

**SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY’S RESPONSE TO THE LAW
ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE’S STUDY OF THE DEPARTMENT
SAFETY, HIRING, RECRUITMENT, AND RETENTION**

- 1. Ensure the appropriate division head is involved in the hiring process. Ensure policies outline clearly which personnel provide input at which stages of the hiring process.**

In accordance with Policy 400.02 (Commissioned Law Enforcement Officer Application and Selection Process), each Law Enforcement Division (LED) has responsibility for and oversight of the recruitment, application, and selection process of potential employees. Each LED is responsible for selecting a coordinator to administer the process for its applicants.

Pre-selection activities include receiving the applications; testing and applicant processing; polygraph examinations; background investigations; and Selection Review Board (SRB). The SRB is composed of officers selected by the Deputy Director/Division Head and one non-voting member from the Office of Human Resources (OHR).

Following its review, the SRB recommends applicants to the Deputy Director/Division Head for review and selection. The Deputy Director/Division Head then submits his/her recommendations to the Director for final approval.

Post-selection activities include physical fitness testing and medical/psychological screenings.

The agency intends to revisit Policy 400.02 to consider changes that would include additional involvement of the LED directors in the final hiring decision.

- 2. Research the cost and feasibility of implementing a career path for agency employees.**

The agency will revisit and update the cost and feasibility aspects of a possible Career Path for law enforcement.

- 3. Track applicable data to determine which recruiting methods are effective in obtaining applicants with the temperament and ability to successfully complete appropriate Criminal Justice Academy courses. Include this data in the agency’s Accountability Report each year.**

The agency currently tracks the various methods it uses for recruitment and the success rate of those efforts. The agency then adjusts its recruiting efforts to maximize its ability to locate successful applicants. Additionally, the agency tracks the stage at which applicants are screened out of the selection process and revises its process based on steps which may affect a disproportionate number of applicants.

The agency will consider revising its Accountability Report to include this information.

- 4. Revisit policy which automatically disqualifies job applicants with visible tattoos.**

SCDPS Policy 200.10 (Dress Code) was revised and became effective August 1, 2017.

- 5. Update the agency’s Personnel Allocation Model to conform to national standards.**

The agency will revisit and update the formula that determines personnel allocation.

6. Review industry best practices on trooper fatigue under various shift changes.

The agency will review industry best practices on trooper fatigue under various shift changes and consider potential changes.

EQUIPMENT REPLACEMENT

7. Request a permanent line item, which identifies funding for the equipment replacement schedules, in the General Appropriations Act.

For the FY18 budget submission, the agency asked for the following sums:

- \$5,443,083 for law enforcement equipment, specifically vehicles, in-car video cameras, radars, portable radios, mobile radios, and TASERS;
 - **The agency received a portion of these funds (\$939,600) dedicated to in-car video cameras
- \$1,006,000 to support a 4 year rotation for laptops/desktop computers; and
 - The agency did not receive these funds but is requesting these funds for the FY 2019 budget request
- \$88,000 to support a 5 year rotation for network infrastructure equipment (routers, switches, wireless access points).
 - The agency received \$88,000

**The agency will continue to make budget requests of this nature.

8. Develop a computer and technology replacement cycle; include this information in the agency's budget request.

The agency has developed a plan for information technology equipment replacement. The agency intends to further refine this plan to include factors such as maintenance of the equipment.

APPLYING POLICIES CONSISTENTLY

9. Implement the agency's existing Alcohol and Drug Deterrence Policy and perform random and post-accident drug testing of agency employees.

The agency revised Policy 200.04 (Alcohol and Drug Deterrence Program, effective May 1, 2017) to include a random drug testing program that began July 1, 2017. Post-accident drug testing will be based upon reasonable suspicion. The revised version of Policy 200.04 is consistent with the alcohol and drug deterrence policies of sister agencies (e.g., SLED, S.C. Department of Corrections).

10. Revise the agency's Residency Policy to have clear standards of which employees are required, and which are not required, to live within various requisite distances from their troop headquarters or their assigned post. Apply Residency Policy consistently.

SCDPS Policy 300.47 (Residency Requirements for Commissioned Law Enforcement Officers) was revised and became effective August 1, 2017.

11. Update the agency's Audio-Video Monitor Report form to include the reason the supervisor is reviewing a video. Track this information in the activity console (i.e., agency's internal database).

The agency has revised its Audio/Video Monitor Report (DPS-LE-065) to include a space for the supervisor to document the reason that the video is being reviewed, including Supervisory Review, Training, Case Inquiry, or Complaint (see attached).

The agency will review the possibility of adding a tracking mechanism to the Trooper's Console for the purpose of recording time spent reviewing video tapes.

12. Review the policies and format of the corrective action plans submitted by Troop Commanders in response to Staff Inspection Reports. Ensure these plans include deadlines and appropriate follow up.

The 2016-2018 Staff Inspection Report has been revised to include sections for follow up actions when deficiencies are noted as well as deadlines to address those deficiencies. Under the new format, Command Staff will implement a plan of action to ensure deficiencies are properly corrected within an appropriate timeframe. The department continues to move toward a goal of electronic reporting for Staff Inspection Reports.

COMMUNICATION AND MORALE

13. Distinguish between the number of active troopers and number of troopers who are still in training when reporting data.

The agency has adjusted the manner in which it maintains records to ensure that its data distinguishes between the number of active troopers and the number of troopers who are still in training. This will result in reporting that creates the recommended distinction.

