

Law Enforcement and Criminal Justice Subcommittee Meeting

Tuesday, June 8, 2021

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AGENDA

South Carolina
House of Representatives



Legislative Oversight Committee

LAW ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE

The Honorable Chris Wooten, Chairman

The Honorable Kimberly O. Johnson

The Honorable Josiah Magnuson

The Honorable John R. McCravy, III

Tuesday, June 8, 2021

10:30 a.m.

Room 321, Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Subcommittee Meeting Minutes**
- II. Discussion of the study of the Department of Probation, Parole, and Pardon Services**
- III. Adjournment**

MEETING MINUTES

Chair Wm. Weston J. Newton

*First Vice-Chair:
Joseph H. Jefferson, Jr.*

Legislative Oversight Committee

*Kambrell H. Garvin
Rosalyn D. Henderson-
Myers
Jeffrey E. "Jeff" Johnson
John R. McCravy, III
Adam M. Morgan
Melissa Lackey Oremus
Marvin R. Pendarvis
Tommy M. Stringer
Chris Wooten*



South Carolina House of Representatives

*Gil Gatch
William M. "Bill" Hixon
Kimberly O. Johnson
Josiah Magnuson
Timothy A. "Tim" McGinnis
Travis A. Moore
Russell L. Ott
Michael F. Rivers, Sr.
John Taliaferro (Jay) West, IV*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration
Coordinator*

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6811**

Room 228 Blatt Building

*Charles L. Appleby, IV
Legal Counsel*

*Lewis Carter
Research Analyst/Auditor*

*Riley E. McCullough
Research Analyst*

Law Enforcement and Criminal Justice Subcommittee

**Thursday, May 6, 2021
1 hour after adjournment
Blatt Room 110**

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Chair Chris Wooten on Thursday, May 6, 2021, in Room 110 of the Blatt Building. All other members (Rep. Kimberly O. Johnson; Rep. Josiah Magnuson; and Rep. John R. McCravy, III) were present for all or a portion of the meeting. Also, Representative Robert Q. Williams attended a portion of the meeting.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.
- II. Representative Magnuson makes a motion to approve the meeting minutes from the June 22, 2020, meeting. A roll call vote was held, and the motion passed.

Rep. Magnuson's motion to approve the meeting minutes.	Yea	Nay	Not Voting
Rep. K. Johnson	✓		
Rep. McCravy	✓		✓
Rep. Magnuson	✓		
Rep. Wooten	✓		

Also, Chair Wooten noted an archived video of the Wednesday, May 5, 2020, joint meeting with the Corrections and Penology Subcommittee to review the Legislative Audit Council report of the Department of Juvenile Justice is available online for review.

Discussion of the Department of Probation, Parole and Pardon Services (PPP)

- I. Chair Wooten places the following under oath: Mr. Jerry Adger, Director; Ms. Jodi Gallman, Chief Deputy Director, and Mr. Paul Angus, Director of Human Resources.
- II. Mr. Adger introduces other PPP staff present with him today at the meeting.
- III. Director Adger provides an overview of PPP. Topics discussed include:
 - a. agency purpose;
 - b. mission statement;
 - c. vision statement;
 - d. values statement;
 - e. diversity statement;
 - f. agency philosophy;
 - g. agency history;

- h. federal counterparts;
- i. agency head: duties, qualifications, prior directors, and current director's background;
- j. Parole Board: qualifications, duties, current members;
- k. agency divisions: organizational chart, executive division, legal and policy management, administration, field operations,
- l. allocated FTEs;
- m. county field offices;
- n. employee overview: staff demographics, gender and race goal attainment, filled FTEs funding source, temporary employees, law enforcement staff eligible to retire by June 2024, succession planning, vacancy rates, separations, turnover, retention, salary,
- o. training;
- p. financial overview: agency budget authorization, agency grant partnerships and collaboration;
- q. record retention and policy compliance;
- r. regulations review;
- s. policy review;
- t. Commission on Accreditation for Law Enforcement Agencies: policy improvement; accreditation process;
- u. internal audit process: Office of Privacy and Risk Management, internal audits conducted, risk and mitigation action plans;
- v. staff feedback;
- w. whistleblower protections;
- x. Legislative Audit Council recommendations;
- y. Agency accomplishments and emerging issues: caseload reduction through offender supervision specialists; agent to vehicle ratio; domestic violence specialized caseloads; additional specialized caseloads; expansion of mental health and rehabilitative services,
- z. sentencing reform; and
- aa. agency challenges: agency fleet replacement; enhancing the Parole Board decision making process; expansion of inmate release services; balancing act.

IV. Subcommittee members ask questions relating to the following:

- a. agency culture;
- b. turnover to federal government counterpart;
- c. county field offices;
- d. staff demographics;
- e. reorganization of the structure of the agency;
- f. employees paid by other funds;
- g. retention of employees;
- h. length of time to hire employees;

- i. ignition interlock devices;
- j. actions prior to certification;
- k. offender payment process; and
- l. offender supervision fees.

Director Adger, Ms. Gallman, and Mr. Angus respond to the questions.

Adjournment

- V. There being no further business, the meeting is adjourned.

STUDY TIMELINE

The House Legislative Oversight Committee's (Committee) process for studying the Department of Probation, Parole, and Pardon Services (agency) includes actions by the full Committee; Law Enforcement and Criminal Justice Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below in Figure 1.

Legislative Oversight Committee Actions

- December 5, 2018 – Holds **Meeting #1** and prioritizes the agency for study
- January 9, 2019 – Provides the agency notice about the oversight process
- February 27 – April 1, 2019 - Solicits input about the agency in the form of an online public survey
- August 13, 2019 – Holds **Meeting #2** to receive public testimony about the agency

Law Enforcement and Criminal Justice Subcommittee Actions

- May 6, 2021 - Holds **Meeting #3** to discuss the agency's vision; mission; director responsibilities; organizational structure; history; and general information about finances and employees
- June 8, 2021 – Holds **Meeting #4 (TODAY)** to discuss the agency's field operations divisions and services provided by that division

Department of Probation, Parole, and Pardon Services

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 12, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 2017 - Submits its **2016-17 Accountability Report**
- September 2018 - Submits its **2017-18 Accountability Report**
- September 2019 - Submits its **2018-19 Accountability Report**
- June 12, 2019 - Submits its **Program Evaluation Report**
- September 2020 - Submits its **2019-20 Accountability Report**
- January 27, 2020 - Submits updates to its **Program Evaluation Report**
- December, 2018 - Present - Responds to Subcommittee's inquiries

Public's Actions

- February 27 – April 1, 2019 - Provides input about the agency via an **online public survey**
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 1. Key dates in the study process.

AGENCY SNAPSHOT

Department of Probation, Parole and Pardon Services



Figure 2. Snapshot of the agency's major organizational units, fiscal year 2017-18 resources (employees and funding), successes, and challenges.¹

AGENCY PRESENTATION – FIELD OPERATIONS DIVISION

SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES **FIELD OPERATIONS DIVISION**

2021 Presentation
to the House Legislative Oversight
Law Enforcement and Criminal Justice Subcommittee



BACKGROUND: PRESENTER BIOGRAPHIES

Biography for Associate Deputy Director for Field Operations

- Associate Deputy Director **Derek Brown** has 23 years of experience in the law enforcement field and community corrections.
- Received a bachelor's degree in Criminal Justice from SC State University.
- Served as an Offender Rehabilitation Counselor for the Community Control Center in Charleston for SCDPPPS.
- Served as a Probation & Parole Agent in Berkeley County.
- Served as the Facility Manager at the Charleston Restitution Center/Community Control Center.
- Served as the Facility Director for the Charleston Restitution Center.



Biography for Associate Deputy Director for Field Operations *(continued)*

- Supervised Agents as the Unit Coordinator in the Berkeley County Probation Office.
- Served as the Assistant Agent-in-Charge in the Charleston County Probation Office.
- Served as a Regional Director for Field Operations.
- Served as the Associate Deputy Director for Paroles, Pardons and Rehabilitative Services.
- Currently serves as the Associate Deputy Director for Field Operations.
- Graduate of the Certified Public Manager (CPM) program through the SC Department of Administration.

Biography for Director of Training Compliance and Professional Development

- **Melissa Ray**, Director of TCPD, has over 27 years of service with SCDPPPS.
- Earned a Bachelor's degree in Criminal Justice from the University of South Carolina in 1990.
- Earned a Master's degree in Criminal Justice from the University of South Carolina in 1992.
- Began her career with SCDPPPS as a Pre-Sentence Investigator and has held the title of Probation and Parole Agent, Training Coordinator and is currently the Director of Training Compliance and Professional Development.
- C-1 certified and has served as a CJA Basic Instructor, Driving Instructor and a Defensive Tactics Instructor.



Biography for Deputy Director for Legals and Policy Management

- Deputy Director **Ben Aplin** received a B.A. of Philosophy, Politics and Economics from Pomona College in Claremont, California in 1992.
- In 1995, he received a J.D. from the University of South Carolina School of Law
- From 1995–1997 he served as a Staff Attorney for the South Carolina Supreme Court.
- From 1997–2000, he served as a Staff attorney for the Assistant Attorney General (PCR) and South Carolina Office of the Attorney General.
- From 2000–2012 he served as Legal Counsel for the South Carolina Department of Probation, Parole and Pardon Services.



Biography for Deputy Director for Legals and Policy Management

- From 2012-2016, he served as Assistant Attorney General (Criminal Appeals) in the South Carolina Office of the Attorney General.
- From 2016-2019, he served as Senior Assistant Deputy Attorney General (Criminal Appeals) in the South Carolina Office of the Attorney General.
- In 2019 he was appointed as the Deputy Director for Legal and Policy Management of the South Carolina Department of Probation, Parole and Pardon Services.

Awards and Recognitions

- 2008 SCDPPPS Statewide Employee of the Year
- American Jurisprudence Award – Civil Procedure II

Biography for Director of Emergency Operations and Field Programs

- **Jennifer Brice** has 22 years of experience in law enforcement and community corrections.
- Received a B. A. in Psychology from Winthrop University in 1998.
- Served as an Agent and Team Leader in the Lancaster County SCDPPPS Office for 13 years.
- Served as a Community Resource Coordinator for 2 years before becoming the Sex Offender and GPS Program Manager.
- Promoted to Assistant Regional Director in 2016 and became the Director of Field Operations Programs in 2017.



Biography for Director of Emergency Operations and Field Programs

- Promoted to Director of Emergency Operations and Field Programs in September 2020.
- Oversees the Department's Emergency Operations, Sex Offender Program, GPS Operations, Digital Forensics, Drug Testing Resources, DNA Collections, Public Service Employment Program and Fugitive Investigations Unit.
- Serves as a COMPAS Assessment Instructor, GPS Instructor and is certified with digital forensics.

Biography for Mental and Behavioral Health Services Manager

- **Sharon Chafin** earned a Bachelor's degree in Criminology & Criminal Justice and Experimental Psychology from the University of South Carolina.
- Earned a Master's degree in Mental Health Counseling with a graduate internship at the SC Department of Corrections.
- Worked in a variety of psychiatric settings including the emergency department, inpatient unit, partial hospitalization/intensive outpatient, and outpatient care.
- Served as a Counselor in the Sexually Violent Predator Program prior to joining SCDPPPS in 2016.



Certifications

Mental and Behavioral Health Services Manager

- Licensed Professional Counselor (LPC)
- Licensed Addictions Counselor (LAC)
- Advanced Alcohol and Drug Abuse Counselor (AADAC)
- National Certified Counselor (NCC)
- Clinically Certified Forensic Counselor (CCFC)
- Clinically Certified Sex Offender Treatment Specialist (CCSOTS)

Biography for Domestic Violence Unit Manager

- **Shannon P. Myers**, Domestic Violence Unit Manager, has been with SCDPPPS for 14 years.
- Piloted first DV caseload in York County in 2015.
- Has worked as a regular caseload agent, Domestic Violence Agent, Team Leader, and Assistant Agent in Charge for SCDPPPS.
- Earned Bachelors degree in Psychology from Winthrop University and Masters Degree in Counseling from Winthrop.
- SC Licensed Professional Counselor for 22 years.

Biography for Deputy Director for Administration

- Deputy Director **Virginia Camp** has over 31 years of experience in State Government.
- Responsible for the SCDPPPS Budget Office, Grants Management, Fiscal Management, Human Resources, Records, Information Technology and Procurement.
- Received a Master's of Science in Administration of Justice and Security in 2012 from the University of Phoenix, and a B.S. in Criminal Justice in 1987 from Benedict College.



Biography for Deputy Director for Administration

- Served in various capacities at the SC Department of Juvenile Justice including Director of Volunteer Services, Manager of Human Resources & Budget Services, Human Resources Manager (Classification & Compensation), Parole Examiner, Human Resources Generalist, Administrative Assistant and Youth Counselor.
- Became the SCDPPPS Deputy Director of Administration in 2019.
- Has held several positions within SCDPPPS, including Associate Deputy Director for Fiscal Services and Budget Director.
- Active member of the South Carolina Probation and Parole Association.

Awards and Recognitions

Deputy Director for Administration

- United States Commissioned Army Reserves Officer (10 Years)
- Served on a 12-year study committee with the University of South Carolina and Richland School District One in an effort to improve early childhood education
- 2016 Graduate of the SC Certified Public Manager's (CPM) Program

Biography for Director of Victim Services

Debbie Depra Curtis has worked in the Victim Services field for over 20 years. She received her bachelor's degree from New York University, and her paralegal degree from Columbia Junior College.



PROFESSIONAL EXPERIENCE:

- Paralegal, Fifth Judicial Circuit Solicitor's Office (1990 – 1992);
- Victim Advocate, Richland County Sheriff's Department (1992 – 1996);
- Victim Advocate/Paralegal, Child Abuse Unit, Fifth Judicial Circuit Solicitor's Office (1996 – 1999);
- Victim Advocate, South Carolina Commission on Prosecution Coordination (1999 – 2000);
- Crime Victims' Ombudsman, SC Governor's Office (2000 – 2004, 2011 – 2013);
- Expungement Processor, Third Judicial Circuit Solicitor's Office (2007 – 2011);
- Director of Victim Services, South Carolina Department of Probation, Parole and Pardon Services (2013 – Present)

Biography for Director of Administrative Hearings

- Kay N. Hutson has over 32 years of service with SCDPPPS.
- Earned a Bachelor's degree in Sociology from Francis Marion University in 1981.
- Holds a National Certification as a Hearings Official from the National Association of Hearing Officials.
- Began her career with SCDPPPS as an Agent in Lexington County and has held the titles of Probation and Parole Agent, Administrative Hearings Officer, Assistant Chief Hearings Officer, Chief Hearings Officer, and is currently the Director of Administrative Hearings.
- Holds C-1 certification and has served as a Criminal Justice Academy (CJA) Basic Instructor, AAA Driving Instructor, Working with Justice Involved Women and a Facilitator of the Strategic Leadership Academy.
- Member of the SCDPPPS Strategic Planning Committee since 2014.



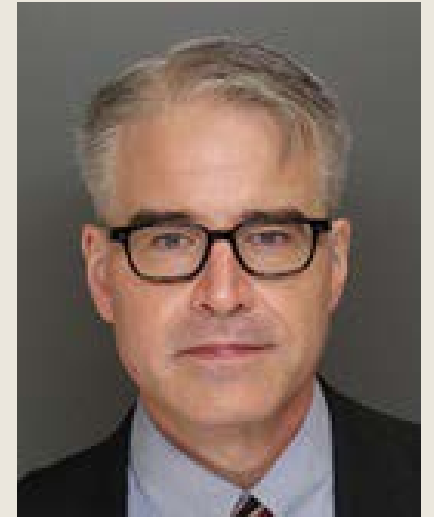
Biography for Director of Interstate Compact Services

- **Christopher Harris** received a Bachelor's Degree in Criminal Justice from the University of South Carolina in 1994.
- Employed with SCDPPPS for almost 27 years.
- Started career as a Probation & Parole Agent in Sumter County in August 1994.
- Transitioned to the Interstate Compact Section in August 2005.
- Became the Deputy Compact Administrator/Supervisor of Interstate Compact Services in May 2008.
- Became the Compact Administrator/Director of Interstate Compact Services in March 2019.



Biography for Director of Ignition Interlock Device Program

- **Thomas W. Nicholson** joined SCDPPPS in 2014 as legal counsel.
- Received a B.A. from Davidson College in 1990
- Received a J.D. from Georgia State University in 2003
- Member of the South Carolina and Georgia Bar Associations
- Practiced law in Atlanta, Georgia from 2003 to 2014
- Named Director of the Ignition Interlock Device Program in December 2019



AGENCY PURPOSE AND MISSION

Agency Purpose

The South Carolina Department of Probation, Parole and Pardon Services is charged with the supervision of offenders placed on probation by the Court; granted parole by the State Board of Pardons and Paroles; or statutorily released to one of the Agency's supervision programs; and is further charged with monitoring individuals statutorily placed into one of the Agency's monitoring programs.

*The Agency is responsible for monitoring individuals
in the following monitoring programs:
GPS Tracking; Administrative Monitoring; Ignition Interlock Device;
and NGRI [not guilty by reason of insanity].*

As of 6/30/20 there are
62,421 jurisdictional offenders under the Department's supervision.
Out of that number, 25,950 are under active supervision.

(The definitions of "jurisdictional" versus "active" will be explained in detail later in the presentation.)

Mission Statement

To **PREPARE** offenders under our supervision toward becoming productive members of the community;

To **PROVIDE** assistance to the victims of crimes, the courts and the Parole Board; and

To **PROTECT** public trust and safety.



BACKGROUND: ESTIMATING COSTS

Agency costs for providing deliverables and services to customers are not exact. The costs reported are estimates based on agency expenditures and the number of staff required to complete various workload duties.

Deliverable Cost Estimate – Cost Center Model

The costs for the deliverables listed below were calculated using **Agency specific cost centers.**

This includes the combined cost of:

- 1) staff salary
- 2) fringe
- 3) operating expenditures related to the cost center function

Deliverable Number	Deliverable Title
21	Active Electronic Monitoring
23	Administrative Monitoring
34	Revocation Hearings
42	Sentencing Reform Oversight Committee Report
44	Interstate Compact - ISC
53	Ignition Interlock Device Program (IID)

Deliverable Cost Estimate – Workload Model

The costs for the deliverables listed on the next slide were calculated using the

SCDPPPS Validated Workload Model - Duty Category Comparison Report

- 1) Similar duties of the workload model were grouped together into deliverable categories to determine the **number of staff** utilized to complete each deliverable.
- 2) Divided number of staff by **total number of Agent/OSS** employed in a fiscal year to get the percentage for the deliverable total.
- 3) Used percentage for each duty category to list the **total dollar amount** by each of the duty categories.
- 4) Used the deliverable total dollar amount to **calculate the percentage of the duty category** total for each deliverable in the duty category.

Deliverable Cost Estimate – Workload Model

**Deliverables calculated
using the
SCDPPPS Validated
Workload Model –
Duty Category
Comparison Report**

Deliverable Number	Deliverable Title
17	Agent Oath, Duties & Powers (<i>Catchall calculation</i>)
18	Agent Training Requirement (<i>Catchall calculation</i>)
19	Offender Risk-Needs Assessment
20	Probation and Parole Supervision Fees
24	Reentry Supervision
25	Administrative Sanctions
26	Offender Supervision Specialists (OSS)
27	Agent Accommodations during Emergencies
28	Probation Agents Assigned to Courts
29	Offender Case Documentation
31	Home Visits
32	Drug Testing
33	Issuing Legal Process for Violations
38	Probation Terminated Upon Payment (PTUP)
41	Absconders
48	Public Service Employment (PSE)
49	Extraditions
50	Early Terminations

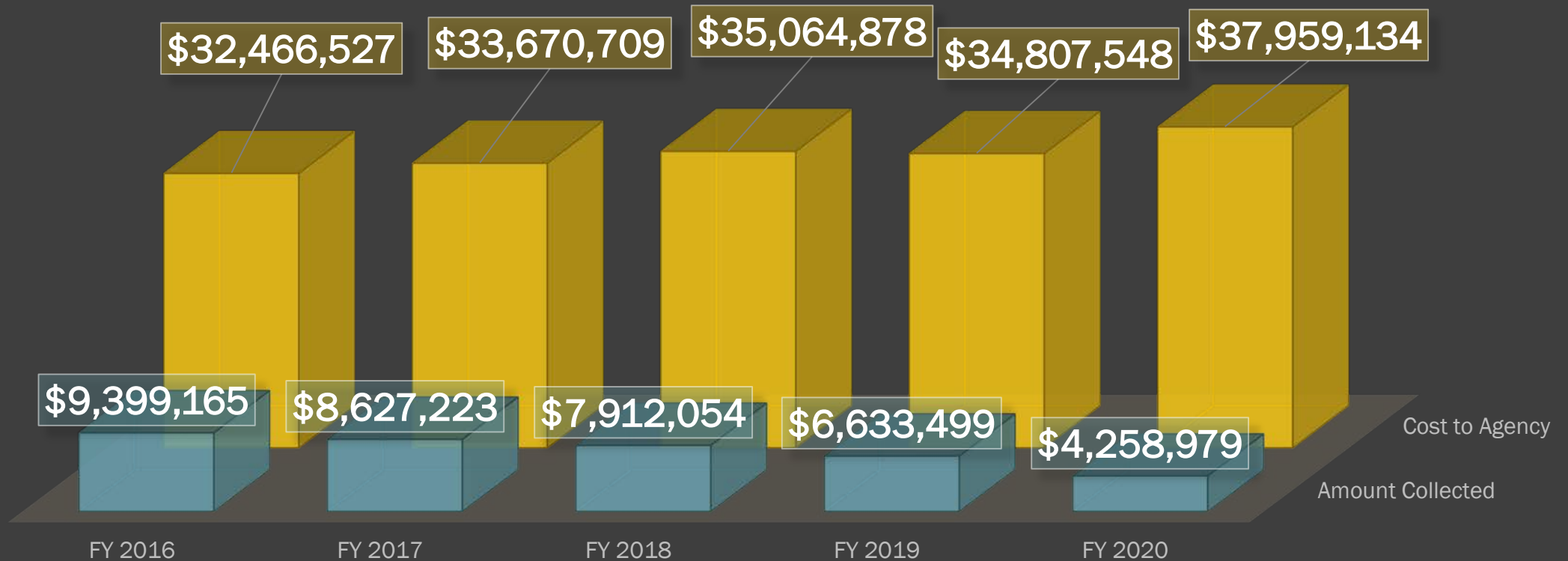
Deliverable Cost Estimate – Catchall Model

- **Deliverables 17 and 18 are catchall calculations** related to Agent and Offender Supervision Specialist duties that are not specifically categorized.
- Some areas did not generate a full percent or the cost amount is so small that it is **too minimal** to report.

AGENCY DIVISION PROGRAM FEES COLLECTED VS. COST

■ Amount Collected ■ Cost to Agency

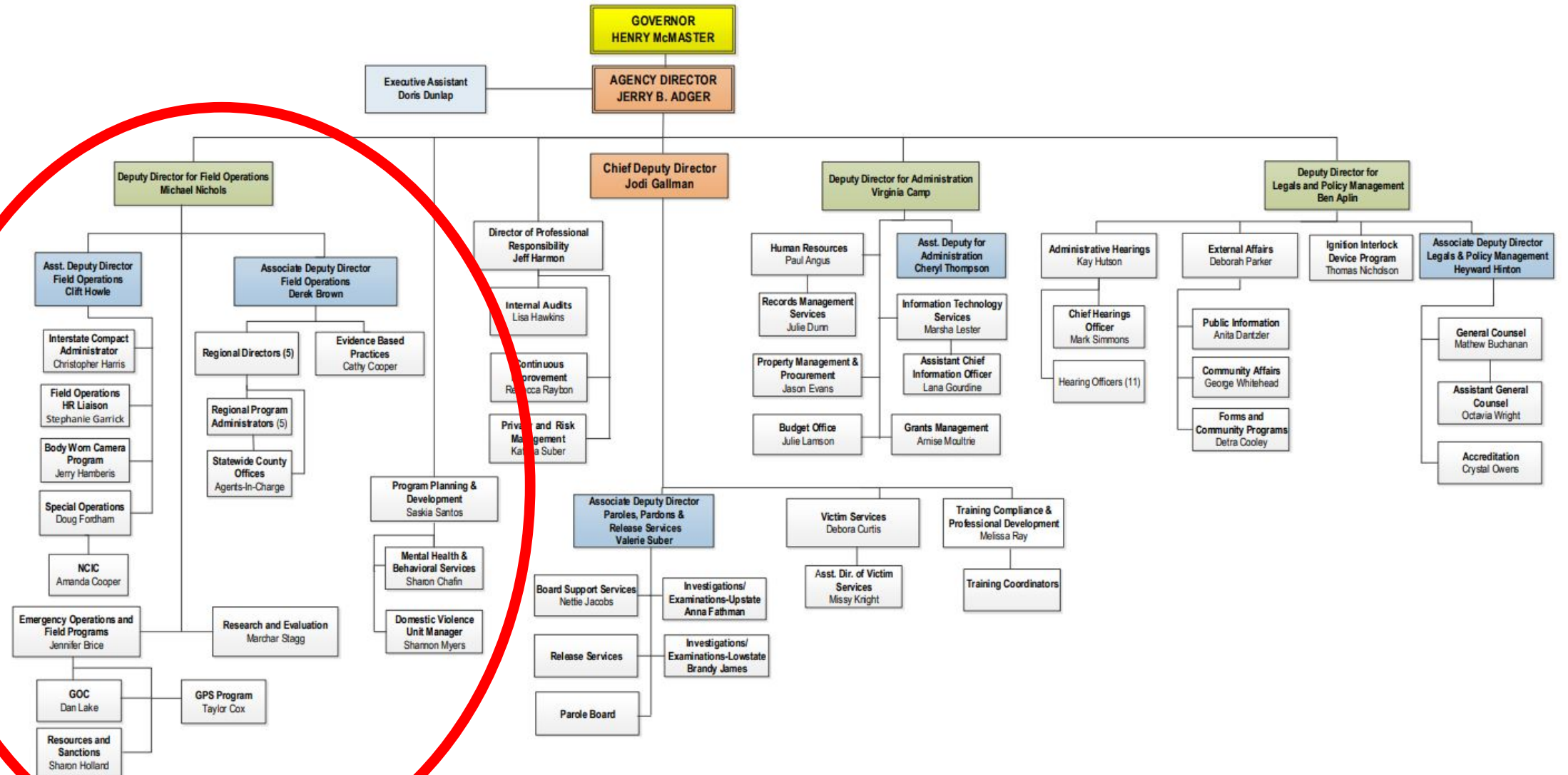
Fees Included:
Pardon application fee
Electronic monitoring fee
Extradition fee
Offender drug testing fee
Public service employment set-up fee
Probation & Parole supervision fee
Youthful offender fee
Interstate compact application fee



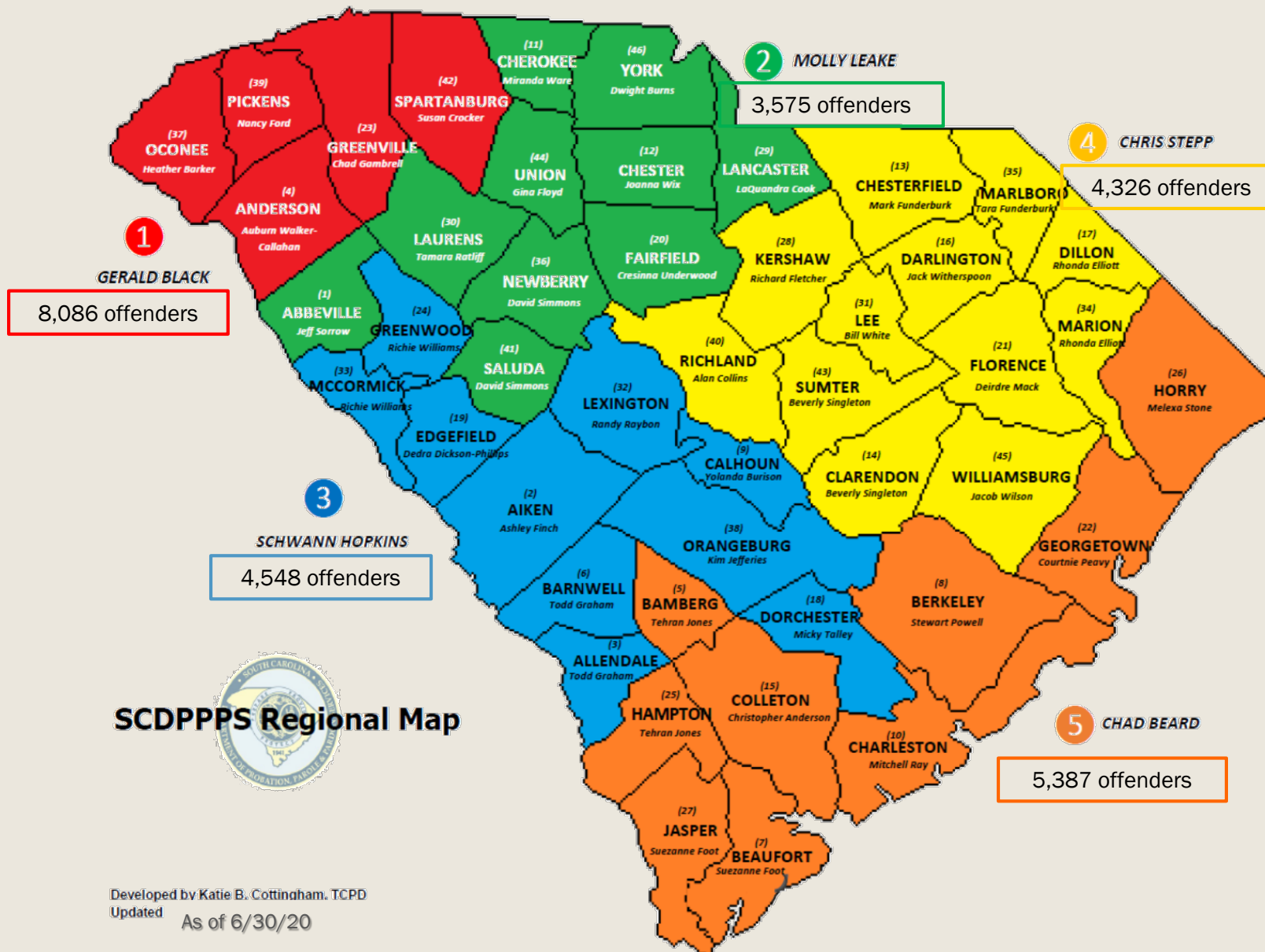
FIELD OPERATIONS DIVISION STAFF



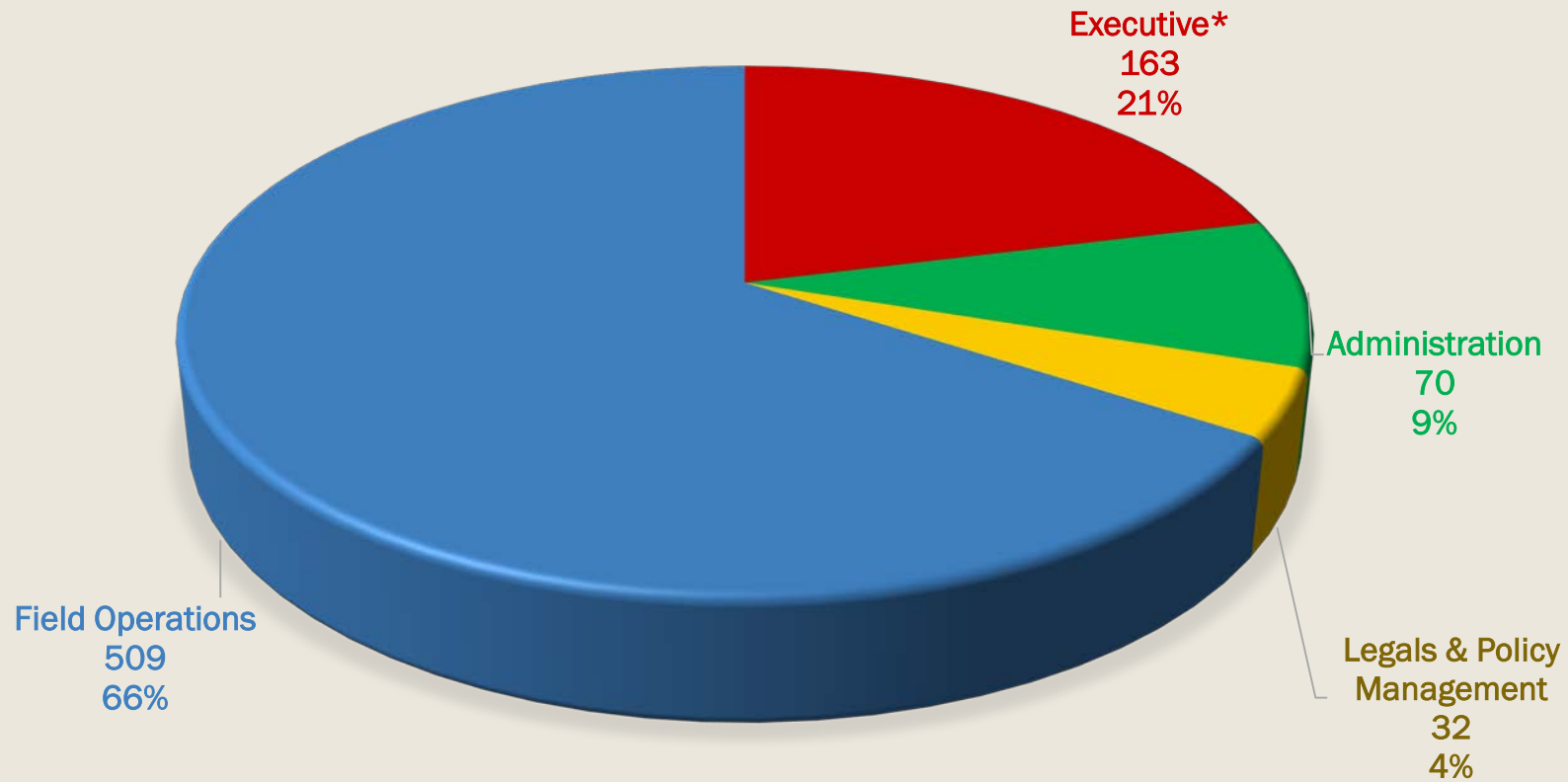
The Deputy Director for Field Operations supervises this division.



Updated 11-23-20



- The state is divided into five Field Operations regions.
- There is at least one Field Office in every county.
- The field offices are staffed by the Agent-in-Charge, Team Leaders, Agents, Offender Supervision Specialists & Field Office Specialists.
- There are 509 Field Operations Division employees (as of 9/30/20) (66% of all agency staff)
- The field supervises 62,421 offenders (25,950 of those are active supervision) (as of 6/30/20)



ALLOCATED FTEs

**Includes 3 Department FTEs that are unassigned to a division.*

PPP Human Resources September 30, 2020

Division Staff Composition

**Position titles in this chart are grouped by program.*

PPP Human Resources September 30, 2020

Position Title*	Number of FTEs
Deputy Director for Field Operations and Staff	3
Associate Deputy Director for Field Operations	2
Assistant Deputy Director for Field Operations	1
Regional Director	5
Regional Program Administrator	5
Agent-in-Charge (County Office)	37
Assistant AIC (County Office)	10
Unit Coordinator (County Office)	3
Probation and Parole Supervisor (County Office)	43
OSS – Offender Supervision Specialists (County Office)	72
FOS – Supervisors (County Office)	6
FOS – Field Office Specialists (County Office)	52
Sex Offender Agents (County Office)	46
Probation and Parole Law Enforcement Agents (County Office)	143
Director of Emergency Operations and Field Programs and Staff	2
Field Operations Human Resources Liaison	1
Body Worn Camera Manager and Staff	2
Special Operations Supervisor and Staff	2
NCIC Supervisor and Staff	5
Interstate Compact Administrator and Staff	6
Agent-In-Charge – GPS Operations Center (GOC) Operations and Staff	16
Resources and Sanctions Manager and Staff	2
Sex Offender Manager	1
Research and Evaluation Director and Staff	2
Announced Vacancies	42
TOTAL	509

Ratio Report

Cty #	County	Caseload Carring FTEs			Active Offenders	Average Caseload
		Agents	OSS	Agt/OSS Total		
1	Abbeville	1	0.5	1.5	164	109
2	Aiken	6	3	9	933	104
3	Allendale	1	0.5	1.5	64	43
4	Anderson	12	4	16	1,369	86
5	Bamberg	1		1	54	54
6	Barnwell	1	0.5	1.5	91	61
7	Beaufort	4		4	181	45
8	Berkeley	7	3	10	1,074	107
9	Calhoun	1	0.5	1.5	90	60
10	Charleston	19	6	25	1,701	68
11	Cherokee	6	2	8	528	66
12	Chester	1	0.5	1.5	186	124
13	Chesterfield	1		1	148	148
14	Clarendon	2	0.5	2.5	149	60
15	Colleton	1	1	2	224	112
16	Darlington	2	1	3	294	98
17	Dillon	2		2	133	67
18	Dorchester	4	2	6	601	100
19	Edgefield	2	1	3	162	54
20	Fairfield	2	0.5	2.5	156	62
21	Florence	7	2	9	558	62
22	Georgetown	2		2	265	133
23	Greenville	25	8	33	2,744	83
24	Greenwood	5	2	7	473	68

Cty #	County	Caseload Carring FTEs			Active Offenders	Average Caseload
		Agents	OSS	Agt/OSS Total		
25	Hampton	1	0.5	1.5	100	67
26	Horry	10	3	13	1,145	88
27	Jasper	2		2	89	45
28	Kershaw	2	1	3	238	79
29	Lancaster	4	2	6	280	47
30	Laurens	5	1	6	468	78
31	Lee	1		1	73	73
32	Lexington	12	2	14	1,076	77
33	McCormick	1	0.5	1.5	58	39
34	Marion	2		2	127	64
35	Marlboro	1		1	111	111
36	Newberry	2		2	152	76
37	Oconee	3	1	4	632	158
38	Orangeburg	6	2	8	696	87
39	Pickens	5	2	7	774	111
40	Richland	12	4	16	1,371	86
41	Saluda	1		1	72	72
42	Spartanburg	17	5	22	2,108	96
43	Sumter	6	1	7	586	84
44	Union	2	0.5	2.5	186	74
45	Williamsburg	1	1	2	184	92
46	York	9	2	11	1,082	88
Total or Average		220	67.0	287.0	23,950	82

Offender count as of 12/31/20; Agent/OSS count as of 12/31/20

Probation Agent Oath, Powers and Duties, & Case Documentation

Deliverable 17
REQUIRED BY SECTIONS
24-21-240; 24-21-280 (A)
and
Deliverable 29
REQUIRED BY SECTION
24-21-280 (A)



Note: Agents are Class 1 law enforcement officers

Deliverable Description:

Class I law enforcement Agents perform a diverse array of administrative duties including:

- completing risk-needs assessments,
- documenting information about offender background, history and program referrals.
- performing case management reviews,
- checking jail lists,
- investigating referred cases,
- completing home visits,
- administering drug tests, and
- writing offender progress reports.

Probation Agent Oath, Powers and Duties, & Case Documentation

Deliverable 17

REQUIRED BY SECTIONS

24-21-240; 24-21-280 (A)

and

Deliverable 29

REQUIRED BY SECTION

24-21-280 (A)

Note: Agents are Class 1 law enforcement officers

Legislative Intent

To establish the authority of Probation Agents and to describe the duties which must be performed by Probation Agents including:

- investigating cases referred for investigation
- keeping informed concerning the conduct and condition of those under his supervision visiting, requiring reports, and in other ways
- reporting progress in writing as required
- using practicable and suitable methods that are consistent with evidence based practices to aid and encourage persons on supervision to bring about improvement in their conduct and condition and to reduce the risk of recidivism, and
- conducting actuarial assessments of offender risks and needs, including criminal risk factors and specific needs of each individual.

Probation Agent Oath, Powers and Duties, & Case Documentation

Deliverable 17

REQUIRED BY SECTIONS
24-21-240; 24-21-280 (A)
and

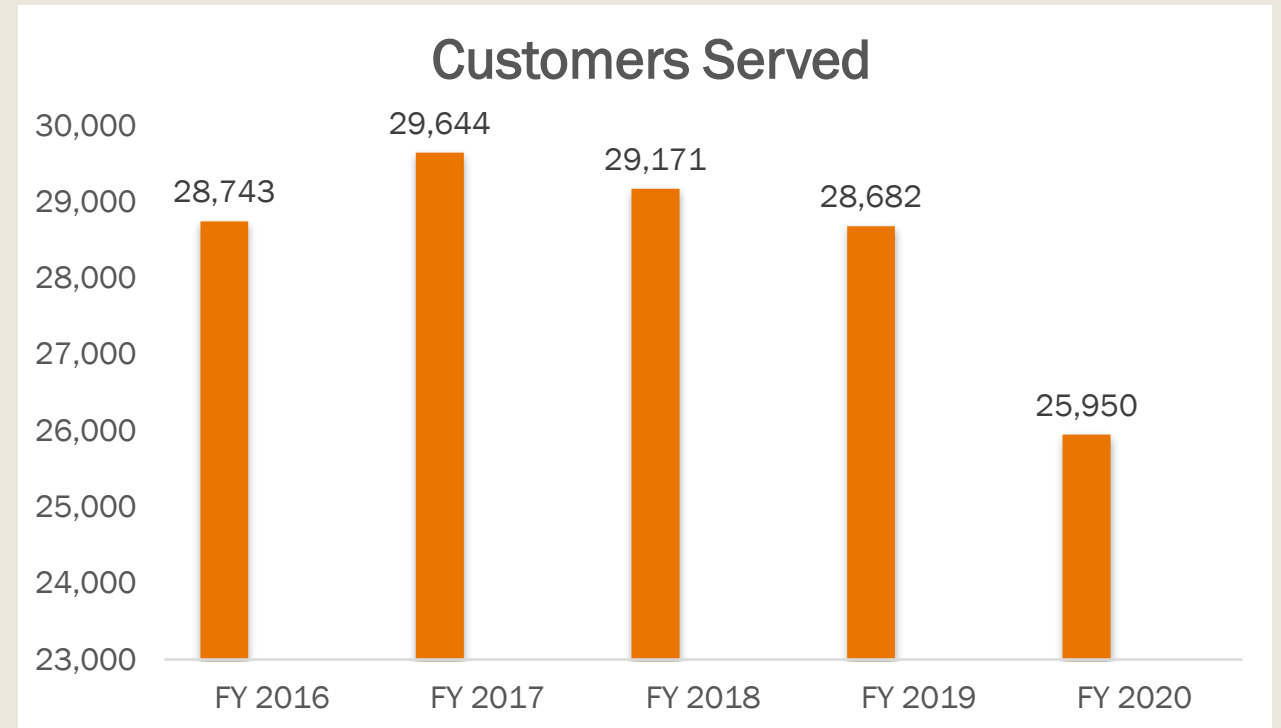
Deliverable 29

REQUIRED BY SECTION
24-21-280 (A)

Note: Agents are Class 1 law enforcement officers

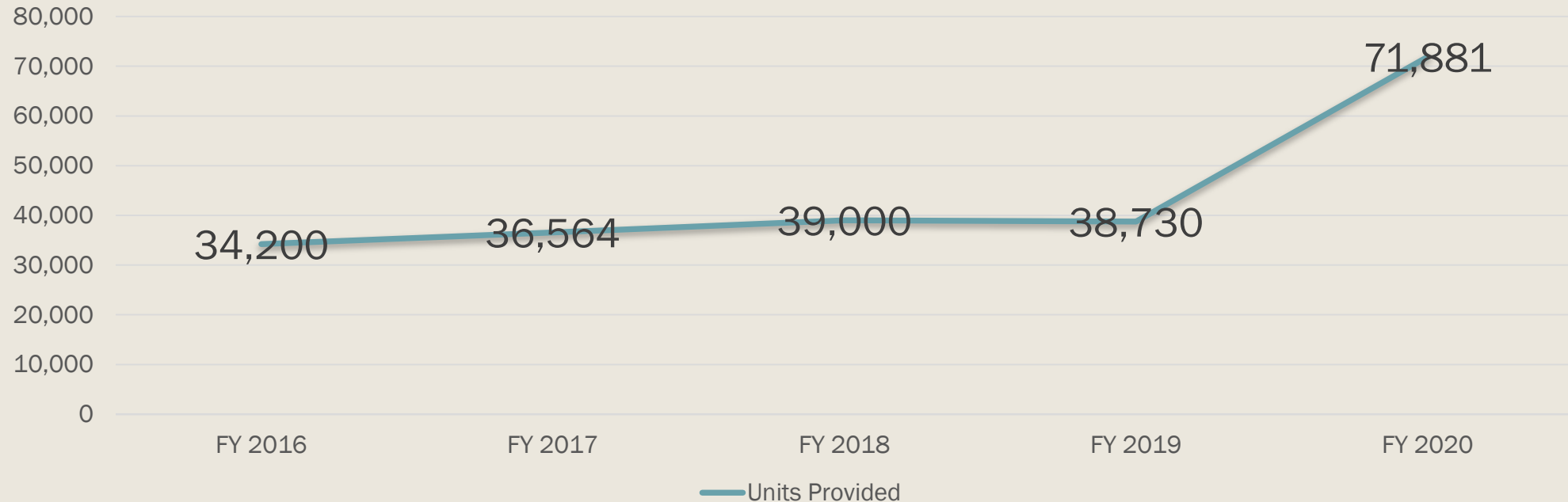
Customer Description:

- Active offenders in all supervision levels



Note: The agency must serve all customers it receives.
The agency does not have the option to turn away customers
if the agency is lacking in resources or personnel.

**Agent & OSS Hours/Service Provided to Offenders
(Including documenting information about
offender background, history and program referrals)**



Amount charged to customers: \$0

Amount Collected from providing deliverable: \$0

FY '20 Cost: \$10,355,290

(Estimated cost based on SCDPPPS Workload Model duties)

Note: Prior to FY 2020, Agents and OSS received 120 hours a year for documentation. However, a new Workload Committee determined that more time was needed, so the number increased to 217 hours. The Workload Model is currently being reviewed and validated.

Offender Supervision Specialists (OSS)

Deliverable 26

REQUIRED BY SECTIONS

24-21-230 (C); 24-21-280 (G)

Deliverable Description:

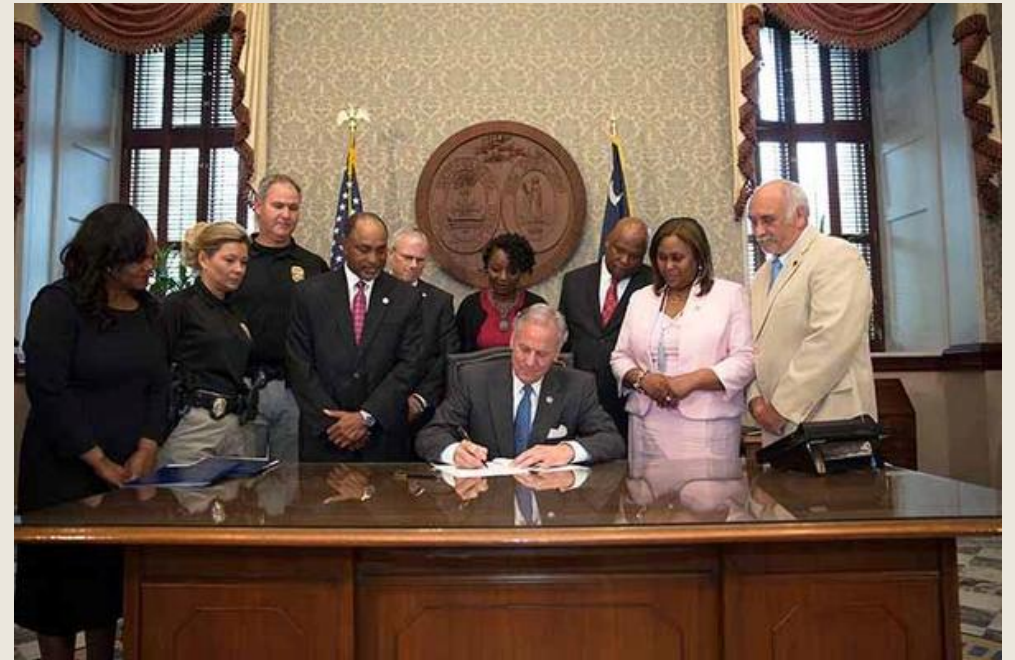
- SCDPPPS employs Offender Supervision Specialists (OSS) to oversee the supervision of low-risk offenders.

Purpose:

- Reduce the caseloads and enable SCDPPPS' Class 1 law enforcement agents to focus attention on high-risk level offenders

Caseload Reduction through Offender Supervision Specialists (OSS)

- By creating the Offender Supervision Specialists (OSS) position in 2016, SCDPPPS has successfully reduced Agent caseloads by an average of 53% in the “Big Four” counties of Charleston, Greenville, Richland and Spartanburg.
- The average OSS caseload size is 148 cases (as of 6/30/20).
- The number of OSS has increased from 20 to 63 from FY 2016 to 2020.



The Offender Supervision Specialist Bill (H.3742) was signed into law on May 19, 2017, codifying the practices of this successful program.

Offender Supervision Specialists (OSS)

Deliverable 26

REQUIRED BY SECTIONS

24-21-230 (C); 24-21-280 (G)

Minimum Qualifications:

- A high school diploma and relevant program experience. (A bachelor's degree may be submitted for the required program experience.)

Preferred Qualifications:

- A high school diploma and 3-5 years of work experience directly related to criminal justice (i.e. probation & parole, law enforcement, corrections) or armed services; or a bachelor's degree may be submitted for the required program experience.

Duties:

- Responsible for non-sworn Probation and Parole Law Enforcement Officer duties by monitoring compliance or using technology in the management of the caseload.
- Performs compliance monitoring on Low/Standard level offenders to include conducting required non-field related progress reports and community contacts.
- Reviews offender financial obligations and other special conditions of supervision.

Offender Supervision Specialists (OSS)

Deliverable 26

REQUIRED BY SECTIONS

24-21-230 (C); 24-21-280 (G)

- OSS can perform all duties that Probation Agents currently perform, except C-1 law enforcement duties.
- OSS may present a case before an Administrative Hearing Officer, BUT not before the Parole Board or General Sessions Court.
 - *A supervisor may elect to assign a Probation Agent to present the case in conjunction with the OSS to the Administrative Hearing Officer.*
 - *Probation Agents presenting a case on behalf of an OSS may call the OSS to provide testimony as witnesses.*

Offender Supervision Specialists (OSS)

Deliverable 26
REQUIRED BY SECTIONS
24-21-230 (C); 24-21-280 (G)

Customer Description:

- Low-risk offenders



Field Office Specialists (FOS)

Minimum Qualifications:

- A high school diploma. Related clerical experience may be substituted for a high school diploma.

Duties

- Responsible for performing secretarial and paraprofessional administrative duties in the county office; managing, coordinating and assisting in the performance of other specific related duties.



TRAINING

FOR FIELD OPERATIONS DIVISION

Agent & OSS Training Requirements

Deliverable 18

REQUIRED BY SECTION
24-21-230 (A)



Deliverable Description (Training Process)

- 1) Ensure a potential hire passes **psychological** and qualifying **examinations** (Nelson-Denny Reading Test)
- 2) **Hire** a single Probation Agent or Offender Supervision Specialist
- 3) Until initial employment requirements are met, no person may take the **oath** of a Probation Agent nor exercise the authority granted to them.
- 4) Provide the new hire with adequate **training**, such as law enforcement recertification, firearms, basic training and on-the-job-training (OJT).

