

**City Council of the City of Greenville
Work Session**

**Monday, October 26, 2020
3:00 p.m.**

Greenville City Hall is currently closed to the public.

Virtual Meeting Viewing
<https://www.greenvillesc.gov/meeting>

**Telephone: 1-415-655-0002
WebEx Event Number: 173 688 9493**

**Remote Viewing Location:
Greenville Convention Center, 1 Exposition Drive – Room 102**

MINUTES

CITY COUNCIL: Mayor Knox White; Councilmember Lillian B. Flemming, Councilmember Kenneth C. Gibson, Councilmember Wil Brasington; Councilmember Russell H. Stall; and Councilmember Dorothy H. Dowe; Absent: Councilmember John M. DeWorken

CITY STAFF: City Manager John F. McDonough; City Attorney Michael S. Pitts; City Clerk Camilla G. Pitman

Mayor Knox White called the meeting to order for the purpose of discussing the following matters.

Citizen Advisory Committee for Public Safety

City Manager John McDonough provided an introduction to the discussion stating the report presented today was pre-empted by the aftermath of the George Floyd murder, the establishment of the Citizen Advisory Committee and the charges to the Committee to review a number of the Police Department policies and to provide findings from its review.

Rev. Stacey Mills thanked the Committee members and city staff for their involvement and participation in the process. Rev. Mills referred to the work performed and stated their efforts have advanced the work of becoming a more just and compassionate community. Rev. Mills encouraged the dialogue and call to action to continue among the citizens and in the community. Rev. Mills asked for any questions from City Council.

Wes Few, chair to the subcommittee reviewing the Public Safety Citizens Review Board (PSCRB), provided a summary report as included in the Committee's Report and Recommendations and asked for questions or comments from Council. Mr. Few specifically commented on the recommendations for PSCRB to participate in citizen training opportunities, to reconsider the age requirement for appointment, for PSCRB access to body worn camera footage, and increased and improved public promotion of PSCRB.

Councilmember Stall asked if there is a need to address in writing the Committee not having subpoena power. City Attorney Mike Pitts responded language can be included to clear up any confusion, however, Council does not have the authority to delegate subpoena power to the Board without authority from the State.

Councilmember Gibson referred to the Appendix presentation entitled Police Oversight Boards and to the lack of trust from the minority community in the Police Department as found in the survey responses. Councilmember Gibson asked if there is a need to move towards an investigative board model. Rev. Mills responded the Committee did not have an opportunity to review the data at length to establish a recommendation. Rev. Mills recommended continued discussion as to which model should be in use by the City.

Councilmember Dowe asked if the other models would require subpoena power. Mr. Pitts responded he would have to review it further, however, if a model is based on investigation, it would be difficult to do it without having subpoena power. Councilmember Gibson stated the investigative model is a much more expensive model than what the City has now, however, having an independent investigator adds more credibility.

Mr. Few stated he believes the real issue is the legitimate level of distrust with the way internal affairs is handling the investigations and does PSCRB have access to the information. Mr. Few advised the response we received was yes, PSCRB has access and is receiving the information required and requested. Mr. Few also stated the subcommittee believes that lack of awareness of PSCRB contributes to the lack of trust and for that reason, one of the recommendations is to increase awareness of PSCRB. Finally, Mr. Few shared that the information provided did not indicate a need to go beyond the existing model.

Rev. Mills commented on the Committee's aggressive timeline and stated much of the work was performed and completed prior to the survey results being received.

Rev. Mills recognized Cindy Crick, chair to the subcommittee reviewing the General Order on body worn cameras and, in her absence, provided a summary report as included in the Committee's Report and Recommendations and asked for questions and comments from Council. Rev. Mills specifically pointed out the recommendation for holster side arm signal kits to automatically activate the body worn camera and referred to recommended amendments in the General Order.

Councilmember Brasington asked why the recommendation for the sidearm has not been implemented to date. Interim Police Chief Howie Thompson responded as technology has advanced, the Bluetooth activation has been installed and sidearm switches have been developed. Chief Thompson advised a few of the sidearm kits have been ordered and received for trial testing.

Councilmember Dowe provided her perspective regarding the importance of the body worn camera footage and referred to her experience of serving on PSCRB. Councilmember Dowe stated if reliance is being placed on body worn cameras and there are further investments made into it, then it must become protocol for the videos to be placed in the PSCRB agenda packets for review. PSCRB Chair Chuck Hinton responded that PSCRB attempted to review footage at their last meeting and there was a technical issue that did not allow for viewing.

Councilmember Gibson stated as a criminal defense lawyer, he is provided copies of body worn camera footage and that PSCRB members should be provided copies prior to the meeting for review. Councilmember Gibson agreed with Councilmember Dowe that the footage needs to be routinely accessible in practice so that members of the community know these things are being resolved in a complete and thorough way. Mr. Hinton responded it is good to have the videos, but

he is not sure if PSCRB needs a video for every Incident (IA) Complaint. Mr. Hinton stated he would hate to burden the Police Department with providing videos that may not be necessary.