14. Restructure the agency so both the Office of Professional Responsibility and Human Resources Office report to the Legal Department, whose attorneys are subject to requirements of legal ethics and rules of professional responsibility to remain licensed to practice law, then the Director.

The OHR and the Office of Professional Responsibility (OPR) already consult with the Office of General Counsel (OGC) on a regular basis regarding personnel and disciplinary matters. The proposed restructuring would potentially jeopardize the attorney/client privilege that exists between the OGC and OHR and OPR staff. Additionally, under such an arrangement, attorneys could become witnesses to certain OHR and OPR matters, thereby making them witnesses for purposes of legal proceedings associated with the matters. Finally, the department is unaware of any other state agency which is structured in the suggested fashion.

15. Adopt a process by which employees can provide feedback to the agency anonymously.

The agency will investigate if technology will permit the department to establish a truly anonymous mechanism for employees to provide feedback (or) determine the availability of established vendors capable of providing such service and the budgetary requirements necessary to implement and maintenance (recurring funding).

16. Have an outside entity perform a leadership climate and employee morale survey of the agency beginning this year and once every three years thereafter. Require agency leadership to generate and follow through with improvement plans based upon the results of the surveys.

The Office of the Inspector General has completed their study of the agency and is in the process of finalizing their report.

17. Require Troop Commanders and Supervisors in the Blythewood Office, including the Director, to spend one day per month on the road to stay abreast of troopers' daily activities.

The Director, Deputy Directors (Colonels, Chiefs, Commanders), supervisors assigned to the Blythewood Office, and Administrative Command personnel regularly travel throughout the state in attendance, support, or command of numerous field operation assignments. [e.g., holiday enforcement, special duty assignments (bike weeks, state house rallies), promotional ceremonies, awards ceremonies (HP Trooper of the Year, HP TCO of the Year, STP Officer of the Year, BPS Officer of the Year, Public Servant of the Year), Highway Dedications for fallen troopers, emergency management operations (winter storms, hurricanes, floods, etc.), media-related events (e.g., highway safety campaigns)]. These assignments provide opportunities to interact with officers while gaining insight into their daily activities. These duties require the above requested personnel to far exceed the recommended one day per month on the road.

FOCUSING ON ITS PRIMARY MISSION

18. Transfer the Illegal Immigration Enforcement Unit to the State Law Enforcement Division.

The department will support the decision made by the General Assembly.

19. Transfer grants programs unrelated to highway safety (i.e., criminal justice, juvenile justice, and crime victims) to another agency.

The Victim Services Grant Programs have been transferred to the Office of the Attorney General. The department will support the General Assembly's decision in regard to the remaining Grant Programs.

20. Coordinate a meeting with the division of State Human Resources and other agencies which may have similar scheduling situations (e.g., Department of Juvenile Justice, Department of Corrections, and Department of Social Services), to discuss ways to reduce the amount of time necessary to enter and update personnel hours in the South Carolina Enterprise Information System.

The department has no objection to this recommendation and will coordinate a meeting with the division of State Office of Human Resources (SOHR) to discuss ways to reduce the amount of time necessary to enter and update personnel hours in SCEIS as it has the most direct way to impact the manner in which the department utilizes SCEIS. If SOHR is unable to provide workable solutions, the department may reach out to other similarly-situated agencies to seek advice.

ANALYZING AND UPDATING INFORMATION

21. Research the costs involved in the agency producing reports from the Multi-Disciplinary Accident Investigation Team and private sector industry standards related to amounts charged for this type of information to determine appropriate charges for these reports.

The department would request a change comparable to the fee schedule for private industry entities that provide accident reconstruction services.

22. Revise S.C. Code § 23-6-187, relating to witness fees for troopers, trained in Advanced Accident Investigation, testifying in civil matters, to allow the agency to adjust the amount it charges each year with inflation.

The department has no objection to this recommendation and would recommend that the current rate of \$135 per hour, adopted in 2009, be adjusted concomitantly with the proposed change.

23. Revise S.C. Code § 23-6-20, relating to establishment of the agency, to remove references to transfers of divisions and, instead, require the agency to maintain a list of its divisions.

The department has no objection to this recommendation. However, the department notes that Title 23, Chapter 6 does not contain any express provision creating the State Transport Police. To the extent that § 23-6-20 is amended as proposed utilizing the "as outlined in this chapter," an additional amendment may be necessary to include the State Transport Police.

The department's [website](#) outlines a brief history of the agency including the various divisions that have made up agency over its history.

24. Update S.C. Code § 23-6-30, relating to the duties and powers of the agency, to remove a reference to a training program now provided by the Criminal Justice Academy.

The department has no objection to this recommendation to the extent that S.C. Code § 23-6-30(5) refers to the training program operated by the Criminal Justice Academy. However, the department would not want an amendment that potentially eliminates the department's ability to train its officers through its own training division.

25. Revise S.C. Code § 23-6-50, relating to an annual audit, carrying funds into the next fiscal year, and retention of revenue to meet the agency's expenses, to remove outdated references and allow the agency to expend certain funds for drug testing.

The department has no objection to this recommendation.

FOLLOW UP

26. Provide an update, in an approved format, once a quarter from April 3, 2017, until April 3, 2018, or the Committee re-visits the need for the updates.

The department will provide quarterly updates beginning three months after the House Oversight Committee's Report is finalized and for one year following that date.

27. Provide the Committee an update every 30 days about the status of payments to subgrantees (i.e., crime victim service providers grant requirements).

The department provided the first of these reports on April 17, 2017 and continued to send these reports on a monthly basis through July 1, 2017 when these functions were transferred to the Office of the Attorney General.