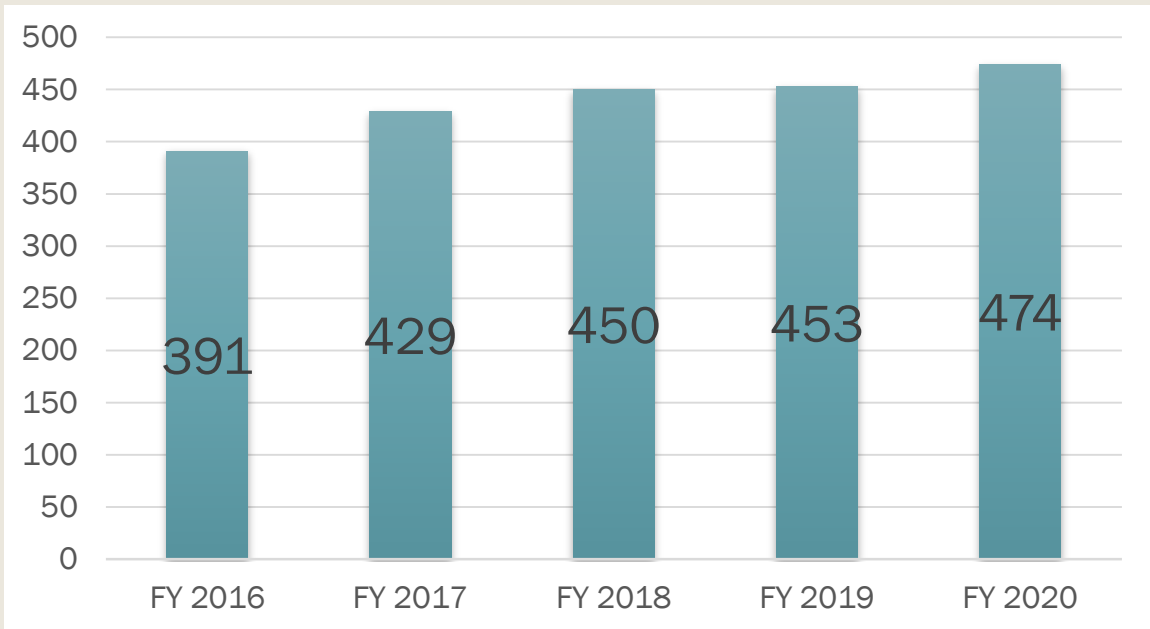
Agent & OSS Training Requirements

Deliverable 18
REQUIRED BY SECTION
24-21-230 (A)



Customer Description

- Probation Agents and Offender Supervision Specialists (OSS) employed by SCDPPPS in a fiscal year (all Agents must complete annual training)



Cost per customer*	\$4,329	\$2,454	\$1,876	\$2,588	\$3,178
Amounts Agents/ OSS were charged	\$0	\$0	\$0	\$0	\$0

*S.C. Code Section 23-23-120 allows the Department to be reimbursed for training costs if another governmental entity hires the officer within a certain period of time

Training Compliance and Professional Development (TCPD)

179 training sessions

were logged into the TCPD internal learning management system in 2020.

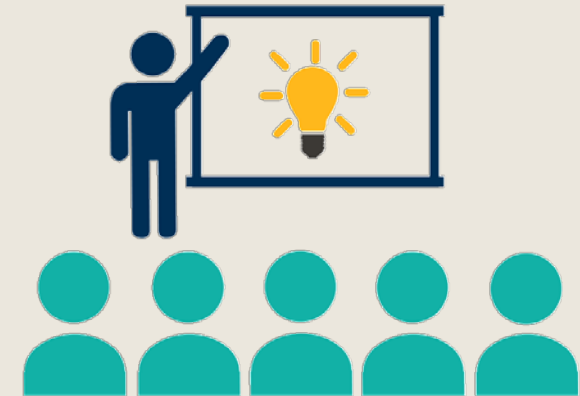
*(includes external training courses
where documentation of attendance was submitted)*

The Training Department offers:

Basic training

In-Service training

Advanced training



Training Compliance and Professional Development (TCPD)

The Department utilizes different methods to reach its participants/employees:

- Traditional **instructor-led courses** are offered at Central Office as well as in a regional format.
- **Online training** allows for training for the entire Department or a specific group of employees to receive information in a short period of time and without travel.
- **Field training** (hands-on) is provided to newly hired agents, Offender Supervision Specialists (OSS) and Field Office Specialists (FOS) after they complete their formal classroom training.

Mandatory Field Operations Staff Training

New Agent (C-1) Training

Agent Field Training (On the Job Training)	Due 90 days after CJA graduation
Basic Firearms <i>(*Not required for new Agents who are already C-1)</i>	Scheduled upon hire
Current C-1 Certified New Agent Firearms “Quick Shoot” Qualification	Within 3 days of hire as per CJA Requirements
New Agent Driving Orientation (NADO) <i>(*Not required for new Agents who are already C-1)</i>	Scheduled upon hire
SCDPPPS Basic Training	Scheduled upon hire
4-Week Proctored Pre-Academy Training	Scheduled upon hire
Bias Based Policing	Completed in SCDPPPS Basic Training
Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) Training	Completed in SCDPPPS Basic Training
CJA Law Enforcement 8-Week Basic Training <i>(*Not required for new Agents who are already C-1)</i>	Registration upon hire
Arrest Scenario	Scheduled after CJA graduation
Gender Based Training	Completed within the first year
FEMA IS-700: National Incident Management System (NIMS), An Introduction	Included in OJT
FEMA IS-100: Introduction to Incident Command System (ICS) for Law Enforcement	Included in OJT

(Some courses are postponed at the discretion of management based on factors such as COVID-19 precautions.)

Mandatory Field Operations Staff Training *(continued)*

New Offender Supervision Specialist (OSS) Training

OSS Field On the Job (OJT) Training	Due 90 days after SCDPPPS Basic Training
PPP Basic Training	Scheduled upon hire
COMPAS Training	Completed in PPP Basic Training
Gender Based Training	Completed within the first year

Training for Special Operations Agents, Regional Directors, and Deputy Director for Field Operations

Incident Command System (ICS-300) Intermediate	Upon promotion
Incident Command System (ICS-400) Advanced	Upon promotion
FEMA IS-800: National Response Plan (NRP), An Introduction	Upon promotion

New Field Office Specialist (FOS) Training

FOS Field On the Job Training (OJT)	Due 180 days after hire
FOS Basic Training	Scheduled upon hire
Basic Cashier Training	Scheduled upon request of AIC

Additional Retraining for C-1 Staff:

In-Service Pressure Point Control Tactics (PPCT), Resistance Control Continuum, and OC Spray Decontamination	ANNUAL
Firearms In-Service	ANNUAL
PPP Legal Updates	ANNUAL
Criminal Justice Academy Updates	ANNUAL
Bias Based Policing	ANNUAL
Use of Force	ANNUAL
Evidence Based Practices Update	ANNUAL
Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) Recertification	BIENNIAL

AGENT INVOLVEMENT IN SENTENCING

DELIVERABLES

Agents Assigned to General Sessions Court

Deliverable 28

REQUIRED BY SECTIONS
24-21-260; 24-21-270

Deliverable Description:

- SCDPPPS staffs General Sessions Court with a full time Class-1 Agent to monitor sentencing proceedings and identify those in which a sentence has been suspended and probation granted.
- Other Agents work in county offices provided by each county, in or near the courthouse.

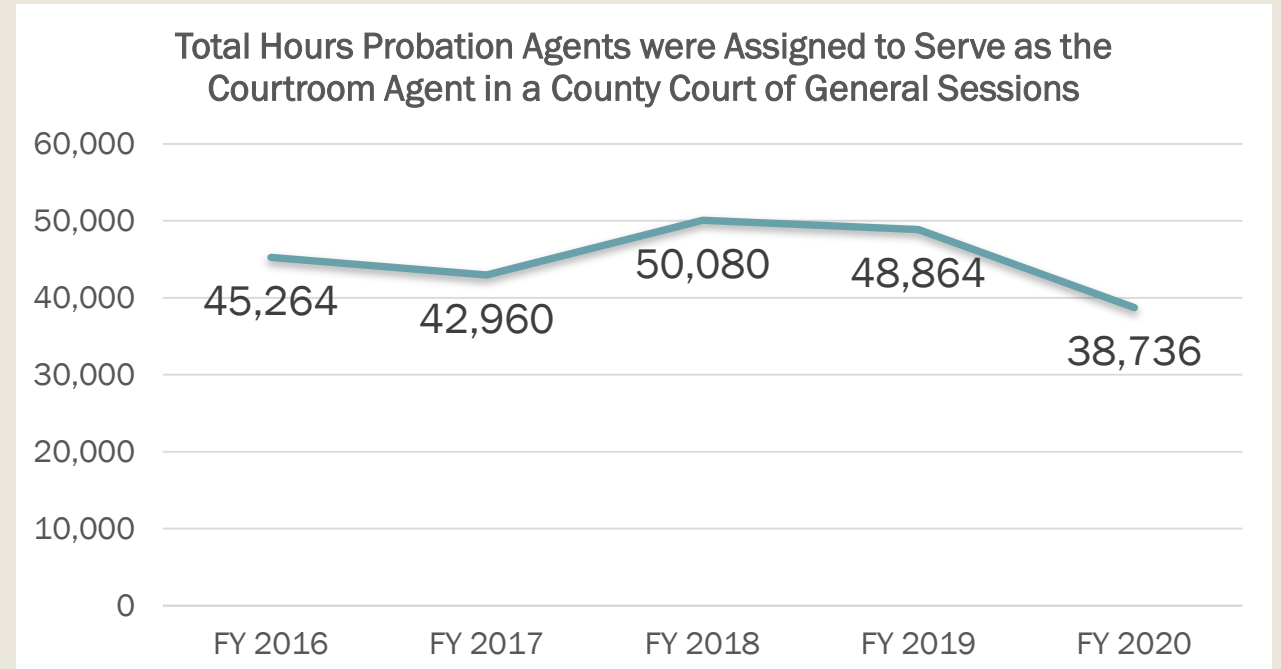
Agents Assigned to General Sessions Court

Deliverable 28
REQUIRED BY SECTIONS
24-21-260; 24-21-270

Customer Description:

- General Sessions Court

Customers served in FY '20: 46



Cost per hour*	\$38.22	\$30.40	\$23.20	\$18.93	\$26.88
Amount charged to customers	\$0	\$0	\$0	\$0	\$0

*Estimated cost based on SCDPPPS Workload Model duties

Pre-sentence Investigations

Deliverable 51
REQUIRED BY SECTIONS
24-21-420; 24-23-120

Deliverable Description:

- When directed by the court, Probation Agents must conduct a "presentence investigation" by fully investigating and reporting to the court in writing, the circumstances of the offense and the criminal record and social history of the defendant.

Pre-sentence Investigations

Deliverable 51

REQUIRED BY SECTIONS
24-21-420; 24-23-120

Purpose:

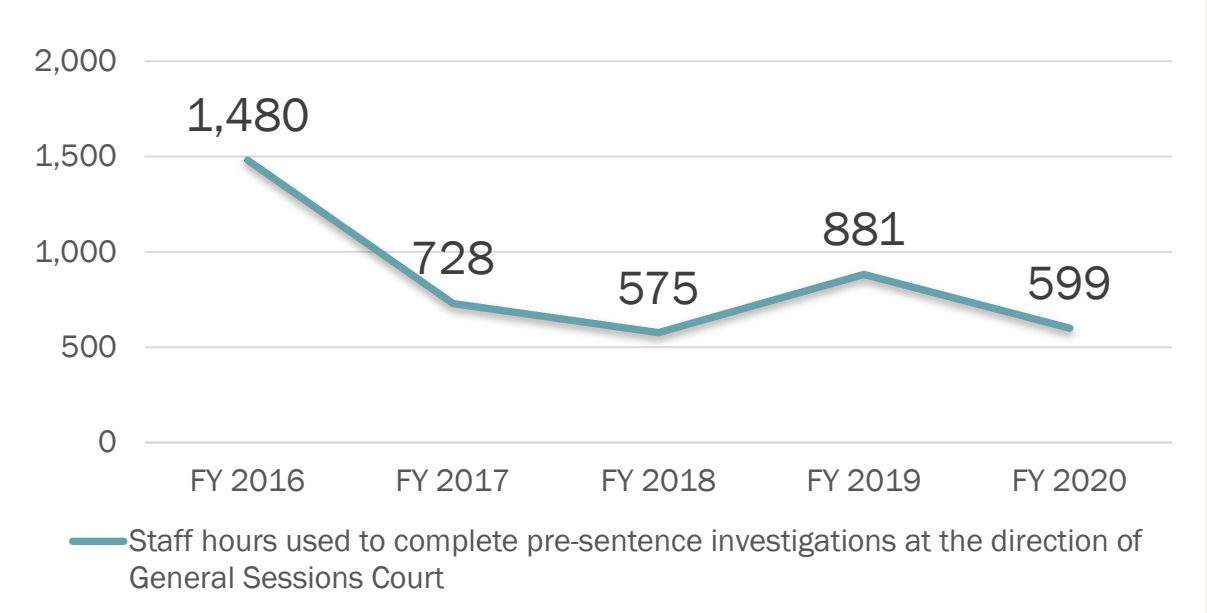
- To provide the sentencing court with a mechanism for obtaining detailed and reliable information about the crime and the defendant prior to sentencing, by requiring the Department, when the services of a probation agent are available and when requested by the court, or when the court has reason to believe a defendant suffers from a mental disorder, retardation, or substantial handicap, to prepare a presentence investigation.

Pre-sentence Investigations

Deliverable 51
REQUIRED BY SECTIONS
24-21-420; 24-23-120

Customer Description: General Sessions Court

Customers served in FY '20: 46



Cost per hour*	\$0	\$0	\$0	\$0	\$0
Amount charged to customers	\$0	\$0	\$0	\$0	\$0

(It takes an Agent approximately 12 hours to complete a Pre-sentence investigation;
This percentage of Workload Model duty hours and cost is too low to report)

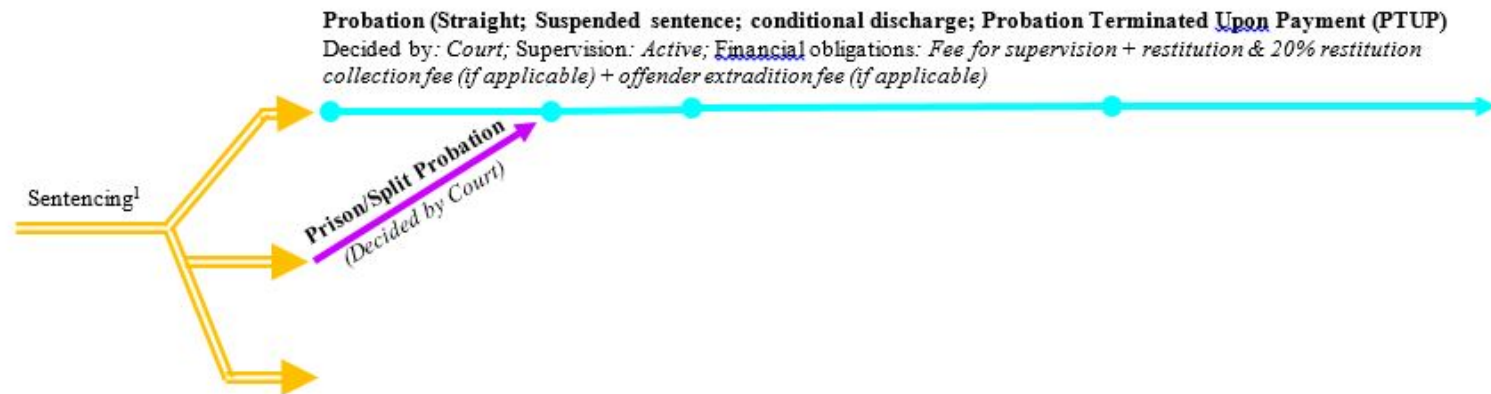
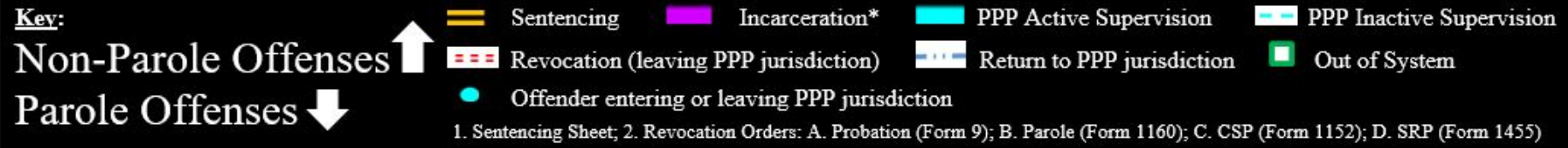
SENTENCE TYPES

These charts and statistics provide updated FY 2020 information on how the Court and statutes categorize offenders.

Order/Sentence Types

- ✓ An offender's sentence is ordered by the court, and the agency has no control over the sentence.
- ✓ The agency response to offender violations, may in part, be determined by the offender's supervision level.
- ✓ Special conditions of supervision may be included in the court order.

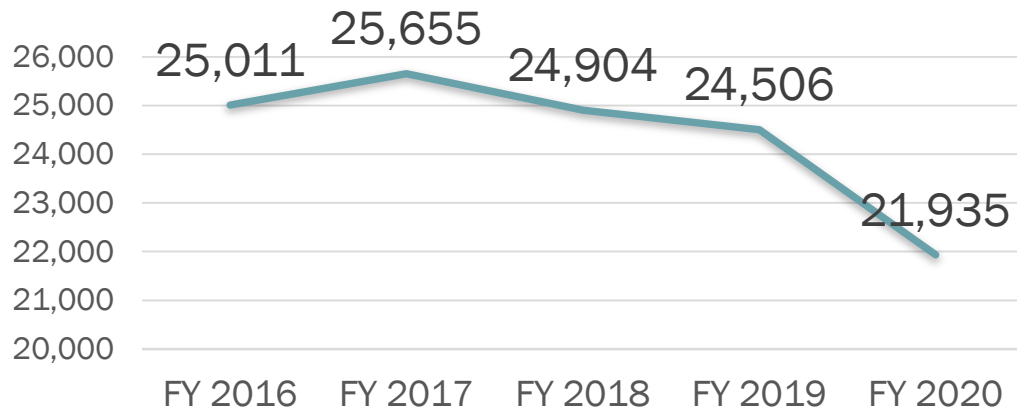
Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Probation:

Probation, Split & Conditional Discharge

Active Offenders on Probation at Fiscal Year End



Offenders who...

Probation

- Served no time in jail or prison; rather, all of the offender's sentence is probation.

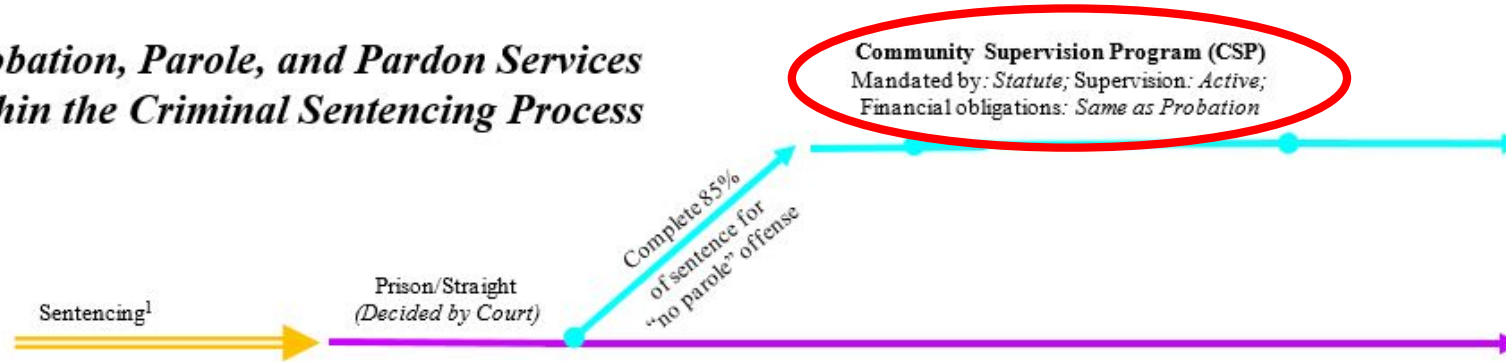
Split

- Served part of their sentence in jail or prison and serve remainder of sentence on probation.

Conditional Discharge

- Have entered a plea of guilty or have been found guilty in Court, but the Court, without entering a judgement of guilt and with the consent of the accused, defers further proceedings and places the offender on probation under the Court's conditions.

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses ↑

Parole Offenses ↓

== Sentencing

■ Incarceration*

■ PPP Active Supervision

■ PPP Inactive Supervision

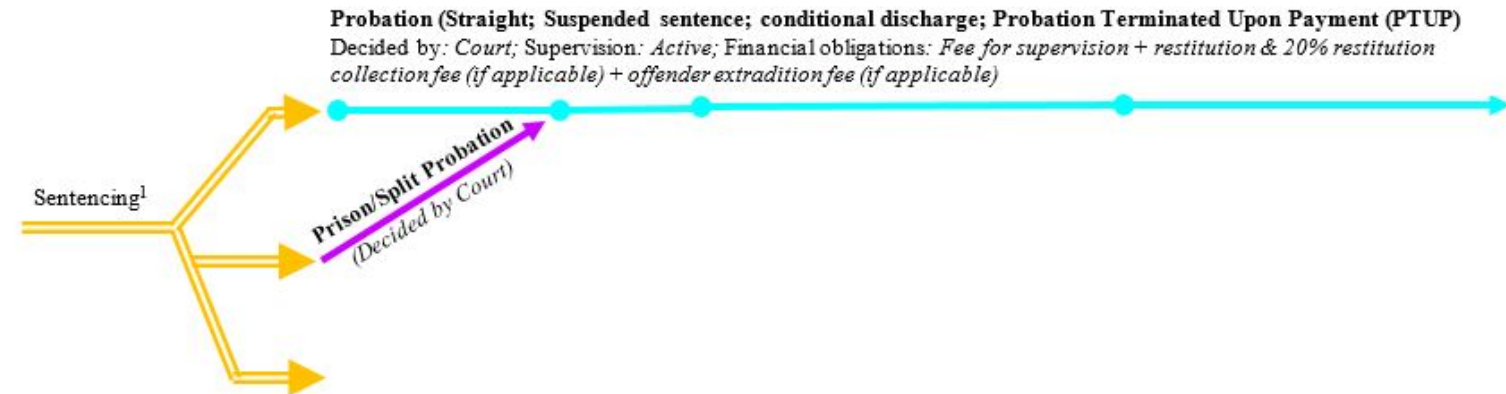
■ Revocation (leaving PPP jurisdiction)

■ Return to PPP jurisdiction

■ Out of System

● Offender entering or leaving PPP jurisdiction

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



Community Supervision Program (CSP) for “No Parole” Offenders

Deliverable 39

REQUIRED BY SECTION
24-21-560

Inmates who...

- Committed a "no parole offense"* unless they were sentenced to death penalty or life imprisonment;

and

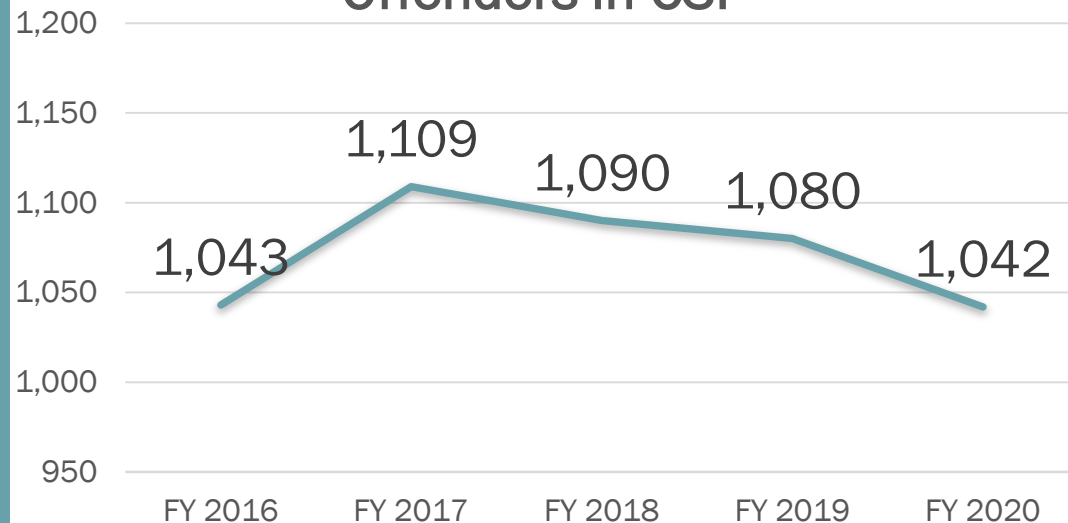
- Served at least 85% of their prison sentence - the minimum period of incarceration (Section 24-13-150).

*“No Parole” offense includes Class A, B, or C felonies or offenses exempt from classification as enumerated in Section 16-1-10(d), which is punishable by a maximum term of 20 years or more. Individuals who committed one of these crimes on or after January 1, 1996, are not eligible for parole consideration at any time during their sentence.

Community Supervision Program (CSP) for “No Parole” Offenders

Deliverable 39
REQUIRED BY SECTION
24-21-560

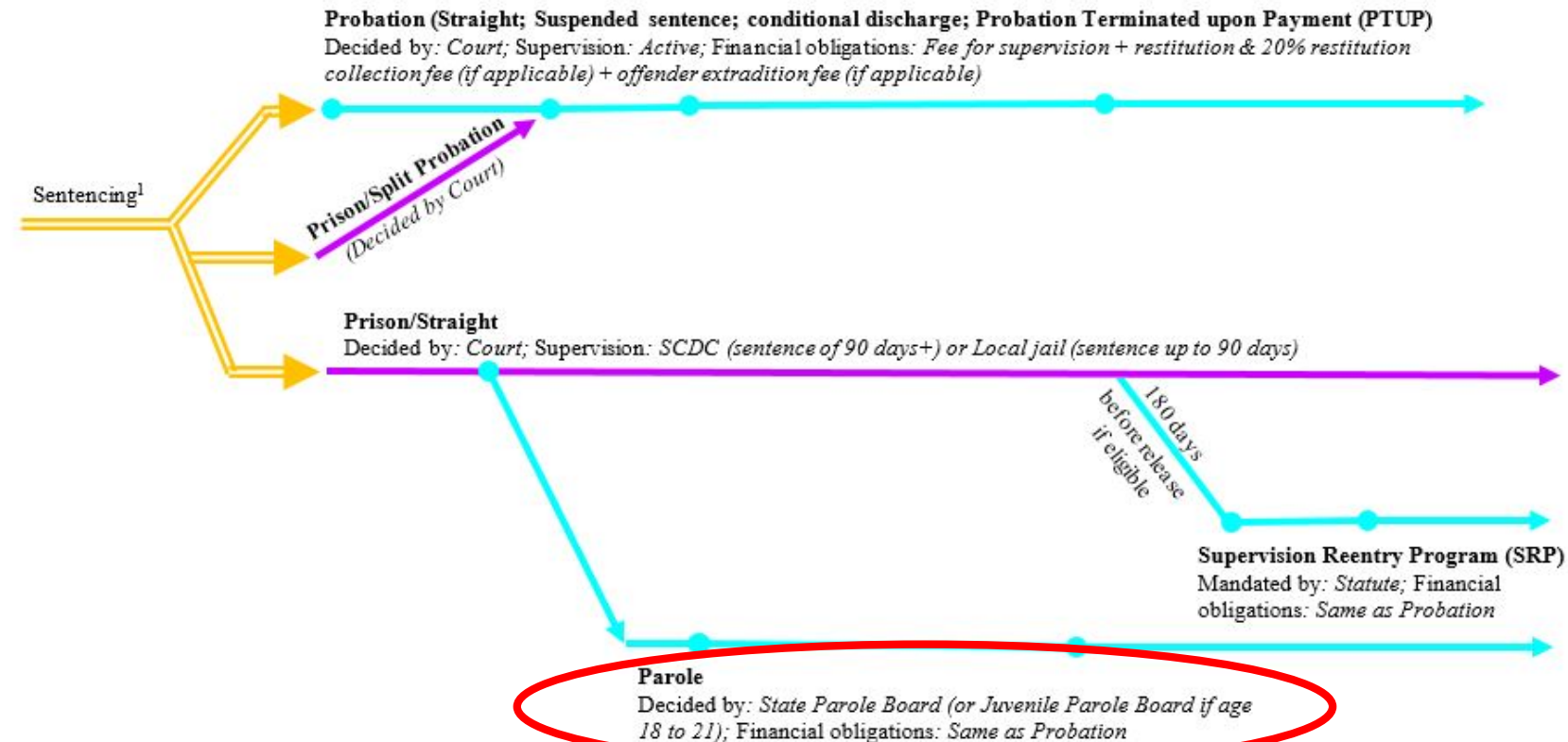
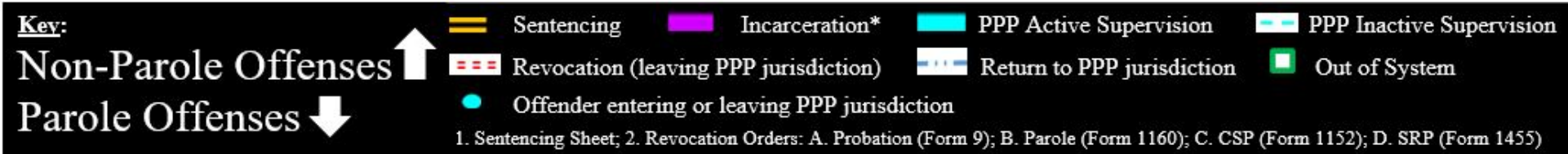
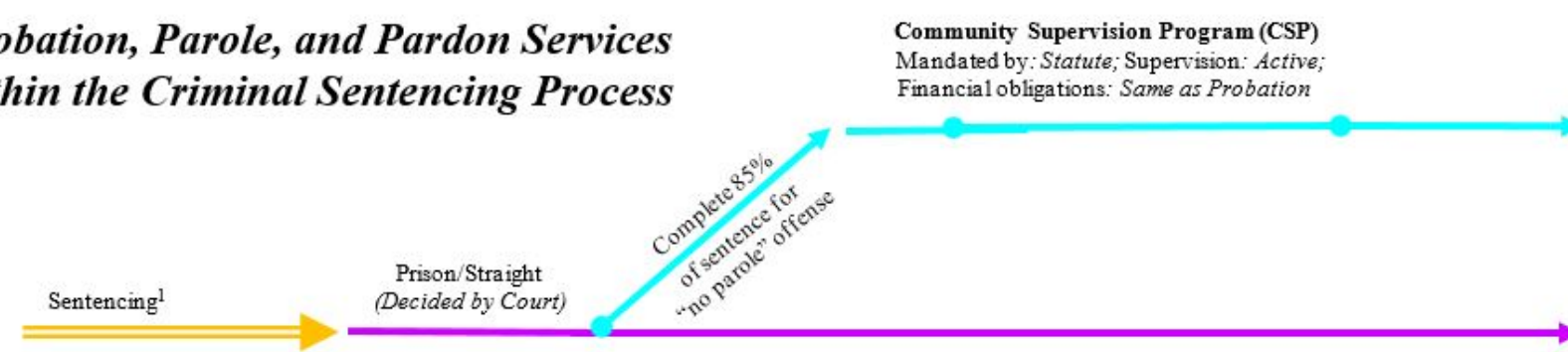
Offenders in CSP



- Offenders released to CSP have a two-year period of SCDPPPS supervision.
- If at any time they violate the terms of supervision, a Circuit Court Judge may revoke any part of the remaining incarcerative portion of the sentence for up to one year at a time

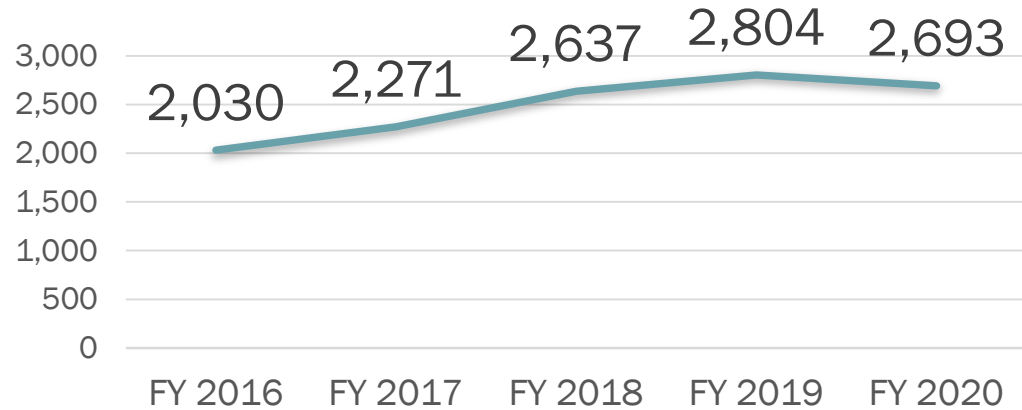
(Note: Violations discussed later in presentation)

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Parole

Active Offenders on Parole at Fiscal Year End



Offenders who...

- Have been given a conditional release by the State Parole Board or the Juvenile Parole Board

Conditions:

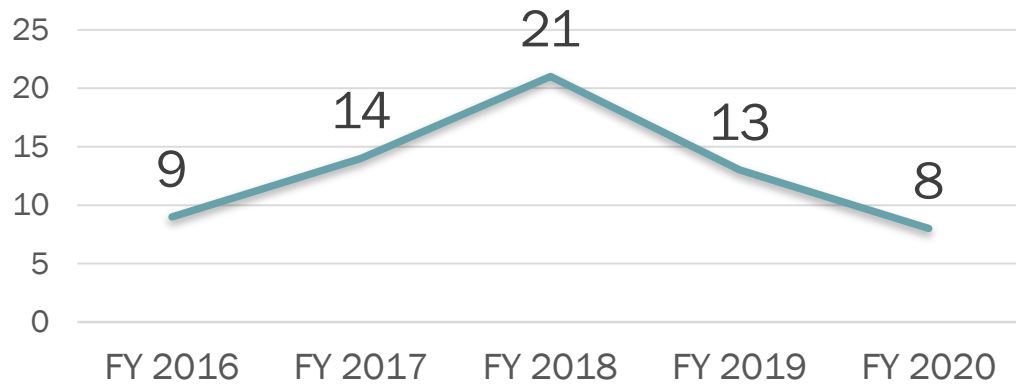
- Same Standard Conditions as Probation

Note: Standard conditions discussed later in presentation

Note: The majority of offenders supervised by SCDPPPS have not served time in prison. (Only **11%** of active offenders under agency supervision are on parole.)

DJJ Parole

DJJ Parolees at Fiscal Year End

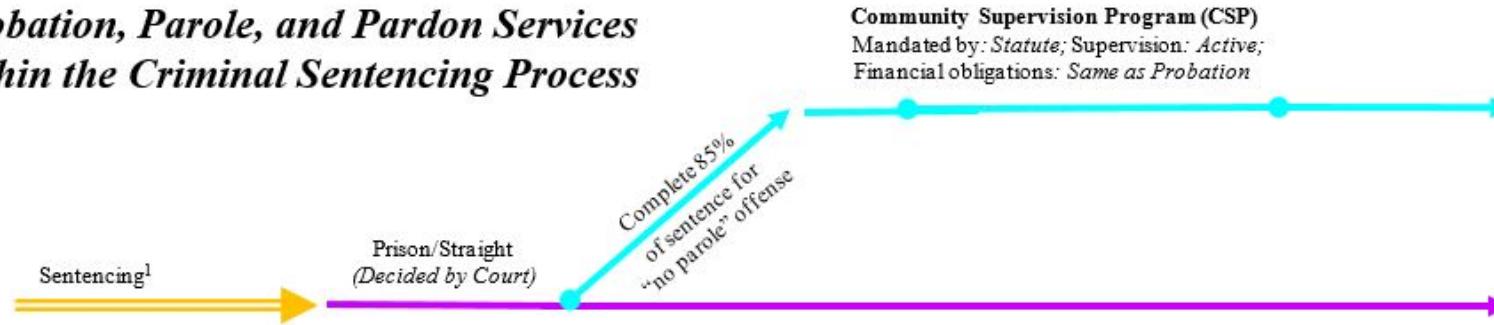


Offenders who:

- *Are at least 18 but less than 21 years of age who have been adjudicated delinquent by a Family Court and have been conditionally released from DJJ by the Juvenile Parole Board*
- *At FY 2020 end there were 8 offenders in this population.*

Note: Juvenile offenders are supervised like adults, the only difference is, when an alleged parole violation occurs, the matter is returned to the Juvenile Parole Board instead of State Parole Board

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses ↑

Parole Offenses ↓

== Sentencing

■ Incarceration*

■ PPP Active Supervision

■ PPP Inactive Supervision

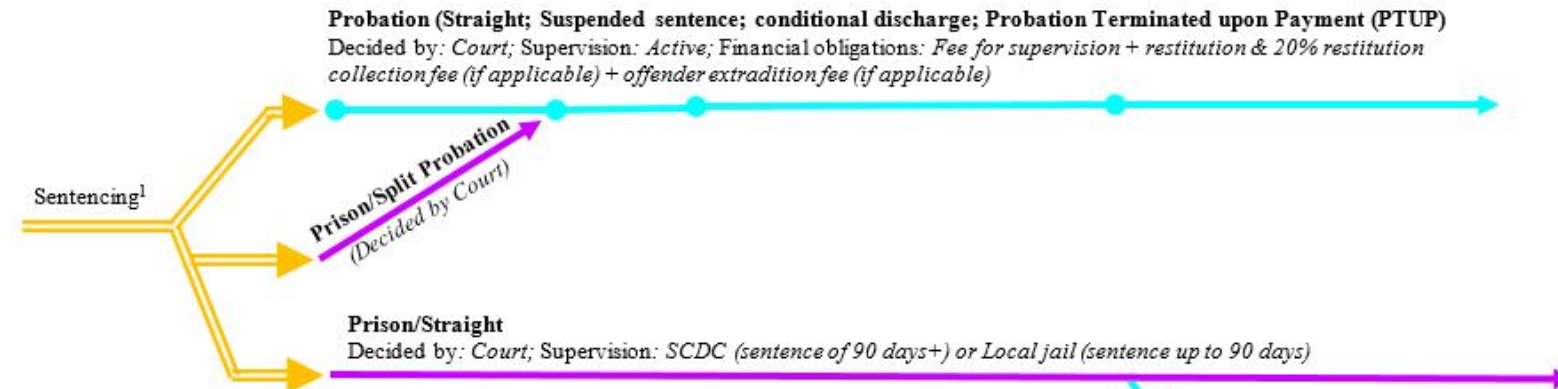
--- Revocation (leaving PPP jurisdiction)

--- Return to PPP jurisdiction

■ Out of System

● Offender entering or leaving PPP jurisdiction

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



Offenders, if eligible, must be released from prison to SRP
180 days before their "release date."

180 days
before release
if eligible

Supervision Reentry Program (SRP)
Mandated by: *Statute*; Financial obligations: *Same as Probation*

Supervised Reentry Program (SRP)

Deliverable 24

REQUIRED BY SECTIONS
24-21-32; Reg. 130-40

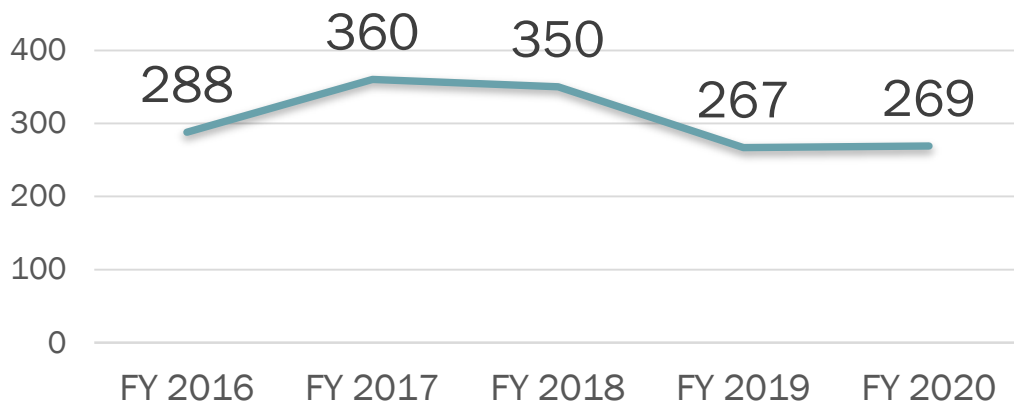
Offenders who...

- not already required to participate in a community supervision program under S.C. Code Section 24-21-560

and

- have been incarcerated for a minimum of two years

Active Offenders on SRP at Fiscal Year End



Shock Incarceration Program

Deliverable 52

REQUIRED BY SECTIONS
24-13-1310; 24-13-1320;
24-13-1330

Deliverable Description:

- Eligible SCDC inmates are ordered by the sentencing court to participate in the Shock Incarceration Program and serve 90 days in an incarceration facility, which provides rigorous physical activity, intensive regimentation and discipline and rehabilitation therapy and programming.
- Upon completion, they are released to parole and supervised by a SCDPPPS Parole Agent.

Shock Incarceration Program

Deliverable 52

REQUIRED BY SECTIONS

24-13-1310; 24-13-1320;
24-13-1330

Purpose:

- The shock incarceration program is an intensive "boot camp" experience provided by the Department of Corrections to young, non-violent, first-time inmates intended to make an immediate impact which persuades inmates to turn their lives around, successfully complete parole and become productive members of society.

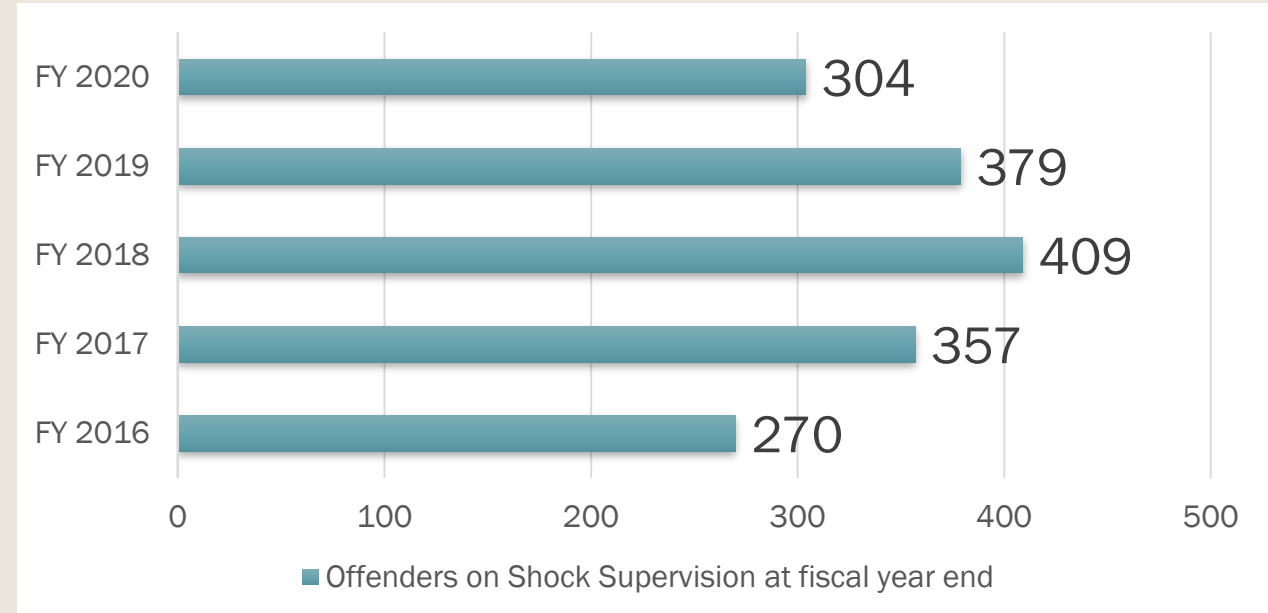
Shock Incarceration Program

Deliverable 52

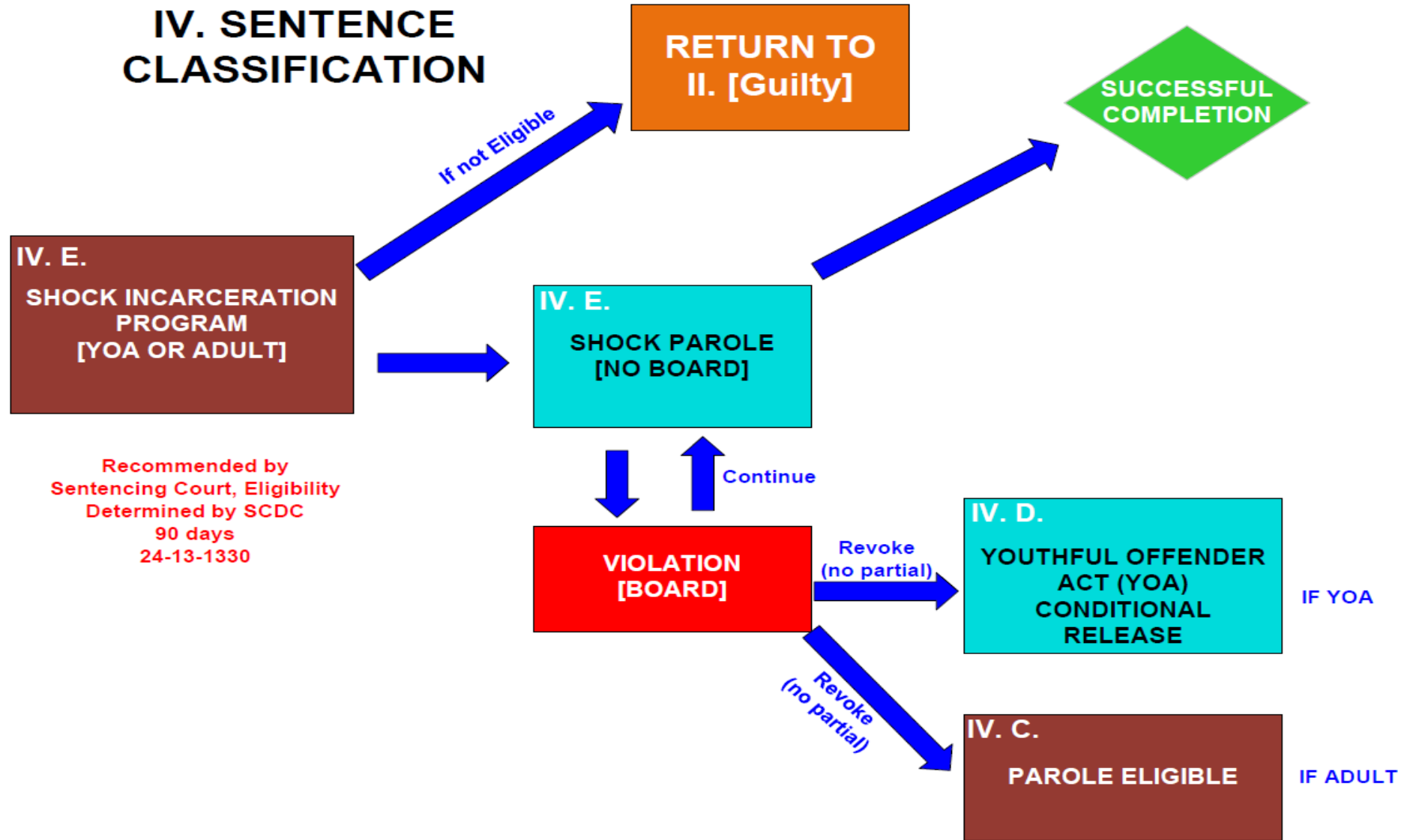
REQUIRED BY SECTIONS

24-13-1310; 24-13-1320;
24-13-1330

- Customer Description:
Shock parole offenders



IV. SENTENCE CLASSIFICATION



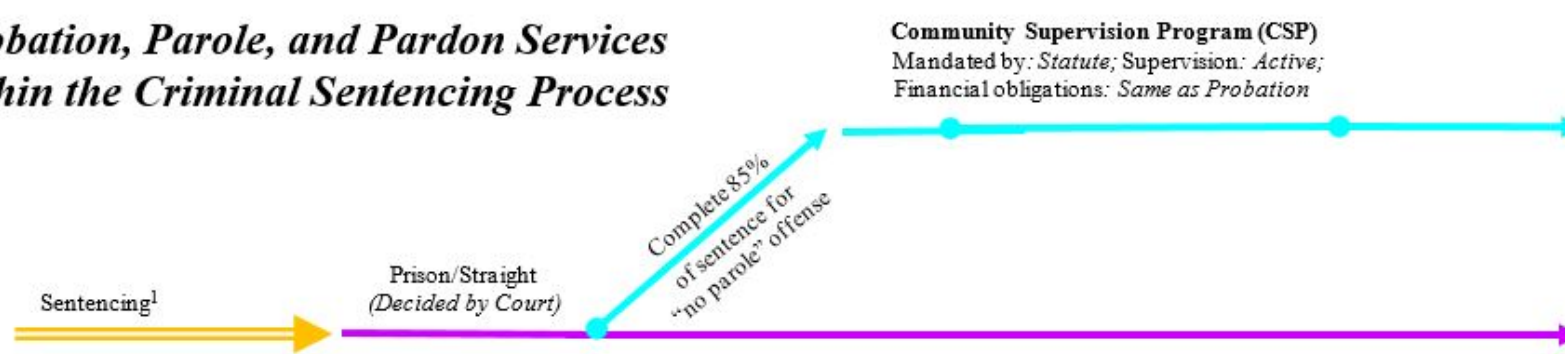
Reminder:

Following release, the Field Operations Division supervises all offender populations, including individuals placed on **probation** by the Court, granted **parole** by the Board of Pardons and Pardons, or statutorily released to one of the Department's supervision programs, which include:



the **Community Supervision Program (CSP)**,
the **Supervised Reentry Program (SRP)**
and **Shock Incarceration Program parole.**

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses ↑

Parole Offenses ↓

== Sentencing

■ Incarceration*

■ PPP Active Supervision

■ PPP Inactive Supervision

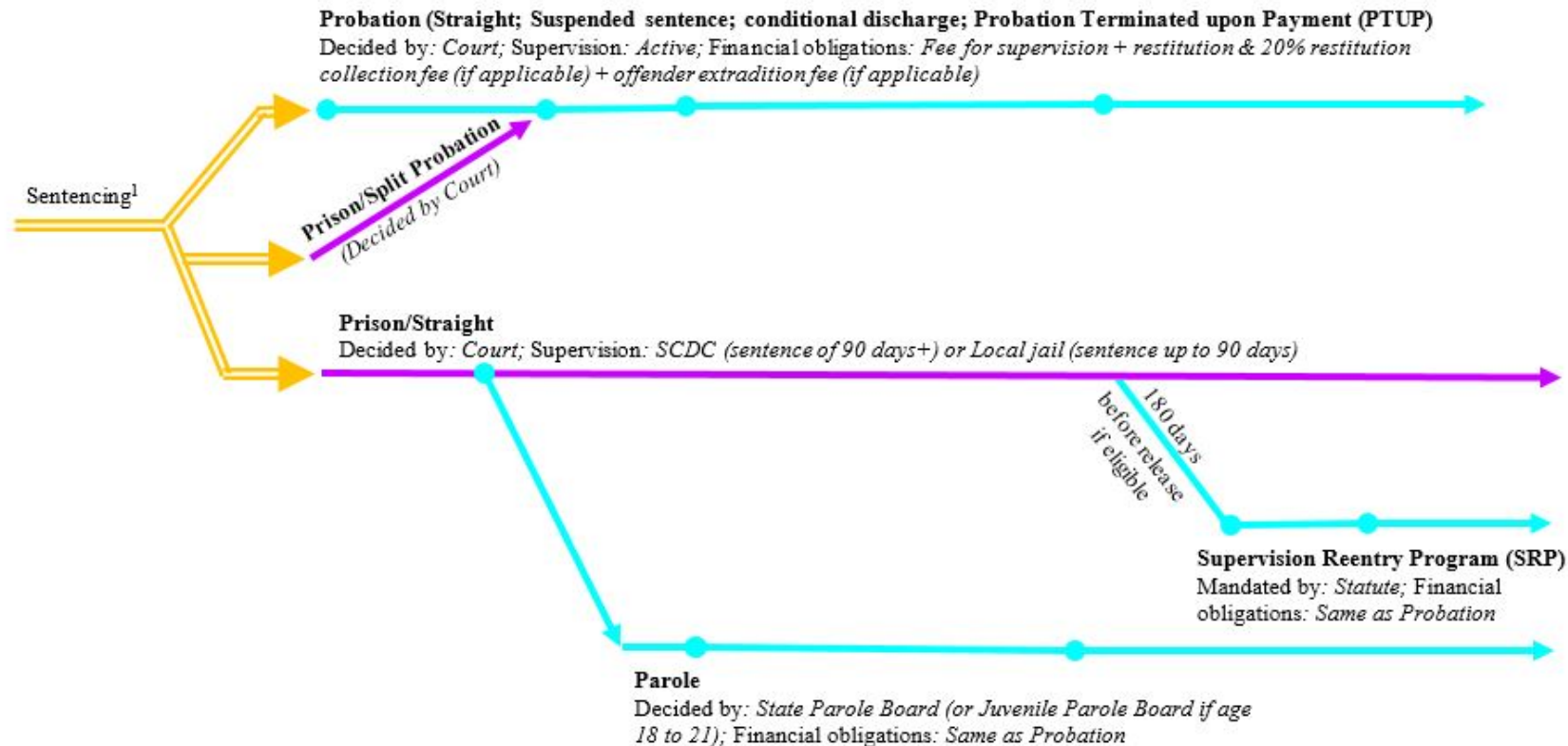
== Revocation (leaving PPP jurisdiction)

■ Return to PPP jurisdiction

■ Out of System

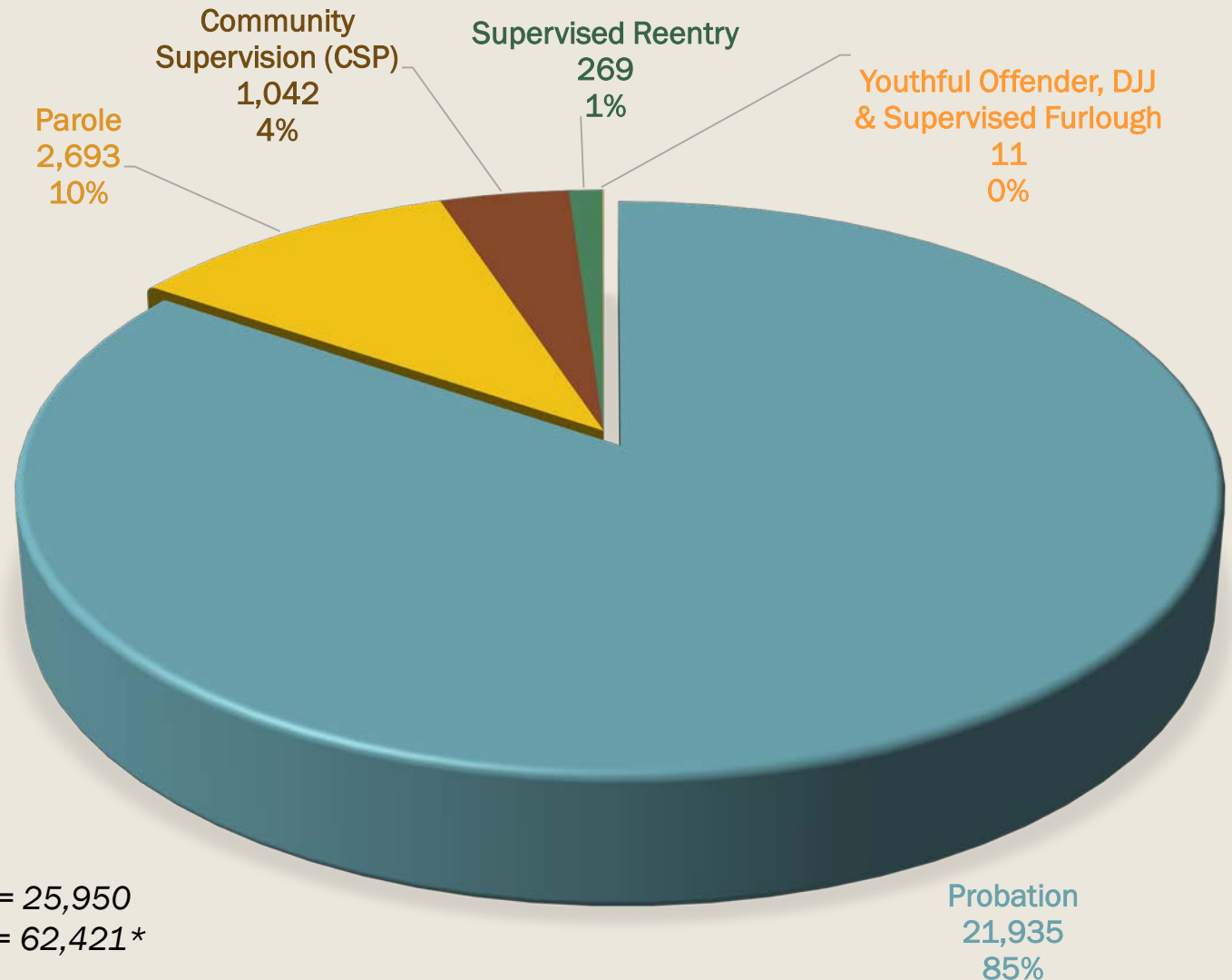
● Offender entering or leaving PPP jurisdiction

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



ACTIVE OFFENDER SENTENCE TYPE

- 85% of the offenders supervised by the Department are sentenced to probation.
- The type of sentence does not directly impact the day to day supervision work of the Agent.
- However, the sentence type does impact who has jurisdiction (e.g., the court or Parole Board), when an offender violates their supervision.



