

Legislative Oversight Committee

South Carolina House of Representatives

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Notification of Law Enforcement and Criminal Justice Subcommittee's Study of the Department of Public Safety

April 21, 2017

In accordance with Standard Practice 12.5, notice is hereby provided that the Law Enforcement and Criminal Justice Subcommittee's study of the Department of Public Safety is available for consideration by the full committee.

Edward R. Tallon Sr.

Law Enforcement and Criminal Justice Subcommittee Chair

cc: The Honorable Katherine E. "Katie" Arrington
The Honorable William M. "Bill" Hixon
The Honorable J. Todd Rutherford

Legislative Oversight Committee

Law Enforcement and Criminal Justice Subcommittee's Study of the Department of Public Safety



April 21, 2017

FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available		

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EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in SC Code of Laws Section 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee: (1) **are being implemented** and carried out **in accordance with the intent of the General Assembly**; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the **Subcommittee** evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.¹

Study Process

Legislative Oversight Committee Actions

- April 14, 2015 - Prioritizes the agencies to study
- April 22, 2015 - Provides the agency with notice about the oversight process
- June 1, 2016 - Holds **Meeting #6** and addresses a matter relating to a potential violation of SC Code 2-2-100 (Contempt of the General Assembly)

Law Enforcement and Criminal Justice Subcommittee Actions

- April 29, 2015 - Holds **Meeting #1/Entry meeting** and discusses study procedural issues
- May 5, 2015 - Resigns from the Public Safety Coordinating Council – Rep. Tallon
- February 25, 2016 - Holds **Meeting #2** and discusses written questions to send agency
- April 21, 2016 - Holds **Meeting #3** and discusses the agency's history and strategic plan
- May 5, 2016 - Holds **Meeting #4** and provides opportunity for public input and information about agency partners
- May 26, 2016 - Holds **Meeting #5** and addresses a matter relating to a potential violation of SC Code 2-2-100 (Contempt of the General Assembly)
- July 13, 2016 - Holds **Meeting #7** and receives information on agency’s resources and performance
- July 20, 2016 - Holds **Meeting #8** and discusses aspects of the agency's strategic plan
- August 30, 2016 - Holds **Meeting #9** and discusses, among other things, agency’s hiring practices and manpower across regions of the state
- November 1, 2016 - Holds **Meeting #10** and further discusses hiring issues as well as discusses agency’s finances and inconsistencies in applying discipline policies
- January 31, 2017 - Holds **Meeting #11/Work Session** and discusses study progress
- February 21, 2017 - Holds **Meeting #12** and (1) receives constituent testimony; (2) discusses information provided to families of traffic fatality victims; and (3) discusses the length of time in which the agency's Office of Professional Responsibilities cases proceed to disposition
- February 28, 2017 - Holds **Meeting #13** and (1) receive constituent testimony; and (2) discusses grants, drug testing, and technology issues

- March 7, 2017 - Holds **Meeting #14/Work Session** and discusses study recommendations
- April 21, 2017 - Provides notification that the Subcommittee Study on the agency is available for consideration by the full Committee

Public's Actions

- September 1-31, 2015 - Responds to survey about the agency
- May 5, 2016 - Opportunity to provide testimony at a public input hearing; however, no testimony received from constituents at this time
- February 21, 2017 - Provides testimony during a Subcommittee meeting
- February 28, 2017 - Provides testimony during a Subcommittee meeting
- Ongoing - Submits comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Department of Public Safety Actions

- March 31, 2015 - Submits Restructuring and Seven-Year Plan Report
- August 28, 2015 - Submits Program Evaluation Report
- January 11, 2016 - Submits 2016 Annual Restructuring Report
- April 29, 2016 - Submits response to Committee Staff Study
- May 5, 2016 - Amends its response to Committee Staff Study
- September 14, 2016 - Submits 2015-16 Accountability Report
- November 29, 2016 - Submits Annual Request for Information
- April 2015 - February 2017 - Meets with and responds to Subcommittee's inquiries

Figure 1. Summary of Key Dates and Actions of the Study Process, 2015-2017

Recommendations

The Subcommittee has 27 recommendations relating to the agency. The Subcommittee's **recommendations for revisions to the agency's internal operations and revisions to laws fall into seven categories**. These categories include: (1) recruitment, hiring, retention, and public safety; (2) equipment replacement; (3) applying policies consistently; (4) communication, morale, and leadership issues; (5) focusing on its primary mission; (6) analyzing and updating information; and (7) follow up.

There are **no specific recommendations with regards to continuance of agency programs or elimination of agency programs**.

Table 1. Summary of Recommendations

RECOMMEND AGENCY ADDRESS . . .
...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. 2. Research the cost and feasibility of implementing a career path for agency employees. 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. 4. Revisit policy which automatically disqualifies job applicants with visible tattoos. 5. Update the agency's Personnel Allocation Model to conform to national standards. 6. Review industry best practices on trooper fatigue under various shift changes.
...EQUIPMENT REPLACEMENT
7. Request a permanent line item, which identifies funding for the equipment replacement schedules, in the General Appropriations Act. 8. Develop a computer and technology replacement cycle; include this information in the agency's budget request.
...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. 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. 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). 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.
...COMMUNICATION AND MORALE
13. Distinguish between 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.

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

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.

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.

...FOCUSING ON ITS PRIMARY MISSION

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

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

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.

...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.

22. Revise SC Code Section 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.

23. Revise SC Code Section 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.

24. Update SC Code Section 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.

25. Revise SC Code Section 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.

...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.

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

DETAILS - STUDY PROCESS

House Oversight Committee's Actions

On January 7, 2015, the House Oversight Committee approves a proposed seven-year study schedule for the Speaker of the House.² The Speaker approves the Committee's recommendations, which are published in the House Journal on January 13, 2015.³ The Department of Public Safety ("DPS" or "agency") is an agency subject to legislative oversight.⁴ The **Committee approves DPS as the second state agency for study by the Law Enforcement and Criminal Justice Subcommittee** on April 14, 2015.⁵

The **Committee notifies the agency** about the study on April 22, 2015.⁶ As the Committee encourages **collaboration in its legislative oversight process**, the Committee notifies the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor about the agency study.⁷

Subcommittee Studying the Agency

The **Law Enforcement and Criminal Justice Subcommittee ("Subcommittee") of the House Oversight Committee is studying the agency**. The study begins during the 121st General Assembly. At this time, the chair of the Subcommittee is the Honorable Kirkman Finlay III; other members include: the Honorable William K. "Bill" Bowers; the Honorable Raye Felder; and the Honorable Edward R. Tallon, Sr.⁸ The study continues during the 122nd General Assembly. Now, the chair of the Subcommittee is the Honorable Edward R. Tallon, Sr.; other members include: the Honorable Katherine E. "Katie" Arrington, the Honorable William M. "Bill" Hixon; and the Honorable J. Todd Rutherford.⁹

Subcommittee & Public Actions

The **Subcommittee meets with the agency once about process and on ten occasions about the agency's work**.¹⁰ The Subcommittee holds two work sessions and the full Committee meets once on an issue referred to it by the Subcommittee.¹¹ All meetings are open to the public and streamed live online with videos archived.

Public input is a cornerstone of the House Legislative Oversight Committee's process.¹² Members of the public are able to participate anonymously in a public survey about the agency and four other agencies during the month of September in 2015, provide comments via a link on the Committee website at any time, and appear in person before the Subcommittee during the public input meeting in May 2016. Throughout the process, members of the public, including current and former employees, actively provide input to the Subcommittee. This input, including anonymous input, points the Subcommittee to management issues with the agency. **Due to the volume of input from constituents about the Highway Patrol, Human Resources, and Office of Professional Responsibility, the Subcommittee focuses on those aspects of the agency in regards to the agency efficiently and effectively fulfilling its statutory duties**.¹³

Highlights of meetings, public participation, and major events at the agency during the study process are listed below in a **timeline**. A summary of this timeline is set forth in Figure 1 on pages 4-5. Meeting minutes and archived videos of meetings are available online.¹⁴

121st General Assembly

April 2015

On April 29, 2015, the Subcommittee holds an entry meeting with the agency to discuss oversight study procedural issues.¹⁵

May 2015

In an abundance of caution and to avoid any potential perception of a conflict of interest, **Representative Tallon resigns from his duties on the South Carolina Public Safety Coordinating Council.**¹⁶

September 2015

The Subcommittee posts an **online survey to solicit comments from the public about the Department of Public Safety** and other agencies. Communication about this survey is sent to all House members who are encouraged to inform their constituents about this opportunity.¹⁷ A statewide media release is issued about this opportunity for public participation.¹⁸ There are 1,010 responses to the survey, with at least one response from 41 of the 46 South Carolina counties.¹⁹ These comments are not considered testimony.²⁰ The survey notes “input and observations from those citizens who [choose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies.”²¹ The **public is informed of a continuous opportunity to submit written comments about agencies online** even after the public survey closes.²²

February 2016

On February 25, 2016, the Subcommittee meets (**Meeting #2**) and, among other things, provides a brief update on the study of the agency and **discusses written questions for the Department of Public Safety.**²³ Representative Tallon submits a list of inquiries.²⁴ An agency representative present at the meeting states the agency does not require clarification on any of the questions.²⁵

March 2016

On March 2, 2016, the Subcommittee sends a letter with questions from the February 25, 2016, Subcommittee meeting.²⁶ This letter requests information about the following topics: (1) Illegal Immigration Enforcement Unit; (2) Highway Patrol; (3) Discipline/Office of Professional Responsibility; and (4) Office of Human Resources. On March 16, 2016, the agency provides responses to these topics of interest to the Subcommittee.²⁷

April 2016

On April 21, 2016, the Subcommittee meets with the agency (**Meeting #3**) and discusses the **agency’s history and strategic plan.**²⁸ Chairman Finlay swears in Director Leroy Smith, agency head since 2012, and other agency staff.²⁹ A summary is provided of the agency’s history.³⁰ Subcommittee members ask general questions about the agency, which Director Smith answers.³¹

At the direction of the Subcommittee Chair, Committee staff provide a brief background on DPS’ strategic plan.³² Director Smith provides the Subcommittee details about each aspect of the agency’s strategic plan.³³ Subcommittee members ask follow-up questions for clarification, which Director Smith answers.³⁴

In response to questioning, Director Smith agrees the agency's Illegal Immigration Enforcement Unit (IIEU) is aligned more within the State Law Enforcement Division's (SLED) mission than the Department of Public Safety's mission.³⁵ The Subcommittee approves a recommendation to move IIEU from DPS to SLED.³⁶

The next day the agency responds in writing to questions asked by Subcommittee members during the meeting.³⁷ The agency's responses address the following topics: (1) fees charged to those who request Multi-Disciplinary Accident Investigation Team (MAIT) Reports; and (2) the methodology used to ascertain the safety belt usage rate.³⁸

On April 29, 2016, the Subcommittee and all House Members receive the final Staff Study and agency response.³⁹ A copy is available online.⁴⁰

May 2016

On May 5, 2016, the Subcommittee meets with the agency (**Meeting #4**).⁴¹ The purpose of the meeting is for the Subcommittee to receive **testimony about the agency from members of the public**.⁴² While there are no members of the public present to testify about the agency, Chairman Finlay notes members of the public have provided information about the agency to the Subcommittee through other means.⁴³

Another purpose of the meeting is for the Subcommittee to obtain information about the entities with which the agency works.⁴⁴ Committee staff provide a brief overview of the **agency's partners, customers, and stakeholders**.⁴⁵ Subcommittee members ask questions of Ms. Tosha Autry, the agency's Director of Human Resources, to which she responds.⁴⁶ During the meeting, a partial audio recording is played and Ms. Autry confirms the recording is of her.⁴⁷

On May 6, 2016, the Subcommittee sends a letter stating its intention at the next meeting to make an inquiry about issues of importance to state employees including, but not limited to, the agency's process and procedures for hiring and firing employees, how the agency addresses employee disciplinary matters, and information employees with grievances are permitted to share.⁴⁸ On May 9, 2016, DPS acknowledges the letter.⁴⁹

On May 26, 2016, the Subcommittee meets with the agency (**Meeting #5**).⁵⁰ The purpose of the meeting is to **discuss and vote on whether the Subcommittee recommends the full Committee make an inquiry as to whether a violation of S.C. Code 2-2-100 (contempt of the General Assembly) has occurred**.⁵¹ Committee Staff provide a brief background on this statute and other statutes related to Legislative Oversight of Executive Departments.⁵² The Subcommittee approves a motion recommending the full Committee make an inquiry as to whether a witness, the agency's Director of Human Resources may have violated S.C. Code Section 2-2-100 when testifying before the Subcommittee on May 5, 2016.⁵³ On May 31, 2016, the Subcommittee notifies the full Committee of its request.⁵⁴

June 2016

On June 1, 2016, the full Committee meets (**Meeting #6**).⁵⁵ Among other things, the **Committee discusses the request from the Subcommittee that the Committee refer an allegation of contempt of the General Assembly to the Attorney General**.⁵⁶ Committee Members make comments and ask questions about this issue. A motion is approved to refer the matter to the Attorney General.⁵⁷ On June 8, 2016, the Oversight Committee refers the matter to the Attorney General.⁵⁸

On June 15, 2016, the **Subcommittee requests information from the agency** about the following topics: (1) agency spending on legal services; (2) overtime; and (3) discipline/Office of Professional Responsibility. On June 29, 2016, the agency responds to the Subcommittee.⁵⁹

July 2016

On July 7, 2016, the **agency provides clarification on issues** relating to the Office of Professional Responsibility/Division Investigation (OPR/DI) Case Summary documents the agency previously provided.⁶⁰ On the same day, the agency provides clarification relating to overtime documents the agency produced on June 29, 2016.⁶¹

The Subcommittee meets with the agency (**Meeting #7**) on July 13, 2016.⁶² The purpose of this meeting is to obtain information on the **agency's resources and performance**.⁶³ Director Smith gives a presentation on the agency's resources and fund allocations.⁶⁴ During and after the presentation, Subcommittee members ask questions.⁶⁵ Next, Director Smith gives a brief overview of the agency's performance measures and objectives.⁶⁶ Due to time constraints, Subcommittee members hold questions on performance measures and objectives until the next meeting.⁶⁷

On July 15, 2016, the **Subcommittee requests information from the agency** about the following topics: (1) strategic plan, funding allocation, and performance measures; (2) hiring, retention, and employee makeup; (3) scheduling and activities; (4) finances; (5) Multi-disciplinary Accident Investigation Team; and (6) overtime and compensation time.⁶⁸ On July 19, 2016, the agency responds to some of the questions and states it is in the process of compiling information responsive to the other requests.⁶⁹

On July 20, 2016, the Subcommittee meets with the agency (**Meeting #8**) and discusses **aspects of the agency's strategic plan**.⁷⁰ Director Smith testifies about aspects of the agency's strategic plan on which Subcommittee members had questions at the previous meeting.⁷¹

The Subcommittee **discusses hiring, retention, and morale issues** including: applicants in the agency's current class, turnover, employee concerns about possible retribution from leadership when expressing opinions or concerns, employee concerns about the agency's residency policy; employee concerns about consolidation of the communication centers, expenditures for recruitment, timeframes of employee investigations, and an update on the agency's overtime lawsuit.⁷²

The Subcommittee discusses with the agency numerous issues relating to **equipment** including, among other things, the condition of and cost to replace various existing equipment, as well as purchase new equipment such as body cameras.⁷³

The Subcommittee discusses the **agency's rating from the Commission on Accreditation for Law Enforcement Agencies**, and it requests an **explanation for the low number of trooper and civilian contacts throughout the year**.⁷⁴

Director Smith provides a presentation on **internal changes to improve agency efficiency and outcomes**.⁷⁵ Director Smith testifies the agency has no recommendations to improve efficiency and outcomes at this time.⁷⁶ He further testifies the agency has improved efficiency and outcomes in a variety of ways, including:

- implementing an electronic traffic collision reporting system;
- merging offices of Highway Safety and Justice Programs;

- consolidating office space in Greenville and Rock Hill;
- implementing a mobile data program;
- creating an Internal Communications Office to support agency enforcement and education efforts;
- creating an Internal Office of Strategic Services, Accreditation, Policy & Inspections; and
- updating the Office of Professional Responsibility's case management system.⁷⁷

Further discussion is held with Director Smith pertaining to topics addressed at previous meetings including: (1) the Director's views about the Subcommittee's recommendation to move the Illegal Immigration Enforcement Unit to SLED, and (2) the results of the agency's internal Office of Professional Responsibility investigation of the potential violation of Section 2-2-100.⁷⁸

The **Subcommittee adopts multiple motions for recommendations** which include: (1) process to allow anonymous employee feedback; (2) clarifying residency policy; and (3) distinguishing between the number of active troopers versus personnel still at the Criminal Justice Academy when reporting data.⁷⁹

On July 22, 2016, the **Subcommittee requests additional information from the agency** relating to the following topics: (1) strategic plan, funding allocation, and performance measures; (2) hiring, retention, and employee makeup; (3) scheduling and activities; (4) finances; (5) overtime and compensation time; and (6) Office of Professional Responsibility.⁸⁰

August 2016

On August 15, 2016, the **agency responds to most of the questions posed in the Subcommittee's July 22, 2016, letter.**⁸¹ The agency informs the Subcommittee it is in the process of compiling information responsive to the other requests and will provide that information as soon as it is available.⁸²

The Subcommittee meets with the agency (**Meeting #9**) on August 30, 2016.⁸³ During the meeting, the **Subcommittee addresses multiple issues with the agency** including: hiring; inconsistent application of agency policies; equipment acquisition and replacement scheduling; allocation of manpower across the regions; finances including use of available resources and cost to remodel a conference space at the agency's headquarters.⁸⁴

Various agency employees, with the agency's general counsel and a private attorney for the agency in attendance, respond to the different Subcommittee questions.⁸⁵ **Subcommittee Members adopt multiple motions** which include: (1) tracking recruiting data to obtain highest quality applicants; (2) hiring transparency and personnel; (3) leadership climate and employee morale survey; (4) troop commander corrective action plans; (5) shift change fatigue study; (6) laptop and technology replacement; (7) South Carolina Enterprise Information System scheduling; (8) updating charges for multi-accident investigation team reports; and (9) updating charges for depositions.⁸⁶

On August 31, 2016, the **Subcommittee requests additional information from the agency** pertaining to the following topics: (1) staff inspections; (2) body armor; (3) laptops and technology; (4) scheduling and activities; (5) hiring and retention; and (6) finances.⁸⁷

November 2016

On November 1, 2016, the Subcommittee meets with the agency (**Meeting #10**) and **further discusses hiring issues as well as agency finances and inconsistencies in applying discipline policies.**⁸⁸ Members of

the Subcommittee ask questions about the following topics: personnel, hiring, and performance; finances; and consistency in applying agency policies.⁸⁹

