



'20 **INTERNAL AFFAIRS REPORT**

OFFICE OF PROFESSIONAL STANDARDS



COLUMBIA POLICE DEPARTMENT

1 Justice Square
Columbia, SC 29201

MESSAGE FROM THE CHIEF



Citizens of Columbia,

The culture at the Columbia Police Department is one of professionalism, accountability and transparency. Furthermore, the conduct of each employee is guided by the department's vision, mission, core values, directives and policies. Holding ourselves to the highest of standards promotes our trust and legitimacy in the communities we serve.

The Internal Affairs Report is produced annually by the Office of Professional Standards for the public's review. The Internal Affairs Unit is charged with investigating allegations of employee misconduct; Use of Force; vehicle pursuits and officer-involved motor vehicle collisions. The report compares information to the previous year for comparison and analysis.

I hope the information in this report provides you with understanding and insight of our efforts to be accountable to each other and our citizens. We are committed to earning our citizens' trust and respect each and every day.

Respectfully,

A handwritten signature in black ink that reads "W.H. Holbrook".

William H. "Skip" Holbrook
Chief of Police

TABLE OF CONTENTS

3

Mission/Vision

4

Core Values

5

Findings at a Glance

6

Use of Force Continuum

7

Transparency & Accountability

9

Officer Wellness

10

Training

11

Use of Force

19

Internal Affairs Structure & Process

21

Citizen Advisory Council

21

Complaint Process

27

Complaints & Dispositions

30

Criminal Investigations Involving Employees

31

In-Custody Deaths

32

Vehicle Pursuits & Collisions



MISSION

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

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.

FINDINGS AT A GLANCE

	2019	2020	↑ ↓	Change Over Previous Year
Calls for Service	178,500	155,035	↓	-23,465
Public Complaints of Employee Misconduct	97	84	↓	-13
Use of Force Incidents Reported	82	94	↑	+12
Arrests	6,496	5,237	↓	-1259
Persons Hit in Shootings	83	73	↓	-10
Homicides	25	19	↓	-6
Firearms Seized	888	851	↓	-37
Officers Assaulted	42	52	↑	+10
Miles Driven	5,394,689	4,521,804	↓	-872,885
Collisions Involving Police Vehicles	106	78	↓	-28
Vehicle Pursuits	62	81	↑	+19

USE OF FORCE

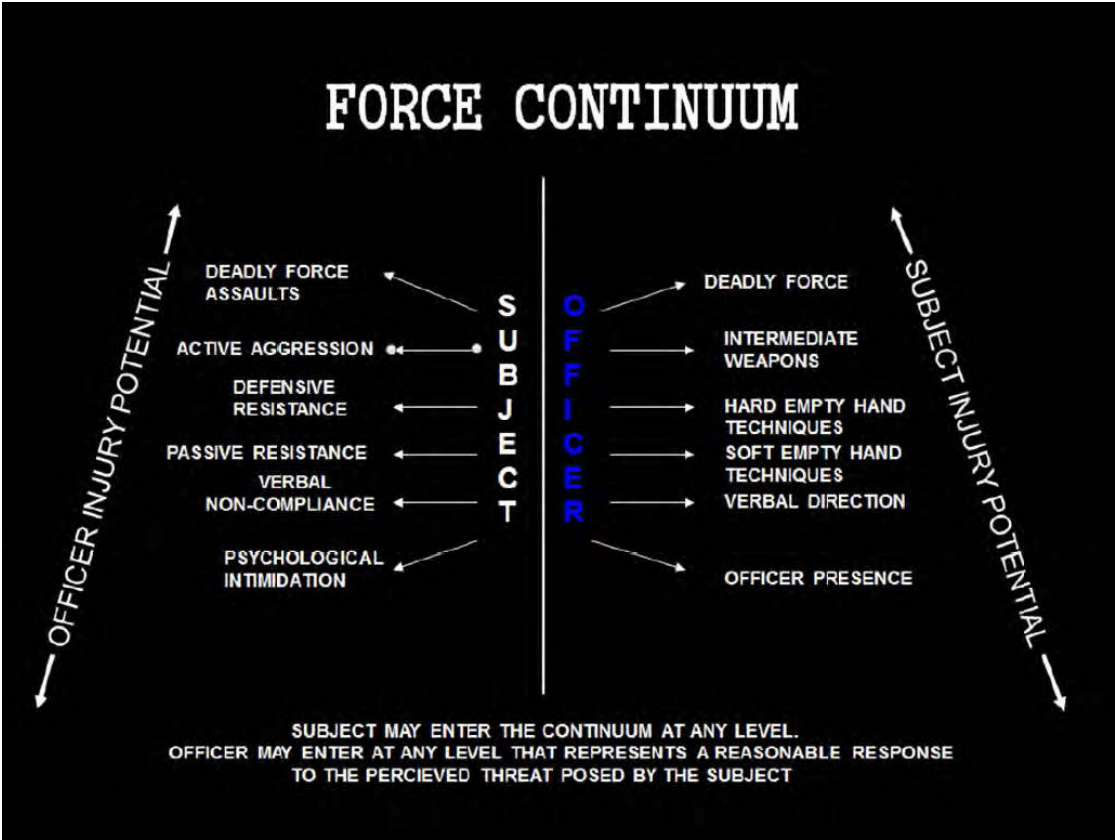


FIGURE 1: Use of Force continuum. **DATA SOURCES:** National Institute of Justice (Department of Justice)

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 for purposes other than training or recreation;
- Application of Use of Force using lethal or nonlethal weapons;
- Deployment of a police canine to apprehend or secure suspects; 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.

TRANSPARENCY & ACCOUNTABILITY

Independent Investigations

If an officer uses deadly force, the South Carolina Law Enforcement Division (SLED) 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 if the officer should be criminally charged. An administrative investigation is also conducted by members of the department's IA Unit to determine if department policies were violated by the officer.

Tracking and Monitoring Use of Force Incidents

The ability to track Use of Force incidents and officer involved shootings has increased tremendously since the implementation of the software program IAPRO. The program continues to be an integral part in preparation for the Internal Affairs Report yearly. IAPRO is also used to supply quarterly reports to Executive Staff as it relates to Use of Force, accidents, complaints, and pursuits. The quarterly reports allow Executive Staff to actively see if the Department is trending with the same numbers as previous quarters throughout the year. One component of IAPRO is BlueTeam, a web based application for frontline supervisors to enter incident data. Incidents including Use of Force, vehicle accidents, and pursuits are entered into BlueTeam and can then be routed through the chain of command with review and approval at each step. In January 2020, BlueTeam was implemented completely throughout the department and proven to be a great asset to the Internal Affairs Unit.

Body-Worn Camera (BWC) Program

Since the implementation of CPD's body-worn camera (BWC) policy, which requires officers to wear BWCs while on duty and performing any uniformed law enforcement function, it has proven to be beneficial to CPD, the officers and citizens they serve. BWCs record calls for service, officer initiated calls and public contacts. BWCs are activated by the officer upon arrival at the location and remain on until the call is cleared. BWC's have helped strengthen accountability and transparency throughout CPD, and the law enforcement community as a whole. With the use of this policy it has the ability to reduce complaints, and resolve officer involved incidents. BWC's have also been a great tool in assisting with training within the department. Having the ability to go back and review incidents, discuss and make corrections as needed, has been completely beneficial. 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 the Freedom of Information Act (FOIA) request, but the files may be released at the discretion of the Chief of Police. The department's written BWC policy is available for review at the agency website.

White House Police Data Initiative (PDI)

In 2016, the department partnered with the White House for the Police Data Initiative, and developed an open data portal developed to provide accessible, convenient and transparent information to the public. Currently housed in the public data portal are datasets including Assaults on Officers, Arrests and Field Interviews. In addition to the datasets, the department provides information on officer involved shootings, calls for service, code violation properties and national data with a local community crime map. The Public Data Portal can be accessed online at <https://coc-colacitygis.opendata.arcgis.com> or through the department's website.

Citizen Surveys

A text message-based survey was developed in partnership with Protexting as an additional mechanism to obtain citizen feedback regarding the department's performance. The citizen-police encounter survey provides the department with a mechanism to measure and evaluate encounters, and provides another way for the voices of Columbia citizens to be heard. Citizens can also go to columbiapd.net/survey to provide feedback.

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 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.

