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December 2, 2019

### VIA EMAIL

Bryan P. Stirling, Director  
South Carolina Department of Corrections  
Post Office Box 21787  
Columbia, South Carolina 29210

RE: Follow-up to October 23, 2019, Subcommittee meeting, November 25, 2019, Subcommittee meeting, and preparation for future meetings

Dear Director Stirling:

The Department of Corrections Ad Hoc Subcommittee appreciates the S.C. Department of Corrections' (SCDC) continued partnership in the oversight process. As follow-up from the October 23, 2019, and November 25, 2019, Subcommittee meetings, and in preparation for upcoming meetings, attached are questions of interest to various members of the ad hoc subcommittee. Please provide this information by Wednesday, December 18, 2019. In SCDC's responses, if the information applies differently to male and female inmates, please indicate any differences. Please do not include information in SCDC's responses, which may endanger the safety of inmates or agency staff.

***Inmate Health - General***

1. Why are inmates not required to take their medication in front of SCDC staff?
2. Do inmates request medical treatment primarily in electronic or hard copy format?
3. What does SCDC see as the pros and cons of having an electronic system that tracks inmate requests for medical treatment and provides the ability for medical staff members, who already have authority to review inmate medical records in hard copy, to access the following information:
  - a. medical supervisors pull reports of medical requests by type of request, facility, and time of year, to help determine trends and have more information about when more or less medical staff may need to be available and at which locations;
  - b. medical supervisors pull reports by individual subordinates name to determine how each handled requests received, including disposition and length of time to reach disposition, to improve employee evaluations and determine additional training that may be helpful to each employee; and
  - c. medical staff members pull reports by inmate name to provide the inmate as a way to build confidence for inmates, and their families, that medical requests are not going unheard or being disregarded.

Are there any other ways tracking the information may be helpful in improving the safety, efficiency, and effectiveness of the agency's operations?

4. Can SCDC currently track inmate requests for medical treatment through the database it has that maintains inmate medical records? If not, how much would it cost to update the system to make it capable of tracking this type of information or add a system that would work in conjunction with the current system?
5. Please provide a summary of the typical needs (e.g., adequate beds) for treating mental health patients. Then, please list different options to address the need and, for each, please explain the typical availability, costs, and limitations.
6. In regards to the situations (e.g., care of mentally ill inmates) about which Dr. Pamela Crawford testified during the October 23, 2019, Subcommittee meeting, please provide the following:
  - a. actions taken, including any policy changes, to address the specific situation; and
  - b. actions taken, including any policy changes, to prevent and catch similar type situations in the future.

***Suicide Attempts***

7. Please provide the number of suicide attempts for each of the last five years. If organizing these numbers by different categories based on how the medical field classifies different types of attempts may provide additional insight, please do so and include an explanation of each category.

***Electronic Tracking***

8. As a way to more easily determine and track the actions/treatment of inmates, including, but not limited to, the amount of recreation time, opportunity for showers, and individuals involved in sexual and/or other assaults, has SCDC researched utilizing global positioning system (GPS) tracking devices on each inmate which could automatically populate a database with information on the location of each inmate within the prison at all times? If not, would SCDC be willing to research options and costs related to this type of tracking?

***Costs related to Inmates***

9. Is the agency able to provide the average daily cost for inmates diagnosed with mental disorders separate from the average daily cost of all inmates? If so, what is that cost?
10. Please list other categories of inmates the agency is able to provide an average daily cost for outside of the average daily cost of all inmates and that average daily cost (e.g., inmates in maximum security facility; inmates in minimum security facility, etc.).

