

Legislative Oversight Committee

South Carolina House of Representatives

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Notification of Law Enforcement and Criminal Justice Subcommittee Study Department of Juvenile Justice

March 7, 2017

In accordance with Standard Practice 12.5, notice is hereby provided that the Law Enforcement and Criminal Justice Subcommittee's study of the Department of Juvenile Justice is available for consideration by the full committee.

Edward R. Tallon Sr.

Law Enforcement and Criminal Justice Subcommittee Chair

cc: The Honorable Katherine E. "Katie" Arrington
The Honorable William M. "Bill" Hixon
The Honorable J. Todd Rutherford

Legislative Oversight Committee

Law Enforcement and Criminal Justice Subcommittee's Study of the Department of Juvenile Justice



March 7, 2017

FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available		

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EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in SC Code of Laws Section 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee: (1) **are being implemented** and carried out **in accordance with the intent of the General Assembly**; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the **Subcommittee** evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.¹

Study Process

Legislative Oversight Committee Actions

- February 5, 2015 - Prioritizes the agencies to study
- February 10, 2015 - Provides the Department of Juvenile Justice with notice about the oversight process
- March 1, 2016 - Sends letter to Governor to provide information received from the public which questions the life, health, and safety of juveniles and employees at DJJ
- March 3, 2016 - Sends letter to State Inspector General to provide information received from the public which questions the life, health, and safety of juveniles and employees at DJJ
- March 15, 2016 - Sends letter to the Legislative Audit Council (LAC) requesting an audit of DJJ

Law Enforcement and Criminal Justice Subcommittee Actions

- March 4, 2015 - Holds **Meeting #1/Entry** with the agency about the oversight process
- April 29, 2015 - Holds **Meeting #2** with agency to discuss scope of oversight study and Program Evaluation Report
- December 2, 2015 - Holds **Meeting #3** with agency to discuss Staff Study, as well as agency’s mission, strategic plan, and finances
- January 28, 2016 - Holds **Meeting #4** with Subcommittee Members to discuss information received from agency and additional information to request
- February 10, 2016 - Holds **Meeting #5** to receive public testimony about the agency
- February 25, 2016 - Holds **Meeting #6** to review the agency’s performance and Performance Based Standards (PbS) data
- March 10, 2016 - Holds **Meeting #7** to receive testimony from current agency Juvenile Correctional Officer; motion to request the Legislative Audit Council perform an audit of DJJ adopted
- April 13, 2016 - Holds **Meeting #8** with agency to discuss process for reporting and addressing incidents at DJJ facilities, as well as changes made by agency
- May 26, 2016 - Holds **Meeting #9/Joint Public Hearing** with Senate Special Study Committee on DJJ to receive testimony related to State Inspector General’s report on DJJ
- August 31, 2016 - Holds **Meeting #10/Joint Public Hearing** with Senate Special Study Committee on DJJ to receive testimony about the security audit and testimony from representatives of the Center for Children’s Law and Policy
- January 26, 2017 - Holds **Meeting #11** to receive information about the LAC audit of DJJ
- January 31, 2017 - Holds **Meeting #12** with Subcommittee members to discuss information from the LAC audit and additional information members would like the agency to provide

- February 7, 2017 - Holds **Meeting #13** with agency to discuss the agency's status and implementation schedule for the LAC audit recommendations in which the agency is in agreement
- February 16, 2017 - Holds **Meeting #14** to receive constituent testimony and discuss questions from Subcommittee members
- March 3, 2017 - Notifies Legislative Oversight Committee Chairman the Subcommittee Study on the Department of Juvenile Justice is available for review by the full Committee

Public's Actions

- May 1-31, 2015 - Responds to survey about the agency
- February 10, 2016 - Provides testimony at a public input hearing
- March 10, 2016 - Provides testimony during a Subcommittee meeting
- February 16, 2017 - Provides testimony during a Subcommittee meeting
- Ongoing - Submits comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Department of Juvenile Justice Actions

- March 31, 2015 - Submits Restructuring and Seven-Year Plan Report (ARR)
- April 21, 2015 - Submits Program Evaluation Report (PER)
- November 2015 - Submits Revised PER and Revised ARR
- January 2016 - Submits 2016 Annual Restructuring Report
- May 2016 - Submits Revised Restructuring and Seven-Year Plan Report
- September 2016 - Submits 2015-16 Accountability Report
- December 2016 - Submits Annual Request for Information
- March 2015 - February 2017 - Meets with and responds to Subcommittee's inquiries

Figure 1. Summary of Key Dates and Actions of the Study Process, 2015-2017.

Findings and Recommendations

The Subcommittee Study includes findings. These findings relate to (1) the Legislative Audit Council's audit of DJJ requested by the Committee; and (2) changes made by the agency during the oversight process.

The Subcommittee has a variety of recommendations relating to the agency. The Subcommittee's recommendations for revisions to the agency's internal operations fall into the following categories: (1) update case manager policies; (2) determine and eliminate duplication in case manager activities; (3) cite to source of data when providing information; (4) review the appropriateness of agency employees' membership in state retirement systems; and (5) provide quarterly updates. There are no specific recommendations with regards to continuance of agency programs or elimination of agency programs.

Table 1. Summary of recommendations.

Topic	Recommendation for . . .
. . . internal operations	
Update case manager policies and training	Require case managers to enter activity notes related to the juveniles in the Juvenile Justice Management System.
Determine and eliminate duplication in case manager activities	Provide a list of the tools case managers need to avoid duplication in performing their job duties along with the associated costs and a potential time frame to provide these tools.
Review appropriateness of agency employees' membership in state retirement systems	Request the Public Employee Benefit Authority analyze employees' membership in state retirement systems (e.g., South Carolina State Retirement System and Police Officers Retirement System) to determine appropriateness of employee participation in one system or another.
. . . providing information	
Cite to source of data when providing information	Include a citation (e.g., footnote or endnote) when providing data or statistics to legislators or others. In this citation, the agency may explain the following: (1) source of the information, (2) search parameters; and (3) any other necessary contextual information to assist the reader.
. . . follow up	
Provide quarterly updates	Provide an update, in an approved format, once a quarter from April 3, 2017, until April 3, 2018, or the Committee re-visits the need for the updates. Information included in the quarterly updates may include: (1) updated strategic plan, in which each objective meets the S.M.A.R.T. criteria; (2) updated strategic budget chart for 2016-17 and 2017-18, with agency funding allocated to an objective; (3) updated performance measures, with an eye towards focusing on measuring more outcomes, rather than outputs, for the citizens of South Carolina; (4) data for the quarter related to Performance Based Standards; (5) implementation status of recommendations from the Legislative Audit Council's audit of the agency; and (6) implementation status of other recommendations.

DETAILS - STUDY PROCESS

House Oversight Committee's Actions

On January 7, 2015, the House Oversight Committee approves a proposed seven-year study schedule for the Speaker of the House.² The Speaker approves the Committee's recommendations, which are published in the House Journal on January 13, 2015.³ The Department of Juvenile Justice ("DJJ" or "agency") is an agency subject to legislative oversight.⁴ The **Committee approves DJJ as the first state agency for study by the Law Enforcement and Criminal Justice Subcommittee** on February 5, 2015.⁵

The **Committee notifies the agency** about the study on February 10, 2015.⁶ As the Committee encourages **collaboration in its legislative oversight process**, the Committee notifies the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor about the agency study.⁷

Subcommittee Studying the Agency

The **Law Enforcement and Criminal Justice Subcommittee ("Subcommittee") of the House Oversight Committee is studying the agency**. The study begins during the 121st General Assembly. At this time, the chair of the Subcommittee is the Honorable Kirkman Finlay III; other members include: the Honorable William K. "Bill" Bowers; the Honorable Raye Felder; and the Honorable Edward R. Tallon, Sr.⁸ The study continues during the 122nd General Assembly. Now, the chair of the Subcommittee is the Honorable Edward R. Tallon, Sr.; other members include: the Honorable Katherine E. "Katie" Arrington, the Honorable William M. "Bill" Hixon; and the Honorable J. Todd Rutherford.⁹

Subcommittee & Public Actions

The **Subcommittee meets with the agency once about process and on fourteen (14) occasions about the agency's work**. All meetings are open to the public and streamed live online with videos archived.

