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www.state.sc.us/djj



Nikki R. Haley Governor State of South Carolina

March 16, 2015

The Honorable Kirkman Finlay III
Law Enforcement and Criminal Justice Subcommittee, Chairman
South Carolina House of Representatives
P.O. Box 11867
Columbia, SC 29211

Dear Chairman Finlay,

My staff and I appreciated the opportunity to provide an overview of our agency to your subcommittee members on March 4, 2015. We hope that you found the information that we provided useful. Thank you also for explaining the role and process of the Legislative Oversight Committee. We look forward to meeting again in the near future.

As per your request, I am forwarding additional information which I hope will be of benefit to the subcommittee. Specifically, I'm including information on the demographics of the staff working "behind the fence" at DJJ and in the community, a narrative explaining DJJ's caseload and population statistics over the last decade (and how they compare to national statistics), a further narrative on the agency's budget request, and information on the number, cost, and outcomes of lawsuits that DJJ has faced in the last decade. I trust that you will find this information responsive to your request.

Please do not hesitate to contact me if I can provide any additional information. Again, thank you for allowing us to present to your distinguished subcommittee. I look forward to working with you in the future as we partner-to provide top quality and cost-effective services to the citizens of our state.

Sincerely,

Sylvia Murray Director, Department of Juvenile Justice

Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	405	71	96	572
WF	103	52	64	219
OF	6	2	5	13
AAM	259	42	34	335
WM	63	34	47	144
ОМ	4	0	2	6
Total Demographics	840	201	248	1289

	DIRE	CTOR'S OFF	ICE	
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	0	1	1	2
WF	0	1	0	1
OF	0	0	0	0
AAM	0	0	0	0
WM	0	0	0	0
OM	0	0	0	0
Total Demographics	0	2	1	3

	ADMINIS	TRATIVE SE	RVICES	
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	16	19	23	58
WF	. 2	7	20	29
OF	1	2	1	4
AAM	2	4	22	28
WM	4	9	36	49
ОМ	0	0	2	2
Total Demographics	25	41	104	170

	COMM	UNITY SERV	CES	ERM
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	85	20	25	130
WF	37	20	24	81
OF	2	0	3	5
AAM	58	14	2	74
WM	21	10	2	33
ОМ	1	0	0	1
Total Demographics	204	64	56	324

Demographics	Direct Services	Supervisory	Administrative //Other Support	Total Staffing
AAF	19	0	5	24
WF	12	3	6	21
OF	1	0	0	1
AAM	9	2	0	11
WM	12	2	1	15
OM	1	0	0	1
otal Demographics	54	7	12	73

	INSPE	CTOR GENE	RAL	
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	11	2	11	24
WF	1	0	3	4
OF	0	0	0	0
AAM	15	1	4	20
WM	2	2	2	6
ОМ	0	0	0	0
Total Demographics	29	5	20	54

		LEGAL	图、制度管理	Ungrei
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	5	2	3	10
WF	0	2	0	2
OF	0	0	0	0
AAM	1	0	1	2
WM	0	1	0	1
OM	0	0	0	0
Total Demographics	6	5	4	15
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	PLANNIN	G AND PROG	RAMS	
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	5	1	3	9
WF	2	1	1	4
OF	0	0	0	0
AAM	0	1	2	3
WM	1	3	1	5
ОМ	0	0	0	0
Total Demographics	8	6	7	21
	NI CONTRACTOR	and the same	THE RESERVE OF THE SECOND	

	REHABIL	ITATION SEF	RVICES	
Demographics	Direct Services	Supervisory	Administrative /Other Support	Total Staffing
AAF	229	21	21	271
WF	20	6	4	30
OF	1	0	1	2
AAM	168	19	3	190
WM	13	5	3	21
OM	2	0	0	2
Total Demographics	433	51	32	516

Demographics	Direct Services	Supervisory	Administrative //Other Support	Total Staffing
AAF	35	5	4	44
WF	29	12	6	47
OF	1	0	0	1
AAM	6	1	0	7
WM	10	2	2	14
ОМ	0	0	0	0
Total Demographics	81	20	12	113

	Abbreviation Key
AAF	African American Female
WF	White Female
OF	Other Female
AAM	African American Male
WM	White Male
ОМ	Other Male



Populations and Caseloads

SCDJJ compared to the U.S. in the last decade



Since the peak of juvenile crime in 1995, both juvenile crime and incarceration have dropped drastically in the U.S. Those numbers have continued to drop in recent years. National juvenile detention rates fell about 41% between 1995 and 2010. And juvenile violent crime dropped 63% between 1995 and 2012. The number of juveniles on probation has also seen a less dramatic, but significant, decline. In 2002, there were 618,600 juvenile probation cases in the U.S. In 2009 there were 541,400 juvenile probation cases, a 13% drop.

