



May 13, 2020

**Via Electronic Mail ([slbrown@northcharleston.org](mailto:slbrown@northcharleston.org))**

City of North Charleston  
Attn: Sandy Brown, Assistant Municipal Clerk  
P.O Box 190016  
North Charleston, South Carolina 29419

**Re: Freedom of Information Act Requests Regarding North Charleston  
Police Department**

Dear Ms. Brown:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (LDF) and the ACLU of South Carolina, we write to request the inspection and copying of public records under South Carolina's Freedom of Information Act, S.C. CODE ANN. § 30-4-10 *et seq.* (2017) concerning policies and practices of the North Charleston Police Department (NCPD). **Unless otherwise stated, the time period of the requested documents is January 1, 2017, through the present.**

Please be advised that "document" means notes, reports, memoranda, letters, correspondence, recordings or any writing of any kind whatsoever, e-mail messages and correspondence, drawings, graphs, charts, photographs, audio recordings, video recordings, diaries, appointment books, calendars, telephone records, telephone messages, computer records and any other data from which information can be obtained including originals, non-identical copies and drafts thereof.

Kindly provide the requested information in an electronic format that is searchable and analyzable. We will accept data extracts as delimited text file, Excel, Access, Oracle, or a variety of other file formats. An example data shell of required fields and layout can be provided if it is needed. Additionally, please provide individual computer records or scanned documents in a format such as Microsoft Word or searchable Adobe Acrobat pdf. Documents and data extracts should include necessary variable definitions and descriptions to facilitate understanding and analysis.

## **INFORMATION REQUESTS**

### **A. Grants, Technical Assistance, and Memoranda of Understanding**

1. All documents concerning funding or technical assistance from the United States Department of Justice (DOJ), Department of Homeland Security (DHS) or any other federal agency, to NCPD including but not limited to:
  - a. Grant applications and reports between the City of North Charleston and any component of the DOJ, including the Community Oriented Policing Services Office (COPS).
  - b. Grant award letters to North Charleston city officials from DOJ, including the COPS Office.
2. All documents between the NCPD, DOJ, the COPS Office and/or its consultants, such as the Police Foundation, relating to technical assistance provided to NCPD to review and improve policing policies and practices, including any community and police surveys.
3. All documents between the NCPD and the Office of the Mayor relating to technical assistance provided to NCPD by the DOJ and/or COPS Office and/or its consultants.
4. All documents between the NCPD and the North Charleston City Council relating to technical assistance provided to NCPD by the DOJ and/or COPS Office and/or its consultants.
5. All memoranda of understanding between the NCPD and other law enforcement agencies and other federal, state or local governmental agencies, including any with the school systems in Charleston and Dorchester counties.

### **B. General policies and procedures**

6. All NCPD policy and procedure manuals, including but not limited to patrol guides, operation orders, and/or interim orders.
7. All NCPD organizational charts.
8. All policies and procedures relating to community policing strategies.

### **C. Training**

9. All documents used to train NCPD officers and/or personnel regarding:

- a. Use of force (lethal and nonlethal) and de-escalation, including reporting requirements;
  - b. Vehicle stops;
  - c. Arrests and alternatives to arrests;
  - d. Searches, including consent searches;
  - e. Interactions with individuals experiencing mental or behavioral health crises;
  - f. Interactions with youth;
  - g. Bias policing based on race, gender, disability and other categories;
  - h. Constitutional policing; and
  - i. Community policing strategies.
10. All documents concerning the screening and/or testing of NCPD officers for racial bias, including but not limited to any screening or testing conducted before, during, and after the hiring process.

**D. Traffic Stops**

11. All documents relating to traffic stops resulting in an arrest or issuance of a citation by North Charleston police officers disaggregated by race, ethnicity, gender and age of the person(s) stopped, name(s) of the officer(s), date and location of the stop, and the offense that led to the arrest or citation from January 1, 2018 to the present.
12. All documents relating to traffic stops resulting in a search of the vehicle or occupants by North Charleston police officers disaggregated by race, ethnicity, gender and age of the person(s) stopped, name(s) of the officer(s), date and location of the stop, whether the person(s) stopped consented to the search, and the outcome of the search from January 1, 2018 to the present.
13. Any and all documents relating to traffic stops that did not result in arrest or citation, including the date and location of the stops, reason for the stop, name of officer(s) involved in the stops, and the race, ethnicity, gender and age of the civilian(s) stopped from January 1, 2018 to the present.
14. A sampling of the forms that NCPD officers are required to complete after each vehicle stop from January 1, 2018 to the present.