Public input is a cornerstone of the House Legislative Oversight Committee's process.¹⁰ Members of the public are able to participate anonymously in a public survey about the agency and four other agencies during the month of May in 2015; provide comments via a link on the Committee website at anytime; and appear in person before the Subcommittee in February 2016. Throughout the process members of the public, including current and former employees, actively provide input to the Subcommittee. This input, including anonymous input, points the Subcommittee to issues critical to the life, health, and safety of both juveniles and employees.

Highlights of meetings, public participation, and major events at the agency during the study process are listed below in a **timeline**.

May 2015

The Subcommittee posts an **online survey to solicit comments from the public about DJJ** and other agencies. Communication about this survey is sent to all House members who are encouraged to inform their constituents about this opportunity.¹¹ A statewide media release is issued about this opportunity for public participation. There are 1,788 responses to the survey, with at least one response coming from each of the 46 South Carolina counties.¹² These comments are not considered testimony.¹³ The survey notes "input and observations from those citizens who [choose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies."¹⁴ The **public is informed of a continuous opportunity to submit written comments about agencies online** even after the public survey closes.¹⁵

December 2015

On December 2, 2015, Committee staff present a Staff Study of the agency to the Subcommittee. Members ask questions about various topics including: number and locations of children served by DJJ through Community Services Programs; after school programs; incidents of prison rape; completion of GED; WorkKeys assessment; and strategic spending.¹⁶

On December 21, 2015, the Subcommittee sends written questions to the agency.¹⁷

January 2016

On January 15, 2016, the agency responds to the Subcommittee's December 21, 2015, letter and provides information on many topics:

- number involved in teen after school centers;
- number of rapes reported in agency facilities during the past two years;
- current ratio of guards to juveniles behind the fence;
- number of juveniles taking job skills assessment test, WorkKeys, during the last three years;
- agency facilities and efficiency studies (agency provides information on Performance Based Standards (PbS) with report from 2012 and letter to governor from 2014);
- amount agency spent toward achieving its goals and objectives along with an explanation of how the agency determined the amount it spent;
- list of agency employees and beside each employee the program to which the employee is assigned, percentage of employee time assigned to the program, and whether the employee has direct interaction with juveniles;
- summary of events on December 18-20 when the State Law Enforcement Division was called in to assist the agency with disturbances;
- information on other similar events that have occurred over the past three years;
- agency's policy for escalation of discipline for juveniles; and
- agency's policy for notifying parents and guardians of juvenile discipline.¹⁸

February 2016

During the public input meeting on February 10, 2016, ***allegations are received from the public that the agency is not being forthright with the Subcommittee.***¹⁹ The agency's failure to inform the Subcommittee about an incident at DJJ in August 2015 is cited as an example. The agency testifies it did not provide information about this incident in its response letter because in the agency's opinion the incident is not similar to the incidents on December 18-20.

Highlights of public testimony are below and on the following pages.

- **Eden Hendrick, Solicitor's Family Court Attorney for Richland County**, provides information to the Subcommittee about the ways in which the Solicitor's Office interacts with juvenile offenders and related government agencies and departments. She testifies DJJ has done well with diversionary programs in Richland County and with communicating with the Solicitor's Office. It is her belief DJJ does not sufficiently tailor its sentencing recommendations for juvenile offenders to the individual juveniles; rather, Ms. Hendrick suggests, DJJ evaluators have unofficial, near-blanket sentencing policies controlling juvenile evaluations and are often unable to explain the policies when asked to do so by a judge. Also, she suggests judges may sentence juvenile offenders to an alternative sentence (e.g., wilderness camp) or to juvenile detention if the alternative location is not

available, but the juveniles are often sent to the detention centers as a default measure without the judges' knowledge. Ms. Hendrick recommends DJJ use active GPS monitoring of juvenile offenders rather than passive GPS monitoring.

- **Naomi Lett, Friends of Juvenile Justice**, provides an overview to the Subcommittee of the Friends of Juvenile Justice organization. She explains its relationship to DJJ. It is her opinion the agency needs more resources in order to make the effective investments in juvenile offenders.
- **Nancy McCormick, Protection and Advocacy for People with Disabilities**, testifies the majority of the juvenile offenders under DJJ's care have some type of disability, whether it be physical, emotional, mental, or otherwise. She testifies about the changes DJJ made following the finding by District Judge Joseph Anderson that DJJ's practices were unconstitutional as they relate to the rights of juvenile offenders and how DJJ's reforms have reverted to their inferior states. Ms. McCormick testifies about the physical conditions at DJJ's facilities and how those deteriorating conditions have caused disruptions in the lives of the incarcerated juvenile offenders. In her opinion, DJJ does not have its facilities under control because the facilities are understaffed; also, staff are underpaid and intimidated by the incarcerated juveniles. She testifies the 12-hour work shifts have contributed to the problem by lowering staff morale.
- **Aleksandra Chauhan, Richland County Public Defender's Office**, provides testimony addressing questions members of the Subcommittee asked DJJ in prior meetings. She testifies DJJ excessively uses solitary confinement as a punishment in violation of the agency's own policies. She alleges one of her clients has been placed in solitary confinement for six to eight weeks. Ms. Chauhan reads excerpts from a letter written by one of her clients while he was in isolation. In her opinion, while DJJ has received high marks from a performance-based standards organization four years ago, it was more likely than not the agency no longer performs at the same level.
- **Joan Faust, Parent of Juvenile Offender**, expresses concern her son has changed for the worse while at DJJ. She testifies he had been in solitary confinement excessively.
- **Suzanne Dunn, American Civil Liberties Union**, testifies a significant number of juvenile referrals to DJJ are dismissed, indicating baseless referrals waste resources. Ms. Dunn suggests schools often use law enforcement officers to discipline children in purely school matters. She believes too many juvenile offenders are being incarcerated that would be better served by home incarceration. Ms. Dunn suggests other reforms she believes may make DJJ more effective.

During the Subcommittee's meeting with the agency on February 25, 2016, the agency provides information about its performance and **Performance Based Standards (PbS) data**.²⁰ DJJ collects PbS data continuously and reports on the data twice a year; a PbS representative visits DJJ at least once a year. DJJ notes that the most recent comprehensive PbS report is from 2012. Subcommittee Chairman Finlay asks why DJJ only provides a written summary of the PbS representative's visit in 2012 if there were visits in 2013, 2014, and 2015.²¹ An agency representative testifies she is not aware of the existence of any PbS Executive Summary except for the one from 2012.²² Another agency representative testifies DJJ's previous Director requested the PbS representative not provide a written report on subsequent visits and that future reports be delivered to DJJ orally.²³

Also during the February 25, 2016, meeting Subcommittee Members discuss **incidents at facilities with the agency**. Subcommittee Chairman Finlay asks DJJ to provide clarification and more information about the August 2015 incident at DJJ that shut down one of its dormitories and any other incidents. On February 26, 2016, a riot occurs at DJJ's Broad River Road Complex.²⁴

March 2016

On March 1, 2016, the Committee sends a **letter to the Governor** sharing concerns received from the public which question the life, health, and safety of juveniles and employees at DJJ. These concerns relate to (1) lack of safety for juveniles and employees; (2) lack of control; (3) lack of trust; and (4) lack of adequate staff.²⁵

On March 3, 2016, the Committee sends a **letter to the State Inspector General** providing information received from the public which questions the life, health, and safety of juveniles and employees at DJJ.²⁶ Concerns from the public focus on the following areas: (1) destruction of reports; (2) mislabeling situations in reports or failing to file reports at all; (3) pressure not to report criminal activity to the Solicitor's Office for prosecution; and (4) mismanagement in scheduling adequate guard staff. On March 8, 2016, the State Inspector General notifies the Committee an investigation has been opened.

Juvenile Correctional Officer Catherine McKnight testifies during the Subcommittee meeting on March 10, 2016.²⁷ Ms. McKnight testifies she knows of many co-workers who have responded to the Subcommittee by writing and calling anonymously, but she feels it is her duty to "put a face" to the issues.²⁸ She outlines the following issues and possible solutions to those issues in her testimony:

Issues

- Gangs - Officers are not equipped to deal with the growing gang activity at DJJ.
- Chain of Command - When the unit manager in charge of each dorm is not on duty, decisions are made from an offsite location via telephone. DJJ is often understaffed on weekends. There is a lack of communication among staff at DJJ.
- DJJ's Education System - DJJ education is substandard and the system has incited gang altercations.
- Slow Responses - DJJ is slow to respond to misbehaving juveniles.
- Overworked officers - DJJ employees are overworked.