The **Subcommittee adopts multiple motions for recommendations** which include: (1) researching the feasibility of career path initiative for employees; (2) instituting a Leaders on the Road Program which requires troop commanders and supervisors in the Blythewood Office to spend one day/month on the road to help increase morale with the troopers and stay in touch with troopers daily activities; (3) requesting permanent line item in the agency's budget in the General Appropriations Act which identifies funding for equipment replacement schedules; (4) Office of Professional Responsibility and Office of Human Resources reporting to the Legal Department, then the Director, to ensure the accuracy of information utilized and stored since in-house counsel has a professional obligation; and (5) providing quarterly updates to the Committee.⁹⁰

On November 10, 2016, the **Subcommittee requests additional information** relating to the following subjects: (1) staffing and finances; (2) hiring and retention; (3) agency policies and activities; and (4) Office of Professional Responsibility.⁹¹

December 2016

On December 2, 2016, the **agency provides answers to most of the questions posed in the Subcommittee's November 10, 2016 letter.**⁹² The agency states it is in the process of compiling information responsive to the other requests and will provide that information as soon as it is available.⁹³

122nd General Assembly

January 2017

On January 5, 2017, **Representative Tallon requests information** from the agency relating to the following subjects: (1) drug testing; (2) numbers of troopers on the road, in a non-supervisory capacity; (3) number of traffic fatalities; and (4) turnover in the agency's Information Technology department.⁹⁴ On January 24, 2017, the agency responds to Representative Tallon's requests.⁹⁵ Representative Tallon shares this information with the Subcommittee.⁹⁶

On January 31, 2017, the Subcommittee holds a work session to continue its discussion of the study of the agency (**Meeting #11/Work Session**).⁹⁷ Members discuss questions and topics of interest to discuss with the agency at the next meeting.⁹⁸ The **Subcommittee adopts multiple motions for recommendations** which include: (1) revisiting automatically disqualifying job applicants with visible tattoos so as to allow those who are willing to cover their tattoos to continue to move through the application process; and (2) updating the agency's audio/video report.⁹⁹

February 2017

On February 3, 2017, the **Subcommittee requests information from the agency** about the following topics: (1) grants; (2) fatalities and trooper activity; (3) booklets distributed to grieving families of traffic fatalities; (4) drug testing; (5) laptops and technology; (6) essentials to operate; (7) dispatch staffing; (8) remediation; (9) Office of Professional Responsibility; (10) video policies; (11) certification removal and appeals; (12) overtime; and (13) personnel and finances.¹⁰⁰

On February 17, 2017, the **agency responds to most of the questions** posed in the Subcommittee's February 3, 2017, letter.¹⁰¹ The agency states the remainder of the responses are forthcoming.¹⁰²

On February 21, 2017, the Subcommittee meets with the agency (**Meeting #12**) and **(1) receives constituent testimony; (2) discusses information provided to families of traffic fatality victims; and (3) length of time in which the agency's Office of Professional Responsibilities cases proceed to disposition.**¹⁰³ A constituent, Ms. Avril Wilson, provides testimony to the Subcommittee sharing concerns about the agency. Members ask questions to Ms. Wilson and agency representatives.¹⁰⁴ Members ask questions about the materials the agency provides to families of traffic fatality victims to which agency representatives respond.¹⁰⁵ Chairman Tallon asks additional questions relating to the agency's Office of Professional Responsibility, including the length of time in which investigations are open and what notification is provided to employees under investigation about the status of the investigation.¹⁰⁶

The Subcommittee meets with the agency on February 28, 2017, (**Meeting #13**) and **(1) receives constituent testimony; and (2) discusses grants, drug testing, and technology issues.**¹⁰⁷ Agency representatives answer questions about the agency's issuance of new guns and reprogramming trooper's radios.¹⁰⁸ A constituent, Ms. Laura Hudson, provides testimony about grants administered by the agency.¹⁰⁹ Members ask questions which Ms. Hudson and various agency representatives answer.¹¹⁰ Members ask questions about drug testing, laptops, and other technology.¹¹¹ Agency representatives respond to the questions.¹¹² **Subcommittee Members adopt multiple motions for recommendations** which include: (1) moving Criminal Justice, Juvenile Justice, and Crime Victim Grants to another agency; and (2) providing the Committee a document every 30 days which includes a list of the subgrantees that have and have not been paid.¹¹³

On February 24, 2017, the **agency supplements the responses in its February 17, 2017, letter** by providing information related to the following topics: (1) fatalities and trooper activity¹¹⁴; (2) remediation¹¹⁵; (3) video policies¹¹⁶; and (4) dispatch staffing¹¹⁷.

March 2017

On March 3 and 7, 2017, the **agency supplements the responses in its February 17, 2017, letter** by providing information related to the following topics: (1) grants¹¹⁸; (2) driving under the influence arrest data for calendar years 2012-2016¹¹⁹; (3) traffic collision statistics for calendar year 2015 and 2016¹²⁰; and (4) Highway Patrol Annual Report for each year from 2012 through 2015¹²¹.

On March 7, 2017, the Subcommittee has a Work Session to discuss the study of the agency and recommendations arising from the study (**Meeting #14/Work Session**).¹²² The **Subcommittee reviews its study recommendations.**¹²³ The **Subcommittee adopts additional recommendations** which include: (1) performing random and post-accident drug testing; (2) updating the Highway Patrol's Personnel Allocation Model; and (3) revising South Carolina Code Sections 23-6-20; 23-6-30; and 23-6-50.¹²⁴

As this timeline evidences, the Subcommittee addresses multiple issues with the agency that relate directly to the agency fulfilling its statutory duty. These topics are discussed in further detail in the "Issues in Fulfilling Statutory Duty" section of the Subcommittee Report.

Agency Actions

The **Committee asks the agency to conduct a self-analysis** by completing and submitting a 2015 Annual Restructuring Report and Seven-Year Plan for cost savings and increased efficiencies, a Program Evaluation Report, and a 2016 Restructuring Report. The agency submits its 2015 Annual Restructuring Report and Seven-Year Plan on March 31, 2015¹²⁵, its Program Evaluation Report on August 28, 2015.¹²⁶ Committee staff provide a staff study and agency response to the Subcommittee on April 29, 2016;¹²⁷ the agency amends its response on May 5, 2016. The agency submits its 2016 Restructuring Report on January 11, 2016,¹²⁸ and its 2015-16 Accountability Report on September 14, 2016.¹²⁹ All reports are available online. Additionally, throughout the study process the agency responds to Subcommittee questions.

Next Steps

Pursuant to Committee Standard Practice 12.4, **individual members of this Subcommittee may provide a written statement for inclusion with the Subcommittee's Study.** After an opportunity to provide written statements, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, notifies the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee Chair, the full Committee Chair shall, pursuant to Committee Standard Practice 13.1, include the Subcommittee Study on the agenda for a full Committee meeting. During the full Committee meeting at which the Subcommittee Study is discussed, the full Committee may vote, pursuant to Committee Standard Practice 13.2, to take one of the following three options: (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's Study; or (3) further evaluate the agency as a full Committee.

When the full Committee approves a final study, any member of the Committee may provide a written statement for inclusion with the final study.¹³⁰ The final study and written statements are published online and the agency, as well as all House Standing Committees, receive a copy.¹³¹

Lastly, the Committee shall offer at least one briefing to Members of the House about the contents of the final oversight study approved by the Committee.¹³² The Committee Chair may also provide briefings to the public about the final oversight study.¹³³

ISSUES IN FULFILLING STATUTORY DUTY

Public input is a cornerstone of the House Legislative Oversight Committee's process.¹³⁴ Due to the volume of input from constituents about the Highway Patrol, Human Resources, and Office of Professional Responsibility, the Subcommittee focuses on those aspects of the agency in regards to the agency efficiently and effectively fulfilling its statutory duties.¹³⁵

Safety

The primary purpose of the agency is encompassed in its very name, the Department of Public Safety, with a focus on highway safety. This purpose is embodied in the agency's mission, which is as follows:

As the largest law enforcement agency in South Carolina, it is the mission of the South Carolina Department of Public Safety to **protect and serve the public** with the highest standard of conduct and professionalism; to **save lives** through educating its citizens on highway safety and **diligent enforcement of laws governing traffic**, motor vehicles, and commercial carriers; and to **ensure a safe, secure environment** for the citizens of the state of South Carolina and its visitors. (emphasis added)¹³⁶

As described below, data from fiscal year 2012-13 to the present evidences an annual escalation in the **agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty.**¹³⁷

From 2013 to 2016, the **number of patrol hours decreases by 86,696 hours**, number of warnings and citations decrease by 164,389, and total collisions increase by 23,755.¹³⁸ During this same time period, the number of fatal collisions increase by 30.18% and number of fatalities increase by 32.33%.¹³⁹ As of February 17, 2017, **the total number of fatalities is the highest since 2007**, and this number may further increase as the agency continues to receive information.¹⁴⁰ Ancillary, there is also a \$318,201 decrease in funding to the Criminal Justice Academy, which trains law enforcement officers across the state, as surcharges on traffic citations have been a source of funding for the Criminal Justice Academy until 2016.¹⁴¹ Additional information regarding trooper activity, collisions, and fatalities is included in Attachment 1 (Trooper Activity, Collisions, Fatalities, and Budget).

Moreover, the **agency is not tracking data to monitor the performance of dispatch** or Telecommunication Centers (TCCs) which provide telephone access for citizens' calls, dispatch DPS law enforcement officers to collision scenes and other calls for service, and provide officers with accurate and timely information which enhances officer safety and promotes the overall safety of the motoring public.¹⁴² Information from the agency illustrates repeated concerns that are noted from the Bureau of Protective Services and Highway Patrol about the amount of time taken for law enforcement officers to reach TCCs.¹⁴³

Potential causes of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty to protect the public through enforcement of laws **include deficiencies in the following areas:** (1) hiring, recruitment, and retention; (3) replacement of equipment; (4) application of agency policies; and (5) communication and morale.

Hiring, Recruitment, and Retention

A potential cause of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty to protect the public through enforcement is lack of manpower and turnover.

During the study process, the Subcommittee requests and receives from the agency information pertaining to recruitment, hiring and retention. This information serves as a basis for the Subcommittee's recommendations in this area.

Table 2. Summary of the Subcommittee's Recommendations: Hiring, Recruitment, and Retention

RECOMMEND AGENCY ADDRESS . . .
...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.
2. Research the cost and feasibility of implementing a career path for agency employees.
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.
4. Revisit policy which automatically disqualifies job applicants with visible tattoos.
5. Update the agency's Personnel Allocation Model to conform to national standards.
6. Review industry best practices on trooper fatigue under various shift changes.

On August 30, 2016, in response to questioning, the Colonel of the South Carolina Highway Patrol affirmed there are resources in the budget to hire more and the **lack of officers on the road is not the result of lack of funding.**¹⁴⁴ During each of the last four years there are **more than 200 authorized, but unfilled, positions at the agency** as Table 3 illustrates.¹⁴⁵ Table 3 also illustrates the amount the **agency carries forward in personal services from the General Fund increases each year.**¹⁴⁶ Lastly, a comparison of the agency's total budget, and highway patrol budget, shows an increase of 4% and 13%, as seen in Table 4.¹⁴⁷

Table 3. Authorized, filled, and vacant full time equivalent positions and Personal Service Carryforward

	Full Time Equivalent Positions			Carryforward
	Authorized	Filled	Vacant	10% of General Fund Personal Service Balance (Does not include: Federal and Other Personal Service carryforward)
FY 2012-13	1,462.00	1,245.00	217.00	\$381,041.95
FY 2013-14	1,495.00	1,274.00	221.00	\$461,046.62
FY 2014-15	1,495.00	1,229.00	266.00	\$540,993.43
FY 2015-16	1,521.00	1,249.00	272.00	\$2,456,912.37

Table 4. Agency and Highway Patrol budget for FY 2012-13 and FY 2015-16

Total Agency Budget and Highway Patrol Division Budget			
	2012-13	2015-16	% Change
Total Agency Budget w/o carry forward ¹⁴⁸	\$154,941,120	\$161,431,719	4.19%
Highway Patrol Division Budget ¹⁴⁹	\$93,086,717	\$105,238,726	13.05%

Hiring

The **Director makes final hiring decisions¹⁵⁰ without input from division heads.**¹⁵¹ The hiring process at the agency has numerous stages including an initial administrative review, a physical abilities component, a written test, and an interview with an Oral Interview Board.¹⁵² Follow up data from the agency shows distinct differences in materials available to the Oral Review Board and the Director.¹⁵³ Table 5 illustrates the Oral Review Board is not provided the interviewee's application and does not include division heads. Also, division heads do not participate in meetings when final hiring decisions are made.¹⁵⁴ Additional information about the hiring process, which includes number of applicants culled (i.e., not advanced) at each stage and reasons for doing so are included in Attachment 2 (Hiring Process).

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Table 5. Summary of Oral Interview Board v. Director's Review Personnel and Information

Oral Interview Board ¹⁵⁵	Director's Review ¹⁵⁶
<u>Present in room:</u> • Chairman (Major) • Four board members (variety of Captain, Lieutenant, Sergeant, Corporal) • One Human Resources Representative • Applicant	<u>Present in room:</u> • Agency Director¹⁵⁷ • Human Resources Director
<u>Information available to review:</u> • Schedule of all applicant interview times • Applicant essay which explains why the applicant wants to be a trooper • Employment Board Questions (10 questions for the applicant to answer) • Oral Interview Board (OIB) Rating Sheet (used to rate the applicant on each question asked, written/oral communication, and appearance) • OIB Rating Rubric (A guide to help board members understand each rating category) • OIB Component & Rating Sheet (directions/information for what board members can expect that day)	<u>Information available to review:</u> • Oral Interview Board Notes/Score Sheet, and
	<u>Information available to review: (continued)</u> • State Application & Supplemental Application • Physical Ability Test • Nelson Denny Scores (vocabulary, comprehension, and reading) • Background (employment and character references) • Applicant's Essay • Polygraph • Credit Check • DD 214 (discharge information for military candidates, if applicable) • College Transcript (if applicable) • Driver's License Check • National Crime Information Center Check • SC Information Exchange Check • Social Media Check

Recruitment

The agency's strategy, objectives, and performance measures relating to recruitment do not appear to provide the agency sufficient information to determine whether its recruitment efforts are effective or efficient. As an example, one of the agency's performance measures is simply, "[d]id Highway Patrol Telecommunications Office develop a recruitment plan?"¹⁵⁸ As another example, the agency counts the number of recruitment seminars held, but not the number of individuals that apply, and are hired, to know if the agency's recruitment efforts are effective.¹⁵⁹ Tracking data, in particular outcome data, may allow the agency the ability to analyze which of its efforts are successful.

Retention

Employee retention is an issue of concern in the Highway Patrol Division as less manpower means fewer troopers to educate those on the road and to enforce traffic safety laws. **Between 2012 and 2015, \$8.9 to \$21.1 million is spent on training and equipping new troopers, but the net result of this spending is an increase in total trooper strength across the state of only two troopers.**¹⁶⁰ In 2015, Troops across the state have, on average, less than 60% of the manpower the agency's personnel allocation model states is needed in each Troop.¹⁶¹

In 2014-15 in particular, 142 employees leave the highway patrol, compared to only 102 in 2011-12.¹⁶² Also, in **FY 2014-15, "personal" reasons account for approximately 59% of all Highway Patrol separations, compared to 27% in 2011-12.**¹⁶³ The agency states in a letter that changes have been made in pay scale in an effort to reinstate troopers separated from employment and to retain current troopers.¹⁶⁴ However, the agency acknowledges it is not tracking data in order to determine whether the efforts are effective.¹⁶⁵

Employee retention is an issue not isolated to the Highway Patrol Division. In 2014-15 in particular, 199 employees leave the agency, which is 38.19% more than 2011-12 and 48.51% more than 2010-11.¹⁶⁶ The agency's **Human Resources Office has a turnover rate between approximately 30% and 60% from fiscal year 2012-13 through fiscal year 2014-15.**¹⁶⁷ **During the last four fiscal years, the agency's Information Technology Office is not fully staffed, and currently one-third of the positions are vacant.**¹⁶⁸ During the study, agency representatives mention a potential career path to assist in retention, but the agency has no information on potential costs, implementation dates, or even if it will be implemented.¹⁶⁹ Additional information on separations is available in Attachment 3 (Employee Separations). Statements from the agency's Staff Inspection Reports which relate to how the current number of personnel impact morale and operational effectiveness are included in the Morale section of this Report. Complete copies of Staff Inspection Reports can be found on the Committee's webpage.

Equipment Replacement

Another potential cause of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty to protect the public through enforcement is a deficiency in replacing equipment.

The Subcommittee requests and receives from the agency information pertaining to equipment utilized by agency personnel. This information serves as a basis for the Subcommittee's recommendations.

Table 6. Summary of the Subcommittee's Recommendations: Equipment Replacement

RECOMMEND AGENCY ADDRESS . . .
...EQUIPMENT REPLACEMENT
7. Request a permanent line item, which identifies funding for the equipment replacement schedules, in the General Appropriations Act.
8. Develop a computer and technology replacement cycle; include this information in the agency's budget request.

An **issue of concern among Highway Patrol and Telecommunications Units across the state is a lack of reliable, functioning equipment.** As an example, an entire recent graduating class of troopers did not have properly functioning laptops installed in their vehicles.¹⁷⁰ Staff inspection reports note a variety of concerns pertaining to patrol vehicles and technology equipment (e.g., computers; telephones; software, etc.). Among other things, these concerns include both the distance and amount of time required to travel to repair vehicles or other equipment.¹⁷¹ The agency states it uses grants and non-recurring funding for equipment.¹⁷² Also, the agency states in a letter to the Subcommittee, "SCDPS has neither a formal policy nor a recurring budget regarding a computer and technology replacement cycle."¹⁷³

Applying Policies Consistently

Another potential cause of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty are deficiencies in consistent application of the agency's policies.

The Subcommittee requests and receives from the agency information pertaining to agency policies and the application of the policies. This information serves as a basis for the Subcommittee's recommendations.

Table 7. Summary of the Subcommittee's Recommendations: Applying Policies Consistently

RECOMMEND AGENCY ADDRESS . . .
...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.

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.
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).
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.

Alcohol and Drug Deterrence Policy

The agency has an Alcohol and Drug Deterrence Policy which allows, among other things, for random drug testing, drug testing based on suspicion, and post-accident drug testing.¹⁷⁴ However, the **agency has opted not to perform any random (i.e., suspicion less) drug testing or post-accident drug testing during the last four years.**¹⁷⁵ The agency states, "[i]nsofar as a very small number of investigations and disciplinary actions over the last few years have been associated with drug/alcohol use, the Department does not view widespread random testing as a critical need at this time."¹⁷⁶ The Subcommittee notes concerns with not utilizing this policy since troopers are entrusted with state vehicles, which they may operate at high levels of speed, carry weapons, and have the authority to arrest citizens.¹⁷⁷

Disciplinary Policies

The Subcommittee questions the agency about these policies as public input is received alleging a perception of an inconsistent application of the policy.¹⁷⁸ Discussion of the agency's application of its disciplinary policies is set forth in detail under the Communication and Morale section of this report.

