

Accountability Report Transmittal Form

Agency Name: South Carolina Commission on Prosecution Coordination

Date of Submission: September 17, 2012

Agency Director's e-mail: dross@cpc.sc.gov

Agency Contact Person: David M. Ross

Agency Contact Person's E-mail: dross@cpc.sc.gov

Agency Contact's Telephone Number: 803-343-0765

South Carolina Commission on Prosecution Coordination

Accountability Report for FY 2011/2012

SECTION I. EXECUTIVE SUMMARY

The Commission was created to coordinate all activities involving the prosecution of criminal cases in this State. The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the South Carolina Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program (PTI), a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor.

1. Purpose, Mission, Vision and Values:

Mission Statement

The mission of the South Carolina Commission on Prosecution Coordination is to improve South Carolina's Criminal Justice System by enhancing the effectiveness and professionalism of South Carolina's Solicitors and their staff through activities such as coordination of prosecution services, education, information, association, and interaction; and to achieve objects which will benefit and improve the Office of Solicitor.

In carrying out its mission, the Commission's primary responsibilities include:

- Support of the fair, just, and swift administration of justice by the Offices of the Solicitors;
- Coordination of all administrative functions of the Offices of the Solicitors, including the provision of human resources services for the two members of each of the 16 Solicitors' staff who are employees of the agency;
- Submission of the budgets of the solicitors and their affiliate services to the General Assembly;
- Coordination of pre-trial intervention and other diversionary programs within the Solicitors' offices;
- Collection of data and reports as required by the South Carolina General Assembly;
- Development and direction of legal education programs and training programs for solicitors and their staff to help improve
 - the legal knowledge and advocacy skills of prosecutors,
 - the effectiveness and efficiency of the prosecution of criminal cases in this State,
 - augmented investigation of crimes,
 - the provision of victim services, and
 - office administration;
- Creation of materials, including publications such as newsletters and manuals, to assist prosecutors and others in Solicitors' Offices with the day-to-day performance of their job functions;
- Service as a source of information for and assistance with legal and ethics issues for state prosecutors;

- Service as a source of information for the Legislative and Judicial Branch on issues related to state criminal prosecution;
- Coordination and cooperation with other state, local, and federal government agencies involved in the criminal justice system;
- Serving as a liaison with South Carolina non-governmental entities involved in the criminal justice system, including those representing the interests of the South Carolina Bar, crime victims, and criminal defense interests; and
- Serving as a liaison with national criminal justice entities involved in the criminal justice system.

2. Major Achievements from FY 2011/12:

The Commission's major achievements from the past year are listed below.

- Provided 20 training sessions for 1230 persons.
- Applied for and/or received federal grants for staffing the Solicitors' Offices with CDV prosecutors,
- Applied for and received federal grants for training prosecutors and defense attorneys on handling capital (death penalty) cases;
- Applied for and received federal grants for the John R. Justice Student Loan Forgiveness Program;
- Acquired federal funding for a Victim/Witness Assistance Advocate position within the Attorney General's Office;
- Submitted SOVA "Financial and Programmatic Reports" to the General Assembly
- State PTI Office processed approximately 13,000 applicants for participation in local PTI programs;
- Prepared and submitted the S.C.C.P.C. Report on Diversion Programs to the Sentencing Oversight Committee;
- Responded to trial and research assistance requests from the Solicitors' Offices;
- Prepared and submitted statistics regarding CDV prosecutions;
- Reviewed criminal and criminal justice related legislation, and provided information to both the Solicitors and the Legislature.
- Agency moved to state owned office space achieving significant savings.

3. Key Strategic Goals for the Present and Future Years

- Increase funding for the Judicial Circuit State Support;
- Creation of a new website that will allow for restricted access to more relevant and helpful information by the Solicitors' Offices, to include access to research, training materials, sample pleadings, and online registration for training programs, with a long-term goal of being able to offer streaming education videos online;
- Install the Alcohol Education Program (AEP) software program and develop an interface between the Office of Solicitor and SLED;
- Administer federal grant funding for capital litigation training and the John R. Justice Student Loan Forgiveness program;
- Weekly publications of Legislative actions;

- Publication of budgetary actions by the General Assembly;
- Quarterly publication of “*Behind the Wheel*;”
- Publication of “*Prosecutor Reporter*;”
- Quarterly publication of “*Higher Standard*;”
- Provide timely notification and information to the Solicitors’ Offices on changes to or pronouncement/enactment of laws by the courts and legislature;
- Serve as a resource for prosecutors in trial or preparing for trial who have questions related to ethics, substantive criminal law, procedural criminal law, and evidence.
- Conduct monthly training programs – to include training for prosecutors, victim advocates, prosecution investigators, diversionary program staff, and other staff of the Solicitors’ Offices, law enforcement and judges – on topics such as capital litigation, DUI, evidence, forensic science, investigation, trial advocacy, and substantive and procedural criminal law; and
- Co-sponsor and/or support trainings of other agencies and organizations, including the Magistrates Intensive Training and the Conference(s) of the South Carolina Solicitors’ Association.

4. Key Strategic Challenges

Key strategic challenges include

- the number of criminal cases in both the General Sessions and Family Courts, as well as the increasing complexity of the cases and judicial requirements, which challenge the agency in fulfilling its statutory obligations; and
- the lack of resources needed to accomplish its goals, including
 - the lack of sufficient dedicated funding for victim advocates, prosecutors and support staff in the Solicitors’ Offices;
 - the lack of dedicated funding for training.

5. How the Accountability Report is Used to Improve Organizational Performance

The Accountability Report will be used as a strategic planning tool by the agency. Its preparation and contents allow for a yearly review of the Commission’s goals and objectives in the context of what the Commission has done and is doing. It is useful in not only identifying long and short range goals, human resource needs, financial issues, and community based strategic challenges, but in also planning how to meet the goals and resolve the needs and challenges.

