

# *Law Enforcement and Criminal Justice Subcommittee Meeting*

Monday, June 18, 2018

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# AGENDA

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***LAW ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE***

***Chairman Edward R. Tallon Sr.***

***The Honorable Katherine E. (Katie) Arrington***

***The Honorable William M. (Bill) Hixon***

***The Honorable Jeffrey E. (Jeff) Johnson***

***Monday, June 18, 2018***

***11:00am***

***Room 511 - 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 Meeting Minutes**
- II. Discussion of the study of the Commission on Prosecution Coordination**
- III. Adjournment**

# MEETING MINUTES

**Chair Wm. Weston J. Newton**

*First Vice-Chair:*  
*Laurie Slade Funderburk*

## **Legislative Oversight Committee**



*Katherine E. (Katie) Arrington*  
*William K. (Bill) Bowers*  
*Neal A. Collins*  
*MaryGail K. Douglas*  
*William M. (Bill) Hixon*  
*Jeffrey E. (Jeff) Johnson*  
*Robert L. Ridgeway, III*  
*Bill Taylor*  
*John Taliaferro (Jay) West, IV*

*Bruce W. Bannister*  
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*Chandra E. Dillard*  
*Phyllis J. Henderson*  
*Joseph H. Jefferson, Jr.*  
*Mandy Powers Norrell*  
*Tommy M. Stringer*  
*Edward R. Tallon, Sr.*  
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### **South Carolina House of Representatives**

*Jennifer L. Dobson*  
*Research Director*

*Cathy A. Greer*  
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### **Law Enforcement and Criminal Justice Subcommittee**

**Tuesday, May 1, 2018**

**10:30 am**

**Blatt Room 511**

### **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 Subcommittee Chairman Edward R. Tallon, Sr., on Tuesday, May 1, 2018, in Room 511 of the Blatt Building. All members of the Subcommittee were present for either all or 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. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Johnson makes a motion to approve the meeting minutes from the prior Subcommittee meeting.

Rep. Arrington's motion to approve the minutes from the April 24, 2018, meeting:	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

## Discussion of the Commission on Indigent Defense

- I. Chairman Tallon explains the purpose of the meeting today is to ask any questions related to information presented during the previous meeting and for agency representatives to provide details regarding the Death Penalty Trial Division.
- II. Subcommittee members ask questions related to the following topics, which Director Hugh Ryan, and other agency representatives, answer:
  - a. lack of agency regulations;
  - b. hiring process, vacant positions, and turnover rate;
  - c. employee morale, evaluations, and feedback;
  - d. agency's commission;
  - e. evaluation of the director, circuit public defenders, and commissioners; and
  - f. screening for indigents in different courts and counties.

During the questions, and for the remainder of the meeting, Rep. Hixon serves as acting chair.

- III. Subcommittee members make various motions, which are listed on the next pages. A roll call vote is held for these motions, and, among the members present, the motions pass unanimously.



Rep. Johnson's motion that the Subcommittee Study include a recommendation that the agency provide each commission member a document outlining the commission's duties under the law, require the member to sign the document acknowledging their understanding of the duties, and post the signed document on the agency's website. Additionally, the motion recommends the General Assembly make this a requirement, for this agency, and all other agencies with a board or commission:	Yea	Nay	Not Voting (Absent)
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon			✓

Rep. Johnson's motion that the Subcommittee Study include a recommendation that the General Assembly amend state statute to require onboarding training for all new members of state agency governing boards or commissions and annual training for all current members:	Yea	Nay	Not Voting (Absent)
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon			✓

Rep. Johnson's motion that the Subcommittee Study include a recommendation that the General Assembly amend SC Code of Laws Section 17-3-30 to clarify which entity is responsible for screening application for indigent assistance:	Yea	Nay	Not Voting (Absent)
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon			✓

Rep. Johnson's motion to amend his prior motion so that the recommendation is to delete SC Code of Laws Section 17-3-30 if it is viewed by the Committee and General Assembly to not be necessary:	Yea	Nay	Not Voting (Absent)
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon			✓

IV. There being no further business, the meeting is adjourned.

# STUDY TIMELINE

The House Legislative Oversight Committee's (Committee) process for studying the Commission on Prosecution Coordination (SCCPC, Commission, Prosecution Coordination, or agency) includes actions by the full Committee; Executive Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below in Figure 2.

## Legislative Oversight Committee Actions

- December 19, 2017 - Prioritizes the agency for study
- January 12, 2018 - Provides the agency notice about the oversight process
- January 23 - March 1, 2018 - Solicits input about the agency in the form of an online public survey
- April 26, 2018 - Holds **Meeting #1** to obtain **public input** about the agency

## Executive Subcommittee Actions

- June 18, 2018 - (TODAY) Holds **Meeting #2** to discuss an **overview of the agency** and the agency's **deliverables and strategic plan**.

## Commission on Prosecution Coordination Actions

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 11, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 2017 - Submits its **2016-17 Accountability Report**
- April 6, 2018 - Submits its **Program Evaluation Report**
- June, 2018 - **TBD** - Responds to Subcommittee's inquiries

## Public's Actions

- January 23 - March 1, 2018 - Provides input about the agency via an **online public survey**
- April 26, 2018 - Provides testimony about the agency
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

Figure 1. Key dates in the study process (December 2017 - present).

# AGENCY SNAPSHOT

## Prosecution Coordination Commission

### Major Agency Positions

#### *Executive Director*

Oversees overall management of agency; coordinates and develops agency activities; monitors legislation and provides input as needed; and works with Solicitors.

#### *Pre-trial Intervention and Grants Coordinator*

Coordinates the activities of Circuit Solicitor Diversion programs and ensures grant and legislative reports are completed in a timely manner.

#### *Traffic Safety Resource Prosecutor*

Acts as resource on, and conducts training for, prosecutors for traffic-related criminal cases, pursuant to a grant from the National Highway Traffic Safety Administration.

#### *Education Coordinator / Senior Staff Attorney*

Develops and conducts trainings for Solicitors' staff; prepares legal updates; and assists prosecutors.

#### *Staff Attorney*

Assists in providing trainings for Solicitors' staff, preparing legal updates, and providing assistance to prosecutors.

#### *Administrative Assistants*

Performs human resources functions and assists Executive Director in preparation of budget and financial management of agency. Prepares correspondence, organizes files, maintains records, and performs other administrative duties for Executive Director and staff.

### FY 17-18 Resources

Employees  
Available FTE: 7\*  
\*not including one Solicitor and  
administrative assistant/circuit

Filled FTE: 6

Funding  
\$36.79 million  
appropriated and  
authorized

### **SUCCESSES**

*As identified by the agency*

- Increasing the quality and quantity of training, resources, and technical assistance available to prosecutors.

- Receiving increased funding based on an analysis of the number of incoming cases compared to the number of prosecutors (caseload equalization)

- Updating procedures and resources to improve the prosecution of domestic violence cases, including efforts to have all domestic violence cases prosecuted by attorney prosecutors rather than law enforcement officers.

### **CHALLENGES**

*As identified by the agency*

- Addressing ability to provide reports, trends, and performance measures without a centralized data system in which solicitors from all circuits enter information.

- Assisting solicitors' offices with processing and turning over discovery in a timely manner without sufficient data storage for large body camera files.

- Raising additional funding from counties to eliminate the large disparity in funding of solicitors' offices across the 46 counties.

Figure 2. Snapshot of the major agency positions, fiscal year 2017-18 resources (employees and funding), successes, and challenges.<sup>1</sup>

## JUDICIAL CIRCUITS MAP



Figure 3. Map of judicial circuits.<sup>2</sup>

# OVERVIEW OF AGENCY

## *History*

SCCPC has provided the Committee with an overview of the agency's history.<sup>3</sup> In addition, Committee staff confirmed the accuracy of any assertion of legislative action.

### 1990

- May - The General Assembly **creates the S.C. Commission on Prosecution Coordination (SCCPC)**.<sup>4</sup> It also sets forth the SCCPC membership (amended in 1996), duties, election of chairman and officers, executive director and staff positions, compensation, funding, and salaries of elected Circuit Solicitors.<sup>5</sup>
- September - The Commission holds its first meeting. During the meeting the Commission establishes the positions of executive director and administrative assistant.

### 1991

- January - The Commission **appoints Mr. William D. Bilton as executive director**; and creates the curriculum developer position. Also, the Commission approves the initial budget for the remainder of the fiscal year.
- July - The General Assembly transfers elected Solicitors and their administrative assistants from employees of the Attorney General's Office to employees of the SCCPC.<sup>6</sup>

### 1992

- October - The General Assembly exempts SCCPC employees from the State Employee Classification and State Employee Grievance Procedures.<sup>7</sup>

### 1993

- August - The Commission grants the executive director authority to hire a pre-trial intervention (PTI) state office coordinator. Also, the Commission approves and adopts the *SCCPC Operations and Management Manual*.

### 1995

- October - The Commission adopts PTI Training Standards.

### 1996

- October - The Commission approves the executive director making a request to the General Assembly for permanent state funding for a child abuse attorney specialist and victim-witness coordinator.

### 1997

- September - The Commission receives state funding for a child abuse attorney specialist position from the General Assembly.

### 1998

- September – The General Assembly authorizes a state victim-witness assistance coordinator position at SCCPC.<sup>8</sup>

#### 1999

- October – The Commission creates a victim-witness assistance advocate position, which is funded by grants.

#### 2000

- October – The SCCPC receives a National Highway Traffic Safety Administration (NHTSA) grant to create a driving under the influence (DUI) unit.

#### 2001

- July – The General Assembly provides SCCPC a non-recurring state appropriation to fund drug treatment courts.<sup>9</sup>
- October – The SCCPC creates a child victim advocate position, DUI attorney specialist position, and DUI support secretary position, all of which are funded by the NHTSA grant to create a DUI unit.

#### 2003

- September – The SCCPC establishes alcohol diversion programs (later called alcohol education programs) in Lexington County (Eleventh Judicial Circuit) and Richland County (Fifth Judicial Circuit).

#### 2006

- October – The SCCPC changes the DUI attorney and support secretary positions to traffic safety resource prosecutor (TSRP) and TSRP administrative assistant positions, both are funded by a TSRP grant from the NHTSA.

#### 2007

- September – The SCCPC creates an education coordinator position.

#### 2009

- February – The SCCPC holds its first “Prosecution Bootcamp” program, which lasts three days.

#### 2010

- December – The SCCPC eliminates the deputy director position and creates a legislative coordinator position (effective January 1, 2011). Also, the SCCPC eliminates the child abuse attorney specialist and child victim advocate positions.

#### 2011

- January – The Commission appoints Mr. David M. Ross as executive director of the SCCPC.
- February – The SCCPC extends its “Prosecution Bootcamp” program from three days to four days.

#### 2012

- January – The SCCPC relocates its offices from 1401 Main Street, Suite 825 to the Wade Hampton Building.
- March – The SCCPC extends its “Prosecution Bootcamp” program from four days to five days.

#### 2015

- October – The TSRP grant eliminates funding for an administrative assistant position.

## Legal Directives

### Basis for creating the agency

The General Assembly stated the following when **creating the SCCPC** in 1990:

- The importation, sale, and use of dangerous narcotic substances in South Carolina has reached epidemic levels; and
- This epidemic has resulted in an **explosion in drug-related crimes**, many of which are violent in nature; and
- On January 1, 1990, there was a record **backlog of** forty-two thousand five hundred seventy-seven **criminal cases** in General Sessions and Family Courts; and
- There is a **need to provide uniform and efficient administration of justice through the prosecution of criminal cases** in South Carolina. (emphasis added)<sup>10</sup>

To address these issues, the General Assembly directed the SCCPC, “to coordinate all activities involving the prosecution of criminal cases in this State.”<sup>11</sup> Other specified duties of the SCCPC include<sup>12</sup>:

- (1) coordinate all administrative functions of the solicitors' offices and any affiliate services;
- (2) submit the budgets of the solicitors and their affiliate services to the General Assembly;
- (3) encourage and develop legal education programs and training programs for solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, act as a clearinghouse and distribution source for publications involving solicitors and their affiliate services, and provide legal updates on matters of law affecting prosecution of criminal cases; and
- (4) provide blank indictments for the Solicitors.