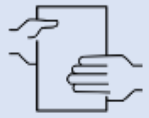
As of 6/30/20

- Number of individuals under PPP **active** supervision = 25,950
- Total number of individuals under PPP's **jurisdiction** = 62,421*

**Includes individuals that owe payments to the state or victims, and includes sex offenders being tracked after active supervision period has ended, etc.*

Source: 6/30/20 Quarterly Statistical Report

Journey of a Sentencing Sheet



Physical handoff of a paper document



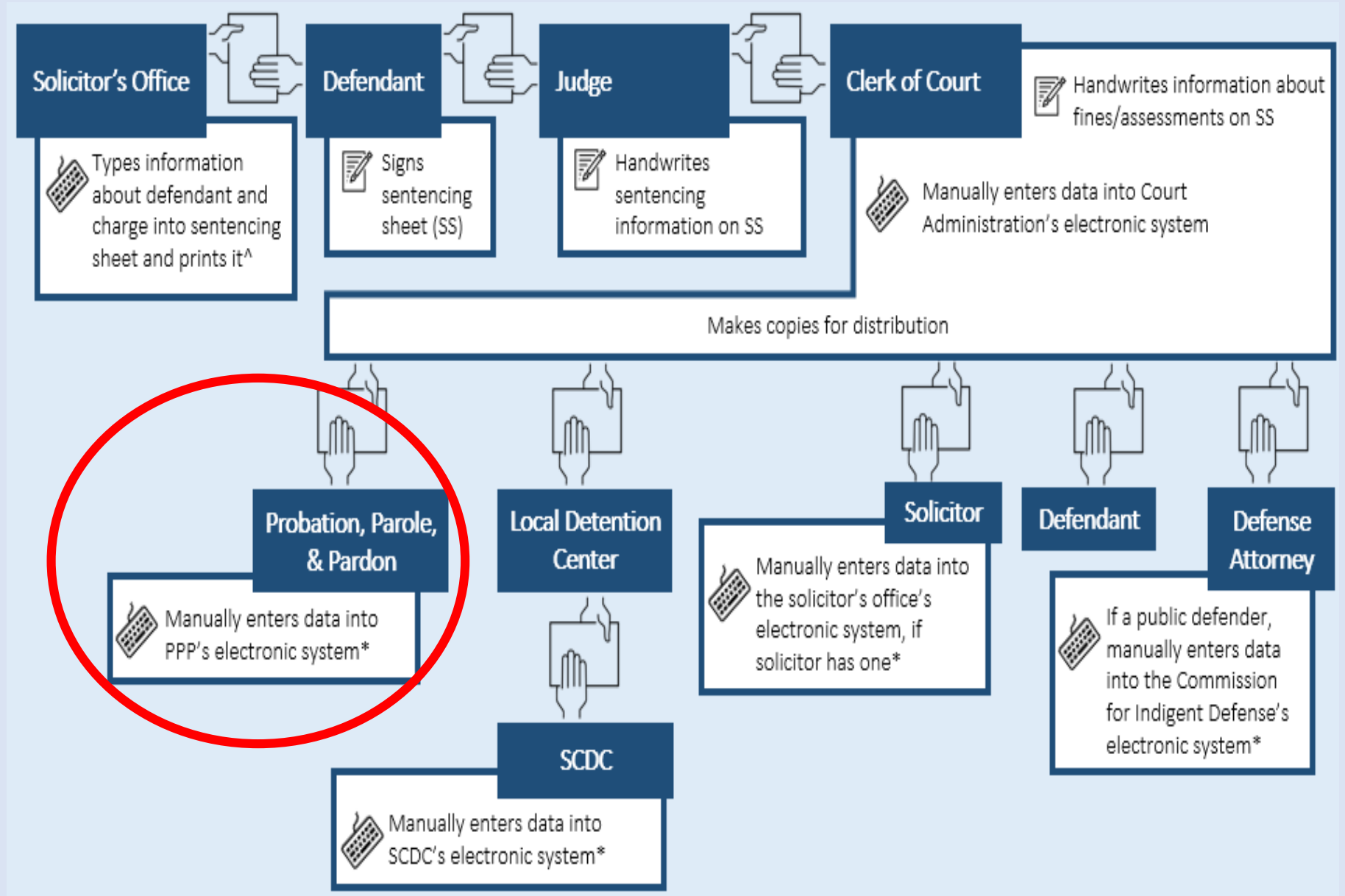
Manual entry of data into an electronic system



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.*



ACTIVE OFFENDER INTAKE

DELIVERABLES

Offender Risk-Needs Assessment

Deliverable 19

REQUIRED BY SECTIONS
24-21-10(F); 24-21-280(C)

Deliverable Description:

Agents perform Offender Risk-Needs COMPAS assessments *(Correctional Offender Management Profiling for Alternative Sanctions)*, that provide a supervision level recommendation for each offender based on his or her criminal history and personal background.

Offender Risk-Needs Assessment

Deliverable 19

REQUIRED BY SECTIONS
24-21-10(F); 24-21-280(C)

- Purpose:
SCDPPPS seeks to use evidence-based practices- procedures that can be validated with testing, whenever possible in its offender supervision methods.
- Legislative Intent:
To amend Section 24-21-13, relating to policies and procedures that must be followed by SCDPPPS and the Parole Board, so as to include the use of a structured decision-making guide and treatment programs.

LEGISLATIVE INTENT

2010 Act No. 273:

The "Omnibus Crime Reduction and Sentencing Reform Act of 2010"

"It is the intent of the General Assembly to preserve public safety, reduce crime, and use correctional resources most effectively. Currently, the South Carolina correctional system incarcerates people whose time in prison does not result in improved behavior and who often return to South Carolina communities and commit new crimes, or are returned to prison for violations of supervision requirements.

It is, therefore, the purpose of this act to reduce recidivism, provide fair and effective sentencing options, employ evidence-based practices for smarter use of correctional funding, and improve public safety."

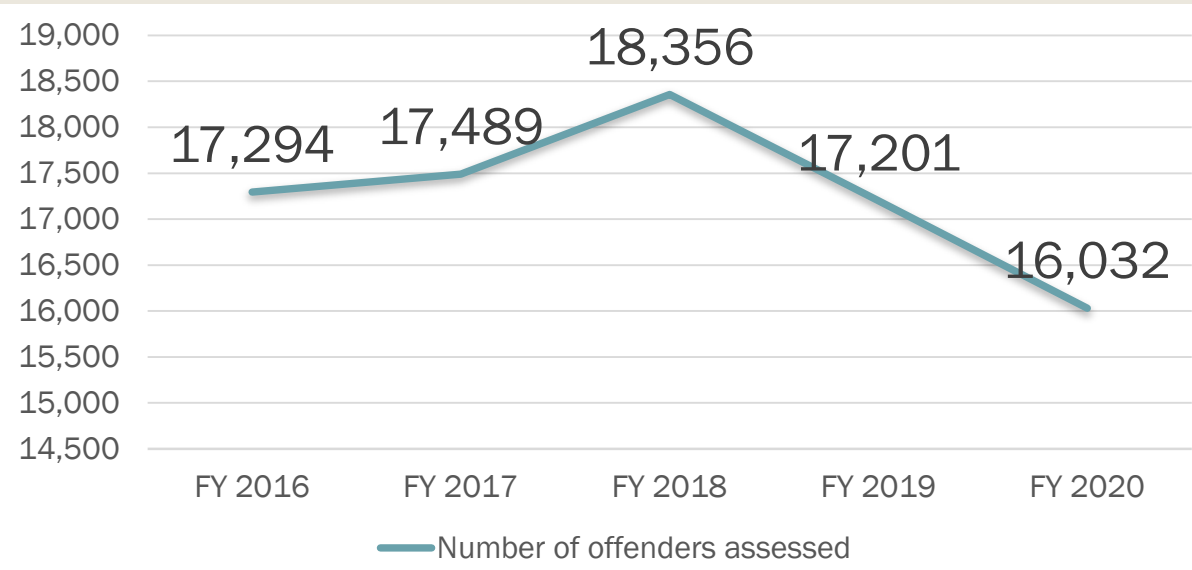
Offender Risk-Needs Assessment

Deliverable 19

REQUIRED BY SECTIONS
24-21-10(F); 24-21-280(C)

Customers:

Offenders assessed using a risk-needs assessment in one year.



Cost per offender*	\$92.24	\$85.65	\$87.85	\$120.56	\$107.81
Amount charged to customers	\$0	\$0	\$0	\$0	\$0

*Estimated cost based on SCDPPPS Workload Model duties

Agent Quality Contact Standards

- ✓ The Agent will treat each offender with **dignity and respect** to establish a positive rapport.



- ✓ The Agent will **use all assessments** to evaluate the offender's desire to change and to create the supervision plan.
- ✓ The Agent will **make the appropriate treatment and service referrals** based on the needs identified in the assessment.
- ✓ The Agent will **use graduated sanctions** in an appropriate and swift manner.



Active Offender Supervision Levels

Agents and OSS determine the offender's general supervision level utilizing results of Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessments and Agent discretion.

General Levels	Other
Low (Standard)	Pending out-of-state <i>(offender who has completed the paperwork to be transferred out of state and is awaiting approval from the other state)</i>
Medium	
High	
Intensive	

Special Caseloads

■ Domestic Violence levels

- DV-1 (*w/in first 90 days of supervision*)
- DV-2 (*within 91 – 180 days*)
- DV-3 (*after 180 days*)

■ Sex Offender levels

- S-High (*score 0 to 1 on Static 99R*)
- S-Intensive (*score 2 to 5 on Static 99R*)
- S-Containment (*score 6+ on Static 99R*)

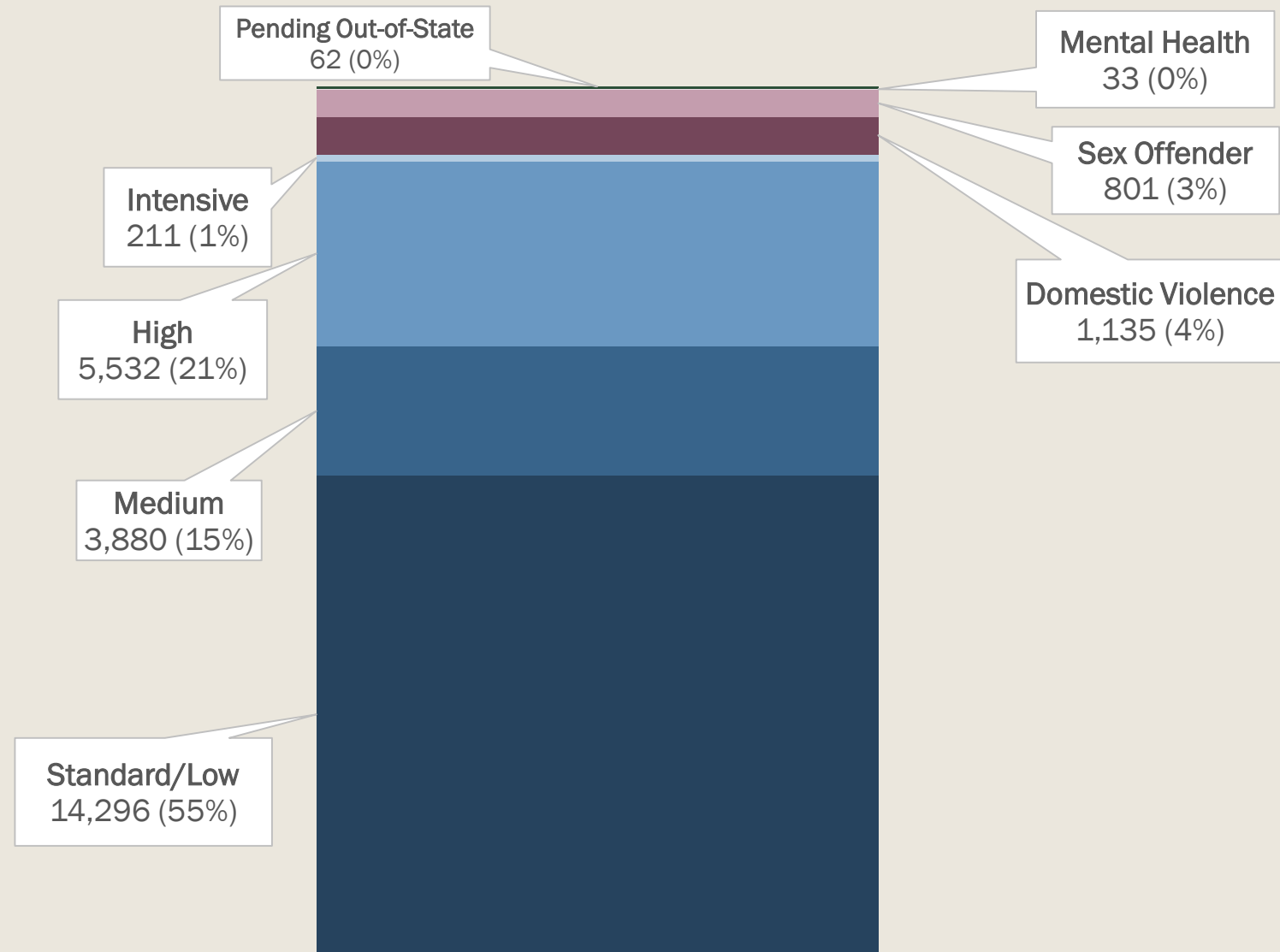
■ Planned Mental Health levels

- MH-Intensive (*ordered by court, board, hearing officer, supervisor, or YOA releasing authority*)
- MH1 (*highest level - based on criteria set by agency*)
- MH2 (*based on criteria set by agency*)
- MH3 (*based on criteria set by agency*)

ACTIVE OFFENDER SUPERVISION LEVELS

**Active Offender Population
25,950**

- An offender can move up and down in level while under PPP supervision.
- The day to day caseload supervision strategies of an Agent is partially driven by offenders' supervision level.



Above information is labeled in agency database as "Offender Order Types" and current as of 6/30/20

STANDARD CONDITIONS OF ACTIVE SUPERVISION

DELIVERABLES

STATE OF SOUTH CAROLINA
COUNTY OF _____

STATE

-VS-

IN THE COURT OF GENERAL SESSIONS

-GS-

Count

STANDARD CONDITIONS OF PROBATION

1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
2. I shall not change my residence or employment without the consent of my Agent. Further, I shall allow my Agent to visit me in my home, at my place of employment, or elsewhere, at any time.
3. I shall not use controlled substances, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages. Further, I shall submit to a urinalysis, blood test or provide forensic evidence when instructed by Agents of the Department, and I agree that any of these test results may be used as evidence in any hearing for the violation of the conditions of my supervision.
4. I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.
5. I shall work diligently at a lawful occupation. Further, I shall notify my Agent if I become unemployed.
6. I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
7. I shall pay a supervision fee and any other fees as determined by the Department.
8. I shall not leave the State without permission from my Agent. Further, if I am ever arrested in another state for violating these conditions, I hereby irrevocably waive all extradition rights I may otherwise have been entitled to and agree to return to South Carolina when directed by my Agent, the Court or by a warrant.
9. I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10. I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.
11. I agree to pay restitution and a statutory collection fee payable to the Department of Probation, Parole, and Pardon Services as directed by Agents of the Department. (20% collection fee charged)
12. Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

I hereby certify that this statement of Conditions has been read and explained to the Probationer listed above and he/she has agreed to them.

I hereby certify that the Conditions above have been explained fully to me and in agreement thereto, I attach my signature:

This _____ day of _____, _____

Agent/ Offender Supervision Specialist

Agent/OSS Address

Agent/OSS Phone Number

Offender

Offender's Address

Offender's Phone Number

Standard Conditions of Supervision*

(Form 1239)

**Applies as minimum conditions for all sentence types and supervision levels (e.g., low, medium, high)*

Standard Conditions of Supervision

- 1) **I shall report in person to the SCDPPPS' office** on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
- 2) **I shall not change my residence or employment without the consent of my Agent.** Further, I shall **allow my Agent to visit me in my home**, at my place of employment, or elsewhere, at any time.
- 3) **I shall not use controlled substances**, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages. Further, I shall **submit to a urinalysis, blood test or provide forensic evidence** when instructed by Agents of the Department, and I agree that any of these test results may be used as evidence in any hearing for the violation of the conditions of my supervision.

Standard Conditions of Supervision *(continued)*

- 4) **I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.**
- 5) **I shall work diligently at a lawful occupation.** Further, I shall notify my Agent if I become unemployed.
- 6) **I shall not violate any Federal, State, or Local Law,** and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
- 7) **I shall pay a supervision fee** and any other fees as determined by the Department.
- 8) **I shall not leave the State without permission from my Agent.** Further, if I am ever arrested in another state for violating these conditions, I hereby irrevocably waive all extradition rights I may otherwise have been entitled to and agree to return to South Carolina when directed by my Agent, the Court or by a warrant.

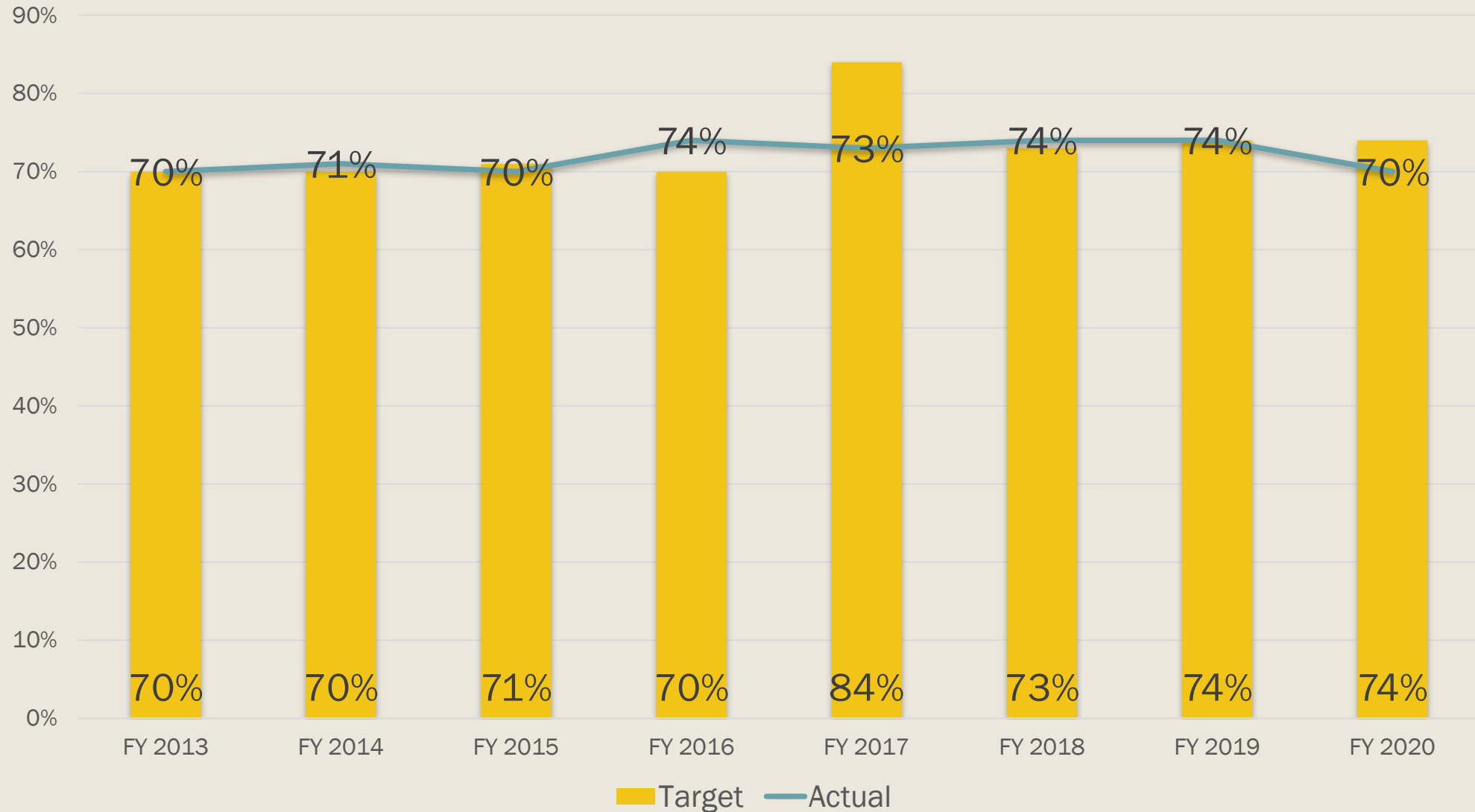
Standard Conditions of Supervision *(continued)*

- 9) I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
- 10) I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.
- 11) I agree to pay restitution and a statutory collection fee payable to the Department of Probation, Parole, and Pardon Services as directed by Agents of the Department. (20% collection fee charged)
- 12) Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, **I shall be subject to a search or seizure**, without a search warrant, based on reasonable suspicions*, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

**Reasonable suspicion is only required for probationers. Other supervision programs can be searched with or without cause.*

Percentage of Employed Offenders

(Performance Measure #3 from SCDPPPS PER)



Drug Testing

Deliverable 32

REQUIRED BY SECTIONS

24-21-430; 24-21-440; 24-13-730
& PROVISIO 66.5



Deliverable Description:

- A standard condition of all the Department's supervision programs (and a condition that is specifically contemplated in our laws) is that **the offender must submit to drug testing** upon request of the probation agent.

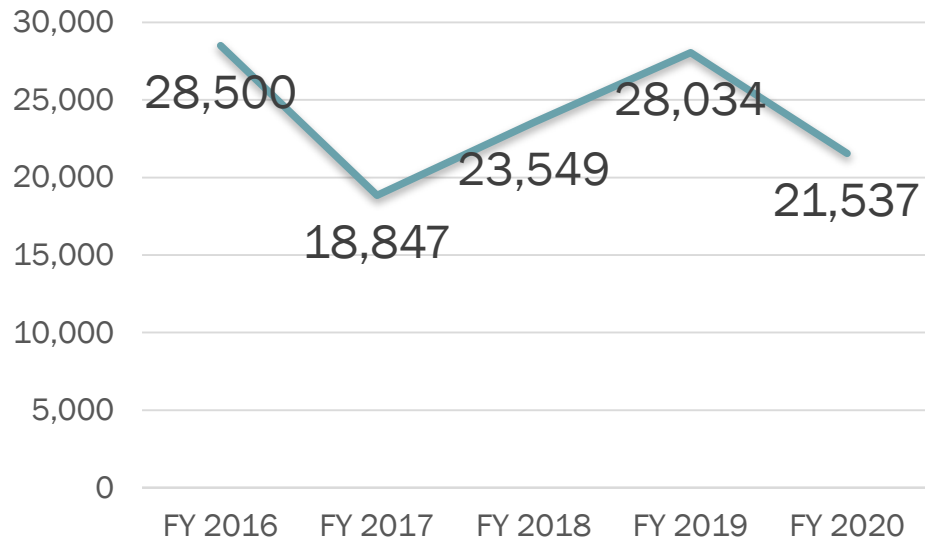
Drug Testing

Deliverable 32

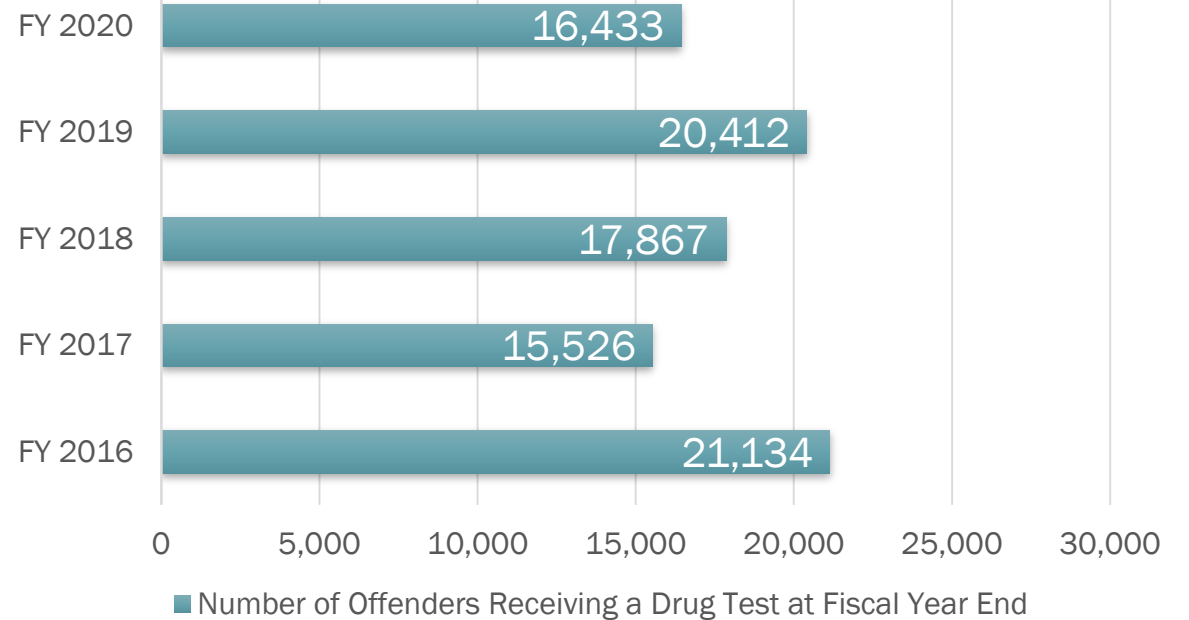
REQUIRED BY SECTIONS

24-21-430; 24-21-440; 24-13-730
& PROVISIO 66.5

Offender Drug Tests Conducted in
Fiscal Year

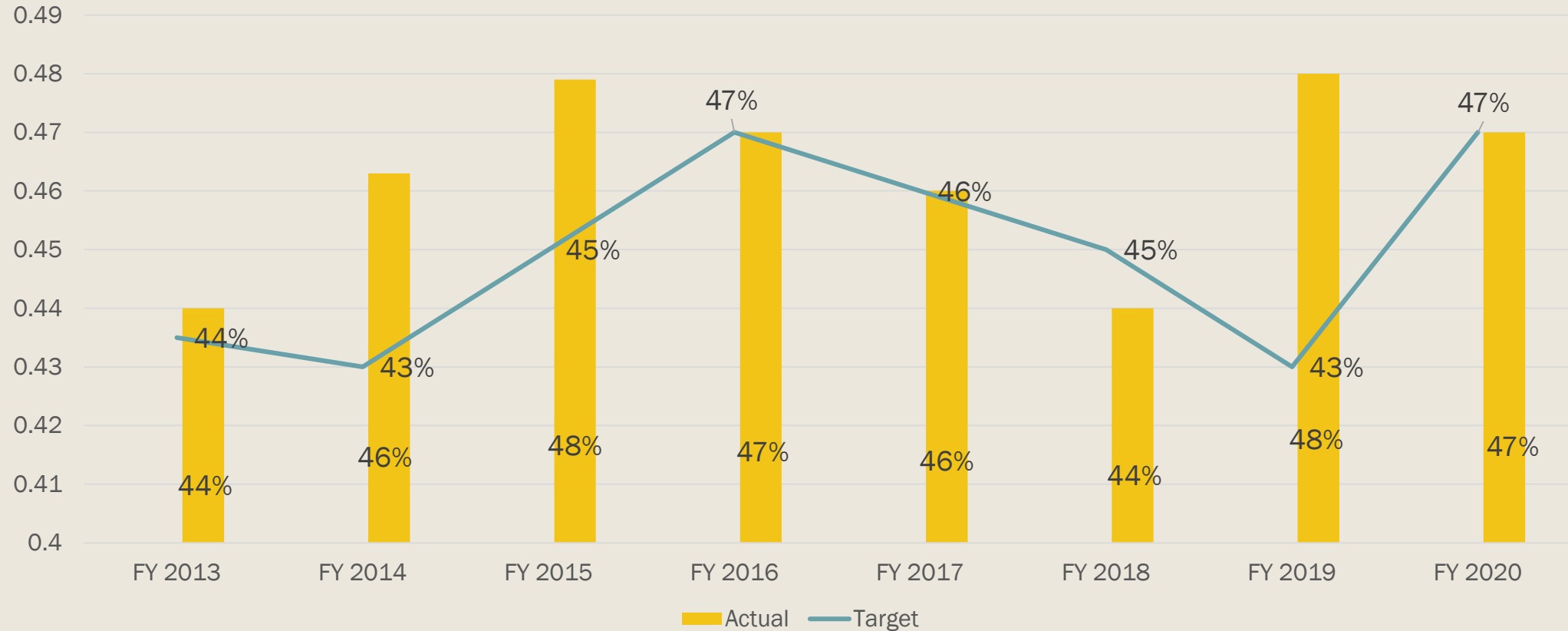


- Customer Description:
Individual offenders tested in a given fiscal year
- Customers served in FY '20:
16,433



Percentage of Individual Offenders Testing Positive for Drug Use in a Fiscal Year

Performance Measure #2 from agency's PER

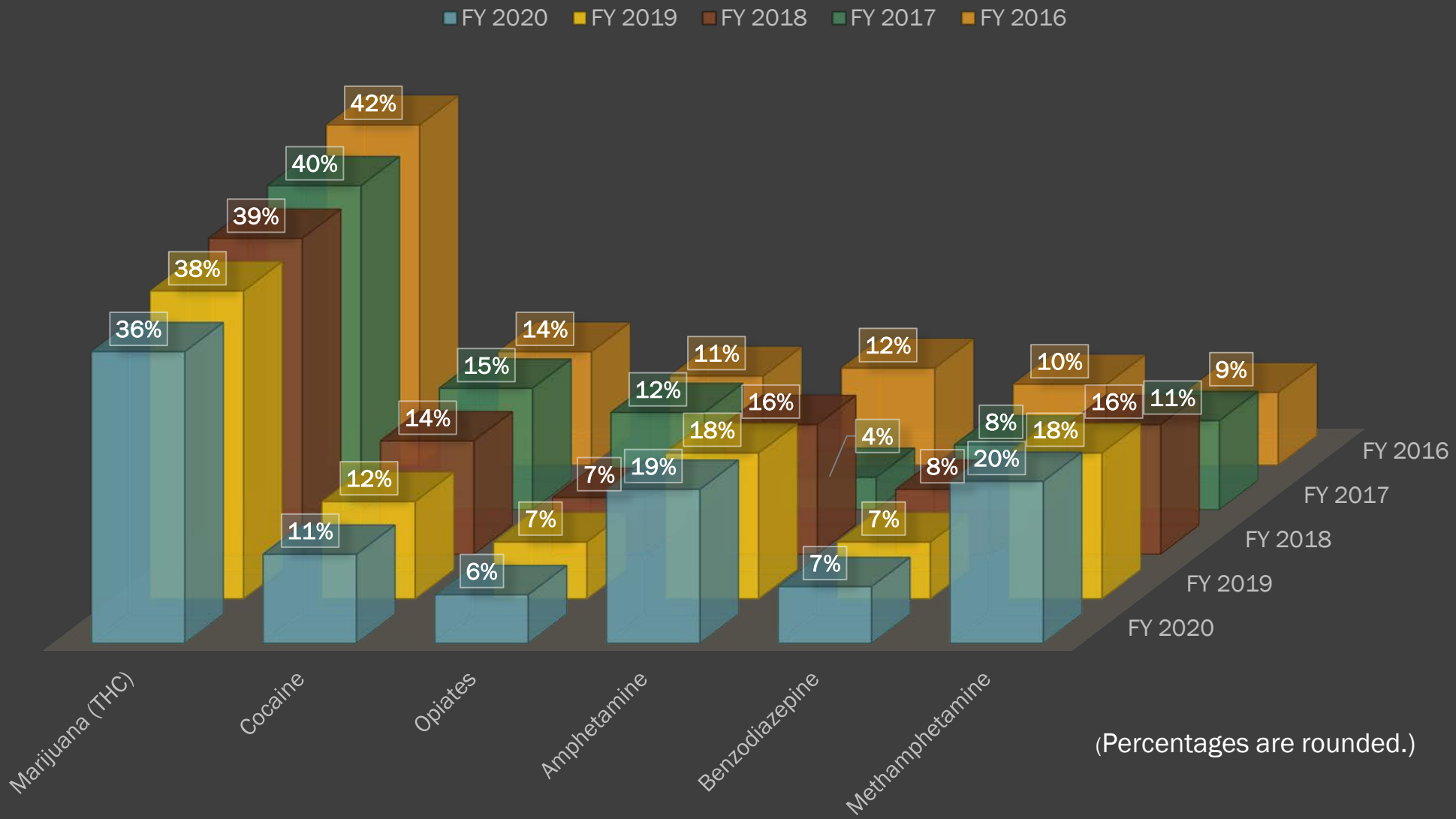


Number of Offenders Receiving a Drug Test at Fiscal Year End

Fiscal Year	Number Tested	Number of Positive Tests	Percentage of offenders testing positive
FY 2016	21,134	9,984	47.24%
FY 2017	15,526	7,090	45.67%
FY 2018	17,867	7,944	44.46%
FY 2019	20,412	9,702	47.53%
FY 2020	16,433	7,679	46.73%



OFFENDER POSITIVE DRUG USE

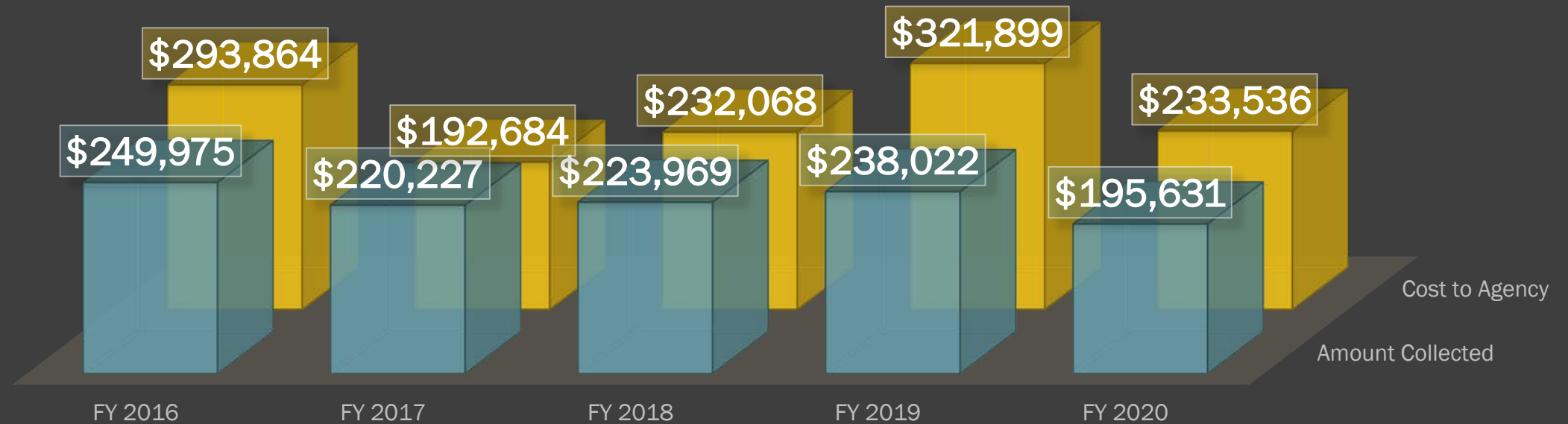


OFFENDER DRUG TESTING FEES COLLECTED VS. COST TO AGENCY

■ Amount Collected ■ Cost to Agency

Total Spent on Drug Tests:

FY '16	\$96,894
FY '17	\$46,960
FY '18	\$211,825
FY '19	\$164,343
FY '20	\$195,894



Amount Charged for Offender Drug Tests: \$20 one-time fee

(Offender drug testing fee is used to offset the cost of performing routine drug testing.)

Home Visits

Deliverable 31

REQUIRED BY SECTIONS

24-21-430; 24-21-440; 24-13-730

Deliverable Description:

- A standard condition of all the Department's supervision programs (and a condition that is specifically contemplated in state law) is that **the offender must permit the agent to enter and search his home.**
- SCDPPPS calls these offender contacts "home visits."

Contact Standards based on Supervision Level

Low (Standard)

- Following the initial home contact, the primary form of communication with this supervision level should consist of electronic/remote means (*i.e.: emails, text messages, virtual communication, phone calls, letters, etc.*)
- A Review Assessment - Case Supervision Review (CSR) will be conducted if an offender's supervision level needs to be adjusted.

Medium




- One home visit progress audit (HVPA) every other month;
- One contact of agent's discretion during month HVPA is not conducted

High

- Two contacts every month, one of which must be home visit progress audit (HVPA);
- One contact of the Agent's discretion per month

Intensive

- Three contacts every month, two of which must be home visit progress audits (HVPA);
- One contact of the Agent's discretion per month.

<u>DV LEVEL- 1</u>	<u>DV-LEVEL 2</u>	<u>DV-LEVEL 3</u>
		
1ST 90 DAYS OF SUPERVISION	90 DAYS THROUGH 6 MONTHS OF SUPERVISION	6 MONTHS TO END OF SUPERVISION
INITIAL HV OR HVPA PERFORMED WITHIN 15 DAYS		
MINIMUM CONTACTS:	MINIMUM CONTACTS:	MINIMUM CONTACTS:
ONE HVPA OR FVPA PER MONTH	ONE HVPA OR FVPA PER MONTH	ONE HVPA OR FVPA EVERY MONTH
ONE GROUP REPORT PER MONTH	ONE GROUP REPORT PER MONTH	ONE GROUP REPORT PER MONTH
ONE DV TREATMENT CONTACT PER MONTH	ONE DV TREATMENT CONTACT PER MONTH	ONE DV TREATMENT CONTACT PER MONTH IF STILL ENROLLED IN TREATMENT
ONE FACE TO FACE TREATMENT CONTACT PER THREE MONTHS	ONE FACE TO FACE TREATMENT CONTACT PER THREE MONTHS ONE	IF STILL ENROLLED IN TREATMENT, ONE FACE TO FACE TREATMENT CONTACT PER THREE MONTHS
ONE RANDOM DRUG AND ALCOHOL TEST PER MONTH	RANDOM DRUG AND ALCOHOL TEST WITHIN THIS LEVEL	RANDOM DRUG AND ALCOHOL TEST IF THERE IS REASON FOR CAUSE
ONE TELEPHONE/VIRTUAL PROGRESS AUDIT PER MONTH	ONE TELEPHONE/VIRTUAL PROGRESS AUDIT PER MONTH	
ONE OFFICE VISIT (AS NEEDED) PER MONTH	ONE OFFICE VISIT (AS NEEDED) PER MONTH	ONE OFFICE VISIT (AS NEEDED) PER MONTH

**Contact
Standards for
Domestic
Violence
Offenders
based on
Supervision
Level**

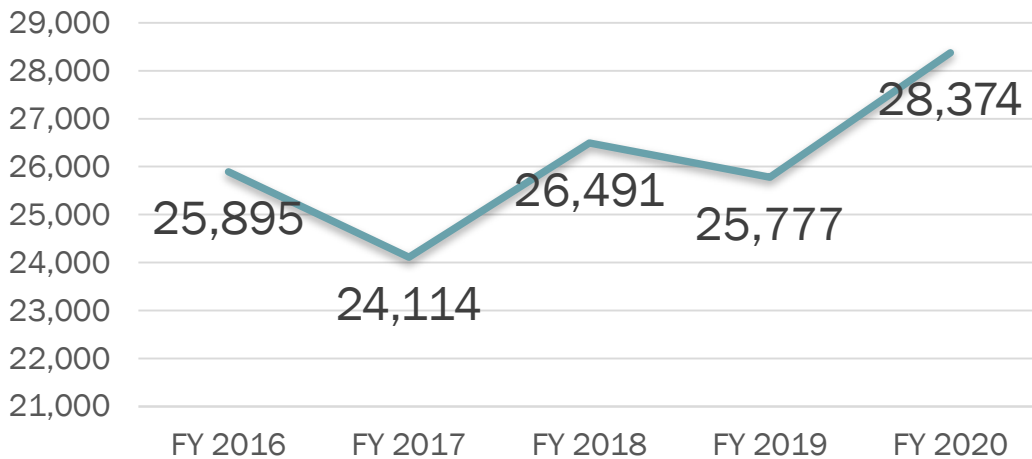
Home Visits

Deliverable 31

REQUIRED BY SECTIONS

24-21-430; 24-21-440; 24-13-730

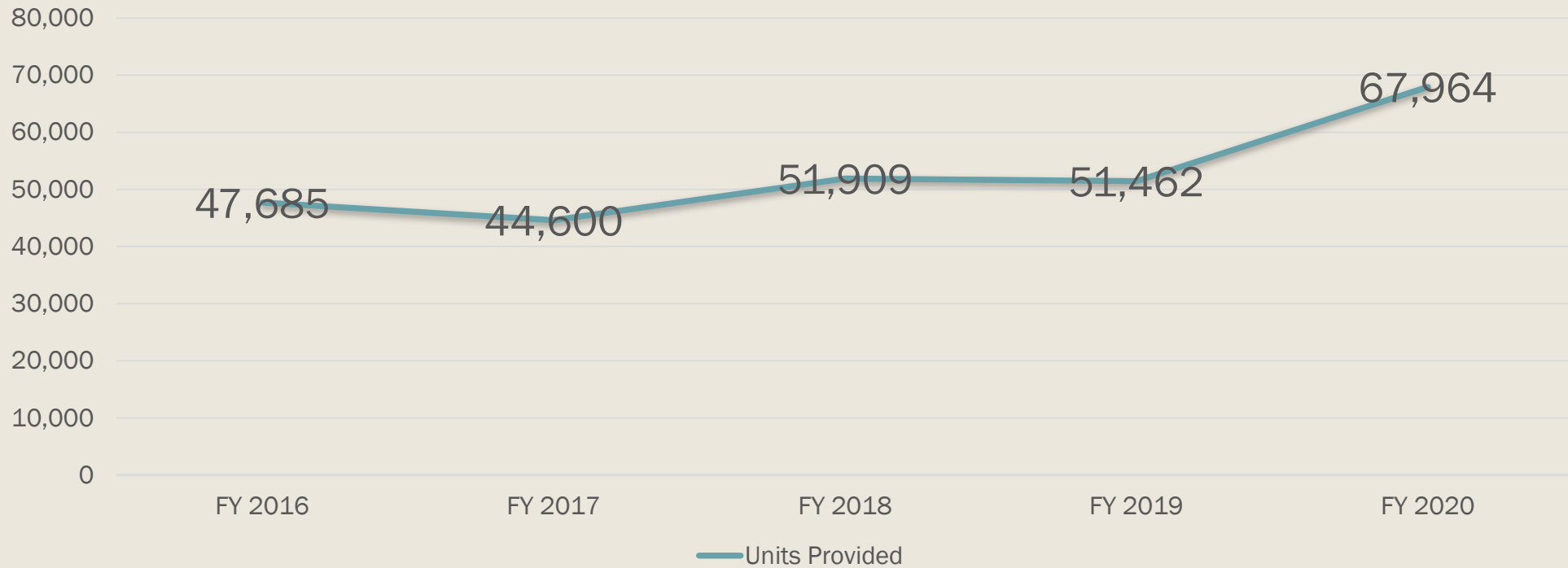
Individual Offenders who Received at Least One Home Visit During a Fiscal Year



- Customer Description:
Individual offenders who received at least one home visit during a given fiscal year.
- Customers served in FY '20:
28,374



Offender Home Visits Occurred or Attempted During a Fiscal Year



Cost per offender	\$88.74	\$86.14	\$81.32	\$104.63	\$86.70
Amount charged to customers	\$0	\$0	\$0	\$0	\$0

Amount Collected from providing deliverable: \$0

FY '20 Cost: \$523,516

(Estimated cost based on SCDPPPS Workload Model duties)

Search and Seizure

Deliverable 43

REQUIRED BY SECTIONS

24-21-410; 24-13-710; 24-13-1330;
24-19-110; 24-21-560; 24-21-640

**Note: There is a higher level of search and seizure allowed for sex offenders that will be discussed later in the presentation.*

Deliverable Description:

- Offenders in nearly every program under the Department's supervision are subject to search and seizure by any Probation Agent or any other law enforcement officer, without a search warrant, based either on reasonable suspicions, or with or without cause, depending on the program.
- Offenders sign off on the **Conditions of Probation** at intake; these conditions include authorization for an Agent to conduct a search and seizure of the offender's property.