SECTION II. ORGANIZATIONAL PROFILE

1. Main Products and Services and the Primary Methods by which these are Delivered:

- Coordination of all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices;
- Preparation and submission of the budgets of the Solicitors and their affiliate services to the General Assembly;
- Development and hosting of legal education programs and training programs for staff of the Solicitors' Office;
- Creation and publication of educational materials for the staff of the Solicitors' Offices, including training materials, books, and newsletters;
- Research assistance for the Solicitors' Offices on legal and ethics issues;
- Service as liaison between the Solicitors' Offices, as well as between the Solicitors' Offices and the South Carolina Legislature, the Solicitors' Offices and national criminal justice and prosecution organizations, and the Solicitors' Offices and prosecutors from other states;
- Assistance to the Solicitors in maintaining a PTI program in each Judicial Circuit; and
- Assistance to the Solicitors in maintaining other diversionary programs in each Judicial Circuit.

2. Key Customers

The key customers served by this agency are the sixteen (16) Judicial Circuit Solicitors and their staff: the deputy and assistant solicitors, the Judicial Circuit Victim/Witness Assistance Advocates, the Pretrial Intervention Directors, other diversionary program staff, Investigators, and other staff. Their key requirements/expectations are that the Commission will

- pursue full funding for their Offices from the Legislature and other sources;
- provide administrative support and human resources assistance for state and grant funded (through the Commission) personnel;
- provide administrative and technical assistance with statewide computer programs utilized by the Solicitors' Offices
- act as liaison between the Solicitors' Offices, as well as between the Solicitors' Offices and the South Carolina Legislature, the Solicitors' Offices and national criminal justice and prosecution organizations, and the Solicitors' Offices and prosecutors from other states;
- offer legal education and other training opportunities for the staff of the Solicitors' Offices and other members of the criminal justice community;
- provide administrative support for the Conferences of the South Carolina Solicitors' Association;
- monitor legislation and provide timely information on such to the Solicitors' Offices;
- draft legislation as requested by the Solicitors;
- monitor the South Carolina appellate courts and the Supreme Court of the United States and provide timely information on cases of interest to the Solicitors' Offices;
- work on amicus curiae pleadings as requested by the Solicitors' Offices; and
- respond to research, analytical, and strategic assistance requests from the Solicitors' Offices.

3. Key Stakeholders

The key stakeholder groups in the Commission and its work, other than our customers identified above, are

- the citizens of South Carolina;
- victim advocacy groups;
- law enforcement agencies, institutions, and officers;
- South Carolina Attorney General's Office;
- the courts;
- the South Carolina Legislature;
- criminal justice agencies such as the South Carolina Department of Corrections, South Carolina Department of Juvenile Justice, South Carolina Department of Probation, Parole, and Pardon Services;
- other state and local agencies who serve individuals who are impacted by the commission of crime, such as the South Carolina Department of Disabilities & Special Needs, South Carolina Department of Social Services, and South Carolina Department of Mental Health; and
- the South Carolina Bar.

4. Key Suppliers and Partners:

The key suppliers and partners are the sixteen Judicial Circuit Solicitors and their staff as well as the other criminal justice agencies.

5. Operating Location:

The operation location of the South Carolina on Prosecution Coordination is: 1200 Senate Street, Suite B-03, Columbia, South Carolina 29201. Thirty-two of the Commission's 38 employees work out of the Judicial Circuit Solicitors' Offices, one (1) elected Solicitor and one (1) administrative assistant in each of the 16 Judicial Circuits.

6. Employees:

The Commission has a total of thirty-eight (38) full-time employees:

- one (1) Executive Director;
- one (1) Administrative Assistant;
- one (1) State PTI/Grants Coordinator;
- one (1) Education Coordinator;
- one (1) Traffic Safety Resource Prosecutor (grant position); and
- one (1) TSRP administrative assistant (grant position);
- sixteen (16) Judicial Circuit Solicitors, who are elected by the public; and
- sixteen (16) Administrative Assistants (each Office of the Solicitor has an Administrative Assistant who, by statute, is an employee of the Commission).

All employees are unclassified.

7. Regulatory Environment:

The Commission complies with all federal and state regulatory requirements placed upon it as a state agency/business and as an employer. In addition, the attorneys employed by the Commission all must be admitted to practice before the South Carolina Supreme Court and maintain their license with the South Carolina Bar and meet all continuing legal education

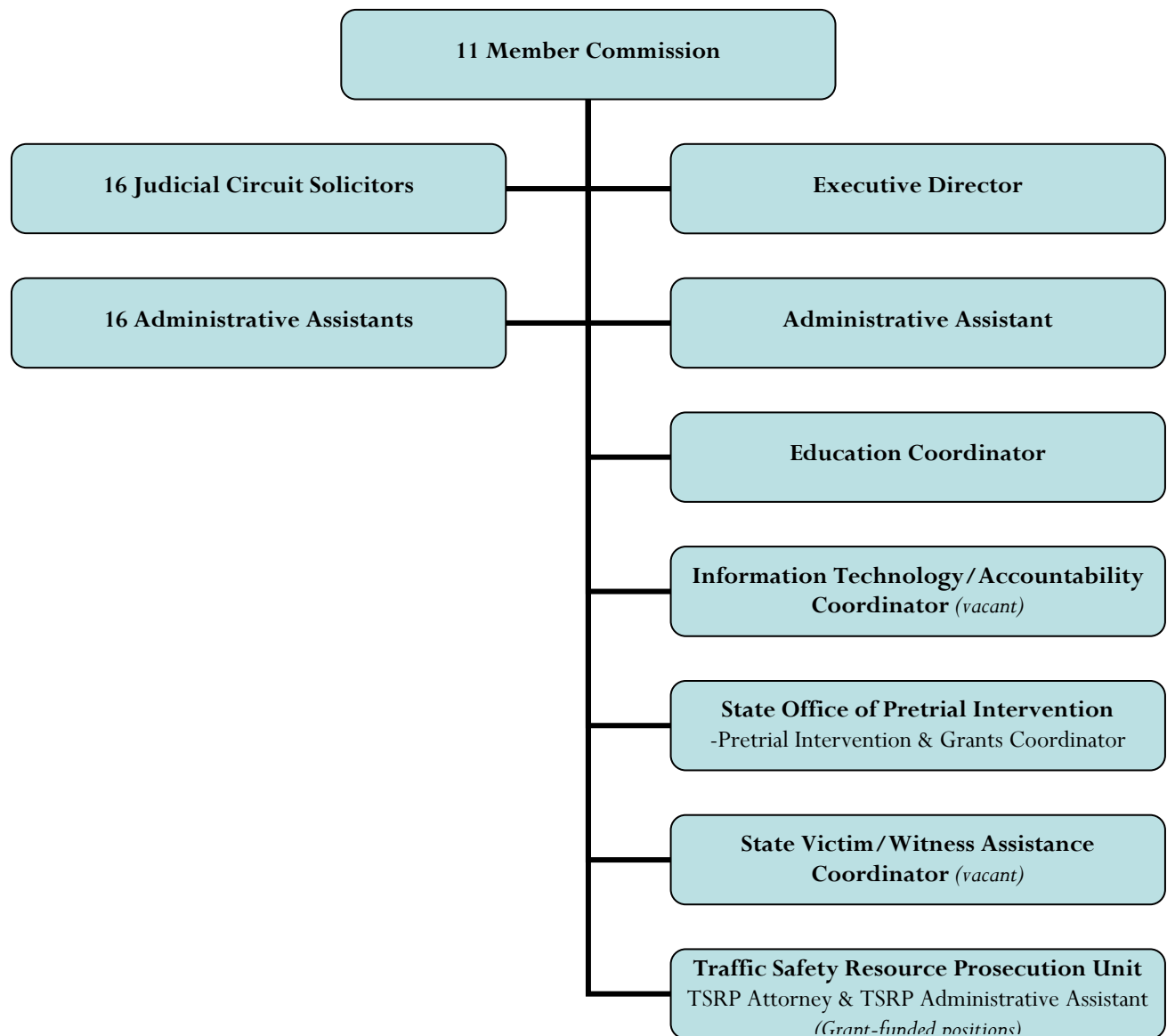
requirements established by the Supreme Court. The Commission also has legislatively imposed reporting requirements (on numbers and disposition of certain types of criminal cases and diversionary program information) with which it complies, in addition to reporting requirements imposed as grant conditions.

