

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Micajah P. (Micah) Caskey, IV
Neal A. Collins
Patricia Moore (Pat) Henegan
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Marvin R. Pendarvis
Tommy M. Stringer
Bill Taylor
Robert Q. Williams*



South Carolina House of Representatives

*Gary E. Clary
Chandra E. Dillard
Lee Hewitt
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Robert L. Ridgeway, III
Edward R. Tallon, Sr.
John Taliaferro (Jay) West, IV
Chris Wooten*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

*Charles L. Appleby, IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

May 30, 2019

VIA EMAIL

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

RE: Follow-up to May 29, 2019 Subcommittee meeting

Dear Director Stirling:

The Department of Corrections Ad Hoc Subcommittee appreciates the S.C. Department of Corrections' (SCDC) partnership in the oversight process. As follow-up from the meeting on May 29, 2019, we seek additional information from the agency. Please provide this information by Thursday, June 20, 2019.

In the agency's responses, please indicate if the information applies the same to male and female inmates, and if not, please indicate any differences.

Classification System Update

1. To help illustrate how the updated classification system may impact inmates, please provide examples/hypothetical situations to illustrate how an inmate with a certain sentence, discipline record, etc., would have remained at the same security level facility under the old classification system but may be moved to a lower security level facility under the updated classification system.

Young Offender Parole and Reentry Services

2. Please provide an entry to release timeline, similar to the one the agency provided for other inmates, applicable to the young offender process, as well as one for seventeen year-olds, if it is different. Please include the following, as applicable: entry; evaluations; meetings/hearings to determine whether to release; when transfers between the Department of Juvenile Justice and SCDC may occur; minimum and maximum amount of time a young offender may be on conditional release; revoking/modifying release etc., through unconditional release.
3. Please provide a graphic of an average inmate day for a young offender while incarcerated, including: (a) when the inmate is locked in their cell versus outside their cell; (b) which events require a guard escort (e.g., escort to academic class or programming, escort to medical services); and (c) other events which occur regularly, but may not occur daily (e.g., meeting with inmate classification worker).
4. Please provide a graphic of an average inmate month for a young offender on conditional release, as well as graphics of an average inmate month for other inmates who receive a type of release in which SCDC, as opposed to the Department of Probation, Parole, and Pardon, has custody of the inmate, if there are any.
5. Please provide the following data for each of the last three years:
 - a. Percent of youthful offenders making it through reception and evaluation within 30 days;
 - b. Average number of days a youthful offender spent in reception and evaluation;
 - c. Percent of youthful offenders recommended for unconditional release;
 - d. Percent of youthful offenders recommended for conditional release; and
 - e. Recidivism rates for youthful offenders and calculation method.
6. Please provide recommendations for updating statutes related to young offenders and reasoning for these recommendations.
7. Please contact the Department of Vocational Rehabilitation to discuss evaluation of youthful offenders and share with the Committee any recommendations from this discussion.

Shock Incarceration Program

8. Please provide an entry to release timeline, similar to the one the agency provided for other inmates, applicable to the shock incarceration program.
9. Please provide a graphic of an average inmate day for an inmate in the shock incarceration program, including: (a) when the inmate is locked in their cell versus outside their cell; (b) which events require a guard escort (e.g., escort to academic class or programming, escort to medical services); and (c) other events which occur regularly, but may not occur daily (e.g., meeting with inmate classification worker).
10. Please explain how this program has changed/evolved over the years. In this explanation please include what is currently done in the program (including any age limitations on who can participate in it), and benefits and drawbacks to the program based on research regarding its effectiveness about which agency personnel testified during the meeting.
11. Does the agency recommend elimination of the shock incarceration program? If so, how would elimination potentially benefit the agency?
12. Please provide the number of individuals, during each of the last five years, who were: (a) sentenced to the shock incarceration program; (b) physically/psychologically/etc., qualified for the program; (c) agreed, in writing, to the terms in statute necessary to participate in the program; and (d) were recidivists within one and/or three years of release (depending on the data available).

