

Department of Corrections Ad Hoc Subcommittee

Thursday, February 21, 2019

Table of Contents

Contents

Agenda.....	2
Study Timeline	4
Figure 1. Key dates in the study process, May 2018 to present.	4
Agency Snapshot	5
Figure 2. Snapshot of the agency’s history, mission, major divisions, fiscal year 2017-18 resources (employees and funding), successes, and emerging issues.	5
Organizational Chart and Staffing.....	6
Figure 3. Detailed organizational chart provided by SCDC.....	6
Security Levels and Housing Types	7
Table 1. Agency facilities, security levels, location, and warden.....	7
Overview of Agency	8
End Notes	37

AGENDA

South Carolina
House of Representatives



Legislative Oversight Committee

DEPARTMENT OF CORRECTIONS AD HOC SUBCOMMITTEE

Chairman Edward R. Tallon Sr.

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

Thursday, February 21, 2019

30 minutes after adjournment

Room 110 - Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Meeting Minutes**
- II. Discussion of the study of the Department of Corrections**
- III. Adjournment**

STUDY TIMELINE

The House Legislative Oversight Committee's (Committee) process for studying the S.C. Department of Corrections (agency, Department, or SCDC) includes actions by the full Committee; Department of Corrections Ad Hoc Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below.

Legislative Oversight Committee Actions

- May 3, 2018 - Prioritizes the agency for study
- May 9, 2018 - Provides the agency notice about the oversight process
- July 17 - August 20, 2018 - Solicits input about the agency in the form of an online public survey
- January 28, 2019 - Holds **Meeting #1** to obtain public input about the agency

Department of Corrections Ad Hoc Subcommittee Actions

- February 21, 2019 - (TODAY) Holds **Meeting #2** to discuss the agency's history; legal directives; mission; vision; general information about finances and employees; and agency organization

Aeronautics Commission

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 12, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 2017 - Submits its **2016-17 Accountability Report**
- September 2018 - Submits its **2017-18 Accountability Report**
- September 28, 2018 - Submits its **Program Evaluation Report**

Public's Actions

- July 17 – August 20, 2018 - Provides input about the agency via an **online public survey**
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 1. Key dates in the study process, May 2018 to present.