8. Performance Improvement System(s):

The Commission receives feedback, both formal and informal, from not only its Key Customers, but also some from portions of its Key Stakeholder groups. The formal feedback is primarily solicited and received through written evaluations distributed at its training programs. Informal feedback is received year-long. Any constructive criticism is evaluated and, when appropriate, has resulted in changes. In addition, the Commission regularly solicits ideas and suggestions from its Key Customers; these are often used or implemented. A good example of this would be the use of suggestions when planning trainings and selecting speakers.

9. Organizational Structure:

For FY 2011/12, the Commission's organizational chart was as follows.



10. Expenditures/Appropriations Chart:

For FY 2011/12, the Commission's Expenditures/Appropriations Chart was as follows.

BASE BUDGET EXPENDITURES AND APPROPRIATIONS

Major Budget Categories	FY 10-11 Actual Expenditures		FY 11-12 Actual Expenditures		FY 12-13 Appropriations Act	
	Total Funds	General Funds	Total Funds	General Funds	Total Funds	General Funds
Personal Service	\$ 3,199,612	\$3,067,491	\$ 3,017,786	\$2,890,820	\$ 3,146,842	\$ 3,049,692
Other Operating	\$ 327,172	\$ 234,657	\$ 546,313	\$ 226,938	\$ 249,373	\$ 206,609
Special Items	\$11,682,871	\$3,826,366	\$11,947,839	\$3,629,530	\$15,173,065	\$ 6,723,065
Permanent Improvements						
Case Services						
Distributions to Subdivisions						
Fringe Benefits	\$ 1,518,822	\$1,469,994	\$ 1,498,176	\$1,456,357	\$ 1,609,467	\$ 1,574,043
Non-recurring						
Total	\$16,728,477	\$8,608,508	\$17,010,114	\$8,203,645	\$20,178,747	\$11,553,409

OTHER EXPENDITURES

Sources of Funds	FY 10-11 Actual Expenditures	FY 11-12 Actual Expenditures
Supplemental Bills		
Capital Reserve Funds		
Bonds		

MAJOR PROGRAM AREAS

Program Number and Title	Major Program Area Purpose (Brief)	FY 10-11 Budget Expenditures	FY 11-12 Budget Expenditures	Key Cross References for Financial Results*
01050000 Administration	Judicial Circuits State Support	State: 3,826,366.00 Federal: Other: Total: 3,826,366.00 % of Total Budget: 23%	State: 3,629,530.00 Federal: Other: Total: 3,629,530.00 % of Total Budget: 21%	
01010000 Administration	Personnel Services	State: 3,067,491.00 Federal: 124,223.00 Other: 7,898.00 Total: 3,199,612.00 % of Total Budget: 19%	State: 2,890,820.00 Federal: 126,966.00 Other: Total: 3,017,786.00 % of Total Budget: 18%	

Below: List any programs not included above and show the remainder of expenditures by source of funds.

Other Operating, Employer Contributions, Drug Court Treatment Programs, Law Enforcement Funding

Remainder of Expenditures:	State:	1,714,651.00	State:	1,683,294.00
	Federal:	1,777,876.00	Federal:	361,194.00
	Other:	6,209,972.00	Other:	8,318,310.00
	Total:	9,702,499.00	Total:	10,362,798.00
	% of Total Budget:	58%	% of Total Budget:	61%

* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

SECTION III: ELEMENTS OF MALCOLM BALDRIDGE CRITERIA

1. Senior Leadership, Governance, and Social Responsibility:

The Membership of the actual Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the South Carolina Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pretrial Intervention Program, a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor. The Commission was created to coordinate all activities involving the prosecution of criminal cases in this State.

There is a permanent Executive Committee of the South Carolina Commission on Prosecution Coordination which is composed of the five Judicial Circuit Solicitors appointed by the Governor pursuant to S.C. Code Section 1-7-920(6) whose duties shall include the development and implementation of policies for a Commission Personnel Plan that shall include: establishment of policies and procedures for the employment and separation of employees;

establishment of guidelines for the effective management and supervision of employees; and review staff requirements and needs of the Commission and Solicitors.

Within the staff of the Commission, there is an Executive Director who oversees and directs the day-to-day operation of the Commission..

