

Unpaid Victim Restitution

112. Please provide the percentage of victims that received full restitution during the time periods below (and total number that did not) and explain how the agency calculated the percentages.

- a. FY11-FY15 (while under supervision);
- b. FY16-FY20 (while under supervision); and
- c. FY16-FY20 (while under administrative monitoring).

Please see the attached spreadsheet labeled “Question 112 – Victims Paid in Full- Final.”

Note: An average of 10-11% was reported in testimony to the LOC on August 29, 2021; however, this was the percentage of **offenders** who paid their restitution accounts in full during supervision. The attached spreadsheet reflects the percentage of **victims** that received full restitution.

113. When did the agency first begin administrative monitoring?
January of 2011.

114. Please list the number of individuals on administrative monitoring, separated by the total number of years in which they have been on administrative monitoring.

At the end of FY ‘20, there were 22,651 offenders in the administrative monitoring program. The chart below shows the amount of time (in years) each offender was in the program from the date their administrative monitoring case began to the end of FY ‘20.

Years in AM Program	Number of Offenders
Less than 1 Year	6,415
1-2 Years	5,110
2-3 Years	3,986
3-4 Years	2,701
4-5 Years	1,835
5-6 Years	1,429
6-7 Years	933
7-8 Years	221
8-9 Years	21

115. Please explain the mechanisms utilized by PPP during the last five years to ensure a victim receives full restitution, and frequency in which PPP utilizes them, including but not limited to number of unpaid amounts before petition for civil contempt has been filed for violation of administrative monitoring?

- a. Please list any other mechanisms available that PPP does not utilize.

Agents monitor arrearage reports monthly, regardless of if the offender has been seen during this time period. If an offender is found to have missed a payment, the Agent is to act by notifying the offender and to order that a payment be made. If the offender becomes three payments in arrears, the case must be staffed with a supervisor. During this staffing, it is determined if the missed payments are willful or not. Other mechanisms to assist in collecting monetary obligations include: employment counseling (if unemployed), drug counseling (if substance abuse is found), or the case can be referred back to Court for a Judge to review the case. Sometimes hardships are found and fees are waived by the courts or PPP staff so that more of an offender’s financial means can be directed to a restitution account. It should be noted that by statute if a restitution account is 6 payments in arrears, it must be referred back to court (per S.C. Code Section 17-25-322(C)). For a term of probation that is shorter than five years, the court has the option to extend probation to a full five years to provide additional time for payment of restitution. Offenders are advised that if payments are made as instructed, they are granted compliance credits in order to be released earlier than originally ordered. Offenders on administrative monitoring who become six or more payments in arrears are to submit to the county of conviction for an issuance of a Petition for a Civil Contempt. However, *prior* to issuance of the petition, but *after* the offender is placed on administrative monitoring, phone calls, Late Payment Notices and emails are sent to the offender to assist with the collection of the restitution.

116. How many times has a petition for civil contempt been filed for violation of administrative monitoring since inception of administrative monitoring?

PPP has filed twenty-four petitions for civil contempt for violations of administrative monitoring terms over the past nine years.

117. How many victims have offenders, that are under administrative monitoring, that have not made payments toward restitution for at least three consecutive months during each of the following time periods:

- a. FY16;
- b. FY17;
- c. FY18;
- d. FY19; and
- e. FY20.

Please see the attached chart labeled, “Question 117 – Offenders in AM with a DACOR Account.”

112. Please provide the percentage of victims that received full restitution during the time periods below (and total number that did not) and explain how the agency calculated the percentages.

a. FY11 - FY15 (while under supervision)

b. FY16 - FY20 (while under supervision)

Offenders Who Paid Off Their DACOR Accts. In 100% of The Sentence Time Period

Fiscal Year	Total Offenders	Total Victims	Offenders Who Paid Their Accounts In Full	Victims Paid In Full	Percent Victims Paid in Full	Percent Victims Not Paid in Full
2011	16,769	30,012	1,688	2,157	7%	93%
2012	16,932	29,228	1,553	1,961	7%	93%
2013	17,038	28,762	1,494	1,837	6%	94%
2014	16,973	28,352	1,678	2,043	7%	93%
2015	16,495	27,455	1,728	2,075	8%	92%
2016	15,717	25,959	1,726	2,038	8%	92%
2017	14,740	24,407	1,528	1,856	8%	92%
2018	13,704	22,615	1,450	1,758	8%	92%
2019	12,607	20,758	1,323	1,561	8%	92%
2020	11,442	18,812	1,175	1,356	7%	93%