Unlike the S.C. Commission on Indigent Defense and circuit public defenders, the General Assembly did not specifically state in statute that the SCCPC has authority to require any information, set any policies or procedures, or take any other type of action to ensure solicitors are complying with their legal duties or to “provid[ing] uniform and efficient administration of justice.”<sup>13</sup> However, the General Assembly did authorize the agency to promulgate any regulations necessary to assist it in performing its duties, which include “coordinat[ing] all activities involving the prosecution of criminal cases.”<sup>14</sup>

While the Commission has not promulgated any regulations, it has adopted policies and standards for the solicitors' operation of pre-trial diversion programs. The **SCCPC believes it could promulgate regulations which require solicitors to provide specific information or follow certain policies related to other aspects of prosecution, but asserts it is unclear whether the agency has statutory authority to create an enforcement mechanism to ensure compliance with the policies, procedures, or regulations.**<sup>1</sup>

---

<sup>1</sup> The Law Enforcement Training Council (LETC) is an example of an entity with the ability to ensure compliance with its regulations by those in positions which are elected by the public (e.g., sheriffs). However, the authority to enforce is specifically stated in statute. S.C. Code Ann. 23-23-80(5) “(5) make such regulations as may be necessary for the administration of this chapter, including the issuance of orders directing public law enforcement agencies to comply with this chapter and all regulations so promulgated;”

### Roles of SCCPC v. Solicitors

The State Constitution provides each judicial circuit will have a solicitor elected by the public, and the **General Assembly shall provide in law the duties of the circuit solicitors.**<sup>15</sup> The General Assembly states solicitors are to perform the duty of the Attorney General, which is to “**supervise** the prosecution of all criminal cases in courts of record,” and assist the Attorney General, or each other, in all prosecution on behalf of the state when directed by the Governor or called upon by the Attorney General.<sup>16</sup>

Thus, the General Assembly has tasked the SCCPC with “**coordinat[ing]** all activities involving the prosecution of criminal cases,” providing specific examples of the activities to coordinate, and has tasked solicitors with “**supervis[ing]** the prosecution of all criminal cases in courts of record.”<sup>17</sup>

It is important to note this differs from public defenders who are not elected by the public and are instructed by the General Assembly to follow the policies and procedures of the S.C. Commission on Indigent Defense, which include, but are not limited to, setting standards for performance.<sup>18</sup>

The General Assembly noted there was a backlog of criminal cases when creating the SCCPC. While the General Assembly provides that individual solicitors have exclusive authority to determine the order in which cases are called for trial, in 2012 the Supreme Court of South Carolina declared the statute unconstitutional and placed control of the docket with the judiciary.<sup>19</sup> The General Assembly also requires the Attorney General and Solicitors to conduct annual examinations of the offices of the clerk of the court, sheriff, and register of deeds in each county, to determine if those officers are performing their duties under the law, and make a report to the General Assembly, as it has since 1837.<sup>20</sup>

### Specific duties of SCCPC and finances

In the past, the General Assembly has gone back and forth as to whether the SCCPC should keep details on expenditures and revenues. From 1979 through 2005 solicitors were required by statute to provide a report on expenditures.<sup>21</sup> From 2005 to 2016, there was no requirement for solicitors to report their expenditures. Since fiscal year 2015-16, the General Assembly has enacted a proviso annually which requires the SCCPC to obtain detailed expenditure reports and associated revenue streams for each solicitor.<sup>22</sup>

The SCCPC has other general and specific duties in law. The agency has interpreted these legal duties to require numerous deliverables, which are included in detail in later sections of this packet.



## *Mission and Vision*

The agency provides S.C. Code Ann. Section 1-7-940 as the basis for its mission and vision.<sup>23</sup> It also provides Rule 3.8, Comment 1, S.C. Rules of Professional Conduct (Rule 407, SCACR) as additional basis for its mission.<sup>24</sup> The mission, vision, and supporting legal basis are below.

SCCPC's **mission** is to enhance the professionalism and effectiveness of South Carolina's Solicitors and their staff. We do this by providing legal education and publications, providing technical assistance, coordinating with other state, local, and federal agencies involved in the criminal justice system, providing administrative functions for the solicitors at the state level, as well as being a resource for the General Assembly on a range of issues.<sup>25</sup>

SCCPC's **vision** is to enhance the ability of South Carolina's state prosecutors to seek justice.<sup>26</sup>

S.C. Code Ann. Section 1-7-940, which relates to SCCPC's duties, states the following:

(A) The commission has the following duties:

- (1) coordinate all administrative functions of the offices of the solicitors and any affiliate services operating in conjunction with the solicitors' offices;
- (2) submit the budgets of the solicitors and their affiliate services to the General Assembly;
- (3) encourage and develop legal education programs and training programs for solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State;
- (4) provide blank indictments for the circuit solicitors.

(B) Nothing in this section may be construed to displace or otherwise affect the functions and responsibilities of the State Victim/Witness Assistance Program as established in Section 16-3-1410.

Rule 3.8, Comment 1, S.C. Rules of Professional Conduct (Rule 407, SCACR), states:

A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice and that guilt is decided upon the basis of sufficient evidence. Precisely how far the prosecutor is required to go in this direction is a matter of debate and varies in different jurisdictions. Many jurisdictions have adopted the ABA Standards of Criminal Justice Relating to the Prosecution Function, which in turn are the product of prolonged and careful deliberation by lawyers experienced in both criminal prosecution and defense. Applicable law may require other measures by the prosecutor and knowing disregard of those obligations or a systematic abuse of prosecutorial discretion could constitute a violation of Rule 8.4.

# ORGANIZATION OF AGENCY

## *Governing Body (i.e. director, commissioners, trustees, etc.)*

In the Program Evaluation Report, the Committee asks the agency to provide information about the agency's governing body.<sup>27</sup> The SCCPC provides the information below.

The governing body of the SCCPC is the commission. The commission elects a chairman, who serves a two-year term.<sup>28</sup> The commission has the authority to appoint an executive director, who serves at the pleasure of the commission.<sup>29</sup> The executive director is responsible for the day-to-day operation of the commission and the coordination of the work with other state agencies.<sup>30</sup>

The commission is comprised of the following eleven members, who serve without compensation:

- (1) Chairmen of the Senate and House Judiciary Committees for the terms for which they are elected or their legislative designees;
- (2) Chief of the South Carolina Law Enforcement Division (SLED) for the term for which he is appointed;
- (3) Director of the Department of Public Safety (SCDPS) for the term for which he is appointed;
- (4) A director of a Judicial Circuit Pre-Trial Intervention Program appointed by the Governor for a term of two years;
- (5) A Judicial Circuit Victim-Witness Assistance Advocate appointed by the Governor for a term of two years; and
- (6) Five judicial circuit solicitors appointed by the Governor for a term of four years.

There are currently no term limits for members of the commission as long as they meet the qualifications. If a vacancy arises, it must be filled in the same manner as the initial appointment (which, for all but the Senate, House, SLED and SCDPS seats, are via appointment by the Governor).

Table 1 lists the current commission members name, statutory role, and dates of current terms.

Table 1. Agency commission members name, statutory role, and dates of current terms.<sup>31</sup>

Term	Statutory Role	Name
7/1/14 – 6/30/18	Solicitor-Appointed by the Governor	Solicitor Isaac McDuffie Stone III Fourteenth Judicial Circuit
7/1/16 - 6/30/18	Solicitor-Appointed by the Governor	Solicitor William W. Wilkins III Thirteenth Judicial Circuit
7/1/14 – 6/30/18	Solicitor-Appointed by the Governor	Solicitor Kevin S. Brackett Sixteenth Judicial Circuit
7/1/13 – 6/30/17	Solicitor-Appointed by the Governor	Solicitor J. Strom Thurmond Second Judicial Circuit
7/1/13 – 6/30/17	Solicitor-Appointed by the Governor	Solicitor Scarlett A. Wilson Ninth Judicial Circuit
N/A	Chairman of the Senate Judiciary Committee or his/her designee	Senator Greg Hembree
N/A	Chairman of the House Judiciary Committee or his/her designee	Representative Thomas E. Pope Speaker Pro Tem
N/A	Chief, S.C. Law Enforcement Division	Mark A. Keel
N/A	Director, S.C. Department of Public Safety	Leroy Smith
Currently Vacant*	Director, Judicial Circuit Pretrial Intervention Program-Appointed by the Governor	Vacant since May 17, 2017 (former Commission member retired)
Currently Vacant*	Judicial-Circuit Victim-Witness Assistance Advocate-Appointed by the Governor	Vacant since October 2, 2017 (former Commission member left the Solicitor's Office)

\*Table Note: Names have been submitted to the Governor to consider for the two vacancies.

## *Internal Audit Process*

In the Program Evaluation Report, the Committee asks the agency to provide information about internal audit process, if it has one.<sup>32</sup> The SCCPC does not have internal audit staff or an internal audit process, but the Office of State Auditor conducts an audit annually (the last audit was conducted in FY 2016-2017).

## *Employees*

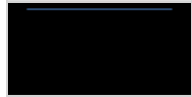
The Department of Administration's Division of State Human Resources provides the numbers of authorized, actual, and filled full time employee (FTE) positions for the last five fiscal years.<sup>33</sup> Table 2 and Figure 4 provide that information. The Authorized Total FTE is as of July 1 of the fiscal year, as stated in the Appropriations Act. The Actual Total FTE is the sum of Filled FTE and Vacant FTE, based on what the agency has entered in South Carolina Enterprise Information System (SCEIS) and is as of June 30. If Actual is more than Authorized, it may be because during the course of the year, the Executive Budget Office authorizes interim FTE positions. The agency typically requests authorization for these positions in the next budget. If Actual is less than Authorized, it is because the agency has not setup all of the Authorized positions in SCEIS yet. Filled FTEs are positions the agency has setup in SCEIS in which someone is actually working.


The agency indicates, in its Program Evaluation Report, that during FY 2014-15 through FY 2016-17, it did not obtain information from employees leaving the agency (e.g., exit interview, survey, evaluation, etc.).<sup>34</sup> However, the agency notes the agency is very small and the executive director has an open door policy.<sup>35</sup>


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It is important to note that while the data below shows the agency has 39 FTE positions, 32 of those positions are the 16 elected Circuit Solicitors and 16 administrative assistants (one in each of the Offices of Solicitors, who are managed by and report to their respective Solicitor).<sup>36</sup> **There are only seven positions physically located within the SCCPC, and only six of those are currently filled.**<sup>37</sup>

Table 2. SCCPC authorized, filled, vacant, and actual FTE positions (FY 2014-FY 2018).<sup>38</sup>

Authorized	2013-14	2014-15	2015-16	2016-17	2017-18	Trend Line
Total	38	38	38	38	38	
State	38	38	38	38	38	
Federal	0	0	0	0	0	
Other	0	0	0	0	0	

Filled	2013-14	2014-15	2015-16	2016-17	2017-18	Trend Line
Total	35.625	36.625	36.625	36.625	34.625	
State	35.625	36.625	36.625	36.625	34.625	
Federal	0	0	0	0	0	
Other	0	0	0	0	0	

Vacant	2013-14	2014-15	2015-16	2016-17	2017-18	Trend Line
Total	2	1	1	1	3	
State	2	1	1	1	3	
Federal	0	0	0	0	0	
Other	0	0	0	0	0	

Actual	2013-14	2014-15	2015-16	2016-17	2017-18	Trend Line
Total	37.625	37.625	37.625	37.625	37.625	
State	37.625	37.625	37.625	37.625	37.625	
Federal	0	0	0	0	0	
Other	0	0	0	0	0	

NOTE

Information on agency employees: gender and race by generation was obtained from the S.C. Enterprise Information System. However, upon review of the information, the SCCPC noticed inaccuracies in it. The SCCPC is contacting the State Human Resources Division to make corrections. The SCCPC will inform the Subcommittee when the updated information is available.

There are no statistics about the SCCPC in the 2018 annual Human Affairs report on the status of equal employment opportunity in S.C. state government because information is only provided on agencies under the jurisdiction of the S.C. Human Affairs Commission (e.g., entities with fifteen or more employees). The SCCPC does not have more than fifteen employees because, pursuant to S.C. Code Ann. Section 1-13-30(H), "employee" does not include any person elected to public office in this State (i.e., Solicitors), or any person chosen by such officer to be on such officer's personal staff (i.e., administrative assistant for each Solicitor).

*Figure 4. Information on agency employees: gender and race by generation as of April 2018.<sup>39</sup>*

## *Organizational Units and Chart*

The agency's Program Evaluation Report (PER) includes information about its organizational units.<sup>40</sup> Every agency has some type of organization and hierarchy. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

To ensure agency employees understand how their work contributes to the agency's overall ability to provide effective services and products in an efficient manner, each organizational unit has at least one (and in most cases multiple), objectives, strategies, or goals for which it is solely responsible.

Since the SCCPC only has seven employees, outside of the Solicitors and their administrative assistants, the agency utilized job descriptions as its organizational units.

The **Executive Director** oversees the overall management of agency; coordinates and develops agency activities; monitors legislation and provides input as needed; and works with Solicitors. The position requires a law license and the agency pays for, or provides in-house, all continuing education classes and dues necessary to maintain the license.

**Administrative Assistant 1** performs human resources functions and assists the Executive Director in preparation of the agency's budget and financial information. The position does not require any certifications.

**Administrative Assistant 2**, which is currently vacant, prepares correspondence, organizes files, maintains records, and performs other administrative duties for the Executive Director and agency staff. The position does not require any certifications.

The **Pretrial Intervention and Grants Coordinator** coordinates the activities of the Solicitor diversion programs and ensures grant and legislative reports are completed in a timely manner. The position does not require any certifications.

The **Education Coordinator/Senior Staff Attorney**, under limited supervision, develops and conducts trainings for Solicitors' staff, prepares legal updates, and assists prosecutors. The position requires a law license and the agency pays for, or provides in-house, all continuing education classes and dues necessary to maintain the license.

The **Staff Attorney**, under limited supervision, assists in providing trainings for Solicitors' staff, preparing legal updates, and providing assistance to prosecutors. The position requires a law license and the agency pays for, or provides in-house, all continuing education classes and dues necessary to maintain the license.

The **Traffic Safety Resource Prosecutor**, under limited supervision and pursuant to a grant from the National Highway Traffic Safety Administration, acts as resource on, and conducts training for, prosecutors for traffic-related criminal cases. The position requires a law license, and the grant pays for continuing education classes and the agency provides in-house continuing education classes and dues necessary to maintain the license.

Figure 5 includes an organizational chart, current as of April 2018.

