



SCCPC

South Carolina Commission
on Prosecution Coordination

**House Ways & Means Criminal Justice
Budget Subcommittee**

FY 2024-25 Budget Hearing

January 11, 2024

1200 SENATE STREET, SUITE B-03, WADE HAMPTON BUILDING, COLUMBIA, SC 29201

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Agency Attendees

- Lisa H. Catalanotto
Executive Director

- Seth Connor
IT Operations Project Manager

- Janise Dove
Finance Director

- Megan Jameson
Legislative Counsel

Commission Members

The Commission consists of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the South Carolina Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program, a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor. The Commission's current 11 members are:

- | | |
|---|--|
| • Isaac McDuffie (Duffie) Stone III, Chairman | Solicitor, 14 th Circuit |
| • Scarlett A. Wilson, Vice Chairman | Solicitor, 9 th Circuit |
| • Kevin S. Brackett | Solicitor, 16 th Circuit |
| • Jimmy A. Richardson II | Solicitor, 15 th Circuit |
| • Barry J. Barnette | Solicitor, 7 th Circuit |
| • Greg Hembree | Senator, District No. 28 |
| • Thomas E. Pope | Representative, District No. 47 |
| • Mark A. Keel | Chief, State Law Enforcement Division |
| • Robert G. Woods IV | Director, SC Department of Public Safety |
| • Brooke L. Velazquez | Director of Diversion Programs, 11 th Circuit |
| • Merri Parker | Victim/Witness Assistance Advocate, 10 th Circuit |

16 Circuit Solicitors

• David M. Pascoe, Jr.	1st Circuit (Calhoun, Dorchester, Orangeburg)
• Bill Weeks	2nd Circuit (Aiken, Bamberg, Barnwell)
• Ernest A. (Chip) Finney III	3rd Circuit (Clarendon, Lee, Sumter, Williamsburg)
• William B. Rogers, Jr.	4th Circuit (Chesterfield, Darlington, Marlboro, Dillon)
• Byron E. Gipson	5th Circuit (Kershaw, Richland)
• Randy E. Newman, Jr.	6th Circuit (Chester, Fairfield, Lancaster)
• Barry J. Barnette	7th Circuit (Cherokee, Spartanburg)
• David M. Stumbo	8th Circuit (Abbeville, Greenwood, Laurens, Newberry)
• Scarlett A. Wilson	9th Circuit (Berkeley, Charleston)
• David R. Wagner, Jr.	10th Circuit (Anderson, Oconee)
• S.R. (Rick) Hubbard III	11th Circuit (Edgefield, Lexington, McCormick, Saluda)
• E.L. (Ed) Clements III	12th Circuit (Florence, Marion)
• W. Walter Wilkins, III	13th Circuit (Greenville, Pickens)
• Isaac McDuffie (Duffie) Stone III	14th Circuit (Allendale, Beaufort, Colleton, Hampton, Jasper)
• Jimmy A. Richardson II	15th Circuit (Georgetown, Horry)
• Kevin S. Brackett	16th Circuit (Union, York)

Agency Information

MISSION

The mission of the South Carolina Commission on Prosecution Coordination (SCCPC) is to improve South Carolina's Criminal Justice System and enhance the professionalism, effectiveness, and efficiency of South Carolina's Circuit Solicitors and their staff. The SCCPC's successful performance of its mission is achieved by:

1. Providing training, continuing education programs, administrative and programmatic support, and technical legal assistance for the Offices of Solicitor;
2. Collecting, analyzing and distributing meaningful criminal justice data; and
3. Collaborating with and assisting the General Assembly as well as federal, state and local criminal justice partners.

Agency Information

HISTORY / LEGISLATION

- The SCCPC was created in 1990 to develop, coordinate and provide training, resources, and support services for the state's sixteen Circuit Solicitors and their staff, and to promote fair, just and uniform administration of justice in the prosecution of criminal cases.
- The SCCPC is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws.

Notable Achievements in FY 23

- Contracted with Team IA to build a web-based e-forms system, which will be used by the sixteen Offices of Circuit Solicitor to securely transmit reporting data from the circuits' case management systems to the SCCPC. The system is actively being developed and the SCCPC and Team IA have met on a bi-weekly basis since development of the system began to discuss specifications of the e-forms.
- Became the first umbrella agency under DTO to onboard onto the Azure Government Cloud. Subsequently, the SCCPC acquired a Platform as a Service (PaaS) Azure SQL Database, which is and will continue to be utilized to house the data pulled from the circuit solicitors' case management systems. The SCCPC successfully integrated test data from three circuits' case management systems to the agency's Azure SQL Database and is continuing development of interface capabilities between the SCCPC and the Offices of Circuit Solicitor.
- Exceeded training goals for FY 23 by offering 176.95 hours of accredited continuing education opportunities through thirty-eight (38) one-day or shorter trainings and co-sponsoring with the South Carolina Solicitors' Association the four-day 2022 SC Solicitors' Annual Conference and the five-day 2023 Prosecution Bootcamp. These trainings provided 98.29 continuing education hours for prosecutors and paralegals, 35 hours for victim advocates, and 43.66 hours for Solicitors' investigators and other officers. The Annual Conference, Bootcamp, and 10 other programs were conducted as in-person trainings, and the remainder were conducted live using Zoom™ webinars. The trainings offered were on topics relevant to the investigation, prosecution, and trial of crimes in South Carolina's state courts.
- Awarded and managed federal grant funds through the National Highway Traffic Safety Administration and the U.S. Department of Justice:
 1. **\$173,555 – Traffic Safety Resource Prosecutor (TSRP) Program:** A National Highway Traffic Safety Administration (NHTSA) grant administered by the South Carolina Department of Public Safety (SCDPS). Funds awarded each year support the salary, fringe, and a majority of expenditures incurred by the statewide TSRP federal FTE at the SCCPC to conduct trainings for prosecutors, law enforcement, and summary court judges on traffic safety enforcement, prosecution, and adjudication, with a specific focus on DUI and traffic-related offenses.
 2. **\$340,000 – Innovative Prosecution Solutions for Combatting Violent Crime:** An extension through 9/30/2023 of a U.S. Department of Justice, Bureau of Justice Assistance (BJA) grant to support initial development of the agency's database project for the collection and reporting of prosecution, administrative, and programmatic data from the statewide Offices of Circuit Solicitor. All funds were fully expended by the end of the state's FY 23.
 3. **\$89,920 – John R. Justice Student Loan Forgiveness Program:** A U.S. Department of Justice, Bureau of Justice Assistance (BJA) grant administered by the SCCPC. Applications are submitted to the SCCPC, and funding is 100% awarded to eligible prosecutors and public defenders statewide. 2022 awarded funding more than double compared to the 2021 award, which was \$41,474. This will provide additional student loan forgiveness opportunities for South Carolina's prosecutors and public defenders.
- Provided legal updates and notifications to the Offices of Circuit Solicitor regarding legislation as well as court opinions, orders and rules.
- Provided technical legal support on ethics, constitutional law, evidentiary law, criminal law and procedure, trial, and appellate issues for the Circuit Solicitors and their staff.
- Provided weekly email alerts on upcoming training opportunities offered by the SCCPC.
- SCCPC staff served as speakers and resources for local, state and national trainings and meetings related to criminal justice and prosecution for the S.C. Bar, the S.C. Criminal Justice Academy, the National Association of Prosecution Coordinators (NAPC), and other entities.