AGENCY SNAPSHOT

S.C. Department of Corrections

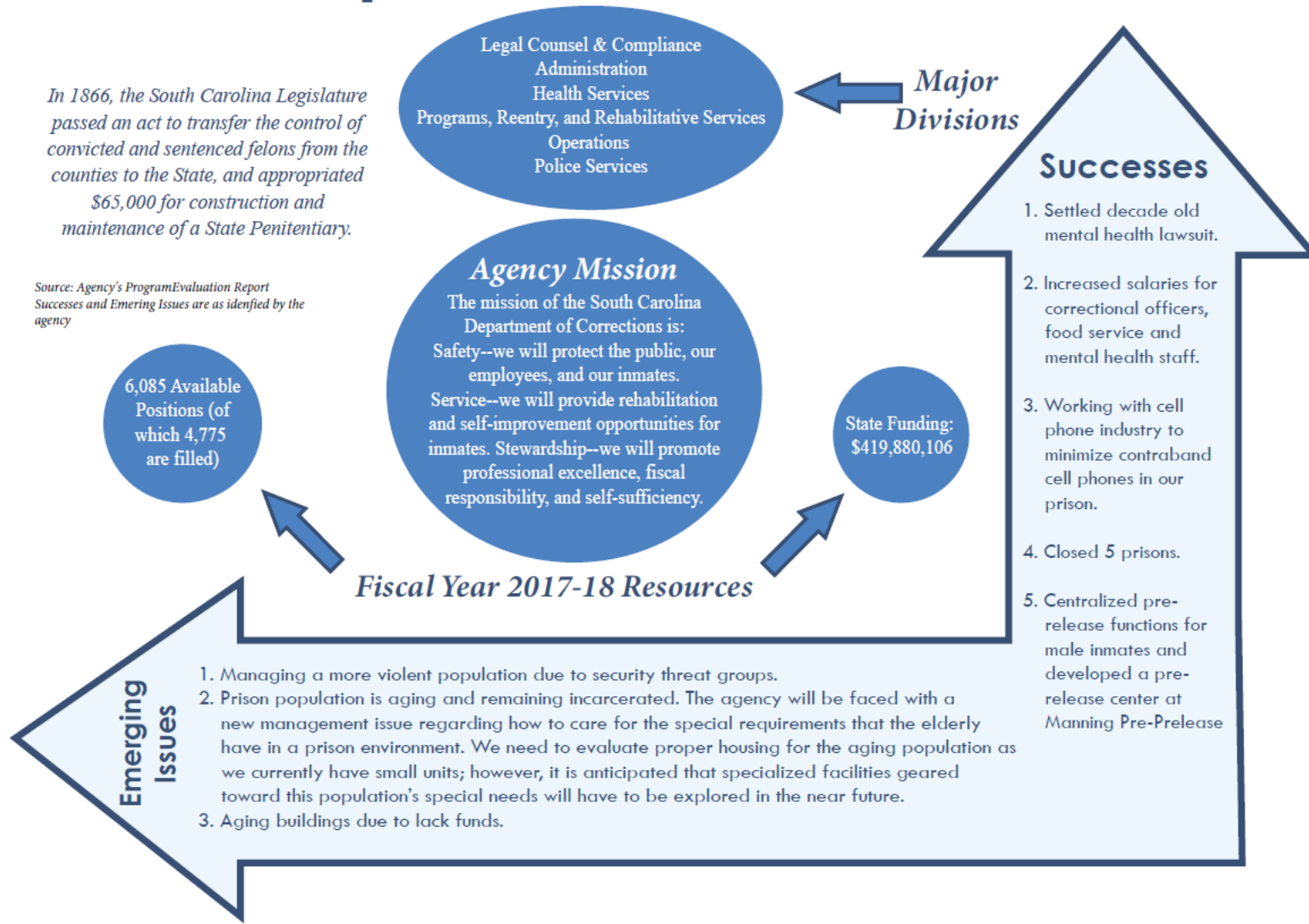


Figure 2. Snapshot of the agency's history, mission, major divisions, fiscal year 2017-18 resources (employees and funding), successes, and emerging issues.¹

