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Legislative Oversight Committee



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

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Edward R. Tallon, Sr.
John Taliaferro (Jay) West, IV
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Department of Corrections Ad Hoc Subcommittee

**Monday, November 25, 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. The Department of Corrections Ad Hoc Subcommittee meeting is called to order by Chair Edward R. Tallon, Sr. on Monday, November 25, 2019, in Room 110 of the Blatt Building. The following other members of the Subcommittee are present for either all or a portion of the meeting: Representative Gary E. Clary; Representative Micajah P. "Micah" Caskey, IV; Representative Joseph H. Jefferson, Jr.; and Representative Robert Q. Williams. Representative Chandra E. Dillard and Representative Jeffrey E. "Jeff" Johnson are absent.

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 October 23, 2019, meeting. A roll call vote is held, and the motion passes.

Rep. Jefferson's motion to approve the minutes from the October 23, 2019, meeting:	Yea	Nay	Not Voting
Rep. Clary	✓		
Rep. Caskey	✓		
Rep. Dillard			✓ (absent)
Rep. Jefferson	✓		
Rep. Johnson			✓ (absent)
Rep. Tallon	✓		
Rep. Williams	✓		

Discussion of the S.C. Department of Corrections

- I. Ad hoc subcommittee Chairman Tallon explains the purpose of today's meeting is to hear from a legislator, receive public testimony, discuss prolonged incarceration, continue discussion of the agency's legal and compliance unit, and, time permitting, discuss the agency's administration unit.
- II. Ad hoc subcommittee Chairman Tallon explains that all testimony given to this subcommittee, which is an investigating committee, must be under oath. He reminds agency personnel previously sworn in that they remain under oath.
- III. Ad hoc subcommittee Chairman Tallon recognizes Representative William M. "Bill" Chumley and Representative James Mikell "Mike" Burns, who requested to inform the subcommittee of a concern regarding SCDC and discuss a potential solution, which is included in legislation filed in the House, H.3971. Ad hoc subcommittee Chairman Tallon reminds everyone that legislation is not referred to the House Legislative Oversight Committee, and the Committee does not send legislation to the House floor. The Committee can, and has in the past, made recommendations that included suggested legislative changes. However, they are recommendations only. Implementing those recommendations requires a member to file legislation,

which then goes through the normal legislative process. Rep. Chumley and Rep. Burns present information to the members. Members ask questions, which Rep. Chumley and Rep. Burns answer. Also members ask questions to agency personnel, which they answer.

- IV. Ad hoc subcommittee Chairman Tallon recognizes Ms. Barbara Kelly to provide public testimony. Ms. Kelly provides testimony and members ask questions. Ms. Kelly and agency personnel answer member questions.
- V. Ad hoc subcommittee Chairman Tallon recognizes Ms. Donna Hardison to provide public testimony. Ms. Hardison provides testimony and members ask questions. Ms. Hardison answers member questions.
- VI. Ad hoc subcommittee Chairman Tallon recognizes Ms. Nancy Kreml to provide public testimony. Ms. Kreml provides testimony and members ask questions. Ms. Kreml answers member questions.
- VII. Ad hoc subcommittee Chairman Tallon recognizes Mr. Stuart Andrews to provide public testimony. Mr. Andrews provides testimony and members ask questions. Mr. Andrews answers member questions.
- VIII. Mr. Bryan Stirling, SCDC Executive Director, provides information about prolonged incarceration and the audits SCDC is performing of records. Members ask questions, which Director Stirling and other agency personnel answer.
- IX. A member makes a motion during the meeting, which is listed on the next page. A roll call vote is held for the motion, and, among the members present, the motion passes unanimously.

Rep. Caskey moves that the Subcommittee Study include a recommendation that the General Assembly consider reviewing statutes to protect agency directors and department heads, within reasonable boundaries, from being personally liable for involvement in all human resources decisions related to any personnel.	Yea	Nay	Not Voting (Not Present)
Rep. Clary	✓		
Rep. Caskey	✓		
Rep. Dillard			✓
Rep. Jefferson	✓		
Rep. Johnson			✓
Rep. Tallon	✓		
Rep. Williams	✓		

X. There being no further business, the meeting is adjourned.