Circuit Solicitor New Funding Received in FY 24 Appropriations Act

\$14,530,000 Recurring - Assistant Solicitor Personnel & Retention Funding:

Appropriated funds is being used to hire new assistant solicitors and offer better pay to existing experienced assistant solicitors for retention purposes. Funding is distributed to the Circuit Solicitors as additional caseload equalization funding: \$6,900,000 of the new funds is distributed \$150,000 per County, and the remaining \$7,630,000 is distributed based on the average incoming caseload for each county as reported by the Judicial Branch for the prior three fiscal years.

SCCPC New Funding Received in FY 24 Appropriations Act

\$128,000 Recurring - Agency Personnel Funding: Funding to adequately fund two existing positions in order to attract qualified applicants. Thanks to this funding, these two positions have now been filled and the agency has no vacant positions. Funding also allowed for current personnel salary adjustments.

\$155,000 Recurring – Agency Technology Equipment and Software: Funding for the recurring maintenance costs of the agency's database project and for cost increases associated with IT services, software and hardware.

\$43,812 Recurring - Insurance Reserve Fund / General Tort Liability Increase: Funding for tort liability increases imposed by the Insurance Reserve Fund and to increase the agency's pre-paid legal coverage. The SCCPC's tort liability coverage also covers the sixteen elected circuit solicitors.

FY 24 Agency Developments and Plans

- SCCPC technology staff is continuing its work with Team IA, the Department of Administration (DTO), and the Circuit Solicitors and their case management system vendors on the development of the agency's database project. Team IA is continuing construction of the outward-facing e-forms system for web-based submission of prosecution data. At the same time, the SCCPC continues to work alongside DTO on the construction of the internal facing data submission system, which will enable the sixteen (16) judicial circuits' case management systems to automatically send report data to the SCCPC using Azure Government Cloud.
- Chief among the services the SCCPC provides for the Offices of Circuit Solicitor is regular training for all prosecution staff. Agency staff will continue to develop, coordinate and conduct regular trainings tailored to the needs of the Circuit Solicitors, prosecutors, paralegals, investigators, victim advocates, diversion program staff and administrative staff and will provide resource materials for every training that is conducted for future reference and use.
- With the \$14,530,000 appropriated in FY 24 for the recruitment and retention of assistant solicitors in the Offices of Circuit Solicitor, the Circuit Solicitors have actively posted positions and are in the process of hiring additional assistant solicitors. Funds have also been used to increase salaries of experienced assistant solicitors, many of whom would have otherwise left for higher paying jobs. Additionally, the SCCPC will conduct a job fair in FY 24 for the recruitment of prosecutors in the solicitors' offices.
 - **NEXT STEPS:** While the funding appropriated and dedicated for assistant solicitors has been crucial for the operation of the solicitors' offices, additional funding is needed for other critical positions, including diversion program staff, victim/witness advocates, investigators, paralegals, IT staff and other administrative professionals. Funding is needed and will be requested in the future to increase salaries in order to retain key staff, provide the additional prosecution staff needed to handle the increased warrant numbers, and to offset the drastic drop in court fines and fees revenue since FY 15 (which funding is used to support diversion and treatment court programs).
- With the non-recurring technology funding appropriated for the Circuit Solicitors in the FY 23 Budget (\$9,600,000 total distributed \$600,000 per circuit), the Circuit Solicitors have either selected or are in the process of selecting a new case management system or making upgrades and continuing maintenance of their existing case management system. Thus far, ten circuits have selected new case management systems. A few of these circuits have already migrated to their new systems. By the end of calendar year 2023, each circuit will report their actual and planned technology expenditures of the appropriated non-recurring funding.
 - **NEXT STEPS:** While the appropriated non-recurring funding for technology has been instrumental in enabling the solicitors to purchase new case management systems or make upgrades to their existing systems, recurring funding will be required for the increased maintenance costs associated with these systems. The solicitors will be identifying what their increased annual costs are with plans to request recurring State funding for FY 26.

Joint SLED and SCCPC FY 25 Budget Request

SLED Transfer of Diversion Programs Database to SCCPC

- **\$100,000 Recurring & \$11,310 Non-recurring:** SLED previously developed and currently hosts and supports a software application (now 20 years old) to track participants of solicitor-run pre-trial intervention programs (“PTI Database”). In 2015, the SCCPC contracted with SLED to develop and host a software application to replace this old application with a new, modern application to track and manage additional data on multiple solicitor-run diversion programs (“Diversion Programs Database”). Software development of Phase I of the new application is expected to be completed in the first quarter of 2024. Due to evolving security standards and in furtherance of the State’s goal to expand centralized shared IT services with the SC Department of Administration, Division of Technology Operations (“DTO”), once Phase I of the project is completed and the data from the old PTI Database has been migrated, SLED will no longer support or host the new application. As a result, the SCCPC must find and finance a solution for hosting and the support and maintenance of the new Diversion Programs Database, including future Phase II enhancements (adding more of the solicitors’ diversion programs).
- DTO has assisted the SCCPC with this endeavor and has evaluated the cost of shifting responsibility of this application away from SLED to a combination of DTO for hosting and a third-party vendor for application support and maintenance:
 - DTO estimates the initial non-recurring set-up and onboarding cost incurred by the SCCPC to be \$11,310.
 - The recurring annual cost incurred by the SCCPC is estimated to be \$100,000. This includes \$30,000 for DTO costs associated with hosting the application in a shared services environment, \$52,000 for third-party vendor costs for application support and maintenance, and a contingency of \$18,000 to accommodate for changes and unforeseen expenses outside the scope of contracted services.