Residency Policy

The agency has a Residency Policy, which requires certain personnel to live within various requisite distances of the area of the state in which they are assigned.¹⁷⁹ The definition of "residence" in the policy states,

The fixed or permanent domicile of a person where s/he has an intention of returning when absent. SCDPS may consider the factors identified in SC Code 7-1-25(D) **and any other matter(s) deemed relevant** in determining the location constituting an officer's domicile under this policy (emphasis added).¹⁸⁰

The Subcommittee questions the agency about this policy as public input is received alleging a perception of an inconsistent application of the policy.¹⁸¹ During the study, there are more than ten ranking and ten non-ranking officers living outside the requisite area.¹⁸² The justification for some of the waivers include, "statewide supervisory responsibilities."¹⁸³ However, instead of individuals with statewide responsibility living in the center of the state, to allow for efficient travel throughout the state, several live in the upstate (York and Spartanburg) or on the coast (Horry and Berkeley).¹⁸⁴

Supervisory Review of In-Car Audio/Video Recordings

The agency has a policy which address supervisory review of in-car audio/video recordings.¹⁸⁵ The Highway Patrol Division Manual of Operations requires supervisory review of these recordings on a regular basis as well as when certain events occur.¹⁸⁶ When a supervisor reviews a trooper's video, the supervisor is required to complete an "Audio/Video Monitor Report."¹⁸⁷ However, the "Audio/Video Monitor Report," does not include any sections which require a supervisor to note the reason the supervisor is reviewing the video, and data relating to supervisory review of a trooper's video is not tracked in the Highway Patrol Division's activity console.¹⁸⁸

The Subcommittee questions the agency about this policy, and inability to readily track the reason for reviewing the video and number of videos reviewed. The basis for the questioning is public input the Subcommittee receives alleging a potential practice whereby the agency, or certain higher ranking personnel within the agency, request supervisors specifically review videos of troopers with alleged low activity to search for any type of violation for which the supervisor may refer the trooper to the Office of Professional Responsibility (OPR), thereby utilizing OPR as punishment for low activity.¹⁸⁹

Implementing Commander Corrective Action Plans

The agency performs Staff Inspections every three years.¹⁹⁰ The Staff Inspection Reports include recommendations for items to correct/improve and Troop Commanders are required to create plans to address issues.¹⁹¹ However, during the study the Subcommittee is not made aware of any policies which ensure Commanders follow through with these plans.

Communication and Morale

Another potential cause of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty is deficiency in communication, particularly in the areas of external communication and internal feedback.

The Subcommittee requests and receives information pertaining to communication at the agency. This information serves as a basis for the Subcommittee's recommendations.

Table 8. Summary of the Subcommittee's Recommendations: Communication and Morale

RECOMMEND AGENCY ADDRESS . . .
...COMMUNICATION AND MORALE
13. Distinguish between 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.
15. Adopt a process by which employees can provide feedback to the agency anonymously.

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.

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.

Human Resources Data

During the study process, the Subcommittee reviews a variety agency reports including those made to other legislative entities. **Human resources data from the agency may not be reliable as evidenced by inconsistencies in data provided to different House Committees.** While it is not unreasonable to have slight discrepancies in the number of employees for the current year, as the number of employees at an agency can change from day to day, it is reasonable to expect consistency in information from previous years.

As one example, on August 15, 2016, the Subcommittee requests, and agency provides, information about the number of troopers at the start and end of each fiscal year for the past six fiscal years.¹⁹² When the Subcommittee compares the information to similar data provided to another House Committee, the data is inconsistent.¹⁹³ Table 9 illustrates the variance in the data.¹⁹⁴

Table 9. Variance in data provided by the agency to two different House Committees

Highway Patrol Law Enforcement Manpower			
Year	DPS Data to Other House Committee	DPS Data to House Oversight Committee	Variance
2015-16	760	760	0
2014-15	779	770	9
2013-14	761	756	5
2012-13	758	763	5
2011-12	809	793	16
2010-11	840	838	2

As another example, the **human resources information the agency provides to the same legislative entity does not appear to be consistent over multiple years.** Table 10 reflects differences in the agency's presentation of information to the same legislative entity with regards to Highway Patrol Officer Manpower.¹⁹⁵

Table 10. Differences in the agency's presentation of information to the same legislative entity with regards to Highway Patrol Officer Manpower

Highway Patrol Commissioned Officer Manpower			
Year	DPS 2016-17 Data provided to legislative entity	DPS 2014-15 Data provided to legislative entity	Variance
2015	760		
2014	779	813	34
2013	761	778	17
2012	758	789	31
2011	809	798	11
2010	840	844	4
2009	853	853	0
2008	943	967	24
2007	881	881	0
2006	837	837	0
2005	763	763	0
2004	806	806	0
2003	854	854	0

Office of Professional Responsibility /Division Investigations

Agency policies state **the Director has discretion over (1) which situations are and are not investigated¹⁹⁶ and (2) the discipline issued.**¹⁹⁷ The Office of Human Resources maintains a log containing investigative dispositions for matters investigated by the Office of Professional Responsibility along with disciplinary actions, if any.¹⁹⁸ The agency utilizes this information as a resource and reference for the Director and other members of the Disciplinary Review Committee when they are reviewing and making decisions on potential disciplinary actions.¹⁹⁹

Data from the agency reveals what some may perceive to be **inconsistencies in addressing disciplinary matters pertaining to veracity.**

- In one situation, an employee is initially untruthful with a supervisor when questioned about the events surrounding another officer's review of in-car video and, later admits the untruthfulness.²⁰⁰ The agency investigates the situation, classifies it as "Failure to Provide Truthful and Complete Information" and "Improper Conduct/Conduct Unbecoming a State Employee," terminates the employee, and submits a "Notification of Separation Due to Misconduct," form to the Law Enforcement Training Council.²⁰¹ This notification begins the process of removing the individual's certification as a law enforcement officer.
- In another situation, evidence shows a troop commander, along with the entire troop under his command, have RADAR training certifications containing false information.²⁰² The agency investigates the situation and terminates the training officer.²⁰³ Also, there is a finding that "thirteen of the twenty-seven troopers who engaged in this conduct did so after [the troop commander] had participated in this practice. . . ." ²⁰⁴ The troop commander receives a one day suspension as the agency classifies his actions as "Negligence in the Performance of Supervisory

Responsibilities” and “Negligence in Following Rules, Regulations, Policies or Procedures,” instead of “Failure to Provide Truthful and Complete Information,” which requires termination under the agency’s progressive disciplinary policy.²⁰⁵ Some of the individual troopers specifically acknowledge they signed the Speed Measuring Device (‘SMD’) Field Proficiency Test Form, admitted the signature was theirs, admitted they did not complete a field proficiency test using the speed measuring device, and admitted they issued speeding citations using their measuring device after the date they signed the form.²⁰⁶ However, even these troopers receive only a letter of reprimand as the agency classifies their actions as “Negligence in Following Rules, Regulations, Policies or Procedures,” which allows for Level I reprimands, instead of “Failure to Provide Truthful and Complete Information,” which requires termination.²⁰⁷

- In another situation a trooper makes an arrest for simple possession of marijuana. The trooper allows the individual to plead guilty to the offense, and does not inform the Court the agency’s marijuana analysis report indicates the evidence tests negative for marijuana.²⁰⁸ The trooper admits to receiving the report prior to the court date but states, “she was in the habit of saving documents on her email without opening the attachments.”²⁰⁹ According to [the trooper], she failed to review the report because she automatically assumed the results were positive based on her observation of the evidence.”²¹⁰ The Office of Professional Responsibility concludes the Trooper, “had access to the analysis report” but “failed to review the report prior to her court date.”²¹¹ Conversely, there is not sufficient evidence to show that [the trooper] intentionally withheld this report in order to manipulate the defendant or the court.”²¹² The agency classifies the matter as “Negligence in Following Rules, Regulations, Policies or Procedures,” which allows for a Level I reprimand, instead of “Failure to Provide Truthful and Complete Information,” which requires termination.²¹³

Data from the agency reveals the **agency expends resources in matters some may consider inconsequential**. As an example, between 2012 and 2016, while only receiving nine citizen complaints about profanity, the Office of Professional Responsibility investigates 48 cases of profanity.²¹⁴ Two separate investigations of alleged of profanity each take nine months to reach a disposition.²¹⁵ While an officer is under investigation for any matter, including profanity, the officer is not eligible for promotion.²¹⁶

Additionally, data from the agency reveals **the Office of Professional Responsibility and Division Investigations may remain open for years**. Table 11 provides examples of long periods of time some investigations of allegations remain open.²¹⁷ The data is current as of June 30, 2016.²¹⁸

Table 11. Examples of long periods of time some investigations of allegations remain open

ALLEGATION	TIMEFRAME FOR INVESTIGATION (DPS records provided on June 30, 2016)
Improper conduct	1,173 days (3.1 years)
Insubordination	889 days (2.3 years)
Improper procedures	408 days (1.09 years)
Providing false information	Open since October 2013
Improper procedures	Open since February 2014

Morale

Potential causes of the agency's inefficiency and ineffectiveness in fulfilling its mission and statutory duty to protect the public through enforcement of laws **include deficiencies in the following areas:** (1) hiring, recruitment, and retention; (3) replacement of equipment; (4) application of agency policies; and (5) communication and morale. These deficiencies have negatively impacted the morale of agency personnel across the state.

While agency management assert agency morale is at a 3 out of 4²¹⁹, based on the scores from the Staff Inspection Reports, information received during the study process **indicates morale scores may be skewed based on the agency's directions to employees to not consider manpower issues when reporting morale.** This potential skewing of the data is illustrated by the following comments from the Staff Inspection Reports:

"Although the **post personnel were asked not to base answers regarding morale on manpower issues**, personnel seem to feel that they do not get to maximize their potential as far as their work ethic because they have no time for proactive enforcement activities because of the amount of calls for service compared to the number of troopers working at one time" (emphasis added).²²⁰

SC Highway Patrol Troop Six, Post B, Colleton and Dorchester

"Although it is **consistently stated by patrol command that this should not be considered**, field personnel relate that the **lack of personnel** does negatively affect morale and operational effectiveness" (emphasis added).²²¹

SC Highway Patrol Troop Five, Post B, Dillon, Florence, and Marion

Another factor which may skew the data in the Staff Inspection Report is **morale scores are obtained by field lieutenants or officers with higher ranks** within the agency,²²² and constituents who have contacted Subcommittee Members state they have a fear of retribution when providing feedback to the agency.²²³

Table 12, provides examples of quotes from agency employees around the state, which are within Staff Inspection Reports. These quotes illustrate comments Subcommittee Members receive during the study and continue to receive:²²⁴

Table 12. Comments from Agency personnel around the State which are illustrative of comments Subcommittee Members receive during the study, and continue to receive

Impact of Agency Deficiencies on Personnel and Safety of the Public

The Highway Patrol separates the state enforcement into seven Troops (i.e., regions).

Troop Three:

Anderson, Oconee, Pickens, Greenville, and Spartanburg

"Most everyone interviewed was disappointed in the disciplinary actions of late. They felt that troopers were being written up for minimal violation and not given second chances; locally and throughout the state. Some troopers mentioned that they were afraid to do their job because of all the disciplinary actions being imposed."²²⁵

Troop Two:

Laurens, Newberry, Abbeville, Greenwood, Edgefield, McCormick, and Saluda

"The troopers feel the troop command staff does not truly understand how things really are out in the field, in particular to activity and the shortage of manpower."²²⁷

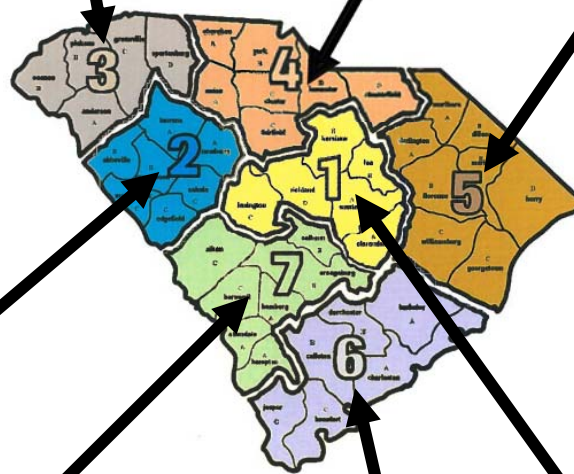
"...many feel they are relegated to being in the area of the city limits in order to satisfy the (20) seat belt citations per month. The lack of patrolling in the county on secondary roadways was expressed as troopers feel they are not being able to do their job as they see it."²²⁸

"Supervisors were concerned with low manpower, regaining trust, rebuilding confidence in the troopers..."²²⁹

Troop Seven:

Allendale, Bamberg, Barnwell, Hampton, Orangeburg, Calhoun, and Aiken

"Personnel expressed concerns regarding the lack of quality applicants; therefore, resulting in less desirable trainees. Personnel, both supervisory and non-supervisory, recognize the lack of 'experienced' personnel as a cause for lower ratings in this area," (area is operational effectiveness),²³⁸



Troop Four:

Cherokee, Union, York, Fairfield, Chester, Lancaster, and Chesterfield

"Post personnel consistently describe shortages in staffing as having a negative effect on the overall operational effectiveness of the post."²²⁶

Troop Five:

Darlington, Marlboro, Dillon, Florence, Marion, Georgetown, Williamsburg, and Horry

"Some troopers feel like the DPS Command Staff does not support them; therefore, they find themselves second guessing the decisions they make attempting to avoid making a mistake and possibly generating a District Investigation (DI)."²³⁰

"The leading cause for concern ... is (1) the low morale of the post - rated by the majority of personnel interviewed as 'poor' and (2) the overall lack of manpower."²³¹

Troop Six:

Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper

"The troopers feel like DPS Headquarters does not 'have their backs...'"²³²

"The lack of quality equipment is frustrating. ... Repairs [to vehicles] are stated to normally take a month or two to complete."²³³

"personnel seem to feel that they do not get to maximize their potential as far as their work ethic because they have no time for proactive enforcement activities because of the amount of calls for service compared to the number of troopers working at one time."²³⁴

Troop One:

Sumter, Clarendon, Kershaw, Lee, Lexington, and Richland

"Some feel that there is a 'disconnect' between the troop command staff and the road trooper"²³⁵

"Operational effectiveness was directly correlated to the overall lack of manpower; as well as, the lack of experienced personnel assigned to or retained within the post."²³⁶

"At times, troopers in the post simply investigate collisions one after another with little time available to effectively reduce collisions through enforcement."²³⁷

Focusing on Agency's Primary Mission

The Subcommittee requests and receives from the agency information pertaining to the agency's mission, duties, and powers. This information serves as a basis for the Subcommittee's recommendations.

Table 13. Summary of the Subcommittee's Recommendations: Focusing on Agency's Primary Mission

RECOMMEND AGENCY ADDRESS . . .
...FOCUSING ON ITS PRIMARY MISSION
18. Transfer the Illegal Immigration Enforcement Unit to the State Law Enforcement Division.
19. Transfer grants programs unrelated to highway safety (i.e., criminal justice, juvenile justice; and crime victims) to another agency.
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 agency's mission is as follows:

As the largest law enforcement agency in South Carolina, it is the mission of the South Carolina Department of Public Safety to protect and serve the public with the highest standard of conduct and professionalism; to save lives through educating its citizens on **highway safety** and diligent **enforcement of laws governing traffic, motor vehicles, and commercial carriers**; and to ensure a safe, secure environment for the citizens of the state of South Carolina and its visitors (emphasis added).²³⁹

The duties and powers of the agency as provided in statute are as follows:

- (1) carry out **highway** and other related safety programs;
- (2) engage in **driver training and safety activities**;
- (3) enforce the **traffic, motor vehicle, commercial vehicle**, and related laws;
- (4) enforce size, weight, and safety enforcement **statutes relating to commercial motor vehicles**;
- (5) operate a comprehensive law enforcement personnel training program;
- (6) promulgate such rules and regulations in accordance with the Administrative Procedures Act and Article 7 of this chapter for the administration and enforcement of the powers delegated to the department by law, which shall have the full force and effect of law;
- (7) operate such programs and disseminate information and material so as to continually improve **highway safety**;
- (8) receive and disburse funds and grants, including any donations, contributions, funds, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal governments, for the purpose of carrying out the programs and objectives of this chapter; and
- (9) do all other functions and responsibilities as required or provided for by law (emphasis added).²⁴⁰

Based on state statute and the agency’s mission, the **Subcommittee notes the primary focus of the agency is highway safety.**

Illegal Immigration Enforcement Unit

In 2011, an Illegal Immigration Enforcement Unit (IIEU) is created under the agency by the General Assembly.²⁴¹ The Director testifies the unit is performing well.²⁴² However, in response to questioning, Director Smith agrees the IIEU is aligned more within the State Law Enforcement Division’s mission than the Department of Public Safety’s mission.²⁴³

Justice Program Grants

The agency serves as the agent for the State in accepting from the federal government, and then administering to subgrantees throughout the state, two groupings of grants: (1) Highway Safety Grants; and (2) Justice Program Grants.²⁴⁴ Ms. Laura Hudson, a constituent, provides testimony to the Subcommittee which reveals how **issues with communication between the agency’s finance department and grants department significantly impacts crime victim service providers (e.g., rape crisis organizations; domestic violence shelters; and children/sexual assault programs) across the state when there are significant delays in timely grant reimbursement payments (e.g., 30, 60, or in some cases, even 90 days).**²⁴⁵ Additionally, testimony from the agency reveals position postings of additional personnel necessary for timely administration of these grants remained open for almost twelve months.²⁴⁶

SCEIS Scheduling

Agency testimony indicates there are **issues with entering time in the South Carolina Enterprise Information System (SCEIS) since agency personnel do not work on the typical schedule** (i.e., 8:30 a.m. to 5:00 p.m.).

Analyzing and Updating Information

The Subcommittee requests and receives from the agency information pertaining to the agency’s analysis of information as well as the currentness of statutes applicable to the agency. This information serves as a basis for the Subcommittee’s recommendations.

Table 14. Summary of the Subcommittee’s Recommendations: Analyzing and Updating Information

RECOMMEND AGENCY ADDRESS . . .
...ANALYZING AND UPDATING INFORMATION
21. Research 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.
22. Revise SC Code Section 23-6-187, relating to witness fees for trooper trained in Advanced Accident Investigation, testifying in civil matters, to allow agency to adjust the amount it charges each year with inflation.

- 23.** Revise SC Code Section 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.
- 24.** Update SC Code Section 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.
- 25.** Revise SC Code Section 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.

Some **individuals and companies purchase reports created by the Multi-Accident Investigation Team (MAIT) for use in private civil lawsuits.**

In reviewing statutes applicable to DPS, the Subcommittee notes there is **no provision in the statute which takes into consideration inflation in the amount the agency may charge when its personnel are called for depositions in private lawsuits.**

The Subcommittee notes **some statutes relating to the agency contain references that are either outdated or no longer reflect current practices.**

RECOMMENDATIONS

Recommendations

Generally

The following recommendations include areas identified for potential improvement by the Subcommittee. The Subcommittee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency. These recommendations are based on the agency's self-analysis requested by the full Committee, discussion with the agency during multiple meetings with the Subcommittee, and analysis of the information obtained by the Subcommittee. This information, including but not limited to the Staff Study, Program Evaluation Report, Accountability Report, Restructuring Report and videos of meeting with the agency, can all be found on the Committee's website.