The sixteen (16) Judicial Circuit Solicitors represent the various judicial circuits as established by law. There is one solicitor for each judicial circuit, to be elected by the qualified electors of the circuit, who holds his office for the term of four years. A solicitor must be licensed to practice law by the South Carolina Bar at the time of his election and throughout his term. The Solicitors of this State are full-time employees of the State of South Carolina. The Solicitors are officers of the Executive Department of this State. On behalf of the State, the Circuit Solicitor's office prosecutes trial-level criminal cases and handles juvenile matters. The Solicitor attends the courts of General Sessions for their respective circuits. Preparation of the dockets for General Sessions Court is exclusively vested in the circuit solicitor and the solicitors determine the order in which the cases on the docket are called for trial. Their legal authorization is established in the Constitution of South Carolina, Article V, Section 20, and the Code of Laws of South Carolina, Title 1, Section 1-7-310 (1977), establishes the position of Circuit Solicitor.

The Executive Director ensures the performance, management, and development of the agency's workforce to utilize its full potential in accomplishing the organization's overall mission, strategy, and agency goals by the following means.

The Executive Director uses a hands-on approach in accomplishing the SCCPC's mission. He is always available by to provide information and to hear concerns of the 16 elected Solicitors and their staff. He meets regularly with the 16 elected Solicitors to provide them information on the issues which are impacting or have the potential to impact their offices. These issues include funding, legislation, pending appeals, legal decisions and concerns from other agencies and stakeholders in the criminal justice system. He also regularly meets personally with the Victim/Witness Directors and Pre-Trial Intervention Directors of the 16 Solicitor's Offices. He also seeks out the opinions and concerns of other Executive Directors and stakeholders within the criminal justice system. The Executive Director believes that "coordination" is not only the agency's title but is also vital to constantly improving the criminal justice system. The hands-on approach provides valuable input and interaction in developing agency strategies and goals to meet its customer's needs.

Within the agency itself:

- He has an open door policy and employees are always free to express suggestions and concerns.
- He works with employees, individually and as a group, on planning to ensure that all employees maintain high standards of integrity, conduct themselves appropriately, and are vested in the mission of the agency.
- Planning ensures that employees understand their job responsibilities (in general and in regard to specific tasks) and how their job and work contribute to the goals of the agency.
- Planning ensures that employees are able to accomplish the work of the agency by identifying obstacles that may hinder or prevent good performance and/or the

accomplishment of tasks (such as scheduling conflicts, lack of resources, etc.) and allowing for those obstacles to be minimized or eliminated.

- Planning maximizes the ability of the relatively small staff of the agency to serve its customers in the most effective and efficient manner.
- He monitors employees to ensure that they are working efficiently and effectively, and that work of the agency is accomplished.
- Monitoring allows for issues to be addressed before the workforce and the work of the agency are negatively impacted. It allows for the shifting of priorities and/or staff to ensure that the work of the agency is accomplished in the most efficient and effective manner.
- He provides employees with the education and training where needed to maintain or improve skills and/or result in better organization and individual performance.
- He provides employees with clear job descriptions and evaluates employees on an annual basis to ensure that employees are retained on the basis of the adequacy of their performance, inadequate performances are corrected, and employees are separated who cannot or will not improve their performance to meet required standards.
- He provides appropriate incentives and recognition for excellence in performance.

2. Strategic Planning

The Executive Director is continuously be involved in strategic planning for the Commission to ensure its efficient operation and the effective delivery of services to its customers. The Executive Director observes and analyzes the working operation of the agency on a daily basis to determine what problems or weaknesses may exist and timely responds to address them.

- For the purpose of soliciting input as to the agency's objectives and action plans, the Executive Director meets regularly, both formally and informally, with (1) members of the Commission; (2) the Commission central office staff; (3) the sixteen (16) elected Solicitors; and (4) members of the offices of the sixteen (16) elected Solicitors. The Executive Director interacts on a regular basis with legislators and legislative staff; law enforcement; and other government agencies and organizations related to the criminal justice field.
- Action plans are implemented through the establishment of both short- and long-term goals, and objectives for each. Goals and objectives are set based on statutorily imposed duties and needs as determined from communication with staff, with the agency's customer base, and others involved in the criminal justice system and criminal prosecution. The Executive Director either personally directs or closely monitors the implementation of the action plans and is, thus, able to make changes as circumstances dictate.
- Accomplishments are measured by the Executive Director through direct observation and feedback from the key customers, and sustained through the Executive Director's determined efforts to ensure that the Commission and its staff have the resources necessary to reach its goals.

STRATEGIC PLANNING			
PROGRAM NUMBER AND TITLE	SUPPORTED AGENCY STRATEGIC PLANNING GOAL/OBJECTIVE	RELATED FY 11-12 AND BEYOND KEY AGENCY ACTION PLAN/PLAN/INITIATIVE(S) AND TIMELINE FOR ACCOMPLISHING THE PLAN(S)	KEY CROSS REFERENCES FOR PERFORMANCE MEASURES*
Office of the Solicitor	<p>Development of the agency's budget which includes state budgets of the Solicitors, to the General Assembly.</p> <p>Develop and propose a yearly legislative agenda to enhance the effectiveness of prosecution and law enforcement.</p>	<p>Meeting with the elected Solicitors and Commission Members so that budget priorities can be discussed and decided.</p> <p>Meet with the elected Solicitors to receive input on legislative priorities.</p>	<p>A budget that reflects the needs of the agency and the Solicitors is timely prepared and submitted to the General Assembly.</p> <p>Through coordination with the Attorney General and law enforcement representatives, a South Carolina Law Enforcement Legislative agenda is drafted and presented to the General Assembly.</p>
Administration	<p>Coordinate all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices.</p> <p>Provide legal education programs as well as legal updates to prosecutors and law enforcement agencies throughout South Carolina.</p>	<p>Coordination and development of agency activities so that the agency's mission and statutorily required mandates are carried out in an effective and efficient manner.</p> <p>Encourage and develop legal education programs and training programs for Solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving Solicitors and their affiliate services and provide legal updates on</p>	<p>The agency satisfies its obligations to coordinate all activities involving the prosecution of criminal case in South Carolina.</p> <p>See Education Coordinator below and Category 7-Results.</p>