South Carolina Commission on Prosecution Coordination

This quote will provide shared services hosting for the CPC Court Diversion application at the State Data Center. Application support and development, also noted in this quote will be provided by a third-party vendor. A contingency is included to accommodate for changes and unforeseen expenses outside the scope of contracted services.

DTO Costs – Server Environment

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
Virtual Server (2 CPU/4 GB RAM/80 GB DISK)	\$145.00	8	\$1,160.00	N/A	\$13,920.00
Server Management	\$360.00	2	\$720.00	N/A	\$8,640.00
Data Backup	\$0.44	400	\$176.00	N/A	\$2,112.00
SQL Server – per 2 core	\$2,337.14	2	N/A	N/A	\$4,674.28
Citrix Remote Access Licensing	\$19.00	2	\$38.00	N/A	\$456.00
TOTAL:			\$2,094.00	N/A	\$29,802.28

Service Notes: These quantities and charges are based on actual usage and are subject to change. This cost is estimated based on the current state negotiated price and are subject to change.

Kopis Costs – Application Onboarding, Testing, Support and Maintenance

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
Onboarding*	\$6,960.00	1	N/A	\$6,960.00	N/A
User Acceptance Training Setup**	\$4,350.00	1	N/A	\$4,350.00	N/A
Application Support***	\$2,900.00	1	\$2,900.00	N/A	\$34,800.00
SQL Managed Services^	\$1,450.00	1	\$1,450.00	N/A	\$17,400.00
TOTAL:			\$4,350.00	\$11,310.00	\$52,200.00

*Includes Application and SQL managed services. This is estimated at 48 hours for onboarding.

**Includes server set, publishing builds and meetings.

***Includes bug fixes and enhancements.

^Includes database backups, performance, database service health checks/updates.

Kopis Service Notes: Third-party costs will be negotiated in a separate document and subject to the terms and conditions stipulated in that agreement.

Total Cost Estimate

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
DTO Costs	\$2,094.00	1	\$2,094.00	N/A	\$29,802.28
Kopis Costs	\$4,350.00	1	\$4,350.00	\$11,310.00	\$52,200.00
Contingency Costs	18,000.00	1	N/A	N/A	\$18,000.00
TOTAL:			\$6,444.00	\$11,310.00	\$100,000.28

I agree that the quote for services has been explained to me and I authorize the Division of Technology Operations (DTO) to proceed with implementation of this service/project.

Signature: _____ Date: _____

Title: _____

Billing Account No. service will be billed to: _____

Circuit Solicitor FY 25 Budget Requests

No New Funding Requested for Solicitors for FY 25: No new funding is requested at this time for FY 25; however, the Offices of Circuit Solicitor have two pending needs that will require future recurring State funding.

- **Non-attorney Prosecution Staff Personnel and Retention Funding (Recurring):** As the number of warrants sent to the solicitors' offices continues to increase and additional assistant solicitors are hired with recurring funds appropriated in the FY 24 Budget, additional funding is also needed for critical non-attorney positions in solicitors' offices, including diversion program staff, victim/witness advocates, investigators, paralegals, IT staff and other administrative professionals. The amount needed will be studied and requested in the future to increase salaries for the retention of key staff, to hire additional prosecution staff to handle the increased number of warrants, and to offset declining court fines and fees revenue since FY 15.

- **Solicitor Technology Equipment and Software (Recurring):** Once the ongoing maintenance, data storage, and equipment costs associated with the new and upgraded case management systems being implemented in the solicitors' offices are known, recurring funding will be needed for the increased expenses. These expenses are expected to be identified in FY 24 so that the necessary funding to sustain the solicitors' technology efforts may be requested for the FY 26 state budget.

Joint SLED and SCCPC FY 25 Budget Request

SLED Transfer of Diversion Programs Database to SCCPC

- **\$100,000 Recurring & \$11,310 Non-recurring:** SLED previously developed and currently hosts and supports a software application (now 20 years old) to track participants of solicitor-run pre-trial intervention programs (“PTI Database”). In 2015, the SCCPC contracted with SLED to develop and host a software application to replace this old application with a new, modern application to track and manage additional data on multiple solicitor-run diversion programs (“Diversion Programs Database”). Software development of Phase I of the new application is expected to be completed in the first quarter of 2024. Due to evolving security standards and in furtherance of the State’s goal to expand centralized shared IT services with the SC Department of Administration, Division of Technology Operations (“DTO”), once Phase I of the project is completed and the data from the old PTI Database has been migrated, SLED will no longer support or host the new application. As a result, the SCCPC must find and finance a solution for hosting and the support and maintenance of the new Diversion Programs Database, including future Phase II enhancements (adding more of the solicitors’ diversion programs).
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 - The recurring annual cost incurred by the SCCPC is estimated to be \$100,000. This includes \$30,000 for DTO costs associated with hosting the application in a shared services environment, \$52,000 for third-party vendor costs for application support and maintenance, and a contingency of \$18,000 to accommodate for changes and unforeseen expenses outside the scope of contracted services.

Summary of FY 25 Budget Requests

BUDGET REQUESTS			FUNDING					FTEs
Priority	Request Type (recurring, non-recurring, capital)	Request Title	Brief Description	General - Recurring	General - Nonrecurring	Other	Federal	Total
1	Recurring and Non-recurring	SLED Transfer of Diversion Programs Database to SCCPC	Transfer of maintenance and support of a software application developed by SLED to a combination of DTO for hosting and a third-party vendor for application support and maintenance.	\$ 100,000	\$ 11,310			\$ 111,310
TOTAL BUDGET REQUESTS				\$ 100,000	\$ 11,310	\$ -	\$ -	\$ 111,310
								0.00

Summary of FY 25 Proviso Requests

FY 24/25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
60.14	PCC: Solicitor Technology Funding Distribution	Existing proviso requires distribution of non-recurring funds appropriated in the FY 23 budget to Solicitor Technology Equipment and Software to be distributed equally among the sixteen Offices of Circuit Solicitor. A total of \$9,600,000 non-recurring was appropriated in FY 23 to be distributed at an amount of \$600,000 per circuit for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Proviso also requires each circuit solicitor to submit a report detailing the capabilities and all associated expenditures for the Prosecution Case Management System to the Commission on Prosecution Coordination who shall compile and submit the reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2022.	FY 23 / 2 Years	DELETE	60.14. (PCC: Solicitor Technology Funding Distribution) The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile, summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.