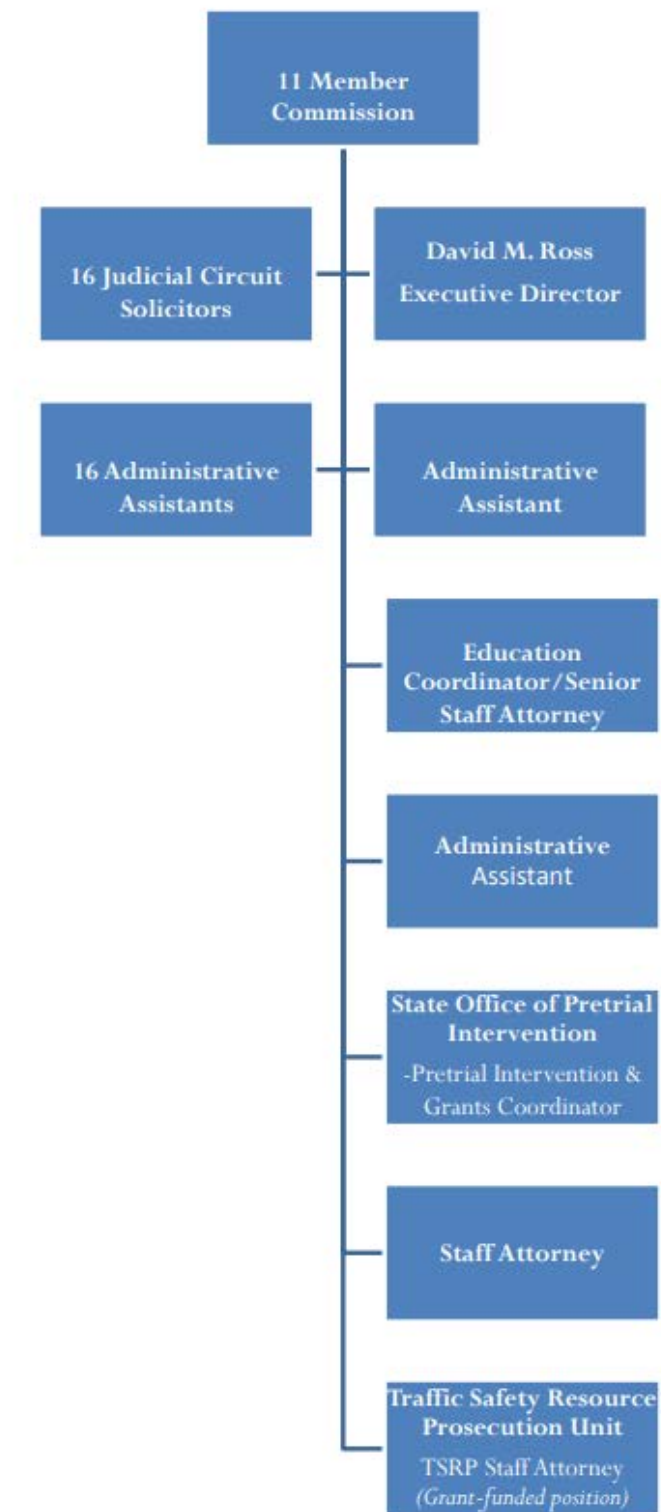


Figure 5. Agency Organizational Chart as of April 2018. <sup>41</sup>



# PRODUCTS AND SERVICES

In the Program Evaluation Report, the Committee asks an agency to **provide a list of its deliverables** (i.e., products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts.<sup>42</sup> Table 3 includes an overview of the deliverables provided by the agency and Tables 4.1 - 4.32 include additional information about each of the deliverables.

Table 3. List of the agency's deliverables.

Item # <sup>2</sup>	Deliverable	Does law require, allow, or not address it?
1A&B	Administrative functions of the solicitors' offices, coordinate	<u>Required by</u> S.C. Code Ann. Section 1-7-940(A)(1). Duties.
2	State budget support to solicitors, provide	<u>Required by</u> S.C. Code Ann. Section 1-7-940(A)(2). Duties.
3	Solicitors' expenditure reports, collect and submit to legislature	<u>Required by</u> Proviso 117.109, 2017-2018 Appropriation Act Part 1B
4-10	Legal issues, including legislation and court rules affecting prosecutors and prosecution,...	<u>Required by</u>
	provide technical assistance	S.C. Code Ann. Section 1-7-940(A)(3). Duties.
	provide and assist with general research	S.C. Code Ann. Section 1-7-940(A)(3). Duties.
	develop, coordinate, and conduct training	S.C. Code Ann. Section 1-7-940(A)(3). Duties.
	act as clearinghouse for distribution of publications	S.C. Code Ann. Section 1-7-940(A)(3). Duties.
	provide updates	S.C. Code Ann. Section 1-7-940(A)(3). Duties.
	monitor	<u>Not specifically mentioned in law, but provided to achieve the requirements of</u> S.C. Code Ann. Section 1-7-940(A)(3). Duties.

<sup>2</sup> Item numbers are the ones utilized in agency's program evaluation report.

Item # <sup>2</sup>	Deliverable	Does law require, allow, or not address it?
11	Blank indictments to the solicitors' offices, provide	<u>Required by</u> S.C. Code Ann. Section 1-7-940(A)(3). Duties.
12-15	Domestic violence...	<u>Required by</u>
	prosecutions, collect/maintain non-privileged data, and prepare/submit annual report	Proviso 60.7, 2017-2018 Appropriation Act, Part 1B
	First-time offender programs, collect reports	S.C. Code Ann. Section 22-3-546. Establishment of program for prosecution of first offense misdemeanor criminal domestic violence offenses.
	fatalities, develop protocols related to the review	S.C. Code Ann. Section 16-25-720. Establishment of interagency circuit-wide committees; protocols; membership of committees; confidential information; limitation in investigations; access to information.
	Fatality Review Committees, collect and maintain reports from each solicitor	<u>Not specifically mentioned in law, but provided to achieve the requirements of</u> S.C. Code Ann. Section 16-25-720.
16	Driving under the influence...	<u>Required by</u>
	prosecutions, collect/maintain information, and prepare/submit annual report	Proviso 60.9, 2017-2018 Appropriation Act, Part 1B
17-19	Traffic education programs...	<u>Required by</u>
	procedures, oversee administration	S.C. Code Ann. Section 17-22-310. Prosecutorial discretion of Circuit Solicitor to establish traffic education program; administration.
	Reports, collect from each solicitor	S.C. Code Ann. Section 17-22-360. Annual report.
	identifying information of participants, maintain	S.C. Code Ann. Section 17-22-370. Submission of information necessary for creation and maintenance of list of participants.

Item # <sup>2</sup>	Deliverable	Does law require, allow, or not address it?
20-22	Alcohol education programs...	<u>Required by</u>
	procedures, oversee administration	S.C. Code Ann. Section 17-22-510. Prosecutorial discretion of Circuit Solicitor to establish alcohol education program; administration.
	enrollment and completion, maintain records	S.C. Code Ann. Section 17-22-530. Disposition of alcohol-related offense on completion of program.
	identifying information of participants, maintain	S.C. Code Ann. Section 17-22-560. Records.
23-25	Pre-trial intervention...	<u>Required by</u>
	procedures for these programs, oversee administration	S.C. Code Ann. Section 17-22-30. Circuit solicitors to establish pretrial intervention programs; oversight of administrative procedures.
	coordinator office, create and maintain	S.C. Code Ann. Section 17-22-40. Pretrial intervention coordinator; staff; funding.
	solicitors' inquiries regarding eligibility, respond to	S.C. Code Ann. Section 17-22-130. Reports and identification as to offenders accepted for intervention program.
26	Diversion programs (including pre-trial intervention, traffic education, and alcohol education), collect and report data on all	<u>Required by</u> S.C. Code Ann. Section 17-22-1120. Diversion program data and reporting.
27	Prosecutors and Defenders Public Service Incentive Program, develop, implement and administer	<u>Required by</u> Proviso 117.63, 2017-2018 Appropriation Act, Part 1B

Item # <sup>2</sup>	Deliverable	Does law require, allow, or not address it?
28-30	Serve on...	<u>Required by</u>
	Adult Protection Coordinating Council	S.C. Code Ann. Section 43-35-310. Council created; membership; filling vacancies.
	Victim Services Coordinating Council	S.C. Code Ann. Section 16-3-1430(B)(5). Victim assistance services; membership of Victim Services Coordinating Council.
	Attorney General's Interagency Task Force on Human Trafficking	S.C. Code Ann. Section 16-3-2050. Interagency task force established to develop and implement State Plan for Prevention of Trafficking in Persons; members; responsibilities; grants.
31	Disburse funds to the S.C. Center for Fathers and Families, from within the SCCPC budget	<u>Required by</u> Section 60, 2017-2018 Appropriation Act, Part 1A
32-37	Disburse funds to the solicitors' offices...	<u>Required by</u>
	from the appropriations to the SCCPC	Section 60, 2017-2018 Appropriation Act, Part 1A; Provisos 60.1 through 60.4 and 60.6 through 60.12, 2017-2018 Appropriation Act, Part 1B
	from traffic education programs \$140 application fee for summary court (County Magistrate and City/Town Municipal) level offenses (6.74%)	S.C. Code Ann. Section 17-22-350(B)&(C). Fees; waiver; distribution of fee proceeds.
	from filing fees on civil court motions	S.C. Code Ann. Section 8-21-320. Motion fees.
	from conditional discharge fees	S.C. Code Ann. Section 44-53-450(C). Conditional discharge; eligibility for expungement.
	from a portion of \$25 surcharge imposed on fines, forfeitures, escheatments or other monetary penalties	S.C. Code Ann. Section 14-1-212. Surcharges on fines; distribution.
	from surcharge drug convictions	S.C. Code Ann. Section 14-1-213. Surcharge on monetary penalties imposed for drug offenses; apportionment and use of funds; examination of financial records by State Auditor.

Table 4.1. Additional details about Deliverable #1A & B: Administrative functions of the solicitors' offices, coordinate.

## Administrative functions of the solicitors' offices coordinate

(Deliverable #1A & B<sup>43</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required, by S.C. Code Ann. Section 1-7-940(A)(1).

- Components:
- A. Human resources assistance for the solicitor and one administrative assistant in each judicial circuit
  - B. Diversion programs in the solicitors' offices, coordinates and provides support for

- Greatest harm if not provided:
- A. No human resources support and assistance for each solicitor and administrative assistant (both are state employees)
  - B. No coordinating state agency for solicitors' offices affiliate services, negatively impacting consistency and efficiency

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: SCCPC does not formally evaluate the outcome obtained by customers, but is informed if there is a problem.

Table 4.2. Additional details about Deliverable #2: State budget support to solicitors, provide.

## State budget support to solicitors, provide

(Deliverable #2<sup>44</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required, by S.C. Code Ann. Section 1-7-940(A)(2).

Components: Prepares and submits budgets of judicial circuit solicitors to General Assembly

Greatest harm if not provided: Solicitors' offices would be without a coordinating state agency, negatively impacting the preparation and submission of a budget, which serves all 16 judicial circuits and is cognizant of the special circumstances and needs of each, and receipt of state budgeted funds negatively impacting the ability of the solicitors' offices to prosecute cases

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.3. Additional details about Deliverable #3: Solicitors' expenditure reports, collect and submit to legislature.

## Solicitors' expenditure reports, collect and submit to legislature

(Deliverable #3<sup>45</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required, by Proviso 117.109, 2017-2018 Appropriation Act Part 1B.

Components: Provides expenditure reports and revenue streams for each judicial circuit solicitor to Chairmen of Senate Finance Committee and House Ways and Means Committee

Greatest harm if not provided: The Chairmen of Senate Finance Committee and House Ways and Means Committee would be without information on expenditures and revenues for each circuit

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission

Other agencies whose mission the deliverable may fit within: None

Customers/Clients		
Does the agency evaluate....		
customer satisfaction?	Yes	
outcome obtained?	Yes	
Does agency know the number of...		
potential customers?	Yes	
customers served?	Yes	

Costs		
Does the agency know the....		
cost it incurs, per unit?	Yes	
Does the law allow...		
charging to cover the agency's costs?	No	

*Deliverables related to...*

*Legal issues, including legislation and court rules affecting  
prosecutors and prosecution*



Table 4.4. Additional details about Deliverable #4: Legal education and other training, develop, coordinate, and conduct.

## Legal education and other training, develop, coordinate, and conduct

(Deliverable #4<sup>46</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required, by S.C. Code Ann. Section 1-7-940(A)(3).

Components: Provides legal education and training for solicitors' offices and affiliate services, other prosecution offices, and law enforcement

Greatest harm if not provided: Staff of the solicitors' offices would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

How General Assembly can help avoid harm, other than money:

1. Allow for sharing of state training facilities by state agencies with no or nominal rental fees.
2. Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes*
customers served?	Yes*

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No*

\*Table Note: (1) **Evaluation of outcome** - Historically, SCCPC has not formally evaluated the outcome obtained by customers, but it has relied upon the informal feedback from the 16 solicitors. SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (survey to be conducted on at least an annual basis). (2) **Attendance** - Attendance numbers change each year, but SCCPC maintains a record. (3) **Charging of Fees** - SCCPC does not charge a registration fee for its educational and training programs; it does, however, co-sponsor some programs where the co-sponsor charges a registration fee to cover program costs (e.g., speaker expenses, meeting space, AV equipment, provided meals and refreshments, etc.). None of the money is received by SCCPC (e.g., the annual conference of the Solicitors' Association of South Carolina, Inc. and the Prosecution Bootcamp). SCCPC is either solely or primarily responsible for the educational and training aspects of the program, but the Association collects nominal registration fees and is responsible for all non-SCCPC expenses).

Table 4.5. Additional details about Deliverable #5: Legal updates, provide.

## Legal updates, provide

(Deliverable #5<sup>47</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required, by S.C. Code Ann. Section 1-7-940(A)(3).

- Components:
1. Provides case law updates, legislative summaries, and other legal updates to solicitors' offices and, as applicable, other prosecution offices
  2. Legal updates are forwarded to the solicitors and the deputy solicitors for them to distribute to staff as appropriate; SCCPC distributes to other prosecutors and law enforcement as appropriate.

Greatest harm if not provided: Staff of the solicitors' offices would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (survey to be conducted on at least an annual basis).

Table 4.6. Additional details about Deliverable #6: Legislation, monitor.

## Legislation, monitor

(Deliverable #6<sup>48</sup>)

No law change would be required to curtail or eliminate the deliverable.

Deliverable is not specifically mentioned in law, but provided to achieve the requirements of S.C. Code Ann. Section 1-7-940(A)(3).

