

**South Carolina
Department of Public Safety**



Staff Inspection Report

Immigration Enforcement Unit

December 12, 2015

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Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

TABLE OF CONTENTS

3	Executive Summary
3	Scope
4	Objectives
4	Authority
4	Overview
4	Introduction
5	Immigration Enforcement Unit
12	Summary/Conclusion

Attachment 1: DPS LE-030: Staff Inspection Checklist

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015



Executive Summary

The Staff Inspection of the Immigration Enforcement Unit revealed minimal issues that were either non-compliant or required a recommended process revision. The inspection overall demonstrated that the items notated in the section, Scope, were in compliance and within department policy and procedures.

Scope

Staff Inspections exist to review the administrative and operational efficiency of the inspected component. The process may be accomplished through reviews of relative reports and other documentation, observation of various operations, and interviews with appropriate personnel. Staff Inspections include, but are not limited to, the following areas:

- a. Facilities and Equipment
- b. Policies and Procedures
- c. Files and Records
- d. Personnel and Management

Selected command level division personnel serve as Inspectors-in-Place (IIP) and conduct the assessment of division operations and activities. The inspection identifies inconsistencies and problematic areas as well as exceptional findings. Specifically, IIPs are responsible for identifying and determining if:

- Established operating standards are understood and applied.
- Deviations from operating standards are identified and analyzed.
- Results are consistent with established goals and objectives and whether the operations or programs are performed as planned.
- Procedures are cost efficient.
- Procedures are duplicated.
- Procedures are consistent statewide.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

Objectives

Staff Inspections exist to ensure the reliability and integrity of information; compliance with policies, procedures, plans, laws and regulations; safeguarding of assets; economical and efficient use of resources; and accomplishment of established objectives and goals for operations or programs.

The primary objectives of staff inspections consist of the below:

1. Be conducted in a complete, thorough and impartial manner.
2. Provide a mechanism for evaluating the quality of law enforcement operations to ensure control and continuity is being maintained.
3. Assist all levels of management in the effective discharge of their responsibilities.
4. Identify weaknesses and recommend corrective measures to provide operational and administrative guidance.
5. Ensure compliance with statutes, regulations, policy, procedures, programs and accreditation standards.
6. Ensure uniformity to recognize procedures deserving of consideration for possible agency-wide implementation.
7. Identify employees for recognition for noteworthy accomplishments; identify employees that are not contributing to the agency's mission.

Authority

Staff inspection's authority is derived from South Carolina Code of Laws 23-6-20 and Department of Public Safety policy 300.12, Line and Staff Inspections.

Overview

The Immigration Enforcement Unit is located in Blythewood, South Carolina, in the Midlands area of the state. Although the inception of IEU occurred in 2012, the unit was not operational until 2013.

Introduction

An inspection of the Immigration Enforcement Unit (IEU), specifically focusing on documents and procedures, was conducted on December 12, 2015. Lieutenant E.C. Johnson, Commander of IEU, presented the items requested by this inspector, Captain S.A. Stankus. The inspection revealed....

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

IIPs utilized the attached form, DPS LE-030 (Staff Inspections)

Immigration Enforcement Unit

A: DOCUMENTS AND PROCEDURES

1. Collision Records

Not Applicable.

2. Cash Receipts

Not Applicable. Lieutenant Johnson informed this inspector that policy is in place to address cash funds; however, there is no authority to use cash funds. Ultimately, there are no applicable cash funds available within IEU to inspect.

3. Employee Training Reports

Compliance. All Employee Training Reports are stored in the unit commander's office – filed by employee. A review of employee training records consisted of:

2011: Integrity Awareness Training
2013: ICE Training
2014: EEO Discovery Training
2015: Terrorism

The unit commander indicated that retention of training records consists of all training attended by an employee throughout the duration of the employee's IEU career.

4. Evidence / Property Storage Room / Documentation

Not Applicable. The unit commander informed this inspector that there is no evidence storage room located within IEU. Any evidence collected or secured is transported directly to and stored within the Central Evidence Facility (CEF). No evidence is stored within IEU. All documentation is case-specific and is retained within the maintained case file.