Search and Seizure

Deliverable 43

REQUIRED BY SECTIONS

24-21-410; 24-13-710; 24-13-1330;
24-19-110; 24-21-560; 24-21-640

Legislative Intent:

- "It is the intent of the General Assembly of South Carolina to provide law enforcement officers with the statutory authority to reduce recidivism rates of probationers and parolees, apprehend criminals, and protect potential victims from criminal enterprises." **(2010 Act No. 151, Section 2).**
- "By enacting this provision, the General Assembly intends to provide law enforcement with a means of reducing recidivism and does not authorize law enforcement officers to conduct searches for the sole purpose of harassment." **(Section 24-21-560).**

Search and Seizure

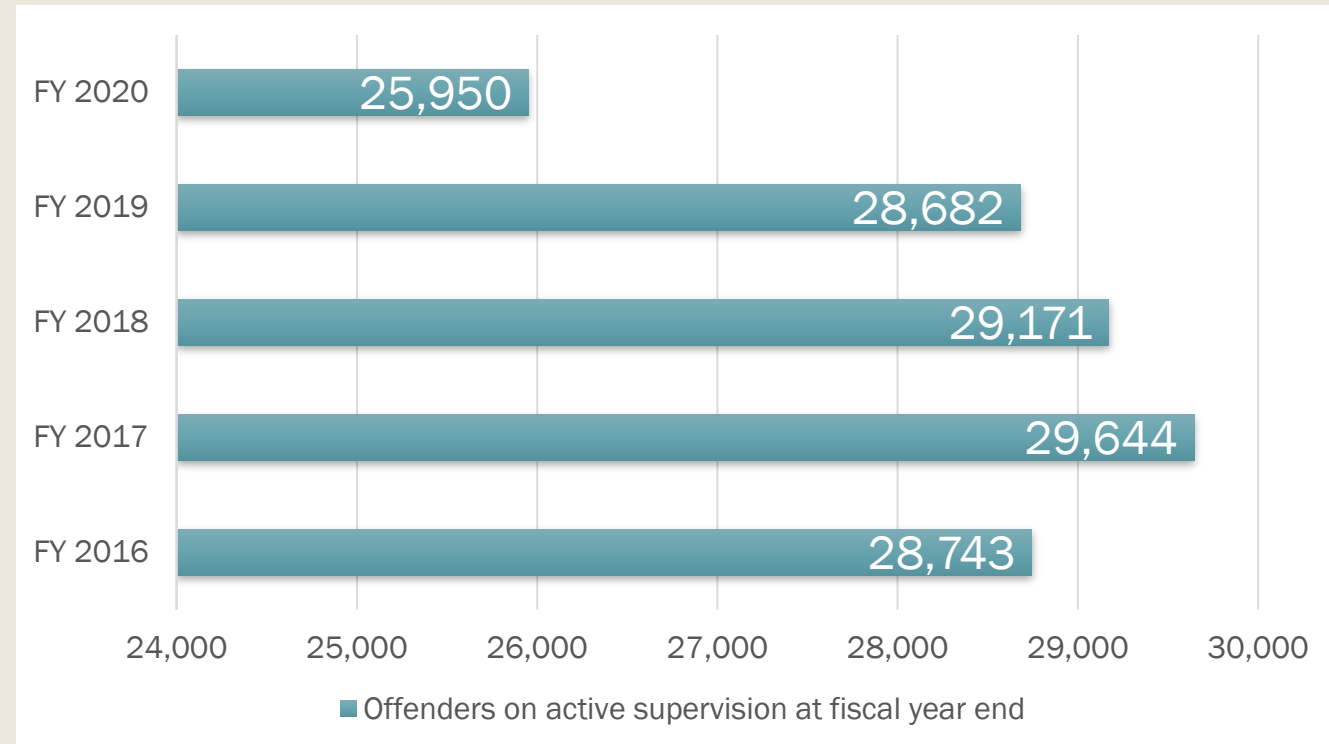
Deliverable 43

REQUIRED BY SECTIONS

24-21-410; 24-13-710; 24-13-1330;
24-19-110; 24-21-560; 24-21-640

**Note: Offenders who are convicted of or who have pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year- are not subject to searches without a warrant.*

- **Customer Description:**
Active offenders (or inmates) statutorily subject to warrantless search and seizure (at end of fiscal year)



Weapons Seized in Anderson County Home Visits

(Photos taken October 2014)



Recap of the Conditions of Active Supervision

Standard Conditions

- ✓ Report as instructed.
- ✓ Consent to home visits.
- ✓ Do not use controlled substances and submit to drug tests.
- ✓ Do not possess firearms, and do not associate with other offenders.
- ✓ Work diligently at a lawful occupation.
- ✓ Do not violate any Federal, State or Local Law.
- ✓ Pay supervision fees.
- ✓ Seek the permission of my Agent to leave the state.
- ✓ Pay fines, restitution and other payments.
- ✓ Follow the advice and instructions of my Agent.
- ✓ Pay restitution and a 20% statutory collection fee to SCDPPPS.
- ✓ Remain Subject to search or seizure.

Conditions for Sex Offenders

- GPS tracking
- Higher level of search and seizure
- Restricted Internet usage
- Treatment

Other Special Conditions

- Restitution*
- GPS tracking*
- Public service employment

**Additional conditions may be set by the court for probationers or by the Parole Board for parole, CSP, or SRP offenders.*

PUBLIC SERVICE EMPLOYMENT

Commonly called, “community service,”
PSE is another condition that the court may impose on an offender.

Public Service Employment (PSE)

Deliverable 48

REQUIRED BY SECTIONS

24-23-115; 24-13-730; Reg. 130-20;
Proviso 66.6

Deliverable Description:

- The Department manages and enforces public service work requirements (community service) when imposed as a special condition by the Court of General Sessions.

Legislative Intent:

- "Courts of General Sessions may require defendants convicted of a criminal offense to perform public service work not to exceed 500 hours without pay for an agency of state, county, municipal, or federal government or for a nonprofit organization as a special condition of probation or as a condition of suspension of sentence." (1986 Act No. 462, Section 11).

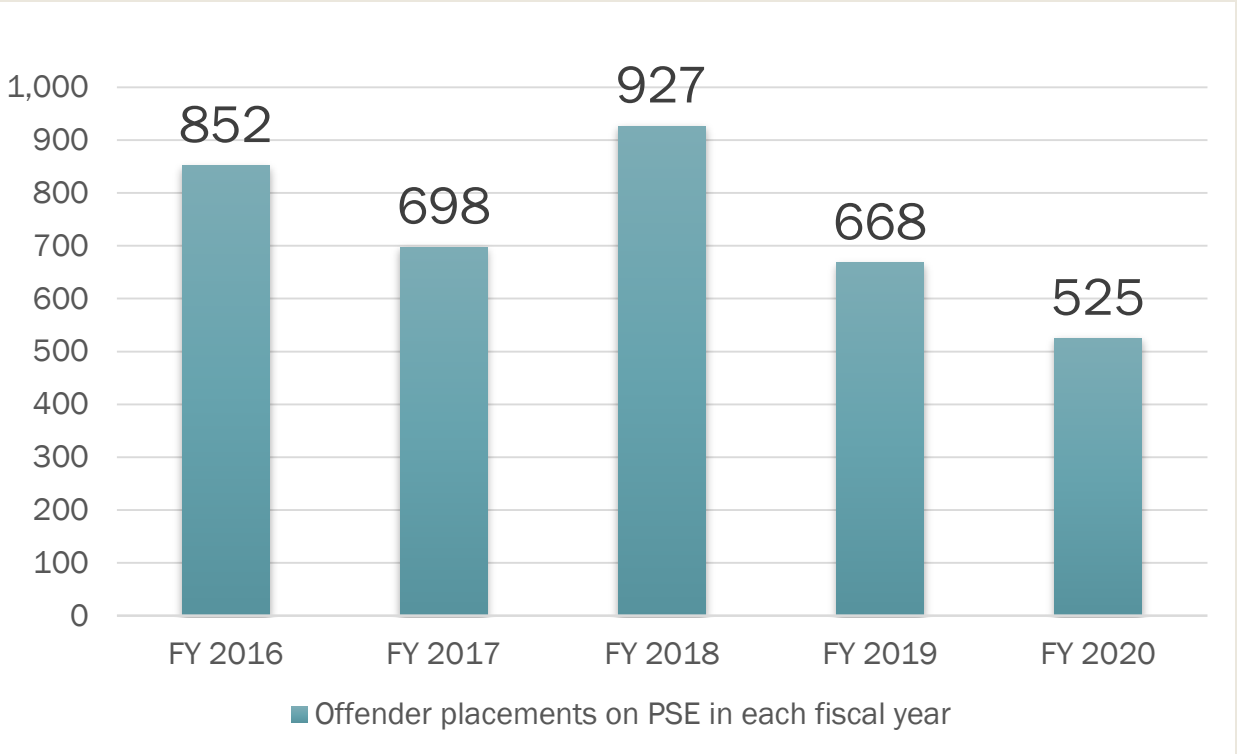
Public Service Employment (PSE)

Deliverable 48

REQUIRED BY SECTIONS

24-23-115; 24-13-730; Reg. 130-20

- Customer Description:
Offenders assigned to perform PSE during the fiscal year



Public Service Employment

132

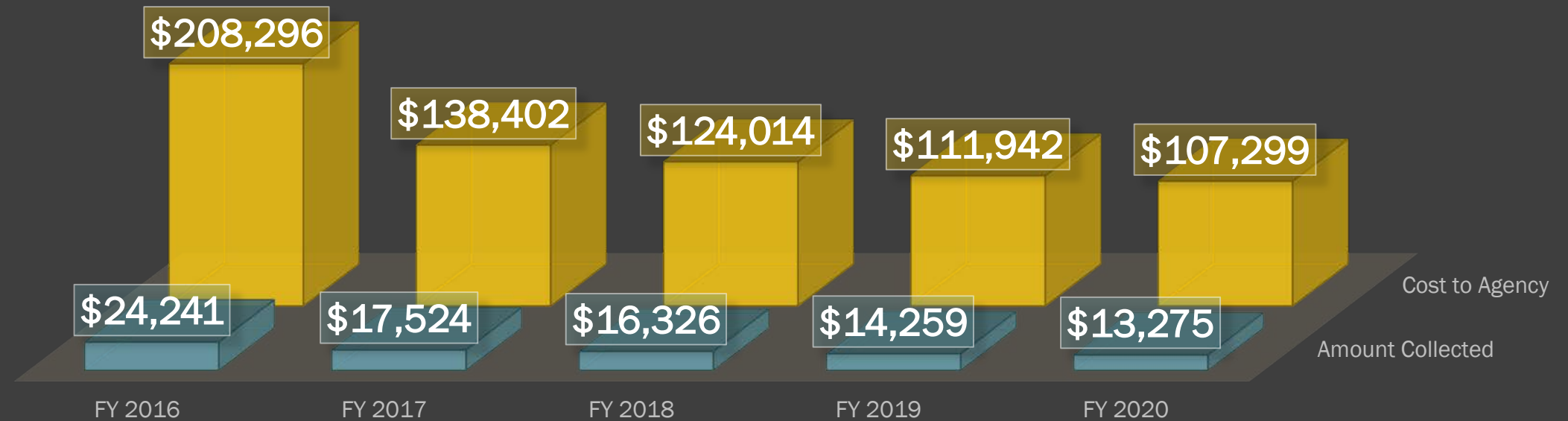
registered state, county and municipal government agencies,
businesses and nonprofit organizations
received SCDPPPS offender services
at Public Service Employment (PSE) worksites in FY 2020.



Field Operations and the
Fiscal Services
(Administrative) Division
collaborate to administer
this program.

PUBLIC SERVICE EMPLOYMENT FEES COLLECTED VS. COST TO AGENCY

■ Amount Collected ■ Cost to Agency



*Estimated cost based on SCDPPPS Workload Model duties

Amount Charged for PSE Participation: \$25 one-time set up fee

Proviso 66.6 gives the agency the authority to charge an offender a Public Service Employment Set-up fee.

RESTITUTION & FEES

The Administration Division provides financial management support for Field Operations duties.

Collection of Restitution

Deliverable 35

REQUIRED BY SECTION
24-21-490 (A)

and

20% Collection Fee

Deliverable 36

REQUIRED BY SECTIONS
24-21-490; 24-23-110



Deliverable Description:

- SCDPPPS collects and distributes restitution on a monthly basis from all offenders on supervision.
- The Department must assess a collection fee of 20% on each restitution amount ordered.
- It must retain the collection fees and expend them for the purposes of collecting and distributing restitution.

Collection of Restitution

Deliverable 35

REQUIRED BY SECTION
24-21-490 (A)

and

20% Collection Fee

Deliverable 36

REQUIRED BY SECTIONS
24-21-490; 24-23-110

Purpose:

- To require the Department to collect and distribute restitution on a monthly basis from all offenders on probation, and to assess a collection fee of 20%.
- By adding Section 24-21-490 so as to provide for the collection and distribution of restitution from persons under probationary and intensive probationary supervision. **(1996 Act No. 437).**
- The Department implements the necessary policies and procedures to ensure payment of fines and restitution; the Department then reports nonpayment to the court.

Collection of Restitution

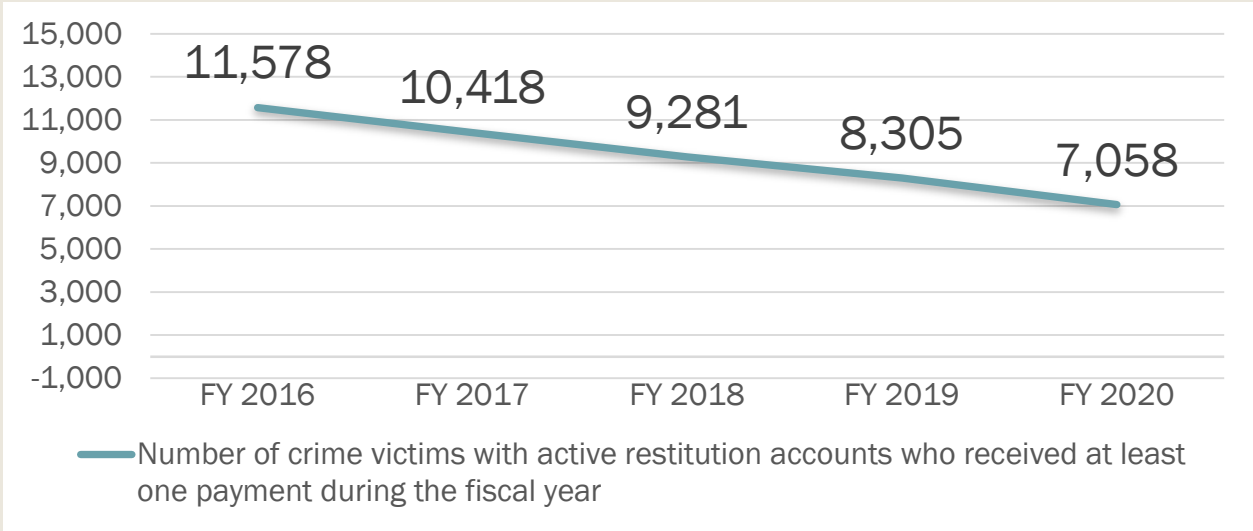
Deliverable 35
REQUIRED BY SECTION
24-21-490 (A)

and

20% Collection Fee

Deliverable 36
REQUIRED BY SECTIONS
24-21-490; 24-23-110

- Customer Description:
Victims of crime with active restitution accounts who received at least one payment in a fiscal year.*



Cost per dollar collected	\$0	\$0	\$0	\$0	\$0
Restitution collected	\$6,036,177	\$6,273,342	\$5,253,969	\$5,139,781	\$4,438,747
Collection fee collected	\$1,226,789	\$1,281,707	\$1,064,750	\$994,429	\$844,326

*Note: The number of victims who had a restitution account decreased from 23,495 in FY 2016 to 16,754 in FY 2020.

Collection of Debt Offender Owes to the State

Deliverable 37

REQUIRED BY SECTION
16-3-1260

Deliverable Description:

- S.C. Attorney General's Department of Crime Victim Compensation (DCVC)* may **make an immediate restitution payment to a victim of crime up to \$15,000 from the S.C. Victim Compensation Fund for medical and dental services** rather than requiring victims to wait for restitution to be collected and distributed incrementally over the course of offender supervision.
- Victim must apply to DCVC for this service and provide proper documentation. Restitution collected from the offender is then reimbursed incrementally to DCVC by SCDPPPS.

*Note, this department is within the S.C. Crime Victim Services Division, which was created by 2017 Act No. 96, Section 1. This service was formerly administered by the State Office of Victim Assistance.

Collection of Debt Offender Owes to the State

Deliverable 37
REQUIRED BY SECTION
16-3-1260

Deliverable Description *(continued):*

- If the state makes a payment to, or on behalf of, a victim or intervener, or eligible family member, the person who committed the crimes owes a debt to the state.
- Making payments to the debt may be made a condition of probation by the court or a condition of parole by the Department.
- Department then must work with the Director of the S.C. Attorney General Crime Victim Services Division, and Deputy Director of the Crime Victim Compensation Department on policies and procedures to assure that victim restitution programs are administered in an effective manner to increase payments into the fund.

Collection of Debt Offender Owes to the State

Deliverable 37
REQUIRED BY SECTION
16-3-1260

Legislative Intent:

- Many innocent persons suffer personal physical injury or death as a result of criminal acts or in their efforts to prevent crime or apprehend persons committing or attempting to commit crime.
- Such persons or their dependents may thereby suffer disability, incur financial hardships or become dependent upon public assistance.
- There is a need for financial assistance for such victims of crime.
- Accordingly, it is the intent of the General Assembly that no right to financial assistance be created by this article, but that aid, care and support be provided for such victims of crime as granted by this article. " (1982 Act No. 455, Section 1).

Collection of Debt Offender Owes to the State

Deliverable 37

REQUIRED BY SECTION
16-3-1260

Customer Description:

- Victims of crime
- Department of Crime Victims Compensation within the Attorney General's Office

Supervision Fee

Deliverable 20

REQUIRED BY SECTIONS
24-21-80; 24-21-90

Deliverable Description:

- Offenders on SCDPPPS supervision pay a regular supervision fee (\$50/month) toward offsetting the cost of their supervision.
- The supervision fee is determined by SCDPPPS based upon the ability of the offender to pay.
- Offenders under the Department's supervision must pay a monthly or weekly supervision fee depending on whether they are under standard or intensive supervision, and may qualify for a full or partial hardship exemption.

Supervision Fee

Deliverable 20

REQUIRED BY SECTIONS
24-21-80; 24-21-90

Legislative Intent:

- To collect fees owed to the Department to support supervision operations.
- To enact a new statute to provide that parolees and probationers shall pay a fee of ten dollars per month for each month on probation and to provide for the disposition of such fees. **(1980 Act No. 517).**
- To amend Section 24-21-80 so as to increase these fees, to provide for certain other supervisory fees, and make certain of these fees also apply to inmates. **(1985 Act. No. 201).**
- To provide that a delinquency in payment of a fee paid by a person on probation may result in revocation of probation or parole at the determination of the Board or Court, rather than mandatory revocation as formerly. **(1988 Act No. 480).**

Supervision Fee

Deliverable 20

REQUIRED BY SECTIONS
24-21-80; 24-21-90

Legislative Intent (continued):

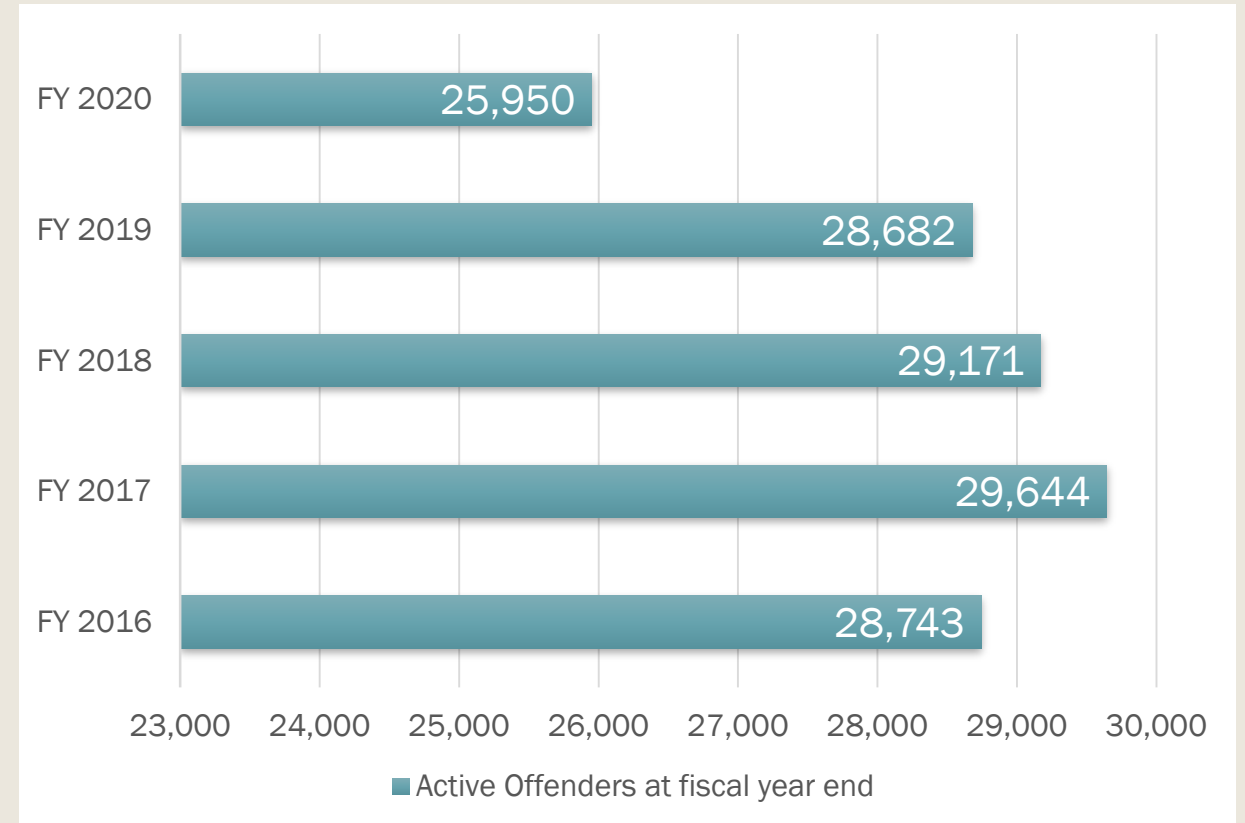
- To amend Section 24-21-80, relating to the requirement that probationers and parolees must pay a certain fee, delinquency, and exemption, so as to, among other things, delete certain language, require the payment of a regular supervision fee, rather than \$240 a year, toward offsetting the cost of supervision for the duration of the supervision, change other fees, and provide, among other things, that SCDPPPS may substitute public service employment for supervision fees when it considers the same to be in the best interest of the state and the individual. **(1993 Act No. 164).**
- To amend Section 24-21-80, as amended, relating to supervision fees, so as to include community supervision in the programs covered by supervision fees and revise the conditions for an exemption from such fees. **(1995 Act No. 83).**

Supervision Fee

Deliverable 20

REQUIRED BY SECTIONS
24-21-80; 24-21-90

- Customer Description:
Active offenders under Department supervision at fiscal year end



Offender Extradition Fee

Deliverable 49
ALLOWED BY SECTION
24-21-87

Note: Applies to all sentence types and all supervision levels

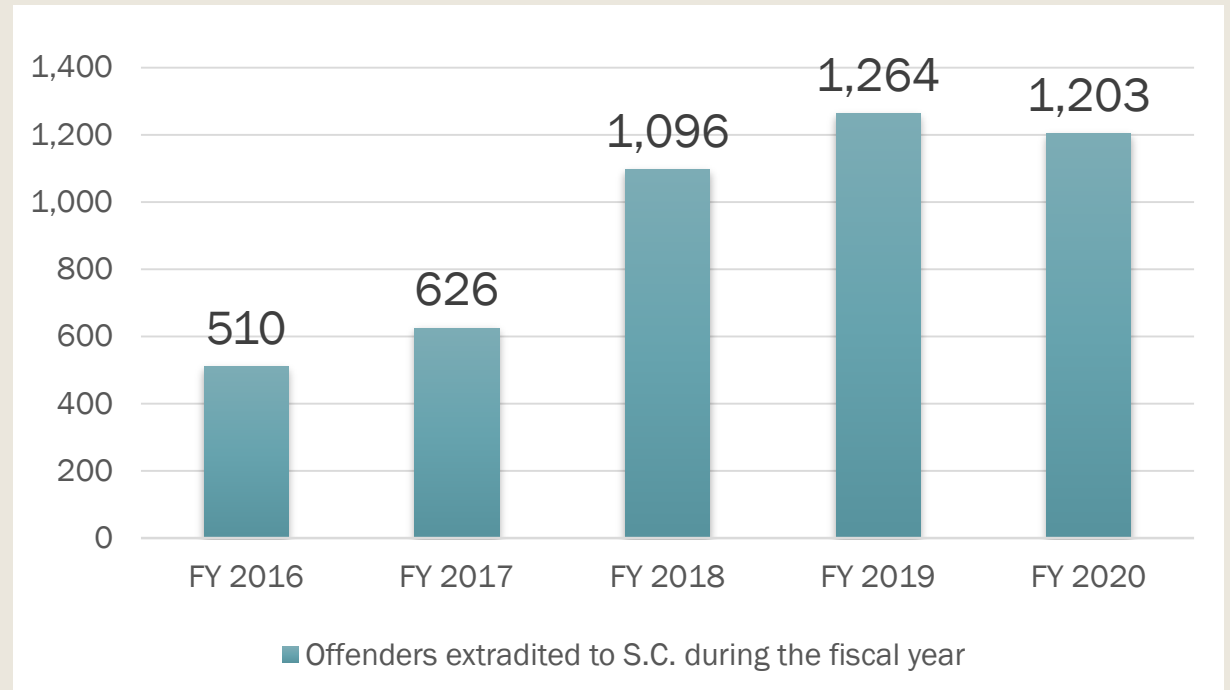
Deliverable Description:

- SCDPPPS may charge offenders who are extradited to South Carolina from another state a fee based on the number of miles and length of time required to cover the cost of performing the extradition.

Offender Extradition Fee

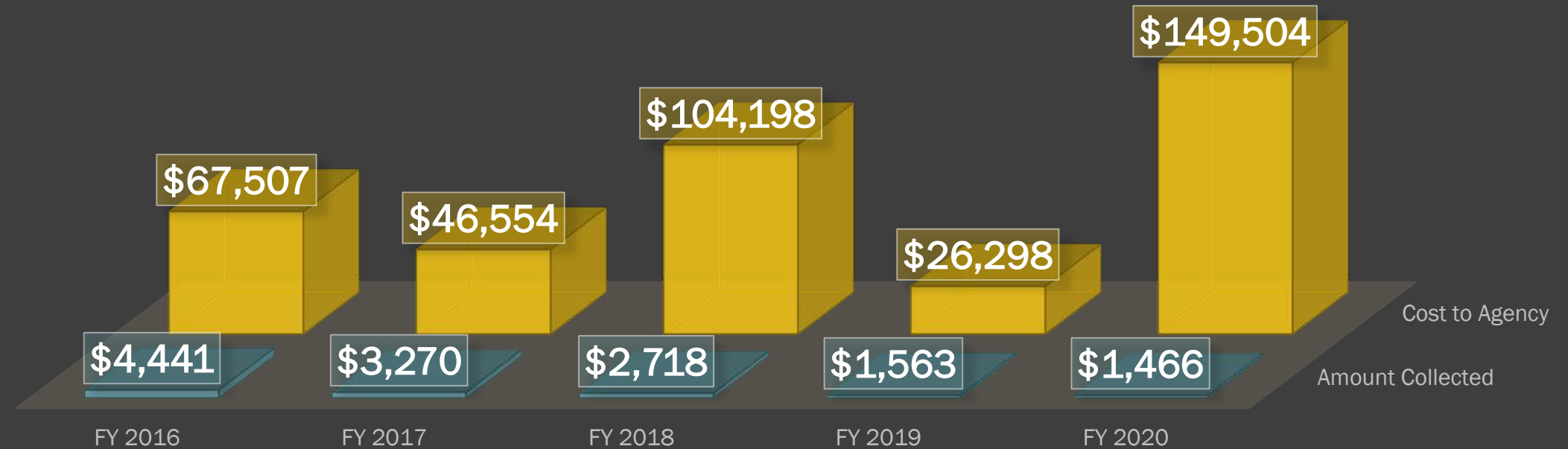
Deliverable 49
ALLOWED BY SECTION
24-21-87

- Customer Description:
Offenders who are extradited to South Carolina in a given fiscal year



EXTRADITION FEES COLLECTED VS. COST TO AGENCY

■ Amount Collected ■ Cost to Agency



**Estimated cost based on SCDPPPS Workload Model duties*

Amount Charged for Extradition:

Supervising Agents calculate extradition fees charged using an agency internal worksheet.

Electronic Monitoring Fee

REQUIRED BY SECTION
24-21-85

- Every person placed on electronic monitoring must be assessed a fee.
- Fee determined by the Department in accordance with Section 24-21-80, as long as offender remains in the electronic monitoring program.
- Payment of the fee must be a condition of supervision of any program administered by the department
- Delinquency of two months or more in making payments may invoke revocation.
- Electronic monitoring fees must be retained by the department to support the electronic monitoring program and carried forward for the same purpose.

Electronic Monitoring [Global Positioning Satellite (GPS)]

Deliverable 21

REQUIRED BY SECTIONS

23-3-540; 23-3-545; 23-3-550;
24-13-425; 24-21-85

Note: Electronic monitoring can be ordered by the court for any offense, not just sex offenses.

Deliverable Description:

When ordered by the court, SCDPPPS utilizes an active electronic monitoring device to monitor persons either:

- (1) convicted of certain criminal sexual offenses against minors;
- (2) determined to have violated a term of probation or community supervision while being supervised for certain criminal sexual offenses against minors; or
- (3) convicted of violating a provision of the sex offender registry when they were required to register for certain criminal sexual offenses against minors.

Electronic Monitoring [Global Positioning Satellite (GPS)]

Deliverable 21

REQUIRED BY SECTIONS

23-3-540; 23-3-545; 23-3-550;
24-13-425; 24-21-85

Purpose:

- To utilize GPS electronic monitoring technology to actively monitor offenders convicted of sexual offenses against minors
- To charge those offenders for the cost of the GPS device and the operation of the device
- To pursue criminal prosecution of any offender who intentionally removes, tampers with, defaces, alters, damages, or destroys a GPS device.

Electronic Monitoring [Global Positioning Satellite (GPS)]

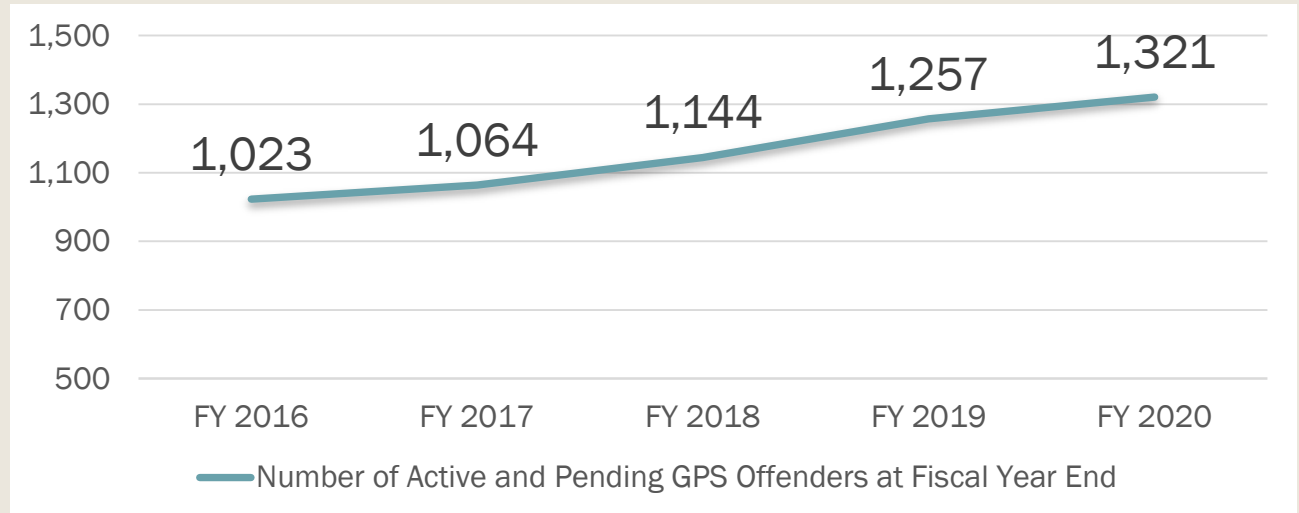
Deliverable 21

REQUIRED BY SECTIONS

23-3-540; 23-3-545; 23-3-550;
24-13-425; 24-21-85

- Customer Description:

Offenders on active and pending GPS tracking (electronic monitoring), offenders in "track status" and Jessie's Law Offenders on GPS.



- The number of offenders listed for this deliverable includes both sex offenders and GPS tracking offenders. (Not all sex offenders are on GPS.)
- SCDPPPS has **849 offenders** on active GPS monitoring. (Source: Total Access GPS database- as of 12/31/20)

GPS Tracking

The laws addressed in this deliverable are stand-alone criminal statutes which may arise out of either the Department's supervision of sex offenders or the Department's use of active electronic monitoring devices. Violation of these statutes would result in criminal prosecution:

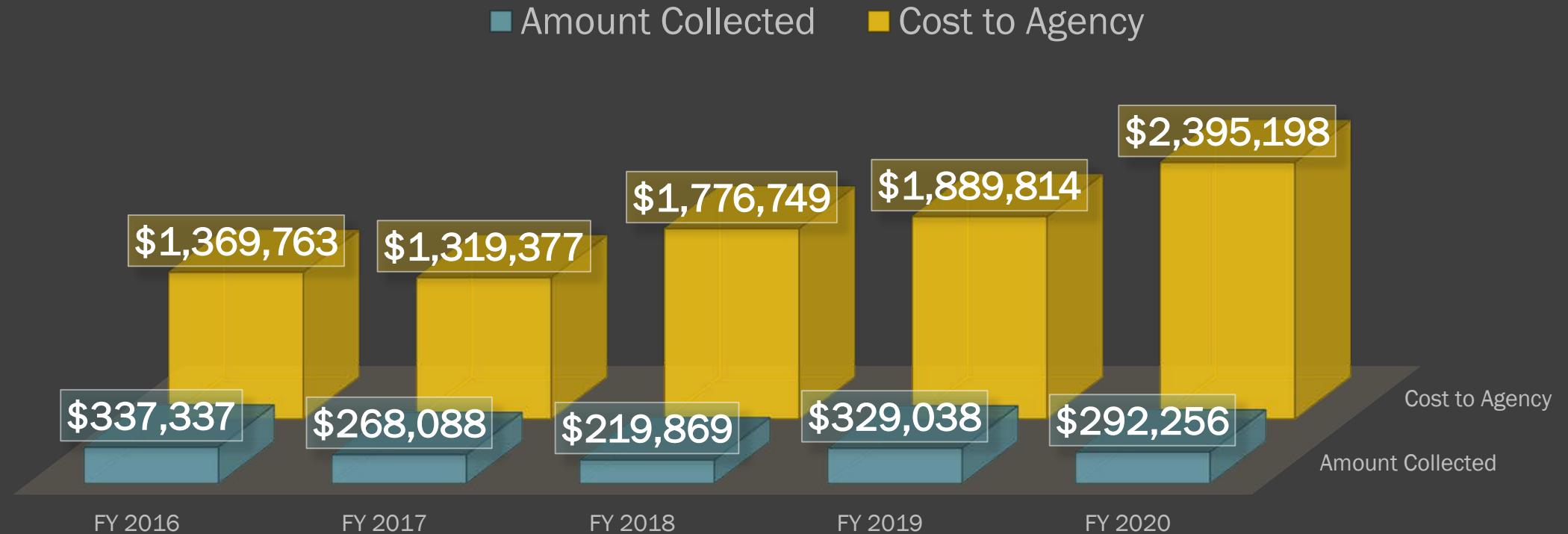
- **Section 23-3-545** for willfully violating a term or condition of electronic monitoring
- **Section 23-3-550** for assisting or harboring an unregistered sex offender
- **Section 24-13-425** for knowingly and without authority removing, destroying, or circumventing the operation of an electronic monitoring device

GPS Tracking *(continued)*

When offenders are ordered by the court or releasing authority to be placed on GPS as a special condition of supervision, the department will utilize GPS for offenses other than sex offenses.



OFFENDER ELECTRONIC MONITORING FEES AMOUNT COLLECTED VS. COST TO AGENCY



**Cost estimate amount based on cost center salaries, fringe & operating costs*

Offender fees
are explained
on the next slide

Costs include:

- GPS equipment = \$3.25 per active unit, per day
- In FY 2020, the department:
 - Employed 154 GPS Responder Agents (also fulfill other duties);
 - Received 37,960 GPS tracking alerts

GPS Fees Charged to Electronic Monitoring Offenders

GPS Tracking Offenders=

\$60 per week [\$240/month or \$2,880/year]

(Supervision fees are not applicable to this population.)

Offenders under Sex Offender Containment, Intensive and High Supervision Levels=

\$20.00 per week while under supervision

GPS offenders under supervision=

\$40.00/week electronic monitoring fee & a \$20.00 intensive fee

(DJJ Tracking Cases are not charged any fees while monitored by the Department and under the jurisdiction of DJJ.)



GPS Operations Center (GOC)



GPS Tracking Demonstration

SEX OFFENDER SUPERVISION

DELIVERABLE

Internet Usage by Child Sex Offenders

Deliverable 22

REQUIRED BY SECTION
23-3-555 (D)

Deliverable Description:

Requires the sentencing court to order restrictions on internet use, social media use, and other communications with minors where the offender must register as a sex offender and his or her victim was a minor.

Purpose:

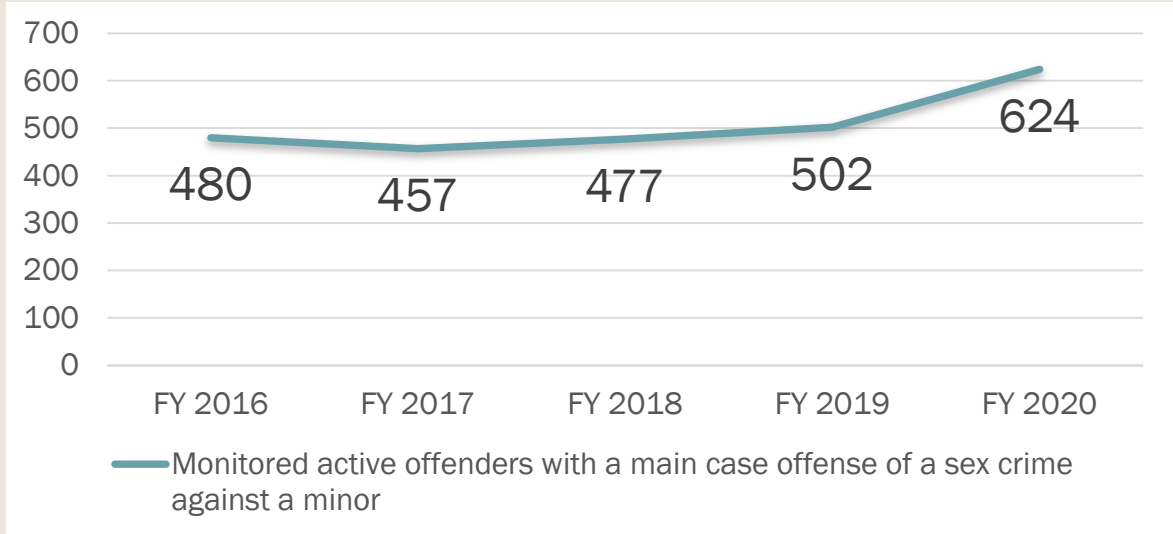
To effectively and efficiently monitor and enforce the court-imposed sex offender conditions restricting internet, social media and other forms of communication with minors.

Internet Usage by Child Sex Offenders

Deliverable 22
REQUIRED BY SECTION
23-3-555 (D)

Note: In the Workload Model, the recorded GPS maintenance physical response staff hours were 4,198 in FY 2018. That number increased in FY 2019 to 7,258 and then decreased in FY 2020 to 3,247, causing a temporary increase in the cost per offender in FY 2019.

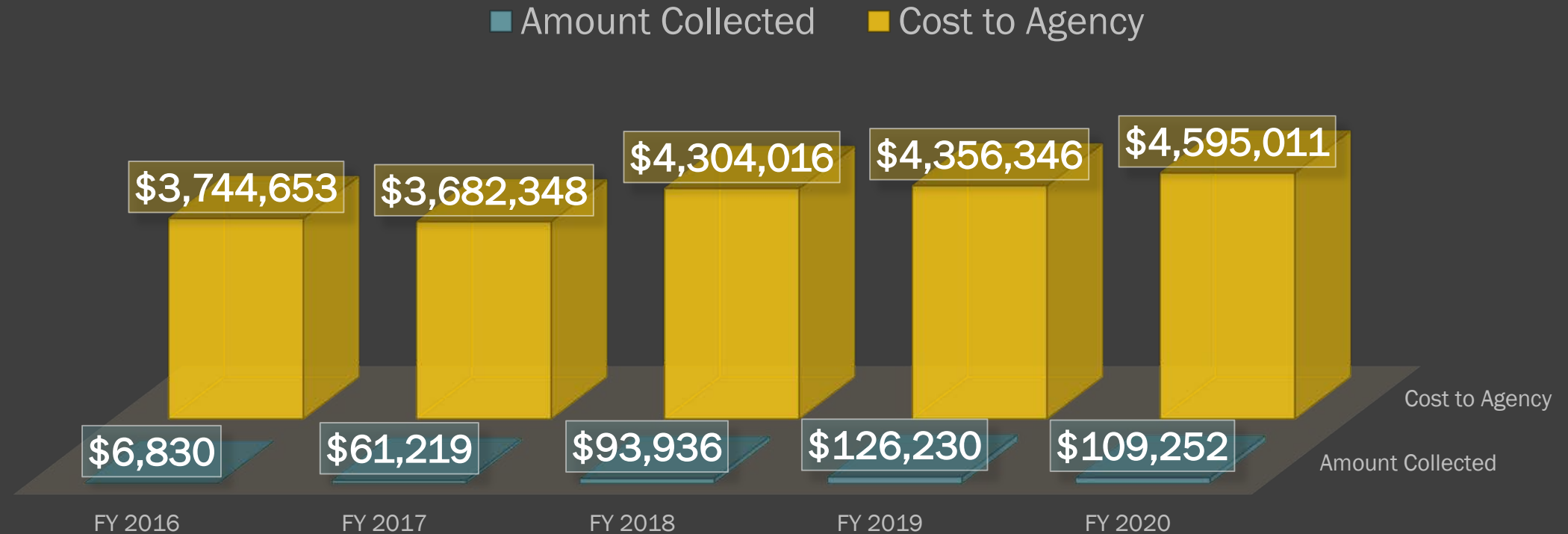
- **Customer Description:**
Offenders under supervision for a sexual offense in which the victim is under the age of 18 at the time of the offense and the offender is required to register with the sex offender registry for the offense.



Cost per offender computer monitored*	\$335.59	\$423.52	\$484.90	\$849.70	\$488.21
Amount charged to offenders	\$0	\$0	\$0	\$0	\$0

*Estimated cost based on SCDPPPS Workload Model duties

SEX OFFENDER MONITORING PROGRAM FEES COLLECTED VS. COST TO AGENCY



**Cost estimate amount based on cost center salaries, fringe & operating costs*

Offenders under Sex Offender Containment, Intensive and High Supervision Levels
pay \$20.00 per week while under supervision.
GPS tracking costs an additional \$60/week

1South Carolina Department of Probation, Parole and Pardon Services

Standard Sex Offender Conditions

1. I will register as a sex offender as required by the Code of Laws of South Carolina and as described in the Department's *Notice of Sex Offender Registry*.
2. I will attend, actively participate in, not give cause to be terminated from, and successfully complete any counseling/treatment program, to which I am referred by my agent, which may include polygraph or other treatment related testing, all at my own expense. I waive all rights to confidentiality between myself and my treatment provider, and authorize my treatment provider to disclose to my agent, the Court, the Parole Board, the releasing authority, and/or the hearing officer, information about my attendance and participation in the program. (Must complete Referral Form 1054).
3. I will not have any contact with the victim(s) of my crime, directly or indirectly. This includes but is not limited to physical or face to face contact, contact through letters or written notes, telephone calls, or electronic mail (e-mail), or any contact through a third party, unless such contact is approved in writing by the Court, the Parole Board, or the releasing authority, or the hearing officer. I also will not enter into, travel past, or loiter near a victim's residence or workplace.
4. I will not have any contact with a person under the age of 18, with the exception of my immediate family members and then may only have such contact if approved in advance under conditions set by my treatment provider and my agent. If I have incidental contact with any child, I will be civil and courteous and immediately remove myself from the situation. I will discuss the contact at my next treatment session and will immediately report this contact to my agent.
5. I will not enter into, loiter or work within one thousand (1,000) feet of any area or event frequented by people under the age of 18 including but not limited to: schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, theaters, or and festivals, unless approved in advance by my agent.
6. I will not purchase, possess, or use any sexually stimulating or sexually explicit material or device, nor enter into, loiter or work within one thousand (1,000) feet of any place where such material or device is sold or presented as entertainment. This includes but is not limited to adult book stores, sexually explicit internet sites, television services, or telephone services, sex shops, topless bars, strip clubs, and massage parlors.
7. I will permit my agent or a representative of the Department, without a warrant and with or without the assistance of any other law enforcement officer, to search my person, residence, any vehicle I own or have permission to use, and any of my possessions, including computers, cellular telephones, and other electronic devices, for the presence of sexually stimulating or sexually explicit materials or devices prohibited by these conditions, and to seize said materials. Such materials seized shall be considered property of the court, Parole Board, or releasing authority, and shall be safely kept by the Department or other law enforcement agency until any violations concerning the seized materials have been addressed.
8. If permitted by the Department to have computer and internet access, I will abide by the Computer/Internet Use Agreement for Sex Offenders. (Form 1402)
9. I will abide by all curfews as directed by my agent.
10. I will at all times maintain a suitable residence, approved by my agent, which complies with all conditions of my supervision, which may not be within one thousand (1000) feet of any area frequented by people under the age of 18, including but not limited to schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, or theaters. I will obtain approval from my agent of my residence and employment and shall obtain prior approval from my agent before changing my residence or employment. I will stay at my approved residence every night and will not sleep or stay overnight anywhere else without prior approval of my agent.
11. I will not consume alcoholic beverages and will submit to alcohol testing as instructed by my agent or treatment provider. I agree that any test results may be used as evidence in any hearing for the violation of the conditions of my supervision and I waive any right to challenge the validity of such results.
12. I will comply with the Department's requirements for any electronic monitoring program which I am ordered to participate in by the Court, the Parole Board, the releasing authority, the hearing officer, or my agent, or as required by statute, all at my own expense.

I have read, or had read to me, the above conditions and I understand their meaning. I have received a copy of these conditions. I accept and agree to these conditions and understand that any violation could result in the Court, Parole Board, or releasing authority revoking my supervision and reinstating my sentence or returning me to prison. If I refuse to accept these conditions, I must immediately ask my agent to bring my case before the Court, Parole Board, or releasing authority where I will request that my term of supervision be revoked and my sentence be reinstated or that I be returned to prison. I understand that, if I have objections to any of the above conditions but fail to timely take the actions described above, I will waive any right I may have to challenge these sex offender conditions at any future proceeding.

Offender Signature _____ Date _____

Offender Name (printed) _____

Agent Signature _____ Date _____

Agent Name (printed) _____

Form 1401: Revision 3 - Revision Date November 29, 2012

Standard Sex Offender Conditions

(Form 1401)

Standard Sex Offender Conditions

- 1) I will **register as a sex offender** as required by the Code of Laws of South Carolina and as described in the Department's *Notice of Sex Offender Registry*.
- 2) I will attend, actively participate in, not give cause to be terminated from, and successfully **complete any counseling/treatment program**, to which I am referred by my agent, which may include polygraph or other treatment related testing, all at my own expense. I **waive all rights to confidentiality between myself and my treatment provider...**
- 3) I **will not have any contact with the victim(s)** of my crime, directly or indirectly...
- 4) I **will not have any contact with a person under the age of 18**, with the exception of my immediate family members and then may only have such contact if approved in advance under conditions set by my treatment provider and my agent.

Standard Sex Offender Conditions *(continued)*

- 5) I will not enter into, loiter or work within **1,000 feet of any area or event frequented by people under the age of 18** including but not limited to: schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, theaters, or/and festivals, unless approved in advance by my agent.
- 6) I will not **purchase, possess, or use any sexually stimulating or sexually explicit material or device**, nor enter into, loiter or work within 1,000 feet of any place where such material or device is sold or presented as entertainment...
- 7) I will **permit my agent** or a representative of the Department, **without a warrant** and with or without the assistance of any law enforcement officer, **to search my person, residence, any vehicle I own or have permission to use, and any of my possessions**, including computers, cellular telephones, and other electronic devices, for the presence of sexually stimulating or sexually explicit materials or devices prohibited by these conditions, and to seize materials...

Standard Sex Offender Conditions *(continued)*

- 8) If permitted by the Department to have computer and internet access, I will **abide by the Computer/Internet Use Agreement** for Sex Offenders (Form 1402).
- 9) I will **abide by all curfews** as directed by my agent. (ex: Halloween)
- 10) I will at all times **maintain a suitable residence, approved by my agent**, which complies with all conditions of my supervision, which **may not be within 1,000 feet** of any area frequented by people under the age of 18...
- 11) I **will not consume alcoholic beverages** and will submit to alcohol testing as instructed by my agent or treatment provider.
- 12) I will comply with the Department's requirements for any **electronic monitoring** program which I am ordered to participate in by the Court, the Parole Board, the releasing authority, the hearing officer or my agent, or as required by statute, all at my own expense.

Computer/Internet Use Agreement for Sex Offenders

Offender _____ Supervising Agent/Designee _____

By signing below, the above named offender understands and agrees as follows: computer or other access to the internet may pose significant risk of triggering re-offense; access to the internet is a privilege not a right; and access to the internet may be prohibited by the Supervising Agent/Designee at any time. The offender specifically agrees to be fully compliant with the following conditions if allowed access to the internet.

1. If the victim of my offense was under the age of eighteen at the time of the offense, or I reasonably believed the victim was under the age of eighteen at the time of the offense, I will not: (1) use the internet to access social networking websites, (2) communicate with other persons or groups for the purpose of promoting sexual relations with persons under the age of eighteen, or (3) if I am over the age of eighteen, communicate with a person under the age of eighteen. See S.C. Code Section 23-3-555(D).
2. I will provide all personal/business phone records and credit card bills to the Supervising Agent/Designee upon request.
3. I will obtain prior written approval from the Supervising Agent/Designee before using an electronic bulletin board system, internet relay chat channel, DCC chat channel, newsgroup, usergroup, or any site-based email which provides some measure of anonymity (such as Hotmail or Gmail).
4. I will not use the computer for any purpose which might further sexual activity. Such activities include but are not limited to the following: possession of sexually explicit material in any manner; sexually related achat@ or email exchange; visiting or joining achat rooms@ which contain sexually explicit conversation; visiting/viewing sexually explicit material on web sites; downloading binary files, UUE files, MIME files, AVI files, MPG files, Real Player files, images in any format, text files, or multi-media material that is sexual in nature; or visiting and/or subscribing to usergroups or newsgroups which focus on sexual content.
5. I will not use any form of encryption, cryptography stenography, compression, password protected files and/or other method that might limit access to, or change the appearance of, data and/or images without prior written approval from the Supervising Agent/Designee.
6. I will not alter or destroy records of computer use, and will not use software designed to alter, clean or awipe@ computer media.
7. I agree that if, for work purposes, password protection is required on any system or files I use, I will provide the password upon request of the Supervising Agent/Designee.
8. I will permit the announced or unannounced examination or search by the Supervising Agent/Designee of any computer, cell phone, and/or electronic devices to which I have access to verify my compliance with these special conditions of supervision. This includes examination of all data and/or images stored on hard disks, aZip Disks@, floppy diskettes, CD ROMs, optical disks, magnetic tape and/or any other storage media whether installed within a device or removable and separate from the actual computer or other electronic device. I understand and agree that any computer, cell phone, related equipment, and/or storage device are subject to seizure by the Supervising Agent/Designee.
9. I will provide the Supervising Agent/Designee with a list of all equipment used with my computer, including back-up systems. I will keep this list current.
10. I agree to install or allow to be installed at my expense, equipment and/or software to monitor or limit computer use, or remove any hardware device including modem, network card, and/or other device that may be used to provide access to another computer or computers.
11. I agree to be fully responsible for all material and information found on my computer at all times.

I have read, or had read to me, this Computer/Internet Use Agreement for Sex Offenders and understand its meaning. I have received a copy of this advisement, and understand that if I violate any condition restricting my computer or internet use, I may be brought before the Court, Parole Board or releasing authority for revocation of my supervision and reinstatement of my sentence.

Offender=s Signature _____ Date _____ Supervising Agent=s Signature _____ Date _____

Offender Name (printed) _____ Agent Name (printed) _____

Form 1402: Revision 2 - Revision Date January 4, 2011

Computer & Internet Use Agreement for Sex Offenders

(Form 1402)

Sex offenders must submit to elevated search and seizure standards- compared to other offender types.

