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Room 228 Blatt Building

Law Enforcement and Criminal Justice Subcommittee

Tuesday, February 07, 2017

Blatt 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. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Chairman Edward R. Tallon, Sr. , on the morning of Tuesday, February 7, 2017, in Room 110 of the Blatt Building. The following members of the Subcommittee were present during the meeting: Chairman Tallon, Representative Kathrine Arrington, Representative William M. Hixon, and Representative J. Todd Rutherford

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 Hixon moved to approve the minutes from the January 31st, 2017 Subcommittee meeting.

Rep. Hixon’s motion to approve the minutes from January 31 st , 2017:	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford			NP
Rep. Tallon	✓		

Discussion of the Department of Juvenile Justice

- I. Chairman Tallon requested all representatives from the Department of Juvenile Justice (DJJ) state their name, title, responsibilities and start date with the agency. The following representatives from DJJ were present and provided this information:
 - a. Freddie Pough, Acting Director
 - i. March 2016 (on loan from State Law Enforcement Division),
 - ii. May 2016 (hired as Agency Inspector General and Police Chief)
 - iii. February 2016 (named acting Director)
 - b. Anthony Wyn, Deputy Director of Rehabilitative Services
 - i. June 17, 2016 (hired in current position)
 - c. Judy Estern, Deputy Director of Community Services (Probation, Alternative Placements, Job Readiness Training)
 - i. July 2, 2016 (temporary employee);
 - ii. August 2, 2016 (hired permanently in current position)
 - d. Robin Owens, Deputy Director of Administrative Services (Finance, Human Resources, Staff Development and Training, Physical Plant)
 - i. May 17, 2014 (hired at agency)
 - ii. March 2015 (promoted to current position)
 - e. Alana Odom Williams, Deputy Director of Legal Services (Legal, Constituent and Legislative Affairs, Public Affairs)
 - i. September 2016 (hired in current position)
 - f. James Quinn, Deputy Director/Superintendent of Educational Services
 - i. January 2014 (hired in current position)
 - g. Brett Macgargle, Deputy Director of Planning and Programs (Research and Statistics, Program Evaluation, PbS Monitoring, PREA Monitoring, Quality Assurance)
 - i. 1995 (hired at agency - worked in various roles from Executive Assistant to the Director to community service division)

- ii. 2009 (promoted to current position)
- II. Chairman Tallon asked Ms. Owens the start date for the directors under the Division of Administrative Services. Ms. Owens provided the following information:
 - a. Finance Director - November 17, 2016 (start date)
 - b. Human Resources Director - June 2016 (start date)
 - c. Information Technology Director
 - i. 2003 (hired at agency)
 - ii. September 2015 (interim IT Director)
 - iii. May 2016 (full time IT Director)
 - d. Fiscal Affairs Director - currently vacant
 - i. August 2016 (position became vacant)
 - ii. Position has been posted several times but the agency has not found the correct applicant. The employee serving in the position on an interim basis was previously a budget analyst.
- III. Chairman Tallon then provided a brief background on the study status.
- IV. Representatives from DJJ were then given an opportunity to explain their response to the Subcommittee's February 2, 2017 letter and their progress so far. Director Pough explained the responses and provided the update.
- V. Chairman Tallon then opened the floor to questions from Subcommittee members. Members asked questions, which agency personnel answered, on topics including, but not limited to, the following:
 - a. Vacant Budget Director position
 - b. Juvenile Justice Management System including background of the system and related policies such as how information is entered into the system.
 - c. Tools and equipment provided to case managers;
 - d. Transportation of juveniles by DJJ police officers versus juvenile correction officers (JCO)
- VI. Multiple motions related to the study of The Department of Juvenile Justice were made throughout the meeting. The motions, and vote tallies, are included on the subsequent pages.

<p>Rep. Rutherford’s motion that the Subcommittee include the following findings in the Subcommittee Study:</p> <ol style="list-style-type: none"> 1) The Oversight Committee requested the LAC preform and audit of DJJ 2) The audit resulted in 74 recommendations grouped into 24 topics. 3) The Oversight Subcommittee, and agency, agree with all 56 recommendations, under the following 17 topics of audit: <ul style="list-style-type: none"> • Training and certification of Juvenile Correctional and Detention Officers • Handling of Major Disturbances at DJJ Facilities • Investigation of a Juvenile’s death at wilderness camp • Security policies at BRRC • Compliance with Security policies at evaluation centers • Recruiting Correctional Officers • Turnover among Correctional and Detention officers • Juvenile Correctional Officers Salaries • DJJ Office of Inspector General • Capital Assets • Retirement Incentive and Voluntary Separation Programs • Education • Quality Assurance of Case Management • Probation and parole hearings and Juvenile Caseloads • Outcome measures and penalties in contracts • Compliant boxes at DJJ camps • Escapes from camps 4) Under the Prison Rape Elimination Act Compliance topic, the Oversight Subcommittee, and agency, agree with 2 of the 3 recommendations, Recommendations #12 and 13. 5) Under the Broad River Road Complex Facilities topic, the Oversight Subcommittee, and agency, agree with 1 of the 3 recommendations, Recommendation #17. 6) Under the Performance-based Standards (PbS) topic, the Oversight Subcommittee and agency, agree with 3 of the 4 recommendations, Recommendations #63, 64, and 66. 7) Under the Retirement System Eligibility topic, <ul style="list-style-type: none"> • The Oversight Subcommittee and agency agree with audit recommendation #45 which states the agency should complete a comprehensive review of all staff, including the S.C. Board of Juvenile Parole personnel, regarding retirement system eligibility based on requirements of state law; and • To avoid duplication of efforts, the Oversight Subcommittee is providing Recommendations #42 through #44 to the Joint Committee on Pension Systems Review, as these recommendations relate to potential amendments of state laws that may have a significant impact on the state’s pension systems. 	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford	✓		
Rep. Tallon	✓		

<p>Rep. Arrington’s motion that the Subcommittee include a recommendation in the Subcommittee Study that the agency:</p> <ul style="list-style-type: none"> • Provide an update, in format approved by the Subcommittee, once a quarter from April 3, 2017 until April 3, 2018 or the Committee re-visits the need for the updates; • Information included in the quarterly updates may include, but not limited to: (1) Updated strategic plan, in which each objective meets the S.M.A.R.T. criteria; (2) After appropriate discussion among the agency director, finance department, and division leaders, an updated strategic budget chart for 2016-17 and 2017-18, which has all current agency funding and all funds requested by the agency for next year, allocated to an objective.; (3) Updated performance measures, with an eye towards focusing on measuring more outcomes, rather than outputs, for the citizens of South Carolina; (4) Data for the quarter related to Performance Based Standards; (5) Implementation status of recommendations from the Legislative Audit Council’s audit of the agency; and (6) Implementation status of other subcommittee recommendations. 	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford	✓		
Rep. Tallon	✓		

<p>Rep. Arrington’s motion that the Subcommittee include a recommendation in the subcommittee study that DJJ update its policies and training to require case managers to enter activity notes related to the juveniles in the Juvenile Justice Management System (JJMS).</p>	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Rutherford		✓	
Rep. Tallon	✓		

<p>Rep. Arrington’s motion that the Subcommittee include a recommendation in the subcommittee study that DJJ provide a list of the tools case managers need to avoid duplication in performing their job duties along with the associated costs and potential time frame to provide these tools.</p>	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon			✓
Rep. Rutherford		✓	
Rep. Tallon	✓		

VI. The meeting was adjourned.