There are many factors at play in explaining these declines in juvenile crime in general and incarceration rates in particular. A recent study by the Annie E. Casey Foundation pointed to a wide disparity among the juvenile crime and incarceration rates of individual states. While rates on average dropped in the U.S., individual states like Arkansas, Idaho, and West Virginia actually showed increases in juvenile incarceration. The report attributes the average drop to states which:

- Limit eligibility for correctional placements
- Invest in promising alternatives to incarceration
- Adopt best-practices for supervising delinquent youth in their communities
- Incentivize community-based alternatives to confinement
- Establish small treatment-oriented facilities for those confined.

South Carolina in particular has proven to be a superb example of putting these basic principles into real-world practice. This state has consistently bested national averages for declines in juvenile incarceration, referrals, violent crime, and probation over the last decade. South Carolina has seen:

- A 40% decrease in the average daily population at DJJ's hardware-secure and staff-secure facilities in the last eight years.
- Juvenile crime referrals to DJJ down 38% in the last decade.
- Juvenile violent and serious crime **down 64%** since its peak in 1994-1995.

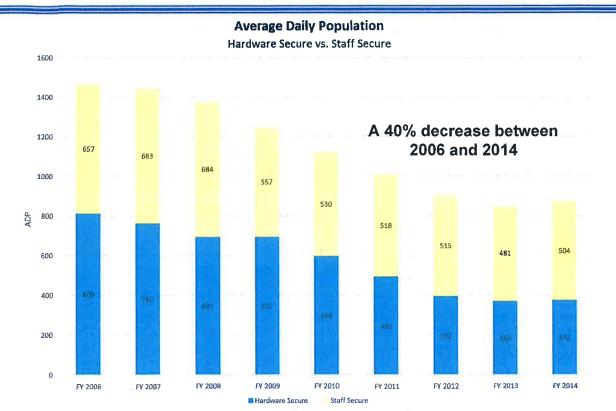
 A 33% decline in probation cases in the last decade.

Each of these statistics compares favorably with the national average, with much more drastic drops in probation cases and long-term incarceration in South Carolina than in the nation as a whole.

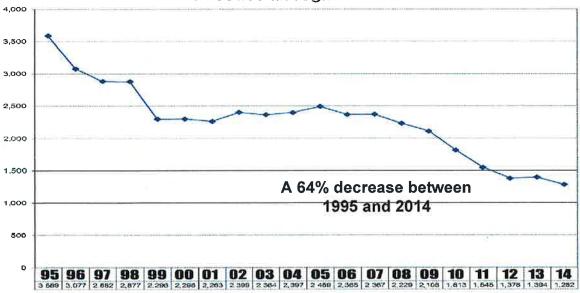
In specific practice, these improvements are attributable to a number of solid best-practice initiatives at SCDJJ in the last decade. DJJ has:

- Repositioned our facility clinicians (social workers and psychologists) to the front-end of the juvenile justice system in local communities.
- Lowered caseloads for probation/parole officers and initiated an Intensive Supervision Officer (ISO) program with caseloads limited to 20 supervised juveniles.
- Improved family services and counseling at the county level.
- Created extensive job training, anti-gang, and afterschool prevention programs both behind the fence and in the community. This includes a system of 8 Job Readiness Training sites, one Job Readiness Training Center in Columbia, 38 Teen After-School Centers (TASC), and a Gang Resistance Education and Training (G.R.E.A.T.) program for elementary school students across the state.
- Created and expanded diversion programs and referral sources, such as Juvenile Arbitration, to give prosecutors and Family Court judges more options with young offenders.
- Partnered with private providers to institute a continuum of commitment and alternative placement options for youth in commitment status and on probation or parole.

