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June 8, 2021

Director Marci Andino
State Election Commission
Post Office Box 5987
Columbia, South Carolina 29250

Via Email: marci@elections.sc.gov

RE: June 30, 2021 Ad Hoc Committee Meeting

Dear Director Andino:

As you are aware, the Ad Hoc Committee to review the State Election Commission's process for maintaining the accuracy of voter rolls with regards to qualified electors is scheduled to meet on June 30, 2021. Thank you for your flexibility with scheduling.

In preparation for this meeting, I ask that you develop a graphic (i.e., process flow chart) illustrating this process as it relates to removal of deceased individuals from the active voter rolls. Please speak with Committee staff for elements to include in the process flow chart, at a minimum, and provide the graphic to Committee staff by the end of the business day on Friday, June 25, 2021, so it may be included in the meeting packet shared with members and the public. Also, please be prepared to explain the graphic at the meeting, respond to constituent testimony, and answer any member questions. Additionally, enclosed are sample process flow charts from other House oversight studies.

Thank you for your cooperation and for your service to the people of South Carolina.

Sincerely,

Wm. Weston J. Newton
Wm. Weston J. Newton
Chairman, House Legislative Oversight Committee

Enclosures

cc: Ad Hoc Committee

Journey of a Sentencing Sheet



Physical handoff of a paper document



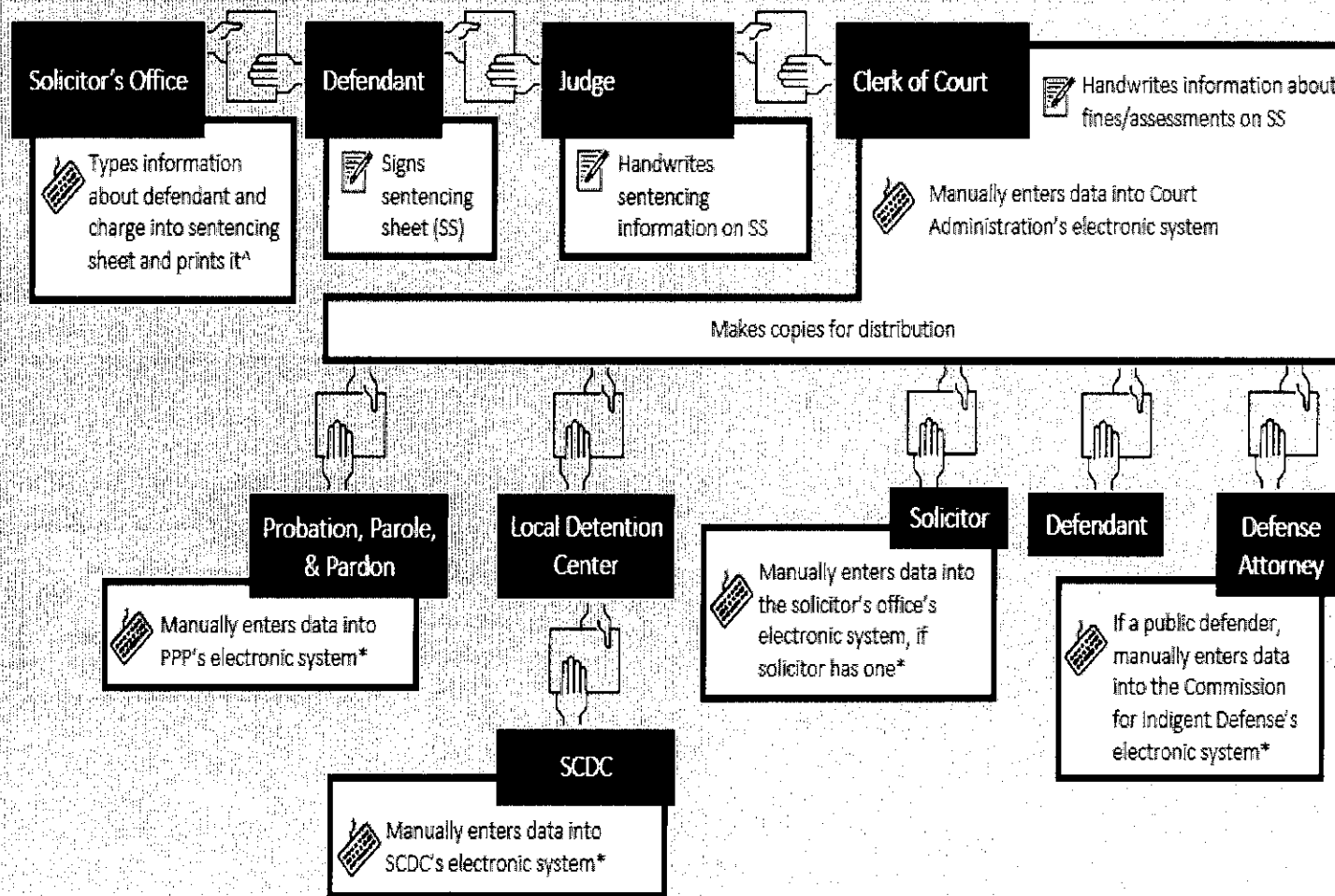
Manual entry of data into an electronic system



