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Jeffrey E. (Jeff) Johnson  
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**South Carolina House of Representatives**

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John Taliaferro (Jay) West, IV  
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Fiscal/Research Analyst*

### **Department of Corrections Ad Hoc Subcommittee**

**Monday, August 26, 2019  
10:30 a.m.  
Blatt Room 110**

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. Ad hoc subcommittee Chairman Edward R. Tallon, Sr., calls the Department of Corrections Ad Hoc Subcommittee meeting to order on Monday, August 26, 2019, in Room 110 of the Blatt Building. The following members are present during all or part of the meeting: ad hoc subcommittee Chairman Tallon, Representative Gary E. Clary; Representative Micajah P. "Micah" Caskey, IV; Representative Chandra E. Dillard; Representative Joseph H. Jefferson, Jr.; Representative Jeffrey E. "Jeff" Johnson; and Representative Robert Q. Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Clary moves to approve the minutes from the prior Subcommittee meeting. A roll call vote is held, and the motion passes.

Rep. Clary moves to approve the minutes from the Subcommittee's August 12, 2019, meeting:	Yea	Nay	Not Voting (Absent)
Rep. Clary	✓		
Rep. Caskey	✓		
Rep. Dillard	✓		
Rep. Jefferson	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		
Rep. Williams			✓

## Discussion of the S.C. Department of Corrections

- I. Ad hoc subcommittee Chairman Tallon explains a purpose of today's meeting is to receive information about the Legislative Audit Council's audit the Committee requested.
- II. The Director of the Legislative Audit Council, Mr. K. Earle Powell, makes brief remarks to the ad hoc subcommittee. Deputy Director Marcia Lindsay introduces the audit team: Deputy Director Marcia A. Lindsay; Senior Auditor Courtney Phillips; Auditor Jacob Dominy, Auditor Trent Anderson, and Auditor Madison Esterle. Deputy Director Lindsay presents the audit. Topics the audit addresses include:

Chapter 1: Introduction and Background

Chapter 2: Correctional Officers (Cos) and Other Staff

Recruitment

Background Checks for Correctional Officers and Volunteers

Correctional Officer Training

Required Training for Contraband Control Officers Not Provided

Off-Duty Training and Overtime Pay

- Programs for Employees Who Experience Stress and Trauma
- Meal Breaks for Security Staff
- Correctional Officer Staffing Levels
- Correctional Officer Salaries
- Nursing Staff Salaries
- Distribution of Overtime
- Inspections of Detention Facilities and Holding Cells
- Efforts to Improve Staff Retention
- Earning Exemptions for Retired Correctional Officers
- No Time Limits for Issuing Corrective Actions
- Analysis of Security Staff Separations
- Exit Survey Data

### Chapter 3: Inmates

- Classification System
  - Programs for Inmates
  - Security Threat Groups
  - Placement of Mentally Ill Inmates
  - Use of Force in SCDC Facilities
  - Moving inmates to Private or Out-of-State
- Institutions
  - Inmate Sentences
  - SCDC and PPP
  - Issue for Further Study - Criteria for Parole

### Chapter 4: Policy Review and Compliance Issues

- External Policy Reviews
  - Efforts to Control Contraband
  - Issues with Contraband Detection and Prevention
  - Staff Not Following Agency Policies
  - Criminal Penalties for Introducing Contraband into
- Correctional Facilities
  - Federal PREA Regulations
  - Inadequate Application of Internal Controls for
- Detecting and Preventing Contraband
  - Inadequate Policy Update Process
  - Institutional Post Orders Not Archived
  - Victim's Rights Not Afforded to Inmates

### Chapter 5: Data Issues and Litigation Costs

- Data Reliability Issues
  - Consistency and Transparency of Data Reporting
  - Contraband and Assault Statistics
  - Calculation of Vacancy Rates
  - Litigation Costs

Deputy Director Lindsay, and other auditor team members, respond to members' questions about the audit.

- III. Ad hoc subcommittee Chairman Tallon reminds agency personnel previously sworn in that they remain under oath. Department of Corrections Director Bryan Stirling and other agency representatives make brief remarks pertaining to the agency's response to the audit. The agency's written response is appended to the audit. Director Stirling and other agency representatives respond to members' questions.
- IV. The meeting is adjourned.