Security and Emergency Services

13. Please provide the pros and cons of the ability of specialized teams to respond as efficiently as possible to situations, such as prison riots, under the current structure.
14. How often is the specialized team structure and duties reviewed to determine if updates would improve efficiency?
15. What are the costs of the State House detail? What do these costs include?

Family Complaints

16. Please provide any available data on the number of complaints, by category, the agency has received from family or friends of inmates during each of the last three years.

Measures and Data Tracked

17. Over the last three years, for each month and each type of housing unit (i.e., restrictive housing, structured living, transition, general population, etc.), please provide the following information: (a) number of inmates in the unit; (b) average number of hours per inmate per week (seven days) in which inmates were out of their cell; (c) average number of times per inmate per week (seven days) in which inmates were provided the opportunity to shower. Please include any explanation the agency would like to provide for the numbers, or significant increases or decreases, in them, if any.
18. Please provide a list of measures/data that agency management reviews on a regular basis as it relates to conditions of its facilities and treatment/services available to inmates.

Lockdowns

19. Please explain the agency's policies for going on lockdown.
20. How have the agency's policies for going on lockdown changed, if at all, during the last three years?
21. Please explain the agency's policies for coming off of lockdown.
22. How have the agency's policies for coming off of lockdown changed, if at all, during the last three years?
23. Were all SCDC facilities on lockdown after the incident at Lee CI?

Types of Offenses/Convictions

24. Please provide a list of the types of convictions which fall within the "Dangerous Drugs" category the agency utilizes in its most serious offenses data.
25. Please provide a definition of the terms "burglary" and "robbery" which are categories the agency utilizes in its most serious offenses data.

Contraband

26. Please provide a list of the types, and amounts of contraband, found during raids of SCDC prisons in each year from 2015 to the present. Please share the agency's understanding of the reason for any significant increases or decreases.
27. Please provide the agency's recommendations for strengthening penalties for providing contraband or other assistance to inmates in custody and the basis for the recommendations.

Inmate Use of Social Networking

28. What statutory updates, if any, would the agency recommend as it relates to sanctions for inmates caught using internet-based social networking websites to contact victims?
29. For the last five years, what is the (a) number of known incidents of inmates utilizing internet-based social networking websites, (b) number of those incidents which resulted in charges, and (c) adjudication of those charges?
30. Are there any other statutory updates the agency would recommend related to sanctions for an inmate's conduct? If so, what are those recommendations and the basis for the recommendations?

Movement of inmates between SCDC facilities

31. Does the agency use any type of algorithm, based on its own inmate data, to determine if the risk caused by having an inmate at one facility is higher or lower than the risk of having an inmate at another facility? If not, are these transfer decisions based on written guidelines/policies or subjective?
32. Who has authority to order transfer of an inmate from one facility to another facility? (e.g., wardens, Director of Operations)

Law Updates

33. Are revisions to statute needed as the agency indicated in one of its letters to the Committee that "there is currently no supervised furlough program under S.C. Code § 24-13-710 & -720. Supervised reentry under S.C. Code § 24-21-32, which went into effect in January 2011, has essentially replaced programs under these two statutes."
34. Please provide any additional recommendations the agency has for changes in law, including ones for modernization (i.e, to reflect current agency practices). If the agency would like to share its position on any pending legislation, please do so.

Good Conduct Credits

35. How does the agency monitor and determine which inmates receive good behavior credits, as discussed in S.C. Code Ann. Section 24-13-210 and other statutes?

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 the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,



Edward R. Tallon Sr.
Subcommittee Chair

cc: The Honorable Wm. Weston J. Newton
The Honorable Micajah P. "Micah" Caskey, IV
The Honorable Gary E. Clary
The Honorable Chandra E. Dillard
The Honorable Joseph H. Jefferson, Jr.
The Honorable Jeffrey E. "Jeff" Johnson
The Honorable Robert Q. Williams