ORGANIZATIONAL CHART AND STAFFING

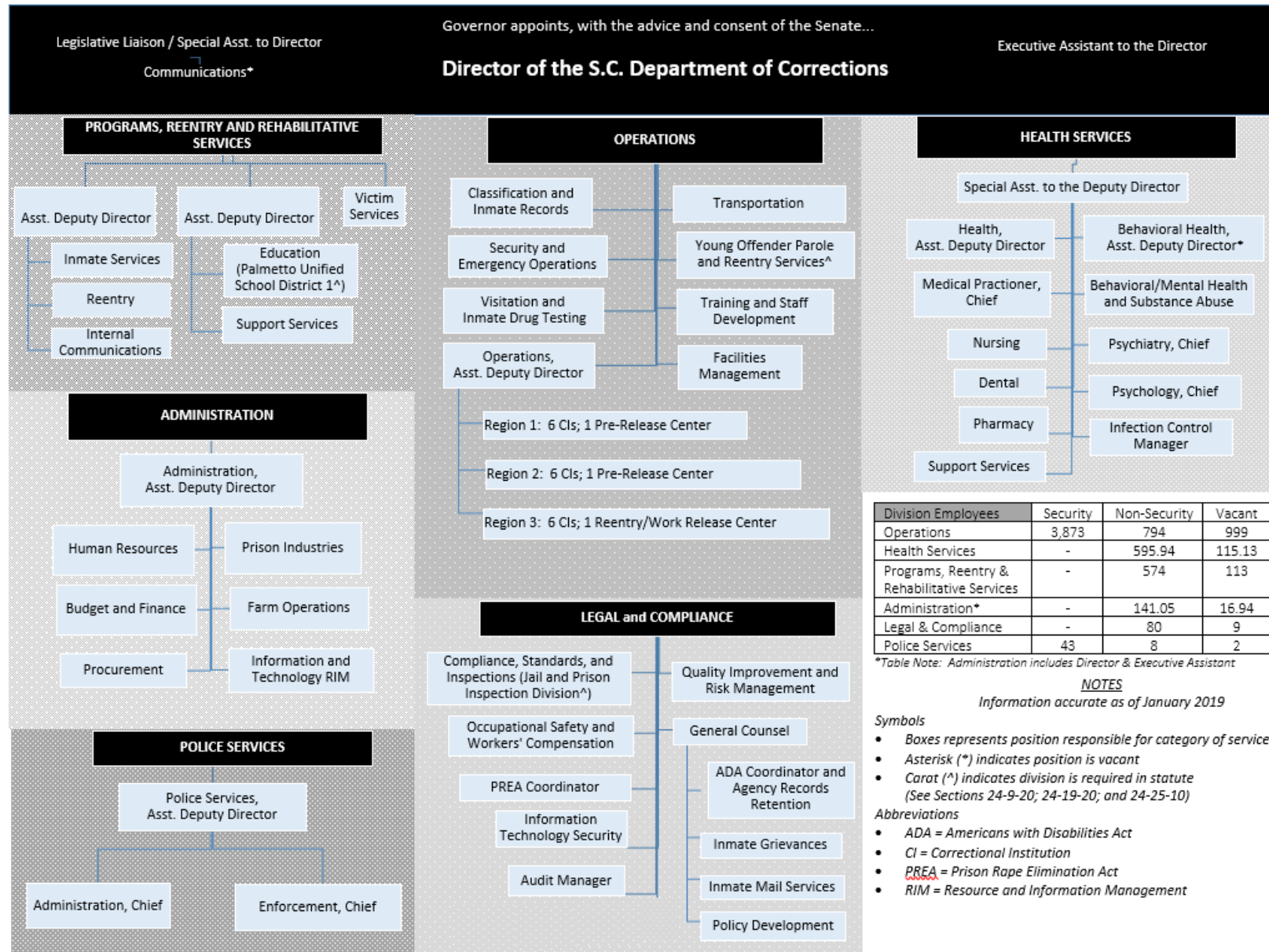


Figure 3. Detailed organizational chart provided by SCDC..²

SECURITY LEVELS AND HOUSING TYPES

Housing Types

General - Beds for inmates not designated/requiring "special" supervision and/or service

Restrictive - Beds for inmates designated/requiring "special" supervision such as crisis intervention, deathrow, hospital, maximum custody, mental health, protective custody, pre-hearing detention, security detention, safekeeper, and temporary holding (transient)

Program - Beds for inmates specific locations for program participation such as assisted living, addictions treatment, Educational Finance Act eligible inmates, habilitation, handicap, Youthful Offender Act programs, reception/evaluation, shock incarceration, transitional care, HIV therapeutic, and sex offender treatment.

Table 1. Agency facilities, security levels, location, and warden.

Facility	Security Level	Location	Warden
Region 1 - Joseph "Tony" Stines, Director			
Palmer PRC	1A	Florence	Joseph McFadden
Allendale CI [^]	2	Fairfax	McKendley Newton
MacDougall CI	2	Ridgeville	Edsel Taylor
Ridgeland CI	2	Ridgeland	Levern Cohen
Turbeville CI	2	Turbeville	Richard Cothran
Lee CI	3	Bishopville	Aaron Joyner
Lieber CI	3	Ridgeville	Randall Williams

Region 2 - Joel Anderson, Director			
Livesay PRC	1A&B	Spartanburg	George Dodkin
Evans CI [^]	2	Bennettsville	Donnie Stonebreaker
Tyger River CI	2	Enoree	Barry Tucker
McCormick CI	3	McCormick	Charles Williams, Jr.
Perry CI	3	Pelzer	Scott Lewis
Leath CI (Female)	3	Greenwood	Patricia Yeldell
Graham CI (Female)	3	Columbia	Marian Boulware
R&E (Female)			

Region 3 - Wayne McCabe, Director			
Goodman CI	1B	Columbia	Jannita Gaston
Manning Reentry/Work Release Center	1B	Columbia	Lisa Engram
Kershaw CI [^]	2	Kershaw	Kenneth Nelsen
Trenton CI	2	Trenton	Terrie Wallace
Wateree River CI	2	Rembert	Donald Beckwith
Broad River CI	3	Columbia	Michael Stephan
Kirkland R&E	3	Columbia	Willie D. Davis
Infirmery			
CI - Max			
Gilliam Psychiatric Hospital			

Security Levels

Level 1 (Minimum) – *Level 1A* - For non-violent inmates within 36 months of release. Housing is mainly open areas with bunk beds (no partitions or cubicles). Perimeters are unfenced. These units are work and program oriented, providing intensive specialized programs that prepare the inmates for release to the community. *Level 1B* - For inmates with relatively short sentences or time to serve. Housing is mainly cubicles with two bunk beds/cubicle. Perimeters are unfenced. Operational procedures at Level 1-B facilities impart a higher level of security compared to level 1-A facilities.

Level 2 (Medium) - Housing is primarily double bunk, cell type with some institutions having double-bunk cubicles. Perimeters are single fenced with electronic surveillance. Level 2 institutions provide a higher level of security than level 1 facilities.

Level 3 (Max) - For violent offenders with longer sentences, and inmates who exhibit behavioral problems. Housing is single and double cells. Perimeters are double-fenced with extensive electronic surveillance. Inmates are closely supervised with their activities and movement highly restricted

Table Notes: (1) CI means Correctional Institution; (2) PRC means Pre-Release Center; (3) R&E means Reception and Evaluation Center; and (4) A carat (^) indicates institutions converted from Level 3 to Level 2 – Evans CI on June 1, 2005; Kershaw CI on February 28, 2003; Allendale CI on April 9, 2003

OVERVIEW OF AGENCY



SOUTH CAROLINA

DEPARTMENT OF CORRECTIONS

Office of the Director



Bryan P. Stirling
Agency Director

Agency Mission

- The mission of the South Carolina Department of Corrections is:
Safety--we will protect the public, our employees, and our inmates.
Service--we will provide rehabilitation and self-improvement opportunities for inmates.
Stewardship--we will promote professional excellence, fiscal responsibility, and self-sufficiency.