5. Evidence Destruction / Documentation

Compliance. To date, there has only been one closed case (Brock). The case file contained the closed case report (05/19/2015), all chains of custody, and supplemental reports associated with the case. The documentation was properly signed (Cardona). The case file was properly stored (secure), within IEU and presented for review.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

6. Evidence Inspection: Quarterly, Annual, Unannounced, Custodial Change

Not Applicable. IEU does not maintain an evidence room.

7. Secondary Employment Policy Compliance

Not in Compliance. Secondary employment requests are stored in the unit commander's office. The unit commander informed this inspector that Officer Brock is the only employee that submitted a request for approval of secondary employment. At the time of this inspection, the unit commander was not able to produce the approved request.

RECOMMENDATION(S):

Secondary employment requests must be retained for three (3) years. The unit commander shall ensure the proper retention.

8. Agency Property Accountability / Inventory Control

Compliance. Property inventory sheets were provided for Officer Cardona for 2013-2014. The inventory sheets were filed in the unit commander's office. The property inventory sheets were properly signed and dated verifying control of assigned inventory.

9. Purchasing and Procurement Compliance + P-Card

Compliance. Lieutenant Johnson is the only authorized user of the procurement card (P-Card) assigned to IEU. Lieutenant Johnson provided all detailed receipts and related documentation for purchases made from 2012-2015. All documentation related to the P-Card was retained within the unit commander's office.

10. Telecommunication Centers

Not Applicable.

11. Traffic Summons Book / Bond Money

Not Applicable. Officers assigned to IEU are not issued summons ticket books. Bond money is not collected.

12. Ticket Tracking

Not Applicable. Officers assigned to IEU are required to provide an affidavit for review by the unit commander prior to securing any warrant. Lieutenant Johnson is the sole authority to approve request(s) for obtaining a warrant.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

A copy of each warrant obtained is retained with the original case file. The original warrant, if not served immediately, will be secured in the appropriate telecommunications center (TCC) pending service. At the time of this inspection, the only IEU warrants pending service were located within the Charleston and Greenville TCCs.

IEU utilizes an internal Case Audit Sheet to track pending cases. This includes a Warrant Audit Sheet. The corporals conduct the audits every sixty (60) days. The following audits were presented for review:

Cardona (05/21/2015)

Meeks (05/18/2015)

13. Body Armor Replacement Date

Compliance. The body armor replacement date is notated on the Line Inspection form. The unit commander presented a completed line inspection documenting compliance.

RECOMMENDATION(S):

Policy 300.01 (Use of Body Armor) IV; E. states, supervisors will be responsible for ensuring that body armor is maintained as required by this policy by conducting a periodic documented inspection of all body armor issued or approved by the department. This duty will include ensuring that a vest that has been struck by a bullet or significantly damaged is taken to Patrol Supply for an immediate inspection. Additionally, Patrol Supply personnel will conduct an annual inspection of any body armor issued or approved by the department.

The unit commander shall ensure that supervisors are conducting periodic documented inspections of body armor issued to all enforcement personnel.

14. Child Custody Procedures

Not Applicable. There have been no occurrences involving child custody during this inspection period.

15. Juvenile Procedures

Not Applicable. The unit commander properly explained the procedure for arresting a juvenile. There have been no occurrences involving juveniles during this inspection period.

16. Juvenile Custodial Release Forms

Not Applicable.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

17. Line Inspections

Not in Compliance. Line inspections are conducted on uniformed subordinates; however, the line inspections are not being conducted on a monthly basis. A review of the line inspection forms of Officer Hudson revealed a monthly line inspection form was only completed on 05/26/2015 and 11/25/2015. Both line inspections reviewed were observed with computer generated ratings (pre-checked).

RECOMMENDATION(S):

Policy 300.10; I; A; 1; SCDPS Policy states, a line inspection will be an on-going activity to be conducted as frequently as necessary, but not less than monthly. Line inspections may be carried out by any supervisor within the chain of command.