		matters of law affecting the prosecution of cases in this State.	
State Office of Pretrial Intervention	Assist the Solicitors in maintaining a Pretrial Intervention Program and other diversion programs in each Judicial Circuit.	<p>To collect data on approximately 13,000 statewide applications per year and the associated accepted/rejected information on each participant; run generation reports weekly; and provide statistical information to the Office of Solicitor upon request.</p> <p>Provide statewide training to all pretrial intervention personnel for compliance with the continuing educational requirements promulgated by the Commission.</p>	See Category 7-Results.
Traffic Safety Resource Prosecution Unit	Within the Commission is the TSRP Unit composed of a TSRP Attorney Specialist and one (1) full-time Administrative Assistant. Currently, this program is being funded by the Department of Transportation, National Highway Traffic and Safety Administration through the SC Department of Public Safety. The goal of the grant is to establish a clearinghouse of DUI related information for prosecutors, law enforcement, judges, and other entities to enhance the effective prosecution of DUI cases.	To provide DUI training of prosecutors, law enforcement, and summary court judges; newsletter publications; and telephone assistance; legal updates; and public awareness campaigns.	See Category 7-Results.
Education Coordinator	Within the Commission there is an Education Coordinator whose primary	<p>Offer legal education and training programs on a monthly basis.</p> <p>Read published opinions of the South</p>	See Category 7-Results.

	<p>responsibility is to provide resources to the prosecutors of South Carolina. The Education Coordinator is to coordinate and develop legal education programs and training programs for Solicitors and their affiliate services; to provide resource materials and legal updates to the Solicitors' Offices; and to respond to requests for research and case analysis assistance as requested by members of the Solicitors' Office.</p>	<p>Carolina appellate courts and Supreme Court of the United States and email out summaries to the Offices of Solicitor.</p> <p>Create and electronically publish two newsletters: <i>The Higher Standard</i> and <i>The Prosecution Reporter</i> (the continued publication of the latter is under evaluation).</p> <ul style="list-style-type: none"> a. write case summaries for <i>The Prosecution Reporter</i>; b. write articles for <i>The Higher Standard</i>; c. solicit others to write articles for <i>The Higher Standard</i>; and d. locate articles of interest to reprint with permission in <i>The Higher Standard</i>. <p>Update <i>The Prosecutor's Deskbook</i> and the <i>Prosecution Bootcamp</i> books.</p> <p>Work on creating and collecting resource materials for use by others in the office, members of the Solicitors' Offices and eventual inclusion on the Commission's website.</p> <p>Work with others in the office on locating funding for and creating a new website.</p> <p>Provide research, cases analysis, and legal drafting assistance to members of the Solicitors' Offices.</p> <p>Provide assistance to the Solicitors in drafting pleadings in cases in which they participate as amicus curiae.</p> <p>Review, summarize, and/or draft legislation as needed.</p>	
--	--	--	--

3. Customer and Market Focus

The agency's customers are largely determined through the agency's enabling statute, the members of the agency's Commission, and the agency's mission statement.

The agency's primary customers within and also outside the agency are the 16 elected Circuit Solicitors and the staff leadership in each of the 16 Circuits (which includes the Deputy Solicitors, Assistant Solicitors and the Directors of the Pretrial Intervention Programs, Drug Treatment Courts, Juvenile Arbitration Programs, Alcohol Education Programs, Traffic Education Programs, and Worthless Check Units as well as other staff members who make up each Solicitor's Office).

The agency also works with (1) representatives from the Executive, Legislative, and Judicial branches on matters related to state criminal prosecution and/or criminal laws and procedures; and (2) representatives from organizations, such as the South Carolina Sheriffs' Association, the South Carolina Municipal Association, the South Carolina Association of Counties, South Carolina Bar, the South Carolina Commission on Indigent Defense, South Carolina Criminal Defense Lawyers Association, and various victim organizations, in reviewing proposals or responding to questions from the Legislature.

The agency determines the requirements, needs and expectations of those customers not only from the agency's enabling statute, the members of the agency's Commission, and the agency's mission statement, but also through communication directly with the Solicitors and their staff and from monitoring legislative and judicial developments in South Carolina, the United States Supreme Court, and other jurisdictions.

The Agency determines the satisfaction of agency's customers primarily through feedback, both solicited and unsolicited.

4. Measurement, Analysis and Knowledge Management

The agency receives data and feedback from the elected Solicitors that pertain to caseload and staffing levels. The agency also monitors the dispositional reports provided by the Judicial Department. Caseload trends and staffing levels are taken into account when determining what the budget priorities should be for each fiscal year.

The agency also keeps track of how many training sessions are provided to prosecutors, law enforcement, diversion staff and victim advocates as well as how many participants there were at each session. This information is taken into account in planning the following years training offerings. See Category 7: Results.

Information and data are stored on a central server that staff members can access. This allows a staff member to compare education materials, data, and reports. This is extremely helpful in staying current and always being able to provide relevant information to the agency's key customers.

During FY 11/12, the Commission provided statistical data to the Legislature, the Commission, the Solicitors, and others in three (3) areas. This data was gathered and compiled primarily by the PTI/Grants Coordinator.

The South Carolina Commission on Prosecution Coordination collects statistical and financial data as required by state law, grant awards, and as requested by the Commission or Solicitors. The information is collected from each of the Solicitors' Offices. Most legislatively required reports are required following the close of the fiscal year. The Commission collects data, compiles reports, and distributes the data and reports, including:

- Victim/Witness Assistance annual reports for SOVA;
- Reports on diversionary programs as required by S.C. Code of Laws §17-22-1120 (Drug Treatment Court Program information is maintained by the Commission as well as the contact information for the Education, Intervention, and Support Services within the Office of the Solicitor – Alcohol Education Program, Expungements, Drug Treatment Court Program, Juvenile Arbitration, Pretrial Intervention, and Worthless Check Units); and
- Reports on CDV dispositions.

5. Workforce Focus

The Executive Director ensures the performance, management, and development of the workforce to utilize its full potential in accomplishing the organization's overall mission, strategy, and agency goals.

- The Executive Director establishes clear designation of job duties and expectations.
- The Executive Director maintains an open door policy so that all staff members will feel comfortable in engaging in one-on-one discussions about issues that may arise.
- The Executive Director provides opportunities for training as necessary to improve or increase the skills of those employed in the central office.
- The Executive Director delegates authority as necessary for staff to accomplish assigned tasks.