- Components:
1. Monitors legislation related to criminal justice system, juvenile justice system, evidence, court procedure, law enforcement, and other matters related to prosecutors and prosecution, and prepares legislative summaries for Solicitors' Offices and, as applicable, other prosecution and law enforcement; and provides testimony, input, and assistance as requested by solicitors, legislators, legislative staff, and criminal justice entities
  2. Legislative summaries are forwarded to the solicitors and the deputy solicitors for them to distribute to staff as appropriate; SCCPC distributes to other prosecutors and law enforcement as appropriate.

Greatest harm if not provided: Staff of the solicitors' offices would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

- How General Assembly can help avoid harm, other than money:
1. Encourage state government to provide more assistance and options to state agencies for websites and secure distribution of materials and information via the Internet.
  2. Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (annual survey)

Table 4.7. Additional details about Deliverable #7: Court rules affecting prosecutors and prosecution, monitor changes to.

## Court rules affecting prosecutors and prosecution, monitor changes to (Deliverable #7<sup>49</sup>)

No law change would be required to curtail or eliminate the deliverable.

Deliverable is not specifically mentioned in law, but provided to achieve the requirements of S.C. Code Ann. Section 1-7-940(A)(3).

- Components:
1. Provides announcements and summaries of potential and actual changes to court rules for solicitors' offices and, as applicable, and other prosecution offices.
  2. Information on potential and actual rule changes are forwarded to the solicitors and the deputy solicitors for them to distribute to staff as appropriate; SCCPC distributes to other prosecutors and law enforcement as appropriate.

Greatest harm if not provided: Staff of the solicitors' offices would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

- How General Assembly can help avoid harm, other than money:
1. Encourage state government to provide more assistance and options to state agencies for websites and secure distribution of materials and information via the Internet.
  2. Continued support of SCCPC and its mission

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (survey to be conducted on at least an annual basis)

Table 4.8. Additional details about Deliverable #8: Act as clearinghouse for distribution of publications.

## Act as clearinghouse for distribution of publications

(Deliverable #8<sup>50</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 1-7-940(A)(3).

- Components:
1. Provides prosecution handbooks and other information related to the prosecution of criminal cases and affiliate services.
  2. SCCPC creates two handbooks/manuals for prosecutors in the solicitors' offices - one is distributed electronically through the solicitors and deputy solicitors and the other is distributed in print at the annual Prosecution Bootcamp program; other information is distributed to prosecutors and prosecution staff electronically either through the solicitors and deputy solicitors or directly.

Greatest harm if not provided: Staff of the solicitors' offices would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

- How General Assembly can help avoid harm, other than money:
1. Enact legislation allowing for the sharing of transcripts of court proceedings among criminal prosecutors and criminal defense attorneys without additional payment to or permission from a state-employed court reporter once a copy has been purchased by a state, county, or city prosecution or public defender office or agency.
  2. Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (annual survey)

Table 4.9. Additional details about Deliverable #9: Technical legal assistance, provide.

## Technical legal assistance, provide

(Deliverable #9<sup>51</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 1-7-940(A)(3).

Components: Responds to requests for assistance from prosecutors (including law enforcement officers who prosecute their own cases) with substantive and practical questions related to specific criminal prosecutions.

Greatest harm if not provided: Staff of the solicitors' offices and other attorney and law enforcement prosecutors would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

How General Assembly can help avoid harm, other than money:

1. Dependent upon state funding, statutorily require that prosecutions of all driving under the influence cases be attorneys (prohibit the prosecution of any criminal charges by law enforcement) and provide additional resources to Solicitors' Offices to prosecute these cases in the summary courts (County Magistrate and City/Town Municipal).
2. Consider (a) creating statutory attorney-client privilege between lawyers at SCCPC and prosecutors and law enforcement officers who call for assistance with specific cases, and/or (b) extending prosecutorial immunity to the attorneys in SCCPC who provide assistance to state, county, and local prosecutors (lawyer and law enforcement).
3. Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (annual survey)

Table 4.10. Additional details about Deliverable #10: General legal research and assistance, provide.

## General legal research and assistance, provide

(Deliverable #10<sup>52</sup>)

No law change would be required to curtail or eliminate the deliverable.

Deliverable is not specifically mentioned in law, but provided to achieve the requirements of S.C. Code Ann. Section 1-7-940(A)(3).

Components: Responds to requests for assistance with general legal research and questions for prosecutors, victim advocates, diversion staff, investigators, paralegals, other prosecution staff and, as appropriate, law enforcement.

Greatest harm if not provided: Staff of the solicitors' offices, other prosecutors, and law enforcement would be inadequately prepared to perform their job responsibilities competently, efficiently, and properly resulting in the uneven and unfair administration of justice.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	Yes*
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

\*Table Note: Historically, SCCPC has not formally evaluated the outcome obtained by customers, but has relied upon the informal feedback from the 16 solicitors; SCCPC has recently instituted a formalized process for evaluating the outcome of its training and legal services deliverables (annual survey)

*Deliverables related to...*

*Blank Indictments*



Table 4.11. Additional details about Deliverable #11: Blank indictments to the solicitors' offices, provide.

## Blank indictments to the solicitors' offices, provide

(Deliverable #11<sup>53</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 1-7-940(A)(3).

Components: Blank indictments are no longer printed and provided to the solicitors' offices because the indictments are now generated on computers and printed.

Greatest harm if not provided: None. Agency recommends (law recommendation #5) deletion of the law requiring this deliverable because indictments are now computer generated and SCCPC no longer provides printed blank indictments.

How General Assembly can help avoid harm, other than money: Amend S.C. Code Ann. §1-7-940(A) to remove (4), because the solicitors' offices prepare indictments on their own (most, if not all, via computers without using preprinted forms).

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	No
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Domestic Violence*

Table 4.12. Additional details about Deliverable #12: Domestic violence fatalities, develop protocols related to the review of.

## Domestic violence fatalities, develop protocols related to the review of (Deliverable #12<sup>54</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 16-25-720.

- Components:
1. Develops protocols for use of Judicial Circuit Domestic Violence Fatality Review Committees, and by coroners and others conducting autopsies.
  2. In the protocol SCCPC developed for the committees, a two-year review process was included so that changes could be made to address issues identified by the committees and SCCPC.

Greatest harm if not provided: The solicitors' committees would not have operational guidance and there would be no consistency in how the 16 different committees operate, which could result in inadequate fatality reviews.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients		
Does the agency evaluate....		
customer satisfaction?	Yes	
outcome obtained?	Yes	
Does agency know the number of...		
potential customers?	Yes	
customers served?	Yes	

Costs		
Does the agency know the....		
cost it incurs, per unit?	No	
Does the law allow...		
charging to cover the agency's costs?	No	

Table 4.13. Additional details about Deliverable #13: Domestic Violence Fatality Review Committees, collect and maintain reports from each solicitor.

## Domestic Violence Fatality Review Committees, collect and maintain reports from each Solicitor (Deliverable #13<sup>55</sup>)

No law change would be required to curtail or eliminate the deliverable.

Deliverable is not specifically mentioned in law, but provided to achieve the requirements of S.C. Code Ann. Section 16-25-720.

Components: Collects and maintains annual reports from the Solicitors' Judicial Circuit's Domestic Violence Fatality Review Committees

Greatest harm if not provided: This information would not be centrally maintained and reviewed for purposes of determining what suggestions should be presented to the solicitors for their joint consideration.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.14. Additional details about Deliverable #14: First-time domestic violence offender programs, collect reports on.

## First-time domestic violence offender programs, collect reports on (Deliverable #14<sup>56</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 22-3-546.

Components: Collects reports from judicial circuit solicitors with five or more counties regarding programs for first offense domestic violence offenders

Greatest harm if not provided: There would be no reports from judicial circuit solicitors with five or more counties regarding programs for first offense domestic violence offenders.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.15. Additional details about Deliverable #15: Domestic violence prosecutions, collect/maintain non-privileged data, and prepare/submit annual report.

## Domestic violence prosecutions, collect/maintain non-privileged data, and prepare/submit annual report (Deliverable #15<sup>57</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by Proviso 60.7, 2017-2018 Appropriation Act, Part 1B.

Components: Collects and retains non-privileged information and data regarding domestic violence prosecutions and provides annual report to General Assembly (this proviso is included twice in the Laws Chart because it imposes two deliverables -the other deliverable is disbursing appropriated funds to the solicitors' offices)

Greatest harm if not provided: There would no central repository for this information or report, as required by Proviso 60.7, 2017-2018 Appropriations Act, and the General Assembly would be without information related to domestic violence prosecutions.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Driving under the influence (DUI)*

Table 4.16. Additional details about Deliverable #16: Driving under the influence, prosecutions, collect/maintain information, and prepare/submit annual report.

## Driving under the influence, prosecutions, collect/maintain information, and prepare/submit annual report (Deliverable #16<sup>58</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by Proviso 60.9, 2017-2018 Appropriation Act, Part 1B.

Components: Collects and retains non-privileged information and data regarding driving under the influence prosecutions and provides annual report to General Assembly

Greatest harm if not provided: There would no central repository for this information, and the General Assembly would be without information related to driving under the influence prosecutions.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No



*Deliverables related to...*

*Traffic education programs*

Table 4.17. Additional details about Deliverable #17: Traffic education programs, oversee administration of procedures.

## Traffic education programs, oversee administration of procedures (Deliverable #17<sup>59</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-310.

Components: Oversees administration of procedures for traffic education programs established by judicial circuit solicitors

Greatest harm if not provided: There would be no coordination of traffic education programs among the solicitors' offices.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.18. Additional details about Deliverable #18: Traffic education programs, collect reports of solicitors.

## Traffic education programs, collect reports of solicitors (Deliverable #18<sup>60</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-360.

Components: Makes annual traffic education programs reports prepared by judicial circuit solicitors available to the public

Greatest harm if not provided: This information would not be compiled as required by Section 17-22-360.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.19. Additional details about Deliverable #19: Traffic education programs, maintain identifying information of participants.

## Traffic education programs, maintain identifying information of participants (Deliverable #19<sup>61</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-370.

Components: Maintains identifying information on all participants in traffic education program

Greatest harm if not provided: There would no central repository for this information. Offenders would be able to participate in the program more than once (participation is limited to one time under Section 17-22-320).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Alcohol education programs*

Table 4.20. Additional details about Deliverable #20: Alcohol education programs, oversee administration of procedures.

## Alcohol education programs, oversee administration of procedures (Deliverable #20<sup>62</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-510.

Components: Oversees administration of procedures for alcohol education programs established by judicial circuit solicitors

Greatest harm if not provided: There would be no coordination of alcohol education programs among the solicitors' offices.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.21. Additional details about Deliverable #21: Alcohol education programs, maintain records of enrollment and completion.

## Alcohol education programs, maintain records of enrollment and completion (Deliverable #21<sup>63</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-530.

Components: Maintains records of disposition of cases of successful and unsuccessful completion of alcohol education program so a person cannot benefit from the program more than once

Greatest harm if not provided: There would no central repository for this information and persons might be able to go through the program more than once (participation is limited to one time under Section 17-22-520).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.22. Additional details about Deliverable #22: Alcohol education programs, maintain identifying information of participants.

## Alcohol education programs, maintain identifying information of participants (Deliverable #22<sup>64</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-560.

Components: Maintain identifying information on all participants in alcohol education program

Greatest harm if not provided: There would no central repository for this information, which is necessary to ensure that a person does not participate in a program more than once (participation is limited to one time under Section 17-22-520).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No



*Deliverables related to...*

*Pre-trial intervention programs*

Table 4.23. Additional details about Deliverable #23: Pre-trial intervention programs, oversee administration of procedures.

## Pre-trial intervention programs, oversee administration of procedures (Deliverable #23<sup>65</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-30.

Components: Oversees administration of procedures for pre-trial intervention programs established by judicial circuit solicitors

Greatest harm if not provided: There would be no coordination of pre-trial intervention programs among the solicitors' offices.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.24. Additional details about Deliverable #24: Pre-trial intervention coordinator, create and maintain the office.

## Pre-trial intervention coordinator, create and maintain the office (Deliverable #24<sup>66</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-40.

Components: Creates the office of Pre-Trial Intervention Coordinator to assist in establishing and maintaining pre-trial intervention programs

Greatest harm if not provided: There would be no coordination and support of pre-trial intervention programs among the solicitors' offices; and offices would be without some assistance in ensuring that offenders do not participate in pretrial intervention more than once contrary to legislative intent (participation is limited to one time under Section 17-22-50).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.25. Additional details about Deliverable #25: Pre-trial intervention, respond to solicitors' inquiries regarding eligibility.

## Pre-trial intervention, respond to solicitors' inquiries regarding eligibility (Deliverable #25<sup>67</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-130.

Components: Respond to solicitors' inquiries re intervention eligibility

Greatest harm if not provided: Offenders would be able to participate in the program more than once, contrary to legislative intent, without this means of verifying past participation in an intervention program.

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*All diversion programs (pre-trial intervention, alcohol education, and traffic education)*

Table 4.26. Additional details about Deliverable #26: All diversion programs (including pre-trial intervention, traffic education, and alcohol education), collect and report data.

## All diversion programs (including pre-trial intervention, traffic education, and alcohol education), collect and report data (Deliverable #26<sup>68</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 17-22-1120.

Components: Collects data on all diversion programs of judicial circuit solicitors and provides annual report to Sentencing Reform Oversight Committee

Greatest harm if not provided: There would no central repository for this information, and the Sentencing Reform Oversight Committee would be without information related to diversion programs as required by 17-22-1120.

How General Assembly can help avoid harm, other than money:

1. Include prosecution representatives in appointments to legislative oversight committees that include non-legislator members.
2. Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	Yes
outcome obtained?	Yes
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Public Service Incentive Program*

Table 4.27. Additional details about Deliverable #27: Prosecutors and Defenders Public Service Incentive Program, develop, implement, and administer.