OFFICER WELLNESS

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

TRAINING

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

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

- Receive and sign for a copy of the department's Use of Force policy
- Receive instruction on the Use of Force policy
- Pass the written Use of Force test
- Demonstrate proficiency in the use of all authorized weapons.

Crisis Intervention Training (CIT)

In 2018, the Columbia Police Department joined over 400 Law Enforcement agencies across the nation when it pledged to join the International Association of Chiefs of Police "One Mind" campaign. This campaign lays a foundation for successful interactions between police officers and persons affected by mental illness.

As part of this initiative, the department implemented partnerships with other agencies such as the South Carolina Department of Mental Health, National Alliance on Mental Illness (NAMI), Columbia-Richland Communications, Midlands Probate Court-Mental Health, and Richland and Lexington Emergency Services. The purpose of this partnership is to join together in developing a model policy and response to person's in mental health crisis. Additionally, all sworn Columbia Police Officers receive basic Mental Illness Crisis Intervention Training (CIT) from certified NAMI instructors. This continued in 2020 despite the COVID 19 Pandemic. Several Columbia Police Officers received the week long CIT training, and in the coming years, the Columbia Police Department's Training Unit plans to continue to work with certified instructors and certify all sworn officers with the Columbia Police in Crisis Intervention Training. As of January 2021, 154 Columbia Police employees have attended the 40-hour Crisis Intervention Training Class, including one of our Police Chaplains, three Victim's Advocates, and three Code Enforcement Officers.

2020 USE OF FORCE INCIDENTS

In 2020, the Columbia Police Department reported 94 Use of Force incidents. The number of Use of Force incidents represents approximately .06% of the citizen encounters with officers, and approximately 1.9% of arrests. Use of Force incidents rose by 12 incidents versus the previous year. However, 25 of those 94 incidents occurred during the riots that plagued Columbia in May of 2020. 16 incidents occurred on May 30th and nine occurred on May 31st. For more details regarding the events of May 30th, and 31st, see the published document titled Columbia Strong | Critical Incident Review 2020 found on our website at columbiapd.net/publications.

At least eleven Use of Force incidents in 2020 were the result of calls for service involving drunk or disorderly suspects while eight involved domestic disturbances. Four Use of Force incidents involved trespassing, and one involved a suspect pointing a pistol at an officer. Drugs and alcohol are significant factors in Use of Force incidents, accounting for at least 24 occurrences of Use of Force in 2020. At least 11 incidents involved subjects with significant mental health issues. Use of Electronic Control Devices (ECDs, commonly known as Tasers) declined from 34 uses in 2019 to 26 uses in 2020. Officers only used their OC (pepper) spray twice in 2020, and no officer reported using their expandable baton in 2020. Most Use of Force incidents in 2020, as in other years, involved the officer's use of empty hand techniques, including pressure points and arm bar takedown.

Use of Force, Public Encounters and Arrests			
	2019	2020	Change Over Previous Year
Total Use of Force Events	82	94	+12
Total Public Encounters	178,500	155,035	-23,465
Total Arrests	6,496	5,237	-1259

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

As in the previous three years, the Appellate Court decision in *Armstrong Vs. Village of Pinehurst* is central to the policy regarding use of Electronic Control Devices (ECDs). The Department has added information regarding the use of ECDs and *Armstrong Vs. Village of Pinehurst* to the certification training, as well as the recertification training. The use of ECDs in 2020 and in the years since *Armstrong* have been significantly lower than in the years before the *Armstrong* decision. Officers are using empty hand techniques with combative subjects, and officers are generally not using ECDs on fleeing or passively resistive subjects.

Officers are using ECDs in Drive Stun mode more, often when they are unable to get the suspects into handcuffs. In 2018, Officers reported using the Drive Stun Mode of their ECDs twice. In 2019, officers reported using the same technique 17 times, and 14 times in 2020.

One Use of Force incident occurred after an officer responded to a Shotspotter call. The officer responded to the area of the Shotspotter call and discovered a woman crying inside a car, and a male suspect fleeing. The officer caught the suspect but because he was violently resisting, the officer utilized his ECD. The suspect was charged with Domestic Violence along with other crimes. Officers could not determine if the suspect had anything to do with the recorded gun shots from Shotspotter.

Vehicle pursuits often end with suspects running from officers and force having to be used to take suspects into custody. Use of Force or Display of Force occurred in conjunction with 27 pursuits in 2020.

Over the past seven years, the average number of Use of Force incidents is about 75, and in 2020 the number of Use of Force incidents outside of the May Riots was down slightly at 69. There were less Use of Force incidents in Five Points (four), only one at a Walmart, and none at the Columbiana Mall.

The most commonly used weapon in Use of Force situations were hands and feet, which are categorized as a form of less-than-lethal force, and in this report they are known as empty hand techniques or “hands” for short.

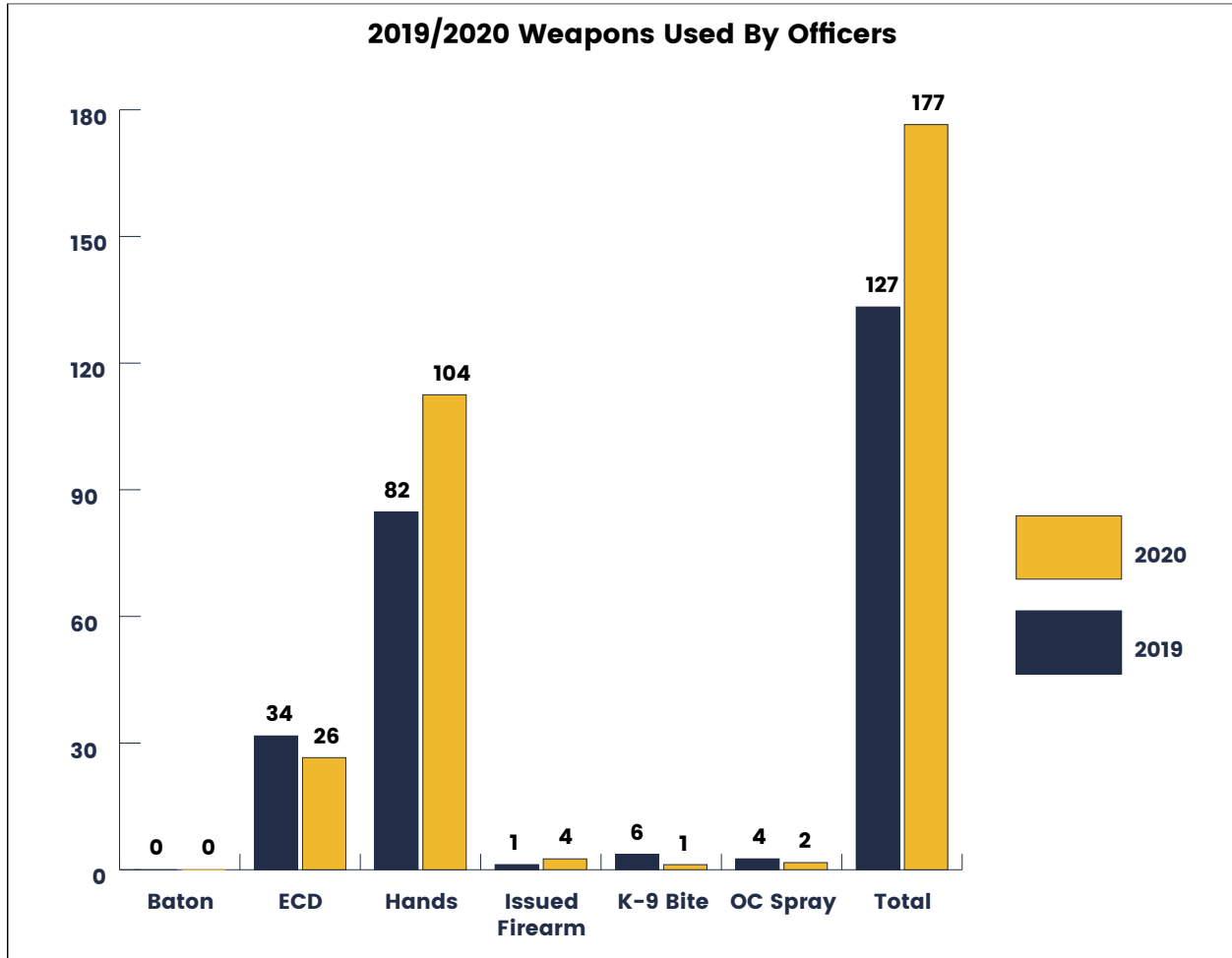


FIGURE 3: Weapons used by Officers during Use of Force situations.

