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Action Required
Final Action

State of South Carolina Office of the Governor

NIKKI R. HALEY GOVERNOR

1205 Pendleton Street Columbia 29201

July 29, 2015

Chief Mark Keel State Law Enforcement Division 4400 Broad River Road Columbia, South Carolina 29210

Director Leroy Smith Department of Public Safety 10311 Wilson Boulevard Blythewood, South Carolina 29016

Dear Chief Keel and Director Smith,

I hereby appoint you to serve as a member and Co-Chair of the Commission on the Advancement of Public Safety, which I established by Executive Order 2015-17. The purpose of the Commission is to identify best practices and make recommendations on how policing practices at the state, county, and municipal levels can promote effective crime reduction while building and maintaining trust in communities.

As my appointed Co-Chairs, please know that I have also sent appointment letters to your members, asking them to review the Commission's five main objectives set forth in the Executive Order and to await contact from you. Enclosed is a complete list of Commission members.

Additionally, please be advised that all commissions established by my office are expected to adhere to the State's open records and open meetings laws pursuant to the South Carolina Freedom of Information Act found in Title 30, Chapter 4 of the South Carolina Code of Laws. My office is enclosing a copy of the Act for your convenience and is available to assist you with compliance as needed.

Recall that an interim report is due to my office no later than December 31, 2015. Until then, if there is anything that you need from me or my office, please do not hesitate to let me know. As your governor, you have my full support and my heartfelt thanks for your service on this important commission.

Signature Redacted

Xikki R. Haley

NRH/rs

Enclosures

Signature Redacted





September 14, 2015

Dear Commission Members:

As Co-Chairs of the newly established South Carolina Commission on the Advancement of Public Safety, we would like to welcome you to this tremendous opportunity for service with which Governor Haley has charged us. By this date, you should have received correspondence from Governor Nikki Haley appointing you to serve on the Commission and asking you to review the Commission's five main objectives set forth in the Executive Order.

Our mission is one that we know you take seriously every day of every year – to identify best practices and make recommendations, consistent with applicable law, on how policing practices at the state, county and municipal levels can promote effective crime reduction while building and maintaining trust in communities. The fulfillment of this mission in the coming days clearly has the potential to result in safer communities, improved relationships with citizens and neighborhoods, better enforcement strategies, enhanced training opportunities, and increased support for the efforts of law enforcement statewide. Any and all of these outcomes will, in turn, result in a better South Carolina.

We are honored to serve as your Co-Chairs, and we look forward to a process which will be collegial, professional, partnership-building, and beneficial, not only to our chosen profession of protecting and serving, but to all the citizens of and visitors to our great State.

We have seen in recent days the positive power that can be generated when people of good will demonstrate respect for authorities and that respect is reciprocated by law enforcement professionals. The work of this Commission can build on this good will as we study together how to improve relationships, adopt best practices, and continue to be responsive to the needs of the public.

Our initial meeting will be on <u>September 29, at 2:00 p.m., SLED Headquarters, J. P. Strom Room</u>, 4400 Broad River Road, Columbia, SC 29210. In the event you are unable to attend, please contact Debbie Hamilton (803-896-9223). We are excited about your involvement in this meaningful and strategic opportunity. We look forward with enthusiasm to the experience of working together.

C: D . J . .

Signature Redacted

Mark Keel
Chief - SC Law Enforcement Division

PO Box 21398 Columbia, SC 29221

C:

Leroy Smith

Signature

Redacted

Director – SC Department of Public Safety PO Box 1993

Blythewood, SC 29016

Honorable Nikki R. Haley

Commission on the Advancement of Public Safety

Co-Chairmen:

Chief Mark Keel State Law Enforcement Division 4400 Broad River Road Columbia, South Carolina 29210 Director Leroy Smith Department of Public Safety 10311 Wilson Boulevard Blythewood, South Carolina 29016

Members:

Director Hubert Harrell Criminal Justice Academy 5400 Broad River Road Columbia, South Carolina 29212

Sheriff Steve Loftis Greenville County Sheriff's Department 4 McGee Street Greenville, South Carolina 29601

Chief Saundra Rhodes Horry County Police Department 2650 Main St. No. 7 Conway, South Carolina 29526

Chief Terrence Green Lexington City Police Department 111 Maiden Lane Lexington, South Carolina 29072 Director Jerry Adger Department of Probation, Parole & Pardon Services 2221 Devine Street, Suite 600 Columbia, South Carolina 29250

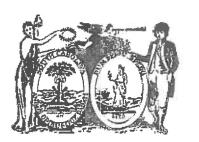
Sheriff Lee Foster Newberry County Sheriff's Department 520 Wilson Road Newberry, South Carolina 29108

Chief Greg Mullen City of Charleston Police Department 180 Lockwood Boulevard Charleston, South Carolina 29403

Mr. Robert Stewart Post Office Box 1971 Lexington, South Carolina 29071

State of South Carolina

Executive Department



FILED

JUL 1 3 2015

Mark Hammond SECRETARY OF STATE

Office of the Governor

EXECUTIVE ORDER NO.

2015-17

WHEREAS, recent events in South Carolina and elsewhere in the nation have placed a renewed focus on fostering better relationships between law enforcement officers and the public, highlighting the need for government to continuously be responsive to the people it serves; and

WHEREAS, state, county and municipal law enforcement officers in South Carolina must balance their duty to carry out government's responsibility to protect public safety, reduce crime and maintain the public's trust; and

WHEREAS, it is important to emphasize that the law enforcement profession embodies true and ultimate service to the people, with officers willingly placing their lives in peril to protect citizens and communities; and

WHEREAS, for a police force to be effective, it is imperative that law enforcement officers have the trust and confidence of the people to enforce the law with integrity, fairness, and control; and

WHEREAS, in order to improve relations between law enforcement agencies and communities, this Administration can bring together state and local law enforcement professionals to develop strategies and identify best practices to benefit all state, county, and municipal law enforcement agencies and, thereby, the people they serve.

NOW, THEREFORE, pursuant to the power conferred upon me by the Constitution and Statutes of the State of South Carolina, I hereby establish the South Carolina Commission on the Advancement of Public Safety (hereinafter, "Commission"), which shall be constituted and shall execute its duties and responsibilities as follows:

Mission:

To identify best practices and make recommendations, consistent with applicable law, on how policing practices at the state, county and municipal levels can promote effective crime reduction while building and maintaining trust in communities.

Membership:

The Commission shall be composed of 10 members appointed by the Governor:

- (1) Chief of the State Law Enforcement Division;
- (2) Director of the Department of Public Safety;
 - (3) Director of the Criminal Justice Academy;
 - (4) Director of the Department of Probation, Parole, and Pardon Services;
 - (5) A sheriff or representative from a county law enforcement agency with more than 300 sworn officers;
 - (6) A sheriff or representative from a county law enforcement agency with less than 200 sworn officers;
 - (7) A representative from a county law enforcement agency with 200 or more officers;
 - (8) A representative from a municipal police department with more than 100 sworn officers;
 - (9) A representative from a municipal police department with less than 100 sworn officers;
 - (10) A retired law enforcement officer.

The Governor shall designate as co-chairmen the Chief of the State Law Enforcement Division and the Director of the Department of Public Safety. Administrative support shall be provided by the State Law Enforcement Division and the Department of Public Safety.

Objectives:

- (1) <u>Community Relations</u>: To recommend practices and programs that can help develop and maintain improved relationships with citizens and neighborhoods in the iurisdictions across the state.
- (2) <u>Hiring Practices:</u> To recommend and update key components of hiring processes in an effort to recruit, screen, and select the highest quality candidates available.
- (3) Officer Training: To review basic training and in-service training programs in order to identify and recommend concepts to enhance law enforcement operations in an ever-changing environment.

- (4) Wellness Issues: To identify programs and practices that will assist law enforcement in managing the stresses inherently present in the profession and in identifying those officers who need assistance.
- (5) <u>Studies and Research:</u> To identify and review recent case studies and research issues regarding officer use of force and recommend possible changes in policies and procedures.

Reports: The Commission shall present an Interim Report to the Governor no later than December 31, 2015. The Commission shall issue the final report to the Governor no later than March 31, 2016.

This order shall take effect immediately.



ATTEST:

Signature Redacted

MARK HAMMOND Secretary of State GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 13th DAY OF JULY, 2015.

Signature Redacted

NIKKI R. HALEY





September 14, 2015

Dear Commission Members:

As Co-Chairs of the newly established South Carolina Commission on the Advancement of Public Safety, we would like to welcome you to this tremendous opportunity for service with which Governor Haley has charged us. By this date, you should have received correspondence from Governor Nikki Haley appointing you to serve on the Commission and asking you to review the Commission's five main objectives set forth in the Executive Order.

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Signature Redacted

Mark Kepl
Chief – SC Law Enforcement Division
PO Box 21398
Columbia, SC 29221

Signature Redacted

Lerby Smith
Director – SC Department of Public Safety
PO Box 1993
Blythewood, SC 29016

C: Honorable Nikki R. Haley





COMMISSION ON ADVANCEMENT OF PUBLIC SAFETY

MEETING MINUTES

SEPTEMBER 29, 2015

2 p.m. - 4 p.m.

A meeting of the Commission on Advancement of Public Safety was held at the S. C. Law Enforcement Division, 4400 Broad River Road on Tuesday, September 29, 2015.

Co-Chairman Chief Mark Keel called the meeting to order at 2:00 p.m.

Members Present:

Chief Mark A. Keel - State Law Enforcement Division (SLED)
Director Leroy Smith - S. C. Department of Public Safety
Director Jerry Adger - S. C. Probation, Parole and Pardon
Director Hubert Harrell - S. C. Criminal Justice Academy
Sheriff Lee Foster - Newberry County Sheriff's Office
Sheriff Steve Loftis - Greenville County Sheriff's Office
Chief Greg Mullen - Charleston Police Department
Chief Saundra Rhodes - Horry County Police Department
(Retired) Chief Robert Stewart - S. C. Law Enforcement Division

Member(s) Absent:

Chief Terrence Green - Lexington Police Department

Guest Attendee(s):

Jarrod Bruder - S. C. Sheriff's Association Cindy Konduros Annie Konduros

Co-Chairman Chief Mark Keel stated that the Public Notice of the meeting of the Commission on Advancement of Public Safety was posted at SLED Headquarters twenty-four hours prior to the meeting as required by state law.

Co-Chairs Chief Keel and Director Smith welcomed everyone to the first meeting of the Commission on Advancement of Public Safety and requested that members introduce themselves.

Following the introduction of members, Chief Keel asked each member to share their ideas/comments on the overall objectives of the Commission on Advancement of Public Safety. He stated the five objectives are:

- (1) Community Relations
- (2) Hiring Practices
- (3) Officer Training
- (4) Wellness Issues
- (5) Studies and Research

Chief Keel also stated that committee assignments would be discussed and also how to develop a path forward.

GENERAL DISCUSSION

Director Smith - DPS

Recommended road trips around the state and different regions to get input and compile information. Need to train officers on how to diffuse situations before they get out of control. Mentioned body cameras ... will need to speak with law enforcement and members of the public to create some type of shared response.

Director Harrell - CJA

Director Harrell stated CJA does a lot of training. They would like to develop 18 weeks of curriculum, but departments (especially smaller departments) cannot afford to send officers that long. Would like to see a Field Training Officer (FTO) assess the individual officers before they are actually certified to see how well they "settle in and do what they are taught." Some agencies (especially larger ones) train their officers before they enter the Academy, but smaller agencies don't have the staff. Prior training will also allow the opportunity to look at the officers the agencies are sending. Director Harrell stated agencies are dealing with a different type of officer now....they're smart, but aren't good at talking to people. Lots of them work 8 to 10 weeks and decide police work is not for them.

Director Smith - DPS

Training needs to be two-fold (during the Academy and also after the Academy). Some officers have developed bad habits. Need to look at Cultural Development training (perhaps in-service that would be part of the 40 hours of training.)

Director Harrell - CJA

There is a need to start looking at who is coming in and why some agencies are successful in recruiting qualified people and some are not.

Director Smith - DPS

In order to graduate 40, they have to go through 1,000 applicants.

Director Harrell - CJA

Real moral fiber of police officer is gone. Why can't we recruit qualified officers? Lots of agencies are hiring Citadel graduates, who are more disciplined.

Director Adger - PPP

There are issues with the public as far as law enforcement. People challenge law enforcement officers because they don't believe we're the "good guys" anymore. We need to change that.

Chief Rhodes - Horry Co. PD

Have to address ideas and attitudes of officers we have. The attitude now is "it's us against them". The new recruits are very different now.....can't work without computers....even to take the exam. She has started interviewing each of them personally to find out who they are and what their core values are. Chief Rhodes brought up psychological testing.

Sheriff Foster - Newberry Co. SO

Most smaller agencies can't pay for professional people to screen potential officers and polygraphs are expensive....he has to contract polygraph examiners. Another problem is officers leaving to go to other agencies, but the other agencies never call to ask what type of officers they are or if they've ever been disciplined.

(Retired) Chief Robert Stewart - SLED

Are there still problems with agencies giving reasons why the officer is no longer employed?

Sheriff Foster - Newberry Co. SO

He let an officer go who is now a resource officer at a school....that school never called to ask about the officer.

(Retired) Chief Robert Stewart - SLED

There is a national database that agencies can check. As soon as adjudication is over, can enter it in the national database. The CJA can get access to it.

Chief Keel – SLED

Training is one of the biggest topics. The CJA needs to know that they have funding for training.

Director Harrell - CJA

One of the things on their list is to recommend psychological testing. The CJA used to do that.....a written test would be given that a psychologist would go through and score.

Sheriff Foster - Newberry Co. SO

That's the least expensive way, but still not cheap.

(Retired) Chief Stewart - SLED

Recommended that agencies that have their own psychological testing and can afford it, keep doing it. Other agencies that don't, maybe let the Academy do it.

Chief Rhodes - Horry Co. PD

Need to get together on use of force. What is acceptable at one agency may not be acceptable at another.

Director Harrell - CJA

Most of that is taught at the Academy, and they have attorneys that subpoena training records.

Probably need to go out and talk with people one-on-one or ask people to come in and talk to whole group. Got to keep whole group informed and come up with a consensus where everyone, as much as possible, could agree with whatever we come up with.

Chief Keel - SLED

Feels timeline of December 31st is unrealistic for preliminary report....too soon. Keel will speak with Governor about it.

Chief Mullen - Charleston PD

Thinks we need to take a look at training. We need an assessment of training to try to figure out what the Academy is doing and what we need to do differently. Suggested a survey be given out at the Chief's Conference and SCLEOA Conference.

***Will put survey together (Rhodes & Mullen) to pass at the two upcoming conferences. One is in October and the other one is in November. Jarrod will get survey out to sheriffs. Keel & Mullen will go to both conferences.

Director Harrell - CJA

Right now to get in the Academy, it is really basic....have to be 21 and have a DL. If we raise the standard, it will present a problem for the 5, 6, or 7 man agencies....they're going to go out of business. May need to talk more about the FTO program.

