The information provided here is for informational and educational purposes and current as of the date of publication. The information is not a substitute for legal advice and does not necessarily reflect the opinion or policy position of the Municipal Association of South Carolina. Consult your attorney for advice concerning specific situations.







Factors impacting law enforcement

- · Law enforcement reform
 - Demands for change after egregious examples of excessive use of force
 - -Distrust of law enforcement
 - -Scrutiny of law enforcement actions





Factors impacting law enforcement

- Hiring and retention
 - -Shallow pool of qualified officers
 - Labor shortage resulting in officers leaving profession
 - -High retirement rates
 - Intense competition, including higher pay, for qualified officers





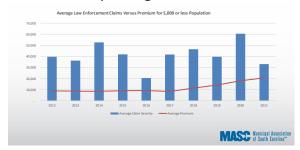
Factors impacting law enforcement

- · Claims and insurance
 - More civil lawsuits
 - -Higher costs of claims
 - Higher insurance premiums and/or potential reduction in or cancellation of insurance





Factors impacting law enforcement





House Bill 3050

Noncertified officers

"Shall only perform his duties as a law enforcement officer while accompanied by a certified law enforcement officer"





House Bill 3050

Reporting of Misconduct

- Conviction, plea or admission of guilt to felony punishable by sentence of more than one year
- Unlawful use of controlled substance
- Repeated use of excessive force
- Dangerous or unsafe practices involving firearms, weapons, or vehicles





Risk Management Services

House Bill 3050

Reporting of Misconduct

- Physical or psychological abuse of members of public or prisoners
- Willful:
 - Failure to intervene
 - Failure to promptly report another officer abusing a person





Risk Management Services

House Bill 3050

Reporting of Misconduct

- Misrepresentation of employmentrelated information
- Willful:
 - Making false, misleading, incomplete, deceitful or incorrect statements to law enforcement, courts and in documents, records, reports, etc.





Risk Management Services

House Bill 3050

Reporting of Misconduct

- Falsification of any application for certification and training upon which the officer was admitted for training
- Willfully providing false information to the SC Criminal Justice Academy or the Law Enforcement Training Council





Risk Management Services

House Bill 3050

Minimum Standards

- Chokeholds
- Use of force and response to resistance
- Uniform vehicle pursuit standards
- Duty to intervene
- Hiring/terminating practices





House Bill 3050

Minimum Standards

- Mandatory and uniform post basic academy field training
- Uniform implementation of body-worn cameras
- · Use of 'no knock' warrants
- System for filing an investigation complaints





House Bill 3050

Minimum Standards

- · Early warning system for at-risk behavior
- Any agencies refusing to comply may be charged civil fines





Risk Management Services

House Bill 3050

Compliance

- At least every three years, compliance division will inspect policies and procedures for nonaccredited agencies
- Corrective action will be needed if not in compliance
- After 30 days, civil penalties up to \$1,000 per day may be assessed if not in compliance
- LETC may hold in abeyance the law enforcement certification of every officer until the agency is in compliance

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Risk Management Services

House Bill 3050

- Resources available through insurance programs of the Municipal Association
 - Model policies and procedures
 - Grants
 - Onsite and online training





Risk Management Services

- What else should small cities and towns know about the impacts of law enforcement reform?
- What can they do to proactively prepare for the implementation of House Bill 3050?
- What can they do to attract and retain qualified officers?

MASS Municipal Association
of South Carolina**



Questions?

