

January 15, 2016

The Honorable Kirkman Finlay III
Subcommittee Chairman, Legislative Oversight Committee
South Carolina House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Representative Finlay:

Thank you for your recent letter regarding our most recent meeting of December 2, 2015 with the House Legislative Oversight Committee; Law Enforcement and Criminal Justice Subcommittee. We have reviewed the additional information you have requested and offer the following responses.

- How many Boys and Girls Clubs are involved with the Teen After-School Centers (TASC)?

There are currently 38 TASC sites located throughout the State of South Carolina, of these sites 12 are operated in conjunction with a Boys and Girls Club Program. They are as follows:

Aiken County – Salvation Army Boys and Girls Club
Barnwell County – Boys and Girls Club of Southern Carolina
Cherokee County – Boys and Girls Club of the Upstate
Darlington – Hartsville Boys and Girls Club
Florence County – Florence – Boys and Girls Club of the Pee Dee
Florence County – Lake City – Boys and Girls Club of the Pee Dee
Orangeburg County – Orangeburg Area Boys and Girls Club
Richland County – Boys and Girls Club of the Midlands
Williamsburg County – Rick and Susan Goings Boys and Girls Club
York County – 3 sites – Catawba Teen Center; Clover Teen Center; Rock Hill Teen Center

- How many rapes have been reported in agency facilities or programs during the past two years?

In 2014 there were (2) sexual acts reported, one (1) of which was founded upon investigation. There were no abusive sexual contacts reported in 2014. In 2015 there were three (3) sexual acts reported, one (1) of which was founded upon investigation. There were no abusive sexual contacts reported in 2015.

- Please provide a calculation of how many guards are required by the Federal Prison Rape Elimination Act (PREA) with the present juvenile population?

DJJ currently has 517 correctional officers in all of the DJJ operated hardware secure facilities. The cost of one entry level officer recruited, hired and trained is \$35,861 (salary and fringe) and \$2,103.08 (training cost) for an overall total of \$37,964.08. In order for DJJ to meet the PREA compliance ratio of 1:8 DJJ estimates that it will need to hire 126 additional officers at a cost of \$4,783,474.00 recurring dollars to supervise the current juvenile population.

- What is the current ratio of guards to juveniles “behind the fence”?

DJJ operates five (5) hardware secure facilities all of which are “behind fences” each with a specific population of young person served.

1. The **DJJ Detention Center** is located at 1725 Shivers Road, Columbia, South Carolina 29212. DJJ's Juvenile Detention Center is a centralized pretrial detention facility, serving juveniles from most of South Carolina's 46 counties (several counties, including Richland and Charleston, operate their own long-term and short-term detention facilities). The Detention Center is a secure, short-term facility providing custodial care and treatment to male and female juveniles ages 11 to 17 detained by law enforcement agencies and the family courts prior to disposition. Youths awaiting trial on serious and violent charges reside at DJJ's Detention Center to ensure public safety and the juveniles' immediate availability for court proceedings. A new, expanded Detention Center opened in 2001, replacing a historically overcrowded facility. The current ratio of Juvenile Correctional Officer (“guard”) to juvenile is 1:12.
2. The **Midlands Regional Evaluation Center** is located at 1721 Shivers Road Columbia, South Carolina 29210. DJJ's Midlands Regional Evaluation Center provides court-ordered evaluations for adjudicated juveniles from the midlands area prior to final disposition of their cases. The facility provides comprehensive psychological, social, and educational assessments to guide the court's disposition of cases. The facility serves male juveniles ages 11 to 17 from 19 midlands counties and is one of three regionalized evaluation centers around the state. By law, the length of stay for adjudicated juveniles cannot exceed 45 days. The center opened in 1997. The current ratio of Juvenile Correctional Officer (“guard”) to juvenile is 1:14.