The agency has no recommendations to improve efficiency and outcomes.²⁴⁷

Continue

The Subcommittee does not have any specific recommendations with regards to continuance of agency programs.

Revise (Curtail or Enhance)

The Subcommittee has 27 recommendations relating to the agency. The Subcommittee's **recommendations for revisions to the agency's internal operations and revisions to laws fall into seven categories**. These categories include: (1) recruitment, hiring, retention, and public safety; (2) equipment replacement; (3) applying policies consistently; (4) communication, morale, and leadership issues; (5) focusing on its primary mission; and (6) analyzing and updating information. For the chart of recommendations and detailed wording, see Attachment 4 (Recommendations Chart and Details).

Eliminate

The Subcommittee does not have any specific recommendations with regards to elimination of agency programs, except for the programs the Subcommittee recommends move to another agency. The programs the Subcommittee recommends move to another agency are discussed in the "Leadership Issues" section and the chart of recommendations in Attachment 4 (Recommendations Chart and Details).

Follow Up

The Subcommittee recommends receipt of quarterly reports from the agency as well as monthly updates on the status of grant payments to subgrantees (i.e., crime victim service providers).

SELECTED AGENCY INFORMATION

Department of Public Safety. "Program Evaluation Report, 2015."

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Department of Public Safety. "Accountability Report, 2015-16."

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<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Department%20of%20Public%20Safety%20-%20RFI.pdf> (accessed March 20, 2017)

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[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20STIB,%20School%20for%20the%20Deaf%20and%20Blind,%20Commission%20for%20the%20Blind,%20Treasurer,%20and%20DPS%20\(September%201-30,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20STIB,%20School%20for%20the%20Deaf%20and%20Blind,%20Commission%20for%20the%20Blind,%20Treasurer,%20and%20DPS%20(September%201-30,%202015).pdf) (accessed March 20, 2017).

SC House of Representatives, Legislative Oversight Committee. "Staff Study of the Department of Public Safety, April 29, 2016, Amended May 5, 2016."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Study%20and%20Agency%20Response%20-%20Amended%20\(originally%20submitted%20April%2029,%202016;%20amended%20May%2005,%202016\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Study%20and%20Agency%20Response%20-%20Amended%20(originally%20submitted%20April%2029,%202016;%20amended%20May%2005,%202016).PDF) (accessed March 20, 2017)

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You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

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Online:

<http://www.scdps.gov>

ENDNOTES

¹ *SC Code of Laws*, sec. 2-2-20(C).

² SC House of Representatives, House Legislative Oversight Committee, “January 7, 2015 Meeting Minutes,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “Full Committee Minutes,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/January072015.pdf> (accessed February 9, 2016). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

³ The committee’s recommendations, letters to the Speaker of the House of Representatives and House Clerk, and a direct link to the January 13, 2015, House Journal are available on the committee’s website under “Committee Postings and Reports,” under “House Legislative Oversight Committee,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed February 22, 2017).

⁴ *SC Code of Laws*, sec. 2-2-10(1).

⁵ SC House of Representatives, House Legislative Oversight Committee, “April 14, 2015 Full Committee Minutes,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Meeting Minutes and Handouts” and under “Full Committee Minutes,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/April142015.pdf> (last accessed March 27, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁶ SC House of Representatives, House Legislative Oversight Committee, “Letter from Oversight Committee to DPS (April 22, 2015),” under “House Legislative Oversight Committee,” under “Agencies and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20Oversight%20Committee%20to%20DPS%20\(April%2022,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20Oversight%20Committee%20to%20DPS%20(April%2022,%202015).pdf) (accessed March 27, 2017).

⁷ SC House of Representatives, House Legislative Oversight Committee, “2015-2017 Summary – House Legislative Oversight Committee,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Committee%20Timeline%20-%20March%206,%202017.pdf> (last accessed March 19, 2017).

⁸ SC House of Representatives, House Legislative Oversight Committee, “Subcommittees - 2015,” under “Committee Information,” under “House Legislative Oversight Committee,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/S1.pdf> (accessed February 23, 2017).

⁹ SC House of Representatives, House Legislative Oversight Committee, “Subcommittees - 2017,” under “Committee Information,” under “House Legislative Oversight Committee,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20Assignments%20-%202017.pdf> (accessed February 23, 2017).

¹⁰ SC House of Representatives, House Legislative Oversight Committee, “Law Enforcement and Criminal Justice Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Committee and Other Information,” and under “Meeting Minutes and Handouts,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes.php> (last accessed March 19, 2017). Videos of the meetings are available at <http://www.scstatehouse.gov/video/videofeed.php>.

¹¹ *Ibid.*

¹² A brochure about the House Legislative Oversight’s Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

¹³ Members of the Subcommittee received input from the public via an anonymous public survey about the agency and four other agencies during the month of September in 2015, comments via a link on the Committee website throughout the study, in-person testimony, phone calls, and emails.

¹⁴ SC House of Representatives, House Legislative Oversight Committee, “Law Enforcement and Criminal Justice Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Committee and Other Information,” and under “Meeting Minutes and Handouts,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes.php> (last accessed March 19, 2017). Videos of the meetings are available at <http://www.scstatehouse.gov/video/videofeed.php>.

¹⁵ SC House of Representatives, House Legislative Oversight Committee, “April 29, 2015 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

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¹⁶ SC House of Representatives, House Legislative Oversight Committee, “Letter from Rep Tallon to Chairman Delleney, (May 5, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Rep.TallonLetterToChairmanDelleneyResigningFromSCPublicSafetyCoordinatingCouncil.PDF>. (last accessed March 19, 2017). For additional information about the SC Public Safety Coordinating Council, see SC Code of Laws Section 23-6-500 et seq. S.C Code 26-6-530 provides that members serve without pay but are authorized, as eligible, to receive the usual per diem, mileage, and subsistence provided by law.

¹⁷ SC House of Representatives, House Legislative Oversight Committee, “Press Release Announcing Public Survey (May 13, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Juvenile Justice, Department of (DJJ),”

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[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Press%20Release%20announcing%20Public%20Survey%20\(September%201,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Press%20Release%20announcing%20Public%20Survey%20(September%201,%202015).pdf) (last accessed March 19, 2017).

¹⁹ SC House of Representatives, House Legislative Oversight Committee, “Results of Survey of STIB, School for the Deaf and the Blind, Commission for the Blind, Department of Public Safety, and Treasurer’s Office (September 1-30, 2015),” under “Committee Information,” under “House Legislative Oversight Committee,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20STIB,%20School%20for%20the%20Deaf%20and%20Blind,%20Commission%20for%20the%20Blind,%20Treasurer,%20and%20DPS%20\(September%201-30,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20STIB,%20School%20for%20the%20Deaf%20and%20Blind,%20Commission%20for%20the%20Blind,%20Treasurer,%20and%20DPS%20(September%201-30,%202015).pdf) (last accessed March 23, 2017). (Abbeville; Aiken; Anderson; Bamberg; Barnwell; Beaufort; Berkeley; Calhoun; Charleston; Cherokee; Chesterfield; Clarendon; Colleton; Darlington; Dorchester; Fairfield; Florence; Georgetown; Greenville; Greenwood; Hampton; Horry; Jasper; Kershaw; Lancaster; Laurens; Lexington; Marion; Marlboro; McCormick; Newberry; Oconee; Orangeburg; Pickens; Richland; Saluda; Spartanburg; Sumter; Union; Williamsburg; and York).

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<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/StandardPractices01102017new.pdf> (last accessed February 23, 2017).

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²³ SC House of Representatives, House Legislative Oversight Committee, “February 25, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawsSub/February252016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁴ Ibid.

²⁵ Ibid.

²⁶ SC House of Representatives, House Legislative Oversight Committee, “Letter from Oversight Subcommittee to DPS (March 2, 2016),” under “House Legislative Oversight Committee,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/March%202,%202016%20Letter%20to%20DPS%20with%20Questions%20from%20Feb.%2025,%202016%20Subcom%20Mtg%20PDF.PDF> (last accessed March 19, 2017).

²⁷ Ibid.

²⁸ SC House of Representatives, House Legislative Oversight Committee, “April 21, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawsSub/April212016MinutesRevised.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁹ Ibid. Director Leroy Smith’s initial term of office is confirmed by the Senate on March 6, 2012.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ SC House of Representatives, House Legislative Oversight Committee, “Letter DPS to Oversight Subcommittee (April 22, 2016),” under “House Legislative Oversight Committee,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/April%2022,%202016%20Ltr%20from%20DPS%20to%20Subcommittee.PDF> (last accessed March 19, 2017).

³⁸ Ibid.

³⁹ SC House of Representatives, House Legislative Oversight Committee, “2015-2017 Summary – House Legislative Oversight Committee,”
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⁴⁰ SC House of Representatives, House Legislative Oversight Committee, “Staff Study and Agency Responses (April 29, 2016 and Amended May 5, 2016),” under “House Legislative Oversight Committee,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Study%20and%20Agency%20Response%20-%20Amended%20\(originally%20submitted%20April%2029,%202016;%20amended%20May%205,%202016\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Study%20and%20Agency%20Response%20-%20Amended%20(originally%20submitted%20April%2029,%202016;%20amended%20May%205,%202016).PDF) (last accessed March 19, 2017).

⁴¹ SC House of Representatives, House Legislative Oversight Committee, “May 5, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
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⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ SC House of Representatives, House Legislative Oversight Committee, "Letter from Oversight Subcommittee to DPS (May 6, 2016)," under "House Legislative Oversight Committee," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/May%206,%202016%20Letter%20to%20DPS.PDF> (last accessed March 19, 2017).

⁴⁹ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (May 9, 2016)," under "House Legislative Oversight Committee," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20\(May%209,%202016\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20(May%209,%202016).PDF) (last accessed March 19, 2017).

⁵⁰ SC House of Representatives, House Legislative Oversight Committee, "May 26, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20ub/May262016MinutesDPS.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ SC House of Representatives, House Legislative Oversight Committee, "Letter from Oversight Subcommittee to Oversight full committee (May 31, 2016)," under "House Legislative Oversight Committee," and under "Public Safety, Department of (DPS),"

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¹³¹ Committee Standard Practice 13.5.

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¹³⁴ A brochure about the House Legislative Oversight's Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

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¹³⁷ SC Code Annotated Section 23-6-30.

¹³⁸ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 24, 2017). See page 59 of 66; SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2014 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs,"

and under "Statistical Services,"

<http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136; SC House of Representatives, House Legislative Oversight Committee, "Traffic Collision Statistics for calendar year 2015 and 2016," under "House Legislative Oversight Committee," under "Public Safety, Department of (DPS)," and under "Information uploaded from DPS to Oversight Subcommittee (March 3 and 7, 2017),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Traffic%20Collision%20Statistics.pdf> (last accessed March 19, 2017).

¹³⁹ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 24, 2017). See page 3 of 66;

SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2014 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs," and under "Statistical Services,"

<http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136; SC House of Representatives, House Legislative Oversight Committee, "Traffic Collision Statistics for calendar year 2015 and 2016," under "House Legislative Oversight Committee," under "Public Safety, Department of (DPS)," and under "Information uploaded from DPS to Oversight Subcommittee (March 3 and 7, 2017),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Traffic%20Collision%20Statistics.pdf> (last accessed March 19, 2017).

¹⁴⁰ SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2010 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs," and under "Statistical Services,"

<http://www.scdps.gov/ohsjp/fact%20book/2010FactBook.pdf> (last accessed March 24, 2017). See page 7 of 136;

SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 23, 2017) (As of February 7, 2017 the fatality count for 2016 was 1,015).

¹⁴¹ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf)

pdf (last accessed March 23, 2017). See page 59 of 66. (Citations in 2012-13 were 479,654. Citations in 2015-16 were 416,012. Total decrease of 63,642 citations); SC Code Section 14-1-240 (Until 2016, there was a five dollar surcharge on citations went to help fund the Criminal Justice Academy (CJA). This provision sunset on June 30, 2016).

¹⁴² SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017).

¹⁴³ SC House of Representatives, House Legislative Oversight Committee, "Bureau of Protective Services Staff Inspection Report - Headquarters; Governor's Mansion Division; State Agency Support Division; Statehouse Division; Judicial Division (December 1, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Bureau%20of%20Protective%20Services%20\(December%2015,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Bureau%20of%20Protective%20Services%20(December%2015,%202015).pdf) (last accessed March 24, 2017). See page 35 of 108 (Governor's Mansion Division) and page 53 of 108 (State Agency Support) ("Officers believe the attentiveness BPS receives from the Blythewood Telecommunications Center (TCC) is poor. They detail significant delays when calling the TCC for on-duty/off-duty calls. Additionally, they express their inability to get a response during several enforcement actions to include foot pursuits, traffic stops, and records checks"). See page 72 of 108 (Statehouse Division) ("Officers expressed concern with the poor service the officers state they are receiving from the Blythewood Telecommunications Center (TCC). Officers describe situations where they get slow or no response from the TCC. These occurrences are described as not only when signing on and off duty, but when officers are attempting to or taking enforcement action."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 3 Staff Inspection Report - Anderson, Oconee, Pickens, Greenville, and Spartanburg (July 1, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20\(July%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20(July%202015).PDF) (last accessed March 23, 2017). See page 60-61 (Post A - Anderson) ("A large percentage of the troopers interviewed complained about the Telecommunication Center. Problems with telecommunications began occurring when the Greenwood TCC relocated to Greenville. Troopers feel the TCC Operators are not as familiar with the post area as they should be. Further, it was noted that TCC Operators take an extended time to answer and ultimately provide needed information. Their complaints relate to officer safety issues especially during the nightshift."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 4 Staff Inspection Report - Cherokee, Union, York, Fairfield, Chester, Lancaster, and Chesterfield (April 27, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20\(April%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20(April%202015).PDF) (last accessed March 23, 2017). See page 62 (Post C - Fairfield and Chester) ("Many of the troopers interviewed complained about the Telecommunications Center. They feel the TCC Operator does not know the area as needed. Further, it takes the TCC Operator too long to answer the radio and to convey the needed information. Troopers state that the problem occurred when the Greenwood Center moved to Blythewood. Troopers believe the telecommunication issue has become a safety issue especially during the nightshift."); See page 57 (Post A - Cherokee and Union) ("The primary area of concern for the personnel assigned to the post is overwhelmingly the service provided by the telecommunications center (TCC). Throughout the interview process, supervisory and non-supervisory personnel alike described the service provided by the TCC as 'an officer safety issue.' Personnel describe the issue not as a personality conflict; moreover, as a 'staffing' concern. Personnel describe a communications channel, providing service to the entire troop, functioning with a single telecommunications operator. Their description of communications (TCC) was the single issue consistently identified as negatively affecting the morale of the personnel in the post.").

¹⁴⁴ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawsSub/2016/2016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 55:45 in the video. Colonel Oliver stated the agency's challenge is finding qualified applicants.

¹⁴⁵ SC House of Representatives, House Legislative Oversight Committee, "FTE and Personal Service Carryforward for FY2013 - FY2016 (provided by the Executive Budget Office)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/FTE%20and%20Personal%20Service%20Carryforward%20for%20FY2013%20-%20FY2016%20provided%20by%20EBO.pdf> (last accessed March 24, 2017).

¹⁴⁶ Ibid.

¹⁴⁷ 2012-13 General Appropriations Act and 2015-16 General Appropriations Act; SC House of Representatives, House Legislative Oversight Committee, "Budget, Staffing, Trooper Activity (2012-13 thru 2014-15)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Budget,%20Staffing,%20Warnings.pdf> (last accessed March 21, 2017).

¹⁴⁸ 2012-13 General Appropriations Act and 2015-16 General Appropriations Act.

¹⁴⁹ SC House of Representatives, House Legislative Oversight Committee, "Budget, Staffing, Trooper Activity (2012-13 thru 2014-15)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Budget,%20Staffing,%20Warnings.pdf> (last accessed March 21, 2017).

¹⁵⁰ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%202015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%202015,%202016).pdf) (last accessed March 23, 2017). See page 5 ("The final decision to hire or reject such applicants has always remained with me, and this authority has not and will not be delegated to another."); SC House of Representatives, House Legislative Oversight Committee, "July 20, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawsSub/2016/2016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 17:50 in the video. ("At the end of the day, it's not the Colonel's decision, it's not HR's decision, it's not General Counsel's decision, that's my decision."); SC House of Representatives, House Legislative Oversight Committee, "November 1, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawsSub/2016/2016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 2:48:30 in the video. ("Again, I was appointed by the Governor, confirmed by the Senate to make those hiring decisions, and that's what I do. I don't take that lightly. The governor didn't appoint the Colonel or the Chiefs, the Senate didn't confirm the Colonel or the Chiefs. They confirmed me. It is my job to make those hiring decision, and that is what I do.").

¹⁵¹ SC House of Representatives, House Legislative Oversight Committee, "Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, "Director - Applicant materials

available to Agency Director (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, “Number of Applicants the Director Cuts and Reasons Why - Highway Patrol (2015-16 and 2016-17),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Number%20of%20Applicants%20the%20Director%20Cuts%20and%20Reasons%20Why.pdf> (last accessed March 22, 2017).

¹⁵² Ibid.

¹⁵³ SC House of Representatives, House Legislative Oversight Committee, “Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 20, 2017); SC House of Representatives, House Legislative Oversight Committee, “Director - Applicant materials available to Agency Director (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 20, 2017).

¹⁵⁴ SC House of Representatives, House Legislative Oversight Committee, “Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, “Director - Applicant materials available to Agency Director (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, “Number of Applicants the Director Cuts and Reasons Why - Highway Patrol (2015-16 and 2016-17),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Number%20of%20Applicants%20the%20Director%20Cuts%20and%20Reasons%20Why.pdf> (last accessed March 22, 2017);

SC House of Representatives, House Legislative Oversight Committee, “Applicants Rejected and Hiring Stage at which applicant was Rejected - Highway Patrol (2013-14 thru 2015-16),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Applicants%20Rejected%20and%20Hiring%20Stage%20at%20which%20applicant%20was%20Rejected%20-%20Highway%20Patrol%20\(2013-14%20thru%202015-16\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Applicants%20Rejected%20and%20Hiring%20Stage%20at%20which%20applicant%20was%20Rejected%20-%20Highway%20Patrol%20(2013-14%20thru%202015-16).xlsx) (last accessed March 22, 2017).

¹⁵⁵ SC House of Representatives, House Legislative Oversight Committee, “Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 20, 2017).

¹⁵⁶ SC House of Representatives, House Legislative Oversight Committee, “Director - Applicant materials available to Agency Director (September 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 20, 2017).

¹⁵⁷ October 3, 2016 email from Warren V. Ganjehsani, General Counsel for the Department of Public Safety to Charles Appleby, General Counsel for the House Legislative Oversight Committee includes an attachment which provides the following additional information, “Since Director Smith has been the Department’s Director, he has asked the agency’s Human Resources Director to report facts and background information gathered by the Highway Patrol (and, in the case of social media checks, Human Resources staff) regarding all applicants for law enforcement positions. The final decision to hire or reject such applicants has always remained with Director Smith, and this authority has not and will not be delegated to another.”