Agency History

- 1866: Establishment of the State Penitentiary.
- 1866- 1900: State Penitentiary Management and Operations.
- 1900 - 1930: Emergence of Dual Prison System in South Carolina. Local prisons and jails in full operation by 1930.
- 1960: Creation of the South Carolina Department of Corrections (SCDC).
- 1960-1973: Expansions in facilities and emphasis on rehabilitation programs.



Agency History continued...

- **1974-1994**: Dramatic inmate population increases, prison overcrowding, and objective classification system.
- **1994 - 2000**: Tightened inmate management and truth-in-sentencing for violent offenders.
- **2001-2003**: Budget crisis and shrinkage of facilities/programs.
- **2010-Present**: Sentencing reform and changing inmate population.





Agency

Organizational Chart

The mission of the South Carolina Department of Corrections is: Safety--we will protect the public, our employees, and our inmates. Service--we will provide rehabilitation and self-improvement opportunities for inmates. Stewardship--we will promote professional excellence, fiscal responsibility, and self-sufficiency.



Bryan P. Stirling
Agency Director



Dayne Haile
Executive Assistant



Brian Bolchoz
Deputy Director

Police Services



Nena Walker-Staley
Deputy Director

Programs, Reentry, &
Rehabilitative Services



Terre K. Marshall
Deputy Director

Health Services



Michael McCall
Deputy Director

Operations



Salley Elliott
Chief Legal & Compliance
Officer

Legal Counsel
& Compliance



Thomas Osmer
Deputy Director

Administration



Dexter Lee

Legislative Liaison/
Special Assistant to the
Director

Programs, Reentry, and Rehabilitative Services

The mission of the Division of Programs, Reentry and Rehabilitative Services is to maintain and manage Agency resources while providing quality programs and services in a safe, responsive, effective and courteous manner.

The following are under this division:

- Education (Palmetto Unified School District 1)
- Inmate Services
- Internal Communications
- Reentry
- Support services
- Victim Services



Operations

Oversees daily operations of the SCDC's 21 correctional institutions as well as the following:

- Division of Classification and Inmate Records,
- Training and Staff Development,
- Facilities Management,
- Inmate Visitation and Drug Testing, and
- Young Offender Parole and Reentry Services.



Health Services

Includes the following to provide a comprehensive continuum of healthcare:

- Medical Practitioner
- Behavioral/Mental Health and Substance Abuse
- Nursing
- Psychiatry
- Pharmacy
- Psychology
- Dental
- Infection Control



Administration

The Division of Administration is responsible for the following:

- All agency
 - Human Resources
 - Finance
 - Information Technology
 - Procurement
- Farm operations
- Prison industry operations



Police Services

Assigns agents needed to investigate criminal acts which are believed to have been committed by SCDC inmates, employees, or others when the crime relates to the agency.

