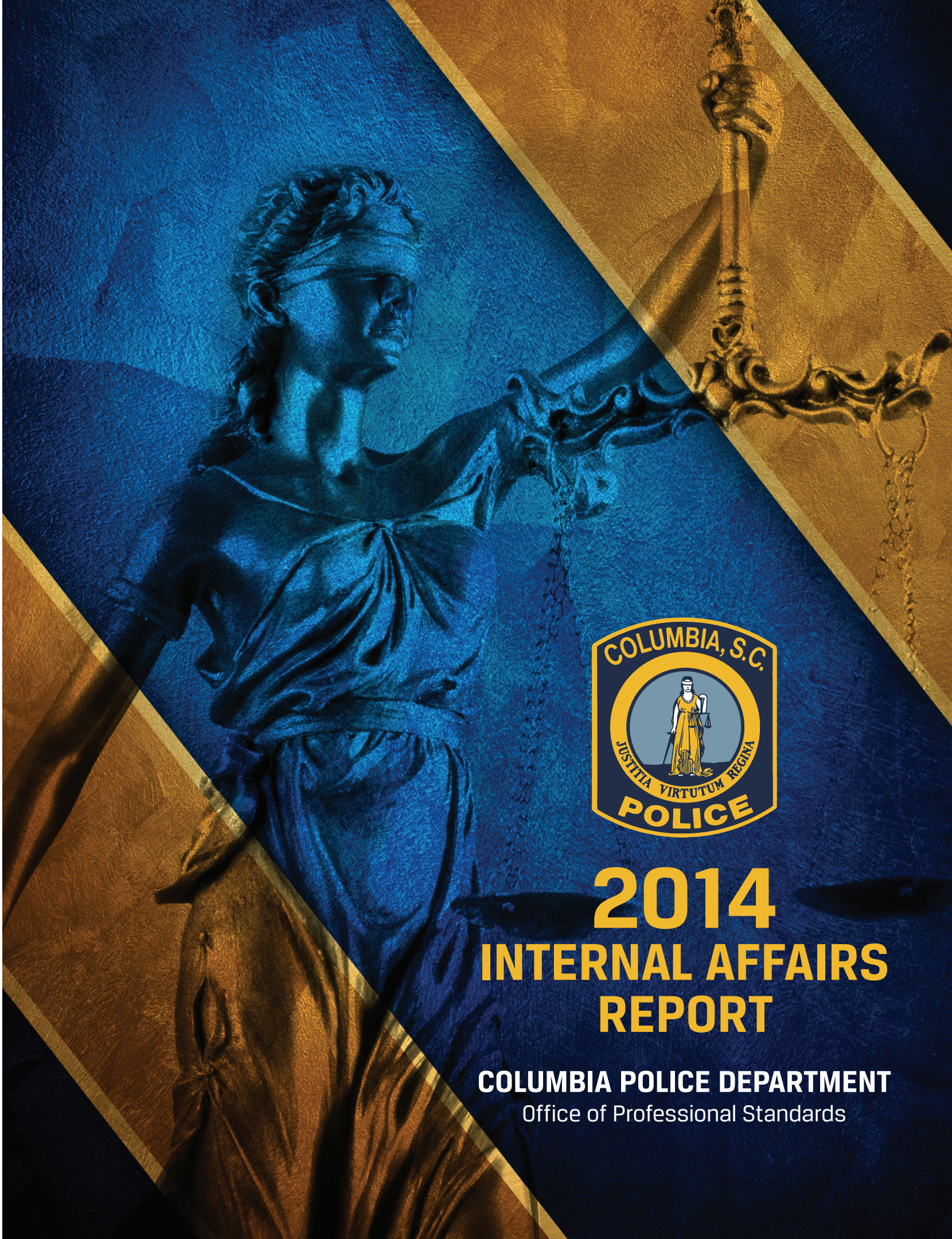


2014 INTERNAL AFFAIRS REPORT

COLUMBIA POLICE DEPARTMENT

Office of Professional Standards

CITY of COLUMBIA, S.C.

JUSTITIA VIRTUTUM REGINA

We Are Columbia

BUILD

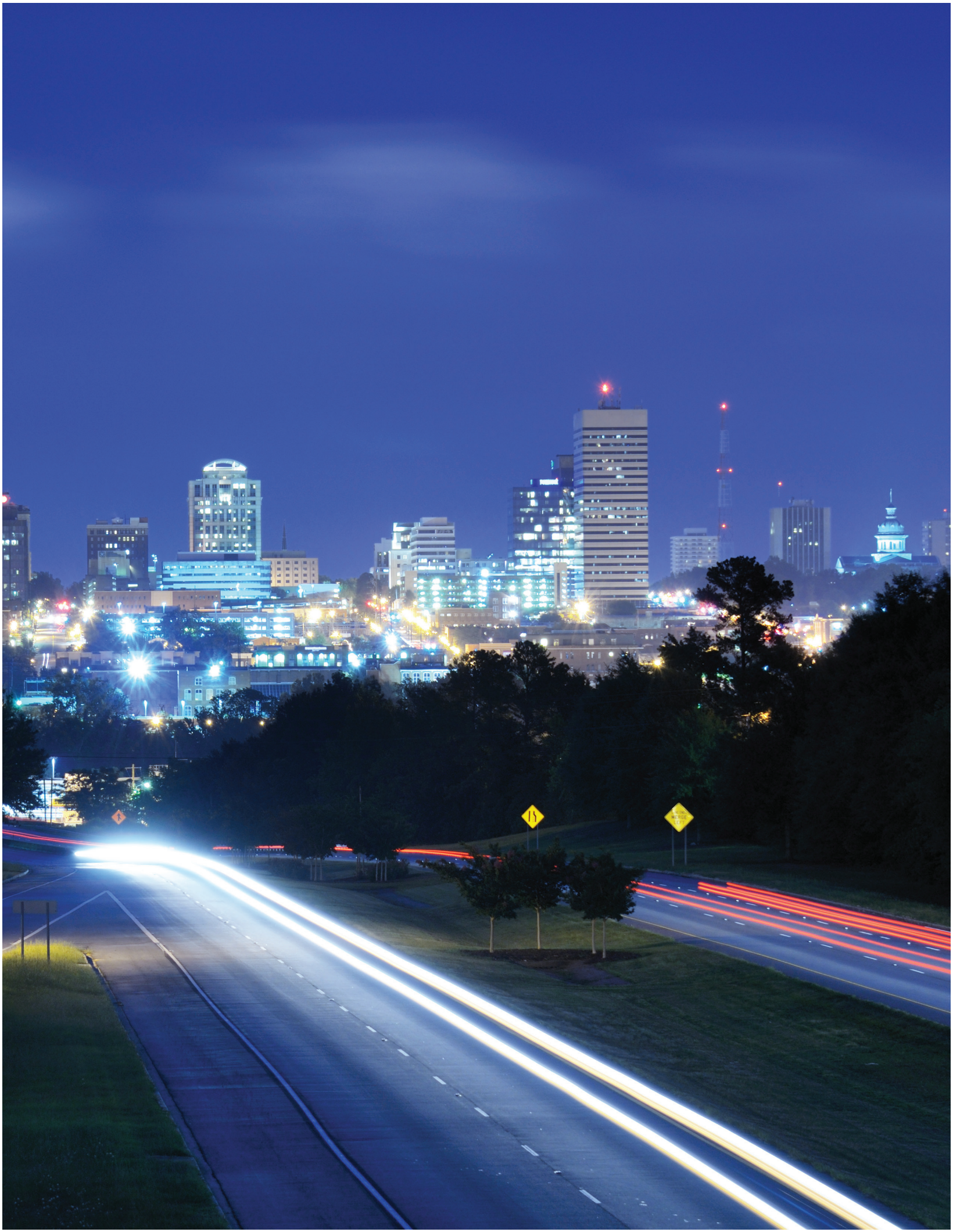
COLUMBIA

Run. Grow. Transform.

2014
INTERNAL AFFAIRS REPORT

COLUMBIA POLICE DEPARTMENT

Office of Professional Standards



MESSAGE FROM THE MAYOR

Greetings,

As Mayor of Columbia, I want to take a moment to personally thank Chief Holbrook, his command staff, the Office of Professional Standards, the Internal Affairs Unit and all the men and women of the Columbia Police Department not only for their leadership in producing this landmark report, but also for their selfless commitment to serving all the people of this great city.

We believe that every citizen in Columbia deserves a safe city in which to live, work and play and we've worked hard to make that vision a reality. Over the past five years alone we've increased public safety budgets by nearly $10 million with millions more invested in new patrol cars, facilities and technology. We've improved recruiting, expanded training and created a new public safety infrastructure that includes hundreds of new security cameras installed across our city and the results are undeniable.

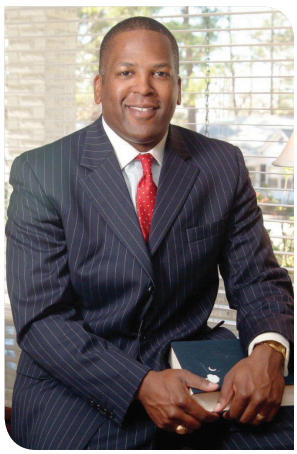
We've done a lot but we also know that all the new tools, training and technology in the world is no substitute for the community's trust and right now across our nation that trust is being eroded by suspicion, frustration and fear. It doesn't have to be that way.

We choose to commit ourselves to building a world class police department rooted in a foundation of fairness, openness and accountability not just to the City Manager, City Council or Mayor, but to you, the people of Columbia.

But in order to do that we can't pretend we're perfect. We must have the courage and integrity to say we're not. That's what makes this report and the larger effort it represents so important because it's about more than public safety. It's about justice for all.

Let me be clear: there's a lot of good news in this report. We have a lot of reasons to celebrate and some challenges. Let us rise to meet them openly, honestly and, most importantly, together.

So it is with that in mind that I proudly present to you and to all the people of Columbia the Columbia Police Department's 2014 Internal Affairs Report.



Sincerely,

Stephen K. Benjamin
Mayor
Columbia, SC

MESSAGE FROM THE CHIEF

Citizens of Columbia,

It is my pleasure to present to you the Columbia Police Department's 2014 Internal Affairs Report. All members of the Columbia Police Department are committed to our mission of providing professional and ethical service in protection of our citizens while reducing fear and preventing crime through problem solving partnerships. Completing our mission requires both the trust and confidence of those we serve. Our internal affairs process plays an integral role in building and maintaining that trust.

In an effort to demonstrate transparency, improve performance and increase accountability, the Internal Affairs Unit within our Office of Professional Standards is tasked with providing this annual report to inform you about our process when investigating complaints of officer misconduct, use of force incidents and vehicle pursuits and crashes. This report gives a complete overview of our internal affairs activities along with supporting data and information.

It is my hope you find this report both helpful and informative. For additional information about the Columbia Police Department and all of our operations, please visit our website at *www.columbiapd.net.*

Sincerely,

William H. "Skip" Holbrook
Chief of Police

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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
- Building and maintaining public trust
- Reducing victimization
- Demonstrating fiscal responsibility
- Upholding the constitutional rights of our citizens

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.