PLEASE 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. In 2020, officers also utilized riot control tools (40mm launcher, less lethal shotgun, etc) which account for the remainder of the total above. **DATA SOURCES:** CPD

Officers must also report to their chain of command when their firearm is displayed to gain compliance. In 2020, officers displayed firearms 172 times, and displayed their ECDs 36 times without using them.

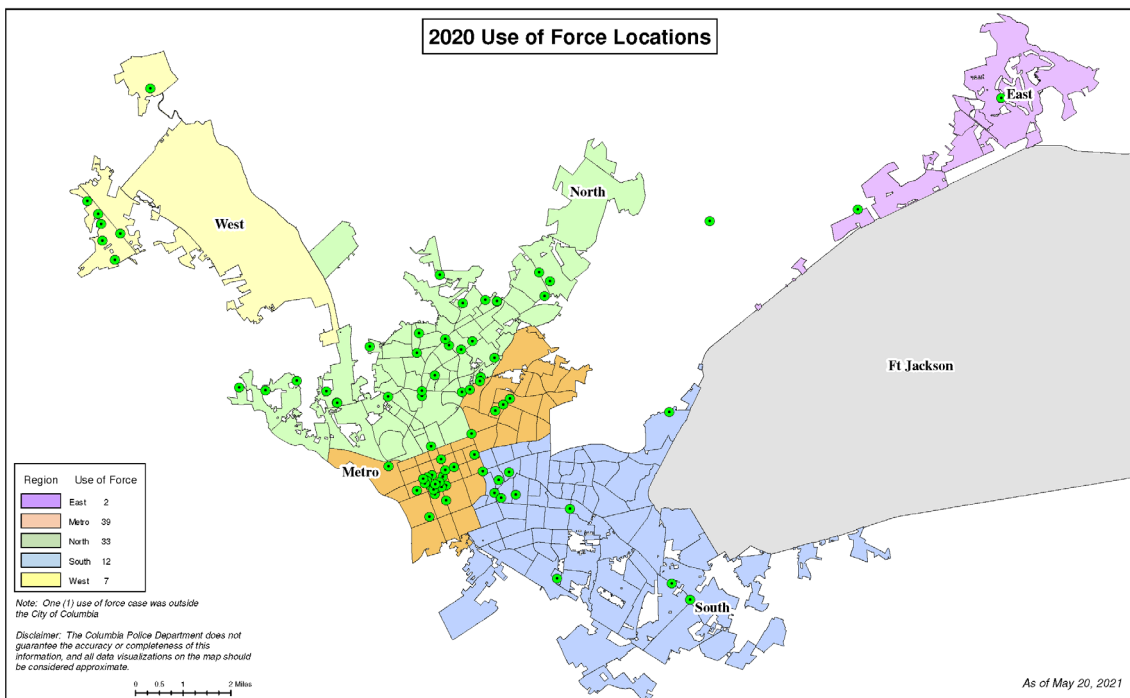


FIGURE 4: 2020 Use of Force Incidents by CPD Region. **PLEASE NOTE:** One Use of Force incident occurred in the jurisdiction of the Richland County Sheriff’s Department at the conclusion of a pursuit that began in East Region.

DATA SOURCE: CPD

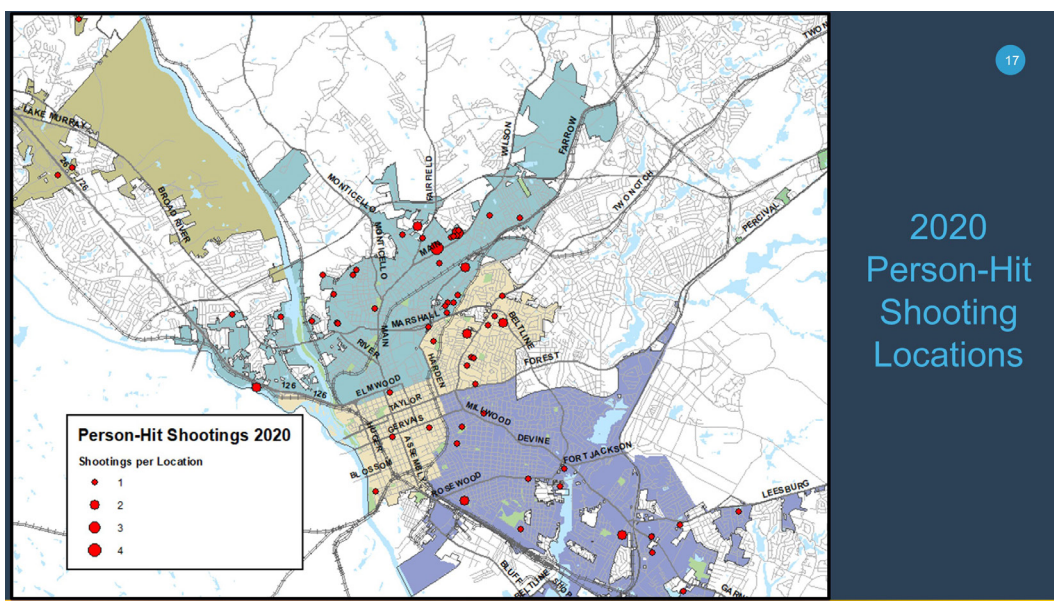


FIGURE 5: 2020 Persons Hit by CPD Region. **DATA SOURCE:** CPD

Typically, patterns of gun crime correlate with higher numbers of Use of Force incidents. In 2020, the Columbia Police Department received 3018 shots fired calls, with 73 of those being confirmed shootings wherein a person was hit. Of the 19 homicides in 2020, 17 were committed with a firearm.

2020 Demographics in Use of Force Incidents

There were 87 suspects involved in Use of Force incidents in 2020 who were identified (47 Black Male, 13 Black Female, 22 White Male, 3 White Female, 1 Hispanic or Latino Male, and 1 Undetermined Male). Multiple Use of Force incidents during the May riots involved an officer using riot control tools against a violent crowd, and only a select few of those rioters were identified and are reflected in the total above. The overwhelming majority of suspects in the Use of Force incidents were male. There were 171 officers involved in Use of Force incidents, and 157 who used force (117 White Male, 4 White Female, 1 Multi-racial Female, 1 Native American Male, 3 Hispanic or Latino Male).

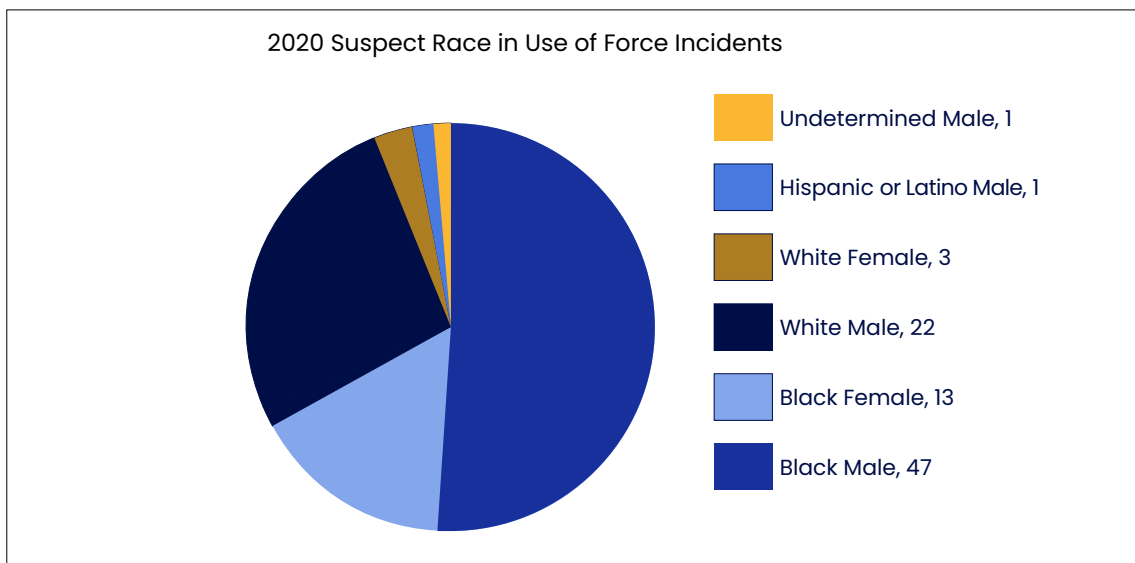


FIGURE 8: 2020 Suspect Race / Gender in Use of Force incidents.

