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June 25, 2020

VIA EMAIL

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

RE: Follow-up to June 22, 2020, Subcommittee meeting

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 June 22, 2020, subcommittee meeting, below are questions of interest to various members of the ad hoc subcommittee. Please provide this information by Tuesday, July 7, 2020. 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

1. Please provide an update on the agency's consideration of the request to train inmates in CPR, which originated from constituent testimony.

Local Facilities

1. Please communicate with the Association of Counties and Jail Administrator's Association, which are copied on this correspondence, to obtain a list of local facilities that engage in one or more of the following activities which are authorized in S.C. Code Section 24-13-80:
 - a. reasonable deduction from money credited to the account of an inmate to repay the costs of:
 - i. public property willfully damaged or destroyed by the inmate during his incarceration;
 - ii. medical treatment for injuries inflicted by the inmate upon himself or others;
 - iii. searching for and apprehending the inmate when he escapes or attempts to escape. The costs must be limited to those extraordinary costs incurred as a consequence of the escape;
 - iv. quelling a riot or other disturbance in which the inmate is unlawfully involved;
 - b. reasonable deduction from money credited to the account of an inmate to defray the costs paid by a municipality or county for medical services for an inmate, which have been requested by the inmate, if the deduction does not exceed five dollars for each occurrence of treatment received by the inmate
 - c. initiate an action for collection of recovery of medical costs incurred for:
 - i. injuries inflicted by the inmate upon himself or others upon the inmate's release;
 - ii. medical services for an inmate, which have been requested by the inmate.ⁱ

Employees

1. Please provide statistics, for the last three years, on the following: (a) number of cadets that became officers; and (b) reasons cadets did not become officers.

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, appearing to read "Edward R. Tallon Sr.", with a stylized flourish at the end.

Edward R. Tallon Sr.
Subcommittee Chair

cc: The Honorable Wm. Weston J. Newton
Department of Corrections Ad Hoc Subcommittee
S.C. Association of Counties
S.C. Jail Administrator's Association

ⁱ **SECTION 24-13-80.** Prisoners to pay for certain costs; definitions; criteria for deductions from inmates' accounts; reimbursement to inmates; recovery from estates of inmates.

(A) As used in this section:

- (1) "Detention facility" means a municipal or county jail, a local detention facility, or a state correctional facility used for the detention of persons charged with or convicted of a felony, misdemeanor, municipal offense, or violation of a court order.
- (2) "Inmate" means a person who is detained in a detention facility by reason of being charged with or convicted of a felony, a misdemeanor, a municipal offense, or violation of a court order.
- (3) "Medical treatment" means each visit initiated by the inmate to an institutional physician, physician's extender including a physician's assistant or a nurse practitioner, dentist, optometrist, or psychiatrist for examination or treatment.
- (4) "Administrator" means the county administrator, city administrator, or the chief administrative officer of a county or municipality.
- (5) "Director" means the agency head of the Department of Corrections.

(B) The administrator or director, whichever is appropriate, may establish, by rules, criteria for a reasonable deduction from money credited to the account of an inmate to:

(1) repay the costs of:

- (a) public property wilfully damaged or destroyed by the inmate during his incarceration;
- (b) medical treatment for injuries inflicted by the inmate upon himself or others;
- (c) searching for and apprehending the inmate when he escapes or attempts to escape. The costs must be limited to those extraordinary costs incurred as a consequence of the escape; or
- (d) quelling a riot or other disturbance in which the inmate is unlawfully involved;

(2) defray the costs paid by a municipality or county for medical services for an inmate, which have been requested by the inmate, if the deduction does not exceed five dollars for each occurrence of treatment received by the inmate. If the balance in an inmate's account is less than ten dollars, the fee must not be charged. However, a deficiency balance must be carried forward and, upon a deposit or credit being made to the inmate's account, any outstanding balance may be deducted from the account. This deficiency balance may be carried forward after release of the inmate and may be applied to the inmate's account in the event of subsequent arrests and incarcerations. This item does not apply to medical costs incurred as a result of injuries sustained by an inmate or other medically necessary treatment for which that inmate is determined not to be responsible.

(C) All sums collected for medical treatment must be reimbursed to the inmate, upon the inmate's request, if the inmate is acquitted or otherwise exonerated of all charges for which the inmate was being held.

(D) The detention facility may initiate an action for collection of recovery of medical costs incurred pursuant to this section against an inmate upon his release or his estate if the inmate was executed or died while in the custody of the detention facility.

HISTORY: 1994 Act No. 497, Part II, Section 44A; 1995 Act No. 7, Part II, Section 44; 2010 Act No. 237, Section 69, eff June 11, 2010.