

South Carolina Department of Public Safety



Staff Inspection Report

South Carolina Highway Patrol Troop Eight

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South Carolina Highway Patrol – Troop Eight
December 8, 2015

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Attachment 1: DPS LE-030: Staff Inspection Checklist

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Executive Summary

The Staff Inspection of Highway Patrol Troop Eight, Aggressive Criminal Enforcement, revealed minimum issues that required a recommended process revision. The inspection overall demonstrated that the items notated in the Section, Scope, were in compliance and within department policy and procedures.

Scope

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

- a. Policies and Procedures
- c. Files and Records

An Inspector-in-Place (IIP) conducted the assessment of division operations and activities. The inspection identifies inconsistencies and problematic areas as well as exceptional findings. The IIP was responsible for identifying and determining if:

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

Listed below are examples of areas reviewed and inspected by the Inspectors-in-Place.

- Collision Records/Cash Receipts
- Employee Training Records
- Secondary Employment Policy Compliance
- Agency Property/Inventory Control
- Purchasing and Procurement Compliance

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Objectives

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

The primary objectives of staff inspections consist of the below:

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

Sampling Methodology

Staff Inspections are to be administered at minimum, every three (3) years. The inspection will include the current calendar year and up to the previous two (2) calendar years. Inspected documents will include a minimum of ten (10) percent from each identified item located under the Section entitled, Scope as well as items listed in the Staff Inspection Checklist, DPS LE-030.

Authority

Staff Inspection's authority is derived from South Carolina Code of Laws 23-6-20 and Department of Public Safety Policy 300.12, Line and Staff Inspections. In addition, authority is derived from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

Overview

Troop Eight Headquarters is located in Blythewood, South Carolina. The Troop is comprised of the following:

- Interdiction Unit
- Motorcycle Unit
- Safety Improvement Team

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- Target Zero Team
- DEA Task Force

Each of the aforementioned units/teams have statewide jurisdiction.

Troop Eight currently maintains approximately 59 sworn officers (Trooper – Captain) and one administrative staff.

Introduction

The Staff Inspection was initiated with an Entrance Conference on Tuesday, December 8, 2015. Attendees included the Inspector-in-Charge (IC), Major J. D. Moore of the Office of Strategic Services, Accreditation, Policy and Inspections and Inspector-in-Place, Major M. A. Gosnell, South Carolina Highway Patrol. Also in attendance was Region II Major Melvin Warren, Troop 8 personnel, Capt. G. S. Owens, Sgt. D. J. Babbitt Sgt. B. D. Dowis, Sgt. C. P. Logdon, and Administrative Assistant, Courtney Wiles.

The Entrance Conference provided the platform to ensure each attendee was apprised of the purpose of the inspection. Further, details about the day's activities as outlined in the Section entitled, Scope, was also reviewed.

While no Exit Conference was conducted, Major Gosnell provided the aforementioned attendees with overviews of his findings. Attendees received all recommendations by Major Gosnell in a very professional manner. Further, attendees were positive with their questions and remarks. The overall environment demonstrated an understanding of the inspection process, reception to the IIP's findings and the willingness to ensure the Troop maintains consistent operations while adhering to policies and procedures.

It should be noted that Troop 8 personnel were very accommodating while providing the IC and the IIP with exceptional courtesy and respect.

Troop Eight Headquarters

IIP's utilized the attached form, DPS LE-030 (Staff Inspections)

A: DOCUMENTS AND PROCEDURES

1. Collision Records

Compliance. A review of the collision records reporting system was conducted. The results of the inspection revealed that all TR-310 reports located in the Report Beam are documented and managed properly.

2. Cash Receipts

Compliance. The inspection revealed that Troop 8 conducted seizures / cash receipts in the calendar years, 2013 – 2015. Tally sheets inspected indicated that the cash was transferred to the Central Evidence Facility along with the proper documentation, to include the Incident Report.

A review of a case file demonstrated that a seizure was properly documented and administered.

3. Employee Training Reports

Compliance. Employee Training records are maintained in the trooper's personnel file. Expiration dates for training certifications are noted on the Line Inspection form. Specific training (K-9) is conducted each January.

4. Evidence / Property Storage Room / Documentation

Not Applicable

Troop 8 Headquarters does not maintain an evidence facility.

5. Evidence Destruction / Documentation

Not Inspected. It was conveyed during the inspection by Troop 8 personnel that all documentation under this heading is housed at the Central Evidence Facility (CEF). It should be noted that CEF was previously under the command of Troop 8. Troop 8 immediately began the process of maintaining Evidence Destruction / Documentation.

On December 11, 2015, Capt. S. A. Stankus, Office of Inspections, conducted an inspection of Troop 8 Evidence Destruction / Documentation located at CEF. Troop 8 was in compliance as noted.