3. The **Upstate Regional Evaluation Center** is located at 1585 Jonesville Highway, Union, South Carolina 29379. DJJ's Upstate Regional Evaluation Center provides residential court-ordered evaluations for adjudicated juveniles from the upstate area prior to final disposition of their cases. The facility provides comprehensive psychological, social, and educational assessments to guide the court's disposition of cases. The facility serves male and female juveniles ages 11 to 17 from 15 upstate counties and is one of three regionalized evaluation centers around the state. By law, the length of stay for adjudicated juveniles cannot exceed 45 days. The center opened in 1997. The current ratio of Juvenile Correctional Officer ("guard") to juvenile is 1:14.
4. **Coastal Regional Evaluation Center** is located at 331 Campbell Thicket Road, Ridgeville, South Carolina 29472. DJJ's Coastal Regional Evaluation Center provides residential court-ordered evaluations for adjudicated juveniles from the coastal area prior to final disposition of their cases. The facility provides comprehensive psychological, social, and educational assessments to guide the court's disposition of cases. The facility serves male and female juveniles ages 11 to 17 from 16 low-country counties and is one of three regionalized evaluation centers around the state. By law, the length of stay for adjudicated juveniles cannot exceed 45 days. The center opened in 2002. The current ratio of Juvenile Correctional Officer ("guard") to juvenile is 1:14.
5. **The Broad River Road Complex** (BRRC) located at 4900 Broad River Road, Columbia, South Carolina 29212 consists of three main components for supervision and treatment of juvenile offenders who have been ordered by a family court judge into long-term commitment. They are as follows: The **Birchwood** Program offers programs for boys with special needs, the Sex Offender Treatment Program (SOTP), the Pre-Release, and the Young Offender Program Stabilizing Treatment to Enhance Potential Success (STEPS) program. Birchwood is also home to DJJ's Communities in Schools (CIS) program, one of the first in the nation in a juvenile correctional setting--offering skills/character development, and specializing in educational services that prepare boys for post-secondary education. The facility includes the Santee Special Management Unit and Birchwood School. Birchwood School is where girls and boys attend middle and high school, but in separate classrooms and on different wings of the school. Birchwood opened in 1975. The **John G. Richards** specializes in providing substance abuse treatment services to 12 to 17 year-old male juveniles with alcohol and other drug abuse problems. These services are designed to assist juveniles in abstaining from using alcohol and other drugs and in becoming productive members of their communities when the Juvenile Parole Board or DJJ Release Authority releases them. This campus houses the Systemic Treatment for Aggression Replacement program (STAR) and DJJ's Junior Reserve

Officer Training Corps (JROTC) program, a cooperative effort between DJJ's school district and the U.S. Army. John G. Richards opened in 1966. **Willow Lane** is a gender-responsive program comprised of educational, clinical and independent living experiences for girls. The program houses a Transition House, which incorporates transitional living into the rehabilitative process. The facility originally opened as the Riverside School for Girls in 1966. The current ratio of Juvenile Correctional Officer ("guard") to juvenile is 1:10.

- How many Department of Juvenile Justice students have taken the job skills assessment test, WorkKeys, during the last three years? What is the average score of those students?

In school-year 2012-2013, 15 students were tested in WorkKeys, in school-year 2013-2014, 23 students were tested in Work Keys and in school-year 2014-2015, 33 students were tested in WorkKeys. Of the 71 students who were tested 62 passed, of those who passed the average score in Applied Mathematics was a "4" which is equal to the Silver level, in Locating Information the average score was a "3" which is equal to the Bronze level and in Reading for Information the average score was a "3" also equal to the Bronze level. The cumulative total scoring for each of our students who passed is as follows: 33 students achieved the Bronze level, 26 students achieved the Silver level, 2 students achieved the Gold level and 1 student achieved the Platinum level. In school-year 2015-2016 as of January 15, 2016, 166 students have taken the WorkKeys test and 131 are reporting a passing score.

- Has the agency conducted any facilities and efficiencies studies?
Yes, the agency participates in Performance-based Standards (PbS) and has since 2004. The most recent comprehensive PbS report is from 2012 and is attached as well as a letter of recognition from PbS submitted July 8, 2014 to Governor Nikki Haley.

