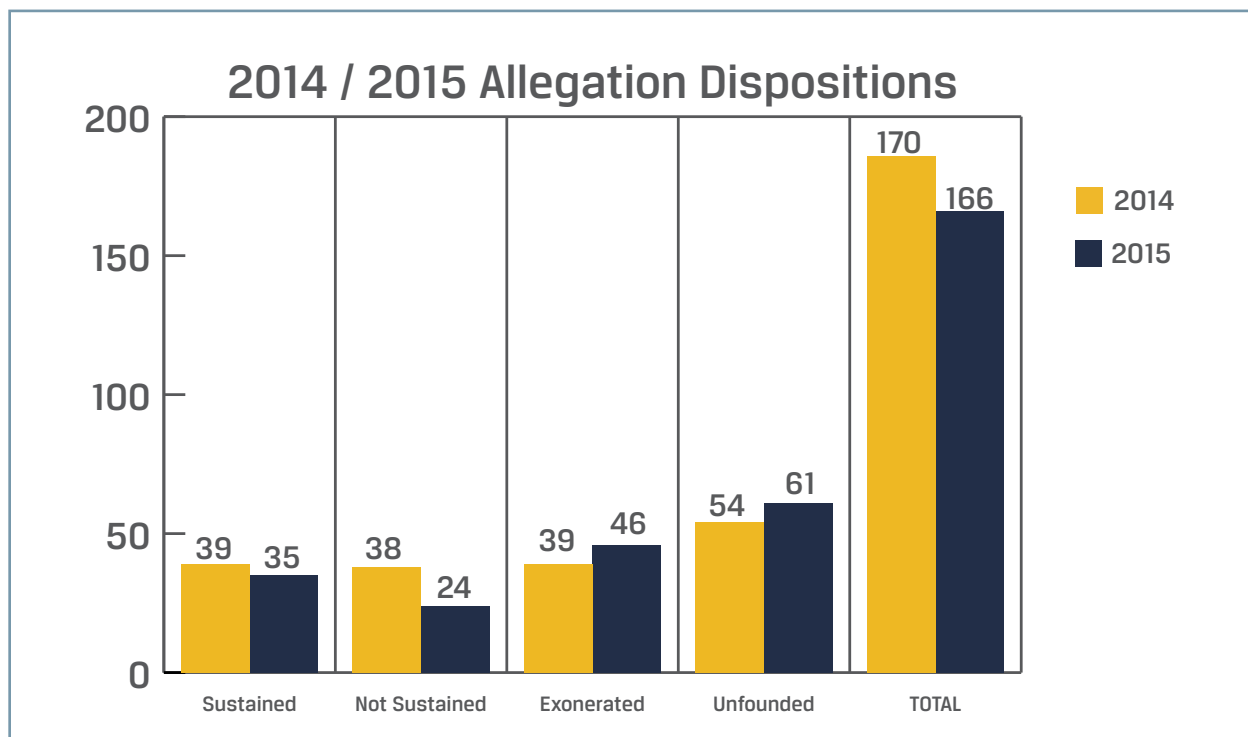


FIGURE 15: Dispositions reached for internal and external allegations. Note: Complaints can contain multiple allegations, therefore, the number of allegation dispositions can be greater than the number of complaints received. **DATA SOURCE:** CPD

The following disciplinary actions were taken as a result of the complaints sustained.

	External	Internal	Total
Counseling/ Retraining	6	1	9
Oral Reprimand	6	2	7
Written Reprimand	1	8	12
Suspension	5	1	4
Termination	0	1	2
Resignation (in lieu)	0	1	1
TOTAL	18	14	35

FIGURE 16: Disciplinary actions as a result of the 29 sustained allegations in 2015 **DATA SOURCE:** CPD



□ Disciplinary actions may also result from policy or rule violations not related to formal complaints.