Sheriff Foster - Newberry Co. SO

With FTO, a 2 or 3 man department would have a problem with who is going to run the program. Then you have the smaller towns who don't want to do without their police department, but the sheriff's office ends up covering a lot of the town because the person employed by the town may only work M-F from 9 to 5.....then the sheriff's office has to cover the rest of the time.

Chief Keel - SLED

May have to not certify them until they go through the FTO program, even though they have graduated from the Academy.

Director Harrell - CJA

Brought up issue of pay....will have to pay for professional behavior. Hard to hire someone out of college who has student loans to repay....maybe get married, have kids....can't afford to hire talent you need. If you want to hire professional people, you need to give people a living wage. Another problem was the retirement bailout....no one is teaching the new hires about how to get along with people. When all Lieutenants, Sergeants left with the bailout, the experience block was gone.

Director Adger - PPP

If we don't set standards, it kills our public safety issue.

Sheriff Loftis - Greenville Co. SO

We hire our problems. Need to do much better background check.

Jarrod Bruder - S.C. Sheriff's Association

A Captain from Ferguson stated that as a result of the incident in Ferguson, all law enforcement agencies in the state have to be accredited within 6 years.

Some departments also help pay student loans as long as you work for them....up to \$500 a month...those are the types of things that we need to do.

(Retired) Chief Robert Stewart - SLED

Should not be concerned to make recommendations that require legislation when appropriate.

Jarrod Bruder - S.C. Sheriff's Association

Vast majority of legislators don't know that we're based on fines and fees. Need to look at bigger picture funding.

Chief Keel - SLED

Funding at the Academy is inadequate. They need to know how much money they have to work with. Two issues to look at:

- (1) Getting someone from the Academy training area to come before us to inform us of the deficiencies they see.
- (2) Wellness...get Eric Skidmore to come speak regarding SCLEAP.

Sheriff Foster - Newberry Co. SO

Need to find qualified officers. Also need to think about in-service. Would be interesting to know if the recent incidents in Ferguson, etc., involved officers who have just gotten out of the Academy, officers in the middle of their careers or officers with years of experience.

Chief Keel - SLED

Would like to have training offered to law enforcement where Officer Involved Shooting (OIS) incidents are discussed. For example: Mark Coates' video....there's lots to be learned from mistakes made by officers or how they could have reacted differently in the situation they found themselves in. These are important teaching tools.

Sheriff Foster - Newberry Co. SO

The Mark Coates' video and other videos are good training tools if they're used to train in the right way. It needs to be done in a context that doesn't make an officer hyper-vigilant.

Chief Keel – SLED

May need to look at how to train officers differently. Maybe use videos that the training officer could gather good information and discuss with officers.

Sheriff Foster - Newberry Co. SO

Curious about people coming out of the Academy.... how many are involved in OIS? Maybe look at range of experience. Most departments only do the 40 hours that they are required to. Worries more about officers that have been in law enforcement for a while...trained in a different time and not as cognizant. A situation can go from 0 to 60 in no time. Very little in way of conflict resolution...not a lot of availability out there for cultural sensitivity.

Director Smith - DPS

Right now in-service is 40 hours every 3 years and the following are mandatory:

- (1) Driving
- (2) Domestic Violence
- (3) Legals

May need to insert more mandatory courses like cultural diversity. Do we need legislature to do it or are we flexible?

Chief Keel - SLED

Think we have flexibility to add cultural diversity.

Director Harrell - CJA

There are lots of people out there who could teach, but then again there's the issue of money. Maybe teach hard and soft skills. Need to impress on legislature that we can provide as much training as we can afford to. Right now there are people doing double duty at the Academy. Kentucky has \$52,000,000.00 in their budget for training and SC has \$13,000,000.00.

Chief Mullen - Charleston PD

Need to look at:

- (1) Shooting at vehicles
- (2) Showing videos....need to look at training a trainer and having an actual person in the room talking about the video that is being shown. Eighteen hours of the mandatory 40 hour required in-service training just sitting in front of a video....needs to be more than a video.

Director Harrell - CJA

Each agency should have training officers and they should do the training....not just be records keepers....but do actual training. Training at the Academy may sometimes be the last training officers get.

Chief Keel - SLED

Would like to see a longer Academy or maybe have all officers come back for several weeks a year. Would be very beneficial...could hit on topics that are going on at the time.

(Retired) Chief Robert Stewart - SLED

Recommended reading -- (Executive Summary: FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21st CENTURY POLICING) http://www.cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Sheriff Loftis - Greenville Co. SO

Recommended reading – (DOJ) Investigation of the Ferguson PD http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf

Chief Mullen - Charleston PD

Recommended reading -- PERF Report (Re-Engineering Training On Police Use of Force) http://www.policeforum.org/assets/reengineeringtraining1.pdf

FINAL BUSINESS

COMMITTEE ASSIGNMENTS:

COMMUNITY RELATIONS

(Retired) Chief Robert Stewart Chief Saundra Rhodes Director Jerry Adger

HIRING PRACTICES

Sheriff Steve Loftis Director Leroy Smith Director Jerry Adger

OFFICER TRAINING

Director Hubert Harrell Chief Greg Mullen Chief Mark Keel Sheriff Lee Foster

WELLNESS

Chief Mark Keel Sheriff Lee Foster

STUDIES AND RESEARCH

All committee members Director Adger (has research staff available)

Chief Keel - SLED

Will have Eric Skidmore speak at the next meeting on Wellness (SC LEAP). Also, Director Harrell will arrange to have an Academy staff member speak on Training. If anyone else has a report or study, let us know and will get it out to everybody. Debbie & Bonnie will work on getting a date for the next meeting. Will talk to Governor about preliminary report deadline.

Motion made and seconded to adjourn.

Meeting adjourned at 4:00 p.m.





The Honorable Nikki R. Haley - Governor

Chief Mark Keel, South Carolina Law Enforcement Division - Co-chair Director Leroy Smith, South Carolina Department of Public Safety - Co-chair

*AGENDA

SOUTH CAROLINA COMMISSION ON THE ADVANCEMENT OF PUBLIC SAFETY

February 8, 2016 2:00 PM

S. C. Department of Public Safety Headquarters
Executive Conference Room
10311 Wilson Boulevard
Blythewood, S. C. 29016

2:00 p.m. Welcome

2:15 p.m. Presentation by Rev. Dr. Eric Skidmore (Topic: Wellness)

2:30 p.m. Presentation by SCCJA Deputy Director Mike Lanier (Topic: Training)

2:45 p.m. Reports from each Committee and General Discussion

Adjournment

^{*}The specific times set forth on the agenda are estimates.

Brooks, Bonnie

From:

Hamilton, Debbie <dhamilton@sled.sc.gov>

Sent:

Thursday, October 22, 2015 8:51 AM

To:

Smith, Leroy; hfharrell@sccja.sc.gov; jerry.adger@ppp.sc.gov; Sheriff Greenville; Sheriff

Newberry; RhodesS@horrycounty.org; mulleng@charleston-sc.gov; tgreen@lexsc.com;

Rstewart@stewartkonduros.com

Cc:

Brooks, Bonnie; jdcrump@sccja.sc.gov; doris.dunlap@ppp.sc.gov;

jcooper@greenvillecounty.org; noblea@horrycounty.org; Robinsons@charleston-sc.gov Subject:

2015 Officr Training Survey (COMMISSION ON ADVANCEMENT OF PUBLIC SAFETY)

Attachments: 2015 Officer Training Survey.pdf

BASED ON OUR LAST MEETING, CHIEF MULLEN HAS CREATED THE ATTACHED SURVEY. PLEASE REVIEW IT, AND LET CHIEF MULLEN KNOW YOUR THOUGHTS AND ANY ADDITIONAL INFORMATION THAT YOU FEEL MIGHT BE NEEDED. ONCE WE AGREE ON THE QUESTIONS, WE CAN LAUNCH AND COLLECT THE DATA.

THANKS, MARK KEEL, CHIEF

2015 Officer Training Survey
2.
5. If yes, how many weeks are required?
O 4
○ ⁶
○ 8
More; write length in below
6. Does your Department provide yearly in-service training beyond what is required by law for officers to complete?
○ Yes
○ No
7. Requiring advanced in-service training for officers would enhance skills and better prepare officers to face new challenges.
Strongly Agree
Agree
No Opinion
O Disagree
Strongly Disagree
8. For advanced and in-service training, would regionally based training opportunities help facilitate in-service training and provide additional benefits to your current training program?
Strongly Agree
Agree
No Opinion
Disagree
Strongly Disagree

2015 O	fficer Training Survey	
3.		
9. In addition to critical training such as firearms, defensive tactics, and emergency vehicle operations, in order of priority with 1 being most important and 9 being least important, which of the following topics do you believe are necessary to prepare officers for the challenges they face in 21st Century policing?		
AND TOTAL	Community Policing	
	Conflict Resolution	
	Cultural Professionalism	
S. Andrews - Dertain C. A. A. S.	Fair and Impartial Policing	
The state of the s	Communication/De-escalation skills	
	Practical Exercises/Simulations	
27 T. 200 - 1 (a) - 1 (b) (b)	Applied Constitutional Updates	
	Procedural Justice Principles	
	Other	
10. Please programs	list any additional training opportunities that you believe would enhance current training to better equip South Carolina Law Enforcement Officers to carry out their important duties.	









January 14, 2016

Dear Commission Members:

We are pleased to advise you of the next meeting of the South Carolina Commission on the Advancement of Public Safety.

The next meeting is scheduled for Monday, February 8, 2016, at 2:00 p.m. The meeting will be held at the South Carolina Department of Public Safety Headquarters, Executive Conference Room, 10311

Wilson Boulevard, Blythewood, S.C. We will have a call-in conference phone line available in the event you are unable to attend (please dial 803.896.4216). Please confirm your attendance plans to Debbie Hamilton at 803-896-9223 or by email dhamilton@sted.sc.gov.

For your information, we will be receiving updates from your respective Committee assignments. In addition, attached please find a copy of the Meeting Minutes from our September 29, 2015, Commission Meeting for your review. Please email any comments or corrections to dhamilton@sled.sc.gov.

As always, we look very forward to seeing you.

Sincerely/

Signature Redacted

Mark Keel

Chief - SC Law Enforcement Division

PO Box 21398

Columbia, SC 29221

Signature Redacted

Leroy \$mith

Director - SC Department of Public Safety

PO Box 1993

Blythewood, SC 29016

C: Honorable Nikki R. Haley

Attachment: CAPS Minutes - Sept. 29, 2015





PUBLIC NOTICE

Pursuant to S.C. Code § 30-4-80, "The Freedom of Information Act," notice is hereby given of the following meeting of the South Carolina Commission on the Advancement of Public Safety

SOUTH CAROLINA COMMISSION ON THE ADVANCEMENT OF PUBLIC SAFETY

February 8, 2016 2:00 PM

S. C. Department of Public Safety Headquarters
Executive Conference Room
10311 Wilson Boulevard
Blythewood, S. C. 29016

*AGENDA

2:00 p.m.: Welcome

2:15 p.m.: Presentation by Rev. Dr. Eric Skidmore (Topic: Wellness)

2:30 p.m.: Presentation by SCCJA Deputy Director Mike Lanier (Topic: Training)

2:45 p.m.: Reports and General Discussion from each Committee

3:45 p.m.: Closing

^{*}The specific times set forth on the agenda are estimates.





COMMISSION ON ADVANCEMENT OF PUBLIC SAFETY

MEETING MINUTES FEBRUARY 8, 2016 2:00 p.m.

A meeting of the Commission on Advancement of Public Safety was held at the S. C. Department of Public Safety, 10311 Wilson Boulevard, Blythewood, S.C. on Monday, February 8, 2016.

Co-Chairman Director Leroy Smith called the meeting to order at 2:00 p.m.

Members Present:

Chief Mark A. Keel - State Law Enforcement Division (SLED)
Director Leroy Smith - S. C. Department of Public Safety (DPS)
Director Jerry Adger - S. C. Probation, Parole and Pardon (SCPPP)
Chief Terrence Green - Lexington Police Department
Sheriff Lee Foster - Newberry County Sheriff's Office
Director Hubert Harrell - S. C. Criminal Justice Academy (SCCJA)
Sheriff Steve Loftis - Greenville County Sheriff's Office
Chief Greg Mullen - Charleston Police Department
Chief Saundra Rhodes - Horry County Police Department
(Retired) Chief Robert Stewart - S. C. Law Enforcement Division

Member(s) Absent:

Special Guest Speakers:

Rev. Eric Skidmore – SC Law Enforcement Assistance Program (SCLEAP)
Dr. Gregg Dwyer – MUSC
Dep. Director Mike Lanier - SCCJA

Guest Attendee(s):

Ryan Alphin, - SC Law Enforcement Officers Association Dr. Ed Harmon - SC Department of Public Safety, OHSJP Cindy Konduros Annie Konduros

^{*}Public Notice of the meeting of the Commission on Advancement of Public Safety was posted at SCDPS Headquarters twenty-four hours prior to the meeting as required by state law.

Co-Chair Director Smith welcomed everyone to the second meeting of the Commission on Advancement of Public Safety and requested that members introduce themselves. Director Smith referenced the Minutes that were created as a result of the first inaugural meeting on September 29, 2015. Director Smith asked the members if everyone had a chance to review them. There being no concerns or changes, the meeting Minutes were adopted.

OLD BUSINESS

Director Smith asked members if there were any questions at this point or old business to consider. Chief Green stated he took notice that Sub-Committees were created with appointments being made to those during the September 29, 2015 meeting. He was unable to attend the first meeting, but expressed an interest in serving in some capacity (Chief Keel briefly discussed how the committee assignments were made and offered any for Chief Green's consideration). Chief Green asked to serve on the Wellness Committee. Chief Green was assigned to the Wellness Committee.

GENERAL DISCUSSION

Director Smith - DPS

The Governor's Executive Order tasked the CAPS to provide an "Interim Report" to the Governor by December 31, 2015; however, due to the 1000 year flood this has pushed us behind. We are looking at a new date in terms of providing the Governor's Office with the Interim Report. Does anyone have any thoughts or concerns in terms of selecting a new target date?

Chief Mark Keel - SLED

After this meeting we will look at the minutes from the first meeting, the studies that have been done, take the minutes from this meeting, and then make an updated report of information we have up to this point. We want this to be a meaningful report. This is not something that we are going to do in six months. After we get the minutes from today's meeting, the Co-Chairs will get together and formulate an Interim Report so that the Governor will know what we've done/accomplished to this point. Do members have any comment/suggestions?

Director Smith - SCDPS

I have asked Dr. Ed Harmon, SCDPS, Office of Highway Safety and Justice Programs, to assist us in the process of formulating our report(s). Director Smith introduced guest speaker Dr. Reverend Eric Skidmore, SCLEAP.