NOTES (apply to chart above and chart below):

1. Total Offenders: Offenders With a DACOR Account That Started During the Year or Before and Ended During the Year
2. Offenders Who Paid Their Account In Full: Offenders Whose DACOR Account Was Paid in Full On or Before The Account End Date
3. Victims Paid In Full: Victims Of Offenders Who Paid in Full, Whose Victim Account's Loss - Paid Out = 0.00
4. Percent Victims Paid in Full: (Victims Paid In Full Divided By The Total Victims) Multiplied by 100
5. Percent Victims Not Paid in Full: 100 - Percent Victims Paid in Full

112. Please provide the percentage of victims that received full restitution during the time periods below (and total number that did not) and explain how the agency calculated the percentages.

c. FY16 - FY20 (while under administrative monitoring)

The below charts show the same offenders from chart at the top of the page, but the charts show how they paid during their Administrative Monitoring years.

The BLUE background row shows the same values as in Chart of Page 14 for the same year during Active Supervision.

The light brown background rows show the same offenders but in following years, during Admin Monitoring.

Follow Up of The Same Group Of Offenders Who Had DACOR Accts. In FY 2016

Fiscal Year	Total Offenders	Total Victims	Offenders Who Paid Their Accounts In Full	Victims Paid In Full	Percent Victims Paid in Full	Percent Victims Not Paid in Full
2016	15,717	25,959	1,726	2,038	8%	92%
2017	15,717	25,959	1,398	1,701	7%	93%
2018	15,717	25,959	949	1,206	5%	95%
2019	15,717	25,959	503	640	2%	98%
2020	15,717	25,959	229	272	1%	99%
Total During AM:		25,959		3,819	15%	85%

Follow Up of The Same Group Of Offenders Who Had DACOR Accts. In FY 2017

Fiscal Year	Total Offenders	Total Victims	Offenders Who Paid Their Accounts In Full	Victims Paid In Full	Percent Victims Paid in Full	Percent Victims Not Paid in Full
2017	14,740	24,407	1,528	1,856	8%	92%
2018	14,740	24,407	1,305	1,602	7%	93%
2019	14,740	24,407	865	1,055	4%	96%
2020	14,740	24,407	428	520	2%	98%
Total During AM:		24,407		3,177	13%	87%

Follow Up of The Same Group Of Offenders Who Had DACOR Accts. In FY 2018

Fiscal Year	Total Offenders	Total Victims	Offenders Who Paid Their Accounts In Full	Victims Paid In Full	Percent Victims Paid in Full	Percent Victims Not Paid in Full
2018	13,704	22,615	1,450	1,758	8%	92%
2019	13,704	22,615	1,204	1,424	6%	94%
2020	13,704	22,615	744	870	4%	96%

Total During AM:	22,615	2,294	10%	90%
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Follow Up of The Same Group Of Offenders Who Had DACOR Accts. In FY 2019

Fiscal Year	Total Offenders	Total Victims	Offenders Who Paid Their Accounts In Full	Victims Paid In Full	Percent Victims Paid in Full	Percent Victims Not Paid in Full
2019	12,607	20,758	1,323	1,561	8%	92%
2020	12,607	20,758	1,053	1,209	6%	94%
Total During AM:	20,758			1,209	6%	94%

Offenders in Administrative Monitoring and Having a DACOR Account			
Fiscal Year	Offenders with AM and DACOR Accounts	Offenders Not Paying Three or More Months in a Row	Victims
2016	534	124	350
2017	829	201	530
2018	1284	288	745
2019	1482	201	573
2020	1570	141	333
NOTE:	1. All these offenders paid at least one payment to their victim		