Possible Solutions

- Raise minimum age for officers from 21 to 25 as the age gap between officer and juvenile is not wide enough.
- Request National Guard support for 6 months.
- Improve communication between ranks among the staff of DJJ.
- Inform front-line officers about the primary charge of each juvenile.
- Allow front-line officers to participate in juvenile placement decisions.
- Inform front-line officers about resources available after a traumatizing experience (e.g., riot or gang violence).

Subcommittee adopts a motion to **request the Legislative Audit Council audit DJJ**.²⁹ At a subsequent meeting, on January 31, 2017, the Subcommittee adopts a motion to ascertain Ms. McKnight's employment status and send her a letter of appreciation at the conclusion of the study.³⁰

April 2016

On April 13, 2016, the Subcommittee receives testimony from interim DJJ Inspector General about changes made since his arrival to the agency.³¹ Also, the Subcommittee receives testimony from an agency representative about the process for reporting and addressing incidents at DJJ facilities.³²

May 2016

A security audit, requested by DJJ, is conducted at the agency during May 2016.³³

On May 26, 2016, the House Legislative Oversight Subcommittee and Senate Special Study Committee meet jointly to receive testimony from State Inspector General Patrick Maley about the Inspector General report issued in April 2016.³⁴

August 2016

On August 31, 2016, the House Legislative Oversight Subcommittee and Senate Special Study Committee hold another joint meeting.³⁵ Testimony is received from Mr. Larry Reid, Correctional Consultant, about his company's findings published in the May 2016 security audit of DJJ.³⁶ There were **110 total recommendations in the security audit.**³⁷ Also, testimony is received from Mr. Jason Szanyi, Director of Institutional Reform, with the Center for Children's Law and Policy, and representatives of DJJ.³⁸

September - December 2016

The Subcommittee does not hold any additional meetings with the agency as it waits to receive the requested Legislative Audit Council (LAC) audit of the agency.

January 2017

On January 26, 2017, the LAC publishes its audit, which addresses the safety and financial issues at the agency and whether the agency is meeting its mission for the juveniles in its custody.³⁹ The same day the Subcommittee holds a meeting in which representatives from **LAC present each aspect of the audit report, including the 74 total recommendations,** and additional information is received from the agency pertaining to the LAC audit.⁴⁰

On January 31, 2017, Subcommittee Members hold a work session to discuss information from the LAC audit and additional questions for the agency.⁴¹

February 2017

The agency provides information about the implementation schedule for the LAC audit recommendations in which it is in agreement and about its current status of implementation as of February 7, 2017.⁴² The agency provides additional information requested by the Subcommittee.

The Subcommittee meets with the agency on February 16, 2017.⁴³ During the meeting, the agency provides an updated implementation schedule and additional findings are made by the Subcommittee.⁴⁴ The Subcommittee also instructs Committee staff to draft the final Subcommittee Study report for review by the Subcommittee members prior to submission to the full Committee.

Agency Actions

The **Committee asks the agency to conduct a self-analysis** by completing and submitting a 2015 Annual Restructuring Report and Seven-Year Plan for cost savings and increased efficiencies, a Program Evaluation Report, and a 2016 Restructuring Report. The agency submits its 2015 Annual Restructuring Report and Seven-Year Plan on March 31, 2015⁴⁵, its Program Evaluation Report on April 21, 2015 and revised Program Evaluation Report in November 2015.⁴⁶ Committee staff provide a staff study and agency response to the Subcommittee on November 2, 2015.⁴⁷ The agency submits its 2016 Restructuring Report on January 12, 2016,⁴⁸ and its 2015-16 Accountability Report in September 2016.⁴⁹ All reports are available online.

During the two-year study process, the agency makes numerous internal changes which are listed in Attachment A. Notably, internal changes are made in executive and senior level positions including: Agency Director; Deputy Director for Rehabilitation Services; Deputy Director for Inspector General Office; Deputy Director for Community Services; and Associate Deputy for Legal and Policy Services (which is reclassified to Deputy Director for Legal and Policy Services).⁵⁰

Next Steps

Pursuant to Committee Standard Practice 12.4, **individual members of this Subcommittee may provide a written statement for inclusion with the Subcommittee's Study**. After an opportunity to provide written statements, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, notifies the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee Chair, the full committee chair shall, pursuant to Committee Standard Practice 13.1, include the Subcommittee Study on the agenda for a full committee meeting. During the full committee meeting at which the Subcommittee Study is discussed, the full Committee may vote, pursuant to Committee Standard Practice 13.2, to take one of the following three options: (1) refer the study and investigation back to the subcommittee for further evaluation; (2) approve the Subcommittee's Study; or (3) further evaluate the agency as a full committee.

When the full committee approves a final study, any member of the Committee may provide a written statement for inclusion with the final study.⁵¹ The final study and written statements are published online and the agency, as well as all House Standing Committees, receive a copy.⁵²

Lastly, the Committee shall offer at least one briefing to Members of the House about the contents of the final oversight study approved by the Committee.⁵³ The Committee Chair may also provide briefings to the public about the final oversight study.⁵⁴

DETAILS - FINDINGS & RECOMMENDATIONS

Findings

Legislative Audit Council's Audit of the Agency

The Subcommittee made findings during the study relating to the Legislative Audit Council's audit of the agency.⁵⁵ The LAC audit includes 74 recommendations grouped into 24 topics. The list of recommendations is included in Attachment B, and a complete copy of the audit is available on the LAC website (www.lac.sc.gov). The Oversight Subcommittee, and agency, agree with 56 recommendations, under the following 17 topics of the audit:

- 1) Training and Certification of Juvenile Correctional and Detention Officers;
- 2) Handling of Major Disturbances at DJJ Facilities;
- 3) Investigation of a Juvenile's death at wilderness camp;
- 4) Security policies at Broad River Road Complex (BRRC);
- 5) Compliance with Security policies at evaluation centers;
- 6) Recruiting Correctional Officers;
- 7) Turnover among Correctional and Detention officers;
- 8) Juvenile Correctional Officers Salaries;
- 9) DJJ Office of Inspector General;
- 10) Capital Assets;
- 11) Retirement Incentive and Voluntary Separation Programs;
- 12) Education;
- 13) Quality Assurance of Case Management;
- 14) Probation and Parole Hearings and Juvenile Caseloads;
- 15) Outcome measures and penalties in contracts;
- 16) Complaint boxes at DJJ camps; and
- 17) Escapes from camps;

Under the Prison Rape Elimination Act Compliance topic, the Oversight Subcommittee and agency, agree with two of the three recommendations, Recommendations #12 and #13.

Under the Broad River Road Complex Facilities topic, the Oversight Subcommittee and agency, agree with one of the three recommendations, Recommendation #17.

Under the Performance-based Standards (PbS) topic, the Oversight Subcommittee and agency, agree with three of the four recommendations, Recommendations #63, #64, and #66.

Under the Retirement System Eligibility topic, the Oversight Subcommittee and agency agree with audit recommendation #45 which states the agency should complete a comprehensive review of all staff, including the S.C. Board of Juvenile Parole personnel, regarding retirement system eligibility based on requirements of state law.

To avoid duplication of efforts, the Oversight Subcommittee suggests providing Recommendations #42 through #44 to the Joint Committee on Pension Systems Review, as these recommendations relate to potential amendments of state laws that may have a significant impact on the state's pension systems.

Internal Changes Made at the Agency During the Study Process

The Subcommittee finds as a result of the efforts of the House, Senate, Governor's Office, State Inspector General, Legislative Audit Council, and Agency personnel, the agency made numerous changes seeking improvement since February 2015; these changes are detailed in Attachment A.⁵⁶ While the agency is continuing to make changes, seeking improvement, there is an inherent risk in what the agency is tasked to do. Further, there is no guarantee the changes already made, or those planned to be made, will prevent all future potential harm or solve all issues at the agency. The Subcommittee respects all of the agency employees and volunteers who are dedicated to the mission of rehabilitating juveniles.

Recommendations

Generally

The following recommendations include areas identified for potential improvement by the Subcommittee. The Subcommittee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency. These recommendations are based on the agency's self-analysis requested by the full Committee, discussion with the agency during multiple meetings with the Subcommittee, and analysis of the information obtained by the Subcommittee. This information, including but not limited to the Staff Study, Program Evaluation Report, Accountability Report, Restructuring Report and videos of meeting with the agency, can all be found on the Committee's website.

Continue

The Subcommittee does not have any specific recommendations with regards to continuance of agency programs.

