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OPR File #PR-2101-14-0023-D

Investigated by: Investigator John J. Boehm [REDACTED]

Reviewed by: Chief K. D. Phelps [REDACTED]

Date: 12-8-2014



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INVESTIGATIVE REPORT

Case Number: PR-2101-14-0023-D

SUBJECT: Sergeant G.D. Rothell
South Carolina Highway Patrol (SCHP)

COMPLAINANT: Colonel M.R. Oliver
South Carolina Highway Patrol (SCHP)

INVESTIGATOR: Investigator John J. Boehm
Office of Professional Responsibility (OPR)

ALLEGATION: Sergeant Rothell directed his subordinate, Corporal Kyzer, to be untruthful with the Troop 1 commander, Captain Stephens.

ALLEGATION: Sergeant Rothell failed to review the videos of two of his subordinates, Corporal Kyzer and Corporal Ginn, for the month of February, 2014.

ALLEGATION: Sergeant Rothell falsified an official SCDPS form when he submitted a Video Tape Monitor Report to his chain of command that listed fabricated dates of video reviews for Corporal Kyzer and Corporal Ginn.

ALLEGATION: Sergeant Rothell failed to document by chain of custody form that he took possession of video 14-1C-0010 from Corporal Kyzer on March 7, 2014.

ALLEGATION: Sergeant Rothell was untruthful with and intentionally attempted to mislead Captain Stephens regarding the events surrounding Sergeant Rothell's failure to review a video from Corporal Kyzer.

INVESTIGATIVE PREDICATE

On March 13, 2014, Captain C.T. Stephens sent a memorandum to his chain of command detailing discrepancies that he had observed on a chain of custody form and his subsequent conversations with Sergeant G.D. Rothell and Corporal B.E. Kyzer. Captain Stephens stated that he reviewed a Video Tape Monitor Report on March 10, 2014, which contained several



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discrepancies. One of the discrepancies on the Video Tape Monitor Report was that Sergeant Rothell indicated he had reviewed a video on February 13, 2014. However, the video in question had not been recorded on until February 21, 2014. When Captain Stephens questioned Corporal Kyzer, whom the video had been issued to, Corporal Kyzer stated that he and Sergeant Rothell had watched the video together while at the office. Corporal Kyzer later admitted to Captain Stephens that he had been untruthful and stated that Sergeant Rothell had asked Corporal Kyzer to lie about having watched the video together at the office. On March 21, 2014, Colonel Oliver forwarded Captain Stephens's memorandum to OPR and requested that a proper investigation be initiated. This case was assigned to Investigator John J. Boehm.

INVESTIGATION

As part of this investigation, Investigator Boehm reviewed a copy of a memorandum from Captain Stephens (**Exhibit 1**), a copy of a SCHP Video Tape Monitor Report (**Exhibit 2**), a copy of a chain of custody form for video 14-1C-0010 (**Exhibit 3**), a copy of a chain of custody form for video 14-1C-0074 (**Exhibit 4**), a copy of email correspondence between Captain Stephens and Sergeant Rothell (**Exhibit 5**),

The aforementioned documents revealed the following:

Copy of a Memorandum from Captain Stephens

Investigator Boehm reviewed a copy of a memorandum from Captain Stephens to Major M.S. Wright that was dated March 13, 2014 (**Exhibit 1**). The transcription is as follows:

"On March 5, 2014, I requested Post C (Lexington) to send me a video of Cpl. B.E. Kyzer for my review. The video I requested was 14-1C-0010 which was supposedly reviewed by Sgt. Rothell in February. I received the video on March 10, 2014 and noticed the attached chain of custody indicated it was from Cpl. Kyzer to me. There was no indication of Sgt. Rothell having possession of the video. I sent an email asking why he was not listed and he responded that he watched the video while Cpl. Kyzer was at the Lexington office.

The Video Tape Monitor Report (attached) submitted by Sgt. G.D. Rothell at the end of February indicated he reviewed the video on February 13, 2014. This could not be true because the video in question was not recorded until February 21, 2014. Further review of the Video Tape Monitor Report disclosed more discrepancies. They are listed below:

1. Tape number 14-1C-0074 is assigned to Cpl. K.G. Ginn. The report indicated it was reviewed by Sgt. Rothell on February 12, 2014 but the video, as of this date, has not been used or recorded on.



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2. Tape number 14-1C-0114 is assigned to Trp. A.H. Crouch. The report indicated it was reviewed by Sgt. Rothell on February 16, 2014 but the chain of custody of that video does not show Sgt. Rothell in possession of that video either.

While exploring these discrepancies, I spoke with Cpl. Kyzer over the phone on Monday, March 10, 2014. I asked him did he give the video numbered 14-1C-0010 to Sgt. Rothell to review. He stated to me "yes" and the reason the Sergeant was not on the chain of custody was he watched the video while they were both in the office. On Wednesday, March 12, 2014 Cpl. Kyzer reported to my office and explained to me that he had not been honest and Sgt. Rothell did not take possession of the video or watch it until March 7, 2014. The video was returned to Cpl. Kyzer on March 9, 2014 so he could deliver to the Troop Headquarters for my review. He also told me that Sgt. Rothell asked him to tell me he had watched the video while they were at the office and that led him to be untruthful with me over the phone.

I am forwarding this information for your review and proper handling. Because the Video Tape Monitor Report does not appear to be truthful and the facts surrounding the inquiry were misrepresented, I am requesting a proper investigation into this matter. If you need and further regarding this situation, please let me know."

Copy of a SCHP Video Tape Monitor Report

Investigator Boehm reviewed a copy of a SCHP Video Tape Monitor Report from Sergeant Rothell (**Exhibit 2**). The report was dated February 12, 2014, and stated that Sergeant Rothell had reviewed the listed video tapes and that there were no noted violations for any of them. The video information was:

Date Reviewed	Trooper Assigned	Tape Number
2/12/2014	M.B. Moser	14-1C-0061
2/12/2014	K.G. Ginn	14-1C-0074
* 2/16/2014	A.H. Crouch	14-1C-0114
* 2/13/2014	B.E. Kyzer	14-1C-0010
2/12/2014	K.W. Fowler	13-1C-1065

* Note: Sergeant Rothell's Video Tape Monitor Report displayed the inconsistency of listing these two dates for video review while also showing February 12, 2014, as the submittal date of this form to his supervisor.



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Copy of a Chain of Custody Form for Video 14-1C-0010

Investigator Boehm reviewed a copy of a chain of custody form for video 14-1C-0010 (**Exhibit 3**). The submitting officer was Corporal Kyzer and the video start date was listed as February 2, 2014, while the end date was listed as February 23, 2014. The chain of custody portion indicated that the video had been transferred for review from Corporal Kyzer on March 9, 2014, to Captain Stephens. No additional transactions were listed.

Copy of a Chain of Custody Form for Video 14-1C-0074

Investigator Boehm reviewed a copy of a chain of custody form for video 14-1C-0074 (**Exhibit 4**). The submitting officer was Corporal Ginn and the video start date was listed as March 17, 2014, while the video end date was listed as March 27, 2014. The chain of custody portion indicated that the video had been transferred for disposal from Corporal Ginn on August 20, 2014, to Sergeant Rothell. This was the first date of transfer on the chain of custody form and was the date that the form was created. An additional transaction listed the video as being transferred on September 4, 2014, from Sergeant Rothell to Sergeant Harrelson for disposal. OPR obtained a copy of this form on October 16, 2014.

Copy of Email Correspondence between Captain Stephens and Sergeant Rothell

Investigator Boehm reviewed a copy of email correspondence between Captain Stephens and Sergeant Rothell (**Exhibit 5**). Captain Stephens's email was sent at 1025 hours on March 10, 2014. The email stated, "I received the disc I requested from Cpl. Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?" Sergeant Rothell replied to the email at 1027 hours on March 10, 2014. The email stated, "When I get a video from them I normally just grab one from them while they are in the office."

INTERVIEW OF COMPLAINANT

This case was forwarded to OPR by Colonel Oliver.

INTERVIEW OF WITNESS

Captain C.T. Stephens, SCHP Troop 1 Commander

On June 9, 2014, Investigator Boehm obtained a sworn statement from Captain Stephens. The following is a synopsis of his statement which contains paraphrasing:



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Captain Stephens stated that on March 5, 2014, he requested several videos from within Troop 1 for his review. One of the videos that Captain Stephens requested was video 14-1C-0010 which had been issued to Corporal Kyzer who was assigned to Post C (Lexington). When Captain Stephens received this video with the chain of custody form on March 10, 2014, he noticed that Sergeant Rothell, who was listed on the Video Tape Monitor Report as having reviewed this video, was not listed on the chain of custody form. Instead, the form indicated that the video had been transferred directly from Corporal Kyzer to Captain Stephens without any additional transfers. Captain Stephens sent Sergeant Rothell an email at 1025 hours that day which read, "I received the disc I requested from Corporal Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?" Captain Stephens stated that, two minutes later at 1027 hours, Sergeant Rothell responded via email, "When I get a video from them I normally just grab one from them while they are in the office." Captain Stephens stated that this did not seem right to him and that the chain of custody form should have been filled out showing that Sergeant Rothell had taken possession of the video from Corporal Kyzer for his review on February 13, 2014. Captain Stephens contacted Corporal Kyzer by telephone on March 10, 2014, to ask about the video. According to Captain Stephens, he asked Corporal Kyzer directly during this telephone conversation if Sergeant Rothell had reviewed the video. Corporal Kyzer replied that Sergeant Rothell had reviewed the video while they both were in the office.

Captain Stephens stated that the issue still did not sit right with him and he began to investigate further. Captain Stephens recalled that South Carolina had experienced a snowstorm during February 2014 and much of the state had been shut down. He then observed that Sergeant Rothell's video review date of February 13, 2014, was one of the days during the snowstorm. Captain Stephens began to further doubt the story that had been given to him since it was unlikely that any supervisors had been at the patrol offices reviewing videos when the SCHP's attention should have been focused on assisting motorists affected by the snowstorm. Captain Stephens instructed First Sergeant C.M. Shelton to pull all of the videos that had been reviewed by Sergeant Rothell during the month of February. One of these videos was 14-1C-0074 assigned to Corporal K.G. Ginn. The Video Tape Monitor Report indicated that it had been reviewed by Sergeant Rothell on February 12, 2014. Corporal Ginn was contacted about this tape and it was observed that, as of March 13, 2014, the tape had not yet been used or recorded on. Another video, number 14-1C-0114 assigned to Trooper First Class A.H. Crouch, was listed on the Video Tape Monitor Report as having been reviewed by Sergeant Rothell on February 16, 2014. However, the Video Tape Monitor Report contradicted this review by listing that the Video Tape Monitor Report had been submitted to Sergeant Rothell's supervisor on February 12, 2014, possibly indicating a falsification or an error in the correct dates.

According to Captain Stephens, Corporal Kyzer reported to Captain Stephens's office on March 12, 2014, and explained that he had been untruthful during their telephone conversation on March 10, 2014. Corporal Kyzer informed Captain Stephens that Sergeant Rothell had not reviewed video 14-1C-0010 at the office with Corporal Kyzer. Apparently, since Captain



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Stephens had asked to review a specific video, Sergeant Rothell and Corporal Kyzer believed that there was an incident recorded in which Captain Stephens had taken a particular interest in. This caused Sergeant Rothell concern and he contacted Corporal Kyzer about taking possession of the video so that he could review it before it was transferred to Captain Stephens. Corporal Kyzer told Captain Stephens that Sergeant Rothell had taken possession of the video on Friday, March 7, 2014. Sergeant Rothell apparently reviewed the video over the weekend and returned it to Corporal Kyzer on Sunday, March 9, 2014. According to Captain Stephens, Corporal Kyzer stated that Sergeant Rothell had asked him to lie and, if asked, say that Sergeant Rothell and Corporal Kyzer had watched the tape together while in the office, which Corporal Kyzer later did when contacted by Captain Stephens.

Corporal B.E. Kyzer, SCHP Troop 1, Post C

On June 10, 2014, Investigator Boehm obtained a sworn statement from Corporal Kyzer. The following is a synopsis of his statement which contains paraphrasing:

Corporal Kyzer stated that he was off-duty on March 5, 2014, when he received a telephone call from his immediate supervisor, Sergeant Rothell. Sergeant Rothell inquired about what the start and end dates were on video 14-1C-0010 and he wanted Corporal Kyzer to look them up. Corporal Kyzer retrieved the video from the trunk of his patrol vehicle and informed Sergeant Rothell that the start date had been February 21, 2014, and the end date had been February 23, 2014. On March 6, 2014, Corporal Kyzer was off-duty and received an email from First Sergeant Shelton. The email contained a forwarded list of videos from Captain Stephens and directed all troopers who were assigned any of the listed videos to forward them to Troop 1 HQ for review by Captain Stephens. Corporal Kyzer observed that his name and video 14-1C-0010 were part of the list. Part of the email included a note from Sergeant Rothell that instructed all troopers to be sure and fill out a chain of custody form to go with the video.

On Friday, March 7, 2014, Corporal Kyzer was scheduled to work the night shift when he was contacted via telephone by Sergeant Rothell. According to Corporal Kyzer, Sergeant Rothell instructed him to meet at the Post C office so that Sergeant Rothell could take possession of video 14-1C-0010. Corporal Kyzer stated that he traveled to the Post C office and met with Sergeant Rothell, who was off-duty at the time. When Corporal Kyzer handed the video to Sergeant Rothell, Sergeant Rothell instructed him to complete a chain of custody form showing the video was transferred from Corporal Kyzer to Captain Stephens. Corporal Kyzer believed this to be improper and asked, "Well shouldn't it be from me to you? And either you to Captain Stephens or from you back to me, and then me to Captain Stephens?" According to Corporal Kyzer, Sergeant Rothell stated, "No, just go ahead and do it directly to Captain Stephens." Corporal Kyzer also alleged that Sergeant Rothell stated, "If the captain asks, I'll tell him we were in the office and I just got it out of your office and reviewed it while you were here doing paperwork." Sergeant Rothell then told Corporal Kyzer that he would watch the video while he was off over the weekend and the two parted ways. On the evening of Sunday, March 9, 2014,



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Corporal Kyzer was again contacted via telephone by Sergeant Rothell. Sergeant Rothell asked where Corporal Kyzer was so that he could return the video to him. Corporal Kyzer responded that he was at the scene of a collision on St. Andrews Road at I-26 and that he could meet Sergeant Rothell at the Post C office when he cleared the scene. However, Sergeant Rothell insisted on traveling to the scene and delivering the video to Corporal Kyzer. Sergeant Rothell arrived at Corporal Kyzer's location shortly afterwards and turned over the video to Corporal Kyzer without a chain of custody form. Towards the end of his shift, Corporal Kyzer traveled to the Post C office and filled out a chain of custody form for the video showing from himself to Captain Stephens. He then traveled to the Post D (Richland) office and dropped the chain of custody form and video 14-1C-0010 into Captain Stephens's box.

The next day, Monday, March 10, 2014, sometime between 1200 and 1300 hours, Captain Stephens contacted Corporal Kyzer via telephone and pointed out that the video's chain of custody form did not include Sergeant Rothell. Captain Stephens asked Corporal Kyzer if Sergeant Rothell had reviewed the video, to which Corporal Kyzer confirmed that he had. When Captain Stephens asked, "When did he review it?", Corporal Kyzer stated to Captain Stephens, "We were in the office on dayshift and the Sergeant got my videotape and reviewed it then and gave it back to me. There was no chain of custody." After this telephone conversation, Corporal Kyzer immediately telephoned Sergeant Rothell and stated, "The captain just called me about this chain of custody and inquired why you weren't on the chain of custody." Corporal Kyzer stated that Sergeant Rothell acknowledged and stated that he would also tell Captain Stephens that he had reviewed the video.

On Tuesday, March 11, 2014, Corporal Kyzer reported to in-service training. When he broke for lunch, he observed that he had missed several calls from First Sergeant Shelton. When he contacted First Sergeant Shelton, Corporal Kyzer was directed to report to meet with Captain Stephens immediately following in-service training. However, Corporal Kyzer did not finish training until late that evening so he was instead directed to report to Captain Stephens's office the next morning. On the morning of March 12, 2014, Corporal Kyzer reported to Captain Stephens's office as instructed. During this meeting, Corporal Kyzer relayed the true events surrounding the video and chain of custody form to both Captain Stephens and First Sergeant Shelton and admitted that he had been untruthful. Corporal Kyzer also informed his superiors that Sergeant Rothell had asked him to lie and, if asked, say that he and Sergeant Rothell had watched the tape together while in the office.

During his interview with OPR, Corporal Kyzer stated that, while he assumed that Sergeant Rothell had watched the video sometime over the weekend of March 7 through 9, 2014, he was well aware that Sergeant Rothell had not watched it while he was at the office. He stated, "What I was trying to do was look out for my sergeant. But I ended up finding myself in the hot seat. And I regret that."



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Corporal Kyzer was asked whether he believed Sergeant Rothell's instructions regarding the chain of custody form and what he should tell Captain Stephens had been requests asked in a manner from one friend to another, or if they had been directives given from a supervisor to a subordinate. Corporal Kyzer responded that the instruction to complete a chain of custody form showing transfer from Corporal Kyzer to Captain Stephens had been a clear directive from a supervisor to subordinate. However, Corporal Kyzer initially was unsure about whether Sergeant Rothell's instruction to lie to Captain Stephens had been a request or directive. Ultimately, Corporal Kyzer stated that he classified Sergeant Rothell's instruction to lie to Captain Stephens as a directive.

First Sergeant C.M. Shelton, SCHP Troop 1, Post C

On June 17, 2014, Investigator Boehm obtained a sworn statement from First Sergeant Shelton. The following is a synopsis of his statement which contains paraphrasing:

First Sergeant Shelton stated that he was the Troop 1, Post C (Lexington) commander and was Sergeant Rothell's immediate supervisor. First Sergeant Shelton was aware that Captain Stephens had requested several videos from the troop for his review. On Friday, March 7, 2014, Sergeant Rothell approached First Sergeant Shelton and informed him that Sergeant Rothell had not reviewed video 14-1C-0010, which was one of the videos that Captain Stephens had requested. Corporal Kyzer, to whom the video was assigned, also spoke to First Sergeant Shelton separately that day and indicated that Sergeant Rothell had never been given this video for review. First Sergeant Shelton stated that he informed Corporal Kyzer that the chain of custody form should then list only Corporal Kyzer and Captain Stephens since Sergeant Rothell had never taken possession of the video.

On March 10, 2014, First Sergeant Shelton was off duty and was contacted by Sergeant Rothell via telephone. He found out later that this call had taken place immediately after Sergeant Rothell had replied to Captain Stephens's email. According to First Sergeant Shelton, Sergeant Rothell said, "I've taken care of the email." Being that First Sergeant Shelton was off duty and was not aware of any emails, he looked at his phone to see what Sergeant Rothell had been referring to. First Sergeant Shelton was also unaware of the fact that Corporal Kyzer had already been untruthful with Captain Stephens during a telephone call.

First Sergeant Shelton indicated that, since Sergeant Rothell had already admitted to him that he had not reviewed Corporal Kyzer's video on the date shown on the Video Tape Monitor Report, he "was speechless" when he saw Sergeant Rothell's reply to Stephens email. While First Sergeant Shelton concluded that Sergeant Rothell's email reply did not specifically state whether Sergeant Rothell had or had not reviewed the video, First Sergeant Shelton viewed it as a clear attempt to mislead Captain Stephens about when Sergeant Rothell had reviewed the video. Knowing the potential consequences of this intended deception by Sergeant Rothell, First



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Sergeant Shelton resolved to not involve himself and to let the issue be handled by Captain Stephens.

First Sergeant Shelton was contacted later that day by Captain Stephens and informed that Corporal Kyzer had stated that Sergeant Rothell had reviewed the video at the office. On March 11, 2014, First Sergeant Shelton was instructed by Captain Stephens to obtain the rest of the videos on the Video Tape Monitor Report (**Exhibit 2**) and their respective chain of custody forms. While obtaining these videos, First Sergeant Shelton discovered that there were no issues with Trooper First Class Moser's chain of custody form. However, First Sergeant Shelton did discover that neither Senior Trooper Fowler nor Trooper First Class Crouch were in possession of chain of custody forms for their videos. First Sergeant Shelton was also informed by Corporal Ginn that, despite the Video Tape Monitor Report indicating that Sergeant Rothell had reviewed Corporal Ginn's video on February 12, 2014, this video had not yet been used or recorded on. A later review showed that Corporal Ginn's video had begun being used on March 17, 2014, and was ended on March 27, 2014 (**Exhibit 4**).

First Sergeant Shelton was instructed to have Corporal Kyzer report to Captain Stephens's office on the morning of March 12, 2014. When First Sergeant Shelton informed Corporal Kyzer of this meeting, he directed Corporal Kyzer to tell the truth and answer Captain Stephens's questions honestly. During the meeting, for which First Sergeant Shelton remained present, Corporal Kyzer informed Captain Stephens that he and Sergeant Rothell had not reviewed video 14-1C-0010 while at the office and that he had not been truthful when he told Captain Stephens that they had. According to First Sergeant Shelton, "Corporal Kyzer informs the Captain that when he and Sergeant Rothell talked, Sergeant Rothell told him to say, if the Captain asks, that we've watched the tape."

First Sergeant Shelton stated that he did not discuss with Sergeant Rothell any details of this meeting that transpired between himself, Captain Stephens, and Corporal Kyzer. However, First Sergeant Shelton stated that Sergeant Rothell did state to him a few days afterwards and without any provocation, "Now, you know I wouldn't ask anybody to lie for me." Since Sergeant Rothell should have been unaware that Corporal Kyzer had stated he was told to lie to Captain Stephens by Sergeant Rothell, this statement led First Sergeant Shelton to have reservations about believing Sergeant Rothell's version of the events.

INTERVIEW OF SUBJECT

Sergeant G.D. Rothell, SCHP Troop 1, Post C

On June 11, 2014, Investigator Boehm obtained a sworn statement from Sergeant Rothell. The following is a synopsis of his statement which contains paraphrasing:



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Sergeant Rothell stated that on approximately March 5, 2014, he was made aware that Captain Stephens requested several videos for review. One of the videos requested was video 14-1C-0010 that had been issued to Corporal Kyzer. This video's review was part of a Video Tape Monitor Report (**Exhibit 2**), along with several other videos, with the listed date of February 12, 2014. The Video Tape Monitor Report listed the following videos:

Date Reviewed	Trooper Assigned	Tape Number
2/12/2014	M.B. Moser	14-1C-0061
2/12/2014	K.G. Ginn	14-1C-0074
* 2/16/2014	A.H. Crouch	14-1C-0114
* 2/13/2014	B.E. Kyzer	14-1C-0010
2/12/2014	K.W. Fowler	13-1C-1065

* Note: Sergeant Rothell's Video Tape Monitor Report displayed the inconsistency of listing these two dates for video review while also showing February 12, 2014, as the submittal date of this form to his supervisor.

According to Sergeant Rothell, he then reviewed his Video Tape Monitor Report and noticed some inconsistencies between it and the videos. For video 14-1C-0061 assigned to Trooper First Class Moser, Sergeant Rothell stated that Trooper First Class Moser had a copy of the chain of custody form that hadn't been filled out or signed at that point by Sergeant Rothell. For video 14-1C-0074 assigned to Corporal Ginn, Sergeant Rothell stated he had no recollection of the video. When he contacted Corporal Ginn to ask if he had reviewed it, Corporal Ginn responded that Sergeant Rothell had not reviewed this video. Sergeant Rothell stated, "I was extremely surprised when I found out I didn't even watch the video for Ginn that month." Video 14-1C-0074 was later shown to list a start date of March 17, 2014, and an end date of March 27, 2014, making it impossible for Sergeant Rothell to have reviewed on February 12, 2014, as he had indicated on his Video Tape Monitor Report. For video 14-1C-0114 assigned to Trooper First Class Crouch, Sergeant Rothell stated that it was his understanding that Trooper First Class Crouch remembered Sergeant Rothell watching a video for that month but did not recall which video it had been. However, Sergeant Rothell stated that he believed it was a video he watched and then typed a letter of commendation for Trooper First Class Crouch, although Sergeant Rothell could not be certain. For video 13-1C-1065 assigned to Senior Trooper Fowler, Sergeant Rothell stated that it was his understanding that Senior Trooper Fowler believed that he may have thrown the chain of custody form away. Sergeant Rothell stated that he did not know what had happened to that chain of custody form.

At some point, Sergeant Rothell realized that, despite his earlier Video Tape Monitor Report indicating that he had reviewed Corporal Kyzer's video on February 13, 2014, this had not



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actually taken place. Sergeant Rothell stated that on March 7, 2014, he informed First Sergeant Shelton that he had made a mistake and had not yet reviewed the video from Corporal Kyzer. Sergeant Rothell then contacted Corporal Kyzer and informed him that they would need to meet at the Post C office so that Sergeant Rothell could take possession of video 14-1C-0010. Corporal Kyzer did as instructed and turned the video over to Sergeant Rothell on the evening of Friday, March 7, 2014. According to Sergeant Rothell, Corporal Kyzer asked, "Do we need to do a chain of custody from me to you, and you to the Captain?" Sergeant Rothell stated that he took this question to mean that Corporal Kyzer was asking if they should falsify a form by backdating it to reflect that Sergeant Rothell had taken possession of the video at an earlier date and had completed his video review at that time. Sergeant Rothell stated that he told Corporal Kyzer that, since there had not been a chain of custody form completed earlier, then there should not be one completed then. Sergeant Rothell then took possession of 14-1C-0010 without completing a chain of custody form.