NOTE: This is different than security within the prisons



Legal and Compliance

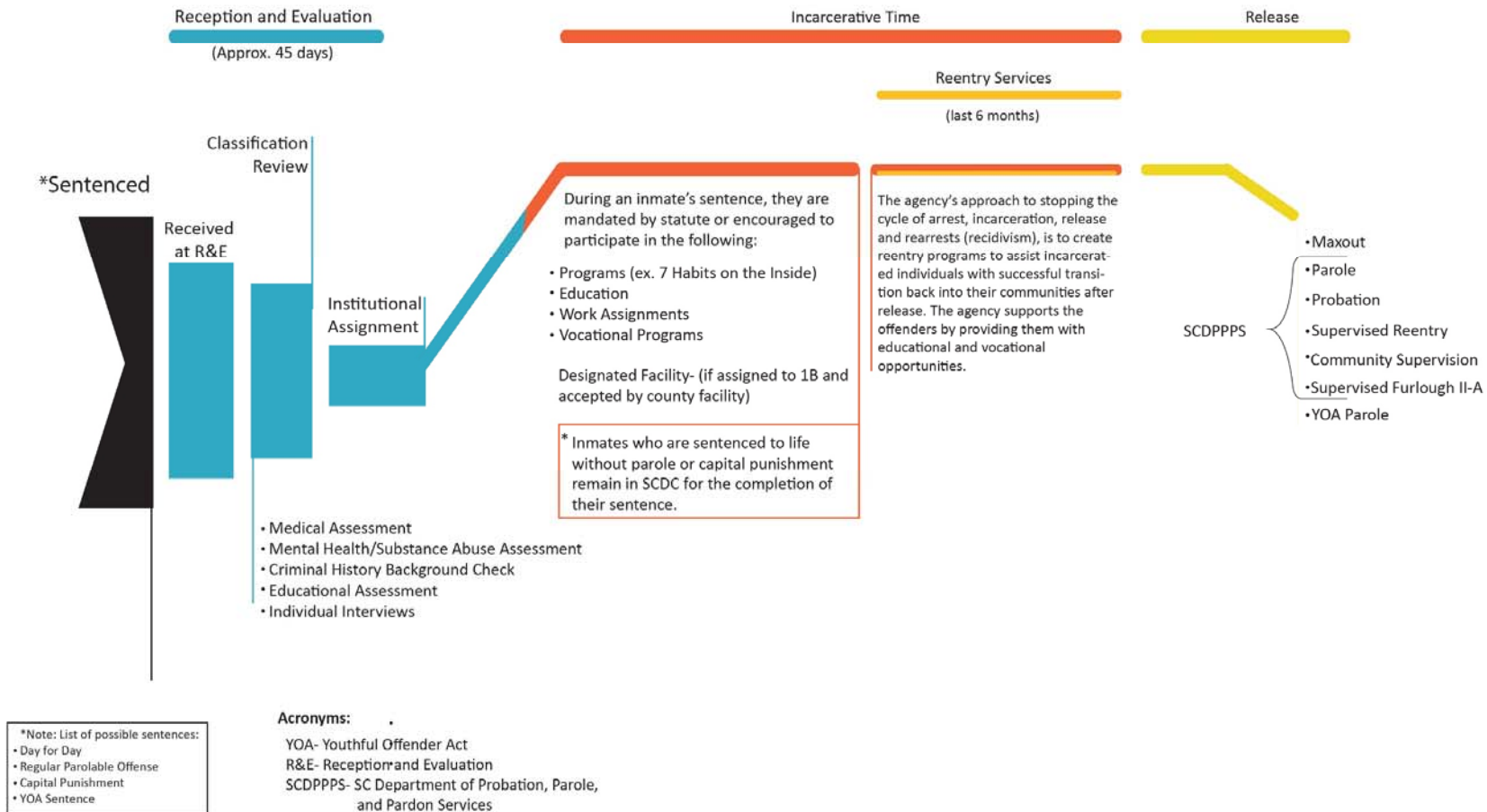
Oversees all Legal and Compliance related functions including:

- Compliance, Standards and Inspections
- Occupational Safety and Worker's Compensation
- Prison Rape Elimination Act Coordinator
- Information Security and Privacy
- Audit Manager
- Quality Improvement and Risk Management
- Americans with Disabilities Act Coordinator
- General Counsel's Office, which includes:
Agency Records Retention, American with Disabilities Act Coordinator, Inmate Grievance, Agency Mailroom and Policy Development





Timeline of Inmates Time Served





Timeline of an Inmate Day

Level I

This is a generalized time frame of the movement of an inmate daily at an institution.

3:00 AM-
10:30 AM



- Various counts
- Breakfast
- Laundry
- Day rooms open
- Trash goes out
- Yard opens
- Lunch
- *Inmates with job assignments report to work (varies on shift schedule)

10:30AM-
5:30PM



- Yard opens
- Laundry is complete
- Dinner
- Various counts
- *Inmates with job assignments report to work (varies on shift schedule)

5:30PM-
1:00AM



- Various counts
- Yard closes
- Day rooms closed
- *Inmates with job assignments report to work (varies on shift schedule)