And the agency plans to continue this strong focus on prevention and "front-end" efforts to prevent juvenile crime and keep youth from entering the juvenile justice system in the future. DJJ is currently developing programs to further limit probation caseloads (similar to the Intensive Supervision program), provide more intensive non-punitive therapy to incarcerated juveniles, and to focus on a new "4th generation" risk-needs assessment program.



Violent and Serious Juvenile Cases FY 1994/95 through FY 2013/14



Juvenile Ref	errals to DJJ
2004	26,213
2014	16,429
A 38% I	Decrease

2004	6,013
2014	3,981

Detail of Program Cost for FY 14

Persone Pers					Transfer to Perm		Employer	
N. Administration			Personnel	Operating	Improvement Proj	Case Services	Contributions	Total
Director's Office	i. Parole	Division						
Director's Office		Parole Board	339,553	55,807				395,360
Director's Office	II Admir	nistration						101
Legal Office 456,000 6,154 522,154 Adm Management 192,292 12,866 1,700,000 1,905,178 Fiscal Affairs 1,072,305 44,810 1,700,000 2,928,881 Information Technology 500,881 1,977,800 0 7,590,004 III. Programs and Services 8 1,700,000 0 7,590,004 III. Programs and Services 8 8 459,478 1,700,000 0 7,590,004 III. Programs and Services 8 254,624 459,478 1,700,000 0 7,500,004 III. Programs and Services 8 254,624 459,478 1,700,000 0 7,500,004 III. Programs and Services 254,624 459,478 1,700,000 0 7,100,004 71,100,004 0 467 33,204,704 0 467 33,204,709 0 467 33,204,709 0 467 33,204,709 0 467 33,204,709 0 2,000,000 0 60,000 0 60,000 0 </td <td>III AQIIIII</td> <td></td> <td>201 071</td> <td>11 911</td> <td></td> <td></td> <td></td> <td>212 982</td>	III AQIIIII		201 071	11 911				212 982
Adm Management 192,292 12,866 1,700,000 1,905,178 Fiscal Affairs 1,073,305 4,810 1,171,115 Human Resources information Technology 960,881 1,977,800 1,700,000 2,728,681 Total Administration 3,661,506 2,139,508 1,700,000 361,000 2,728,681 III. Programs and Services From Midiants Region 2,955,542 304,470 467 3,204,797 Midiants Region 3,514,428 349,713 728 3,864,869 Consultation & Eval 1,369,246 15,255 879,539 2,375,080 Consultation & Eval 1,369,246 15,255 879,539 2,375,080 Consultation & Eval 1,369,246 15,255 879,539 2,375,080 Community Services 43,110 1,663 20,112 4,773 Yictims Services 43,110 1,663 20,101 4,773 Interstate Compact 1,24,541 20,52 2,637 10,793 Interstate Compact 1,24,549		· ·						
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			Transfer to Perm		Employer	
	Personnel	Operating	Improvement Proj	Case Services	Contributions	Total
C Evaluation Centers						
Midlands Evaluation Center	2,813,252	199,768		3,519		3,016,539
Upstate Evaluation Center	2,500,014	421,831		624		2,922,469
Coastal Evaluation Center	2,305,202	401,868		150		2,707,220
Total Evaluation Centers	7,618,468	1,023,467		4,293		8,646,228
D County Serv-Detention						
Detention Center	3,240,088	198,528		29,371		3,467,987
E Residential Operating						
Community Alternatives	546,123	15,924		12,926,255		13,488,302
Alterntive Placements		200		13,947,986		13,947,986
HQ Rd Office	<u>.</u>	13,200		<u></u>		13,200
Total Residential Services	546,123	29,124		26,874,241		27,449,488
F Juvenile Health & Safety						
Inspector General	1,811,754	506,522		. *:		2,318,276
Health Services	1,546,565	1,122,273		1,769,092		4,437,930
Total Juvenile Health & Safety	3,358,319	1,628,795	≔ 0	1,769,092		6,756,206
G Program Analysis						
Staff Development	445,725	167,673		*		613,398
Medicaid Management	267,592	46,512				314,104
Programs & Planning	710,062	329,024		27,282		1,066,368
Total Program Analysis	1,423,379	543,209	電影	27,282		1,993,870
H Education						
Education Mngmt	2,137,471	641,466		1,118		2,780,055
Birchwood School	1,608,039	70,039				1,678,078
Willow Lane School	7,500	7. 328				7,500
Coastal Eval School	561,365	9,044				570,409
Detention Ctr School	326,268	5,185				331,453
Midlands Eval School	184,744	3,714				188,458
Upstate Eval School	332,259	3,413				335,672
Total Education	5,157,646	732,861		1,118		5,891,625
pployee Benefits						
Employer Contribution	=	-	5 = 0	27	20,839,307	20,839,307
Total Agency Costs	51,095,761	14,844,478	1,700,000	31,392,078	20,839,307	119,871,624