Revise (Curtail or Enhance)

The Subcommittee recommends the following revisions to the agency's internal operations and funding:

- **Update case manager policies** - DJJ require case managers to enter activity notes related to the juveniles in the Juvenile Justice Management System.⁵⁷
- **Determine and eliminate duplication in case manager activities** - DJJ provide a list of the tools case managers need to avoid duplication in performing their job duties along with the associated costs and a potential time frame to provide these tools.⁵⁸
- **Review appropriateness of agency employee's membership in state retirement systems** - DJJ request the Public Employee Benefit Authority (PEBA) analyze DJJ employees' membership in state retirement systems (e.g., South Carolina State Retirement System and Police Officers Retirement System) to determine appropriateness of employee participation in one system or another.⁵⁹
- **Cite to source of data when providing information** - DJJ include a citation (e.g., footnote or endnote) when providing data or statistics to legislators or others. In this citation, the agency may explain the following: (1) source of the information, (2) search parameters; and (3) any other necessary contextual information to assist the reader.⁶⁰
- **Provide quarterly updates** - DJJ provide an update, in an approved format, once a quarter from April 3, 2017, until April 3, 2018, or the Committee re-visits the need for the updates. Information included in the quarterly updates may include: (1) updated strategic plan, in which each objective meets the S.M.A.R.T. criteria; (2) updated strategic budget chart for 2016-17 and 2017-18, with agency funding

allocated to an objective; (3) updated performance measures, with an eye towards focusing on measuring more outcomes, rather than outputs, for the citizens of South Carolina; (4) data for the quarter related to Performance Based Standards; (5) implementation status of recommendations from the Legislative Audit Council's audit of the agency; and (6) implementation status of other recommendations.⁶¹

Eliminate

The Subcommittee does not have any specific recommendations with regards to elimination of agency programs.

Follow Up

The Subcommittee recommends receipt of quarterly reports from the agency. These reports are discussed in the Subcommittee's recommendations above, under "Revise."

SELECTED AGENCY INFORMATION

Department of Juvenile Justice. "Program Evaluation Report, 2015."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DJJ/Program%20Evaluation%20Report%20\(Revised%20November%202015\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DJJ/Program%20Evaluation%20Report%20(Revised%20November%202015).PDF) (accessed February 13, 2017).

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You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

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⁶⁰ SC House of Representatives, House Legislative Oversight Committee, "January 31, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/January312017Minutes.pdf> (accessed February 23, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁶¹ SC House of Representatives, House Legislative Oversight Committee, "February 7, 2017 Law Enforcement and Criminal Justice Subcommittee Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Law Enforcement and Criminal Justice Subcommittee Minutes."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/February72017Minutes.pdf> (accessed February 24, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

ATTACHMENT A - AGENCY CHANGES

The information in this attachment is a verbatim copy of the information the agency enclosed in its February 14, 2017 letter to the Subcommittee, which is available online.

SCDJJ Improvements and Changes from February 2015 to February 2017

Improved physical security at BRRC by installing heavy Lexan break-resistant glass and tamper-resistant plumbing fixtures, electrical fixtures, and furniture in dorms and other buildings. These enhancements are designed to reduce incidents and increase safety for youth and staff.

Enclosed televisions in the BRRC dorms for safety and security reasons.

Installed razor-wire fencing above the roof lines on the BRRC dorms and other buildings, along with razor-wire fencing above windows or overhangs to prevent youth from climbing on top of buildings.

Removed some of the trees around the perimeter fence at BRRC that were touching the fence or had limbs that one could use to climb over the fence.

Enhanced lighting around the BRRC campus for better night vision.

Secured all outside culverts at BRRC with rebar and welded.

Installed additional fencing around selected BRRC dorms and buildings, to include the Girl's Transition Home.

Reactivated security gate and system at the Girl's Transition Home.

Updated security system at Girl's Transition Home, specifically the window alarms.

Installed additional metal detectors at the entrance/exit doors at Birchwood High School.

Tinted windows and reinforced control rooms in the BRRC dorms and other buildings.

Implemented overtime payment for existing correctional staff instead of granting compensatory time.

Implemented shift differential payments for correctional officers for designated evening and night shifts.

Streamlined the hiring process for correctional officers at BRRC to include continuous job posting, establishing interviewing teams, and maintaining an application pool.

Conducted salary analysis for the County Director positions and amended staff salaries accordingly.

Conducted salary analysis for the dietary function and amended staff salaries accordingly.
Conducted salary analysis for the psychology function and amended staff salaries accordingly.
Processed "special assignment payments" for the Special Response Team and staff whose job location is the Crisis Management Unit at BRRC.

Conducted salary analysis and increased the starting pay for correctional officers and law enforcement staff.

Implemented compensation program for correctional and law enforcement staff who obtain a bachelor's or master's degree.

Held two job fairs and "hiring blitz" at BRRC to recruit applicants for DJJ vacancies and interview and select candidates to reduce correctional officer vacancies.

SCDJJ Improvements and Changes from February 2015 to February 2017

Participated in numerous job fairs at locations across the state as well as partnered with Shaw Air Force Base, Fort Jackson and Department of Employment and Workforce (DEW) to recruit applicants.

Approved the hiring of 10 temporary correctional officers at BRRC who attend correctional officer training and are then available to fill quickly full-time equivalent (FTE) positions when employees separate.

Conducted a buildings assessment review at the Midlands Evaluation Center, Upstate Evaluation Center, Juvenile Detention Center, and Coastal Evaluation Center to determine appropriate building improvements that could impact facility security and safety. DJJ is in the process of making changes based on this assessment.

Implemented an automated "work order system" for customers to place requests and for Physical Plant to have a system to receive, track status, generate reports and provide information about orders.

Implemented a process to budget by strategic goal. A "budget retreat" has been held the past 2 years with executive leadership.

Implemented a tobacco and smoke free workplace. This significant change was recognized with the "Gold Star" award for being the first state agency to successfully make this change. It not only applies to agency facilities, but also includes county and other buildings where staff work.

Reduced uniform cost associated with correctional staff turnover.

Expanded marketing for the Store of Hope products resulting in continuously increased sales. Implemented weekly culvert pipe inspections.

Improved the lighting in CMU by installing new lighting and replacing painted windows with Lexan. Implemented monthly inspections of cameras and other technology equipment at BRRC, Juvenile Detention Center, and Midlands Evaluation Center to ensure proper operation and maintenance.

Implemented the requirement to send notifications of any "planned" interruption of utility services to executive staff and security administrator no less than 48 hours prior to the planned interruption.

Implemented process so that when construction occurs on campus, daily inspections are conducted with the contractor at the end of the day to ensure site is secured and safe.

Inspections are documented and form maintained.

Cleaned up the working areas for job training programs and conducted and documented a tool inventory. Regular tool inventory inspections are conducted.

Conducted and documented a tool inventory in the dietary area. Knives or other dangerous items are cabled at the area. The locked cabinet with the knives was moved to another secure area to reduce inmate access.

Installed additional security cameras at various locations.

SCDJJ Improvements and Changes from February 2015 to February 2017

Migrated from Novell to Microsoft active directory to include users, groups, and permissions.

Implemented two factor authentication Virtual Private Network (VPN) to increase network security.

Increased internet connection bandwidth; replaced core switch infrastructure to increase bandwidth to the servers.

Replaced outdated data backup solution; replaced agency PCs with current models; tightened web security for juvenile computer access in secure facilities.

Hired Chief Information Security Officer and continued security compliance efforts in conjunction with Department of Administration.

Implemented multiple JJMS application updates, to include 1) document upload capability, 2) development of 4th Generation Risk Assessment, 3) interface with SCSAVIN to facilitate automatic Victim Notification, 4) interface with Medica Electronic Health Records application, 5) updated Activity Notes section to include Clinical Activity Notes (psychologists and social workers).

Completed Juvenile Canteen application development.

Developed Electronic Event Reporting System.

Converted ERMIS (Event Report Management Information System) database to Structured Query Language (SQL).

Submitted the juvenile correctional officer training curriculum to the S.C. Criminal Justice Academy for review and approval.

Established measures and internal controls to improve employee data information in the human resources system.

Implemented measures to better quantify human resources activities such as, tracking applicant results from recruiting events, staff turnover, and staff increases to determine the impact of these activities.

Put measures and internal controls in place to improve financial transactional processing/data information in the financial system.

Updated New Employee Orientation to include a two-hour security awareness segment for non-uniformed staff.