Contact Standards for Sex Offenders based on Supervision Level

SO-Containment Level (Static-99R score of 6+)

- One Home Visit Progress Audit per month
- Two Home Visits per month
- One employment verification per month
- One Progress Audit per month
- One face-to-face treatment provider contact per month

SO-Intensive Level (Static-99R score is 2-5)

- One Home Visit Progress Audit per month
- One Employment Verification per month
- Two Field Visits or Home Visits per month
- One face-to- face treatment provider contact per month

SO-High Level (Static-99R score is negative 3 to 1)

- One Home Visit Progress Audit per month
- One employment verification per month
- One Field Visit or Home Visit per month
- One face-to- face treatment provider contact per month

Sex Offender Management

Sex offenders are required to register pursuant to the terms of the South Carolina Sex Offender Registry. *(Title 23, Chapter 3, Article 7) (S.C. Code Sections 23-3-400 through 530).*

An offender is supervised as a sex offender by the Department if their current offense(s) include:

- 1) A conviction that requires the offender to register as a sex offender pursuant to the Registry.
- 2) A conviction for which the court ordered the offender to register as a sex offender pursuant to Title 23, Chapter 3, Article 7.
- 3) A court order to be monitored as a sex offender for an offense that does not otherwise require the offender to register as a sex offender.

Jessie's Law (Section 23-3-540)

- Legislation signed into law in June 2006- aimed at protecting South Carolina's children.
- Named after Jessica Marie Lunsford -- who was murdered in 2005 by a registered sex offender in Florida.
- Imposes a mandatory minimum of 25 years in prison for child sex predators and mandates GPS monitoring for sex offenders convicted of certain offenses.
- Gave SCDPPPS jurisdiction for all Jessie's Law offenders placed on GPS and it requires mandatory placement on GPS if convicted of criminal sexual conduct with a minor, 1st or lewd act with a minor, criminal sexual conduct 3rd with a minor (all other offenses are discretionary as ordered by the Court.)

(After 10 years anyone placed on GPS under this law, may petition the court to be removed from GPS.)

Sex Offender Supervision

SCDPPPS has implemented enhanced protocols for the supervision of sex offenders living in the community, including:

- the application of a sex offender specific risk assessment tool
- revised supervision levels based on offender risk
- revised Agent contact requirements for sex offenders
- specific conditions of supervision for sex offenders
- development of a standard treatment model
- the use of Global Positioning Satellite (GPS) monitoring
- the use of forensic equipment to monitor any computer and digital media

Sex Offender Monitoring Carry Forward Funds

Deliverable 47

REQUIRED BY PROVISIO 66.4

Deliverable Description:

- SCDPPPS is authorized to carry forward any unexpended funds in the Sex Offender Monitoring program- for use of the program.
- For the purpose of calculating the amount of funds by the Department; the sex offender monitoring funds carried forward by this provision are applied to support the active electronic monitoring of sex offenders.

SUCCESSFUL SENTENCE COMPLETION

DELIVERABLES

Awarding Compliance Credits

Deliverable 30

REQUIRED BY SECTION
24-21-280 (D)(E)(F)

Note: Applies to all sentence types and all supervision levels

Deliverable Description:

- Compliance credits are "earned good time." For every 30 days of successful supervision, an offender receives 20 days off the back end of their sentence.
- Automated system calculates compliance credits each month
- Agents award the credits to offenders sentenced one year or more of supervision who obey the Conditions of Probation.

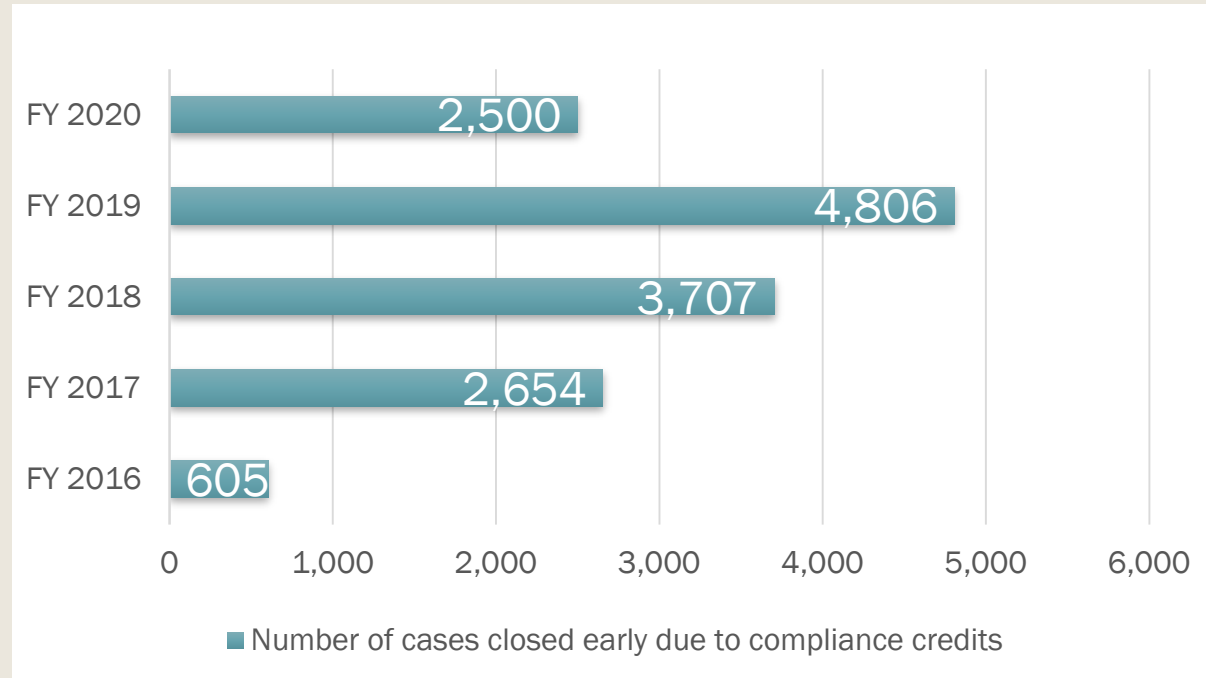
Purpose:

- Provide an incentive to comply with the conditions of supervision

Awarding Compliance Credits

Deliverable 30
REQUIRED BY SECTION
24-21-280 (D)(E)(F)

- **Customer Description:**
Offenders whose cases closed early due to earned compliance credits.

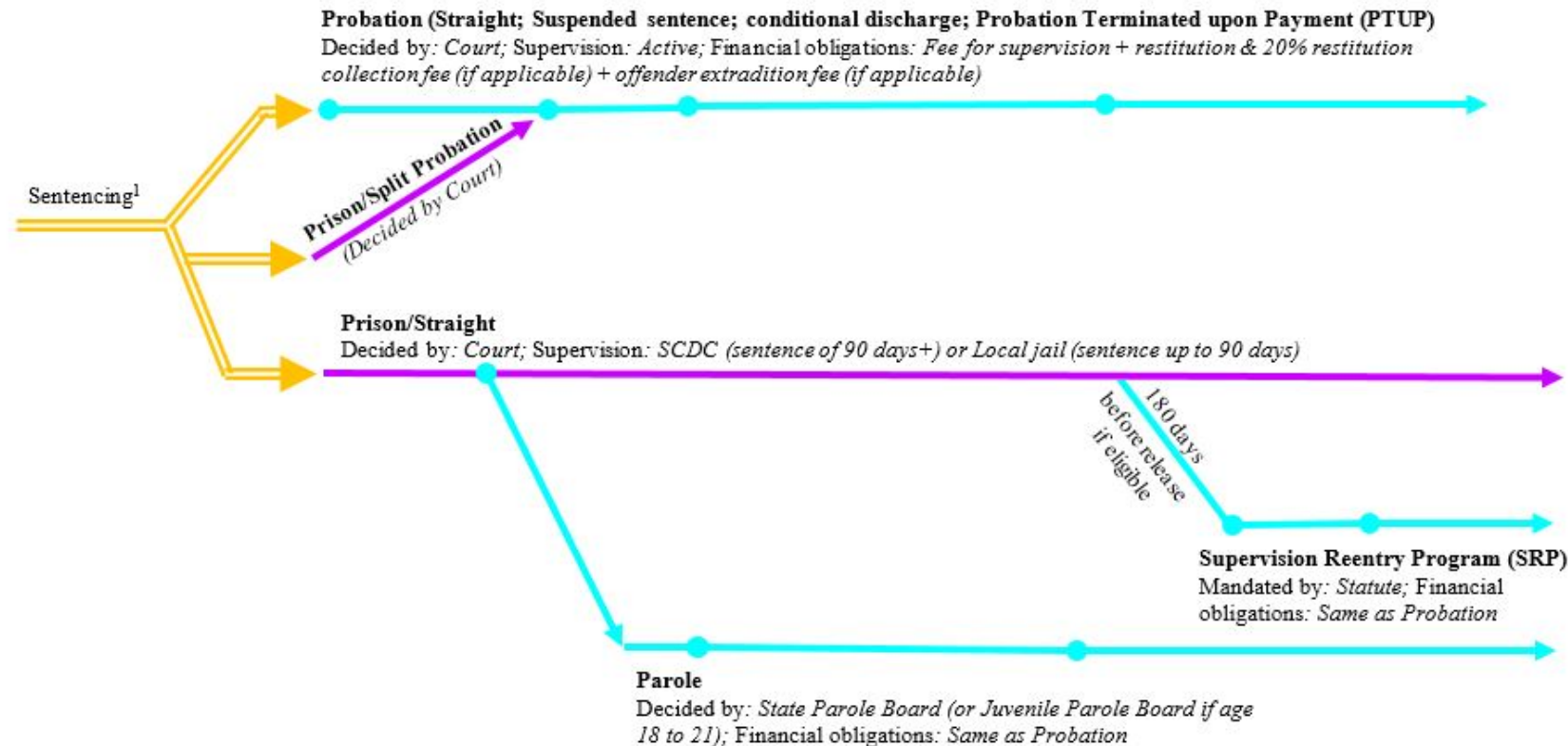
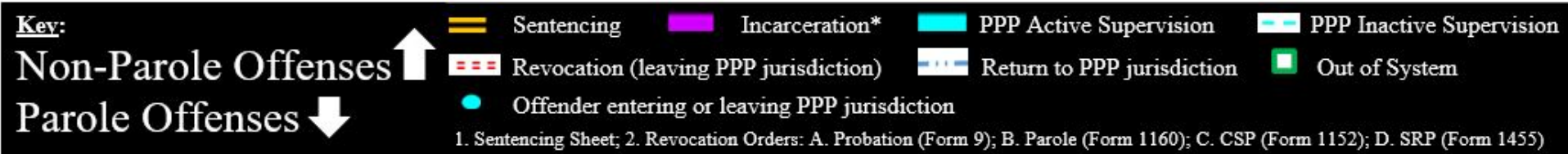
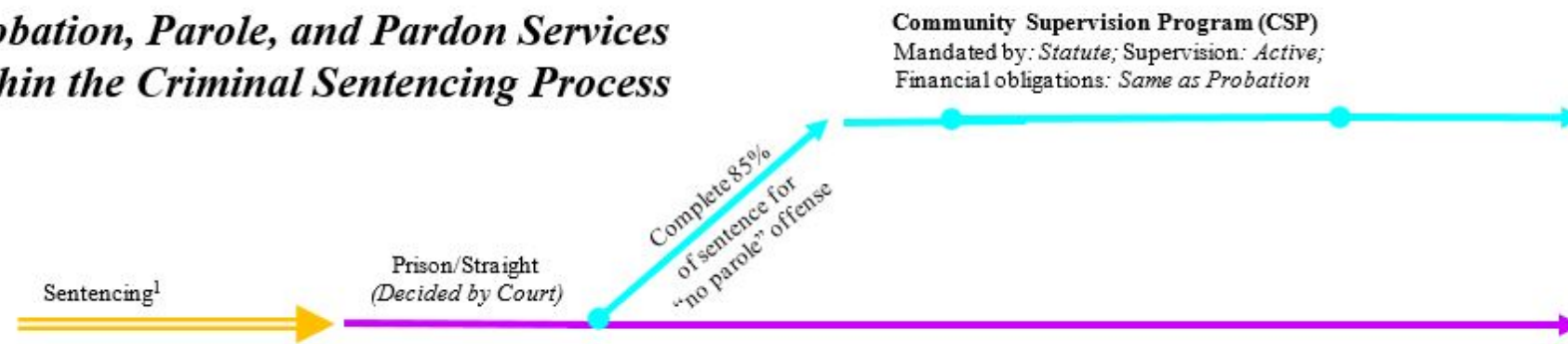


Note: There are \$0 associated costs because no manpower is involved in calculating credits; a computer program performs this function.

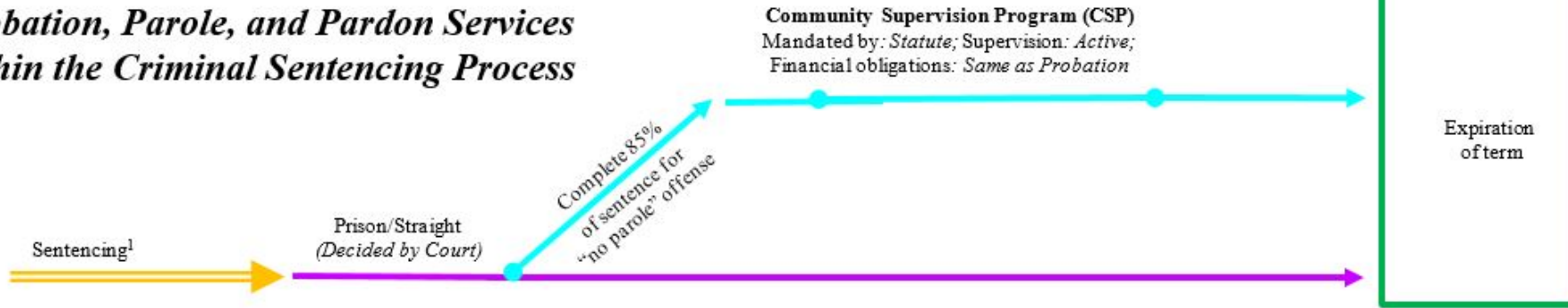
Compliance Credits Background

- The percentage of eligible offenders earning compliance credits has significantly increased from 25% in FY 2011 to 56% in FY 2020.
 - *18,687 offenders earned compliance credits in FY 2020.*
- There was a significant increase in the number of offender cases that closed based on compliance credits between FY '16 and FY '17 due to:
 - ✓ *a change in state law; statute was amended to allow SCDPPPS staff greater discretion to determine to what degree the offender had met the conditions of probation- in order to receive compliance credits.*
 - ✓ *a software update was implemented in the SCDPPPS internal offender management program.*

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses

Parole Offenses

== Sentencing

Incarceration*

PPP Active Supervision

PPP Inactive Supervision

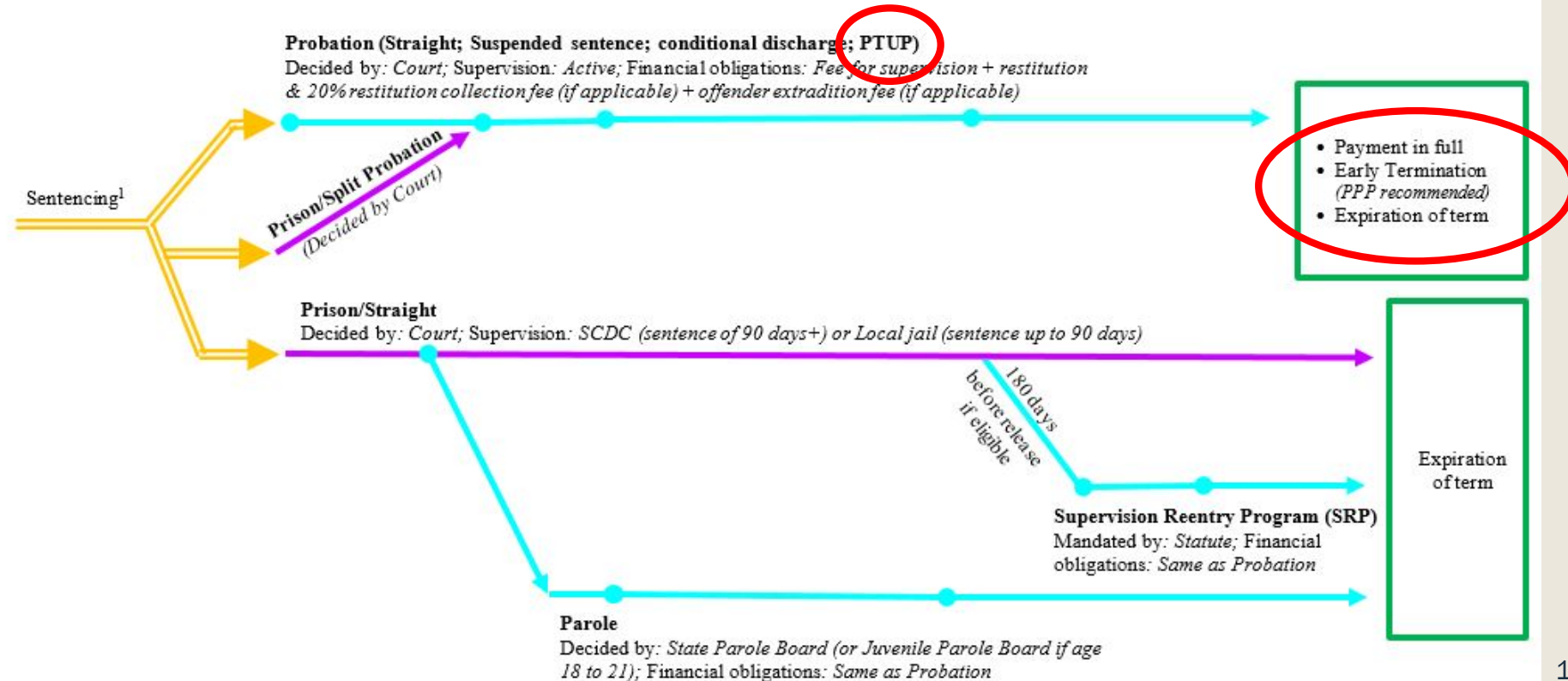
Revocation (leaving PPP jurisdiction)

 [Return to PPP jurisdiction](#)

 Out of System

- Offender entering or leaving PPP jurisdiction

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



Probation Terminated Upon Payment (PTUP)

Deliverable 38
REQUIRED BY SECTION
24-21-550

Offenders who...

Have their probation term end upon the payment of fines, court costs, assessments and restitution (i.e., obligations with fixed amounts, with the exception of DNA processing fee).

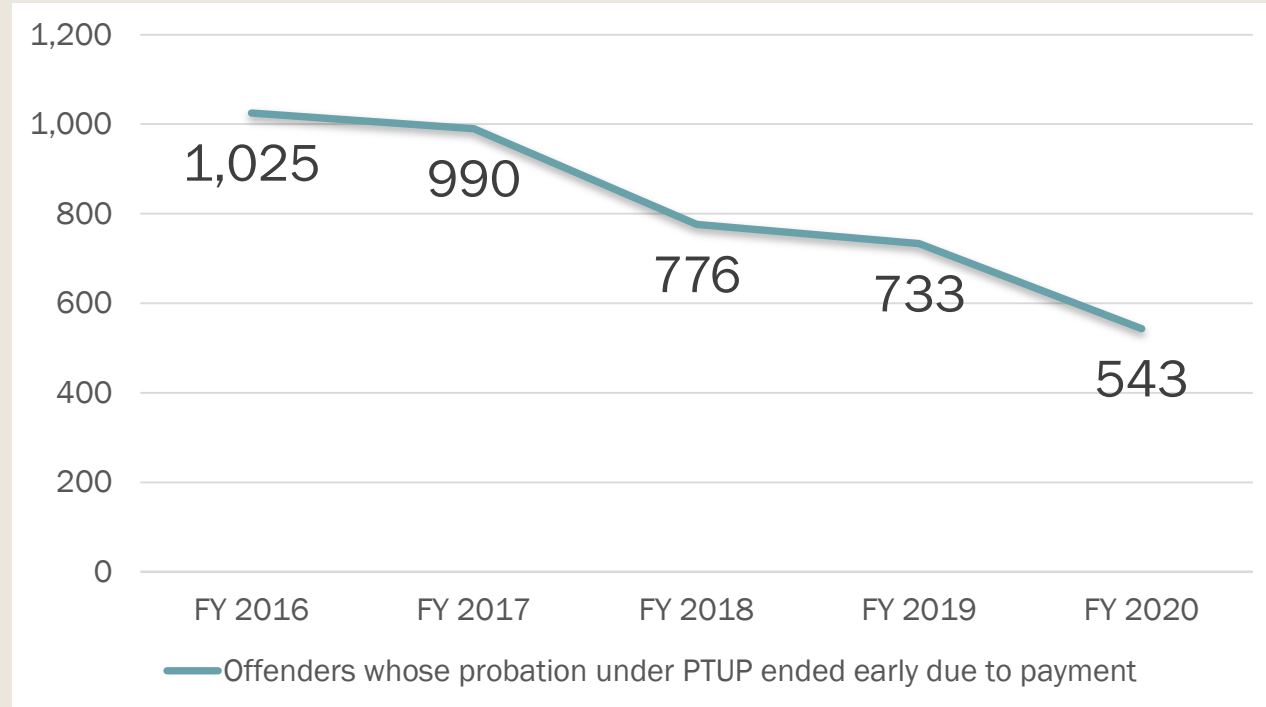
- Any accounts that accrue an obligation over time, like supervision fee, GPS, and electronic monitoring fee shall not be in arrears.
- Drug tests fees must be paid.

Probation Terminated Upon Payment (PTUP)

Deliverable 38
REQUIRED BY SECTION
24-21-550

Customers:

Offenders given a PTUP order by the Court of General Sessions whose probation term ended early due to payment.



Early Termination

Deliverable 50

REQUIRED BY SECTION
24-23-130

Note: Early termination only applies to probationers.

Deliverable Description:

- The Department has the authority to recommend to the Court of General Sessions that a probationer's term of supervision be terminated earlier than its originally ordered expiration date, if the probationer has satisfactorily fulfilled the conditions of probation.

Early Termination

Deliverable 50

REQUIRED BY SECTION
24-23-130

Note: Early termination only applies to probationers.

Purpose:

"The General Assembly finds that:

- The state correctional facilities are overcrowded and are operating at 158% of their designed capacity.
- The operational costs of prisons are greater than \$5,500 per inmate per year and are increasing.
- Although new correctional facilities are planned and are being built to meet the projected inmate population increases, the costs of these facilities are more than \$40,000 per bed.
- At the same time, the state's budgetary resources are becoming more limited, and the future availability of capital improvement bonds for more prison construction is uncertain."
(1981 Act No. 100).

Early Termination

Deliverable 50

REQUIRED BY SECTION
24-23-130

Note: Early termination only applies to probationers.

Purpose *(continued)*:

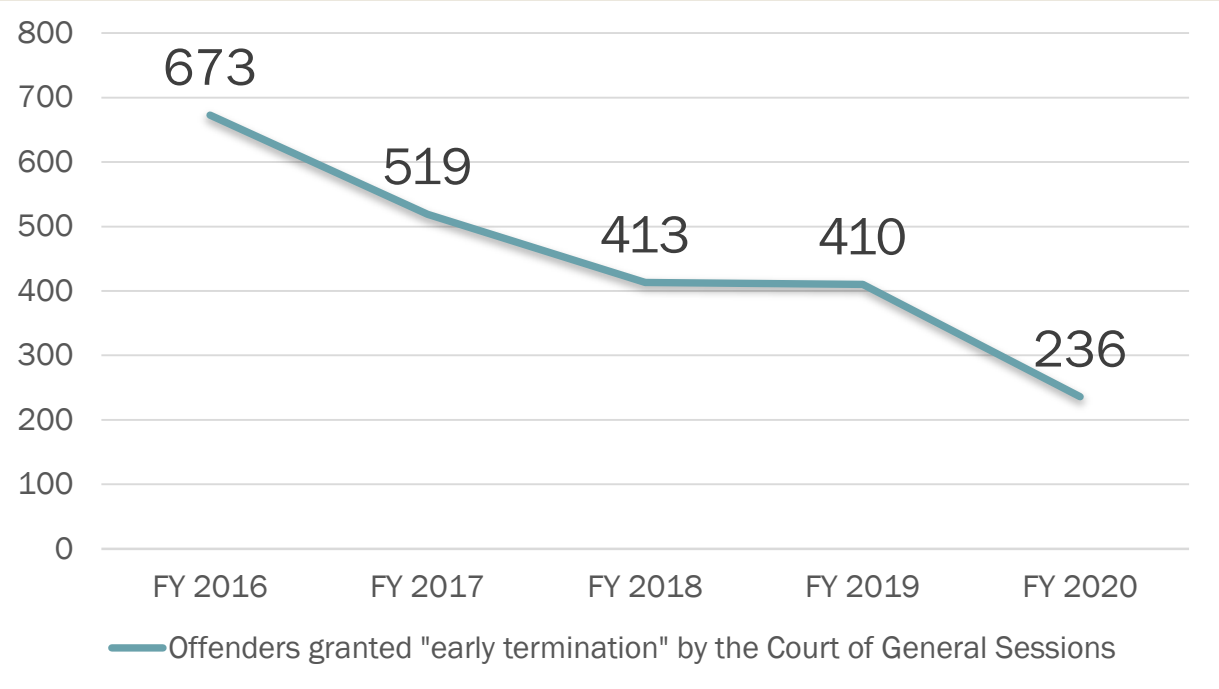
Thus, the authority of the court to terminate supervision early, with the recommendation of the Agent-in-Charge of the county probation office, was established in the 1980s as a way to safely remove carefully screened offenders from further supervision in order to accommodate related legislative efforts to alleviate prison overcrowding through inmate release mechanisms.

Early Termination

Deliverable 50
REQUIRED BY SECTION
24-23-130

Note: Early termination only applies to probationers.

- Customer Description:
Probationers granted "early termination" by the Court of General Sessions based on successful fulfillment of the conditions of probation, in a given year.



Other Types of Successful Completion

- **Consent of Judgment-** when a case under administrative monitoring is closed by the court after making the determination that the offender does not have the ability to pay his/her financial obligations under administrative monitoring.
- **Deceased-** when an offender dies.
- **Deported-** when an offender has been deported.
- **Expired Compliance Credits-** when supervision ends early based on offender's earning of compliance credits during their supervision period.
- **Expired– Citation Withdrawn-** when an AIC, Regional Director, or Court withdraws an active/pending citation and case is allowed to expire because the supervision end date has passed.
- **Expired– No Administrative Monitoring-** Case expired and cannot be placed on administrative monitoring.
- **Expired– Warrant Withdrawn-** when a Regional Director or Court withdraws an active/pending warrant and the case expires because the supervision end date has passed.
- **Expired-** When the supervision end date occurs on an active supervision period.
- **Judicial Closure-** When a Hearing Officer or Court issues an order to terminate an offender from the remaining period of supervision. (Administrative monitoring to follow.)
- **Judicial Closure, No Administrative Monitoring-** when the Court issues an order to terminate an offender from the remaining period of supervision, but the Court specifically orders the offender is not to be placed under the Administrative Monitoring program.

Other Types of Successful Completion

- **Order of Civil Contempt-** when an offender under Administrative Monitoring is presented to the court for a Civil Contempt Hearing for not paying on his/her accounts.
- **Administrative Monitoring Paid-** when an offender under Administrative Monitoring has paid his AM collective and AM fine in full and AM fee is paid current with no arrears.
- **Pardon--** when the Board of Pardons and Pardons grants a pardon for someone that is still under active supervision. (Usually occurs on parole cases.)
- **Rescinded--** when an offender under active supervision commits a non-willful violation of supervision and cannot comply with the conditions of supervision due to serving a new prison/incarceration sentence. (Mostly used for YOA Conditional Release and Parole offenders.)
- **Rescinded Before Start-** when an offender successfully completes his Community Supervision (CSP) period but has a pending probationary case to follow.
- **Returned--** when an offender has transferred his/her supervision through Interstate Compact to South Carolina.
- **Reversed--** when an offender under supervision has his/her conviction overturned by the Higher Court on appeal.
- **Youthful Offender Act, Early Discharge--** when an offender is under the YOA Conditional Release Supervision Program and is granted early release from supervision by the Agent-In-Charge of the county.

VIOLATIONS

DELIVERABLES

Administrative Sanctions

Deliverable 25

REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

Deliverable Description:

- Probation Agents are authorized to use administrative sanctions as an alternative to issuing a warrant or citation when responding to a violation of the terms and conditions of any supervision program operated by SCDPPPS.
- Similarly, Administrative Hearing Officers are authorized to use administrative sanctions as an alternative to sending a case forward to the revoking authority when addressing a violation.

Administrative Sanctions

Deliverable 25

REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

Deliverable Description *(continued):*

- These sanctions were both offered as part of a legislative effort to reduce unnecessary revocations by providing the Department with tools to address compliance violations with swiftness and certainty, but without having to take them before the revoking authority for possible revocation and reincarceration.

Administrative Sanctions

Deliverable 25

REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

Legislative Intent:

- To authorize the use of administrative sanctions to address violations as alternatives to issuing a warrant or citation, or forwarding a violation to the revoking authority.
- By adding Section 24-21-110 so as to provide for administrative sanctions for violators of special conditions and to provide for a procedure to administer these administrative sanctions.
- 2010 Act No.273

Administrative Sanctions

Deliverable 25

REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

- Customer Description:
Offenders with at least one violation during a fiscal year.
- Customers served in FY '20:
14,332

Administrative Sanctions

Deliverable 25

REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

Administrative Sanctions for Violations (Regulation 130–60, Sections B 2 and 3)

Agent/case management options include, but are not limited to:

- a) counseling with offender
- b) referring for treatment or other community-based program,
- c) reinstating to previously ordered public service employment,
- d) restructuring the supervision plan,
- e) enhancing drug testing,
- f) issuing a verbal reprimand,
- g) enhancing supervision contacts,
- h) issuing a written reprimand, and
- i) placing in inpatient or outpatient treatment.

Administrative Sanctions

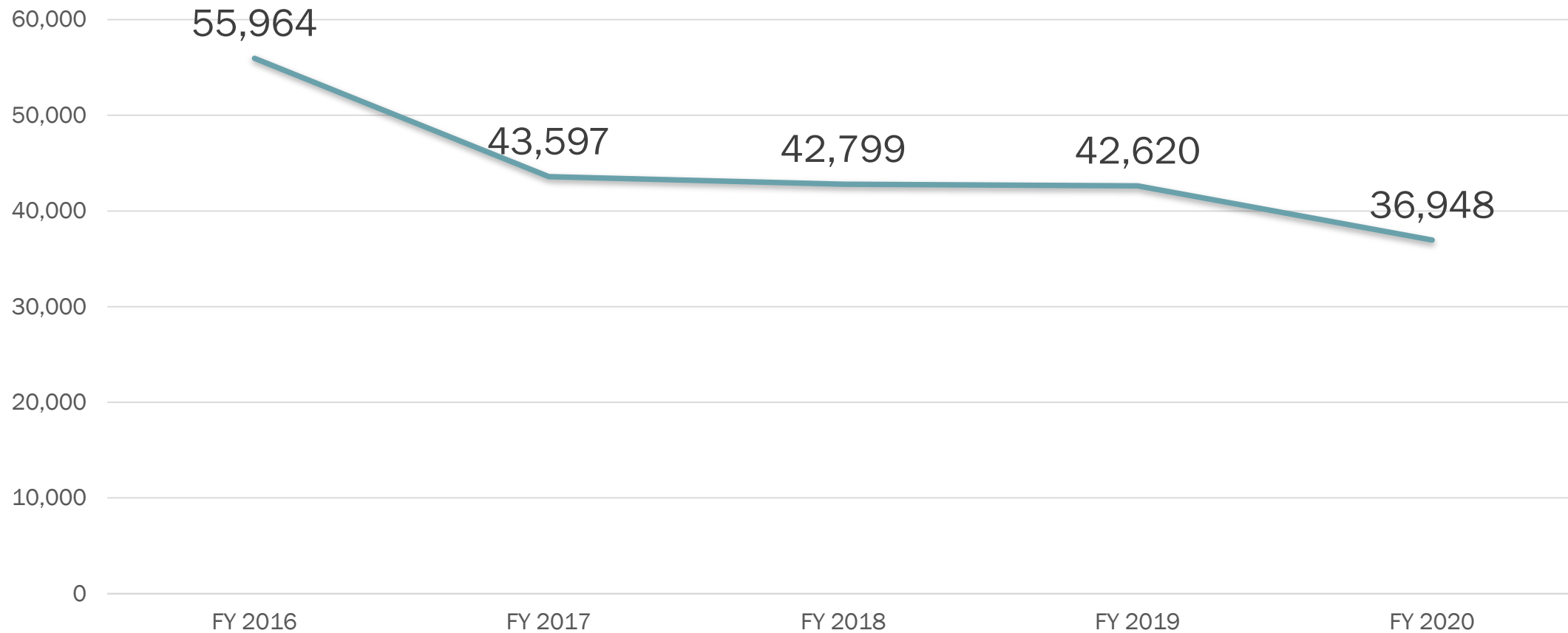
Deliverable 25
REQUIRED BY SECTIONS
24-21-110; Reg. 130-60

Administrative Sanctions for Violations *(continued)* *(Regulation 130-60, Sections B 2 and 3)*

Supervisor/hearing officer sanctions include, but are not limited to:

- a) imposing any agent/case management option,
- b) reinstating previously ordered weekend time,
- c) modifying supervision level,
- d) restructuring financial payments without changing total obligation,
- e) implementing financial exemptions,
- f) converting supervision fees to public service employment,
- g) recommending civil judgment,
- h) recommending extension of supervision (if applicable),
- i) imposing new/additional public service employment,
- j) imposing home detention,
- k) imposing participation in electronic surveillance programs,
- l) imposing additional special conditions of supervision,
- m) requiring participation in community based programs,
- n) recommending partial revocation of sentence, and
- o) recommending full revocation of sentence.

Number of Administrative Sanctions Imposed (by Agents) in Response to One or More Compliance Violations



Issuing Legal Process for Violations and Arresting Offenders

Deliverable 33

REQUIRED BY SECTIONS

24-21-280 (B); 24-21-450; 24-21-300; 24-21-560 (C); 24-21-680;
Regulation 130-60

Deliverable Description:

- To enforce the conditions of supervision imposed on offenders, Agents are authorized to...
 - *issue arrest warrants or citations charging violations, and*
 - *arrest offenders where a warrant has been issued*

Citation - Commands a person to appear at a specific time, date, and place.

Arrest Warrant - Commands a law enforcement officer to arrest an offender/person and bring him or her before (a) Judge, (b) Board of Pardons and Pardons, (c) Hearing Officer, or (d) Youthful Offender Act Conditional Release Board.

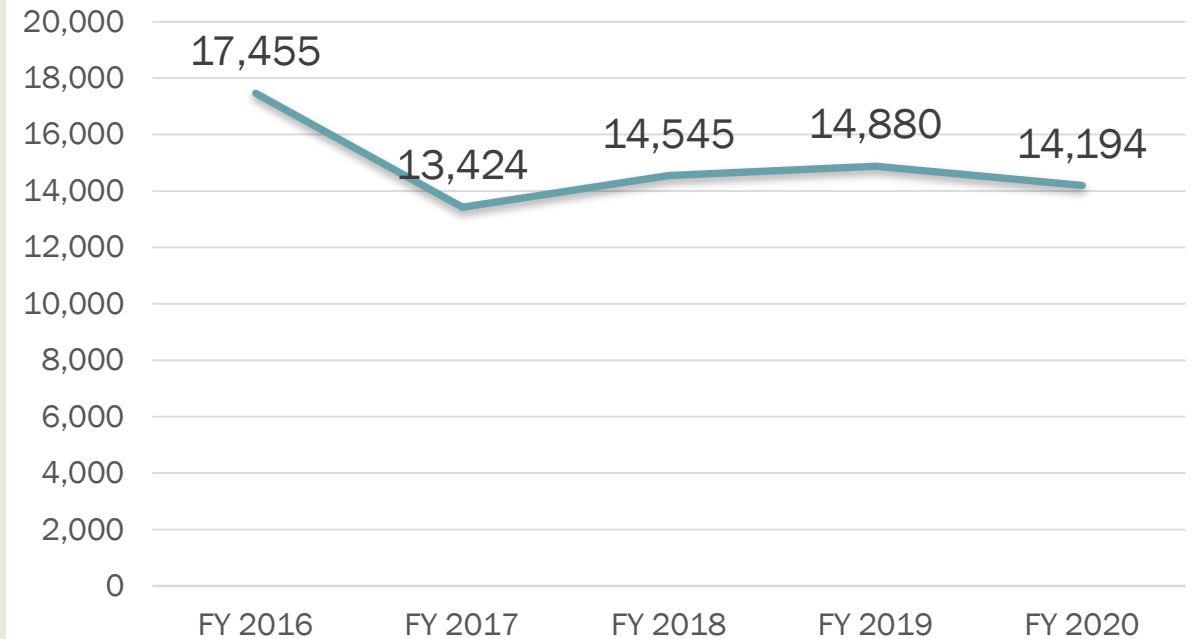
Issuing Legal Process for Violations and Arresting Offenders

Deliverable 33

REQUIRED BY SECTIONS

24-21-280 (B); 24-21-450; 24-21-300; 24-21-560 (C); 24-21-680; Regulation 130-60

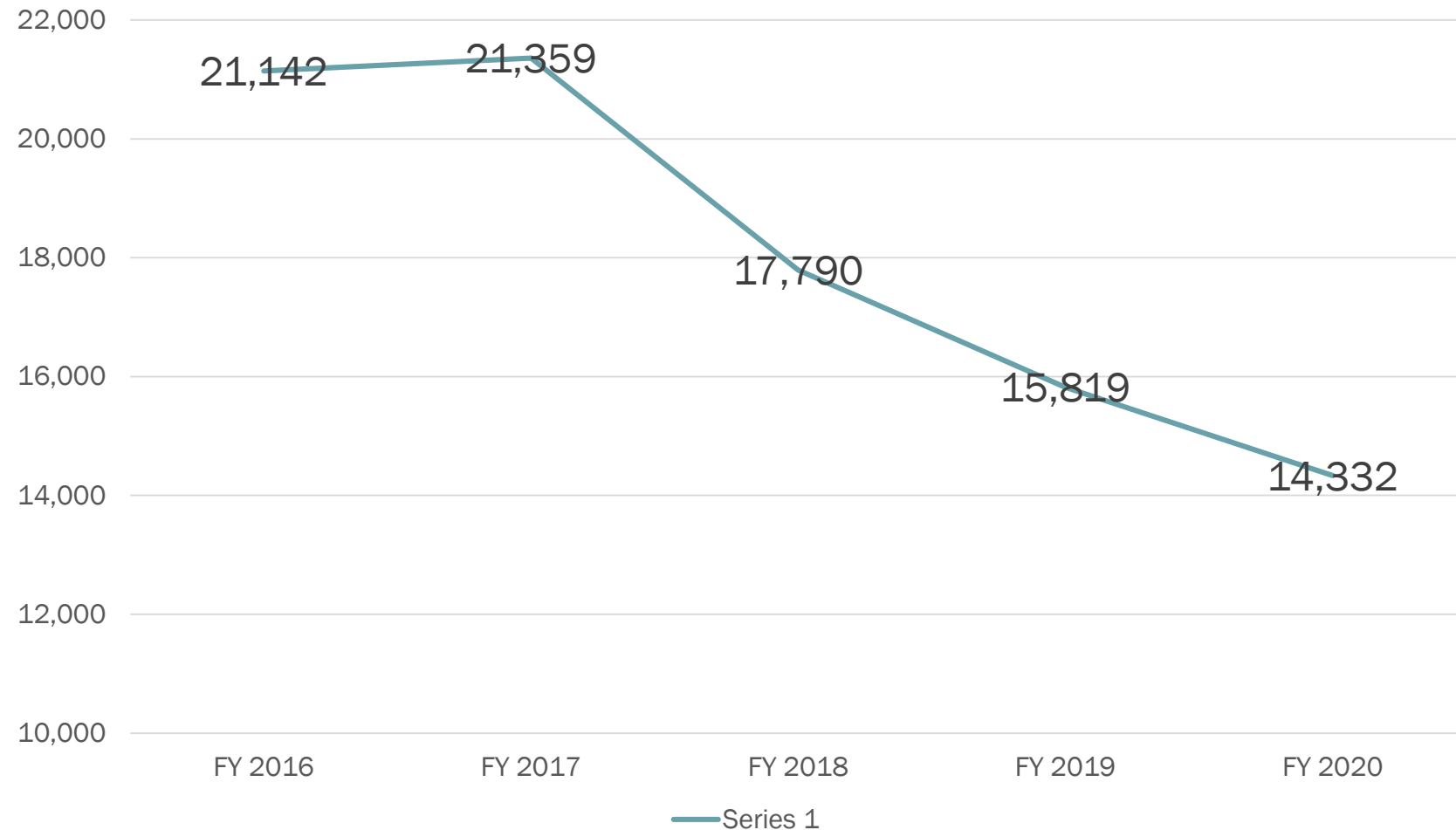
Number of Legal Processes (warrants and/or citations) Issued on Offenders in a Fiscal Year



Cost per legal process issued*	\$99.18	\$117.49	\$124.78	\$115.76	\$109.49
Amount charged to offenders	\$0	\$0	\$0	\$0	\$0

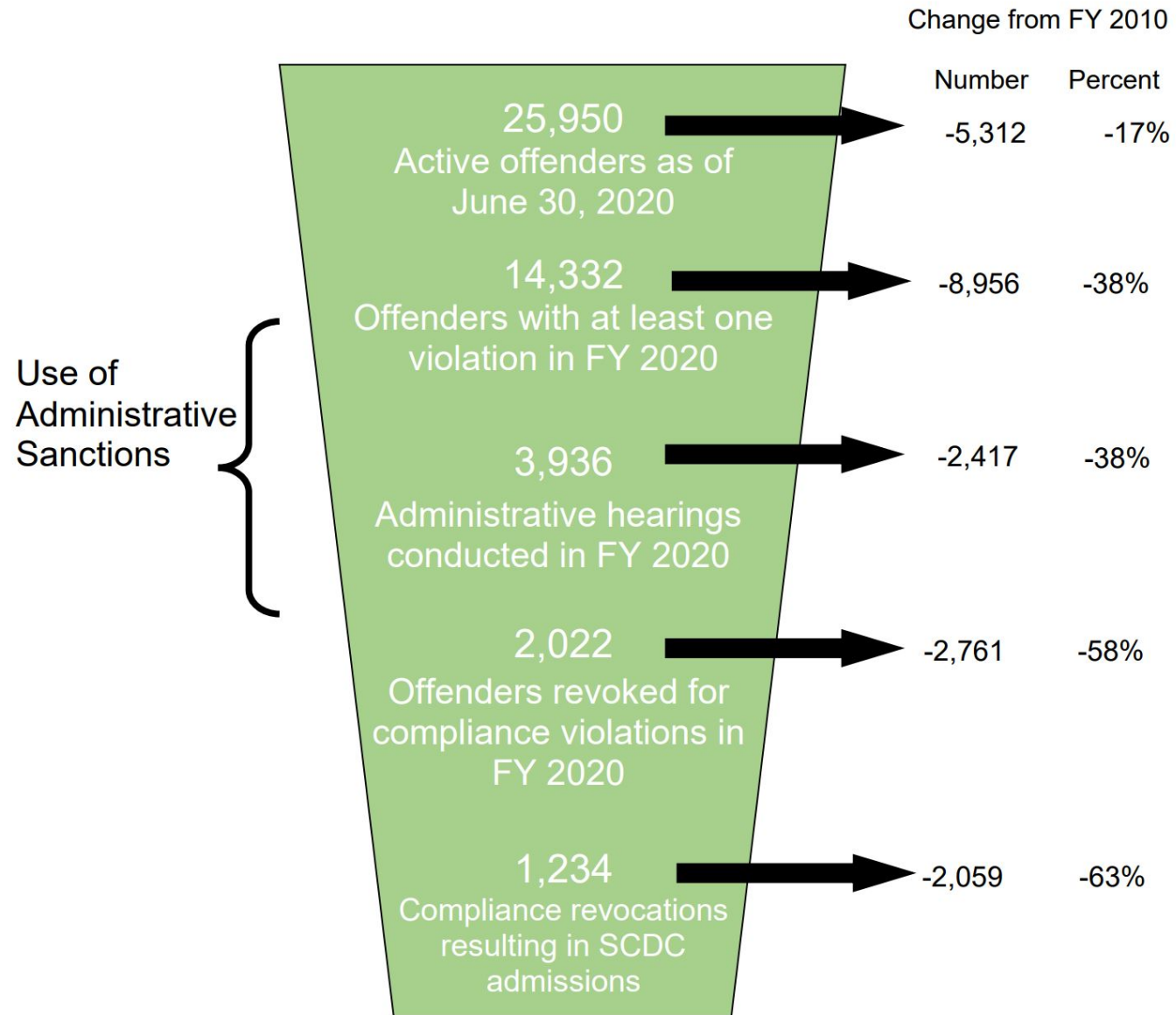
*Estimated cost based on SCDPPPS Workload Model duties

OFFENDERS WITH AT LEAST ONE VIOLATION DURING A FISCAL YEAR



SCDPPPS FY 2020 Violations Summary

Impact of Sentencing Reform Act Strategies





VIOLATION RESPONSE

Process for Responding to Alleged Violations

- 1) Determine COMPAS risk and behavior level.
- 2) Determine specific response(s) within behavior response level.
- 3) Consider aggravating or mitigating circumstances, if appropriate.



Decision and Documentation

- Personnel and a Supervisor review the case before a decision on the course of action is made.
- Once the decision is made, supervising personnel will document and complete all violation forms in the Violations Module.

Violation Behaviors Chart

Low Severity	Medium Severity	High Severity
<p>Fail to</p> <ul style="list-style-type: none"> • report as instructed • provide or pass urinalysis • notify of change of residence • appear for treatment appointment • pay (fees, restitution, etc.) • maintain employment • provide truthful report • allow home/employment visit • meet curfew • perform public service as directed 	<ul style="list-style-type: none"> • Unlawful use of controlled substance and/or intoxicants • Terminated unsuccessfully from treatment (not for failure to pay) • Leave the state without permission • Willful association with negative peers/persons known to be felons • Magistrate or city conviction • Violation of special conditions for sex offenders or domestic violence offenders <p>Fail to</p> <ul style="list-style-type: none"> • follow a direct instruction • maintain electronic monitoring rules/device (out of area, did not charge device) • notify of law enforcement contact or arrest 	<ul style="list-style-type: none"> • Possession of a weapon • Violation of a no-contact order or Special Order of Court • Absconding • New General Sessions charges • Electronic monitoring violation other than maintenance (tampering or removing device) • Conviction in General Sessions or Federal Court • Six or more payments in arrears on restitution • Failure to appear at General Sessions Court or Administrative Hearing • Committed a General Sessions or Federal crime • Mandatory Re-Take



Violations Response Chart

Agent/OSS	Supervisor	SCDPPPS Hearing Officer	Higher Authority (Court or Parole Board)
<ul style="list-style-type: none"> Verbal reprimand Agent-imposed educational sanctions to address criminogenic needs (i.e., reading assignments as approved by service providers) Restructure supervision plan <p>Increase</p> <ul style="list-style-type: none"> reporting drug testing Treatment <p>Refer to</p> <ul style="list-style-type: none"> treatment in-house class 	<ul style="list-style-type: none"> Modify conditions with court approval Mediation options Give citation/order to appear Issue warrant for arrest or citation <p>Recommend</p> <ul style="list-style-type: none"> consent order partial revocation*/recommend jail time home detention public service 	<p>Order</p> <ul style="list-style-type: none"> Electronic surveillance Intensive supervision GPS Monitoring <p>Recommend</p> <ul style="list-style-type: none"> weekend jail time jail time partial revocation* full revocation 	<p>Impose</p> <ul style="list-style-type: none"> full revocation partial revocation and continue probation partial revocation and terminate probation continue probation with no revocation

Note: Violation responses listed are not all-inclusive

*All offenders on early release programs (except C-Supervision) as well as probationers with suspended Youthful Offender Act sentences are ineligible for partial revocations.

Violation Matrix Authority

 Supervision Level (COMPAS Risk and Behavior Level)	 Severity of the Behavior (see Violation Behaviors Chart) / Responding Personnel (see Violations Response Chart)		
	<u>Low</u> <u>Severity</u>	<u>Medium</u> <u>Severity</u>	<u>High</u> <u>Severity</u>
Low (Standard)	Agent/OSS	Supervisor	Hearing Officer
Medium	Agent	Supervisor	Hearing Officer
High, Intensive, Sex Offenders, and Domestic Violence Offenders	Supervisor	Hearing Officer	Hearing Officer/Higher Authority

Decision and Documentation

Documentation in the Violations Module			
Agent/OSS Response	Supervisor Response	SCDPPPS Hearing Officer Response	General Sessions Judges
<ul style="list-style-type: none">• Notice of Violation/Agent Response<ul style="list-style-type: none">• (Form 1217)	<ul style="list-style-type: none">• Notification of Violation and Response<ul style="list-style-type: none">• (Form 1182)• Consent Order*<ul style="list-style-type: none">• (Form 1462)	<ul style="list-style-type: none">• Administrative Sanctions Order<ul style="list-style-type: none">• (Form 9B)	<ul style="list-style-type: none">• General Sessions Court Order<ul style="list-style-type: none">• (Form 9)

**Only used for Probation Cases - If the offender consents to additional conditions requested as the result of a violation, a Consent Order may be created. The Consent Order is signed by the offender and the Agent and is then submitted to the Court.*

South Carolina Department of Probation Parole and Pardon Services
Notice of Violation /Agent Response

Offender Name	SID#	Case#
<p>THIS NOTICE IS TO FORMALLY ADVISE YOU THAT YOU HAVE FAILED TO ABIDE BY THE FOLLOWING CONDITIONS OF SUPERVISION:</p>		
<p>UNDER AUTHORITY GIVEN TO S.C. PROBATION & PAROLE AGENTS AND OFFENDER SUPERVISION SPECIALISTS BY THE S.C. CODE OF LAWS, YOU ARE HEREBY INSTRUCTED TO:</p>		
<p>AGENT/OFFENDER SUPERVISION SPECIALIST: _____ DATE: _____</p>		
<p>By my signature, I acknowledge receipt and understanding of these instructions:</p>		
<p>This _____ day of _____ year _____ Offender Signature: _____</p>		

Form 1217 (Stock) Revised 2/8/2018

Distribution of Form: Original for Offender and copy for file

Notice of Violation (Verbal Reprimand)

(Form 1217)

Documentation in the Violations Module	
Agent/OSS Response	Supervisor Response
<ul style="list-style-type: none"> Notice of Violation/Agent Response <ul style="list-style-type: none"> (Form 1217) 	<ul style="list-style-type: none"> Notification of Violation and Response <ul style="list-style-type: none"> (Form 1182) Consent Order <ul style="list-style-type: none"> (Form 1462)

South Carolina Department of Probation, Parole and Pardon Services
Notice of Violation and Response

County: _____

Offender Name: _____ SID#: _____ Case#: _____ Episode# (OE #) _____ Agent Badge# _____

TYPE OF CASE ☐ Probation ☐ Parole ☐ Community Supervision ☐ SFI ☐ YOA Other

VIOLATION CATEGORY ☐ Compliance ☐ Community Safety NO. OF PREVIOUS STAFFINGS ☐ 1 ☐ 2 ☐ 3 or more

THIS NOTICE IS TO FORMALLY ADVISE YOU THAT YOU HAVE FAILED TO ABIDE BY THE FOLLOWING CONDITIONS OF SUPERVISION:
Details of Current Violation(s):

UNDER AUTHORITY GIVEN TO SC PROBATION AND PAROLE AGENTS BY THE SC CODE OF LAWS, YOU ARE HEREBY INSTRUCTED TO COMPLY WITH THE FOLLOWING CHANGES:

Violation(s) Determined to Exist? ☐ Yes ☐ No

☐ Continue Supervision ☐ Forward to Administrative Hearing Officer

Response:

☐ Modify Supervision Level ☐ Home Detention: _____ Days

☐ High ☐ Electronic Monitoring: _____ Days

☐ Intensive _____ Days ☐ Reinstate PSE

☐ Exempt \$ _____ ☐ Impose PSE:

☐ Convert to PSE \$ _____ to _____ Hours

☐ Restructure Monetary Obligations (increase rate and/or frequency of payment) _____

☐ Other: _____

You are hereby advised that failing to observe all conditions noted above could result in the Board/Court/Administrative Hearing Officer at any time revoking or modifying any condition of your supervision or imposing any lawful special conditions it deems proper. At any time within the period of supervision the Court or Board may, if it seems fit, impose any judgement, sentence, or impose the sentence it might have imposed previously.

