

Summary of Information from Circuit Solicitors' September 2026 Progress Reports on Compliance with <i>Kenny v. Wilson</i> (reports received through September 11, 2026)										
FORMER DISTURBING SCHOOLS 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 the pre-May 17, 2018 version of S.C. Code Ann. §16-17-420										
Circuit	Compliance Status	Pending Charges against Former Disturbing Schools 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 <i>Kenny v. Wilson</i>)	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	In Progress	0		38 (14 in Orangeburg County, 4 in Calhoun County, and 21 in Dorchester County; no additional to be identified, number may decrease based upon enrollment [or not] in school as of October 13, 2021)	0	0	0	Difficulty in determining whether defendant was enrolled in school as of October 13, 2021 (records available to the Solicitor's Office do not indicate enrollment dates; still waiting to hear back from S.C. Department of Education as to whether possible subclass members enrolled on court-specified date) (NOTE: first response from SCDOE forwarded to Firt Circuit as this report being prepared so action based on it not reflected in this report.)	None yet	
2	DONE	0		136 (no more to be identified)	136	0	0	Emailed compiled list to DJJ, Clerk of Court, and SLED. Our Office has destroyed/ expunged our records. Received confirmation from SLED that they have completed the expungement process on their end.	Incident Report; Form 5 (Juvenile criminal history); DJJ recommendations; JAP records; evaluations	Juvenile Petition; Evaluation (multiple charges); Incident Reports (multiple charges), Bench warrants; booking/ arrest records

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3	In Progress	0		0	13	0	Unknown	Difficulty in determining whether defendant was enrolled in school as of October 13, 2021; files for Magistrate Court are not in the Solicitor's Office.	None	None
4	DONE	0		73 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 73 cases discovered.	Unknown	73 cases have been requested to be expunged (1/14/2025). We sent a list of required information in order for them to expunged. We have not received verification if the expungement has been processed.	0	We feel as if we have satisfied the requirements and there is no other action the Fourth Circuit can take.	The Solicitor's file (the incident report/diversion paperwork/form 5)	0

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5	DONE	0		229 (63 in Kershaw County and 166 in Richland County)	229 (166 in Richland County and 63 in Kershaw County) SLED has received all cases	0	0	n/a	All cases have been purged from Kershaw and/ Richland county database	None
6	DONE	0		84 (17 in Chester County, 49 in Fairfield County, and 18 in Lancaster County; it is possible more cases in Lancaster County could be found)	Expugenment process complete on all identified cases.	0	0	n/a	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

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7	DONE	0		136 (no more to be identified)	136	0	0	Emailed compiled list to DJJ, Clerk of Court, and SLED. Our Office has destroyed/ expunged our records. Received confirmation from SLED that they have completed the expungement process on their end.	Incident Report; Form 5 (Juvenile criminal history); DJJ recommendations; JAP records; evaluations	Juvenile Petition; Evaluation (multiple charges); Incident Reports (multiple charges), Bench warrants; booking/ arrest records
8	DONE	0		530 (charges are closed. It is unlikely that any more will be indentified.)	530	0	0	Expungement of these records requires us to go through each entry in our case management individually.	Incident report, juvenile complaint form, Solicitor's recommendation to DJJ, case file labels, correspondence, proposed orders, evaluation reports, warrants, indictments, booking reports, motions	None

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9	DONE	0		4,222	4,222	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	In Progress	0		67 (no more to be identified)	0	67 (submitted to SLED 7/28/23)	0	awaiting confirmation of expungement to delete remaining records in case SLED requires assistance; reached out to SLED to check on status on 10/24/2025	all paper records	None
11	DONE	0		3,344 (no additional cases expected)	3,344	0	0	None - Expungement process completed November 3, 2023 for all identified cases	None	3,344 digital records were expunged from 11th Judicial Circuit computer systems and paper records were sealed using established expungement policies and procedures.

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12	DONE	0		72	none,all sent to SLED for expungement	72	0	none	Yes	None
13	In Progress	0		0	0	4,813	0	High number of cases; compiling spreadsheet	None to date	TBD
14	DONE	0		271	271	0	0	n/a	Entire case file destroyed and purged from case management system.	None

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15	DONE	0		726	726	0	0	n/a	726	n/a
16	DONE	0		287 (12 in Union County and 275 in York County; no more to be identified)	287	0	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