



South Carolina Criminal Justice Academy

October 4, 2017

Representative Wm. Weston J. Newton
Committee Chairman, Legislative Oversight Committee
PO Box 11867
Columbia, SC 29211

Dear Chairman Newton:

In response to your correspondence of September 7, 2017, please find the following documentation and responses.

Records Management

In regards to the Records Management query, attached is a memo from the Human Resources Director confirming that the Academy's transference and/or destruction of records is current. Also, included is a copy of the Academy's Policy 2.19 *Records Management: Records Officer Responsibilities* with an original issue date of May 16, 2011.

Study Recommendations

Please see the agency's responses to the Committee's questions related to study recommendations on the next page.

If you need additional information or further clarification, I will try to obtain the information for the Committee as quickly as possible. Thank you and the Committee for the study and recommendations for the Law Enforcement Training Council and Criminal Justice Academy.

Regards,

A handwritten signature in blue ink that reads "Lewis J. Swindler, Jr." with a stylized flourish at the end.

Lewis J. Swindler, Jr.
Agency Director

Study Recommendations - Agency Response

Recommendation #1. Aptitude Testing

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation, but notes new law, granting the Training Council authority to establish the recommended prerequisite for entrance into the Academy, would be required. Without new law granting this authority, the Training Council can only try to influence the hiring agencies to utilize one of the nationally recognized aptitude tests by emphasizing the necessity of having an adequate reading level.

Recommendation #2. Firearms Qualifications.

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #3. Continuing Education.

Agency Position: Agrees
Implementation Status: Plans to implement by July 2018

There are currently classes addressing these topics in the basic law training; however, the Academy will address these programs with an on-line training program and updated curriculum. Once updated, this will be addressed with the Training Council as to requiring these as part of the three-year continuing education cycle.

Recommendation #4. Civil Penalties

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #5. Court Fines and Fees

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #6. Audited Financial Statements

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #7. Steady Source of Funding

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #8. Internet

Agency Position: Agrees
Implementation Status: Implementation complete

The Academy has implemented this recommendation. Law enforcement entities are required to have access to the Internet and the ability to access on-line forms utilized by the Academy. An individual can only enroll for classes at the Academy via the internet.

Recommendation #9. Personnel Changes

Agency Position: Agrees
Implementation Status: Currently implementing

The Academy recently implemented the first part of this recommendation by creating a web based form through which law enforcement entities may provide personnel change in status information. The Academy is currently working to create formulas and rules in the database to increase the agency's ability to analyze the data contained within the database. Currently, law enforcement entities may also obtain information about the hiring status of an officer through communication with the Academy's Certification unit or Public Relations unit.

Recommendation #10. Disciplinary Records

Agency Position: Agrees
Implementation Status: Currently implementing

The Academy has begun implementation of this recommendation. However, due to the methods used by the vendor, the process of receiving responses is not as seamless as the Academy initially thought. The Academy is currently awaiting the vendor's response, but believes the information should be available by January 9, 2018.

Recommendation #11. Reporting Data

Agency Position: Agrees
Implementation Status: Plans to implement by December 2017

The Academy's Certification unit will provide a monthly report for dissemination via the Academy's website beginning October 1, 2017. The report will include information gathered by the Certification unit. In the near future, the report will also include information gathered by the Academy's Standards unit and the Academy's Registration unit.

Recommendation #12. Compilation of Data

Agency Position: Agrees
Implementation Status: Unable to implement

The Academy is unable to implement this recommendation because it has no jurisdiction to require the submission of, or any method of effectively obtaining and/or maintaining the information to confirm that it is current. However, the Academy understands this recommendation may be a general one which addresses work the Subcommittee desires to be performed, but not necessarily by the Academy.

Recommendation #13. Dishonesty/Untruthfulness

Agency Position: Agrees
Implementation Status: Plans to implement by December 2017

This item is on the Training Council's October 25, 2017 quarterly meeting agenda. During the meeting the Training Council will provide the Academy's General Counsel direction and guidance to implement the recommendation.

