

October 26, 2020

Mayor John J. Tecklenburg
Councilmember Marie Delcioppo
Councilmember Kevin Shealy
Councilmember Jason Sakran
Councilmember Robert M. Mitchell
Councilmember Karl L. Brady, Jr.
Councilmember William Dudley Gregorie
Councilmember Perry K. Waring
Councilmember Michael S. Seekings
Councilmember A. Peter Shahid, Jr.
Councilmember Harry Griffin
Councilmember Ross A. Appel
Councilmember Carol Jackson

Dear Mayor Tecklenburg and Charleston City Councilmembers:

The City of Charleston has taken some positive steps to address the legacy of slavery and racism. It has apologized for its role in slavery, commissioned a racial bias audit of the police department, established the “Special Commission on Equity Inclusion and Racial Reconciliation,” and most recently removed the Calhoun monument from Marion Square.

These gestures have been welcomed by the community, but they are not enough. As educators and scholars at the College of Charleston, we are calling on our elected city leaders to rethink Charleston's approach to public safety. This is one way that Charleston can begin to address the legacy of slavery - a legacy that continues to harm people to this day.

In the United States today, people are 15 times more likely to die from causes rooted in poverty than from homicide.¹ In Charleston today, high housing costs have left nearly 28 percent of residents facing shelter poverty, meaning they are unable to afford both a roof over their head and other basic needs.² More pedestrians die from unsafe streets than almost anywhere else in the United States.³ Entire neighborhoods now face regular and severe floods.

¹ 4.5 percent of annual deaths are attributable to poverty and .3 percent are attributable to homicide. For annual deaths attributable to poverty see Dr. Sandro Galea, *How Many U.S. Deaths are Caused by Poverty, Lack of Education, and other Social Factors?*, Community Health, July 5, 2011. For deaths attributable to homicide see National Vital Statistics Reports Volume 68, Number 6, June 24, 2019, Deaths: Leading Causes for 2017, p. 12, available at https://www.cdc.gov/nchs/data/nvsr/nvsr68/nvsr68_06-508.pdf.

² Bryan P. Grady, South Carolina Housing Needs Assessment, SC Housing, August 2019, available at https://issuu.com/schousing/docs/sc_needs_assessment_report_finalweb?fr=sY2QzYzE3MTk1MQ.

³ Abigail Darlington, SC is in the top 10 most dangerous places for pedestrians in the US, new ranking says, The Post and Courier, Last updated September 2020, available at https://www.postandcourier.com/news/sc-is-in-the-top-most-dangerous-places-for-pedestrians/article_5ea61896-2005-11e9-a7b0-d7fca8c38cbe.html.

These harms are particularly acute for Charleston's Black community members. As the Avery Research Center for African American History and Culture wrote, the legacy of Slavery and racism leaves Black community members unsafe on a daily basis:

The stark racial disparities in Charleston County were generated by a long history of overtly racist policies and practices that permeated every level of society beginning in the late nineteenth and early twentieth centuries. Due to these devastating government policies that sanctioned racial segregation, today we see large concentrations of poverty in many of Charleston's black neighborhoods, substandard housing, a circumscribed tax base, segregated and underperforming schools, limited access to good jobs, poor public safety, limited or no access to healthy foods and health care, poor access to recreational outlets, environmental threats, poor protections in the low-wage job market, and a generation of young people growing up in neighborhoods where they feel hopeless and demonized.⁴

Yet, when defining public safety, our city leaders consider only police and fire.⁵ In fact, the Charleston Police Department alone receives 22 percent of the City's entire annual budget.⁶ To truly provide public safety for Charlestonians, this must change.

Law enforcement officers have handcuffs, guns, pepper spray, tasers, and, under certain conditions, the power to make arrests and use lethal force. They cannot provide housing, safe bike lanes, barriers to floods, substance use treatment, mental health care, or the myriad other acute needs leaving too many Charleston residents unsafe on a daily basis. In short, despite efforts and funding, Charleston police are unable to fully 'protect and serve' related to these various unmet needs. Needs that are unmet because of an outdated understanding of policing and community protection.