## Prosecutors and Defenders Public Service Incentive Program, develop, implement, and administer (Deliverable #27<sup>69</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by Proviso 117.63, 2017-2018 Appropriation Act, Part 1B.

Components: Develop, implement, and administer Prosecutors and Defenders Public Service Incentive Program, and submit report of number of applicants and impact of program to Senate Finance Committee or House Ways and Means Committee

Greatest harm if not provided: Law students, who are incurring increasingly high student loan debt, will forego joining a prosecutor or public defender office upon graduation because of the low pay (when compared to private practice or even some other government positions).

How General Assembly can help avoid harm, other than money:

1. Adopt tax incentives for lawyers who serve as full-time state and county prosecutors and public defenders
2. Consider scholarships or grants for law students who, upon graduation and admission to the South Carolina Bar, work in county prosecutor and public defender offices for an agreed period of time.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	Yes
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Note: Agency states the program is currently suspended because it is not funded by the General Assembly.



*Deliverables related to...*

*Service on a council or task force*

Table 4.28. Additional details about Deliverable #28: Adult Protection Coordinating Council, provide representative to serve on council.

## Adult Protection Coordinating Council, provide representative to serve on council (Deliverable #28<sup>70</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 43-35-310.

Components: Provide representative to serve on Adult Protection Coordinating Council

Greatest harm if not provided: The council would not receive input from SCCPC (the collective, statewide perspective of the trial prosecutors who prosecute cases related to the emotional, physical, and financial abuse and exploitation of, as well as other crimes committed against, vulnerable adults and, as a result, can provide the council with problems identified within the criminal justice system impacting them).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	No
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.29. Additional details about Deliverable #29: Victim Services Coordinating Council, provide representative to serve on council.

## Victim Services Coordinating Council, provide representative to serve on council (Deliverable #29<sup>71</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 16-3-1430(B)(5).

Components: Provides representative to serve on Victim Services Coordinating Council

Greatest harm if not provided: The council would not receive input from SCCPC (the collective, statewide perspective of the trial prosecutors and victim/witness advocates who interact with victims and the agencies and groups who provide services to victims and, as a result, can assist the council with identifying coordination, policy, and procedural issues that need to be addressed to improve victim services).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	No
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

Table 4.30. Additional details about Deliverable #30: Attorney General's Task Force on Human Trafficking, provide representative to serve on task force.

## Attorney General's Task Force on Human Trafficking, provide representative to serve on task force (Deliverable #30<sup>72</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by S.C. Code Ann. Section 16-3-2050.

Components: Provides representative to serve on Interagency Task Force on Human Trafficking

Greatest harm if not provided: The task force would not receive input from SCCPC (the collective, statewide perspective of the trial prosecutors who encounter victims of human trafficking, prosecute cases related to human trafficking, and work with other agencies and groups involved in prosecution, provision of services to, and public education on trafficking; and, as a result, can assist the task force with identifying coordination, policy, and procedural issues that need to be addressed to better address the issue of human trafficking and the needs of its victims).

How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	No
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Disbursing funds to S.C. Center for Fathers and Families*

Table 4.31. Additional details about Deliverable #31: S.C. Center for Fathers and Families, disburse funds within the SCCPC budget appropriated for center.

## S.C. Center for Fathers and Families, disburse funds within the SCCPC budget appropriated for center (Deliverable #31<sup>73</sup>)

Law change would be required to curtail or eliminate the deliverable. Deliverable is required by Part 1A, Section 60, 2017-2018 Appropriation Act.

Components: Disburses funds within the SCCPC budget appropriated for the South Carolina Center for Fathers and Families

Greatest harm if not provided: Unknown. According to the agency, this is simply pass-thru funding to a non-profit agency. These funds are not connected to SCCPC or the solicitors' offices.

How General Assembly can help avoid harm, other than money: Unknown, see greatest harm if not provided.

Other agencies whose mission the deliverable may fit within: Unknown, see greatest harm if not provided.

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	No
customers served?	No

Costs	
Does the agency know the....	
cost it incurs, per unit?	No
Does the law allow...	
charging to cover the agency's costs?	No

*Deliverables related to...*

*Disbursing funds to Solicitors' Offices*

Table 4.32. Additional details about Deliverables #32-37: Solicitors' offices, disburse funds to from various sources.

## Solicitors' offices, disburse funds to from various sources

(Deliverables #32-37<sup>74</sup>)

Law change would be required to curtail or eliminate any of these deliverables, see details below.

Components; limits on use of funds, if any; and law requiring disbursement of funds to Solicitors' Offices:

Disburses funds from:

- SCCPC budget - Can be used for any purpose
  - Use - Any purpose
  - Laws - (1) Section 60, 2017-2018 Appropriation Act, Part 1A; (2) Provisos 60.1 through 60.4 and 60.6 through 60.12, 2017-2018 S.C. Appropriation Act, Part 1B
- 6.74% of \$140 application fee for traffic education programs offered for magistrate and municipal level offenses
  - Use - Traffic education program operations only
  - Laws - S.C. Code Ann. Section 17-22-350(B) & (C)
- First \$450,000 of filing fees for motions in common pleas and family courts
  - Use - Drug court operations in third, fourth, and eleventh judicial circuits only
  - Laws - S.C. Code Ann. Section 8-21-320
- Conditional discharge fee (\$350 in general sessions court and \$150 in summary court)
  - Use - Drug court operations only, distributed per capita
  - Laws - S.C. Code Ann. Section 44-53-450(C)
- 18.50% of \$25 surcharge imposed on all fines, forfeitures, escheatments, or other monetary penalties imposed on all misdemeanor traffic offenses or non-traffic violations
  - Use - Any purpose
  - Laws - S.C. Code Ann. Section 14-1-212
- \$150 surcharge on all drug convictions
  - Use - Drug court operations only
  - Laws - S.C. Code Ann. Section 14-1-213

Greatest harm if not provided: Lack of these funds for operation.



How General Assembly can help avoid harm, other than money: Continued support of SCCPC and its mission.

Other agencies whose mission the deliverable may fit within: None.

Customers/Clients	
Does the agency evaluate....	
customer satisfaction?	No
outcome obtained?	No
Does agency know the number of...	
potential customers?	Yes
customers served?	Yes

Costs	
Does the agency know the....	
cost it incurs, per unit?	Yes
Does the law allow...	
charging to cover the agency's costs?	No

# STRATEGIC PLAN, RESOURCE ALLOCATION, AND ASSOCIATED PERFORMANCE MEASURES

In the Program Evaluation Report, the **Committee asks an agency how it allocates its human and financial resources to accomplish its goals** (i.e., broad expression of a long-term priority) **and objectives** (i.e., specific, measurable and achievable description of an effort the agency is implementing to achieve a goal) in the agency's strategic plan.<sup>75</sup> The Committee also asks the agency to list any funds the agency spent or transferred not toward the agency's comprehensive strategic plan.

The agency did not list any funds being spent or transferred not directly toward the agency's strategic plan for fiscal year 2016-17.<sup>76</sup> The agency also did not estimate any funds being spent or transferred not directly toward the agency's strategic plan in fiscal year 2017-18.<sup>77</sup>

Tables 5.1 through 10.1 include an overview of the agency's strategic plan, resources allocated to its goals and objectives, and associated performance measures, if any.

Table 5.1. Strategic plan, Goal 1: Conduct research on and monitor Marine Species - strategies, objectives, and resource (human and financial) allocations.

**GOAL 1 Protect the community by vigorously but fairly prosecuting those who violate the law**

Associated Organization Unit: Determined by each individual circuit solicitor  
Responsible Employee(s): Determined by each individual circuit solicitor  
Employee have input in budget? Yes.

Resources Utilized			
	2016-17		2017-18
<u>FTE equivalents utilized</u>	32	<u>FTE equivalents utilized</u>	32
<u>Total spent</u> <sup>78</sup>	\$35,771,567* (97.23%)	<u>Total budgeted</u> <sup>79</sup>	\$35,784,935* (97.22%)

*\*Table Note:* All state funding provided for the accomplishment of Goal 1 is received by the SCCPC as pass-through funds to the solicitors' offices, and the SCCPC has no control over how that money is spent. None of the six SCCPC FTEs spend time on this goal (it is accomplished by the solicitors and their staff).

**Strategies and Objectives**

- Strategy 1.1 - Reduce the average time it takes to dispose of general sessions cases
  - Objective 1.1.1 - Solicitors continue to hire additional general session prosecutors with the additional funding that was provided in the FY 16-17 budget and continued in the FY 17-18 budget
  - Objective 1.1.2 - Reduce the average time it takes to dispose of general sessions cases
  - Objective 1.1.3 - Reduce the number of cases that have been pending for over 541 days
- Strategy 1.2 - Upgrade all solicitors' offices' prosecution case management systems, information technology storage and e-discovery
  - Objective 1.2.1 - Enable each solicitors' office to have a secure, cloud based, prosecution case management system, data storage and e-discovery platform
- Strategy 1.3 - Eliminate the practice of law enforcement officers prosecuting their own cases in magistrates or municipal court
  - Objective 1.3.1 - Hire additional prosecutors with the additional funding provided in the FY 16-17 and FY 17-18 budget so all domestic violence cases are handled by a prosecutor whether the cases are in general sessions court, magistrates, or municipal court.

**Performance Measures**

- Determined and tracked by each individual solicitor (none required in state law)

Table 6.1. Strategic plan, Goal 2, Strategy 2.1: Provide administrative support to the offices of solicitor.

**GOAL 2 Provide quality support services to the offices of solicitor**

**Strategy 2.1 Provide administrative support to the offices of solicitor**

- Objective 2.1.1 Provide human resources assistance to each solicitor and administrative assistant (one per circuit)
- Objective 2.1.2 Provide state budget support for the offices of solicitor
- Objective 2.1.3 Coordinate administrative functions of the diversion programs of the offices of solicitor

Responsible Employee(s): Executive Director (Ms. Amie Clifford has covered since May 2018 while the agency searches for a new executive director)  
 Ms. Tina Thompson (responsible for more than 3 years)  
 Ms. Ellen Dubois (responsible less than 3 years)

Employee have input in budget? Yes, each of the responsible employees has input into the budget for Strategy 2.1

External Partner(s): Attorney General; Criminal Justice Academy; Judicial Department; S.C. Law Enforcement Division; Commission on Indigent Defense; Department of Public Safety; Department of Juvenile Justice; Department of Mental Health; law enforcement agencies; county and local governments

	<u>FTE equivalents utilized</u>	<u>Total spent<sup>80</sup> / budgeted<sup>81</sup></u>
2016-17	3 FTE	\$191,560 (0.52%)
2017-18	3 FTE	\$193,093 (0.52%)

**Performance Measures**

- No performance measures associated with Strategy 2.1.

Table 7.1. Strategic plan, Goal 2, Strategy 2.2: Enhance the professionalism and effectiveness of solicitors and their staff.

**GOAL 2 Provide quality support services to the offices of solicitor**

**Strategy 2.2 Enhance the professionalism and effectiveness of solicitors and their staff**

- Objective 2.2.1 Conduct regular training for prosecutors and staff on a wide variety of topics
- Objective 2.2.2 Provide technical assistance to prosecutors and staff
- Objective 2.2.3 Provide timely legislative updates
- Objective 2.2.4 Provide regular case law updates

Responsible Employee(s): Ms. Amie Clifford (responsible for more than 3 years)  
Mr. Mark Rapoport (responsible for more than 3 years)  
Mr. Mattison Gamble (responsible for more than 3 years)

Employee have input in budget? Yes, each of the responsible employees has input into the budget for Strategy 2.2

External Partner(s): Attorney General; Criminal Justice Academy; Judicial Department; S.C. Law Enforcement Division; Commission on Indigent Defense; Department of Public Safety; Department of Juvenile Justice; Department of Mental Health; law enforcement agencies; county and local governments

	<u>FTE equivalents utilized</u>	<u>Total spent<sup>82</sup> / budgeted<sup>83</sup></u>
2016-17	4 FTE	\$490,368 (1.33%)
2017-18	4 FTE	\$493,584 (1.34%)

Table 7.2. Performance measures associated with Strategy 2.2.

Performance Measure	Type of Measure		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
<b>Trainings held, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	15-20	15-20	15-20	15-20	15-20
		<u>Actual:</u>	21	21	22	26	24	<u>Trend Line</u> 
<b>Persons trained, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	DNE	DNE	1,000	1,000	1,000
		<u>Actual:</u>	1,412	1,434	2,014	1,784	1,931	<u>Trend Line</u> 
<b>Continuing education hours provided, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	DNE	DNE	100	100	100
		<u>Actual:</u>	143.17	159.4	151.75	142.75	184.65	<u>Trend Line</u> 

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

Table 8.1. Strategic plan, Goal 2, Strategy 2.3: Work with S.C. Law Enforcement Division to write a new computer program that will modernize the pre-trial intervention database as well as add additional diversion databases.

**GOAL 2 Provide quality support services to the offices of solicitor**

**Strategy 2.3** Work with S.C. Law Enforcement Division to write a new computer program that will modernize the pre-trial intervention database as well as add additional diversion databases

- Objective 2.3.1 Complete the final stage of writing the computer program
- Objective 2.3.2 Have users test the new databases once they are built and resolve any unforeseen issues
- Objective 2.3.3 Migrate existing data into the new database

Responsible Employee(s): Executive Director (Ms. Amie Clifford has covered since May 2018 while the agency searches for a new executive director)

Employee have input in budget? Yes, the responsible employee has input into the budget for Strategy 2.3

External Partner(s): Attorney General; Criminal Justice Academy; Judicial Department; S.C. Law Enforcement Division; Commission on Indigent Defense; Department of Public Safety; Department of Juvenile Justice; Department of Mental Health; law enforcement agencies; county and local governments

	<u>FTE equivalents utilized</u>	<u>Total spent<sup>84</sup> / budgeted<sup>85</sup></u>
2016-17	1 FTE	\$212,169 (0.58%)
2017-18	1 FTE	\$215,204 (0.58%)

**Performance Measures**

- No performance measures associated with Strategy 2.3.