Recommendation #14. Officer Conduct Hearing Process

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #15. Pass Through Funding

Agency Position: Agrees
Implementation Status: General Assembly action needed

The Academy agrees with the recommendation which requires action by the General Assembly for implementation.

Recommendation #16. Training Facilities

Agency Position: Agrees
Implementation Status: General Assembly action needed

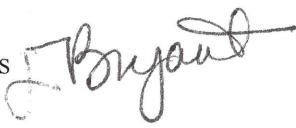
The Academy agrees with the recommendation which requires action by the General Assembly for implementation.



South Carolina Criminal Justice Academy

MEMORANDUM

TO: Lewis J. Swindler, Director

FROM: Debbie Bryant, Human Resources 

DATE: September 18, 2017

SUBJECT: Academy Record Retention Status

The Academy adheres to the requirements of the Public Records Act and regulations and procedures established by the South Carolina Department of Archives and History (SCDAH). Please see attached Records Retention Table for your convenience. The Academy Records Officer, Michelle Miller works closely with staff to ensure record retention needs are satisfied.

Ms. Miller has established a system where information regarding the records is logged in a database and flagged for future action. She reviews the database monthly to determine which records have met their retention period. The last set of files sent to SCDAH was Litigation Case Files on May 22, 2017. The last files to be destroyed were Training records on September 15, 2017. Ms. Miller will continue to monitor her log to remain up to date on record retention.

attachment

S.C. Criminal Justice Academy Records Retention Table

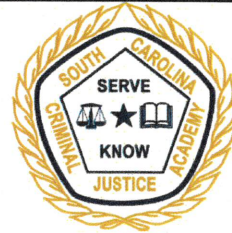
Series #	Record Title	Academy Retention	Final Disposition
<i>Specific Schedules:</i>			
09762	*Certification Files (3/4/97)	Reference	Destroy
10365	**Non-Compliance Notices (2/24/98)	2 mo.	Destroy
13120	Pre-Offer Assessment Reports (9/18/01)	6 yrs.	Destroy
13121	Post-Offer Psychological Reports (9/18/01)	10 yrs.	Destroy
15380	Mandated, Advanced, and Teleclass Testing Records (r. 7/21/16)	3 yrs.	Destroy
15381	Constable and Advanced Constable Test Results (10/10/09)	3 mo.	Destroy
15415	External Lesson Plans (r. 6/10/14)	2 yrs.	Destroy
15416	**Training Manuals (1/7/10)	3 yrs.	Destroy
15417	**Training Videos: Policeline, CJA Extra, Legal Update & Line Up (1/7/10)	5 yrs.	Destroy
15438	**Internal Lesson Plans (r. 6/10/14)	2 yrs.	Destroy
17251	Basic Training Files (previously #11790) (r. 7/21/16)	3 yrs.	Destroy
17437	Inventory Records (7/26/17)	3 yrs.	Destroy
<i>General Schedules (frequently used):</i>			
12-302	Meeting Minutes (Executive level)	3 yrs.	SCDAH
12-303	Meeting Minutes (Non-Executive level)	2 yrs.	Destroy
12-305	Administrative Correspondence (Executive level)	3 yrs.	SCDAH
12-306	Administrative Files (Executive level)	3 yrs.	SCDAH
12-307	*Administrative Reference Files (Non-Executive Level)	Reference	Destroy
12-308	Administrative Regulations	Reference	SCDAH
12-312	Litigation Case Files	6 yrs.	SCDAH
12-313	Calendars	1 yr.	Destroy
12-317	*General Correspondence (Non-Executive Level)	Reference	Destroy
12-322	Mailing Lists	1 yr.	Destroy
12-407	Job Applications	2 yrs.	Destroy
12-412	Job Announcements	2 yrs.	Destroy
12-707	Bank Deposits	3 yrs.	Destroy
12-710	Cash Receipts Files & Journal	3 yrs.	Destroy
12-715	Disbursement Vouchers	3 yrs.	Destroy
12-727	Receipt Books	3 yrs.	Destroy
12-734	Travel Vouchers	3 yrs.	Destroy

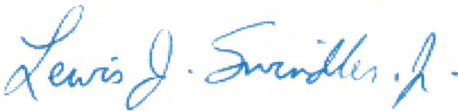
*Retention: Until no longer needed for reference, destroy. Provided you are no longer required to hold the records for federal or state audits, for legal purposes, for litigation, for fiscal information and or for any other action.