PbS was launched in 1995 by the US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to improve the deplorable conditions reported by the 1994 Conditions of Confinement Study. PbS helps state agencies and overseeing bodies proactively avoid potential incidents before they occur, thus reducing an organization's exposure and liability to lawsuits. In 1997, Congress passed the Civil Rights for Institutionalized Persons Act (CRIPA) protecting juveniles' Constitutional rights to safety, adequate health and mental health care, rehabilitative treatment and education. Under CRIPA, the Department of Justice (DOJ) has investigated conditions of confinement in more than 100 juvenile facilities. The analysis concluded that PbS goals relating to safety, order, security, health and mental health are tied closely to the constitutional issues upon which CRIPA investigations focus and that facilities implementing PbS standards and using PbS outcome measures minimize and potentially eliminate facilities' risk of

violating CRIPA and constitutional requirements. Regardless of whether litigation arises from the DOJ, CRIPA or an individual, the time and money required to participate in PbS pales in comparison to the resources consumed from even just one lawsuit.

The PbS data-driven improvement model identifies, monitors and improves conditions of confinement and treatment services in residential facilities and programs using national standards and performance outcome measures. Agencies, facilities and programs in over 30 states currently volunteer to participate and commit to treating all youths in custody as one of our own. PbS builds performance improvement and accountability into agency, facility and program operations using a three-part cycle of activities: collecting data, analyzing the performance outcomes and summary data reports and the heart of PbS: using the data to create improvement and reforms.

Twice a year PbS participants collect information by surveying youths, staff and families, and reporting administrative data, unusual incidents and the services offered by the facility or program. The information is entered into the PbS website or transferred using the PbS application program interface. At the end of each data collection period, PbS reports are calculated and show how a facility's services and performance meet the PbS standards in safety, order, security, programming (education), health/mental health services, justice, reintegration and connection to family and social supports. Participants are given analysis tools to identify what works and what needs to be improved. For example, participants see outcome data compared to their previous data collections and to the PbS field. PbS also provides summary data reports for every data collection form that shows the total responses for each question asked and provides details that help diagnose outcome results. PbS Teams look at the reports, align the information with agency and facility goals and strategic plans and identify specific areas and outcomes they want to improve.

- How much did the agency spend towards achieving each of its goals in fiscal year 2014-15?

Please see attached document.

- How much did the agency spend towards achieving each of its objectives in fiscal year 2014-15?

Please see attached document.

- How did the agency determine how much it spent toward achieving each of its goals and objectives in fiscal year 2014-15

South Carolina Department of Juvenile Justice Methodology for Expenditure Allocation to Goals and Objectives

Please note that the same methodology was used in allocating actual expenditures to the Agency's goals and objectives for fiscal year 2013-2014 and 2014-2015.

During April 2015, the Agency received a request from the Legislative Oversight subcommittee that was responsible for reviewing the Agency to provide an accounting of the Agency's total expenditures for 2013-2014 and expenditures to date for 2014-2015 by each of its goals and objectives as reported in the Agency's annual accountability report. Since the Agency does not capture or otherwise track expenditure data based on this methodology, the Agency completed the request utilizing what was felt to be a sound cost allocation methodology. On December 21, the Legislative Oversight subcommittee did request that the actual expenditure data for Fiscal Year 2014-2015 be updated from a partial year calculation to the full year calculation which has been completed and is being provided along with this methodology narrative. The methodology that was used in responding to the request is as follows:

Overall

The Agency tracks and reports expenditure data by its assigned programs/sub-programs which mirrors the manner in which the Agency receives its budget each year as part of the annual appropriation act. The Agency does report annually through its accountability report the association of the Agency's goals and objectives to the programs/sub-programs responsible. Any expenditure associated with an assigned goal and objective would be included as part of the overall operating expenditures of that particular program/subprogram. The two exceptions to this would first be related to the expenditures reported under the Parole Board. In regards to the Parole Board, the Agency does receive and report expenditures for the Parole Board though they are not associated with any Agency goal/objective and would be considered purely pass through funds. Secondly, benefit expenditure expenses for all eligible staff are not reported as part of the program/subprogram expenditures, but in a separate program that does not have associated goals and objectives. The allocation methodology for each program/subprogram is as follows:

Parole Board

Actual expenditures reported under this program for FY 14-15 have not been included in the expenditure breakdown by goal and objective. For FY 14-15, the Agency had total expenditures of \$118,464,470 and of this total \$400,783 was reported under the Parole Board, therefore the total expenditures reported under the breakdown by goal and objective is \$118,063,687.

Benefits

Actual expenditures for each year is divided by total number of filled FTEs and this amount per FTE is then multiplied by the number of filled FTEs for each program/subprogram in an effort to reallocate the total benefit costs of the Agency into programs/subprograms that have associated goals and objectives. This calculation will increase the expenditures for each program/subprogram that have

associated goals and objectives, though total Agency expenditures remain unchanged.

Administration

This program includes the main support functions, though the associated goals and objectives for this program are purely related to the human resources function and not the other main support functions. In an effort to reflect this, the expenditures for the human resources function are pulled out of the total expenditures for administration and divided by the number of associated goals and objectives reported for that fiscal year. The remaining expenditures for administration are then equally allocated to each goal and objective that the Agency has reported as being in process by dividing total expenditures (less human resources) by the total number of associated goals and objectives.

Community Services/Long-Term Facilities/Reception and Evaluation/County Services-Detention Center/Residential Operations/Juvenile Health and Safety/Program Analysis and Staff Development/Education

These programs each capture costs that are related to their description and each has a number of associated goals and objectives. The expenditures for each of these programs/subprograms is divided by the number of associated goals and objectives to calculate a per program expenditure for each associated goal and objective. Please note that in multiple occasions a particular goal and objective can be associated with more than one program/subprogram. In this case, the total expenditure calculated for that particular goal and objective is determined by adding together each associated program/subprogram expenditure amount that has been previously calculated for each of its assigned goals and objective.

Summary

It is the hope that this narrative, which outlines the methodology used by the Agency, provides the information requested from the Law Enforcement and Criminal Justice Legislative Oversight subcommittee, allows staff and members of the subcommittee to obtain a better understanding of the expenditure data provided.

- If the agency does not typically budget or calculate its spending by utilizing its objectives and goals, please explain the process the agency utilizes?

Overview:

The Agency's budget process includes budget schedules and narratives that are submitted to the Governor's Office, House Ways and Means Committee and Senate Finance Committee at different times beginning in October with the submission to the Governor's Office.

Structure:

The Agency budget schedules are broken down by the following:

- Funding source – budgeted expenditures are broken down by their forecasted source of funding, which includes State funds (appropriation act), Other funds

(earmarked or restricted funds), including (though not limited to) court fines, municipality fees and funds used to support the Agency's special school district, and Federal funds which would be grant funds that have been directly awarded to the Agency or pass-through from another state agency.

- Program/subprogram – Operating areas of the Agency are grouped into the following programs/subprograms:
 - Parole – pass through to the Parole Board
 - Administration – support departments
 - Program Services:
 - Community Services – county offices, social work, psychology, job readiness sites and TASC
 - Long Term Facilities – Broad River Road Correctional site and Dietary
 - Reception and Evaluation – Upstate, Midlands and Coastal Evaluation Centers
 - County Services – Detention Center
 - Residential Operations – wilderness camps and other outside placement
 - Juvenile Health and Safety – inspector general and juvenile health services
 - Program Analysis and Staff Development – statistical and other agency services along with staff training and development offices
 - Education – special school district
 - Employee Benefits – employer cost of all benefits for staff
- Expenditure Type – Under each program/subprogram expenditures are grouped into the following categories:
 - Personal Services - salaries and wages for all classified, unclassified and temporary staff
 - Case Services – expenditures for contract services provided directly to the juveniles
 - Other Operating – expenditures for areas including supplies, rental services, contract services, utilities, etc.
 - Benefits – expenditures for employer Medicare and Social Security, retirement, insurance and workers compensation.