SCCPC REQUEST: DELETE proviso because the Solicitor Technology Funding was a non-recurring appropriation in the FY 23 budget that has been fully distributed to the Offices of Circuit Solicitor in accordance with the proviso and because the required one-time report will have been submitted as directed by December 31, 2023. No additional funding was appropriated in the FY 24 budget and no funding is expected for FY 25.

1%, 2% and 3% General Fund Reduction and Cost Savings Plans

- A 1% (\$471,694), 2% (\$943,387) or 3% (\$1,415,081) cut in the state funds appropriated for SCCPC office operations and staffing would be the equivalent of an unsustainable 28%, 56% or 83% cut in agency funding. Over 95% of the funding allocated to the SCCPC is pass-through funding that is distributed to the Offices of Circuit Solicitor and the SC Center for Fathers & Families.
- Any mid-year reductions to the SCCPC's base appropriation would be taken from pass-through funding allocated to the Offices of Solicitor for attorney positions.
- Such a reduction in staffing would be an extremely difficult burden to bear at a time when additional attorney positions are required to manage existing caseloads and court schedules and would adversely impact the quality of justice received by the citizens of South Carolina.

Financial Update: FY 24 Estimated v. FY 23 Actual Budget (Funds Received by SCCPC)

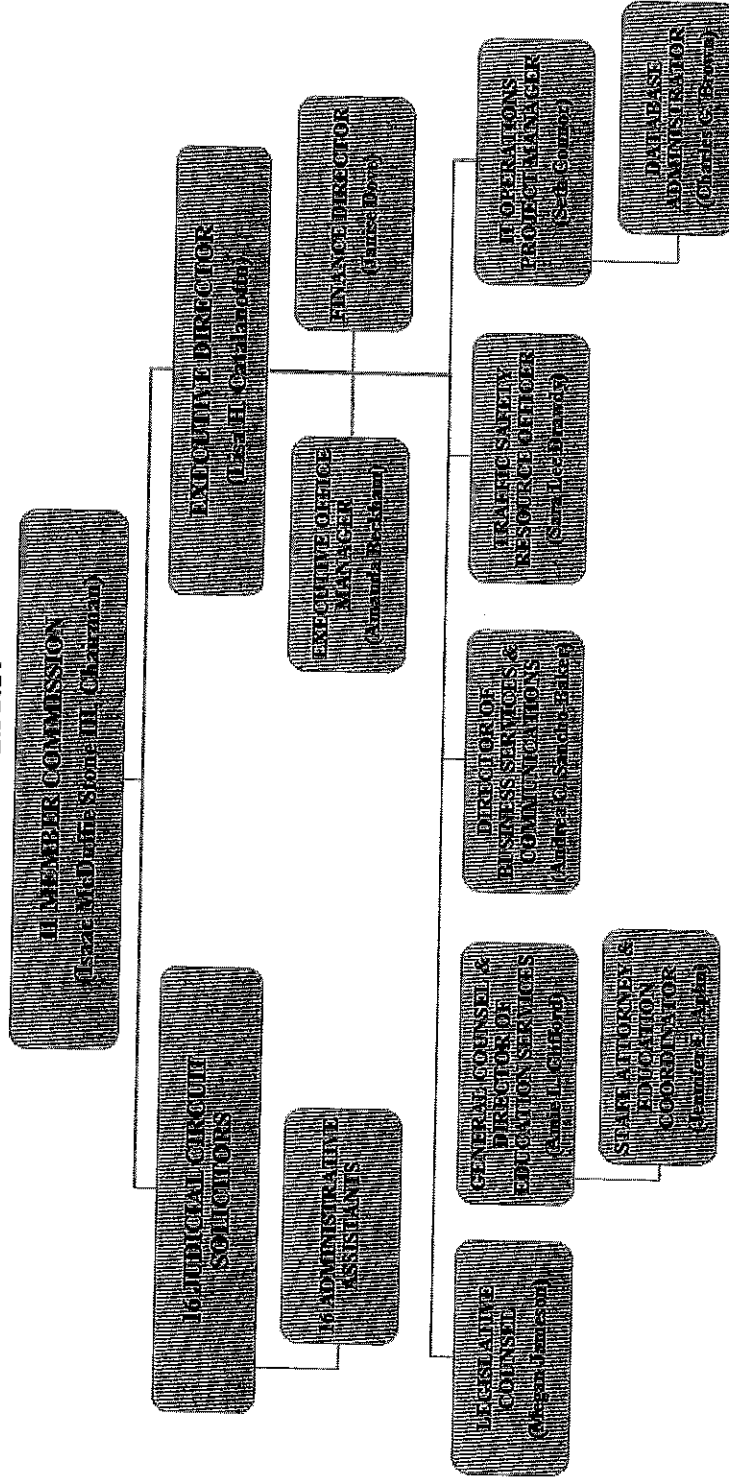
FISCAL YEAR	FY 2023 Actual Final (6/30/2023)	FY 2024 Estimate (7/1/2023)	FY 2024 Actual (7/1/2024)
STATE APPROPRIATIONS			
Non-Recurring Circuit Solicitor			
N/A			
Victim/Witness Assistance Program (Proviso 60.6)	\$ -	\$ -	\$ -
Intake & Analysis (new Proviso 60.13 for FY 22; deleted FY 24)	\$ -	\$ -	\$ -
Solicitor Technology (Proviso 60.15) (new FY 23)	\$ -	\$ -	\$ -
Non-Recurring SCOPE	\$ 9,600,000	\$ -	\$ -
Non-Recurring SCOPE			
Agency Technology			
General Tort Liability Increase	\$ 406,000	\$ -	\$ -
Non-Recurring Community Programs - Earnmarked Pass-through for Other Entities	\$ 33,214	\$ -	\$ -
Fathers & Families			
Total Non-Recurring State Appropriations (All)	\$ 10,039,214	\$ -	\$ -
Recurring Circuit Solicitor			
Judicial Circuit State Support (\$4,692,961 Per Capita/\$1,659,041 Pro Rata to 16 Circuits)(Proviso 60.3)	\$ 6,352,002	\$ 6,352,002	\$ 6,352,002
Violent Crime Prosecution (Pro Rata Distribution to 16 Circuit Solicitors) (Proviso 60.10)	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000
Criminal Domestic Violence Prosecution (Pro Rata to 16 Circuit Solicitors) (Proviso 60.7)	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000
DUI Prosecution (Pro Rata Distribution to 16 Circuit Solicitors) (Proviso 60.9)	\$ 1,179,040	\$ 1,179,041	\$ 1,179,041
Caseload Equalization Set amt for each city; remainder based on docket % to 16 Circuits)(Proviso 60.11)	\$ 7,826,872	\$ 22,356,872	\$ 22,356,872
Summary Court Domestic Violence (based on docket % to 16 Circuit Solicitors) (Proviso 60.12)	\$ 2,980,117	\$ 2,980,117	\$ 2,980,117
Richland County Drug Courts (FY 01 Recurring Line Item Appropriation-Act 387, H 4775 of 2000)	\$ 56,436	\$ 56,436	\$ 56,436
Kershaw County Drug Courts (FY 01 Recurring Line Item Appropriation-Act 387, H 4775 of 2000)	\$ 52,965	\$ 52,965	\$ 52,965
Saluda County Drug Court (FY 08 Recurring Line Item Appropriation-Act 117, H 3620 of 2007)	\$ 38,000	\$ 38,000	\$ 38,000
12th Circuit Drug Court (FY 08 Recurring Line Item Appropriation-Act 117, H 3620 of 2007)	\$ 150,000	\$ 150,000	\$ 150,000
Victim/Witness Assistance Programs (Equal Distribution to 16 Circuit Solicitors) (Proviso 60.8)	\$ 132,703	\$ 132,703	\$ 132,703
Solicitor Expense Allowance (Pro Rata to 16 Circuit Solicitors-\$1,000/mo, each) (Proviso 60.2)	\$ 192,000	\$ 192,000	\$ 192,000
Circuit Solicitor & Administrative Assistant Salary & Fringe (Proviso 60.1 Solicitors/\$1-7-325 Admins)	\$ 6,614,200	\$ 7,222,505	\$ 7,222,505
Drug Court Funding (Pro Rata Distribution) (Proviso 60.14) (new FY22)	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000
Total Recurring Circuit Solicitor State Appropriations	\$ 30,374,335	\$ 45,512,641	\$ 45,512,641
Recurring SCCPC			
SCCPC Salary & Fringe	\$ 1,326,720	\$ 1,286,384	\$ 1,286,384
Other Personal Services	\$ 2,400	\$ 2,400	\$ 2,400
Other Operating Expenses	\$ 209,109	\$ 410,921	\$ 410,921
Total Recurring SCCPC State Appropriations	\$ 1,538,229	\$ 1,699,705	\$ 1,699,705
Recurring Community Programs - Earnmarked Pass-through for Other Entities			
Fathers & Families			
Total Recurring Community Programs State Appropriations	\$ 400,000	\$ 400,000	\$ 400,000
Total Recurring State Appropriations (All) - (FY24 Beginning Base)	\$ 32,312,564	\$ 47,612,346	\$ 47,612,346