**Retention: See copy of schedule attached for further retention information.



**South Carolina
Criminal Justice Academy
POLICY AND PROCEDURE**



Subject: Records Management: Records Officer Responsibilities	Policy Number: 2.19 Number of Pages: 3
Date of Original Issue: May 16, 2011	Date of Revision: March 10, 2017
In compliance with CALEA Standards: 7.2.1, 7.2.4	
By The Authority Of:  Lewis J. Swindler, Jr., Director	

I. PURPOSE

The purpose of this directive is to establish a records management program within the Academy that meets the requirements of the State Records Act, and to provide guidelines for the orderly maintenance and storage of records within the Academy, and for their eventual disposition or disposal as required by law.

II. POLICY

The South Carolina Criminal Justice Academy (Academy) is required by law to establish and maintain a records management system for the proper retention and disposition of official Academy records. See Chapter 1, Title 30, Code of Laws of South Carolina,

<p>South Carolina Criminal Justice Academy</p> <p>POLICY AND PROCEDURE</p> <p>Policy Number:</p> <p>2.19</p>	<p>Subject:</p> <p>Records Management: Records Management Officer Responsibilities</p>	<p>Page:</p> <p>2</p>
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1976, as amended. For purposes of this directive, “record” or “records” means a “public record” as defined by § 30-4-20(c), Code of Laws of South Carolina, 1976, as amended. It is the policy of the Academy to establish, maintain and administer a records management program within the Academy.

- A. The Academy’s records management program must be designed to preserve, safeguard, and, in cooperation with the South Carolina Department of Archives and History, eventually dispose of all departmental records, according to approved record retention schedules in accordance with the requirements of Chapter 1, Title 30, of the code, supra.
- B. The Academy Director is the legal custodian of all public records of the Academy.

III. PROCEDURE

- A. Appointment and Authority of the Records Officer
 - 1. The Director may appoint a Records Officer to act on his behalf. Accordingly, the Records Officer is located in the Office of Human Resources.
 - 2. The Records Officer is tasked with the daily administration and functional management of the Academy’s records management program.
 - 3. The Records Officer manages and controls public records of the Academy.
- B. Administration of the Records Management System
 - 1. The Academy Records Officer is responsible for ensuring that the Academy is in compliance with all statutes and regulations relating to the Academy utilization, maintenance, retention, preservation, and disposal of public records.
 - 2. The duties of the Records Officer include but are not limited to, the following:
 - a. Review and approve the adoption, modification or revocation of all record retention schedules for the Academy;

<p style="text-align: center;">South Carolina Criminal Justice Academy</p> <p style="text-align: center;">POLICY AND PROCEDURE</p> <p style="text-align: center;">Policy Number:</p> <p style="text-align: center;">2.19</p>	<p style="text-align: center;">Subject:</p> <p style="text-align: center;">Records Management: Records Management Officer Responsibilities</p>	<p style="text-align: center;">Page:</p> <p style="text-align: center;">3</p>
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- b. Maintain all original record retention schedules for the Academy;
- c. Review and approve all requests for the disposition or destruction of records in accordance with state regulations before a request or notice for the disposition or destruction of records is forwarded to the South Carolina Department of Archives and History, and before the records are actually destroyed;
- d. Maintain the Academy's official record copy of all forms, notices and requests forwarded to or received from the South Carolina Department of Archives and History including, but not limited to the following:
 - 1. Report on Records Destroyed;
 - 2. Record Series Inventory Forms;
 - 3. Public Records Storage Standards Compliance Checklist;
 - 4. Microfilm Transmittal and Receipt Forms;
 - 5. Microfilm Quality Certifications for Records Disposition;
 - 6. State Records Center Transfer Forms;
 - 7. Coordinate the procurement of microfilm, microfiche, optical disk system or other technology for storage of the Academy's public records with the information Technology Office.