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November 10, 2016

VIA EMAIL and U.S. MAIL  
Director Leroy Smith  
Department of Public Safety  
Post Office Box 1993  
Blythewood, South Carolina 29016

Dear Director Smith:

As a follow up to the Law Enforcement and Criminal Justice Subcommittee's meeting with the agency on November 1, 2016, below is a list of the information the subcommittee is seeking. Please provide this information by Thursday, December 1, 2016.

### *Staffing and Finances*

- Please provide updates, as discussed during the meeting, for the number of troopers listed in the Budget, Staffing, Warnings/Citations Excel document. Please include the source of the data.
- Explanation of any research the agency has performed to determine whether the shifts it currently operates are the most effective versus shifts which would not require Troopers, or other personnel if applicable, to automatically incur overtime every pay period.
- For each year from 2012-13 through 2015-16, please provide the following:
  - total Budget for Highway Patrol Division;
  - complete breakdown of all Highway Patrol Division expenses (i.e. cash flow statement); and
  - number of troopers, trooper salary expenses, and where remainder of budget is being spent.

### *Hiring and Retention*

- How the agency plans to obtain data (i.e. specific reasons, number of years away from the agency, etc.) on why officers are returning.
- Based on information previously provided by the agency, there were 96 offers accepted for Basic Trooper Classes #97, 98, and 99. How many of those individuals, by class, graduated from the Criminal Justice Academy?
- How many offers were accepted for Basic Trooper Classes #100? How many of those individuals graduated from the Criminal Justice Academy?

### *DPS Policies and Activities*

- Please provide policies related to traffic enforcement and the issuing of traffic citations, including, but not limited to, 300.14 and 300.21, which were effective during the last five fiscal years.
- The agency responded to the Subcommittee's question regarding "where trooper time was spent since during the last three years, the agency has had the same number of officers, the amount of traffic has increased and the number of warnings/tickets issued has decreased by approximately 160,000" in an August 15, 2016 letter. The agency stated "a significant number of employee hours have been redirected from enforcement activities to additional training requirements as well as to natural disaster and civil disturbance responses" and then listed the following training/events: (1) Precision Immobilization Technique Training; (2) Civil Emergency Response Phase I Training; (3) Active Shooter Response/Civil Emergency Response Phase II Training; (4) Cultural Professionalism Training; (5) 2014 Winter Storms; (6) 2015 Walter Scott Protests; (7) 2015 Emmanuel 9 (Funerals and Protests); (8) 2015 Confederate Flag Removal; (9) 2015 KKK Rally/Black Panther Counter Protest; (10) 2015 Statewide Flooding/DNSAP Distribution; (11) 2015 Memorial Day Bike Fest; (12) 2016 Memorial Day Bike Fest; and (13) 2016 Republican National Convention Support. The Subcommittee requests additional details about the training and events listed by the agency including the following for each:
  - Incident Plan with number of assigned troopers; and
  - Summary of trooper hours per activity, from the Activity Console, for all officers involved/impacted so the subcommittee can see the number of hours diverted from traffic enforcement to the event.
- What policies or practices does the agency have in place to ensure all information provided to media is accurate? How long have these policies and practices been in place? Who is responsible for ensuring information provided to the media via press releases, emails, or verbal communication is accurate?

### *Office of Professional Responsibility*

- Please provide an update on the internal investigation relating to overtime discussed during the Subcommittee's July 13, 2016, meeting, which the agency initially anticipated would be concluded in September 2016.
- Please provide a listing of all OPR cases investigated during 2016 along with the number of days each was open.

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns (1) about the format of these questions yielding

answers that do not provide an accurate reflection of the agency, or (2) that these requests may in any manner compromise law enforcement activities, please express those concerns, prior to responding to the question, in a written letter to me with a copy to committee staff. Please retain your working papers for these responses in the event the subcommittee would like to view those.

Sincerely,

Signature Redacted

Kirkman Finlay III  
Subcommittee Chair

cc: The Honorable Wm. Weston J. Newton  
The Honorable William K. Bowers  
The Honorable Raye Felder  
The Honorable Edward R. Tallon Sr.