Financial Update: FY 24 Estimated v. FY 23 Actual Budget
(Funds Received by SCCPC)

FISCAL YEAR	FY 22/23 Actual Fnd (6/30/2023)	FY 23/24 Estimate (7/1/2023)	FY 23/24 Actual (11/10/2024)
OTHER FUNDS			
Circuit Solicitors - Pass-through from Other State Agencies			
DJJ - Juvenile Arbitration- Proviso 67.6	\$ 960,000	\$ 960,000	\$ 960,000
Attorney Gen- Victim/Witness Funding fr. DCVC- Proviso 59.10	\$ 650,000	\$ 650,000	\$ 650,000
Total Pass-through from Other Agencies	\$ 1,610,000	\$ 1,610,000	\$ 1,610,000
Circuit Solicitors - Court Fee Revenue received quarterly			
Motion Fee §8-21-320 (Drug Court Funding for 3rd, 4th & 11th Circuits Only)	\$ 450,000	\$ 450,000	\$ 450,000
Drug Court Surcharge §14-1-213 (for drug court programs)	\$ 1,642,841	\$ 1,642,841	\$ 694,697
Law Enforcement Surcharge §14-1-212	\$ 2,307,582	\$ 2,307,582	\$ 1,178,732
\$50 Court Filing Fee §14-1-204	\$ 181,334	\$ 181,334	\$ 95,986
Conditional Discharge Fee - General Sessions §16-17-530(D); §44-53-450(C) (for drug court program)	\$ 176,650	\$ 176,650	\$ 84,602
Conditional Discharge Fee - Magistrates §16-17-530(D); §44-53-450(C) (for drug court programs)	\$ 222,678	\$ 222,678	\$ 86,444
Conditional Discharge Fee - Municipal §16-17-530(D); §44-53-450(C) (for drug court programs)	\$ 107,260	\$ 107,260	\$ 53,926
Traffic Education Program Fees - Magistrates §17-22-350	\$ 34,817	\$ 34,817	\$ -
Traffic Education Program Fees - Municipal §17-22-350	\$ 11,096	\$ 11,096	\$ -
Total Circuit Solicitor Court Fee Revenue	\$ 5,134,259	\$ 5,134,259	\$ 2,644,387
Total SCCPC (\$0) & Circuit Solicitor Other Funds	\$ 6,744,259	\$ 6,744,259	\$ 4,254,387
TOTAL RECURRING & NON-RECURRING STATE & OTHER FUNDING (SCCPC & Circuit Solicitor)	\$ 49,096,037	\$ 54,356,605	\$ 51,866,733
SCCPC CARRYFORWARD BALANCE AS OF 01/10/2024:	\$830,349.79		

Organizational Chart & FTE Information

JANUARY 2024



FTE INFORMATION

	State Funded FTE	Non-State Funded FTE	Total FTE
SCCPC Staff	9	0	9
Circuit Solicitors	32	0	32
TOTAL	41	0	41

AGENCY NAME:	SC COMMISSION ON PROSECUTION COORDINATION		
AGENCY CODE:	E210	SECTION:	60

AGENCY'S DISCUSSION AND ANALYSIS

I. AGENCY OVERVIEW OF FY 2022-2023 AND FUTURE PLANS

Internal & External Factors Affecting Performance:

The SCCPC continued to make progress in FY 23 towards addressing the agency's technology and staffing needs. The agency utilized the remainder of federal grant funds previously awarded as well as a portion of new state funding appropriated in FY 23 to begin development of the agency's database project. The SCCPC's retained vendor has made steady progress in developing a workflow automation tool for the collection and reporting of statewide prosecution data. Additionally, new state funds provided for a second IT position at the agency enabled the hiring of a Technology Operations Project Manager, who has been a tremendous asset in advancing the SCCPC's IT posture. Technology funding appropriated in the FY 23 state budget for the Offices of Circuit Solicitor has also allowed these offices to begin addressing their technology needs and upgrading their case management systems. Shortages of prosecutors in the Offices of Circuit Solicitor and struggles to retain talented and experienced prosecutors have continued to hamper progress towards addressing the backlog of criminal cases in the judicial circuits. However, new funding appropriated in the current FY 24 state budget positions the Offices of Circuit Solicitor to hire additional attorneys and to retain their existing talent.

Current Efforts and Plans under Development to Introduce Additional Changes:

A large focus in FY 23 was on procuring and developing the database project for the SCCPC and interface capabilities between the SCCPC and the Offices of Circuit Solicitor. Additionally, the SCCPC has worked extensively with the sixteen solicitors' offices and their respective Case Management System (CMS) vendors to begin development of a database that will enable automated reporting of solicitor data to the SCCPC. Ultimately, the agency's database project will eliminate manual data entry by the solicitors' offices of information contained in the solicitors' case management systems as well as duplicate data entry by both the solicitors' offices and the SCCPC. Automated reporting will also increase the accuracy of data by eliminating much of the dual entry and opportunity for human error.

The SCCPC has continued its partnership with the South Carolina Department of Administration's Division of Technology Operations (DTO) and in January 2023, the SCCPC became the first South Carolina state agency to onboard onto Azure Government Cloud as a tenant under DTO. Azure Government Cloud is specifically built to meet state and federal government compliance and security requirements. The SCCPC has successfully integrated test data from three circuits' case management systems to the SCCPC's Azure SQL Database. In FY 24, the SCCPC will continue testing with additional circuits and expand the data integrated. The SCCPC will also continue to work with its contracted vendor responsible for the design and implementation of an e-forms documentation system for the SCCPC. This system will allow integrated circuit data to pre-populate into the SCCPC database and will also allow the circuits web-based access so they may manually enter data not housed in their case management systems.

In addition to the SCCPC's database project, vast strides have been made in other areas of the agency's information technology. The SCCPC started implementing a computer purchase rotation schedule for the agency and, thanks to new state funding, will continue to slowly replace end of life equipment used for trainings. The ultimate goal is for the SCCPC to have all equipment necessary for its trainings without the need to borrow or rent equipment.

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The SCCPC continued to offer both in-person and virtual trainings for the Offices of Circuit Solicitor in FY 23. The SCCPC also organized topic and group-specific virtual meetings which have enabled greater communication and coordination between the SCCPC and staff in the solicitors' offices who would otherwise be unable to participate in in-person meetings due to scheduling or budgetary restrictions.

An investment of recurring state funding for the recruitment and retention of assistant solicitors in South Carolina was provided for the Offices of Circuit Solicitor for FY 24. This funding will assist these offices with filling vacant prosecutor positions, hiring additional attorneys, and retaining their experienced career prosecutors. Both prosecutor workloads and the annual number of incoming warrants have continued to increase, and the goal of the circuit solicitors is for their prosecutors to maintain reasonable workloads and to make strides towards decreasing the backlog of General Sessions warrants.

II. NOTABLE ACHIEVEMENTS AND RESULTS IN FY 2022-2023

The SCCPC achieved the following during FY 2022-23 in furtherance of the agency's mission:

- Exceeded training goals for FY 23 by offering 176.95 hours of accredited continuing education opportunities through thirty-eight (38) one-day or shorter trainings as well as co-sponsoring with the South Carolina Solicitors' Association the four-day 2022 South Carolina Solicitors' Annual Conference and the five-day 2023 Prosecution Bootcamp (these programs are co-sponsored with the Association; the Association bears the costs associated with the program and the Commission plans and conducts the trainings). The 176.95 hours consisted of 98.29 hours for prosecutors and paralegals, 43.66 hours for Solicitors' investigators and other officers, and 35 hours for victim advocates. In addition to these accredited training hours, other educational opportunities were offered for Solicitors' staff members. While the Annual Conference, Bootcamp, and 10 other programs were conducted as in-person trainings, the others were conducted live using Zoom™ webinars. The trainings offered were on topics relevant to the duties of the staff of the Solicitors' Offices, including:
 - o sex offender registry;
 - o evidentiary issues (obtaining, using at trial, and preservation);
 - o appellate and post-conviction considerations for trial prosecutors;
 - o prosecution's disclosure obligation;
 - o offense-specific topics, including those related to driving under the influence, domestic violence, and sexual assault offenses;
 - o victims' rights, advocacy, and restitution;
 - o ethics and professionalism;
 - o technology;
 - o legislation;
 - o Freedom of Information Act;
 - o mental health; and
 - o general law updates.
- Continued to increase the use of and modify, for agency and end-user efficiency, the agency's online registration process.
- Offered the "Case Round-Up" training program, a monthly one-hour "lunch and learn" training program covering all criminal, quasi-criminal, and other decisions of interest to prosecutors and law enforcement, issued by the Supreme Court of the United States and South Carolina appellate courts during the preceding month. The program is conducted every month except for months in which no criminal or relevant civil opinions are issued and the month in which the Solicitors'

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Annual Conference is held (because the SCCPC coordinates a panel at the Conference to cover appellate opinions of significance).

