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Law Enforcement and Criminal Justice Subcommittee

Tuesday, July 24, 2018

11:00 am

Blatt Room 511

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Subcommittee Chairman Edward R. Tallon, Sr., on Tuesday, July 24, 2018, in Room 511 of the Blatt Building. All members of the Subcommittee, except Representative Katie Arrington, were present for either all or a portion of the meeting.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Jeffrey E. Johnson makes a motion to approve the meeting minutes from the prior Subcommittee meeting.

Rep. Johnson's motion to approve the minutes from the June 18, 2018, meeting:	Yea	Nay	Not Voting (Absent)
Rep. Katherine E. Arrington			✓
Rep. William M. Hixon	✓		
Rep. Jeffrey E. Johnson	✓		
Rep. Edward R. Tallon, Sr.	✓		

Discussion of the Commission on Prosecution Coordination

- I. Chairman Tallon explains the purpose of the meeting today is for agency representatives to provide an overview of the following:
 - a. different courts, cases heard in each, and who prosecutes the cases;
 - b. actions required to move cases forward from arrest to disposition, in particular the actions for which the prosecutor is responsible, and issues which could arise that may slow down the process, as in all criminal prosecutions, the sixth amendment to the U.S. Constitution provides the accused the right to a speedy and public trial;
 - c. solicitor funding and expenses including an explanation of the Commission's financial task force's goals, timeline, and information it has already collected and is in the process of collecting; and
 - d. agency funding.
- II. Fourteenth Judicial Circuit Solicitor Isaac McDuffie Stone, III, Chair of the Commission, and Ms. Amie L. Clifford, Education Coordinator/Senior Staff Attorney for Commission, provide remarks related to the following topics:
 - a. warrant approval;
 - b. definition of a "case";
 - c. investigative v. screening grand juries;
 - d. case management orders;
 - e. evidence data base systems;
 - f. drug courts, including funding and how success is measured;
 - g. backlog of cases;
 - h. solicitor offices funding, including where funds are maintained, accountability, and commission's finance task force; and
 - i. agency funding.

Members ask questions, which Solicitor Stone and Ms. Clifford answer.

III. Subcommittee members make various motions during the meeting, which are listed below and on the next pages. A roll call vote is held for these motions, and, among the members present, the motions pass unanimously.

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the agency communicate with the Law Enforcement Training Council, applicable law enforcement associations, Municipal Association, Association of Counties, Judicial Department, and other jurisdictions across the country that utilize cloud based evidence systems, to (1) determine a method to collect applicable data related to the safekeeping and transfer of evidence upon which policy makers can make recommendations, and (2) collect the applicable data. Applicable data may include, but is not limited to, (1) current protections from evidence mishandling (i.e., policies and practices relating to lost/stolen computer/flashdrive; access by separated employee; etc.); (2) annual personnel time and costs related to transferring evidence through current methods; and (3) if possible, situations in which all evidence has not been transferred from and to the appropriate parties.	Yea	Nay	Not Voting (Absent)
Rep. Arrington			✓
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Johnson's motion that the Subcommittee Study include a recommendation that the General Assembly provide in statute that the agency has the authority to enforce regulations it promulgates applicable to solicitors through mechanisms the agency deems effective:	Yea	Nay	Not Voting (Absent)
Rep. Arrington			✓
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Johnson's motion that the Subcommittee Study include a recommendation that the agency meet with applicable law enforcement, solicitors, and criminal defense attorneys associations to promulgate a uniform method of case data management, and determine if backlog would be reduced with an electronic case management system:	Yea	Nay	Not Voting (Absent)
Rep. Arrington			✓
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Hixon's motion that the Subcommittee Study include a recommendation that the General Assembly should determine the intended purpose of the money provided to S.C. Center for Fathers and Families and whether it should pass through a more appropriate agency:	Yea	Nay	Not Voting (Absent)
Rep. Arrington			✓
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

IV. There being no further business, the meeting is adjourned.