

## Hardship Process

6. In an Excel Chart, please list all fees an offender under the supervision of PPP may have to pay (e.g., supervision fee, drug tests, community supervision setup, GPS tracking, etc.) and, the following for each:
- a. whether there are hardships available;  
Hardships are considered on a case by case basis and is an option for nearly all accounts. **Please see the attachment labeled, “Question 6- Hardship Process Chart.”** (Note: The information in the table does not consider department tools like public service conversion and use of civil judgments.)
  - b. who determines whether the offender qualifies for the hardship;  
Refer to the table provided. If Department is indicated then AICs have some ability to waive or exempt some amounts, otherwise this must come from a higher authority such as the court of general sessions.
  - c. information reviewed to determine whether the offender qualifies for the hardship (if only an offender’s statement, does the agency seek any documentation for proof) and how the information is obtained;  
Agents review the offender’s income information and reported bills if available. This information is documented on a Declaration of Financial Ability Form and used to justify a potential hardship.
  - d. whether the information reviewed is uniform across all PPP county offices;  
This policy is the same for all counties.
  - e. whether the information reviewed is similar to information reviewed by a county to determine whether an individual qualifies for indigent legal representation; and  
This Department’s process is not the same process as used to determine if an offender is indigent and requires that legal representation be provided. Pursuant to Rule 602(a) of the South Carolina Appellate Court Rules, every person charged with the violation of a probationary sentence is entitled to appointed counsel if indigent, a determination which is made using the process described above for criminal defendants.
  - f. for each of the last three years: total number required to pay the full fee and total number for which it was waived or reduced.
    - Number of accounts reduced and were required to pay at the full rate is outlined by “account type” in the attached table.
    - Since September 1<sup>st</sup>, 2018, \$21,806,816.31 has been exempted.

Account	Hardship available	Who determines hardship	Total number of Accounts	Number of reduced accounts	Full Rate Accounts
AM Collective	N		31,616	0	31,616
AM Fee	Y	Higher Authority	39,444	8	39,436
AM	N		30,011	0	30,011
Board Ordered Other Reimbursement	N		430	0	430
Board Ordered Restitution	Y	Higher Authority	866	0	866
Court Ordered Other Reimbursement	N		19	0	19
Conditional Discharge	N	Higher Authority	3,134	0	3,134
Court Ordered Restitution	Y		157	0	157
Dept Admin Ct. Restitution	Y		18,534	0	18,534
DNA Fee	N		14,735	0	14,735
Drug Test Fee	Y	Higher Authority	84,402	2,100	82,302
Electronic Monitoring Fee- GPS	Y	Higher Authority	1,175	57	1,118
Electronic Monitoring Fee- ISC	Y	Higher Authority	13	0	13
Electronic Monitoring Fee- RF	Y	Higher Authority	205	24	181
Extradition	N		139	0	139
Court Order Fines	Y	Higher Authority	33,423	0	33,423
Furlough Supervision	N		5	0	5
Insufficient Funds	N		7	0	7
Intensive Supervision Fee	Y	Department	5,144	195	4,949
Interstate Compact Fee	Y	Higher Authority	3,554	346	3,208
Public Defender Fund	N		12,683	0	12,683
PSE Fee	N		4,273	167	4,106
Regular Supervision	Y	Department	93,924	4,933	88,991
Sex Offender Court Ordered Monitoring Fee	Y	Higher Authority	55	1	54
Sex Offender Intensive Supervision Fee	Y	Higher Authority	426	6	420
Sex Offender Monitoring Fee	Y	Higher Authority	172	0	172
Sex Offender Tracking	Y	Higher Authority	614	7	607
Surcharge	N		47,022	0	47,022
YOA Intensive Supervision	Y	Higher Authority	2	0	2
YOA Regular Supervision	Y	Higher Authority	14	2	12
			426,198	7,846	418,352