# Legislative Oversight Committee

## South Carolina House of Representatives

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***Room 228 Blatt Building***

August 27, 2018

Via Email
Mr. Jarrod Bruder, Director
S.C. Sheriffs' Association
jbruder@sheriffsc.com

Dear Mr. Bruder:

The House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee is currently performing an oversight study of the S.C. Prosecution Coordination Commission (SCCPC). The purpose of legislative oversight is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether or not they should be continued, curtailed, or even eliminated. Any House Member may file legislation to implement the Committee's recommendations.

As public input is a cornerstone of the House legislative oversight process, the purpose of this letter is to seek input from your organization about topics that have been discussed during the study of SCCPC. Input from your organization on the topics listed below will aid the Subcommittee in its analysis of different options that may increase the efficiency and effectiveness of prosecution in our state.

***Communication between law enforcement and circuit solicitors***

1. Please indicate whether your organization is supportive of the general concept of encouraging more dialogue between law enforcement and circuit solicitors about cases prior to any arrests.

2. Please list any pros and cons your organization sees and questions your organization has, if any, about the concept of granting solicitors immunity to provide advice about cases prior to any arrests.

3. If your members are law enforcement organizations, approximately how many have an attorney on staff?

***Investigative Grand Juries***

4. Please indicate whether your organization is supportive of the concept of county grand juries having investigative authority.

5. Please list any pros and cons your organization sees and questions your organization has, if any, about the concept or how the process would work.

***Evidence***

6. Please indicate whether your organization is supportive of the concept of modernizing how evidence is transferred between law enforcement and prosecutors.

7. To assist lawmakers in analyzing the efficiency, costs, and security of current processes/systems versus potential modernized processes/systems, please indicate approximately how long your organization believes it may take to work with law enforcement associations, the Law Enforcement Training Council, and the S.C. Commission on Prosecution Coordination to accomplish the following:

    a. Determine a method to collect data related to the secure storage and transfer of electronic evidence; and

    b. Collect the data.

8. In regards to the question above, please provide a list of the data your organization believes may be important for lawmakers to have as part of their analysis. Examples include, but are not limited to: (1) current policies and practices relating to the security of electronic evidence when stored and transferred (lost/stolen computer/flash drive, access by separated employee, hacking of cloud systems); (2) personnel time and costs related to the storage and transfer of electronic evidence (compact discs/flash drives, uploads to a cloud); and (3) number of times an audit of an evidence transfer has been needed in court; etc.

***Evidence (cont.)***

9. Are there any situations in which law enforcement personnel may not provide all electronic evidence to prosecutors? If so, please explain.

If your organization would like to provide input, please do so before Tuesday, September 11, 2018. Additionally, the Subcommittee welcomes any other input or feedback your organization would like to provide.

On behalf of the entire Law Enforcement and Criminal Justice Subcommittee, we look forward to working collaboratively with your organization and the S.C. Prosecution Coordination Commission.

Sincerely,

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 Jeffrey E. "Jeff" Johnson
Solicitor Isaac McDuffie Stone, Chair, S.C. Commission on Prosecution Coordination
Chief Mark Keel, Chair, S.C. Law Enforcement Training Council
Mr. Ryan Alphin, Executive Director, S.C. Police Chiefs' Association; and S.C. Law Enforcement Officers' Association
Mr. Tiger Wells, Government Affairs Liaison, Municipal Association of S.C.
Mr. James Knox, Staff Attorney, S.C. Association of Counties