15. All documents submitted to the South Carolina Department of Public Safety pursuant to § 56-5-6560 (Public Contact Reports) from January 1, 2018 to the present.

**E. Use of Force**

16. All NCPD officer use of force incident reports and investigative files from January 1, 2016 to present disaggregated by race, ethnicity, gender, and age of the civilian(s), name of the officer(s), reason for the interaction with the officer(s), the type of force used, including but not limited to firearm, pepper spray, baton, canines, or Taser, and whether the officer(s) was disciplined for the use of force.
17. Any and all documents relating to sexual assault incidents involving North Charleston police officer(s) from January 1, 2016 to the present disaggregated by race, ethnicity, gender, and age of the civilian(s), the name of the officer, the officer's alleged reason for the interaction with the civilian, and the type of sexual misconduct that occurred, including: sexual assault; rape; extorting sexual favors in exchange for not ticketing or arresting a person; inappropriate or unnecessary frisks or pat downs; and officer or civilian-initiated sexual conduct while the officer was on duty.
18. A sampling of the forms and/or reports that NCPD officers must complete following a use of force incident.
19. All audio and video footage of use of force incidents.

**F. Complaints against NCPD officers**

20. All documents relating to the process used by the NCPD to process and investigate complaints against officers.
21. All complaints filed by members of the public against NCPD officers disaggregated by race, ethnicity, gender, and age of the complainant(s), name and race/ethnicity of the officer(s), and reason for and outcome of complaint.
22. All complaints filed by NCPD personnel against NCPD officers disaggregated by race, ethnicity, gender, and age of the complainant(s), name and race/ethnicity of the officer(s), reason for complaint, and outcome of complaint.
23. All federal court, state court, and administrative complaints filed against the NCPD and/or any of its officers and/or personnel alleging excessive or unnecessary

use of force and biased policing.

24. All federal court, state court, and administrative complaints filed against the NCPD and/or any of its officers and/or personnel alleging unlawful search and/or unlawful seizure/arrest.
25. All settlements entered into by North Charleston and/or the NCPD in civil rights lawsuits filed against the NCPD and/or its officers and/or personnel.

**G. Discipline**

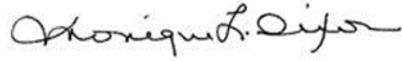
26. The name and badge number of every NCPD officer disciplined for
  - a. Unlawful search;
  - b. Unlawful seizure;
  - c. Unlawful arrest;
  - d. Excessive or unnecessary use of force;
  - e. Racial discrimination; and
  - f. Administrative violations.

Kindly respond to these requests within twenty (20) business days of receipt of this letter in accordance with S.C. Code Ann. § 30-4-30(C) (2017). If it is your position that responsive documents exist but that those records or portions of those records are exempt from disclosure, please identify the records that are being withheld and the specific exemption for each record being withheld.

We request the information in this correspondence to be furnished without charge or at a reduced charge in accordance with S.C. Code Ann. § 30-4-30. The information requested will be used for the public interest and should be considered as primarily benefitting the general public. LDF and the ACLU of SC are non-profit organizations seeking to contribute to the public's understanding of the operations of law enforcement in North Charleston. If the request for a fee waiver or reduction is denied, please provide a detailed invoice of the estimated costs and fees prior to responding to these requests.

Thank you for considering these requests. If you have any questions or concerns, please do not hesitate to contact Susan Dunn at [sdunn@aclusc.org](mailto:sdunn@aclusc.org) or Monique Dixon at [mdixon@naacpldf.org](mailto:mdixon@naacpldf.org).

Sincerely yours,



Monique L. Dixon  
Director of State Advocacy  
NAACP Legal Defense and Educational Fund, Inc.  
700 14<sup>th</sup> Street, NW  
Washington, D.C. 20005



Susan Dunn  
Legal Director  
ACLU of South Carolina  
P.O. Box 20998  
Charleston, S.C. 29413-0998

cc: Derk Van Raalte, Esq.