

*Chair Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

*Micajah P. (Micah) Caskey, IV  
Neal A. Collins  
Patricia Moore "Pat" Henegan  
William M. (Bill) Hixon  
Jeffrey E. (Jeff) Johnson  
Mandy Powers Norrell  
Tommy M. Stringer  
Bill Taylor  
Robert Q. Williams*

*Jennifer L. Dobson  
Research Director*

*Cathy A. Greer  
Administration Coordinator*

## **Legislative Oversight Committee**



**South Carolina House of Representatives**

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**Room 228 Blatt Building**

*Gary E. Clary  
Chandra E. Dillard  
Lee Hewitt  
Joseph H. Jefferson, Jr.  
Marvin R. Pendarvis  
Robert L. Ridgeway, III  
Edward R. Tallon, Sr.  
John Taliaferro (Jay) West, IV  
Chris Wooten*

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Research Analyst/Auditor*

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Fiscal/Research Analyst*

### **Legislative Oversight Committee Meeting**

**Monday, January 28, 2019  
Blatt Building Room 110**

#### **Archived Video Available**

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

#### **Attendance**

- I. Pursuant to Committee Rule 3.1, the public-input meeting of the House Legislative Oversight Committee was called to order by First Vice-Chair Laurie Slade Funderburk. All members of the Committee were present for all or a portion of the meeting, except Representative Jeffrey Johnson and Representative Tommy Stringer.

#### **Minutes**

- I. Representative Joseph H. Jefferson, Jr., moved to approve the minutes from the meeting on January 14, 2019. A roll call vote was held, and the motion passed.

<b>Representative Jefferson’s motion to approve the minutes from the meeting on January 14, 2019:</b>	<b>Yea</b>	<b>Nay</b>	<b>Not Voting: Present</b>	<b>Not Voting: Absent</b>
Micajah P. “Micah” Caskey, IV	✓			
Gary E. Clary	✓			
Neal A. Collins	✓			
Chandra E. Dillard	✓			
Patricia Moore “Pat” Henegan	✓			
Lee Hewitt	✓			
William M. “Bill” Hixon	✓			
Laurie Slade Funderburk	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson				✓
Marvin R. Pendarivs	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III	✓			
Tommy M. Stringer				✓
Edward R. “Eddie” Tallon, Sr.	✓			
Bill Taylor	✓			
John T. West	✓			
Robert Q. Williams	✓			
Christopher Sloan “Chris” Wooten	✓			
Wm. Weston J. Newton	✓			

## **Public Input**

- I. First Vice-Chair Funderburk stated that the purpose of this meeting was to hear public testimony regarding the Aeronautics Commission and the Department of Corrections.
  
- II. Members of the public provided testimony about the Aeronautics Commission and the Department of Corrections. Constituent testimony and Committee minutes summarizing testimony are not the comments or expression of the House Legislative Oversight Committee, any of its Subcommittees, the House of Representatives, or any of these entities staff.

Before each person testifies, First Vice-Chair Funderburk or Chairman Weston Newton administered an oath to the person. Below are the names of each person who testified

and the time in the archived video at which the testimony begins. The testimony is grouped by agency.

### **Aeronautics Commission**

#### Mr. James Stephens (10:00)

Mr. Stephens testified that he resides in Lexington County and is the Executive Director of the South Carolina Aeronautics Commission. Mr. Stephens provides an overview of the Commission's role and responsibilities in the state's transportation system. Mr. Stephens answers questions from the Committee members regarding the commission's operations and interactions with other state agencies.

### **Department of Corrections**

#### Ms. Nancy Bloodgood (48:00)

Ms. Bloodgood testified that she is a volunteer seventh grade language arts teacher at Lieber Correctional Facility. However, she testified that she has been locked out of the facility for fifteen months. Ms. Bloodgood testified that the majority of inmates at Lieber Correctional cannot test to the seventh grade level, making the inmates ineligible for the state GED program. Ms. Bloodgood started a non-profit organization called Hope Through Literacy that aims to improve literacy among inmates.

#### Mr. Ralph Bell (1:00:39)

Mr. Bell testified that he is a resident of Richland County and is close to someone who was recently incarcerated. He testified that his primary concern is with the mental health of inmates, especially during lockdowns. Mr. Bell testified that addressing the mental health issues for inmates will help them reintegrate into the work force after release. He further testified that the lack of resources especially hurts inmates who don't have anyone concerned about them outside of the prison.