Expanded and diversified training opportunities for employees to include leadership and development, human trafficking, and customer service.

Implemented a Special Response Team (SRT) that responds to emergency situations that threaten the safety or security of the Broad River Road Complex and other facilities.

Revised the agency's search policy to include retraining all security staff on the proper procedures on how to conduct pat-down searches and strip searches.

SCDJJ Improvements and Changes from February 2015 to February 2017

Designated a parking area for correctional staff at BRRC and began to transport this staff to work locations. Correctional staff are not allowed to bring their personal car keys or cell phones into the dorms or facilities.

Implemented a control movement schedule for BRRC with safeguards in place for juvenile movement.

Returned to a uniform standard at BRRC that easily distinguishes supervisors from non-supervisory staff. This change was important so that juveniles, staff, non-security staff and others are able to readily identify supervisors and know "who is in charge".

Resumed providing lunch and dinner to BRRC youth in the cafeteria (rather than in the living units).

Implemented a specialized housing unit for aggressive/assaultive youth at BRRC called the Intensive Treatment Unit. This self-contained program provides a very structured day that incorporates counseling, therapeutic activities, education, and treatment.

Established a specialized housing unit (Honors Dorm) at BRRC for youth who have demonstrated consistent positive behavior. This dorm provides greater access to privileges for youth who have shown consistent improvement and need fewer redirections. Juveniles must apply and be interviewed to be accepted into the unit.

Re-opened Broad River Road Complex (BRRC) Operations in the Birchwood Administration building, operation hours 7 am-11 pm, 7 days per week.

Implemented a new Juvenile Disciplinary System (to include reinstituting a Disciplinary Hearing process) and a new phase/level system for BRRC with implementation at other secure facilities to occur before end of current fiscal year. The behavioral level system recognizes and rewards youth for positive behaviors while discouraging negative behaviors.

Implemented Mediat for electronic medical records.

Completed on-site independent security audit with Correctional Consulting Services.

Distributed earpieces to BRRC security staff to be utilized as a tool for private radio communications.

Sent three Rehabilitative Services employees to the National Institute of Corrections Audit Training and have begun security reviews of facilities.

Completed a staffing analysis for security personnel.

Identified a breakroom in each unit at BRRC for security staff.

Implemented suggestion boxes in each unit at BRRC and the Birchwood Auditorium/Chapel.

SCDJJ Improvements and Changes from February 2015 to February 2017

Implemented the Juvenile Victimization Questionnaire - 2nd Revision, JVQ-R2, instrument to better measure trauma. The Juvenile Victimization Questionnaire - 2nd Revision, JVQ-R2, is a multi-informant screening measure that assesses various forms of childhood trauma. Unlike more traditional questionnaires, the JVQ-R2 includes a comprehensive set of questions about multiple forms of violence that children might have experienced, which helps provide a better understanding of treatment needs.

Implemented an inventory form for the medical/infirmarary areas to document all syringes and sharp implements for the beginning and ending of each shift.

Implemented Aggression Replacement Training (ART) for all juveniles at Broad River Road Complex (BRRRC). ART is an Evidenced Based Program certified as a Model Program by the Office of Juvenile Justice and Delinquency Prevention and recognized by the National Gang Center as an effective gang prevention and intervention program.

Provided additional assistance to security staff with de-escalation of youth misconduct and crisis intervention by having clinical staff remain on campus at BRRRC for extended evening hours.

Partnered with the Department of Mental Health and Protection and Advocacy to institute measures to relocate seriously mentally ill youth committed to DJJ to more appropriate mental health facilities and to formulate recommendations on a more extensive service array to serve these youth, including appropriate community-based and residential services.

Partnered with the SC Criminal Justice Academy and began sending correctional staff at the Juvenile Detention Center to the Academy's three-week Basic Detention training.

Partnered with 100 Black Women, Columbia Chapter, to offer educational programing and positive role modeling to the female youth at BRRRC.

Implemented Cognitive Behavioral Therapy at BRRRC. CBT is an evidenced-based, internationally recognized, effective approach in working with juvenile offenders. The focus of CBT in juvenile justice is to help offenders improve their social skills, problem solving, critical reasoning, moral reasoning, cognitive errors, self-control and impulse management.

Reinstituted a Juvenile Advisory Council at each secure facility whereby juveniles are elected by their peers to represent their living unit in a monthly meeting to discuss concerns and issues with facility management.

Started a Peer Mediation program at BRRRC, a process that allows specially trained juveniles to act as mediators in a conflict between their peers. The juveniles are supervised by staff throughout the juvenile-led mediation.

Implemented a Social Skills group for admissions juveniles at the Midlands Evaluation Center. Sessions are provided on various topics, such as anger management, coping skills, future planning, communication, and parenting skills.

SCDJJ Improvements and Changes from February 2015 to February 2017

Instituted a "Captain's Corner" incentive program at the Upstate Evaluation Center. Juveniles receive "checks" from all departments including Security, Education, Clinical, Administrative Services, Maintenance, Kitchen, and Medical to promote and recognize positive behavior. Once a week, juveniles are able to spend their earned checks at the "store" where they can purchase items such as stamps, snacks, fruit, envelopes, soft drinks, combs, etc.

Implemented a Juvenile Incentive Room at the Upstate Evaluation Center where juveniles earn points each week. Juveniles with the highest level receive an hour or more in the game room and receive additional phone calls to their parent/guardians.

Added two raised bed gardens to the Garden Club Project at the Upstate Evaluation Center, bringing the total to 12. The gardens produce tomatoes, okra, squash, cucumbers, watermelons, corn, cabbage, onions, peppers, and other seasonal fruits and vegetables. In early spring, juveniles are selected by staff for showing positive behavior and have an interest in working in the garden. Juveniles plant all the vegetables and are responsible to water the garden as needed.

Partnered with the Dorchester County Department of Alcohol and Other Drug Abuse Services to provide Towards No Drug Abuse programming to youth at the Coastal Evaluation Center.

Partnered with the Charleston County Public Library to support youth at the Coastal Evaluation Center by twice each month allowing students to check out popular titles and various up-to-date library books. They also offer Book chats, read aloud, and provide book donations.

Implemented a Motivational Incentive Program at the Coastal Evaluation Center called PRIDE. The program is designed to encourage and motivate youth to display their best effort, attitude, and behavior on a consistent basis. The goal is to reward students who are good role models in an effort to encourage other students to follow their lead.

Implemented a program where all branches from the military service visit the Coastal Evaluation Center annually. Service members share their career stories to include character education issues and show related videos to youth.

Started a Student Garden project at the Coastal Evaluation Center. Youth are involved in planting a spring, summer and fall garden. The vegetables raised are served to students by way of hands-on lessons in health class and/or shared with others on campus.

Implemented a Weekly Incentive Program at the Juvenile Detention Center. Those juveniles not having a major violation for the week receive snacks and are able to stay up past standard curfew on Friday and Saturday nights.

Partnered with volunteer groups at the Juvenile Detention Center to provide a Monthly Incentive (special dinner) to juveniles who receive no major violations for the month.

Started a Room of the Week Award at the Juvenile Detention Center. A juvenile is selected each week for the best kept room on each wing.

Received a Library Grant to support a Reading Room at the Juvenile Detention Center. This room is specially designed to provide the juveniles with a quiet, calming space to experience the world through the written word. Life skills are also provided by a Master of Social Work.

SCDJJ Improvements and Changes from February 2015 to February 2017

Partnered with a volunteer at the Juvenile Detention Center to provide a Life Skills Program that focuses on financial skills and planning and Cultural Awareness.

Implemented new search procedures at the Broad River Road Complex gate to detect and eliminate the introduction of contraband items.

Coordinated with the Criminal Justice Academy to ensure certified officers were trained on the proper use of OC Spray (aka "pepper spray").

Equipped DJJ Police officers with OC spray (aka "pepper spray") to manage serious, aggressive juvenile behavior in instances of self-defense and/or protection of others.

Hired a Police Chief to manage the on-campus police force and public safety functions. Hired a Gang Prevention Coordinator.

Provided secure mailboxes in various locations for staff to be able to report confidential/anonymous information to the Office of the Inspector General, along with reminding staff about the agency's tip line.

Hired 2 School Resource Officers assigned to Birchwood School and implemented the SRO program.

Transitioned from certain paper records to automated case logs.

Implemented an Email situational awareness notification group for all secure facilities.