2014 INTERNAL AFFAIRS REPORT - AT A GLANCE

Department Personnel

- Sworn Officers: 410
- Demographics: 293 Males / 49 Females
- 228 White 67% / 100 Black 27% / 11 Hispanic 3% / 3 Asian 1%
- Civilian Employees: 93
- Demographics: 41 males / 55 females
- 36 White / 59 Black / 1 Hispanic

Columbia Population

- Residents: 133,358*
- Daytime Populatio: 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: 168,838
- Citizen Complaints: 138
- Internal Complaints: 33
- Arrests: 7,175
- Use of Force Incidents: 108
- Deadly Force Incidents: 3
- Miles Driven: 4,451,835
- Vehicle Collisions: 44

Public Encounters	2013	2014
Calls for Service (CFS)	185,613	168,838

Types of Public Encounters of CPD Personnel and Citizens	2013	2014
Public Contact/Warnings	3,226	6,636
Field Interviews	3,239	2,209
Traffic Citations	30,544	28,558
Criminal Arrest	7,699	7,175
Criminal Citations	10,216	8,491
Traffic Stops	20,873	24,013
Arrest Warrants	5,307	3,034
Bench Warrants	904	1,715
	82,011	**81,831**
Others CFS	**103,602**	**87,007**

Examples of other type CFS would include alarm calls, residence checks, suspicious persons or vehicles, etc.

INTRODUCTION

The men and women of the Columbia Police Department responded to 168,838 calls for service in 2014, made 7,175 arrests, and conducted 24,013 traffic stops resulting in 28,558 traffic citations. Also during the year, 171 complaints of misconduct were filed against members of the Department. As these numbers indicate, the overwhelming majority of interactions between our police officers and the citizens of Columbia are positive in nature, with members of our department performing their police duties with professionalism and pride. However, the misconduct of one officer can have a significant negative impact on our citizenry as well as the police department. Incidents of misconduct can also lead to costly lawsuits, poor service to the community and the loss of valued employee services.

Misconduct can not be tolerated, therefore it is important to have a process in place through which citizens bring their concerns to the attention of the Columbia Police Department. The complaint process must be user friendly, easily accessible and foster confidence on the part of citizens that their complaints will be taken seriously, properly investigated, and when appropriate, corrective action will be taken. The process must also give officers confidence that complaints against them will be investigated in a timely manner and they will be treated fairly and consistently. The citizen complaint process serves as a source of community feedback to ensure quality police service is provided and employees of the Department are conducting themselves in the professional manner that is expected of them. The process provides information to the police chief, city government officials and the community, on which to measure the responsiveness and performance of the police department. The information gathered through this process also assists us in identifying areas where changes need to be made in our policies and training curricula. The Internal Affairs 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 Columbia Police Department has not compiled an annual Internal Affairs Report since 2008 and this report is the first of its kind to be distributed to the public. Please keep in mind that this report covers calendar year 2014 and is the end product of the Department's current tracking and reporting capabilities. The report utilizes 2013 data for comparative analysis. The same method of comparison will be utilized in each calendar year, going forward. Although the Internal Affairs Unit maintains a database for monitoring and tracking officer involved shootings and allegations of misconduct, the current system has limitations on the types of information gathered, and can be readily retrieved for reporting purposes. In fact, much of the information contained herein is the result of an extensive manual review of case files maintained by the Internal Affairs Unit. The Columbia Police Department is in the midst of making many systematic and organizational improvements in an effort to keep the community informed and demonstrate the highest level of transparency and accountability. These reforms will be discussed at the conclusion of this report.

SUMMARY OF FINDINGS – CALENDAR YEAR 2014

- **168,838 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.**
- **171 complaint cases alleging misconduct by employees** were processed by the Internal Affairs Unit. The vast majority of complaints, **81%, were initiated by the citizens of Columbia. A disposition of "sustained" was determined in 39, or 23%**, of the allegations, **24 of which were external complaints made by the citizens of Columbia.**
- **108 use of force incidents** were reported, of which **3 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 **108 suspects involved in use of force incidents, 27 were white, 79 were black, 1 was Asian and 1 was Hispanic.** The overwhelming majority of suspects in the use of force incidents were male. Of the **Columbia Police Officers in those same incidents 87 were white, 20 were black and 1 was Hispanic**.
- **Approximately .06% of citizen encounters with officers** of the Columbia Police Department resulted in use of force incidents. In the context of Columbia's population, **1 use of force incident occurred for every 1,235 residents**.
- **7,175 arrests were made**; 108 use of force incidents represent 1.5% of arrests.
- **118 confirmed shootings** occurred; **426 firearms were seized; 483 aggravated assaults were reported, 30% of which involved a firearm; Columbia Police officers fired their weapons at suspects 3 times in 2014.**
- **28 Columbia Police officers were assaulted** in 27 separate incidents.
- **4,451,835 miles were driven by employees of the Columbia Police Department; 44 collisions were reported. 30 collisions were determined to be "not preventable"** by the employee.
- **34 vehicle pursuits were initiated** by members of the Columbia Police Department. The majority of pursuits were initiated for Traffic Offenses (not DUI).
- **No in-custody deaths were reported** by the Columbia Police Department.
- **4 Columbia Police Department employees were charged criminally for offenses allegedly committed while off duty**. All 4 cases are still pending court disposition.

NOTE: The data referenced in the 2014 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.

THE INTERNAL AFFAIRS STRUCTURE AND PROCESS

The Columbia Police Department places a high value on integrity and public trust. Police officer misconduct can understandably damage the community's trust and confidence in the police department. The Department's Internal Affairs Unit provides an internal system whereby objectivity, fairness and justice are supported through the unbiased investigation and review of alleged officer misconduct. Department policy requires an investigation of all citizen complaints, including those made anonymously, against the Department or its employees. The Internal Affairs Unit responds to citizen inquiries concerning departmental regulations, policies and procedures, actions taken by officers in the performance of their duties and other issues that involve the Columbia Police Department and its employees.

The personnel who are assigned to the Internal Affairs Unit take their responsibilities seriously and are dedicated to protecting the rights of all persons involved in the complaint process and treating everyone with dignity and respect. The Internal Affairs Unit currently has a staff of one (1) Sergeant, three (3) Investigators, and one (1) Administrative Assistant. The staff of the Internal Affairs Unit reports to the Captain/Commander of the Office of Professional Standards, who in turn, reports directly to the Chief of Police.

The Columbia Police Department has a responsibility to give our members the very best preparation and training to make sound, appropriate and respectable decisions, in an effort to prevent unethical and improper conduct by our employees.

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. Complaints that involve the following allegations are referred directly to the Internal Affairs Unit for investigation. The Internal Affairs 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 or inquiries are investigated by the subject employee's supervisors.

During 2014, the investigative process was handled on the basis of whether or not the allegation constituted misconduct on the part of the personnel involved. Based on the findings of the investigation as it progressed, the matter was handled in one of the following ways:

1. As a complaint investigation, whereby the allegation would constitute a violation of law, misconduct, and breach of departmental directives, policies or procedures. Complaint investigations are handled by an investigator with the Internal Affairs Unit or someone in the officer's chain of command.

2. As an inquiry, whereby the allegation would not constitute a violation of law, misconduct, breach of departmental directives and procedures, but may be a result of a lack of understanding of law, departmental directive and procedure or judicial process. Inquiries are typically service oriented and not allegations of officer misconduct (i.e. untimely response to call; traffic citation). Inquiries are handled by first-line supervisors, who contact the complainant in an attempt to resolve the issue without further investigation. If the inquiry cannot be resolved by the first-line supervisor, it is forwarded to the Internal Affairs Unit. Inquiries totaled 16 in 2014 compared to 4 in 2013.

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 a written complaint at the Columbia Police Department headquarters located at #1 Justice Square, Columbia, SC. 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 #1Justice 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.

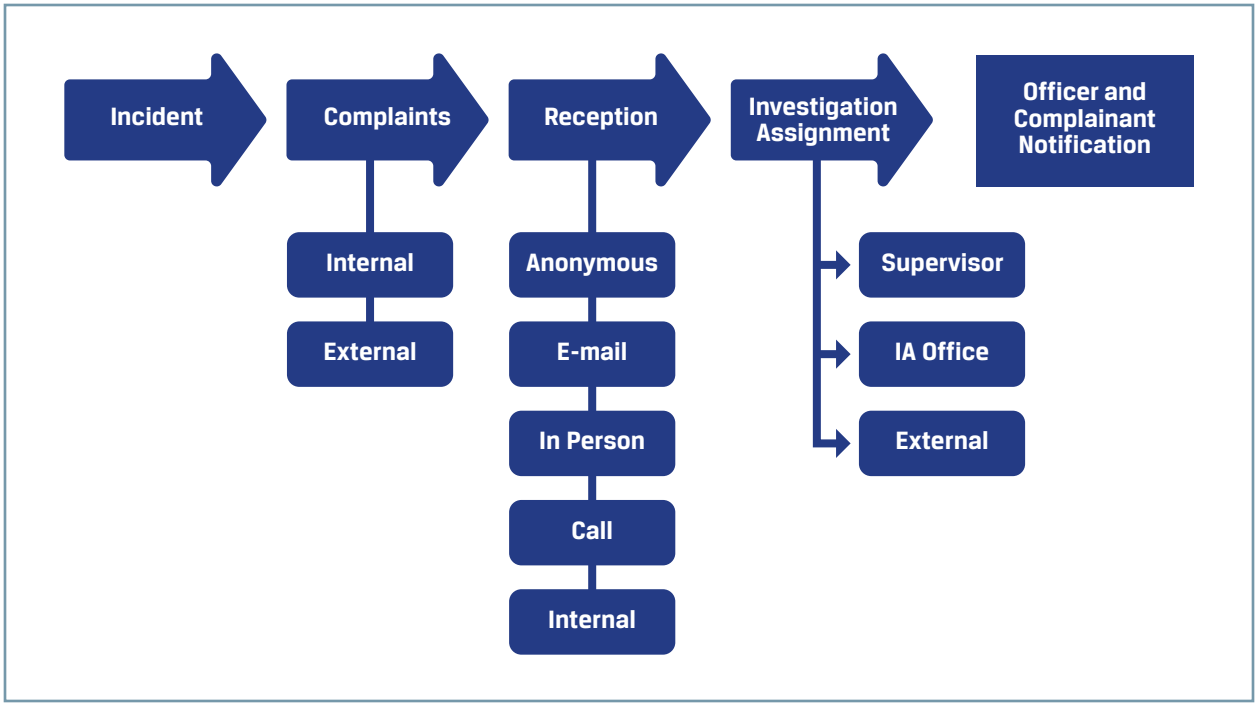

FIGURE 1: The Complaint Process **DATA SOURCES:** *Building Trust Between the Police and Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement | U.S. Department of Justice COPS Office 2009*

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.
- 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 and command staff.