¹⁵⁸ SC House of Representatives, Archived State Agency Reports, “Public Safety, Department of,” under “Publications,” under “Archived State Agency Reports,” and under “2013-14 Accountability Reports,” <http://www.scstatehouse.gov/Archives/aar2014/K05.pdf> (last accessed March 23, 2017). See Performance Measure Item HP-9; SC House of Representatives, Current State Agency Reports, “Public Safety, Department of,” under “Publications,” under “Current State Agency Reports,” and under “2014-15 Accountability Reports,” <http://www.scstatehouse.gov/reports/aar2015/k050.pdf> (last accessed March 23, 2017). See Performance Measure Item HP-8; SC House of Representatives, Current State Agency Reports, “Public Safety, Department of,” under “Publications,” under “Current State Agency Reports,” and under “2015-16 Accountability Reports,” <http://www.scstatehouse.gov/reports/aar2016/K050.pdf> (last accessed March 23, 2017). See Performance Measure Item HP-8.

¹⁵⁹ Department of Public Safety, *Program Evaluation Report, 2015*.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015%20Program%20Evaluation%20Reports/DPS%20Program%20Evaluation%20Report.pdf> (last accessed March 20, 2017); SC House of Representatives, Current State Agency Reports, “Public Safety, Department of,” under “Publications,” under “Current State Agency Reports,” and under “2014-15 Accountability Reports,” <http://www.scstatehouse.gov/reports/aar2015/k050.pdf> (last accessed March 23, 2017). See Performance Measure Item STP-8; SC House of Representatives, Current State Agency Reports, “Public Safety, Department of,” under “Publications,” under “Current State Agency Reports,” and under “2015-16 Accountability Reports,” <http://www.scstatehouse.gov/reports/aar2016/K050.pdf> (last accessed March 23, 2017). See Performance Measure Item STP-7.

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¹⁶⁰ SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (March 16, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/March%2016%202016%20Letter%20from%20DPS%20in%20response%20to%20Subcom's%20March%202,%202016%20Letter.PDF> (last accessed March 23, 2017). See page 4 where the agency states the cost of training and equipping one new trooper is \$77,982.40 with all new equipment or \$32,982.40 if used equipment such as cars and weapons are utilized. 271 new troopers were added between 2012 and 2015.

¹⁶¹ SC House of Representatives, House Legislative Oversight Committee, “Manpower per Troop from DPS internal Staff Inspection Reports (2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Manpower%20percentages%20from%20Staff%20Inspection%20Reports.xlsx> (last accessed March 23, 2017). Chart is a compilation of data from the agency’s internal Staff Inspection Reports, which are also available on the Committee’s website.

¹⁶² SC House of Representatives, House Legislative Oversight Committee, “Turnover Details for the last 5 years provided by DPS,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Turnover%20Details%20for%20the%20last%205%20years.PDF> (last accessed March 23, 2017). The agency provides

various reasons for personnel leaving including, but not limited to, conduct, different job, moved out of job area, retirement, and personal.

¹⁶³ Ibid.

¹⁶⁴ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 8 of 560 ("the Department of Public Safety implemented a pay plan in September 2015 ... to encourage retention by more clearly defining pay raises and compensation for incumbent employees and to serve as a recruiting tool by making new employee salaries competitive with other departments within South Carolina").

¹⁶⁵ SC House of Representatives, House Legislative Oversight Committee, "November 1, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/November12016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 21:10 in the video. ("Officially, probably not.").

¹⁶⁶ SC House of Representatives, House Legislative Oversight Committee, "Turnover Details for the last 5 years provided by DPS," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Turnover%20Details%20for%20the%20last%205%20years.PDF> (last accessed March 23, 2017).

¹⁶⁷ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 22 of 560; SC House of Representatives, House Legislative Oversight Committee, "Employment Data for 2010-11 thru 2015-16 including start and end of year numbers, separations and turnover rates," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Employment%20Data%20for%202010-11%20thru%202015-16%20including%20start%20and%20end%20of%20year%20numbers,%20separations%20and%20turnover%20rates.PDF> (last accessed March 23, 2017). Specific Turnover rates are as follows: 2012-13-52.6%; 2013-14-28.6%; 2014-15-63.6%; 2015-16-33.3%.

¹⁶⁸ SC House of Representatives, House Legislative Oversight Committee, "Turnover Details for the last 5 years provided by DPS," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Turnover%20Details%20for%20the%20last%205%20years.PDF> (last accessed March 20, 2017); SC House of Representatives, House Legislative Oversight Committee, "February 28, 2017 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February282017MinutesDPS.pdf> (last accessed March 23, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 1:40:20 in the video where the agency's Information Technology (IT) Director testified the IT office is funded 30 positions.

¹⁶⁹ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%202015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%202015,%202016).pdf) (last accessed March 23, 2017). See page 8 of 560 ("It is expected, however, that further enhancements to the existing pay structure, would assist with retention; for example, the implementation of a career path that rewards the development of identified knowledge, skills, and abilities as well as longevity is a recommended means for retaining personnel. Such a plan would be dependent on recurring funding").

¹⁷⁰ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%202017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%202017,%202017).pdf) (last accessed March 23, 2017). See page 56 of 66.

¹⁷¹ SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 1 Staff Inspection Report - Sumter, Clarendon, Kershaw, Lee, Lexington, and Richland (August 4-11, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20\(Aug.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20(Aug.%202015).PDF) (last accessed March 23, 2017). See page 64-65 (Post B - Kershaw/Lee) ("Equipment issues, especially the condition of patrol vehicles, were cited as negatively affecting operational effectiveness."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 3 Staff Inspection Report - Anderson, Oconee, Pickens, Greenville, and Spartanburg (July 1, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20\(July%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20(July%202015).PDF) (last accessed March 23, 2017). See page 57 (Post C - Greenville) ("The lack of quality equipment is frustrating to Post C personnel. This issue is compounded when their car or equipment requires maintenance by agency staff in Columbia. In part, the travel/repairs consume a full day which has ultimately lead to criticism when their activity is low."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 4 Staff Inspection Report - Cherokee, Union, York, Fairfield, Chester, Lancaster, and Chesterfield (April 27, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20\(April%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20(April%202015).PDF) (last accessed March 23, 2017). See page 58 (Post C - Chester and Fairfield) ("Several troopers spoke in a negative manner about vehicle conditions and the length of time to have their vehicles repaired."); and page 62 ("The overall operational effectiveness in the post is good however, some of the troopers felt like they do not have access to the resources to perform their jobs. They mention vehicle with high mileage, lack of manpower, and lengthy DI investigations."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 5 Staff Inspection Report - Darlington, Marlboro, Dillon, Florence, Marion, Georgetown, Williamsburg, and Horry (December 14-18, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20\(December%202014-18,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20(December%202014-18,%202015).PDF) (last accessed March 23, 2017). See page 87 (Post A - Darlington and Marlboro) ("The most negative issue affecting operational effectiveness communicated by the troopers interviewed was equipment. The troopers specifically commented on the condition of the computers and the LIDARS. Troopers stated if the computer assigned to them needs repairs, it takes weeks to get another computer or to have repairs completed. These factors create an untimely delay for the troopers completing reports. The lack of a working computer creates duplication documenting the public contacts."); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%202016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%202016-19,%202015).PDF) (last accessed March 23,

2017). See page 75 (Post C - Beaufort, Jasper) ("The lack of quality equipment is frustrating. When there are body repair issues with a car, the closest body shop is located in Walterboro. Repairs are stated to normally take a month or two to complete. During that time, the trooper has to drive a spare car. The spare cars are stated to be in very poor shape (faded paint, high mileage, RADARs that are not operational, and the speedometer reportedly does [not] work in either spare car."); and page 80 ("The most frustrating issues were: the poor condition of the spare cars; the time it takes to get a damaged car repaired (there is no body shop under state contract located within the post); and personnel do not feel like DPS Headquarters 'has their back.'"); SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Communications Staff Inspection Report (November - December, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Highway%20Patrol%20Communications.PDF> (last accessed March 24, 2017).

See page 20 of 102 (Blythewood TCC) ("Areas of concern were communicated as computers (DPS Tech Support needs to be prompt in solving issues) and telephones (less down time as it relates to breakdowns and upgrades)."); See page 40 of 102 (Charleston TCC) ("TCOs expressed concerns about problems experienced with the CAD and not having GPS to attempt to locate callers. ... The TCC computers are slow. All TCOs interviewed gave special noted attention to the CAD being slow and not being updated with a GPS system."); See page 59-60 of 102 (Florence TCC) ("Although the overall operational effectiveness was rated as good, there is room for improvement. Those identified areas were related to the computers, the CAD (very slow) - the upgrades made the problem(s) worse, and the telephone equipment (not good). .. The TCOs expressed concerns with CAD being slow and the system not able to keep up with the current communication demands."); See page 82 of 102 (Greenville TCC) ("Interviews with the TCOs in this assessment revealed that they had the resources needed to perform their jobs; however, they expressed concerns regarding problems they have with the CAD upgrades, computer equipment (often 'freezing up'), being understaffed, and the fact that some TCOs show no care for the job."); See page 21 of 102 (Blythewood TCC) ("The supervisors and the TCC manager described several areas of concern. The areas included a need for upgrades (GEO Mapping, CAD, and computer equipment), a need for expedient communication and a coordinated response plan in the rare instance that a suspicious package is delivered to the DPS Office Complex, and manpower shortages ('Something needs to be done to slow the revolving door of employee turnover.')).

¹⁷² SC House of Representatives, House Legislative Oversight Committee, "November 1, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20and%20Judiciary/November%202016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 45:00 in the video. ("That \$2 million is for four hours of every pay period. The issue of that carry over money, is that we needed vehicles, so most of the money goes to equipment;") and 50:45 in the video ("In the past, we have had to come to the General Assembly to ask money for cars. As gas prices dropped, we were able to use carry over money for those kind of issues without coming to ask for more one-time expenditures.").

¹⁷³ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%202017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%202017,%202017).pdf) (last accessed March 23, 2017). See page 55 of 66. As an example, with the most recent graduating class of troopers, none of the 62 laptops installed in their vehicles functioned properly.

¹⁷⁴ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 200.04 Alcohol and Drug Deterrence Program," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20200.04%20Alcohol%20and%20Drug%20Deterrence%20Program%20\(Effective%20June%202022,%202021%201\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20200.04%20Alcohol%20and%20Drug%20Deterrence%20Program%20(Effective%20June%202022,%202021%201).pdf) (last accessed March 23, 2017).

¹⁷⁵ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other

Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 23, 2017).

¹⁷⁶ SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (February 17, 2017),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 23, 2017). See page 5 of 66.

¹⁷⁷ SC House of Representatives, House Legislative Oversight Committee, “March 7, 2017 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/March72017MinutesDPS.pdf>. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 2:23 in the video.

¹⁷⁸ SC House of Representatives, House Legislative Oversight Committee, “November 1, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/November12016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 1:36:45 in the video. (“What you’re saying is that it’s not a consistent disciplinary action? Case by case basis.”).

¹⁷⁹ SC House of Representatives, House Legislative Oversight Committee, “DPS Policy 300.47 - Residency Requirements for Commissioned Officers (Effective Date July 2, 2014),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Residency%20Requirements.pdf> (last accessed March 23, 2017).

¹⁸⁰ Ibid.

¹⁸¹ SC House of Representatives, House Legislative Oversight Committee, “July 20, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/July202016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 53:20 in the video (“Some of your officers out there feel like there is a double standard that some people get to do things that others don’t;”) and 54:51 in this video, (“Maybe you should change your policy to explain that because your troopers don’t understand that and see favoritism,”) and 57:11 in this video (“You got troopers out here that are saying that they have a policy but they are not required to follow it”).

¹⁸² SC House of Representatives, House Legislative Oversight Committee, “Residency Requirement Waivers for Troopers and Supervisors (August 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Domicile%20Policy%20-%20Troopers%20and%20Supervisors%20with%20waivers%20and%20reason%20for%20waiver.PDF> (last accessed March 23, 2017).

¹⁸³ Ibid.

¹⁸⁴ SC House of Representatives, House Legislative Oversight Committee, “Residency Requirement Waivers for Troopers and Supervisors (August 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Domicile%20Policy%20-%20Troopers%20and%20Supervisors%20with%20waivers%20and%20reason%20for%20waiver.PDF>

%20Troopers%20and%20Supervisors%20with%20waivers%20and%20reason%20for%20waiver.PDF (last accessed March 20, 2017).

¹⁸⁵ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 300.06 - In Car Video and Recording February 17, 2016 version; replaced policy dated February 5, 2015," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20300.06%20-%20In%20Car%20Video%20and%20Recording%20\(February%2017,%202016;%20replaced%20policy%20dated%20February%2015,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20300.06%20-%20In%20Car%20Video%20and%20Recording%20(February%2017,%202016;%20replaced%20policy%20dated%20February%2015,%202015).pdf) (last accessed March 23, 2017).

¹⁸⁶ SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Manual of Operations re: Video Recording and Review by Supervisors (Revised Sept. 25, 2013)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Highway%20Patrol%20Manual%20of%20Operations%20re%20In%20Car%20Video%20Recording%20\(Revised%20September%2025,%202013\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Highway%20Patrol%20Manual%20of%20Operations%20re%20In%20Car%20Video%20Recording%20(Revised%20September%2025,%202013).pdf) (last accessed March 23, 2017).

¹⁸⁷ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 300.06 - In Car Video and Recording, February 17, 2016 version; replaced policy dated February 5, 2015," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20300.06%20-%20In%20Car%20Video%20and%20Recording%20\(February%2017,%202016;%20replaced%20policy%20dated%20February%2015,%202015\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20300.06%20-%20In%20Car%20Video%20and%20Recording%20(February%2017,%202016;%20replaced%20policy%20dated%20February%2015,%202015).pdf) (last accessed March 20, 2017); and SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Manual of Operations re: Video Recording and Review by Supervisors (Revised Sept. 25, 2013)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Highway%20Patrol%20Manual%20of%20Operations%20re%20In%20Car%20Video%20Recording%20\(Revised%20September%2025,%202013\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Highway%20Patrol%20Manual%20of%20Operations%20re%20In%20Car%20Video%20Recording%20(Revised%20September%2025,%202013).pdf) (last accessed March 20, 2017).

¹⁸⁸ SC House of Representatives, House Legislative Oversight Committee, "Audio-Video Monitor Report Form (March 2016 - DPS Policy 300.06)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Audio-Video%20Monitor%20Report%20\(March%202016%20-%20DPS%20Policy%20300.06\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Audio-Video%20Monitor%20Report%20(March%202016%20-%20DPS%20Policy%20300.06).pdf) (last accessed March 20, 2017).

¹⁸⁹ Committee staff summary of constituent input email message to the House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee, September 9, 2016.

¹⁹⁰ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 3:36:00 in the video.

¹⁹¹ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 3:47:00 in the video.

¹⁹² SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 27, 2017). See page 22 of 560.

¹⁹³ Materials the Department of Public Safety (DPS) provided to the House Ways and Means Law Enforcement Subcommittee and Criminal Justice Subcommittee during DPS' budget presentation in early 2016, "Highway Patrol Commissioned Officer Manpower"; SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 6 of 560, ("Please provide the following information, separated for civilians and sworn officers, for each fiscal year from 2010-11 through 2015-16: number of employees at start of the year, number of employees at end of the year, and number of employee separation during the year"); SC House of Representatives, House Legislative Oversight Committee, "Employment Data for 2010-11 thru 2015-16 including start and end of year numbers, separations and turnover rates," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Employment%20Data%20for%202010-11%20thru%202015-16%20including%20start%20and%20end%20of%20year%20numbers,%20separations%20and%20turnover%20rate.pdf> (last accessed March 23, 2017) (See Law Enforcement, SCDPS Highway Patrol; Begin '10-11=838, End '10-11=796; Begin '11-12=793, End '11-12=763; Begin '12-13=763, End '12-13=756; Begin '13-14=756, End '13-14=772; Begin '14-15=770, End '14-15=762; Begin '15-16=760, End '15-16=780).

¹⁹⁴ Ibid.

¹⁹⁵ Materials the Department of Public Safety (DPS) provided to the House Ways and Means Law Enforcement Subcommittee and Criminal Justice Subcommittee during DPS' budget presentation in early 2016 and early 2014.

¹⁹⁶ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 100.07 - OPR November 25, 2015 version; replaced policy dated May 31, 2012," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20\(November%2025,%202015;%20replaced%20policy%20dated%20May%2031,%202012\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20(November%2025,%202015;%20replaced%20policy%20dated%20May%2031,%202012).pdf) (last accessed March 23, 2017). See Section VIII. A. ("Each allegation or complaint made against an employee or the agency will be reviewed by OPR and referred to the director to determine if the matter will be investigated. If the complaint is minor in nature, the complaint may be referred to the appropriate division director to investigate.") (emphasis added).

¹⁹⁷ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 100.07 - OPR November 25, 2015 version; replaced policy dated May 31, 2012," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20\(November%2025,%202015;%20replaced%20policy%20dated%20May%2031,%202012\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20(November%2025,%202015;%20replaced%20policy%20dated%20May%2031,%202012).pdf) (last accessed March 23, 2017). See Section IX, 2 ("If the director determines that disciplinary action is not warranted, the report will be returned to the chief investigator. If the director determines that disciplinary action is warranted, the director, with the assistance of the Office of Human Resources (HR), will notify the employee of the action by letter.") (emphasis added).

¹⁹⁸ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%2017,%202017).pdf) (last accessed March 23, 2017).

¹⁹⁹ Ibid.

²⁰⁰ SC House of Representatives, House Legislative Oversight Committee, "OPR File #PR-2101-14-0024-D

(December 8, 2014),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20file%20for%20Corporal%20B.E.%20Kyzer%20provided%20by%20DPS%20\(December%208,%202014\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20file%20for%20Corporal%20B.E.%20Kyzer%20provided%20by%20DPS%20(December%208,%202014).pdf) (last accessed March 23, 2017).

²⁰¹ Ibid.

²⁰² SC House of Representatives, House Legislative Oversight Committee, “OPR File #PR-2105-14-0045-D (July 11, 2014),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0045-D%20\(July%2011,%202014\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0045-D%20(July%2011,%202014).pdf) (last accessed March 23, 2017).

²⁰³ SC House of Representatives, House Legislative Oversight Committee, “OPR File #PR-2105-14-0033-D (June 19, 2014),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0033-D%20\(June%2019,%202014\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0033-D%20(June%2019,%202014).pdf) (last accessed March 23, 2017).

²⁰⁴ SC House of Representatives, House Legislative Oversight Committee, “OPR File #PR-2105-14-0045-D (July 11, 2014),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0045-D%20\(July%2011,%202014\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-0045-D%20(July%2011,%202014).pdf) (last accessed March 23, 2017).

²⁰⁵ SC House of Representatives, House Legislative Oversight Committee, “DPS Policy 400.08G - Guidelines for Progressive Disciplinary Action (Effective March 3, 2010),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20\(Effective%20March%203,%202010\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20(Effective%20March%203,%202010).pdf) (last accessed March 23, 2017).