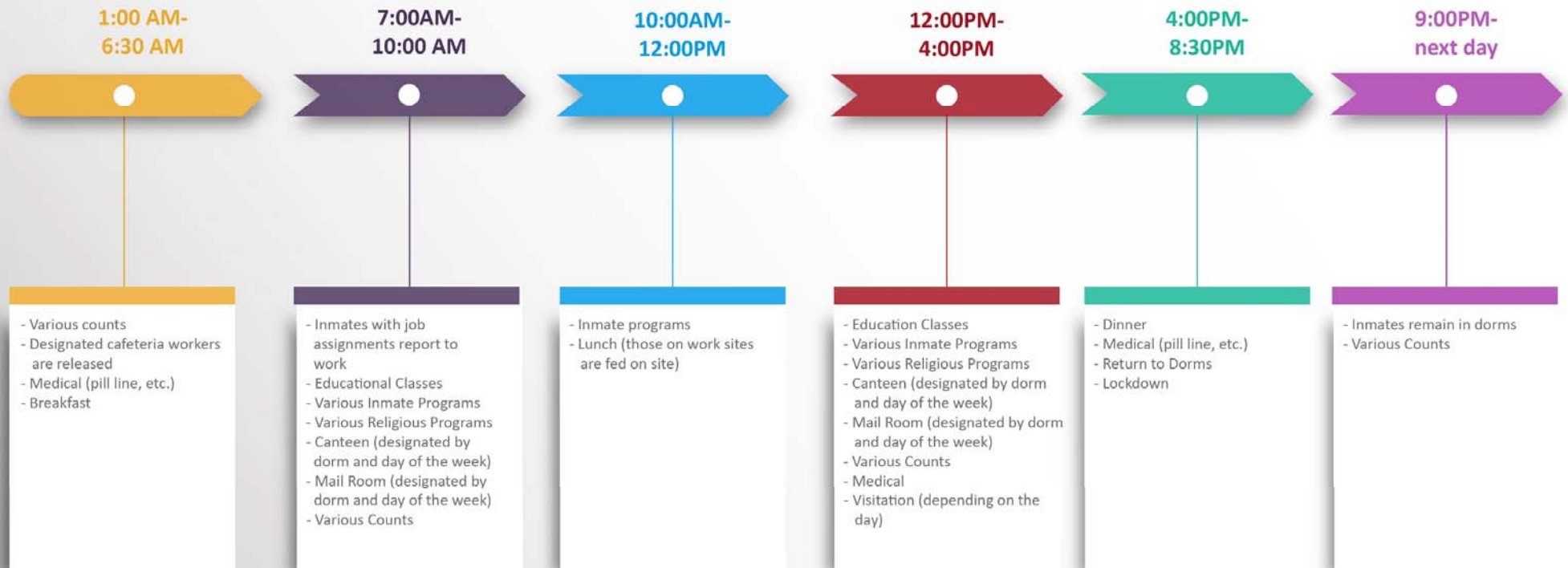
* Inmates that are at Level I A institutions all have job assignments. Depending on which shift they are placed on determines what time of day, they are supposed to report to work. Shifts can range from 1st shift to 3rd shift. Job assignments also varies as some may work in the institution or in the community.



Timeline of an Inmate Day

Level II -Level III Institutions

This is a generalized time frame of the movement of an inmate daily at an institution.



*Recreation schedule varies according to time of the year.

