SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION **Analysis of SC Code Section 56-5-2953 (DUI Video Recording Requirement – Incident Site)** Is there an issue with the video recording? No more analysis under NO YES 2953 needed Does the issue affect a requirement under 2953(A)? YES NO Can the issue be addressed by the 2953(B) exceptions? Did the officer provide a proper Was the issue caused by the NO YES actions of the defendant? affidavit under 2953(B)? NO Are there valid reasons for the YES YES issue under the totality of the NO Did the video fail NO circumstances or does Gordon¥ to capture any apply? Video admissible under Video admissible, direct evidence of State v. Taylor[†] defense can argue DUI or any of the weight defendant's YES important rights? NO Dismissal under ruling Video admissible, defense can argue weight. in Suchenski* Portion of video may be redacted if admission is more prejudicial than probative (court must determine). YES *State v. Gordon, 414 S.C. 94 (2015)

†State v. Taylor, 411 S.C. 294 (Ct. App. 2014) *City of Rock Hill v. Suchenski, 374 S.C. 12 (2007)