Sergeant Rothell then reviewed the video sometime over the weekend but could not recall how he had delivered it to Captain Stephens by its due date of Monday, March 10, 2014. Sergeant Rothell initially stated that he may have sent the video through interoffice mail or may have given it to First Sergeant Shelton to deliver. When asked if he travelled to Corporal Kyzer's location on the evening of Sunday, March 9, 2014 and turned it over to Corporal Kyzer to deliver, Sergeant Rothell stated "I don't know". When informed that Corporal Kyzer had stated that the latter scenario had taken place, Sergeant Rothell still could not recall but agreed that it was possible it had happened that way. Regardless, Sergeant Rothell agreed that he again failed to complete a chain of custody form when the video left his possession.

On the morning of March 10, 2014, at 1025 hours, Sergeant Rothell received an email from Captain Stephens that read, "I received the disc I requested from Cpl. Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?" Sergeant Rothell replied to the email at 1027 hours on March 10, 2014, "When I get a video from them I normally just grab one from them while they are in the office." During his interview, Sergeant Rothell stated that when he received this email, "It put a pit in my stomach because now I had to deal with it. It wasn't 'My God, he's gonna find out. He can't know that I made a mistake on this form'. He knew. I knew he knew. It was all about hoping that he would take what I told him, which essentially was a true statement, and deal with it through the First Sergeant. It was all about avoiding that confrontation." When asked during his interview, Sergeant Rothell agreed that his reply to Captain Stephens's email would allow a regular person to gain the impression that Sergeant Rothell had watched the video while Corporal Kyzer was in the office. Sergeant Rothell somewhat agreed that he had attempted to be evasive to the question and stated he was aware that he had given a broad answer to a very specific question. Sergeant Rothell stated that he later tried to contact Captain Stephens through Lieutenant Levine and First Sergeant Shelton to attempt to explain the situation. However, Sergeant Rothell discontinued these attempts once he became aware that OPR had begun an investigation into the matter.



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Sergeant Rothell was asked if he directed or requested at any point that Corporal Kyzer tell Captain Stephens that they had watched the video while they were both at the Post C office. Sergeant Rothell denied ever asking or instructing Corporal Kyzer to lie to Captain Stephens and stated that he "was distraught" when he discovered that Corporal Kyzer had been untruthful with Captain Stephens. Sergeant Rothell stated that Corporal Kyzer had come up with the lie without any involvement from Sergeant Rothell. Sergeant Rothell stated he called Corporal Kyzer and apologized for his role in having inaccurate dates on the chain of custody form. Sergeant Rothell stated that he was disappointed in Corporal Kyzer for being untruthful and had asked him, "Why would you do this?" Sergeant Rothell also stated, "But at the same time in a weird twisted kind of way, you're like 'Wow! I really earned that guy's respect enough that he would do that.' And he shouldn't have done it, he shouldn't have been in the position. So, you know, it shouldn't have happened. But to know that somebody thinks enough of you to do that... its twisted."

Since the troopers under Sergeant Rothell's command were aware that they were supposed to turn in a video each month for review, Sergeant Rothell apparently relied on them to turn the videos in and then "guessed" about what he had reviewed. He stated, "When I looked at Kyzer's name on the form, because it's one that I generally review, I guessed as to what I had done." Sergeant Rothell also made attempts during the interview to shift some of the blame onto the corporals under his command. At one point he made the statement, "To be honest, I've got two people who are primarily responsible to make sure I got a copy of their video. Anything else I watch would be, at the time, me asking at random or something. And to think that I've got two corporals that would have known that their obligation was to turn a video in to me every month, that didn't, surprises me."

Sergeant Rothell agreed that he was guilty of poor record keeping, making mistakes on his video reviews, and that he had gotten "sloppy on a form". However, he insisted that he had never intended to be untruthful with Captain Stephens and that his email response to Captain Stephens's email "essentially was a true statement."

CONCLUSION

On March 5, 2014, Captain Stephens requested several videos for his review from troopers under his command. One of these was video 14-1C-0010 assigned to Cpl. B.E. Kyzer of Troop 1, Post C (Lexington). Sergeant Rothell, who was Corporal Kyzer's immediate supervisor, observed this request and looked through his records to see if he had already reviewed this video. Sergeant Rothell noticed that he had submitted a Video Tape Monitor Report, dated February 12, 2014, which stated that he had reviewed this particular video on February 13, 2014. Corporal Kyzer was off-duty on March 5, 2014, so Sergeant Rothell contacted him by telephone. Sergeant Rothell asked Corporal Kyzer to look up the start and end dates for video 14-1C-0010. Corporal



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Kyzer retrieved the video from the trunk of his patrol vehicle and informed Sergeant Rothell that the start date had been February 21, 2014, and the end date had been February 23, 2014. Sergeant Rothell then realized that, despite his earlier Video Tape Monitor Report indicating that he had reviewed Corporal Kyzer's video on February 13, 2014, this had not actually taken place.

On March 6, 2014, Corporal Kyzer was again off-duty when he received an email from First Sergeant Shelton. The email contained a list of several videos that should be transferred to Captain Stephens for review. Corporal Kyzer observed that his name and video 14-1C-0010 were part of the list. This aroused Corporal Kyzer's suspicions since Sergeant Rothell had contacted him about this particular video on the previous day.

Sometime during the day on Friday, March 7, 2014, Sergeant Rothell approached First Sergeant Shelton and informed him that he had made a mistake and had not yet reviewed video 14-1C-0010 from Corporal Kyzer. Corporal Kyzer also spoke to First Sergeant Shelton separately that day and indicated that Sergeant Rothell had never been given this video for review. First Sergeant Shelton stated that he informed Corporal Kyzer that the chain of custody form should then list only Corporal Kyzer and Captain Stephens since Sergeant Rothell had never taken possession of the video.

Corporal Kyzer was working the night shift on the evening of March 7, 2014, when he was contacted via telephone by Sergeant Rothell. Sergeant Rothell instructed Corporal Kyzer to meet at the Post C office so that Sergeant Rothell could take possession of video 14-1C-0010. Corporal Kyzer then traveled to the Post C office and met with Sergeant Rothell, who was off duty at the time. At this point, Sergeant Rothell and Corporal Kyzer gave different versions of how this meeting transpired. Sergeant Rothell stated that, when turning over the video, Corporal Kyzer asked, "Do we need to do a chain of custody from me to you, and you to the Captain?" Sergeant Rothell stated that he took this question to mean that Corporal Kyzer was asking if they should falsify a chain of custody form by backdating it to reflect that Sergeant Rothell had taken possession of the video at an earlier date and had completed his video review at that time. Sergeant Rothell stated that he told Corporal Kyzer that, since there had not been a chain of custody form completed earlier, then there should not be one completed then. Sergeant Rothell indicated that he then took possession of video 14-1C-0010 without completing a chain of custody form and the two went their separate ways. Sergeant Rothell stated that he then reviewed the video sometime over the weekend.

However, Corporal Kyzer stated that when he turned over the video to Sergeant Rothell, Sergeant Rothell instructed him to complete a chain of custody form showing transfer from Corporal Kyzer to Captain Stephens. Corporal Kyzer stated that he believed this to be improper and asked, "Well shouldn't it be from me to you? And either you to Captain Stephens or from you back to me, and then me to Captain Stephens?" According to Corporal Kyzer, Sergeant Rothell stated, "No, just go ahead and do it directly to Captain Stephens." Corporal Kyzer also alleged that Sergeant Rothell stated, "If the captain asks, I'll tell him we were in the office and I



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just got it out of your office and reviewed it while you were here doing paperwork.” Sergeant Rothell then told Corporal Kyzer that he would watch the video while he was off over the weekend and the two parted ways.

As for the method in which the video was returned, Corporal Kyzer stated that on the evening of Sunday, March 9, 2014, he was again contacted via telephone by Sergeant Rothell. Sergeant Rothell asked where Corporal Kyzer was so that he could return the video to him. Corporal Kyzer responded that he was at the scene of a collision on St. Andrews Road at I-26 and that he could meet Sergeant Rothell at the Post C office when he cleared the scene. According to Corporal Kyzer, Sergeant Rothell insisted on traveling to the scene and delivering the video to Corporal Kyzer. Sergeant Rothell arrived at the collision scene shortly afterwards and turned over the video to Corporal Kyzer without a chain of custody form. Corporal Kyzer stated that, towards the end of his shift, he traveled to the Post C office and filled out a chain of custody form for the video showing from himself to Captain Stephens. He then traveled to the Post D (Richland) office and dropped the chain of custody form and video 14-1C-0010 into Captain Stephens’s box.

When asked about the events surrounding the video’s return, Sergeant Rothell could not recall how it had been delivered to Captain Stephens by its due date of Monday, March 10, 2014. Sergeant Rothell initially stated that he may have sent the video through interoffice mail or may have given it to First Sergeant Shelton to deliver. When asked if he travelled to Corporal Kyzer’s location on the evening of Sunday, March 9, 2014 and turned it over to Corporal Kyzer to deliver, Sergeant Rothell stated “I don’t know”. When informed that Corporal Kyzer had stated that the latter scenario had taken place, Sergeant Rothell still could not recall but agreed that it was possible it had happened that way. Regardless, both parties agreed that they did not complete a chain of custody form either time the video was transferred between them.

When Captain Stephens received this video with the chain of custody form on Monday, March 10, 2014, he noticed that Sergeant Rothell was not listed on the form. Instead, the chain of custody form indicated that the video had been transferred directly from Corporal Kyzer to Captain Stephens without any additional transfers. Captain Stephens stated that this did not seem right to him and that the chain of custody form should have been filled out showing that Sergeant Rothell had taken possession of the video from Corporal Kyzer for his review on February 13, 2014, as the Video Tape Monitor Report indicated. Captain Stephens sent Sergeant Rothell an email at 1025 hours that stated, “I received the disc I requested from Corporal Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?” Two minutes later at 1027 hours, Sergeant Rothell responded via email, “When I get a video from them I normally just grab one from them while they are in the office.”

Sometime between 1200 and 1300 hours that day, Captain Stephens contacted Corporal Kyzer via telephone and pointed out that the video’s chain of custody form did not include Sergeant



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Rothell. Captain Stephens asked Corporal Kyzer if Sergeant Rothell had reviewed the video, to which Corporal Kyzer confirmed that he had. When Captain Stephens asked, "When did he review it?", Corporal Kyzer stated to Captain Stephens, "We were in the office on dayshift and the Sergeant got my videotape and reviewed it then and gave it back to me. There was no chain of custody." According to Corporal Kyzer, after this telephone conversation he immediately telephoned Sergeant Rothell and stated, "The captain just called me about this chain of custody and inquired why you weren't on the chain of custody." Corporal Kyzer stated that Sergeant Rothell acknowledged and stated that he would also tell Captain Stephens that he had reviewed the video.

Captain Stephens stated that the issue still did not sit right with him and he began to investigate further. Captain Stephens recalled that South Carolina had experienced a snowstorm during February 2014 and much of the state had been shut down. He then saw that Sergeant Rothell's video review date of February 13, 2014, was one of the days during the snowstorm. Captain Stephens began to further doubt the story that had been given to him since it was unlikely that any supervisors had been at the patrol offices reviewing videos when the SCHP's attention should have been focused on assisting motorists affected by the snowstorm. Captain Stephens instructed First Sergeant Shelton to pull all of the videos that had been reviewed by Sergeant Rothell during the month of February. One of these videos was 14-1C-0074 assigned to Corporal Ginn. The Video Tape Monitor Report (**Exhibit 2**) indicated that it had been reviewed by Sergeant Rothell on February 12, 2014. Corporal Ginn was contacted about this tape and it was observed that, as of March 13, 2014, the tape had not yet been used or recorded on. Another video, number 14-1C-0114 assigned to Trooper First Class A.H. Crouch, was listed on the Video Tape Monitor Report as having been reviewed by Sergeant Rothell on February 16, 2014. However, the Video Tape Monitor Report listed the submission date of February 12, 2014, which aroused Captain Stephens's suspicions even further.

Corporal Kyzer was contacted and instructed to report to Captain Stephens's office on March 12, 2014. Corporal Kyzer reported as instructed and met with Captain Stephens and First Sergeant Shelton in Captain Stephens's office. Corporal Kyzer then explained that he had been untruthful during the telephone conversation with Captain Stephens on March 10, 2014, and that Sergeant Rothell had not reviewed video 14-1C-0010 at the office with Corporal Kyzer. Corporal Kyzer told Captain Stephens about the events surrounding Sergeant Rothell taking possession of the video on March 7, 2014, and reviewing it sometime over the weekend. Corporal Kyzer also stated that Sergeant Rothell had asked him to tell Captain Stephens a lie about Sergeant Rothell and Corporal Kyzer having watched the tape together while in the office. This was very surprising to both Captain Stephens and First Sergeant Shelton and the issue was forwarded to OPR for investigation.

During Sergeant Rothell's interview with OPR, it became evident that Sergeant Rothell apparently relied on the troopers under his command to turn their videos in for review each month as required. Sergeant Rothell would then "guess" about what he had reviewed when



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completing a Video Tape Monitor Report for the month. Sergeant Rothell stated, "When I looked at Kyzer's name on the form, because it's one that I generally review, I guessed as to what I had done." At some point, Sergeant Rothell contacted Corporal Ginn to ask if he had reviewed Corporal Ginn's video that was listed on the Video Tape Monitor Report (**Exhibit 2**) as having been reviewed on February 12, 2014. When Sergeant Rothell discovered that Corporal Ginn's video had not been recorded on until March 17, 2014, Sergeant Rothell stated, "I was extremely surprised when I found out I didn't even watch the video for Ginn that month." Sergeant Rothell also made attempts during the interview to shift some of the blame onto the corporals under his command. At one point during the interview he made the statement, "To be honest, I've got two people who are primarily responsible to make sure I got a copy of their video. Anything else I watch would be, at the time, me asking at random or something. And to think that I've got two corporals that would have known that their obligation was to turn a video in to me every month, that didn't, surprises me."

Sergeant Rothell was asked if he directed or requested at any point that Corporal Kyzer tell Captain Stephens that they had watched the video while they were both at the Post C office. Sergeant Rothell denied ever asking or instructing Corporal Kyzer to lie to Captain Stephens. When asked about his response to the email from Captain Stephens on March 10, 2014, (**Exhibit 5**) Sergeant Rothell stated "It put a pit in my stomach because now I had to deal with it. It wasn't 'My God, he's gonna find out. He can't know that I made a mistake on this form'. He knew. I knew he knew. It was all about hoping that he would take what I told him, which essentially was a true statement, and deal with it through the First Sergeant. It was all about avoiding that confrontation." Sergeant Rothell agreed that his reply to Captain Stephens's email would allow a regular person to gain the impression that Sergeant Rothell had watched the video while Corporal Kyzer was in the office. Sergeant Rothell somewhat agreed that he had attempted to be evasive to the question and stated he was aware that he had given a broad answer to a very specific question.

In summary, it can be concluded there was not sufficient evidence to corroborate Corporal Kyzer's claim of having been instructed to lie to Captain Stephens by Sergeant Rothell. However, it is clear that Sergeant Rothell failed to review the videos from Corporal Kyzer and Corporal Ginn despite listing dates of review for these videos on his Video Tape Monitor Report. As part of his supervisory duties, it was Sergeant Rothell's responsibility to conduct a review of a portion of these videos each month and document the dates of review on a Video Tape Monitor Report. Although Sergeant Rothell attempted to classify the falsified dates as an honest mistake, he made statements that clearly showed that he "guessed" when filling out Video Tape Monitor Reports and that he was well aware of his poor record keeping. Additionally, Sergeant Rothell was untruthful with and intentionally attempted to mislead Captain Stephens regarding the events surrounding his failure to review Corporal Kyzer's video. At the time that he received the email from Captain Stephens inquiring about the chain of custody form, Sergeant Rothell was well aware of the paperwork discrepancies and that he had not reviewed the video on the indicated date. Sergeant Rothell had already admitted to First Sergeant Shelton that he had failed to review



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the video and he had taken possession of the video from Corporal Kyzer and reviewed it over the weekend of March 7-9, 2014. Sergeant Rothell also failed to complete a chain of custody form when he took possession of the video over the weekend of March 7-9, 2014. Sergeant Rothell decided to give a very broad answer to Captain Stephens's very specific question and he then contacted First Sergeant Shelton in an apparent attempt to have First Sergeant Shelton not reveal the truth to Captain Stephens. Instead of using the opportunity to explain the situation to Captain Stephens and own up to his falsification, Sergeant Rothell responded to Captain Stephens in a manner in which he hoped would allow him to escape discipline for his actions.

CLASSIFICATION

- ALLEGATION:** Sergeant Rothell directed his subordinate, Corporal Kyzer, to be untruthful with the Troop 1 commander, Captain Stephens - **NOT SUSTAINED.**
- ALLEGATION:** Sergeant Rothell failed to review the videos of two of his subordinates, Corporal Kyzer and Corporal Ginn, for the month of February, 2014 - **SUSTAINED.**
- ALLEGATION:** Sergeant Rothell falsified an official SCDPS form when he submitted a Video Tape Monitor Report to his chain of command that listed fabricated dates of video reviews for Corporal Kyzer and Corporal Ginn - **SUSTAINED.**
- ALLEGATION:** Sergeant Rothell failed to document by chain of custody form that he took possession of video 14-1C-0010 from Corporal Kyzer on March 7, 2014 - **SUSTAINED.**
- ALLEGATION:** Sergeant Rothell was untruthful with and intentionally attempted to mislead Captain Stephens regarding the events surrounding Sergeant Rothell's failure to review a video from Corporal Kyzer - **SUSTAINED.**

TABLE OF CONTENTS
OPR FILE #PR-2101-14-0023-D

- Exhibit 1.... Copy of a Memorandum from Captain Stephens
- Exhibit 2.... Copy of a SCHP Video Tape Monitor Report
- Exhibit 3.... Copy of a Chain of Custody Form for Video 14-1C-0010
- Exhibit 4.... Copy of a Chain of Custody Form for Video 14-1C-0074
- Exhibit 5.... Copy of Email Correspondence between Captain Stephens and Sergeant Rothell



South Carolina Department of Public Safety

S.C. Highway Patrol

To: Major M. S. Wright
Field Operations/Region I

From: Captain C. T. Stephens [REDACTED]
Troop One Commander

Date: March 13, 2014

Subject: Request for Proper Investigation
Sergeant G. D. Rothell
Corporal B. E. Kyzer

On March 5, 2014, I requested Post C (Lexington) to send me a video of Cpl. B. E. Kyzer for my review. The video I requested was 14-1C-0010 which was supposedly reviewed by Sgt. Rothell in February. I received the video on March 10, 2014 and noticed the attached chain of custody indicated it was from Cpl. Kyzer to me. There was no indication of Sgt. Rothell having possession of the video. I sent an email asking why he was not listed and he responded that he watched the video while Cpl. Kyzer was at the Lexington office.

The Video Tape Monitor Report (attached) submitted by Sgt. G. D. Rothell at the end of February indicated he reviewed the video on February 13, 2014. This could not be true because the video in question was not recorded until February 21, 2014. Further review of the Video Tape Monitor Report disclosed more discrepancies. They are listed below:

1. Tape number 14-1C-0074 is assigned to Cpl. K. G. Ginn. The report indicated it was reviewed by Sgt. Rothell on February 12, 2014 but the video, as of this date, has not been used or recorded on.
2. Tape number 14-1C-0114 is assigned to Trp. A. H. Crouch. The report indicated it was reviewed by Sgt. Rothell on February 16, 2014 but the chain of custody of that video does not show Sgt. Rothell in possession of that video either.

While exploring these discrepancies, I spoke with Cpl. Kyzer over the phone on Monday, March 10, 2014. I asked him did he give the video numbered 14-1C-0010 to Sgt. Rothell to review. He stated to me "yes" and the reason the Sergeant was not on the chain of custody was he watched the video while they were both in the office. On Wednesday, March 12th, Cpl. Kyzer reported to my office and explained to me that he had not been honest and Sergeant Rothell did not take possession of the video or watch it until March 7th. The video was returned to Cpl. Kyzer on March 9th so he could deliver the video to the Troop Headquarters for my review. He also told me that Sgt. Rothell asked him to tell me he had watched the video while they were at the office and that led him to be untruthful with me over the phone.

Courtesy - Efficiency - Service

POST OFFICE BOX 1993, 10311 WILSON BLVD., BLYTHEWOOD, SOUTH CAROLINA 29016

Signatures and initials were redacted by House Legislative Oversight Committee staff.



South Carolina Department of Public Safety

S.C. Highway Patrol

I am forwarding this information for your review and proper handling. Because the Video Tape Monitor Report does not appear to be truthful and the facts surrounding the inquiry were misrepresented, I am requesting a proper investigation into this matter. If you need any further regarding this situation, please let me know.

Attachments

Courtesy - Efficiency - Service

POST OFFICE BOX 1993, 10311 WILSON BLVD., BLYTHEWOOD, SOUTH CAROLINA 29016

Signatures and initials were redacted by House Legislative Oversight Committee staff.



SOUTH CAROLINA HIGHWAY PATROL VIDEO TAPE MONITOR REPORT

TO: Col., LL Colonel, Major, or Capt.
 FROM: Sgt G. D. Rothell (Reviewing Officer)
 DATE: 2/12/2014 (Date of Report)

I have reviewed a portion of the following video tapes.

Date Reviewed	Trooper Assigned	Tape Date or Number	FINDINGS		Comments Action Taken 1, 2, 3*
			Policy Violation A, B, or C*	Procedure Violation A, B, or C*	
2/12/2014	M.B. Moser	14-1C-0081	A	A	
2/12/2014	K.G. Ginn	14-1C-0074	A	A	
2/16/2014	A.H. Crouch	14-1C-0114	A	A	
2/13/2014	B. E. Kyzer	14-1C-0010	A	A	
2/12/2014	K.W. Fowler	13-1C-1085	A	A	
Remarks:					

- *A – No noted violation
- B – Minor violation
- C – Serious violation
- 1 – Handled within County or District
- 2 – Referred to District Headquarters for review
- 3 – Referred to Patrol Headquarters for review

SCHP-E-021
 Revised 10/03



South Carolina Department of Public Safety

VIDEO TAPE CHAIN OF CUSTODY & DISPOSAL

Tape ID #:	Unit:
14-1C-0010	Troop One
(Enter Officer's Name for either type tape)	(Enter Start and End Date for In-Car Video Tape)
Submitting Officer: B.E. Kyzer	Start Date: 02-21-14 End Date: 02-23-14
(Enter Defendant's Name for Breath Test Site Video)	Working Copy or Copies Made? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Defendant's Name:	Circle # Copies Made: 1 2 3 4 5 6 7

Chain of Custody			
Date	From	To	Reason
03-09-14	B.E. Kyzer [REDACTED]	Capt. C.T. Stephens	REVIEW

Authorization for Disposal

<input type="checkbox"/> All cases on this tape have been disposed of and the tape can be disposed of after 90 days from this date in accordance with DPS Policy 300.06. I will immediately notify the county/unit evidence custodian if I am made aware of any appeals or other reasons this tape should not be disposed of.	
<input type="checkbox"/> All cases on this tape have been disposed of and the tape is not needed for a criminal appeal, civil litigation, or an investigation. I believe that the tape has content that would be beneficial for training purposes.	
Date:	Officer's Signature:

Certification for Review

In accordance with DPS Policy 300.06, I have reviewed random portion(s) of this tape to evaluate the officer's (1) compliance with standard operating procedures, safety procedures and other training; (2) interactions with the public; and (3) professional behavior and demeanor. Appropriate action has been taken to address any issues that arose as a result of this review.	
Date:	Supervisor's Signature:

Certification of Disposal

I have disposed of this tape as noted in the final entry of the Chain of Custody block above.	
Date:	Supervisor/Custodian Signature:



South Carolina Department of Public Safety

VIDEO TAPE CHAIN OF CUSTODY & DISPOSAL

Tape ID #:	Unit:
14-1C-0074	Troop One
(Enter Officer's Name for either type tape)	(Enter Start and End Date for In-Car Video Tape)
Submitting Officer: Cpl. K. G. Ginn	Start Date: 3-17-14 End Date: 3-27-14
(Enter Defendant's Name for Breath Test Site Video)	Working Copy or Copies Made? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Defendant's Name:	Circle # Copies Made: 1 2 3 4 5 6 7

Chain of Custody

Date	From	To	Reason
8-20-2014	Cpl. K. G. Ginn	Sgt. G. D. Rothell	Disposal
9-4-2014	Sgt. Rothell	Sgt. Rothell	Disposal

Authorization for Disposal

☒ All cases on this tape have been disposed of and the tape can be disposed of after 90 days from this date in accordance with DPS Policy 300.06. I will immediately notify the county/unit evidence custodian if I am made aware of any appeals or other reasons this tape should not be disposed of.

☐ All cases on this tape have been disposed of and the tape is not needed for a criminal appeal, civil litigation, or an investigation. I believe that the tape has content that would be beneficial for training purposes.

Date: 8-20-2014

Officer's
Signature: [Redacted]

Certification for Review

In accordance with DPS Policy 300.06, I have reviewed random portion(s) of this tape to evaluate the officer's (1) compliance with standard operating procedures, safety procedures and other training; (2) interactions with the public; and (3) professional behavior and demeanor. Appropriate action has been taken to address any issues that arose as a result of this review.

Date: 9-4-2014

Supervisor's
Signature: [Redacted]

Certification of Disposal

I have disposed of this tape as noted in the final entry of the Chain of Custody block above.

Date:

Supervisor/Custodian
Signature:

Stephens, Clyde T.

