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March 27, 2018

Director Freddie Pough
South Carolina Department of Juvenile Justice
PO Box 21069
Columbia, South Carolina 29221-1069

Dear Director Pough:

While the House Legislative Oversight Committee issued its study of the Department of Juvenile Justice almost a year ago, the Committee has requested regular reports from the agency. Accordingly, the agency has provided the Committee with monthly reports that provide a statistical overview of the safety of juveniles and agency employees. These monthly reports are posted online for the public to view in furtherance of the Committee's mission to inform the public about state agencies.

Review of the statistical information provided in these reports and a recent media article about the agency prompt concerns and additional questions about the safety of juveniles and agency employees. The enclosure to this letter notes some concerning incidents with questions. Please respond to these questions and concerns by Tuesday, April 24, 2018, in as forthright a manner as possible without sharing any personal identifying information or divulging issues which may place juveniles or staff in danger prior to the issues being resolved. Thank you for the agency's continued partnership in the legislative oversight process.

Sincerely,

Wm. Weston J. Newton

Enclosure

cc: House Legislative Oversight Committee Members
The Honorable Jay Lucas, Speaker of the South Carolina House
Senate Special Study Committee on the Department of Juvenile Justice
The Honorable Henry McMaster, Governor of South Carolina

Below are some statistics obtained from the agency's monthly reports to the Committee, which raise concerns. On the next page are questions related to these concerns.

Marine and Wilderness Camps (Entity - Number of incidents)				
Runaway ¹	CA	1 (Feb.-1)	PMI	1 (Nov. 1)
	AWPI	1 (Jan.-1)	AS	1 (Sept.-1)
	GMI	4 (Dec.-4)		
Juveniles injured in an assault ²	AB	3 (Nov.-2; Oct.-1)	GMI	1 (Jan.-1)
	AS	1 (Feb.-1)	GGH	1 (July-1)
	AWP1	2 (Jan.-1; Oct.-1)	PMI	1 (Nov.-1)
	AWP2	4 (Feb.-2; Jan.-1; July-1)		
Juveniles with substantiated abuse and neglect allegations ³	AB	1 (Jan.-1)		
	AWP2	1 (July-1)		
	CA	1 (Nov.-1)		
Serious injury to any person on DJJ property/contracted property requiring medical treatment ⁴	AB	5 (Nov.-3; Oct.-2)	CG	1 (Sept.-1)
	AS	10 (Feb.-4; Nov.-1; Oct.-4; Aug.-1)	CYDC	2 (Nov.-1; Sept.-1)
	AWP1	14 (Feb.-1; Jan.-2; Dec.-3; Nov.-3; Oct.-2; Sept.-2; Aug.-1)	GMI	6 (Dec.-4; Nov.-1; Oct.-1)
	AWP2	10 (Feb.-3; Jan.-2; Dec.-2; Nov.-1; July-2)	PMI	3 (Jan.-1; Nov.-1; Sept.-1)
	CA	12 (Feb.-3; Jan.-1; Dec.-2; Nov.-1; Oct.-1; Sept.-3; Aug.-1)		
Secure Facility, Detention Center, and Evaluation Centers (Entity - Number of incidents)				
Staff injuries by juvenile ⁵	BRRC	4 (Dec.-1; Sept.-2; Aug.-1) (even with 49 juvenile assaults on staff)	MEC	3 (Jan.-2; Nov.-1) (even with 16 juvenile assaults on staff)
	JDC	4 (Oct.-2; Sept.-1; July-1) (even with 18 juvenile assaults on staff)	UEC	0 (even with 8 juvenile assaults on staff)
	CEC	2 (Oct.-1; Aug.-1) (even with 15 juvenile assaults on staff)		
Staff assault on juvenile ⁶	CEC	2 (Jan.-2)	MEC	2 (Nov.-1; Oct.-1)
Juvenile injuries by staff ⁷	CEC	4 (Feb.-1; Jan.-2; Aug.-1)	MEC	1 (Nov.-1)
	JDC	6 (July-6)		
Allegation of juvenile sexual abuse ⁸	CEC	3 (Feb.-3)		

Table Note: The agency's monthly reports are accessible under "Oversight Reports and Studies," at <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/DJJ.php>. Abbreviations utilized in the table include: AB - AMIKids Beaufort (Beaufort); AS - AMIKids Sandhills (Patrick); AWP1 - AMIKids White Pines 1 (Jonesville); AWP2 - AMIKids White Pines 2 (Jonesville); BRRC - Broad River Road Complex (Columbia); CA - Camp Aspen (Columbia); CEC - Coastal Regional Evaluation Center (Ridgeville); CG - Camp Ghigau (Tamassee); CYDC - Clemson Youth Development Center (Aiken); GGH - Generations Group Home (Simpsonville); GMI - Georgetown Marine Institute (Georgetown); JDC - Juvenile Detention Center (Columbia); MEC - Midlands Evaluation Center (Columbia); PMI - Piedmont Marine Institute (Clinton); and UEC - Upstate Regional Evaluation Center (Union).