#### Ms. Ariel Bell (1:08:14)

Ms. Bell testified that she is a resident of Richland County. She testified that she was incarcerated. Ms. Bell testified that it took four months for her to leave her room in the correctional facility. She further testified that when she finally did leave her room to talk to a counselor, she felt ignored and dismissed. She further testified that more resources for mental health issues will help inmates realize their potential upon release.

#### Reverend Charles Pollak (1:23:40)

Reverend Pollak testified that he is a resident of Colleton County and is a former chaplain for the Department of Corrections. He testified that he retired from the Department of Corrections because he felt the Department was going downhill and he felt that he could do more good on the outside of prisons. He testified that he represents a non-profit organization called the South Carolina Prison Reform Alliance. Reverend Pollak is the

organization's President. He further testified that he believes the Department of Corrections should undergo a comprehensive independent review.

Mr. Stuart Andrews (1:47:57)

Mr. Andrews testified that he resides in Richland County and is a partner at Nelson, Mullins, Riley & Scarborough. Mr. Andrews represented a class of inmates in a lawsuit against the Department of Corrections. The lawsuit has since been settled and he is involved in seeing the settlement implemented. He testified that the Department of Corrections is facing a crisis which requires a legislative solution. Mr. Andrews testified regarding the lawsuit against the Department of Corrections and the impact that the settlement had on inmates.

Ms. Dawn Simmons (01:51 – Part 2)

Ms. Simmons testified that she works in derivative operations but has a degree in social work. She testified that she has a loved one who is an inmate on a drug trafficking charge. Ms. Simmons testified that she wrote a book, entitled *Letters to Our Sons*, in which she documented prisoner accounts regarding living conditions inside South Carolina prisons. Ms. Simmons testified that some of the problems include high prices for necessary supplies inside the prison, excessively long prison sentences, and general living conditions.

Mr. James Siegler (08:34 – Part 2)

Mr. Siegler testified that he is a resident of Sumter County and recently was released from prison. He testified that he entered prison at seventeen years old. He further testified that he was frequently on lockdown and had limited contact with visitors. He also testified that, because of his limited communication with visitors or family members, he felt as though there was no one available to hear his concerns about the prison living conditions. Mr. Siegler testified that his primary concern was being able to return to a normal life upon leaving prison.

Ms. Cathleen DeCourcy (13:41 - Part 2)

Ms. DeCourcy testified that she is a volunteer at Ridgeland Correctional Institute. She testified that volunteers are often seen as a disruption and disturbance inside the prison. She further testified that very few inmates attend their programming and the volunteers are often forced to pay for supplies. Ms. DeCourcy testified that she believes volunteers are not being utilized by the Department of Corrections in the best way.

Mr. Curtis Johnson (17:35 – Part 2)

Mr. Johnson testified that he is a resident of Greenville County and is a community activist and pastor. He testified that the incident at Lee Correctional Facility raised his level of concern for the state prison system. He testified regarding the number of deaths in South Carolina prisons and how the number of fatalities continues to increase. He cites

a number of factors that cause unrest in prisons, such as lack of medical and mental health resources and understaffed security personnel.

Ms. Traci Fant (22:30 – Part 2)

Ms. Fant testified that she is a resident of Greenville County and is a community activist with Freedom Fighters Upstate South Carolina. She testified that she became interested in the South Carolina prison system after receiving communication from an inmate indicating that was afraid for his life inside the prison. The inmate told Ms. Fant that inmates were often violent and the violence often was overlooked. Ms. Fant testified that she believes inmates do not have an adequate avenue to air their grievances. Some of the inmate grievances that Ms. Fant testified to include – sanitary concerns in the prisons, general living conditions, the number of suicides, religious discrimination, sexual abuse and misconduct, and misconduct by guards and security personnel.

Mr. Stan Burttt (27:11 – Part 2)

Mr. Burttt testified that he is a resident of Dorchester County and is the former warden of Lieber Correctional. He testified that he currently runs a homeless shelter. Mr. Burttt testified that his primary concern is that inmates are released without the ability to work or provide for themselves. He testified that inmates often do not have the legal capacity to work upon leaving prison.

Mr. Joseph Fischer (29:30 – Part 2)

Mr. Fischer testified that he is a resident of Charleston County and has a son who is serving a prison sentence at Kirkland Correctional. Mr. Fischer testified that his concern is the educational opportunities available to inmates. He testified that college level programs are not available to inmates presently because of a prior mishap with an inmate. He further testified that a college degree is the more important than a GED in the modern economy and providing a GED does not adequately prepare inmates for post-incarceration life.