Handwritten entry of information on sentencing sheet

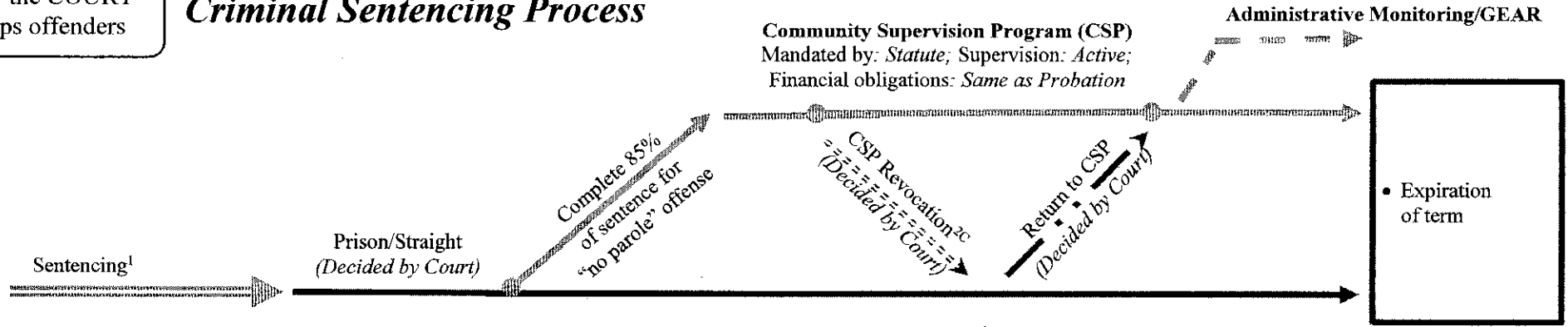
^Information may be inserted automatically by the solicitor's case management system, if solicitor has one (some do not have one).

**Data entry may involve calling the clerk of court, judge, etc. to clarify inconsistent information or illegible handwriting.*



How the COURT groups offenders

Criminal Sentencing Process



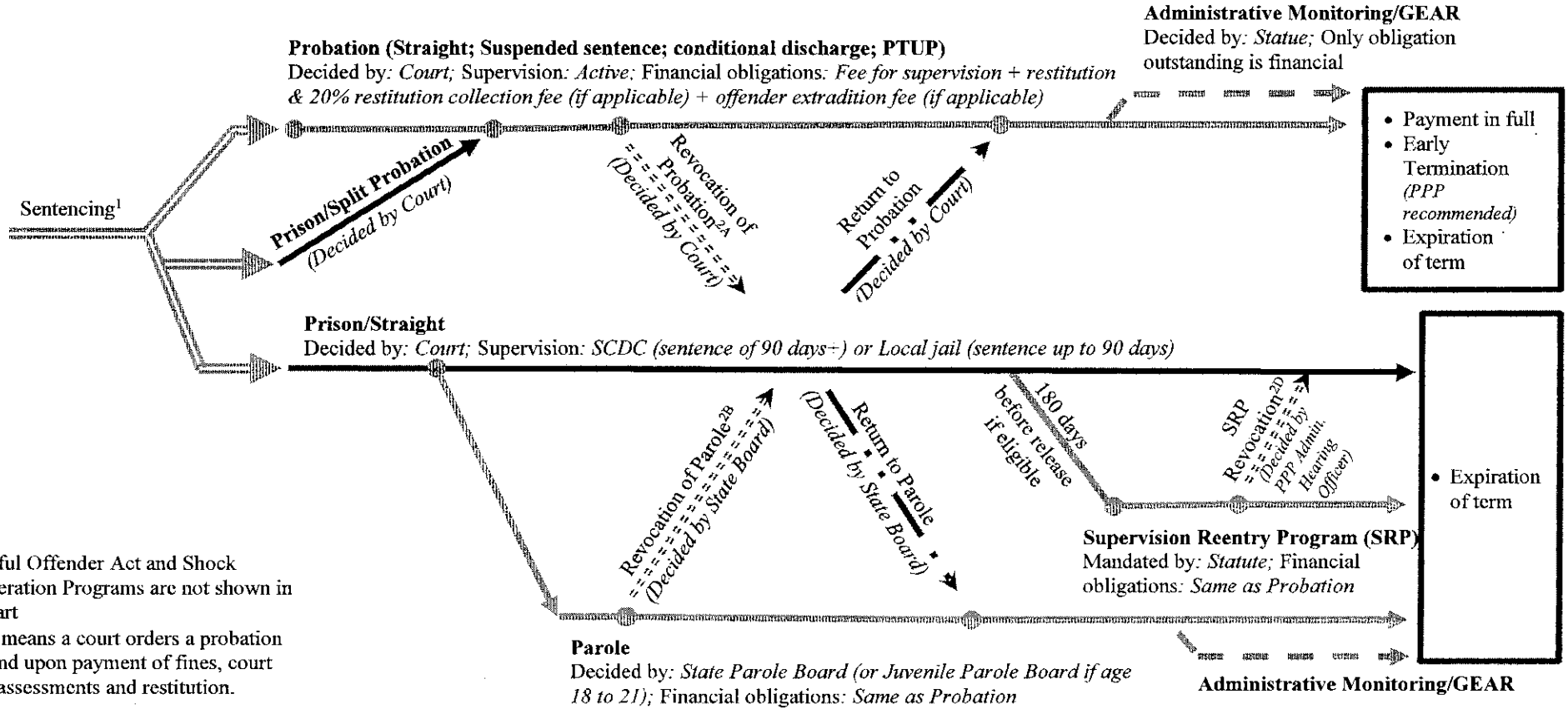
Key:

