

July 13, 2017

**Via First Class and Electronic Mail**

Russ Washington, Acting Director  
Office of Community Oriented Policing Services (COPS)  
U.S. Department of Justice  
145 N Street, NE  
Washington, DC 20530

RE: COPS Collaborative Reform Assessment of North Charleston Police Department

Dear Mr. Washington:

On behalf of the undersigned organizations, we write to inquire about the status of the independent and comprehensive review of the North Charleston Police Department (NCPD) initiated by the COPS Office in May 2016 at the request of North Charleston Mayor Keith Summey and Police Chief Eddie Driggers.<sup>1</sup> In a letter dated January 12, 2017,<sup>2</sup> we urged the COPS Office to complete and release its assessment of NCPD policies and practices as North Charleston residents have requested and awaited such a review since the April 4, 2015 police-shooting death of Walter Scott.<sup>3</sup> We are very disappointed that the results of the review have yet to be released. Given recent activities in North Charleston, including the guilty plea entered by former NCPD officer Michael Slager for the killing of Walter Scott, and the findings in the NAACP Legal Defense and Educational Fund's (LDF) report *It Matters if You're Black or White: Racial Disparities in the Handling of Complaints Against North Charleston Police Officers*, the completion and release of the COPS Office's review of the NCPD is long overdue and crucial to advancing policing reforms in North Charleston.

Two months ago, former NCPD officer Slager appeared in federal court in Charleston, SC to answer to criminal charges filed against him for fatally shooting Walter Scott, a 50-year-old Black man, as he ran away during a routine traffic stop, and for falsely reporting to investigators that Mr. Scott tried to use a Taser against Mr. Slager when the officer fired his gun.<sup>4</sup> After Mr. Slager's state criminal trial resulted in a hung jury last year, he opted to plead guilty in the federal criminal case on May 2, 2017, finally admitting that he willfully used unreasonable deadly force

---

<sup>1</sup> U.S. Dep't of Justice, COPS Office, *Department of Justice moves forward with review and assessment of the North Charleston Police Department*, May 17, 2016, <https://cops.usdoj.gov/Default.asp?Item=2867> (last visited May 31, 2017).

<sup>2</sup> See, Letter from Edward R. Bryant, III, President, North Charleston Branch of the NAACP, *et al.*, to Ronald L. Davis, Director COPS Office, *et al.*, (Jan. 12, 2017) (on file at LDF).

<sup>3</sup> See, e.g., Letter from Sherrilyn A. Ifill, President & Director Counsel, NAACP LDF, *et al.* to Loretta Lynch, U.S. Att'y Gen., U.S. Dep't of Justice (July 13, 2015), <http://www.naacpldf.org/document/naacp-ldf-et-al-letter-attorney-general-lynch-re-north-charleston>.

<sup>4</sup> Pete Williams and Corky Siemaszko, *Federal Charges Filed Against Michael Slager S.C. Cop in Walter Scott Shooting*, NBC NEWS, May 11, 2016, <http://www.nbcnews.com/news/us-news/federal-charges-filed-against-s-c-cop-motorist-shooting-n572071>.

in violation of Mr. Scott's civil rights. North Charleston residents and concerned people across the nation now await Mr. Slager's sentencing hearing.

But sadly, his misconduct is not an isolated incident. Indeed, in the past several months, three North Charleston police officers have been arrested, fired, or demoted for assaulting residents or engaging in highly racially-charged online activities.<sup>5</sup> These recent incidents of alleged police misconduct underscore the urgent need for systemic reforms of policing policies and practices in North Charleston.

As part of its independent review, the COPS Office agreed to consider the process by which residents may file complaints against North Charleston police officers.<sup>6</sup> LDF analyzed over 300 citizen complaints filed against NCPD over a ten-year period. It obtained these complaints through separate Freedom of Information Act requests submitted by LDF and the non-profit online news organization MuckRock. LDF's analysis revealed that racial disparities exist in both the filing and resolution of citizen complaints. For example, it found that although Black residents submitted a much higher share of complaints against NCPD officers (60% of all complaints) when compared to White residents (33% of all complaints), NCPD sustained complaints filed by Black residents at a much lower rate (31% of the time) compared to complaints filed by White residents (50% of the time).

