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South Carolina House of Representatives

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

*Charles L. Appleby IV
Legal Counsel*

**Law Enforcement & Criminal Justice Subcommittee Meeting
Wednesday, December 2, 2015
10:00 a.m.
Room 110 - Blatt Building**

ARCHIVED VIDEO AVAILABLE

- I. You may access archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and click on "Citizens' Interests," then click on "House Legislative Oversight Committee Postings and Reports." Lastly, click on "Video Archives" for a listing of archived videos for the Legislative Oversight Committee.

ATTENDANCE

- I. The Law Enforcement & Criminal Justice Subcommittee (Subcommittee) meeting was called to order by Subcommittee Chair Kirkman Finlay III on Wednesday, December 2, 2015, in Room 110 of the Blatt Building, Columbia, South Carolina. The following Subcommittee Members were present: Subcommittee Chair Finlay, Representative William K. Bowers, Representative Raye Felder, and Representative Edward R. Tallon Sr.
- II. Those present on behalf of the Department of Juvenile Justice were: Sylvia Murray (Director), Brett Macgargle (Senior Deputy Director), Katherine Pearson (Director of Constituent Services), Elizabeth Hill (General Counsel), Robin Owens (Deputy Director for Administration), and John Carpenter (Director of Fiscal Affairs).

MINUTES

- I. House Rule 4.5 requires the standing committees of the House to prepare and make available for public inspection, in compliance with Section 30-4-90, the minutes of full committee meetings. House Rule 4.5 further provides that such minutes need not be verbatim accounts of such meetings. It is the practice

of the House Legislative Oversight Committee to provide minutes, which are not verbatim accounts of such meetings, for its Subcommittee meetings.

- II. Subcommittee Chair Finlay moved to approve the minutes from the Subcommittee meeting on Wednesday, April 29, 2015. Representative Felder seconded the motion. A roll call vote was held, and all present voted in favor of approval.

Chair Finlay’s Motion to Approve the Subcommittee Meeting Minutes from April 29, 2015	Yea	Nay	Not Voting
Rep. Bowers	✓		
Rep. Felder	✓		
Rep. Tallon	✓		
Chair Finlay	✓		

DISCUSSION OF STUDY OF THE DEPARTMENT OF JUVENILE JUSTICE

- I. This was the fourth meeting with the Department of Juvenile Justice held to allow the Subcommittee to continue its discussion of the DJJ, the Staff Study, the agency’s recommendations, and allow the Subcommittee Members to ask any additional questions. Subcommittee Chair Finlay swore under oath the individuals who were to speak on behalf of the DJJ.
- II. The Committee staff provided an overview of the completed Staff Study of the DJJ.
- III. Subcommittee Chair Finlay opened the floor for members of the Subcommittee to ask any questions of the representatives from the DJJ.

Representative Felder asked the DJJ representatives for more information on the number and general geographic locations of children served by the DJJ through the Community Services Programs. Brett Macgargle provided testimony to the Subcommittee in response to the question.

Representative Bowers asked the DJJ representatives for information related to the number of school-aged children who do not attend school, and asked if the DJJ monitors the school attendance records of children who are under the supervision of the agency. Brett Macgargle provided testimony to the Subcommittee in response to the question.

Representative Tallon asked a follow-up question related to the DJJ’s monitoring of at-risk children during the hours following the close of a school day. Brett Macgargle provided testimony to the Subcommittee in response to the question.

Representative Tallon asked if the DJJ has partnered with private or community organizations to provide more services to at-risk children. Brett Macgargle provided testimony to the Subcommittee in response to the question.

Representative Felder asked if the DJJ’s after-school programs are run by paid DJJ staff, or whether those after-school providers are volunteers or are employed through agency outsourcing. Brett Macgargle provided testimony to the Subcommittee in response to the question.

Representative Tallon asked, if there were any incidents of prison rape the DJJ had to report during recent years, how many of such incidents had occurred. Brett Macgargle and Elizabeth Hill testified that they were not able to provide an answer at that time, but that they would submit that information to the Subcommittee at a later date. Representative Tallon asked for a percentage comparison of the sexes DJJ's inmates and prison guards. Elizabeth Hill provided testimony to the Subcommittee in response to the question. Representative Tallon asked if the fact that the majority of inmates are male and the majority of guards are female has negatively impacted the facilities. Elizabeth Hill provided testimony to the Subcommittee in response to the question.

Representative Felder asked for the youngest age at which a child could be incarcerated at a DJJ facility, if the inmates are separated in the DJJ's facilities by age, and what mental health care the DJJ makes use of at its facilities. Elizabeth Hill provided testimony to the Subcommittee in response to the questions.

Representative Tallon asked for information relating to the ability of the DJJ's inmates to complete a GED. Sylvia Murray provided testimony to the Subcommittee in response to the question. Representative Tallon asked about incidents in which inmates had overpowered guards, necessitating the involvement or armed SLED officers, and whether the DJJ had changed its policies in response to the incident. Sylvia Murray provided testimony to the Subcommittee in response to the questions.

Representative Felder asked how many of the DJJ's inmates had taken the WorkKeys assessment. Sylvia Murray provided testimony to the Subcommittee in response to the question.

Subcommittee Chair Finlay asked when the DJJ's goal to implement succession planning and would be completed, and if the DJJ had attempted to secure the relevant data from available government sources rather than spending large amounts of funds in an attempt to compile that data on its own. John Carpenter provided testimony to the Subcommittee in response to the question. Chair Finlay asked when the DJJ's implementation of objective 8.2.2 will be completed. Robin Owens and John Carpenter provided testimony to the Subcommittee in response to the question. Chair Finlay expressed his significant concern that the DJJ had arbitrarily categorized its spending under certain goals, and that this arbitrary practice had compromised the Subcommittee's ability to analyze the DJJ's spending, and that this arbitrary practice could interfere with the integrity of the budget process in regards to the DJJ. Chair Finlay asked for the purpose of over \$7,000,000 in agency spending that was not related to any of the agency's goals. John Carpenter provided testimony to the Subcommittee in response to the question.

- IV. The Subcommittee took a short break so that the Committee staff could review the correspondence between the Committee and the DJJ in order to resolve a dispute about whether or not the DJJ had complied with the Committee's instructions regarding the information the DJJ submitted to the Committee in its reports.
- V. After the break ended, Subcommittee Chair Finlay explained that the Subcommittee would take a new and more explicit approach to its review of the DJJ in light of the fact that he believed that the DJJ had not been entirely forthcoming and accurate in its submissions to the Committee. Chair Finlay asked how it was possible that the number of referrals and inmates that the DJJ has had to deal with has dropped dramatically over the years, yet the agency still spends approximately the same amount of inflation-adjusted money that it did before the decline.

VI. There being no further business, the meeting was adjourned.