DATA SOURCE: CPD

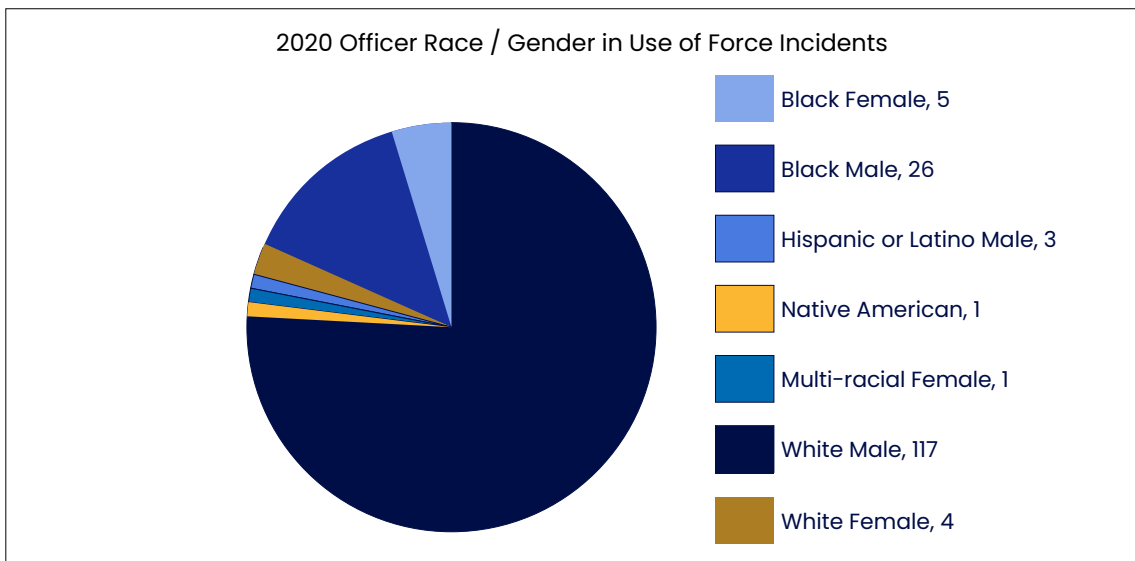


FIGURE 9: 2020 Officer Race / Gender in Use of Force incidents.

DATA SOURCE: CPD

2019 Demographics in Use of Force Incidents

There were 84 suspects involved in Use of Force incidents in 2019 (71 Black and 13 White). There were 118 officers involved in Use of Force incidents (90 White, 23 Black, 1 Native American, 1 Hispanic, and 2 Multi-racial).

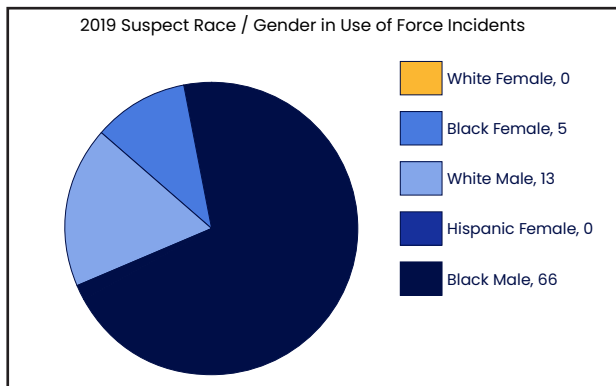


FIGURE 6: 2019 Suspect Race / Gender in Use of Force incidents.

DATA SOURCE: CPD

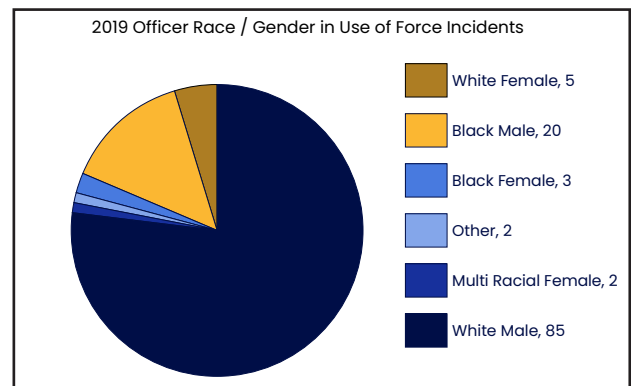


FIGURE 7: 2019 Officer Race / Gender in Use of Force incidents.

DATA SOURCE: CPD

Sworn Race/Gender as of December 2020

Race and Gender - (Sworn)			
Total Sworn/Sworn Part Time			
Race/Gender	Job Status	Totals	%
African American Female	Sworn	31	8.86%
African American Male	Sworn	93	26.57%
Asian Male	Sworn	2	0.57%
Hispanic Female	Sworn	4	1.14%
Hispanic Male	Sworn	10	2.86%
Native American Male	Sworn	1	0.29%
Other Female	Sworn	2	0.57%
Other Male	Sworn	7	2.00%
White Female	Sworn	30	8.57%
White Male	Sworn Part Time	2	0.57%
White Male	Sworn	168	48.00%
Total		350	

Summary of 2020 Deadly Force/Officer Involved Shooting Incidents

Date/Time of Incident: April 8th, 2021 at 6:00 p. m.

Location: 4800 block of Monticello Road

Officers Involved: Officer Kevin Davis (age 27, W/M, 4 years of service)

Summary: On April 8, 2020, at about 6:00 p.m., Officer Davis was operating a marked Columbia Police Department vehicle while patrolling the Keenan Terrace and Seminary Ridge neighborhoods near Monticello Road. Officer Davis, being a part of the North Region Community Response Team (CRT), received a series of text messages from a concerned community member regarding a group of teenagers on bicycles looking inside of vehicles in Seminary Ridge.

Officer Davis utilized his police radio and advised Columbia/Richland Communications dispatchers of his location, destination and investigative purpose before driving to Seminary Ridge. Davis responded to the location of where the teens were last observed looking into a car. Another CPD Officer heard Davis communicate with 9-1-1 dispatchers and headed toward the same area to provide backup assistance.

Soon after arriving, Officer Davis observed an African-American male on foot at the intersection of Timrod and Arlington Streets carrying a bag that resembled a purse go behind a house. Officer Davis stopped his patrol vehicle in an attempt to speak with the young man, later identified as Joshua Ruffin, who had just emerged from behind a different house.

As Davis exited his vehicle with his body-worn camera activated, Ruffin turned away from Davis, grabbing at his waistline and began running away. Officer Davis gave repeated commands to stop which were ignored by Ruffin. Officer Davis called out the foot chase on the radio

and he began pursuing on foot. During the foot pursuit which lasted approximately 20 seconds, Ruffin produced a handgun and pointed it toward Officer Davis.

Officer Davis un-holstered his department-issued duty weapon and discharged multiple times towards Ruffin, striking him one time. Ruffin was transported to a local hospital for treatment and later succumbed to his injuries.

Conclusion: The State Law Enforcement Division conducted an independent criminal investigation regarding the shooting incident. SLED agents also processed the crime scene; collected evidence; analyzed evidence, including body-worn camera video; interviewed all witnesses and involved officers. Upon conclusion, they reported their findings to the Fifth Circuit Solicitor's Office for disposition.

On June 24th, 2020, Fifth Circuit Solicitor Byron Gipson publically announced his findings and disposition indicating that Officer Davis acted in accordance with all applicable State and Federal laws, therefore would not be charged. More specifically, Solicitor Gipson found that Officer Davis's use-of-force was reasonably necessary given the facts and circumstances of the case.

CPD's Internal Affairs Unit conducted a concurrent administrative review of the incident and determined that Officer Davis's lawful actions were not in violation of any CPD policies and procedures. This resulted in a disposition of exonerated.

INTERNAL AFFAIRS STRUCTURE AND PROCESS

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

Internal Affairs Unit

The Internal Affairs Unit (IA) 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 IA Unit ensures that all complaints are handled fairly and objectively and are thoroughly investigated. The personnel assigned to IA are dedicated to protecting the rights of all persons involved in the complaint process and treating everyone with dignity and respect. IA currently has staff of one Lieutenant, two Sergeants and one Administrative Assistant that report directly to the office of the Chief.