From: Rothell, Gerald D.
Sent: Monday, March 10, 2014 10:27 AM
To: Stephens, Clyde T.
Subject: Re: Video

When I get a video from them I normally just grab one from them while they are in the office

Sergeant Gerald D. Rothell
South Carolina Highway Patrol-Troop One-Post C
South Carolina Department of Public Safety
111 Maiden Lane
Lexington, SC 29072
Office (803) 808-4205
gdrothell@scdps.gov
www.scdps.gov/schp

On Mar 10, 2014, at 10:25, "Stephens, Clyde T." <CTStephens@SCDPS.GOV> wrote:

I received the disc I requested from Cpl. Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?

Captain C. T. Stephens
South Carolina Highway Patrol - Troop One
South Carolina Department of Public Safety
1626 Shop Road
Columbia, SC 29201
(803)737-8340(Office)
ctstephens@scdps.gov
www.scdps.gov/

-----Original Message-----

From: Troop1@scdps.net [<mailto:Troop1@scdps.net>]
Sent: Monday, March 10, 2014 10:00 AM
To: Stephens, Clyde T.
Subject: [Image File] Captain,KMBT282, #537

FROM:
Image data has been attached to
the E-Mail.
<KMBT28220140310095928.pdf>



South Carolina Criminal Justice Academy Certification-Compliance



7A

MAILED

 2/19/15
CJA

PERSONNEL CHANGE IN STATUS REPORT NOTIFICATION OF SEPARATION DUE TO MISCONDUCT

This form **MUST** be completed within 15 days of the discovery of any event of misconduct which is determined to be "FOUNDED" by the agency or department. The Misconduct Report Form, Separation Supplement, and all documentation related to the misconduct must be forwarded to the Criminal Justice Academy's Certification/Compliance Unit, Attention: Katherine Gunter.

 SCDPS – SC Highway Patrol
Reporting Department

 803-896-7920
Phone #

 2/17/2015
Today's Date

 Gerald D. Rothell
Officer's Name

Academy ID #

Current Certification Date

 [REDACTED]
Officer's Current Home Address

 [REDACTED]
City/Town

 [REDACTED]
Zip Code

PLEASE CHECK



ONE:

☒ Class 1 LE

☐ Class 1LECO ☐ Class 2 LCO

☐ Class 3SLE (Limited Duty)

☐ Reserve Officer

(For any separation involving misconduct as defined in S.C. Reg. 38-004. Completion of the back of this form is REQUIRED)

Date of Separation:

02/12/2015

(specify mo/day/yr)

 xxxx Termination **INVOLVING MISCONDUCT** as defined in S.C. Reg. 38-004

 Resignation **INVOLVING MISCONDUCT** as defined in S.C. Reg. 38-004

(Please indicate the nature of the misconduct by checking the appropriate selection below.)

	Conviction, plea of guilty, plea of no contest or admission of guilt (regardless of withheld adjudication) to a felony, a crime punishable by a sentence of more than one year (regardless of the sentence actually imposed, if any) or a crime of moral turpitude in this or any other jurisdiction;
	Unlawful use of a controlled substance;
	The repeated use of excessive force in dealing with the public and/or prisoners;
	Dangerous and/or unsafe practices involving firearms, weapons and/or vehicle which indicated either a willful or wanton disregard for the safety of persons or property;
	Physical or psychological abuses of members of the public and/or prisoners;
	Misrepresentation of employment-related information;
xxxxx	Dishonesty/untruthfulness with respect to his/her employer;

Only events which have been substantiated by investigation have been reported above. The facts & information herein are true & accurate to the best of my knowledge. All investigation report(s), statements, test results, audio/video records, or other documentation related to the misconduct are attached to this Misconduct Report Form.

Employing Agency Head (Chief, Sheriff, Director)

Date

02/18/15

 Leroy Smith
Print Name

 Director
Official Title

NOTE: A willful failure to report may subject the violator to a civil penalty as provided by law.
Revised 01/13



Signatures and initials were redacted by House Legislative Oversight Committee staff.



South Carolina Criminal Justice Academy Certification-Compliance

PERSONNEL CHANGE IN STATUS REPORT
NOTIFICATION OF SEPARATION DUE TO MISCONDUCT – Page 2

Officer's Name [REDACTED] CJA ID# [REDACTED]
Address [REDACTED] Ph # [REDACTED]
City [REDACTED] State [REDACTED] Zip Code [REDACTED]
Employing Agency Contact Person (for more information) Jennifer Berry
Contact Telephone Number (Area Code and Telephone Number): 803-896-8734

The below information is REQUIRED for all separations due to misconduct:

Reason for Separation: (Do not use generic terminology such as conduct unbecoming, failed to meet agency standards, violation of agency operating procedures, etc. Be specific. Detailed information describing act(s) of misconduct is necessary for efficient processing. Attach additional sheets if necessary for full documentation.)

An investigation conducted by the SCDPS Office of Professional Responsibility ("OPR") revealed that on March 5, 2014, Captain Stephens requested several videos for his review from troopers under his command. One of the videos requested, 14-1C-0010, was assigned to Corporal B.E. Kyzer of Troop 1, Post C (Lexington). As Corporal Kyzer's immediate supervisor, Sergeant Rothell looked through his records to determine if he had already reviewed video 14-1C-0010 and noticed that he had submitted a Video Tape Monitor Report dated February 12, 2014 reflecting that he reviewed this particular video on February 13, 2014. Sergeant Rothell contacted Corporal Kyzer and asked him to look up the start and end dates for video 14-1C-0010. Corporal Kyzer retrieved the video and informed Sergeant Rothell that the start date had been February 21, 2014, and the end date had been February 23, 2014. Sergeant Rothell then realized that his February 12, 2014 Video Tape Monitor Report indicating that he had reviewed Corporal Kyzer's video on February 13, 2014 was inaccurate.

On Friday, March 7, 2014, Sergeant Rothell spoke to First Sergeant Shelton and informed him that he had made a mistake and had not yet reviewed video 14-1C-0010 from Corporal Kyzer. Corporal Kyzer also spoke to First Sergeant Shelton separately that day and indicated that Sergeant Rothell had never been given this video for review. According to First Sergeant Shelton, he informed Corporal Kyzer that the chain of custody form should then list him and Captain Stephens since Sergeant Rothell had never taken possession of the video. Later that evening, Sergeant Rothell contacted Corporal Kyzer via telephone and asked that he meet him at the Post C office so that Sergeant Rothell could take possession of video 14-1C-0010. Sergeant Rothell then traveled to the Post C office and met Corporal Kyzer, who handed over the video. Sergeant Rothell took possession of the video without completing a chain of custody form and apparently reviewed it over the weekend.

On Sunday, March 9, 2014, Corporal Kyzer stated that Sergeant Rothell met him at a collision scene on St. Andrews Road at I-26 and returned the video to him without a chain of custody form. When informed by the OPR investigator about the above scenario relayed by Corporal Kyzer, Sergeant Rothell said he could not recall it occurring but agreed that it was possible it had happened that way. Towards the end of his shift, Corporal Kyzer traveled to the Post C office and filled out a chain of custody form for the video showing it being transferred from him to Captain Stephens. Corporal Kyzer then traveled to the Post D office and dropped the chain of custody form and video 14-1C-0010 into Captain Stephens' box.

On Monday, March 10, 2014, Captain Stephens received the video with the chain of custody form and noticed that Sergeant Rothell was not listed on the form. Instead, the chain of custody form indicated that the video had been transferred directly from Corporal Kyzer to Captain Stephens without any additional transfers. This did not seem right to Captain Stephens, as the Video Tape Monitor Report indicated that Sergeant Rothell had taken possession of the video from Corporal Kyzer to review on February 13, 2014. While exploring this discrepancy, Captain Stephens sent Sergeant Rothell an email at 1025 hours that stated, "I received the disc I requested from Corporal Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?" Two minutes later at 1027 hours, Sergeant Rothell responded via email, "When I get a video from them I normally just grab one from them while they are in the office." Sometime between 1200 and 1300 hours that day, Captain Stephens contacted Corporal Kyzer via telephone and pointed out that the video's chain of custody form did not include Sergeant Rothell's name. Captain Stephens then asked Corporal Kyzer if Sergeant Rothell had reviewed the video. Corporal Kyzer confirmed that Sergeant Rothell had. Captain Stephens followed up by asking Corporal Kyzer, "When did he review it?" Corporal Kyzer stated to Captain Stephens, "We were in the office on dayshift and the Sergeant got my videotape and reviewed it then and gave it back to me. There was no chain of custody." After this telephone conversation between Corporal Kyzer and the Captain, Corporal Kyzer immediately contacted Sergeant Rothell via telephone and stated, "The Captain just called me about this chain of custody and inquired why you weren't on the chain of custody." The OPR investigation revealed that at that time Sergeant Rothell stated to Corporal Kyzer that he would tell Captain Stephens he had reviewed the video.

After further investigation, Captain Stephens recalled that the review date (February 13, 2014) was one of the snowstorm dates in February 2014 and much of the state had been shut down. Consequently, most of Highway Patrol's focus during that time was on assisting motorists affected by the snowstorm rather than on reviewing videos. Captain Stephens then requested all of the videos that Sergeant Rothell reviewed during the month of February. One of these videos was 14-1C-0074, which was assigned to Corporal Ginn. The Video Tape Monitor Report indicated that Sergeant Rothell reviewed it on February 12, 2014. Corporal Ginn was contacted about this tape and it was observed that the tape had not yet been used or recorded on as of March 13, 2014. Another video, 14-1C-0114, which was assigned to Trooper First Class Crouch was listed on the Video Tape Monitor Report and referred to as 14-1C-0114. It was also observed that Corporal Ginn reviewed it on February 16, 2014. However,

the Video Tape Monitor Report listed the subn. n date of February 12, 2014, which is four days pr. Sergeant Rothell allegedly having reviewed video 14-1C-0114. This aroused Captain Stephens' suspicions even further.

On Wednesday, March 12, 2014, Corporal Kyzer reported to Captain Stephens' office as instructed and truthfully relayed the events surrounding video 14-1C-0010 and the chain of custody form to both Captain Stephens and First Sergeant Shelton. Corporal Kyzer informed Captain Stephens that Sergeant Rothell had not reviewed video 14-1C-0010 at the office on February 13, 2014. Corporal Kyzer told the Captain that Sergeant Rothell took possession of the video on March 7, 2014 and reviewed it sometime over the weekend.

Sergeant Rothell exhibited **negligence in the performance of supervisory duties** when he failed to review the videos from Corporal Kyzer and Corporal Ginn for the month of February 2014. It was clear from the investigation that Sergeant Rothell did not review the videos from the above subordinates despite listing dates of review for those videos on his Video Tape Monitor Report submitted on February 12, 2014. It is Sergeant Rothell's responsibility as a supervisor to conduct a review of a portion of videos each month and document the dates of review on a Video Tape Monitor Report.

Sergeant Rothell falsified an official SCDPS form when he submitted the February 12, 2014 Video Tape Monitor Report to his chain of command that listed fabricated dates of video reviews for Corporal Kyzer and Corporal Ginn. Although Sergeant Rothell attempted to classify the falsified dates as an honest mistake, he made statements to OPR that clearly showed otherwise – including admitting that he "guessed" when filling out Video Tape Monitor Reports.

Additionally, Sergeant Rothell was untruthful with and intentionally attempted to mislead Captain Stephens regarding the events surrounding his failure to review Corporal Kyzer's video. Instead of truthfully explaining the situation to Captain Stephens and owning up to his actions, Sergeant Rothell responded to Captain Stephens in a manner he hoped would allow him to escape discipline for falsifying documents. Sergeant Rothell also failed to document by a chain of custody form that he took possession of video 14-1C-0010 from Corporal Kyzer on March 7, 2014. Supervisors such as Sergeant Rothell are held to a higher standard and must remain truthful no matter the circumstances.

Sergeant Gerald D. Rothell was terminated effective February 12, 2015, at the close of business. The foregoing action was imposed for violation of South Carolina Department of Public Safety ("SCDPS" or "Department") Policy #400.08 (Disciplinary Action) and #400.08G (Guidelines for Progressive Disciplinary Action) for **Failure to Provide Truthful and Complete Information; Destruction, Alteration or Falsification of Records or Documents; and Improper Conduct/Conduct Unbecoming a State Employee.**

Criminal Charges Filed: Yes ☐ No ☒ Date: _____

CHARGE(S): _____

Only events which have been substantiated by investigation have been reported above. The facts & information herein are true & accurate to the best of my knowledge. All investigation report(s), statements, test results, audio/video records, or other documentation related to the misconduct are attached to this Misconduct Report Form.

Employing Agency Head (Chief, Sheriff, Director): _____

DATE 02/18/15

Print Name: Leroy Smith

Official Title: Director

SCCJA USE ONLY

MRN: _____ CODE: _____ ID: _____ DATE: _____

Copy sent to Officer on _____ by _____

Date

SCCJA'S Authorized Signature

Revised 01/13



South Carolina Department of Public Safety

February 12, 2015

HAND-DELIVERED

Sergeant Gerald D. Rothell
 [REDACTED]

Dear Sergeant Rothell:

This letter is to officially inform you that you are hereby terminated effective February 12, 2015, at the close of business. The foregoing action is imposed upon you for violation of South Carolina Department of Public Safety ("SCDPS" or "Department") Policy #400.08 (Disciplinary Action) and #400.08G (Guidelines for Progressive Disciplinary Action) for Failure to Provide Truthful and Complete Information; Destruction, Alteration or Falsification of Records or Documents; and Improper Conduct/Conduct Unbecoming a State Employee.

An investigation conducted by the SCDPS Office of Professional Responsibility ("OPR") revealed that on March 5, 2014, Captain Stephens requested several videos for his review from troopers under his command. One of the videos requested, 14-1C-0010, was assigned to Corporal B.E. Kyzer of Troop 1, Post C (Lexington). As Corporal Kyzer's immediate supervisor, you looked through your records to determine if you had already reviewed video 14-1C-0010 and noticed that you had submitted a Video Tape Monitor Report dated February 12, 2014 reflecting that you reviewed this particular video on February 13, 2014. You contacted Corporal Kyzer and asked him to look up the start and end dates for video 14-1C-0010. Corporal Kyzer retrieved the video and informed you that the start date had been February 21, 2014, and the end date had been February 23, 2014. You then realized that your February 12, 2014 Video Tape Monitor Report indicating that you had reviewed Corporal Kyzer's video on February 13, 2014 was inaccurate.

On Friday, March 7, 2014, you spoke to First Sergeant Shelton and informed him that you had made a mistake and had not yet reviewed video 14-1C-0010 from Corporal Kyzer. Corporal Kyzer also spoke to First Sergeant Shelton separately that day and indicated that you had never been given this video for review. According to First Sergeant Shelton, he informed Corporal Kyzer that the chain of custody form should then list him and Captain Stephens since you had never taken possession of the video. Later that evening, you contacted Corporal Kyzer via telephone and asked him to meet you at the Post C office so that you could take possession of video 14-1C-0010. You then traveled to the Post C office and met Corporal Kyzer, who handed over the video to you. You took possession of the video without completing a chain of custody form and apparently reviewed it over the weekend.

On Sunday, March 9, 2014, Corporal Kyzer stated that you met him at a collision scene on St. Andrews Road at I-26 and returned the video to him without a chain of custody form. When informed by the OPR investigator about the above scenario relayed by Corporal Kyzer, you said you could not recall it occurring but agreed that it was possible it had happened that way. Towards the end of his shift, Corporal Kyzer traveled to the Post C office and filled out a chain of custody form for the video showing it being transferred from him to Captain Stephens. Corporal Kyzer then traveled to the Post D office and dropped the chain of custody form and video 14-1C-0010 into Captain Stephens' box.

On Monday, March 10, 2014, Captain Stephens received the video with the chain of custody form and noticed that you were not listed on the form. Instead, the chain of custody form indicated that the video had been transferred directly from Corporal Kyzer to Captain Stephens without any additional transfers. This did not seem right to Captain Stephens, as the Video Tape Monitor Report indicated that you had taken possession of the video from Corporal Kyzer to review on February 13, 2014. While exploring this discrepancy, Captain Stephens sent you an email at 1025 hours that

10311 Wilson Blvd. Blythewood, SC - US Mail: P.O. Box 1993 Blythewood, SC 29016

Sergeant Gerald D. Rothell
 February 12, 2015
 Page 2

stated, "I received the disc I requested from Corporal Kyzer and noticed the chain of custody only listed him and me. If this video was reviewed last month, as listed, why is the chain of custody not filled out as required?" Two minutes later at 1027 hours, you responded via email, "When I get a video from them I normally just grab one from them while they are in the office." Sometime between 1200 and 1300 hours that day, Captain Stephens contacted Corporal Kyzer via telephone and pointed out that the video's chain of custody form did not include your name. Captain Stephens then asked Corporal Kyzer if you had reviewed the video. Corporal Kyzer confirmed that you had. Captain Stephens followed up by asking Corporal Kyzer, "When did he review it?" Corporal Kyzer stated to Captain Stephens, "We were in the office on dayshift and the Sergeant got my videotape and reviewed it then and gave it back to me. There was no chain of custody." After this telephone conversation between Corporal Kyzer and the Captain, Corporal Kyzer immediately contacted you via telephone and stated, "The Captain just called me about this chain of custody and inquired why you weren't on the chain of custody." The OPR investigation revealed that at that time you stated to Corporal Kyzer that you would tell Captain Stephens you had reviewed the video.

After further investigation, Captain Stephens recalled that the review date (February 13, 2014) was one of the snowstorm dates in February 2014 and much of the state had been shut down. Consequently, most of Highway Patrol's focus during that time was on assisting motorists affected by the snowstorm rather than on reviewing videos. Captain Stephens then requested all of the videos that you reviewed during the month of February. One of these videos was 14-1C-0074, which was assigned to Corporal Ginn. The Video Tape Monitor Report indicated that you reviewed it on February 12, 2014. Corporal Ginn was contacted about this tape and it was observed that the tape had not yet been used or recorded on as of March 13, 2014. Another video, 14-1C-0114, which was assigned to Trooper First Class Crouch was listed on the Video Tape Monitor Report and reflected that it was reviewed by you on February 16, 2014. However, the Video Tape Monitor Report listed the submission date of February 12, 2014, which is four days prior to your allegedly having reviewed video 14-1C-0114. This aroused Captain Stephens' suspicions even further.

On Wednesday, March 12, 2014, Corporal Kyzer reported to Captain Stephens' office as instructed and truthfully relayed the events surrounding video 14-1C-0010 and the chain of custody form to both Captain Stephens and First Sergeant Shelton. Corporal Kyzer informed Captain Stephens that you had not reviewed video 14-1C-0010 at the office on February 13, 2014. Corporal Kyzer told the Captain that you took possession of the video on March 7, 2014 and reviewed it sometime over the weekend.

You exhibited **negligence in the performance of supervisory duties** when you failed to review the videos from Corporal Kyzer and Corporal Ginn for the month of February 2014. It was clear from the investigation that you did not review the videos from the above subordinates despite listing dates of review for those videos on your Video Tape Monitor Report submitted on February 12, 2014. It is your responsibility as a supervisor to conduct a review of a portion of videos each month and document the dates of review on a Video Tape Monitor Report.

You falsified an official SCDPS form when you submitted the February 12, 2014 Video Tape Monitor Report to your chain of command that listed fabricated dates of video reviews for Corporal Kyzer and Corporal Ginn. Although you attempted to classify the falsified dates as an honest mistake, you made statements to OPR that clearly showed otherwise – including your admitting that you "guessed" when filling out Video Tape Monitor Reports.

Additionally, you were untruthful with and intentionally attempted to mislead Captain Stephens regarding the events surrounding your failure to review Corporal Kyzer's video. Instead of truthfully explaining the situation to Captain Stephens and owning up to your actions, you responded to Captain Stephens in a manner you hoped would allow you to escape discipline for falsifying documents. You also failed to document by a chain of custody form that you took possession of video 14-1C-0010 from Corporal Kyzer on March 7, 2014.

Supervisors such as you are held to a higher standard and must remain truthful no matter the circumstances. You hold a position of trust as a law enforcement officer, and your actions were deceptive and inconsistent with the standards

of the Highway Patrol. The Highway Patrol Manual of Operations makes clear that "Patrol personnel shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorable upon the Highway Patrol and in keeping with the high standards of professional law enforcement." Furthermore, the Manual of Operations provides that it is the duty of all Troopers to conduct themselves in a manner that is above reproach. Your behavior fell woefully short of this standard and will not be tolerated.

This is a grievable action. If you wish to file a grievance, you may do so in accordance with the enclosed grievance policy. Please contact Ms. Patty Duggan in the SCDPS Human Resources Office at (803) 896-8018 regarding your separation and State benefits. Any questions regarding this matter should be directed to Major Marc S. Wright.


Sincerely, 

Leroy Smith
Director

cc: Colonel Michael R. Oliver
LTC Christopher N. Williamson
Major Marc S. Wright

Enclosure: SCDPS Grievance Policy

My signature acknowledges that I received this document and its contents were discussed with me.

Employee Signature  Date 2/2/15

THIS DOCUMENT WILL BECOME PART OF YOUR PERSONNEL RECORD



South Carolina Department of Public Safety

Office of Human Resources

MEMORANDUM

TO: Senior Trooper Gerald D. Rothell
S. C. Highway Patrol District 1

FROM: Colonel James Caulder [REDACTED]
S. C. Highway Patrol Headquarters

RE: Level I Reprimand

DATE: November 9, 1995

Disciplinary action in the form of a Level I Reprimand is hereby imposed upon you for the following reasons:

A departmental investigation into allegations concerning your misconduct revealed that on or about January 13, 1995, you jokingly advised an attorney that if his client pled guilty to the DUI charge which you made against him, you would in turn dismiss the cases against two other clients of the attorney.

The investigation also revealed that on another occasion, you telephoned the same attorney and advised him that if a debt owed by a fellow trooper was forgiven by the attorney, you would dismiss the DUI charge against the attorney's client.

Your action as described is highly inappropriate and does not conform to the high standards expected of your profession. Making such comments, even in a joking way, to an attorney who represents an individual charged by you lends itself to the appearance of impropriety and will not be condoned by the Department. Your behavior as described is being viewed as **improper conduct**. Further conduct of this or similar nature will lead to additional disciplinary action.

Please direct any questions regarding this matter to me or your Captain.

PTB/kw

cc: Captain R. L. Mobley

This signature acknowledges the employee has received this document and the matter has been discussed with the employee by the supervisor.

Employee's Signature

[REDACTED]

Date 11-21-95



S.C. DEPARTMENT
OF PUBLIC SAFETY

May 26, 1995

Senior Trooper G.D.L. Rothell
[REDACTED]

RE: OPR File #PI-2101-95-0005
Complainant - Attorney Richard Breibart
Alleged Improper Comments

Dear Senior Trooper Rothell:

The Department's preliminary investigation into a complaint against you has been completed. The Director has determined that no further action is required and that the file should be closed. We have taken the appropriate action to close the file and a copy of this letter will be included in your personnel record to document this action.

Thank you for your cooperation in this matter.

Sincerely,
[REDACTED]

Paul B. Johnson, Administrator
Office of Human Resources

PBJ/vmp

cc: B. Boykin Rose, Director
Colonel James Caulder, Highway Patrol
Robert H.W. Cathey, Chief Inspector, OPR



South Carolina Department of Public Safety
S.C. Highway Patrol

MEMORANDUM

TO: Gerald D. Rothell
Lance Corporal

FROM: F. K. Lancaster, Jr. [REDACTED]
Colonel

DATE: May 7, 2009

RE: Colonel's Cup Softball Tournament

I wanted to personally thank you for your dedication and hard work in making the Annual Colonel's Cup Softball Tournament such a success. Your tireless efforts contributed to the fund raising campaign for our special friends at Special Olympics.

Since one of our missions is to serve the public, I think it is vital for our troopers to participate in community and civic activities. We have many troopers around the state who give of their own time to make activities such as this one a tremendous success. I believe it is a testament to what a fine group of men and women we have on our force.

I am proud to have the opportunity to acknowledge your professionalism and dedication throughout this event. A copy of this commendation will be placed in your permanent personnel file in the Office of Human Resources.

FKL/kms

C: Lieutenant Colonel M. R. Oliver
Major Leroy Taylor
Sergeant C. R. Heddy
Office of Human Resources

Courtesy - Efficiency - Service



United Parcel Service®

RECEIVED
DIRECTOR'S OFFICE

AUG 25 1997

Referred to _____
Date Referred _____
Action _____**UPS MISSION
STATEMENT**

UPS will achieve world-wide leadership in package distribution by developing and delivering solutions that best meet our customers' distribution needs at competitive rates. To do so, we will build upon our extensive and efficient distribution network, the legacy and dedication of our people to operational and service excellence and our commitment to anticipate and respond rapidly to changing market conditions and requirements.

August 22, 1997

Mr. William E. Gunn
Director of Public Safety
5400 Broad River Road
Columbia, South Carolina 29210

Dear Mr. Gunn:

I would like to take this opportunity to thank your department for the excellent assistance we received from the Highway Patrol during our recent work stoppage.

I would especially like to commend Captain Ralph Mobley for his leadership and cooperation. In addition, I would also like to commend First Sergeant Terry Fuller, Corporal Jones Gambell, Corporal Joey Kerbs, Lance Corporal Rothell and other officers involved, for their outstanding performance. These troopers were very valuable in aiding our vehicles to enter and exit the highways of South Carolina without illegal and unsafe interference. Their professional and courteous demonstration had a calming effect on all involved.