Rebuilt the Police Department from 5 certified officers to 20 certified officers.
Implemented new visitation procedures that require photo id's of all individuals that come to visit juveniles. These changes also require that the ID be kept by staff to ensure the identity of the individuals exiting after visitation.

Implemented random security vulnerability checks.

Updated and increased the signage at the Broad River Road Complex (BRRC) front gate, and installed "stop" signs to maintain distance from gate until officer signals for vehicle to proceed forward.

Added a secure automated gate between the Welcome Center and the Bill Rogers Community Connections Center (CCC).

Had the Event Report Management Information System (ERMIS) cleaned to speed up the operational functionality.

Implemented the usage of a dedicated email address to be used throughout the agency for the submittal of event reports.

Updated the agency's Emergency Preparedness Plan.

Issued an Executive Directive regarding procedures for handling death of any juvenile in agency custody, regardless of location.

Disposed of old surplus law enforcement equipment.

SCDJJ Improvements and Changes from February 2015 to February 2017

Implemented process to conduct random internal audits on capital assets. Future random audits anticipated.

Implemented employee ID card scan system at Broad River Road Complex (BRR) gate.

Updated the Dispatch Unit's Standard Operating Procedures manual to ensure that all details of communications and responses during major disturbances are recorded appropriately.

Increased the number of youth who took the GED exam while also increasing the rate of youth who pass the exam and earn their GED (75% pass rate in 2014-15 with 48 of 64 youth receiving their GED and 83% pass rate in 2015-16 with 92 of 111 youth receiving their GED). Data from current school year indicates that this trend will continue.

Developed a plan to integrate time for clinical services into the school day at Birchwood School.

Implemented after-school academic tutorial program.

Re-awarded Arts Grant which provides continuum of artists-in-residence and arts-related events/activities.

Restructured student scheduling model in order to address individualized academic needs and deficiencies at Birchwood School.

Increased technology infrastructure.

Launched Virtual Solution Platform.

Acquired Promethean® active panel boards to support technology usage in the blended learning model at secure facilities.

Modified contracts with community residential programs to improve instructional accountability to meet certification requirements.

Developed and implemented new policy to provide increased accountability and oversight of educational services offered by community residential programs, to include periodic monitoring of juvenile instruction and teacher certification with both announced and unannounced visits and a corrective action protocol for areas identified as needing improvement.

Developed a process to ensure that documentation from site visits is stored in a secure manner that is readily accessible both electronically and in hard copy.

Verified and updated the roster of certified teachers maintained by the Education Division and the Office of Human Resources (SCEIS) and implemented a bi-annual audit process.

Revised English for Speakers of Other Languages (ESOL) processes in order to improve ESOL services in evaluation/detention centers.

Awarded reaccreditation through AdvancED® at Birchwood School.

Revised and reorganized Professional Development format to include multidisciplinary offerings and cross-divisional inclusion that target specific, identified needs.

SCDJJ Improvements and Changes from February 2015 to February 2017

Offered graduate level reading/literacy class to support teacher acquisition of required add-on reading endorsement.

Offered in-house technology conference – 3D: Digital Device Display.

Supported 7 staff to attend the Center for Educational Excellence in Alternative Settings technology camp.

Reduced teacher vacancy time; vacancies for more than a 9-week period were reduced from 33% (2014-15) to 10% (2015-16).

Improved teacher retention rate from 61% (2014-15) to 87% (2015-16).

Created a new position, Technology Instructional Coordinator, to support implementation of technology into curriculum.

Reassigned employee to oversee and facilitate GED and growth measurement testing.

Created a new position, Student Information Systems/Guidance Coordinator, to provide oversight to student record database and more accurate and timely student records.

Created a new position, Assistant Principal for Birchwood School, to better meet the needs of students and staff.

Created a new position, Curriculum Coordinator, to provide enhanced special education content/curriculum to students.

Reassigned two behavior management specialists to Birchwood School.

Hired 3 additional staff for Birchwood School who are assigned to provide educational services to students housed in the Intensive Treatment Unit and Crisis Management Unit (Lead Teacher, Special Education Teacher, and Associate Teacher).

Increased number of fulltime Birchwood School Career and Technology Education (CATE) teachers thereby increasing course offerings for students (2 hired; 1 in process).

Relocated all district Leadership, SPED, and Guidance/Registrar into one central location to increase collaboration, productivity and accountability.

Implemented a procedure to monitor inventory sheets for hazardous materials stored in the Birchwood School CATE program and to maintain an inventory of tools used in the CATE program to secure and account for tools used by students.

Improved school security in several areas by reconfiguring classrooms in a way that teacher egress would not be impeded, removing window coverings to allow visibility in certain areas, and removing blinds or assuring they are in the open position to maintain sight of a juvenile in an area or in offices.

Implemented monthly vulnerability testing at Birchwood School.

SCDJJ Improvements and Changes from February 2015 to February 2017

Restructured Community Services Division (CSD) to encompass Job Readiness Training (JRT) sites and the Job Readiness Training Center (JRTC) which allows consistent services to be allocated statewide. Additionally, both JRT and JRTC implemented The Armed Services Vocational Aptitude Battery (ASVAB) testing for youth.

Bid the family parenting program competitively through the state procurement process, and services under the award were implemented.

Increased frequency of site visits at contracted community residential programs. Also redesigned and enhanced the monitoring tools and procedures.

Reviewed contracts for community residential programs to ensure providers are implementing adequate services and maintaining safety. As a result, contracts were modified to detail specified evidence based practices, enhanced staff to student ratio, implementation of virtual educational platform, and designated outcome/outputs measures.

Increased the number of Victim Contacts from 5,008 in 2015 to 5,723 in 2016.

Increased coordination and collaboration between county offices and local providers of services to youth, to include: partnering with school districts and other county resources to implement bullying prevention and positive decision making programs; implementing a book club for the youth and staff to select, read and discuss; partnering with hospitals and other agencies to increase youth awareness regarding reproductive health; expanding the Lunch Buddies program; and partnering with civic organizations to educate and increase awareness of the youth served in the juvenile justice system.

Increased JRT sites from 8 in 2015 to 16 in 2016; youth capacity increased from 480 in 2015 to 960 in 2016.

Increased Teen After School Center (TASC) sites from 21 to 38 in 2015 and from 38 to 44 in 2016 thereby allowing total youth served to increase statewide.

Updated Position Descriptions and corresponding Employee Performance Management System (EPMS) criteria for County Directors state-wide.

Expanded Girls Circle programming into additional Counties.

Developed and enhanced partnership with the Department of Social Services for service overlay.

Conducted the Baseline Audit for Case Management. Results were shared with Community Services Division Deputy Director and the Regional Administrators for each region. Results were also reviewed with County Directors.

Updated and published community policies including but not limited to placement, detention screening, wrap around services, electronic monitoring, juvenile restitution, community case transfer and violation of probation and parole.

Established process for County Directors to manually review and audit a sample of case files each month, cross-checking the information entered into JJMS, and report results to supervisors.

SCDJJ Improvements and Changes from February 2015 to February 2017

Increased the number of Victim Impact classes in the county offices to serve more youth (339 juvenile offenders in 2015 to 523 juvenile offenders in 2016).

Converted Job Developers from temporary positions to permanent FTEs. Also expanded the services provided by Job Developers to include resume writing training, expungements and assisting in obtaining ID cards for the youth post placement to aid in job opportunities.

Participated in community clean-up efforts at the county level after major storms impacted our state in 2015 and 2016.

Expanded annual Restoring Carolina volunteer project to residential service providers.

Hosted a Community Forum for residential service providers to deliver training on Gang Awareness, Self-Injurious Behaviors, Human Trafficking, Event Reporting, Medical Updates and Procurement Rules.

Implemented Parent Summits in various counties.

Expanded the role of the Intensive Supervision Officer to include intensive intake cases so as to provide intensive intake in counties statewide.

Transitioned one community residential program from an intermediate level of care to an intensive level to meet the needs of the current juvenile population.

Began the development of a Statewide Standard Operating Procedure Manual for county offices and a Standard Operating Procedure Manual for program monitoring.

Added 4 new positions within Community Justice to include two statewide victim services specialists, one victim services specialist for the secure facilities, and one arbitration specialist to work with solicitors and county office staff to provide opportunities which would allow more youth to be served via arbitration.

Established the Office of Projects and Policy Services to provide a standardized and unified system of administering Total Quality Management (TQM) across the entire Agency.