²⁰⁶ SC House of Representatives, House Legislative Oversight Committee, “OPR File #PR-2105-14-003-D - 27 other related employees disciplined,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-003-D%20-%2027%20other%20related%20employees%20disciplined.pdf> (last accessed March 23, 2017). See page 11 of 28.

²⁰⁷ SC House of Representatives, House Legislative Oversight Committee, “DPS Policy 400.08G - Guidelines for Progressive Disciplinary Action (Effective March 3, 2010),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20\(Effective%20March%203,%202010\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20(Effective%20March%203,%202010).pdf) (last accessed March 23, 2017).

²⁰⁸ SC House of Representatives, House Legislative Oversight Committee, “OPR File #PR-2101-14-0017-D (March 23, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Alford-PR-2101-14-0017-D.pdf> (last accessed March 23, 2017).

²⁰⁹ Ibid.

²¹⁰ Ibid.

²¹¹ Ibid.

²¹² Ibid.

²¹³ SC House of Representatives, House Legislative Oversight Committee, “DPS Policy 400.08G - Guidelines for Progressive Disciplinary Action (Effective March 3, 2010),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20\(Effective%20March%203,%202010\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Policy%20400.08G%20-%20Guidelines%20for%20Progressive%20Disciplinary%20Action%20(Effective%20March%203,%202010).pdf) (last accessed March 23, 2017).

²¹⁴ SC House of Representatives, House Legislative Oversight Committee, “OPR Case Summaries for 2010 through June 2016 (June 29, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20-%20OPR%20Case%20Summaries%20for%202010%20through%20June%202016.pdf> (last accessed March 23, 2017). Oversight Committee staff compiled this information from the “2010-2015 OPR / DI Case Summaries with demographics” documents provided by DPS on June 29, 2016. DPS personnel testified during the July 13, 2016 Subcommittee meeting that this information was tracked via Microsoft Access, without uniform allegation naming until 2014. In 2014, the data was moved to a new database and DPS began utilizing drop down menus to assist it in naming allegations consistently.

²¹⁵ SC House of Representatives, House Legislative Oversight Committee, “OPR Case Summaries for 2010 through June 2016 Excel Charts (listing of cases provided by DPS via email on June 30, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20\(provided%20via%20email%20on%20June%2030,%202016\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20(provided%20via%20email%20on%20June%2030,%202016).xlsx) (last accessed March 28, 2017). The first matter was opened in August 2013 as OPR File #PR-13-0050 and remained open for 250 days, before it was closed and re-opened as #DI-14-0051-D, which remained open another 29 days, making the investigation a total of 279 days. Another matter, #DI-14-0003-D, was opened in January 2014 and took 281 days to reach a finding.

²¹⁶ SC House of Representatives, House Legislative Oversight Committee, “July 13, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20Sub/July132016Minutes.pdf> (last accessed March 23, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. (last accessed March 23, 2017). See 4:37:54 in the video. (“If they are under investigation they cannot be promoted. ... No, they are not eligible for promotions while under investigation.”).

²¹⁷ SC House of Representatives, House Legislative Oversight Committee, “OPR Case Summaries for 2010 through June 2016 Excel Charts (listing of cases provided by DPS via email on June 30, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20\(provided%20via%20email%20on%20June%2030,%202016\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20(provided%20via%20email%20on%20June%2030,%202016).xlsx) (last accessed March 28, 2017). See OPR File #PR-12-0027 (1173 days (3.1 years)) with allegation of “improper conduct”; OPR File #PR-13-0013 (889 days (2.3 years)) with allegation of “insubordination”; OPR File #PR-13-0074 (691 days and still counting (1.85 years)) with allegation of “providing false information” that is still pending; OPR File #PR-14-0008-C (592 days and still counting (1.59 years)) with allegation of “improper procedures” that is still listed as active; and OPR File #DI-15-0047-C (408 days (1.09 years)) with allegation of “improper procedures.”

²¹⁸ Bonnie Brooks, email message to Charles Appleby, June 30, 2016. (“Mr. Appleby, on behalf of Director Smith, in addition to the information that was hand-delivered to the HLOC on June 29, 2016, attached please find OPR/DI Case Summaries in excel format as requested. Please let us know if you have any questions or need additional information. Thank you so much. B.”)

²¹⁹ SC House of Representatives, House Legislative Oversight Committee, “July 20, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20Sub/July202016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 39:20 in the video. (“We have staff inspections where we go in and get a good sample set of each component that we’re inspecting. We look at morale, operational

effectiveness, the leadership, and we look at the communication lines. Under our recent inspection, the moral was very good. It was a 3.0 on a 4.0 scale.”)

²²⁰ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%2016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%2016-19,%202015).PDF) (last accessed March 23, 2017). See page 74 (Post B - Colleton, Dorchester)

²²¹ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 5 Staff Inspection Report - Darlington, Marlboro, Dillon, Florence, Marion, Georgetown, Williamsburg, and Horry (December 14-18, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20\(December%2014-18,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20(December%2014-18,%202015).PDF) (last accessed March 23, 2017). Page 87 (Post B - Dillon, Florence, and Marion)

²²² SC House of Representatives, House Legislative Oversight Committee, “August 30, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20Sub/2016/20160830Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 4:28:00 in the video. (“The team is composed with field lieutenants or officers with higher ranks. They are pulled from different troops when it is time to inspect another troop.”).

²²³ SC House of Representatives, House Legislative Oversight Committee, “July 20, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20Sub/2016/20160720Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 1:13:45 in the video. (“I am going to make a comment back to Colonel Oliver. When I was talking to people who did not get promoted or had a grievance filed against them or something like that, some of them yes, and many of them no, there are number of troopers out there that are afraid to say what they feel like they need to say for fear of retribution.”).

²²⁴ SC House of Representatives, House Legislative Oversight Committee, “July 20, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/Laws%20Sub/2016/20160720Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 47:14 in the video (“Since we’ve started this oversight process, I’ve been getting calls from law enforcement officers all over the state. I owe it to them to ask these questions. I have never seen the morale at highway patrol as low as it is now.”).

²²⁵ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 3 Staff Inspection Report - Anderson, Oconee, Pickens, Greenville, and Spartanburg (July 1, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20\(July%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%203%20Staff%20Inspection%20(July%202015).PDF) (last accessed March 23, 2017). See page 66 (Post B - Oconee and Pickens).

²²⁶ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 4 Staff Inspection Report - Cherokee, Union, York, Fairfield, Chester, Lancaster, and Chesterfield (April 27, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20\(April%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%204%20Staff%20Inspection%20(April%202015).PDF) (last accessed March 23, 2017). See page 61 (Post A -

Cherokee and Union).

²²⁷ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 2 Staff Inspection Report - Laurens, Newberry, Abbeville, Greenwood, Edgefield, McCormick, and Saluda (January 16, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20\(Jan.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20(Jan.%202015).PDF) (last accessed March 23, 2017). See page 40 (Post A - Laurens and Newberry).

²²⁸ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 2 Staff Inspection Report - Laurens, Newberry, Abbeville, Greenwood, Edgefield, McCormick, and Saluda (January 16, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20\(Jan.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20(Jan.%202015).PDF) (last accessed March 23, 2017). See page 42 (Post A - Laurens and Newberry).

²²⁹ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 2 Staff Inspection Report - Laurens, Newberry, Abbeville, Greenwood, Edgefield, McCormick, and Saluda (January 16, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20\(Jan.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%202%20Staff%20Inspection%20(Jan.%202015).PDF) (last accessed March 23, 2017). See page 44 (Summary / Conclusion).

²³⁰ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 5 Staff Inspection Report - Darlington, Marlboro, Dillon, Florence, Marion, Georgetown, Williamsburg, and Horry (December 14-18, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20\(December%2014-18,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20(December%2014-18,%202015).PDF) (last accessed March 23, 2017). See page 83 (Post B - Dillon, Florence, and Marion) (“Very little individual counseling is conducted for performing well. On the other hand, troopers state they get ‘talked to’ often for poor activity ... Some troopers feel like the DPS Command Staff does not support them; therefore, they find themselves second guessing the decisions they make attempting to avoid making a mistake and possibly generating a District Investigation (DI).”).

²³¹ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 5 Staff Inspection Report - Darlington, Marlboro, Dillon, Florence, Marion, Georgetown, Williamsburg, and Horry (December 14-18, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20\(December%2014-18,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%205%20(December%2014-18,%202015).PDF) (last accessed March 23, 2017). See page 90 (Post D - Horry).

²³² SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%2016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%2016-19,%202015).PDF) (last accessed March 23, 2017). See page 75 (Post C - Beaufort and Jasper).

²³³ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%2016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%2016-19,%202015).PDF) (last accessed March 23, 2017). See page 75 (Post C - Beaufort and Jasper).

²³⁴ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%2016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%2016-19,%202015).PDF) (last accessed March 23, 2017). See page 74 (Post B - Colleton, Dorchester).

²³⁵ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 1 Staff Inspection Report - Sumter, Clarendon, Kershaw, Lee, Lexington, and Richland (August 4-11, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20\(Aug.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20(Aug.%202015).PDF) (last accessed March 23, 2017). See page 61 (Post B - Kershaw and Lee).

²³⁶ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 1 Staff Inspection Report - Sumter, Clarendon, Kershaw, Lee, Lexington, and Richland (August 4-11, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20\(Aug.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20(Aug.%202015).PDF) (last accessed March 23, 2017). See page 67 (Post D - Richland).

²³⁷ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 1 Staff Inspection Report - Sumter, Clarendon, Kershaw, Lee, Lexington, and Richland (August 4-11, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20\(Aug.%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%201%20Staff%20Inspection%20(Aug.%202015).PDF) (last accessed March 23, 2017). See page 65 (Post B - Kershaw and Lee).

²³⁸ SC House of Representatives, House Legislative Oversight Committee, “Highway Patrol Troop 7 Staff Inspection Report - Allendale, Bamberg, Barnwell, Hampton, Orangeburg, Calhoun, and Aiken (July 24, 2015),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%207%20Staff%20Inspection%20\(July%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Troop%207%20Staff%20Inspection%20(July%202015).PDF) (last accessed March 23, 2017). See page 56 (Post C - Aiken).

²³⁹ Department of Public Safety, *Accountability Report, 2015-16*.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (last accessed March 20, 2017).

²⁴⁰ SC Code Annotated Section 23-6-30.

²⁴¹ 2011 Act No. 69, section 17, effective upon concurrence of contingency.

²⁴² SC House of Representatives, House Legislative Oversight Committee, “April 21, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/April212016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 39:32 in the video.

²⁴³ SC House of Representatives, House Legislative Oversight Committee, “April 21, 2016 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/April212016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 40:31-40:59 in the video. (When asked if he feels the Illegal Immigration Enforcement Unit is within the mission of DPS, Director Smith, “To be quite candid, that mission falls under the responsibility of SLED. I would never sit here and try to lead you down the wrong path. The mission, when you look at SLED’s mission, in terms of criminal investigation, it falls under the mission of SLED.”).

²⁴⁴ SC Department of Public Safety, Office of Highway Safety & Justice Programs, <http://www.scdps.gov/ohsjp/> (last accessed March 24, 2017).

²⁴⁵ SC House of Representatives, House Legislative Oversight Committee, “February 28, 2017 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February282017MinutesDPS.pdf> (last accessed March 24, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 11:33-28:00 in the video.

²⁴⁶ SC House of Representatives, House Legislative Oversight Committee, “February 28, 2017 Subcommittee Minutes,” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February282017MinutesDPS.pdf> (last accessed March 24, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 46:27-48:10 in the video.

²⁴⁷ SC House of Representatives, House Legislative Oversight Committee, “Performance and Recommendations PowerPoint presentation by DPS (July 13, 2016),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Performance%20and%20Recommendations%20PowerPoint%20presentation%20by%20DPS%20\(July%2013,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Performance%20and%20Recommendations%20PowerPoint%20presentation%20by%20DPS%20(July%2013,%202016).pdf) (last accessed March 24, 2017). See slide 34 of 38.

Attachment 1

Trooper Activity, Collisions, Fatalities, and Budget

Collisions and Fatalities

Collisions¹					
	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u> (as of 2.17.17)	<u>% change from</u> <u>2013 to 2016</u>
Fatal Collisions	719	756	911	936	30.18%
Injury Collisions	32,854	34,062	37,788	39,035	18.81%
Property Damage Only Collisions	79,687	84,355	94,933	97,044	21.78%
Total Collisions	113,260	119,173	133,632	137,015	20.97%

Fatalities and Injuries²					
	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u> (as of 2.17.17)	<u>% change from</u> <u>2013 to 2016</u>
Fatalities	767	823	979	1,015	32.33%
Non-fatal Injuries	50,938	53,029	58,505	60,240	18.26%

Trooper Activity

Warnings and Citations³					
	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>% change from</u> <u>2012-13 to 2015-16</u>
Warnings	379,248	345,226	322,270	278,501	-26.56%
Citations	479,654	478,680	453,862	416,012	-13.27%
Total	858,902	823,906	776,132	694,513	-19.14%

Man Hours⁴					
	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>% change from</u> <u>2012-13 to 2015-16</u>
Warnings and Citations	858,902	823,906	776,132	694,513	-19.14%
Patrol	539,858	541,306	508,144	453,162	-16.06%
Court	32,714	31,207	29,520	28,523	-12.81%
Accident Investigation	158,142	164,856	175,554	195,953	23.91%
Administrative	308,629	311,211	317,807	308,504	-0.04%
Special Duty and Training	161,007	139,708	157,949	184,265	14.45%
Avg. Tickets/Warnings per Patrol Hour	1.59	1.52	1.53	1.53	-3.77%

Source: Information in this attachment is a compilation of information provided by the Department of Public Safety during the House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee's study.

Budget and Manpower

DPS Budget (without carryforward)					
	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>% change from 2012-13 to 2015-16</u>
Entire Agency⁵	\$154,941,120	\$161,742,387	\$151,425,866	\$161,431,719	4.19%
Highway Patrol⁶	\$93,086,717	\$96,514,781	\$98,574,825	\$105,238,726	13.05%

# of Troopers on the Road					
	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>% change from 2013 to 2016</u>
Highway Patrol Troops 1-8 (as of January each year)⁷	486	489	495	488	0.41%

¹ SC Department of Public Safety, Office of Highway Safety and Justice Programs, “2014 Traffic Collision Fact Book,” under “Office of Highway Safety and Justice Programs,” and under “Statistical Services,” <http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136; SC House of Representatives, House Legislative Oversight Committee, “Traffic Collision Statistics for calendar year 2015 and 2016,” under “House Legislative Oversight Committee,” under “Public Safety, Department of (DPS),” and under “Information uploaded from DPS to Oversight Subcommittee (March 3 and 7, 2017),” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Traffic%20Collision%20Statistics.pdf> (last accessed March 19, 2017).

² SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (February 17, 2017),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%2017,%202017).pdf) (last accessed March 24, 2017). See page 3 of 66;

SC Department of Public Safety, Office of Highway Safety and Justice Programs, “2014 Traffic Collision Fact Book,” under “Office of Highway Safety and Justice Programs,” and under “Statistical Services,” <http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136.

³ SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (February 17, 2017),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%2017,%202017).pdf) (last accessed March 24, 2017). See page 59 of 66.

⁴ SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (February 17, 2017),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%2017,%202017).pdf) (last accessed March 24, 2017). See page 59 of 66.

⁵ 2012-13 General Appropriations Act through 2015-16 General Appropriations Act.

⁶ SC House of Representatives, House Legislative Oversight Committee, “Budget, Staffing, Trooper Activity (2012-13 thru 2014-15),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Budget,%20Staffing,%20Warnings.pdf> (last accessed March 21, 2017).

⁷ SC House of Representatives, House Legislative Oversight Committee, “Letter from DPS to Oversight Subcommittee (February 17, 2017),” under “House Legislative Oversight Committee,” under “Agency and Other Studies,” and under “Public Safety, Department of (DPS),” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(February%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(February%2017,%202017).pdf) (last accessed March 24, 2017). See page 3 of 66.

Attachment 2

Hiring Process Details

Hiring Stages and Applicants Cut at Each Stage¹

Fiscal Year	2013-14	2014-15	2015-16
Basic Highway Patrol Trooper Class Number	#93 & #94	#95 & #96	#97, #98, #99
Total Applications Processed	1379	1530	1869
Administrative Review ¹ (number reflects applicants who <u>did not advance</u>)	-874 (63% of total applicants)	-878 (57%)	-1068 (57%)
Physical Agilities Test / Written Test ² (number reflects applicants who <u>did not advance</u>)	-260 (19%)	-270 (18%)	-515 (28%)
Background Investigation ³ (number reflects applicants who <u>did not advance</u>)	-66 (5%)	-104 (7%)	-72 (4%)
Polygraph Examination ⁴ (number reflects applicants who <u>did not advance</u>)	-60 (4%)	-147 (10%)	-63 (3%)
Oral Interview Board (OIB) ⁵ (number reflects applicants <u>who did not advance</u>)	-0	-10 (1%)	-19 (1%)
Director's Review - Rejections	<u>-21 (2%)</u>	<u>-28 (2%)</u>	<u>-22 (1%)</u>
Director Approved	98 (7%)	93 (6%)	110 (6%)
Contingent Offer - Medical/Psych Review ⁶	<u>-5</u>	<u>-2</u>	<u>-14</u>
Director's Offers Accepted	93	91	96
Criminal Justice Academy classes and tests	<u>-13</u>	<u>-9</u>	<u>-11</u>
Graduated from Criminal Justice Academy	80	82	85

¹ Administrative Review involves criminal/driver/sex offender/credit checks. Number also reflects applicants who failed to return Background Questionnaires and voluntarily withdrew.

² This number also reflects applicants who voluntarily withdrew or did not show for test.

³ This number also reflects applicants who voluntarily withdrew.

⁴ This number also reflects applicants who voluntarily withdrew or did not show for test.

⁵ No cuts were made at this stage with the exception of 2 by the HP Employment Unit (Basic #98 class) for extremely low scores and poor evaluation by board members. Number reflects the applicants who voluntarily withdrew, did not show for interview, or whose status became "inactive" for some reason (e.g., needing time to resolve credit-related issue).

⁶ This number also reflects applicants who voluntarily withdrew or did not accept agency's offer.