United Parcel Service is grateful for your support. If we can ever be of assistance to the South Carolina Highway Patrol, feel free to call on us.

With kindest regards,

Lewis Coleman
United Parcel Service
District Security Manager

pc: Mike Brock
Col. J. Caulder
Lt. Col D. R. Lane
Cpt. Ralph Mobley

State of South Carolina
Department of Public Safety

South Carolina Highway Patrol - District One
Supervisor's "Employee of the Month" for July
Presented To

Lance Corporal G.D. Rothell

We hereby express our sincere appreciation
for your exceptional performance and dedicated commitment.
Awarded the fourteenth of August, 1997.

Deputy Director
S.C. Highway Patrol

S.C. Department of Public Safety

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Gerald D. Rothell Social Security Number: [REDACTED]
 Agency: SCDPS 10009261
 Department: Highway Patrol / Troop One
 Position Classification: Corporal SGT.
 Date Assigned to Current Position: 12/17/2010 7/17/2013
 Performance Review From: 04/01/2013 To 03/31/2014 ✓

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 2-17-13
 Reviewed By: [REDACTED] Date: 2/18/13
 Employee: [REDACTED] Date: 2/20/13

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 2/3/2014 ✓
 Reviewed By: [REDACTED] Date: 2/3/2014 ✓
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 2/3/2014 ✓
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

EPMS

MAR 24 2014

Human Resources Office
D.P.S.

Sergeant

Job Duties	Performance Level
<p>1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Provides, disseminates, and interprets these laws and other safety issues to the general public. Investigates complaints relating to highway safety and enforces criminal laws as needed. Determines the cause of accidents through complex investigation techniques and assists subordinates in determining enforcement action.</p> <p>Success Criteria: Patrol and monitor traffic in county or district while observing subordinates and rendering assistance as needed. Investigates and/or assists subordinates in accident investigations. Maintains a good working knowledge of the laws, rules, and regulations involving traffic enforcement. Enforces rules and regulations set forth in DPS Policy Directives and Patrol manual of Operations.</p> <p>Actual Performance Sgt. Rothell enforces all state laws governing vehicles and pedestrians. He does a good job handling complaints related to highway safety and subordinates behavior. He does a good job investigating collisions and helps other Troopers with complex investigations. Sgt. Rothell maintains a good working knowledge of all the laws, rules and regulations with traffic enforcement, SCDPS Policies and procedures and the manual of operation.</p>	S
<p>2. Responsible for reviewing all required activity documents and reports of Patrol personnel under his/her supervision. Conducts periodic audits on summons books, outstanding cases and bonds. Coordinates these efforts with corporals in assigned counties.</p> <p>Success Criteria: Thoroughly checks reports and documents for completeness and accuracy before submitting through proper channels as required by policy, rules, directives or laws. All reports are reviewed and submitted within established time frame.</p> <p>Actual Performance Sgt. Rothell does a good job checking reports and documents for completeness and accuracy before submitting. He does a good job reviewing required activity documents and reports for Troopers under his supervision. He has developed a plan to maintain the accountability of summons with all Troopers in Post C.</p>	S
<p>3. Prepares work schedules and assignments for subordinates. Develops adequate traffic enforcement programs and encourages personnel to improve techniques related to highway safety.</p> <p>Success Criteria: Review selective enforcement data to determine personnel assignment needs. Prepare work schedules and assignments utilizing personnel based on enforcement information and personal observation.</p> <p>Actual Performance Sgt. Rothell is becoming familiar with preparing enforcement schedules and assignments for subordinates. He does a good job planning enforcement plans, reviewing data to assign personnel accordingly.</p>	S

Sergeant

Job Duties	Performance Level
4. Demonstrates knowledge in all laws governing vehicle and pedestrian traffic, DPS Policies, Patrol Manual of Operations, and rules and regulations. Acts as counselor to subordinates in personnel matters.	<u>S</u>
<p>Success Criteria: To keep abreast of all changes in laws and policies and informs subordinates of changes through meetings and personal contact. Works closely with Corporals and superiors in District Headquarters to ensure that subordinates are made aware of and are complying with instructions.</p> <p>Actual Performance Sgt. Rothell does a good job staying abreast of all changes in the laws and passing any updates down to his subordinates. He works closely with the Corporals to ensure they are aware of the changes and compliance. Sgt. Rothell works well as a counselor to assigned Troopers dealing with personal matters.</p>	
5. Responsible for coordinating and supervising patrol personnel on a county or district level. Establishes and adequate overall traffic enforcement program while coordinating efforts with superiors at district and state headquarters. Supervises and assists subordinates in the presentation and prosecution of cases.	<u>S</u>
<p>Success Criteria: Attends supervisors' meetings as required and complies with instructions from district supervisors. Assumes responsibility for disseminating information to subordinates. Makes periodic contact with other law enforcement agencies to establish good working relationships.</p> <p>Actual Performance Sgt. Rothell does a good job coordinating and supervising Troopers in Post C and offers guidance to assist in the prosecution of their cases in court. He attends supervisor meetings and disseminates information to his subordinates. Sgt. Rothell has developed a good working relationship with other agencies. He oversees the courts for pending trials and schedules accordingly.</p>	
6. Responsible for completing performance evaluations on subordinate employees.	<u>S</u>
<p>Success Criteria: Performance reviews are conducted in a fair and impartial manner and are completed within the specified time period.</p> <p>Actual Performance Sgt. Rothell does a good job preparing fair and impartial evaluations on his subordinates and submits within a timely manner.</p>	
7.	

Success Criteria:

Actual Performance

Sergeant

Job Duties

Performance
Level

8.

Success Criteria:

Actual Performance**Objectives**

1. Objective: _____

Success Criteria:

Actual Performance

2. Objective: _____

Success Criteria:

Actual Performance

Sergeant

Performance CharacteristicsPass/
Fail

- | | | |
|--------------------|---|------|
| 1. Characteristic: | Dependability | Pass |
| Definition: | The degree to which the officer can be relied upon to perform his duties within established procedures. | |
| | | |
| 2. Characteristic: | Promoting equal opportunity | Pass |
| Definition: | To promote affirmative action goals in all areas within the realm of your authority. Must be fair and impartial in supervision of employees under your direction. | |

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Sgt. Rothell has done a good job carrying out his day to day responsibilities for Post C. He has a good relationship with all of Post C Troopers and local law enforcement agencies. He provides guidance and motivation to other supervisors and Troopers. Sgt. Rothell is dependable, accountable and can be relied on to carry out assignments. Sgt. Rothell is a valuable asset to Post C in maintaining summons accountability and court schedules. Sgt. Rothell needs to continue to better himself and provide good enforcement plans to subordinates. He needs to continue to study the manual of operations, traffic laws and DPS policies.

APPRAISAL RESULTS☐ **Exceptional**☒ **Successful**☐ **Unsuccessful**

Sergeant

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	25.00 %		S	25.00 X 2.00	50.00
Duty 2	25.00 %		S	25.00 X 2.00	50.00
Duty 3	15.00 %		S	15.00 X 2.00	30.00
Duty 4	15.00 %		S	15.00 X 2.00	30.00
Duty 5	15.00 %		S	15.00 X 2.00	30.00
Duty 6	5.00 %		S	5.00 X 2.00	10.00
Duty 7	%			X	0.00
Duty 8	%			X	0.00

Objectives:

Objective 1:	%		X	0.00
Objective 2	%		X	0.00

<u>Total Weight</u>	<u>Total Score</u>
100.00 %	200.00

Total Score 200.00 divided by Total Weight 100.00 % = 2.00 rounded to 2.0

This will be the overall rating for the employee this period.

Performance Characteristics:**Pass or Fail**

Dependability	Pass
Promoting equal opportunity	Pass

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Gerald D. Rothell Social Security Number: [REDACTED]
 Agency: SCDPS
 Department: Highway Patrol / Troop One
 Position Classification: Corporal
 Date Assigned to Current Position: 12 / 17 / 2010
 Performance Review From: 06 / 17 / 2012 To ~~06 / 17 / 2013~~ 3/31/2013

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 5-11-12
 Reviewed By: [REDACTED] Date: 5-30-12
 Employee: [REDACTED] Date: 5-30-12

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 2-17-13
 Reviewed By: [REDACTED] Date: 2/18/13
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 2-25-2013
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED EPMS

MAR 25 2013

Human Resources Office
D.P.S.

CPL

Job Duties	Performance Level
1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Investigates complaints relating to highway safety and enforces criminal laws as needed.	<u>S</u>
Success Criteria:	
Patrols assigned area to detect any violations by utilizing any auxiliary equipment available.	
<u>Actual Performance</u>	
The employee continues to enforce all state laws while patrolling Lexington County. He utilizes equipment available to enhance his ability to preform his duties. He does a good job in his DUI enforcement.	
2. Observes subordinates in carrying out assigned duties and renders assistance as needed.	<u>S</u>
Success Criteria:	
Assists subordinate personnel in the application of duties by ensuring that proper investigative techniques are utilized and proper investigative procedures are follows.	
<u>Actual Performance</u>	
The employee performs this job duty well. He does a good job monitoring and responding to scenes that need supervision. He has fairly well rounded team with young and also seasoned members. He encourages team members to have above average activity and DUI Enforcement.	
3. Assists supervisors in reviewing all required activity documents and reports of patrol personnel supervised. Submits all required reports relating to enforcement activities.	<u>S</u>
Success Criteria:	
Checks all subordinate personnel's reports to ensure accuracy and legibility. All reports are reviewed and submitted within established time frames.	
<u>Actual Performance</u>	
The employee has done a good job assisting with reviewing collision reports in Post C when needed. He submits required reports from his team after reviewing for correctness. He has a good understanding when reviewing time sheets from his team members. He has taken on the responsibility of handling the DUI Court operations.	

CPL

Job Duties

Performance
Level

4. Performs as specialist in the investigation of vehicle collisions. Determines the cause of accidents, through complex investigation techniques and assists subordinates in determining enforcement action. Reviews and assists subordinates in the presentation and prosecution of cases.

E

Success Criteria:

Thoroughly investigates accidents and/or assists subordinates in accident investigations; compiles evidence following proper procedures. Compiles investigative reports and appears in court proceedings.

Actual Performance

The employee has the ability to determine MAIT's assistance is required. He ensures all investigated techniques are used by team members and assist in court on a regular basis.

5. Responsible for completing performance evaluations on subordinate employees.

E

Success Criteria:

Performance reviews are conducted in a fair and impartial manner and are completed within the specified time period.

Actual Performance

The employee conducts fair and impartial reviews of his subordinates in a timely manner.

Objectives

1. Objective: _____

Success Criteria: _____

Actual Performance

2. Objective: _____

Success Criteria: _____

Actual Performance

CPL

Performance Characteristics		Pass/ Fail
1. Characteristic:	Judgment	<u>Pass</u>
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	<u>Pass</u>
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	<u>Pass</u>
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	<u>Pass</u>
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	
5. Characteristic:	Leadership	<u>Pass</u>
Definition:	The degree to which the incumbent provides direction and supervision of subordinates.	

CPL

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Cpl. Rothell takes pride in his appearance and has continued to maintain his uniform and equipment as a supervisor. He continues to stay abreast of what his subordinates are doing and enforcement habits. He has taken on the responsibility of DUI Court and has done a good job making sure reports are properly completed by his team. He is encouraged to continue to motivate his team to continue to build morale and increase their overall activity. He expresses appreciation to his team member when they do a good job. He takes pride in the success of his subordinates. He need stay abreast of changes in the laws and DPS policies.

APPRAISAL RESULTS

☐ Exceptional☒ Successful☐ Unsuccessful

CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	40.00 %		S	40.00 X 2.00	80.00
Duty 2	25.00 %		S	25.00 X 2.00	50.00
Duty 3	20.00 %		S	20.00 X 2.00	40.00
Duty 4	10.00 %		E	10.00 X 3.00	30.00
Duty 5	5.00 %		E	5.00 X 3.00	15.00
Duty 6	%			X	0.00

Objectives:

Objective 1:	%		X	0.00
Objective 2	%		X	0.00

<u>Total Weight</u>	<u>Total Score</u>
100.00 %	215.00

Total Score 215.00 divided by Total Weight 100.00 % = 2.15 rounded to 2.2

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:**Pass or Fail**

Judgement	Pass
Ability to Work Without Supervision	Pass
Dependability	Pass
Relation with the Public	Pass
Leadership	Pass

✓

(

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Gerald D. Rothell Social Security Number: [REDACTED]
Agency: SCDPS 10009261
Department: Highway Patrol / Troop One
Position Classification: Corporal
Date Assigned to Current Position: 12 / 17 / 2010
Performance Review From: 06 / 17 / 2011 To 6 / 17 / 2011 ✓

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 6-17-11
Reviewed By: [REDACTED] Date: 6-18-11
Employee: [REDACTED] Date: 6-18-11

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 5-11-12 ✓
Reviewed By: [REDACTED] Date: 5-30-12 ✓
Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 5-30-12 ✓
(My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

JUN 13 2012
Human Resources Office
D.P.S.

EPMS

CPL

Job Duties

Performance
Level

-
1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Investigates complaints relating to highway safety and enforces criminal laws as needed.

S

Success Criteria:

Patrols assigned area to detect any violations by utilizing any auxiliary equipment available.

Actual Performance

The employee continues to enforce all state laws while patrolling Lexington County. He utilizes equipment available to enhance his ability to preform his duties. He does a good job in his DUI enforcement.

-
2. Observes subordinates in carrying out assigned duties and renders assistance as needed.

S

Success Criteria:

Assists subordinate personnel in the application of duties by ensuring that proper investigative techniques are utilized and proper investigative procedures are follows.

Actual Performance

The employee performs this job duty well. He does a good job monitoring and responding to scenes that need supervision. He has fairly well rounded team with young and also seasoned members. He encourages team members to have above average activity and DUI Enforcement.

-
3. Assists supervisors in reviewing all required activity documents and reports of patrol personnel supervised. Submits all required reports relating to enforcement activities.

S

Success Criteria:

Checks all subordinate personnel's reports to ensure accuracy and legibility. All reports are reviewed and submitted within established time frames.

Actual Performance

The employee has done a good job assisting with reviewing collision reports in Post C when needed. He submits required reports from his team after reviewing for correctness. He has a good understanding when reviewing time sheets from his team members.

CPL

Job Duties	Performance Level
4. Performs as specialist in the investigation of vehicle collisions. Determines the cause of accidents, through complex investigation techniques and assists subordinates in determining enforcement action. Reviews and assists subordinates in the presentation and prosecution of cases.	<u>E</u>
Success Criteria:	
Thoroughly investigates accidents and/or assists subordinates in accident investigations; compiles evidence following proper procedures. Compiles investigative reports and appears in court proceedings.	
<u>Actual Performance</u>	
The employee has the ability to determine MAIT's assistance is required. He ensures all investigated techniques are used by team members and assist in court on a regular basis.	
5. Responsible for completing performance evaluations on subordinate employees.	<u>S</u>
Success Criteria:	
Performance reviews are conducted in a fair and impartial manner and are completed within the specified time period.	
<u>Actual Performance</u>	
The employee conducts fair and impartial reviews of his subordinates in a timely manner.	

Objectives

1. Objective:		
Success Criteria:		
<u>Actual Performance</u>		
2. Objective:		
Success Criteria:		
<u>Actual Performance</u>		

CPL

Performance Characteristics		Pass/ Fail
1. Characteristic:	Judgment	<u>Pass</u>
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	<u>Pass</u>
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	<u>Pass</u>
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	<u>Pass</u>
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	
5. Characteristic:	Leadership	<u>Pass</u>
Definition:	The degree to which the incumbent provides direction and supervision of subordinates.	

CPL

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Cpl. Rothell has taken pride in his appearance and has continued to maintain his uniform and equipment as a supervisor. He continues to stay abreast of what his subordinates are doing and enforcement habits. He has assisted with DUI Court on a regular basis and has done a good job making sure reports are properly completed by his team. He is encouraged to continue to motivate his team to continue to build morale and increase their overall activity. He expresses appreciation to his team member when they do a good job. He takes pride in the success of his subordinates. He need stay abreast of changes in the laws and DPS policies.

APPRAISAL RESULTS☐ **Exceptional**☒ **Successful**☐ **Unsuccessful**

CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	40.00 %		S	40.00 X 2.00	80.00
Duty 2	25.00 %		S	25.00 X 2.00	50.00
Duty 3	20.00 %		S	20.00 X 2.00	40.00
Duty 4	10.00 %		E	10.00 X 3.00	30.00
Duty 5	5.00 %		S	5.00 X 2.00	10.00
Duty 6	%			X	0.00

Objectives:

Objective 1:	%		X	0.00
Objective 2	%		X	0.00

<u>Total Weight</u>	<u>Total Score</u>
100.00 %	210.00

Total Score 210.00 divided by Total Weight 100.00 % = 2.10 rounded to 2.1

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:**Pass or Fail**

Judgement	Pass
Ability to Work Without Supervision	Pass
Dependability	Pass
Relation with the Public	Pass
Leadership	Pass

5
✓
2
✓

**STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM**

Name: Gerald D. Rothell Social Security Number: [REDACTED]
Agency: SCDPS
Department: Highway Patrol / Troop One
Position Classification: Corporal
Date Assigned to Current Position: 12 / 17 / 2010
Performance Review From: 12 / 17 / 2010 To 06 / 17 / 2011 ✓

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 12-17-10
Reviewed By: [REDACTED] Date: _____
Employee: [REDACTED] Date: _____

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 6-17-11 ✓
Reviewed By: [REDACTED] Date: 6-18-11 ✓
Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 6-18-11 ✓
(My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

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OCT 17 2011
Human Resources Office
D.P.S.

EPMS

CPL

Job Duties	Performance Level
1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Investigates complaints relating to highway safety and enforces criminal laws as needed.	<u>S</u>
Success Criteria:	
Patrols assigned area to detect any violations by utilizing any auxiliary equipment available.	
<u>Actual Performance</u>	
The employee continues to enforce all state laws while patrolling Lexington County. He utilizes equipment available to enhance his ability to preform his duties. He does a good job in his DUI enforcement.	
2. Observes subordinates in carrying out assigned duties and renders assistance as needed.	<u>S</u>
Success Criteria:	
Assists subordinate personnel in the application of duties by ensuring that proper investigative techniques are utilized and proper investigative procedures are follows.	
<u>Actual Performance</u>	
The employee performs this job duty well. He does a good job monitoring and responding to scenes that need supervision. He has fairly well rounded team with young and also seasoned members. Encourages team members to have above average activity and DUI Enforcement.	
3. Assists supervisors in reviewing all required activity documents and reports of patrol personnel supervised. Submits all required reports relating to enforcement activities.	<u>S</u>
Success Criteria:	
Checks all subordinate personnel's reports to ensure accuracy and legibility. All reports are reviewed and submitted within established time frames.	
<u>Actual Performance</u>	
The employee has done a good job assisting with reviewing collision reports in Post C when needed due to the shortage of supervisors. He submits required reports from his team after reviewing for correctness. He has a good understanding when reviewing time sheets from his team members.	

CPL

Job Duties	Performance Level
4. Performs as specialist in the investigation of vehicle collisions. Determines the cause of accidents, through complex investigation techniques and assists subordinates in determining enforcement action. Reviews and assists subordinates in the presentation and prosecution of cases.	<u>S</u>
Success Criteria:	
Thoroughly investigates accidents and/or assists subordinates in accident investigations; compiles evidence following proper procedures. Compiles investigative reports and appears in court proceedings.	
Actual Performance	
The employee is not performing any specialized investigation, however he does properly determine when MAIT's assistance is required.	
5. Responsible for completing performance evaluations on subordinate employees.	<u>S</u>
Success Criteria:	
Performance reviews are conducted in a fair and impartial manner and are completed within the specified time period.	
Actual Performance	
The employee conducts fair and impartial reviews of his subordinates in a timely manner.	

Objectives

1. Objective: _____
- Success Criteria: _____
- _____
- Actual Performance**
- _____
2. Objective: _____
- Success Criteria: _____
- _____
- Actual Performance**
- _____

CPL

Performance Characteristics		Pass/ Fail
1. Characteristic:	Judgment	<u>Pass</u>
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	<u>Pass</u>
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	<u>Pass</u>
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	<u>Pass</u>
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	
5. Characteristic:	Leadership	<u>Pass</u>
Definition:	The degree to which the incumbent provides direction and supervision of subordinates.	

CPL

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Cpl. Rothell has taken pride in his appearance and has continued to maintain his uniform and equipment as a supervisor. He continues to stay abreast of what his subordinates are doing and enforcement habits. He has assisted with moderate administrative duties during the past year and has done a good job making sure reports are properly completed by his team. He is encouraged to continue to motivate his team to continue to build morale and increase their overall activity. He expresses appreciation to his team member when they do a good job. He takes pride in the success of his subordinates. He need stay abreast of changes in the laws and DPS policies.

APPRAISAL RESULTS

☐ Exceptional☒ Successful☐ Unsuccessful

CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	40.00 %		S	40.00 X 2.00	80.00
Duty 2	25.00 %		S	25.00 X 2.00	50.00
Duty 3	20.00 %		S	20.00 X 2.00	40.00
Duty 4	10.00 %		S	10.00 X 2.00	20.00
Duty 5	5.00 %		S	5.00 X 2.00	10.00
Duty 6	%			X	0.00

Objectives:

Objective 1:	%		X	0.00
Objective 2	%		X	0.00

<u>Total Weight</u>	<u>Total Score</u>
100.00 %	200.00

Total Score 200.00 divided by Total Weight 100.00 % = 2.00 rounded to 2.0

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:**Pass or Fail**

Judgement	Pass
Ability to Work Without Supervision	Pass
Dependability	Pass
Relation with the Public	Pass
Leadership	Pass

Close-Out EPMS

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Gerald D. Rothell Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: Highway Patrol
 Position Classification: Lance Corporal
 Date Assigned to Current Position: July 2, 1996
 Performance Review From: 9-2010 To 2011 12/16/10

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9/18/2010
 Reviewed By: [REDACTED] Date: 9-18-2010
 Employee: [REDACTED] Date: 9-18-2010

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 12/15/2010 ✓
 Reviewed By: [REDACTED] Date: 12-15-2010 ✓
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 12-15-2010 ✓
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED EPMS

JAN 26 2011

Human Resources Office
D.P.S.

Job Duties

Performance
Level

-
- | | |
|--|----------|
| 1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Investigates complaints relating to highway safety and enforces laws as needed. Maintains training and certification in scientific procedures including, but not limited to the DataMaster to determine blood alcohol devices to detect speed of vehicles and to take necessary enforcement action. | <u>S</u> |
|--|----------|

Success Criteria:

Maintains a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrols the streets and highways in the assigned area, identifying violations and taking necessary enforcement action. Stays abreast of all changes or revisions governing radar and DataMaster operations. Maintains certification in the operation of these devices.

Actual Performance

Trooper Rothell keeps his certifications current. Trooper Rothell is continually upgrading his ability to identify and arrest impaired drivers. Trooper Rothell patrols his assigned areas and constantly directs other team members to problem areas.

-
- | | |
|--|----------|
| 2. Conducts investigations of collisions involving vehicles in order to determine the cause; collects necessary data; completes required reports relating to collisions. | <u>S</u> |
|--|----------|

Success Criteria:

Thoroughly investigates collisions using established techniques; supporting documentation is compiled and reports submitted within established time frames.

Actual Performance

Trooper Rothell's primary job function is not investigating collisions, but when he does investigate a collision, he makes the appropriate charges and submits the reports in a timely manner.

Job Duties	Performance Level
3. Aggressively identify and apprehend impaired drivers while fairly and impartially conducting enforcement initiatives in known hot spots for alcohol and drug violations. Develop sound working relationships with peers, local law enforcement, community leaders, the CRO Unit and the public. Maintains all daily, weekly, and monthly reports as required. Complete General Session reports.	<u>S</u>

Success Criteria:

Develop sound enforcement techniques, identify and apprehend impaired drivers. Gain knowledge of assigned areas and maintain high visibility in trouble spots. Maintain a positive working relationship with other troopers, local law enforcement officers and the public. Turn in all reports within the proper time frames.

Actual Performance

Since Trooper Rothell has been assigned to the DUI Team, his apprehension of impaired drivers has been above average. He is constantly searching for trouble spots and directs enforcement to those areas. Trooper Rothell is the senior trooper on the DUI Team and acts as supervisor when I am not working. He keeps me apprised of problems and ensures documents are submitted in a timely manner by his team members.

4. Process cases for court appearances upon initiation of formal charges.	<u>S</u>
---	----------

Success Criteria:

Prepares detailed account of violations, providing documented evidence to support the written violation.

Actual Performance

Trooper Rothell does an outstanding job in court. He has a good working relationship with attorneys and is a proficient prosecutor.

Job Duties
**Performance
Level**

-
5. Provide advice, guidance and direction to Highway Patrol officers concerning performance of their duties. Must be knowledgeable in all laws governing the operations of vehicular and pedestrian traffic. Provides and disseminates information to the public on vehicle laws; interpret safety rules for general public. Maintain all equipment issued by the Department of Public Safety.

E

Success Criteria:

Provide DUI Enforcement techniques to peers. Maintain working knowledge of traffic laws. DUI team members are to keep equipment in a professional clean manner at all times.

Actual Performance

Trooper Rothell keeps his assigned equipment in a professional and clean manner. As senior trooper on the team, he provides advise to the other team members on DUI enforcement techniques.

6.