Functional areas of Policy Coordination, Prison Rape Elimination Act, Performance Based Standards, and Quality Assurance were reorganized under the Division of Planning and Programs, allowing the office to have a level of autonomy when conducting audits and reviews and making recommendations to the Director and Executive Management Team.

Hired PREA Coordinator. PREA Coordinator has registered with the PREA Resource Center to receive emails, updates, and resources and is registered to attend the PREA Conference 2017, February 22-24, being presented through a grant from the DOJ Bureau of Justice Assistance in collaboration with the Massachusetts Department of Corrections.

Submitted application through the PREA Resource Center for mock audits to take place in the fall of 2017.

Made contact with seven other PREA program states (Maine, New Jersey, New Hampshire, Massachusetts, Georgia, Iowa, and North Dakota) to network, tap into PREA resources, and glean best practices.

SCDJJ Improvements and Changes from February 2015 to February 2017

Made contact with Sexual Trauma Services of the Midlands to engage DJJ for the PREA hotline and third party counseling services available through a SC Department of Public Safety grant.

Contacted PbS vendor for a proposal for the 2017-18 fiscal year, reflecting the consolidation of the three Broad River Road Complex (BRRC) sites into one site, for a total of five sites instead of seven.

Secured permanent FTEs at the three regional Evaluation Centers for Chaplains in an effort to supplement services to juveniles and their families since the chaplains are an integral part of the service continuum at all of the facilities.

Developed the DJJ Daily and Weekly Dashboard process to track juvenile and administration data, issues and priorities for the Director, the Action Response Team and the Governor's Office.

Implemented a group for chronically aggressive and disruptive juveniles assigned to ITU. The group is co-facilitated by a clinical chaplain and Rehabilitative Services staff and focuses on moral reasoning, empathy development and pro-social behaviors.

Added a dedicated Mentor Coordinator FTE to increase and retain the number of mentors at DJJ. Mentors serve as positive role models for youth and encourage success and character development through personal one-on-one interaction.

Secured \$43,764 in grant funding from the SC Department of Public Safety over two years to purchase and install video surveillance systems at five key locations at the Broad River Road Complex to help prevent incidents of juvenile sexual assault and/or victimization.

Secured \$16,200 in grant funding from the S.C. Department of Public Safety to train clinical staff in the evidence-based intervention named Cognitive Behavioral Therapy. The award funded training for up to 48 DJJ clinical staff.

Implemented the Super Service Saturday Project. This volunteer supported activity involves a variety of productive planned interactive activities between volunteers and Broad River Road Complex youth such as gardening, washing state vehicles and community service projects.

Implemented a process to enact policy changes for immediate or emergency needs by issuing an Executive Order signed by the Director, with permanent update to the impacted policy to occur within thirty days.

Implemented a Web Outreach tool to help promote and provide DJJ items of interest to key audiences to include media, public and government.

Redesigned multi-media DJJ Outreach Newsletter to include videos to highlight our employees.

Hired a Family Engagement Coordinator to improve the quantity and quality of parent/guardian interactions with youth in DJJ secure facilities.

Developed and implemented a process with youth who are committed to DJJ and placed under the Release Authority's jurisdiction so that Release Authority staff (1) meet with the youth within 30 days of commitment to orient the youth to the Release Authority process, and (2) meet with the youth prior to Release Authority hearings to assist the youth in preparing to present information to and respond to questions from the Release Authority panel members.

SCDJJ Improvements and Changes from February 2015 to February 2017

Developed a process to provide regular, regional training on the Release Authority and parole process to DJJ county office staff, social workers, education staff, and staff at community residential placements who supervise youth subject to the Release Authority's jurisdiction.

Updated the Release Authority policy to specify that the Release Authority panel will consist of nine members who serve a term of three years, with staggered terms so that there is a turn-over of three panel members each year.

Began utilizing tablets for Release Authority panel members so that informational packets and records for monthly hearings can be uploaded to a secure server and viewed by panel members electronically, eliminating the need to make and distribute multiple copies of the documents, thereby increasing efficiency and the security of the information.

Established weekly meeting of Legal, Human Resources, and Rehabilitative Services (or other impacted divisions) staff to discuss pending employee disciplinary actions that are subject to the employee grievance process, thereby improving communication and the flow of information.

Provided supplemental training to Rehabilitative Services and Community Services Senior Managers regarding best practices in managing employee misconduct that would be subject to employee progressive discipline actions.

Developed a tracking mechanism to monitor juvenile disciplinary appeals that are processed through the Legal Office.

ATTACHMENT B - LAC RECOMMENDATIONS

The information in this attachment is a verbatim copy of the information the Legislative Audit Council provided the Subcommittee.

SOUTH CAROLINA GENERAL ASSEMBLY

Legislative Audit Council

Independence, Reliability, Integrity

RECOMMENDATIONS

2017

A LIMITED REVIEW OF THE S.C. DEPARTMENT OF JUVENILE JUSTICE

1. The S.C. Department of Juvenile Justice should immediately submit its juvenile correctional officer training curriculum to the S.C. Criminal Justice Academy for approval by the Law Enforcement Training Council.
2. The S.C. Department of Juvenile Justice should work with the S.C. Criminal Justice Academy to incorporate material from the academy's Basic Detention curriculum into its own training program for juvenile correctional officers, particularly in the areas of defensive countermeasures, spontaneous knife defense, tactical handcuffing, and pressure point control.
3. The S.C. Department of Juvenile Justice should ensure that all officers assigned to work at the juvenile detention center attend the three-week Basic Detention training at the S.C. Criminal Justice Academy as soon as the academy can accommodate them.
4. The S.C. Department of Juvenile Justice should enter into memorandums of agreement with the S.C. Law Enforcement Division and the S.C. Department of Corrections to outline coordinated responses to major disturbances at any DJJ facilities and the sharing of resources during these incidents.
5. The S.C. Department of Juvenile Justice should implement a policy to establish clear guidelines to determine at what point outside assistance should be requested.
6. The S.C. Department of Juvenile Justice Office of Inspector General should ensure that its communications division employees record all details of communications and responses during major disturbances at any DJJ facilities.
7. The S.C. Department of Juvenile Justice Office of Inspector General should fully cooperate with, and actively assist, local and state law enforcement agencies investigating the death of a juvenile in the custody of the agency.
8. The S.C. Department of Juvenile Justice should revise its policy to include the death of juveniles in agency custody who are placed in contracted, residential facilities.
9. The S.C. Department of Juvenile Justice should revise its policy to apply to the death of any juvenile in agency custody regardless of whether declarations of death or signs of life occur on or off DJJ property.

LAC RECOMMENDATIONS

10. The S.C. Department of Juvenile Justice should disband its police department and consider reassigning police officers to supervisory juvenile correctional officer positions based on their training and experience.
11. The S.C. Department of Juvenile Justice should enter into memorandums of agreement with state and local law enforcement agencies to establish that these law enforcement agencies are the first responders to incidents that cannot be handled by juvenile correctional officers.
12. The S.C. Department of Juvenile Justice should seek assistance from the National PREA Resource Center and/or other states that have achieved full PREA compliance in order to develop staffing plans for all of its facilities.
13. The S.C. Department of Juvenile Justice should ensure that any requests for funding for additional officers needed to be in compliance with the staff-to-juvenile ratios prescribed in the juvenile facility standards are accurate and based on actual needs.
14. The S.C. Department of Juvenile Justice should provide annual reports to the General Assembly detailing its efforts to become PREA-compliant and provide timelines for meeting all of the standards for juvenile facilities.
15. The S.C. Department of Juvenile Justice should implement all of the recommendations made by the auditors from Correctional Consulting Services, LLC by June 30, 2017, and provide written justification to the General Assembly for any recommendations that have not been implemented by this date.
16. The S.C. Department of Juvenile Justice should relocate the perimeter fence at the Broad River Road Complex to isolate the administrative areas from the rest of the campus and reduce the number of staff who must drive onto the secured complex.
17. The S.C. Department of Juvenile Justice should abandon its practice of maintaining three separate “campuses” at the Broad River Road Complex and recognize the entire facility as one campus.
18. The S.C. Department of Juvenile Justice should consider selling underutilized property on Shivers Road to the S.C. Department of Corrections or another entity.
19. The S.C. Department of Juvenile Justice should review all security-related policies related to the Broad River Road Complex and ensure that they are updated to reflect current practices and the current population of the facility.
20. The S.C. Department of Juvenile Justice should review all security policies and procedures for its three regional evaluation centers and the juvenile detention center and make necessary revisions to reflect current practices and populations.
21. The S.C. Department of Juvenile Justice Office of Inspector General or Division of Rehabilitative Services should test compliance with security policies and procedures at local facilities at least annually.
22. The S.C. Department of Juvenile Justice should track the results of its participation in job fairs and other recruitment efforts to include, at a minimum, the sponsor, event date, targeted occupational group, number of contacts, number of applicants, and number of successful new hires.