Complaint investigations involving allegations that 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 chain of command. The below listed allegations are always investigated by an internal affairs investigator:

- Use of Force (or any incident) involving serious injury or death
- Allegations of criminal conduct
- Conduct involving moral turpitude - an act or behavior that gravely violates the sentiment or accepted standard of the community
- Vehicle accidents of a major nature involving on-duty police personnel.

Command Review Board (CRB)

Procedural Justice is one of the cornerstones in 21st Century Policing. It's based on the idea that people's perceptions of police legitimacy are influenced more by their experience of interacting with officers than by the end result of those interactions. The concept includes focus on principles of fairness, respect, and dignity while embracing transparency and neutrality. In implementing

Procedural Justice, it is recognized that the importance extends to internal matters as it influences external police actions.

In keeping with the implementation of Procedural Justice at the Columbia Police Department, the department established a Command Review Board (CRB) in 2015. The purpose is to provide a more transparent decision-making process for administrative investigations and solicit the community to participate. The CRB 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

In 2020, the CRB met on nine occasions to review completed internal investigations that resulted in an initial finding of sustained, with a recommendation for disciplinary action of suspension, demotion or termination. In each of these meetings, the CRB made recommendations for disposition and disciplinary action to the CRB Chair. The Chief or Deputy Chief of Police serve as the Chairperson of the CRB and makes the final determination concerning disciplinary actions. The Chief of Police or a designee may also convene a CRB hearing for any circumstance deemed appropriate.

Two employees of the Department were terminated from their employment as a result of the recommendations made by the CRB. One received a Written Reprimand, and two resigned in lieu of termination. The remainder of the employees received suspensions.

CITIZEN ADVISORY COUNCIL

The Columbia Police Department Citizen Advisory Council (CAC) 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 CAC 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 CAC also serves on the Command Review Board to provide citizen input in administrative cases involving officer misconduct. The CAC is comprised of at least 10 members representing the diverse demographics of the city of Columbia. The Mayor and City Council appoint seven representatives and the Chief of Police appoints three representatives to the CAC. The Council meets at least quarterly.

In 2020, the Citizen Advisory Council did not have a formal meeting largely due to the Covid 19 Pandemic. However, Members of the Council met with Professional Standards and Chief Holbrook at Police Headquarters following the April 8th, 2020, officer involved shooting. Members were briefed about the incident and the ongoing investigation.

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 CPD employees can be submitted in a variety of ways:

- **Online** – Visit www.ColumbiaPD.net/employee-complaint/ and complete the form.
- **In person** – File a written complaint at CPD headquarters or any region office.

- **Mail** – Send a letter to:
 Attn: Lieutenant Jackson Sheard
 CC: Internal Affairs Unit
 Columbia Police Department
 1 Justice Square
 Columbia, SC 29201
- **Phone** – Call the IA Unit at **803-545-3655**.

Upon receipt of citizen complaints, the IA Unit will notify and provide the information submitted to the subject employee’s Unit/Section Commanding Officer and Region/Division Commanding Officer. Each complaint is taken seriously and every effort is made to process them in a timely manner. To learn more, please visit www.ColumbiaPD.net, select “Inside CPD,” and click “Office of Professional Standards.” This area of our website contains detailed information about the complaint process.

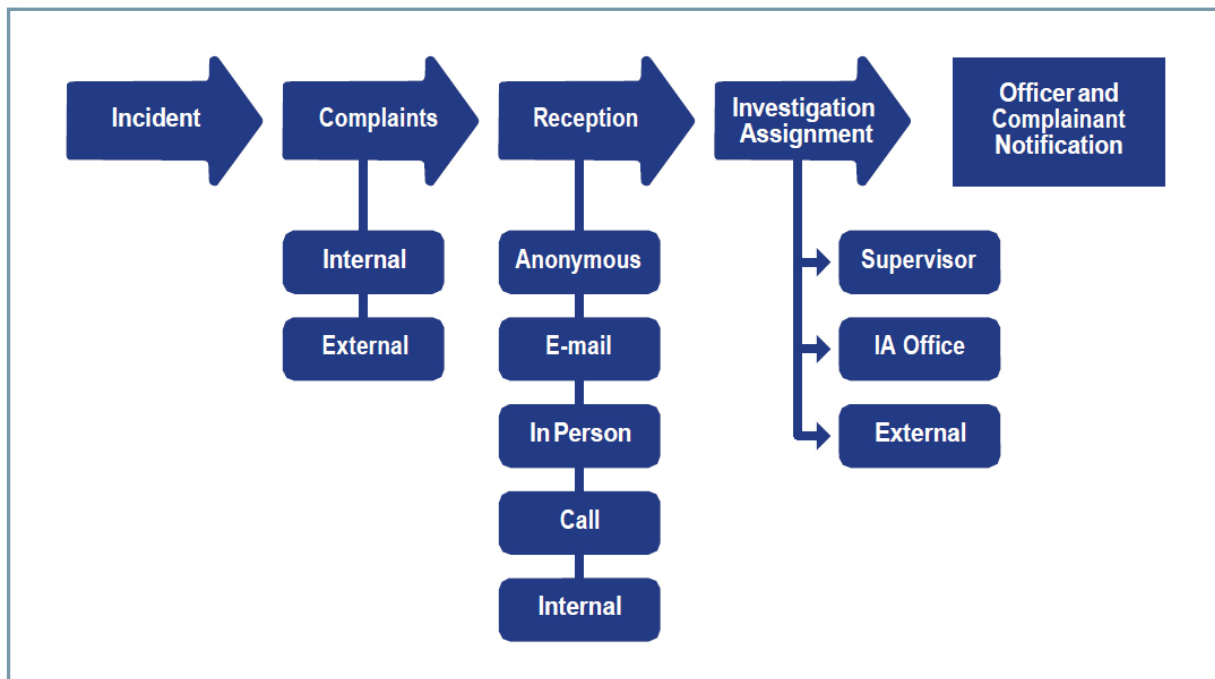


FIGURE 10: The Complaint Process **DATA SOURCES:** Building Trust Between the Police and Citizens they Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement, U.S. Department of Justice COPS Office 2009

Investigations

After a complaint is filed, the following procedures are followed:

- The complaint is processed through the IA Unit for tracking purposes and assigned to the employee's supervisor or the IA Unit to investigate
- An investigator will contact the complainant and arrange an interview. 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 Command Review Board.

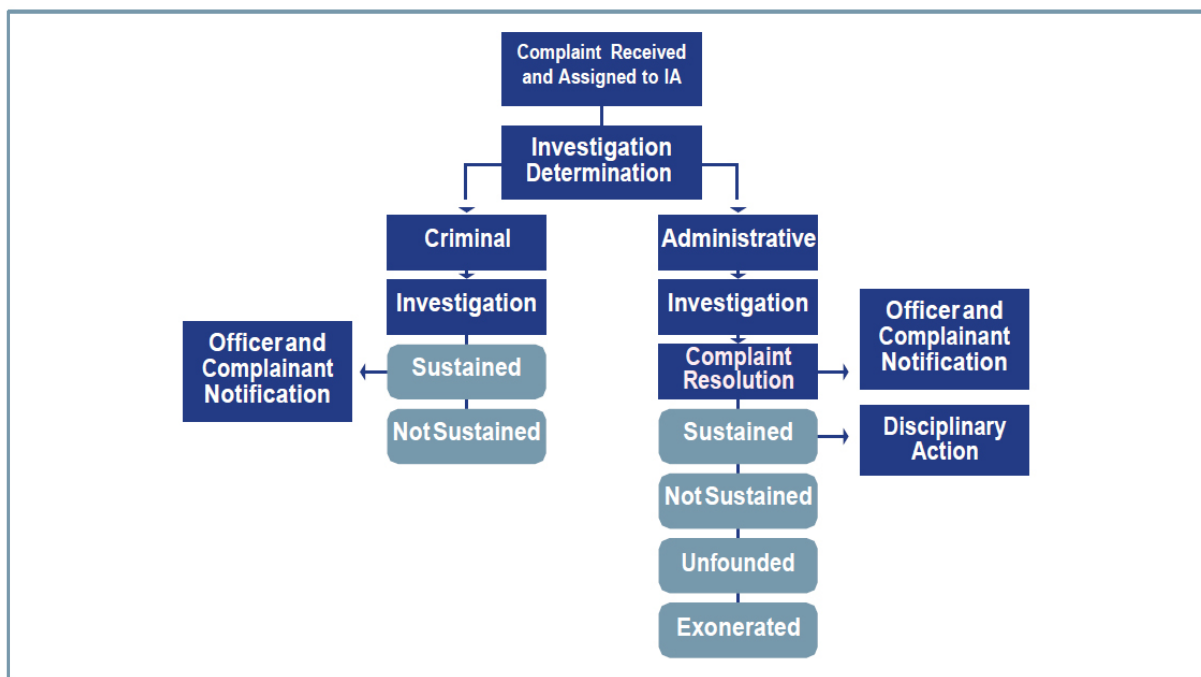


FIGURE 11: The Complaint Investigation Process **DATA SOURCES:** Building Trust Between the Police and Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement U.S. Department of Justice COPS Office 2009

Types of Dispositions

Complaint dispositions are classified as one of the following:

- **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.
- **Exonerated** – The incident occurred but was lawful and proper.