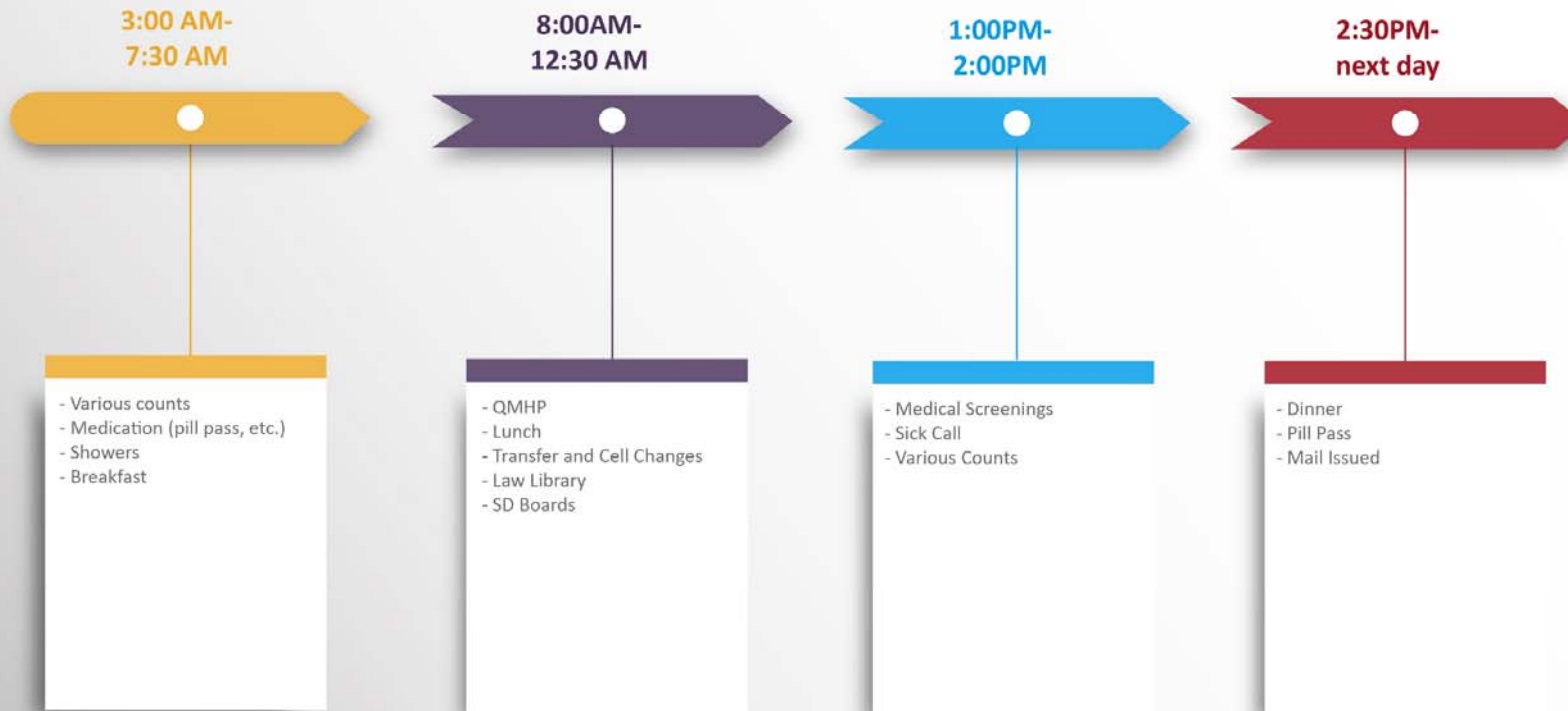


Timeline of an Inmate Day

Restrictive Housing Unit Inmates

This is a generalized time frame of the movement of an inmate daily at an institution.

In order to maintain the safety and security of the general population, the staff, and the Agency, the SCDC will house those inmates requiring more intense behavioral levels of supervision and monitoring in separated areas herein referred to as Restrictive Housing Units (RHU) apart from the general population.



Deliverable 1 – Manage the Agency

Required by S.C. Code Sections 24-1-40 and 24-1-130

- Evaluates

- Outcomes obtained by customers
- Customer satisfaction

- Knows

- Number of potential customers
- Annual number of customers served
- Cost per unit

- Not allowed to charge for this service

Greatest potential harm

Agency would be unable to carry out the mission

Recommendations to General Assembly

- 1) Provide a safe and secure environment for the officers to work in.
- 2) Provide clear communication to the public that the Legislature supports a safe and secure work environment.
- 3) Greater acknowledgement of the service that the officers perform to keep the prisons safe.



Deliverable 1 – Manage the Agency

Components

- Director executing bond for \$50,000
 - *Required by S.C. Code Section 24-1-120*
- Establish rules and regulations for the performance of the agency's functions
 - *Allowed by S.C. Code Section 24-1-90*
- Identify key program area descriptions and expenditures and link those to key financial and performance results measures in the Accountability Report
 - *Required by Proviso 117.29 (2018-19 Appropriations Bill)*
- Request reports from departments as needed
 - *Allowed by S.C. Code Section 24-1-160*

For each component the agency...

- Evaluates
 - Outcomes obtained by customers
 - Customer satisfaction
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Not allowed to charge for the service



Deliverable 2 – Hire and Manage Employees

Allowed by S.C. Code Section 24-1-110(A)

- Evaluates

- Outcomes obtained by customers
- Customer satisfaction

- Knows

- Number of potential customers
- Annual number of customers served
- Cost per unit

- Not allowed to charge for this service

Greatest potential harm

Without staff the agency would be unable to carry out the mission. Employees not properly managed may cause harm to the agency.

Recommendations to General Assembly

- 1) Provide a safe and secure environment for the officers to work in.
- 2) Provide clear communication to the public that the Legislature supports a safe and secure work environment.
- 3) Greater acknowledgement of the service that the officers perform to keep the prisons safe.



Deliverable 2 – Hire and Manage Employees

Components

Prohibit employee from holding two elected positions

Required by S.C. Constitution, Article VI, Section 3

Require other employees to execute bond

Allowed by S.C. Code Section 24-1-120

Provide Correctional Officer retention incentive (CORI) services

Allowed by S.C. Code Section 24-1-110(B)

Retain fees from CORI and apply them to costs associated with operation of CORI

Allowed by S.C. Code Section 24-1-110(B)

Establish guidelines for replacement of employee property damaged by inmates

Required by Proviso 117.17 (2018-19 Appropriations Bill)

Replace applicable employee property if damaged or destroyed by inmate

Required by Proviso 117.17 (2018-19 Appropriations Bill)



Note: There are other components which will be discussed with a different organizational unit.

Deliverable 4 – Self-sustaining, establish prison system

Required by S.C. Code Section 24-1-20 and 24-1-30

- Evaluates

- Outcomes obtained by customers
- Customer satisfaction

- Knows

- Number of potential customers
- Annual number of customers served
- Cost per unit

- Not allowed to charge for this service

Greatest potential harm

Agency is part of the Legal system during the sentencing phase of punishment as ordered by a judge of the court. Societal values are encroached by lack of law enforcement that includes a penalty phase for an individual ruled as guilty by a court of law.

Recommendations to General Assembly

1. Continue support for the law concerning incarcerated individuals.
2. Maintain the Agency mission which reflects said deliverables.
3. Be aware of nation-wide changes that occur in the management and operation of a properly run prison system.



