



Steps to Enhance the Law Enforcement Profession, Build Trust and Confidence in South Carolina's Law Enforcement, and Improve Community Relationships

Law enforcement leaders within the South Carolina Sheriffs' Association, South Carolina Police Chiefs' Association, the South Carolina Law Enforcement Officers' Association, and the South Carolina Fraternal Order of Police recognize the need for police reform. To that end, we have worked collaboratively to develop the following strategies to enhance the law enforcement profession, build trust and confidence in policing, and improve community partnerships. Ultimately, it is our collective goal to serve and protect all South Carolinians equally with professionalism, integrity, compassion, and empathy. We believe the immediate implementation of the following steps will help us achieve this objective.

Items that Require Legislation:

1. (A) Require Minimum Standards for all law enforcement agencies in South Carolina as promulgated by the Law Enforcement Training Council (LETC). The inability to comply with minimum standards will result in civil fines against the agency and possibly losing the ability to function as a law enforcement entity. These policies will be required to be made available to the public. Standards will, at a minimum, address the following topics:
 - a. Use of Force Continuum – when and how to respond to active resistance, including shooting in to moving vehicles
 - i. Eliminate “chokeholds” or “neck restraints” from the use of force continuum as a less than lethal option
 - b. Vehicle Pursuit
 - c. “Duty to Intervene”
 - d. Compliance with Supreme Court guidance on “No Knock Warrants” (Richards v. Wisconsin, 520 U.S. 385, 117 S. Ct. 1416, 137 L. Ed. 2d 615 (1997))
 - e. Hiring and terminating practices
 - f. Mandatory post basic academy field training
 - g. Implementation and use of body-worn cameras

- (B) Fund, Encourage, and Incentivize Law Enforcement Accreditation (\$250,000 recurring)

Accreditation will be the logical next step for law enforcement entities after implementing minimum standards. State assistance will be needed to insure there is an accreditation option that is not cost prohibitive. South Carolina Law Enforcement Accreditation already exists but operates primarily through volunteer services and is largely dependent upon donations for revenue. Resources will be needed to scale operations and increase services.

2. Strengthen requirements for individuals serving as law enforcement officers who have not yet been certified by the SC Criminal Justice Academy (Support H. 5109) and include additional amendments that will:
 - a. require mandatory field training for all newly certified officers (as further explained by minimum standards);
 - b. add “failure to intervene” to the statutory definition of misconduct (Section 23-23-150) that could result in decertification and possible criminal charges; and
 - c. require Chiefs’ School for all newly appointed Police Chiefs and a minimum of 20 hours of Continuing Law Enforcement Education Credits for all Police Chiefs annually as determined by the SC Police Chiefs Association.

3. Fully fund Body-Worn Camera Fund and implement a strategic procurement plan to ensure agencies receive comparable, fair pricing.

\$3.4M appropriated in FY2015-2016, \$2.4M recurring each year since despite an annual average request of more than \$9.1M. To date, a total of 261 agencies have been awarded some amount of funding through the Body-Worn Camera program.

4. Increase law enforcement officer salaries and benefits and enhance recruiting efforts; implement a minimum starting salary for law enforcement officers; incentivize higher levels of education, training.

The demands on law enforcement officers are ever-increasing, yet salaries remain low. The starting salary for a law enforcement officer in South Carolina is roughly \$30,000. Low pay, high expectations, and rough working conditions create an environment where it is difficult to recruit and retain quality officers. Adding a benefit of student loan forgiveness for law enforcement service would allow us to recruit individuals with higher degrees of education that may not otherwise consider law enforcement as a career choice.

5. Fully fund the SC Criminal Justice Academy and remove the dependency upon fines, fees, and assessments (approximately \$6,605,025 recurring needed to remove the dependency upon fines, fees, and assessments).
6. Provide recurring funding for PTSD treatment for law enforcement officers and implement a program to help detect early warning signs of aggression (currently provided \$250,000 through Proviso 118.16).

Items that Can Be Addressed by the Law Enforcement Training Council (LETC):

1. Implement mandatory annual diversity and de-escalation training as part of officers’ required recertification Continuing Law Enforcement Education Credits. While this can be done through LETC action, it should also be codified similar to Section 23-23-50 (Domestic Violence Training) and Section 23-23-55 (Mental Health Training). **ALREADY IN PROGRESS**

2. Require law enforcement agencies to prosecute terminated officers (before the LETC) when an allegation of misconduct is filed. This can be achieved by the LETC assessing civil penalties for non-compliance. **ALREADY IN PROGRESS**

Items Already Happening Throughout the State:

- ✓ Robust Misconduct and Decertification Processes
 - Included in this process is language that requires, “any finding by a law enforcement agency as to the use of excessive force by a law enforcement officer must be reported to the academy by the appropriate law enforcement agency or department within thirty days of the finding, the information of which must be maintained by the academy for investigative and personnel hiring purposes.” (Section 23-23-150(L))
 - Reporting to the National Decertification Index through IADLEST (Code of Regulations 37-112)
- ✓ Community Oriented Policing
- ✓ Engagement of Community Partners
- ✓ Recruiting Minority Candidates
- ✓ Psychological testing for all newly certified law enforcement officers
- ✓ Data Reporting (required through Section 56-5-6560 and FBI Use of Force Reporting facilitated through SLED)
- ✓ Post-Critical Incident Seminars / PTSD Counseling / SC Law Enforcement Assistance Program
- ✓ Minimum of 40 hours (per 3 year cycle) of Continuing Law Enforcement Education Credits. Included in this requirement is Annual Legal Update (2 hours/year), Annual Domestic Violence Update (2 hours/year), Mental Health or Addictive Disorders Update (1 class every three years)

Additional Items to Potentially Support:

- Repeal Citizens’ Arrest Statute (Support H. 5487)
- Addition of a criminal penalty for the willful destruction or editing of body-worn camera footage.
- Statutory requirement for independent investigation of officer-involved shootings and in-custody deaths
- Consider requiring psychological evaluations for officers that have used lethal force or have an allegation of excessive use of force. This will help determine mental fitness for duty and screen for potential PTSD symptoms.
- Statutory changes that allow law enforcement officers to focus on the primary role of providing public safety. All too often, the solution to society’s problems involve law enforcement officers. Simply put, law enforcement cannot be everything to everyone everywhere. In addition to their police functions, we require officers to be mental health transporters, lawyers, and social workers. Law enforcement officers certainly have a role in those areas, but our responsibilities have become so great that our core purpose is suffering. We must work collaboratively with partners to get back to the fundamentals of public safety.

Leadership within our Associations will be working to advance these steps within the profession. Some steps, however, will require legislation and statewide funding. These steps will not be easy, but they are necessary and will yield tremendous results. We are committed to doing everything within our power to ensure South Carolina’s law enforcement officers reflect the communities we are sworn to serve and protect and vow to recognize and respect the value in every human life.