BUDGET NARRATIVE

The agency's budget is comprised of four program areas: Parole Division, Administrative Division, Programs and Services and Employee Benefits. The following is a brief description of the program areas and subprogram areas.

- I. **Parole Board-**Although a separate entity, DJJ is statutorily required to provide administrative support to the Parole Board. This entity is charged with establishing the guidelines for juveniles indeterminately committed to DJJ and determining when and under what conditions said juveniles may be released. During FY 13-14, \$395,360 was expended in this area.
- II. **Administrative Division**-This section encompasses key managerial functions such as the Director's Office, Legal and Fiscal Affairs. Information Technology and Human Resources are also included in this budget area. The \$7,501,014 expended includes personnel and operating expenses.
- III. **Programs and Services**-The vast majority of the agency's budget, \$91,135,943 was expended on this section. Divided into eight subprograms, this category includes key deliverables such as probation and parole supervision, intake, secure confinement services and education.
 - A. The community services component of the budget includes those services that are provided out of the county offices such as intake, parole and probation supervision, and victim services. The teen afterschool centers and juvenile arbitration are also included in this budget area. The bulk of the funds expended in this area, \$12,445,497 was used to cover personnel costs. Operating and case services (direct services) expenses rounded out the remaining \$4,447,004.
 - B. The Long-term Facilities budget subgroup covers the Broad River Road Complex and the various sections of the agency that support this long term institution. Dietary services, grounds, physical plant and support services are a few of the services captured within the subgroup. The largest expense in this category is the personnel costs for the juvenile correctional officers and supervisors who oversee the youth committed to the agency. Treatment and other support staff are also reflected in this budget item. The personnel cost for this area is \$13,305,182. The cost of basic needs for the juveniles and staff that support them is \$6,732,856.
 - C. The Evaluation Center subgroup includes the Coastal, Midlands and Upstate Regional Evaluations Centers. These facilities provide court-ordered evaluations for juveniles in a secure setting. A total of \$8,646,228 was expended on this subgroup.

- D. The County Detention subgroup covers the Juvenile Detention Center. This is DJJ's secure, short-term facility that provides custodial care and treatment to juveniles detained by law enforcement agencies and the family courts prior to disposition. A total of \$3,467,987 was expended on this category.
- E. The Residential Operations subgroup covers the non-secure out of home placements such as the wilderness camps and alternative placements. A total of \$27,449,488 was expended on this category.
- F. The Juvenile Health and Safety subgroup covers the Inspector General's Office and Health Services. DJJ is charged with ensuring the health and safety to youth committed to its care. Youth medical services are provided to youth as needed. A total of \$6,756,206 was expended on this category.
- G. The Program Analysis subgroup covers the Staff, Development and Training, Medicaid Management and Planning and Programs Sections of the agency. These sections support the mission of the agency by ensuring a well trained staff, monitoring the strategic plan and maximizing the use of resources. A total of \$1,993,870 was expended in this subgroup.
- H. The final subgroup of the Programs and Services Section is Education. DJJ is statutorily required to meet the educational needs of youth committed to its care. Educational services are offered at the Broad River Road Complex, three Regional Evaluation Centers and the Juvenile Detention Center. A total of \$5,891,625 was expended on this subgroup.
- IV. Employee Benefits-The agency paid \$20,839,307 in employee fringe benefits in FY 13-14.

See attached Detail of Program Cost for FY14 for additional information.