Table 9.1. Strategic plan, Goal 3, Strategy 3.1: Enable staff to perform job duties.

**GOAL 3** Operate in an effective and efficient manner to enable staff to accomplish the mission of the agency

**Strategy 3.1** Enable staff to perform job duties

- Objective 3.1.1 Obtain sufficient funding for agency to operate
- Objective 3.1.2 Provide administrative services
- Objective 3.1.3 Provide sufficient resources for staff

Responsible Employee(s): Executive Director (Ms. Amie Clifford has covered since May 2018 while the agency searches for a new executive director)  
Ms. Tina Thompson (responsible for more than 3 years)

Employee have input in budget? Yes, each of the responsible employees has input into the budget for Strategy 3.1

External Partner(s): Attorney General; Criminal Justice Academy; Judicial Department; S.C. Law Enforcement Division; Commission on Indigent Defense; Department of Public Safety; Department of Juvenile Justice; Department of Mental Health; law enforcement agencies; county and local governments

	<u>FTE equivalents utilized</u>	<u>Total spent<sup>86</sup> / budgeted<sup>87</sup></u>
2016-17	2 FTE	\$37,792 (0.10%)
2017-18	2 FTE	\$38,002 (0.10%)

**Performance Measures**

- No performance measures associated with Strategy 3.1.



Table 10.1. Strategic plan, Goal 3, Strategy 3.2: Respond to inquiries and requests for assistance from the public (persons other than those covered by Goal 2).

**GOAL 3 Operate in an effective and efficient manner to enable staff to accomplish the mission of the agency**

**Strategy 3.2 Respond to inquiries and requests for assistance from the public (persons other than those covered by Goal 2)**

Objective 3.2.1	Timely and efficiently respond to requests from members of the public for documents (including subpoenas and Freedom of Information Requests)
Objective 3.2.2	Timely and efficiently respond to inquiries and requests for assistance from the General Assembly
Objective 3.2.3	Timely and efficiently respond to inquiries and requests for assistance from state, county, and local government agencies
Objective 3.2.4	Timely and efficiently respond to inquiries and requests for assistance from criminal justice-related non-governmental entities

Responsible Employee(s): Ms. Amie Clifford (responsible for more than 3 years)  
Mr. Mark Rapoport (responsible for more than 3 years)  
Mr. Mattison Gamble (responsible for more than 3 years)

Employee have input in budget? Yes, each of the responsible employees has input into the budget for Strategy 3.2

External Partner(s): Attorney General; Criminal Justice Academy; Judicial Department; S.C. Law Enforcement Division; Commission on Indigent Defense; Department of Public Safety; Department of Juvenile Justice; Department of Mental Health; law enforcement agencies; county and local governments

	<u>FTE equivalents utilized</u>	<u>Total spent<sup>88</sup> / budgeted<sup>89</sup></u>
2016-17	4 FTE	\$83,303 (0.23%)
2017-18	4 FTE	\$84,038 (0.23%)




**Performance Measures**

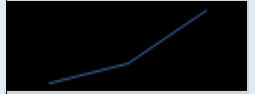
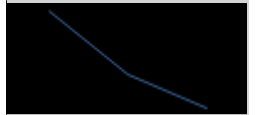
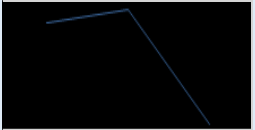
- No performance measures associated with Strategy 3.2.

## OTHER PERFORMANCE MEASURES TRACKED BY THE AGENCY

Table 11 includes information on other performance measures the agency tracks, which the agency does not specifically associate with any aspect of its strategic plan.

Table 11. Other performance measures tracked by the agency.

Performance Measure	Type of Measure		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
<b>General sessions cases added, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	DNE	DNE	DNE
		<u>Actual:</u>	DNE	113,771	113,711	120,407	127,017	<u>Trend Line</u> 
<b>General sessions cases disposed of, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	DNE	DNE	More than 114,891	More than 114,891	More than 114,981
		<u>Actual:</u>	DNE	115,763	117,281	114,891	123,915	<u>Trend Line</u> 
<b>Cases pending in general sessions, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	Less than 113,168	Less than 113,168	Less than 113,168
		<u>Actual:</u>	DNE	105,933	104,947	113,168	118,860	<u>Trend Line</u> 

Performance Measure	Type of Measure		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
<b>General sessions cases added, 3 year average of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	DNE	DNE	DNE
		<u>Actual:</u>	DNE	DNE	114,198	115,930	120,378	<u>Trend Line</u> 
<b>Pending general sessions cases over 541 or 545 days old, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	DNE	DNE	Less than 19,486	Less than 19,486	Less than 19,486
		<u>Actual:</u>	DNE	DNE	20,590	19,486	18,897	<u>Trend Line</u> 
<b>General sessions incoming cases assigned to a prosecutor during the previous three years, average number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	281	281	281
		<u>Actual:</u>	DNE	DNE	377	383	331	<u>Trend Line</u> 

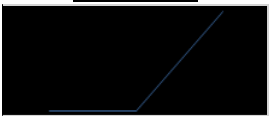
Performance Measure	Type of Measure		2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
<b>Days, from arrest to disposition (resolution of a criminal charge, which may be either conviction, not guilty verdict, or dismissal), of a general sessions case, average number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Output	<u>Target:</u>	DNE	DNE	DNE	Less than 365	Less than 365	Less than 365
		<u>Actual:</u>	DNE	DNE	416	398	400	<u>Trend Line</u> 
<b>Counties without an assigned prosecutor, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	0	0	0
		<u>Actual:</u>	DNE	DNE	DNE	3	0	<u>Trend Line</u> Not enough data to create a trend line
<b>Full-time general sessions prosecutors, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	408	408	408
		<u>Actual:</u>	DNE	DNE	303	303	364 or less (some are part-time)	<u>Trend Line</u> 
<b>Circuits with secure, cloud based, prosecution case management system, data storage and e-discovery platform, number of</b>  <u>Required by:</u> Agency selected (not required by federal or state government) <u>Time Applicable:</u> July - June	Input / Activity	<u>Target:</u>	DNE	DNE	DNE	DNE	DNE	16
		<u>Actual:</u>	No Data	No Data	No Data	No Data	No Data	<u>Trend Line</u> Not enough data to create a trend line

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. "DNE" means did not exist.

# AGENCY RECOMMENDATIONS

In the Program Evaluation Report, the Committee asks the agency to provide a list of recommendations related to internal changes and changes in laws, which may improve the agency's efficiency and effectiveness, or update antiquated laws.<sup>90</sup> Below are the agency recommendations.

- Internal Agency Recommendation
  - #1: Electronic transfer of state appropriations/funds to Circuit Solicitors' Offices
- Law Recommendations
  - #1: S.C. Code Ann. 1-7-420. Assistant solicitor for first judicial circuit.
  - #2: S.C. Code Ann. 1-7-430. Additional assistant solicitor for first judicial circuit.
  - #3: S.C. Code Ann. 1-7-440. Assistant solicitor for third judicial circuit.
  - #4: S.C. Code Ann. 1-7-450. Assistant solicitor for fourth judicial circuit.
  - #5: S.C. Code Ann. 1-7-460. Assistant solicitors for fifth judicial circuit.
  - #6: S.C. Code Ann. 1-7-470. Assistant solicitor for seventh judicial circuit.
  - #7: S.C. Code Ann. 1-7-480. Assistant solicitor for eighth judicial circuit.
  - #8: S.C. Code Ann. 1-7-490. Assistant solicitors for ninth judicial circuit.
  - #9: S.C. Code Ann. 1-7-500. Assistant solicitor for tenth judicial circuit.
  - #10: S.C. Code Ann. 1-7-510. Assistant solicitor for thirteenth judicial circuit.
  - #11: S.C. Code Ann. 1-7-520. Assistant solicitor for fourteenth judicial circuit.
  - #12: S.C. Code Ann. 1-7-530. Assistant solicitor for sixteenth judicial circuit.
  - #13: S.C. Code Ann. 1-7-533. Special investigator for third judicial circuit.
  - #14: S.C. Code Ann. 1-7-540. Special investigator and assistant special investigator for ninth judicial circuit.
  - #15: S.C. Code Ann. 1-7-940. Duties
  - #16: S.C. Code Ann. 22-3-546. Establishment of program for prosecution of first offense misdemeanor criminal domestic violence offenses.

**Internal Change #1: Electronic transfer of state appropriations/funds to Circuit Solicitors' Offices**

To facilitate electronic transfer of state funds to Solicitors' Offices

- a. Stage of analysis: SCCPC has been exploring the feasibility of implementing the electronic transfer of state appropriations and funds to the 16 Circuit Solicitors' Offices. Currently, SCCPC has checks printed on a quarterly basis for each of the various funds that must be distributed. Those checks are then manually put into envelopes and mailed to the 16 Solicitors' Offices.
- b. Board/Commission approval: The Commission has not been notified of SCCCP's plan as of yet.
- c. Performance measures impacted and predicted impact: SCCPC believes this change will make the distribution of funds much more efficient and will greatly reduce the time it takes SCCPC staff to process checks.
- d. Impact on amount spent to accomplish the objective(s): A reduction in operating cost by SCCPC and the Treasurer's Office will be realized due to the elimination of paper checks, envelopes and postage.
- e. Anticipated implementation date: July 15, 2018.

**Law Change Recommendation #1 - S.C. Code Ann. Section 1-7-420**

Law	S.C. Code Ann. Section 1-7-420. Assistant solicitor for first judicial circuit.
Summary of Current Law	Provides that the Solicitor of the First Judicial Circuit may appoint a Dorchester County attorney as an assistant solicitor in Dorchester County, upon the approval of the local legislative delegation, whose term of office shall be coterminous with the Solicitor's, and that the salary and other expenses shall be covered by Dorchester County.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-420.</b> Assistant solicitor for first judicial circuit. The solicitor of the first judicial circuit may, upon the approval of a majority of the Dorchester County legislative delegation, appoint an attorney who is a resident of Dorchester County as his assistant who shall perform any of the duties and functions imposed by law upon the circuit solicitor relating to Dorchester County. The term of the assistant solicitor shall be coterminous with that of the solicitor and he shall receive such compensation as may be provided by law. The compensation of the assistant solicitor and any other expenses incurred pursuant to the provisions of this section shall be borne by Dorchester County. In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996. HISTORY: 1962 Code Section 1-257.1:1; 1970 (56) 2073.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #2 - S.C. Code Ann. Section 1-7-430.</b>	
Law	S.C. Code Ann. Section 1-7-430. Additional assistant solicitor for first judicial circuit.
Summary of Current Law	Provides the Solicitor of the First Judicial Circuit may appoint an attorney residing in the circuit to serve as an assistant solicitor at the pleasure of the solicitor, with the salary to be paid from funds provided by Public Law 90-351, The Omnibus Crime Control and Safe Streets Act of 1968, as amended.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-430.</b></del>  <del>The solicitor of the first judicial circuit may appoint an assistant solicitor, who shall be a licensed attorney at law residing in the circuit, to serve at the pleasure of the solicitor and have such responsibility as the solicitor shall direct. The salary to be paid such assistant solicitor shall be paid from funds provided by Public Law 90-351, The Omnibus Crime Control and Safe Streets Act of 1968, as amended.</del></p> <p><del>HISTORY: 1962 Code Section 1-257.1:2; 1974 (58) 2989.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None



