

SCCPC Summary of Information from Circuit Solicitors'August 2025 Progress Report on Compliance with <i>Kenny v. Wilson</i> (reports received through August 1, 2025)										
DISORDERLY CONDUCT LAW Sub-Class Defined in April 2024 order as: all elementary and secondary school students enrolled in a South Carolina school as of October 13, 2021 (including those who have left the school system since that time) for whom a record exists relating to being taken into custody, charges filed, adjudication, or disposition under S.C. Code Ann. §16-17-530										
Circuit	Status	Pending Charges against Disorderly Conduct Sub-Class (defined above) as of Report Date		Adjudicated and/or Dismissed Cases Covered by Order (Action Taken as of Report Date)					For All Cases	
		Number of Cases Identified and Whether More to be Identified	Reason for any Remaining Open	Number of Cases Identified and Whether More to be Identified	How Many Expunged (numbers only cover expungements under Kenny v. Wilson)	How Many in Process of Being Expunged	How Many Awaiting Inspection and/or Other Action	Reason for any Delay or Inaction	Records Destroyed (do not need to list by case, just names/types of records destroyed in any, even if a record was only contained in and destroyed in a single case)	Records Retained Under Seal (under Section 17-1-40(B)(1)(a), the only records that may be retained by a prosecution office are arrest and booking record, associated bench warrants, mug shots, and fingerprints)
1		0		24 (Orangeburg = 7, Calhoun = 3, Dorchester=14) (no additional to be identified, number may decrease based upon whether incidents occurred at school and enrollment [or not] in school as of October 13, 2021)	0	0	10	Difficulty in locating physical file to determine incident location (have to request each individual report from the charging agencies) and also difficulty determining whether defendant was enrolled in school as of October 13, 2021 (records available to the Solicitor's Office do not indicate enrollment dates - We are still waiting to hear back from our schools districts, but they don't have information concerning whether the minor was enrolled in another district)	Orangeburg/Calhoun: 7 (dismissal sent to DJJ and entire packet shredded)	None
2	DONE	0 (No more to be identified)		573 (no more to be identified)	573		0	Completed review of records to determine eligibility under Kenny v. Wilson. Emailed list to Clerk of Court, DJJ, and SLED for expungements. Our office has expunged/destroyed appropriate records. Received confirmation of expungement from SLED.	Juvenile criminal history, DJJ recommendations; JAP records; evaluations; incident reports; case notes	Juvenile petition; evaluation (for multiple charges); incident reports (multiple charges); bench warrants, arrest/booking information

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3		0		1	9	1	0			
4	DONE	0	There are no pending charges/cases for this offense.	150 have been identified. We have exhausted all known resources available to us to identify cases. We have scoured emails, past dockets, and quarterly reports to identify the 150 cases discovered.	Unknown	150 cases have been requested to be expunged (1/14/2025). We sent SLED a list of required information in order for them to be expunged. We have not received verification if the expungement	Unknown	We feel as if we have satisfied the requirements and there is no other action the Fourth Circuit can take.	1- The Solicitor's file was destroyed (incident report/diversion paperwork/form 5)	Unknown
5	DONE	0	n/a	28 (7 in Kershaw County and 21 in Richland County)	All 28 cases sent to SLED for expungement	0	0	n/a	All records purged from Solicitors database in Kershaw and Richland counties.	none

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6	DONE	0	n/a	430 (196 in Chester County, 177 in Fairfield County, and 57 in Lancaster County; possible more Lancaster cases could be found)	Expugenment process completed on all identified cases.	0	0	None	Expunged records include the incident report, supplemental report, statement, witness statements, DDSN evaluation, school records.	Retained records include arrest and booking record, associated bench warrants, mug shots, and fingerprints.
7	DONE	0	n/a	573 (No more to be identified)	573	0	0	Completed review of records to determine eligibility under Kenny v. Wilson. Emailed list to Clerk of Court, DJJ, and SLED for Expungements. Our office has expunged/ destroyed appropriate records. Received confirmation of expungement from SLED.	Juvenile Criminal History, DJJ recommendation; JAP records; evaluations; incident reports; case notes	Juvenile Petition; Evaluation (for multiple charges); Incident reports (multiple charges); bench warrants, arrest/booking information
8	DONE	0		338 (unlikely that any more will be identified)	338	0	0	Expungement of these records requires us to go through each entry in our case manamgenent individually.	Incident report, juvenile complaint form, Solicitor's recommendation to DJJ, case file labels, correspondence, and proposed orders	none

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9	DONE	0		962	962	0	0	N/A	hard copy of case file destroyed including; incident reports, supplemental reports, form 5, petitions, statements, school records, and evaluations	digital copy of case file retained in Case Management System *viewing access restricted to office expungement team
10		0		23 (no more expected)	0	List submitted to SLED 7/28/23	0	Awaiting confirmation of expungement to delete records in case SLED requires assistance; reaching out to SLED to check on status	Awaiting confirmation of expungement to delete records in case SLED requires assistance	0
11	DONE	0		1,015 (no more expected)	1,015	0	0	None - Expungement process completed November 3, 2023 for all identified cases	0	1,015 digital records were expunged from 11th Judicial Circuit computer systems and paper records were sealed using established expungement policies and procedures.
12		0		103 (no other cases should be identified)	0 (but information is being collected to submit to SLED)	0 (but information is being collected to submit to SLED)	0	Need to collect identifying information to submit to SLED	Our office destroyed, or is in the process of destroying, our files for these 103 cases	

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13		0		0 (no additional cases identified in Greenville since last report; no more expected in Pickens or Greenville)	0 to date	28	1,762	High number of cases; compiling spreadsheet; transition in leadership	None to date	None to date
14		0		331	263	68	Unknown	Most juvenile files must be manually inspected. If we come across any additional cases, they will be processed accordingly.	TBD	TBD
15	DONE	0	n/a	1,929	1929	0	0	n/a	1,929	n/a
16	DONE	0		674 (200 in Union County and 474 in York County; none remaining to be identified)	674		0		Digital files as per expungement process- any questions contact david.sanders@yorkcountygov.com	As per expungement process- any questions contact david.sanders@yorkcountygov.com