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Compliance. The troop's evidence and destruction (closed case) reports are stored at the Central Evidence Facility (CEF) located on Shop Road in Columbia. The documentation is managed and retained within the files consisting of all statewide evidence and destruction records. The files are separated and identified by the date (month and year) of each closed case report. The following records were presented for review: 13GV011156HP04 - Harrison (01/04/2013), 12CH094111HP18 - Sweatman (01/31/2013); 12BW171525HP32 - Buckwelder (07/25/2014), 09-14-HP8-2291 - Logdon (08/19/2014); 14CH138406HP38 - Spague (07/09/2015), 13BW197104HP14 - Sweatman (09/01/2015). All documentation was complete to include affixed signatures and dates. Retention of all evidence / destruction documentation is five (5) years.

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

Not Applicable

7. Secondary Employment Policy Compliance

Compliance. Headquarters staff is familiar with the SCDPS secondary employment policy. Through the inspection, it was confirmed that troopers submit secondary employment request and each request is approved by command personnel. No approvals are approved verbally and no approvals have been rescinded to date.

8. Agency Property Accountability / Inventory Control

Compliance. As evidenced during this inspection, Troop 8 electronically captures each Trooper's equipment and serial numbers. Specific examples of equipment include; badge numbers, laptops, radios and trailers. The agency's Inventory Control documentation is maintained to date to include the removal of any equipment no longer assigned the individual trooper.

9. Purchasing and Procurement Compliance + P-Card

Troop 8 maintains one (1) procurement card that allows a maximum purchase cost of \$1500. Troop 8 personnel provided the IIP with a hard copy folder that contained procurement card receipts for purchases, primarily for the motor unit.

10. Telecommunication Centers

Not Applicable

11. Traffic Summons Book / Bond Money

Not inspected. Note #12 below.

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12. Ticket Tracking

It was conveyed by Troop 8 personnel that all documentation under this heading is housed at the Central Evidence Facility (CEF). It should be noted that in previous years, CEF was under the command of Troop 8.

On December 11, 2015, Capt. S. A. Stankus, Office of Inspections, conducted an inspection of Troop 8 Ticket Tracking documentation located at CEF. Troop 8 was in compliance as noted.

Compliance. Troop personnel submit request(s) for summons ticket books to Shelby Rollison (Administrative Assistant) assigned and located in the CEF office. Request(s) for summons ticket books are made via telephone, e-mail, or in person. Eight (8) cases of unissued summons ticket books are secured from Patrol Supply and stored in the locked evidence room at CEF. The single open case, containing the series of summons ticket books used to fill request(s), is locked in a secured cabinet in the CEF office with limited access. Summons ticket books are assigned to the requestor by logging each summons ticket book on a paper log documenting the summons ticket book series, requestor's name, date, and requestor's employee number. The administrator utilizes the Highway Patrol console to assign the summons ticket book to the requestor, electronically. In doing so, a summons ticket book receipt is generated. The generated receipt must be signed by the requestor and returned to the administrator. A review of a summons ticket book(s) receipt presented for B.W. Gardner revealed the proper data captured needed to properly track the issuance of the summons ticket book. The receipt was signed, dated (12/10/2015), and returned. The returned summons ticket book receipt(s) are filed in the CEF office and retained. The current retention of the summons ticket book receipts dates from 2006 – present.

The file maintained in the CEF office also included copies of all troop summons ticket transmittal forms. A summons ticket transmittal form was reviewed (Ledbetter - 02/02/2015). Summons ticket transmittal forms are retained for two (2) years.

Enforcement records (white) copies of summons tickets are also filed at this location. The summons tickets are filed by summons ticket series number. Summons ticket number G886901 was reviewed and verified utilizing the summons ticket transmittal and physically locating the enforcement record copy retained. Retention of the summons ticket audit copy includes two (2) years. All earlier copies are archived.

The administrator is currently completing the 2015 SCDMV summons ticket audit. Previously completed SCDMV summons ticket audits, dated 2011-2014, are retained.

Warnings are retained and filed in alphabetical order. Retention of the warnings includes two (2) years.

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Quarterly summons ticket audits are conducted by supervisory personnel. No supervisory summons ticket audits were retained or available for review at the CEF office.

The administrator (Rollison) utilizes a scanner and CDs to store and retain copies of all of the above and can present electronic retention for 2011- present. In comparison to all field troops, the administrator is managing a limited volume of documents however, the system the administrator has created and maintains is exemplary.

RECOMMENDATION(S):

Although the practice is functional, a review of managing and maintaining the troop's summons tickets, at the CEF location versus the troop office, is recommended.

Once the summons ticket book receipt is returned by the requestor, a recommendation is made to record the returned date utilizing the summons ticket book log. This practice will document and ensure the proper return of all receipts.

13. Body Armor Replacement Date

Not Inspected

14. Child Custody Procedures

Compliance. Child Custody Transfers were securely kept in a file drawer in the Administrative Assistant's office. Two (2) files each, for the calendar years 2014 and 2015, were inspected. All four (4) files were in compliance with department policy.