Lawsuits filed against the SC Department of Juvenile Justice, 2005 to Present

This information was compiled and provided pursuant to the request of the Law Enforcement and Criminal Justice Subcommittee of the Legislative Oversight Committee of the South Carolina House of Representatives. DJJ reports information concerning pending and resolved litigation to the Comptroller General's Office on a yearly basis as part of the Litigation Closing Packet. Unless otherwise indicated, all settlement/judgment amounts and costs associated with the defense of these lawsuits were paid by the Department's insurance carrier, the Insurance Reserve Fund.

2005 - There was one lawsuit filed against DJJ.

Case Name	Date Filed	Description	Status
Calvin Jerome Rogers v.	July 20, 2005	SCDC inmate claimed	Dismissed 1/28/09
DJJ, 2005-CP-40-2931		he was illegally	
		committed to DJJ for	
		evaluation due to being	
		younger than the	
		minimum commitment	
		age.	

2006 – There were four lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
Russell Cooke v. DJJ	May 30, 2006	Former DJJ detainee	Settled for \$38,000 on
and Melvin Matthews,		alleged that JCO	January 3, 2008
2006-CP-38-613		Matthews performed	
		oral sex on him at the	
		Juvenile Detention	
		Center.	
Thomas Matthew	June 19, 2006	Former DJJ inmate was	Settled for \$25,000 in
Caldwell v. DJJ and		physically assaulted by	November 2007
Atkean Anderson,		another juvenile,	
2006-CP-40-2006		resulting in a broken	
		jaw.	
<u>Debbie Lancaster v.</u>	July 2006	Temporary employee	Settled for \$2,500 on
<u>DJJ</u> , 2006-CP-23-5302		(white) claimed race	January 22, 2007
		discrimination when	
		she was denied	
		permanent	
		employment with DJJ.	
Thomas Turner v.	September 14, 2006	Former DJJ inmate	Settled for \$36,400 in
Thomas Simms and DJJ,		alleged another	November 2006
2006-CP-40-5332		juvenile punched him	
		in the mouth at the	
		request of a DJJ staff	
		member.	

2007 – No lawsuits were filed against DJJ.

2008 – There were three lawsuits filed against DJJ,

Case Name	Date Filed	Description	Status
Tyrone Aiken (aka	July 30, 2008	Former DJJ inmate was	Settled for \$20,000 on
Tyrone Craig) v. DJJ,		assaulted by several	March 16, 2009
2008-CP-40-5481		juveniles, resulting in	
		cuts and scratches to	
		his face and his front	
		tooth being knocked	
		out.	
Kareem Thompson v.	October 24, 2008	Former DJJ inmate	Settled for \$12,000 on
DJJ, 2008-CP-40-7718		suffered a broken arm	January 17, 2012
		while being restrained	
		by a JCO after	,
		Thompson threw milk	
		and a cup at another	
		JCO. He later reinjured	
		his arm after a physical	
4		altercation with	
		another juvenile.	
James Berlin v. DJJ,	December 2008	Automobile accident	Settled for \$9,256 on
2008-CP-40-7952		on I-26 involving a DJJ	March 16, 2009
		Police Officer speeding	
		and illegally stopping	
		on the roadway.	

2009 – There were two lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
John Doe v. DJJ and	April 20, 2009	Former DJJ inmate,	DJJ dismissed as a party
<u>DMH</u> , 2009-CP-40-2896		who was transferred to	on February 27, 2012
		a DMH facility, alleged	
		that he was sexually	
		assaulted by another	
		youth who was placed	
		in the same DMH	
		facility.	
Carol Seawright v. DJJ,	May 2009	DJJ's former Finance	Summary Judgment
3:09-CV-01197-CMC		Director claimed that	granted and case
		her separation from DJJ	dismissed November
		after saying "I quit"	29, 2010
		and the agency's	
	-	refusal to allow her to	
		return to work	
		amounted to a	
		constructive discharge.	