This is to certify that I have read or have had read to me the order and the conditions set out therein. I agree to comply with such conditions of the order identified above during the period of my supervision. I have received a copy of this document.

Offender Signature: _____ Date: _____ Agent/OSS Signature: _____ Date: _____ Supervisor/Hearing Official _____ Date _____

Form 1182 (Template) Revision D Date 2/8/2018 Copies: 1 copy to Offender File; 2nd copy to Offender

Notice of Violation and Response

(Form 1182)

Documentation in the Violations Module	
Agent/OSS Response	Supervisor Response
<ul style="list-style-type: none"> Notice of Violation/Agent Response <ul style="list-style-type: none"> (Form 1217) 	<ul style="list-style-type: none"> Notification of Violation and Response <ul style="list-style-type: none"> (Form 1182) Consent Order* <ul style="list-style-type: none"> (Form 1462)

5,835

Form 1182s and 1217s were issued as an internal written reprimand for probation violations in FY 2020.

Most Common Offender Violations

Failure to pay	21%
Failure to report	10%
Positive drug test	7%
Failure to follow Agent's direct order	7%
Failure to report change of address	6%

Source: 2020 VMX Report on S Drive

Note: Offenders are not solely revoked for technical violations.



Administrative Hearing Officers

(Administrative Hearing Officers are employed in the Legals and Policy Management Division)

S.C. Code of Regulations 130-50

Minimum Qualifications:

- A Bachelor's degree and experience in probation, parole, corrections, human services or unemployment insurance as appropriate for the position.

Preferred Qualifications:

- A Bachelor's degree and seven (7) years of probation, parole or related experience with at least 15 semester hours in social or behavioral science courses; or a Master's degree and five (5) years of probation, parole, or related experience.
- Class-1 Certification by the Law Enforcement Training Council in accordance with 23-23-40 of the Code of Laws of South Carolina 1976.

Administrative Hearing Officer Duties from SCDPPPS Position Description

- Conducts administrative hearings as independent, quasi-judicial adjudicators regarding alleged violations of all supervision programs administered by the Department.
- Renders decisions based on state law, policy and procedures, and evidence presented.
- Imposes sanctions and sentences as mandated by The Sentencing Reform Act of 2010 and Agency policy, using evidence-based practices as a guiding force.

Administrative Hearing Officer Duties in SC Code

S.C. Code Section 24-21-230

(B) The director must employ hearing officers who conduct preliminary hearings to determine probable cause on violations committed by individuals under the supervision of the department and as otherwise provided by law. This includes, but is not limited to, violations concerning probation, parole, and community supervision. The hearing officer also conducts preliminary hearings and final revocation hearings for supervised furlough, youthful offender conditional release cases, and such other hearings as required by law. The department shall promulgate regulations for the qualifications of the hearing officers and the procedures for the preliminary hearings. Until regulations are adopted, the qualifications and procedures shall be based on guidelines developed by the director.

Note: SCDPPPS Administrative Hearings are discussed later in presentation

Regulation 130-50

130-50. Hearing Officer Qualifications and Preliminary Hearing Procedures.

A. Hearing Officer Qualifications

(1) The hearing officer will be an employee of the Department with a Master's Degree and five (5) years of probation, parole, law enforcement or related experience; or a Bachelor's Degree and seven (7) years of probation, parole, law enforcement, or related experience.

Administrative Hearing Officers & Due Process

SCDPPPS Administrative Hearing Officers ensure individuals charged with violations are afforded due process of law, which includes the following for the offender:

- a) written notice of the **claimed violations**,
- b) written notice that a **hearing will take place** and that its purpose is to determine whether there is probable cause to believe the individual has committed a violation,
- c) **opportunity to appear and speak** on their own behalf, and the opportunity to bring letters, documents or individuals who can give relevant information to the hearing officer,
- d) **opportunity to confront and cross-examine any adverse witnesses** who appear on behalf of the State (unless the hearing officer finds the witness would be subjected to risk of harm), and
- e) **written summary of what occurred at the preliminary hearing** including the evidence relied upon and the determination of probable cause.

S.C. Code of Regulations 130-50

Administrative Hearing Officer Training

- The **initial training period** is a 90- day program which consists of classroom and practical experience.
- After that 90 days, Hearing Officers begin the process of obtaining national certification through the National Association of Hearing Officials. It is a three-year process that requires **60 hours of course work**, current employment as a hearing officer or administrative law judge, and membership in the **National Association of Hearing Officials** .
- The majority of the course work is completed through classes offered by the National Judicial College, and the National Association of Hearing Officials.
- The majority of the course work must be in person, while a few courses can be completed via virtual classes.

Administrative Hearing Officer Training

Specific requirements include the following courses:

- *Conducting Hearings/Hearing Management*
- *Decision Writing*
- *Due Process in Administrative Hearings*
- *Equity and Inclusion*
- *Ethics*
- *Evidence*
- *History of Administrative Law*
- *Witness/Evidence Credibility.*

Hearing Officer Training *(continued)*

- 16 elective courses are required, including:
 - *caseload management*
 - *case law update*
 - *Constitutional issues in administrative hearings*
 - *Immunity/liability of hearing officials*
 - *Legal terminology, and/or Legal research*
 - *Security, stress/ time management, and*
 - *Understanding appellate judicial review of administrative decisions.*
- The remaining four hours are for specialized classes in the specific area the hearing officer is employed.
- The Hearing Section began working toward certification in 2011.

Active

South Carolina Department of Probation, Parole and Pardon Services
Administrative Sanctions

State of South Carolina

County of Lexington

State

-VS-

Defendant [REDACTED]

SID# [REDACTED]

ADMINISTRATIVE HEARING

No. 19-GS-32-0882 Count

Program Probation

Supervision Order Date
2-13-2019

Affidavit Date / Number
5-26-2019 W-32-19-0137
6-27-2019 W-32-19-0312

ORDER

Whereas the above named defendant has been charged with violating the conditions of supervision ordered on the above date, as set forth in the warrant or citation filed herein.

After hearing the evidence and being duly advised, I find the defendant has violated one or more of the conditions of supervision as set forth in the affidavit filed herein and dated as indicated above, a copy of which is incorporated by reference.

IT IS ORDERED that the above named defendant is continued under supervision subject to the conditions set forth in the supervision agreement and this order. This action is taken in the (presence/absence) of the defendant. The Agent is directed to immediately withdraw the warrant or citation issued in this case.

Sanctions Imposed: Continue upon time served. Report within 24 hours of release. Zero tolerance for unexcused absences. Enroll into substance use counseling within seven days of release. Exempt \$200.00 supervision fee arrearage due to incarceration. Adjust remaining arrearage for time incarcerated. Restructure fines at \$34.00 per month and drug fee at \$20.00 per month.

This 14th day of November, 2019
Day Month Year
Lexington, SC
City

[REDACTED]
Presiding Hearing Officer

☐ You are hereby advised that failing to observe all sanctions of this order could result in Revocation or Modification of any conditions of this parole/release or imposition of any special conditions deemed proper by a Hearing officer or the Board.

☒ May be released if no other holds or bonds.
You are hereby advised that failing to observe all sanctions of this order could result in the Court at any time revoking or modifying any condition of this probation; imposing any special conditions it deems proper; or extending the period of your probation not to exceed five (5) years. At any time within the period of your probation, the Court may, if it sees fit, impose any judgement and sentence it might have imposed in the first instance.

☐ You are hereby advised that failing to observe all sanctions of this order could result in Revocation or Modification of any conditions of this community supervision or imposition of any lawful special conditions deemed proper by a Hearing officer or the Court.

This is to certify that I have read or have had read to me the order and the sanctions set out therein. I agree to comply with the sanctions of this order identified above during the period of my supervision. I have received a copy of this order.

Witnessed by [REDACTED]

Offender's Signature [REDACTED]

Signed this 14 day of November, 2019, at Lexington, SC
Day Month Year City

Administrative Sanctions Order

(Form 9B)

South Carolina Department of Correction, Parole and Pardon Service
Administrative Sanctions

State of South Carolina

County of Lexington

State

-VS-

Defendant [REDACTED]

SID# [REDACTED]

ADMINISTRATIVE HEARING

No. 16 -GS- 32 - 715
722
1432 Count

Program Probation

Supervision Order Date

10-18-2016

Affidavit Date / Number

1-30-2019 C-32-19-0027

ORDER

Whereas the above named defendant has been charged with violating the conditions of supervision ordered on the above date, as set forth in the warrant or citation filed herein.

After hearing the evidence and being duly advised, I find the defendant has violated one or more of the conditions of supervision as set forth in the affidavit filed herein and dated as indicated above, a copy of which is incorporated by reference.

IT IS ORDERED that the above named defendant is continued under supervision subject to the conditions set forth in the supervision agreement and this order. This action is taken in the (presence/absence) of the defendant. The Agent is directed to immediately withdraw the warrant or citation issued in this case.

Sanctions Imposed: Enroll into inpatient treatment through Vocational Rehabilitation within two weeks. Report biweekly until admitted. Exempt \$649.00 supervision fee average and reduce fee to \$20.00 per month for six months. Restructure drug test fee. Restructure fines at \$11.00, \$11.00 and \$24.00 per month beginning October 17, 2019. Restructure DNA fees at \$250.00 per month, due October 1, 2020. Begin employment services and document job search upon completion of counseling.

This 12th day of February, 2019

Lexington, SC
City

[REDACTED]
Presiding Hearing Officer

ENTERED

☐ You are hereby advised that failing to observe all sanctions of this order could result in Revocation or Modification of any conditions of this parole/release or imposition of any special conditions deemed proper by a Hearing officer or the Board.

☒ You are hereby advised that failing to observe all sanctions of this order could result in the Court at any time revoking or modifying any condition of this probation; imposing any special conditions it deems proper; or extending the period of your probation not to exceed five (5) years. At any time within the period of your probation, the Court may, if it sees fit, impose any judgement and sentence it might have imposed in the first instance.

☐ You are hereby advised that failing to observe all sanctions of this order could result in Revocation or Modification of any conditions of this community supervision or imposition of any lawful special conditions deemed proper by a Hearing officer or the Court.

This is to certify that I have read or have had read to me the order and the sanctions set out therein. I agree to comply with the sanctions of this order identified above during the period of my supervision. I have received a copy of this order.

Witnessed by [REDACTED]

Offender's Signature [REDACTED]

Signed this 12 day of February, 2019, at Lexington, SC
Day Month Year City

Administrative Sanctions Order

(Form 9B)

Summary of Administrative Hearing *(Form 1193)*

South Carolina Department of Probation, Parole and Pardon Services Summary of Administrative Hearing

Releasee: xxxxxxxxxxxx SCDC# xxxxxxxxxxxx SID#: xxxxxx

Location: WebEx—Newberry County Detention Center Newberry, South Carolina

Date: August 26, 2020

Time: 9:13 AM

Persons in Attendance

Name	Relationship
xxxxxx	Administrative Hearings Officer
xxxxxxxxxx	Agent
xxxxxx	Supervised Reentry Releasee

Hearing Officer's Findings:

I find that xxxxxxxxxxxx violated conditions 2, 6 and 10 as set forth in the affidavit(s) dated August 5, 2020 ; such conditions having been contained in the Order of Release accepted by xxxxxxx in writing on July 31, 2020.

I find that xxxxxxx failed to refrain from changing residence without the consent of the Agent; and allow the Agent to visit in the home at any time. On August 5, 2020 Mr. xxxxxxx's mother informed the Agent that Mr. xxxxxxx's whereabouts were unknown and he hadn't stayed at the reported address since August 2, 2020. During the Administrative Hearing, Mr. xxxxxxx stated that he'd moved in with his girlfriend.

I find that xxxxxxx failed to refrain from the violation of Federal, State, or Local Law. I find probable cause to believe that Mr. xxxxxxx committed crimes of Assault and Battery First Degree; Strong Arm Robbery; Domestic Violence Second Degree; and Burglary First Degree on August 5, 2020. An incident report prepared by the City of Newberry Police Department on August 5, 2020 and a Supplemental Report dated August 6, 2020 recount details provided by two victims and a witness. The victims were initially uncooperative until confronted by the information provided by a witness. The witness overheard the altercation while on the telephone with his sister, Ms. xxxx (victim #1) and was informed that Mr. xxxxxxx had severely beaten Mr. xxxxxxx (victim #2). The victims reported that Mr. xxxxxxx kicked Ms. xxx's door in, took her telephone and threatened her with violence. Ms. xxxxx stated that Mr. xxxxxxx stepped between she and Mr. xxxxxxx in her defense. Mr. xxxxxxx was punched repeatedly in the face. Mr. xxxxxxx reported that Mr. x took his cellular phone and his wallet before leaving. The wallet contained \$20.00 and a Wells Fargo Debit Card. The hospital reported that Mr. xxxxxx suffered three broken bones due to the assault: a zygomatic fracture (an important bone for the

SCDPPPS Form 1193 (Template)

South Carolina Department of Probation, Parole and Pardon Services Summary of Administrative Hearing

appearance of the face), an orbital fracture (a bone surrounding the eye) and a mandibular fracture (a fracture of the jaw that may result in decreased ability to fully open the mouth). The officer also observed bloody gloves, blood splatter on the wall, and a tissue heavily covered in blood on the floor where Ms. xxxxxx was cleaning her apartment following the assault. Mr. xxxxxx claimed to be in a relationship with Ms. x. Due to the evidence supporting the report that the victim was assaulted, I find probable cause to believe that all other crimes also occurred as reported.

I find that xxxxxxx failed to follow the advice and instructions of the agent; and comply with any further conditions imposed by the Department or its Agents. On July 31, 2020 the Agent in Charge instructed Mr. xxxxxxx to contact his Agent on August 3, 2020. Mr. xxxxxx failed to do so.

I find that the aforementioned violations constitute a willful failure to follow the advice and instructions of the supervising agent. I base these findings on the evidence and testimony presented at the Administrative Hearing.

Hearing Officer's Conclusions:

Within one week of his release, Mr. xxxxxxx had failed to contact his supervising Agent as instructed, changed his residence without consent and committed a burglary and brutal assault in the community. Mr. xxxxxxx denies certain details of the incident, but admits to assaulting xxxxxxx. Mr. xxxxxxx suffered three broken bones in his face and required that two metal plates be surgically placed in his jaw. Based on the Agent's testimony, Mr. xxxxx is in danger of losing his eyesight. Mr. xxxxxx greatly minimized the details of this incident. Mr. xxxxx's actions demonstrate that he is not currently prepared to return to the community. It is ordered that the release of Mr. xxxxxxx is now revoked.

Decision of the State:



Return to the South Carolina Department of Corrections.

Respectfully Submitted,

xxxxxxxxxxxxxx
Administrative Hearings Officer

SCDPPPS Form 1193 (Template)

Violation Matrix Authority

 Supervision Level (COMPAS Risk and Behavior Level)	 Severity of the Behavior (see Violation Behaviors Chart) / Responding Personnel (see Violations Response Chart)		
	<u>Low</u> <u>Severity</u>	<u>Medium</u> <u>Severity</u>	<u>High</u> <u>Severity</u>
Low (Standard)	Agent/OSS	Supervisor	Hearing Officer
Medium	Agent	Supervisor	Hearing Officer
High, Intensive, Sex Offenders, and Domestic Violence Offenders	Supervisor	Hearing Officer	Hearing Officer/Higher Authority

Revocation Hearings

Deliverable 34

REQUIRED BY SECTIONS
24-21-460; 24-21-560

Deliverable Description:

- Court of General Sessions (higher authority), can:
 - *impose a full revocation;*
 - *impose a partial revocation and continue probation;*
 - *impose a partial revocation and terminate probation; or*
 - *continue probation with no revocation.*

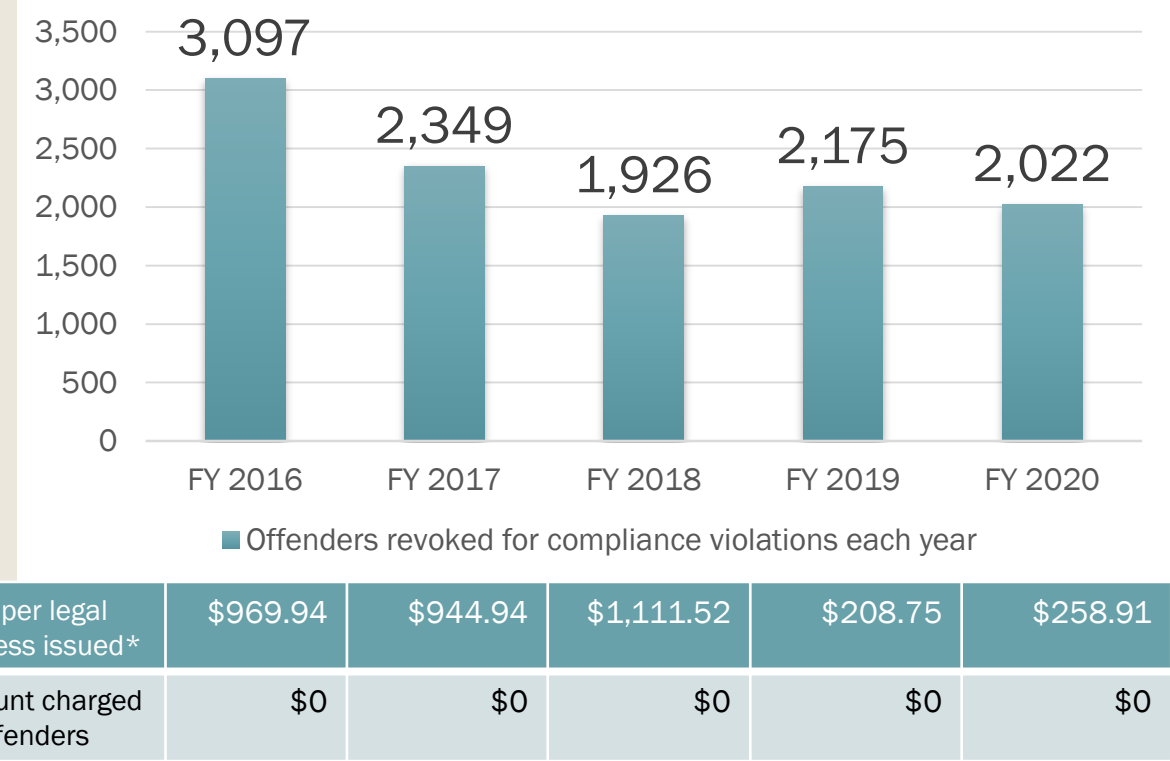
Revocation Hearings

Deliverable 34
REQUIRED BY SECTIONS
24-21-230 (B); 24-21-460

Note: All offenders under SCDPPPS supervision for probation or CSP, who have violated can potentially be required by the department to appear in General Sessions Court for a revocation hearing; parolees who have violated supervision go before the Board of Pardons and Pardons.

Number of <u>Probationers</u> revoked for compliance revocations in a single fiscal year:	
FY16	1,704
FY17	1,363
FY18	1,091
FY19	1,313
FY20	1,232

- Customer Description:**
Offenders revoked for compliance revocations in a single fiscal year.*

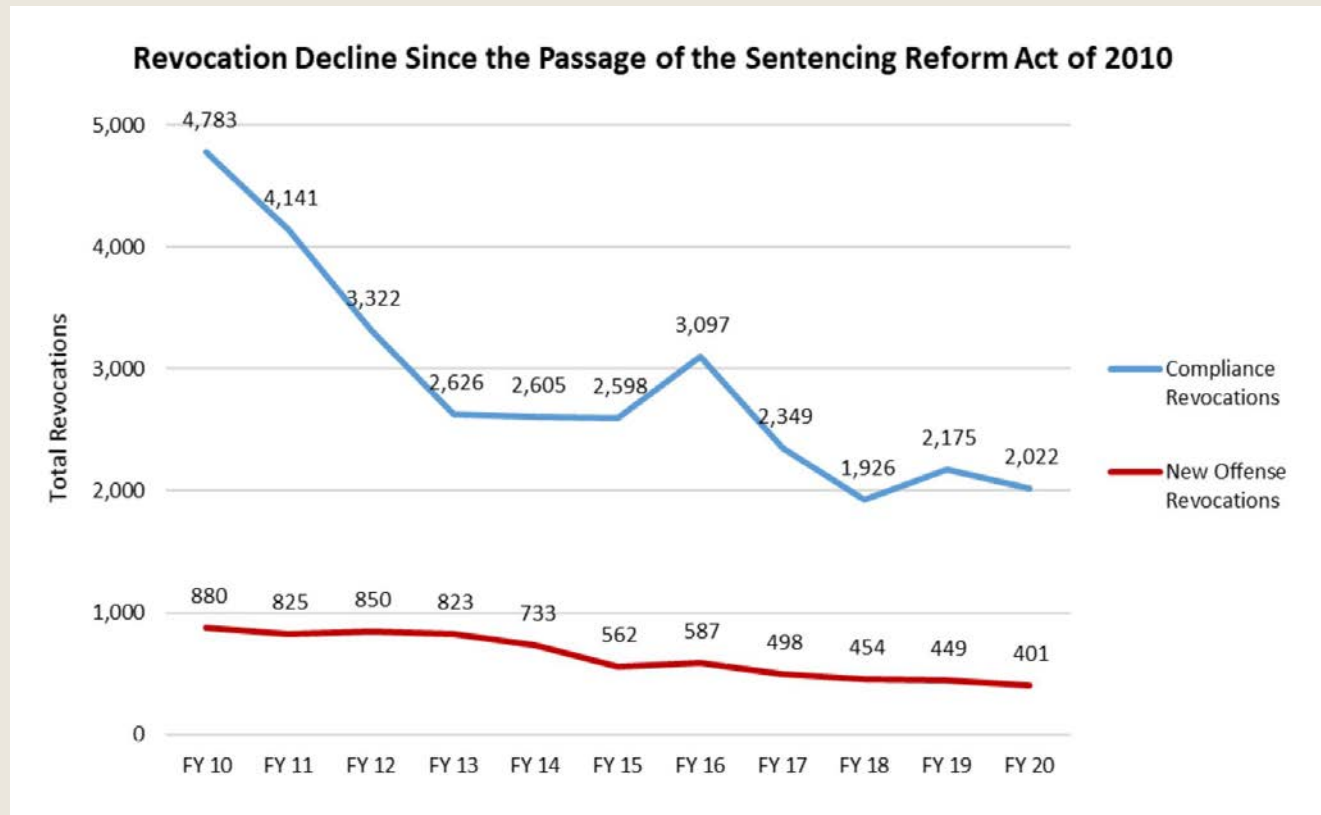


*Estimated amount based on cost center salaries, fringe & operating costs.

***Note:** Offenders of all sentence types are included in this chart (probation, parole, youthful offender, C-supervision, supervised furlough, supervised reentry, NGRI and juveniles).

***Note:** The “cost per legal process issued” decreased significantly due to the decreased amount of hours recorded in the Workload Model for FY 2019 and 2020.

Reduction in Compliance Revocations

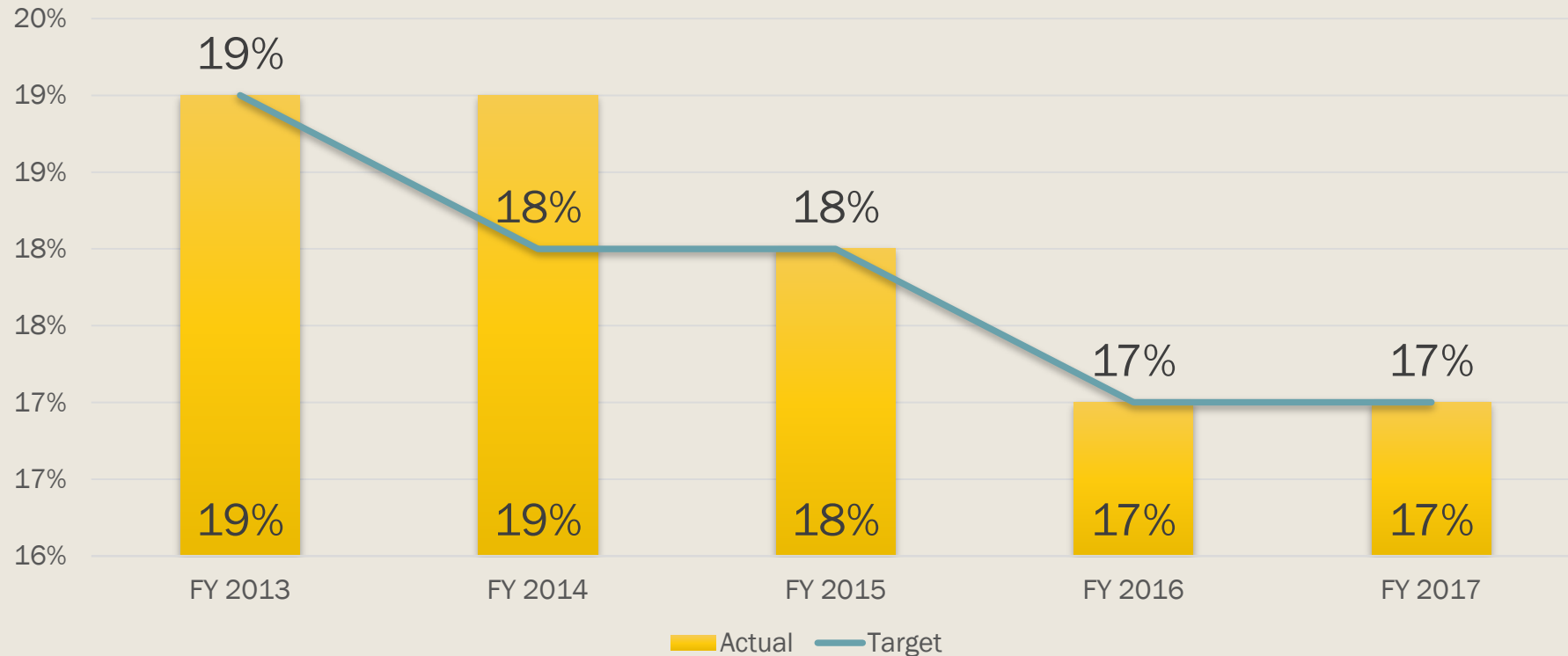


Data current as of November 2020

- Since 2010, there has been a **58% reduction in compliance revocations**, and a 54% reduction in new offense revocation rates.
- **7 SCDC institutions have closed** since 2010 due to successful implementation of sentencing reform and other measures.

Recidivism Rate: Percentage of offenders admitted to SCDC within 3 years of the start of their supervision

Performance Measure #4 from agency's PER



- To calculate recidivism rates, offenders from an admission cohort are followed for 3 years from the start of their supervision.
- If the offender is admitted to SCDC within 3 years, the offender is considered to have recidivated.
- *This chart does not provide FY 2018, 2019 and 2020 actuals because the three-year monitoring time period has not yet been completed.*

STATE OF SOUTH CAROLINA

County of Lexington

STATE VS.

AKA: _____

Race: _____ Sex: _____

DOB: _____

SSN: _____

SID#: _____

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

18 - GS - 32 - 2522

Probation C/W#: W-32-18-0488

Name of Original Offense: Poss of C/L of methylamphetamine

Original A/W#: 201853210200064

Date of Original Offense: 1/11/18

Conviction S.C. Code §: 44-53-0375(A)

Conviction CDR Code #: 3 1 0 1 0 1 9

Original Sentence: 3yrs SSP 25 days CTS + 3yrs Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7 / 25 / 18 in the Court of General Sessions of Lexington County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 8-28-18. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

1, 3, 7, 10 + Special conditions

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☒ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☐ the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Financial Obligations: Order satisfies: ☒ Department fees (arrearage) \$40.00 Civil Judgment: ☐ Department fees Due to the incarcerated. Reschedule any tested psc fees. ☐ Fines and other fees (arrearage / balance) \$2.00/mo + ☐ Fines and other fees ☐ Restitution (and 20%) (arrearage / balance) \$25.00/mo ☐ Restitution (and 20%)
- ☒ Additional Conditions ordered by the Court: Tell probation from August 23, 2018 - November 13, 2018. Must reside at Oxford House for no less than six months. Complete substance use counseling at LRAOAC.

- ☐ The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☐ The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- ☐ The defendant has served _____ days/months/years of prior revocations and/or initial SCDC time.
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 1st day of March, 2019,
Lexington, SC
2-20-19 _____
Presiding Judge _____
Judicial Circuit _____

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any additional conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature _____ Witnessed by _____
Signed this 28 day of February, 2019 at Lexington SC
Day Month Year City

Probation Revocation/ Continuation Order

(Form 9)

South Carolina Department of Probation, Parole and Pardon Services
Columbia, South Carolina

SCDC# [REDACTED]
SID# [REDACTED]

ORDER OF SUPERVISED REENTRY REVOCATION

WHEREAS, [REDACTED] (Releasee), was granted conditional release on the 31st day of July, 2020, by the South Carolina Department of Probation, Parole, and Pardon Services and the Releasee agreed to the conditions of the release.

WHEREAS, the undersigned Hearing Officer (held a hearing / reviewed case materials) to determine if there was probable cause to believe the Releasee violated certain conditions of release. It now appears the Hearing Officer finds that said Releasee has violated certain conditions of his/her release by:

- #2 changed his residence to an unknown location without consent
- #6 I find probable cause to believe he committed new crimes of Assault and Battery 1st Degree, Strong Armed Robbery, Domestic Violence 2nd Degree and Burglary 1st Degree on August 5, 2020.
- #10 Failed to contact Agent on August 3, 2020 as instructed by Agent in Charge on July 31, 2020.

WRITTEN FINDINGS AND ORDER TO FOLLOW

It is now ordered by virtue of the authority vested in the Hearing Officer by the Body pursuant to Section 24-21-32 Code of Laws of South Carolina 1976, as amended that the release of [REDACTED] is now revoked, and the Supervised Reentry Releasee is ordered return to the South Carolina Department of Corrections to serve the remainder of the original sentence imposed by the Court to run from the date of commitment until the final date of expiration of the maximum sentence.

ORDERED THIS 2nd DAY OF September, 2020
by the South Carolina Department of Probation, Parole, Pardon Services

[REDACTED]
Administrative Hearing Officer

- ☐ Releasee has probation and/or other community supervision to follow revocation.
☐ Mandatory GPS (CSC w/minor 1st or Lowd Act on a Minor) required upon release.

I have received a copy of this order

[REDACTED]
Agent

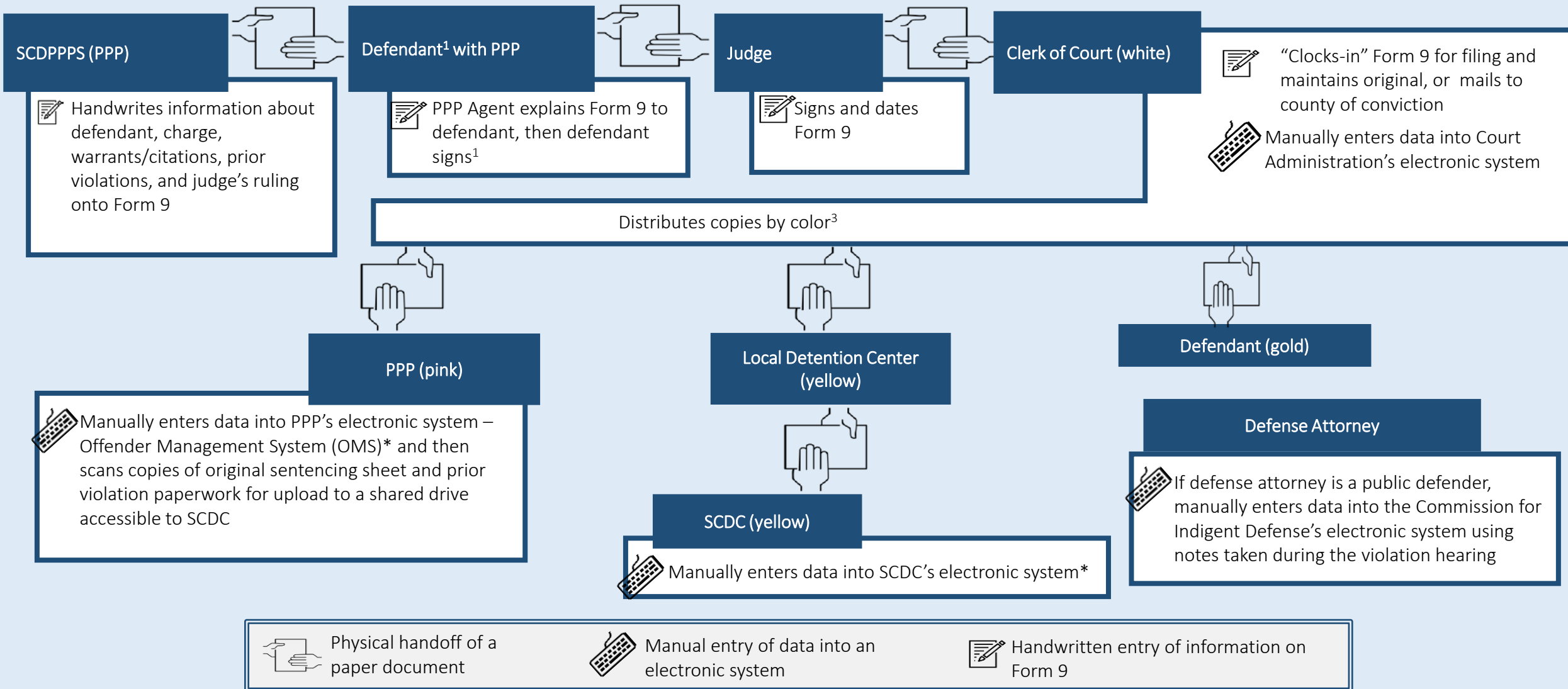
[REDACTED]
Releasee

Order of Supervised Reentry Revocation

(Form 1455)

The Journey of a Probation Violation Order (Form 9): 4-ply carbon paper

A separate Form 9 is completed for each conviction and a single individual may have multiple convictions. Also, there may be additional forms (e.g., civil judgment imposed for restitution, fines, and/or fees).



¹Sometimes counsel is present, but according to Commission on Indigent Defense, this is usually not a step that requires counsel's presence.

²No signature if probation is terminated. ³Distribution of copies is handled by PPP rather than the clerk of court in some counties.

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

Parole Violation

Deliverable 40

REQUIRED BY SECTION
24-21-680

Deliverable Description:

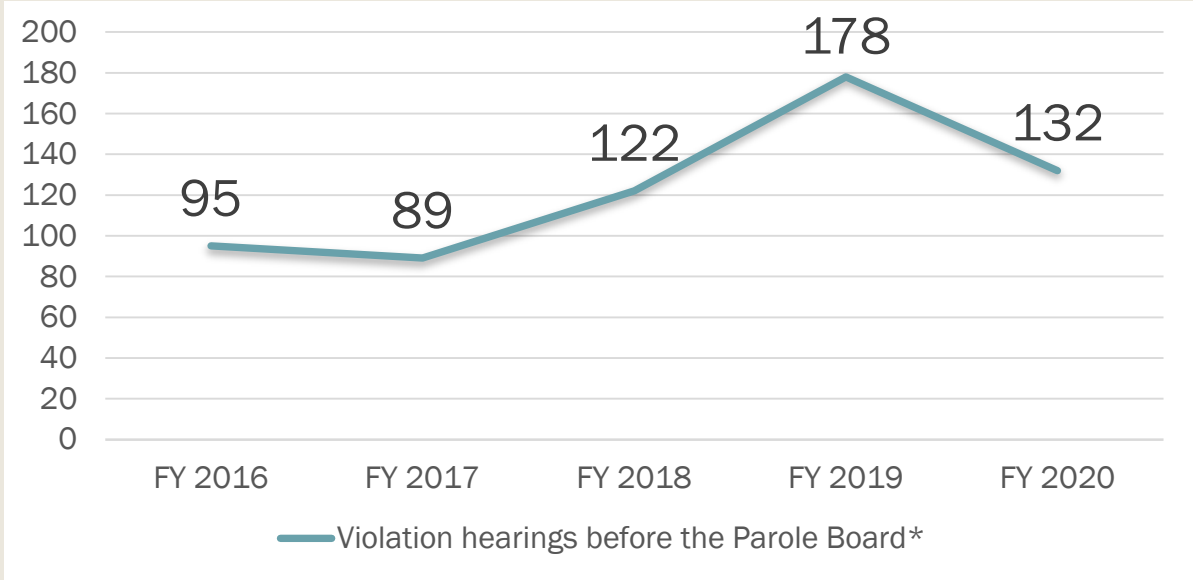
- Probation and Parole Agents
 - *issue warrants and citations charging an offender with violation of parole*

- State Parole Board
 - *determines whether a violation exists, whether the offender's parole is revoked, and whether offender is required to serve any part of the remaining unserved sentence*

Parole Violation

Deliverable 40
REQUIRED BY SECTION
24-21-680

- Customer Description:
Offenders charged with parole violations that have had an Administrative Hearing and their case was forwarded by a SCDPPPS Administrative Hearing Officer to the Parole Board for a violation hearing.



**Estimate based on the number of parolees who are recommended for revocation following a Parole Administrative Hearing where a Hearing Officer made the recommendation.*

SCDC# [Click here to enter text.](#)
SID# [Click here to enter text.](#)

South Carolina

-vs-

ORDER

Whereas the above named Parolee has been charged with violating the conditions of parole ordered on by the South Carolina Board of Probation, Parole and Pardon Services, as set forth in the warrant or citation filed herein.

After hearing the evidence and being duly advised, we find the Parolee has violated one or more of the conditions of supervision as set forth in the affidavit filed herein and dated a copy of which is incorporated by reference.

The South Carolina Board of Probation, Parole and Pardon Services now find that the Parolee has violated the conditions of Parole number:

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ 13 ☐

Special Conditions ☐ Additional Conditions which were agreed to by the Parolee on the above date ☐ 16 ☐

☐ In consequence whereof, the South Carolina Board of Probation, Parole and Pardon Services hereby orders the parole revoked and orders the above named Parolee be returned to the South Carolina Department of Corrections to serve the remainder of the original sentence imposed by the Court, said sentence to run from the date of commitment until the final date of expiration of the maximum active sentence.

The parole is revoked in the (☐ Presence ☐ Absence ☐ Waiver) of the Parolee by the panel of the full Board.

☐ IT IS ORDERED that the above named Parolee is continued on parole as provided for in the sentence identified above and subject to the conditions set forth therein and not inconsistent with the order. This action is taken in the (☐ Absence ☐ Presence ☐ Waiver) of the Parolee.

☐ Additional Conditions ordered by the Board.

Additional Conditions:

Ordered this, [Click here to enter text.](#), day of, [Click here to enter text.](#), _____

Chairman

This is to certify that I have read or have had read to me the Order and the Conditions set out therein. If I have been continued under supervision, I agree to comply with the above conditions and all conditions of my original parole order not inconsistent with this order.

Ordered this _____, day of _____, _____.

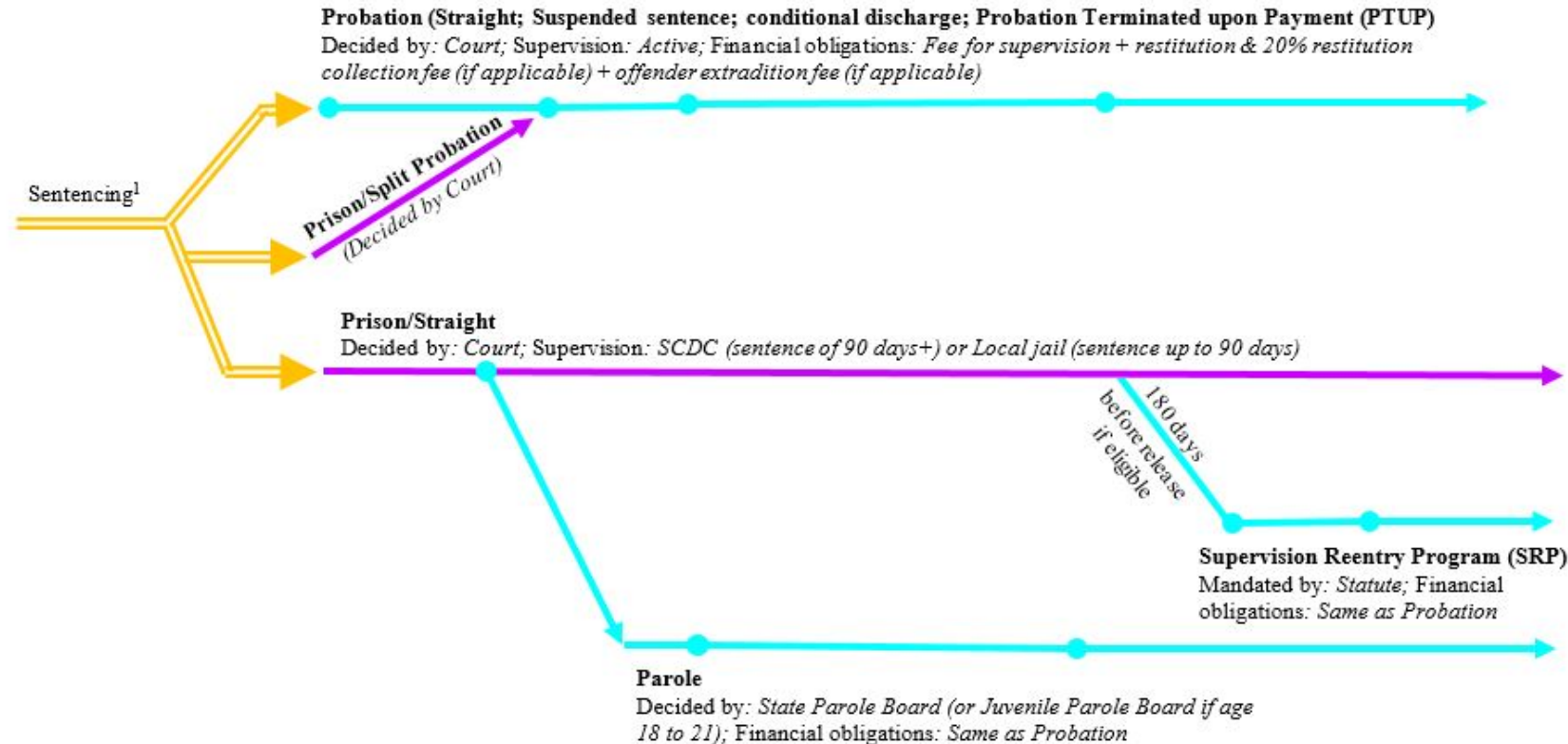
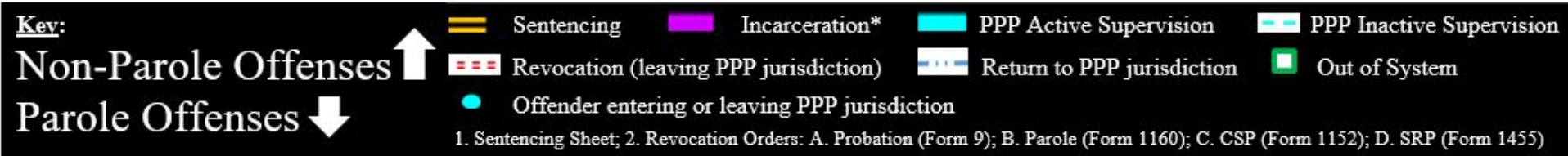
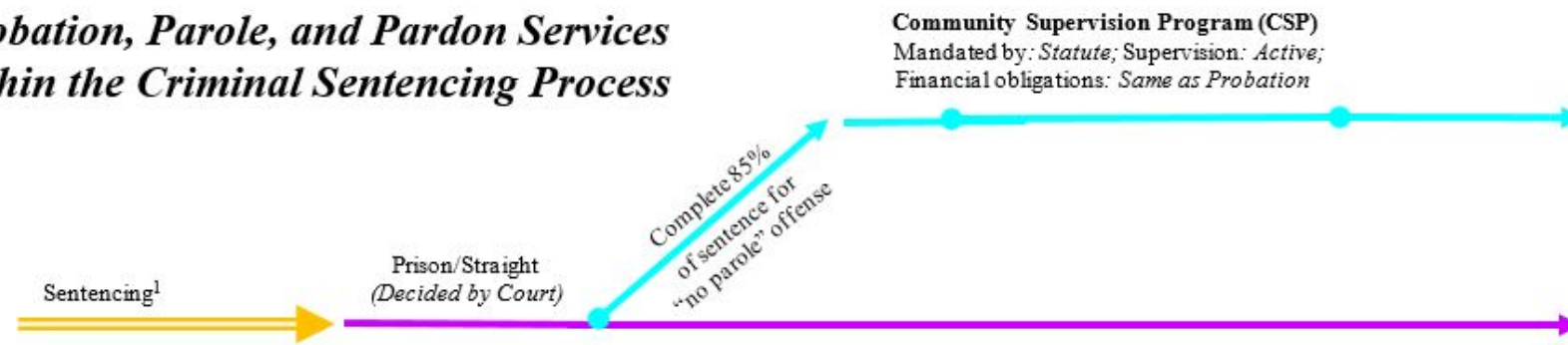
Agent

Parolee

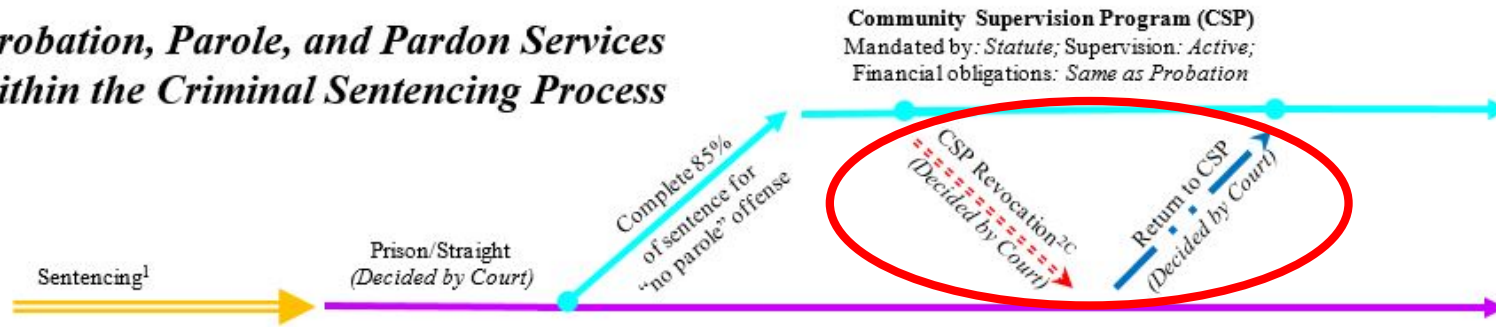
Parole Revocation Order

(Form 1160)

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses ↑

Parole Offenses ↓

== Sentencing

■ Incarceration*

■ PPP Active Supervision

■ PPP Inactive Supervision

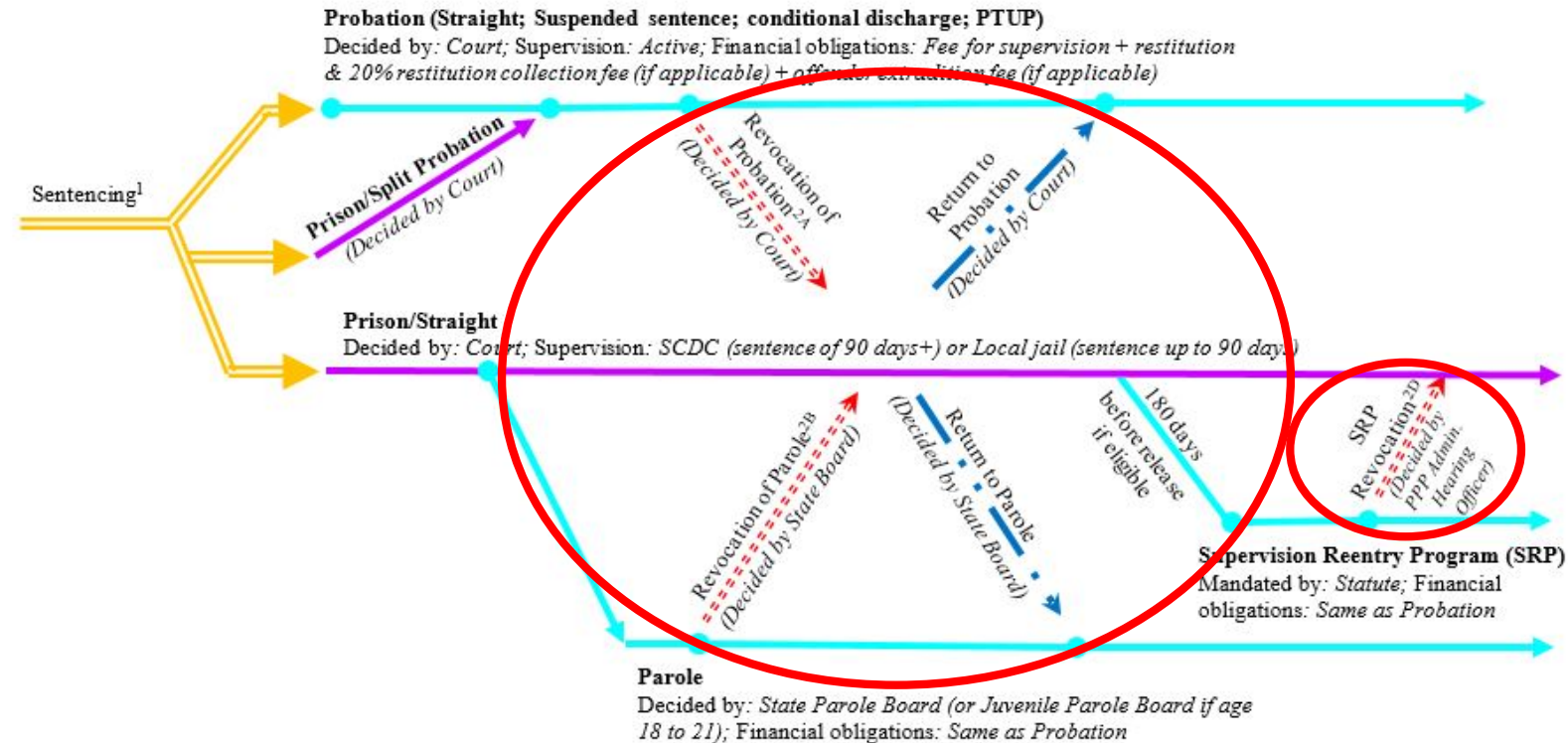
== Revocation (leaving PPP jurisdiction)

== Return to PPP jurisdiction

■ Out of System

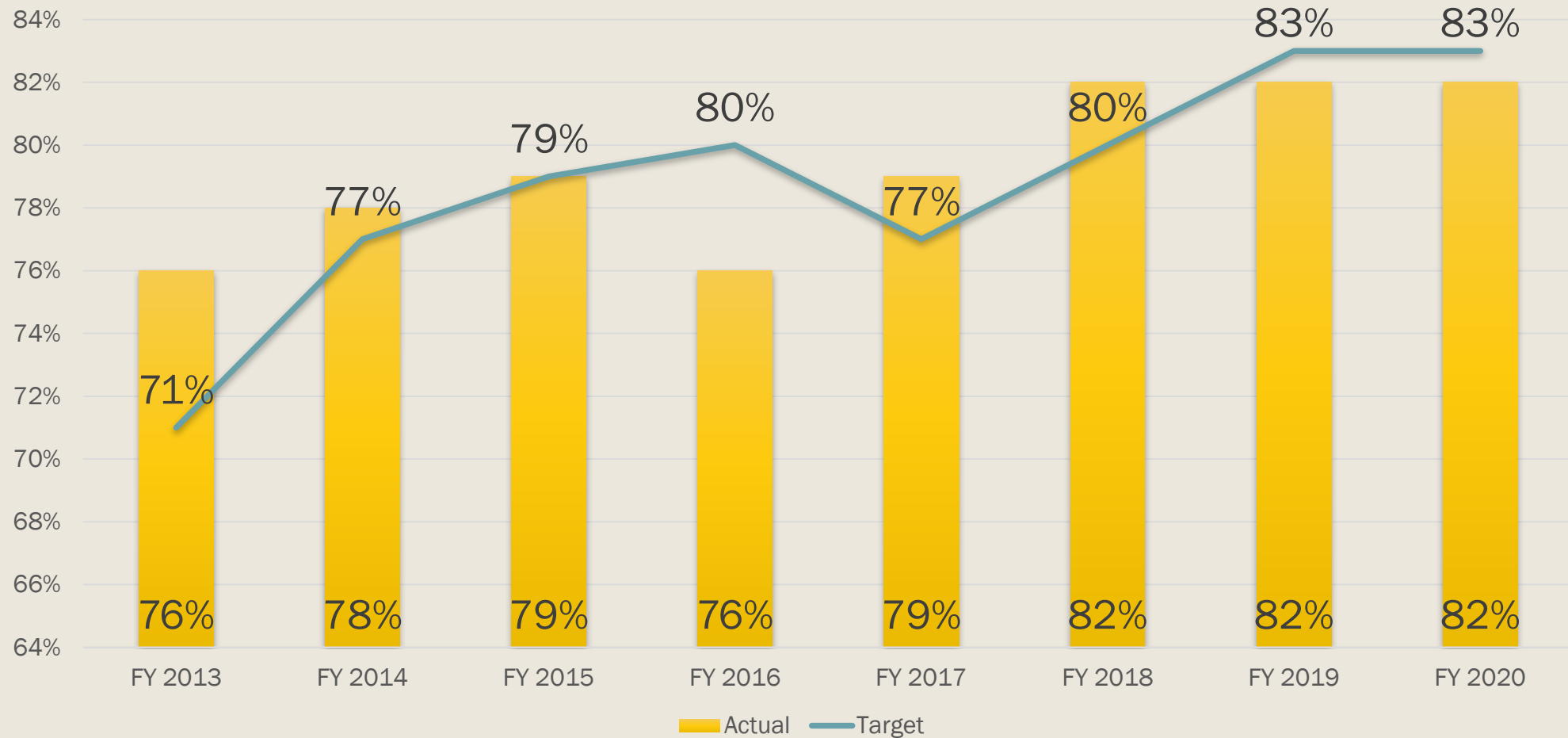
● Offender entering or leaving PPP jurisdiction

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



Offender Supervision Successful Closure Rate (No new revocations)

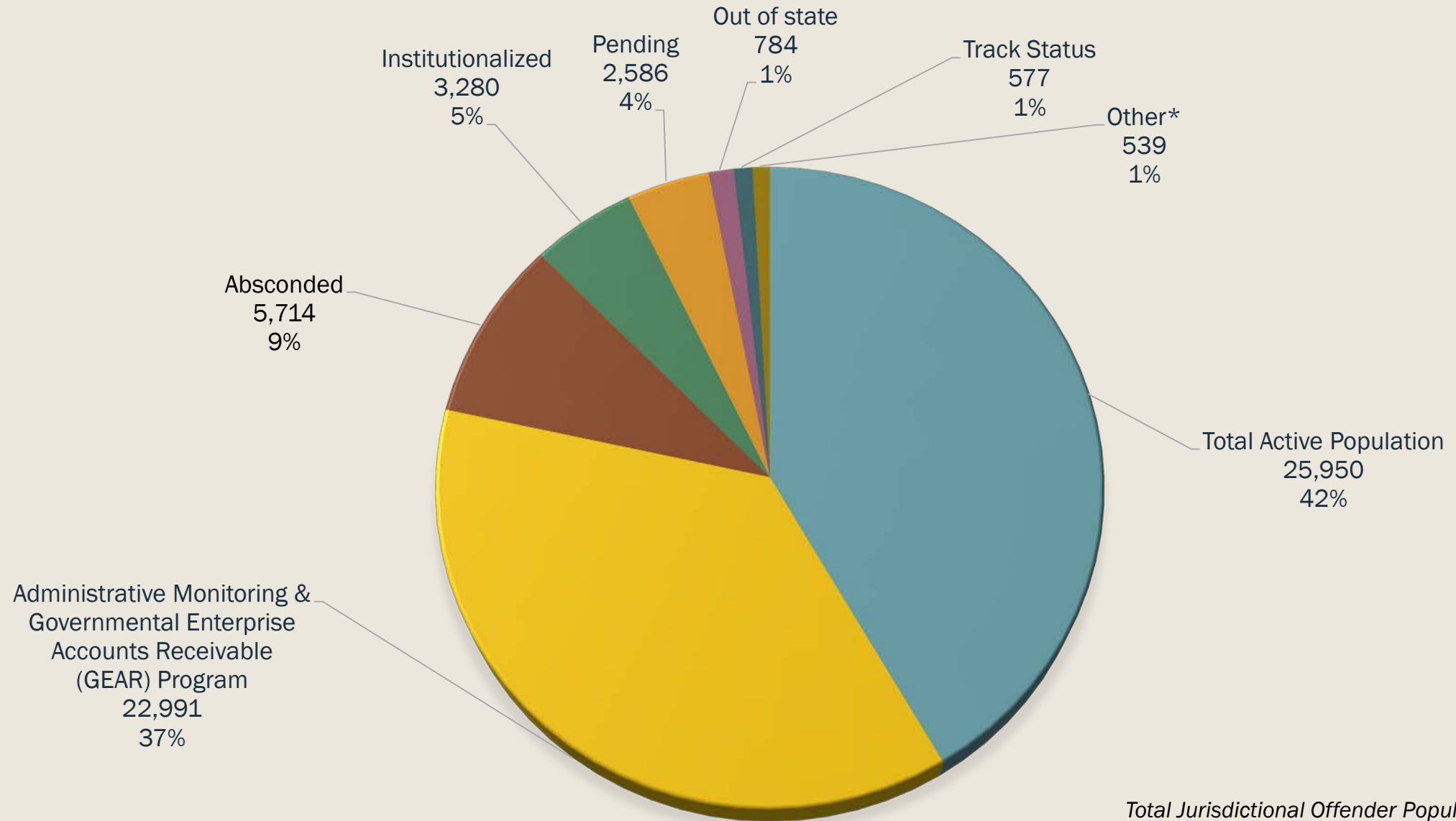
Performance Measure #1 from agency's PER



INACTIVE OFFENDER SUPERVISION

This offender population is also referred to as the “jurisdictional” population.

