

From: Symmes, Brian <BrianSymmes@gov.sc.gov>
To: Godfrey, Rob <RobGodfrey@gov.sc.gov>
CC: Patel, Swati <SwatiPatel@gov.sc.gov>
Adams, Chaney <ChaneyAdams@gov.sc.gov>
Smith, Austin <AustinSmith@gov.sc.gov>

Date: 6/7/2016 4:33:57 PM

Subject: FW: Here is the information you requested

Attachments: 6-7-2016 Second Response to AP.docx

Seanna had some follow-up questions for DOA regarding the statehouse regulations answers they sent to her yesterday. The questions are below and proposed answers are attached. I personally don't see a problem with them, but please take a look and let me know of any thoughts or concerns you have before lunch tomorrow.

Seanna's ?s

Thanks! Can you tell me how many groups received written acknowledgement since July 1? Has the Secessionist Party or any other group applied to hold an event this summer regarding the anniversary of either the Mother Emanuel shooting or the Confederate flag coming down? What has or will be the response?

I'm a little confused on the regulations. It sounded to me like the Statehouse Committee _ specifically Peeler _ directed the Department of Administration to begin the regulation process. So does the note below just mean y'all are in the process of tweaking the attached drafted regulations before submitting the amended version to Legislative Council? If so, what's your timeline for doing that?

From: Coakley, Kelly
Sent: Tuesday, June 07, 2016 4:09 PM
To: Symmes, Brian
Subject: FW: Here is the information you requested

Brian-

Good afternoon. Late yesterday, Seanna from the AP sent some follow up questions to the response we sent regarding draft regulations for the State House grounds. You will find her additional questions below.

Attached is a response we've prepared for the Governor's office to review.

Please let me know if you have any questions

Thanks-
Kelly

Kelly Coakley
Public Information Director, Office of the Executive Director

The South Carolina
Department of Administration
1200 Senate Street, Suite 460, Columbia, SC 29201
(803) 737-0555

Note: Act 121 of 2014 (SC Restructuring Act of 2014) abolished the Budget and Control Board. Effective July 1, 2015, the Department of Administration has been established. Please update your contact information.

From: Adcox, Seanna M. [<mailto:SAdcox@ap.org>]
Sent: Monday, June 06, 2016 4:52 PM
To: Coakley, Kelly
Subject: RE: Here is the information you requested

Thanks! Can you tell me how many groups received written acknowledgement since July 1? Has the Secessionist Party or any other group applied to hold an event this summer regarding the anniversary of either the Mother Emanuel shooting or the Confederate flag coming down? What has or will be the response?

I'm a little confused on the regulations. It sounded to me like the Statehouse Committee _ specifically Peeler _ directed the Department of Administration to begin the regulation process. So does the note below just mean y'all are in the process of tweaking the attached drafted regulations before submitting the amended version to Legislative Council? If so, what's your timeline for doing that?

Seanna
I'll be at the main office this week: 803-799-5510

From: Coakley, Kelly [<mailto:Kelly.Coakley@admin.sc.gov>]
Sent: Monday, June 06, 2016 3:42 PM
To: Adcox, Seanna M.
Subject: Here is the information you requested

Seanna,

Good afternoon. Attached please find copies of:

- A letter from the Chairman of the State House Committee requesting that the Department of Administration adopt guidelines for use of the State House grounds similar to the guidelines in place at the U.S. Capitol (for your reference, the hearing referenced in the letter occurred on July 28, 2015),
- The August 12, 2015 response from Director Adams indicating that in order to place such guidelines in effect it would be necessary to promulgate regulations and the Notice of Drafting filed with Legislative Council which indicates an intent to draft regulations at some point in the future,
- A draft of regulations that were prepared to serve as an example of what provisions would be required if use of the State House grounds was to be controlled in a manner similar to the U.S. Capitol. These example regulations were prepared pursuant to the above referenced request and provided to Senate staff in that capacity only. They have not been filed with Legislative Council as would be required by the S.C. Administrative Procedures Act. In fact, before any regulations regarding use of the State House grounds could be promulgated and become effective, they would have to go through the vetting process established in the Administrative Procedures Act (S.C. Code Ann. Section 1-23-10, et seq.) and the Standards Manual published by Legislative Council. That vetting process requires, among many other things, that the proposed regulations be filed with Legislative Council prior to promulgation, be made available for public comment and be submitted to the General Assembly for review and approval. The example regulations have not been through any of the required steps and may never be submitted for such consideration in their current form.

As for your questions, here is the process for reserving the State House grounds:

Individuals or groups submit a completed "State House Event Information Form" and signed "Conditions for Use of the South Carolina State House and Grounds" form to the South Carolina Department's Division of General Services (DGS) requesting to reserve the use of space at the State House and/or grounds.

If the requested space is available, the request is sent to the Bureau of Protective Services (BPS) and SLED for review to identify public safety concerns.

If none are identified, DGS sends written notification (via email or USPS) acknowledging the request for use of space and that the space is reserved. Reservation requests are scheduled on a first-come, first-serve basis.

If either BPS or SLED notifies DGS of public safety concerns, acknowledgement of the request to reserve space will be subject to further clarification by law enforcement.

BPS and SLED continue to monitor for public safety concerns related to the event.

However, an individual or group does not need acknowledgment of a reservation to access the State House and/or grounds. This is why the term "acknowledge" is used because a person or group does not need Admin's approval to access this public space.

There have obviously been times when a reservation request could not be acknowledged because of its conflict with other activities on the grounds or in the State House. This is generally handled by a phone call to the requestor without a written "non-acknowledgment." Staff usually works with the requestor to find a date and time to accommodate the event. Oftentimes, individuals or groups come to the grounds without making a request to reserve the grounds.

We are aware, however, of two occasions where written communication of an inability to acknowledge a request has occurred – the request for a water party to be held on July 18, 2015 and a request from the S.C. Secessionist Party for a December 20, 2015 event. It should be noted that, after additional consultation (as indicated in the attached letter dated December 18, 2015), the Secessionist Party's request was acknowledged and the event held. We have no way of knowing what groups have showed up without an acknowledged request. You will see from the attached that the water party group indicated their intent to show up regardless of the lack of reservation. As for consultation with law enforcement, communication lines have always existed between/among the interested agencies. The process has evolved and will continue to evolve as needed.

Sincerely,
Kelly

Kelly Coakley
Public Information Director, Office of the Executive Director

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