Deliverable 5 — Functions of SCDC and Dept. of Probation, Parole, and Pardon (PPP), collaborate with PPP to consolidate

Allowed by Proviso 117.95 (2018-19 Appropriations Bill H.4950)

- Evaluates
 - Outcome obtained by customers
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Allowed to charge for this service

Greatest potential harm

The agencies are still separate and distinct.

Recommendations to General Assembly

Continue to explore to merge functions of the agencies.



Deliverable 7 — S.C. Sentencing Guidelines Commission, Serve (Director or designee) on Legislative declaration in enabling Act (1989 Act No. 152): See Note 20 in "Deliverables Chart - Notes"

Required by S.C. Code Section 24-26-10

- Evaluates
 - Outcome obtained by customers
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Allowed to charge for this service

Greatest potential harm

Inmate population continues to grow.

Recommendations to General Assembly

- 1) Thoroughly evaluate reform recommendations to ensure that it is explained appropriately so that it does not result in litigation if applied retroactively.



Deliverable 7 — S.C. Sentencing Guidelines Commission, Serve (Director or designee) on Legislative declaration in enabling Act (1989 Act No. 152): See Note 20 in "Deliverables Chart - Notes"

Required by S.C. Code Section 24-26-10

Components

- Perform required duties as member of S.C. Sentencing Guidelines Commission
Required by S.C. Code Section 24-1-120
- Participate, as a member of the S.C. Sentencing Guidelines Commission, in selection of a staff director
Required by S.C. Code Section 24-26-60 and 24-26-40
- Participate, as a member of the S.C. Sentencing Guidelines Commission, in recommending to the General Assembly a classification system for inmates
Required by S.C. Code Section 24-26-60

For each component the agency...

- Evaluates
 - Outcome obtained by customers
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Allowed to charge for the service



Deliverable 41 – Encourage and train inmates in the matter of Reformation

Required by S.C. Code Section 24-1-20 and 24-1-30

- Evaluates

- Outcome obtained by customers
- Customer satisfaction

- Knows

- Number of potential customers
- Annual number of customers served
- Cost per unit

- Not allowed to charge for this service

Greatest potential harm

Agency is part of the Legal system during the sentencing phase of punishment as ordered by a judge of the court. Societal values are encroached by lack of law enforcement that includes a penalty phase for an individual ruled as guilty by a court of law.

Recommendations to General Assembly

1. Continued support for the law concerning incarcerated individuals.
2. Maintain the Agency mission which reflects said deliverables.
3. Be aware of nation-wide changes that occur in the management and operation of a properly run prison system.



Deliverable 79 – Provide humane treatment to inmates

Required by S.C. Code Section 24-1-20 and 24-1-30

- Evaluates
 - Outcome obtained by customers
 - Customer satisfaction
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Not allowed to charge for this service

Greatest potential harm

Agency is part of the Legal system during the sentencing phase of punishment as ordered by a judge of the court. Societal values are encroached by lack of law enforcement that includes a penalty phase for an individual ruled as guilty by a court of law.

Recommendations to General Assembly

1. Continued support for the law concerning incarcerated individuals.
2. Maintain the Agency mission which reflects said deliverables.
3. Be aware of nation-wide changes that occur in the management and operation of a properly run prison system.



Deliverable 85 – Care and treat for inmates (health)

Required by S.C. Code Section 24-1-130

- Evaluates
 - Outcome obtained by customers
 - Customer satisfaction
- Knows
 - Number of potential customers
 - Annual number of customers served
 - Cost per unit
- Not allowed to charge for this service

Greatest potential harm

Agency is part of the Legal system during the sentencing phase of punishment as ordered by a judge of the court. Societal values are encroached by lack of law enforcement that includes a penalty phase for an individual ruled as guilty by a court of law.

Recommendations to General Assembly

1. Continued support for the law concerning incarcerated individuals.
2. Maintain the Agency mission which reflects said deliverables.
3. Be aware of nation-wide changes that occur in the management and operation of a properly run prison system.



Questions/Comments





- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - HCommLegOv@schouse.gov
- Location - Blatt Building, Room 228

END NOTES

¹ Visual Summary Figure 1 provided by the agency in its Program Evaluation report available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” under “Corrections, Department of,” under “Other Reports, Reviews, and Audits,” and under “Oversight Reports,” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/Corrections/PER%20Submission%2012819.pdf> (accessed February 13, 2019).

² Organizational chart provided by the agency in its Program Evaluation report available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” under “Corrections, Department of,” under “Other Reports, Reviews, and Audits,” and under “Oversight Reports,” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/Corrections/PER%20Submission%2012819.pdf> (accessed February 13, 2019).