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23. The S.C. Department of Juvenile Justice should use those results to target recruitment venues that are most likely to attract qualified candidates.
24. The S.C. Department of Juvenile Justice should ensure that its recruitment efforts extend beyond the Columbia metropolitan area.
25. The S.C. Department of Juvenile Justice should review its staff listing to ensure that job class codes are consistent with internal position titles.
26. The S.C. Department of Juvenile Justice should implement internal controls to ensure that DJJ staff update classification codes whenever positions are reclassified.
27. The S.C. Department of Juvenile Justice should take steps to ensure that all data related to current and former employees are accurate.
28. The S.C. Department of Juvenile Justice should establish internal controls in its human resources division in order to minimize the risk of inaccurate employee data.
29. The S.C. Department of Juvenile Justice should, annually, calculate a turnover rate that is based on average staff size at the beginning and end of the period for which a rate is being computed.
30. The S.C. Department of Juvenile Justice should annually recalculate and monitor its turnover rates for correctional officers and other occupational groups for which retention is a problem.
31. The S.C. Department of Juvenile Justice should annually analyze turnover rates to identify problem areas and use that information to focus its recruitment and retention efforts.
32. The S.C. Department of Juvenile Justice should identify all information it will need to evaluate its strategy for reducing employee turnover, such as age, years of service, education background, work experience, and salary.
33. The S.C. Department of Juvenile Justice should audit its employee records to ensure that its human resources staff have an employee roster that is accurate, current, and complete.
34. The S.C. Department of Juvenile Justice should assume the responsibility to ensure that the human resources data it uses in any analysis, derived from any source including South Carolina Enterprise Information System (SCEIS/SAP®), is complete and accurate.
35. The S.C. Department of Juvenile Justice should track the disciplines of study in which degrees are earned to determine, over time, whether employees who earn degrees in certain fields are more likely to stay with the agency than those receiving degrees in other fields of study.
36. The S.C. Department of Juvenile Justice should properly dispose of surplus law enforcement equipment.
37. The S.C. Department of Juvenile Justice should be more consistent in recording financial transactions in order to improve the agency's ability to manage costs.
38. The S.C. Department of Juvenile Justice should have an independent audit of the agency's fixed assets.

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39. The S.C. Department of Juvenile Justice should enforce its capital assets policy to include the appropriate signature and dating of forms, as well as unannounced, random audits by the internal auditor and/or the Office of the State Auditor.
40. The S.C. Department of Juvenile Justice should continue to work with the South Carolina Enterprise Information System to resolve the outstanding construction-in-progress assets.
41. The S.C. Department of Juvenile Justice should forego any employee separation program(s) involving correctional officers and other employee groups difficult to recruit.
42. The General Assembly should consider amending S.C. Code of Laws Title 9: Retirement Systems regarding participation in the Police Officer's Retirement System to clarify positions considered "peace officers."
43. The General Assembly should amend S.C. Code of Laws Title 9: Retirement Systems to require the S.C. Public Employee Benefit Authority to provide oversight regarding employees entering the state retirement system, including, but not limited to, verification of membership requirements before enrolling an employee into a state retirement plan.
44. The General Assembly should consider whether the S.C. Board of Juvenile Parole should be included with S.C. Department of Mental Health, S.C. Department of Corrections, and the S.C. Department of Juvenile Justice in considering whether any of its employees qualify as being eligible for the Police Officer's Retirement System.
45. The S.C. Department of Juvenile Justice should complete a comprehensive review of all staff, including the S.C. Board of Juvenile Parole personnel, regarding retirement system eligibility based on the requirements of state law.
46. The S.C. Department of Juvenile Justice should implement a policy that defines a procedure for periodic monitoring of the instruction of juveniles at the wilderness camps to ensure that juveniles are being taught by staff who possess certifications required by state law.
47. The S.C. Department of Juvenile Justice should develop a system, based on policy, for monitoring the instruction of juveniles placed at the camps that includes random visits, a checklist for items to monitor, and a review of the documentation of the qualifications of instructional staff.
48. The S.C. Department of Juvenile Justice should ensure that the information from all site visits are stored in a way that is accessible and secure for the purpose of conducting follow-up and detecting trends that could necessitate the need for DJJ to take corrective action.
49. The S.C. Department of Juvenile Justice should develop and maintain a roster of certified teachers that includes name, teacher certification number, date of certification, state where certification was last issued, area of certification, and any other information necessary to document qualifications required by state law.
50. The S.C. Department of Juvenile Justice should audit its staffing data to ensure that the information stored by the South Carolina Enterprise Information System (SCEIS) is correct.
51. The S.C. Department of Juvenile Justice should schedule and conduct unannounced visits to the wilderness camps specifically to monitor the instruction of juveniles.

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52. The S.C. Department of Juvenile Justice should arrange to receive, from schools attended by juveniles placed in group homes, reports of educational progress.
53. The S.C. Department of Juvenile Justice should develop a system to identify those juveniles in alternative placements who are not making adequate progress.
54. The S.C. Department of Juvenile Justice should require, as part of its contracts with wilderness camp service providers, that the department will have access to student growth test results.
55. The S.C. Department of Juvenile Justice should allocate sufficient resources to more thoroughly review the contacts recorded in the Juvenile Justice Management System (JJMS) in order to determine whether, in fact, a problem exists in failing to document, and whether that failure is merely a clerical failure or indicative of more systemic problems of oversight within the community.
56. The S.C. Department of Juvenile Justice's director, deputy director for community services, and regional administrators should be notified of the results of all reviews of county office compliance with agency policy.
57. The S.C. Department of Juvenile Justice should incorporate the results of a review of a county office's compliance with DJJ policy into an improvement plan for the county, when deficiencies are identified, complete with a description of the problem, strategies aimed at improving performance, and a timetable for corrective action and follow-up.
58. The S.C. Department of Juvenile Justice should increase the use of video conferencing for juvenile parole hearings.
59. The S.C. Department of Juvenile Justice should adhere to its policy requiring nine members on the Release Authority.
60. The S.C. Department of Juvenile Justice should consider upgrading community equipment that would improve staff safety, including, but not limited to, cellular phones.
61. The S.C. Department of Juvenile Justice should complete a manual audit of the Juvenile Justice Management System caseload data.
62. The S.C. Department of Juvenile Justice should monitor juvenile cases and work with county solicitors to ensure that juveniles do not languish in the system without receiving rehabilitative support services when needed.
63. The S.C. Department of Juvenile Justice should determine whether the data collected through Performance-based Standards are consistent with what DJJ needs to collect to identify problems and make improvements in its secured facilities.
64. The S.C. Department of Juvenile Justice should use the data collected through Performance-based Standards to analyze trends, alter operational strategies, and determine areas of improvement in staff training.
65. The S.C. Department of Juvenile Justice should reduce the number of site coordinators at BRRC to one for the entire Broad River Road Complex.

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66. The S.C. Department of Juvenile Justice should continue to cross-check event reports with daily shift reports to ensure that critical information affecting security is not overlooked.
67. The S.C. Department of Juvenile Justice should develop an objective tool to measure outcomes of juveniles placed in the camps.
68. The S.C. Department of Juvenile Justice should include outcome measures expected of all contracted camps and programs in its contracts.
69. The S.C. Department of Juvenile Justice should include penalties for camps and programs which do not meet the established outcome measures in its contracts.
70. The S.C. Department of Juvenile Justice should implement a written policy to require the camps check the complaint boxes weekly and relay significant issues to DJJ.
71. The S.C. Department of Juvenile Justice needs to clarify, in written procedures, protocol to follow in the event of an escape and clearly communicate them to camp staff.
72. The S.C. Department of Juvenile Justice needs to formalize its monitoring process and have camp management acknowledge its understanding of a juvenile escape protocol.
73. The S.C. Department of Juvenile Justice should include penalties in its contracts for failure to follow established escape protocol.
74. The S.C. Department of Juvenile Justice needs to capture statistical data such as the number of escapes and sexual assaults at all DJJ facilities.