Dr. Reverend Eric Skidmore - SCLEAP

SCLEAP is a partnership between SLED, DNR, DPS, PPP, and as of May 2015, the Adjutant General's Office. Was invited by Chief over 19 years ago to do this, and have been doing it ever since. This presentation will focus on Wellness (referring to attachments). Wellness is a broad collection of areas that are important in the life of a police officer. Will focus mainly on the critical incident part of wellness, but there are other areas of wellness that we address in our overall program.

First category is training. SCCJA is the starting point with officer training in areas of impact or critical incidents, normal reactions to abnormal events. Further training happens through In-Service, by agencies, as they come for advanced training. Sheriff Loftis has an internal Peer Team. Chief Mullens has internal Peer Team members that do the same thing. Page one refers to the kind of training that's offered through SCLEAP. A series of courses are made available to the Peer Support Teams in the state along with Post Critical Incident and Post Deployment Seminars. When a critical incident happens (in terms of wellness) there are a variety of tools in the tool box that we can use: One on one Peer Support, working with officers before they go home at the end of that shift; Crisis Management Briefings (a town hall style meeting) is used immediately after a critical incident (gave examples, one being the killing in Charleston which brought together 100-150 officers that were directly impacted). Also, there is the two-hour Critical Stress Debriefing which is the most commonly recognized intervention the Peer Team provides in our search for wellness (includes a follow-up by members of the Peer Team). Referrals to mental health professionals could follow. Referrals for additional help can come under their own esteem, sometimes the Line Supervisor, sometimes it's the Chief or Sheriff. Local Chaplaincy programs, agency Peer Teams, and many larger departments around the State have internal Peer Teams. SCLEAP trains most.

Having tremendous success with PCIS within the state and across our borders. Fill up remarkably fast and have a waiting list for February. February class includes folks from across our state, a trooper from Missouri, Kentucky officers, and the Ohio State Highway Patrol. Some are hurt and some official observers. Have not sent out notice for July class yet, but already have pre-registration list started. If classes fill up, options are: put them on waiting list; refer them to next PCIS; or send them to another state. PCIS has expanded and now is in service in six States: Virginia; North Carolina; South Carolina; Georgia; Texas; and Oklahoma. Hoping Connecticut State Police, Missouri Highway Patrol, and the Kentucky CJA folks will launch very soon. Introduction of Dr. Dwyer to say a word about a couple of new initiatives: Check-In and Stress Inoculation.

Dr. Gregg Dwyer- MUSC

Inoculation Training is done for crime scene folks (gave examples). Is very much like getting inoculation to keep from catching some kind of an illness. We tell them at PCIS "Your mind is in your brain, which is in your body – it's all one package deal." No way to separate it. You have to keep all of it healthy. If any one component isn't, it's going to impact the others. Inoculation is for folks going to go into crime scene work. We talk about stressors they are likely to see in that line of work and ways to try to prevent from being impacted on it and if they are unable to prevent something, how to manage that. Second initiative is the Check-In Program. This is after they are on the job. Set up so everybody who does that kind of work has a Peer who has done crime scene work for a few decades so he has the experience on the job doing it, but has also been through this Peer training you just heard about. What goes on in conversation is just between the people in the room unless there's some danger involved. It's an education piece for them and also a chance to share what may already be impacting them and they wouldn't reach out otherwise. Make sure everybody goes. Both initiatives have a preventative component and a management component, which is based on science. Based on what is known about stress reactions, about how to prevent them and how to manage them. Unless agency makes it mandatory to go talk with somebody, they are going to say they are fine. If we make it for everybody, there's no stigma involved. Everybody goes and gets the service.

Dr. Reverend Eric Skidmore - SCLEAP

There are a couple of other new programs emerging. Discussed the Memorandum of Understanding with the National Guard to conduct Post Deployment Seminars, a three day program similar to that of PCIS. There have been fifteen seminars offered thus far and from attendee feedback - the seminar is highly successful. That's important for this group to know because of the high rate of South Carolina swom officers deployed since 2001. Continue to have folks attending PCIS due to some personal, horrible tragedy (i.e. they lost their children in a car wreck; their children were murdered; their loved one committed suicide). Those experiences are different from the officer who was in a chase or in the fatal shooting on the job, so, with the help of others, they have created a Pilot program called Sudden Traumatic Loss Seminar. We have ongoing efforts to create an intensive Public Safety Chaplaincy Training program in partnership with the Lutheran Seminar. Seminar will be 18 months long, to be held on Fridays and Saturdays, once a month (more details to follow). Reverend Skidmore highlighted the power point presentation that he uses when teaching about law enforcement suicide. Through his perspective, the PCIS is very successful and there is a lot of evidence that points in that direction. They have waiting lists to attend. There is overflow in the program. Not enough capacity to do everything that they want to do within the field of mental health, treating the impact of law enforcement trauma. This is a specialty area because you have to understand the culture that the officers come from. Run into this all the time. Not only do you have to understand the culture in our state, the resources are focused in the urban and suburban areas (Greenville, Charleston, Rock Hill, Aiken, Augusta, and Columbia). If you are in Marlboro County, Jasper, or Marion, you are not very close to any of these resources. Exposure to critical incidents can produce a full range of struggles for officers in terms of wellness such as marriage issues, family issues, alcohol abuse, prescription medicine problems, relationship issues, and anger management issues. Concerns are great, especially in lieu of the huge amount of deployment to the warzone and the needs that will be produced. There's not much funding that exists for mental health professionals to move forward and move toward a higher level of skill for the treatment of police officers. It is a very particular sub-culture. Mental health professionals usually practice in a traditional office environment. What we have been doing is asking for a lot of help from a lot of people. The problem is you just can't keep asking people to volunteer to do this. You eventually must find a new solution. I'd like to ask Dr. Dwyer to chime in as a mental health professional.

Dr. Dwyer - MUSC

Unless the professional happens to be in a training program that has some affiliation with public safety, they are not getting the specialized training needed to work with that population. Example: Person goes to see mental health professional that uses tools they got when they went through training. His recommendation to patient is... hey, the next time you are feeling stressed on the job, why don't you just take a break or the next time your supervisor wants you to take on an additional task, why don't you just say, I'll pass on this one. That's not an option for folks in this line of work. They can't do either one of those things. Or they go see a physician and he/she is given a prescription to help with anxiety. It says on the bottle "Do not operate heavy machinery". That means -- they shouldn't be driving a car, or driving at a high rate of speed, or even have a firearm. They must be able to see somebody who understands the nature of the job and what the options are. We must have a list of providers who have the mental health training, but also who know how to work with folks that are facing the kind of things employee's face that lead them to go seek that kind of help. It's a small list.

Dr. Reverend Eric Skidmore - SCLEAP

In the interest of PCIS and PTSD events, we are searching for creative solutions, and cost effective treatment for police officers impacted by critical incidents (in addition to what the Peer Team does). There is no cookie cutter approach. Might be right after the critical incident, or it may be a number of sessions or it could be ongoing. Other thinking is having a cadre of mental health professionals that work for law enforcement in the State connected to MUSC and SCLEAP (we could keep them very busy). Cindy Kondurous and I have talked about negotiating with the insurance companies to better meet our needs. Currently working with Director Harrell and Mike Lanier, as result of recent suicide at the Academy, regarding the creation of a support group of survivors of law enforcement suicides. Some survivors have expressed dissatisfaction with how they were treated by police officers after the suicide of their loved one. Other possible groups are anger management, and divorce recovery. Have had lengthy discussions with Dr. Dwyer about a model already in place in the Veteran's Administration (VA) for dealing with the rural elements of our State i.e. "tele-medicine" method. Example: You might have a doctor in Charleston or a doctor in Greenville sitting at a desktop, and then you have an officer in Oconee on an IPAD that's talking to with the doctor in real-time. That's not my number one best solution, but it is a solution. The VA has had some success with it. Rev. Skidmore asked if there were any questions.

Director Smith - SCDPS

Thank you for the presentation. Director Smith read the Mission of the Governor's Executive Order with respect to what Rev. Skidmore and Dr. Dwyer have presented to the Commission members. Asked members how we can apply the presentation message and activities to the Governor's Executive Order, utilizing a state-wide strategy, with best practices for law enforcement officers across the state?

Chief Saundra Rhodes - Horry County PD

When looking at the overall wellness of an officer and issues, the focus seems to be mostly post critical. Stress can accumulate over time due to dealing with stressful calls or dealing with other people problems period. Sometimes that leads up to some of the issues we have in law enforcement when officers lose their temper or do things they wouldn't typically do. We should also be interested in something that the employees can reach out into i.e. EAP programs, but also keep in mind that the EAP might not meet the special needs of the law enforcement issues, referring back to what Dr. Dwyer explained earlier.

Chief Keel - SLED

Regarding the SCLEAP and the entire program, we, as CEO's, are not experienced enough. We don't have the tools at our disposal to do what Eric and Dr. Dwyer are doing. As Chief of SLED, I am more than happy to call Eric when I have one of these issues because I don't know how to deal with it. We need their expertise and help to figure out the right direction and/or what path to take in any given situation. Even though PCIS fills up every time, I don't think everybody knows that they can reach out to SCLEAP. Often times I make calls on behalf of other agencies. We are lacking in the ability to get all our folks in to the Post Critical Incident Seminars in a timely fashion. SLED has huge need and has actually started financing at least one yearly. Huge need among law enforcement for this service and it's the only way we are getting it. Officer's lives are saved in these Post Critical Incident Seminars (Eric probably saves more lives than anybody else). Whether it's substance abuse, suicide, CDV, whatever it may be, Eric is able to do more about those cases that help the wellness of officers and provide those officers a way out, a pathway that helps them get back on their feet. None of us have that expertise in our agencies to do it. We should focus on the new program, Sudden Traumatic Loss. It comes down to funding. We

need to place emphasis on recommendation for funding these opportunities to where more officers can get help and get help in a timely manner.

Director Smith - SCDPS

It's assumed that every agency has an employee assistance program (EAP). Perhaps focus can be made on some type of employee assistance program, peer assessment group. Ultimate goal is to have folks, knowledgeable in those areas to make the recommendation to the PCIS/SCLEAP to get those types of programs. Can we provide a vehicle to them to get to that point? Vehicle could be some kind of employee assistance program coming out of this recommendation with respect to stress awareness or stress counseling something along those lines. Try to build on the SCLEAP at the local agency level, but provide a means for them to get to your shop. They may not have the expertise to do it, but can we implant certain things whether it's the EAP or peer group? Just something to get them to that point.

Chief Keel – SLED

Referring back to what Chief Rhodes said, some officers have been out there a long time and may be not involved in what we consider a critical incident, but yet are routinely doing bad things. Over a long period of time it just builds up. They may not be the traditional candidate for PCIS as we think about it, but they may be. We just don't know it because kind of the thing that puts them in that category is that critical incident. Having some type training that could be done during annual re-training could at least jog their thoughts and consider they might need help.

Chief Rhodes - Horry County PD

Looking at Use of Force Reports is one measure we use in identifying red flags for problem officers. Agencies may have something in place already to help identify the red flags to identify officers that may be having problems. Could they be potential liability i.e. losing their tempers etc.

Director Smith - SCDPS

Many agencies (including DPS) have the Early Warning System where if you are involved in a collision or you have 3 or more sustained complaints within a one year period, those are early warning signs of some type of stress related problems. That is another avenue we could explore.

(Retired) Chief Stewart - SLED

Have been working with Cindy Kondurous legislatively on the Post Traumatic Stress Disorder. Has not been easy task. There is resistance and/or lack of understanding as to why law enforcement should have consideration under insurance and/or worker's compensation. Having some success recently, with the help of Eric. Some Legislators have not understood how PTSD affects law enforcement. There does seem to be understanding that under federal law, insurance now has to cover treatment (a certain amount of treatment of PTSD), but what they don't understand is the additional hardship of trying to meet deductibles, and then the additional co-pays etc. Getting the help seems out of reach. The costs add up. Most officers are just trying to make ends meet, such as the rural officer worried about feeding a baby, buying diapers, and other basic costs of living. Having to pay a thirty or forty dollar co-payment is an additional burden/stressor — and that's a problem. One possibility we've discussed is the concept of having funds made available to Eric for the purpose of assisting those unable to afford getting help. Eric could identify those individuals who can't really afford to get help, and as long as it's a legitimate case, give them funds for assistance. There is movement in the legislature concerning pre-employment/psychological evaluations. This used to be done through the SCCJA, but funding is no longer available (Chief Keel stated all are in favor of this type evaluation). There is some talk, but it's been a difficult chore to get things moving on this. First steps should be having some funds go into Eric's program to help those in need who can least afford it.

Director Adger - SCPPP

Whatever we recommend – there is going to be some economic impact. When we get into some of our hiring practices, in particular the quality issues, money drives it. Can't afford to do what we need to do. We need to have Sheriff's and Chief's involved in this so that they know about it because it's going to have a price tag. Our recommendations should include: What is this going to cost the state and how do we fund it?

(Retired) Chief Stewart - SLED

Point should be made - look at the money it saves. Would you rather have that option to get some help and come back to work or to go, if eligible, on disability (not workers comp, but disability retirement). Let's save them and keep them working.

Sheriff Loftis - Greenville County SO

One thing that works well for us, and goes over and above in critical incident situations, is that we have retained a psychologist that specializes in stress related matters for our homicide investigators, child victim's unit people, sex crimes investigators, you know these are the people that see absolutely the worst every single day, on a yearly basis. I pick up the first bill. If it's going to be something that's long and drawn out then we've got good insurance in Greenville County which pretty much covers the rest of it. I have been through 5 PCIS seminars as a Peer Counselor. We are living in the dark ages in South Carolina. Gave example of the testimony of a wife concerning statements a Chief made saying "your husband has been shot and they are on their way to the ER and we don't know if he is going to die or not" and then hangs-up. What's wrong with that picture? That's scary. As a result of hearing that, my department is looking at improving our procedures when we have an officer involved shooting. The biggest thing is the lack of education about the SCLEAP. Sheriff Loftis briefly described the three day process/agenda to the CAPS members. The more people that get involved in it, the more expensive it's going to be. The need is great. You could run at least one monthly. We are way behind the times in getting this information out to everybody. By day 3 of the seminar you see, in 99% of the cases, a changed individual. You will see a smile on their face, no more tears – like they went through a car wash and everything that was in their mind got wiped out because they talked about it and they are ready to go and return to a normal life.

(Retired) Chief Stewart - SLED

Could we utilize Sheriffs and Chiefs Associations to have information for the CEO's to make them aware of it?

Sheriff Loftis - Greenville County SO

We have this with the Sheriffs Association.