- Provided legal updates to the Offices of Circuit Solicitor, Attorney General, and municipal prosecutors registered with the SCCPC immediately upon the release of opinions and orders by the Supreme Court of the United States and South Carolina's appellate courts announcing a significant change to the substantive law, court procedure, or ethics rules.
- Provided notifications or summaries to the Offices of Circuit Solicitor, Attorney General, and municipal prosecutors registered with the SCCPC upon the enactment of relevant legislation by the South Carolina General Assembly.
- Expanded the weekly training email alert, which goes out each week except some with holidays, to inform the Offices of Circuit Solicitor, Attorney General, and some municipal prosecutors and law enforcement officers (those registered for such notices) of training opportunities offered by the Commission and other organizations and providers (local, state, and national). During some weeks, additional "special" alerts have been added to address new training opportunities or to call attention to specific training opportunities.
- Provided notification to the Offices of Circuit Solicitor of the orders in *Kenny v. Wilson*, which enjoined the prosecution of certain juveniles for one crime and required the expungement of convictions and adjudications of two sub-classes of juveniles for two crimes. Also provided notification of and assistance with understanding the duties imposed by the U.S. District Court for the District of South Carolina in *Kenny v. Wilson*. Also, worked with those Offices to ensure their compliance with the orders and to collect the information from them that the SCCPC was required by court order to collect and submit to counsel for both parties.
- In December 2022, the SCCPC became the first umbrella agency under DTO to onboard onto the Azure Government Cloud. Subsequently, the SCCPC acquired a Platform as a Service (PaaS) Azure SQL Database, which is and will continue to be utilized to house the data pulled from the circuit case management systems.
- Applied for, received, and managed federal grant funds for the John R. Justice Student Loan Forgiveness Program (JRJ Program). Under the JRJ Program, the SCCPC issued a loan forgiveness application to prosecutors and public defenders statewide. The SCCPC recognized 5 South Carolina prosecutor applicants, who have demonstrated a commitment to public service, with an award to lessen the financial strain of existing student loan debt. The availability of the award and notice of the application process is announced statewide, through directed emails, distribution to the law schools, and publication by the South Carolina Bar. The total amount of the award available is divided equally between prosecutors and public defenders; if more of one type of applicant applies than the other, then the amount of the individual awards to the applicants in the smaller type of pool will be more than the applicants in the other pool receive. All eligible applicants received an award. When in this round of applications, only one eligible public defender applied and later withdrew their application due to change of employment, the SCCPC issued a new public-defender-specific application in FY 24, to fully utilize the grant award for the benefit of the State's public defenders as well as prosecutors.
- Applied for and was granted a no-cost extension in the SCCPC's Innovative Prosecution Solutions federal grant, to enable its complete use of the grant funds on the SCCPC database project. The SCCPC sought the no-cost extension due to delays resulting from its work with various partners on the database project, some of whom had procedures that resulted in delays in the original project timeline. The no-cost extension was granted to the SCCPC until the first quarter of the state FY 24 and all grant funds have now been expended.

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- Awarded grant funds for a Traffic Safety Resource Prosecutor (TSRP). The grant is administered and allocated in South Carolina by the Department of Public Safety, Office of Highway Safety and Justice Programs. Pursuant to grant requirements, the SCCPC conducts trainings for prosecutors, law enforcement, and summary court judges on traffic safety enforcement, prosecution, and adjudication, with a specific focus on DUI and traffic-related offenses.
- The SCCPC assisted the Offices of Circuit Solicitor with the implementation of the pretrial intervention standardized procedures to promote uniformity of forms and processes of pretrial intervention programs across the state.
- Provided technical legal support on ethics, constitutional law, evidentiary law, criminal law and procedure, trial, and appellate issues for the Circuit Solicitors and their staff.
- Pursuant to state law, collected data from the Offices of Circuit Solicitor and prepared annual reports on:
 - o Expenditures and Revenue (state, local, federal, and non-governmental funding sources);
 - o South Carolina Diversion Programs;
 - o Domestic Violence (DV) prosecutions; and
 - o Driving Under the Influence (DUI) prosecutions.
- Responded to inquiries from and provided input to the South Carolina General Assembly on legislation, budget requests, and fiscal impacts.
- Served as a resource for and/or provided technical assistance to other local and state agencies on issues related to criminal justice.
- Three SCCPC staff members served as speakers and/or resources for local, state, and national training and meeting sessions related to criminal justice and prosecution training, including the South Carolina Bar, South Carolina Summary Court Judges' Orientation School, and the National Association of Prosecution Coordinators.

III. DISCUSSION OF AGENCY PLANS FOR FY 24 AND BEYOND

An overview of plans the SCCPC has developed or that are under development is provided in Section I. A more detailed description of these plans, the continued efforts of the SCCPC, and the goals expected to be achieved through implementation of these planned initiatives and ongoing efforts follows:

1. **Develop, coordinate and conduct regular training and continuing education for Circuit Solicitors, prosecutors, and staff.** Chief among the services the SCCPC provides for the Offices of Circuit Solicitor is regular training for all prosecution staff. Agency staff will continue to coordinate and conduct trainings in the future tailored to the needs of prosecutors, paralegals, investigators, victim advocates, diversion program staff and administrative staff and will provide resource materials for every training that is conducted for future reference and use. The SCCPC staff also serves as a legal resource on, and responds to regular requests for technical assistance with, ethics, charging, evidence, constitutional, trial, expert witness, appellate, and other prosecution issues for Solicitors and their staff; provides updates on legislation, case law, and government orders; and reviews pleadings upon request. Agency staff will continue to provide such technical assistance as requested.

The SCCPC conducts in-person and webinar trainings (via Zoom™). The benefits afforded by webinars (including, for the staff of the Offices of Circuit Solicitor, easier access to training and less time away from the job because travel is not required) have resulted in webinars becoming a mainstay of the SCCPC's training curriculum.

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In FY 23, the SCCPC, which has no training budget, conducted two programs with the financial support of the South Carolina Solicitors' Association: The South Carolina Solicitors' Annual Conference and the Prosecution Bootcamp program. The Annual Conference is a four-day program that brings together Solicitors and their staff, other state and local prosecutors, diversion program staff, prosecution investigators, paralegals, administrative staff, speakers, and guests from across the State for training and required legal education. The 2022 South Carolina Solicitors' Annual Conference was conducted as an in-person program in September 2022. The Bootcamp program brings together senior prosecutors and new lawyers in the Offices of Circuit Solicitor for the purpose of providing trial advocacy training. The SCCPC's 2023 Prosecution Bootcamp program has been updated this year to a two-part training. Part I of the training, which was held in June 2023, is a five-day program with a greater focus on trial advocacy. Part II of the 2023 Prosecution Bootcamp, which will be held separately for the first time in October 2023, one-day training consisting of most of the program's substantive law presentations focusing on basic criminal law and procedure.