Process:

The Agency begins the process of budget development by starting with the current years approved budget and making any reductions for items that will not be recurring (one time expenditures in the current year). At the same time, funding sources are reviewed and forecasted to determine if other (restricted and earmarked) and federal funds will be available to fund the base recurring expenditures assigned to each source. Any other or federal funding source that is not forecasted to have the necessary funds to support the associated expenditures is highlighted so that it can be considered along with other Agency needs to determine if expenditure reductions will be required or another funding

source will be required to support. Agency's senior management will then begin the process of reviewing requested program or activity changes and their forecasted cost or savings. The forecasted cost or savings of the approved program and activity changes are loaded into the base budget into the appropriate program/subprogram and matched against the most appropriate funding source. This budget is then presented to Agency senior management for review and modification as directed. From this budget, budget staff put together the required budget schedules, including a separate budget expenditure schedules for base recurring expenditures and request for new/additional funds provided by any the funding sources noted above. Included with the request for new/additional funds is written justification as to purpose. The budget packages are reviewed prior to each subsequent submission to verify accuracy of the submission to the different legislative committees based on the current years up to date actual expenditures as well as any potential items that have arisen that could have an impact on the operations of the Agency.

Summary:

The Agency budgets and reports actual expenditure in the same manner so that comparison can be easily made within the current fiscal year as well as in comparison to prior fiscal years. The program/subprograms of the Agency are very important as these encompass the main operating areas of the Agency and allow for the Agency to analyze and track expenditure data as needed.

- Please provide in an Excel document a list of agency employees. Please annotate this list with the following information: indicate to which program(s) each employee is assigned and any groups under a program; indicate the percentage of each employee's time that is assigned to program(s); and indicate whether or not each employee has direct interaction with juveniles in the program(s) to which the employee is assigned.

Please see attached Excel document, please note that the password for this document is Joy! .

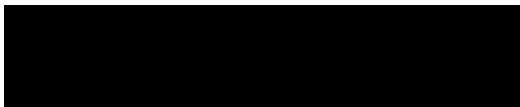
- Please provide a brief summary about the events that occurred the weekend of December 18-20 which required juveniles in the agency's crisis management unit to be displaced to another facility and any other similar events that have occurred over the past three years. Please provide the subcommittee with the agency's policy for escalation of discipline for juveniles as well as its policy for notifying parents and guardians.

On the night of December 19, 2015 three minor fires were set by seven juveniles in separate disturbances on the Broad River Road Complex (BRRC). The fire department was notified and responded to the scene. No juvenile was seriously injured but due to the smell of smoke and minor damage in one living unit juveniles from two living units were relocated to the nearest available facilities

which were the Juvenile Detention Center and Midlands Evaluation Center. In the past three years DJJ has had no other similar incidents in which there was a coordinated effort to create a fire disturbance and at no time in the past three years have two units of juveniles had to be moved to other facilities temporarily. Please see four attached policies that address escalation of discipline and notification of parents and guardians they are numbered as follows: G-9.16, G-9.19, G-9.20 and G-10.3.

Thank you to each of you and the Legislative Oversight Committee staff for your time and attention. Your interest in serving the youth of South Carolina in the least restrictive environment through developing programs that have measureable outcomes is shared by all of us at the South Carolina Department of Juvenile Justice. Please let me know if I or my staff can provide you with additional information or answer any questions you may have.

Sincerely,



Sylvia Murray
Director

SM/er

cc: The Hon. William Weston J. Newton
The Hon. Raye Felder
The Hon. William K. Bowers
The Hon. Edward R. Tallon, Sr.
Ms. Jennifer L. Dobson
Mr. Charles L. Appleby IV