If an allegation is found to be Exonerated, Not Sustained or Unfounded, then the Commander of the IA Unit will review the investigation with the subject employee's chain of command. For disciplinary recommendations of suspension, demotion, or termination, a command review board hearing will be held by default, convened to render a disposition on the allegation(s) and to recommend the appropriate disciplinary actions.

Upon disposition of a complaint allegation, the IA Unit 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, circumstances such as case complexity and witness availability, can prolong complaint investigation.

Discipline Philosophy

The Columbia Police 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 CPD's established Discipline Philosophy. The 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 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, CPD employees 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. Consequences of not following policy and/or of sustained complaints or policy violations could result in range from counseling and retraining to 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 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 the error is made. 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. Although resignations in lieu of terminations may be accepted by the Chief of Police, resignations accepted while the employee is still under administrative investigation are still subject to the outcome of the investigation and any disciplinary documentation that would apply. The results of such findings are reported to the South Carolina Criminal Justice Training Academy Misconduct Unit for further action.

2020 COMPLAINTS AND DISPOSITIONS

The IA Unit processed 142 complaints of misconduct against employees of the Columbia Police Department in 2020. The majority of complaints, 84, were initiated by the citizens of Columbia.

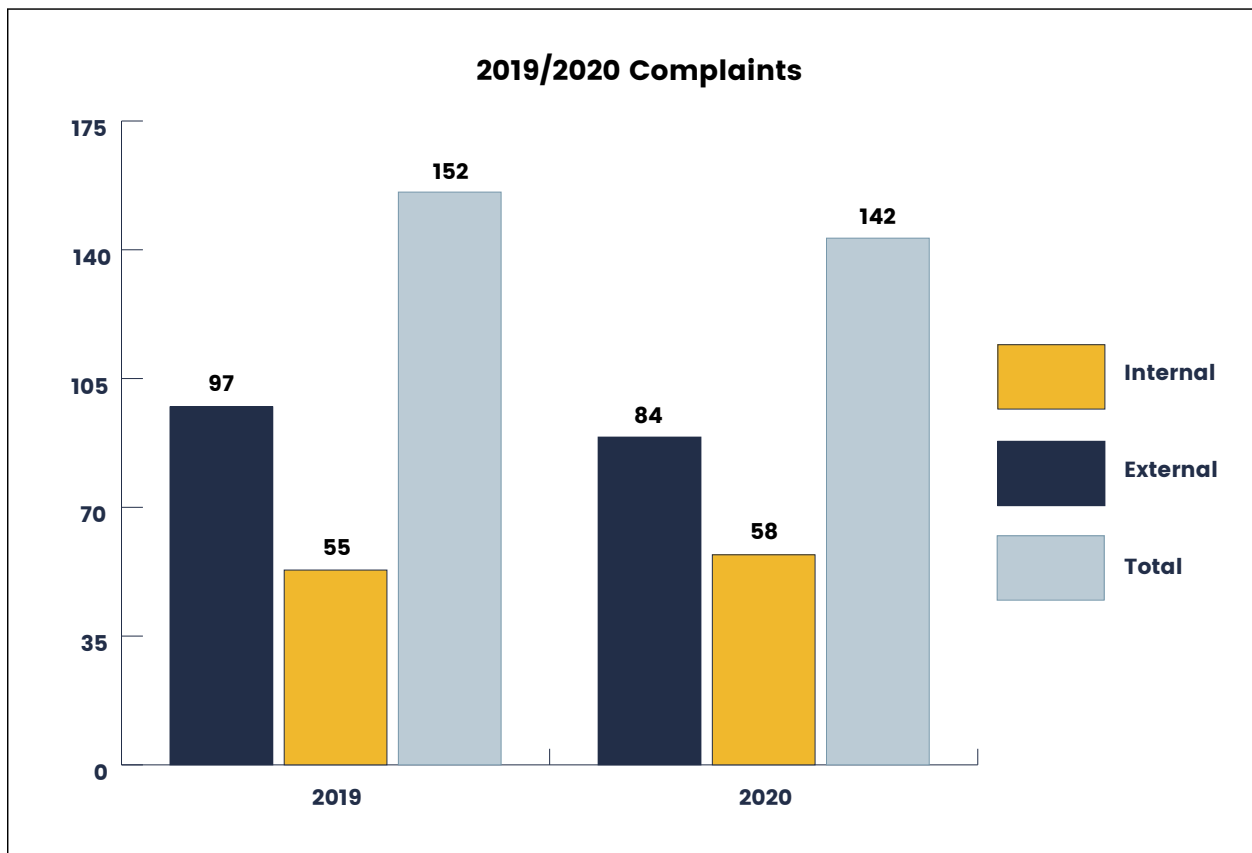


FIGURE 12: The total number of internal and external complaints received in, 2019 and 2020. **PLEASE NOTE:** Complaints may contain multiple allegations. Some complaints in this table may still be pending adjudication.

DATA SOURCE: CPD

A 13% decrease in Public Complaints was observed in 2020.

In 2020, the Columbia Police Department received 5 complaints for excessive force and one complaint involving racial profiling. The racial profiling

complaint concerned a traffic stop. The male citizen complained that the officer stopped him because of his race. The complainant further alleged the officer fabricated the purpose for the stop, alleging the officer lied about the vehicle's tag number being entered into NCIC as belonging to a wanted person. The investigation revealed the complaint's tag number was entered into NCIC as being associated with a wanted female. That NCIC entry was made by another agency. When the officer ran the tag using his on board computer, he was alerted of the association and therefore was correct to perform a traffic stop and ascertain if the female was in the car.

One of the excessive force complaints involved a loose pit bull having been shot by an officer. That officer was exonerated. In another case, an investigation revealed the officer did not use force and therefore the excessive force complaint was determined to be unfounded.