Chief Mullen - Charleston PD

Need to bring attention to a large area of concern that deals with Physical Health, Nutrition, and Financials. We need to consider these areas which have huge potential to create stress among the thousands of law enforcement officers who never find themselves involved in a shooting or other things. For a lot of people this is what creates the collective issues that pushes them over the edge into a lot of times that critical incident. Can we provide some education, training, or awareness to the officer about physical wellness, nutrition? There's a lot of stuff that goes on before the critical incident ever happens that if we can mitigate some of that pressure then we might be able to prevent some of these critical incidents. Additionally, we need to look broader than just the downstream stuff. Need to look at what is happening upstream that we can be doing to help our officer before they ever reach that point. Consider something through the Academy – creative curriculum that can get pushed out to departments etc. (could be done at reasonable cost). May not have a whole lot to do with critical incidents, but has a lot to do with mitigating critical incidents.

Chief Keel – SLED

Agreed. Law enforcement is not the most profitable profession. We have all seen officers get over extended and ultimately this causes them to do things that they would otherwise not do simply because they get in over their head and they don't know how to get out of it. I'm sure Eric and Dr. Dwyer have dealt with some of those folks. Sometimes it ends up leading to suicide or substance abuse. This is an issue we need to look at when we look at this whole wellness thing.

Director Smith - SCDPS

Great comments. I'd like to recap discussion thus far on the wellness area: We talked about the EAP to promote stress awareness/counseling; the Peer Team training at that lower level; the Early Warning System; SCLEAP whether its PCIS or the Sudden Traumatic Loss seminar; the Post Traumatic Stress Disorder; the mental health counseling and evaluation that Sheriff Loftis mentioned earlier; officer involved shootings which we know could create a need for some type of mental health counseling or mental health evaluations; and other areas like physical awareness, financial problems, or nutrition, as we know that those things could lead to other problems such as suicide, substance abuse, marital problems etc. I think this is really a good start in terms of trying to come

up with solutions/best practice recommendations on the wellness topic. Before we move to the next topic, does anyone wish to add any comments or thoughts or are there any other issues we want to touch on?

Sheriff Loftis - Greenville County SO

I know that EAP is included in National State Accreditation. Is it also included in State Accreditation?

Chief Keel - SLED

I do not believe so (Early Warning System and EAP go hand in hand). There are a lot more agencies that have State Accreditation. Offering this as a suggestion about one way to include EAP and Early Warning System in State Accreditation; however, you would have to have more people that are interested in this).

Director Harrell - SCCJA

As leaders in the law enforcement profession, I think it is really important that we help to remove the stigma of asking for help. Young people don't want to ask – they don't want to tell you that they are having a problem. It's a tough profession, people are going to see and do things that they don't want to take home and share with their families and they certainly, if it disturbs them, don't want to share with their mates out there on the road, so I think we should try to find a way to remove that stigma. We are human beings and it does affect us (relayed story about officer hanging all his belongings on the tree). We lose track of the fact when we see these guys at roll call or when we happen up on them that they have families, too, and that they have problems, and it's compounded by the problems of other people. We hire from within our environment. It's not easy, we put requirements to get people in here and if we are going to put those requirements on them, somebody needs to start paying them better. SCLEAP is probably one of the most beneficial and humane things we can do for our officers.

Chief Green - Lexington PD

Question for Rev Skidmore: Do you work well with the S.C. Chaplaincy Program, Law Enforcement Chaplains?

Dr. Reverend Eric Skidmore - SCLEAP

The State Chaplaincy program has revolved over time. There is a need to re-create some of that on a statewide level.

Chief Green - Lexington PD

Asked Rev. Skidmore about a large chaplaincy program that came to Columbia recently - What organization was that?

Dr. Reverend Eric Skidmore - SCLEAP

That was the IACP Chaplains Conference.

Chief Green - Lexington PD

There are a lot of law enforcement/military chaplains. I see a great need. Officers aren't going to come to the boss and say I'm crazy or say I'm sick, because as we know, they think they will be taken off the road if they admit to this.

Dr. Reverend Eric Skidmore - SCLEAP

New initiative is the Public Safety Chaplaincy Program. The training for Public Safety Chaplains is like this --you've got some guys like Dr. Dwyer who has a Masters. You have others who are just barely trained (for whatever reason, they are in that role as chaplains). We are hoping for a much higher level of training and professionalism among the group. This is what I'm working on.

Director Smith - SCDPS

Introduced Deputy Director Mike Lanier w/SCCJA for presentation on Training.

Dep. Director Lanier - SCCJA

<u>Training</u> - Academy functioning at twelve weeks of Basic Training. Based on a task analysis study, could probably do sixteen weeks. Due to constraints, one being "turnover", we are unable to pursue it at this time. Currently they bring in 70 officers for each class. Should be sixty, but now seventy due to wait time. Have four (4) basic law classes on the ground continuously, compounded by Basic Jail Class (3 weeks) and Tactical Communications Officer Class (2 weeks), and we continue to function the Advanced Training classes. It takes

quite a bit of manpower to support - have only 43 trainers at Academy. Also have space limitations. Current wait time is about seven months for entry into Basic Training program. Taking into consideration there are only 365 days in a year, time and space become critical elements. With high turnover, people retiring, whatever it might be, we do not see the wait time going down. Budget situation compounds our problem (updated the members on the SCCJA current budget situation and highlighted the immediate concerns about fines and fees monies, and the \$5.00 surcharge money). Collection levels are seriously low. The way the Academy is being funded is not adequate. Will not reach anywhere near the allocated budget for this year, and have not met their allocated budget for the past five years. Don't know where the floor is with the serious budget issues. We are doing our best to accommodate training needs. We have made some changes and alterations as best we can to accommodate training needs. Have already been changing and altering the training placing more emphases on areas where concerns are expressed i.e. de-complexion training, this type of thing. Have earmarked places in the "Practical" problems area focusing our initiatives on areas to make sure officers leave having understanding on how their words have power etc. We need to spend more time with them on those areas. In addition, students who have grown up in the electronic society don't know how to communicate. We are trying to check that block as best we can. Reinforcement of our training must occur when they return to home agency. The agency has a level of responsibility here in assuring these guys are doing what they were taught to do at the Academy through their field training officer programs and through the way they are supervised by their first line supervisors and even mid-level management. It is a holistic approach that has to be taken if we are going to have the desired results from the training.

Director Smith - SCDPS

We can look at ways to have "Train the Trainer" type classes instead of taxing the Academy in certain areas where we can do that and then farm that out to various agencies in the field.

Dep. Director Lanier - SCCJA

We tried that with the Officer Survival Schools. Went full force for about 3 months and then it went belly-up. Agencies must be able and willing to sustain it. Other flashier things come along that draws their attention in another direction, and then it falls off the table. The Academy certifies, agencies hire, and agencies commission. Because of the Academy's responsibility to certify we have to ensure they get everything they need. We have kicked around the idea of an in-service component. It might be an ideal solution to use people that are trainers already, bring them in again, make the effort to ensure they are doing the right thing and then push them back out as a force multiplier to continue the in-service training in the field. Another possibility is the use of a "Mobile Training Team." Much like the military, the team would go around and set up in regions. They would facilitate the hard skills type training as well as oversee some of the soft skills training. They could develop report card feedback and on the spot corrections to bring the officer back into compliance.

Director Smith - SCDPS

This will be a good segway into what Chief Mullens is going to talk about. Chief Mullens has done a survey on training (one of our topics). I don't know the results. There may be situations where his survey may yield to more taxing the Academy in terms of Basic Training or may be taxing the Academy more in terms of annual In-Service training or our mandatory retraining.

Dep. Director Lanier - SCCJA

You are looking at 40 hours every three years. Mobile training teams would have to be cyclical and there would be constant rotation throughout the state to ensure that they would hit all those individuals coming up for recertification. This would be using a three year cycle. There are states that require it every 5 years. Pushing it out to every 5 years would make it a lot easier and more manageable to re-certify people.

Director Smith - SCDPS

Every four years in Florida. What are our thoughts about pushing that issue of going from three to four or five year training cycle? That could help the Academy (budget and training time etc).

Dep. Director Lanier - SCCJA

When looking at officers that have had problems (the ones that have made mistakes), it's not the kids that are fresh out of the Academy. It is the guys that have been on the streets for 5 plus years. The further they get removed from the base, the more bad habits they begin to develop.

Director Smith - SCDPS

Again, what are our comments on maybe trying to go from a three to a four, or five year cycle?

Director Adger - SCPPP

I would like to know if the states that are 5 years and something does happen, do they hold up alright from a liability standpoint or do they have issues with the fact that they only require five years?

Chief Keel – SLED

The only thing I'd ask is how does that correlate with the number of weeks in their Basic?

Dep. Director Lanier - SCCJA

Their Basic is much longer.

Director Smith - SCDPS

On the four or five years, your high liability areas are: driving; use of force; firearms. Those are annually so you got to get those high liability areas in. The other things we require, you can kind of relax those, but your high liability areas that are going to get our folks in trouble are the things that are going to keep our officers safe, those are done annually. So, you are not going to lose anything on that end.

(Retired) Chief Stewart - SLED

In regards to the task we've been given by the Governor, these efforts will cost money, of course, for the Academy. They can do whatever they've got to the money to do. As Cindy and I have discussed, now is the primetime to present to the Legislature. Not sure how much we can accomplish in one year, but over the next 2 years, should law enforcement continue to be in the spotlight and demand for more training etc be on the table, the Legislature may begin to fully understand, it's not just passing another law – it has a price tag. It is important that we have a show of support from the Sheriffs' Association, the SCLEOA, Chiefs etc. Need to have a budget plan and having these associations come together and fight for these needs. Emphasize it isn't just a community benefit, it's an employee benefit - for their lives and their well-being - that they have good training opportunities. Right now, we are saying we need more community relations training — we had the King Center training at the Academy years ago. We need to pursue more of this to address the perceived problems out there today. The Academy might benefit from this.

Chief Keel - SLED

Because of all the scrutiny law enforcement is currently under, I don't think officers are writing as many tickets right now. We've got to get away from funding the Academy with fines and fees. The Academy needs to be able to budget. They need to be able to hire experienced law enforcement trainers (20 years or more experience), nothing against current staff, but people that have 5 years of experience are trying to train folks their same age. Discussion has been had on financing the Academy through a line-item in the Budget (Chief Keel gave a report on the budget situation that is currently occurring with the Academy as a result of the October flood event). Ticket writing was way down in October, November, and December because all were on flood duty. This has had a detrimental impact on the Academy funding. The Academy cannot sustain this impact. Also, if the \$5.00 surcharge goes away to sunset this year - \$1.8 million dollars – we (Academy) are done. Agrees with Chief Stewart that when we get that hearing set up, we need to have Chiefs, Sheriff's, FOP, SCLEOA attend and show support. We need to have everybody there to speak and let Rep. Pitts and the rest of his committee hear not just from the Academy, but from the rest of us. You know how it is, the thought is sometimes we are just crying wolf, its state government, but hopefully if we get everybody to the table, they will understand. To maintain what we are doing now, we are going to have to go and ask to run a deficit. That's the only thing we are going to be able to do. We have no other choice.

Dep. Director Lanier - SCCJA

The \$5.00 surcharge represents one third (1/3) of our Budget. If the \$5.00 surcharge goes away, and one thing we are banking on is them either spending it or doing away with the sunset clause, we'd have to realize \$1.7 million is what we are paying for the Village right now and it will be paid off this year. Next year, that \$1.7 million will be a windfall, but again, with the decline that we are seeing in fines and fees, that \$1.7 million will just about catch us up for a period of time.

Chief Keel - SLED

Going to be dependent on how many violations are being written. I truly believe that officers are turning their heads – hate to say it.

Chief Green - Lexington PD

I don't think they are turning their heads. They are catching them, but instead, to win them over into the community, just giving warning tickets. I've seen it in their reports. They don't understand (lay officers) about monies being committed. They are trying to win back their community.

Director Adger - SCPPP

Sooner or later this is going to catch up with us. It's just not right to have an officer on the street/force that his salary is based upon tickets. That's a dangerous equation and we've got to stop it. That's what the legislators need to know. You are asking officers to write tickets so they can exist. That's really what you are saying. The State just needs to fund (just like Ferguson) it.

Dep. Director Lanier - SCCJA

J.P. Strom's vision was to have an Academy that was independent of any other entity in this State to train police officers in order to have that unbiased opinion as being given by us to train these guys to make sure that they are capable of going out and doing their job (we don't hire them, so we don't have a buy in with them). They are going to meet the standard or they go home. We are gate keepers. If we are to keep out law enforcement officers that should not be there — you have to have that independent oversight. That's what the Academy brings to the table. Without adequate funding, we are not going to be able to do that and not do it to the level that we need to.

Chief Keel - SLED

We are not going to be able to do all this extra training that everyone wants us to do due to the financial situation we are in. Many just do not understand. Many members of the Legislature that do not realize the Academy is funded by fines and fees. We must get the funding issues resolved. Director Harrell gave his budget presentation recently and he and Mike both hit on that very well. He certainly relayed the situation that we are in and that we are going to be in. I have followed up with many and have tried to hit on some of the same points. I think that's where we have to really focus our attention.

Dep. Director Lanier - SCCJA

If they keep the \$5.00 surcharge and they take the sunset clause off of it, they are only kicking the can down the road.

Chief Keel - SLED

I know we want to get that \$5.00 surcharge, but I would be more than happy to say...give us a line- item in the budget - you can keep the \$5.00 surcharge. Let the Treasurer collect that money and if they want to put it back to us to offset, and whatever else, then perhaps they would only need to use another two or three million dollars of appropriated money to fund the Academy. Let them collect the fine and fees because right now it is not getting collected from some agencies.

Director Harrell - SCCJA

We are getting audited every year (this will be the 3rd year).

Director Adger - SCPPP

I think this Commission can help with that. If we are going to make it safer for the state, it must be tied into what we are talking about right now. For instance, the Academy asking for something and make it part of everybody's discussion. That's what we need to do in this document.

Chief Mullen - Charleston PD

I recognize that there is a problem that I hope that what we are looking for to make this recommendation, whether financially continuous or not, that's what we are trying to do, right? We got a significant number of respondents to the survey. There are really five key components, not only the statistical data, but also the comments that were made and overwhelmingly everybody that answered the survey said we need to "extend the time". The average of fifteen weeks is what they thought. Looking around the country, the average is around eighteen weeks. That's fairly consistent with what we got back from our folks. The other thing that was fairly consistent within the

discussion was we need to add some critical components to the training and those that were listed most often were: Conflict Resolution, De-Escalation, General Communications, and whether you want to call it Fair and Impartial Policing or Biased Based Policing, Cultural Diversity/Awareness, something to do with Biased Policing – those were the four leading areas that got fairly strong results in terms of what we want to do.

Director Smith - SCDPS

Give me those four again....