1. The unit commander shall ensure that line inspections are conducted as frequently as necessary, but not less than monthly.
2. The line inspection ratings shall not be "pre-checked" utilizing the computer prior to conducting the line inspection.
3. The unit commander should review all line inspections, on a monthly basis, to ensure compliance.

18. Safety Checkpoint Documentation (Statistical Data)

Not Applicable. Based on the mission of IEU, IEU personnel do not conduct Safety Checkpoints.

19. EPMS (Probationary, Annual)

Compliance. EPMS reviews are stored with the personnel files located within the unit commander's office. EPMS reviews are retained for the career of the employee. The unit commander presented the following: a 2015 Annual Review (Meeks); a 2014 Annual Review (Johnson); a 2013 Probationary Review (Johnson).

Due to the recent inception of IEU, the unit commander did not possess an Annual Review for 2013; or Probationary Reviews for 2014 or 2015.

All reviews inspected were signed by the employee, the supervisor conducting the review, and the reviewing supervisor.

20. Disciplinary Action Records

The unit commander stated that the post files did not contain any form of discipline greater than a counseling session. Presented for review were the following counseling

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

sessions: Meeks (2013) and Shumpert (2015). The files were maintained in a file cabinet located within the unit commander's office.

21. Victim / Witness Files – Secure

Not Applicable. There have been no occurrences involving victims during this inspection period.

22. USE OF FORCE REPORTS (Supervisory Review)

Not Applicable. There have been no occurrences involving a Use of Force during this inspection period.

23. Pursuit Reports (Supervisory Review)

Not Applicable. There have been no occurrences involving a pursuit during this inspection period.

24. Prisoner Transport

Compliance. Lieutenant Johnson explained the proper procedure for transporting prisoners, per DPS policy, to include handcuffing and searching the prisoner for weapons and contraband prior to transport. Lieutenant Johnson properly explained the procedure for transporting multiple prisoners (seating requirements), prisoners of the opposite sex, and juveniles. Lieutenant Johnson properly explained the procedure if/when a prisoner escapes – to include the proper completion of a DPS Incident Report.

25. Legal Process Forms – for service of warrants

Not Applicable.

26. Subpoena Maintenance

The unit commander informed this inspector that subpoenas are tracked by electronic means. Based on no activity recorded during 2013, there is no record prior to 2014.

All paper subpoenas received are maintained in a single file within the unit commander's office. Once received, the subpoena is scanned and stored, electronically, by officer's name.

27. RADAR Logs

Not Applicable.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

28. RADAR Proficiency

Not Applicable.

29. Records Retention

Compliance. The unit commander presented files retained from years (2013 – present). Files are securely stored in file cabinets located within the unit commander’s office or the case file lockers located in a file room. The security measures practiced offer a primary (locked office door) and a secondary (locked file cabinets) security measure for each file.

The case file management system that is utilized by IEU is a model system. Case files reviewed are detailed, organized, and secured.

Based on the recent inception of IEU, the unit commander informed this inspector that no files have been purged to date.

30. Wrecker Inspections

Not Applicable.

31. Region Hand Scale Calibration Date

Not Applicable.

32. Freedom of Information (FOIA) Requests

The unit commander informed this inspector that all FOIA Request(s) are provided directly to the Communications Office. The information is provided directly by the investigator. The unit commander follows-up by telephone or electronic mail (e-mail) to verify timely compliance to the request. The investigator is required to hand-deliver the requested information to the Communications Office.

33. Miscellaneous Forms / Procedures

Compliance. The unit commander presented First Report of Injury forms from 2012 (Brock); 2013 (Cardona); and 2015 (Hudson) demonstrating that personnel report injuries or medical emergencies to a supervising officer. The unit commander properly explained the procedure for reporting work-related injuries; to include forwarding the required documentation to the Office of Human Resources (OHR).

The post commander properly explained the procedures for reporting a suspicious person or bomb threat.

Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

In addition to utilizing message receipts, the unit commander does maintain Signature / Acknowledgement forms. The signature / acknowledgement forms are stored in the unit commander's office. The unit commander presented a report dated in 2015 (4th Amendment Training).

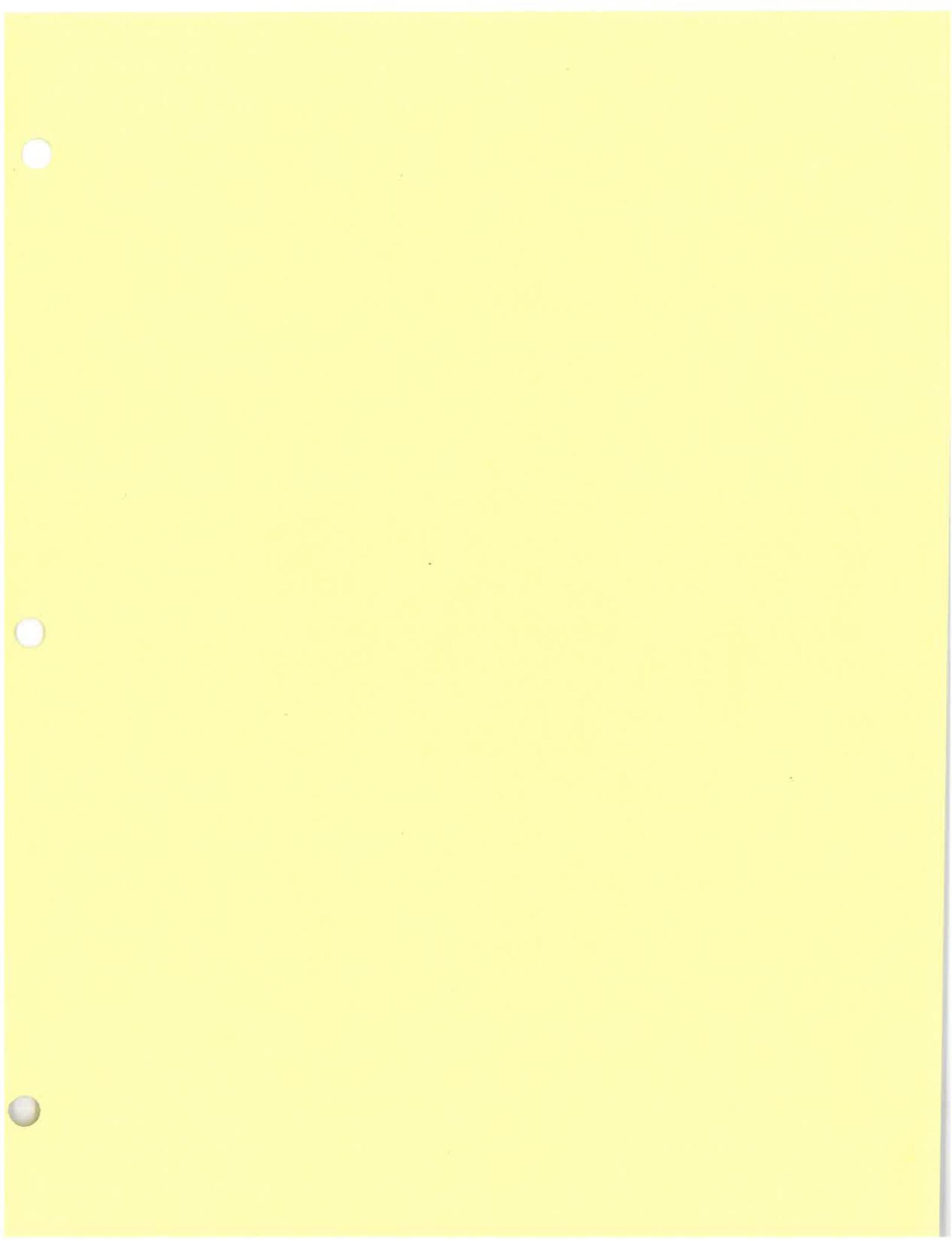
Staff Inspection Report
Immigration Enforcement Unit
December 12, 2015

Summary / Conclusion

The South Carolina Department of Public Safety's Immigration Enforcement Unit is located at 10311 Wilson Boulevard in Blythewood, South Carolina. The Immigration Enforcement Unit consists of seven (7) sworn personnel (Lieutenant-Officer). The personnel assigned to IEU are responsible for the enforcement of all immigration laws pursuant to federal and state statutes across South Carolina. IEU personnel are assigned to six (6) regions.