Marine and Wilderness Camps

Runaways

1. How long did it take to recover each of the runaway juveniles?
2. What measures, if any, have been implemented to prevent future runaways? Please note how long each measure has been in place.

Juveniles injured in an assault

1. Who (juvenile, staff, or other) allegedly perpetrated each of these assaults?
2. As the Committee is not seeking any identifying personal information, please categorize the types of incidents.
3. What actions were taken as a result of each incident?
4. To the extent possible without compromising safety, what measures, if any, are currently in place to prevent future assaults? Please note how long each measure has been in place.

Juveniles with substantiated abuse and neglect allegations

1. As the Committee is not seeking any identifying personal information, please categorize the types of incidents.
2. What actions were taken as a result of each incident?
3. To the extent possible without compromising safety, what measures, if any, have been implemented to prevent future incidents of abuse or neglect? Please note how long each measure has been in place.

Serious injury requiring medical treatment

1. As the Committee is not seeking any identifying personal information, please categorize the types of incidents.

Other

1. If any serious injuries to either juveniles or staff did not result from assault, abuse, or neglect, what measures have been taken to prevent future such injuries? Please note how long each measure has been in place.
2. Have the contracts with the entities facilitating the marine and wilderness camps been amended to include performance measures as was discussed with the agency during Committee meetings over a year ago. If not, why; also, please indicate an anticipated implementation date.

Secure Facility, Detention Center, and Evaluation Centers

Staff injuries caused by juveniles

1. Has the agency identified any common situations in which staff injuries are more likely to occur?
2. When considering the ratio of staff injuries to juvenile assaults on staff, how does the agency explain the Broad River Road Complex having a much lower ratio than the Juvenile Detention Center, Coastal Evaluation Center, and Midlands Evaluation Center?
3. To the extent possible without compromising safety, what measures, if any, have been implemented to prevent staff injuries? Please note how long each measure has been in place.

Staff assault on juveniles; juvenile injuries caused by staff; allegation of juvenile sexual abuse

1. As the Committee is not seeking any identifying personal information, please categorize the types of incidents.
2. What actions were taken as a result of each incident?
3. To the extent possible without compromising safety, what measures, if any, have been implemented to prevent future incidents? Please note how long each measure has been in place.
3. To what does the agency attribute the increase in incidents at the Coastal Evaluation Center?

Recent Events

During March 2018 did any of the agency's facilities experience incidents involving more than four juveniles? If yes, please provide a brief summary, devoid of any personal identifying information, of each incident.

Endnotes reference definitions provided by the agency; See definitions chart in the monthly reports.

¹ *Appears in monthly report beside, "A juvenile NOT in Commitment status (meaning on probation status) in an alternative placement facility leaves the facility unofficially or illegally."*

² *The agency defines "injury" in the monthly report as, "Any instance in which a youth or staff member is hurt even if treatment is not provided. This includes minor injuries such as scratches or swelling, injuries from assaults/fights, accidental injuries from playing sports or other*

environmental hazards, cases where a youth or staff member is injured during the application of restraints.” The agency defines “assault” in the monthly report as, “Any instance in which a youth or staff member is involved in a physical contact with another individual(s), even if no one is injured. This includes unprovoked and provoked attacks and sexual assaults. Distinctions should be made between assaults and fights where fights are defined as mutual physical attacks. This distinction was made for analysis purposes to further define assaults.”

³ Appears in monthly report beside, “Juveniles with substantiated (by DJJ IG) abuse and neglect allegations at the program.”

⁴ Appears in monthly report beside, “Injury (*serious) to any person (juvenile, employee, other) while on DJJ property/contracted property that requires medical treatment by a doctor, nurse practitioner, or EMT.”

⁵ Appears in monthly report beside, “Reported incidents of staff injuries (by juveniles),” or “Staff injuries (by juvenile).” See agency definition of “injury” in Endnote 2.

⁶ Appears in monthly report beside, “Reported incidents of assaults on staff by juvenile,” or “Assaults on staff by juvenile.” See agency definition of “assault” in Endnote 2.

⁷ Appears in monthly report beside, “Injuries to juvenile by staff.” See agency definition of “injury” in Endnote 2.

⁸ Appears in monthly report beside, “Reported incidents of abuse (sexual) allegation of a juvenile (actual or suspected) of any degree or nature,” or “abuse (sexual) allegation of a juvenile (actual or suspected) of any degree or nature.” The agency defines “sexual abuse” in the monthly report as, “Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident: (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (2) Contact between the mouth and the penis, vulva, or anus; (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above; (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and (8) Voyeurism by a staff member, contractor, or volunteer.”