Success Criteria:**Actual Performance**

Objectives	Performance Level
1. Objective: _____	_____
Success Criteria: _____	

<u>Actual Performance</u>	
2. Objective: _____	_____
Success Criteria: _____	

<u>Actual Performance</u>	

Performance Characteristics

Acceptable/
Unacceptable

1. Characteristic: Dependability

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

A

2. Characteristic: Judgment

Definition: The ability to make sound decisions in the application of the law.

A

3. Characteristic: Relationship with the Public

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

A

4. Characteristic:

Definition:

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

March - Trooper Rothell had a very good month of activity in March. 80 summons, 54 warnings, 8 DUI cases.

April - Trooper Rothell had 2 HL, 4 days at Life Saver Conf. 78 summons, 42 warnings, 4 DUI cases.

May - Trooper Rothell had an outstanding month. 104 summons, 44 warnings, 9 DUI cases.

June - Trooper Rothell had a very good month. 86 summons, 50 warnings, 8 DUI cases.

July - Trooper Rothell had a good month. 68 summons, 73 warnings, 6 DUI cases.

August - 72 summons, 54 warnings, 7 DUI cases.

September, 2010 - Summons 62, Warnings 41, DUI cases 5

October - summons 56, warnings 44, DUI cases 9

November - summons 34, warnings 26, DUI cases 4

L/Cpl. Rothell was promoted to Corporal, effective 12/17/2010. This is a close out EPMS for the last three months. He received his annual EPMS in September, 2010 and nothing has changed since his last performance appraisal.

Corporal Rothell should strive to improve his leadership skills in the following months.

APPRAISAL RESULTS

☐ Exceptional

☒ Successful

☐ Unsuccessful

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)			<u>Total Score</u>
Duty 1	30.00	%	S	30.00	X	2.00	60.00
Duty 2	5.00	%	S	5.00	X	2.00	10.00
Duty 3	50.00	%	S	50.00	X	2.00	100.00
Duty 4	10.00	%	S	10.00	X	2.00	20.00
Duty 5	5.00	%	E	5.00	X	3.00	15.00
Duty 6		%			X		0.00

Objectives:

Objective 1:		%			X		0.00
Objective 2		%			X		0.00

<u>Total Weight</u>			<u>Total Score</u>
100.00	%		205.00

Total Score 205.00 divided by Total Weight 100.00 % = 2.05 rounded to 2.1

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:**Pass or Fail**

Dependability	Pass
Judgment	Pass
Relationship with the Public	Pass
	Pass

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Gerald D. Rothell Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: SCHP- Troop1 2101
 Position Classification: Lance Corporal- LEO 1
 Date Assigned to Current Position: July 2nd, 1996
 Performance Review From: 09/10/2009 To 09/10/2010 11/23/2010

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-9-2009
 Reviewed By: [REDACTED] Date: 8-9-09
 Employee: [REDACTED] Date: 8-9-09

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9-18-2010
 Reviewed By: [REDACTED] Date: 9-18-2010
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 9-18-2010
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

OCT 19 2010
 Human Resources Office
 D.P.S.

EPMS

Job Duties

Performance
Level

1. Enforces all state laws and regulations governing vehicle and pedestrian traffic. Investigates complaints relating to highway safety and enforces laws as needed. Maintains training and certification in scientific procedures including, but not limited to the DataMaster to determine blood alcohol devices to detect speed of vehicles and to take necessary enforcement action.

S

Success Criteria:

Maintains a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrols the streets and highways in the assigned area, identifying violations and taking necessary enforcement action. Stays abreast of all changes or revisions governing radar and DataMaster operations. Maintains certification in the operation of these devices.

Actual Performance

Trooper Rothell keeps his certifications current. Trooper Rothell is continually upgrading his ability to identify and arrest impaired drivers. Trooper Rothell patrols his assigned areas and constantly directs other team members to problem areas.

2. Conducts investigations of collisions involving vehicles in order to determine the cause; collects necessary data; completes required reports relating to collisions.

S

Success Criteria:

Thoroughly investigates collisions using established techniques; supporting documentation is compiled and reports submitted within established time frames.

Actual Performance

Trooper Rothell's primary job function is not investigating collisions, but when he does investigate a collision, he makes the appropriate charges and submits the reports in a timely manner.

Job Duties

Performance
Level

-
- | | |
|--|----------|
| 3. Aggressively identify and apprehend impaired drivers while fairly and impartially conducting enforcement initiatives in known hot spots for alcohol and drug violations. Develop sound working relationships with peers, local law enforcement, community leaders, the CRO Unit and the public. Maintains all daily, weekly, and monthly reports as required. Complete General Session reports. | <u>S</u> |
|--|----------|

Success Criteria:

Develop sound enforcement techniques, identify and apprehend impaired drivers. Gain knowledge of assigned areas and maintain high visibility in trouble spots. Maintain a positive working relationship with other troopers, local law enforcement officers and the public. Turn in all reports within the proper time frames.

Actual Performance

Since Trooper Rothell has been assigned to the DUI Team, his apprehension of impaired drivers has been above average. He is constantly searching for trouble spots and directs enforcement to those areas. Trooper Rothell is the senior trooper on the DUI Team and acts as supervisor when I am not working. He keeps me apprised of problems and ensures documents are submitted in a timely manner by his team members.

-
- | | |
|---|----------|
| 4. Process cases for court appearances upon initiation of formal charges. | <u>S</u> |
|---|----------|

Success Criteria:

Prepares detailed account of violations, providing documented evidence to support the written violation.

Actual Performance

Trooper Rothell does an outstanding job in court. He has a good working relationship with attorneys and is a proficient prosecutor.

Job Duties
**Performance
Level**

-
- | | |
|--|----------|
| 5. Provide advice, guidance and direction to Highway Patrol officers concerning performance of their duties. Must be knowledgeable in all laws governing the operations of vehicular and pedestrian traffic. Provides and disseminates information to the public on vehicle laws; interpret safety rules for general public. Maintain all equipment issued by the Department of Public Safety. | <u>E</u> |
|--|----------|

Success Criteria:

Provide DUI Enforcement techniques to peers. Maintain working knowledge of traffic laws. DUI team members are to keep equipment in a professional clean manner at all times.

Actual Performance

Trooper Rothell keeps his assigned equipment in a professional and clean manner. As senior trooper on the team, he provides advise to the other team members on DUI enforcement techniques.

6.
Success Criteria:**Actual Performance**

Objectives	Performance Level
1. Objective: _____	_____
Success Criteria: _____	

<u>Actual Performance</u>	
2. Objective: _____	_____
Success Criteria: _____	

<u>Actual Performance</u>	

Performance Characteristics

Acceptable/
Unacceptable

1. Characteristic: Dependability

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

A

2. Characteristic: Judgment

Definition: The ability to make sound decisions in the application of the law.

A

3. Characteristic: Relationship with the Public

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

A

4. Characteristic:

Definition:

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

March - Trooper Rothell had a very good month of activity in March. 80 summons, 54 warnings, 8 DUI cases.

April - Trooper Rothell had 2 HL, 4 days at Life Saver Conf. 78 summons, 42 warnings, 4 DUI cases.

May - Trooper Rothell had an outstanding month. 104 summons, 44 warnings, 9 DUI cases.

June - Trooper Rothell had a very good month. 86 summons, 50 warnings, 8 DUI cases.

July - Trooper Rothell had a good month. 68 summons, 73 warnings, 6 DUI cases.

August - 72 summons, 54 warnings, 7 DUI cases.

Trooper Rothell needs to stay abreast of DUI law changes and continually search for ways to avoid dismissals in court.

Trooper Rothell needs to continue to improve in being the DUI Team leader.

APPRAISAL RESULTS

☐ Exceptional

☒ Successful

☐ Unsuccessful

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Exceptional Performance Requirements (E)	3	2.5 and above
Successful Performance Requirements (S)	2	1.5 to 2.49
Unsuccessful Performance Requirements (U)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	30.00 %		S	30.00 X 2.00	60.00
Duty 2	5.00 %		S	5.00 X 2.00	10.00
Duty 3	50.00 %		S	50.00 X 2.00	100.00
Duty 4	10.00 %		S	10.00 X 2.00	20.00
Duty 5	5.00 %		E	5.00 X 3.00	15.00
Duty 6	%			X	0.00

Objectives:

Objective 1:	%		X	0.00
Objective 2	%		X	0.00

<u>Total Weight</u>		<u>Total Score</u>
100.00 %		205.00

Total Score 205.00 divided by Total Weight 100.00 % = 2.05 rounded to 2.1

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:**Pass or Fail**

<u>Dependability</u>	Pass
<u>Judgment</u>	Pass
<u>Relationship with the Public</u>	Pass
	Pass

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Rothell- G.D. Social Security Number: [REDACTED]
Agency: South Carolina Department of Public Safety
Department: South Carolina Highway Patrol/ Troop1 2101
Position Classification: Lance Corporal- LEO 1
Date Assigned to Current Position: July 2nd, 1996
Performance Review From: 09/10/2008 To ~~09/10/2009~~ 10/23/09

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-29-08
Reviewed By: [REDACTED] Date: 8-29-08
Employee: 4/ep [REDACTED] Date: 8-29-08

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-9-09 ✓
Reviewed By: [REDACTED] Date: 8-9-09 ✓
Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 8-9-09 ✓
(My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

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OCT 15 2009
Human Resources Office
D.P.S.

EPMS

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

Trooper enforces S.C. motor vehicle laws using fair and impartial judgement. He uses his equipment while enforcing vehicle and criminal laws. Trooper has a very good knowledge of vehicle and criminal laws, he has an above average case productivity and has arrested numerous DUI violators.

-
2. Investigates traffic collisions utilizing a variety of investigation techniques.

E

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

Trooper has been assigned to the Troop1 DUI Team during this evaluation phase, when he was assigned to Post C, L/Cpl. Rothell did a thorough job in his traffic collision investigation. He turned in reports accurately and in a timely fashion. He is well prepared in his courtroom presentations.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

M

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

L/Cpl. Rothell provides guidance to lower ranking troopers when they are conducting traffic investigations. He assists them in obtaining evidence and gives them advice in making the appropriate charges.

L/CPL

Job Duties

**Performance
Level**

-
4. Makes court presentations on investigations.

E

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

L/Cpl. Rothell takes pride in his courtroom presentation. He has a very high conviction rate in Magistrate court level cases.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

L/Cpl. Rothell has served as a Field Training Officer during this evaluation and always is readily available to assist lower ranking officers with questions they might have. He is able to assist them in making the proper charges when dealing with criminal or motor vehicle laws. He stays abreast of any new case laws and shares this information with fellow employees.

Objectives

-
1. Objective: _____

Success Criteria:

Actual Performance

-
2. Objective: _____

Success Criteria:

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

- | Performance Characteristics | | Acceptable/
Unacceptable |
|-----------------------------|--|-----------------------------|
| 1. Characteristic: | Judgment | A |
| Definition: | The ability to make sound decisions in the application of the law. | |
| 2. Characteristic: | Ability to Work Without Supervision | A |
| Definition: | The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job. | |
| 3. Characteristic: | Dependability | A |
| Definition: | The degree to which the officer can be relied upon to perform his duties within established procedures. | |
| 4. Characteristic: | Relationship with the Public | A |
| Definition: | The extent to which the employee establishes good relationships with the public while effectively enforcing the laws. | |

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

The employee has a thorough knowledge of the laws in South Carolina. He has served as a Field Training Officer during this evaluation phase. He maintains an above average level of activity especially in the area of DUI enforcement. He has been rewarded by becoming a member of the Troop 1 DUI Team. He is always assisting fellow employees in any type of investigation without being asked to do so. He needs to continue to improve on his appearance and the neatness of his patrol vehicle. He needs to stay abreast of any changes in the SC laws , DPS policy, and patrol manual.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)		<u>Total Score</u>
Duty 1	<u>50.00</u>	%	<u>E</u>	<u>50.00</u>	X <u>3.00</u>	<u>150.00</u>
Duty 2	<u>20.00</u>	%	<u>E</u>	<u>20.00</u>	X <u>3.00</u>	<u>60.00</u>
Duty 3	<u>10.00</u>	%	<u>M</u>	<u>10.00</u>	X <u>2.00</u>	<u>20.00</u>
Duty 4	<u>10.00</u>	%	<u>E</u>	<u>10.00</u>	X <u>3.00</u>	<u>30.00</u>
Duty 5	<u>10.00</u>	%	<u>E</u>	<u>10.00</u>	X <u>3.00</u>	<u>30.00</u>
Duty 6		%			X	<u>0.00</u>

Objectives:

Objective 1:	<u> </u>	%	<u> </u>	<u> </u>	X <u> </u>	<u>0.00</u>
Objective 2	<u> </u>	%	<u> </u>	<u> </u>	X <u> </u>	<u>0.00</u>

<u>Total Weight</u>			<u>Total Score</u>
<u>100.00</u>	%		<u>290.00</u>

Total Score 290.00 divided by Total Weight 100.00 % = 2.90 rounded to 2.9

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Rothell- G.D. Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: South Carolina Highway Patrol / Troop One 2101
 Position Classification: Lance Corporal, LEO I
 Date Assigned to Current Position: July 2, 1996
 Performance Review From: 09/10/2007 To 09/10/2008 10/23/08

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 10-9-2007
 Reviewed By: [REDACTED] Date: 10-9-2007
 Employee: [REDACTED] Date: 10-9-2007

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-29-08 ✓
 Reviewed By: [REDACTED] Date: 8-29-08 ✓
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 08-29-08 ✓
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

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OCT 10 2008

Human Resources Office
D.P.S.

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

L/Cpl. Rothell enforces South Carolina motor vehicle laws and Patrols his assigned area. He uses his assigned equipment while enforcing vehicle and criminal laws. L/Cpl. Rothell has above average activity, including DUI arrests. He demonstrates an above average knowledge of motor vehicle and criminal laws.

-
2. Investigates traffic collisions utilizing a variety of investigation techniques.

E

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

L/Cpl. Rothell takes his time to thoroughly investigate traffic collisions. He responds to traffic collisions in a prompt manner and makes the proper charges when warranted for court purposes. L/Cpl. Rothell takes initiative in completing hit and run collisions and follows up to make charges if needed. He is prepared for court in all collision cases.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

E

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

L/Cpl. Rothell has served as a Field Training Officer during this evaluation period. He advises lower ranking Troopers on make good cases and is always available when needed. He turns in all Training reports in a timely fashion, and is accurate in detailing weaknesses and strengths.

L/CPL

Job Duties

**Performance
Level**

-
4. Makes court presentations on investigations.

M

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

L/Cpl. Rothell presents and prosecutes court cases in thorough details. He has an above average conviction rate. L/Cpl. Rothell prosecutes his DUI trials and maintains an above average conviction rate.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

L/Cpl. Rothell always is eager to assist lower ranking Troopers and gives them guidance in making proper charges in traffic collisions and all criminal charges. He stays updated on all case law and ever changing new laws in South Carolina and shares his knowledge with lower ranking Troopers.

Objectives

-
1. Objective: _____

Success Criteria: _____

Actual Performance

-
2. Objective: _____

Success Criteria: _____

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

1. Characteristic:	Judgment	A
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	A
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	A
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	A
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

L/Cpl. Rothell has thorough knowledge of the laws of South Carolina. He presents himself in a professional manner when dealing with public. He maintains an above average level in activity in all areas of enforcement. He continues to assist his fellow employees in calls for service and assists lower ranking Troopers in making correct decisions in traffic collision investigation. L/Cpl Rothell is a Field Training officer and a Lidar instructor. He needs minimal supervision to accomplish any task given to him. He needs to stay abreast of any changes in law, DPS policy, and Manual of Operations.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)		<u>Total Score</u>
Duty 1	<u>50.00</u> %		<u>E</u>	<u>50.00</u>	X <u>3.00</u>	<u>150.00</u>
Duty 2	<u>20.00</u> %		<u>E</u>	<u>20.00</u>	X <u>3.00</u>	<u>60.00</u>
Duty 3	<u>10.00</u> %		<u>E</u>	<u>10.00</u>	X <u>3.00</u>	<u>30.00</u>
Duty 4	<u>10.00</u> %		<u>M</u>	<u>10.00</u>	X <u>2.00</u>	<u>20.00</u>
Duty 5	<u>10.00</u> %		<u>E</u>	<u>10.00</u>	X <u>3.00</u>	<u>30.00</u>
Duty 6	<u> </u> %		<u> </u>	<u> </u>	X <u> </u>	<u>0.00</u>

Objectives:

Objective 1:	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>

<u>Total Weight</u>	<u>Total Score</u>
<u>100.00</u> %	<u>290.00</u>

Total Score 290.00 divided by Total Weight 100.00 % = 2.90 rounded to 2.9

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Rothell- G.D. Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: South Carolina Highway Patrol / Troop One 2101
 Position Classification: Lance Corporal, LEO I
 Date Assigned to Current Position: July 2, 1996
 Performance Review From: 09/10/2006 To ~~09/10/2007~~ 10/23/07

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9-10-2006
 Reviewed By: [REDACTED] Date: 9-10-2006
 Employee: [REDACTED] Date: 9-15-2006

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 10-9-2007
 Reviewed By: [REDACTED] Date: 10-9-2007
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] Date: 10-9-2007
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

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OCT 16 2007

EPMS

Human Resources Office
D.P.S.

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

Trooper enforces South Carolina motor vehicle laws and thoroughly patrol's assigned areas. He competently uses equipment while enforcing vehicle and criminal laws. Trooper demonstrates a good knowledge of motor vehicle and criminal laws. L/Cpl. Rothell has played an intricate role in the effectiveness of the Lidar radar. He has been used extensively for speed saturation patrols in Lexington County and the surrounding area.

-
2. Investigates traffic collisions utilizing a variety of investigation techniques.

M

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

Trooper concientiously investigates traffic collisions. He shows initiative in completing hit and run collision investigations. Trooper does respond to collisions promptly and accurately completes collision reports. Trooper is prepared when prosecuting collision cases.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

M

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

Trooper does provide guidance to lower ranking troopers with investigation of traffic collisions. He assists them in obtaining evidence and completing witness statements.

L/CPL

Job Duties

Performance
Level

-
4. Makes court presentations on investigations.

E

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

Trooper presents and prosecutes court cases with thorough details. Trooper comes to court prepared and presents evidence needed to prosecute cases. L/Cpl. Rothell researches case law to prepare himself to rebut motions made by defense attorneys. L/Cpl. Rothell assists fellow troopers by providing pertinent information to better prosecute court cases.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

Trooper does assist lower ranking troopers with interpretations on South Carolina code of laws. Trooper is able to assist with decisions on enforcing vehicle and criminal laws. He stays abreast of case law and new laws and shares the information with lower ranking troopers.

Objectives

-
1. Objective: _____

Success Criteria: _____

Actual Performance

-
2. Objective: _____

Success Criteria: _____

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

1. Characteristic:	Judgment	A
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	A
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	A
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	A
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Trooper shows ability in competently enforcing SC code of laws and investigating traffic collisions. He volunteers to help other troopers with traffic collision investigation work load. Trooper shows extra effort in solving hit and run collision investigations. Trooper stays abreast of case laws and rulings and shares the information with other trooper.

Trooper needs to continue to read and study his Manual of Operations, DPS Policy Manual and law book. He should set daily goals for productivity and set an example of high standards for lower ranking troopers in appearance.

L/Cpl.Rothell should continue to work on maintaining a clean vehicle and a neat appearance.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)		<u>Total Score</u>
Duty 1	<u>50.00</u> %		<u>E</u>	<u>50.00</u> X	<u>3.00</u>	<u>150.00</u>
Duty 2	<u>20.00</u> %		<u>M</u>	<u>20.00</u> X	<u>2.00</u>	<u>40.00</u>
Duty 3	<u>10.00</u> %		<u>M</u>	<u>10.00</u> X	<u>2.00</u>	<u>20.00</u>
Duty 4	<u>10.00</u> %		<u>E</u>	<u>10.00</u> X	<u>3.00</u>	<u>30.00</u>
Duty 5	<u>10.00</u> %		<u>E</u>	<u>10.00</u> X	<u>3.00</u>	<u>30.00</u>
Duty 6	<u> </u> %		<u> </u>	<u> </u> X	<u> </u>	<u>0.00</u>

Objectives:

Objective 1:	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>

<u>Total Weight</u>	<u> </u> %	<u>Total Score</u>
<u>100.00</u>	<u> </u> %	<u>270.00</u>

Total Score 270.00 divided by Total Weight 100.00 % = 2.70 rounded to 2.7

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Rothell- G.D. Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: South Carolina Highway Patrol / Troop One 2101
 Position Classification: Lance Corporal, LEO I
 Date Assigned to Current Position: July 2, 1996
 Performance Review From: 9-10-05 10-23-05 To 9-10-06 10-23-06

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9/3/05
 Reviewed By: [REDACTED] Date: 9-5-05
 Employee: [REDACTED] Date: 9-5-05

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] ✓ Date: 9-3-2006
 Reviewed By: [REDACTED] ✓ Date: 9-3-06
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] ✓ Date: 9-3-2006
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

SEP 7 2006

Office of Human Resources, #5
D.P.S.

EPMS

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

Trooper enforces South Carolina motor vehicle laws and thoroughly patrol's assigned areas. He competently uses equipment while enforcing vehicle and criminal laws. Trooper demonstrates a good knowledge of motor vehicle and criminal laws. He has above average case productivity but has increased his drug cases substantially.

-
2. Investigates traffic collisions,utilizing a variety of investigation techniques.

E

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

Trooper concientiously investigates traffic collisions. He shows initiative in completing hit and run collision investigations. Trooper does respond to collisions promptly and accurately completes collision reports. Trooper is prepared when prosecuting collision cases.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

E

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

Trooper does provide guidance to lower ranking troopers with investigation of traffic collisions. He assists them in obtaining evidence and completing witness statements.

L/CPL

Job Duties
**Performance
Level**

-
4. Makes court presentations on investigations.

M

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

Trooper presents and prosecutes court cases with thorough details. Trooper comes to court prepared and presents evidence needed to prosecute cases.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

Trooper does assist lower ranking troopers with interpretations on South Carolina code of laws. Trooper is able to assist with decisions on enforcing vehicle and criminal laws. He stays abreast of case law and new laws and shares the information with lower ranking troopers.

Objectives

1. Objective: _____

Success Criteria:

Actual Performance

2. Objective: _____

Success Criteria:

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

1. Characteristic:	Judgment	
Definition:	The ability to make sound decisions in the application of the law.	<u>A</u>
2. Characteristic:	Ability to Work Without Supervision	
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	<u>A</u>
3. Characteristic:	Dependability	
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	<u>A</u>
4. Characteristic:	Relationship with the Public	
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	<u>A</u>

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Trooper shows ability in competently enforcing SC code of laws and investigating traffic collisions. He volunteers to help other troopers with traffic collision investigation work load. Trooper shows extra effort in solving hit and run collision investigations. Trooper stays abreast of case laws and rulings and shares the information with other troopers.

Trooper should continue to work on keeping a neat appearance of uniform, shoes and patrol vehicle.

Trooper needs to continue to read and study his Manual of Operations, DPS Policy Manual and law book. He should set daily goals for productivity and set an example of high standards for lower ranking troopers in appearance.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	<u>50.00</u> %		<u>E</u>	<u>50.00</u> X <u>2.50</u>	<u>125.00</u>
Duty 2	<u>20.00</u> %		<u>E</u>	<u>20.00</u> X <u>2.90</u>	<u>58.00</u>
Duty 3	<u>10.00</u> %		<u>E</u>	<u>10.00</u> X <u>2.80</u>	<u>28.00</u>
Duty 4	<u>10.00</u> %		<u>M</u>	<u>10.00</u> X <u>2.40</u>	<u>24.00</u>
Duty 5	<u>10.00</u> %		<u>E</u>	<u>10.00</u> X <u>3.20</u>	<u>32.00</u>
Duty 6	<u> </u> %		<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>

Objectives:

Objective 1:	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> X <u> </u>	<u>0.00</u>

<u>Total Weight</u>	<u> </u> %	<u>Total Score</u>
<u>100.00</u>	<u> </u> %	<u>267.00</u>

Total Score 267.00 divided by Total Weight 100.00 % = 2.67 rounded to 2.7

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: Rothell- G.D. Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety
 Department: South Carolina Highway Patrol / Troop One 2101
 Position Classification: Lance Corporal, LEO I
 Date Assigned to Current Position: July 2, 1996 10-23-05
 Performance Review From: 10-23-04 00/10/2004 To 00/10/2005

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9-11-2004
 Reviewed By: [REDACTED] Date: 9-11-2004
 Employee: [REDACTED] Date: 9-11-2004

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] ✓ Date: 9-5-2005
 Reviewed By: [REDACTED] ✓ Date: 9-5-2005
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] ✓ Date: 9-5-2005
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

SEP 14 2005

Office of Human Resources. #
D.F.O.

EPMS

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

M

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

Trooper enforces South Carolina motor vehicle laws and thoroughly patrol's assigned areas. He competently uses equipment while enforcing vehicle and criminal laws. Trooper demonstrates a good knowledge of motor vehicle and criminal laws. He has average case productivity but has increased his drug cases substantially.

-
2. Investigates traffic collisions utilizing a variety of investigation techniques.

E

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

Trooper concientiously investigates traffic collisions. He shows initiative in completing hit and run collision investigations. Trooper does respond to collisions promptly and accurately completes collision reports. Trooper is prepared when prosecuting collision cases.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

E

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

Trooper does provide guidance to lower ranking troopers with investigation of traffic collisions. He assists them in obtaining evidence and completing witness statements.

L/CPL

Job Duties

**Performance
Level**

-
4. Makes court presentations on investigations.