Interview Board v. Director of Agency: Applicant Information Available²

<u>Oral Interview Board</u>	<u>Director's Review</u>
<u>Present in room:</u> - Chairman (Major) - Four board members (variety of Captain, Lieutenant, Sergeant, Corporal) - One Human Resources Representative - Applicant	<u>Present in room:</u> - Agency Director³ - Human Resources Director
<u>Information available to review:</u> - Schedule of all applicant interview times - Applicant essay which explains why the applicants wants to be a trooper - Employment Board Questions (10 questions for the applicant to answer) - Oral Interview Board (OIB) Rating Sheet (used to rate the applicant on each question asked, written/oral communication, and appearance) - OIB Rating Rubric (A guide to help board members understand each rating category) - OIB Component & Rating Sheet (directions/information for what board members can expect that day)	<u>Information available to review:</u> Oral Interview Board Notes/Score Sheet, and
	<u>Information available to review: (continued)</u> - State Application & Supplemental Application - Physical Ability Test - Nelson Denny Scores (vocabulary, comprehension, and reading) - Background (employment and character references) - Applicant's Essay - Polygraph - Credit Check - DD 214 (discharge information for military candidates, if applicable) - College Transcript (if applicable) - Driver's License Check - National Crime Information Center Check - SC Information Exchange Check - Social Media Check

Director's Review and Rejections⁴

Basic Highway Patrol Trooper Class Number	Number Rejected by the Director (after the Oral Interview Board and all other Hiring Stages)
2015-16, Basic Class Nos. 97-99 and 2016-17, Basic Class No. 100	31*

*Agency explains the total number of factors exceeds the number of applicants because some candidates had multiple factors apply to them. The agency desires to underscore that each applicant is evaluated on his or her own merits based on all relevant information received.

Issues Factoring into Director's Decision to Reject Applicants (Basic Highway Patrol Trooper Class Numbers 97-100)	Number of Times Factor Cited*
Polygraph Issues (e.g., deception indicated; suspected countermeasures/"no opinion" results)	17
Past/Current Employment Issues (e.g., termination for cause; resignation in lieu of termination for cause; suspension(s) or other disciplinary action(s) by current/former employer; receipt of undocumented income; negative reference(s); theft for personal gain from employer/customers or providing employer's good/services to others without payment; hostile act(s) toward supervisors)	15
Past Military Service Issues (e.g., going absent without leave (AWOL))	1
Inappropriate Social Media Content	2
Criminal Activity (e.g., commission of crime [undetected]; multiple license suspensions; lying to law enforcement; former gang member)	7
Illegal Drug Use/Voluntary Association With Users (evaluated on a case-by-case basis)	2
Universally Poor Review by Oral Interview Board Members	2

¹ SC House of Representatives, House Legislative Oversight Committee, "Applicants Rejected and Hiring Stage at which applicant was Rejected - Highway Patrol (2013-14 thru 2015-16)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Applicants%20Rejected%20and%20Hiring%20Stage%20at%20which%20applicant%20was%20Rejected%20-%20Highway%20Patrol%20\(2013-14%20thru%202015-16\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Applicants%20Rejected%20and%20Hiring%20Stage%20at%20which%20applicant%20was%20Rejected%20-%20Highway%20Patrol%20(2013-14%20thru%202015-16).xlsx) (last accessed March 22, 2017).

² SC House of Representatives, House Legislative Oversight Committee, "Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 20, 2017); SC House of Representatives, House Legislative Oversight Committee, "Director - Applicant materials available to Agency Director (September 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 20, 2017)

³ October 3, 2016 email from Warren V. Ganjehsani, General Counsel for the Department of Public Safety to Charles Appleby, General Counsel for the House Legislative Oversight Committee includes an attachment which provides the following additional information, "Since Director Smith has been the Department's Director, he has asked the agency's Human Resources Director to report facts and background information gathered by the Highway Patrol (and, in the case of social media checks, Human Resources staff) regarding all applicants for law enforcement positions. The final decision to hire or reject such applicants has always remained with Director Smith, and this authority has not and will not be delegated to another."

⁴ SC House of Representatives, House Legislative Oversight Committee, "Number of Applicants the Director Cuts and Reasons Why - Highway Patrol (2015-16 and 2016-17)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Number%20of%20Applicants%20the%20Director%20Cuts%20and%20Reasons%20Why.pdf> (last accessed March 22, 2017).

Attachment 3

Employee Separation

Agency Division and Reason for Separation¹

The reasons for separation are the reasons listed in the data provided by the agency.

	2010-11	2011-12	2012-13	2013-14	2014-15
Administration	5	22	21	21	21
Different Job/Different State Agency				2	2
Disability Retirement		1	2		
Dismissal- Conduct			3	2	
Dismissal- Unsatisfactory Performance		1			
Employed Outside of State Government					
Employed Outside State Government	3	2	1		
Movement Between Agencies		8	2		
Movement Between Agency			3	4	9
Never Returned from Leave			1		
Personal		1	5	10	4
Retirement	1	8	4	3	5
SAP Agency to Non-SAP Agency*					1
Violation of Agency Policy	1	1			

Bureau of Protective Services	5	9	4	8	11
Different Job/Different State Agency				1	
Disability Retirement	1				
Dismissal- Conduct	1		1	1	1
Dismissal- Unsatisfactory Performance	1				
Employed Outside State Government		1		2	
Fail to Meet Certain Requirement			1		
Personal	2		1	1	5
Retirement		8	1	2	4
SAP Agency to Non-SAP Agency*				1	1

*Separation from agency tracked in South Carolina Enterprise Information System (SCEIS) (i.e., DPS) to Agency not tracked in SCEIS.

	2010-11	2011-12	2012-13	2013-14	2014-15
Highway Patrol	115	102	114	102	142
Deceased	2			1	1
Different Job/Different State Agency				3	
Different Job/Different State Agency		1			
Disability Retirement	8	7	4	9	6
Dismissal- Conduct	7	1	11	12	13
Dismissal- Unsatisfactory Performance	5	1			
Employed Outside State Government	33	17	5	3	7
Fail to Meet Certain Requirement		5	1	6	4
Job Abandonment				1	
Movement Between Agencies	2	1	2		
Movement Between Agency			3	9	7
Never Returned from Leave	3	4	1	1	
Personal	33	28	51	42	84*
Resign lieu-Corrective Action/Termination	1	1			
Resign While Under Investigation					1
Retirement	19	33	36	15	18
SAP Agency to Non-SAP Agency*	1	2			1
Violation of Agency Policy	1	1			

*In 2014-15, 59% of Highway Patrol separations were for "Personal" reasons, compared to this reason only accounting for 29% in 2010-11 and 27% in 2011-12.

State Transport Police	9	11	18	11	25
Disability Retirement	1		6	1	2
Dismissal- Conduct				2	3
Dismissal- Unsatisfactory Performance	1				
Employed Outside State Government	2	4	2		1
Fail to Meet Certain Requirement				1	
Movement Between Agencies		1	1		
Movement Between Agency				1	2
Personal	2	1	3	5	9
Retirement	3	5	6	1	7
SAP Agency to Non-SAP Agency*					1

Grand Total	134	144	157	142	199*
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*Separation from agency tracked in South Carolina Enterprise Information System (SCEIS) (i.e., DPS) to Agency not tracked in SCEIS.

*Total agency separations in 2014-15 is 38.19% higher than 2011-12 and 48.51% higher than 2010-11.

¹ SC House of Representatives, House Legislative Oversight Committee, "Turnover Details for the last 5 years provided by DPS," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Turnover%20Details%20for%20the%20last%205%20years.PDF> (last accessed March 23, 2017).

Attachment 4

Recommendations Chart and Details

Recommendations Chart

RECOMMEND AGENCY ADDRESS . . .

...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.
2. Research the cost and feasibility of implementing a career path for agency employees.
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.
4. Revisit policy which automatically disqualifies job applicants with visible tattoos.
5. Update the agency's Personnel Allocation Model to conform to national standards.
6. Review industry best practices on trooper fatigue under various shift changes.

...EQUIPMENT REPLACEMENT

7. Request a permanent line item, which identifies funding for the equipment replacement schedules, in the General Appropriations Act.
8. Develop a computer and technology replacement cycle; include this information in the agency's budget request.

...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.
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.
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).
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.

...COMMUNICATION AND MORALE

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

...FOCUSING ON ITS PRIMARY MISSION

18. Transfer the Illegal Immigration Enforcement Unit to the State Law Enforcement Division.
19. Transfer grants programs unrelated to highway safety (i.e., criminal justice, juvenile justice; and crime victims) to another agency.
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.

...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.
22. Revise SC Code Section 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.
23. Revise SC Code Section 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.
24. Update SC Code Section 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.
25. Revise SC Code Section 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.

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

Recommendation Details

Safety, Hiring, Recruitment, and Retention

1. *Update Transparency and Personnel Involved in Hiring¹* (Internal Agency Operation) - Recommend the agency create and/or update its policies to ensure the policies clearly outline which agency personnel provide input at which stages of the hiring process, including the input they provide. Also recommend whenever a final decision is being made, if the Director seeks input from the HR Director, the Director include the individual who is responsible for the division of the agency to which the future employee would report, in those discussions.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

2. *Research Costs and Feasibility of Career Path Initiative to Improve Retention²* (Internal Agency Operation) - Recommend the agency research the specific costs and feasibility of implementing a career path. Also recommend Committee follow up about the results of this research with the agency next year.

November 1, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

3. *Track Recruiting Methods and Quality Applicants*³ (Internal Agency Operation) - Recommend the agency track the following for each highway patrol class and other positions, going forward: total applications, source of applicant (if applicant found out from a particular agency recruiting method), removed due to automatic disqualifiers (including which disqualifier), removed due to mental exam, physical exam, etc. (including which one disqualified them), and did not graduate from training (including why). Also recommend the agency provide this chart in the discussion section of the agency's Accountability Report each year.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

4. *Revisit Tattoo Policy for Applicants*⁴ (Internal Agency Operation) - Recommend the agency revisit its policy which automatically disqualifies job applicants with visible tattoos so as to allow applicants who are willing to cover their tattoos, to continue to move through the application process. Base on other law enforcement agencies revisiting this type of policy.

January 31, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford	✓		
Rep. Tallon	✓		

5. *Update Personnel Allocation Model*⁵ (Internal Agency Operation) - Recommend the agency update its Personnel Allocation Model to conform with national standards.

March 7, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

6. *Research Shift Change Fatigue*⁶ (Internal Agency Operation) - Recommend the agency study industry best practices on trooper fatigue under different types of shift changes in an effort to ensure DPS has effective transitions as it is vital officers remain alert on every shift.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

Equipment Replacement

7. *Equipment Replacement Schedule Line Item in Agency General Appropriations Act Budget*⁷ (Statutory) - Recommend the agency include a request to “restructuring agency programs” to ensure there is a permanent line item which identifies funding for the equipment replacement schedules. This may clarify the purpose of this funding for the General Assembly, public, and agency.

November 1, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

8. *Laptop and Technology Replacement Policy*⁸ (Statutory) - Recommend the agency develop a formal policy regarding a computer and technology replacement cycle. Recommend the agency include in this policy the anticipated costs associated with keeping the technology up to date and update this policy annually and identify inclusion in the agency’s budget.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

Applying Policies Consistently

9. *Drug Testing*⁹ (Internal Agency Operation) - Since the agency has a random drug testing policy and employees of the agency operate state vehicles and carry weapons, the Subcommittee recommends the agency begin performing random drug testing and post-accident drug testing.

March 7, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

10. *Residency Policy*¹⁰ (Internal Agency Operation) - Recommend the agency adopt a clear policy as to which employees are required and which are not required to live within a certain distance from their troop headquarters or assigned post.

July 20, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

11. *Audio-Video Monitor Report*¹¹ (Internal Agency Operation) - Recommend the agency update its audio/ visual monitor report to include a section where the supervisor states the reason the supervisor is reviewing the video and the information in the report be tracked in the activity console.

January 31, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford	✓		
Rep. Tallon	✓		

12. *Troop Commander Corrective Action Plans*¹² (Internal Agency Operation) - Recommend the agency review the format and policies related to the corrective action plans submitted by Troop Commanders in response to Staff Inspection Reports to ensure plans include deadlines and appropriate follow-up (e.g. audits). Also recommend a copy of those policies be obtained when the Committee follows up with the agency in 2017.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

Communication and Morale

13. *Distinguish Number of Active Troopers v. Number at the Academy When Providing Data*¹³ (Internal Agency Operation) - Recommend the Department of Public Safety distinguish between the number of troopers who have graduated and the number of troopers who are still in training when it reports relevant data to the House of Representatives.

July 20, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

14. *Move OPR and HR Data under Legal at the Agency*¹⁴ (Internal Agency Operation) - Recommend the agency have the Office of Professional Responsibility and Human Resources Department report to the Legal Department, then the Director, to ensure the accuracy of information utilized and stored.

November 1, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

15. *Allow Anonymous Employee Feedback¹⁵* (Internal Agency Operation) - Recommend the agency investigate and adopt a process by which its employees can provide feedback to the agency anonymously about topics including, but not limited to, ways to improve the retention rate of troopers and all employees, and management decisions regarding the feedback be posted in a manner allowing employees an opportunity to know their feedback has been heard.

July 20, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

16. *Implement Leadership Climate and Employee Morale Survey¹⁶* (Proviso) - Recommend the agency request a new proviso to fund an outside entity, selected by the State Inspector General, to perform a leadership climate and employee morale survey of the agency this year and once every three years. In addition, recommend the agency require supervisors, post commanders, troop commanders, and/or others, or a combination thereof, to generate and follow through with improvement plans based upon the results of the surveys.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

17. *Implement Leaders on the Road Program¹⁷* (Internal Agency Operation) - Recommend the agency have Troop Commanders and Supervisors in the Blythewood Office, including the agency Director, spend one day/month on the road to help increase morale with the troopers and to help stay in touch with troopers daily activities.

November 1, 2016	Yea	Nay	Not Voting
Rep. Bowers	✓		
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

Focusing on its Primary Mission

18. *Move Illegal Immigration Enforcement Unit from DPS to SLED¹⁸* (Statutory) - Recommend the Illegal Immigration Enforcement Unit be moved from DPS to the South Carolina Law Enforcement Division (SLED).

April 21, 2017	Yea	Nay	Not Voting
Rep. Bowers	✓		
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

19. *Move Justice Program Grants to Another State Agency¹⁹* (Statutory) - Recommend administration of the Highway Safety Grants remain with DPS, but the Justice Program Grants be moved to another state agency.

February 28, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

20. *Coordinate Meetings regarding SCEIS Scheduling²⁰* (Internal Agency Operation) - Recommend the agency coordinate a meeting with the division of State HR and other agencies which may have similar scheduling situations, such as DJJ, Dept of Corrections, DSS, etc. to discuss potential ways of reducing the amount of time necessary to enter, and constantly update, this information. The Committee requests an update on this meeting and any others which occur after it, in 2017.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

Analyzing and Updating Information

21. *Research Industry Standard Charges for Information in MAIT Reports*²¹ (Internal Agency Operation) - Recommend the agency conduct research on the amount it costs to produce reports from the MAIT team as well as industry standards among the private sector related to amounts charged for this type of information and include the conclusions of this research and a recommendation for the amount the agency should charge in a letter to the Committee in September 2017.

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

22. *Update Charge for Personnel's Witness Fees*²² (Statutory) - Recommend SC Code Section 23-6-187 be revised to include the following language at the end of the statute: "The amount the department may charge as a witness fee increases each year with inflation."

August 30, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

23. *Update SC Code Section 23-6-20²³* (Statutory) - Recommend the update below to SC Code Section 23-6-20. As further explanation, Section 23-6-20 includes language from when different divisions were initially transferred to DPS. The reference to these transfers is removed, but new language at the end of the first sentence in (A) still allows flexibility should the General Assembly desire to move other divisions to or from the agency in the future. The historical information in (B) is removed, but the new last sentence in (A), provides a mechanism to preserve the information.

SECTION 23-6-20. Department of Public Safety established; divisions comprising Department; ~~transfer of functions, powers, duties, responsibilities and authority; rules, standards, etc., of former entities remain in effect.~~

(A) The Department of Public Safety is established as an administrative agency of state government which is comprised of ~~a South Carolina Highway Patrol Division, a South Carolina State Police Division, and a Division of Training and Continuing Education~~ the divisions outlined in this chapter. The Department shall maintain a list of the divisions it has comprised, by year, on the agency website.

~~(B) The functions, powers, duties, responsibilities, and authority statutorily exercised by the following offices, sections, departments, or divisions of the following state agencies as existing on the effective date of this act are transferred to and devolved on the department to include the South Carolina Highway Patrol and the Safety Office Section of the Division of Finance and Administration of the South Carolina Department of Highways and Public Transportation; the Safety Enforcement Officers of the Office of Enforcement within the Transportation Division of the South Carolina Public Service Commission and the Governor's Office of Public Safety, together with all assets, liabilities, records, property, personnel, unexpended appropriations, and other funds shall be transferred to the control of the department. All rules, regulations, standards, orders, or other actions of these entities shall remain in effect unless specifically changed or voided by the department in accordance with the Administrative Procedures Act, or otherwise provided.~~

HISTORY: 1993 Act No. 181, Section 343(A); 1996 Act No. 459, Section 34; 2003 Act No. 51, Section 9.

March 7, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

24. *Update SC Code Section 23-6-30²⁴* (Statutory) - Recommend the update below to SC Code Section 23-6-30. As further explanation, part (5) of Section 23-6-30 references a training program DPS previously operated. The details of this training program were outlined in Article 9 of Chapter 6. Article 9 was repealed in 2006 by Act No. 317, which established the Law Enforcement Training Council, established a program of training for law enforcement officers and other persons employed in the criminal justice system and provided that the Council would oversee the SC Criminal Justice Academy. The proposed update removes the reference to the training program which is now at the Criminal Justice Academy.

SECTION 23-6-30. Duties and powers of department.

The department shall have the following duties and powers:

- (1) carry out highway and other related safety programs;
- (2) engage in driver training and safety activities;
- (3) enforce the traffic, motor vehicle, commercial vehicle, and related laws;
- (4) enforce size, weight, and safety enforcement statutes relating to commercial motor vehicles;
- ~~(5) operate a comprehensive law enforcement personnel training program;~~
- (6) promulgate such rules and regulations in accordance with the Administrative Procedures Act and Article 7 of this chapter for the administration and enforcement of the powers delegated to the department by law, which shall have the full force and effect of law;
- (7) operate such programs and disseminate information and material so as to continually improve highway safety;
- (8) receive and disburse funds and grants, including any donations, contributions, funds, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal governments, for the purpose of carrying out the programs and objectives of this chapter; and
- (9) do all other functions and responsibilities as required or provided for by law.

HISTORY: 1993 Act No. 181, Section 343(A);1996 Act No. 459, Section 35;2003 Act No. 51, Section 10.

March 7, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

25. *Update SC Code Section 23-6-50²⁵* (Statutory) - Recommend the update below to SC Code Section 23-6-50. As further explanation, the second paragraph of Section 23-6-50 states the DMV is authorized to carryforward funds into fiscal year 1999-2000. Since we are long past 1999-2000, this language is removed. The third paragraph of Section 23-6-50 references the "Department of Public Safety training series." As discussed in the update of Section 23-6-30, DPS no longer has a training series. Since the agency no longer has a training series the proposed update is to remove the reference to the training series. Lastly, "drug testing," was added as an item on which they could utilize the funds. SECTION 23-6-50. Annual audit; carrying funds into next fiscal year; retention of revenue to meet department expenses.