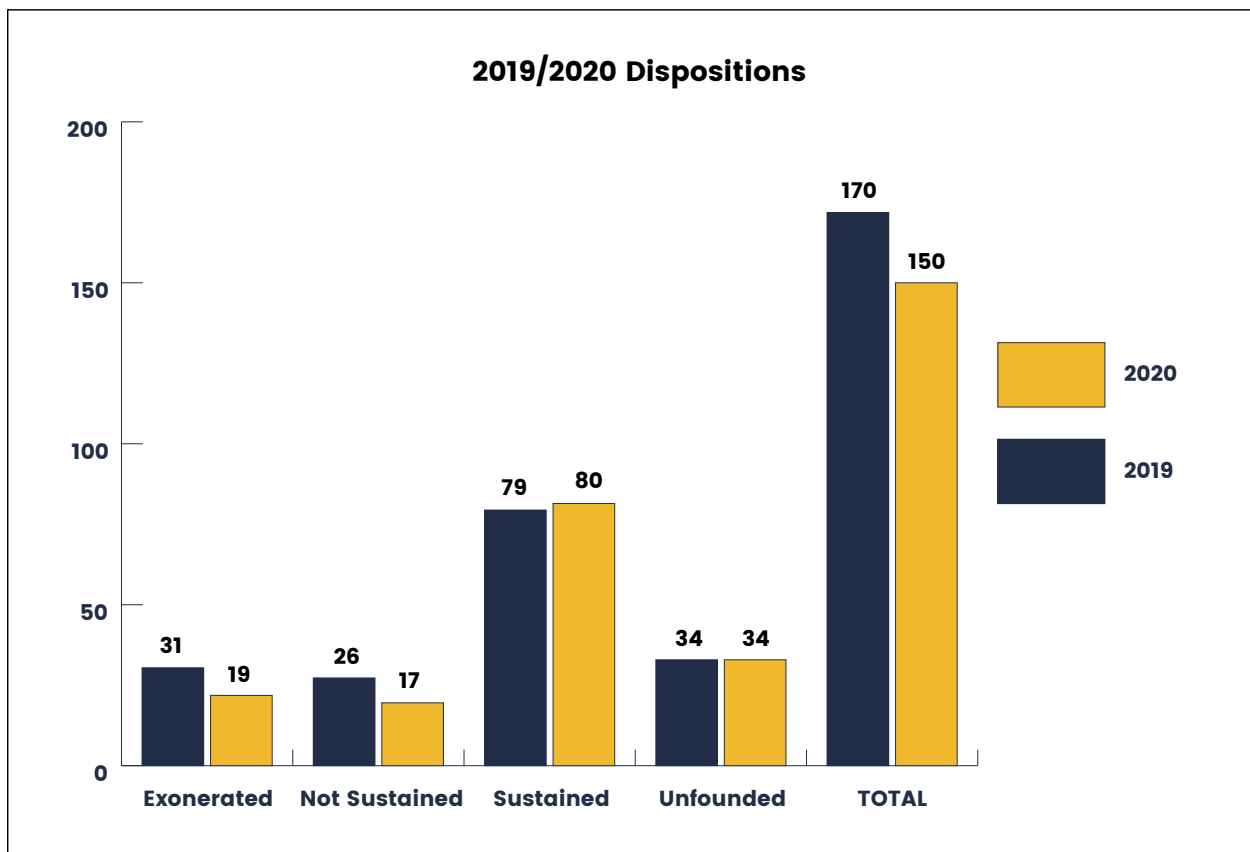


FIGURE 13: The findings of misconduct and rule violations alleged in complaints in 2019 and 2020. Note three cases were administratively closed without additional disposition. **DATA SOURCE:** CPD

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

	External	Internal	Total
Counseling/Retraining	10	20	30
Oral Reprimand	3	11	14
Written Reprimand	2	15	17
Suspension	1	5	6
Termination	0	5	5
Employee Resigned	2	0	2
Resignation in Lieu of Termination	0	4	4
TOTAL	18	60	78

FIGURE 14: Actions taken in conjunction with sustained allegations in 2020. Two sustained complaints were resolved with Performance Improvement Plans. **DATA SOURCE:** CPD

As a result of four sustained allegations made in 2020, one employee resigned in lieu of termination and three other employees were terminated.

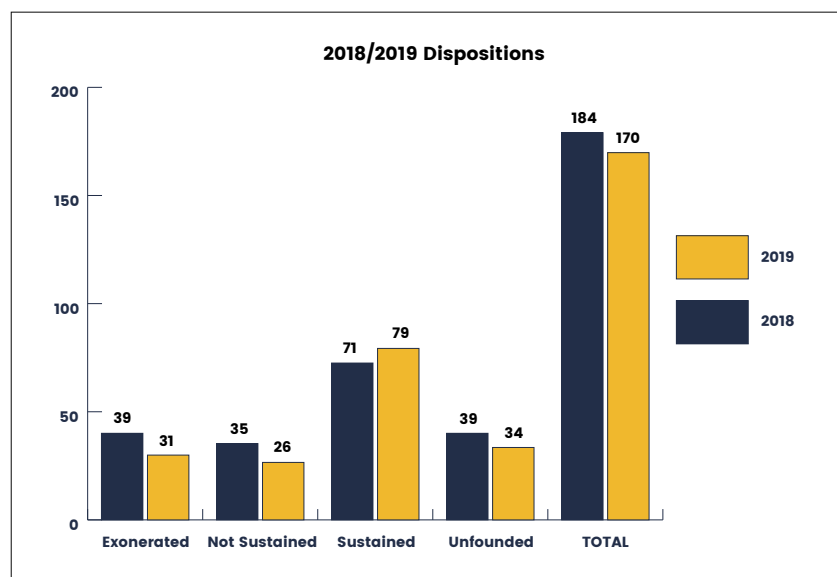


FIGURE 15: The types of disciplinary actions taken for policy violations not related to a formal complaint investigation. **DATA SOURCE:** CPD

CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES

When an employee of the Columbia Police Department 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 or not.

The IA Unit conducts independent administrative investigations that run after the criminal investigation, unless directed by the Chief of Police.

The completed administrative investigation is presented to the CRB for review to determine if any directives and/or procedures were violated. Decisions on the final disposition of 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.

One criminal charge was filed against an employee with the Columbia Police Department in 2020 resulting from an off duty incident between an officer and an acquaintance. The Richland County Sheriff's Department arrested the officer and a criminal charge of assault is pending in magistrates court. The officer remains on Investigatory Suspension.

IN-CUSTODY DEATHS

CPD has several policies relating to prisoner care and transportation. These policies are periodically reviewed and updated to 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 CPD, the appropriate jurisdiction's Coroner's Office and SLED are requested 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 concurrently conducted to determine policy compliance. At the conclusion of the internal investigation, the case is reviewed by the officer's chain of command or the Command Review Board to determine the disposition, and any disciplinary action, if appropriate.

- **In 2020, 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, the violator, and police officers. The department's policy authorizes officers to engage in a vehicle pursuit only when they have cause to believe the necessity of apprehension outweighs the immediate danger created by the pursuit to the officer and the public. 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 oversight 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 which provides a written summary of the incident and forwards the Vehicle Pursuit Packet through the chain of command to the Office of the Chief. The Office of Professional Standards reviews and analyzes each pursuit packet to identify potential needs for additional training and/or policy/directive modifications.

PURSUIITS		
	2019	2020
Pursuits:		
Total Officers Involved	107	159
Terminated by Supervisor	12	15
Terminated by Officer	13	13
Terminated by Suspect	47	48
Terminated by Suspect due to Collision	29	23
Policy Compliant	42	50
Policy Compliant/Remediation	0	2
Justified Pursuits w/o Policy Violation	42	52
Justified Pursuits w/ Policy Violation	20	29
Unjustified Pursuits	0	0
Collisions resulting from Pursuits	29	36
Total Pursuits	62	81
Injuries:		
Officer	0	2
Suspect(s)	9	6
Third Party	0	0
Reason Initiated:		
Traffic Offense	15	29
Criminal Offense	47	52

FIGURE 16: 2019 and 2020 Pursuits. **DATA SOURCE:** CPD

Vehicle Pursuits – Definitions

Justified – the pursuit is legal according to State Law. The officer is justified in regards to SC State law in initiating a traffic stop and/or pursuing the vehicle.

Unjustified Pursuits – pursuits that may have occurred because they were initiated due to unjust, wrong, and/or unlawful reasons, lacking reasonable suspicion and not of an actual or suspected law violator.

Policy Compliant – does not violate policy, the incident complied with policy.

Policy Not Compliant – violates policy directly related to the pursuit policy or any other policy during the pursuit.

Justified without Policy Violation – the pursuit was legal and lawful (at a minimum reasonable suspicion existed for the traffic stop) and there were no violations of policy.

Justified with Policy Violation – The pursuit was legal and lawful (at a minimum reasonable suspicion existed for the traffic stop) and the pursuit violated policy.

Vehicles/Officers Involved – the number city vehicles involved in the pursuit, and officers in the vehicles. There are times when there may be more than one officer in a patrol car and therefore the number of officers versus the number of vehicles differ.

Terminated by Supervisor – The pursuit is terminated by the supervisor, for various reasons such as: public safety, time of day, surrounding, charges etc.

Terminated by Officer – The pursuit is terminated by the initiating officer for various reasons such as: public safety, time of day, weather conditions.

Terminated by Suspect – The pursuit is terminated by actions of the suspect such as: collision, fleeing the vehicle, surrendering, etc.

Terminated by Suspect due to Collision – The pursuit is terminated due to accident, involving the suspect vehicle.

Collisions Resulting from Pursuits – Pursuits that caused, contributed, or ended in collisions.