2010 – There were two lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
Patrick Booker v. DJJ and Michael Peterson, 2010-CP-23-7158	September 1, 2010	SCDC inmate claims he was physically assaulted by JCO Peterson in 2000 while at DJJ.	Summary Judgment granted and case dismissed September 14, 2011
Cherby Adams v. DJJ, 2010-CP-40-8270	November 24, 2010	Former DJJ inmate's arm was injured when a JCO used allegedly unnecessary and excessive force on him in an attempt to prevent him from fighting with another juvenile.	Settled for \$42,000 on January 26, 2012

2011 – There were two lawsuits filed against DJJ_{\star}

Case Name	Date Filed	Description	Status
Harold Kashner, as	January 2011	Former DJJ Inmate was	Settled for \$10,000 on
Parent and Legal		physically assaulted by	September 6, 2011
Guardian of Jesse		another juvenile when	
Kashner v. DJJ, 2011-		a JCO fell asleep at his	
CP-26-7032		post.	
Rose Powell v. Loris	April 29, 2011	Plaintiff was physically	Settled for \$14,000 on
Healthcare Systems, et		assaulted by 3	December 4, 2012
<u>al.</u> (including Dأل),		teenagers in hospital	
2011-CP-26-2550		parking lot. She	
		claimed that DJJ was	
		negligently supervising	
		one of the youth on	
		probation at the time	
		of the incident.	

2012 – There was one lawsuit filed against DJJ.

Case Name	Date Filed	Description	Status
A.L. v. DJJ, Jeffrey	September 20, 2012	Former DJJ detainee	Dismissed February 6,
Carnes, et al., 2012-CP-	'	(who was being held at	2014
40-6882, 3:12-3617-		the DJJ Detention	
JFA-PJG		Center on adult	
		charges of murder and	
		attempted murder)	
		claimed that he was	
		physically assaulted by	

another detainee and
that DJJ was negligent
in not preventing the
assault.

2013 – There were four lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
Patrick Booker v. DJJ	March 13, 2013	SCDC Inmate claimed	Summary Judgment
and Juvenile Parole		that DJJ and the Parole	granted and case
Board, 2013-CP-23-		Board were negligent	dismissed January 8,
1782		in releasing him home	2014
		on parole rather than	
		sending him to a group	
		setting upon his	
		release from DJJ,	
		causing him commit	
		adult crimes and be	
		sentenced to SCDC.	
Leigh D. Hicks v. DJJ,	April 30, 2013	Former DJJ employee	Settled for \$7,500 on
3:13-CV-1170		(social worker) claimed	August 16, 2013
	V	she was discriminated	
	19	against, retaliated	
		against, and defamed	
		because of her race	
		when DJJ denied her	
		promotions and did not	
		allow her to perform	
		certain duties she	
		wanted to perform.	
Bobby Houston v.	October 22, 2013	Juvenile claimed,	Settled for \$10,000 in
Avalonia Group Homes,		following an altercation	December 2014
Inc. and DJJ, 2013-CP-		with another juvenile,	
23-5668		he was physically	
		disciplined by Avalonia	
		staff and that DJJ was	
		negligent in failing to	
		supervise the provision	
		of services at Avalonia.	
Craig Way v. AMIKids	December 23, 2013	Juvenile alleges that he	Pending
Sand Hills, Inc and DJJ,		was kissed and	_
2013-CP-13-740		inappropriately	
		touched while at Camp	
		Sand Hills "by an	
		employee or volunteer	
		known as Mr. John"	
		and that DJJ was	

× ×	negligent in failing to
2.	supervise or inspect
	Sand Hills.

2014 – There were three lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
Dessa Brown-Hearns v.	May 5, 2014	Employee (JCO)	Settled for salary
DJJ, 3:14-CV-01807-		claimed she was	increase and \$7,500 on
MBS-PJG		discriminated against	October 3, 2014
		based on her gender	
		when another	
		employee (male)	
		received a promotion	€
		rather than her.	
Rebecca Veney v. DJJ,	September 27, 2014	Employee (HR) claims	Pending
3:14-cv-03798-JFA-PJG		race and age	
		discrimination,	
		retaliation, defamation,	
		intentional infliction of	
		emotional distress, and	
		negligent retention.	
Dwight Decker v. DJJ,	November 11, 2014	Former employee (ISO)	Pending
et al., 2:14-cv-04363-		who was terminated	
DCN-MGB		during probationary	
		period asserts various	
		claims, including	
		discrimination,	
		retaliation,	
		whistleblower action,	
		and defamation.	

2015 – As of March 11, 2015, there have been no lawsuits filed and served on DJJ.