***Inmate Release Dates***

11. SCDC has notified the subcommittee of various prolonged incarcerations and early releases. Please provide the number of inmates whose release dates were impacted by SCDC audits or information SCDC obtained from other sources ("information"). Please include inmates held past their release date and inmates who, because the information allowed SCDC to catch an error before it was too late, were released on time. With each inmate, please provide the following information in an Excel spreadsheet:
  - a. Applicable audit or information obtained;
  - b. Max out date in the computer prior to obtaining information;
  - c. Max out date in the computer after obtaining information;
  - d. Actual release date;
  - e. Number of days incarcerated past release date, if any;
  - f. Number of days of incarceration saved by obtaining the information (e.g., max out date prior to obtaining information minus actual release date); and
  - g. Cost per day to house an inmate.
12. Please provide two flow charts, one which shows each of the items below:
  - a. SCDC's process for entering data related to inmate release dates prior to the LOC study process; and
  - b. SCDC's process for entering and auditing data related to inmate release dates as of November 2019.

***Inmate Education***

13. How does SCDC rank in General Educational Development (GED) passage rates compared to other states?

***Accreditation***

14. Did SCDC cancel their accreditation contract with the American Correctional Association? If so, why and has SCDC adopted an alternative in-house evaluation process?
15. Do any other states have an in-house evaluation process? If yes, please list which ones.

***Employee Training***

16. Please list the training provided to each type of SCDC employee and when the training is provided (e.g., when hired, before interaction with inmates, annually, etc.)

### ***Classification System***

17. Based on testimony from Dr. Austin (SCDC classification consultant) during the October 23, 2019, Subcommittee meeting, please provide an updated breakdown of how the new classification will operate, including the two components, anticipated number of inmates moving from higher to lower levels, discretionary options and how much discretion is expected, and partnership with the parole board.
18. Please list the statutes that may need analysis by the General Assembly to assist the new classification system in working at an optimal level. Please include potential changes, impact without those changes, and impact with those changes.
19. Please provide information on other states that have made similar changes to their classification systems, as well as changes those states made in legislation related to classification and/or the parole board (e.g., information the board reviewed, etc.)
20. Please provide the following related to the new classification system:
  - a. specific outcomes sought from it;
  - b. potential example events which may impact progress toward the desired outcomes;
  - c. data SCDC is going to track to determine progress toward desired outcomes; and
  - d. current baseline data from which data, collected after implementation of the system, can be compared.
21. Since SCDC already posts certain information about each inmate online, when the new classification system is implemented, would it be possible for SCDC to add to each inmate's information online, the basis for how the inmate is classified and breakdown of the inmate's score (e.g., X number of points for conviction, X number of points for completing program ABC, etc.)
22. Please explain the following pertaining to the audit of SCDC programs, which Dr. Austin mentioned in his testimony during the October 23, 2019, Subcommittee meeting:
  - a. what it will address;
  - b. what SCDC hopes to accomplish through the audit, and
  - c. timeline of when the audit will occur.

### ***Staff Incident Reports***

23. Please provide a flow chart that shows where incident reports go, from submission to resolution, within each division and facility. Please note how each submission may be made (e.g., electronic or hard copy form).
24. What does SCDC see as the pros and cons of having an electronic system that tracks incident reports and provides the ability to access the following information:
  - a. staff members access incident reports they submit, view name of the last individual who reviewed the incident report, and decision made on it as a way to build employee confidence that incident reports are taken seriously and reviewed;
  - b. supervisors, up to deputy directors, pull reports by subordinates name to determine how each subordinate handled reports they received, including how fast reports were reviewed and how they were addressed, to improve employee evaluations and determine additional training that may be helpful to each employee;
  - c. supervisors, up to deputy directors, pull reports of incident reports which allege improper action by their subordinates to utilize during annual employee evaluations; and
  - d. supervisors, up to deputy directors, pull reports of incident reports submitted by facility to determine if there are any trends in certain facilities that need to be addressed.

Are there any other ways tracking the information may be helpful in improving the safety, efficiency, and effectiveness of the agency's operations?

***Staff Incident Reports (cont.)***

25. Are incident reports reviewed as a way to determine if, based on the facts of a situation reported, personnel from the employee critical incident program may need to reach out to an employee to offer assistance? If not, does SCDC believe this may be beneficial?