The Scope of this staff inspection specifically focused on (a) policies and procedures, and (b) files and records. Note: recommendations regarding record retention are based on the current General Records Retention Schedule utilized by the Highway Patrol Division and recognized by the divisions of the State Transport Police and the Bureau of Protective Services.

IEU is a relatively new enforcement division of DPS. All files and records created by IEU have been maintained since the inception of the unit (2012). All records were found to be securely maintained and retained in a central location, within the unit.



LOCATION: _____

DATE: _____

DEPARTMENT OF PUBLIC SAFETY



ENFORCEMENT DIVISIONS

STAFF INSPECTIONS CHECKLIST COVERSHEET

ENFORCEMENT DIVISIONS INSPECTIONS MODULE

STAFF INSPECTIONS CHECKLIST RATING SYSTEM

KEY TO RATINGS:

"C" - **COMPLIANCE**: The DPS requirements appear to be met by the Troop/ District/Unit/Post.

"NC" - **NOT IN COMPLIANCE**: It appears that the DPS requirements are not met or not adequately documented.

"NA" - **NOT APPLICABLE**: The requirement does not apply to this Troop/ District/Unit/Post, because of function or other reason.

"NI" - **NOT INSPECTED**: This requirement was not, or could not be inspected or observed by Inspecting Officers. (This is also used during inspections of limited scope such as in Follow-up).

Comments/Remarks: Noted in the "INSPECTIONS CHECKLIST SUMMARY" section. Each comment and/or remark is to be listed by the appropriate checklist letter and number of the item.

Staff Inspection Checklist

Location: _____ Date: _____ Inspector: _____

A: DOCUMENTS AND PROCEDURES	C	NC	NA	NI	Remarks/Corrective Action	Date Corrected	Initials
Collision Records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
2. Cash Receipts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3. Employee Training Records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
4. Evidence / Property Storage Room / Documentation: (Includes DVD Maintenance & Retention)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
5. Evidence Destruction / Documentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
6. Evidence Inspection: Quarterly, Annual, Unannounced, Custodial Change	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
7. Secondary Employment Policy Compliance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
8. Agency Property Accountability / Inventory Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
9. Purchasing and Procurement Compliance + P-Card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
10. Telecommunication Centers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
11. Traffic Summons Book / Bond Money Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
12. Ticket Tracking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
13. Body Armor Replacement Date:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
14. Child Custody Procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
15. Juvenile Procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
16. Juvenile Custodial Release Forms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
17. Line Inspections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
18. Safety Checkpoint Documentation (Statistical Data)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
19. EPMS (Probationary, Annual)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
20. Disciplinary Action Records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
21. Victim / Witness Files – Secure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
22. Use of Force Reports (Supervisory Review)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
23. Pursuit Reports (Supervisory Review)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
24. Prisoner Transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
25. Legal Process Forms – for service of warrants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
26. Subpoena Maintenance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
27. Radar Logs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
28. Radar Proficiency Certification/Recertification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
29. Records Retention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
30. Wrecker Inspections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
31. Region Hand Scale Calibration Date	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
32. Freedom of Information Act (FOIA) Requests	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
33. Miscellaneous Forms / Procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

B. FACILITIES	C	NC	NA	NI	Remarks/Corrective Action	Date Corrected	Initials
1. General Appearance and Upkeep	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
2. Timely Reporting of Needed Maintenance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
OHSA/ Fire Codes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
4. Building Evacuation Route – posted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
5. Fire Extinguisher Inspection Tags	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