<b>Law Change Recommendation #3 - S.C. Code Ann. Section 1-7-440.</b>	
Law	S.C. Code Ann. Section 1-7-440. Assistant solicitor for third judicial circuit.
Summary of Current Law	Provides the Solicitor of the Third Judicial Circuit may appoint an attorney residing in the circuit to serve as an assistant solicitor at the pleasure of the solicitor, with the salary to be paid from funds provided by Public Law 90-351, The Omnibus Crime Control and Safe Streets Act of 1968, as amended.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-440.</b> Assistant solicitor for third judicial circuit.</del>  <del>The solicitor of the third judicial circuit may appoint an assistant solicitor, who shall be a licensed attorney at law residing in the circuit, to serve at the pleasure of the solicitor and have such responsibility as the solicitor shall direct. The solicitor shall also determine the salary to be paid such assistant solicitor and such salary shall be paid from funds provided by Public Law 90-351, The Omnibus Crime Control and Safe Streets Act of 1968, as amended.</del></p> <p><del>HISTORY: 1962 Code Section 1-257.1:3; 1971 (57) 24.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #4 - S.C. Code Ann. Section 1-7-450.</b>	
Law	S.C. Code Ann. Section 1-7-450. Assistant solicitor for fourth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Fourth Judicial Circuit may appoint an attorney residing in the circuit to serve as an assistant solicitor, whose term of office shall be coterminous with the Solicitor's, and who shall receive a salary as provided by the General Assembly, one fourth of which shall be paid by each county of the circuit.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-450.</b> Assistant solicitor for fourth judicial circuit.</del>  <del>The solicitor of the fourth judicial circuit may appoint an attorney, who is a resident of the circuit, as an assistant solicitor, who shall perform such duties and functions as may be assigned him by the solicitor. His term shall be coterminous with that of the solicitor and he shall receive as compensation for his services such salary as may provided by the General Assembly, one fourth of which shall be paid by each county of the circuit.</del></p> <p><del>HISTORY: 1962 Code Section 1-257.2; 1966 (54) 2014.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #5 - S.C. Code Ann. Section 1-7-460.</b>	
Law	S.C. Code Ann. Section 1-7-460. Assistant solicitors for fifth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Fifth Judicial Circuit may appoint competent attorneys residing in the circuit to serve as assistant solicitors, whose term of office shall be coterminous with the Solicitor's, and who shall receive a salary as provided by the respective county councils.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-460.</b> Assistant solicitors for fifth judicial circuit.</del></p> <p><del>The circuit solicitor of the fifth judicial circuit may appoint competent attorneys, who are residents of the circuit, as assistant solicitors who shall perform any and all of the duties and functions imposed by law upon the circuit solicitor as the solicitor shall authorize, designate and direct. The solicitor shall designate in which county of the circuit such assistant solicitors shall perform their duties. The assistant solicitors shall be appointed by the solicitor to serve for the same term as the solicitor. The assistant solicitors performing services in Kershaw County shall receive as compensation for their services such annual salary as may be provided by the Kershaw County Council and the assistant solicitors performing services in Richland County shall receive as compensation for their services such annual salary as may be provided by the Richland County Council.</del></p> <p><del>HISTORY: 1962 Code Section 1-258; 1959 (48) 139; 1975 (59) 819.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #6-S.C. Code Ann. Section 1-7-470.</b>	
Law	S.C. Code Ann. Section 1-7-470. Assistant solicitor for seventh judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Seventh Judicial Circuit may appoint a competent attorney residing in Spartanburg County to serve as assistant solicitor in Spartanburg County (and thereafter commissioned by the Governor), whose term of office shall be coterminous with the Solicitor's, and who shall receive a salary from Spartanburg County as provided by the General Assembly and \$800 per year for travel; the assistant solicitor shall appear and represent the State in magistrates' courts when requested by the sheriff's department or highway patrol located in Spartanburg County, and he shall prosecute appeals from magistrates' courts in that county.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-470.</b> Assistant solicitor for seventh judicial circuit.</del></p> <p><del>The circuit solicitor of the seventh judicial circuit may appoint a competent attorney, who is a resident of Spartanburg County, as assistant solicitor. He shall perform any and all of the duties and functions now or hereafter imposed by law upon the circuit solicitor in Spartanburg County, as the solicitor of the circuit shall authorize, designate and direct. The assistant solicitor shall be appointed by the solicitor of the seventh judicial circuit and shall after appointment be commissioned by the Governor; provided, however, the solicitor of the seventh judicial circuit shall have the right to remove the assistant solicitor from office at his pleasure, and in no event can the assistant solicitor be appointed for a period beyond the term of office of the circuit solicitor. The assistant solicitor shall receive from Spartanburg County as compensation for his services such sum per year as may be provided by the General Assembly, payable the first and fifteenth of each month, and eight hundred dollars per year for travel.</del></p> <p><del>The assistant solicitor shall appear and represent the State in magistrates' courts when requested by the sheriff's department or the highway patrol located in Spartanburg County. He shall further prosecute appeals from magistrates' courts in that county.</del></p> <p><del>HISTORY: 1962 Code Section 1-260; 1953 (48) 401.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #7 - S.C. Code Ann. Section 1-7-480.</b>	
Law	S.C. Code Ann. Section 1-7-480. Assistant solicitor for eighth judicial circuit.
Summary of Current Law	Creates in the Eighth Judicial Circuit Solicitor's Office an assistant solicitor position, with a salary equal to one half of that received by the solicitor and the same amount for expenses as the Solicitor, with each county in the circuit to pay its pro rata share of such salary and expense allowance.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-480.</b> Assistant solicitor for eighth judicial circuit.</del></p> <p><del>There is hereby created the office of assistant solicitor for the eighth judicial circuit, the qualifications for which shall be the same as those of a solicitor. The assistant solicitor shall be appointed by and serve at the pleasure of the circuit solicitor and shall perform such duties as may be assigned to him by the solicitor.</del></p> <p><del>The assistant solicitor shall receive an annual salary equal to one half of that received by the solicitor. He shall also receive the same amount for expenses as received by the solicitor. Each county in the circuit shall pay its pro rata share of such salary and expense allowance based upon population according to the latest official United States census. Such amounts shall be paid monthly in equal payments by the treasurer of each county in the circuit from the general fund of the county.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.01; 1970 (56) 2276.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #8 - S.C. Code Ann. Section 1-7-490.</b>	
Law	S.C. Code Ann. Section 1-7-490. Assistant solicitors for ninth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Ninth Judicial Circuit may appoint seven competent attorneys residing in the circuit as assistant solicitors, six in Charleston County (two upon the approval of the local legislative delegation) and one in Berkeley County (upon the approval of the local legislative delegation); and provides for salaries to be paid by the respective counties.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-490.</b> Assistant solicitors for ninth judicial circuit.</del></p> <p><del>The Circuit Solicitor for the Ninth Judicial Circuit may appoint seven competent attorneys, each of whom are residents of the circuit, as his assistants who shall perform any and all of the duties and functions now or hereafter imposed by law upon the circuit solicitor as the solicitor of the circuit shall authorize, designate and direct. The assistant circuit solicitors shall be designated in their appointment as first, second, third, fourth, fifth and sixth assistants for Charleston County and assistant circuit solicitor for Berkeley County. The first and second assistants shall enter upon their duties upon the approval of the majority of the Charleston County Legislative Delegation. The first assistant shall receive such compensation for his services as may be provided by law and the second assistant such compensation as may be provided by law to be paid by the County of Charleston. The third assistant shall receive such compensation for his services as may be provided by law, such compensation to be paid from federal funds or from funds appropriated by the Governing Body of Charleston County. The fourth assistant shall devote full time to his duties as assistant solicitor and shall receive such compensation for his services as may be provided by law to be paid from funds appropriated by the Governing Body of Charleston County. The fifth assistant shall receive such compensation for his services as may be provided by law to be paid from funds appropriated by the Governing Body of Charleston County. The sixth assistant shall devote full time to his duties as assistant solicitor and shall receive such compensation for his services as may be provided by law to be paid from funds appropriated by the Governing Body of Charleston County or from federal funds made available to the Governing Body of Charleston County for such purpose. The assistant circuit solicitor for Berkeley County shall enter upon his duties upon the approval of the majority of the Berkeley County Legislative Delegation and shall receive such compensation for his services as may be provided by law to be paid by the County of Berkeley.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.1; 1952 (47) 2076; 1966 (54) 2154; 1969 (56) 2; 1975 (59) 74; 1975 (59) 574; 1976 Act No. 480, Section 1; 1976 Act No. 660, Section 1.</del></p>

Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

**Law Change Recommendation #9 - S.C. Code Ann. Section 1-7-500.**

Law	S.C. Code Ann. Section 1-7-500. Assistant solicitor for tenth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Tenth Judicial Circuit may appoint an attorney residing in the circuit as an assistant solicitor, upon the approval of the legislative delegation from Anderson and Oconee Counties, whose term of office shall not exceed that of the Solicitor; and provides for the salary and other compensation and how it is to be distributed between the two counties.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-500.</b> Assistant solicitor for tenth judicial circuit.</del>  <del>The solicitor of the tenth judicial circuit may employ a lawyer residing in his circuit to assist in performing the duties of his office. The term of office shall be at the pleasure of the solicitor; however, such term shall not extend beyond the term of office of the employing solicitor; provided, that the person named by the solicitor shall be confirmed by a majority of the members of the Anderson and Oconee delegations. The salary for the person provided by this section shall be such sum annually as may be provided by the General Assembly, to be paid as follows: Seventy per cent shall be paid by Anderson County and thirty per cent shall be paid by Oconee County and such sum shall be paid by the two counties in the same manner that county officers are paid by such counties. The assistant solicitor may receive from time to time such further compensation as the General Assembly may provide.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.2; 1957 (50) 325.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #10 - S.C. Code Ann. Section 1-7-510.</b>	
Law	S.C. Code Ann. Section 1-7-510. Assistant solicitor for thirteenth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Thirteenth Judicial Circuit may appoint a Greenville County attorney as a full-time assistant solicitor in Greenville County, whose term of office shall be coterminous with the Solicitor's, and that the salary and other expenses shall be covered by Greenville County.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-510.</b> Assistant solicitor for thirteenth judicial circuit.</del></p> <p><del>The solicitor of the thirteenth judicial circuit may appoint an attorney who is a resident of Greenville County as his full time assistant who shall perform any of the duties and functions imposed by law upon the circuit solicitor relating to Greenville County. The term of the assistant solicitor shall be coterminous with that of the solicitor and he shall receive such compensation as may be provided by the county council for Greenville County. The compensation of the assistant solicitor and any other expenses incurred pursuant to the provisions of this section shall be borne by Greenville County.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.6; 1973 (58) 219.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None



<b>Law Change Recommendation #11 - S.C. Code Ann. Section 1-7-520.</b>	
Law	S.C. Code Ann. Section 1-7-520. Assistant solicitor for fourteenth judicial circuit.
Summary of Current Law	Creates in the Fourteenth Judicial Circuit Solicitor's Office an assistant solicitor position, with a salary equal to one half of that received by the solicitor and the same amount for expenses as the Solicitor, with each county in the circuit to pay its pro rata share of such salary and expense allowance.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-520.</b> Assistant solicitor for fourteenth judicial circuit.</del></p> <p><del>There is hereby created the office of assistant solicitor for the fourteenth circuit, the qualifications for which shall be the same as those of a solicitor. The assistant solicitor shall be appointed by and serve at the pleasure of the circuit solicitor and shall perform such duties as may be assigned to him by the solicitor.</del></p> <p><del>The assistant solicitor shall receive an annual salary equal to one half of that received by the solicitor. He shall also receive the same amount for expenses as received by the solicitor. Each county in the circuit shall pay its pro rata share of such salary and expense allowance based upon population according to the latest official United States census. Such amounts shall be paid monthly in equal payments by the treasurer of each county in the circuit from the general fund of the county.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.7; 1969 (56) 716.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #12 - S.C. Code Ann. Section 1-7-530.</b>	
Law	S.C. Code Ann. Section 1-7-530. Assistant solicitor for sixteenth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Thirteenth Judicial Circuit may appoint an attorney residing in the circuit as a full-time assistant solicitor for a term of one year, and the salary and other expenses shall be covered by Union and York Counties.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-530.</b> Assistant solicitor for sixteenth judicial circuit.</del>  <del>The solicitor of the sixteenth judicial circuit may appoint an attorney who is a resident of the circuit as an assistant solicitor who shall perform such duties and functions as may be assigned to him by the solicitor.</del>  <del>The term of office shall be for a period of one year and the assistant solicitor shall receive for his services such compensation as is provided for in the appropriations acts of Union and York Counties.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.9; 1971 (57) 26.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #13 - S.C. Code Ann. Section 1-7-533.</b>	
Law	S.C. Code Ann. Section 1-7-533. Special investigator for third judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Third Judicial Circuit may appoint a special investigator, who may carry a handgun while engaged in official duties, who is required to post a bond and who will be commissioned by the Governor; he shall have the powers and duties as constables.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs. HISTORY: 1976 Act No. 690, Art. IX, Section 2; 1977 Act No. 119, Section 1.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds. HISTORY: 1979 Act No. 191, Section 1.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-533.</b> Special investigator for third judicial circuit. The solicitor of the third judicial circuit may appoint a special investigator to serve at the pleasure of the solicitor and have such responsibility as the solicitor shall direct. The solicitor shall determine the salary to be paid the investigator which shall be paid from such funds as may be provided by law. The investigator, while engaged in official duties of his office, is authorized to carry a pistol or other handgun. He shall give a bond in the sum of two thousand dollars which shall be in the same form and under the same conditions as required for police officers. He shall be commissioned by the Governor and shall have all the powers and duties provided for constables in Section 23-1-60, Code of Laws of South Carolina, 1976, and shall be a "police officer" as defined in Section 9-11-10.</del></p> <p><del>HISTORY: 1976 Act No. 491, Section 1.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #14 - S.C. Code Ann. Section 1-7-540.</b>	
Law	S.C. Code Ann. Section 1-7-540. Special investigator and assistant special investigator for ninth judicial circuit.
Summary of Current Law	Provides that the Solicitor of the Ninth Judicial Circuit may appoint two competent circuit residents to serve as special investigator and assistant special investigator, whose term shall not exceed that of the Solicitor; they may carry a handgun while engaged in official duties, must post a bond and be commissioned by the Governor, and shall have the powers and duties as constables; their salaries shall be covered by Charleston County and the special investigator shall receive a spending allowance of not less than \$1,500.
Agency's Rationale for Revision	<p>Eliminate; unnecessary in light of the General Appropriations Act and S.C. Code Ann. Sections 1-7-405 and 1-7-406.</p> <p><b>SECTION 1-7-405.</b> Appointment of assistant solicitors, investigators and secretaries. Each solicitor may appoint as many assistant solicitors, investigators and secretaries as he deems necessary and whose salaries are provided by the counties of the circuit in which they serve. They shall serve at the pleasure of the solicitor and shall have such responsibilities as he directs.</p> <p><b>SECTION 1-7-406.</b> Full-time assistant solicitor and investigator for each judicial circuit. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have one assistant solicitor and one investigator who shall be full-time employees. Such assistant solicitor and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds.</p>
Agency's Recommended Language	<p><del><b>SECTION 1-7-540.</b> Special investigator and assistant special investigator for ninth judicial circuit. The circuit solicitor for the ninth judicial circuit may appoint two competent residents of the circuit who shall be designated as special investigator and assistant special investigator for his office. The special investigator and assistant special investigator shall work under the direction of the solicitor as full time employees. Their appointment shall be for a period not exceeding the term for which the solicitor was elected. The special investigator and assistant special investigator shall each give a bond in the sum of two thousand dollars, which shall be in the same form and provide the same conditions as required by law of peace officers. The special investigator and assistant special investigator shall be commissioned by the Governor and shall have all the powers, rights and duties, within the ninth judicial circuit, as any State constable, as provided in Section 23-1-60. The special investigator and assistant special investigator shall be "police officers," as defined in Section 9-11-10. The special investigator shall receive such salary as may be provided by law, and an expense allowance of not less than fifteen hundred dollars, such sums to be paid by the Governing Body of Charleston County. The assistant special investigator shall receive such compensation for his services as may be provided by law, such compensation to be paid from federal funds or from funds appropriated by the Governing Body of Charleston County.</del></p> <p><del>HISTORY: 1962 Code Section 1-260.3; 1966 (54) 2155; 1969 (56) 656; 1975 (59) 74.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