We understand that these problems facing Charleston today are complex and interconnected, and that Charleston cannot fix all of these problems immediately or on its own. But, that does not relieve you, our city leaders, of your duty to do everything in your power now to mitigate these harms and begin to address their root causes. Other municipalities across the country are reflecting on policies and practices that can better assist creating truly healthy and prosperous communities for all, based on a variety of metrics besides the number of arrests and tickets written. We ask the City of Charleston to join these forward thinking municipalities in doing the same.

⁴ Dr. Stacey Patton, *The State of Racial Disparities in Charleston County, South Carolina*, Avery Research Center for African American History (2017), p.7, available at <https://rsji.cofc.edu/wp-content/uploads/2017/01/The-State-of-Racial-Disparities-in-Charleston-County-SC-Rev.-11-14.pdf>.

⁵ See City of Charleston, South Carolina, 2020 Annual Budget, p. 22, available at <https://www.charleston-sc.gov/DocumentCenter/View/26154/City-of-Charleston-2020-Formal-Budget>.

⁶ See City of Charleston, South Carolina, 2020 Annual Budget, p. 22, available at <https://www.charleston-sc.gov/DocumentCenter/View/26154/City-of-Charleston-2020-Formal-Budget>.

As a first step, we urge our city leaders to adopt the recommendations of the Charleston People's Budget Coalition. This diverse coalition has offered a number of tangible steps the city can take immediately to begin to make our city safer and more just for all of its residents. These steps include reallocating \$5 million from the Charleston Police Department budget to programs that will:

- Improve access to affordable housing.
- Increase opportunities for youth.
- Build safe infrastructure.
- Guarantee all city workers a living wage.
- Directly invest in racial justice.

This is about public safety.

Every year our city leaders pour tens of millions of our tax dollars into the Charleston Police Department (CPD). They do this without any evidence that this money makes us safer. In fact, policing experts have long known that there is no correlation between the number of law enforcement officers and crime rates.⁷

What we do know about CPD makes us question the City's decision to fund CPD at a rate significantly higher than any other department in the City.

First, using CPD's own data, in 2019 86.2% of arrests made by CPD officers were for nonviolent, largely low-level offenses, like possession of marijuana or having an open container of alcohol.⁸ Since 2015, there have been more arrests in Charleston for marijuana possession than there have been for all violent offenses combined.⁹ This indicates that a large amount of funding supports efforts that do little to improve public safety.

Second, there is a staggering racial disparity in the enforcement of laws by CPD. These differences based on race are staggering. Last year the CPD racial bias audit found that Black community members were nearly three times more likely to face the use of force from CPD.¹⁰

⁷ See Alex S. Vitale, *The End of Policing*, Verso, (2018) p. 32.

⁸ Charleston People's Budget Coalition, available at <https://www.aclusc.org/en/charleston-peoples-budget-coalition>. Raw data to determine numbers was collected from the CPD Open Data Police Response Datasets available at <https://www.arcgis.com/apps/MapSeries/index.html?appid=fad2a3f085c644d0b014b507d23bcd9a>.

⁹ Charleston People's Budget Coalition, available at <https://www.aclusc.org/en/charleston-peoples-budget-coalition>. Raw data to determine numbers was collected from the CPD Open Data Police Response Datasets available at <https://www.arcgis.com/apps/MapSeries/index.html?appid=fad2a3f085c644d0b014b507d23bcd9a>.

¹⁰ Rodriguez, D., Richardson, K., Thorkildsen, Z., Monroe, R., Medlock, H., Rickman, S. (2019). Final Report: Racial Bias Audit of the Charleston, South Carolina, Police Department. Arlington, VA: CNA. p. 19 available at <https://www.charleston-sc.gov/DocumentCenter/View/25213/CNA-CPD-Final-Report---11719>.

The CPD racial bias audit was just the tip of the iceberg. Since 2015, despite being only 26.3 percent of the population, Black people have made up:¹¹

- 45.6 percent of Disorderly Conduct charges.
- 40 percent of “Disobeying a Lawful Order” charges.
- 54.7 percent of “Open Container, Alcohol” charges.
- 54.0 percent of Possession of Drug Paraphernalia charges.
- 46.2 percent of Public Urination charges.
- 69.9 percent of Loitering charges.