The director shall annually cause the department to be audited. The audit must be conducted by a certified public accountant or firm of certified public accountants to be selected by the State Auditor. The department may undergo an Agreed Upon Procedures audit in lieu of audited financial statements. The audit shall be in coordination with the State Auditor's Office and will be in accordance with generally accepted accounting principles and must comprise all financial records and controls. The audit must be completed by November 1 following the close of the fiscal year. The costs and expenses of the audit must be paid by the department out of its funds.

Notwithstanding any other provision of law, all revenue generated by the department from the sale of vehicles, various equipment, less the cost of disposition incurred by the Department of Administration Division of Operations, gasoline and insurance claims, during the prior fiscal year may be retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items. Any unexpended balance on June 30 of the prior fiscal year authorized to be expended or used for any federal grant program may be retained and carried forward to the current fiscal year and used for matching committed or unanticipated grant funds, or both. ~~The Department of Motor Vehicles is authorized to carry forward and expend all motor carrier registration fees collected pursuant to Chapter 23 of Title 58 for fiscal years 1996-1997, 1997-1998, 1998-1999 into fiscal year 1999-2000.~~

Notwithstanding any other provision of law, revenue received from the sale of publications, postal reimbursement, photo copying, electronic data from traffic collisions, sale of miscellaneous refuse and recyclable materials, insurance claim receipts, coin operated telephones, and revenue from building management services, ~~and the Department of Public Safety training series~~ shall be retained by the department and expended in budgeted operations for professional training, fees and dues, clothing allowance, drug testing, and other related services or programs as the Director of the Department of Public Safety may deem necessary. In order to complete projects begun in a prior fiscal year, the department is authorized to expend federal and earmarked funds in the following fiscal year for expenditures incurred in the prior fiscal year.

HISTORY: 1993 Act No. 181, Section 343(A); 1996 Act No. 459, Section 36; 2000 Act No. 386, Section 2; 2008 Act No. 353, Section 2, Pt 12A.1, eff July 1, 2008.

March 7, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Follow Up

26. *Provide Quarterly Updates*²⁶ (Internal Agency Operation) - Recommend the agency provide an update once a quarter during calendar year 2017, beginning on January 1, 2017, in a format approved by the Subcommittee. At the end of 2017, the Committee will determine whether the agency continues to provide quarterly updates during 2018. Information included in the quarterly updates may include, but not be limited to: (1) Updated strategic plan, in which each objective meets the S.M.A.R.T. criteria (as explained in the annual accountability report technical assistance guidelines); (2) After appropriate discussion among the agency director, finance department and division leaders, an updated strategic budget chart for 2016-17 and 2017-18 which has all current agency funding and all funds requested by the agency for next year, allocated to an objective; (3) Updated performance measures, with an eye towards focusing on measuring more outcomes, rather than outputs, for the citizens of South Carolina, including, but not limited to, one which seeks to increase retention of troopers between years four and seven of their employment with the agency since this appears to be a time period in which the agency loses a tremendous amount of troopers; (4) Status of OPR investigations to check if they are being handled in a timely manner and ensure the information the subcommittee requested be tracked is being tracked; (5) Update on requests to restructure agency programs in the General Appropriations Act to ensure there is a permanent line item which specifically identifies funding for each of the equipment replacement schedules; (6) Re-entrance interview forms which ask why employees are returning to the agency to determine whether changes at the agency, including, but not limited to, pay increases, are actually bringing troopers back to the force; and (7) Implementation status of other subcommittee recommendations.

November 1, 2016	Yea	Nay	Not Voting
Rep. Bowers			Not Present
Rep. Felder	✓		
Rep. Finlay	✓		
Rep. Tallon	✓		

*January 31, 2017 - Rep. Arrington, Rep. Hixon, Rep. Rutherford, and Rep. Tallon voted Yea to adopt this recommendation.

27. *Provide 30 Day Update on Grant Payments made to Subgrantees*²⁷ (Internal Agency Operation) - Recommend the agency provide the House Legislative Oversight Committee an Excel document every thirty days which includes a list of the subgrantees that have and have not been paid until the Justice Program Grants have been completely transferred to another agency.

February 28, 2017	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

ry282017Minutes.pdf (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁰ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²¹ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²² SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²³ SC House of Representatives, House Legislative Oversight Committee, "March 7, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." Minutes will be posted when approved at the next Subcommittee Meeting. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁴ SC House of Representatives, House Legislative Oversight Committee, "March 7, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." Minutes will be posted when approved at the next Subcommittee Meeting. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁵ SC House of Representatives, House Legislative Oversight Committee, "March 7, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." Minutes will be posted when approved at the next Subcommittee Meeting. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁶ SC House of Representatives, House Legislative Oversight Committee, "November 1, 2016 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/November12016Minutes.pdf> (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

²⁷ SC House of Representatives, House Legislative Oversight Committee, "February 28, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes." <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February282017Minutes.pdf> (accessed March 13, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

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House of Representatives

State of South Carolina

Member Statement for the Subcommittee Study of the Department of Public Safety

We believe data provided by the Department of Public Safety during the House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee's almost **two year study of the agency** supports the Governor's review of the agency head's performance to determine if it rises to the level of misconduct in office.¹

"Misconduct," as used in the statutory provision for removal of the Director of Public Safety, means mismanagement, wrong or improper conduct, a case or instance of bad behavior, a misdeed.² We believe the following are evidence of misconduct and mismanagement of the agency:

- **Inadequate Personnel to Keep the Public Safe.** From 2013 to 2016, the number of patrol hours decrease by 86,696 hours, number of warnings and citations decrease by 164,389, and total collisions increase by 23,755.³ During this same time period, the number of fatal collisions increase by 30.18% and number of fatalities increase by 32.33%.⁴ As of February 17, 2017, the total number of fatalities is the highest since 2007.⁵ Troops across the state have, on average, less than 60% of the manpower the agency's personnel allocation model states is needed in each Troop.⁶
- **Lack of Funding is Not the Issue.** The Colonel of the South Carolina Highway Patrol affirmed there are resources in the budget to hire more and the lack of officers on the road is not the result of lack of funding.⁷
- **Taxpayer Money Wasted.** Between 2012 and 2015, \$8.9 to \$21.1 million is spent on training and equipping new troopers, but the net result is an increase in total trooper strength across the state of only two troopers.⁸
- **Agency Wide Morale and Turnover are the Issues.** In FY 2014-15, "personal" reasons account for approximately 59% of all Highway Patrol separations, compared to 27% in 2011-12.⁹ The Human Resources Office has a turnover rate between approximately 30% and 60% from fiscal year 2012-13 through 2014-15.¹⁰ During the last four fiscal years, the Information Technology Office has not been fully staffed, and currently one-third of the positions are vacant.¹¹
- **Issues are the result of Agency Mismanagement.** The Director makes final hiring decisions¹² without input from division heads.¹³ There is a lack of reliable, functioning equipment. As an example, an entire graduating class of troopers did not have properly functioning laptops installed in their vehicles.¹⁴ The agency has not performed random or post-accident drug testing during the last four years.¹⁵ Feedback on improvements and morale is not anonymous, instead obtained by field lieutenants or officers of higher ranks within the agency¹⁶; nor based on reality as employees are instructed not to consider manpower issues when reporting morale¹⁷. Internal investigations and discipline, over which the agency Director has discretion¹⁸, are open for extended periods of times, including multiple years¹⁹; for issues some may consider inconsequential like profanity during car and foot chases²⁰; and inconsistent as an officer who admitted not being truthful to a supervisor was terminated with his law enforcement certification sought to be removed²¹ in one case while in another case an officer admitted falsifying documents and was given only a written reprimand.²² Data provided to different House Committees is inconsistent,²³ and data the agency provides the same legislative entity does not appear to be consistent over multiple years.²⁴

We believe the data above, as expounded upon in the Subcommittee Study, evidences mismanagement of the agency. This mismanagement has resulted in a downward spiral of morale among agency employees, decreased overall agency performance, and increased risk of harm to all those who travel the roads of South Carolina. We firmly believe major changes are needed in management personnel and agency policy to reverse this downward spiral.



The Honorable Edward R. Tallon Sr.
Subcommittee Chair
Assistant Majority Leader



The Honorable J. Todd Rutherford
Subcommittcc Member
Minority Leader



The Honorable Katherine E. "Katie" Arrington
Subcommittee Member



The Honorable William M. "Bill" Hixon
Subcommittee Member

¹ S.C. Code Annotated 1-3-240(C)

² State ex rel. Richards v Ballentine (1929) 152 SC 365, 150 SE 46, 66 ALR 574. State ex rel. Blackwood v Pridmore (1931) 163 SC 97, 161 SE 340.

³ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 24, 2017). See page 59 of 66; SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2014 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs," and under "Statistical Services," <http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136; SC House of Representatives, House Legislative Oversight Committee, "Traffic Collision Statistics for calendar year 2015 and 2016," under "House Legislative Oversight Committee," under "Public Safety, Department of (DPS)," and under "Information uploaded from DPS to Oversight Subcommittee (March 3 and 7, 2017)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Traffic%20Collision%20Statistics.pdf> (last accessed March 19, 2017).

⁴ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 24, 2017). See page 3 of 66; SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2014 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs," and under "Statistical Services," <http://www.scdps.gov/ohsjp/fact%20book/2014%20Fact%20Book.pdf> (last accessed March 24, 2017). See page 6 of 136; SC House of Representatives, House Legislative Oversight Committee, "Traffic Collision Statistics for calendar year 2015 and 2016," under "House Legislative Oversight Committee," under "Public Safety, Department of (DPS)," and under "Information uploaded from DPS to Oversight Subcommittee (March 3 and 7, 2017)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Traffic%20Collision%20Statistics.pdf> (last accessed March 19, 2017).

⁵ SC Department of Public Safety, Office of Highway Safety and Justice Programs, "2010 Traffic Collision Fact Book," under "Office of Highway Safety and Justice Programs," and under "Statistical Services," <http://www.scdps.gov/ohsjp/fact%20book/2010FactBook.pdf> (last accessed March 24, 2017). See page 7 of 136; SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%2017,%202017).pdf) (last accessed March 23, 2017) (As of February 7, 2017 the fatality count for 2016 was 1,015).

⁶ SC House of Representatives, House Legislative Oversight Committee, "Manpower per Troop from DPS internal Staff Inspection Reports (2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Manpower%20percentages%20from%20Staff%20Inspection%20Reports.xlsx> (last accessed March 23, 2017). Chart is a compilation of data from the agency's internal Staff Inspection Reports, which are also available on the Committee's website.

⁷ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 55:45 in the video. Colonel Oliver stated the agency's challenge is finding qualified applicants.

⁸ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (March 16, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/March%2016%202016%20Letter%20from%20DPS%20in%20response%20to%20Subcom's%20March%202,%202016%20Letter.PDF> (last accessed March 23, 2017). See page 4 where the agency states the cost of training and equipping one new trooper is \$77,982.40 with all new equipment or \$32,982.40 if used equipment such as cars and weapons are utilized. 271 new troopers were added between 2012 and 2015.

⁹ Ibid.

¹⁰ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 22 of 560; SC House of Representatives, House Legislative Oversight Committee, "Employment Data for 2010-11 thru 2015-16 including start and end of year numbers, separations and turnover rates," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Employment%20Data%20for%202010-11%20thru%202015-16%20including%20start%20and%20end%20of%20year%20numbers,%20separations%20and%20turnover%20rates.PDF> (last accessed March 23, 2017). Specific Turnover rates are as follows: 2012-13-52.6%; 2013-14-28.6%; 2014-15-63.6%; 2015-16-33.3%.

¹¹ SC House of Representatives, House Legislative Oversight Committee, "Turnover Details for the last 5 years provided by DPS," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Turnover%20Details%20for%20the%20last%205%20years.PDF> (last accessed March 20, 2017); SC House of Representatives, House Legislative Oversight Committee, "February 28, 2017 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February282017MinutesDPS.pdf> (last accessed March 23, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 1:40:20 in the video where the agency's Information Technology (IT) Director testified the IT office is funded 30 positions.

¹² SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 5 ("The final decision to hire or reject such applicants has always remained with me, and this authority has not and will not be delegated to another."); SC House of Representatives, House Legislative Oversight Committee, "July 20, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/July202016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 17:50 in the video. ("At the end of the day, it's not the Colonel's decision, it's not HR's decision, it's not General Counsel's decision, that's my decision."); SC House of Representatives, House Legislative Oversight Committee, "November 1, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/November12016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 2:48:30 in the video. ("Again, I was appointed by the Governor, confirmed by the Senate to make those hiring decisions, and that's what I do. I don't take that lightly. The governor didn't appoint the Colonel or the Chiefs, the Senate didn't confirm the Colonel or the Chiefs. They confirmed me. It is my job to make those hiring decision, and that is what I do.").

¹³ SC House of Representatives, House Legislative Oversight Committee, "Oral Interview Board (OIB) - Applicant materials provided to OIB (September 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20\(OIB\)%20-%20Applicant%20materials%20provided%20to%20OIB%20\(September%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Oral%20Interview%20Board%20(OIB)%20-%20Applicant%20materials%20provided%20to%20OIB%20(September%202016).pdf) (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, "Director - Applicant materials available to Agency Director (September 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Director%20-%20Applicant%20information%20available%20to%20the%20Director.pdf> (last accessed March 22, 2017); SC House of Representatives, House Legislative Oversight Committee, "Number of Applicants the Director Cuts and Reasons Why - Highway Patrol (2015-16 and 2016-17)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Number%20of%20Applicants%20the%20Director%20Cuts%20and%20Reasons%20Why.pdf> (last accessed March 22, 2017).

¹⁴ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%202017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%202017,%202017).pdf) (last accessed March 23, 2017). See page 56 of 66.

¹⁵ SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (February 17, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Febuary%202017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(Febuary%202017,%202017).pdf) (last accessed March 23, 2017).

¹⁶ SC House of Representatives, House Legislative Oversight Committee, "August 30, 2016 Subcommittee Minutes," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/August302016Minutes.pdf> (last accessed March 19, 2017). A video of the meeting is available at

<http://www.scstatehouse.gov/video/videofeed.php>. See 4:28:00 in the video. ("The team is composed with field lieutenants or officers with higher ranks. They are pulled from different troops when it is time to inspect another troop.")

¹⁷ SC House of Representatives, House Legislative Oversight Committee, "Highway Patrol Troop 6 Staff Inspection Report - Berkeley, Charleston, Colleton, Dorchester, Beaufort, and Jasper (November 16-19, 2015)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20\(November%202016-19,%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Staff%20Inspection%20Report%20-%20Troop%206%20(November%202016-19,%202015).PDF) (last accessed March 23, 2017). See page 74 (Post B - Colleton, Dorchester)

¹⁸ SC House of Representatives, House Legislative Oversight Committee, "DPS Policy 100.07 - OPR November 25, 2015 version; replaced policy dated May 31, 2012," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20\(November%202015,%202015;%20replaced%20policy%20dated%20May%202031,%202012\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20Policy%20100.07%20-%20OPR%20(November%202015,%202015;%20replaced%20policy%20dated%20May%202031,%202012).pdf) (last accessed March 23, 2017). See Section IX, 2 ("If the director determines that disciplinary action is not warranted, the report will be returned to the chief investigator. If the director determines that disciplinary action is warranted, the director, with the assistance of the Office of Human Resources (HR), will notify the employee of the action by letter.") (emphasis added).

¹⁹ SC House of Representatives, House Legislative Oversight Committee, "OPR Case Summaries for 2010 through June 2016 Excel Charts (listing of cases provided by DPS via email on June 30, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20\(provided%20via%20email%20on%20June%2030,%202016\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20Case%20Summaries%20for%202010%20through%20June%202016%20(provided%20via%20email%20on%20June%2030,%202016).xlsx) (last accessed March 28, 2017). See OPR File #PR-12-0027 (1173 days (3.1 years)) with allegation of "improper conduct"; OPR File #PR-13-0013 (889 days (2.3 years)) with allegation of "insubordination"; OPR File #PR-13-0074 (691 days and still

counting (1.85 years)) with allegation of "providing false information" that is still pending; OPR File #PR-14-0008-C (592 days and still counting (1.59 years)) with allegation of "improper procedures" that is still listed as active; and OPR File #DI-15-0047-C (408 days (1.09 years)) with allegation of "improper procedures."

²⁰ SC House of Representatives, House Legislative Oversight Committee, "OPR Case Summaries for 2010 through June 2016 (June 29, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/DPS%20-%20OPR%20Case%20Summaries%20for%202010%20through%20June%202016.pdf> (last accessed March 23, 2017).

Oversight Committee staff compiled this information from the "2010-2015 OPR / DI Case Summaries with demographics" documents provided by DPS on June 29, 2016. DPS personnel testified during the July 13, 2016 Subcommittee meeting that this information was tracked via Microsoft Access, without uniform allegation naming until 2014. In 2014, the data was moved to a new database and DPS began utilizing drop down menus to assist it in naming allegations consistently.

²¹ SC House of Representatives, House Legislative Oversight Committee, "OPR File #PR-2101-14-0024-D (December 8, 2014)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20file%20for%20Corporal%20B.E.%20Kyzer%20provided%20by%20DPS%20\(December%208,%202014\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20file%20for%20Corporal%20B.E.%20Kyzer%20provided%20by%20DPS%20(December%208,%202014).pdf) (last accessed March 23, 2017).

²² SC House of Representatives, House Legislative Oversight Committee, "OPR File #PR-2105-14-003-D - 27 other related employees disciplined," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/OPR%20File%20PR-2105-14-003-D%20-%2027%20other%20related%20employees%20disciplined.pdf> (last accessed March 23, 2017). See page 11 of 28.

²³ Materials the Department of Public Safety (DPS) provided to the House Ways and Means Law Enforcement Subcommittee and Criminal Justice Subcommittee during DPS' budget presentation in early 2016, "Highway Patrol Commissioned Officer Manpower"; SC House of Representatives, House Legislative Oversight Committee, "Letter from DPS to Oversight Subcommittee (August 15, 2016)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20\(August%2015,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Letter%20from%20DPS%20to%20Oversight%20Subcommittee%20with%20attachments%20(August%2015,%202016).pdf) (last accessed March 23, 2017). See page 6 of 560, ("Please provide the following information, separated for civilians and sworn officers, for each fiscal year from 2010-11 through 2015-16: number of employees at start of the year, number of employees at end of the year, and number of employee separation during the year"); SC House of Representatives, House Legislative Oversight Committee, "Employment Data for 2010-11 thru 2015-16 including start and end of year numbers, separations and turnover rates," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Public Safety, Department of (DPS),"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DPS/Employment%20Data%20for%202010-11%20thru%202015-16%20including%20start%20and%20end%20of%20year%20numbers,%20separations%20and%20turnover%20rates.PDF> (last accessed March 23, 2017) (See Law Enforcement, SCDPS Highway Patrol; Begin '10-11=838, End '10-11=796; Begin '11-12=793, End '11-12=763; Begin '12-13=763, End '12-13=756; Begin '13-14=756, End '13-14=772; Begin '14-15=770, End '14-15=762; Begin '15-16=760, End '15-16=780).

²⁴ Materials the Department of Public Safety (DPS) provided to the House Ways and Means Law Enforcement Subcommittee and Criminal Justice Subcommittee during DPS' budget presentation in early 2016 and early 2014.