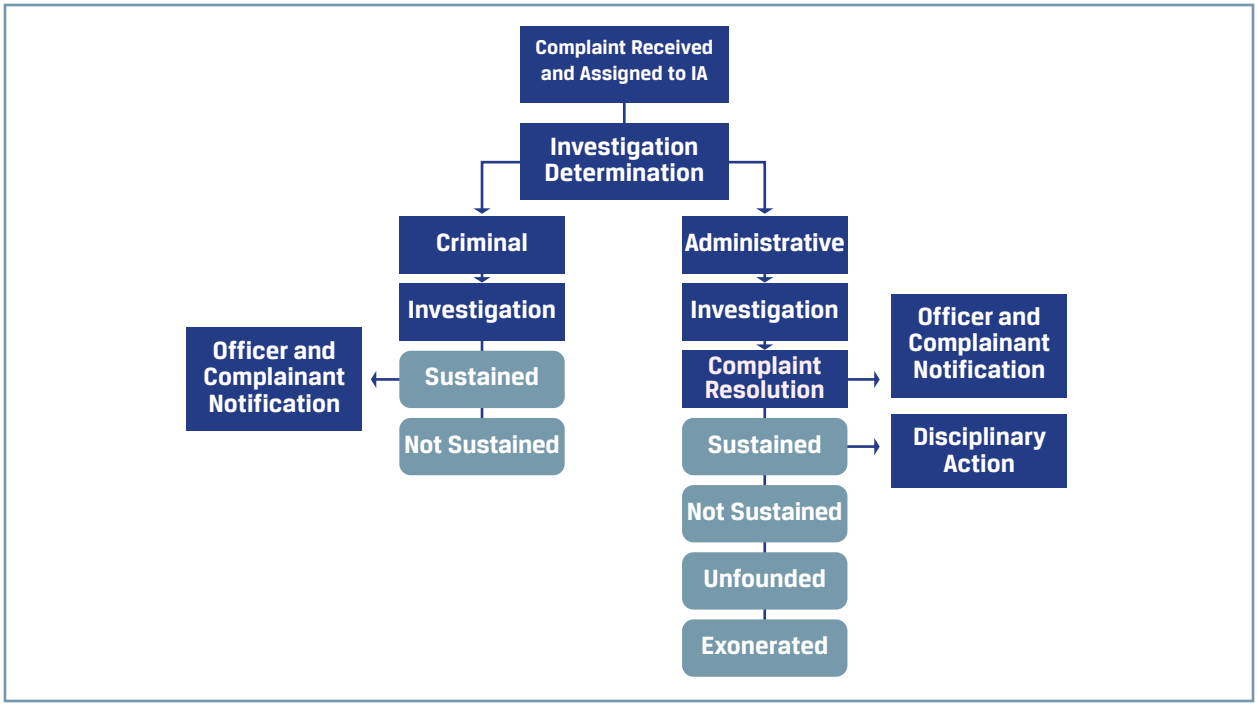

FIGURE 2: The Complaint Investigation Process **DATA SOURCES:** *Building Trust Between the Police and Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement | U.S. Department of Justice COPS Office 2009*

Dispositions

After an investigation is complete and the case is reviewed by the employee's chain of command or the Professional Standards Commander, it is forwarded to the Chief of Police to determine a disposition. Members of the Internal Affairs Unit conduct complaint investigations but do not give recommendations as to disposition or disciplinary action. 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. If the complaint is Sustained, the Chief of Police will determine the disciplinary action to be taken. Members of the Internal Affairs Unit review all disciplinary actions taken for

consistency with the Department's disciplinary philosophy, and works with the command staff to resolve any inconsistencies.

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.

Addressing Problem Behavior

The Columbia Police Department has more than 100 directives and procedures that establish policies for topics ranging from Use of Force to Towing Vehicles. In addition, 61 rules of conduct must be followed. These rules cover the broader categories of behavior and performance expectations to which all employees are held accountable.

The department is committed to applying progressive disciplinary action to ensure misconduct will not occur again. Disciplinary action can range from counseling/retraining to a recommendation for employee termination. In many cases, employees also receive additional training in the subject areas where violations occur.

The Chief of Police makes the decision on the appropriate disciplinary action based on the Department's established disciplinary philosophy. The most effective disciplinary system is one that combines the reinforcement of the right set of values in all employees with behavioral standards that are established in clear policies, procedures and rules that are consistently and fairly applied. Each employee of the Columbia Police Department must understand and be guided by the standards that have been established in the department policies, rules, regulations and procedures.

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 who hold positions of greater or lesser organizational authority. In order to ensure that employees are treated in a consistent and fair manner, the application of consequences for behaviors that are not in keeping with the expectations of the department will be based upon a balanced consideration of the factors set out below.

- **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 consideraion as well. A relatively new employee will be given more lenient consideration when judgmental errors are made. In the same vein, employees with more experience who make judgmental 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.

The Columbia Police Department's disciplinary process mandates the adjudication of complaint allegations by a supervisory chain of command review. Internal Affairs Unit personnel serve to investigate complaint allegations and advise the chain of command on the investigation and disciplinary process. The Internal Affairs Unit does not participate in the determination of a final disposition of the investigation.

There is no disciplinary action taken if an employee resigns while under investigation. Even when the employee resigns, the investigation continues until its completion. There are more disciplinary actions taken than allegations, as some allegations result in multiple disciplinary actions.

2014 COMPLAINTS AND DISPOSITIONS

The Internal Affairs Unit processed 171 complaint cases of misconduct against employees of the Columbia Police Department. The vast majority of complaints, 81%, were initiated by the citizens of Columbia.

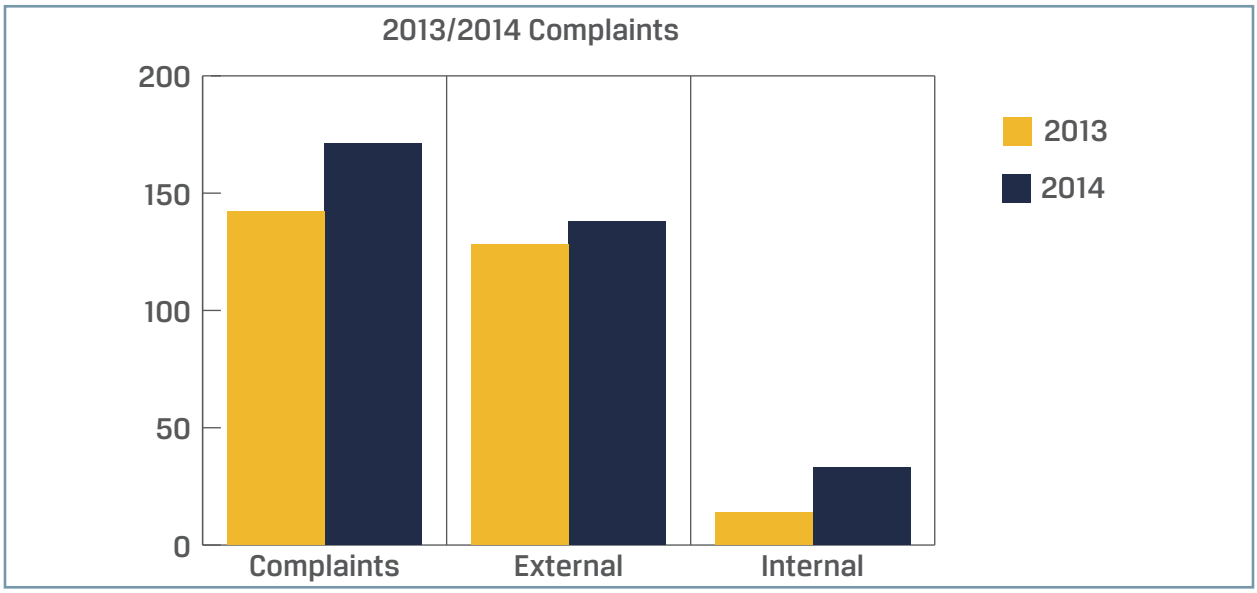

FIGURE 3: The total number of internal and external complaints received in 2013 and 2014. **DATA SOURCE:** CPD

The Columbia Police Department's directives and procedures are classified into 5 categories.

Categories of Alleged misconduct allegations and rules violations						
	External		Internal		Total	
	2013	2014	2013	2014	2013	2014
Insubordination Offenses	1	1	1	2	2	3
Neglect of Duty Offenses	49	59	4	7	53	66
Unlawful Conduct Offenses	8	13	3	8	11	21
Improper Conduct Offenses	60	59	9	18	69	77
Harassment Directive	9	15	0	4	9	19
TOTAL	127	147	17	39	144	186

FIGURE 4: The misconduct and rule violations alleged in complaints in 2014. **DATA SOURCE:** CPD **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 6, 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		
	2013	2014	Change	2013	2014	Change	2013	2014	Change
Unsatisfactory Performance	44	43	-1	0	0	0	44	43	-1
Courtesy	37	41	4	0	3	3	37	44	7
Excessive/Unnecessary Force	12	13	1	0	5	5	12	18	6
Conduct Unbecoming	11	19	8	0	3	3	11	22	11
Completion of Reports and Documents	10	7	-3	0	1	1	10	8	-2
Dissemination of Information	4	3	-1	1	2	1	5	5	0
Profiling	4	4	0	0	0	0	4	4	0
Abuse of Position	3	4	1	1	0	-1	4	4	0

FIGURE 5: 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 2014, a disposition of "Sustained" was reached in 39 of the allegations.

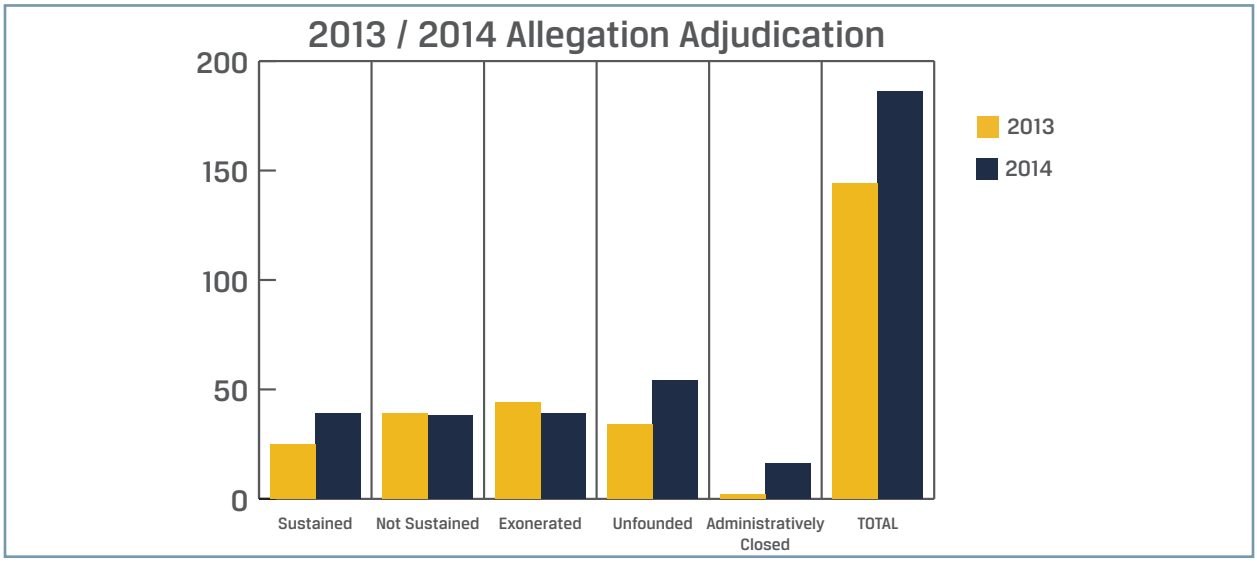

FIGURE 6: Dispositions reached for internal and external allegations. Complaints can contain more than one allegation, therefore, the total number of adjudications can be more than the number of complaints received. **NOTE:** Administrative closed dispositions occur when a complaint is withdrawn by a complainant or the complainant will not provide information necessary to bring the investigation to conclusion. **DATA SOURCE:** CPD

Of the 39 sustained allegations, 24 were external complaints made by the citizens of Columbia.