Non-Parole Offenses ↑

Parole Offenses ↓

	Sentencing		Incarceration*		PPP Active Supervision		PPP Inactive Supervision
	Revocation (leaving PPP jurisdiction)		Offender entering or leaving PPP jurisdiction		Return to PPP jurisdiction		Out of System

1. Sentencing Sheet; 2. Revocation Orders; A. Probation (Form 9); B. Parole (Form 1160); C. CSP (Form 1152); D. SRP (Form 1455)



- Notes:
- Youthful Offender Act and Shock Incarceration Programs are not shown in the chart
 - PTUP means a court orders a probation term end upon payment of fines, court costs, assessments and restitution.

Court Fines and Fees Process as basis for Subcommittee Recommendation #5

(Source: June 6, 2017 House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee Meeting) Page 1656 of 1666

Monthly Activity

1) Law Enforcement officer issues a ticket/requests warrant from judicial officer

- State statute or local government ordinance provides the Court with guidelines for fines and fees.

2) Violator pays ticket at County or Municipal Courthouse

- State Court Administration provides:
 - all trial courts (1) Annual Fees and Assessments Memo which covers current laws on collection/distribution of court generated revenue; and (2) list of common citations with pertinent information (e.g., minimum fines, etc.)
 - training to newly elected Clerks of Court; and
 - training to summary court judges.
- Each Court tracks ticket/warrant information, including revenue generated

How is revenue from tickets tracked?
There is no uniformity in information tracking.

- 100% of counties and 25% of municipalities utilize the same computer system, CMS. All municipalities are invited to utilize CMS.
- 67% of municipalities utilize one of four other different computer systems.
- 8% of municipalities track by hand.

3) Clerk of Court remits revenue from tickets to Local Government Treasurer

- Current legislation does not instruct State Court Administration to enforce routine collection of fines and fees. County Circuit Clerks of Court are elected officials and not part of the unified judicial system. Magistrate or Municipal Clerks are appointed or hired.

What is the total amount collected?

No one state entity can verify the total collected.

- Judicial Department requires all courts submit the total amount collected at the end of each fiscal year. Judicial Department can verify amounts from courts utilizing CMS, but must rely on information submitted by courts not utilizing CMS.
- State Treasurer's Office (STO) receives funds through deposits made by Local Government Treasurers and then disburses funds as per code of laws.

4) Local Government Treasurer keeps a portion of the revenue and remits remainder to State Treasurer with monthly remittance report

- Local Government Treasurer deposits certain percentage into a fund for local crime victim services and remits the remainder to the State Treasurer.

What if funds are not deposited or done so incorrectly?

Withholding state payments is the only compliance method.

- If 90 or more days late in sending monthly amount, STO, per statute, withholds 25% of state payments to local government until all monthly fine reports are current.
 - See next page for other withholdings.
- Currently unable to know if correct amount is provided without an audit from the local government or engagement from the State Auditor.**
- Each local government is required to provide audited financial records annually.
 - Entities failing to remit or to have an audit are usually small municipalities.