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Law Enforcement and Criminal Justice Subcommittee

Thursday, May 11, 2017

9:00 am

Blatt Room 108

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 Chairman Edward R. Tallon, Sr. , on Thursday, May 11, 2017, in Room 108 of the Blatt Building. The following members of the Subcommittee were present for either all or a portion of the meeting: Chairman Tallon, Representative Kathrine Arrington, and Representative William M. Hixon.

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 Arrington makes a motion to approve the meeting minutes from the prior Subcommittee meeting.

Rep. Arrington’s motion to approve the minutes from the May 2, 2017 meeting:	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			Not Present
Rep. Tallon	✓		

Discussion of the Law Enforcement Training Council and Criminal Justice Academy

- I. Chairman Tallon swears in the following individuals present at the meeting:
 - a. Mr. Josh Rhodes, General Counsel, South Carolina Association of Counties
 - b. Mr. Jarrod Bruder, Director, South Carolina Sheriffs Association
 - c. Mr. Ryan Alphin, Executive Director, Law Enforcement Officers Association / Executive Director, South Carolina Police Chief Association
 - d. Mr. Tiger Wells, Government Affairs Liaison, Municipal Association, and
 - e. Chief Mark Keel, Chair, Law Enforcement Training Council

Chairman Tallon reminds agency personnel who were sworn in during prior meetings that they remain under oath anytime they are with the Subcommittee or Committee.

- II. Chairman Tallon explains (1) the purpose of the meeting today is to further discuss state, county, and municipal compliance with laws regarding officers hired and separated; and (2) the Subcommittee is postponing the discussion on fines and fees until the next meeting to receive additional information on the issue.
- III. Chief Keel presents information on the importance of and recommendations on state, county, and municipal compliance with laws. He recommends potentially prohibiting non-compliant entities from applying for grant funding. Subcommittee members ask questions, which Chief Keel answers.
- IV. Mr. Josh Rhodes testifies on behalf of the South Carolina Association of Counties. He disagrees with Subcommittee’s potential idea of withholding local government funding from non-compliant entities. According to Mr.

Rhodes, in 45 of 46 counties (except Horry County), the county law enforcement is run by an independently elected sheriff. Since withholding all of the counties local government funding, still will not allow the county to force the Sheriff to do anything, he does not believe withholding local government funding would be an effective method.

Mr. Rhodes recommends potentially issuing a flat fine to non-compliant entities because it treats everyone the same. He also agrees with Chief Keel's idea of potentially prohibiting non-compliant entities from applying for grant funding.

- V. Mr. Tiger Wells testifies for the Municipal Association. He explains how important this issue is and the Association's desire to have it fixed. He disagrees with the idea of withholding local government funding for non-compliance and believes additional dialogue among the entities would go a long way in accomplishing the agency's goals.
- VI. Mr. Jarrod Bruder testifies for the South Carolina Sheriffs Association. He also disagrees with the idea of withholding local government funding for non-compliance. He does not think the idea solves the problem, recognizing this is an issue at not just the local level, but also at the state level and those at the state level would not be impacted by withholding of local government funding.

In terms of the idea regarding grants, Mr. Bruder testifies it has been done with other situations in the past (e.g., stops, reporting meth labs, etc.). However, he noted small agencies may not be applying for grants, so this may not work either.

In regards to the idea of suspending training for officers from non-compliant entities, Mr. Bruder testifies he would prefer that to occur with advanced training, as opposed to basic training. Mr. Bruder believes the biggest penalty will be civil liability.

- VII. Mr. Ryan Alphin testifies for the Law Enforcement Officers Association and South Carolina Police Chief Association. He also disagrees with the idea of withholding local government funding for non-compliance. Mr. Alphin testifies that he struggles to find a way to gain compliance when the non-compliant entities are already putting themselves at risk of so much civil liability by putting officers out in the street who have not complied with the statute.
- VIII. Director Swindler explains some of the issues may be corrected shortly when e-tickets are fully implemented. E-tickets require an officer writing a ticket to have their academy number. An officer cannot obtain their academy

number without registering, which involves providing the Academy the required paperwork. Director Swindler hopes this may prevent non-compliant entities putting an officer on the street that has not registered with the Academy as required by law.

IX. The meeting is adjourned.