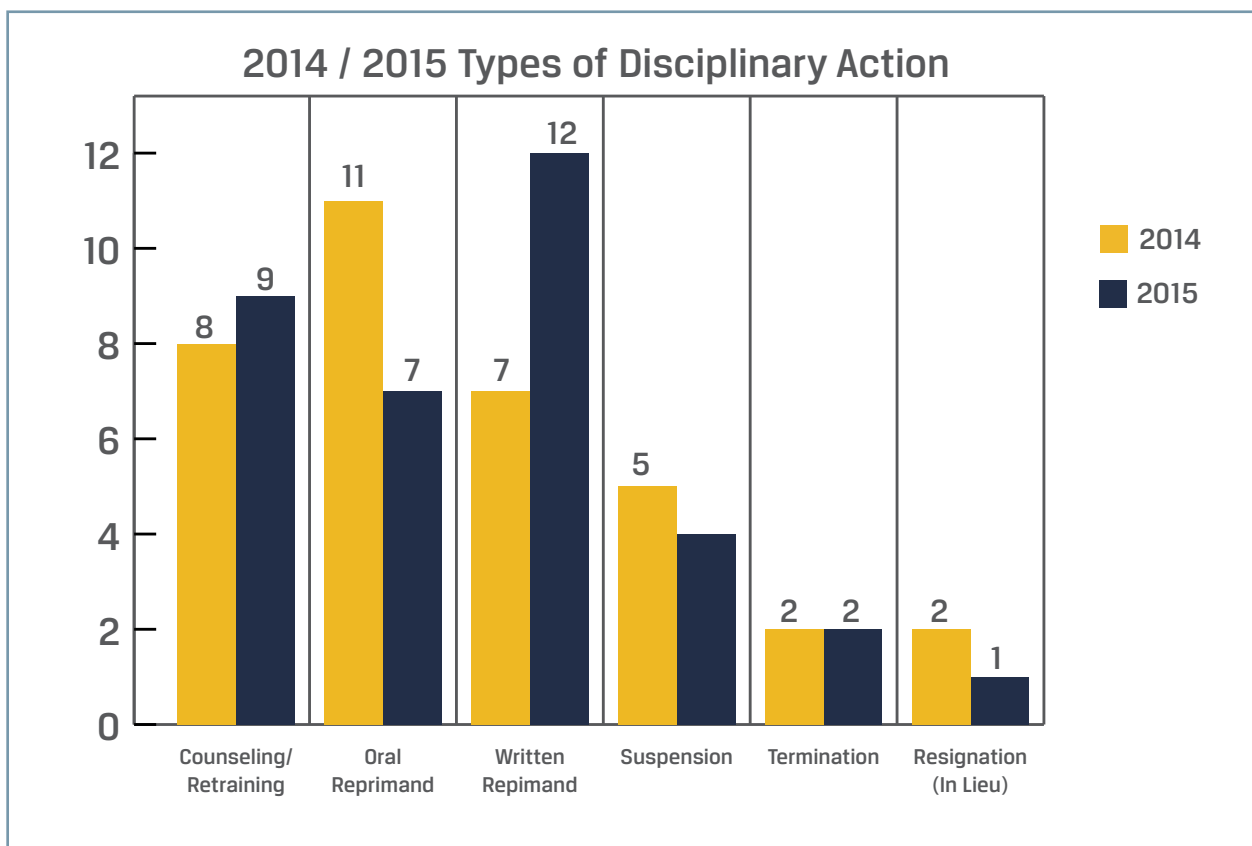


FIGURE 17: The types of disciplinary actions taken for policy or rule violations not related to a formal complaint investigation. In 2015, one officer resigned prior to disciplinary action being taken. Note: One officer resigned. **DATA SOURCE:** CPD

CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES

When a Columbia Police Department employee is accused of a crime within the City of Columbia's jurisdiction, the case is referred to an independent agency, such as SLED, for investigation. If the alleged crime occurs outside of City of Columbia Police Department's jurisdiction, the agency with jurisdiction in that area conducts the criminal investigation in accordance with local procedures. The facts revealed by the criminal investigation are presented to the appropriate prosecutorial authority, for a determination of whether the officer should be criminally charged.

The Internal Affairs Unit conducts independent administrative investigations that run concurrent with, or at the direction at the Chief of Police, after the criminal investigation has concluded. The completed administrative investigation is presented to the Chain of Command for review to determine if any directives and/or procedures were violated.

Decisions on the final disposition of the criminal and administrative cases are made independently of one another. Employees charged with a crime, including certain traffic offenses, are required to report the charges to their immediate supervisor and/or the Staff Duty Officer. Employees may be placed on Investigatory Suspension pending resolution of the charges. Depending on the outcome of the charges, the employee may be subject to disciplinary action, up to and including termination from employment.

Charges were filed against one (1) employee of the Columbia Police Department in 2015. The charges included pointing and presenting a firearm and assault and battery of a high and aggravated nature. The employee was terminated. There were four (4) Department employees charged criminally in 2014. At the time of the 2014 Internal Affairs Annual Report, the four employees had been placed on investigatory suspension without pay pending resolution of the charges against them. One of the employees had resigned and another had been terminated. Since that time, another employee has been terminated and one employee was exonerated of all criminal and administrative violations. That employee has returned to full duty status at the Columbia Police Department.

IN-CUSTODY DEATHS

The Columbia Police Department has several policies relating to prisoner care and transportation. These guidelines are periodically reviewed and updated to best guide employees in their handling of persons in custody. Officers receive annual training on these policies.