Regarding minority hiring practices, Rev. Mills stated there was no subcommittee for this task and the information was reviewed by the Committee of the whole. Rev. Mills thanked Human Resources Director Athena Miller and her staff for providing documentation to the Committee. Due to the timeline of the Committee and the depth of information that needed to be considered in making recommendations, Rev. Mills recommended the discussion regarding this charge be ongoing. Rev. Mills provided the demographics of the Police Department and stated it does not reflect the demographics of the community. Rev. Mills provided recommendations which included hiring an outside expert to audit policies and hiring practices, developing a strategy to recruit people from within the community they serve, developing incentives such as scholarships for high school students to prepare for a career with the Police Department, recruiting persons with backgrounds in disciplines other than military and criminal justice, investing in an Ombudsmen office to implement recommendations of the diversity audit, and appointing a separate advisory committee to work with the Police Department to develop new strategies for recruiting, promoting and retaining minority candidates.

Mayor White supported the recommendations provided in hiring practices and challenged the City Manager and the Police Chief to select new hiring practices. Councilmember Flemming referred to processes previously used to encourage diversity and engagement in young adults and encouraged the Police Department to have more community involvement.

Councilmember Dowe referred to the age of 21 for hiring law enforcement officers and recommended the City partner with the School District to get students on the law enforcement track. Rev. Mills suggested reinstating the Cadet program with the Police Department. Councilmember Dowe stated she would like to offer scholarships to students going into law enforcement through public-private partnerships.

Rev. Mills added that an additional concern which emerged had to do with the lack of demographics in leadership.

Rev. Mills presented the General Recommendations as provided in the Committee's Report and Recommendations. Councilmember Stall recommended working with a community remembrance project through an equal justice initiative to assist with Recommendation #3. Councilmember Flemming stated the recommendations presented provide good information and she would like to see Greenville County and all county municipalities collaborate to focus on solving problems referred to the in Recommendation #11. Chief Thompson stated 145 police officers have completed Critical Incident Training (CIT), down from approximately 160 because of attrition and COVID. Chief Thompson also stated it is the goal to have 100% percent participation.

Dr. Karen Baynes-Dunning, chair to the subcommittee reviewing the General Orders for Use of Force and Police Service Dogs, provided a summary report as included in the Committee's Report and Recommendations and asked for questions or comments from Council. Dr. Baynes-Dunning referred to the resources the subcommittee utilized in reviewing the General Orders and providing recommendations. During the review of proposed changes, Assistant City Attorney Leigh Paoletti referred to prohibitions in the General Order and advised that they were already in the General Order and were repositioned closer to the beginning of the Order for prominence.

Councilmember Dowe asked if there is a way for officers to report these types of use of force offenses anonymously. Chief Thompson responded yes, there are several ways including an anonymous hotline. Councilmember Gibson asked if there is a way to discipline an officer for failing to report this type of offense. Chief Thompson responded this issue is dealt with case by case, but an investigation likely reveals the information. Stacey Owens explained the various ways in which police officers can report incidents anonymously. Councilmember Dowe asked if there is a culture on the force to willingly report incidents. Mr. Owens replied yes, the Department is non-tolerant of offenses happening.

Councilmember DeWorken asked for further clarification regarding intentional strikes to the head unless in a lethal force situation. Dr. Baynes-Dunning responded the section was added to make sure there was preservation of sanctity of life. Chief Thompson agreed and stated baton strikes are made to hit muscle mass, not the head area, unless there is a lethal force situation.

Regarding the Use of Force General Order, Councilmember Flemming asked for clarification regarding what PSCRB's recourse is in reviewing a case. Mr. Pitts responded PSCRB would have the ability to recommend to the Department that disciplinary action be taken against the officer. Mr. Pitts stated SLED would perform an investigation and provide its findings to the Solicitor, then the Solicitor would decide whether criminal charges should be brought or not. Councilmember Flemming asked for clarification in the General Order language. Councilmember Gibson recommended including language that states if a complaint is issued and there is an active SLED investigation going on, PSCRB will defer the investigation until the completion of SLED's investigation and findings are submitted.

Regarding the Police Service Dog General Order, Dr. Baynes-Dunning provided a summary report as included in the Committee's Report and Recommendations and asked for questions or comments from Council. Dr. Baynes-Dunning referred to the inclusion of an introductory section.

Rev. Mills expressed his appreciation for the opportunity to chair the Committee and work with the Committee members. Mayor White thanked the Committee for its work and stated Council will take the opportunity to review the recommendations further.

With no further discussions, the meeting adjourned at 5:27 p.m.

Camilla G. Pitman, MMC, Certified PLS
City Clerk

Meeting notice posted on October 23, 2020