The agency has not had a formal employee evaluation system in place but has plans to implement one for FY 2012/13.

Employees were able to take advantage of 12 training sessions or seminars on a variety of topics.

The agency is located in state owned office space in the Wade Hampton Building and parking is provided.

6. Process Management

The Executive Director continuously strives to improve the agency work process and to improve its work product in order to deliver organizational success.

- The Executive Director is responsible for identifying any problems that cause the actual performance of the agency's processes or work product to be less than the desired.

- When problems are identified, the Executive Director works with staff and others to generate a solution for the problem, implement the solution, and evaluate and, as necessary, further refine the solution until the problem is solved.
- The Executive Director determines what future needs might be and assesses the current budget to determine if those needs can be met or if additional resources such as staff and technology upgrades will be required.

7. Results

OFFICE OF SOLICITOR:

According to the S.C. Judicial Department, the 16 Solicitors' Offices disposed of 113,406 criminal cases during FY 2011/12.

PTI/GRANTS COORDINATOR:

The State Pretrial Intervention Coordinator both planned and coordinated meetings and trainings for PTI personnel and created resource materials as shown below.

- | | |
|---|----------------|
| • SCAPIP Fall Conference (<i>coordination</i>) | October 2011 |
| • "2012 Directory of Education, Intervention and Support Services within the Office of the Solicitor" | April 2012 |
| • PTI Director's Meetings: | September 2011 |
| | December 2011 |
| | January 2012 |
| | March 2012 |
| | May 2012 |
| • SCAPIP Meetings: | August 2011 |
| | September 2011 |
| | October 2011 |
| | January 2012 |
| | March 2012 |
| | June 2012 |

The State Pretrial/Grants Coordinator also completed the following:

- Administered the John R. Justice Grant July 1, 2011-June 30, 2012
- Administered federal grant reporting for Criminal Domestic Violence Prosecutors in each Judicial Circuit Solicitor's Offices
- Diversion Programs (Quarterly Programmatic Reports).

The State Pretrial Intervention Coordinator collected the following data on cases referred to the PTI Offices within the Solicitors' Offices.

FY 2011/12 CASE VOLUME AND INFORMATION: (7/1/2011-6/30/2012)

Applications	12,940
Accepted	9,925
Pending Acceptance	902
Rejected	1,580
Pending Completion	2,807
Successfully Completed	9,029
Unsuccessfully Completed	1,814
Total Community Service Hours	1,544,091.30
Total Restitution Paid to Victims	\$1,217,036.78
Total Cases with Restitution	9,764
Number of Applications of Magistrate Cases	3,257
Number of Applications of Municipal Cases	5,430
Number of Applications of General Sessions Cases	4,253

TRAFFIC SAFETY RESOURCE PROSECUTION UNIT:

Within the Commission is the Traffic Safety Resource Prosecution (TSRP) Unit composed of a Traffic Safety Resource Prosecutor Attorney and one full-time Assistant. Currently, this program is fully funded by a grant from the U.S. Department of Transportation, National Highway Traffic and Safety Administration (NHTSA) through the SC Department of Public Safety's Office of Highway Safety (OHS). The goal of the grant is to establish a clearinghouse of traffic-related information and aide for prosecutors, law enforcement, judges, and other entities to enhance the effective prosecution of traffic crime cases, specifically alcohol-related traffic crimes. Additionally, the TSRP conducts trainings and speaking engagements on DUI and traffic-related topics for prosecutors, law enforcement, judges, and other entities to attend. The TSRP additionally serves as a daily 'on-call' resource for any of the aforementioned entities regarding questions related to traffic law and DUI prosecution, enforcement, and adjudication.

During FY 11/12, the TSRP Unit accomplished the following.

- **Training Programs:**

Title of Training Program	Sponsor/Cosponsor	Date(s)	Location	Attendees
"Prosecuting the Impaired Driver"	Sponsor	March 14-15, 2012	Columbia	57 (35 Law Enforcement, 4 Judges, 16 Prosecutors, 2 Others)
"Prosecuting the Impaired Driver"	Sponsor	April 11-12, 2012	Greenville	72 (29 Law Enforcement, 31 Judges, 12 Prosecutors)
"Prosecuting the Impaired Driver"	Sponsor	May 30-31, 2011	N. Charleston	72 (29 Law Enforcement, 31 Judges, 12 Prosecutors)

“Prosecuting the Impaired Driver”	Sponsor	June 20-21, 2011	Columbia	72 (46 Law Enforcement, 13 Judges, 13 Prosecutors)
“Magistrate’s Advisory Council Intensive Training Seminar”	Co-Sponsor*	August 15, 2011	Columbia	53 (53 Judges)
* The South Carolina Commission on Prosecution Coordination co-sponsors the two days upon which DUI and general criminal law is covered at the annual “Magistrate’s Advisory Council Intensive Training Seminar.” For those two days of the training, the Commission is responsible for developing the agenda, recruiting the prosecution speakers for those two days of training, and for compiling the training materials.				
Total TSRP Numbers for FY 2011-2012:		5 Training Programs		
		326 Total Persons Attended Training Programs (139 Law Enforcement, 132 Judges, 53 Prosecutors, 2 Others)		

Training Presentations:

For FY 2011-2012, the Traffic Safety Resource Prosecutor prepared materials for and made the following presentations.

Title of Training Program	Topic(s) of Presentation	Date	Location	Attendees
“Prosecuting the Impaired Driver”	DUI Issues at Trial	March 14-15, 2012	Columbia	Prosecutors, Law Enforcement, Judges, and Others
“Prosecuting the Impaired Driver”	DUI Issues at Trial	April 11-12, 2012	Greenville	Prosecutors
“Prosecuting the Impaired Driver”	DUI Issues at Trial	May 30-31, 2011	N. Charleston	Prosecutors
“Prosecuting the Impaired Driver”	DUI Issues at Trial	June 20-21, 2011	Columbia	Prosecutors
“Magistrate and Municipal Judge Orientation”	DUI Law	July 27, 2011	Columbia	Judges
“Magistrate’s Advisory Council Intensive Training Seminar”	DUI Law	August 15, 2011	Columbia	Judges
2011 South Carolina Solicitors’ Association Fall Conference	“How to Obtain and Organize What the Prosecution Needs to Defeat Defense Challenges to Evidence”	September 27, 2011	Hilton Head	Prosecution Investigators

Guilty Pleas: Negotiations, Conditions, and Plea Hearings	“Ethics Professionalism: A Review of Special Ethics and Professionalism Issues and Considerations related to Plea Negotiations and the Entry of Guilty Pleas”	January 13, 2011	Hilton Head	Prosecutors
Core Training for Victim Advocates on Crime Victims’ Rights, Communication, Case Management, and Ethics	“Overview of the S.C. Criminal Justice System”	April 20, 2012	Columbia	Victim Advocates
Circuit Meetings of the South Carolina Law Enforcement Network	Traffic Case Law and Emerging Issues	2011-2012	statewide	Law Enforcement

Publications:

The Traffic Safety Resource Prosecution Unit publish its own newsletter and contribute to another newsletter published by the South Carolina Commission on Prosecution Corodination.