E

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

Trooper presents and prosecutes court cases with thorough details. Trooper comes to court prepared and presents evidence needed to prosecute cases.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

Trooper does assist lower ranking troopers with interpretations on South Carolina code of laws. Trooper is able to assist with decisions on enforcing vehicle and criminal laws. He stays abreast of case law and new laws and shares the information with lower ranking troopers.

Objectives

-
1. Objective: _____

Success Criteria:

Actual Performance

-
2. Objective: _____

Success Criteria:

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

- | | | |
|--------------------|--|---|
| 1. Characteristic: | Judgment | A |
| Definition: | The ability to make sound decisions in the application of the law. | |
| | | |
| 2. Characteristic: | Ability to Work Without Supervision | A |
| Definition: | The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job. | |
| | | |
| 3. Characteristic: | Dependability | A |
| Definition: | The degree to which the officer can be relied upon to perform his duties within established procedures. | |
| | | |
| 4. Characteristic: | Relationship with the Public | A |
| Definition: | The extent to which the employee establishes good relationships with the public while effectively enforcing the laws. | |

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Trooper shows ability in competently enforcing SC code of laws and investigating traffic collisions. He volunteers to help other troopers with traffic collision investigation work load. Trooper shows extra effort in solving hit and run collision investigations. Trooper stays abreast of case laws and rulings and shares the information with other troopers.

Trooper should improve on productivity of cases and warnings while trying to be consistent on a monthly basis when possible. Trooper should continue to work on keeping a neat appearance of uniform, shoes and patrol vehicle. Trooper needs to assure daily computer logs are completed within appointed time frame.

Trooper needs to continue to read and study his Manual of Operations, DPS Policy Manual and law book. He should set daily goals for productivity and set an example of high standards for lower ranking troopers in appearance.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	<u>50.00</u> %		<u>M</u>	<u>50.00 X 2.10</u> 2	<u>105.00</u> 100
Duty 2	<u>20.00</u> %		<u>E</u>	<u>20.00 X 2.90</u> 3	<u>58.00</u> 60
Duty 3	<u>10.00</u> %		<u>E</u>	<u>10.00 X 2.80</u> 3	<u>28.00</u> 30
Duty 4	<u>10.00</u> %		<u>E</u>	<u>10.00 X 3.00</u> 3	<u>30.00</u> 30
Duty 5	<u>10.00</u> %		<u>E</u>	<u>10.00 X 3.20</u> 3	<u>32.00</u> 30
Duty 6	<u> </u> %		<u> </u>	<u> X</u>	<u>0.00</u>

Objectives:

Objective 1:	<u> </u> %	<u> </u>	<u> X</u>	<u>0.00</u>
Objective 2	<u> </u> %	<u> </u>	<u> X</u>	<u>0.00</u>

<u>Total Weight</u>	<u>Total Score</u>
<u>100.00</u> %	<u>253.00</u>

Total Score 253.00 divided by Total Weight 100.00 % = 2.53 rounded to 2.5

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

ER
2.5
d

**STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM**

Name: Gerald D. L. Rothell Social Security Number: [REDACTED]
 Agency: South Carolina Department of Public Safety 2101
 Department: Highway Patrol
 Position Classification: Lance Corporal
 Date Assigned to Current Position: July 2, 1996
 Performance Review From: 10/17/2003 To 10/17/2004 ✓

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-13-2003
 Reviewed By: [REDACTED] Date: 8-13-2003
 Employee: _____ Date: _____

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] ✓ Date: 9-11-2004
 Reviewed By: [REDACTED] ✓ Date: 9-11-2004
 Reviewing Officer's Comments: _____

Employee's Signature: [REDACTED] ✓ Date: 8/11/2004
 (My signature indicates that I was given the opportunity to discuss the official performance review with my superior—not that I necessarily agree.)

Employee Comments: _____

RECEIVED

SEP 16 2004

Office of Human Resources, #5
D.P.S.

EPMS

Signatures and initials were redacted by House Legislative Oversight Committee staff.

L/GPL

Job Duties	Performance Level
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.	<u>M</u>
<p>Success Criteria: Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.</p> <p>Actual Performance Trooper enforces South Carolina motor vehicle laws and thoroughly patrol's assigned areas. He competently uses equipment while enforcing vehicle and criminal laws. Trooper demonstrates a good knowledge of motor vehicle and criminal laws. He is average in his case productivity when compared to other troopers in the post.</p>	
2. Investigates traffic collisions utilizing a variety of investigation techniques.	<u>E</u>
<p>Success Criteria: Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.</p> <p>Actual Performance Trooper thoroughly investigates traffic collisions. He shows initiative in solving hit and run collision investigations and investigating fatal collisions. Trooper accurately completes collision reports and is prepared when prosecuting collision cases.</p>	
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.	<u>E</u>
<p>Success Criteria: Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.</p> <p>Actual Performance Trooper helps lower ranking troopers with investigative techniques and procedures on traffic collisions. He volunteers his help to lower ranking troopers on investigations and task. Trooper provides guidance to lower ranking troopers on collecting evidence at collision scenes.</p>	

L/GPL

Job Duties

**Performance
Level**

4. Makes court presentations on investigations.

E

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

Trooper presents and prosecutes court cases with thorough details. Trooper is prepared with all documents and evidence for court.

-
5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

E

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

Trooper does assist lower ranking troopers with interpretations on South Carolina code of laws. Trooper is able to assist with decisions on enforcing vehicle and criminal laws. He stays abreast of case law and new laws and shares the information with lower ranking troopers.

Objectives

1. Objective: _____

Success Criteria: _____

Actual Performance

2. Objective: _____

Success Criteria: _____

Actual Performance

L/EPL

Performance CharacteristicsAcceptable/
Unacceptable

1. Characteristic:	Judgment	A
Definition:	The ability to make sound decisions in the application of the law.	
2. Characteristic:	Ability to Work Without Supervision	A
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	
3. Characteristic:	Dependability	A
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	
4. Characteristic:	Relationship with the Public	A
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Trooper shows ability in competently enforcing SC code of laws and investigating traffic collisions. He works well with other staff and is eager to assist other troopers with investigations. Trooper shows extra effort in solving fatal collision investigations. He research's new laws and case law on the internet and applies it to his work.

Trooper should improve on productivity of cases and warnings while trying to be consistent on a monthly basis when possible. He should strive to set an example for lower ranking troopers in keeping a neat appearance of uniform, shoes and patrol vehicle.

Trooper needs to continue to read and study his Manual of Operations, DPS Policy Manual and law book. He should set daily goals for productivity and set an example of high standards for lower ranking troopers in appearance.

APPRAISAL RESULTS☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

LACPL

Weighted System Work Form

<u>Rating</u>	<u>Rating Value</u>	<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight X Rating Value)	<u>Total Score</u>
Duty 1	50.00 %		M	50.00 X 2.00	100.00
Duty 2	20.00 %		E	20.00 X 3.00	60.00
Duty 3	10.00 %		E	10.00 X 3.00	30.00
Duty 4	10.00 %		E	10.00 X 3.00	30.00
Duty 5	10.00 %		E	10.00 X 3.00	30.00
Duty 6				X	0.00

Objectives:

Objective 1:		%		X	0.00
Objective 2		%		X	0.00

<u>Total Weight</u>		<u>Total Score</u>
100.00 %		250.00

Total Score 250.00 divided by Total Weight 100.00 % = 2.50 rounded to 2.5

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name: G.D.L. Rothell Social Security Number: [REDACTED]

Agency: SCDPS

Department: Patrol District One

Position Classification: Lance Corporal (Enforcement)

Date Assigned to Current Position: 07/02/1996

Performance Review From: 10/17/2002 To 10/17/2003 ²³ ✓

Planning Stage Acknowledgement

Rating Officer: [REDACTED] Date: 9-11-2002

Reviewed By: [REDACTED] Date: 9-11-2002

Employee: [REDACTED] Date: 9-11-2002

Evaluation Stage Acknowledgement

Rating Officer: [REDACTED] Date: 8-13-2003

Reviewed By: [REDACTED] Date: 8-13-2003

Reviewing Officer's Comments: EMPLOYEE IS ON ACTIVE MILITARY DUTY!

Employee: [REDACTED] Date: 11-04-2003

(My signature indicates that I was given the opportunity to discuss the official performance review with my superior--not that I necessarily agree.)

Employee Comments: _____

RECEIVED

AUG 27 2003

Human Resources Office
D.P.S.

EPMS

L/CPL

Job Duties

Performance
Level

-
1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.

M

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

L/Cpl. Rothell is an asset for Lexington County. L/Cpl. Rothell has only worked for a short time due to being activated in the military. In his short time L/Cpl. Rothell showed he had a good enforcement plan and applies that knowledge in identifying various traffic violations in his assigned areas.

-
2. Investigates traffic collisions utilizing a variety of investigation techniques.

M

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

L/Cpl. Rothell does an excellent job in the investigation of collisions. He is more than able to collect all information needed to determine the cause of each collision. L/Cpl. Rothell turns his reports in on time and they are completed with neatness and professionalism.

-
3. When required, trains lower ranking officers in investigation of more complex traffic collisions.

M

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

L/Cpl. Rothell does a good job as a lead trooper in collision investigations and as a lead trooper in stopping violators. He can work independently with lower level troopers in instructing them with collision investigations and traffic stops.

L/CPL

Job Duties
Performance Level

-
- 4.
- Makes court
- presentations on investigations.

M

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

L/Cpl. Rothell does a good job in preparing his cases for traffic court and circuit court. He is able to explain the facts of each case in detail to the judge or jury. He is always neat and professional in his appearance.

-
- 5.
- Interprets
- traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

M

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

L/Cpl. Rothell is very knowledgeable of the traffic laws of this state and can interpret those laws to his junior troopers when called upon. L/Cpl. Rothell needs to maintain his knowledge by studying the traffic law updates and current laws.

Objectives

-
1. Objective: _____

Success Criteria:

Actual Performance

-
2. Objective: _____

Success Criteria:

Actual Performance

L/CPL

Performance CharacteristicsAcceptable/
Unacceptable

1. Characteristic:	Judgment	
Definition:	The ability to make sound decisions in the application of the law.	A
2. Characteristic:	Ability to Work Without Supervision	
Definition:	The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.	A
3. Characteristic:	Dependability	
Definition:	The degree to which the officer can be relied upon to perform his duties within established procedures.	A
4. Characteristic:	Relationship with the Public	
Definition:	The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.	A

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

L/Cpl. Rothell is an outstanding asset to the Highway Patrol in Lexington County. He can be relied upon to do various tasks with little to no supervision and without complaint. Before being activated in the military L/Cpl. Rothell showed better than average activity and is encouraged to remain at that high level upon his return. Also upon L/Cpl. Rothell's return he needs to maintain his strong enforcement plan and set a good example for his younger troopers. L/Cpl. Rothell needs to continue to study the Manual of Operations, D.P.S. Policies, and all Traffic Laws.

APPRAISAL RESULTS☐ Substantially Exceeds☐ Exceeds☒ Meets☐ Below

L/CPL

Weighted System Work Form**Rating****Rating Value****Range**

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u>		<u>Total Score</u>
				(Weight	Rating Value)	
Duty 1	40.00 %		M	40.00	2.00	80.00
Duty 2	30.00 %		M	30.00	2.00	60.00
Duty 3	10.00 %		M	10.00	2.00	20.00
Duty 4	10.00 %		M	10.00	2.00	20.00
Duty 5	10.00 %		M	10.00	2.00	20.00
Duty 6	%		M			0.00

Objectives:

Objective 1:	%					0.00
Objective 2	%					0.00

Total Weight

100.00 %

Total Score

200.00

Total Score 200.00 divided by Total Weight 100.00 % = 2.00 rounded to 2.0

This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

ER
2.7STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G. D. L. Rothell Social Security No. [REDACTED]
Agency SCDPS
Department Patrol District One
Position Classification Lance Corporal (Enforcement)
Date Assigned to Current Position 07/02/96
Performance Review From 10/17/01 To 10/17/02 ✓

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 9-13-01
Reviewed by [REDACTED] Date 9-13-01
Employee [REDACTED] Date 9-13-01
(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 9-11-2002
Reviewed by [REDACTED] Date 9-11-2002
Reviewing Officer Comments _____

Employee [REDACTED] Date 9-11-2002
(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

RECEIVED
Employee Comments

MEDICAL SERVICES UNIT

SEP 23 2002

MAY 23 2003

Office of Human Resources, #5
D.P.S.

D.P.S.

L/Cpl.

Job Duties

1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state. E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

L/Cpl. Rothell enforces all traffic and criminal laws while patrolling the streets and highways throughout the state. He uses auxiliary aids such as the datamaster, doppler radar and other scientific equipment to assist in his enforcement efforts.

2. Investigates traffic collisions utilizing a variety of investigation techniques. M

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

L/Cpl. Rothell compiles sufficient evidence to determine the causes of collisions. He writes comprehensive reports for court presentation.

3. When required, trains lower ranking officers in investigation of more complex traffic collisions. E

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative procedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

L/Cpl. Rothell provides guidance to the lower ranking troopers on his shift. He is the senior men on his shift. He helps them with traffic enforcement, accident investigation and courtroom presentations.

4. Makes court presentations on investigations. ME

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

L/Cpl. Rothell provides a detailed account of violations for his court presentations.

Revised
11/2000

L/Cpl.

5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.

M

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

L/Cpl. Rothell interprets the traffic laws and provides guidance to lower ranking officers.

Objectives

1. Objective: _____

Success Criteria:**Actual Performance**

2. Objective: _____

Actual Performance**Performance Characteristics**Acceptable/
Unacceptable

1. Characteristic: Judgement

A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

A

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

L/CPL

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

L/Cpl. Rothell does an outstanding job in Lexington County. He possesses the ability to work with little or no supervision. He helps the lower ranking officers with traffic enforcement, accident investigation and courtroom presentations. L/Cpl. Rothell's knowledge and experience is an asset to the general public and other Troopers in Lexington County.

L/Cpl. Rothell needs to continue to study his Manual of Operations, Law Book, and DPS Policy Manual.

APPRAISAL RESULTS

☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

L/CPL

Weighted System Work Form

		<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight x Rating)	<u>Total Score</u>
Duty 1	50 %		E	50 x 3	150
Duty 2	20 %		M	20 x 2	40
Duty 3	10 %		E	10 x 3	30
Duty 4	10 %		E	10 x 3	30
Duty 5	10 %		M	10 x 2	20
Duty 6	_____ %		_____	_____ x _____	_____

Objectives:

Objective 1	_____ %	_____	_____ x _____	_____
Objective 2	_____ %	_____	_____ x _____	_____

<u>Total Weight</u>	<u>Total Score</u>
100 %	270

Total Score 270 divided by Total Weight 100 % = 2.7 rounded to _____
 This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

RECEIVED

OCT 12 2001

STATE OF SOUTH CAROLINA Office of Human Resources, #5
 EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM D.P.S.

Name G.D. L. Rothell Social Security No. [REDACTED]Agency SCDPSDepartment Patrol District OnePosition Classification Lance Corporal (Enforcement)Date Assigned to Current Position 07/02/96Performance Review From 10/17/00 To 10/17/01**PLANNING STAGE ACKNOWLEDGEMENT**Rating Officer [REDACTED] Date 09-19-2000Reviewed by [REDACTED] Date 9-20-2000Employee X- [REDACTED] Date 09-19-2000
(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)**EVALUATION STAGE ACKNOWLEDGEMENT**Rating Officer [REDACTED] Date 9-13-2001Reviewed by [REDACTED] Date 9-13-2001

Reviewing Officer Comments _____

Employee [REDACTED] Date 9-13-2001

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED

OCT 12 2001

Office of Human Resources, #5
D.P.S.

L/CPL

Job Duties

1. Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state. E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the DataMaster, Doppler Radar, and any other scientific equipment available.

Actual Performance

L/CPL ROTHELL ENFORCES ALL TRAFFIC AND CRIMINAL LAWS WHILE PATROLLING THE STREETS AND HIGHWAYS THOUGHOUT THE STATE. HE USES AUXILARY AIDS SUCH AS THE DATAMASTER, DOPPLER RADAR AND OTHER SCIENTIFIC EQUIPMENT TO ASSIST IN HIS ENFORCEMENT EFFORTS.

2. Investigates traffic collisions utilizing a variety of investigation techniques. M

Success Criteria:

Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents and writes comprehensive reports for court presentations.

Actual Performance

L/CPL ROTHELL COMPLIES SUFFICIENT EVIDENCE TO DETERMINE THE CAUSES OF COLLISIONS. HE WRITES COMPREHENSIVE REPORTS FOR COURT PRESENTATION.

3. When required, trains lower ranking officers in investigation of more complex traffic collisions. E

Success Criteria:

Provides guidance to lower ranking investigating officers, ensuring that proper investigative porcedures are followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.

Actual Performance

L/CPL ROTHELL PROVIDES GUIDANCE TO THE LOWER RANKING TROOPERS ON HIS SHIFT. HE IS ONE OF THE SENIOR MEN ON HIS SHIFT. HE HELPS THEM WITH TRAFFIC ENFORCEMENT, ACCIDENT INVESTIGATION AND COURT ROOM PRESENTATIONS.

4. Makes court presentations on investigations. M

Success Criteria:

Provides detailed account of violation providing documented evidence to support the written violation.

Actual Performance

L/CPL ROTHELL PROVIDES A DETAILED ACCOUNT OF VIOLATIONS FOR HIS COURT PRESENTATIONS.

Revised
11/2000

L/CPL

5. Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers. M

Success Criteria:

Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.

Actual Performance

L/CPL ROTHELL INTERPRETS THE TRAFFIC LAWS AND PROVIDES GUIDANCE TO LOWER RANKING OFFICERS.

Objectives

1. Objective: _____

Success Criteria:

Actual Performance

2. Objective: _____

Actual Performance

Performance Characteristics

Acceptable/
Unacceptable

1. Characteristic: Judgement A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision A

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

Signatures and initials were redacted by House Legislative Oversight Committee staff.

• L/CPL

Summary and Improvement Plan

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

L/CPL ROTHELL DOES AN OUTSTANDING JOB IN LEXINGTON COUNTY. HE POSSES THE ABILITY TO WORK WITH LITTLE OR NO SUPERVISION. HE HELPS THE LOWER RANKING OFFICERS WITH TRAFFIC ENFORCEMENT, ACCIDENT INVESTIGATION AND COURT ROOM PRESENTATIONS. L/CPL ROTHELL KNOWLEDGE AND EXPERIENCE IS AN ASSET TO THE GENERAL PUBLIC AND OTHER TROOPERS IN LEXINGTON COUNTY.

L/CPL ROTHELL NEEDS TO CONTINUE TO STUDY HIS MANUAL OF OPERATION, LAW BOOK, AND DPS POLICIES.

APPRAISAL RESULTS

☐ Substantially Exceeds☒ Exceeds☐ Meets☐ Below

LICPL

Weighted System Work Form

		<u>Range</u>
Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

Duties:

	<u>Weight Factor</u>		<u>Rating</u>	<u>Numerical Score</u> (Weight x Rating)	<u>Total Score</u>
Duty 1	50 %		E	50 x 3	150
Duty 2	20 %		M	20 x 2	40
Duty 3	10 %		E	10 x 3	30
Duty 4	10 %		E	10 x 3	30
Duty 5	10 %		M	10 x 2	20
Duty 6	_____ %		_____	_____ x _____	_____

Objectives:

Objective 1	_____ %	_____	_____ x _____	_____
Objective 2	_____ %	_____	_____ x _____	_____
	<u>Total Weight</u>			<u>Total Score</u>
	100 %			_____

Total Score 270 divided by Total Weight 100 % = 2.7 rounded to _____
 This will be the overall rating for the employee this period. (Round up to the next rating, i.e. 2.45 equals 2.5)

Performance Characteristics:

A
A
A
A

OHR

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G. D. L. Rothell Social Security No. [REDACTED]Agency SCDPSDepartment Patrol District OnePosition Classification Law Enforcement Officer II
Lance Corporal (Enforcement)Date Assigned to Current Position 07/02/96Performance Review From 10/17/99 To 10/17/00 ✓

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-02-99Reviewed by [REDACTED] Date 9-2-99Employee [REDACTED] Date 09-02-99

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 9-19-2000Reviewed by [REDACTED] Date 9-20-2000

Reviewing Officer Comments _____

Employee [REDACTED] Date 09-19-00

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED

SEP 26 2000

Human Resources Office
D.P.S.

EPMS

JOB DUTIES

Performance Level

- | | Performance Level |
|--|-------------------|
| <p>1. Job Duty:
Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.</p> <p>Success Criteria:
Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.</p> | E |
| <p>2. Job Duty:
Investigates traffic collisions utilizing a variety of investigation techniques.</p> <p>Success Criteria:
Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents, and writes comprehensive reports for court presentations.</p> | M |
| <p>3. Job Duty:
When required, trains lower ranking officers in investigation of more complex traffic collisions.</p> <p>Success Criteria:
Provides guidance to lower ranking investigating officers ensuring that proper investigative procedure is followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.</p> | M |
| <p>4. Job Duty:
Makes court presentations on investigations.</p> <p>Success Criteria:
Provides detailed account of violation providing documented evidence to support the written violation.</p> | E |
| <p>5. Job Duty:
Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.</p> <p>Success Criteria:
Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.</p> | M |

ACTUAL PERFORMANCE

1. Lance Corporal Rothell performs consistently at an above-average level with cases and warnings and understands traffic law well.
2. Lance Corporal Rothell investigates traffic collisions thoroughly and writes legible, timely reports and presents his cases well in court.
3. Employee shows good working ability to train and assist lower-ranking troopers in the completion of their duties.
4. Employee gets along with the public well, has a good working knowledge of the law, has good conviction rate, gets along well with fellow officers, supervisors and court personnel and does his job with a minimum of complaints.
5. Employee uses his knowledge of law and work policy to help instruct lower ranking officers.

OBJECTIVES (Optional)

Performance
Level

1. Objective:

Success Criteria:

2. Objective:

Success Criteria:

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable

1. Characteristic: Judgement

A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

A

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Employee carries out his job duties consistently well and demonstrates an excellent knowledge of the laws he enforces on an everyday basis. He understands and responds well to DPS and Highway Patrol policy, and does his job with a minimum of supervision.

Employee has good DUI detection and conviction abilities, and writes an above-average amount of tickets and warnings.

Employee can improve his job ability by keeping abreast of DPS and Highway Patrol policy changes and assisting younger ranking troopers in their daily efforts.

APPRAISAL RESULTS

 Substantially Exceeds X Exceeds Meets Below

WEIGHTED SYSTEM WORK FORM**RANGE**

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4 (2.6)
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>E</u>	<u>10</u> x <u>3</u> =	<u>30</u>
Duty 5	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 6	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>

OBJECTIVES:

Objective 1	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>

Total 100%

Total $260 \div 100 = 2.6$

PERFORMANCE CHARACTERISTICS:

A
A
A
A

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

Signatures and initials were redacted by House Legislative Oversight Committee staff.

CHM

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G. D. L. Rothell Social Security No. [REDACTED]
Agency SCDPS
Department Patrol District One
Position Classification Law Enforcement Officer II
Lance Corporal (Enforcement)
Date Assigned to Current Position 07/02/96
Performance Review From 10/17/98 To 10/17/99 ✓

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-24-98
Reviewed by [REDACTED] Date 9-24-98
Employee [REDACTED] Date 9-24-98
(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-02-99
Reviewed by [REDACTED] Date 9-3-99
Reviewing Officer Comments _____

Employee [REDACTED] Date 09-02-99
(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED

SEP 09 1999

Human Resources Office
D.P.S.

EPMS

JOB DUTIES

Performance Level

- | | |
|--|--|
| <p>1. Job Duty:
Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.</p> <p>Success Criteria:
Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>E</u> |
| <p>2. Job Duty:
Investigates traffic collisions utilizing a variety of investigation techniques.</p> <p>Success Criteria:
Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents, and writes comprehensive reports for court presentations.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |
| <p>3. Job Duty:
When required, trains lower ranking officers in investigation of more complex traffic collisions.</p> <p>Success Criteria:
Provides guidance to lower ranking investigating officers ensuring that proper investigative procedure is followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |
| <p>4. Job Duty:
Makes court presentations on investigations.</p> <p>Success Criteria:
Provides detailed account of violation providing documented evidence to support the written violation.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>E</u> |
| <p>5. Job Duty:
Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.</p> <p>Success Criteria:
Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable
A

1. Characteristic: Judgement

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Employee understands the requirements of his job duties and carries them out on a daily basis. Employee demonstrates a good working knowledge of the law and SCHP policy, and DPS policy and applies them on a daily basis with a minimum of supervision.

Employee can improve his job performance by limiting vocally expressing his opinions on certain matters that deal with Patrol operations and striving to not interfere with other officers attempting to complete paperwork in the office setting.

APPRAISAL RESULTS

Substantially Exceeds X Exceeds _____ Meets _____ Below _____

Job Duties

ACTUAL PERFORMANCE

1. Employee performs at an above-average activity level(cases, warnings) and maintains a high level of convictions when prosecuting his violations. He understands traffic law and applies it well on an everyday basis.
2. Employee thoroughly investigates traffic collisions and completes adequate, timely reports, and presents good cases against violators in court.
3. Employee shows ability to train lower-ranking officers.
4. Employee has demonstrated above-average knowledge of law and procedure during investigation of certain high-profile collisions and strives to charge, and convict violators while maintaining a good rapport with court personnel.
5. Employee has good working knowledge of the law, and uses appropriate legal recourse when instructing lower ranking officers.