Reasons for Initiating Vehicle Pursuits		
Offenses Initiating a Pursuit	2019	2020
Homicide	0	1
Burglary/Home Invasion	3	0
Assault on Government Officer or Employee	0	0
Assault w/ Deadly Weapon	0	0
Auto Breaking	0	2
Sexual Assault (Rape/Sex Offense)	0	0
Larceny of a vehicle	22	29
Hit and Run	0	3
Unlawful Entry into an Enclosed Area	0	0
Kidnapping	1	0
Robbery (Armed)	4	0
Traffic Offense (Not DUI)	15	26
Wanted Person	3	2
Weapons Law Violation	1	1
Arson	0	0
Criminal Offense - Non Felony	9	9
DUI	1	2
Person with a gun	0	0
Shots Fired	0	2
Suspicious Person	3	3
Narcotics Violation	0	1
TOTAL	62	81

FIGURE 17: Violations initiating pursuits in 2019 and 2020. **DATA SOURCE:** CPD

Vehicle Pursuits – Policy and Practice Continued

Policy regulating police activity during vehicle pursuits (General Orders) were updated in late 2017. Changes in the new policy broadened justification to conduct a pursuit from Violent Felony to include Violent Criminal Activity and Serious Criminal Activity. The purpose was to provide further guidance and direction of authorized pursuit situations.

Violent Criminal Activity: Any activity that resulted in death or bodily injury, or any act by the subject where the public or an officer is threatened with bodily injury or death. e.g. the subject has used or threatened to use a weapon.

Serious Criminal Activity: Any activity which would be adjudicated in the Court of General Sessions if a person were arrested and convicted for engaging in that activity.

Furthermore, the Pursuit Authority defined in the Police Emergency Vehicle Operation and Motor Vehicle Pursuit Policy of General Orders (General Order 01.03 Section 3.2) was updated to say, "Officers are authorized to engage in a vehicle pursuit only when they have reasonable suspicion to believe that the driver or occupant of the other vehicle has engaged or is about to engage in violent criminal activity or serious criminal activity AND the pursuit assessment indicates pursuit is reasonably warranted." (Whereas the previous General Order stated: "Officers are authorized to engage in a vehicle pursuit only when they have reasonable suspicion to believe that the driver or occupant of the other vehicle has committed or is about to commit a violent felony.")

Additionally, the definition of Pursuit Assessment was also included in the policy in order to better help officers and supervisors assess if a pursuit is warranted and is defined as: the process of weighing the factors to the pursuit to decide whether the necessity to immediately apprehend the fleeing suspect outweighs the level of inherent risk created by a motor vehicle pursuit.

Training on Tire Deflation Devices (Stop Sticks) began in 2018, and in the years that followed, more officers and supervisors were trained in the use of the Tire Deflation Devices. Tire Deflation Devices (Stop Sticks) were successfully deployed in 2020 to stop five vehicle pursuits.

In 2020, there were no fatalities resulting from a pursuit initiated by the Columbia Police.

Employee Motor Vehicle Collisions

To provide police services throughout the City of Columbia's jurisdiction, designated 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 141 square miles with additional annexations added throughout the year. In total, the department has approximately 462 vehicles in operation, with many vehicles being operated 24-hours a day. In 2020, department vehicles were driven a total of 4,521,804 million miles. Note that for 2019, the number was incorrectly originally reported at 4,379,588, but according to Fleet services the correct total mileage is 5,394,689 million miles.

In 2020, 78 collisions involving the department's motor vehicles were reported, a decrease of 28 from the previous year. South Carolina Code of Laws (Section 56-5-765) require the South Carolina 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 conducted on all collisions involving Department vehicles. An independent Vehicle Accident Review Board is composed of the City of Columbia's Risk Management Office, the City Fleet Services Division, and officers from the traffic and training unit. The Board, appointed by the Office of the Chief, reviews the results of the internal investigations to determine if the accident was preventable or not preventable. As seen in Figure 18, over half of the collisions that occurred in 2020 were determined to be preventable.

When an employee is involved in a preventable collision, the Vehicle Accident Review Board determines appropriate corrective action. Corrective actions include counseling and retraining through punitive actions such as written reprimands and/or loss of vehicle privileges. In conjunction with these actions, personnel may also be required to attend drivers training or emergency vehicle operation course as a remedial action. In 2019, a specialized class was

developed by the training unit for officers who had been in one or several preventable collisions in order to correct driving shortcomings. Two officers were directed to attend the class in 2020.

In addition, the Board identifies patterns of driving, circumstances, equipment or training deficiencies that contribute to accidents and recommends strategies to resolve these issues. These recommendations and strategies are reviewed by the Department's Training Unit and incorporated into training lesson plans proctored during annual recertification of sworn officers and/or for individual application.

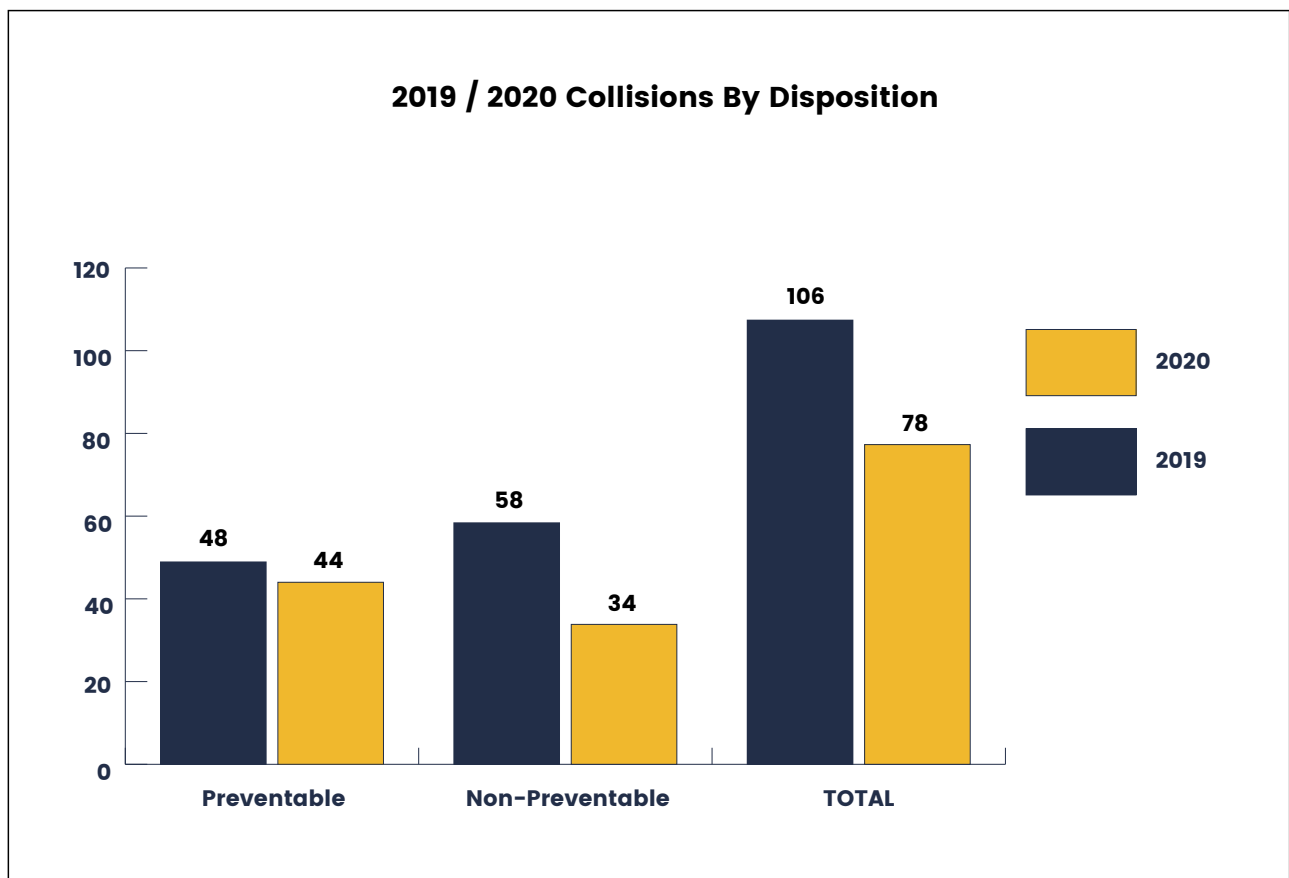


FIGURE 18: Dispositions reached in investigations of department vehicle accidents. **DATA SOURCE:** CPD







COLUMBIA POLICE DEPARTMENT

1 Justice Square
Columbia, SC 29201
ColumbiaPD.net



@columbiapdsc