- **Publications**

- *Behind the Wheel* Newsletter
 - published Volume 12, Issue 1 – December, 2011;
 - published Volume 12, Issue 2 – June, 2012;
- Column for Other Agency Newsletter
 - “Overview of Traffic-Related Decisions of 2011”
The Higher Standard (SCCPC General Prosecution Newsletter)
Volume 4, Issue 4; January 3, 2012
 - “Combating Refusals with Officer Testimony”
The Higher Standard
Volume 4, Issue 5; May 1, 2012

Other :

The Traffic Safety Resource Prosecutor serves as Member of the South Carolina Impaired Driving Prevention Council (Member of Enforcement/Prosecution/Adjudication Subcommittee), Member, SC MADD Operations Council, and attends and presents at SC Law Enforcement Network meetings across the state.

EDUCATION COORDINATOR:

Within the Commission there is an Education Coordinator whose primary responsibility is to provide resources to the prosecutors of South Carolina. The Education Coordinator is to coordinate and develop legal education programs and training programs for Solicitors and their

affiliate services; to provide resource materials and legal updates to the Solicitors' Offices; and to respond to requests for research and case analysis assistance as requested by members of the Solicitors' Office.

- **Training Programs:**

The Education Coordinator is responsible for planning, coordinating, and conducting the training for staff of the Solicitors' Offices (excluding summary court DUI training for which the Traffic Safety Resource Prosecutor Unit is responsible). In addition to soliciting ideas for trainings from all members of the Solicitors' Offices and outside sources, she meets with the Deputy Solicitors once or twice a year to discuss training and publications.

Title of Training Program	Sponsor/Cosponsor	Date(s)	Location	Attendees
"The Prosecution of Sexual Assault"	Sponsor	July 29, 2011	Columbia	27 (19 Prosecutors, 2 Victim Advocates, 5 Law Enforcement, 1 Other)
"Prosecuting Cases in Family Court"	Sponsor	August 19, 2011	Columbia	40 (28 Prosecutors, 1 Victim Advocate, 1 Law Enforcement, 10 Other)
"2011 South Carolina Solicitors' Association Annual Fall Conference"	Co-sponsor*	September 25-28, 2011	Hilton Head	431 (359 Prosecutors, 59 Prosecution Investigators, 1 Victim Advocate, 4 judges, 1 Law Enforcement, 7 Other)
"Core Training for Victim Advocates on Crime Victims' Rights, Communication, Case Management, and Ethics"	Sponsor	October 14, 2011	Columbia	16 (13 Victim Advocates, 3 Other)
"FOIA Law and Issues for Government Attorneys"	Sponsor	November 18, 2011	Columbia	48 (21 Prosecutors, 27 Other Government Attorneys)
"The South Carolina Ethics Act, Professionalism, and Substance Abuse"	Sponsor	November 18, 2011	Columbia	54 (30 Prosecutors, x Law Enforcement, 24 Other Government Attorneys)
"Criminal Law and Practice: 2011 in Review"	Sponsor	December 9, 2011	Columbia	31 (27 Prosecutors, 4 Other)
"Guilty Pleas: Negotiations, Conditions, and Plea Hearings"	Sponsor	January 13, 2012	Columbia	25 (22 Prosecutors, 3 Other)
"What Prosecutors Need to Know about the South Carolina Department of Corrections"	Sponsor	February 10, 2012	Columbia	32 (31 Prosecutors, 1 Other)
"Prosecution Bootcamp"	Co-sponsor**	March 26 –	Isle of	58 (54 Prosecutors, 4

		30, 2012	Palms	Other)
“Core Training for Victim Advocates on Crime Victims Rights, Compensation and SOVA, Criminal Justice System and Court Procedures, and Specialized Training”	Sponsor	April 20, 2012	Columbia	20 (17 Victim Advocates, 3 Other)
“Capital Litigation for Prosecutors: Basic Issues”	Sponsor	May 21 – 23, 2012	Charleston	52 (52 Prosecutors)
“Get Informed! Get Inspired! Domestic Violence Investigation and Intervention Training”	So-sponsor***	June 21, 2012	Greenville	42 (5 Prosecutors, 9 Victim Advocates, 27 Law Enforcement, 1 Other)
“Get Informed! Get Inspired! Domestic Violence Investigation and Intervention Training”	So-sponsor***	June 22, 2012	Anderson	20 (1 Prosecutor, 7 Victim Advocates, 9 Law Enforcement, 1 Other)
Trial Advocacy Clinic: Cross-Examination	Sponsor	June 29, 2012	Columbia	8 (8 Prosecutors)
<p><i>* The annual Solicitors’ Conference is sponsored by the South Carolina Solicitors Association, but the Commission works with the Association on the development of the training agenda, and is thereafter responsible for the training component of the Conference.</i></p> <p><i>** The Prosecution Bootcamp program is sponsored by the South Carolina Solicitors Association, but the Commission is solely responsible for the training aspect of it (development of the training agenda and materials, registration, speaker selection, on-site management, etc.).</i></p> <p><i>*** These programs were conducted by the Tenth and Thirteenth Judicial Circuit Solicitors’ Offices; the Commission co-sponsored for the purpose of accreditation. The Commission was responsible for accepting the advance registrations, creating the evaluation, sign-in sheets, and nametags, and processing of attendance records).</i></p>				
Total Numbers for FY 2011-2012:		15 Training Programs		
		904 Total Persons Attended Training Programs <i>Breakdown of Total: 657 Prosecutors, 50 Victim Advocates, 102 Law Enforcement (includes prosecution investigators), 92 Other, and 4 Judges</i>		

Training Presentations:

For FY 2011-2012, the Education Coordinator prepared materials for and made the following presentations.