OBJECTIVES
(Optional)

Performance
Level

1. Objective:

Success Criteria:

2. Objective:

Success Criteria:

ACTUAL PERFORMANCE

WEIGHTED SYSTEM WORK FORM

RANGE

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>E</u>	<u>10</u> x <u>3</u> =	<u>30</u>
Duty 5	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 6	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>

OBJECTIVES:

Objective 1	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>
Total				<u>260</u>

Total **100%** $260 \div 100 = 2.6$ (Exceeds)

PERFORMANCE CHARACTERISTICS:

A
A
A
A

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

07/16

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G. D. L. Rothell Social Security No. [REDACTED]

Agency SCDPS

Department Patrol District One

Position Classification Law Enforcement Officer II
Lance Corporal (Enforcement)

Date Assigned to Current Position 07/02/96

Performance Review From 10/17/97 To 10/17/98 ✓

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-23-97

Reviewed by [REDACTED] Date 9-23-97

Employee X [REDACTED] Date 9-23-97

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-24-98

Reviewed by [REDACTED] Date 9-24-98

Reviewing Officer Comments _____

Employee [REDACTED] Date 9-24-98

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED

NOV 16 1998

Department of Public Safety
Records Management

EPMS

JOB DUTIES

Performance
Level

- | | |
|--|--------------|
| <p>1. Job Duty:</p> <p>Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.</p> <p>Success Criteria:</p> <p>Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.</p> | <p>— E —</p> |
| <p>2. Job Duty:</p> <p>Investigates traffic collisions utilizing a variety of investigation techniques.</p> <p>Success Criteria:</p> <p>Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents, and writes comprehensive reports for court presentations.</p> | <p>— M —</p> |
| <p>3. Job Duty:</p> <p>When required, trains lower ranking officers in investigation of more complex traffic collisions.</p> <p>Success Criteria:</p> <p>Provides guidance to lower ranking investigating officers ensuring that proper investigative procedure is followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.</p> | <p>— M —</p> |
| <p>4. Job Duty:</p> <p>Makes court presentations on investigations.</p> <p>Success Criteria:</p> <p>Provides detailed account of violation providing documented evidence to support the written violation.</p> | <p>— M —</p> |
| <p>5. Job Duty:</p> <p>Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.</p> <p>Success Criteria:</p> <p>Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.</p> | <p>— M —</p> |

JOB DUTIES ACTUAL PERFORMANCE

Job Duty #1 Trooper Rothell has performed at a level well above the average employee in this area. He constantly turns out a high case load from month to month. He has also maintained all required re-certification through out the past year.

Job Duty #2 Trooper Rothell has met the requirements of this job duty.

Job Duty #3 The employee has shown the ability to train other as required.

Job Duty #4 The employee has met the required objectives in this area.

Job Duty #5 The employee has the ability to interpret laws and appropriate legal recourse for violation and can assist lower ranking troopers in this area.

Summary and Improvement Plan

Trooper Rothell has demonstrated a good working knowledge of the policy manual and state laws. He applies his knowledge in these areas in a professional manner while dealing with the public. He has maintained above average activity in all areas of enforcement.

Trooper Rothell will need to focus on working with fellow troopers. Although the employee works well alone, he tends to interfere with others trying to accomplish there jobs. He is too often the center of controversy with fellow employee's which interferes with the counties ability to focus upon the job at hand.

ACTUAL PERFORMANCE

OBJECTIVES (Optional)	Performance Level
1. Objective:	<hr/>
Success Criteria:	
2. Objective:	<hr/>
Success Criteria:	

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable

1. Characteristic: Judgement

A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

A

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

APPRAISAL RESULTS

 Substantially Exceeds XX Exceeds Meets Below

WEIGHTED SYSTEM WORK FORM

RANGE

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 5	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 6	_____ %	_____	_____ x _____ =	_____

OBJECTIVES:

Objective 1	_____ %	_____	_____ x _____ =	_____
Objective 2	_____ %	_____	_____ x _____ =	_____
	_____			<u>2.5</u>

Total **100%**

PERFORMANCE CHARACTERISTICS:

A
A
A

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G.D. L. Rothell Social Security No. [REDACTED]

Agency SCDPS

Department Highway Patrol - District One

Position Classification Law Enforcement Officer II
Lance Corporal (Enforcement)

Date Assigned to Current Position 07/02/96

Performance Review From 10/17/96 To 10/17/97

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-14-96

Reviewed by [REDACTED] Date 09-14-96

✓ Employee [REDACTED] Date 09-14-96
(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 9-24-97

Reviewed by [REDACTED] Date 9-23-97

Reviewing Officer Comments _____

Employee X [REDACTED] Date 9-23-97
(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

EPMS

JOB DUTIES

Performance Level

- | | |
|--|--|
| <p>1. Job Duty:
Enforces all vehicle laws and other criminal laws while patrolling streets and highways throughout the state.</p> <p>Success Criteria:
Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>E</u> |
| <p>2. Job Duty:
Investigates traffic collisions utilizing a variety of investigation techniques.</p> <p>Success Criteria:
Officer responds to traffic collisions promptly, compiles sufficient evidence to determine the cause of accidents, and writes comprehensive reports for court presentations.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |
| <p>3. Job Duty:
When required, trains lower ranking officers in investigation of more complex traffic collisions.</p> <p>Success Criteria:
Provides guidance to lower ranking investigating officers ensuring that proper investigative procedure is followed and that appropriate investigative tools are utilized. Submits regular training reports with results of training activities recorded.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |
| <p>4. Job Duty:
Makes court presentations on investigations.</p> <p>Success Criteria:
Provides detailed account of violation providing documented evidence to support the written violation.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>E</u> |
| <p>5. Job Duty:
Interprets traffic laws and appropriate legal recourse for violations of those laws for lower ranking officers.</p> <p>Success Criteria:
Answers questions concerning application of traffic laws and provides guidance to other officers in interpreting laws and making follow-up decisions on writing traffic citations.</p> | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <u>M</u> |

ACTUAL PERFORMANCE

1. Employee usually exhibits good judgement and has a good knowledge of traffic law, and maintains a good consistency in the amount of traffic tickets and warning tickets he issues during his scheduled work time.
2. Employee investigates traffic collisions on a daily basis, and usually takes appropriate action against violators in crashes, and continually does a good job reporting these collisions, and will volunteer for calls outside of his assigned zone on a daily basis.
3. Employee meets the criteria set forth in documentation for training new troopers.
4. Employee is proficient in his court presentations and generally prepares his cases well.

OBJECTIVES

Performance
Level

5. Employee interprets traffic law and advises lower-ranking troopers when called upon to do so. (Optional)

1. Objective:

Success Criteria:

2. Objective:

Success Criteria:

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable

1. Characteristic: Judgement

A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

A

Definition: The extent to which the employee can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Employee is generally at or above the average in-county amount of cases and warnings written. Employee is friendly and gets along well with fellow troopers, supervisors and the public.

Improvement Needed: Continue to keep abreast of law changes and DPS policy directives. To monitor his appearance daily to ensure uniform is neatly kept to give a good impression when dealing with the public.

APPRAISAL RESULTS

 Substantially Exceeds X Exceeds Meets Below

WEIGHTED SYSTEM WORK FORM

RANGE

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>E</u>	<u>10</u> x <u>3</u> =	<u>30</u>
Duty 5	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 6	<u>-</u> %	<u>-</u>	<u>-</u> x <u>-</u> =	<u>-</u>

OBJECTIVES:

Objective 1	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>
Objective 2	<u> </u> %	<u> </u>	<u> </u> x <u> </u> =	<u> </u>
				<u>260</u>

Total **100%**

PERFORMANCE CHARACTERISTICS:

A
A
A
A

$$* 260 \div 100 = 2.6$$

Exceeds Performance
Requirements

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

STATE OF SOUTH CAROLINA EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name G.D. L. Rothell Social Security No. [REDACTED]
 Agency SCDPS
 Department Patrol District One
 Position Classification Senior Trooper (Enforcement)
 Date Assigned to Current Position 04/17/94
 Performance Review From 10/17/95 To 10/17/96 ✓

PLANNING STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-23-95
 Reviewed by [REDACTED] Date 9-24-95
 Employee [REDACTED] Date 9-26-95
 (Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGEMENT

Rating Officer [REDACTED] Date 09-14-96
 Reviewed by [REDACTED] Date 09-14-96
 Reviewing Officer Comments _____

Employee [REDACTED] Date 9-14-96
 (My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED

OCT 04 1996

Human Resources Office
D.P.S.

EPMS

JOB DUTIES

Performance Level

1. Job Duty:

Enforces all vehicle laws and other criminal laws while patrolling the streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.

2. Job Duty:

Investigates traffic collisions to identify cause of accident, writes necessary reports, and takes appropriate enforcement action.

M

Success Criteria:

Officer responds to traffic collisions without delay, and compiles necessary information to determine cause. The necessary information is gathered in order to properly complete the accident report, issue any appropriate summons tickets and testify in court. The accident report must be submitted to the supervisor within 24 hours of the completion of the accident investigation.

3. Job Duty:

Trains new troopers, as required.

M

Success Criteria:

Acts as lead trooper in investigating accidents, stopping traffic violators, and informing violators of their rights. Provides on-the-job training until such time the lower level trooper is released to work independently. Completes weekly training reports reflecting training activities covered.

4. Job Duty:

Represents the Department of Public Safety by making court presentations for any formal charges of violations.

M

Success Criteria:

Thoroughly investigative data is provided to substantiate and uphold charges initiated by officer. The officer makes a professional presentation of factual evidence in all court cases.

5. Job Duty:

Serves in an advisory capacity for less experienced troopers in interpretation of laws and proper sanctions.

E

Success Criteria:

Answers questions to clarify laws and makes recommendations for application of the law.

ACTUAL PERFORMANCE

1. Employee shows good judgement and consistently displays a thorough knowledge of traffic law, and he is continually very good in the amount of cases and warnings he writes during his daily work hours.
2. Employee investigates traffic collisions on a daily basis, and takes appropriate action against violators in accidents and does a good job in reporting these accidents, volunteers for work outside his assigned area.
3. Meets the criteria set forth in documentation for training new troopers.
4. Employee is proficient in his court presentation and prepares his cases well .
5. Employee interprets traffic law and advises less experienced troopers when called upon to do so , with a minimum of error.

OBJECTIVES (Optional)

Performance
Level

1. Objective:

Success Criteria:

2. Objective:

Success Criteria:

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable

1. Characteristic: Judgement

A

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

A

Definition: The extent to which the employees can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

A

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

A

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Major Accomplishments: Employee is consistently at or above the county average in his cases and warnings written, and has a minimal amount of complaints from the public. He gets along well with his fellow troopers, supervisors and the persons he comes in contact with on his daily job duties.

Improvement needed: Continue to keep abreast of law changes and DPS policy directives.

APPRAISAL RESULTS

 Substantially Exceeds x Exceeds Meets Below

WEIGHTED SYSTEM WORK FORM

RANGE

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 5	<u>10</u> %	<u>E</u>	<u>10</u> x <u>3</u> =	<u>30</u>
Duty 6	_____ %	_____	_____ x _____ =	_____

OBJECTIVES:

Objective 1	_____ %	_____	_____ x _____ =	_____
Objective 2	_____ %	_____	_____ x _____ =	_____
				<u>260</u>

Total 100%

PERFORMANCE CHARACTERISTICS:

A
A
A
A

* $260 \div 100 = 2.6$
Exceeds Performance
Requirements

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

**STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM**

Name G.D.L. Rothell Social Security No. [REDACTED]

Agency DPS

Department Patrol District One

Position Classification Senior Trooper

Date Assigned to Current Position 04/17/94

Performance Review From 10/17/94 To 10/17/95

PLANNING STAGE ACKNOWLEDGMENT

Rating Officer [REDACTED] Date 10-6-94

Reviewed by [REDACTED] Date 10-4-94

Employee [REDACTED] Date 10-5-94

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGMENT

Rating Officer [REDACTED] Date 09-23-95

Reviewed by [REDACTED] Date 9-24-95

Reviewing Officer Comments _____

Employee [REDACTED] Date 9-26-95

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

PROCESSED

OCT 24 1995

DPS - HUMAN RESOURCES

[Signature]

JOB DUTIES

Performance
Level

1. Job Duty:

Enforces all vehicle laws and other criminal laws while patrolling the streets and highways throughout the state.

E

Success Criteria:

Violators of vehicle laws and other criminal laws are identified by thoroughly patrolling the assigned territory and by competently utilizing auxiliary aids such as the breathalyzer, Doppler radar, and any other scientific equipment available.

2. Job Duty:

Investigates traffic collisions to identify cause of accident, writes necessary reports, and takes appropriate enforcement action.

M

Success Criteria:

Officer responds to traffic collisions without delay, and compiles necessary information to determine cause. The necessary information is gathered in order to properly complete the accident report, issue any appropriate summons tickets and testify in court. The accident report must be submitted to the supervisor within 24 hours of the completion of the accident investigation.

3. Job Duty:

Trains new troopers, as required.

M

Success Criteria:

Acts as lead trooper in investigating accidents, stopping traffic violators, and informing violators of their rights. Provides on-the-job training until such time the lower level trooper is released to work independently. Completes weekly training reports reflecting training activities covered.

4. Job Duty:

Represents the Department of Public Safety by making court presentations for any formal charges of violations.

M

Success Criteria:

Thoroughly investigative data is provided to substantiate and uphold charges initiated by officer. The officer makes a professional presentation of factual evidence in all court cases.

5. Job Duty:

Serves in an advisory capacity for less experienced troopers in interpretation of laws and proper sanctions.

M

Success Criteria:

Answers questions to clarify laws and makes recommendations for application of the law.

ACTUAL PERFORMANCE

1. Employee shows good judgement and knowledge of traffic law enforcement, his productivity in the area of cases made is consistently above average.
2. Employee conducts investigations into traffic accidents and evaluates the facts and makes decisions or takes action with a minimum of error.
3. Employee meets the criteria set forth in documentation relating to training new troopers.
4. Employee preparation and documentation for court is good.
5. Employee advises and interpretation of traffic law for less experienced troopers with no problems as needed.

OBJECTIVES (Optional)

Performance
Level

1. Objective:

Success Criteria:

2. Objective:

Success Criteria:

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/
Unacceptable

1. Characteristic: Judgement

Definition: The ability to make sound decisions in the application of the law.

2. Characteristic: Ability to Work Without Supervision

Definition: The extent to which the employees can work by himself/herself; requiring very little supervision and being self-sufficient in assuming the duties of the job.

3. Characteristic: Dependability

Definition: The degree to which the officer can be relied upon to perform his duties within established procedures.

4. Characteristic: Relationship with the Public

Definition: The extent to which the employee establishes good relationships with the public while effectively enforcing the laws.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Major Accomplishments: Employee has a good consistent range of contacts in area of cases.
Improvement Needed: None noted at this time, Continue to study law book, manual, directives and other relative material.

APPRAISAL RESULTS

Substantially Exceeds ☒ Exceeds ☐ Meets ☐ Below ☐

WEIGHTED SYSTEM WORK FORM

RANGE

Substantially Exceeds Performance Requirements (SE)	4	3.5 & Above
Exceeds Performance Requirements (E)	3	2.5 to 3.4
Meets Performance Requirements (M)	2	1.5 to 2.4
Below Performance Requirements (B)	1	1.4 & Below

DUTIES:

	<u>Weight Factor</u>	<u>Rating</u>	<u>Numerical Score</u> (weight x rating)	<u>Total Score</u>
Duty 1	<u>50</u> %	<u>E</u>	<u>50</u> x <u>3</u> =	<u>150</u>
Duty 2	<u>20</u> %	<u>M</u>	<u>20</u> x <u>2</u> =	<u>40</u>
Duty 3	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 4	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 5	<u>10</u> %	<u>M</u>	<u>10</u> x <u>2</u> =	<u>20</u>
Duty 6	_____ %	_____	_____ x _____ =	_____

OBJECTIVES:

Objective 1	_____ %	_____	_____ x _____ =	_____
Objective 2	_____ %	_____	_____ x _____ =	_____
	_____			<u>250</u>

Total 100%

PERFORMANCE CHARACTERISTICS:

A

A

A

A

Add total scores and divide by 100. This will be the overall rating for the employee for this period. (Round up to next rating, i.e. 2.45 equals 2.5)

* $250 \div 100 = 2.5$
Exceeds Performance Requirements

**SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
EMPLOYEE NOTIFICATION
SALARY ACTION**

Name: ROTHELL GERALD D
Last First MI

Social Security #: [REDACTED]

Division: 2101

Class/Slot: 7067 0035 Grade: 31

Title: SR TROOPER

Reason for Salary Action: MERIT INCREASE

Effective Date: 10/17/1995

Old Salary: [REDACTED] New Salary: [REDACTED]

% Increase/Decrease: [REDACTED]

Human Resources

Date

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
 EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
 (NON-MANAGEMENT FORM)

7067-0035
 5317

Name G.D.L. Rothell Position/Classification TFC
 Division Law Enforcement Unit Patrol One
 Date Assigned to Current Position 01/17/93 State Employment Date 04/91
 Performance Period From 07/17/93 To 07/17/94

*This form is to be used for non-management employees

Planning Stage Acknowledgement

Rating Officer [REDACTED] Date 5-25-93

Reviewed by [REDACTED] Date 5-27-93

My Planning Stage and Position Description have been reviewed with me.

Employee [REDACTED] Date 5-29-93

Performance Level Criteria

Substantially Exceeds Performance Requirements: Work that is characterized by exemplary accomplishments throughout the rating period performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements: Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements: Work that meets the success criteria of the job.

Below Performance Requirements: Work that fails to meet the success criteria of the job.

*Performance characteristics will be given a rating of "acceptable" or "unacceptable" instead of substantially exceeds, exceeds, meets or below performance requirements.

Acceptable - Meets requirements.

Unacceptable - Fails to meet requirements.

NOTE: No change in salary. Transaction will not generate a sticker. Hourly/weekly and annual salary is correct.

10/21/94

SECTION I - JOB DUTIES
(From Position Description)

Performance
Level Numerical
Score

1. Job Duty: Enforcement of all state laws and regulations governing vehicular and pedestrian traffic. Provides, disseminates, and interprets these laws and other safety material to the general public. Investigates complaints relating to highway safety and enforces criminal laws as needed. M 2
 Success Criteria: To maintain a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrol the streets and highways in your assigned area while keeping the proper lookout for violations and to take necessary enforcement action. This should be accomplished on a continual basis.
2. Job Duty: Conduct investigations of collisions involving vehicles in order to determine the cause and to collect necessary data. Complete reports and forms related to these accidents and submit these reports in a timely manner. Determine appropriate enforcement action and proceed through the judicial process. M 2
 Success Criteria: To make a thorough investigation of accidents during the course of your duties using the proper techniques as taught in Patrol Training, In-Service Training, and on-the-job training. Gather data and take notes in order to complete your investigation and make proper court presentations if necessary.
3. Job Duty: Required to be trained and certified in certain scientific procedures including, but not limited to, the breathalyzer and radar devices. Administer certain tests to determine blood-alcohol level. Detect speed of vehicles and take necessary enforcement action. M 2
 Success Criteria: To update yourself on changes or revisions governing radar and breathalyzer operations. Maintain certification in the operation of these devices. To make proper notes and appear in court as prosecutor and/or witness as needed.
4. Job Duty: Responsible for proper preparation of court cases, summons, case reports, daily and monthly reports, and forms relating to enforcement activities. Submit these reports through proper channels as required by policy, rules, regulations, directives, or laws. Appear in court and hearings as needed. M 2
 Success Criteria: To prepare and complete all reports as required or directed in a timely manner. Follow through on court cases and appear in court at the time and date scheduled or whenever required or directed to do so. All reports are to be submitted in a neat and legible condition.
5. Job Duty: Responsible for the protection, maintenance, and care of all equipment or supplies issued by the Department. Accountable for the handling of public funds in a legal and responsible manner. M 2
 Success Criteria: To consistently inspect, clean, and maintain all assigned equipment to assure that it is in proper working order. Secure and be responsible for all equipment and supplies that you assume custodial care of.
6. Job Duty: Establish a sound working relationship with other government agencies, civic and community organizations. Performs driver and safety education tasks through public schools, civic organizations, and the Department. Assist the motoring public whenever practical as it relates to the protection of lives and property. M 2
 Success Criteria: Make yourself available for public service and keep abreast of laws, policies, and changes relating to highway safety. Check on disabled motorists and render appropriate assistance if at all possible.

Section II - Objectives
(Optional)

	Performance Level	Numerical Score
1. Objective: <u>Diversify your activity</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>Do not rely on Radar to make your cases. Be on the lookout for other moving and non-moving violations. Make a variety of cases and enforce all state traffic laws more equally.</u>		

Section III - Performance Characteristics

Performance Rating
"Acceptable" or "Unacceptable"

1. Characteristic: <u>Willingness to learn</u>	<u>A</u>
Definition: <u>S-TPR Rothell is always willing to improve his job knowledge and performance by attending training, studying laws and court opinions.</u>	
2. Characteristic: <u>Dependability</u>	<u>A</u>
Definition: <u>At one time S-TPR Rothell was having trouble getting to work on time. He has improved greatly over the past year or so.</u>	

Section IV - Summary and Improvement Plan

Identify the employee's major overall accomplishments and areas of performance needing improvement.

Quality of work - S-TPR Rothell has made an effort to improve the quality of his work by looking for a variety of violations instead of relying on radar alone.

Working relationship with others - Avoid negative comments to co-workers over the radio & MDT

Identify steps to improve present performance or prepare for future performance.

Continue to study the manual of Operations, law books and Patrol Policies.

Appraisal Results


	<u>Score</u>	<u>Range</u>
*Substantially Exceeds Performance Requirements	_____	3.5 to 4
Exceeds Performance Requirements	_____	2.5 to 3.4
Meets Performance Requirements	<u>2</u>	1.5 to 2.4
*Below Performance Requirements	_____	1 to 1.4

$$\frac{14}{\text{Total Numerical Score}} \div \frac{7}{\text{Total Job Duties and Objectives}} = \frac{2}{\text{Range}}$$

*Justification of rating required _____


Official Review

Rating Officer  Cpl. R S Desrochers, Sr. Date 10-02-94

Reviewing Officer  Date 10-4-94

Reviewing Officer Comments: _____

Official Review

Employee Signature  Date 10-5-94

Employee Comments: _____

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
 EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
 (NON-MANAGEMENT FORM)

Name G.D.L. Rothell
 Division Law Enforcement
 Date Assigned to Current Position 01/17/93
 Performance Period From 01/17/93

53117
70610632
 Position/Classification Trooper 'K
 Unit Patrol One
 State Employment Date 04/91
 To 01/17/93

*This form is to be used for non-management employees

Planning Stage Acknowledgement

Rating Officer [REDACTED] Date 11-15-92

Reviewed by [REDACTED] Date 11-16-92

My Planning Stage and Position Description have been reviewed with me.

Employee [REDACTED] Date 11-17-92

Performance Level Criteria

Substantially Exceeds Performance Requirements: Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements: Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements: Work that meets the success criteria of the job.

Below Performance Requirements: Work that fails to meet the success criteria of the job.

*Performance characteristics will be given a rating of "acceptable" or "unacceptable" instead of substantially exceeds, exceeds, meets or below performance requirements.

Acceptable - Meets requirements.

Unacceptable - Fails to meet requirements.

NOTE: No change in salary. Transaction will not generate a sticker. Hourly/weekly and annual salary is correct.

6/18/93



SECTION I - JOB DUTIES
(From Position Description)

	Performance Level	Numerical Score
1. Job Duty: <u>Enforcement of all state laws and regulations governing vehicular and pedestrian traffic. Provides, disseminates, and interprets these laws and other safety material to the general public. Investigates complaints relating to highway safety and enforces criminal laws as needed.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To maintain a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrol the streets and highways in your assigned area while keeping the proper lookout for violations and to take necessary enforcement action. This should be accomplished on a continual basis.</u>		
2. Job Duty: <u>Conduct investigations of collisions involving vehicles in order to determine the cause and to collect necessary data. Complete reports and forms related to these accidents and submit these reports in a timely manner. Determine appropriate enforcement action and proceed through the judicial process.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To make a thorough investigation of accidents during the course of your duties using the proper techniques as taught in Patrol Training, In-Service Training, and on-the-job training. Gather data and take notes in order to complete your investigation and make proper court presentations if necessary.</u>		
3. Job Duty: <u>Required to be trained and certified in certain scientific procedures including, but not limited to, the breathalyzer and radar devices. Administer certain tests to determine blood-alcohol level. Detect speed of vehicles and take necessary enforcement action.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To update yourself on changes or revisions governing radar and breathalyzer operations. Maintain certification in the operation of these devices. To make proper notes and appear in court as prosecutor and/or witness as needed.</u>		
4. Job Duty: <u>Responsible for proper preparation of court cases, summons, case reports, daily and monthly reports, and forms relating to enforcement activities. Submit these reports through proper channels as required by policy, rules, regulations, directives, or laws. Appear in court and hearings as needed.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To prepare and complete all reports as required or directed in a timely manner. Follow through on court cases and appear in court at the time and date scheduled or whenever required or directed to do so. All reports are to be submitted in a neat and legible condition.</u>		
5. Job Duty: <u>Responsible for the protection, maintenance, and care of all equipment or supplies issued by the Department. Accountable for the handling of public funds in a legal and responsible manner.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To consistently inspect, clean, and maintain all assigned equipment to assure that it is in proper working order. Secure and be responsible for all equipment and supplies that you assume custodial care of.</u>		
6. Job Duty: <u>Establish a sound working relationship with other government agencies, civic and community organizations. Performs driver and safety education tasks through public schools, civic organizations, and the Department. Assist the motoring public whenever practical as it relates to the protection of lives and property.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>Make yourself available for public service and keep abreast of laws, policies, and changes relating to highway safety. Check on disabled motorists and render appropriate assistance if at all possible.</u>		

Section II - Objectives
(Optional)

	Performance Level	Numerical Score
1. Objective: _____ None _____	_____	_____
Success Criteria: _____		

Section III - Performance Characteristics

Performance Rating
"Acceptable" or "Unacceptable"

1. Characteristic: <u>Self Motivation</u>	<u>A</u>
Definition: <u>TFC Rothell does not need to be told how to patrol his assigned area. He identifies trouble spots and takes the proper action on his own. He requires little supervision in the field.</u>	
2. Characteristic: _____	
Definition: _____	

Section IV - Summary and Improvement Plan

Identify the employee's major overall accomplishments and areas of performance needing improvement.

