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May 3, 2017

VIA EMAIL and U.S. MAIL

Chief Mark A. Keel
Chair, Law Enforcement Training Council
Post Office Box 21398
Columbia, SC 29221

Dear Chief Keel:

The Law Enforcement and Criminal Justice Subcommittee appreciates the Law Enforcement Training Council ("Training Council") and Criminal Justice Academy's ("Academy") partnership in the oversight process. As a follow up to today's meeting with the Academy, the subcommittee seeks input from the Training Council.

It is the subcommittee's goal to help increase the efficiency and effectiveness of the Academy's operations and ensure the law is being implemented as intended by the General Assembly. During the study, it has come to the subcommittee's attention that not all counties and municipalities are complying with S.C. Code Section 23-23-40. This statute states in pertinent part,

if any public law enforcement agency employs or appoints as a law enforcement officer a person who is not certified, the person shall not perform any of the duties of a law enforcement officer involving the control or direction of members of the public or exercising the power of arrest until he has successfully completed a firearms qualification program approved by the council; and provided, further, that within three working days of employment, the academy must be notified by a public law enforcement agency that a person has been employed by that agency as a law enforcement officer, and within three working days of the notice the firearms qualification program as approved by the director must be provided to the newly hired personnel.

As a way to obtain compliance with the law, the subcommittee is considering the following recommendation:

Annually 25% of local government funding be withheld, as a fine, from each county and municipality that does not provide, to the Training Council, a sworn statement, from the head of the law enforcement entities within the area, that certifies each entity in the area has provided the Academy up to date information regarding all officer hires and separations as required in law.

The subcommittee requests representatives from the Training Council attend the next Subcommittee meeting to provide any input the Training Council may have related to this potential recommendation as well as to discuss other matters.

If the Training Council has any concerns (1) about the format of these questions yielding answers that do not provide an accurate reflection of the agency, or (2) that these requests may in any manner compromise law enforcement activities, please express those concerns, prior to the meeting, in a written letter to me with a copy to committee staff. As a reminder, testimony during meetings and written information from agencies are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

Thank you and the other members of the Training Council for your service to the citizens of South Carolina and collaboration with the oversight process.

Sincerely,

A black rectangular box redacting the signature of Edward R. Tallon Sr. The text "Signature Redacted" is centered within the box.

Signature Redacted

Edward R. Tallon Sr.
Subcommittee Chair

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