**Law Change Recommendation #15 - S.C. Code Ann. Section 1-7-940.**

Law	S.C. Code Ann. Section 1-7-940. Duties.
Summary of Current Law	Outlines the duties of SCCPC: (1) coordinate all administrative functions of the Solicitors' offices and any affiliate services; (2) submit the budgets of the Solicitors and their affiliate services to the General Assembly; (3) encourage and develop legal education programs and training programs for solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, act as a clearinghouse and distribution source for publications involving solicitors and their affiliate services, and provide legal updates on matters of law affecting prosecution of criminal cases; and (4) provide blank indictments for the Solicitors.
Agency's Rationale for Revision	Modify to delete (A)(4); unnecessary because the Offices of Solicitor do not use preprinted forms, but instead generate indictments on their computers.
Agency's Recommended Language	<p><b>SECTION 1-7-940. Duties.</b></p> <p>(A) The commission has the following duties:</p> <ul style="list-style-type: none"> <li>(1) coordinate all administrative functions of the offices of the solicitors and any affiliate services operating in conjunction with the solicitors' offices;</li> <li>(2) submit the budgets of the solicitors and their affiliate services to the General Assembly; <u>and</u></li> <li>(3) encourage and develop legal education programs and training programs for solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State;</li> <li><del>(4) provide blank indictments for the circuit solicitors.</del></li> </ul> <p>(B) Nothing in this section may be construed to displace or otherwise affect the functions and responsibilities of the State Victim/Witness Assistance Program as established in Section 16-3-1410.</p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

<b>Law Change Recommendation #16 - S.C. Code Ann. Section 22-3-546.</b>	
Law	S.C. Code Ann. Section 22-3-546. Establishment of program for prosecution of first offense misdemeanor criminal domestic violence offenses.
Summary of Current Law	Provides that Solicitors with five or more counties may establish program for first offense CDV charges so that they may be tried in General Sessions Court instead of the summary courts, and requires that the results of any such programs be submitted to SCCPC.
Agency's Rationale for Revision	<p>Eliminate; statute only applies to first offense CDV (which carried 30 days and was triable in the Summary Court) and to only one judicial circuit; unnecessary in light of replacement of crime of CDV with tiered crimes of DV, and S.C. Code Section 16-22-25(D)(1), which increased the penalty such that the lowest degree of DV (3<sup>rd</sup> degree) must be prosecuted in General Sessions Court unless the Solicitor decides to prosecute them in the Summary Court.</p> <p><b>SECTION 16-25-20.</b> Acts prohibited; penalties.  (D) A person commits the offense of domestic violence in the third degree if the person violates subsection (A).  (1) A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned not more than ninety days, or both. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, an offense pursuant to the provisions of this subsection may be tried in summary court.</p>
Agency's Recommended Language	<p><b>Title 22 - Magistrates and Constables</b></p> <p><b>Article 5 - Criminal Jurisdiction</b></p> <p><del><b>SECTION 22-3-546.</b> Establishment of program for prosecution of first offense misdemeanor criminal domestic violence offenses.</del></p> <p><del>A circuit solicitor, in a circuit with five or more counties, may establish a program under his discretion and control, to prosecute first offense misdemeanor criminal domestic violence offenses, as defined in Section 16-25-20, in general sessions court. Whether to establish a program, and which cases may be prosecuted in general sessions court, are within the sole discretion of the solicitor. A solicitor shall report the results of the program to the Prosecution Coordination Commission.</del></p> <p><del>HISTORY: 2006 Act No. 366, Section 2, eff June 9, 2006.</del></p>
Presented and Approved by Board/Commission	Not approved (Commission met to discuss draft report, but will not meet again until after deadline for submission of report).
Other agencies potentially impacted	None

## COMMITTEE CONTACT INFORMATION



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
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<sup>1</sup> Visual Summary Figure 1 is compiled from information in the Commission on Indigent Defense study materials available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” and then under “Indigent Defense, Commission on”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/IndigentDefense.php> (accessed April 17, 2018).

<sup>2</sup> South Carolina Judicial Department, <https://www.sccourts.org/circuitCourt/circuitMap.cfm> (accessed June 11, 2018).

<sup>3</sup> SC House of Representatives, House Legislative Oversight Committee, “Agency PER (April 6, 2018),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “Prosecution Coordination Commission”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ProsecutionCoordination/Prosecution%20Coordination%20PER%20-%20Complete.pdf> (accessed June 11, 2018). Hereinafter, “Agency PER.”

<sup>4</sup> 1990 Act No. 485 (S. 1411); S.C. Code Ann 1-7-910. Commission on Prosecution Coordination created.

<sup>5</sup> S.C. Code Ann. 1-7-920. Commission membership; S.C. Code Ann. 1-7-940. Duties; S.C. Code Ann. 1-7-950. Election of chairman and officers; S.C. Code Ann. 1-7-960. Executive director; staff; S.C. Code Ann. 1-7-970. Compensation; expenses; S.C. Code Ann. 1-7-980. Funding; and S.C. Code Ann. 1-7-1000. Salaries of circuit solicitors.

<sup>6</sup> Information included in the agency’s Program Evaluation Report, Question 6. **Committee staff are still working to confirm the information and provide a citation.**

<sup>7</sup> Information included in the agency’s Program Evaluation Report, Question 6. **Committee staff are still working to confirm the information and provide a citation.**

<sup>8</sup> Proviso 56DD.20 (GOV: Establish Victim/Witness Program), 1998-1999 Appropriations Bill, Part 1B.

<sup>9</sup> Information included in the agency’s Program Evaluation Report, Question 6. **Committee staff are still working to confirm the information and provide a citation.**

<sup>10</sup> 1990 Act No. 485, Preamble.

<sup>11</sup> S.C. Code Ann 1-7-910. Commission on Prosecution Coordination created; 1990 Act No. 485 (S. 1411)

<sup>12</sup> S.C. Code of Laws Section 1-7-940.

<sup>13</sup> S.C. Code Ann 1-7-910. Commission on Prosecution Coordination created; 1990 Act No. 485 Preamble; See also, S.C. Code of Laws Section 17-3-340(l)(1). “The commission shall approve and implement programs, services, rules, policies, procedures, regulations, and standards as may be necessary or advisable to fulfill the purposes and provisions of this article in the delivery of indigent services. This includes, but is not limited to, standards for: (1) maintaining and operating circuit public defender offices, including requirements regarding qualifications, training, and size of the legal and support staff of the offices and access to data and records, including business records, in each circuit public defender office;”

<sup>14</sup> S.C. Code Ann. 1-7-990. Promulgation of regulations; S.C. Code Ann 1-7-910. Commission on Prosecution Coordination created

<sup>15</sup> S.C. Constitution, Article 5, Section 24. It goes on to state the General Assembly shall also provide in law the selection, duties, and compensation of other appropriate officials to enforce the criminal laws of the State, to prosecute persons under these laws, and to carry on the administrative functions of the courts of the State; and the Attorney General is the chief prosecuting officer of the State with authority to supervise the prosecution of all criminal cases.

<sup>16</sup> S.C. Code Ann. 1-7-320. Solicitors shall perform duties of Attorney General and assist in prosecutions; Section 24, Article V, S.C. State Constitution; See also, *State ex rel. McLeod v. Snipes*, 266 S.C. 415, 420, 223 S.E.2d 853, 855 (1976) (The Supreme Court of South Carolina has recognized that, “Although the Attorney General is designated the chief prosecuting officer and has ‘authority to supervise the prosecution of all criminal cases in courts of record’, the fact remains that the solicitors are elected in this State by the people and maintain a strong measure of independence. While he has the authority to supervise the prosecution of all criminal cases, it is a fact of common knowledge that the duty to actually prosecute criminal cases is performed primarily and almost exclusively by the solicitors in their respective circuits except in unusual cases or when the solicitors call upon the Attorney General for assistance.”)

<sup>17</sup> S.C. Code Ann 1-7-910. Commission on Prosecution Coordination created; 1990 Act No. 485 (S. 1411); S.C. Code Ann. 1-7-320. Solicitors shall perform duties of Attorney General and assist in prosecutions; Section 24, Article V, S.C. State Constitution.

<sup>18</sup> S.C. Code of Laws Section 17-3-340(l)(1). “The commission shall approve and implement programs, services, rules, policies, procedures, regulations, and standards as may be necessary or advisable to fulfill the purposes and provisions of this article in the delivery of indigent services. This includes, but is not limited to, standards for: (1) maintaining and operating circuit public defender offices, including requirements regarding qualifications, training, and size of

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the legal and support staff of the offices and access to data and records, including business records, in each circuit public defender office;”

<sup>19</sup> 1990 Act No. 485, Preamble; S.C. Code of Laws Section 1-7-330. In *State v. Langford*, 400 S.C. 421, 735 S.E.2d 471 (2012), the Supreme Court held that, because the setting of the trial docket is the prerogative of the court, the statute violated the separation of powers clause by giving the Solicitors that authority.

<sup>20</sup> S.C. Code of Laws Section 1-7-730. Examination of offices of county officers. “The Attorney General and solicitors shall annually, at such times as they may deem expedient, examine into the condition of the offices of the clerk of the court of common pleas and general sessions, of the sheriff and of the register of deeds in the counties of the respective solicitors and ascertain if such officers have discharged the duties which now are, or shall be, required of them; and they shall make a report of the condition of said offices and of the manner in which said officers have discharged their duties to the circuit court in each county, respectively, at the fall term in each year, and also to the General Assembly at its annual session.”

<sup>21</sup> 1979 Act No. 191, Section 3; S.C. Code of Laws Section 1-7-408; 2005 Act No. 164, Section 37, eff June 10, 2005

<sup>22</sup> 2015-16 General Appropriations Act, Part 1B, Proviso 117.113; 2016-17 General Appropriations Act, Part 1B, Proviso 117.110; 2017-18 General Appropriations Act, Part 1B, Proviso 117.109

<sup>23</sup> Agency’s PER, Strategic Plan Summary Chart.

<sup>24</sup> Agency’s PER, Strategic Plan Summary Chart.

<sup>25</sup> Agency’s PER, Strategic Plan Summary Chart.

<sup>26</sup> Agency’s PER, Strategic Plan Summary Chart.

<sup>27</sup> Agency PER, Question 7.

<sup>28</sup> S.C. Code Ann. Section 1-7-950.

<sup>29</sup> S.C. Code Ann. Section 1-7-960.

<sup>30</sup> S.C. Code Ann. Section 1-7-960.

<sup>31</sup> Agency PER, Question 7.

<sup>32</sup> Agency PER, Question 8.

<sup>33</sup> State HR S.C. House of Representatives, House Legislative Oversight Committee, “State HR Dashboard - John de la Howe School (September 6, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Structure/Employees.”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/State%20OHR%20Dashboard%20-%20John%20De%20La%20Howe%20School%20\(September%206,%202017\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/State%20OHR%20Dashboard%20-%20John%20De%20La%20Howe%20School%20(September%206,%202017).pdf)

<sup>34</sup> Agency PER, Organizational Units Chart.

<sup>35</sup> Agency PER, Organizational Units Chart.

<sup>36</sup> Agency PER, Organizational Units Chart.

<sup>37</sup> Agency PER, Organizational Units Chart.

<sup>38</sup> Email from Kevin Paul, State Human Resources Division, to Charles Appleby, House Legislative Oversight Committee, in February 2018.

<sup>39</sup> Email from Kevin Paul, State Human Resources Division, to Charles Appleby, House Legislative Oversight Committee, in April 2018 with information entered by the agency into the South Carolina Enterprise Information System. See also, *The Status of Equal Employment Opportunity in South Carolina State Government Annual Report to the General Assembly, South Carolina State Human Affairs Commission* (February 1, 2018),

<http://www.scstatehouse.gov/reports/HumanAffairsComm/2018AnnualReport.pdf> (Accessed April 20, 2018).

<sup>40</sup> Agency PER at page 47.

<sup>41</sup> Agency PER, Organizational Charts.

<sup>42</sup> Agency PER, Deliverables Chart.

<sup>43</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>44</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>45</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>46</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>47</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>48</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>49</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>50</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>51</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>52</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>53</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>54</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>55</sup> Item numbers are the ones utilized in agency’s program evaluation report.

<sup>56</sup> Item numbers are the ones utilized in agency’s program evaluation report.

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<sup>58</sup> Item numbers are the ones utilized in agency's program evaluation report.

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<sup>60</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>61</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>62</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>63</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>64</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>65</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>66</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>67</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>68</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>69</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>70</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>71</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>72</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>73</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>74</sup> Item numbers are the ones utilized in agency's program evaluation report.

<sup>75</sup> Department of Administration, Executive Budget Office, "2016-17 Accountability Report Technical Assistance Guide," under Agency Accountability Reports <http://www.admin.sc.gov/files/FY%202016-17%20Accountability%20Report%20Technical%20Assistance.pdf> (accessed July 21, 2017). See also, Agency PER.

<sup>76</sup> Agency PER, Comprehensive Strategic Finances Chart

<sup>77</sup> Agency PER, Comprehensive Strategic Finances Chart

<sup>78</sup> and Percentage of total amount appropriated and authorized to spend

<sup>79</sup> and Percentage of total amount appropriated and authorized to spend

<sup>80</sup> and Percentage of total amount appropriated and authorized to spend

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<sup>90</sup> Agency PER, Question 18 and 19.