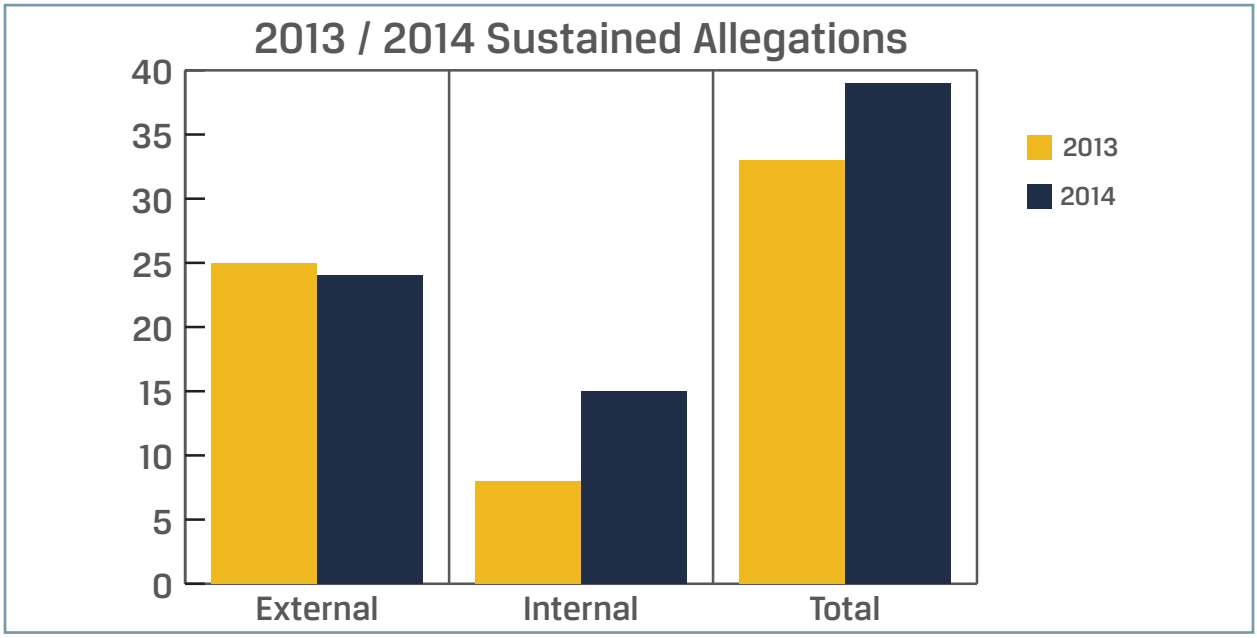

FIGURE 7: The number of sustained allegations resulting from external and internal complaints.
DATA SOURCE: CPD

	External	Internal	Total
Letter of Guidance	2	0	2
Counseling/ Retraining	6	2	8
Oral Reprimand	10	1	11
Written Reprimand	5	2	7
Suspension	2	3	5
Termination	1	3	4
Resignation (in lieu)	0	2	2
TOTAL	26	13	39

FIGURE 8: Disciplinary actions as a result of the 39 sustained allegations
DATA SOURCE: CPD

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

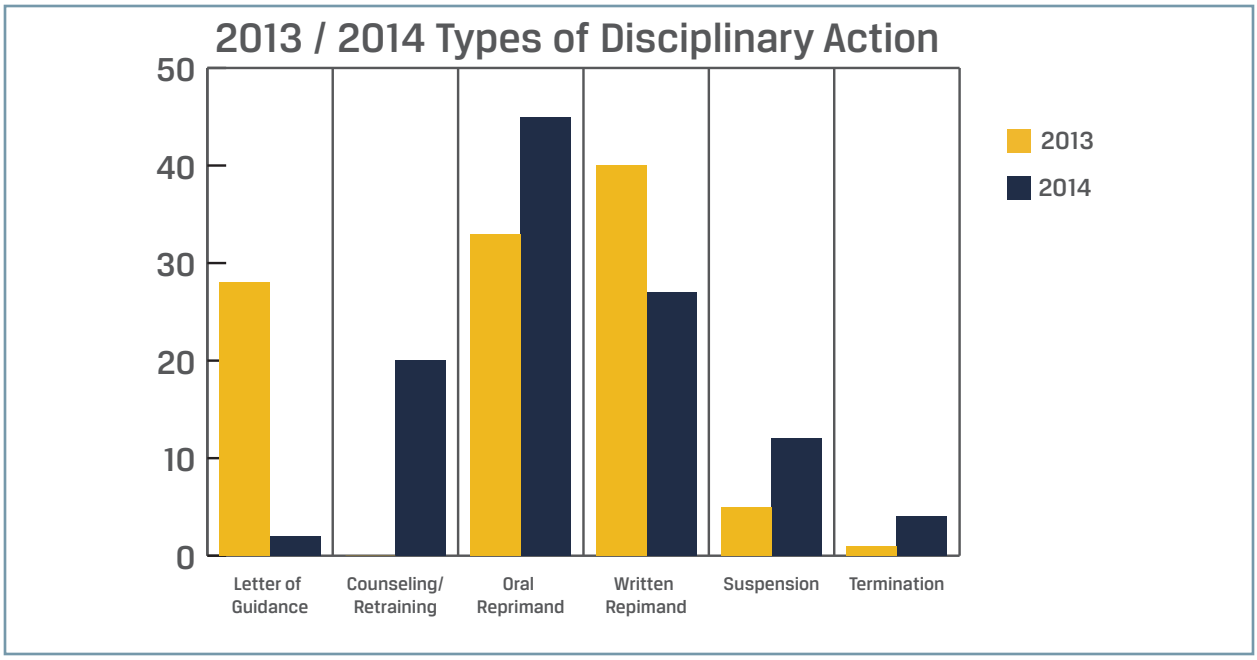

FIGURE 9: The types of disciplinary actions taken for policy or rule violations not related to a formal complaint investigation. **DATA SOURCE:** CPD

USE OF FORCE AND OFFICER INVOLVED SHOOTINGS

Use of Force Policies of the Columbia Police Department

The Columbia Police Department recognizes and respects the value and integrity of each human life. Vesting officers with the lawful authority to use force to protect the public welfare requires a careful balancing of all human interests. Therefore, it is the policy of the Columbia Police Department that officers will only use the minimum amount of force necessary to accomplish lawful objectives. 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.

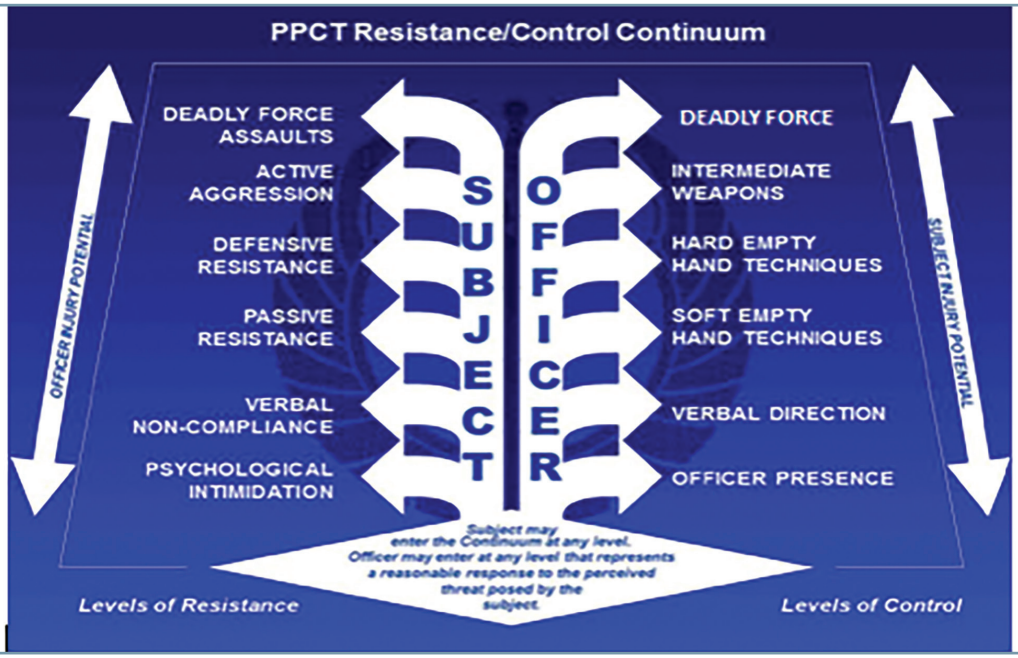

FIGURE 10: Use of force continuum.

The use of any level of force carries the responsibility to render appropriate medical aid. Department directives and procedures require officers to report use of force incidents under a broad range of circumstances. Supervisors document and investigate each incident.

USE OF LESS-THAN-LETHAL FORCE - 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 also outlines a number of circumstances in which the use of Electronic Control Devices (ECDs, i.e. Tasers) is prohibited, 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.

USE OF DEADLY FORCE - The application of deadly force is a measure to be employed only in the most extreme circumstances and all lesser means of force have failed or could not be reasonably employed. A police officer may use deadly force only when he/she reasonably believes that such force is necessary to protect him/her or others from the imminent danger of serious physical injury or death or to prevent the escape of a fleeing felon who the police 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.

It is also the policy of the Columbia Police Department that officers will not discharge their firearm from a moving vehicle, or at a moving vehicle, except when the officer has probable cause to believe that there is a threat of serious bodily injury or death to the officer or a third party if the officer does not do so. Before discharging a firearm at a moving vehicle, a police officer must have probable cause to believe that the only reasonable means of protecting themselves and/or a third party is the use of deadly force. Police officers must always evaluate the surroundings to ensure that an innocent person will not be injured.

If a Columbia Police 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 criminal charges should be pursued. 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. 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.

Transparency and Accountability

Regarding the 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.

Training

Prior to being authorized to use less-than-lethal force and weaponless force, police officers must successfully complete departmental classroom instruction on defensive tactics and use of issued Electronic Control Devices and are tested in proficiency as part of the requirements for annual law enforcement re-certification. Sworn members of the Department are required to train and qualify with their firearms annually during daylight hours. Officers assigned to SWAT participate in firearms training each month.