***Ombudsman***

26. Please provide the following as it relates to the recommendation in public testimony for state government to have an independent ombudsman appointed to investigate complaints related SCDC:

- a. Entities, including, but not limited to, non-profits that currently contact SCDC on a regular basis with complaints from inmates or inmates' families. Beside each entity, please describe what access, if any, they have at SCDC to investigate the complaint;
- b. Existing offices/individuals that outside entities/individuals can contact with complaints who then, based on their review of the complaint, can choose to conduct further investigation (e.g., State Inspector General, S.C. Office of Ombudsman). Beside each existing office/individual, please describe what access, if any, they have at SCDC to investigate a complaint;
- c. SCDC personnel whose sole job responsibility is to address complaints submitted by outside entities/individuals and work to resolve them, if any;
- d. SCDC personnel whose sole job responsibility is to analyze inmate requests for medical treatment to determine if there are any trends or areas in which treatment is lacking;
- e. Explanation of SCDC's current process, if any, to analyze inmate requests for medical treatment to determine if there are any trends or areas in which treatment is lacking;
- f. SCDC personnel whose sole job responsibility is to analyze inmate requests and complaints to determine if there are any trends or areas in which policy (or implementation of policy) is lacking;
- g. Explanation of SCDC's current process, if any, to analyze inmate requests and complaints to determine if there are any trends or areas in which policy (or implementation of policy) is lacking; and
- h. SCDC's position, if any, on the recommendation.

***Human Resources***

27. Which employees at SCDC are at-will?

28. In regards to demotions of SCDC employees (at-will and non at-will), please provide the following:

- a. Circumstances under which it can occur;
- b. Personnel who have authority to do it (e.g., does it have to be the immediate supervisor or can it be someone above the immediate supervisor); and
- c. Ways in which the employee's annual Employee Performance Management System report is utilized in the decision, if at all.

29. In regards to promotions of SCDC employees (at-will and non at-will), please provide the following:

- a. Circumstances under which it can occur;
- b. Personnel who have authority to do it (e.g., does it have to be the immediate supervisor or can it be someone above the immediate supervisor); and
- c. Ways in which the employee's annual Employee Performance Management System report is utilized in the decision, if at all.

***Human Resources (cont.)***

30. In regards to termination of SCDC employees (at-will and non at-will), please provide the following:
- Circumstances under which it can occur;
  - Personnel who have authority to do it (e.g., does it have to be the immediate supervisor or can it be someone above the immediate supervisor); and
  - Ways in which the employee's annual Employee Performance Management System report is utilized in the decision, if at all.
31. Under what circumstances can SCDC terminate an employee immediately (at-will and non at-will)? Who can terminate an employee immediately (e.g., does it have to be the direct supervisor or can it be someone above the direct supervisor)?
32. What suggestions, if any, does SCDC have for changes in statutes or regulations related to state employee human resource decisions and what does the agency believe may be the pros and cons to each change?
33. In what decisions, if any, does SCDC utilize an employee's annual Employee Performance Management System report(s)?
34. Please provide the ranks within SCDC institutions, from the position of warden down.

***Housing - Separations (Inmate from Inmate and Inmate from Employee)***

35. Please describe the situations in which an inmate's housing may be changed to separate the inmate from another inmate or from an employee, and the process to implement the separation (e.g., is a request required, if so, who has to complete a form and who decides if the separation occurs, etc.)
36. Please provide the number of separations during the last fiscal year and type.

***Housing - Locations***

37. Please provide an Excel chart, which lists each location at which an SCDC inmate may be housed, number of inmates at the location, primary party responsible for the location, and a brief summary of reasons why/when an inmate may be housed at the location. A sample format is below.