If a person dies while in the custody of the Columbia Police Department, the Richland/Lexington County Coroner's Office and SLED are requested to respond to the scene to conduct an independent criminal investigation. The investigation is presented to 5th Circuit Solicitor's Office who reviews the criminal investigation and decides whether to file criminal charges against involved officers. An Internal Affairs investigation is simultaneously conducted to ensure policy compliance. At the conclusion of the internal investigation, the case is referred for a chain of command review or to the Chain of Command Review Board to determine the disposition, and any disciplinary action, if appropriate.

In 2015, no in-custody deaths occurred.

VEHICLE PURSUITS & COLLISIONS

Vehicle Pursuits – Policy and Practice

Pursuit driving is one of the most serious and dangerous duties and responsibilities of police officers. The primary responsibility of an officer in pursuit of a violator is safety: the safety of the public, of the violator, and of police officers. Columbia Police Department policy authorizes officers to engage in a vehicle pursuit only when they have probable cause to believe the necessity of apprehension outweighs the immediate danger to the officer and the public created by the pursuit. Except in exigent circumstances, pursuits for misdemeanor offenses and traffic offenses are prohibited. The need for immediate apprehension of the violator must continuously be weighed against the inherent risks created by pursuit driving.

If a pursuit is initiated by an officer of the Department, the officer's supervisor will take responsibility for the pursuit and ensure compliance with all policies. Supervisors respond to the area of the pursuit while monitoring the pursuit on the radio and continuously evaluate the circumstances surrounding the pursuit. The supervisor completes an After Action Report and prepares a written summary of the incident.

The supervisor forwards one copy of the Vehicle Pursuit Packet to the Staff Duty Officer and submits a second copy of the Vehicle Pursuit Packet directly to the Office of Professional Standards by 8:00 a.m. the next business day. The Office of Professional Standards reviews all pursuit packets and analyzes pursuits to identify patterns or trends that indicate training needs and/or directive modifications.



Total Vehicle Pursuits and Resulting Arrests			
	2014	2015	2014-2015 Change
Total Vehicle Pursuits	34	28	-6
Total Arrests	21	22	+1

FIGURE 18: Number of officer initiated vehicle pursuits as a result of contact with the public and resulting arrests. **DATA SOURCE:** CPD