Chief Mullen - Charleston PD

Conflict Resolution, De-Escalation, General Communications and Fair and Impartial Policing (or other names as people call it different things). It all comes back to basically dealing with bias. I know that the state, the DPS has been a proponent of Fair and Impartial Policing and that's really what a lot of agencies around the Country are going toward. Additionally, they would like for us to look at training to look for potential areas to modify. For example, there was talk about too much time spent on Defensive Tactics (DT's). Is there a way to get what you need from your DT's and use some of that time to do some of these other classes? There was some discussion about assessing the training, the manner in which it was given, the hours it was given. I went out and had my folks speak with fifteen different academies on where they were on different topics (Legals, DT's, Firearms, Driving, Traffic Investigations, Patrol, and Community Policing). Results show that in some areas we are giving a lot more time to certain areas than others are, and in some areas, we are not giving as much time. The findings give us a good baseline and I'd be happy to share this with everybody to take a look at. Everybody thinks there should be mandatory PTO's/FTO's once you complete the Academy. That was loud and clear in terms of a requirement that should be coming out of this whole situation.

Another question that came up was if they don't have the capacity or the funding, are there opportunities for additional ways of providing training? Are there opportunities for regional academies or individual agency academies to provide some of the training? I know the pros and cons, and I understand the Academy's position about it being their responsibility, but I think that's an option we are going to need to look at. If we can't add to the numbers and get people through faster than seven months or nine months, how are we going to continue to keep up? They are very interested in in-service or advanced training. There was really strong interest/support for regional based teams (as discussed by Mike). One thing that came out of the survey, which I'm a little bit skeptical about, is that over 90% of the people that answered said that they have a FTO or a PTO program. I'm not sure if the agencies that responded were the larger agencies. I know that the smaller agencies that responded stated in the comments that they only have 5 or 6 people, and do not have the opportunity to have a FTO program. I'm not sure exactly how many agencies in the State actually have FTO programs, but that would certainly be another piece of information that would be really good to have.

Chief Mark Keel - SLED

Ninety percent figure does seem to be very high.

Chief Mullen - Charleston PD

The next question: Even if you have the FTO program, how is it being administered? That ranged from significant number of agencies, about 65% responded said they had between 12-14 weeks of FTO Training. There was about a 25% group that said they had between 4-8 weeks. I think the one very strong message out of this is that there should be mandatory FTO training after the Academy. I also think that there is an opportunity for us to recommend that we think the Academy time needs to be extended (further discussion is needed here). The average from the respondents was fifteen weeks and the average from the national is eighteen. The fifteen academies we looked at - the average is twenty. It is consistent in terms of what we looked at. Adding additional training time, Mike would probably consider these soft skills, is very important to the group we surveyed.

Chief Keel - SLED

Will you share that information about what we are doing more of or less of with us?

Chief Mullen - Charleston PD

Did not bring enough copies for all, but can send to all electronically.

Chief Keel - SLED

I think it is important for us to look at this and see where we stand.

Chief Mullen - Charleston PD

We just looked at the major categories. We didn't go into individual things, just on the major categories. Personally speaking, I would suggest that we certainly look at some alternatives to figure out how we can reduce the number of months we have to wait. I don't think we are going to see a reduction in the number of people coming through or required to come to the Academy for a while.

Chief Keel - SLED

Agreed - I don't either.

Dep. Director Lanier - SCCJA

Economy is picking up. When the economy goes south, our numbers go way down because everybody is holding onto their jobs.

Director Harrell - SCCJA

Looking at what other agencies are doing, and how they are doing it, it seems to be proportional to the amount of money they can afford to spend on training. We use Kentucky as a benchmark because they pattern their Academy after us. It is disheartening to see them have a budget of fifty-two million dollars a year and train for twenty-six weeks -- and we are trying to defend ours. It illustrates what we've always said about our Academy, we don't have the money - we can't do it. There has to be a dialog about how serious this state is. We also have to look at disparity between the size of the agencies that we have. We have some agencies with only two people you know but they are an agency and we have to train them when they lose people. We have some agencies with 15-20. We have been going out and doing audits of their training records and are finding out that they are not reporting some people. They are using people as law enforcement officers who have never been to the Academy. This makes us really susceptible to poor public image when our guys are not up to the same standards. There has been much review about how much training we do and how we do it. Even though we have developed enough training for sixteen weeks, as presented to the Law Enforcement Training Council, we know that a lot of the smaller agencies cannot afford to put people in training for sixteen weeks. They are struggling just to pay their salaries. We are not protected by the Fair Labor Standards Act. We cannot train them for more than 40 hours (gave Summerville illustration). We have to train by task, not by time. The only solution is to stretch it out and that means adding weeks on to the training. Now, the second problem comes in - how can we afford to do that without bringing on more staff?

Chief Keel - SLED

We can't.

Dep. Director Lanier - SCCJA

In regards to what we were doing with the de-escalation, de-confliction training, the Academy is right now offering about nine hours and twenty-five minutes of classroom work and sixteen hours of traffic court in those areas. We can teach and we can train and we can talk with them about what they should and should not do; however, if not emphasized when they get back home, it's a moot point. Training is not a panacea – it's not going to cure every ill. The agency has a responsibility once they return home.

Director Smith - SCDPS

Is Conflict Resolution, Fair and Impartial Policing / De Escalation, and General Communications part of your total BLE right now?

Dep. Director Lanier - SCCJA

Yes, and we also deal with Diversity Training. Diversity Training is another 9 hours.

Director Smith - SCDPS

Chief Mullen, these 4 areas right here, is this what they would like to see more of in In-service training?

Chief Mullen - Charleston PD

The survey suggests that's what they would like to see more of across the board.

Director Smith - SCDPS

BLE?

Chief Mullen - Charleston PD

Yes.

Director Adger - SCPPP

That would be assuming that they don't know that you are providing any of it, right?

Chief Mullen - Charleston PD

Well, I don't know. Like I said, part of the survey said the people that responded with comments suggested that a lot of the stuff they think is being taught now could be reduced and those hours used to expand these areas that seem to be critical in today's environment. Just a couple of other personal comments, I don't think that we can allow ourselves, as professionals, to train to the lowest common denominator which happens to be the smaller agencies. If you are a police officer, and whether you are a two man agency or four hundred man agency, you need the same kind of training and you need to be able to operate in the same manner.

Chief Keel - SLED

I agree and think that those are the agencies that can least afford to have their folks not well trained.

Chief Mullen - Charleston PD

Secondly, and this would be a much deeper discussion for a few of us at another time, can we create some sort of opportunity to look at the things that are happening, the criminal incidents that are happening across the state and pull from those things and put that into the training? We can really leverage what's happening. This goes back to what Mark was talking about -- looking at officer involved shootings and finding out what the patterns and trends are. Whether those things can be reinforced in training and/or become part of the Basic Training? Try to create that leverage.

Chief Keel - SLED

Example, shooting into cars. That's probably one of the primary examples of something that you know we should be looking at. Every one of those cases where we are shooting into cars and examine those. In most of those cases, officers are putting themselves in those situations.

Director Smith - SCDPS

Scenario based training?

Chief Mullen - Charleston PD

They do scenario based training now. We need to look at the things that are actually happening now in the state.

Dep. Director Lanier - SCCJA

We actually have done that.

Chief Mullen - Charleston PD

As Mike said, it's easy to teach somebody at the Academy not to jump in front of a car, and we need to do that. I think that needs to be the primary response is that you don't jump in front of a car unless it's like a last resort, but when they get back to the agency, the supervisors and the managers have to reinforce that through their daily supervision as well as the policies of the agencies. That's another discussion for another day. We, as a group, should come up with some suggestions about some of these critical policy issues. Put it out there and say we are not going to tell you to do this, but these are certainly recommendations through research that we found. Shooting into cars is one of the primary examples.

Chief Keel - SLED

I agree with you. It is not just teaching them not to jump in front of a car. We need to teach them that if the car has already passed you, he is not a threat to you at this point when you are shooting in the back window or you are shooting in the side window.

Dep. Director Lanier - SCCJA

Immediately following one of these incidents the news media (and then the attorneys) come to the Academy. They want to know what we taught them to do. It basically falls in three primary areas: Approach, Position, and Control - like a three legged stool. If any one of those legs is not standing firm, the stool is going to fall over. So the way the officer approaches the situation, how he positions himself on the ground, and the measure that he uses to control the situation, all those have to work in tandem with each other. That's what we teach them, that is what we emphasize, that's what we stress. But, again, if you have a supervisor riding by a guy making an unknown risk vehicle stop and he is poorly positioned at the car and the supervisor turns a blind eye to it and doesn't stop and say something to him, after a few times of getting away with it, the bad habits have crept in. Now he is doing things he shouldn't be doing.

Director Harrell - SCCJA

I always caution the students that they may hear — "I know what they told you at the Academy, but this is the way we do things." When somebody tells you that, you are talking to a fool. He won't be with you in court when you wind up trying to defend your actions. That's why the FTO program is so critical. They have to get out there and they have to learn the right way, how it applies in the real world, not just what the Academy training officers say. Also, look at asking the training officer to come back to the Academy and work with us in training their students. It helps out the student and reinforces the skills he's got. It is hard to get them to come in and do that. Some come all the time. Some don't come at all.

Chief Green - Lexington PD

Is it mandatory to participate in a FTO program and do you guys (SCCJA) manage it?

Dep. Director Lanier - SCCJA

No, the only ones that are currently mandatory are the Basic Instructors Certified. They are required to come back and participate at least once in that 3 year cycle. A lot of them come more than that. If they are just Basic Instructor Certified, they help out with Practicals. If they are Firearms or Driving Instructor's, they will go over and help out on the driving/firearms range.

Chief Green - Lexington PD

So, there's no mandatory requirement that says law enforcement in South Carolina has to have that FTO program?

Dep. Director Lanier - SCCJA

No

Chief Green - Lexington PD

Can we put that in place?

Director Smith - SCDPS

I am a proponent of the FTO. We have one now. Our officers train 6-8 weeks. It has to be agency specific.

Chief Saundra Rhodes - Horry County PD

Why agency specific? Why can't there be a mandatory requirement so that every officer gets the same training?

Director Smith - SCDPS

For instance, my agency primarily focuses on highway safety matters, traffic, dui's, seatbelt, speeding etc. I don't want to spend 6 weeks on domestic violence training when I need that for dui.

(Retired) Chief Stewart - SLED

Is there certification for FTO?

Dep. Director Lanier - SCCJA

There is. We do certify the FTO's and we also do a FTO's Manager Course for the individual that's responsible for overseeing the FTO program within the organization. It is all based off the San Jose model which is what most FTO programs are.

Chief Green - Lexington PD

I don't know about agency specific. I think we need to have some sort of it. We go out there and enforce the laws, but we don't have anything governing us. How can you go out there, get somebody to go to the Academy, and then just throw them to the wolves? I think there needs to be something in place that says – you will do this. Similar to the Body Camera issue.

Director Smith - SCDPS

Well, you are preaching to the choir – we have a 6-8 week FTO program. What I'm saying is it's got to be geared toward your agency mission.

Chief Mark Keel - SLED

I think that's the recommendation Chief Mullen is giving. We've got to figure out what we can do to make FTO's mandatory. It may be for that small 2 man agency that they will need to get assistance from somebody else to help in their program to accomplish that.

Director Adger - SCPPP

Aren't you (the Sub-Committee) going to get together and discuss this stuff and make recommendation to this commission?

Chief Mark Keel - SLED

We are in the information gathering phase right now. When we get to that point, we will sit down (as a committee) and start making some more firm recommendations to bring back to full counsel.

Director Smith - SCDPS

We are basically in the fact finding, information gathering stage. We are going to put all this together. We are going to share it with you all and then the next thing would be coming up with the solutions to a lot of these issues. We'll go back and start writing recommendations/best practices for possible solutions.

Chief Mark Keel - SLED

For the hearing with Chairman Pitts, I would like for Director Harrell and Mike to be there. Need to be prepared if we look at going to fifteen to sixteen weeks. How many more instructors are we talking about? We are looking at a 7 month backlog. What do we need to do to get out of the 7 month back log? I know you can't give me all the answers now, but I think that we need to know because we have that hearing with Chairman Pitts. At least have a ball-park figure of the kind of money we are talking about to get us where we need to be.

Dep. Director Lanier - SCCJA

We can probably accommodate space needs because we still have some large classrooms in the main building that are not all fully engaged that could be dedicated.

Chief Keel - SLED

You've got to look at it all including the cost of staff (what does it cost to get the kind of staff we want to hire?). What will it cost to get that experienced officer that may be twenty years in his career and he's saying, you know, I think I'd like to get off the street and go train.

Dep. Director Lanier - SCCJA

Just to give you some indication, right now the highest paid agency (uniformed officer) in the state is Coastal Carolina. They are starting officers out at \$45,000.

Chief Saundra Rhodes - Horry County PD

I compete with them.

Dep. Director Lanier - SCCJA

That is as a patrolman, no Academy experience, nothing - straight in. Once they go through the Academy, they get an incentive after that. Right now, comparatively, what I can afford to hire an instructor at the Academy is \$43,000.

Chief Keel - SLED

That is why we need to be figuring that out. We need to figure out what it cost to hire the experienced staff. If it's \$60,000 to get somebody that has experience to come in then that's what we need to be looking at.

Dep. Director Lanier - SCCJA

Must consider - I will have to then raise everyone's salary, as well, so I don't have a salary compression issue. It's a multiplying factor.

(Retired) Chief Stewart - SLED

Members downtown also would like to know the cost to put in the psychological evaluations at the Academy. Can you (Lanier) get us a rough figure on that?

Dep. Director Lanier - SCCJA

May have problem here.

Director Smith - SCDPS

Let's move forward to the Hiring Practices subject.

Director Adger - SCPPP

We conducted a survey as well. The committee itself has not met to go over the results yet, so I will be brief. You have a survey list in your packets. We picked different state and county agencies (listed in your packets) to answer questions about their hiring practices (questions also in packet). Also included in your packet is information we pulled together from our national research. The document that is titled "Commission on Advancement Public Hiring Practices Recommendations" is for your reading. This document touches on different challenges across the Country. For instance, under "Competition", it talks about the lengthy process in hiring law enforcement -- and it takes too long. I know all of us have dealt with that at some point, but that's just one area that's on a national level that talks about things that we can improve upon in terms of hiring. Another area is the misconception about educational degrees. It states that the belief among recruit candidates is that the recruit with a Criminal Justice Degree alone qualifies one for a policing job, disregarding the importance of some other qualifiers for the job. In other words, just because you have a degree, you can be a cop. You've got to focus on what kind of individual person do I have rather than do I have someone with a Criminal Justice Degree. It's a misconception out there if you get a four year degree in criminal justice that you can be an officer. That is a serious concern across the country.