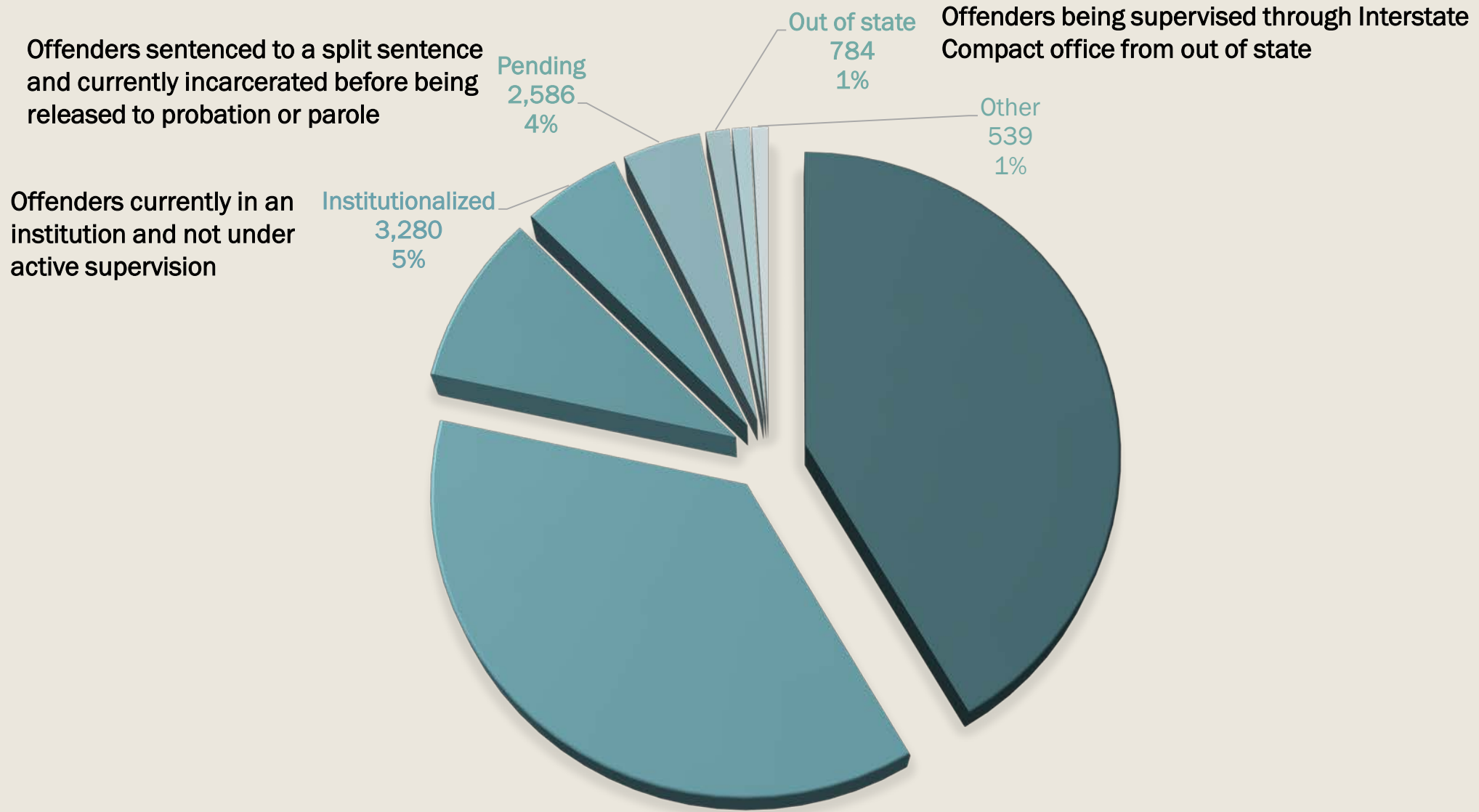
Total Offender Population



Total Jurisdictional Offender Population = 62,421
Data current as of 6/30/20

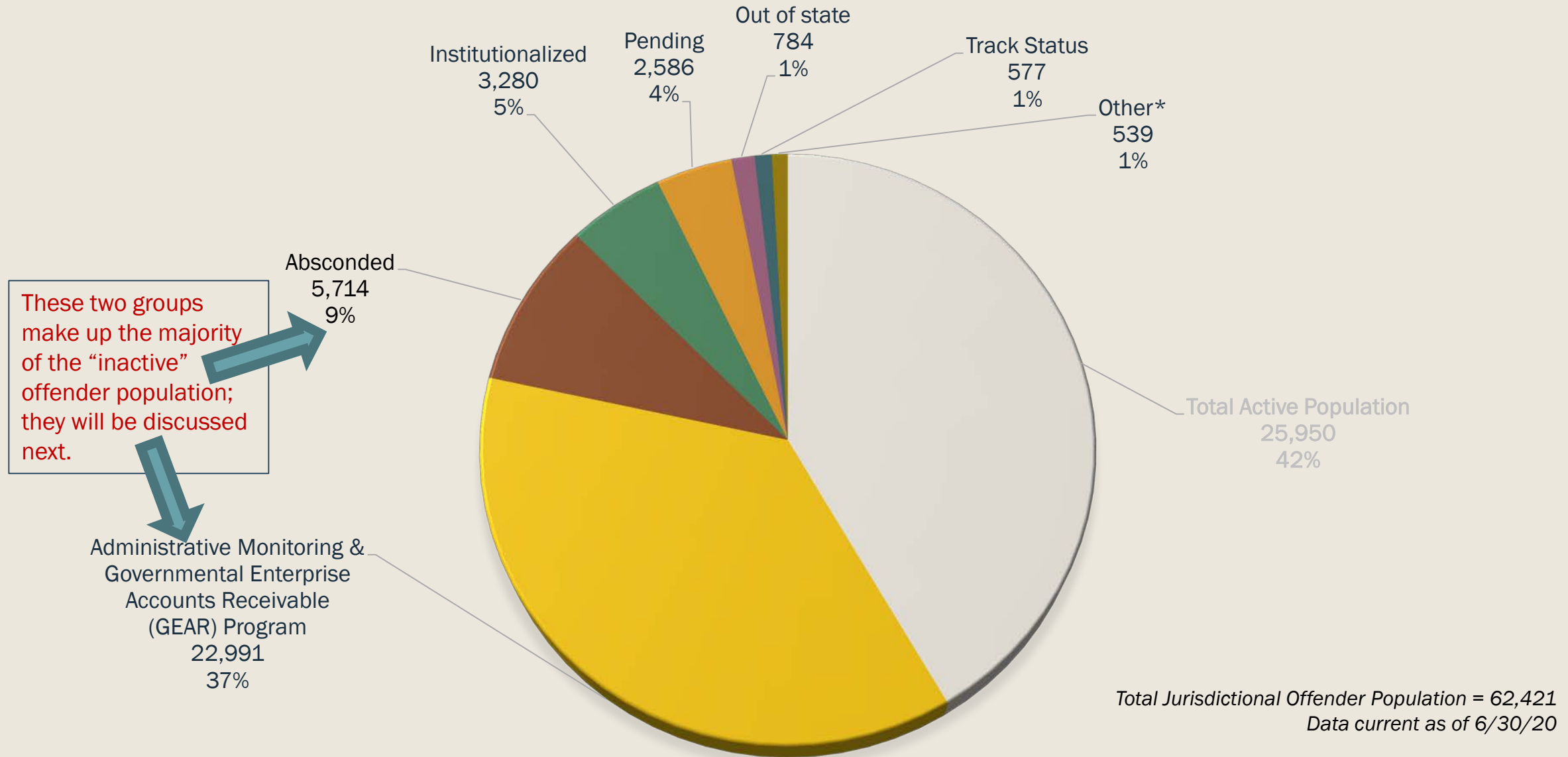
*The "Other" category includes Misdemeanor out-of-state, Not guilty by reason of insanity, Federal and Jessie's Law tracking offenders.

INACTIVE OFFENDER POPULATION



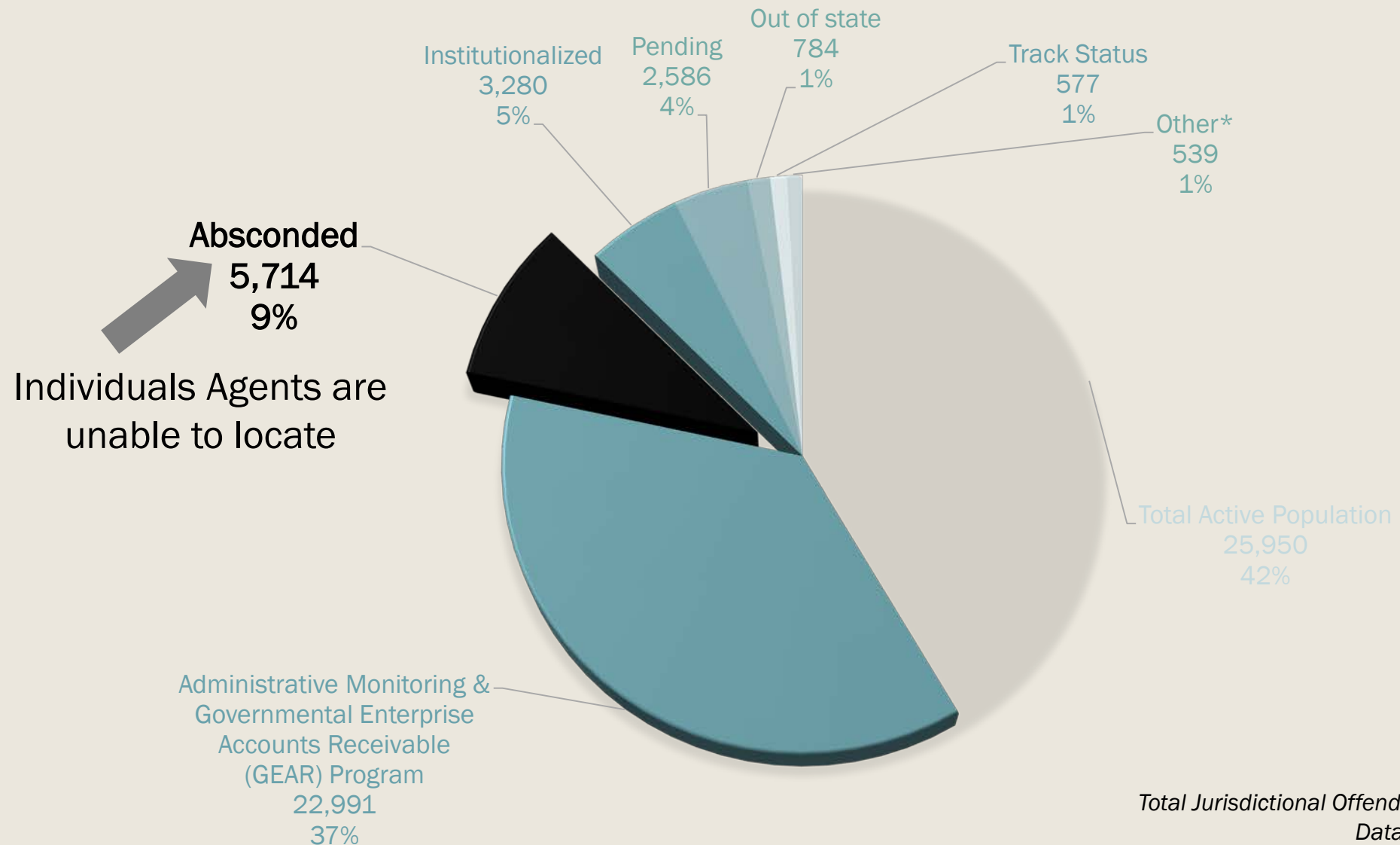
Total Jurisdictional Offender Population = 62,421
Data current as of 6/30/20

Offender Population: Inactive Supervision Groups



*The "Other" category includes Misdemeanor out-of-state, Federal offenders, Jessie's Law tracking offenders, and Not guilty by reason of insanity (NGRI- a special type of supervision for offenders found not guilty by reason of insanity but not in need of hospitalization).

Offender Population: Inactive Offender Supervision



*The "Other" category includes Misdemeanor out-of-state, Not guilty by reason of insanity, Federal and Jessie's Law tracking offenders.

Absconder Investigations

Deliverable 41
REQUIRED BY SECTION
24-21-280 (A)(B)

Deliverable Description:

- Probation Agents conduct investigations into the whereabouts of absconded offenders (offenders who have stopped reporting and the Department is unable to locate).

Absconded offenders:

- have failed to report and are no longer living at the last known residence
- are placed in this category when the department has exhausted all methods to locate the offender including but not limited to, telephone contacts, criminal history searches, law enforcement contacts, internet searches and family contacts.

Absconder Investigations

Deliverable 41

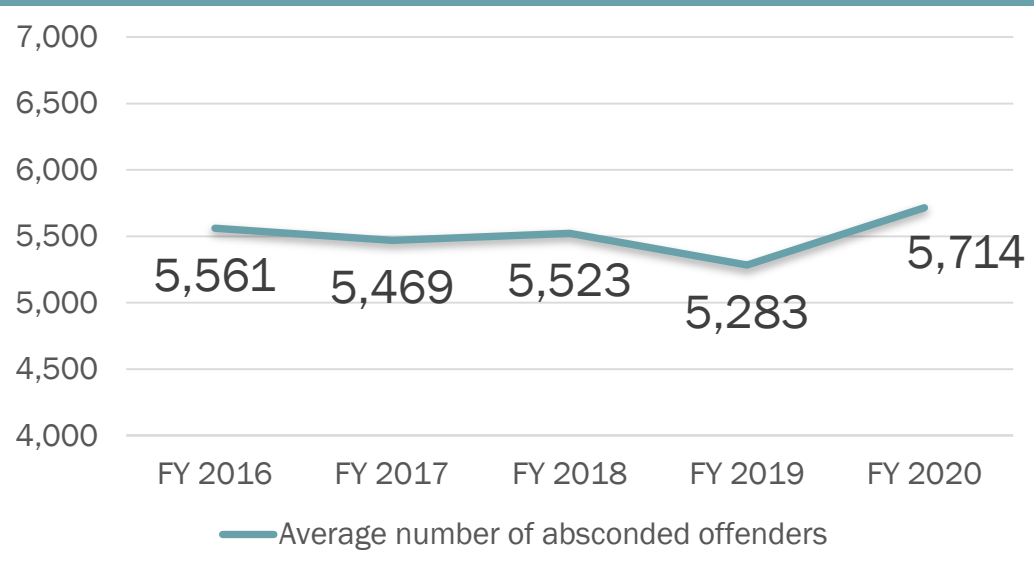
REQUIRED BY SECTION
24-21-280 (A)(B)

Purpose:

- To ensure the Department fulfills its duties of supervision by investigating the whereabouts of offenders who have absconded.
- The Department requires offenders to report to their Agent, provide the address of their approved residence, and permit home visits.
- SCDPPPS regularly conducts warrant teams to locate absconded offenders. (**National Crime Information Center [NCIC] and Fugitive Investigators**)

Absconder Investigations

Deliverable 41
REQUIRED BY SECTION
24-21-280 (A)(B)



- Customer Description:
Average number of absconded offenders
- Amount charged to customers: \$0
- Amount collected from providing deliverable: \$0
- FY '20 Cost: \$169,283
(Estimated cost based on SCDPPPS Workload Model duties)

Statewide Warrant Sweep

July 2019



Administrative Monitoring

Deliverable 23

REQUIRED BY SECTIONS
24-21-5; 24-21-100

Deliverable Description:

- This program was established by the Omnibus Crime and Sentencing Reform Act of 2010 to enable the Department to continue to collect financial obligations after the offender has completed all other obligations of their supervision.
- Monetary obligations are transferred to quarterly Administrative Monitoring until monies are paid in full or a consent order of judgment is filed, which would relieve the individual from further monitoring.
- The Department is authorized to collect a fee of up to \$10 a month to offset the costs of administering the program.

Administrative Monitoring & GEAR

Administrative Monitoring

- Form of monitoring beyond the end of the term of supervision in which the only remaining condition of supervision not completed is the payment of financial obligations.

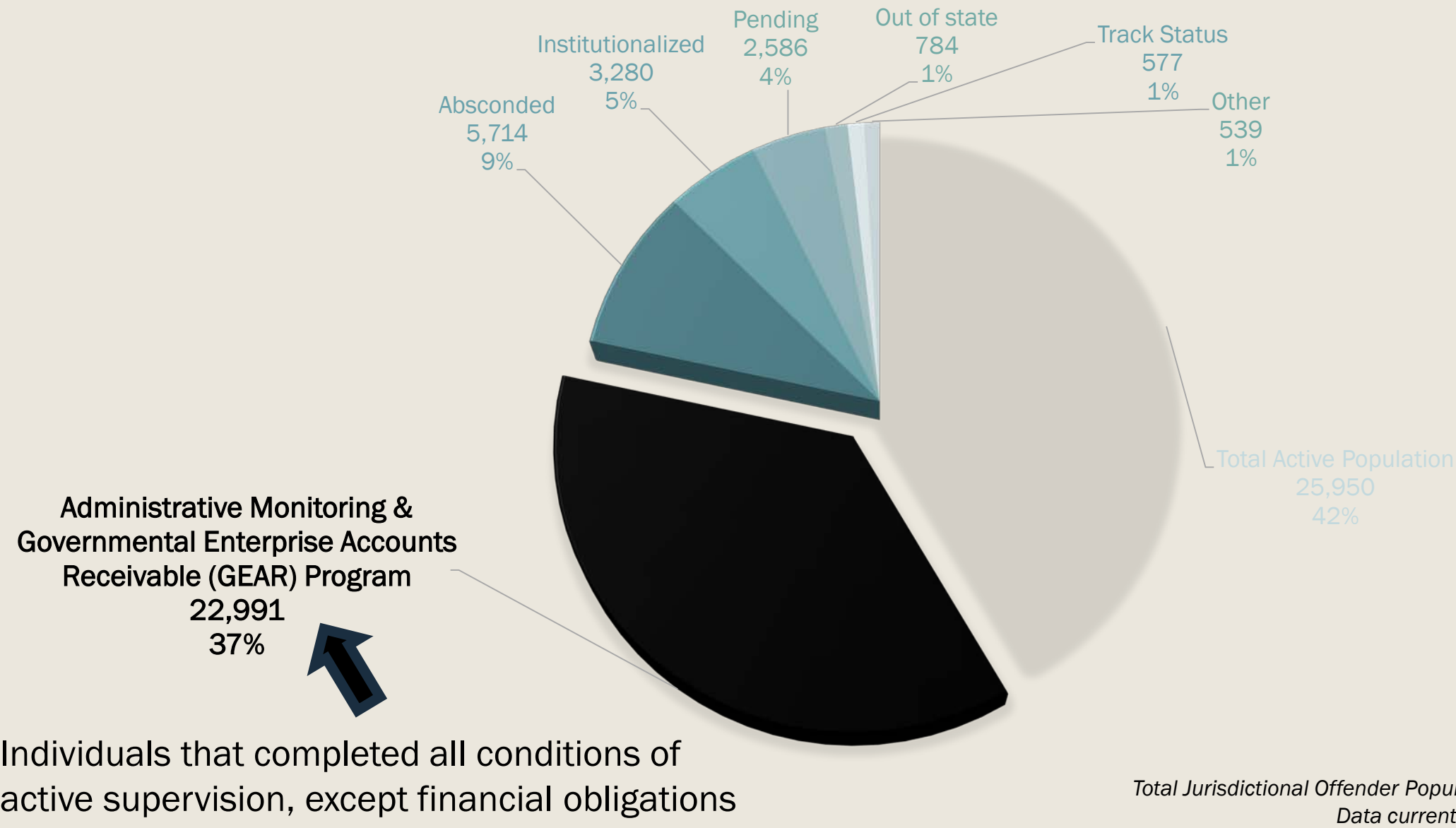
To qualify to transition to administrative monitoring:

- 1) the case must have outstanding financial obligations
- 2) the offense date must be on or after 01/01/2011
- 3) the case must be closed with a successful closure code, and
- 4) the case must be a probation, parole, youthful offender, or C-Supervision sentence type

Government Entity Accounts Receivable Program (GEAR)

- If reasonable progress towards financial obligations are not met on any administrative monitoring (AM) account NOT LINKED to a restitution account, and the offender becomes 6 payments in arrears, the offender is placed in the GEAR program for debt collections.

Offender Population: Inactive Supervision

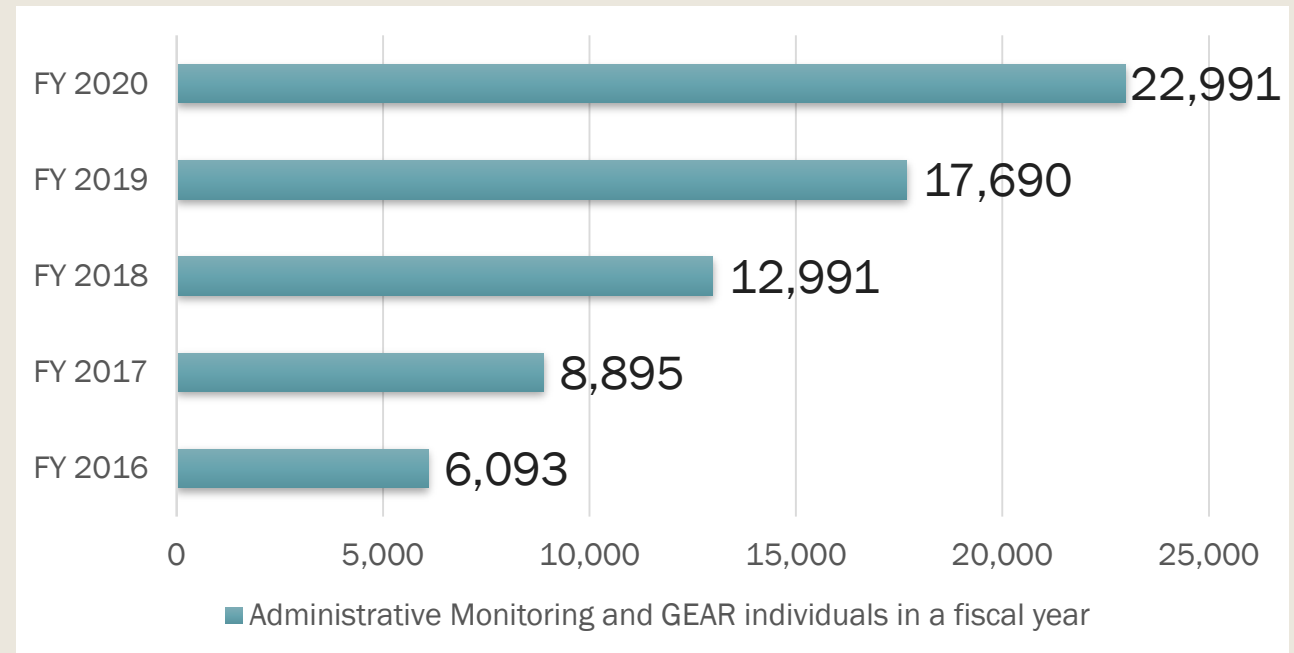


Administrative Monitoring

Deliverable 23

REQUIRED BY SECTIONS
24-21-5; 24-21-100

- **Customer Description:**
Individuals on administrative monitoring and Governmental Enterprise Accounts Receivable (GEAR)



Administrative Monitoring

Deliverable 23

REQUIRED BY SECTIONS
24-21-5; 24-21-100

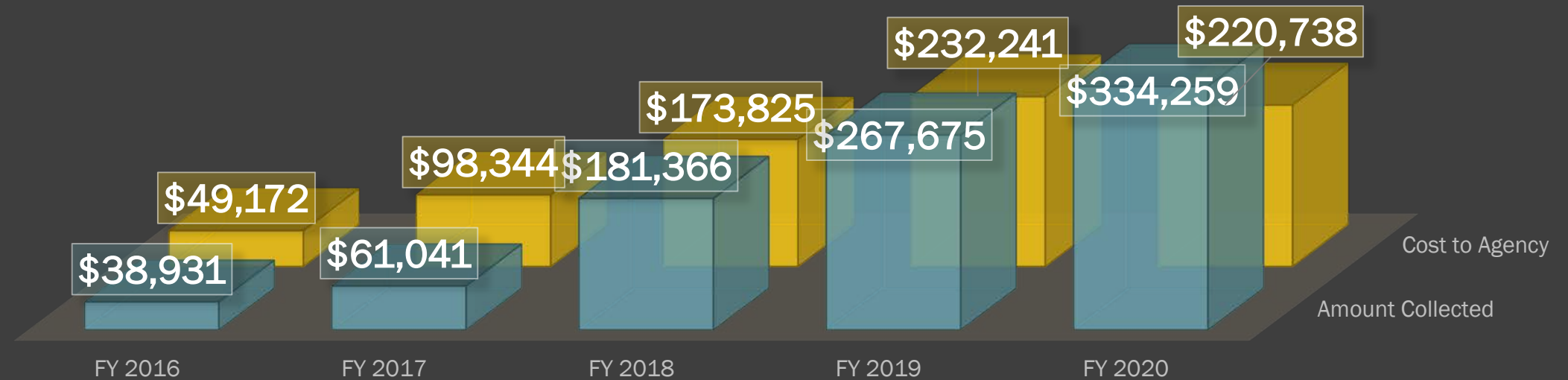
Deliverable Description *(continued):*

Financial Obligations Covered by Administrative Monitoring (AM):

- **AM Fee accounts (mandatory)** are manually created at a monthly rate of \$10. SCDPPPS retains this fee for operations.
- **AM Fine accounts** are charged a monthly rate of \$50.00 and are paid to the Clerk of Court of conviction to include:
 - *Public defender fees and*
 - *Clerk of Court fines & surcharges*
- **AM Collective accounts** are charged a monthly rate of \$50.00 and are paid to SCDPPPS to include:
 - *Restitution*
 - *Regular and Intensive Supervision Fees*
 - *Drug Test Fees*
 - *Public service employment fees*

ADMINISTRATIVE MONITORING FEES COLLECTED VS. COST TO AGENCY

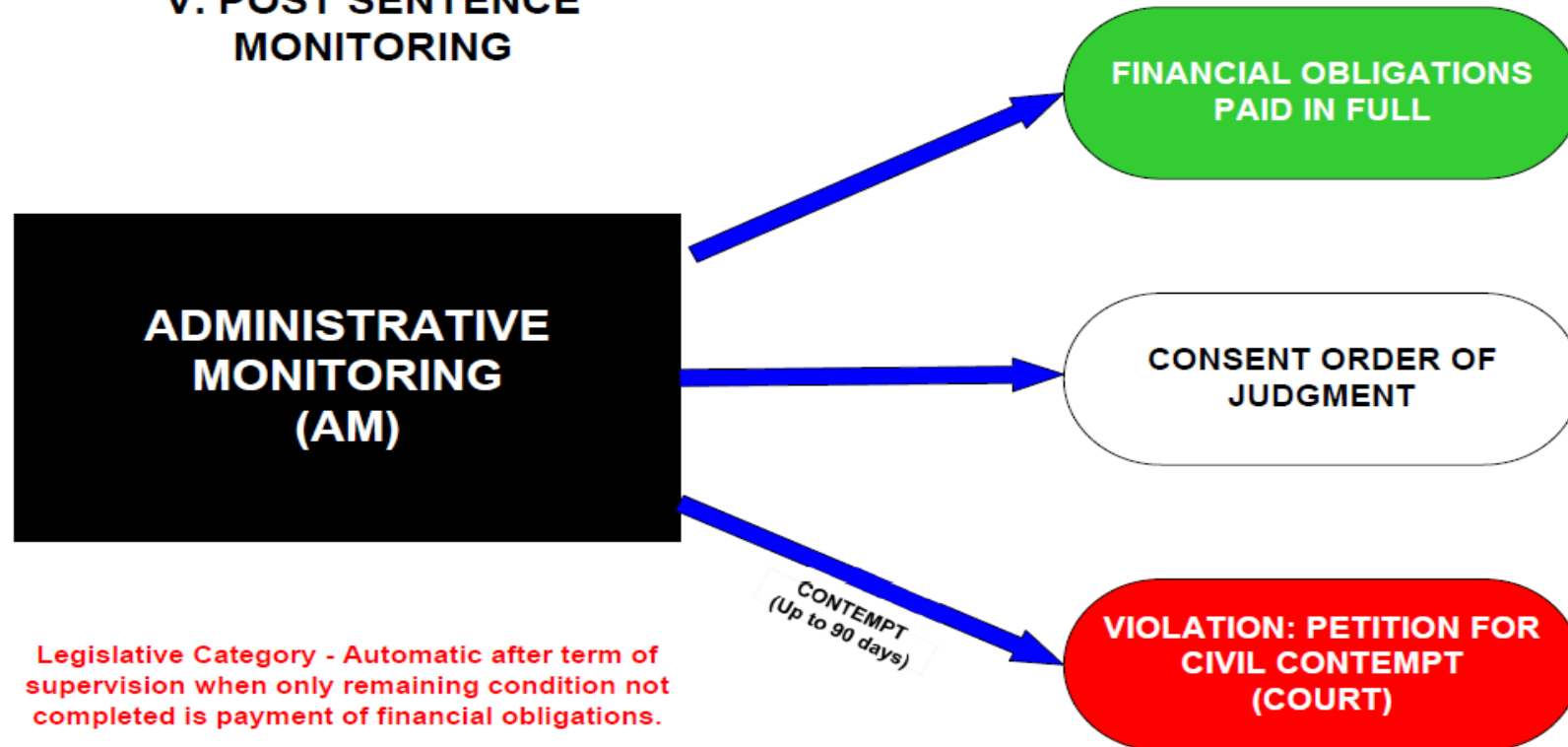
■ Amount Collected ■ Cost to Agency



*Cost estimate amount based on cost center salaries, fringe & operating costs

Amount Charged for Administrative Monitoring:
\$10/mo. or \$120/yr.

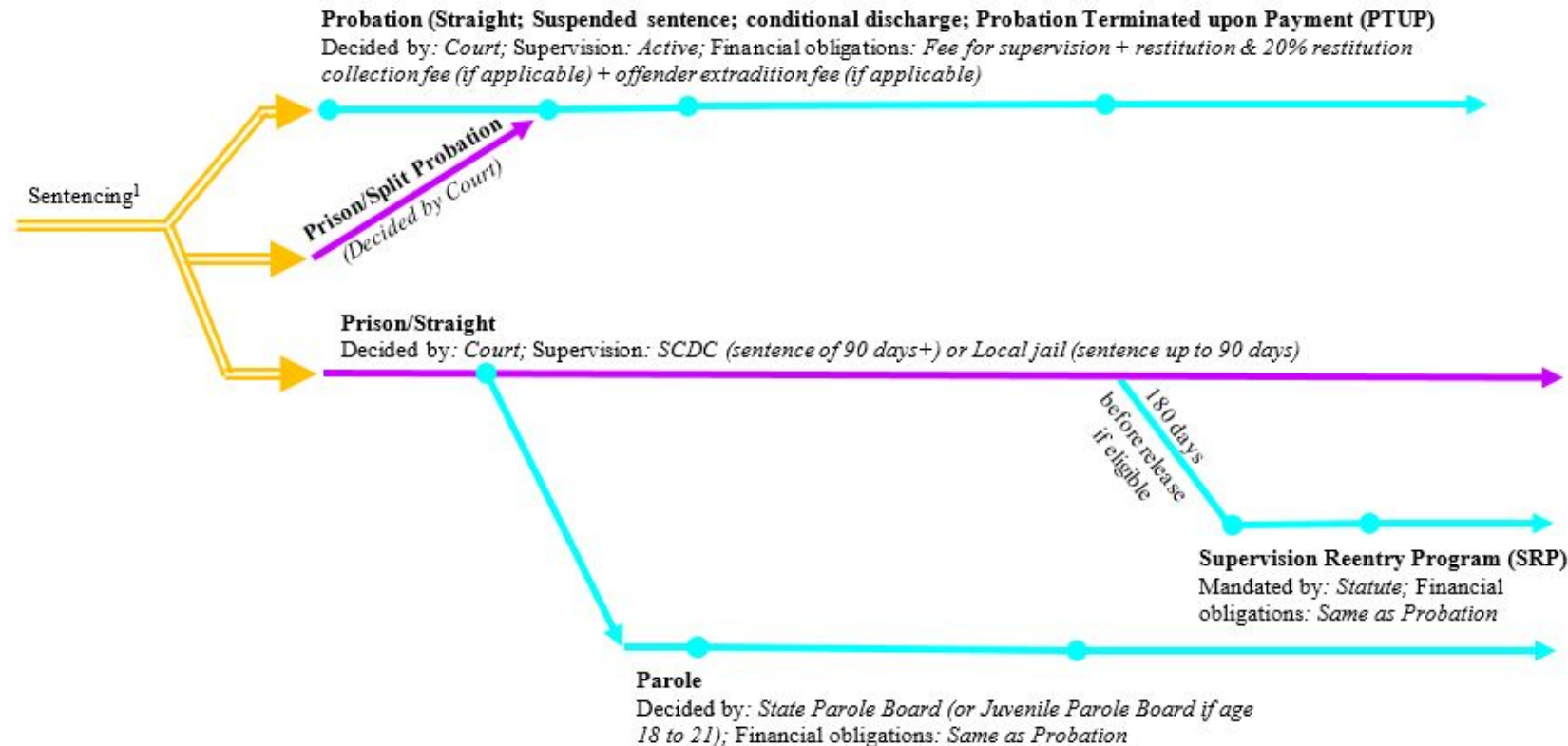
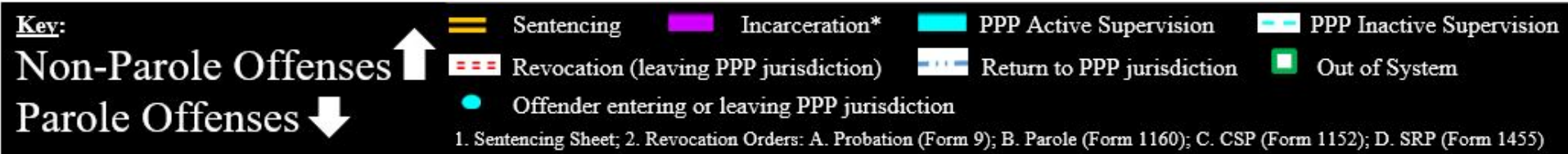
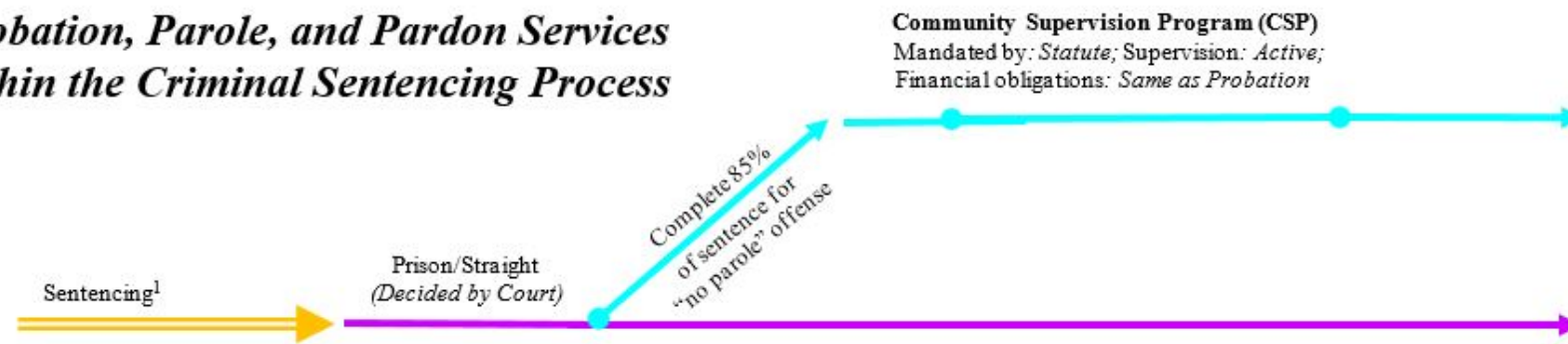
V. POST SENTENCE MONITORING



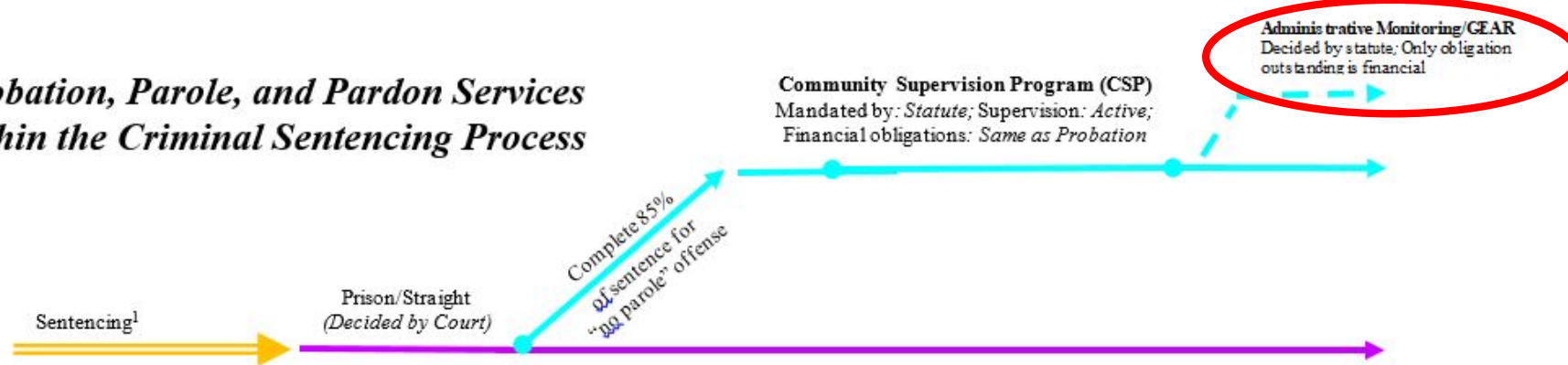
Legislative Category - Automatic after term of supervision when only remaining condition not completed is payment of financial obligations.

24-21-58
24-21-100

Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Probation, Parole, and Pardon Services within the Criminal Sentencing Process



Key:

Non-Parole Offenses ↑

Parole Offenses ↓

== Sentencing

■ Incarceration*

■ PPP Active Supervision

--- PPP Inactive Supervision

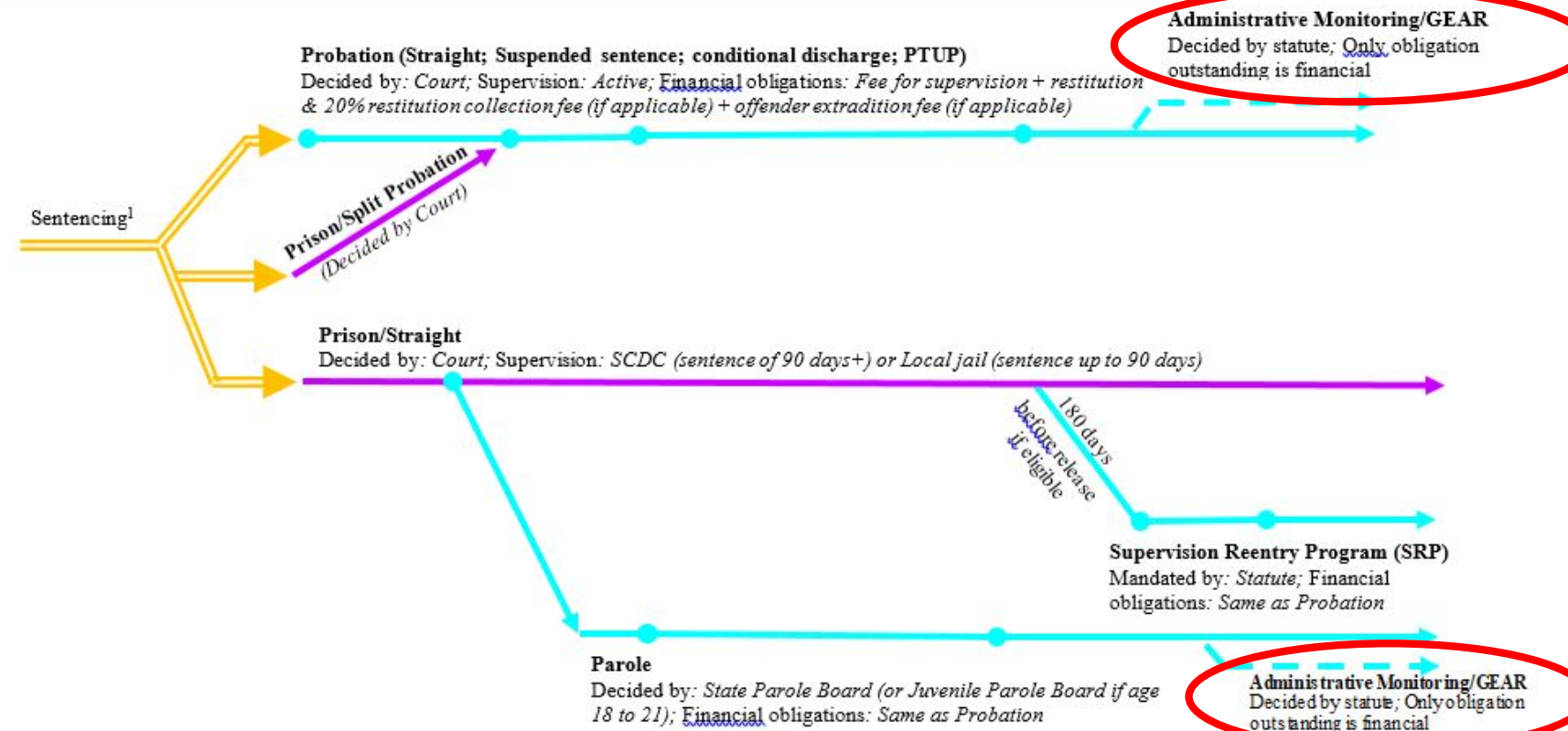
== Revocation (leaving PPP jurisdiction)

--- Return to PPP jurisdiction

■ Out of System

● Offender entering or leaving PPP jurisdiction

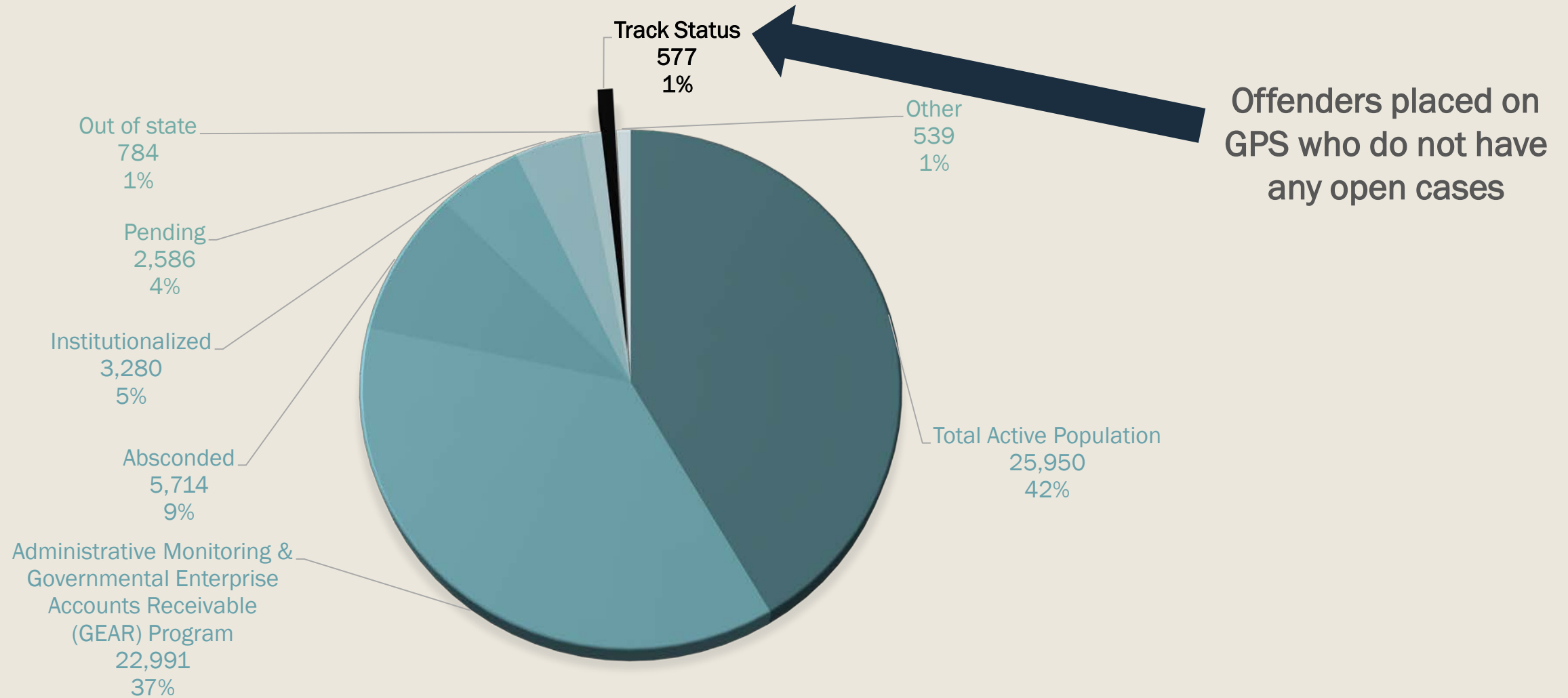
1. Sentencing Sheet; 2. Revocation Orders: A. Probation (Form 9); B. Parole (Form 1160); C. CSP (Form 1152); D. SRP (Form 1455)





REMAINING INACTIVE SUPERVISION CATEGORIES

INACTIVE OFFENDER POPULATION



Total Jurisdictional Offender Population = 62,421
Data current as of 6/30/20

INTERSTATE COMPACT

DELIVERABLES

Interstate Compact for Adult Supervision

Deliverable 44

REQUIRED BY SECTIONS

24-21-1100; 24-21-1105;
24-21-1110

Deliverable Description:

SCDPPPS supervises offenders who are subject to the terms of the Interstate Compact for Adult Offender Supervision including:

- (1) out-of-state offenders transferring into South Carolina,
- (2) South Carolina offenders transferring to other states, and
- (3) out-of-state offenders who have transferred into South Carolina who have committed violations and require processing of violation reports.