Ms. Teresa Lawson (35:10 – Part 2)

Ms. Lawson testified that she is a resident of York County and runs a pre-school for children with incarcerated parents. She testified that the effect of an incarcerated parent is very significant for young children. She testified that children visiting the prison often have limited engagement with their parents. Ms. Lawson testified that legislation is needed to provide a more stable and engaging visiting experience for children visiting their parents in prison.

Ms. Efia Nwangaza (43:02 – Part 2)

Ms. Nwangaza testified that she is a resident of Greenville County and is the Executive Director of the Malcom X Center for Self Determination. She testified that she has been an activist on prisoner issues since 1978 and has visited every prison in South Carolina. Ms. Nwangaza testified that she agreed with the prior testimony regarding problems in the South Carolina prisons. She further testified that race and class are not adequately considered in the prison system. She also testified that prisoners are not prepared to enter society again upon their release from prison.

Mr. Paul Palmer (50:30 – Part 2)

Mr. Palmer testified that he is a resident of Richland County and is a volunteer at the Broad River Correctional Institution. Mr. Palmer testified that he is involved in the Kairos Prison Ministry. He testified that, since the lockdown at Lee Correctional, his organization's access to Broad River Correctional has been significantly limited. He further testified that Kairos' goal is not to convert inmates to Christianity but to provide socialization training for the inmates.

Ms. Kathleen Warthen (54:20 – Part 2)

Ms. Warthen testified that she is a resident of Richland County and is the policy attorney for Protection and Advocacy for People with Disabilities. Ms. Warthen's organization was involved in the lawsuit regarding mental health resources. She testified that the Department of Corrections has done a good job in complying with the settlement on issues like tracking mental health statistics and assessing necessary treatment. However, Ms. Warthen testified that the Department of Corrections has not reached compliance on other issues such as sanitary conditions in segregated cells and providing outside recreation time for inmates in the segregated areas. She also testified that the Department of Corrections is at partial compliance for several other issues related to the settlement.

Ms. Erica Felder (1:00:00 – Part 2)

Ms. Felder testified that she is a resident of Laurens County. She testified that the families of inmates are scared to reach out to the Department of Corrections. She testified that her organization is focused on trying to connect families with the agency so that concerns can be raised. Ms. Felder testified that the inability to raise concerns and grievances creates an unstable and potentially dangerous environment in the prisons.

Ms. Susan DeMarco (1:07:21 – Part 2)

Ms. DeMarco testified that she is a resident of Richland County and has a friend incarcerated at Broad River Correctional Institute. She testified that she now runs an advocacy organization regarding prisoner rights and rehabilitation. She further testified that the lockdowns occurring in South Carolina prisons significantly affect the inmates. Ms. DeMarco testified that society must recognize that prisoners are still human beings that deserve respect and stable living conditions.

Ms. Tia Simmons (1:12:21 – Part 2)

Ms. Simmons testified that she is a resident of Richland County and has family and friends who have either been incarcerated in the past or are currently incarcerated. Ms. Simmons testified that she has volunteered with the Department of Corrections in several roles and has seen the prison system from every angle. She testified that the problems can be repeated at length, but the most important issue is action. Ms. Simmons further testified that rehabilitation should be the focus for correctional facilities in the state. She further testified that prisoners should not be forgotten and the legislature has a unique opportunity to make significant change.

Ms. Cindy Quattlebaum (1:16:30 – Part 2)

Ms. Quattlebaum testified that she is a resident of Saint Matthews and has a son who was incarcerated at one time. She testified that her son was located at a designated facility in Union County where he was provided a job that significantly helped his rehabilitation. She testified that only about three hundred inmates are provided with the opportunity that her son had. Ms. Quattlebaum further testified that the victims of crimes need to be considered in the process of reforming the prison system because the victims have a right to expect that the sentence associated with the crime is carried out.

**Discussion of Department of Corrections**

- I. After being placed under oath, Ms. Salley Elliott, Chief Legal and Compliance Officer for Department of Corrections, addressed the committee regarding the public input.

**Discussion of Committee Administrative Matters**

- I. Chairman Newton provided an overview of administrative matters regarding the legislative process and announced the upcoming subcommittee meetings that will address the Department of Corrections and the Aeronautics Commission.
- II. There being no further business; the meeting was adjourned.