Another area (we have already hit on) is promises and pitfalls of technology. In terms of hiring, a major problem exists with this generation on how to communicate. It is very difficult for this technology generation to have one on one conversation. Makes it more difficult for recruiters to find and hire young people with inter-personal communication skills required for police work (referenced example Chief Keel gave regarding texting). How do we fix that in terms of hiring? Somehow in our training and hiring process we've got to make sure these people can talk to one another, not just text each other. They are lost without their phones. They don't really know how to communicate. This is a very serious concern we must address. We cut up about it a lot but it's a much more serious concern than I think we realize (referenced Director Adger's experience with a banker). The technology issue is a problem that we don't know how to address - see attached research for more. There is misunderstanding of job requirements for advancement potential. It says a perception shift is needed to help people see that law enforcement is not just a job. It is a career for a way of life. There are a couple of important things regarding hiring strategies (see back page). Also, the material references that there are two different types of individuals: 1) Adventure Oriented; and 2) Service Oriented. As a committee, when we are talking about hiring practices, recommendation should be to go after service oriented type. Stay away from folks that want to chase and lock people up. The survey itself was sent to about 15 different agencies. Received feedback from about ten or eleven. You have the questions that we are asking in your packet (Director Adger distributed answers and discussed question example). Suggestion was made to add/include Director Harrell onto the Hiring Practices Committee because of his experience and inability to get people through the Academy because of the quality of people coming through.

Director Smith - SCDPS

Agreed. Director Harrell and/or Mike Lanier will be added to the Hiring Practices Committee.

Director Adger - SCPPP

Referred Committee to Question Three and noted that in South Carolina we use all kinds of ways of hiring. We are not consistent. We have no standards for hiring police officers. Survey results are telling us we are all over the place in terms of hiring practices across South Carolina agencies. The Commission needs to recommend a standard for hiring police officers across the state of South Carolina. We (Sub-Committee) will continue to meet and focus in on what we think are specifics as to what we recommend as a Commission.

Sheriff Loftis - Greenville County SO

Referred to the five recommendations and background information he passed out (too much to discuss today, but it's self-explanatory). Some things we have already discussed 1) Create legislation to establish a minimum wage for law enforcement; 2) Make substantive changes to the attestation requirements to possibly include applicant pre-screening questionnaires; 3) Procure funding for the CJA regarding a specialized investigative compliance field unit to perform on-site compliance field audits for law enforcement certification training; 4) Amend the SC Training Act, and its' regulations, to provide greater clarity and expand legal protections to law enforcement organizations who encourage any adverse employment related information with other agencies; and 5) Establish a basic and advanced certification course for background investigators. Special emphasis should be placed on the key elements of recruitment, pre-screening questionnaire, comprehensive background investigations, labor laws, state standards, and strategic human resource management.

Director Smith - SCDPS

Thank you Sheriff Loftis, and Director Adger for the handouts and presentation. Two things we hit on today, Psychological Evaluations - which is a topic that is hot right now with the General Assembly. There are three or four bills out there now requiring law enforcement applicants to go through some type of psychological testing. One of them requires certified officers to go through the exam every three years which I, we, need to discuss that issue. Definitely the psychological exams for an applicant would be a step in the right direction. I know it comes with a price. The Sheriff mentioned, too, about background investigations and we talked about that the last time we were here. The Sheriff gave us an example of someone hiring an officer and didn't even do a background check on the officer. Background checks, reference checks, community checks – these things are essential when it comes to hiring new applicants. Backgrounds, psychological, polygraph, would be great, too. It would be very cost intensive for polygraph exam, but that's something else that's very critical. The last piece, in addition to all of this, is dealing with social media. We will disqualify a lot of people because they look good on paper, but we start looking at their social media sites and we find a lot of disturbing things. I think these are four really critical areas that this body needs to focus in on and make sure that we set that template for the rest of the state.

Dep. Director Lanier - SCCJA

Currently we are looking at 1,120 Basic law enforcement applications every year at CJA. Multiply that by approximately \$250.00 each for psychological screening. We don't have the budget for it. One thing Bolte mentioned is that this needs to be done pre-hire and so consequently I would like to see the responsibility go back to the agency. Maybe the Legislature could fund it with some kind of reimbursement back to the agencies. I can't hire that many psychologists.

Chief Keel - SLED

I think you can be pre-hired, but it can't be pre-conditional offer.

Dep. Director Lanier - SCCJA

No, it can't be pre-conditional offer. It's between pre-conditional and final.

Chief Keel - SLED

That's right. You have to have a pre-conditional offer before you can do psychological exam.

(Retired) Chief Stewart - SLED

It's like the physical examination process.

Dep. Director Lanier - SCCJA

Again, we would like (prefer) to see the agency handle this. Have some type reimbursement model like what was done with the body cam's. The agencies would handle just like they do their physicals.

Chief Keel - SLED

According to Bolte, there are six, seven, or eight folks around the state that he feels could do a great job at doing these evaluations. Everybody wouldn't have to come to Columbia (pick the one that's in your area). If they are serious, and want to fund it, they could fund it through a model where they put the money at the Academy, and the Academy reimburses the agency or whatever.

(Retired) Chief Stewart - SLED

You could have one or two in each region where they could go. You contract them and then you pay them.

Dep. Director Lanier - SCCJA

That is similar to the way it was handled the last time we were doing it (reimbursement situation as opposed to having a psychologist on staff doing all these things).

(Retired) Chief Stewart - SLED

Chief Stewart reported on the activities of the Community Relations Sub-Committee. They have engaged prominent leaders from the African-American community in discussions regarding law enforcement training in cultural sensitivity and community relations efforts in general. Those leaders included: Mr. J.T. McLawhorn, Executive Director of the Columbia Urban League; Dr. Lonnie Randolph, President of the SC NAACP; Dwight James, SC Executive Director of the NAACP; and Rev. Nelson Rivers III, Chief Operating Officer of the NAACP. They were all interviewed and each provided critically important feedback about law enforcement's relationships with diverse communities in the state and nationally. It is important to keep in mind that a critical element in dealing with officer-involved shootings statewide is that it's not the quantity, but the quantity that were inappropriate/not justifiable. Need to stress the importance of telling accurate stories to the state's citizens and communities so that incorrect pictures of law enforcement performance are not painted and perpetuated and positive community relations could be engendered. Suggested that it could prove beneficial to find outlets for showing as many facts as legally possible, even for past years' incidents, to the public regarding those situations in which deadly force was indeed necessary and justifiable. Chief Stewart encouraged the group to attend a series of Executive Level Trainings being conducted by the Law Enforcement Coordinating Committee (LECC)/SC Law Enforcement Officers Association (SCLEOA) relative to community relations on April 8, 2016. Subcommittee will have more to report later.

A move was made to adjourn the meeting.

Director Smith - SCDPS

We will continue to discuss our research at the next meeting. We will follow up in the near future with the minutes from today's meeting and also set the next meeting date. We had great input and candor today. Thank you all for coming.

Meeting adjourned 4:33 p.m.

SC Commission on the Advancement of Public Safety









Director Leroy Smith Co-Chair

April 12, 2016

The Honorable Nikki R. Haley Governor of South Carolina 1205 Pendleton Street Columbia, SC 29201

Dear Governor Haley:

The purpose of this communication is to provide you with a brief synopsis of the work of the SC Commission on the Advancement of Public Safety, hereafter, "the Commission." Since its formation per your Executive Order No. 2015-17 filed on July 13, 2015, the Commission has been extremely busy in addressing the five objective areas outlined within the Executive Order—(1) Community Relations; (2) Hiring Practices; (3) Officer Training; (4) Wellness Issues; and (5) Studies and Research.

The Commission has met formally on two occasions. The first meeting occurred at the SC Law Enforcement Division (SLED) headquarters on September 29, 2015, from 2-4 PM. The second meeting was held on February 8, 2016, from 2-4:30 PM at the headquarters of the SC Department of Public Safety. During the first and second meetings, sub-committees of the Commission were established to address the five objective areas and a productive discussion took place about these key areas. The Commission's sub-committees have been at work focusing on their respective assignments. This focus has included individual sub-committee meetings, contacts, conversations, surveys, and research relative to 21st century policing models as they impact and interact with the five objective areas. Sub-committees are currently developing recommendations within their respective assignment areas to present to the full Commission for approval prior to presenting to your office for final review and approval.

In addition, the Commission has availed itself of presentations, both formal and informal, by law enforcement experts from within and outside of the Commission membership. The Commission received an important presentation from Dr. Eric Skidmore of the SC Law Enforcement Assistance Program (SCLEAP) and Dr. Greg Dwyer of the Medical University of South Carolina, who also serves as a medical officer with SLED and SCLEAP, on law enforcement officer wellness issues. Director Hubert Harrell and Deputy Director Mike Lanier of the SC Criminal Justice Academy have conducted a presentation on law enforcement officer training in South Carolina. Most of the Commission members attended an Executive Level

The Hon. Nikki R. Haley April 12, 2016 Page 2

Training on April 8, 2016, conducted by the Law Enforcement Coordinating Council of the US Attorney's Office in SC and sponsored by the SC Law Enforcement Officers' Association and the USC Division of Law Enforcement and Safety. The training was entitled, "21st Century Policing and You/Lessons Learned." The training featured presentations from Chief Rick Braziel (Retired, Sacramento Police Department), currently Inspector General for Sacramento County, CA; Dr. Cedric Alexander, Deputy Chief Operating Officer DeKalb County (Georgia) Office of Public Safety; Chief Eddie Driggers of the North Charleston Police Department; and Chief Gregory Mullen of the Charleston Police Department, as well as a panel discussion featuring several Commission members, including Chief Mark Keel, former SLED Chief Robert Stewart, Chief Terrence Green and Chief Gregory Mullen.

Following the above training, Commission members met informally for an extended discussion with Chief Rick Braziel of Sacramento, CA, to discuss a variety of issues associated with the Commission's five objective areas. Predominant in the discussion were the areas of training, hiring practices, and wellness issues. Chief Braziel presented the training model currently utilized in California and stressed the flexibility and creativity associated with the State of California's decentralized training model. Though the training components in California are regulated by the state (Peace Officer Standards and Training, or POST), the actual delivery of training is handled at the local level. Individuals are also allowed to pay their own way through the academy training in the State, in the hopes of securing law enforcement employment after the training is completed with possible reimbursement for the investment made. As Chief Braziel discussed this model, the similarities between this system and that of other states, notably the State of Florida, became evident. As has become clear in research and analysis conducted by the Commission, the State of South Carolina lags behind other states in the amount of training time dedicated to basic law enforcement certification and some items required for certification, such as psychological testing of candidates. Chief Braziel also indicated that the State of California has legislatively mandated pay scales for "state law enforcement" officers.

As the Commission has conducted its work, it has become evident that much more research and analysis must be done to effectively identify best practices and develop recommendations to improve policing practices at all levels of government in the State, while maintaining effective crime reduction and community trust. The Commission expresses its thanks to you for allowing us additional time to complete this important assignment which has far-reaching implications for the advancement of public safety in South Carolina. The Commission also would like to thank you for allowing us to serve in this capacity.

Signature Redacted

Signature Redacted

Lefoy Smith

cc: Members of the SC Commission on the Advancement of Public Safety





April 22, 2016

Dear Commission Members:

We are pleased to advise you of the next meeting of the South Carolina Commission on the Advancement of Public Safety.

This meeting is scheduled for Monday, May 16, 2016, at 2:00 p.m. The meeting will be held at the S. C. Law Enforcement Division, J. P. Strom Room, 4400 Broad River Road, Columbia, S. C. We will have a call-in conference phone line available in the event you are unable to attend. Please refer to the attached for call-in instructions. Also, please confirm your attendance plans to Debbie Hamilton at 803-896-9223 or by email Dhamilton@sled.sc.gov.

We will be receiving updates from your respective Committee assignments. In addition, attached please find a copy of the Meeting Minutes from our February 8, 2016, Commission Meeting for your review. Please email any comments or corrections to <u>BonnieBrooks@SCDPS.GOV</u>.

As always, we look very forward to seeing you.

Sincerely,

Signature Redacted

Mark Keel

Chef - SC Law Enforcement Division

PO Box 21398

Columbia, SC 29221

Leroy Smith

Director - SC Department of Public Safety

PO Box 1993

Blythewood, SC 29016

Signature Redacted

C: Honorable Nikki R. Haley

Attachment: CAPS Minutes - February 8, 2016





COMMISSION ON ADVANCEMENT OF PUBLIC SAFETY

MEETING MINUTES May 16, 2016 2:00 p.m.

A meeting of the Commission on Advancement of Public Safety was held at the S. C. Law Enforcement Division (SLED), J.P. Strom Conference Room, 4400 Broad River Road, Columbia, S. C. on Monday, May 16, 2016.

Co-Chairman Chief Mark Keel called the meeting to order at approximately 2:10 p.m.

Members Present:

Chief Mark A. Keel - State Law Enforcement Division (SLED)
Director Leroy Smith - SC Department of Public Safety (DPS)
Director Jerry Adger - SC Probation, Parole and Pardon Services (SCPPPS)
Chief Terrence Green - Lexington Police Department
Sheriff Lee Foster - Newberry County Sheriff's Office
Director Hubert Harrell - SC Criminal Justice Academy (SCCJA)
Sheriff Steve Loftis - Greenville County Sheriff's Office
Chief Greg Mullen (via conference call) - Charleston Police Department
(Retired) Chief Robert Stewart - SC Law Enforcement Division

Member(s) Absent: Chief Saundra Rhodes (Retired – replacement forthcoming)

Guest Attendee(s):

Rebecca Schimsa - Governor's Office
Jarrod Bruder - SC Sheriff's Association
Ryan Alphin - SC Law Enforcement Officers Association
Dr. Ed Harmon - SC Department of Public Safety, OHSJP
Cindy Konduros
Annie Konduros

Guest Presenter:

John Tucker - SLED (CALEA/Inspections Unit); President, SC Police Accreditation Coalition (SC PAC), Council Chairman, SC Law Enforcement Association, Inc. (SCLEA) * Public Notice of the meeting of the Commission on Advancement of Public Safety was posted at SLED Headquarters twenty-four hours prior to the meeting as required by state law.

Co-Chair Chief Keel welcomed everyone to the third meeting of the Commission on Advancement of Public Safety. Chief Keel referenced Chief Rhodes' absence due to her retirement from the Horry County Sheriff's Department. He will be speaking with Governor Haley regarding her replacement.

Minutes from the February 8, 2016, Commission meeting were approved, with no amendment.

OLD BUSINESS

Discussion ensued with Chief Keel asking for an update from committee reports.

COMMUNITY RELATIONS COMMITTEE

(Retired) Chief Robert Stewart - SLED

Former Chief Stewart stated that at the last meeting it was indicated that the committee met with representatives of the NAACP (Nelson Rivers) and the Columbia Urban League (J.T. McLawhorn). Since that time, many committee and Commission members attended the training conducted at the USC School of Law on April 8, 2016, focusing on 21st Century Policing and You/Lessons Learned. He indicated that Chief Greg Mullen's presentation on the Mother Emanuel Church shooting incident at this training conference outlined a project with which he is involved that could become incorporated as a final recommendation of the group. He asked Chief Mullen to give an update on this project.