Columbia Police Officers receive training 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.

2014 Use of Force Incidents

In 2014, the Columbia Police Department reported 108 use of force incidents, of which three (3) involved deadly force with a firearm, with no fatalities. The number of use of force incidents represents approximately .06% of citizen encounters with Columbia Police Officers, and 1.5% of arrests.

Use of Force, Public Encounters and Arrests

	2013	2014	2013-2014 Change
Total Use of Force Events	119	108	-10
Total Public Encounters	185,613	168,838	-16,775
Total Arrests	7,699	7,175	-524

FIGURE 11: 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 (ECD), such as Tasers. These devices are categorized as a form of less-than-lethal force.

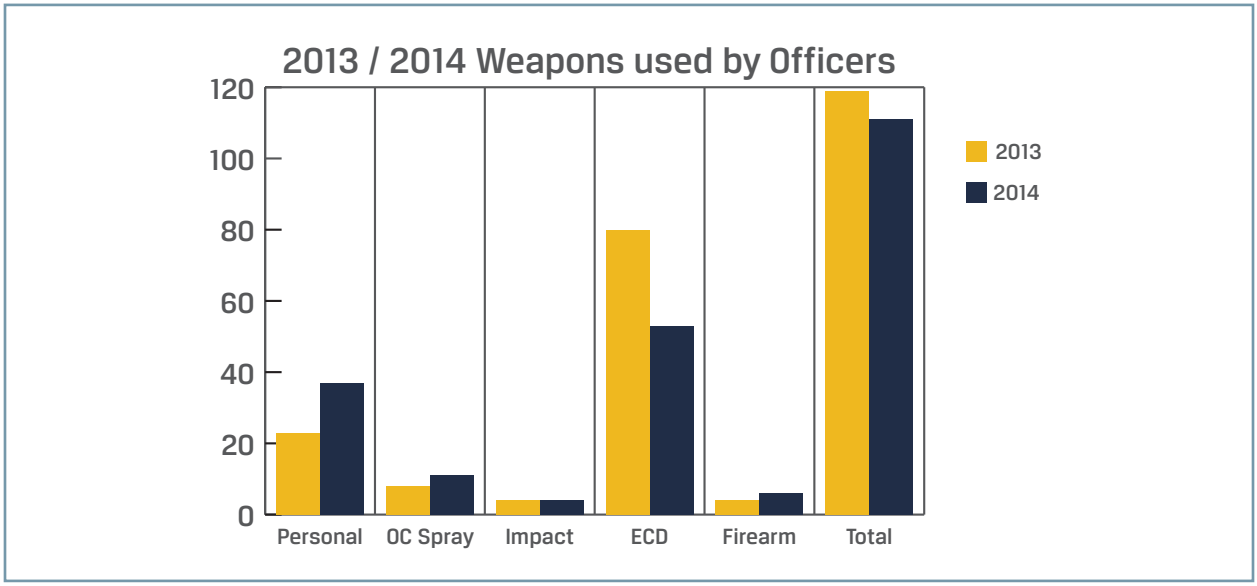

FIGURE 12: Weapons used by officers during use of force situations against aggressive individuals and animals. **NOTE:** any single use of force event may have included the use of multiple weapons by one or more officers, which is why the number of weapons used is greater than the number of events. **DATA SOURCE:** CPD

Columbia Police Officers discharged their firearms seven (7) times in 2014, which included one (1) accidental discharge, three (3) aggressive animal shootings and three (3) deadly force incidents against persons.

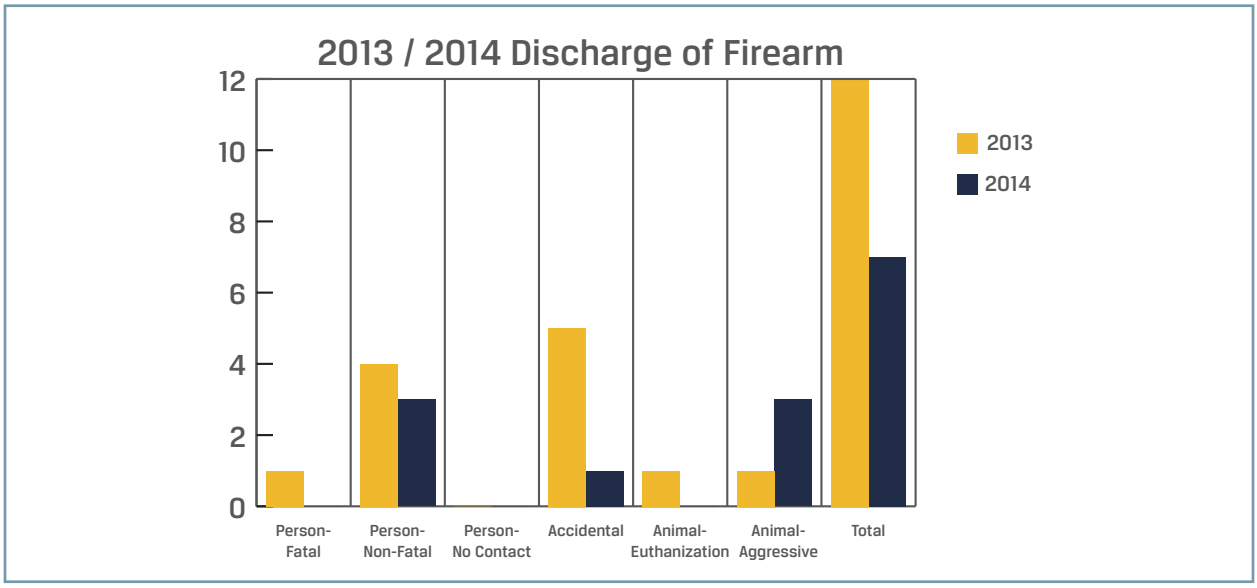

FIGURE 13: Number of incidents, by type, when employees discharged firearms.
DATA SOURCE: CPD

The South Region is where the majority (42) use of force incidents occurred. The East Region had one (1) use of force incident in 2014.

Generally, patterns of gun crime correlate with higher numbers of use of force incidents.

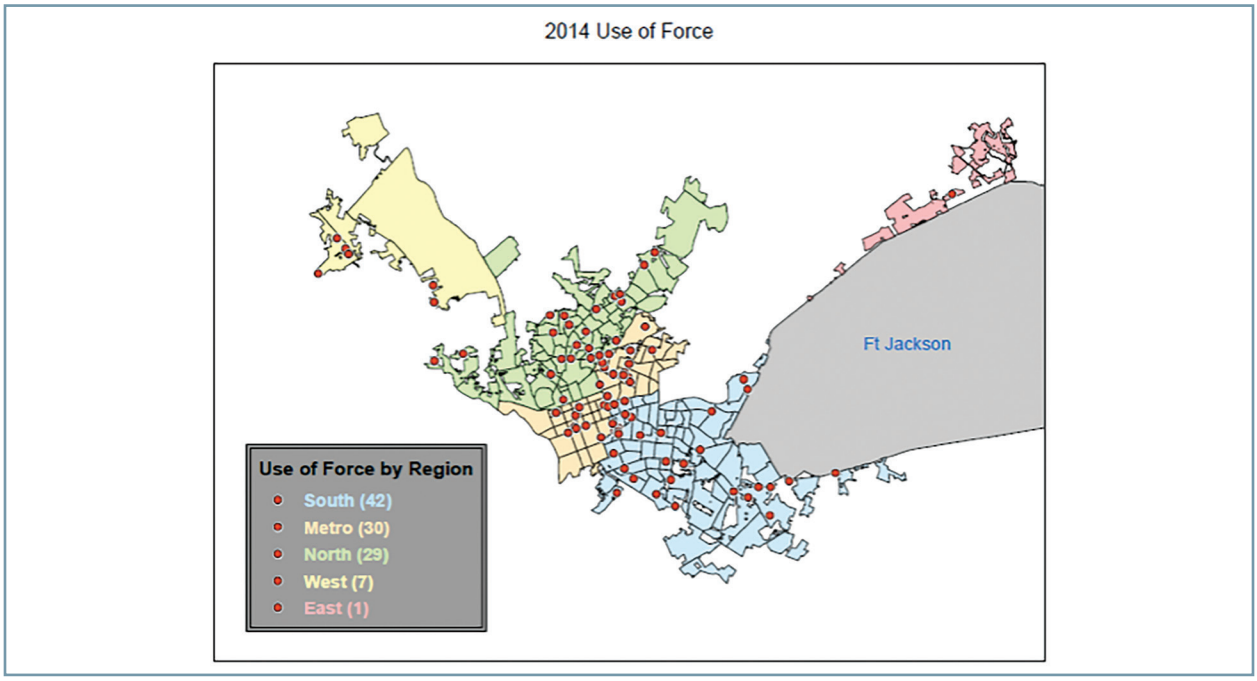

FIGURE 14: 2014 Use of Force Incidents by CPD Region **DATA SOURCE:** CPD

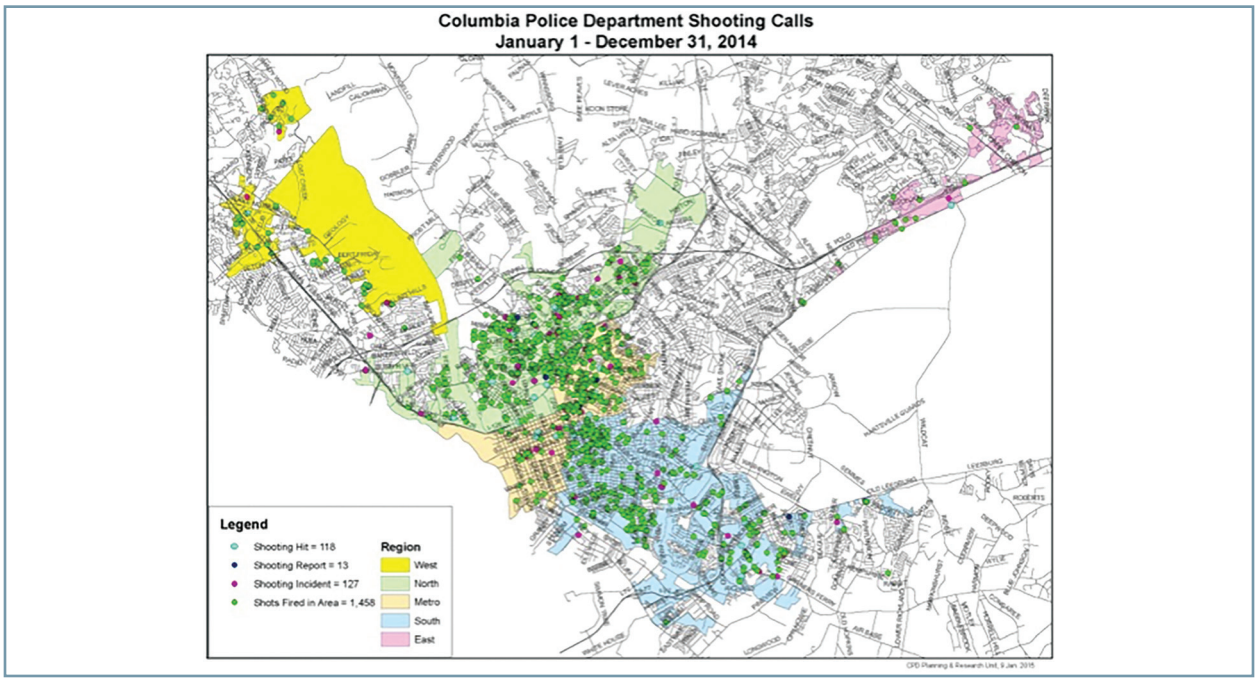

FIGURE 15: Shots Fired Calls by CPD Region **DATA SOURCE:** CPD

Of the 119 suspects involved in use of force incidents in 2013, 98 were Black, 20 were White and 1 was Hispanic. The majority of suspects were male. Of the Columbia Police Officers involved in those incidents, 100 were White, 17 were Black and 1 was Hispanic and 1 was Asian.

