



South Carolina Department of Public Safety

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August 10, 2018

Hon. Wm. Weston J. Newton
South Carolina House of Representatives
P.O. Box 11867
Columbia, SC 29211

Dear Committee Chairman Newton:

In accordance with the Law Enforcement and Criminal Justice Subcommittee's Recommendation No. 26, the South Carolina Department of Public Safety hereby provides its third quarterly update. The recommendation called for updates beginning on April 3, 2017, but the Committee's Study was not approved until November 13, 2017, so the Department has used that date for calculating the time frame in which to provide quarterly updates.

Your June 5, 2018 letter requested that the department include the implementation status of all recommendations in future updates. Insofar as the department has provided several responses to the House Legislative Oversight Committee Recommendations since November 13, 2017, the department will refer to some of those responses to avoid duplication. For ease of reference those responses include:

- Response to Committee's Recommendations dated October 6, 2017 ("October Response");
- First Quarterly Update dated February 13, 2018 ("February Response");
- Second Quarterly Update dated May 9, 2018 ("May Response"); and
- Response to Committee Follow-Up Questions dated July 6, 2018 ("July Response").

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.**

The department previously addressed this recommendation in detail in the July Response. The department does not see the need to make further changes to SCDPS Policy 400.02 (Commissioned Law Enforcement Officer Application and Selection Process) at this time.

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

The target date for a revised career path to be provided to the Director for review is November 2018.



SOUTH CAROLINA HIGHWAY PATROL



STATE TRANSPORT POLICE



BUREAU OF PROTECTIVE SERVICES



IMMIGRATION ENFORCEMENT UNIT



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.

As discussed in the February Response, the Highway Patrol completed a year-end review of its 2017 recruiting efforts. For the year, the Patrol received a total of 1,885 applications that met minimum qualifications. Highway Patrol recruiters attended a variety of events throughout the year that produced 211 applicants as a result of direct contact with a recruiter. In the July Response, the agency provided additional requested information concerning the various methods used to track the success of recruiting efforts.

The SCHP began using a new survey in February 2018 to track the effectiveness of recruiting efforts. This survey is completed after applicants have completed the administrative review phase (background questionnaire, credit checks, criminal records check, etc.). These applicants are considered to be serious applicants with quality credentials given the rigorous examination that they have undergone to reach this phase of the hiring process.

Since the survey was implemented in February 2018, 120 applicants have completed the survey thus far. Results from the survey show that SCHP recruiters are having a positive impact by making contact with quality applicants and following up with them through the process. Of the 115 applicants who responded to the question regarding contact with a recruiter, 79% indicated that they had spoken with a recruiter either before applying or during the application process.

The survey also tracks the manner in which these applicants learned about jobs with the SCHP. These applicants indicated the following about how they learned about career opportunities:

Advertising:	4%
Social Media:	7%
Career Fair:	7%
Word of Mouth:	38%
Website:	43%

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

SCDPS Policy 200.10 (Dress Code) was most recently revised on September 27, 2017.

5. Update the agency's Personnel Allocation Model to conform to national standards.

The Highway Patrol has completed the necessary research and revised the agency's Personnel Allocation Model (PAM). The proposed draft remains under review for potential implementation.

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

SCDPS implemented a 10-hour shift pilot program for a six month trial period on April 1, 2018 in two posts. Under the pilot program, personnel are assigned to ten-hour workdays and rotate among three shifts – day shift, evening shift, and midnight shift – every twenty-eight (28) days.

The Department discussed the expected benefits of the 10-hour shift in detail in its May Response. As previously discussed, the Department intends to perform a comprehensive assessment of the program as part of the pilot to include discussions with each level of participant (supervisory and non-supervisory). Once the

review is complete, the Department will compare the pros and cons of the piloted 10-hour shift before a decision is made regarding future implementation.

EQUIPMENT REPLACEMENT

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

As stated in the October Response, the agency requested the following sums in its FY 2018 budget submission:

- \$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.
- \$88,000 to support a 5 year rotation for network infrastructure equipment (routers, switches, wireless access points).
 - The agency received \$88,000.