Chief Greg Mullen - Charleston PD

Chief Mullen discussed progress made on what is being referred to in Charleston as the Illumination Project. Everyone who dealt with the Emanuel 9 case gave praises as to how it was handled with many vocalizing that the way the case was handled was not just isolated to the case itself. The community felt that it was important to strengthen and build on the relationships built during and in the aftermath of the tragedy. The steering committee of the project, led by citizens, is halfway through with the development of an action plan for the Illumination Project. The steering committee will be meeting again on May 18th. He says he is happy to share anything that has been done so far. Information was sent and touched approximately 700 citizens. One theme for the plan consists of building community trust. As a result of the community's positive response in the wake of the tragedy, processes used and relationships built should be looked at to determine what the community and police can do to build and maintain strong relationships. The Illumination Project is developing a three-year plan with goals to include increasing cultural awareness, looking at policies and procedures to promote transparency, what police can do to improve, and what the community can do to improve. The work of this project was received very positively.

(Retired) Chief Stewart - SLED

Former Chief Stewart asked if this plan is specific to Charleston or can it be used by any police department.

Chief Mullen - Charleston PD

Chief Mullen indicated that the plan will be generic - it is not specific to Charleston and could be replicated elsewhere. The College of Charleston looked at the President's Task Force-Department of Justice Reports. The Project plans to connect with the Black, Asian and LGBT communities and to develop proposals that any agency can use to compare with its internal policies and procedures.

(Retired) Chief Stewart - SLED

Former Chief Stewart asked if the proposal leave room for suggestions about community relations from law enforcement departments as situations occur.

Chief Mullen - Charleston PD

Chief Mullen indicated that the proposal would allow suggestions. He suggests using a mediation process for the community as issues occur and come up with agreements between citizens and police that will cover a large range of incident types.

Director Leroy Smith - DPS

Director Smith asked if there is a plan to cover points on how to address officer-involved shootings with the media, social media, and the community.

Chief Mullen - Charleston PD

The Project plan has not yet developed specific strategies, but proper use of social media and technology will be addressed.

(Retired) Chief Stewart – SLED

Former Chief Stewart asked if there is a timeframe for the completion of the proposal.

Chief Mullen - Charleston PD

The steering committee plans to start working on it on Wednesday (May 18th), have it finalized by September and implement it in October 2016.

(Retired) Chief Stewart - SLED

Former Chief Stewart asked when the draft comes out, can the Commission members be allowed to use it for the development of possible recommendations if the Chairman approves. Also, could the Community Relations Committee bring Chief Mullen on board in place of Chief Rhodes since he is already working on recommendations.

Chief Keel - SLED

Chief Keel asked Chief Mullen, if he already have framework for the plan being developed.

Chief Mullen - Charleston PD

Chief Mullen answered, yes. The Project is using a structured design based on a model of polarity thinking and includes two values: (1) Public safety, and (2) Individual rights. Most people focus on one or the other, but not both. The model would look at both. He indicated that the design could be shared.

Chief Keel - SLED

Chief Keel stated it would be great if it could be shared with the committee so that they could have it to be able to make recommendations.

Chief Mullen - Charleston PD

Will send to Debbie Hamilton (Assistant to Chief Keel) for dissemination to Commission members.

Director Adger – SCPPPS

The Director pointed out that NAACP Conference attendees are excited about what Gov. Haley is doing. Issues of trust were expressed at this meeting, as well as how to use the Charleston response as a template. Additionally, there were questions regarding how agencies can explain to the community about the privileged information that can or cannot be shared in OIS cases.

Chief Keel - SLED

Chief Keel indicated that he would meet with Dr. Randolph and will also discuss this with Major Cliff Weir (SLED). The Chief emphasized the importance of getting information out to the media, while at the same time ensuring accuracy.

HIRING PRACTICES

Director Smith - SCDPS

The Director gave a report for this committee. The Hiring Practices Committee met at the SCDPPPS headquarters on March 9, 2016. In attendance were committee members Director Smith, Sheriff Loftis, Director Adger, and Director Harrell. Director Smith gave a draft of six initial recommendations which are being considered for submission to the Commission. These recommendations will receive final discussion and review at the committee's next meeting and will be finalized afterward. The six draft recommendations dealt with the following issues:

(1) Moving toward a parity among law enforcement agencies statewide relative to officer pay, including the establishment of pay benchmarks; (2) Establishing sound and consistent screening and selection processes for law enforcement applicants that are consistent with those established by accreditation organizations; (3) Accreditation for law enforcement agencies; (4) Developing a training module through SCCJA on proper conducting of background investigations for recruiters and background investigators; (5) Defining and clarifying what constitutes a thorough background investigation; (6) Providing clear legal protections for sharing of background information relative to officer performance and conduct.

Chief Keel - SLED

Chief Keel stated that he isn't certain that current background investigation practices go so far as to cover all aspects of a background investigation. SLED has a waiver that hasn't been challenged and has been used since Chief Stewart was at SLED. Anything negative found would be reported to the agency.

Chief Green - Lexington PD

Chief Green asked if the Commission could discuss with and educate the municipal and county associations relative to the sharing of appropriate background information.

Chief Keel – SLED

Chief Keel commented perhaps that will come out of the committee. Chief Keel expressed that HR drives the process.

John Tucker - President, SC Police Accreditation Coalition (SCPAC); Council Chairman, SC Law Enforcement Accreditation (SCLEA) (GUEST PRESENTER)

Mr. Tucker was invited to the meeting to conduct a presentation on accreditation. He thanked the group for its support of the 2016 SCPAC Training Conference. There were 115 individuals in attendance. He indicated that the SCPAC could not function without the support of local law enforcement. The 2016 Conference dealt with issues such as Sandy Hook, the Emanuel 9 incident, and social media, as well as a round table discussion. He offered a handout that dealt with the processes, procedures, standards, fees, and benefits associated with State Accreditation by law enforcement agencies, as well as sample chapters from an accreditation manual which dealt with recruitment, selection, promotion and bias-based profiling. After discussing the benefits of accreditation, he indicated that St. Louis County (Missouri) had passed a law requiring that all law enforcement agencies have to be accredited.

Chief Keel - SLED

Chief Keel indicated that there are about 60 law enforcement agencies are in that district, which range from large to very small agencies.

Director Adger - SCPPPS

Director Adger stated if agencies maintain accreditation certification, it could have a positive impact on hiring practices and processes.

John Tucker - SLED

Mr. Tucker conveyed information about a scheduled training this August which will cover HR matters (who and how to recruit). He indicated that some agencies have difficulty with mentoring issues after a recruit has gone through the Academy and received FTO training. Oftentimes, there is no one available to reinforce the training received and to properly mentor the new officers. This may result in disciplinary actions.

Chief Keel - SLED

Chief Keel indicated Director Harrell has been discussing a mandatory law enforcement program. How do we accommodate the needs of smaller agencies? They have very tight budget situations and may not be able to train 1 or 2 people at a time. That piece has to be figured out. SLED is currently revamping its FTO program.

Director Harrell - SCCJA

Director Harrell pointed out the fact that The Law Enforcement Training Council is critical to further training in real settings. FTO programs should be required. He pointed out that oftentimes in smaller agencies the Chief is the FTO. CJA can't teach everything.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster spoke of small agencies in his county that work officers prior to receiving SCCJA training. He stated that these smaller agencies fear that, when officers are trained, they will be recruited and taken by larger agencies.

Chief Green – Lexington Police Department

Chief Green asked can sheriffs' offices take on the responsibility of offering FTO training.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster stated in most cases sheriffs' offices can do it, but smaller departments often don't want larger departments training their people. This can likewise lead to losing officers to larger agencies.

John Tucker - SCPAC, SCLEA

Mr. Tucker said in some departments the highest ranking officer only has 3 years of experience, so there are many instances in the state in which there is not enough experience within the respective agency to offer new officers proper training.

Chief Keel - SLED

Chief Keel mentioned that agencies that are state accredited are not all nationally accredited. The breakdown, validated by Mr. Tucker, shows 29 agencies in the state which are nationally accredited, 12 agencies which are state accredited, and 9 agencies which are in the process of securing state accreditation. There are obvious costs associated with any accreditation process, although, from a financial standpoint, state accreditation is much more reasonable. For example, state accreditation does not require law enforcement applicants to undergo a polygraph examination, but does require a psychological exam.

Director Harrell - SCCJA

Director Harrell expressed that in the SCCJA, staff is seeing problems with recruits who come from a military background, especially in the arena of defense tactics. The trainees have trouble differentiating between police training and military training.

John Tucker - SCPAC, SCLEA

Mr. Tucker communicated that Mark Bolte, Ph.D., Columbia International University, says he will work with law enforcement agencies in making the right candidate selection. He pointed out that not all sheriffs and chiefs desire using the polygraph exam for recruits.

Chief Green - Lexington Police Department

Chief Green pointed out that there remain cost issues for any type of examinations which recruits undergo.

Chief Keel – SLED

Chief Keel pointed out that there are cost issues for smaller agencies, since qualified professionals must be administering the types of exams being discussed. There have been discussions with the legislature regarding the possibility of providing the SCCJA state funding to conduct the psychological examinations. However, the polygraph examinations and FTO programs remain a concern.

John Tucker - SCPAC, SCLEA

Mr. Tucker raised the issue of recruitment costs.

Chief Keel - SLED

Chief Keel stated that a real problem relates to the issue that when an officer is separated from employment and seeks employment at another agency, there is often no contact made with the previous employer.

John Tucker – SCPAC, SCLEA

Mr. Tucker stated that at times background investigators don't perform due diligence in conducting all liability checks as they should.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster stated that most background investigators pull information from the SCCJA forms and criminal/driver histories. If nothing adverse is indicated, there is no attempt to go further.

John Tucker - SLED

Mr. Tucker stated that if agencies are accredited, their background processes could be checked as proof of compliance.

Director Harrell - SCCJA

Director Harrell stated that many officers have just enough of a problem history to avoid de-certification and move from agency to agency. Their short length of stay at the agencies they serve could be a significant indicator of potential problems in hiring them.

Chief Keel – SLED

Chief Keel stated that municipal and county associations could be very valuable resources in terms of hiring. The liability associated with hiring a problem candidate should be of interest to cities and counties. He proposed sharing the information that agencies have in regards to negative issues and performance and letting them deal with these issues.

John Tucker - SCPAC, SCLEA

Mr. Tucker stated that it was very difficult for agencies, when receiving approval for hiring slots, to wait long periods of time to fill them for fear of losing the funding for the slot. Consequently, they sometimes act too hastily in hiring officers.

Sheriff Foster -Newberry County Sheriff's Office

Sheriff Foster confirmed the reality of Mr. Tucker's statement.

John Tucker - SLED

Mr. Tucker stated that he would be willing to go anywhere at any time to talk with agencies about the advantages of accreditation. He indicated that SCPAC could provide hiring panels or assist in conducting agency assessments. He also indicated that training could be opened up to non-member agencies.

Director Harrell - SCCJA

Director Harrell pointed out that in a previous meeting Chief Mullen had stated that agencies cannot and should not train to the least common denominator, but should adhere to standards that must be in place. This may create situations in which smaller communities come to the realization that some of the smaller agencies which cannot adhere to such standards may not need to exist.

Jarrod Bruder - S.C. Sheriff's Association

Mr. Bruder said that the state may need to acknowledge that many small police departments should not be in operation.

Chief Keel - SLED

The Chief stated that it is still critical to provide information to county and municipal associations and place the burden of decision on them. They know as well as anyone the problems they are facing in terms of quality law enforcement services.

(Retired) Chief Stewart

Former Chief Stewart stated that there should be mandated standards for police agencies, but if mandated, small agencies may not be able to afford accreditation.

Chief Keel – SLED

Chief Keel stated that there are some political issues and implications.

(Retired) Chief Stewart - SLED

Former Chief Stewart agreed.

Sheriff Loftis - Greenville County Sheriff's Office

Sheriff Loftis asked how many standards must be met for state accreditation.

John Tucker – SCPAC, SCLEA

Mr. Tucker stated that there are 284 standards under state accreditation, which, if followed, would help agencies stay out of trouble. The cost is \$150.

Chief Keel - SLED

Chief Keel stated that when SCPAC developed the standards, it was very careful about not putting in standards that would be costly for small agencies. SCPAC look at high-risk and high-liability issues.

John Tucker - SCPAC, SCLEA

Mr. Tucker raised the issue of how to get smaller agencies accredited. He indicated that it does take significant effort to accomplish this and that keeping up with standards documentation is challenging. He indicated that some municipal associations are able to give agencies some return on insurance costs as a result of agency accreditation, but the association of counties does not.

Chief Green – Lexington Police Department

Chief Green stated that in the case of municipalities, the process would go through the Council and from there to the Mayor.

Sheriff Loftis – Greenville County Sheriff's Office

Sheriff Loftis indicated that the key to achieving the accreditation process is the respective Chief.

John Tucker – SCPAC, SCLEA

Mr. Tucker stated that the state accreditation process does not involve a great deal of funding, but the real challenge is administering the processes involved with accreditation.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster agreed that the major issue involves the cost of administering the process.

(Retired) Chief Stewart - SLED

Former Chief Stewart indicated that small agencies (three or four officers) do all that they can to just have the officers on duty.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster stated that agencies must have someone to keep up with the documentation necessary for accreditation. He stated that some towns don't have to have a police department, but by law each county must have a sheriff's office. He indicated that the Municipal Association does give a break on liability insurance, but the Association of Counties does not. He raised the question of how to get agencies accredited without the ancillary costs.

Chief Keel -SLED

Chief Keel emphasized the importance of agencies remitting fines, fees, and assessments to the State Treasurer. He indicated that Director Harrell has contacted agencies about not remitting these fees. He stated that the Treasurer should seek remittance from the respective county or municipality.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster agreed that it would be more appropriate for the Treasurer's Office to seek remittance.

Chief Keel - SLED

Chief Keel stated that the treasurer has greater authority and could enforce the remittance process better than the Academy.

Jarrod Bruder - SC Sheriff's Association

Mr. Bruder indicated that the State Auditor's Office gets \$200,000 annually to do audits, but only conducts audits on the SCCJA.

Director Harrell - SCCJA

Director Harrell stated that the figure was actually \$240,000 annually to conduct audits.

Chief Keel - SLED

Chief Keel emphasized the frustration by the Academy in terms of being able to plan each year when revenues from fines, fees, and assessments continue to fluctuate wildly and have seen a reduction since the current climate of opinion toward law enforcement has made some officers and agencies reluctant to issue citations.

Director Harrell - SCCJA

Director Harrell indicated that in making attempts to contact law enforcement agencies about remittance has resulted in agencies indicating that they don't agree with having to do so.

(Retired) Chief Stewart - SLED

Former Chief Stewart expressed that the real problem is that no entity is requiring the agencies to remit.

Chief Keel – SLED

Chief Keel stated that some agencies are trying to recover the costs associated with the fact that officers that they hire are leaving after less than a year.

Chief Green - Lexington Police Department

Chief Green raised the question that, if there is no authority to go after the town or county for remittance of the fees, could one seek remittance of costs associated with attrition from the individual officer.

