

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

July 22, 2019

Mr. Edward R. Tallon, Sr.
South Carolina House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Re: Follow-up to information about inmate early release

Dear Representative Tallon:

Inmate #1, arrived at the South Carolina Department of Corrections (SCDC) on July 2, 2019 with ten (10) years suspended sentence to five (5) months and four (4) years' probation for Distribution of Methamphetamine 1st offense from Newberry County. SCDC received a 65 days jailtime credit sheet and it was applied on July 3, 2019. Inmate #1's projected release date was calculated as July 23, 2019. An Inmate Records Office Release Records Analyst incorrectly interpreted this sentence as a 1st of the month release which allowed Inmate #1 to be released on July 3, 2019. The second Release Records Analyst also did not interpret this sentence as day for day correctly, which would have made his release date July 23, 2019. Inmate #1 was apprehended on July 5, 2019 and returned to Kirkland R & E where he will serve the remainder of his sentence.

To prevent this type of error release in the future, our Resource Information Management Division implemented system changes on Monday July 8, 2019 to prevent the inmate records office release section from keying in a scheduled release date for an inmate that is prior to their system projected maxout date for inmates who are not eligible for first of month release due to their total incarcerative sentence being less than 6 months. These inmates are indicated in the maxout screening application as "day-for-day". If any date prior to the projected maxout date is entered in the scheduled release date on the maxout screening application, the system returns an error stating that "DAY-FOR-DAY INMATES CAN NOT BE RELEASED EARLY...".

The error releases that were discovered earlier this year involved the incorrect entry of sentences that required a minimum of 85% service before completion. To help correct this error in future cases, SCDC implemented a 2-person record audit prior to release. SCDC believes this process will help catch errors and correct them prior to an inmate's release.

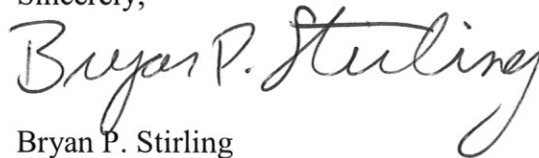
After receipt of your letter regarding early releases dated July 16, 2019, it was determined that another issue arose in which Inmate #2 was incarcerated one year and ten months past his court ordered maxout date. Inmate #2 was incarcerated on December 16, 2016 for Criminal Sexual Conduct 3rd Degree with a Minor. Upon receipt at Kirkland Reception & Evaluation, his

CDR code was entered correctly; however, the Records Analyst entered the wrong offense code, which indicated that he was convicted of Criminal Sexual Conduct 1st Degree with a Minor with a maxout date of October 2, 2019, which is a non-parolable 85% charge. This data entry error increased his incarcerative sentence by one (1) year, ten (10) months and thirteen (13) days. When this data entry error was found during the October 2019 release audit and the offense code was corrected, it changed his maxout date to September 3, 2017. Once this was confirmed, Inmate #2 was released on July 16, 2019 to Immigration and Customs Enforcement, as they had a detainer for him.

The second error release issue is similar to the error release issue that was previously discussed with the Committee. In our letter to the Committee dated April 29, 2019 item #3, SCDC explains the corrective measures that are being implemented for the release process to minimize and hopefully eliminate these issues in the future; however, SCDC indicated that the CDR code/violation change would take approximately 90 days. Our Resource Information Management Office is diligently working on this issue as this corrective measure is a top priority for the Agency.

Should you have further questions or require additional information, please do not hesitate to contact me. Thank you.

Sincerely,



Bryan P. Stirling

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