15. Juvenile Procedures

Compliance. Troop 8 demonstrated a system for ensuring the storage and security of the juvenile files in a confidential manner as prescribed per South Carolina Code of Law 63-19-2030 (juvenile files to be housed separately from other records).

16. Juvenile Custodial Release Forms

Compliance. The inspection revealed that there was no activity during the inspected period, 2013 – 2015, relating to Juvenile Custodial Release Forms where juveniles had been released to DSS Custody, a responsible adult or legal guardian.

17. Line Inspections

Line Inspection Files

Compliance. The inspection revealed that monthly line inspections are conducted and the documentation is maintained. Each line inspection form is located on the Troop 8 Group

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Drive. A review of the records revealed an occurrence in 2014 where the line inspection was not complete. In 2015, it was noted that corrective action, page two of the Line Inspection Form, was not complete.

Equipment, specific to Troop 8 personnel was listed on the line inspection form and subsequently inspected. Examples of these equipment items include tactical vests, GPS, cameras, and K-9 specific items.

It was further determined that line items found to be non-compliant received the proper and timely corrective action and was thereby documented on the line inspection form by the inspecting supervisor.

18. Safety Checkpoint Documentation (Statistical Data)

Compliance. A review of the files indicated safety checkpoint documentation, such as the preapproved list of locations, was not created in 2013 and 2014 due to the mission of Troop 8. Due to the formation of the Target Zero Team in 2015, Troop 8 safety checkpoint operations are properly planned, organized, executed and documented. In addition, proper approval for the safety checkpoints is conducted.

19. EPMS (Probationary, Annual)

Compliance. All Troop 8 performance ratings are maintained electronically by the administrative assistant. All EPMS's are performed according to the established reporting cycle. Each rating was signed and reviewed prior to being issued to the employee. Probationary and annual performance reviews for Troop 8 employees were reviewed and were in compliance with department policy.

20. Disciplinary Action Records

Compliance. Disciplinary action records are maintained within the Group drive to include all Division Investigations (DI's) submitted to the Office of Professional Responsibility. The DI's were found to be complete and each DI file was properly closed.

21. Victim / Witness Files – Secure

Not Inspected.

22. Use of Force Reports (Supervisory Review)

Compliance. The inspection revealed that Troop 8 use of force reports contained the proper documentation to include the video tape monitoring form. The files are secured in the Troop Group Drive.

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Selected files were reviewed from calendar years, 2013 – 2015. All use of force reports were reviewed by supervisors from the unit level and the troop level; signatures were in place to ensure that the use of force was necessary and reasonable to effect a lawful arrest. Policy and procedural violations were properly documented.

23. Pursuit Reports (Supervisory Review)

Compliance. The inspection revealed that written reports are submitted by troopers after involvement in pursuits. Further, the reports are reviewed by the pursuit supervisors to ensure that the pursuit was conducted in a manner that is within SCDPS Policy and that emergency vehicles are operated in a manner prescribed by law. Troop 8 Headquarters had three (3) years of pursuit reports on file.

Reviewed during the inspection were the following: one motorcycle pursuit in 2013; one vehicle pursuit each for 2014 and 2015. After the reports were reviewed by supervision, the reports were then submitted to Troop 8 Headquarters for review and proper handling by the lieutenant and captain. The reports are then forwarded to their assigned major at Patrol Headquarters.

24. Prisoner Transport

Compliance. SCDPS policy as it relates to prisoner transport is followed throughout the troop. Troop 8 personnel provided a verbal overview of the proper procedures for prisoner transport to include; search, handcuff, mileage, searching the prisoner, searching the transport vehicle post incarceration and the completion of the towed vehicle report.

25. Legal Process Forms – for service of warrants

Not Applicable

26. Subpoena Maintenance

Compliance. Troop 8 Headquarters maintains a hard copy file for subpoenas. Each subpoena is provided to the trooper.

27. RADAR Logs

Not Inspected

28. RADAR Proficiency

Compliance. The inspection revealed that speed measuring device (SMD) training is conducted on the Acadis system through the S. C. Criminal Justice Academy. RADAR proficiencies are approved by the troop lieutenant, troop captain and the radar instructor.

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Proficiency documentation is maintained on the Group Drive by the Administrative Assistant.

29. Records Retention

Compliance. A sampling of records associated with the 2006 record retention schedule, to include retention periods in the troop, were inspected and the following was noted: all files were present within the troop filing system and in compliance with the agency's records retention schedule.

30. Wrecker Inspections

Not Applicable

31. Region Hand Scale Calibration Date

Not Applicable

32. Freedom of Information Act (FOIA) Requests

Compliance. The inspection revealed that all Troop 8 FOIA requests are forwarded to the Administrative Assistant who provides the requests to the agency FOIA coordinator. The Troop 8 Administrative Assistant tracks all requests. A hard copy of the FOIA request is maintained by the unit in their assigned area of the state.

33. Miscellaneous Forms / Procedures

Not Applicable