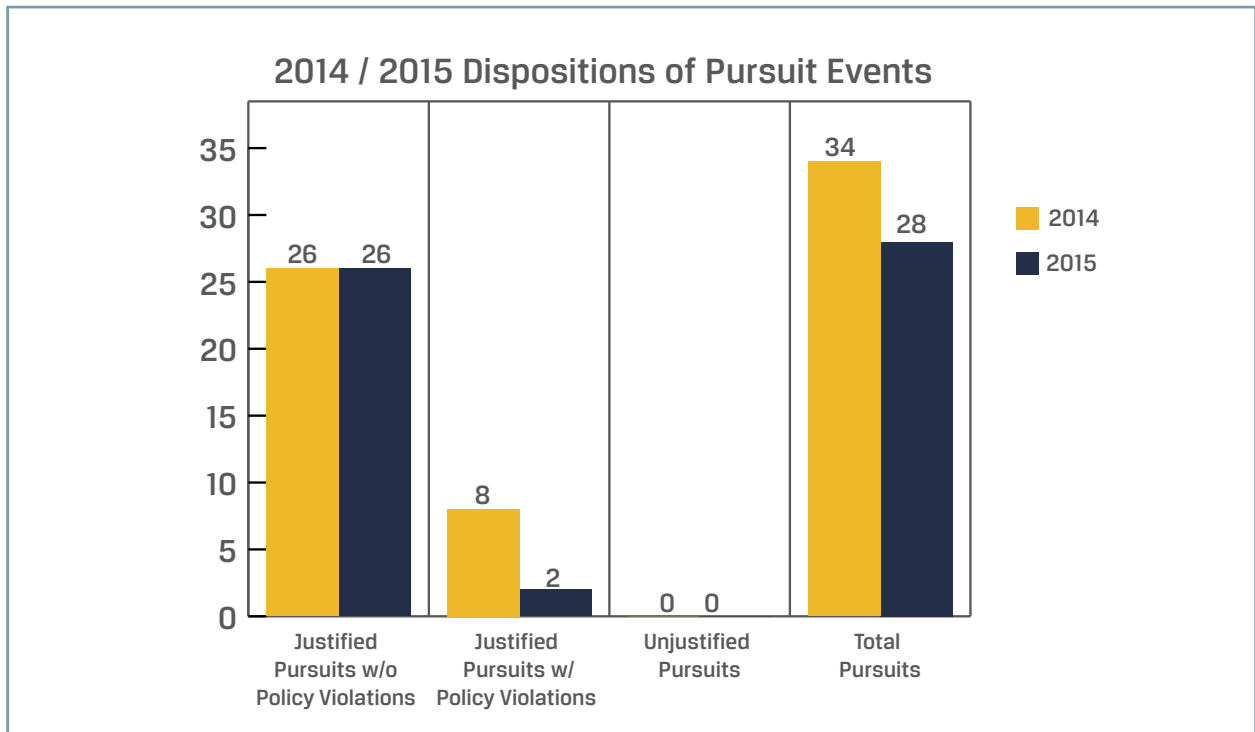


FIGURE 19: Dispositions of vehicle pursuit reviews. **DATA SOURCE:** CPD



Violations that Initiated Vehicle Pursuits

Vehicle Pursuit Cause	2014	2015
Assault of Officer	0	2
Auto Breaking	1	1
Burglary	2	1
Carjacking	3	2
Threats to Kill	0	2
Discharging a Firearm within City Limits	3	1
Hit and Run (Attended)	1	1
Hit and Run Attended on Police Vehicle	0	0
Hit and Run Unattended	0	0
Home Invasion/Attempted Robbery	0	0
Narcotics Violation	4	2
Reckless Driving	4	3
Stolen Vehicle	2	10
Traffic Violation (Not DUI)	14	3
Total	34	28

FIGURE 20: Type and number of violations officers encountered that initiated vehicle pursuits.
DATA SOURCE: CPD



Employee Motor Vehicle Collisions

To provide police services throughout urban and suburban Columbia, department employees drive a significant number of miles in Department vehicles. The geographic jurisdiction for the Columbia Police Department includes the City of Columbia and the unincorporated areas covering 134.9 square miles with additional annexations added frequently. In total, the department has approximately 497 vehicles in operation, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of 4,197,793 miles in 2015.

The Columbia Police Department has many policies governing the use and operation of police vehicles. For example, Department policies require that when operating a police vehicle, officers must:

- ▶ Observe all state and local laws and ordinances;
- ▶ Wear a fastened safety belt;
- ▶ Be performing official duties (city vehicles cannot be used for personal business); and,
- ▶ Refrain from the use of electronic devices, i.e. cell phones; lap top computers (police radios are excluded).

When responding to emergencies, officers must:

- ▶ Come to a complete stop before entering an intersection; and,
- ▶ Stay within 20 mph of the posted speed limit (does not apply during a pursuit).

In 2015, 96 collisions occurred involving Department motor vehicles. State law (Section 56-5-765) requires the State Highway Patrol to investigate all collisions involving law enforcement vehicles to make a determination as to whether the agency vehicle/motorcycle was operated properly within the guidelines of appropriate statutes and regulations.

Internal administrative reviews are also conducted on all collisions involving Department vehicles. An independent Vehicle Accident Review Board, appointed by the Chief of Police, reviews the results of the internal investigations to determine if the accident was preventable or not preventable. As seen in Figure 21, 30 of the 96 collisions that occurred in 2015 were determined to be preventable. Of the 30 collisions determined to be preventable, the Vehicle Accident Review Board attributed 11 collisions to “inattentiveness by the officer.”

 The number of collisions associated with employee driving is displayed in the graph below.