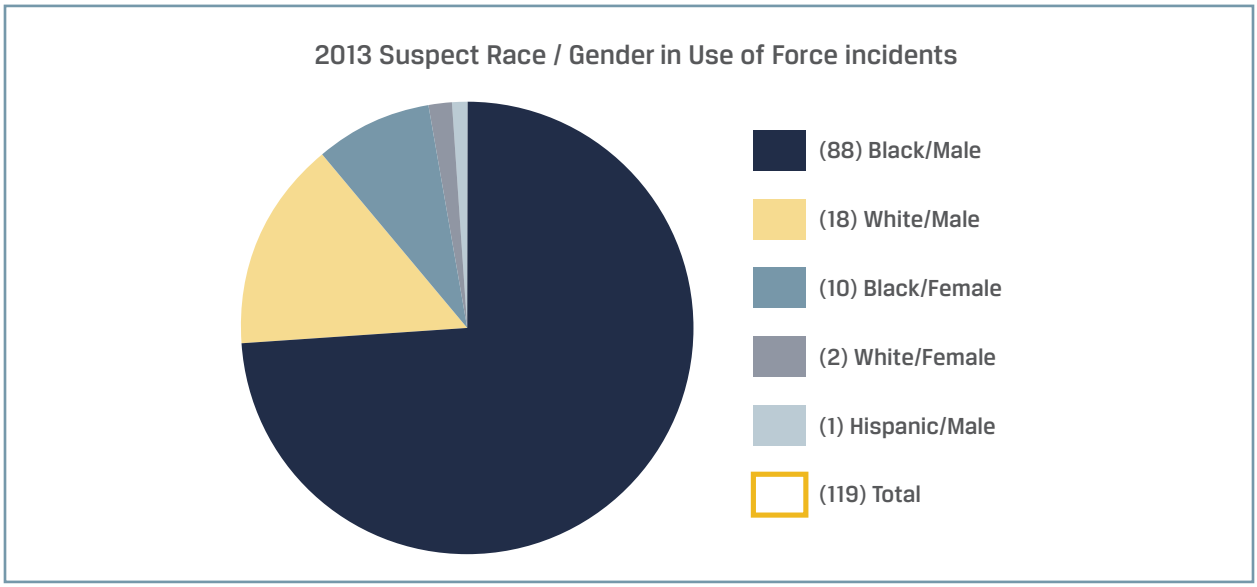

FIGURE 16 | **DATA SOURCE:** CPD

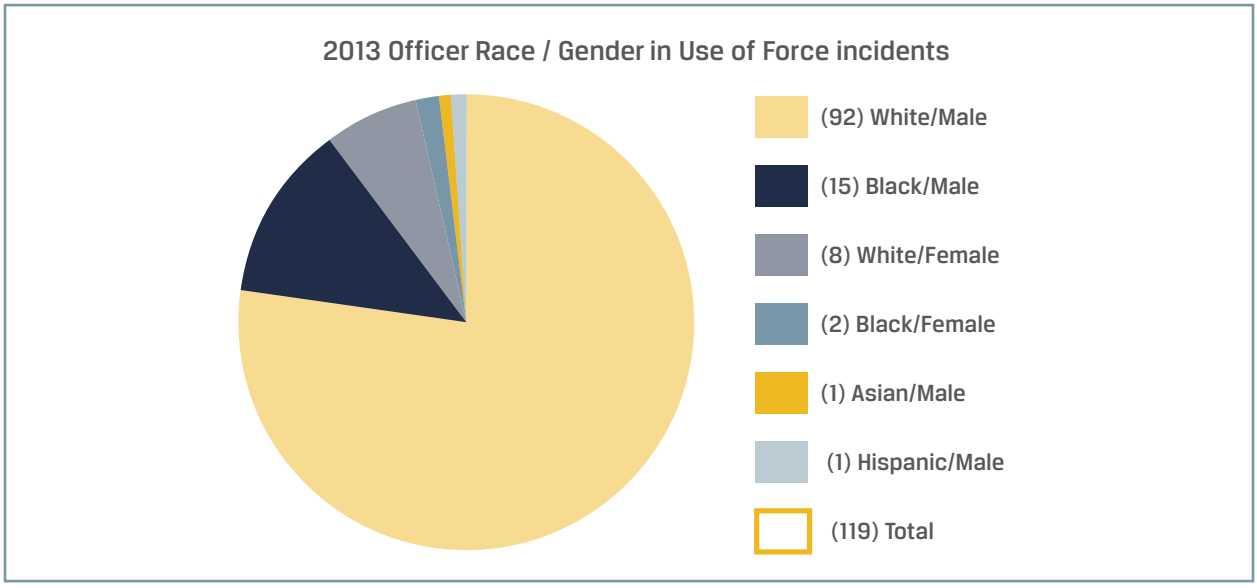

FIGURE 17 | **DATA SOURCE:** CPD

Figures 16 and 17: The race and gender of both the suspects and Officers of the Columbia Police Department involved in the 119 use of force incidents in 2013.

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, 87 were White, 20 were Black, and 1 was Hispanic.

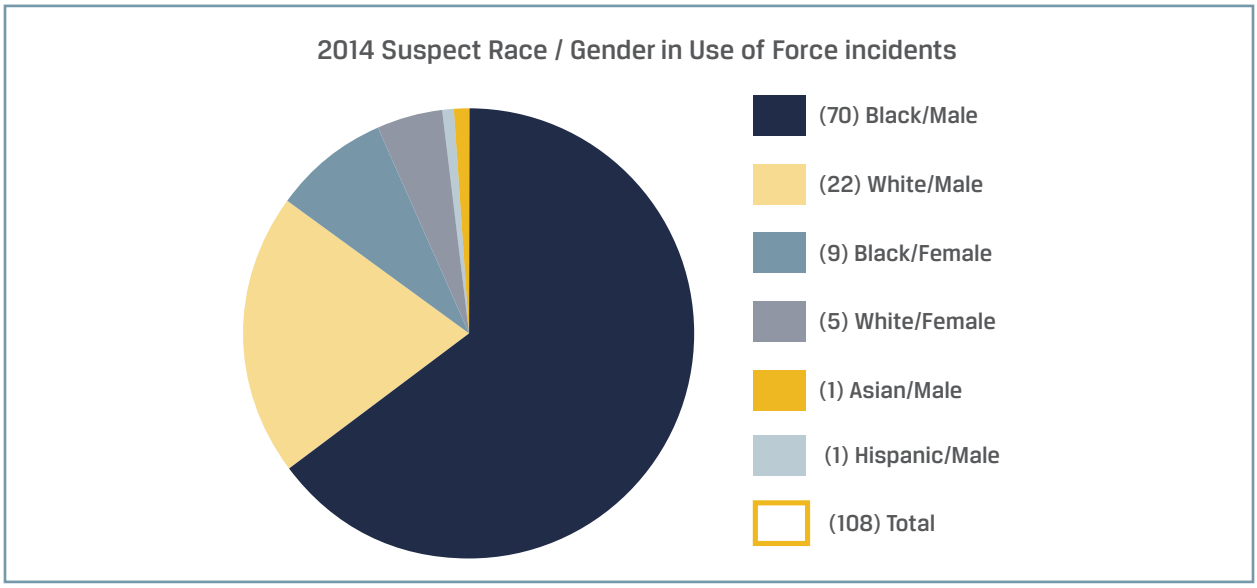

FIGURE 18 | **DATA SOURCE:** CPD

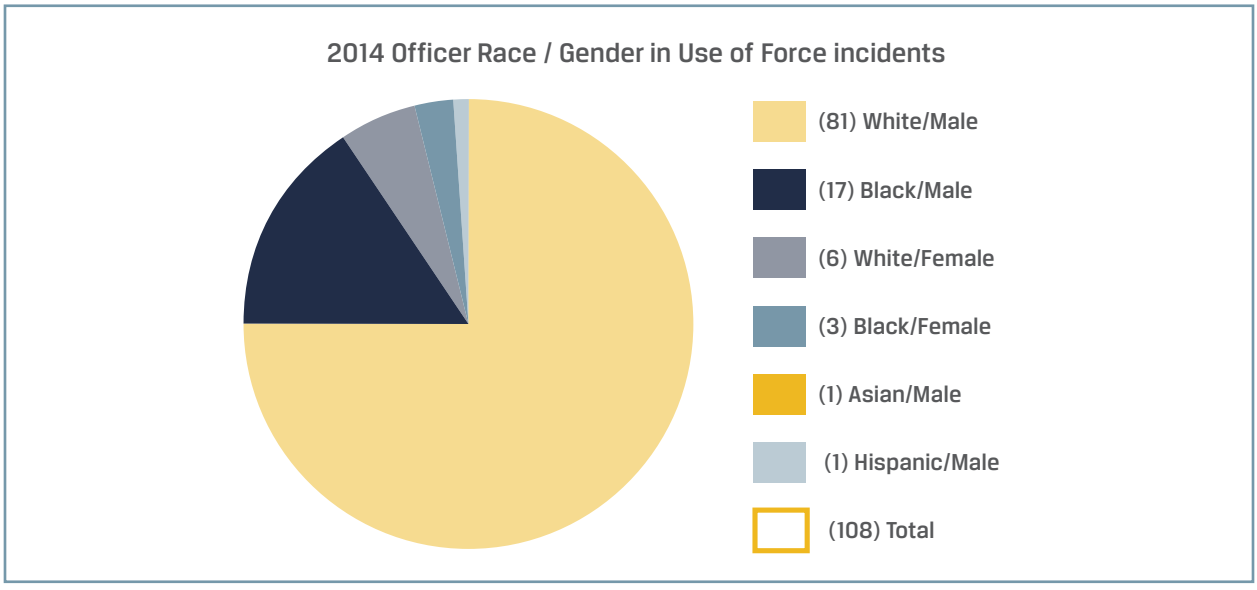

FIGURE 19 | **DATA SOURCE:** CPD

Figures 18 and 19: 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 2014 Deadly Force/Officer Involved Shooting Incidents

In 2014, there were three (3) deadly force incidents in which officers discharged a firearm. The investigation of two of those incidents have reached disposition and are summarized below. The investigation of the third incident is ongoing; therefore, the summary of that incident will be included in the annual Internal Affairs Report for the year in which it reaches disposition.