Interstate Compact for Adult Supervision

Deliverable 44

REQUIRED BY SECTIONS
24-21-1100; 24-21-1105;
24-21-1110

Legislative Intent:

“The purpose of this compact and the Interstate Commission created under it, through means of joint and cooperative action among the compacting states, is to:

- *promote public safety by providing adequate supervision in the community of adult offenders who are subject to the compact;*
- *provide a means for tracking offenders subject to supervision under this compact;*
- *provide a means of transferring supervision authority in an orderly and efficient manner;*
- *provide a means of returning offenders to the originating jurisdictions when necessary;*

Interstate Compact for Adult Supervision

Deliverable 44

REQUIRED BY SECTIONS
24-21-1100; 24-21-1105;
24-21-1110

Legislative Intent (*continued*):

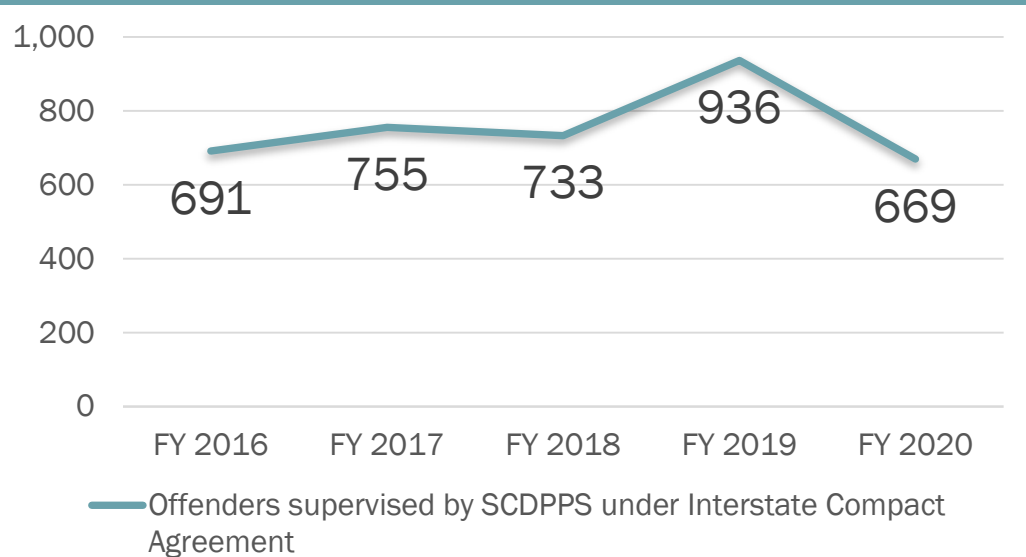
- *provide a means for giving timely notice to victims of the location of offenders subject to supervision under this compact;*
- *distribute the costs, benefits, and obligations of this compact equitably among the compacting states;*
- *establish a system of uniform data collection for offenders subject to supervision under this compact and to allow access to information by authorized criminal justice officials;*
- *monitor compliance with rules established under this compact; and*
- *coordinate training and education regarding regulations relating to the interstate movement of offenders, for officials involved in this activity.”*

(Sections 24-21-1100; 24-21-1105; 24-21-1110)
(2002 Act No. 273)

Interstate Compact for Adult Supervision

Deliverable 44

REQUIRED BY SECTIONS
24-21-1100; 24-21-1105;
24-21-1110



- Customer Description:
Offenders supervised by SCDPPS who are subject to the terms of the Interstate Compact for Adult Offender Supervision.
- FY '20 Cost: \$468,618
(Estimated amount based on cost center salaries, fringe & operating costs.)



Interstate Commission for Adult Offender Supervision
OFFENDER'S APPLICATION FOR INTERSTATE COMPACT TRANSFER

SECTION 1: STATE INFORMATION

To:	Date:	Phone #:
From:		Fax #:

SECTION 2: OFFENDER INFORMATION

Offender's full name (Last, First, MI):	Offender number:
AKA:	Sending State #: Receiving State #:
SS# (if available):	FB# (if available):
Sex:	Race:
DOB:	

I, _____, am applying for transfer of my parole/probation/other supervision from _____ (sending state) to _____ (receiving state). I understand that the transfer of my supervision is a privilege and not a right, and that my transfer and supervision will be subject to the rules of the Interstate Commission for Adult Offender Supervision.

I understand that my supervision in another state may be different than the supervision I would be subject to in this state, and that the receiving state will determine the manner in which I will be supervised. I agree to accept any differences that may exist because I believe that transferring my supervision to _____ (receiving state) will improve my chances for making a good adjustment in the community. I FULLY UNDERSTAND AND ACKNOWLEDGE ALL OF THE ABOVE CONDITIONS AND FREELY AND KNOWINGLY WAIVE ANY CHALLENGE TO THESE REQUIREMENTS OF TRANSFER, INCLUDING THE CONDITIONS OF SUPERVISION IN THE STATE TO WHICH I REQUEST TRANSFER. In doing so I respectfully request the authorities to whom this application is made to consider my request for transfer of supervision.

In support of my application for transfer I make the following statements:

1. I will comply with the terms and conditions of my supervision that have been placed on me, or that will be placed on me by _____ (sending state) and _____ (receiving state).
2. I understand that if I do not comply with all the terms and conditions that the sending state or the receiving state, or both, placed on me, that it will be considered a violation and there may be consequences including return to the sending state.
3. I agree to the release of any drug or alcohol treatment information from _____ (sending state) to any authorized person in _____ (receiving state) for the purpose of transferring my supervision. This consent remains in effect from this date _____ (today's date) until I revoke this consent.
4. I agree to return to _____ (sending state) at any time I am directed to by the sending state or the receiving state. I know that I may have a constitutional right to insist that the sending state extradite me from the receiving state or any other state where I may be found. This is commonly called the right to extradition. But I also understand and acknowledge that I have agreed to return to the sending state when ordered to do so either by the sending or receiving state. Therefore, I agree that I will not resist or fight any effort by any state to return me to the sending state and I AGREE TO WAIVE ANY RIGHT I MAY HAVE TO EXTRADITION. I WAIVE THIS RIGHT FREELY, VOLUNTARILY AND INTELLIGENTLY.

Offender's signature: _____	Date: _____
Printed name: _____	
Witness: _____	Date: _____
Printed name: _____	

Interstate Compact Offender Application

Interstate Compact Application Fee

Deliverable 45

REQUIRED BY PROVISIO #66.2

Deliverable Description:

- SCDPPPS may charge offenders an application fee set by the Department, not to exceed \$100, to offenders applying for transfers out of state under the Interstate Compact Act.
- The application fee shall be retained by the Department to offset the cost of the Interstate Compact Act.
- All unexpended funds at year-end may be retained and carried forward by the Department to be expended for the same purpose.

Interstate Compact Application Fee

Deliverable 45

REQUIRED BY PROVISIO #66.2

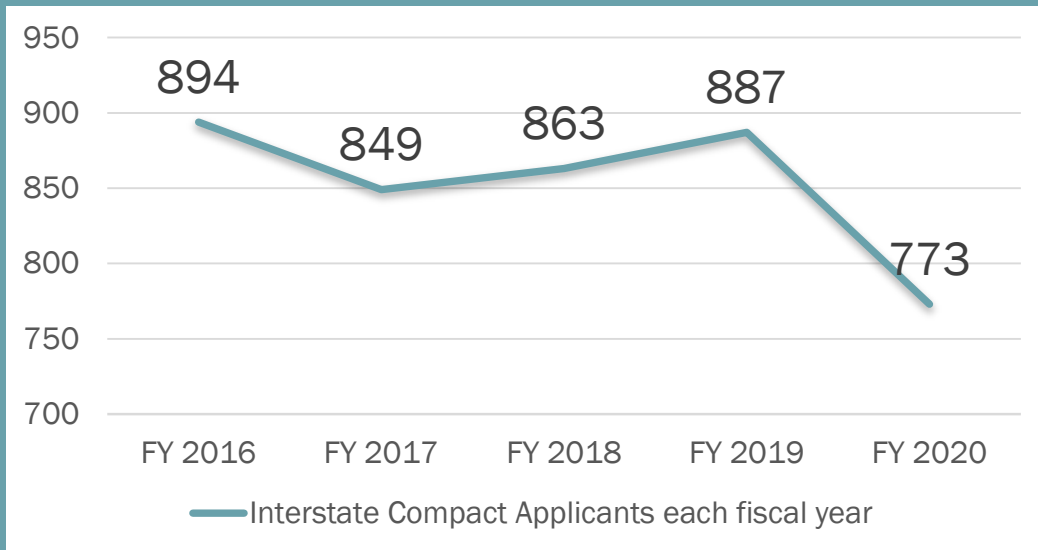
Legislative Intent:

- Revenue generated from Interstate Compact Application Fee, “shall be retained by the Department to offset the cost of the Interstate Compact Act.”

Interstate Compact Application Fee

Deliverable 45

REQUIRED BY PROVISIO #66.2



- Customer Description:
Interstate Compact Offender applicants
- Amount charged to customers: \$100
- Amount Collected from providing deliverable: \$47,668

**Interstate Compact
Application Fee Acknowledgment**

I, **[[Offender's Name]]**, hereby acknowledge that by applying for supervision pursuant to the Interstate Compact for Adult Offender Supervision, I will be assessed a non-refundable application fee in the amount of one hundred dollars. This fee will be assessed for each state to which I request transfer of my supervision. I further acknowledge that this fee must be paid at the time of my request or not later than thirty days after I depart South Carolina as indicated below.

I hereby apply for transfer of my **[[type of supervision program]]** supervision to the State of **[[Receiving State]]** and agree to pay the application fee as ordered below.

- ☐ **Probation/Parole/Community Supervision/YOA (currently under supervision)** - Fee to be paid at time the request for transfer is made. I understand I will not be allowed to depart SC until the fee is paid.
- ☐ **Parole/YOA Conditional Release/Community Supervision (direct transfer from incarceration)** - Fee to be paid within thirty days of departing SC to the address below.
- ☐ **Probation (transfer direct from court)** - Fee to be paid at time the request for transfer is made unless a 30 day extension is approved by the regional Director.
- ☐ **Split Sentence** - Fee to be paid within thirty days of departing SC to the address below.

Offender (Signature)

Date

Agent/Witness (Signature)

Date

Application fee in the form of a money order or cashier=s check, payable to the South Carolina Department of Probation, Parole and Pardon Services.
Mail to:

[[County Office]]
[[County Office Address]]
]

Interstate Compact Application Fee Acknowledgment

(Form 1351)

Interstate Compact Commission- Rules for Conduct of Business

Deliverable 46

REQUIRED BY SECTIONS

24-21-1150; 24-21-1160;
24-21-1190; 24-21-1200;
24-21-1210; 24-21-1220

Deliverable Description:

- Each member of the Interstate Commission shall have the right and power to cast a vote to which that compacting state is entitled and to participate in the business and affairs of the Interstate Commission.
- The Interstate Commission shall meet at least once during each calendar year.
- The chairperson of the Interstate Commission may call additional meetings at any time and, upon the request of a majority of the members, shall call additional meetings.
- Public notice shall be given of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact.

Interstate Compact Commission- Rules for Conduct of Business

Deliverable 46

REQUIRED BY SECTIONS

24-21-1150; 24-21-1160;
24-21-1190; 24-21-1200;
24-21-1210; 24-21-1220

- Customer Description:
South Carolina Interstate
Compact State Council members

ADDITIONAL FIELD STAFF DUTIES: EMERGENCY DEPLOYMENT

DELIVERABLE

Agent Accommodations During Emergency Deployments

Deliverable 27
REQUIRED BY SECTION
24-21-237

Note: Agents are activated for emergency deployments by Executive Order of the Governor.

Deliverable Description:

- At the request of other law enforcement agencies, Agents and other staff are required to participate in lane reversal of the interstate during hurricane season, as well as various special events and security.
- The Department provides meals to employees required to work during deployments, emergencies, and other emergency situation exercises.

Agent Accommodations During Emergency Deployments

Deliverable 27
REQUIRED BY SECTION
24-21-237

*Note: Agents are activated for emergency deployments
by Executive Order of the Governor.*

Purpose:

- To authorize SCDPPPS to provide meals to Probation Agents who are required to work deployments, actual emergencies, or emergency situation exercises.
- By adding Section 24-21-237 so as to provide that meals may be provided to employees of SCDPPPS and provide the circumstances when meals may be provided. **(2002 Act No. 356).**

Agent Accommodations During Emergency Deployments

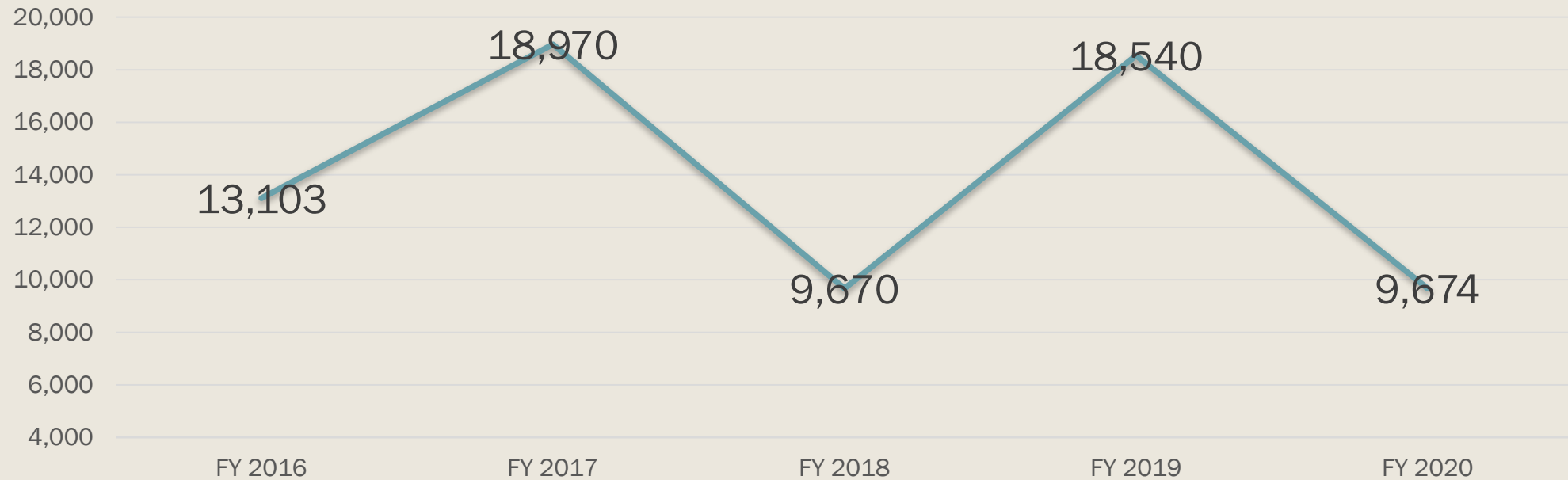
Deliverable 27
REQUIRED BY SECTION
24-21-237

Note: Agents are activated for emergency deployments by Executive Order of the Governor.

- Customer Description:
South Carolina citizens, visitors and victims of natural disasters.
- Customers served in FY '20:
This number varies depending on the severity and duration of the deployment.

Agent Staff Hours Devoted to Conducting Special Operations and Emergency Deployments

(Source: Workload Model)



	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Cost per unit	\$38.25	\$36.52	\$36.74	\$34.76	\$40.02
Overall cost to agency	\$501,170	\$692,840	\$355,286	\$644,458	\$387,144

Amount Collected from providing deliverable: \$0

FY '20 Cost: \$0

(Minimal estimated FY 2018 cost based on Cost Accounting.)



9,674
Staff Hours were Devoted to
Special Operations,
Emergency Deployments
& Lane Reversals in FY 2020



Agents Activated for Special Operations & Emergency Deployments

FY 14-15

368 Agents Deployed

FY 15-16

605 Agents Deployed

FY 16-17

584 Agents Deployed



FY 17-18

335 Agents Deployed

FY 18-19

503 Agents Deployed

FY 19-20

582 Agents Deployed

IGNITION INTERLOCK DEVICE PROGRAM

DELIVERABLE

Ignition Interlock Device Program

(This program is housed in the Legals and Policy Management Division.)

Deliverable 53

REQUIRED BY SECTION
56-5-2941

Deliverable Description:

SCDPPPS operates the IID Program in cooperation with the South Carolina Department of Motor Vehicles (DMV) and the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) by:

- Managing the IID Point System;
- Reviewing financial aid applications submitted by drivers subject to the ignition interlock requirement and assessing them for indigent status. Drivers granted indigent status may have the cost of the installation and standard use of the interlock device paid from the IID Fund;
- Maintaining the IID Fund by depositing monthly driver fees remitted to the Department by the ignition interlock device service providers;

Ignition Interlock Device Program

Deliverable 53 REQUIRED BY SECTION 56-5-2941

Deliverable Description (*continued*):

- Authorizing ignition interlock service providers to perform inspections of ignition interlock devices, receiving reports from service providers of devices that fail such inspections, and assessing points under the IID Point System;
- Establishing and administering an appeal process that allows a driver to appeal ignition interlock point assessments to an administrative hearing officer when fewer than four points are assessed;
- Issuing notices of suspension to drivers who accumulate four or more ignition interlock device points and advising them of their right to appeal the suspension by requesting a contested case hearing before the Office of Motor Vehicle Hearings (OMVH) and, when a contested case hearing is requested, presenting the case at the OMVH.

Ignition Interlock Device Program

Deliverable 53
REQUIRED BY SECTION
56-5-2941

Deliverable Description (*continued*):

- For drivers whose licenses have been reinstated pursuant to Section 56-1-385, reviewing their applications to have the ignition interlock restriction removed after five years of driving with a IID installed;
- Certifying whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration;
- Maintaining a current list of certified ignition interlock devices and manufacturers and updating the list quarterly, and decertifying devices that fail to meet state requirements;

Ignition Interlock Device Program

Deliverable 53

REQUIRED BY SECTION
56-5-2941

Deliverable Description (*continued*):

- Making IID Program Policy publically accessible on the Department's website;
- Maintaining records of driver's participation in the IID Program and when appropriate releasing such information to the driver or driver's family member;
- Purging all images captured by the interlock devices within 12 months of a driver's successful completion of the IID Program; and
- Developing policies including, but not limited to, the certification, use, maintenance, and operation of ignition interlock devices and the IID Fund.

Ignition Interlock Device Program

Deliverable 53
REQUIRED BY SECTION
56-5-2941

Purpose:

- “The General Assembly hereby explicitly recognizes that alcohol is, by law, an age-restricted product that is regulated differently than other products. The General Assembly also recognizes the vital role of existing state regulation of the sale and distribution of alcoholic beverages in promoting responsible consumption, combating illegal underage drinking, and fostering other important state policy goals.”

Ignition Interlock Device Program

Deliverable 53
REQUIRED BY SECTION
56-5-2941

Purpose *(continued)*:

- “To amend section 56-5-2941, relating to ignition interlock devices, so as to require an ignition interlock device to be installed on the vehicles of certain subsequent driving under the influence offenders, to provide for the interlock device point system, and to delineate the methods by which the system and the interlock device fund must be managed.”
- “To amend section 56-1-400, relating to suspension of driver's licenses, so as to provide a restriction on the license for the ignition interlock device requirement.”

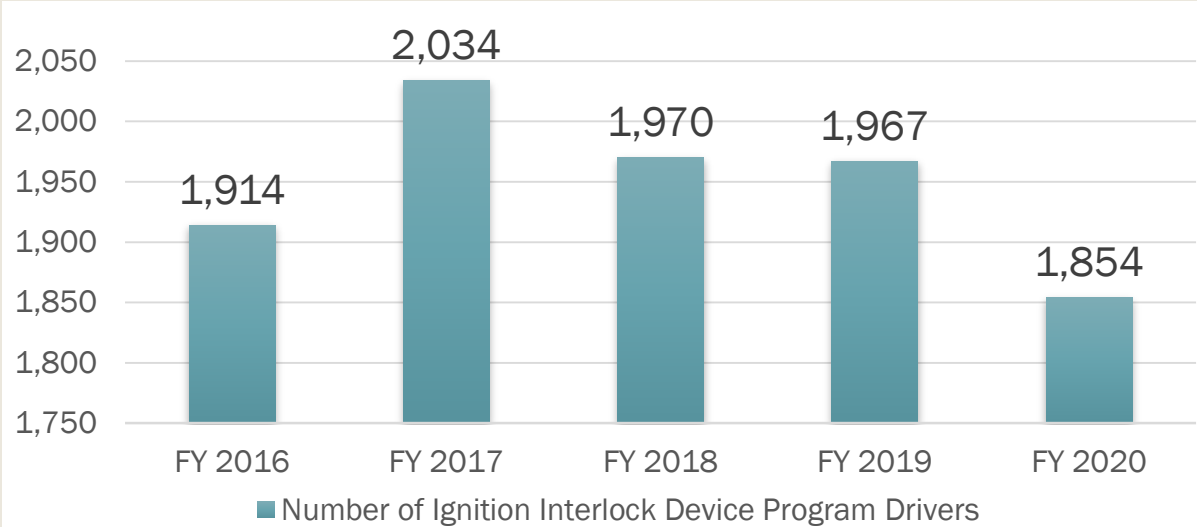
**(2007 Act. No. 103); (2008 Act No. 285);
"Emma's Law" (2014 Act No. 158)**

Ignition Interlock Device Program

Deliverable 53
REQUIRED BY SECTION
56-5-2941



- Customer Description:
Ignition Interlock Device Program drivers



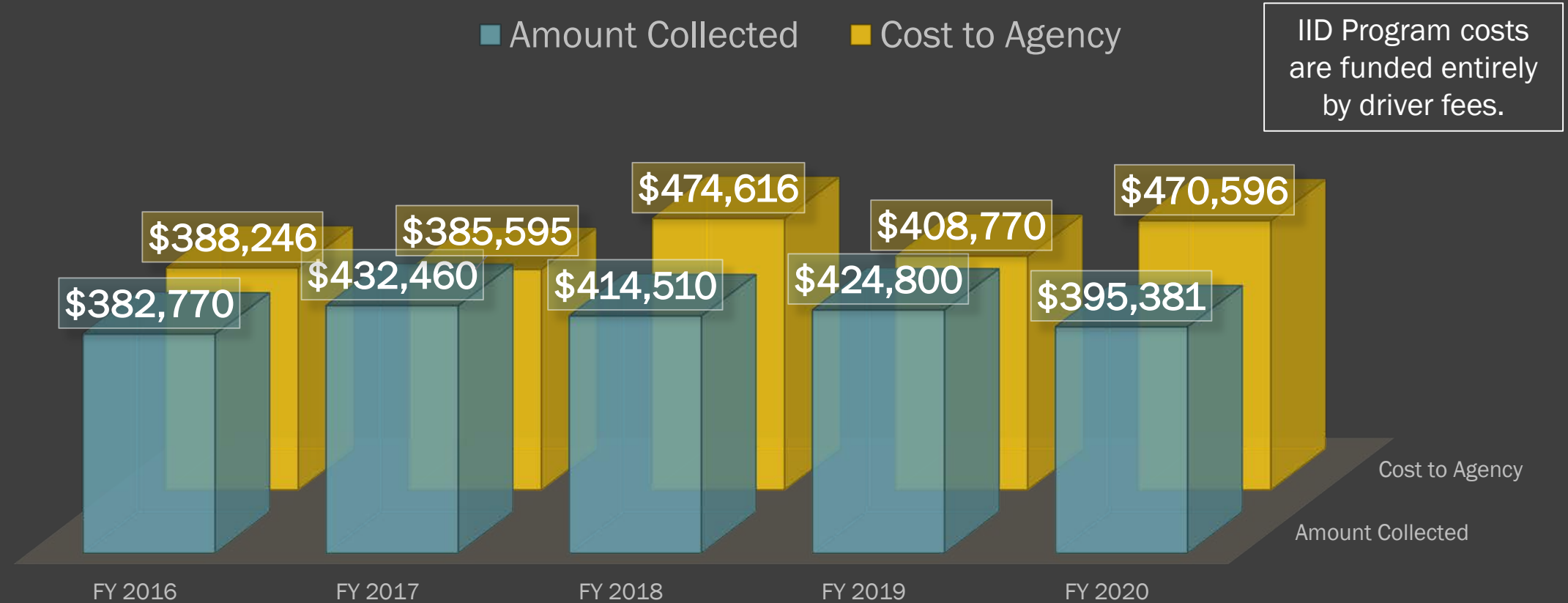
Agency cost per driver per year*	\$202.85	\$189.58	\$240.92	\$207.81	\$253.83
Collected by agency per driver per year**	Up to \$360	Up to \$360	Up to \$360	Up to \$360	Up to \$360
Amount vendor charges per driver per year^	Up to \$1,200	Up to \$1,200	Up to \$1,200	Up to \$1,200	Up to \$1,200

*Estimated amount based on cost center salaries, fringe & operating costs.

**IID vendors collect driver's monthly \$30 monitoring fee and remit it to SCDPPPS; however not all drivers will have participated in the IIDP for the entire fiscal year.

^Vendors can charge drivers up to \$100 per month for service, plus the \$30 monitoring fee.

IGNITION INTERLOCK DEVICE PROGRAM FEES COLLECTED VS. COST TO AGENCY



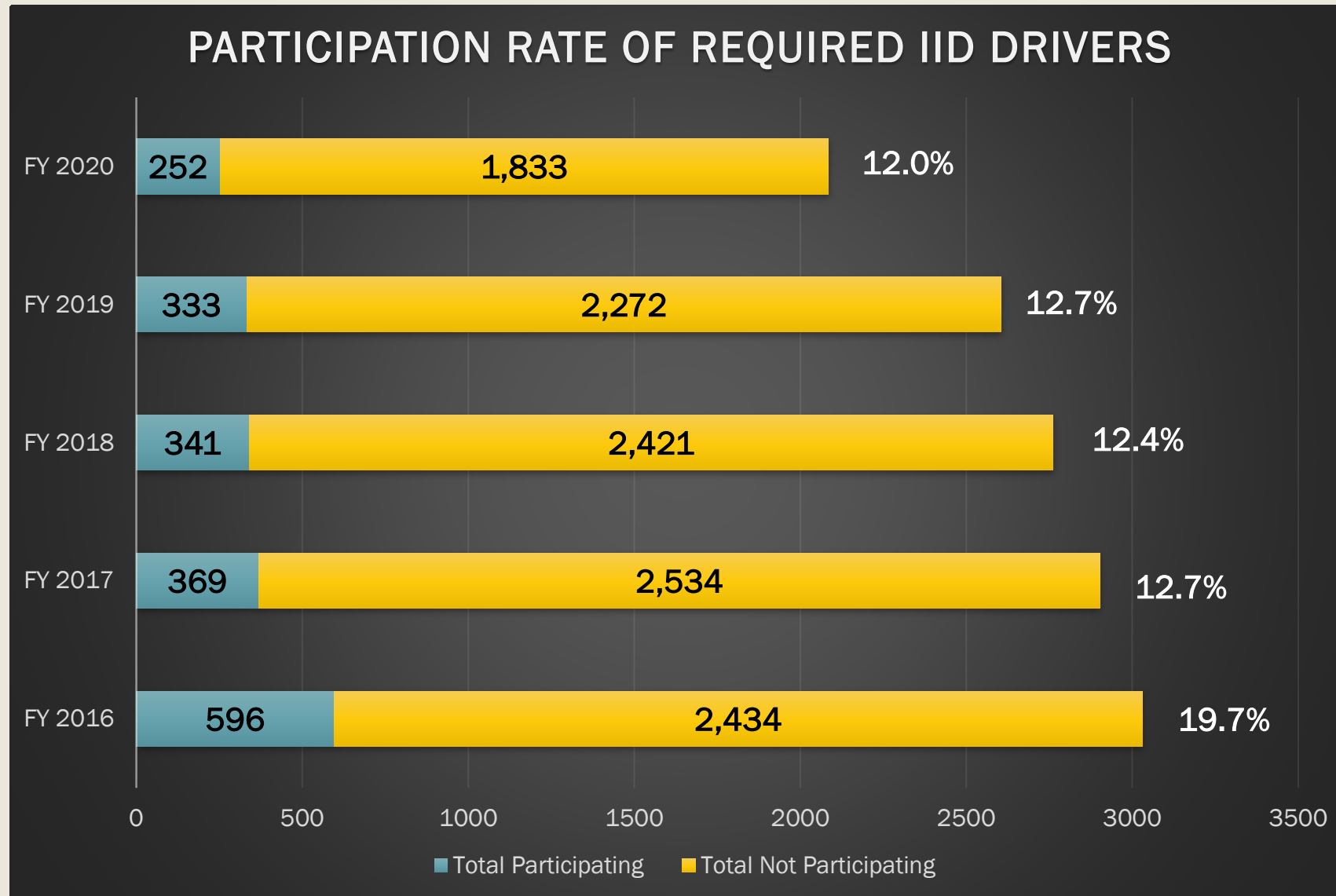
Amount Charged for Ignition Interlock Device (IID) Program:

IID vendors remit \$30 to SCDPPPS of the monthly fee paid by IIDP drivers.

Driving Requirements of Mandatory vs. Optional IIDP Drivers

Only 12% of drivers with a mandatory requirement who became eligible to participate in FY 2020 did so within six months of that year's end.

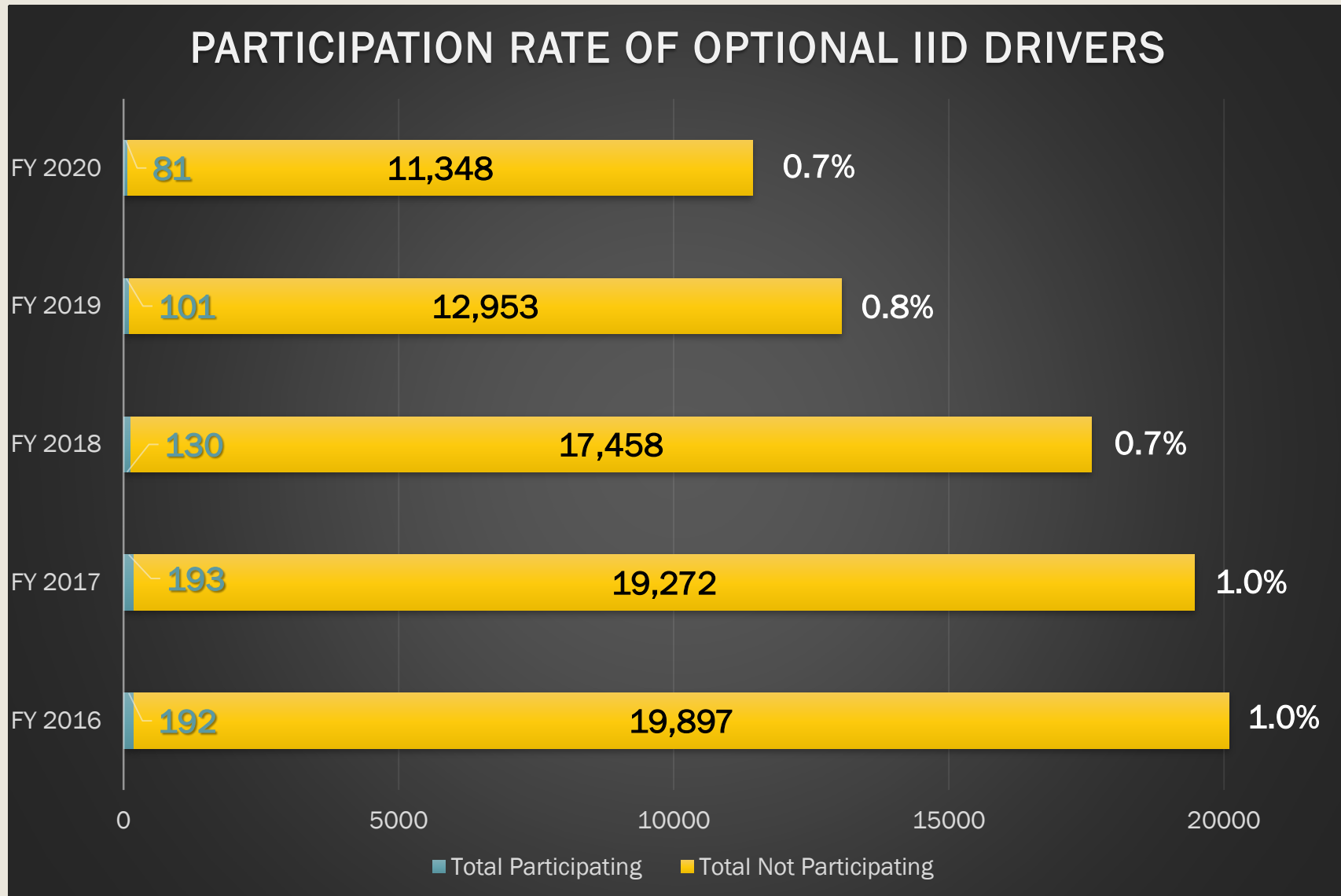
- Drivers with **mandatory** IID Program requirements will remain suspended **indefinitely** until they begin participating in the Program.
- Drivers with **optional** IID Program requirements who choose to participate in the Program will serve a minimum **three-month term**.
- Drivers with **optional** IID Program requirements who choose not to participate in the Program will serve a **mandatory suspension of one month** or more, but may also have the option of obtaining a Temporary Alcohol or Route Restricted License.



Note: The numbers in this chart represent drivers who became eligible during each fiscal year plus six months (18 months total).

“Eligible” means any driver who has a Program requirement and who can actively participate in the Program as of the time of the report.

Only 12% of all drivers with a mandatory IID Program requirement participated in FY 2020.



Note: The numbers in this chart represent drivers who became eligible during each fiscal year plus six months (18 months total).

“Eligible” means any driver who has a Program requirement and who can actively participate in the Program as of the time of the report.

Only 0.7% of all drivers with an optional IID Program requirement participated in FY 2020.



COMPANY INFORMATION

Service Center Name: _____

Date of Installation: _____

Name of Technician: _____

YOUR INFORMATION

Name: _____

Date: _____

Contact Number: _____

Driver's License #: _____

YES	CHECKLIST	IF NO, EXPLAIN BELOW
<input type="checkbox"/>	Was the waiting area clean, neat, and comfortable?	
<input type="checkbox"/>	Were you shown the manufacturer video on how to use the device?	
<input type="checkbox"/>	Were you shown the SCIIDP video?	
<input type="checkbox"/>	Were you provided a 24 hour toll free number for emergencies?	
<input type="checkbox"/>	Were you given disposable mouthpieces? If so how many?	
<input type="checkbox"/>	Were you and anyone else who will be driving the vehicle trained on the use of the IID?	
<input type="checkbox"/>	Did you receive a list of written instructions on how to clean and care for the IID?	
<input type="checkbox"/>	Did you practice blowing into the device prior to leaving the service center?	
<input type="checkbox"/>	After being trained on the device, do you feel confident in using the IID?	
<input type="checkbox"/>	Was the technician knowledgeable in answering any questions you had, if any?	
<input type="checkbox"/>	Are you able to hear the device sound sequences while submitting breath samples?	
<input type="checkbox"/>	Were all of your questions answered at the time of service?	

I understand that if I have any questions about the device, I will contact the manufacturer and if I have any questions about the program I will contact the South Carolina Ignition Interlock Device Program.

Your Name (Print): _____

Signature: _____

Technician Name (Print): _____

Signature: _____

Contact Us:

If you have any additional questions, comments, or concerns please contact the Ignition Interlock Program at (803) 734-0019 or e-mail at ignition@ppp.sc.gov.

Ignition Interlock Device Program Driver Checklist

(Form 1524)

UNESTABLISHED DELIVERABLES

These deliverables are obsolete, unfunded or the responsibility of another agency-and they are therefore unimplemented by SCDPPPS.

Duties of SCDPPPS & SCDC: Credit for time served, earned work credits and good conduct credits

Deliverable 54

REQUIRED BY SECTIONS

24-21-630; 24-21-635; 24-21-690

Deliverable Description:

- The calculation and application of time served, earned work, and good conduct credits and the resulting initial parole eligibility date is a function of SCDC.
- Credit for time served, earned work credits, and good conduct credits are applied by SCDC and factored into parole eligibility.

Home Detention Act

Deliverable 55

REQUIRED BY SECTIONS
24-13-1520; 24-13-1540

Deliverable Description:

- Home detention- the confinement of a convicted person to his place of residence- may be used by the Court as an alternative to incarceration for offenders.
- Establishment of a home detention program is discretionary and SCDPPPS does not have a program implemented under the Home Detention Act.

Home Detention Act

Deliverable 55

REQUIRED BY SECTIONS
24-13-1520; 24-13-1540

Purpose:

- To allow agencies to establish home detention programs so they can be used by the court as an alternative to incarceration for low-risk, nonviolent offenders.
- An act to amend Chapter 13, Title 24, Code of Laws of South Carolina, 1976, by adding Article 15 so as to provide for home detention as an alternative to prison incarceration.
(1990 Act No. 594)

Offender Employment Preparation Program (SCDC)

Deliverable 56

REQUIRED BY SECTIONS
24-13-2110; 24-13-2120;
24-13-2130; 24-13-2140

Deliverable Description:

- SCDPPPS is to coordinate with SCDC's efforts to assist inmates in preparing for meaningful employment upon release from confinement.
- SCDPPPS regularly communicates with SCDC regarding the safe release of inmates to SCDPPPS supervision programs, and it coordinates with SCDC's efforts to assist these inmates in preparing for meaningful employment upon release from confinement.
- However, the Department is not aware of the adoption of a memorandum of understanding establishing the role of each agency working with SCDC in these efforts.
- As a result, no employee equivalents or expenditures are reported here.

Offender Employment Preparation Program (SCDC)

Deliverable 56

REQUIRED BY SECTIONS
24-13-2110; 24-13-2120;
24-13-2130; 24-13-2140

Legislative Intent:

- An act to amend Title 24, Chapter 13, Code of Laws of South Carolina, 1976, relating to prisoners confined within SCDC, by adding Article 20 so as to establish the Offender Employment Preparation Program, which requires SCDC to coordinate its efforts with the Employment Security Commission, SCDPPPS, the Department of Vocational Rehabilitation, the Alston Wilkes Society and other private sector entities through a memorandum of understanding to assist incarcerated individuals in preparing for meaningful employment upon their release from confinement.

Youthful Offender Act (YOA) Offenders

Deliverable 57

REQUIRED BY SECTIONS

24-19-50; 24-19-110; 24-19-120;
24-19-150; 24-19-160

Deliverable Description:

- Pursuant to a contract, youthful offenders were released by SCDC conditionally under SCDPPPS supervision on or before the expiration of 4 years from the date of conviction and were discharged unconditionally on or before 6 years from the date of conviction.
- Although SCDPPPS is still supervising some "legacy" YOA offenders, **we no longer supervise this population because SCDC resumed control of the program in July of 2011 and began the transition of cases in January of 2012.**

Youthful Offender Act (YOA) Offenders

Deliverable 57

REQUIRED BY SECTIONS

24-19-50; 24-19-110; 24-19-120;
24-19-150; 24-19-160

Legislative Intent:

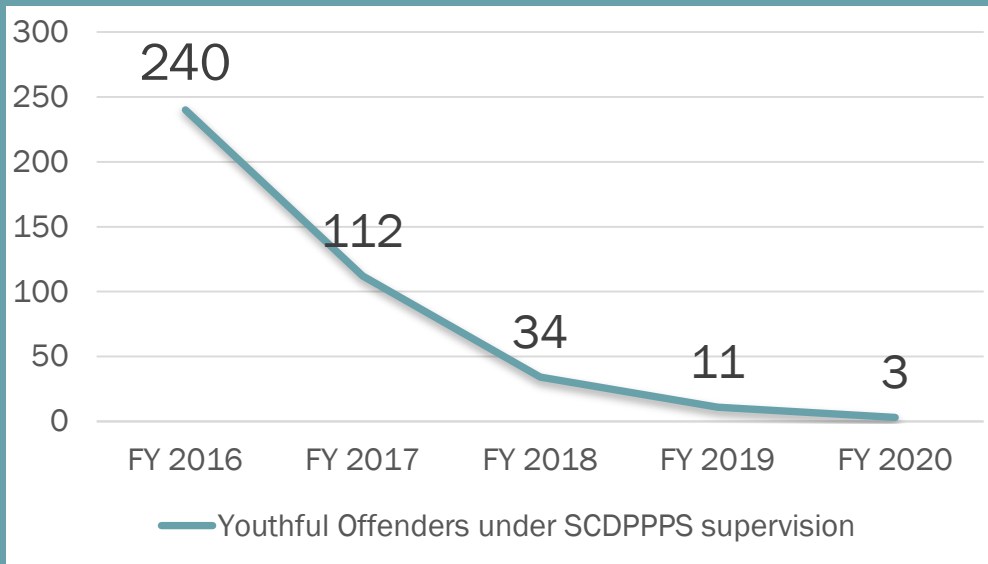
- To create within the Department of Corrections a Youthful Offender Division
- "The division shall consider problems of treatment and correction; shall consult with and make recommendations to the director with respect to general treatment and correction policies and procedures for committed youthful offenders and recommend orders to direct the release of youthful offenders conditionally under supervision and the unconditional discharge of youthful offenders."
- "Recommend such other orders to the director as may be necessary or proper to carry out the purpose of this chapter." (Sections 24-19-20; 24-19-30.)

Youthful Offender Act (YOA) Offenders

Deliverable 57

REQUIRED BY SECTIONS

24-19-50; 24-19-110; 24-19-120;
24-19-150; 24-19-160



- Customer Description:
Youthful Offenders under SCDPPPS supervision
- Amount charged to customers: \$0
- Amount Collected from providing deliverable: \$0
- FY '20 Cost: \$0
The expenditures associated with supervising these YOA offenders is captured under the general supervision column

Supervised Furlough Program

Deliverable 59

REFERENCED IN SECTIONS

24-13-710; 24-13-720; 24-13-730

Deliverable Description:

- The Supervised Furlough Program (SF-I and SF-II) permits carefully screened and selected inmates who have served the mandatory minimum sentence as required by law to be released on furlough prior to parole eligibility and under the supervision of an Agent.
- This is no longer an active SCDPPPS Program.
- Release is discretionary with SCDC and is no longer used.

Supervised Furlough Program

Deliverable 59

REFERENCED IN SECTIONS

24-13-710; 24-13-720; 24-13-730

Deliverable Description (*continued*):

- One vestige of the Supervised Furlough Program remains (SF-IIA). Prior to 1993, Section 24-13-720 mandated that qualifying inmates (offense dates between June 13, 1983, and June 14, 1993) be released to furlough six months before max-out. The number of inmates released to SF-IIA continues to diminish over time and is nearly non-existent, with only one release in the last three fiscal years and four releases in the last five fiscal years.

Supervised Furlough Program

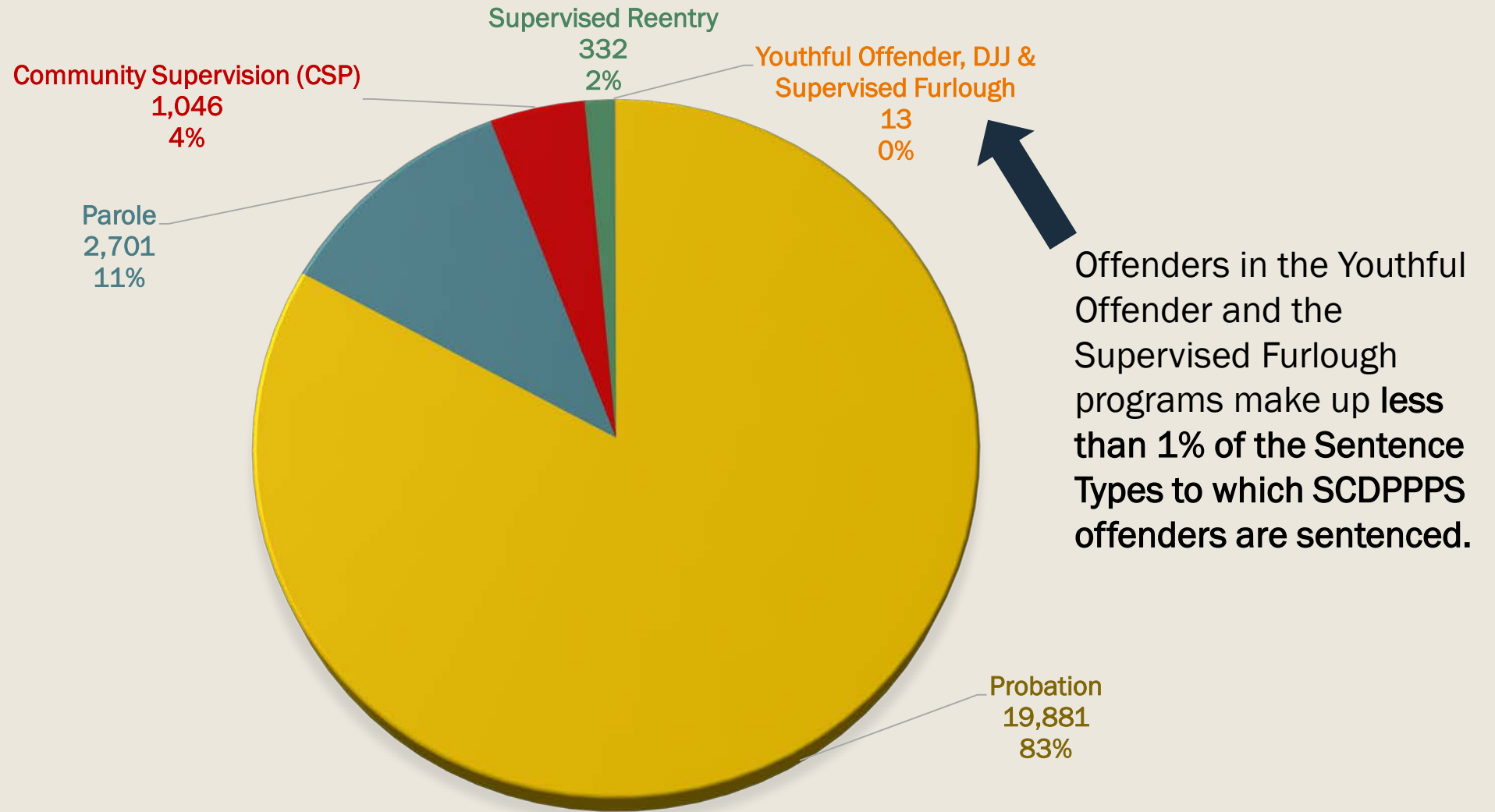
Deliverable 59

REFERENCED IN SECTIONS
24-13-710; 24-13-720; 24-13-730

Legislative Intent *(continued)*:

- Taking the aforementioned 1981 Act No. 100 into consideration, the Legislature established supervised furlough in the 1980s as a way to safely release carefully screened inmates into the community in order to alleviate prison overcrowding.

OFFENDER SENTENCE TYPE



Total Active Offender Population = 24,571

Data current as of 12/31/20

GED Learn and Earn Program

Deliverable 58

REQUIRED BY PROVISIO #66.3

Deliverable Description:

- SCDPPPS may enter into agreements with statewide colleges, technical colleges, and school districts for the purpose of providing GED and GED Prep education to offenders.
- Offenders of the Department enrolled in the program must repay the Department the cost of the course and materials within six months of obtaining their GED.
- **SCDPPPS no longer operates this program and recommends the proviso be deleted**

Restitution Centers (Discretionary)

Deliverable 60

REFERENCED IN SECTIONS
24-21-480; 24-21-485; 24-13-730

Deliverable Description:

- SCDPPPS may, in its discretion, establish and maintain restitution centers.
- If restitution centers are established, the Court of General Sessions may place nonviolent defendants with sentences of more than 90 days in restitution centers as a condition of probation.
- SCDPPPS currently does not operate any Restitution Centers.

Community Control System and Community Control Centers (If Funded)

Deliverable 61

REQUIRED BY SECTIONS
24-21-510; 24-21-540

Deliverable Description:

- The Department must establish and maintain community control centers if they are funded by the Legislature.
- If they are established and the Department recommends placement, the Court of General Sessions may place offenders in community control centers as a condition of probation or as an alternative to probation revocation, or by the Parole Board as a condition of parole or as an alternative to parole revocation.

Community Control System and Community Control Centers (If Funded)

Deliverable 61

REQUIRED BY SECTIONS
24-21-510; 24-21-540

Deliverable Description:

- First passed in 1993 and last substantively amended in 1995, these two laws authorize something that no longer exists.
- The Department ceased operating the lone Community Control Center, located in Charleston County, in 2002, after the **General Assembly stopped appropriating funds for its operation.**
- The Department currently has no plans to seek funding for community control centers or to reestablish community control centers in South Carolina.

Day Reporting Centers (Discretionary)

Deliverable 62

REFERENCED IN SECTIONS
24-21-1300; 24-21-1310;
24-21-1320; 24-21-1330

Deliverable Description:

- The Department may, in its discretion, establish and operate Day Reporting Centers if sufficient funds are appropriated by the General Assembly.
- If they are established and the inmate or offender meets eligibility requirements, he or she may be placed in Day Reporting Centers.
- This program was not funded by the General Assembly, and therefore not established by the Department.

Offender Management System Act (If Funded)

Deliverable 63

REQUIRED BY SECTIONS

24-22-10; 24-22-20; 24-22-30;
24-22-40; 24-22-50; 24-22-60;
24-22-70; 24-22-80; 24-22-90;
24-22-100; 24-22-110; 24-22-120;
24-22-130; 24-22-140; 24-22-150;
24-22-160; 24-22-170; Reg. 130-10

Deliverable Description:

- First passed in 1992, the entire Act terminated July 1, 1995, because it is not currently funded and was not extended by the General Assembly.
- The offender management system shall be in operations during all periods that the system is appropriately funded (**Section 24-22-50**)
- The offender management system and any regulations promulgated thereto shall terminate July 1, 1995 unless extended by the General Assembly. (**Section 24-22-170**)

Duties of the Board– Case Classification System and Community Corrections Plan

Deliverable 64

REQUIRED BY SECTIONS

24-23-10; 24-23-20; 24-23-30;
24-23-40

Deliverable Description:

- Develop a plan for the implementation of a statewide case classification system and submission of the plan to the Legislature by January, 1982.
- This directive was completed on January 31, 1982, when Chairman of the Parole and Community Corrections Board, Walter D. Tyler, Jr., and Executive Director of the Department of Parole and Community Corrections, J.P. Pratt, II, submitted the 45-page plan along with multiple attachments.
- A digital copy of this Plan is currently available at the S.C. State Library's State Document Depository.

(<https://dc.statelibrary.sc.gov/handle/10827/30579>)

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COMMITTEE CONTACT INFORMATION AND UPCOMING MEETINGS

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

Website: <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

UPCOMING MEETINGS

Executive Subcommittee

All meetings below begin at 10:00am and are located in Blatt Room 321

Tuesday, June 22

Tuesday, July 27

END NOTES

¹ Visual Summary Figure 2 is compiled from information in the State Ethics Commission study materials available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” and then under “Probation, Parole, and Pardon Services, Department of”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/ProbationParoleandPardon.php> (accessed April 22, 2021).