<b>Housing (as of November 1, 2019)</b>			
<b>Location</b>	<b>Number of inmates housed</b>	<b>Primary party responsible for location</b>	<b>Why/When an inmate may be housed at this location (e.g., pre-trial, receive medical care, separation due to discipline, etc.)</b>
<b>Jail/Designated Facilities</b>			
<i>Add rows beneath with each jail where SCDC houses inmates</i>			
<b>SCDC Prisons</b>			
<i>Add rows beneath with each SCDC facility</i>			
<b>Health Care Facilities</b>			
<i>Add rows beneath with each SCDC health facility and private health facility SCDC utilizes</i>			
<b>Out of State Facilities</b>			
<i>Add rows beneath with each facility out of state where SCDC houses inmates</i>			

***Housing - HVAC Systems***

38. Are any SCDC facilities without heating, ventilation, and air conditioning (HVAC)? If so, which facilities?
39. In SCDC facilities without HVAC, if any, what does SCDC consider a reasonable temperature range and how does SCDC ensure the temperature remains within that range? Is the temperature within those facilities maintained within the same range as facilities with HVAC systems, which SCDC referenced in its August 22, 2019, letter, question number 32?
40. Does the Quality Improvement and Risk Management division (QIRM) review temperature readings of all SCDC facilities? If so, please provide the temperature readings for Manning Pre-Release Center for the past six months. If not, is this something QIRM could do in the future without additional resources? If additional resources would be needed, please list those resources.
41. Which non-SCDC facilities that SCDC inspects as part of its statutory responsibilities, if any, do not have HVAC systems?
42. Are institutional wardens and their staff required to document policy compliance in all areas, or just in Restricted Housing Units, as required in SCDC Policy OP 22.48, Section 3.2?<sup>1</sup> If not, why not? If so, is the information documented electronically or in hard copy forms?
43. How much will it cost to replace each of the 25 institutional HVAC units SCDC described in its August 22, 2019 letter as “in critical need of replacement”?

***Member Tours***

44. Please provide information on all facilities toured by ad hoc subcommittee members during the study process and areas visited/processes seen by members during each tour.

***Inmate Composition, Work, and Credits***

45. Please provide the number of offenders who are serving less than a one-year sentence at SCDC.
46. Please provide the following for each fiscal year 2015 through 2019:
  - a. Sentence length distribution for all inmates as of June 30;
  - b. Number of inmates currently working and number of correctional officers supervising them;
47. Please explain the maximum amount of time an inmate can reduce his/her sentence through the credits below. Please note if there are any limitations on sentence reduction (e.g., 85% time, etc.)
  - a. Good conduct credit,
  - b. Work credit,
  - c. Education credit, and
  - d. Combination of one or more the credits above.
48. Please provide the current SCDC correctional officer to inmate ratios for road and right of way work crews.

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<sup>1</sup> OP-22.48, INSTITUTIONAL WEEKLY ROUNDS, 3.2 Rounds in living areas shall include all the above, but shall also include visual inspection of cells/dorms, property levels and their relative degree of organization (i.e., clutter or the absence thereof), the availability of Request to Staff Member Form (SCDC Form 19-11), Inmate Grievance Form (SCDC Form 10-5), and Sick Call/Dental Sign-up Roster (SCDC Supply M-137). RHU rounds shall include all of the above, but also include policy compliance and documentation on SCDC Form 19-7A, "Cell Check Log." RHU rounds shall include a visual inspection of every inmate in every cell. The same standard shall apply when making rounds in Behavioral Management Units (HLBMU/LLBMU).

Director Stirling  
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In responding to these questions, please remember the Committee's expectations, which are provided in the Committee's Standard Practice 9. The Subcommittee looks forward to working collaboratively with SCDC during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

A handwritten signature in black ink, reading "Edward R. Tallon Sr." with a stylized flourish at the end.

Edward R. Tallon Sr.  
Subcommittee Chair

cc: Department of Corrections Ad Hoc Subcommittee