Date/Time of Incident: June 1, 2014 @ 5:42am

Location: 1000 Sunset Drive (North Region)

CPD Officer: Kyle Kent, Patrol Unit, white male; 5 years police experience

Suspect: Tony Craft, black male

In the early morning hours of June 1, 2014, as Officer Kyle Kent was providing assistance on the scene of a traffic accident by directing traffic, a newspaper delivery driver in a red truck pulled up next to him and asked how he could get around the detour. As Officer Kent was speaking with the newspaper delivery driver, a car driving at a high rate of speed swerved into the lane of oncoming traffic and approached Officer Kent while traveling on wrong side of the road. Officer Kent, who was standing in the road on the driver's side of the newspaper delivery driver's vehicle, gave loud verbal commands for the oncoming vehicle to stop. The driver of that vehicle, Tony Craft, continued driving towards Officer Kent. Officer Kent, fearing for his life, fired one shot at the suspect vehicle, striking Craft. The suspect vehicle came to a stop and medical attention was immediately sought for Craft. While officers were waiting with the suspect for the ambulance to arrive, a Columbia Police Department Officer heard Craft say "It's my fault! It's my fault! My uncle kept telling me to turn right. I'm drunk." Craft was charged with Assault and Battery and Driving Under the Influence (DUI), 1st Offense. The criminal charges against Craft are still pending.

Conclusion: A criminal investigation was conducted by the South Carolina Law Enforcement Division (SLED) regarding the officer's actions. The 5th Circuit Solicitor's Office reviewed the investigation and concluded that the use of deadly force by the officer was lawful under South Carolina law. An administrative investigation was conducted by the Internal Affairs Unit regarding the officer's actions. The administrative investigation was reviewed by the officer's Chain of Command and Command Staff. It was determined that the officer's use of force was justified and was not in violation of Department directives and procedures.

Date/Time of Incident: August 6, 2014 @ 1:09pm

Location: 169 Brook Pines Drive (Brook Pines Apartments) (West Region)

CPD Officer: Marcus Brown, Investigator, black male, 17 years police experience

Suspect: Keylyn Durham, black male

Several Columbia Police Officers were participating as members of a multi-agency task force, attempting to arrest a suspect on a warrant for carjacking. During the arrest process, the suspect, Keylyn Durham, struck Columbia Police Officer Marcus Brown with his vehicle, injuring Officer Brown. Brown and other members of the multi-agency task force, responded with gun fire. Durham and a passenger in his vehicle were wounded by the gun fire. Both Durham and the passenger were taken into police custody and transported to the Hospital. In addition to the carjacking charge, Durham was charged with three counts of attempted murder as a result of the incident. Durham's criminal charges are pending.

Conclusion: A criminal investigation was conducted by the Lexington County Sheriff's Department regarding the officer's actions. The 5th Circuit Solicitor's Office reviewed the investigation and concluded that the use of deadly force by the officer was lawful under South Carolina law. An administrative investigation was conducted by the Internal Affairs Unit regarding the officer's actions. The administrative investigation was reviewed by the officer's Chain of Command and Command Staff. It was determined that the officer's use of force was justified and was not in violation of Department directives and procedures.

CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES

When a Columbia Police Department employee is accused or charged with 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, who determines if the officer's action should result in criminal prosecution.

The Internal Affairs Unit will conduct an independent administrative investigation that will either run in concurrence with or, at the direction of the Chief of Police, after the criminal investigation has concluded.

The Internal Affairs Unit administrative investigation is presented to the Chain of Command for review (which also includes the criminal investigation), 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 on duty 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.

As depicted in the chart below, criminal charges were filed against four (4) employees of the Columbia Police Department in 2014. Each employee was placed on investigatory suspension without pay pending resolution of their criminal case; however, one employee has since resigned and another has been terminated. All four criminal cases are still pending. While these incidents are a disappointment to the organization, the number charged is one percent of the Department's workforce.

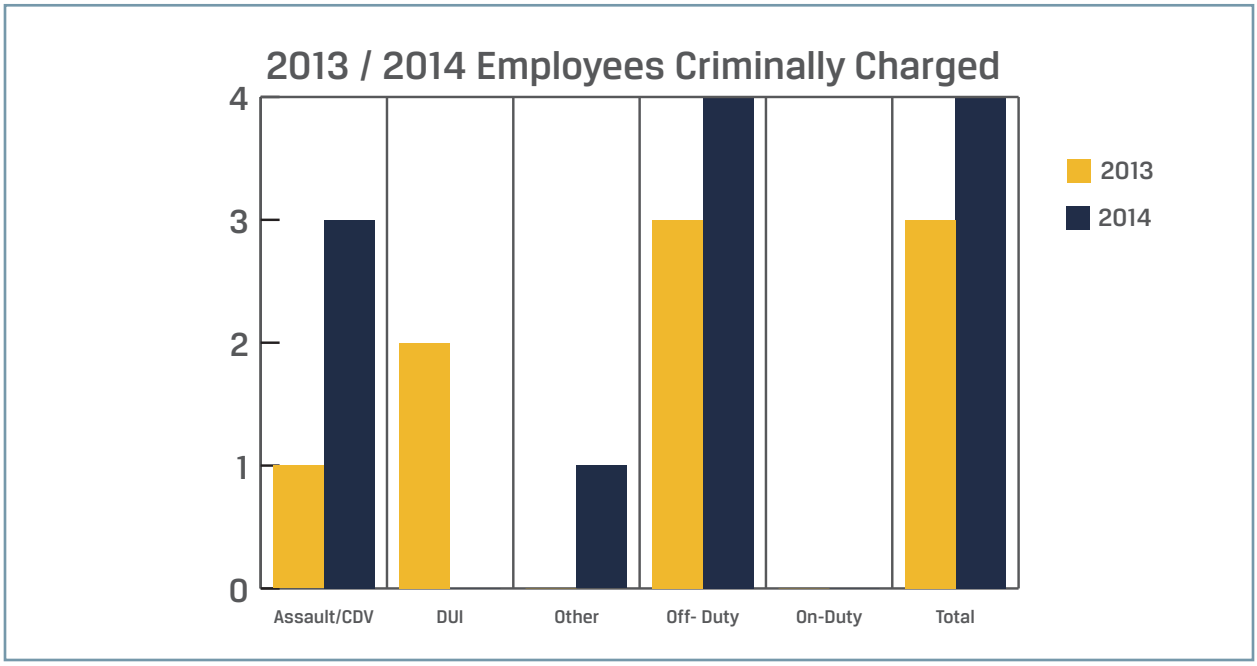

FIGURE 20: Criminal charges filed against CPD employees and their work status at the time of the offense. 2014 charges include (3) Domestic related offenses and (1) allegation of sexual assault. 2013 charges include (1) Domestic related offense and (2) DUI Offenses. All 2013 and 2014 offenses occurred while officers were off-duty. **DATA SOURCE:** CPD

IN-CUSTODY DEATHS

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 a criminal investigation. The investigation is presented to 5th Circuit Solicitor's Office who independently reviews the criminal investigation and decides whether to file criminal charges against involved officers. An independent Internal Affairs investigation is simultaneously conducted to ensure policy compliance. At the conclusion of the internal investigation, a Chain of Command Review of the case will determine if officers acted in compliance with our policies and procedures.

The Columbia Police Department conducts annual training for its sworn officers regarding the monitoring of all persons taken into custody and to summon medical treatment whenever a subject appears or states they are in distress. To aid in that endeavor, the Columbia Police Department has developed several policies related to prisoner care and transportation. These guidelines are periodically reviewed and updated to best guide employees in their handling of persons in custody.

In 2014, no in-custody deaths occurred.

VEHICLE PURSUITS AND 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 safety of the violator, and the safety of police officers. It is not the intent of this policy to prohibit pursuit of law violators in all circumstances. However, the need for immediate apprehension of the violator must continuously be weighed against the inherent risks created by pursuit driving.

Officers are authorized 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.

Upon notification, the supervisor of the officer initiating the pursuit will take responsibility for the pursuit and ensure compliance with all policies. Supervisors shall respond to the area of the pursuit while monitoring the pursuit on the radio and continuously evaluate the circumstances surrounding the pursuit. The supervisor shall complete an After Action Report and provide a written summary of the incident.

The supervisor will forward one copy of the Vehicle Pursuit Packet to the Staff Duty Officer and submit a second copy of the Vehicle Pursuit Packet directly to the Office of Professional Standards by 8:00 a.m. the following business day.

The Office of Professional Standards shall review all pursuit packets and prepare written analysis of pursuits to identify patterns or trends that may indicate training needs and/or directive modifications. The report will be forwarded to the Chief of Police.

Total Vehicle Pursuits and Resulting Arrests

	2013	2014	2013-2014 Change
Total Vehicle Pursuits	37	34	-3
Total Arrests	23	21	-2

FIGURE 21: Number of officer initiated vehicle pursuits as a result of contact with the public and resulting arrests. **DATA SOURCE:** CPD

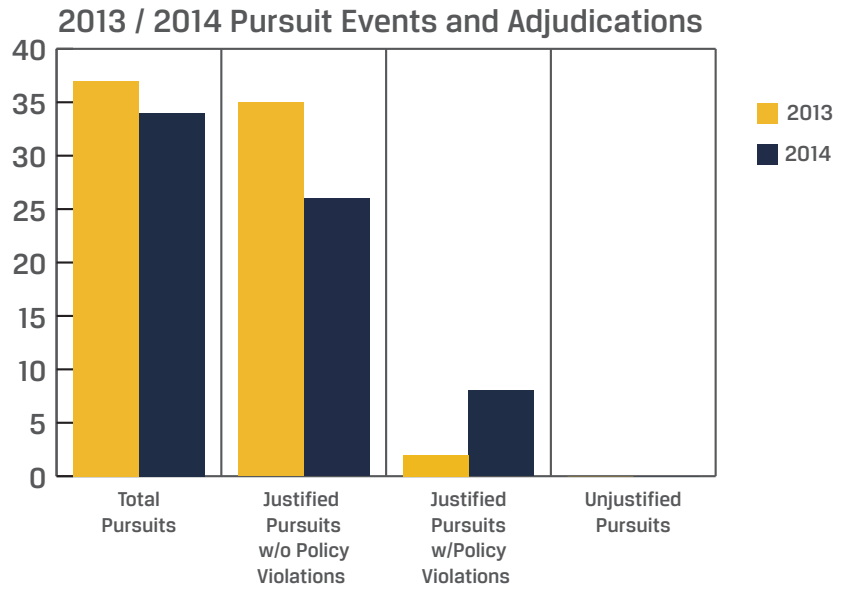

FIGURE 22: Dispositions of vehicle pursuit reviews. **DATA SOURCE:** CPD

Violations that Initiated Vehicle Pursuits		
Vehicle Pursuit Cause	**2013**	**2014**
Armed Robbery	1	0
Auto Breaking	1	1
Burglary	1	2
Carjacking	2	3
Discharing a Weapon from a Vehicle	2	0
Discharging a Firearm within City Limits	2	3
Hit and Run (Attended)	1	1
Hit and Run Attended on Police Vehicle	1	0
Hit and Run Unattended	1	0
Home Invasion/Attempted Robbery	2	0
Narcotics Violation	4	4
Reckless Driving	2	4
Stolen Vehicle	6	2
Traffic Violation (Not DUI)	11	14
Total	37	34

FIGURE 23: 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 an enormous number of miles in Department vehicles. The geographic jurisdiction for the Columbia Police Department includes the City of Columbia and the unincorporated areas covering 130.1 square miles with additional annexations added frequently. Employees drive vehicles in all types of weather, traffic and emergency conditions.