For the FY19 budget submission, the agency asked for recurring funding to purchase the following equipment items:

- \$538,272 for Rugged Laptop Lifecycle Replacement-The agency did not receive new funding in the FY 2018-2019 General Appropriations Bill for this request; however, the re-allocation of internal/existing funding will allow us to purchase these items on a recurring basis;
- \$1,591,950 for Highway Patrol Radio Rotation-The agency did not receive any new funding in the FY 2018-2019 General Appropriations Bill for this request;
- \$223,398 for Highway Patrol Radar Rotation-The agency did not receive any new funding in the FY 2018-2019 General Appropriations Bill for this request;
- \$82,523 for Highway Patrol Body Armor for New Patrol Class-The agency received an additional \$82,523 in recurring funds to purchase Body Armor for new patrol classes in the FY 2018-2019 General Appropriations Bill; and
- \$100,000 to purchase Tasers-The agency received an additional \$100,000 in recurring funds to purchase Tasers in the FY 2018-2019 General Appropriations Bill.

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

Reallocation of internal funding has allowed the department to implement a four (4) year lifecycle replacement plan for laptops assigned to law enforcement officers. As discussed above, the agency continues to make budget requests to support this replacement cycle.

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.**

SCDPS Policy 200.04 (Alcohol and Drug Deterrence Program) was revised and the Alcohol and Drug Deterrence Program SOP was implemented beginning May 1, 2017. A copy of each was provided to the Committee as part of the July Response.

- 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.**

As described in detail in the July Response, the department revised SCDPS Policy 300.47 (Residency Requirements for Commissioned Law Enforcement Officers) effective August 1, 2017. The department does not see the need to make further revisions to its residency policy at this time.

- 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 Audio-Video Monitor Report has been updated to include the reason the supervisor is reviewing a video. As previously discussed in the agency's May Response, the agency investigated the feasibility of tracking this information on the console, but found that it was impossible given the technological limitations of the activity console.

- 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 agency has included fields to document action items' implementation dates on its staff inspection report templates.

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 includes the number of active troopers and number of troopers who are still in training when reporting data.

- 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 agency has chosen not to implement this recommendation for the reasons discussed in its October Response. Furthermore, the July Response summarized the multitude of measures in place to ensure that information reported by the Human Resource Office is accurate.

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

As discussed in detail in the department's February Response, the agency has implemented a variety of methods by which employees can provide anonymous feedback. The agency deployed suggestion boxes in all field offices and at headquarters in November 2017. Since the implementation of the suggestions boxes, the department has received 163 suggestions, and these suggestions were forwarded to the appropriate Division Directors for consideration.

Additionally, the department created a Law Enforcement Advisory Committee Program which allows employees to provide feedback to a local representative who then brings the feedback to one of eleven local committees for discussion. Following the discussion at the local committee level, a state committee convenes to hear feedback from each local committee. Division Directors are present at these state committee meetings to listen to proposed ideas. Each local committee has met twice this year thus far, once in January/February and once in April/May. The state committee has convened twice this year (March 28, 2018 and June 28, 2018).

As further discussed in the July Response, the agency has implemented a number of suggestions that arose from the suggestion box and advisory committee process to include dress code changes, creation of the Criminal Interdiction Unit, and purchase of tourniquets for officers.

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 agency is exploring options provided by various qualified vendors.

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 and command staff of the various SCDPS divisions continue to participate in ride-alongs with road troopers/officers, field activities, and meetings with road troopers/officers within their respective posts/areas which provide a firsthand view of the daily challenges faced by the officer working 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.**

As discussed in the February Response, agency personnel worked with the Department of Administration (SCEIS) to develop improvements to administrative processes related to time and leave. The Payroll and Leave team continues to train time administration staff in methods to reduce their workload. This project is expected to be completed by March 2019 and projected to result in annual savings of approximately \$6,500 (see July Response).

In the July Response, the agency reported the efforts of the Office of Human Resources to collect data electronically needed to request federal reimbursements for natural disasters. This plan is expected to be used during the 2018 hurricane season if the need should arise. If the new plan is in fact utilized, the Department anticipates saving of approximately \$9,500 per disaster. Additionally, the Office of Human Resources has implemented similar procedures in order to better track overtime worked in support of the MCSAP grant funding.

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 researched private industry accident reconstruction company charges and included this information in the previously-provided July Response.

- 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.**

As stated in the October Response, the department has no objection to this recommendation and would recommend that the current rate of \$135.00 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.**

As stated in the October Response, 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.

As stated in the October Response, 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.

As stated in the October Response, 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.

To date, the agency has provided 3 quarterly updates to include this report in addition to the July Response.

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.

Sincerely,


Leroy Smith
Director

LS/mg/mld