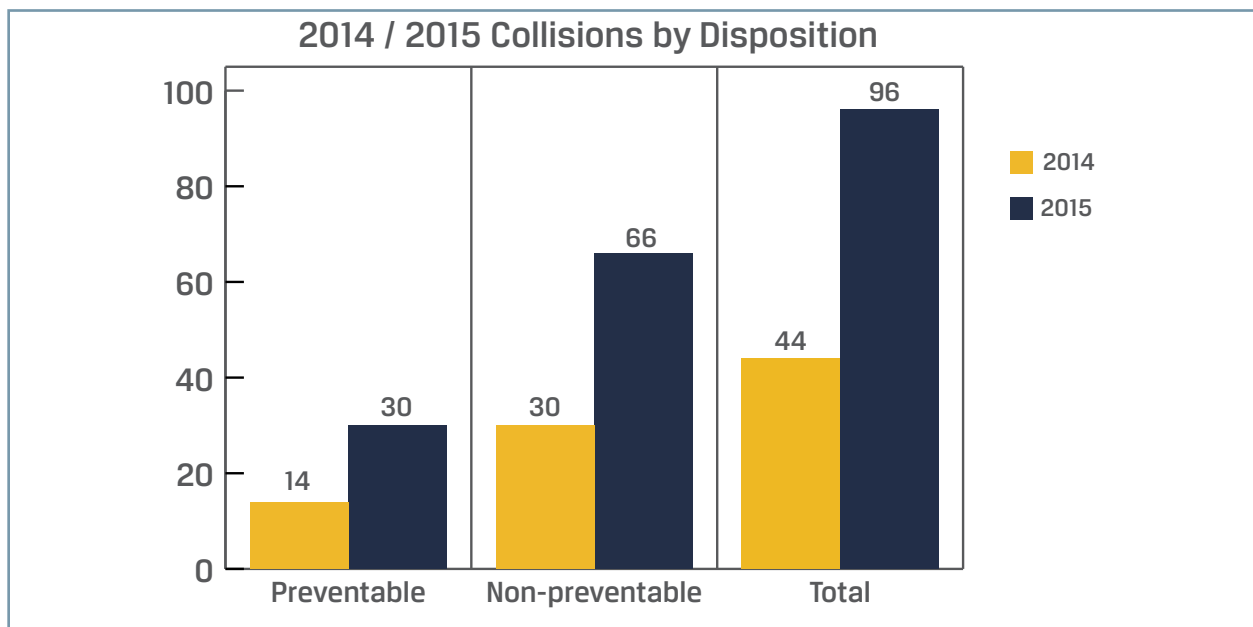


FIGURE 21: Dispositions reached in investigations of Department vehicle accidents.
DATA SOURCE: CPD

When an employee is involved in a preventable collision, the Vehicle Accident Review Board determines appropriate corrective action. In addition, the Board identifies patterns of driving, circumstances, equipment or training deficiencies that contribute to accidents and recommends strategies to resolve these issues.



2016 AND BEYOND

City of Columbia's Implementation Plan for the Recommendations of the President's Task Force on 21st Century Policing

The Columbia Police Department has conducted a detailed review of the Final Report of the President's Task Force on 21st Century Policing. The Department developed an implementation plan to inform stakeholders of the current status of the Department's efforts and guide the conversation concerning collaborative implementation of additional recommendations. The Department has also developed a matrix or chart to track progress on each recommendation. The Columbia Police Department will be working with city government officials, the Citizen Advisory Council and other stakeholders to implement the recommendations of the President's Task Force on 21st Century Policing. To read more about the Columbia Police Department's implementation plan go to www.columbiapd.net.

Citizen Survey and Officer Identification Cards

To get citizen feedback regarding the Department's performance, a text message-based survey was developed in partnership with Positive Referral Technologies. The citizen-police encounter survey provides the Department with a much needed mechanism to measure and evaluate encounters, and provides another way for the voices of Columbia citizens to be heard. Traditionally, reported reductions in crime rates have been the primary indicator of law enforcement success, causing officer performance measures to be based on enforcement-related encounters alone. Community policing, the foundation of the Department's policing strategies, has expanded the work of Columbia Police Officers to include engaging members of the community as partners in crime reduction and problem solving initiatives. The ability to customize citizen survey questions enables Department leadership to measure and manage the complexities of police performance in the 21st century, including non-enforcement citizen-police encounters. The citizen feedback we get on the full spectrum of encounters, will further guide our efforts to build trust and confidence between the members of our department and the community.



Continuing to Enhance Transparency and Accountability

The Columbia Police Department is in the process of purchasing IAPro, a software program, that will greatly improve the Department's ability to track use of force incidents and officer involved shootings. The additional data will serve as an Early Intervention System, allowing command staff to identify, address and prevent problematic behavior before it escalates to a matter for Internal Affairs. The program should be available for use in preparing the 2016 Internal Affairs Report.

A full review of Department policies is ongoing, with the intent of improving organizational efficiency, as well as enhancing transparency and accountability. The Department's website is currently under construction and will soon accommodate the posting of the policies and procedures relating to officer misconduct and use of force. The website will also offer citizens a mechanism to provide feedback on officer performance, allowing for complaints of officer misconduct and commendations of Columbia Police Officers to be submitted online. The Columbia Police Department's newly designed website will be launched by summer 2016.

Currently under consideration is the establishment of a mechanism for peer review of deadly force incidents. Peer review would provide a forum to discuss lessons learned – what was done right – what was done wrong – in a non-punitive setting.



We Are Columbia



Run. Grow. Transform.

*DEDICATED TO
THE BRAVE MEN AND WOMEN
OF THE COLUMBIA POLICE DEPARTMENT
WHO PROUDLY SERVE
THE CITIZENS OF COLUMBIA
WITH HONOR AND INTEGRITY*



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