In total, the department has approximately 494 vehicles in operation, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of 4,827,140 miles in 2013; and 4,451,835 miles in 2014.

South Carolina state law (Section 56-5-765) requires that the State Highway Patrol investigate all collisions involving motor vehicles/motorcycles operated by law enforcement agencies. Subsequently, the State Highway Patrol must file a report with findings on whether the agency vehicle/motorcycle was operated properly within the guidelines of appropriate statutes and regulations.

In addition, a supervisor within the Columbia Police Department initiates administrative reviews in all cases of collisions involving Departmental vehicles. An independent Accident Review Board appointed by the Chief of Police determines if the accident was preventable or not preventable. When an employee is involved in a preventable collision, the Accident Review Board will determine appropriate corrective action and defer any training issues to the Training Unit.

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

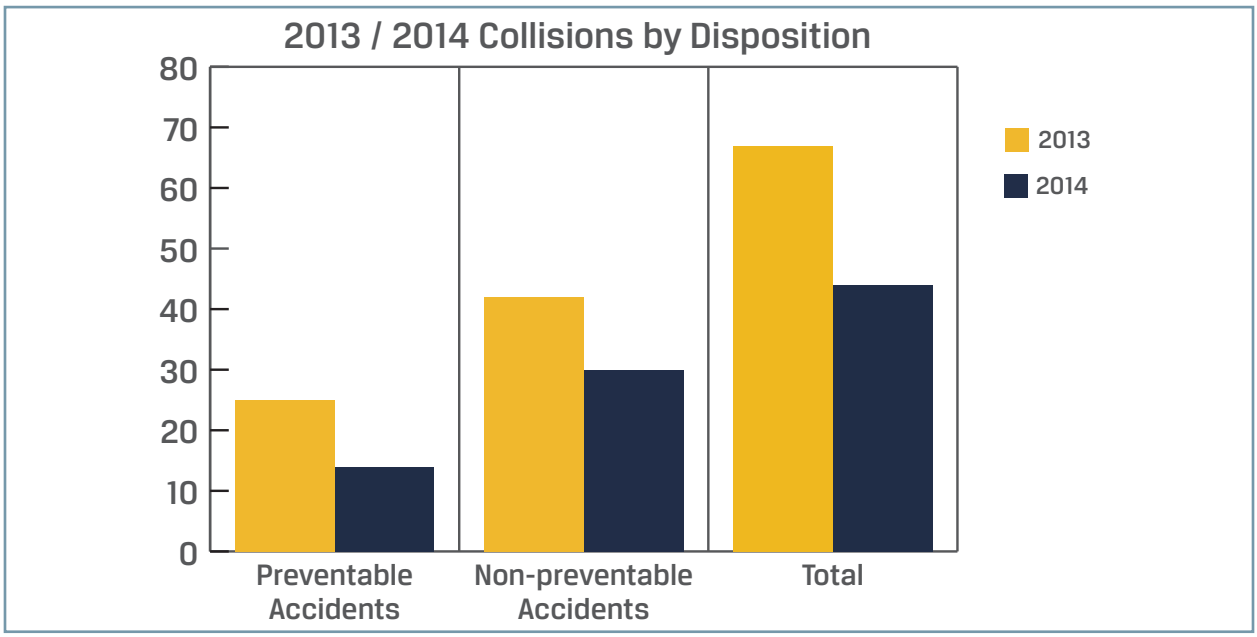

FIGURE 24: Dispositions reached in investigations of Department vehicle accidents.
DATA SOURCE: CPD

MOVING FORWARD – REFORMS TO REINFORCE A CULTURE OF INTEGRITY

With recent events around the nation raising concerns about incidents of police misconduct and use of force, it is important to continually build and reinforce a culture of integrity in the Columbia Police Department. Our focus must be on systematic and organizational improvements, in addition to individual conduct, and putting policies in place that are reflective of our core values. We continually strive to implement best practices in preventing officer misconduct, detecting it promptly when it occurs, and conducting thorough, impartial investigations of those incidents. The Columbia Police Department is in the midst of reviewing, with the intent of improvement, all areas of policing that can help prevent misconduct. This includes the training and supervision of our police officers, our recruitment and selection process, and internal investigation and disciplinary practices. Below are some of the improvements underway.

Transparency and Accountability

POLICY REVIEW

A full review of policies pertaining to officer misconduct and use of force/officer involved shootings is underway, with the intent of improving organizational efficiency as well as enhancing transparency and accountability. The Columbia Police Department is in the process of demonstrating compliance with CALEA (Commission for Accreditation of Law Enforcement Agencies, Inc.) standards, which reflect the best professional practices for public safety agencies. Recommendations made in The Report of the President's Task Force on 21st Century Policing will also be reviewed thoroughly for best practices that can be established within the Columbia Police Department.

INFORMING THE PUBLIC

The Department's website will be revised to include posting of the policies and procedures relating to officer misconduct and use of force. The website will offer a readily accessible and user-friendly complaint process for the citizens of Columbia. In addition, information on incidents of officer involved shootings will be included on the website.

CITIZEN INVOLVEMENT IN THE PROCESS

While citizen review of police misconduct can take place in various forms, citizen involvement in the process can serve to strengthen the trust of the community and further establish legitimacy of the Columbia Police Department. Currently under consideration is the creation of a citizen advisory committee to review internal affairs investigative findings. This Board would assist in identifying administrative, supervisory, tactical, policy or training issues that need to be addressed. In addition, a Chain of Command Discipline Hearing Board, established to make recommendations for disposition and disciplinary actions, will include a city employee representing human resources that is unaffiliated with the Police Department.

BODY-WORN CAMERAS

The Columbia Police Department has implemented a pilot program in which 12 body-worn cameras are assigned to Columbia Police Officers working in the Entertainment District. The number of police officers equipped with cameras will increase in the near future, with the ultimate goal of having cameras worn by all sworn members.

Internal Affairs Structure and Process

OFFICE OF PROFESSIONAL STANDARDS (OPS)/INTERNAL AFFAIRS UNIT (IAU) STAFFING

The function of the Office of Professional Standards and the Internal Affairs Unit is vitally important to both the Columbia Police Department and those we serve and protect. An assessment is underway to determine the best staffing level and member rank for effectively meeting the critical mission of this arm of the Columbia Police Department.

INTERNAL AFFAIRS TRACKING AND REPORTING METHODS AND CAPABILITIES

The Columbia Police Department is purchasing new software that will greatly improve the ability to track use of force incidents and officer involved shootings, as well as details and circumstances surrounding those incidents. Having detailed information that is readily retrievable will further assist us in identifying issues and trends before they become problematic.

THE COMPLAINT PROCESS

In early 2015, changes were made to the Columbia Police Department's complaint process. Every effort is now made to record complainant interviews. In addition, there is no longer an "inquiry" process. All inquiries and allegations concerning members of the Columbia Police Department will be handled as complaints to ensure consistency as well as proper tracking and documentation.

Problem Behavior

EARLY INTERVENTION SYSTEM (EIS)

Over the coming months, an Early Intervention System will be implemented to increase our effectiveness in identifying, addressing, and preventing problematic behavior before it escalates to a matter for Internal Affairs. Ultimately, an EIS will provide a way for collection and analysis of information on the performance of our officers, both unacceptable and exemplary. Supervisory interventions will also be tracked in the EIS database.

CHAIN OF COMMAND DISCIPLINE HEARING BOARD

This Board is currently being established to review completed investigations and reach consensus in recommendations for disposition and disciplinary action. A city employee representing human resources, unaffiliated with the Police Department, will be appointed to this board. The Discipline Review Board hearings are designed to provide a more transparent decision making process.

VEHICLE ACCIDENT REVIEW BOARD

This Board has been established to review all accidents involving Department vehicles and identify unsafe or negligent driving by individual employees and recommend corrective action. In addition, the board will identify patterns of driving, circumstances, equipment or training deficiencies that contribute to accidents and recommend strategies to resolve these issues.

Education and Training

PEER REVIEW OF DEADLY FORCE INCIDENTS

The Columbia Police Department will establish a mechanism for discussions of deadly force incidents to review what was done wrong, as well as what was done right, in a nonjudgmental, non-disciplinary atmosphere.

FIREARMS TRAINING

Starting in 2015, in addition to qualifying with their firearm during daylight hours, sworn members must now train and qualify with their firearm during hours of darkness. In addition, the impending acquisition of a firearms simulator will provide valuable training for our officers to improve officer "shoot – don't shoot" decision making under stress.

JUSTICE FOR ALL INITIATIVE

As part of the initiative, training was recently provided for Department employees on topics such as cultural diversity, conflict resolution, responding to those who are mentally ill, situation de-escalation, etc. Training on these topics will continue to be provided to employees at all levels of the Department. Training will also be provided on revised use of force policies.

Recruitment

WORKFORCE DIVERSITY

The City of Columbia and the Columbia Police Department began a Recruitment and Retention Initiative in January 2015 in an effort to further develop a diverse and qualified staff that is more reflective of the community. To date, 22 new officers have been hired, of which 12 are white, 8 are black, 1 is Hispanic, and 1 is Asian.

Community Policing

COMMUNITY PARTNERSHIPS

The Columbia Police Department remains committed to maintaining an open dialogue with the community and working in partnership to solve crime and quality of life issues. We will continue to implement community based strategies, not only to address crime problems, but to provide opportunities for positive interactions between our officers and the citizens of Columbia.

CONCLUSION

In meeting the goals set forth in the Columbia Police Department's 2015-2019 Strategic Plan, this inaugural publication of an annual Internal Affairs Report is an important step in improving the Department's accountability and transparency. The information in the Report is provided to inform our citizens and city government officials of the pivotal role of the Internal Affairs Unit in maintaining public trust. The brave men and women of the Columbia Police Department face dangerous situations every day, requiring them to make split-second decisions to ensure the safety of the public, as well as their own. In order to maintain the public's trust, the Department and its officers must be accountable for actions taken while providing police services. The publication of an annual Internal Affairs Report will serve to further demonstrate that the Columbia Police Department is self-monitoring and accountable, and committed to professionalism, due process, fairness and consistency in all matters.

CITY of COLUMBIA, S.C.

JUSTITIA VIRTUTUM REGINA

We Are Columbia

BUILD

COLUMBIA

Run. Grow. Transform.

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