Title of Training	Topic(s) of	Date	Location	Attendees
-------------------	-------------	------	----------	-----------

Program	Presentation			
2011 South Carolina Solicitors' Association Fall Conference	"How to Obtain and Organize What the Prosecution Needs to Defeat Defense Challenges to Evidence"	September 27, 2011	Hilton Head	Prosecution Investigators
Core Training for Victim Advocates on Crime Victims' Rights, Communication, Case Management, and Ethics	"Rights of Crime Victims in South Carolina"	October 14, 2011	Columbia	Victim Advocates
Criminal Law and Practice: 2011 in Review	"Review of 2011's Significant Decisions from the South Carolina Appellate Courts and Emerging Trends"	December 9, 2011	Columbia	Prosecutors and Investigators
Guilty Pleas: Negotiations, Conditions, and Plea Hearings	"Case Studies: Evaluation of Appellate Cases involving Issues related to Guilty Pleas"	January 13, 2011	Hilton Head	Prosecutors
Guilty Pleas: Negotiations, Conditions, and Plea Hearings	"Ethics and Professionalism: A Review of Special Ethics and Professionalism Issues and Considerations related to Plea Negotiations and the Entry of Guilty Pleas"	January 13, 2011	Columbia	Prosecutors
2012 South Carolina Bar Convention – Criminal Law Update, Part 1	"Case Law Update"	January 20, 2012	Columbia	Attorneys and Judges
21 st Annual Criminal Practice in South Carolina CLE Program	"Professionalism and Ethics for Criminal Practitioners"	February 24, 2012	Columbia	Attorneys and Judges
Prosecution Bootcamp	"Prosecutor Ethics and Professionalism"	March 30, 2012	Isle of Palms	Prosecutors

“Core Training for Victim Advocates on Crime Victims Rights, Compensation and SOVA, Criminal Justice System and Court Procedures, and Specialized Training”	“Overview of the S.C. Criminal Justice System”	April 20, 2012	Columbia	Victim Advocates
---	--	----------------	----------	------------------

Publications:

The Education Coordinator continues to publish issues of two different newsletters:

- *The Prosecution Reporter*, a newsletter containing summaries and excerpts from the published opinions issued the previous month(es) by the South Carolina appellate courts and the United States Supreme Court (criminal and other opinions of interest to prosecutors) were published. The Coordinator is the sole author of the materials included in this newsletter.

NOTE: This newsletter, which used to be published every 1 – 3 months, has not been published recently as weekly emails to the Solicitors’ Offices with the case summaries have taken its place (the weekly emails, generally sent on the same day that the opinion(s) are issued, allows for more immediate dissemination of the information). The continuing usefulness of this newsletter is under evaluation.

- *The Higher Standard*, a quarterly newsletter (approximate average length of each issues is 16-20 pages) focusing on advocacy, investigative, legal, and prosecution issues and trends was published. For this newsletter, the Coordinator writes articles and solicits and edits articles written by others.

Resource Materials:

The Education Coordinator worked on updating *The Prosecution Deskbook*, a reference manual for the Offices of Solicitor, for distribution later in 2012. This manual is reviewed, updated and distributed (either electronically or on CD) every other year to all attorney members of the Solicitors’ Offices.

For purposes of the Prosecution Bootcamp program, the Education Coordinator edited, contributed to, and updated of *Prosecution Bootcamp: A Manual on South Carolina Criminal Law and Procedure for New Attorneys in South Carolina’s Solicitors’ Offices*. This manual, which consists of chapters written by Deputy Solicitors, senior Assistant Solicitors, and the Education Coordinator, is reviewed and updated each year.

A lengthy survey of relevant South Carolina appellate opinions (published) from September 1, 2007, through the present continues to be compiled and updated. The survey is set out in a chronological format so as to allow the readers to follow changes in the common law, but a topical index of all of the cases included has been prepared and included.

The Education Coordinator keeps abreast of judicial and legislative developments not only in South Carolina, but in other states and the federal courts as well. In between issues of the newsletters and when otherwise necessary, the Education Coordinator provides information on important issues, developments, or cases of interest to the Solicitors and their staff.

Consultation(s):

The Education Coordinator has provided consultations and assistance to the Office of Solicitor on issues related to the prosecution function and substantive criminal law, prosecution duties, media relations, ethics, criminal procedure, statutory interpretation, evidence, constitutional law, and advocacy. The large majority of these consultations and assists continue to be for prosecutors in trial or preparing for trial. She has also provided assistance to Solicitors and members of their offices who are training prosecutors, judges, law enforcement, and others. She has also provided assistance to other agencies, coroners, and law enforcement agencies, which have been directed to her by other members of the Commission staff or the Solicitors' Offices.

The Education Coordinator also serves as a liaison between the attorney staff of the various Solicitors' Offices – forwarding requests for assistance and sharing information submitted by prosecutors in one office with the others through the Deputy Solicitors. She does the same with information requested by or received from prosecutors in other states.

Legislation:

As assigned, the Education Coordinator drafted legislation, monitored legislation, researched legislation, and provided information to the Commission and Solicitors on such. She also, when needed, attended meetings of various legislative Committees and Subcommittees.

The Education Coordinator also prepared summaries of several bills and enacted legislation for use by the Commission's Executive Director, as well as the Solicitors and their staff.

Amicus Curiae:

The Education Coordinator also worked on two cases in which the Solicitors are participating, in the Supreme Court of South Carolina, as *amicus curiae*. Her work has included research, coordination, and the drafting of legal pleadings (including briefs).

Grants:

The Education Coordinator worked on the Capital Litigation Initiative Grant received from the U.S. Department of Justice Office of Justice Programs (the monies from which are evenly divided between the Commission, for capital prosecution training, and the South Carolina Commission on Indigent Defense, for capital defense training). In addition to working on the prosecution training conducted under this grant, she worked on budget matters, grant revisions, and grant reporting.