These are not anomalies, and as the Avery Center noted they are not new either.¹² A clear pattern of discriminatory policing exists in Charleston, and it is unacceptable. And, this pattern has continued even after the release of the CPD racial bias audit,¹³ showing that calls to “just let the audit process work” fall short.

CPD’s focus on low-level offenses coupled with a staggering racial disparity in the enforcement of those laws is not a wise use of our city’s resources.

Acts of violence can and must be addressed, but spending tens of millions of dollars annually into CPD is not a solution to violence in our community, especially when the audit demonstrates the systemic violence that continues to be perpetuated against Charleston’s Black community members. At the same time, research shows that affordable housing¹⁴ or raising the minimum wage,¹⁵ for example, makes communities safer.

While the City is overfunding CPD, too many Charleston residents suffer from low wages and a high cost of living, a lack of access to the mental health care or substance use treatment they need. Charleston is not safe when Black neighborhoods bear the brunt of flooding and climate

¹¹ Charleston People’s Budget Coalition, available at <https://www.aclusc.org/en/charleston-peoples-budget-coalition>. Raw data to determine numbers was collected from the CPD Open Data Police Response Datasets available at <https://www.arcgis.com/apps/MapSeries/index.html?appid=fad2a3f085c644d0b014b507d23bcd9a>.

¹² Dr. Stacey Patton, *The State of Racial Disparities in Charleston County, South Carolina*, Avery Research Center for African American History (2017), available at <https://rsji.cofc.edu/wp-content/uploads/2017/01/The-State-of-Racial-Disparities-in-Charleston-County-SC-Rev.-11-14.pdf>.

¹³ For example, during the first half of 2020, the Charleston Police Department arrested Black people for marijuana possession at 6.25x the rate of white people. Raw data to determine numbers was collected from the CPD Open Data Police Response Datasets available at <https://www.arcgis.com/apps/MapSeries/index.html?appid=fad2a3f085c644d0b014b507d23bcd9a>.

¹⁴ Rebecca Diamond and Tim McQuade, *Who Wants Affordable Housing in their Backyard? An Equilibrium Analysis of Low Income Property Development*, Stanford GSB, July 2015, p. 1.

¹⁵ Juleyka Lantigua-Williams, *A Raise the Minimum Wage, Reduce Crime? A new White House report links higher hourly incomes to lower rates of law-breaking*, May 3, 2016, available at [https://www.theatlantic.com/politics/archive/2016/05/raise-the-minimum-wage-reduce-crime/480912/#:~:text=%E2%80%9CThe%20impact%20of%20wages%20on,5%20percent%20crime%20decrease%20\(250%2C000](https://www.theatlantic.com/politics/archive/2016/05/raise-the-minimum-wage-reduce-crime/480912/#:~:text=%E2%80%9CThe%20impact%20of%20wages%20on,5%20percent%20crime%20decrease%20(250%2C000).

displacement because of environmental racism.¹⁶ Charleston is not safe when Black families and communities experience daily over-policing and long-term damage caused by underfunded public services and gentrification.

Our city leaders must stop divorcing crime from harm. Our police make more arrests for drug offenses than all other offenses combined. Our prisons and jails are full of people whose most serious offense was the sale or possession of drugs. Yet, tobacco, which kills more Americans every year than all illegal drugs combined, can be purchased at your neighborhood grocery.

Our city leaders must also rethink what we mean by violence in our community. When a person or family is evicted from their home, that is an act of violence. When a worker is a victim of wage theft and cannot feed their family, that is an act of violence.

It's time to listen to the community's concerns, particularly those communities that have traditionally suffered from over-policing and under-investment. We hope City Council will listen to and learn from the Charleston People's Budget Coalition.

Sincerely,

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¹⁶ Hobbs, Stephen, and Rickey Ciapha Dennis Jr. "Flooding intensifies Charleston region's racial and wealth inequalities." *Post and Courier*, available at https://www.postandcourier.com/rising-waters/flooding-intensifies-charleston-regions-racial-and-wealth-inequities/article_7a5f724c-afc6-11ea-b878-2795af874a5b.html

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