Major Accomplishments - Accuracy of reports

Need Improvements - Knowledge of traffic laws

Identify steps to improve present performance or prepare for future performance.

Study SC Code of Laws. Keep up with amandments and legal updates.




Appraisal Results

	<u>Score</u>	<u>Range</u>
*Substantially Exceeds Performance Requirements	_____	3.5 to 4
Exceeds Performance Requirements	_____	2.5 to 3.4
Meets Performance Requirements	<u>2</u>	1.5 to 2.4
*Below Performance Requirements	_____	1 to 1.4

$$\frac{12}{\text{Total Numerical Score}} \div \frac{6}{\text{Total Job Duties and Objectives}} = \frac{2.00}{\text{Range}}$$

*Justification of rating required _____

Official Review

Rating Officer  Cpl. R. S. Desrochers, Sr. Date 05-25-93

Reviewing Officer  Date 5-27-93

Reviewing Officer Comments: _____

Official Review

Employee Signature  Date 5-29-93

Employee Comments: _____

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
 EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
 (NON-MANAGEMENT FORM)

Name G.D.L. Rothell
 Division Law Enforcement
 Date Assigned to Current Position 07/14/91
 Performance Period From 01/14/92

53117
 7060/01330
 Position/Classification Trooper
 Unit Patrol Dist. One
 State Employment Date 04/91
 To 01/14/93

*This form is to be used for non-management employees

Planning Stage Acknowledgement

Rating Officer [REDACTED] Date 12-13-91

Reviewed by [REDACTED] Date 12-13-91

My Planning Stage and Position Description have been reviewed with me.

Employee [REDACTED] Date 12-14-91

Performance Level Criteria

Substantially Exceeds Performance Requirements: Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements: Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements: Work that meets the success criteria of the job.

Below Performance Requirements: Work that fails to meet the success criteria of the job.

*Performance characteristics will be given a rating of "acceptable" or "unacceptable" instead of substantially exceeds, exceeds, meets or below performance requirements.

Acceptable - Meets requirements.

Unacceptable - Fails to meet requirements.



NOTE: No change in salary. Transaction will not generate a sticker. Hourly/weekly and annual salary is correct.

12/14/92

SECTION I - JOB DUTIES
(From Position Description)

	Performance Level	Numerical Score
1. Job Duty: <u>Enforcement of all state laws and regulations governing vehicular and pedestrian traffic. Provides, disseminates, and interprets these laws and other safety material to the general public. Investigates complaints relating to highway safety and enforces criminal laws as needed.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: To maintain a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrol the streets and highways in your assigned area while keeping the proper lookout for violations and to take necessary enforcement action. This should be accomplished on a continual basis.</u>		
2. Job Duty: <u>Conduct investigations of collisions involving vehicles in order to determine the cause and to collect necessary data. Complete reports and forms related to these accidents and submit these reports in a timely manner. Determine appropriate enforcement action and proceed through the judicial process.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: To make a thorough investigation of accidents during the course of your duties using the proper techniques as taught in Patrol Training, In-Service Training, and on-the-job training. Gather data and take notes in order to complete your investigation and make proper court presentations if necessary.</u>		
3. Job Duty: <u>Required to be trained and certified in certain scientific procedures including, but not limited to, the breathalyzer and radar devices. Administer certain tests to determine blood-alcohol level. Detect speed of vehicles and take necessary enforcement action.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: To update yourself on changes or revisions governing radar and breathalyzer operations. Maintain certification in the operation of these devices. To make proper notes and appear in court as prosecutor and/or witness as needed.</u>		
4. Job Duty: <u>Responsible for proper preparation of court cases, summons, case reports, daily and monthly reports, and forms relating to enforcement activities. Submit these reports through proper channels as required by policy, rules, regulations, directives, or laws. Appear in court and hearings as needed.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: To prepare and complete all reports as required or directed in a timely manner. Follow through on court cases and appear in court at the time and date scheduled or whenever required or directed to do so. All reports are to be submitted in a neat and legible condition.</u>		
5. Job Duty: <u>Responsible for the protection, maintenance, and care of all equipment or supplies issued by the Department. Accountable for the handling of public funds in a legal and responsible manner.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: To consistently inspect, clean, and maintain all assigned equipment to assure that it is in proper working order. Secure and be responsible for all equipment and supplies that you assume custodial care of.</u>		
6. Job Duty: <u>Establish a sound working relationship with other government agencies, civic and community organizations. Performs driver and safety education tasks through public schools, civic organizations, and the Department. Assist the motoring public whenever practical as it relates to the protection of lives and property.</u>	<u>M</u>	<u>2</u>
<u>Success Criteria: Make yourself available for public service and keep abreast of laws, policies, and changes relating to highway safety. Check on disabled motorists and render appropriate assistance if at all possible.</u>		

Section II - Objectives
(Optional)

	Performance Level	Numerical Score
1. Objective: _____	_____	_____

Success Criteria: _____		

Section III - Performance Characteristics

Performance Rating
"Acceptable" or "Unacceptable"

1. Characteristic: <u>Working with others</u>	<u>A</u>

Definition: <u>Tpr Rothell is always willing to cooperate with supervisors and other troopers in whatever manner necessary to get the job done.</u>	

2. Characteristic: _____	

Definition: _____	

Section IV - Summary and Improvement Plan

Identify the employee's major overall accomplishments and areas of performance needing improvement.

Major accomplishments: Accuracy of reports

Needed Improvements: Punctually

Identify steps to improve present performance or prepare for future performance.

Concentrate on having your vehicle gassed - up, checking your box and being on your assigned road at the proper time each day.

Appraisal Results

	<u>Score</u>	<u>Range</u>
*Substantially Exceeds Performance Requirements	_____	3.5 to 4
Exceeds Performance Requirements	_____	2.5 to 3.4
Meets Performance Requirements	<u>XXX</u>	1.5 to 2.4
*Below Performance Requirements	_____	1 to 1.4

$$\frac{12}{\text{Total Numerical Score}} \div \frac{6}{\text{Total Job Duties and Objectives}} = \frac{2.0}{\text{Range}}$$

*Justification of rating required _____

Official Review

Rating Officer _____ Cpl. R. S. Desrochers Date 11-15-92

Reviewing Officer _____ Sgt. A. S. Hicks Date 11-16-92

Reviewing Officer Comments: _____

Official Review

Employee Signature _____ Date 11-17-92

Employee Comments: _____

FORM P-17
(Rev. 9/86)

PERSONNEL ADVICE

COLUMBIA, S.C.

TO:

B D L ROTHELL

(RE)

EMPLOYEE NO.

01/06/92

Your employment with the SOUTH CAROLINA DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION is to be governed by the entries shown below:

CLASS TITLE	DIVISION	RET. PAYROLL CODE NO.	RET. ACT. REGISTER N

EMPLOYMENT OR CHANGE IN STATUS	APPOINTMENT-REGULAR	EFFECTIVE DATE	JANUARY 19, 1992
CLASS TITLE	DIVISION	COMPENSATION	
PRESENT: TROOPER	LAW ENFORCEMENT		PER WH
FUTURE: TROOPER	LAW ENFORCEMENT		PER WH

LEAVE OF ABSENCE			
LEAVE WITH PAY			LEAVE WITHOUT PAY
NATURE OF LEAVE	DATES	DAYS	DATES

TERMINATION OF SERVICE		
REASON		EFFECTIVE DATE

REMARKS
<p>ASSIGNED TO- PATROL DISTRICT 1</p> <p>YOU HAVE COMPLETED YOUR PROBATION PERIOD AND, AS A RESULT OF YOUR EFFORTS, HAVE QUALIFIED FOR REGULAR EMPLOYMENT BASIS.</p> <p>7060 (28) 0133 051 (01) SS: [REDACTED] ANNUAL SALARY [REDACTED]</p>

APPROVED

EXECUTIVE DIRECTOR

PERSONNEL REQUEST

Form P-6 (Rev. 10-86)

To: Executive Director
Columbia, South Carolina

Columbia

S. C. December 20, 1991

The following request is submitted for consideration:

APPLICANT OR EMPLOYEE			
Name and Address	Employee No.	Title and Division	Ret. Payroll Code No.
Gerald D. L. Rothell	[REDACTED]		[REDACTED]
			Ret. Act. Register No.
XX Appointment Regular --- Reappointment --- Reinstatement --- Change in Classification --- Change in Compensation --- Transfer			Effective Date
			January 19, 1992
Title		Division	Compensation
Present: Trooper PE 7/14/91		Law Enforcement	\$ [REDACTED] per wk
Future: Trooper		Law Enforcement	\$ [REDACTED] per wk

LEAVE OF ABSENCE			
Nature	With Pay (Dates)	Days	Without Pay (Dates)
Military			
Court Duty			
Suspension	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXX	

TERMINATION OF SERVICE			
Reason	--- Resigned --- Dismissed --- Released --- Retired --- Quit without notice --- Deceased	Effective Date	

REMARKS	
Assigned to: Patrol District #1	
To Regular	

Job Code	Grade	Work Week/Hrs	Overtime Status	To fill vacancy of: (If Applicable)	Social Security
7060	28	40	Exempt <input type="checkbox"/> Non-Exempt <input checked="" type="checkbox"/>	Name: Slot No. 133	[REDACTED]

Submitted by:	Recommended by:
Name	Name
Title	--- State Highway Engineer --- Secretary-Treasurer --- Director, MVD XX Dir., Law Enforcement
Examined:	

Signatures and initials were redacted by House Legislative Oversight Committee staff.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
 EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
 (NON-MANAGEMENT FORM)

Name G.D.L. Rothell
 Division Law Enforcement
 Date Assigned to Current Position July 14, 1991
 Performance Period From 07/14/91

Position/Classification Trooper
 Unit Patrol Dist. One
 State Employment Date _____
 To 01/14/92

*This form is to be used for non-management employees

Planning Stage Acknowledgement

Rating Officer [REDACTED] Date 07-13-91

Reviewed by [REDACTED] Date 07-13-91

My Planning Stage and Position Description have been reviewed with me.

Employee [REDACTED] Date 7-13-91

Performance Level Criteria

Substantially Exceeds Performance Requirements: Work that is characterized by exemplary accomplishments throughout the rating period performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements: Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements: Work that meets the success criteria of the job.

Below Performance Requirements: Work that fails to meet the success criteria of the job.

*Performance characteristics will be given a rating of "acceptable" or "unacceptable" instead of substantially exceeds, exceeds, meets or below performance requirements.

Acceptable - Meets requirements.

Unacceptable - Fails to meet requirements.

SECTION I - JOB DUTIES
(From Position Description)

	Performance Level	Numerical Score
1. Job Duty: <u>Enforcement of all state laws and regulations governing vehicular and pedestrian traffic. Provides, disseminates, and interprets these laws and other safety material to the general public. Investigates complaints relating to highway safety and enforces criminal laws as needed.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To maintain a good working knowledge of the laws, rules, and regulations involved in traffic enforcement. Patrol the streets and highways in your assigned area while keeping the proper lookout for violations and to take necessary enforcement action. This should be accomplished on a continual basis.</u>		
2. Job Duty: <u>Conduct investigations of collisions involving vehicles in order to determine the cause and to collect necessary data. Complete reports and forms related to these accidents and submit these reports in a timely manner. Determine appropriate enforcement action and proceed through the judicial process.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To make a thorough investigation of accidents during the course of your duties using the proper techniques as taught in Patrol Training, In-Service Training, and on-the-job training. Gather data and take notes in order to complete your investigation and make proper court presentations if necessary.</u>		
3. Job Duty: <u>Required to be trained and certified in certain scientific procedures including, but not limited to, the breathalyzer and radar devices. Administer certain tests to determine blood-alcohol level. Detect speed of vehicles and take necessary enforcement action.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To update yourself on changes or revisions governing radar and breathalyzer operations. Maintain certification in the operation of these devices. To make proper notes and appear in court as prosecutor and/or witness as needed.</u>		
4. Job Duty: <u>Responsible for proper preparation of court cases, summonis, case reports, daily and monthly reports, and forms relating to enforcement activities. Submit these reports through proper channels as required by policy, rules, regulations, directives, or laws. Appear in court and hearings as needed.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To prepare and complete all reports as required or directed in a timely manner. Follow through on court cases and appear in court at the time and date scheduled or whenever required or directed to do so. All reports are to be submitted in a neat and legible condition.</u>		
5. Job Duty: <u>Responsible for the protection, maintenance, and care of all equipment or supplies issued by the Department. Accountable for the handling of public funds in a legal and responsible manner.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>To consistently inspect, clean, and maintain all assigned equipment to assure that it is in proper working order. Secure and be responsible for all equipment and supplies that you assume custodial care of.</u>		
6. Job Duty: <u>Establish a sound working relationship with other government agencies, civic and community organizations. Performs driver and safety education tasks through public schools, civic organizations, and the Department. Assist the motoring public whenever practical as it relates to the protection of lives and property.</u>	<u>M</u>	<u>2</u>
Success Criteria: <u>Make yourself available for public service and keep abreast of laws, policies, and changes relating to highway safety. Check on disabled motorists and render appropriate assistance if at all possible.</u>		

SECTION I - JOB DUTIES
(From Position Description)

Performance
Level

Numerical
Score

7 Job Duty: Must successfully complete and pass all requirements of
the Patrol's Physical Fitness Program.

M

2

Success Criteria: Consistently maintain physical stamina in order to prepare yourself physically
to handle all job tasks and physical fitness requirements established by the Highway Patrol.

8 Job Duty: _____

Success Criteria: _____

9 Job Duty: _____

Success Criteria: _____

10 Job Duty: _____

Success Criteria: _____

11 Job Duty: _____

Success Criteria: _____

12 Job Duty: _____

Success Criteria: _____

Appraisal Results

	<u>Score</u>	<u>Range</u>
*Substantially Exceeds Performance Requirements	_____	3.5 to 4
Exceeds Performance Requirements	_____	2.5 to 3.4
Meets Performance Requirements	<u>X</u>	1.5 to 2.4
*Below Performance Requirements	_____	1 to 1.4

$$\frac{14}{\text{Total Numerical Score}} \div \frac{7}{\text{Total Job Duties and Objectives}} = \frac{2}{\text{Range}}$$

*Justification of rating required _____

Official Review

Rating Officer _____

Date 12-13-91

Reviewing Officer _____

Date 12-13-91

Reviewing Officer Comments: _____

Official Review

Employee Signature _____

Date 12-14-91

Employee Comments: _____



Section II - Objectives
(Optional)

	Performance Level	Numerical Score
1. Objective: _____	_____	_____

Success Criteria: _____		

Section III - Performance Characteristics

Performance Rating
"Acceptable" or "Unacceptable"

1. Characteristic: <u>Works well with others</u>	<u>A</u>

Definition: <u>Trp. Rothell works very well with others. He is no problem to supervise and accepts instructions well.</u>	

2. Characteristic: _____	

Definition: _____	

Section IV - Summary and Improvement Plan

Identify the employee's major overall accomplishments and areas of performance needing improvement.

Major accomplishments: Willingness to learn.
Needed Improvement: None noted at this time.

Identify steps to improve present performance or prepare for future performance.

Continue to study Law Books, Manual of Operations,
Directives and other relative material.

O'LEARY ASSOCIATES, P.A.

JOHN A. O'LEARY, ATTORNEY
Katie O'Leary Fayssoux (of Counsel)

April 7, 2015

Sam Wilkins, Director
SC Budget & Control Board
Division of Human Resource Management
8301 Parklane Road, Suite A220
Columbia, SC 29223


RE: Rothell, Sgt. Gerald D. vs. SCDPS
Appeal to SC Budget & Control Board

Dear Mr. Wilkins:

Please find enclosed a copy of the State Appeal Form and State Employee Grievance Committee ~ Grounds for Appeal Form ~ submitted on behalf of Rothell, Sgt. Gerald D. appealing the grievance filed with SCDPS on 2/17/2015. The outcome of the Step 2 hearing was received 04/06/15.

Thank you for your time and consideration in this matter. If anything else is required, if you have any questions, or if we may be of assistance, please do not hesitate to call.

Sincerely,


JOHN A. O'LEARY
Attorney At Law

JAO/jb
Enclosure

cc: Leroy Smith, Director SCDPS
10311 Wilson Blvd.
Post Office Box 1993
Blythewood, SC 29016

Gerald Rothel (via email only)

714 Calhoun Street
Columbia, South Carolina 29201
oleary_email@yahoo.com

Ph: 803-779-5556
Fax: 803-252-7515
www.olearylawsco.com

**STATE EMPLOYEE GRIEVANCE PROCEDURE
STATE APPEAL FORM**

TO APPEAL THE DECISION OF THE AGENCY CONCERNING A GRIEVANCE UNDER THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT TO THE STATE HUMAN RESOURCES DIRECTOR, THE EMPLOYEE AND/OR REPRESENTATIVE INITIATING THE APPEAL MUST COMPLETE THIS FORM AND RETURN IT TO THE STATE OFFICE OF HUMAN RESOURCES.

EMPLOYEE'S NAME: Rothell, Sgt. Gerald D.

JOB CLASSIFICATION: L. Corporal

AGENCY: SC Highway Patrol

HOME ADDRESS: [REDACTED]

Street

City

State

Zip Code

TELEPHONE: [REDACTED]

Home

Office

1. Has the employee completed twelve (12) months of satisfactory service with the state: YES
2. What disciplinary action taken against the employee is being appealed? Terminated
3. Has the employee received a final decision from the agency? Yes
4. What date did the employee receive the final decision? 04/06/15
5. If the employee has not received a final decision from the agency, what date did the employee initiate the grievance within the agency's internal grievance procedure? 2/17/2015

APPEAL

Please specify why the employee contends that the agency's decision concerning the grievance is unfair and state relevant facts and issues to support that position (continue on additional pages if necessary):

The action taken by the South Carolina Highway Patrol with reference to the discipline imposed upon Gerald Rothel was excessive and contrary to the policies and procedures set forth by the agency. The discipline was not progressive.

The facts will show that the error referenced as a deliberate lie by Trooper Rothel was in fact simply a clerical error and mis statement as to a date on a non critical administrative internal control form. The department, in the administration of discipline fails to recognize that the department itself has a policy of progressive discipline which had not been followed in this case.

Further the department fails to recognize the statements made by officers may well be made in varying degrees subject to error. Not all inaccurate statements are in fact lies, as evidenced by the Rothel case. At no time did Trooper Rothel deliberately or intentionally place an incorrect and inaccurate date on the form. It is the position of Trooper Rothel that the department has exceeded its authority and the actions were arbitrary and capricious, failing to recognize and follow their own policies of progressive discipline.

Please specify the relief that the employee is seeking by this appeal (continue on additional pages if necessary):

Reinstatement & back pay

Signature: [REDACTED]

Employee or Representative

Date: 2 August 15

STATE EMPLOYEE GRIEVANCE COMMITTEE

~Grounds for Appeal Form~

Please identify which ground(s) listed below from §8-17-340(E) of the S.C. Code of Laws you contend would require the Committee to change the agency's decision. In addition, state why these grounds are relevant to your appeal.

See State Appeal Form

(E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:

(1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in Section 43-35-10 or 63-7-20, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:

- (a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;
- (b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or
- (c) The agency's action was arbitrary and capricious.

(2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the agency;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

Please return this from to: **Human Resources Division**
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Also, please send a completed copy of this document to the agency.

SETTLEMENT AGREEMENT AND RELEASE


Gerald D. Rothell

v.

South Carolina Department of Public Safety

The South Carolina Department of Public Safety ("SCDPS") and Gerald D. Rothell ("Mr. Rothell") have voluntarily entered into this Agreement and Release ("Agreement") and mutually agree to the following:


1. Mr. Rothell hereby resigns, effective at the close of business on February 12, 2015. SCDPS hereby accepts Mr. Rothell's resignation, effective at the close of business on February 12, 2015. Subsequent to his resignation, Mr. Rothell elected to begin receiving retirement benefits through the South Carolina Public Employee Benefit Authority, effective February 13, 2015. Accordingly, Mr. Rothell may elect to receive SCDPS credentials reflecting that he is "retired" from the South Carolina Highway Patrol and may retain his service weapons issued while he was serving in active duty status.
2. SCDPS has no obligation to submit any additional documentation to the South Carolina Criminal Justice Academy ("CJA") regarding Mr. Rothell's employment with SCDPS, the terms under which his employment ended, or the disposition of his appeal under the State Employee Grievance Procedure Act. However, Mr. Rothell may provide this Agreement to CJA if he so chooses.
3. SCDPS will provide only neutral references and release information/records allowed under the South Carolina Freedom of Information Act regarding Mr. Rothell's employment. Any inquiries to SCDPS from Mr. Rothell or on his behalf (including inquiries from or on behalf of prospective employers) regarding his employment with SCDPS must be directed to the SCDPS Human Resources Director for this provision to be binding on SCDPS.
4. Mr. Rothell agrees not to seek re-employment with SCDPS at any time in the future.
5. Mr. Rothell acknowledges that this Agreement shall not operate as a bar to employees of SCDPS furnishing testimony or documentation in future legal or administrative proceedings or otherwise communicating orally or in writing with government entities/personnel in connection therewith, including matters associated with law enforcement certification through CJA.
6. It is understood that this Agreement is the compromise of a contested matter and that the terms herein are not to be construed as an admission of liability or fault by either party.

Initials:


7. Mr. Rothell withdraws his appeal under the State Employee Grievance Procedure Act pending before the State Human Resources Director in connection with his separation from SCDPS. Neither Mr. Rothell nor SCDPS will take any further legal or administrative action regarding the appeal.
8. Mr. Rothell, on behalf of himself and his respective heirs, executors, successors and assigns, releases SCDPS, its present and past officers, employees, and their heirs to the fullest extent possible by law, from any and all claims, obligations, duties, and causes of action, whether now known or unknown, that Mr. Rothell may possess based upon or arising out of any matter, cause, fact, thing, act, or omission whatsoever occurring or existing at any time, including without limitation:
 - (a) any and all claims relating to or arising from Mr. Rothell's employment with SCDPS from the start of Mr. Rothell's employment with SCDPS to the date of this Agreement;
 - (b) any and all claims, including but not limited to wrongful discharge of employment, termination in violation of public policy, discrimination, civil conspiracy or breach of contract;
 - (c) any and all claims for violation of any federal, state or municipal law, including, but not limited to, Title VII of the Civil Rights Act, the Civil Rights Act, the Americans with Disabilities Act, the Fair Labor Standards Act (only if there is judicial approval or administrative supervision by the U.S. Department of Labor), and the Employee Retirement Income Security Act;
 - (d) any and all claims relating to or arising from testimony given, documentation provided, or communications made by SCDPS employees in connection with future legal or administrative proceedings as set forth in Paragraph 5 of this Agreement;
 - (e) any and all claims for violation of federal or state constitutions; and
 - (f) any and all claims for attorneys' fees and costs.

Exceptions to this release, however, include future claims made under the Family and Medical Leave Act and any pending Workers' Compensation claim.

9. If any term, condition, covenant or obligation of this Agreement shall be determined to be unenforceable, invalid, or void, such determination shall not affect, impair, invalidate, or render unenforceable any other term, condition, covenant, or obligation of this Agreement.
10. The laws of South Carolina govern this Agreement.


Initials: 

11. Mr. Rothell affirms that he has been advised of his rights under the Age Discrimination in Employment Act ("ADEA"), and that he hereby waives the twenty-one (21) day period to consider accepting or rejecting this Agreement. Mr. Rothell also acknowledges that he and SCDPS must observe a seven (7) day "revocation period" following his acceptance of this Agreement, which cannot be waived, and during which he may revoke his acceptance of the Agreement. In order to revoke his acceptance of the Agreement, Mr. Rothell must deliver his written revocation of his acceptance to Warren V. Ganjehsani at 10311 Wilson Boulevard in Blythewood, South Carolina, before 5:00 p.m. EST on the seventh day following his execution and acceptance of the Agreement.
12. This Agreement is executed voluntarily and without any duress or undue influence on the part or behalf of the parties hereto, with the full intent of releasing all claims. Mr. Rothell and SCDPS further acknowledge the Release does not release claims that cannot lawfully be released. Mr. Rothell and SCDPS acknowledge that: (a) they have read this Agreement; (b) they have been represented in the preparation, negotiation, and execution of this Agreement by legal counsel of their own choice or that they have voluntarily declined to seek such counsel; (c) they understand the terms and consequences of this Agreement and of the releases it contains; and (d) they are fully aware of the legal and binding effect of this Agreement.

Agreed to by:


Gerald D. Rothell
Appellant


8/6/2015
Date 8/6/2015


John A. O'Leary
Attorney for Mr. Rothell


Date _____

Witness for Mr. Rothell _____

Initials:



Warren V. Ganjehsani
General Counsel, SCDPS

8/10/2015
Date _____


Witness for SCDPS _____