Director Harrell - SCCJA

Director Harrell stated that this is not possible.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster indicated that some agencies have officers sign a contract, thus allowing them to go after them civilly.

Director Harrell - SCCJA

Director Harrell stated that it's difficult to get agencies to see they have an obligation.

OFFICER TRAINING

Chief Keel - SLED

Chief Keel stated that the Law Enforcement Training Council LETC is discussing a number of things that could eventually become recommendations from the Commission. The first involves restructuring the way the SCCJA is funded. He emphasized the difficulty in planning and operating the Academy with the fluctuations involved in the current funding stream. The second involves developing a pay scale for Academy instructors. He stated that it is difficult to recruit and maintain qualified, experienced instructors at the current pay scale. The third involves extending the basic training to at least 15 weeks from the current 12-week class, and a thorough assessment of the current Academy curriculum. He indicated that since Director Harrell is retiring as of July 1st, whoever is hired needs input into the direction the agency is going. Finally he mentioned that the LETC needs to deal with the current training backlog, which currently takes approximately seven months for law enforcement applicants to get into the Academy for basic training. He stated that small agencies are hiring officers and putting them to work until they can get into the Academy. This is definitely not an ideal, best-practice scenario. He also indicated that there is so much scrutiny of officer-involved shootings, that it would be helpful if instructors had time to review these cases and incorporate training strategies within the curriculum that could be used with new recruits and current officers. He cited the number of incidents of officers shooting into vehicles as an example of an issue that could be dealt with by instructors who had the time to do so, particularly putting officers in tactical situations instead of just telling them about this in a classroom setting.

Director Harrell - SCCJA

Director Harrell stated that the proposed 15 weeks of training would not necessarily increase the amount of time spent in classroom contexts. He stated that the expanded training time would work on de-escalation situations,

explaining to officers their role in the community, and teaching officers how to maintain peace. He stated that many times young officers will only do what they think their sheriffs or chiefs will accept. He stated that many experienced officers were lost because of changes in the retirement system, thus the state lost a great deal of street sense and experience. He indicated that when that experience level was lost, the state lost communication with the community, and this in turn hurt the Academy.

Chief Keel – SLED

Chief Keel cited the fact that Instructors at the Academy are young. The SCCJA doesn't have the experienced instructors that used to be teaching at the Academy. He indicated that, unless we have a competitive pay scale for instructors, the state will never get back the experienced trainer.

Director Harrell - SCCJA

Director Harrell indicated that the SCCJA just hired an older, retired officer to help young officers.

Sheriff Foster – Newberry County Sheriff's Office

Sheriff Foster asked if retired officers are able to go back and work under new plan, particularly under the \$10,000 earning cap.

Cindy Konduras

Ms. Konduras indicated that they are eligible to return as a contract employee.

Jarrod Bruder - SC Sheriff's Association

Mr. Bruder stated that SCDC is currently doing this.

Chief Keel - SLED

Chief Keel reiterated that the Academy has lost a lot of experience.

Director Harrell - SCCJA

The Director indicated that this problem is being looked into by SCCJA. He indicated that it would help SCCJA a great deal to get more experienced instructors.

(Retired) Chief Stewart - SLED

The former Chief stated that the delay in getting into Academy is problematic, as well as fulfilling in-service training needs.

Chief Keel - SLED

Chief Keel stated that SLED conducts its own training every year with the same instructors. He indicated that he would like to see officers go back to the SCCJA to get quality in-service training.

(Retired) Chief Stewart - SLED

Chief Stewart said that the quality of in-service training is inconsistent statewide.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster indicated that the cost of recertification is a hardship on smaller agencies, with the basic detective class running around \$140.

Director Harrell - SCCJA

Director Harrell indicated that SCCJA is looking into setting up four mobile training teams to retrain and recertify officers. These teams would set up in a certain geographic area of the state for a few weeks, conduct training, and then move to another area of the state. These training officers (12 total, three per team) could update firearms, driver training, and cultural diversity.

(Retired) Chief Stewart – SLED

Former Chief Stewart commented that there are probably law enforcement officers in the state that haven't had certain trainings.

Director Smith - SCDPS

Director Smith brought up the fact that the LETC had requested that the Academy come up with a way to get cultural diversity training for every officer.

Chief Keel – SLED

Chief Keel indicated that SCCJA Deputy Director Mike Lanier had been tasked to come up with mandated cultural diversity training. Mr. Lanier had communicated with representatives of the Department of Justice about sending instructors to SC to conduct a train-the-trainer approach to cultural diversity training which would create a cadre of trainers large enough to provide this type of training to every officer in the state. This would be maintained to the point that this type of training could be mandated for officers every three years. SCCJA will put these types of classes into motion.

(Retired) Chief Stewart - SLED

The former Chief indicated that he believed this training model would work. He stated that the King Center used this approach to train officers years ago.

Chief Keel, Director Harrell, Sheriff Foster, Jarrod Bruder

General comments were made by the above gentlemen relative to: the fact that many training recommendations will likely be put forth by the Commission; charges anticipated for advanced training; the cost of training meals being covered; and the overall funding for extending Academy training to 15 weeks. Chief Keel indicated that he believed the Commission would offer a lot of training recommendations in its final report.

Director Harrell - SCCJA

Director Harrell indicated that annual costs for the extended three weeks of training would be \$1.8 million, depending on how many people are hired for the expansion.

Chief Keel - SLED

Chief Keel indicated that the full cost should be known by December. He then expressed concern that candidates used to be able to get into SCCJA fairly quickly.

Director Harrell - SCCJA

Director Harrell indicated that safety issues have a lot to do with the number of trainees brought in at one time. He stated that 70 are about all they can handle.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster indicated that SCCJA couldn't take over 50 when he was at Academy.

Chief Keel – SLED

Chief Keel stated that the LETC is hoping to be able to make recommendations in the next legislative cycle, but the key need is sustained funding.

Sheriff Foster – Newberry County Sheriff's Office

Sheriff Foster asked if fine money is successfully collected would it be enough.

Chief Keel - SLED

Chief Keel indicated that it would not be. He talked about crime rates going up in the 20 largest cities in US, and law enforcement not writing as many citations as in previous years due to working murder cases and being concerned about the image of the departments and law enforcement as a whole. He emphasized that law enforcement is trying to maintain community trust levels.

Sheriff Foster - Newberry County Sheriff's Office

Sheriff Foster asked if funding is not going to come from fines, where will the legislature get money to fund the Academy.

Chief Keel – SLED

Chief Keel stated that he believed it was a good idea for the Treasurer to collect funding through fines, fees and assessments, put this money in the General Fund and establish a consistent budget line item for the Academy.

Cindy Konduras

Ms. Konduras indicated that the burden on the Academy is made doubly difficult when costs such as health insurance are increased. With the uncertain nature of the current funding stream, it is almost impossible for the Academy to handle these costs.

Director Harrell - SCCJA

The Director indicated that Academy often has to absorb these costs with no additional funding or reduced funding levels.

Chief Keel – SLED

Chief Keel stated that the Academy funding is effectively cut every time there is a pay raise.

Jarrod Bruder – SC Sheriff's Association

Mr. Bruder suggested that perhaps the state should consider letting officers make an investment in their own training by allowing technical colleges to conduct training.

Chief Keel - SLED

The Chief expressed that he did not believe this was a good option and may reduce even more the pool of candidates available for law enforcement jobs.

Jarrod Bruder - SLED

Mr. Bruder suggested the possibility of officer candidates being eligible for educational scholarships through the state lottery which could be used at technical colleges to offset training costs.

Chief Keel - SLED

Chief Keel expressed concern about the consistency of training in such a model. He spoke of the value of classroom training in the morning and practical training in the evening at Academy. Some of these things could not be done in a technical college environment.

Director Smith - SCDPS

Director Smith indicated that the state of Florida successfully uses community colleges for training, but the curriculum is regulated by that state's equivalent of the LETC in SC. Often technical college instructors are retired law enforcement officers, and the regulatory authority conducts annual audits of law enforcement curriculum and instructors at the community colleges. He indicated that this process can work, but must be regulated and audited to ensure consistency.

Jarrod Bruder – SC Sheriff's Association

Mr. Bruder indicated that in this process not all training would be at the technical schools with some training remaining at the Academy.

(Retired) Chief Stewart - SLED

Former Chief Stewart asked how the Academy would receive funding from this type of approach and how would money be saved.

Sheriff Foster – Newberry County Sheriff's Office

Sheriff Foster indicated that in this process money from the lottery would be going to the respective schools. He stated that fundamental training, such as legal issues, could be conducted at schools, giving more time for the Academy to conduct practical aspects of training.

Director Adger - SCPPPS

Director Adger asked if the legislature can look at funding.

Chief Keel – SLED

Chief Keel stated that there is an effort underway to try and do something different in the way of funding.

Director Adger - SCPPPS

Director Adger talked about problems with the legislature shifting funding due to funding being down not only on the state level, but nationally as well.

Director Harrell - SCCJA

Director Harrell mentioned that the state of Kentucky has Academy funding through insurance premiums with each paying out \$1 for law enforcement training. This works well for Kentucky and sometimes generates surpluses.

Chief Keel - SLED

Chief Keel highlighted the fact that Kentucky has 26 weeks of Academy training, but he stated that he is not for raising fines/fees any more to increase training opportunities. He stated that there must be some other solution. He stated that if the state went with the technical colleges as an option, would they be asking for more funding. He asked would this just be shifting cost from one agency to the next.

Jarrod Bruder - SC Sheriffs' Association

Mr. Bruder asked if that would that be our problem.

Chief Keel – SLED

Chief Keel stated that there is no easy solution and the technical college approach would not mean that Academy would get more funding.

Jarrod Bruder - SC Sheriff's Association

Mr. Bruder expressed his belief that the reason we're getting funding now is because of the relationship with the current legislature. He wondered what the situation would be if the relationship is no longer there.

Chief Keel - SLED

Chief Keel stated that he believes that the legislature feels that law enforcement/public safety is important. However, he expressed concern that perhaps law enforcement has not told its story well enough. He stated that law enforcement needs more training, which comes with a cost. He stated that the Commission will offer a recommendation concerning this.

Director Adger - SCPPPS

Director Adger stated that he thinks funding needs to come from the General Assembly.

Chief Keel – SLED

Chief Keel stated that the General Assembly understands the issue that law enforcement needs to be taken out of the collection business.

Sheriff Foster – Newberry County Sheriff's Office

Sheriff Foster stated that a plan is needed to demonstrate how training will improve.

Chief Keel - SLED

Chief Keel indicated that a plan will be developed.

Sheriff Foster – Newberry County Sheriff's Office

Sheriff Foster indicated that SCCJA does a good job of fitting people in.

Chief Keel - SLED

Chief Keel indicated that Director Harrell is running numbers on cost, and he stated that the state needs to fix the seven month delay in getting into the Academy.

Director Harrell - SCCJA

Director Harrell stated that there are two aspects that must be considered, the law enforcement side and the community side. The community side is changing more quickly than law enforcement side. He indicated that he had researched national averages in salary, comparing SC to other states. SC is currently not on a par with other

states (ex. NY). He also indicated that communication skills must be a prime consideration in hiring law enforcement officers.

Chief Green - Lexington Police Department

Chief Green stated that young people being hired know how to handle and deal with young people in the community. He also indicated that hiring young people has been instrumental in facilitating change among experienced officers, including himself, particularly in regards to the use of social media.

WELLNESS

(Retired) Chief Stewart - SLED

Former Chief Stewart indicated the importance of identifying and preventing Post-Traumatic Stress Disorder (PTSD) among officers. He talked about the good work of SCLEAP, under the direction of Dr. Eric Skidmore, which receives \$250,000 to support LEAP Program. This amount helps cover the cost of co-pays and deductibles with the rest used by SCLEAP for its operation. He suggested that more could be done through this fine organization.

Chief Keel - SLED

Chief Keel suggested that more funding would allow SCLEAP to conduct more conferences and lauded the positive results of the SCLEAP.

(Retired) Chief Stewart - SLED

Former Chief Stewart stated that there is a need to get the House to concur with Senate on a bill that would cover confidentiality of debriefing.

Sheriff Foster – SLED

Sheriff Foster cited a PTSD article in the paper which discussed a bill that provided that only under certain circumstances would information have to be revealed.

NEW BUSINESS

Chief Keel – SLED

Chief Keel called for any new business.

(Retired) Chief Stewart - SLED

Ret. Chief Stewart asked if there is a final reporting goal to the Governor.

Chief Keel - SLED

Chief Keel indicated that the Co-Chairs would like to have recommendations by the end of the summer. The Co-Chairs asked that Committees put together components of what has been discussed so far. The Co-Chairs anticipate more frequent meetings once the legislature adjourns.

(Retired) Chief Stewart - SLED

Ret. Chief Stewart suggested that perhaps Chief Mullen can give a preliminary report.

Chief Keel – SLED

Chief Keel stated that the Co-Chairs hope to conduct another meeting in 3 weeks.

Director Smith - SCDPS

Director Smith indicated that an interim report has been initiated.

Chief Keel - SLED

Chief Keel adjourned the meeting at 4:30 p.m.





June 15, 2016

Dear Commission Members:

We are pleased to advise you of the next meeting of the South Carolina Commission on the Advancement of Public Safety.

This meeting is scheduled for Monday, June 27, 2016, at 2:00 p.m. The meeting will be held at the S. C. Department of Public Safety Headquarters, Executive Conference Room, 10311 Wilson Boulevard, Blythewood, S. C. We will have a call-in conference phone line available in the event you are unable to attend (please see the attached for call-in instructions). Also, please confirm your attendance plans to Bonnie Brooks at 803-896-7979 or by email bonniebrooks@scdps.gov

For your information, we will be receiving updates from your respective Committee assignments. In addition, we have attached a copy of the Meeting Minutes from our May 16, 2016 Commission meeting for your review. Please email any comments or corrections to Dhamilton@sled.sc.gov.

As always, we look very forward to seeing you.

Signature Redacted

Mark Keel
Chief - SC Law Enforcement Division

PO Box 21398 Columbia, SC 29221

C: Honorable Nikki R. Haley

Attachments: CAPS Minutes - May 16, 2016 Conference Call-In Instructions Signature Redacted

Lerey Smith
Director – SC Department of Public Safety
PO Box 1993
Blythewood, SC 29016





PUBLIC NOTICE

Pursuant to S.C. Code § 30-4-80, "The Freedom of Information Act," notice is hereby given of the following meeting of the South Carolina Commission on the Advancement of Public Safety

SOUTH CAROLINA COMMISSION ON THE ADVANCEMENT OF PUBLIC SAFETY

June 27, 2016 2:00 PM

S. C. Department of Public Safety Headquarters
Executive Conference Room
10311 Wilson Boulevard
Blythewood, S. C. 29016

*AGENDA

2:00 p.m.

Welcome

Approval of CAPS Minutes- May 16, 2016

Old Business

Updates from Committee Assignments

New Business Adjournment