These racial disparities are more pronounced when one considers the resolution of specific types of complaints. For example, Black and White residents filed almost the same number of complaints classified by NCPD as "conduct unbecoming," yet the police department sustained complaints by White residents at a rate more than double those of Black residents, 64% compared to 31%, respectively. Additionally, LDF found that even when complaints are sustained, NCPD investigators rarely indicated on the complaint reports whether the offending officer was disciplined. We enclose a copy of LDF's report, and urge the COPS Office to consider it during its comprehensive assessment of NCPD's policies and practices.

The community of North Charleston remains steadfast in its commitment to building community trust in police services by identifying and addressing policing practices that result in racial disparities, and promoting policies and practices that protect individual legal rights and keep communities safe. The COPS assessment is an initial step toward those goals.

---

<sup>5</sup> See Andrew Knapp, *Ex-North Charleston Policeman Arrested After Probe into Excessive Force Allegation*, THE POST AND COURIER, Feb. 8, 2017, [http://www.postandcourier.com/news/ex-north-charleston-policeman-arrested-after-probe-into-excessive-force/article\\_758751ac-ed84-11e6-ba20-57db62ba2d99.html](http://www.postandcourier.com/news/ex-north-charleston-policeman-arrested-after-probe-into-excessive-force/article_758751ac-ed84-11e6-ba20-57db62ba2d99.html); Glenn Smith, *North Charleston Police Officer Accused of Assaulting Wife in Domestic Incident Captured on Body Camera*, THE POST AND COURIER, Apr. 11, 2017, [http://www.postandcourier.com/news/north-charleston-police-officer-accused-of-assaulting-wife-in-domestic/article\\_7cebef8c-1ebe-11e7-a322-f78c12980b74.html](http://www.postandcourier.com/news/north-charleston-police-officer-accused-of-assaulting-wife-in-domestic/article_7cebef8c-1ebe-11e7-a322-f78c12980b74.html); Glenn Smith and Andrew Knapp, *North Charleston Police Officer Demoted After Sharing Racially-Charged Video with Charleston Thug Life Blog*, THE POST AND COURIER, Mar. 30, 2017, [http://www.postandcourier.com/news/north-charleston-police-officer-demoted-after-sharing-racially-charged-video/article\\_903d99a6-153f-11e7-8186-9328c8bc6b2b.html](http://www.postandcourier.com/news/north-charleston-police-officer-demoted-after-sharing-racially-charged-video/article_903d99a6-153f-11e7-8186-9328c8bc6b2b.html).

<sup>6</sup> U.S. Dep't of Justice, COPS Office, *Goals and Objectives Statement for the Collaborative Reform Initiative for Technical Assistance with the North Charleston Police Department*, 2, [https://cops.usdoj.gov/pdf/crita/CRITA\\_Goal\\_and\\_Objectives\\_NCPD.pdf](https://cops.usdoj.gov/pdf/crita/CRITA_Goal_and_Objectives_NCPD.pdf) (last visited May 31, 2017).

We welcome the opportunity to discuss this request further. Please do not hesitate to contact Monique Dixon, LDF's Deputy Director of Policy and Senior Counsel, at 202-682-1300 to schedule a mutually convenient time to meet.

Sincerely,



Sherrilyn A. Ifill  
NAACP Legal Defense and  
Educational Fund, Inc.

Edward R. Bryant  
North Charleston Branch of the  
NAACP

Rev. Charles Heyward  
Charleston Area Justice Ministry

Shaundra Scott  
American Civil Liberties Union of  
South Carolina

Louis Smith  
The Community Resource Center

cc: Keith Summey, Mayor, North Charleston, S.C.  
Eddie Driggers, Police Chief, North Charleston Police Department  
The Honorable James E. Clyburn, United States House of Representatives  
The Honorable Tim Scott, United States Senate