The SCCPC will continue to obtain accreditation for its trainings from the Supreme Court of South Carolina's Commission on CLE and Specialization, South Carolina Criminal Justice Academy, and/or Department of Crime Victim Services Training, Provider Certification & Statistical Analysis. Evaluations will continue to be utilized to determine the effectiveness of each training.

In addition to accredited training programs, the SCCPC has offered and will continue to offer other educational programs for prosecution staff members who do not have formal continuing education requirements. The SCCPC will also continue to offer the opportunity for select groups of prosecution staff to address specific changes in the law, such as expungement personnel, family court prosecutors, DUI prosecutors, and Sex Offender Registry points of contact; this engagement will continue into FY 24 and beyond.

Providing training and legal education programs and services for the Offices of Circuit Solicitor is a primary function of the SCCPC and is an essential service for the Offices of Circuit Solicitor. Recurring funding will be requested for the FY 23 state budget to establish a technology equipment replacement schedule for malfunctioning and end-of-life equipment used for the agency's education and training operations provided for prosecutors, law enforcement, judges, victim/witness advocates, diversion program staff, and other prosecution staff members.

2. **Continued development and implementation of an agency database.** In FY 23, SCCPC continued cloud development for its database project and reporting tools. Originally a grant-funded project, the SCCPC received non-recurring funding in FY 23 to continue and sustain the project. Upon implementation, the database will streamline and maximize the accurate and efficient collection of existing statewide data to meet reporting requirements, analyze case data and trends, and measure the programmatic effectiveness of the Offices of Circuit Solicitor.

Currently, the solicitors' offices manually submit the necessary data to the SCCPC, and the SCCPC in turn must manually enter and combine the circuit-submitted prosecution data to generate statewide reports for general publication or submission to the General Assembly.

In late 2022, the SCCPC contracted with a third party already on State contract to build a web-based e-forms system, which will be used by the sixteen (16) judicial circuits to securely transmit

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reporting data from the circuits' case management systems to the SCCPC. The SCCPC and its contracted partner have met on a bi-weekly basis for most of FY 23 to discuss specifications of the e-forms.

The SCCPC has continued its partnership with the South Carolina Department of Administration's Division of Technology Operations (DTO). In January 2023, the SCCPC became the first South Carolina state agency to onboard onto Azure Government Cloud as a tenant under DTO. Azure Government Cloud is specifically built to meet state and federal government compliance and security requirements. The SCCPC is a tenant under DTO's government cloud, and the SCCPC and DTO have held bi-weekly meetings to ensure cloud services and support availability, and to verify cloud expenditures. The SCCPC requested and acquired three (3) Windows-based Virtual Machines in Azure Government Cloud for the e-forms project with its third-party partner. While this partner constructed the outward-facing e-forms system for web-based submission of prosecution data, the SCCPC has also worked alongside DTO as the SCCPC constructed the initial version of the internal facing data submission system, which will enable the sixteen (16) judicial circuits' case management systems to automatically send report data to the SCCPC, also using Azure Government Cloud to securely send data files to the SCCPC. At the end of FY 23, the SCCPC acquired a Power BI Report Service, a reporting software that can display data and allows for data filtering such as by circuit and fiscal year. Power BI will translate all the circuit data into cohesive reports, will allow the sixteen (16) circuits to log in to the database and view the SCCPC's reports, and will enable the SCCPC to generate the reports for submission to the General Assembly, where required.

In FY 24, the SCCPC's contracted partner will continue to design and implement an e-forms documentation system for SCCPC. The e-forms' purpose is two-fold. First, data will be integrated from the SCCPC's Structured Query Language (SQL) Database to pre-populate e-forms with any available CMS data the SCCPC acquires from the sixteen (16) circuits. SQL is the querying language used to select and filter data from the database. Second, the e-forms will allow the circuits to access the database and manually enter any data not already in the CMSs. The data integration from circuit CMSs will require linking the two (2) cloud databases using a linked-server connection. Once the connection is established, the SCCPC will design database Stored Procedures so its contracted partner can securely access the SCCPC's server. A final step will require using the contracted partner's finalized data to update SCCPC's Power BI reports in the Power BI Service. The SCCPC is hopeful its database will be ready to generate some of its reports, including Driving Under the Influence (DUI), Domestic Violence, and Diversion & Treatment Court reports, by the end of FY 24.

3. **Internal technology advances.** In addition to the SCCPC's cloud-based Prosecution Database project, the SCCPC will continue to focus on the development in other areas of the agency's information technology. With new state funding provided for FY 24, the SCCPC will continue to take strides to be technologically self-sufficient for its trainings by purchasing the necessary equipment to handle these trainings and to replace existing end-of-life equipment.
4. **Assist with statewide diversion program initiatives.** The SCCPC continues to partner with the sixteen (16) statewide Circuit Directors of Diversion Programs to identify and bring to the circuit solicitors' attention various areas of concern and issues affecting the performance of statewide diversion programs. The SCCPC began coordinating Diversion discourse calls in FY 22,

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continuing these calls and increasing their frequency in FY 23. The Diversion discourse calls are for all diversion and treatment court personnel in the Offices of Circuit Solicitor, with the objective of sharing ideas and solutions and enhancing the communication between diversion programs across the State. In FY 23, the SCCPC began hosting guest speakers on Diversion discourse calls, with topics ranging from the availability of local and state resources that may enhance current programs to mental wellness opportunities for the diversion and treatment coordinators. The SCCPC has seen increased turnout and interest in the Diversion discourse calls and will continue to offer the calls as well as the professional development opportunities through guest speakers on a range of subjects relevant to the work of the diversion and treatment court programs of the Offices of Circuit Solicitor. In FY 24, the SCCPC intends to increase its offerings of professional development opportunities for diversion and treatment program staff in the Offices of Circuit Solicitor.

The SCCPC continues to work with the South Carolina Law Enforcement Division on the development and implementation of the SCCPC's diversion and treatment court programs database. In FY 24, the SCCPC will continue to work alongside the circuits to correct data errors that present data migration issues to the new system and will facilitate the testing of the new system prior to its launch.

In January of FY 23, all circuits were in the process of implementing the Statewide Standardized Procedures for Pretrial Intervention, which were drafted by the SCCPC-appointed Task Force on Diversion Programs, and which the Commission approved in April 2022. The SCCPC has provided support to the circuits in this process by offering calls to review the procedures and discuss the implementation process. The Task Force on Diversion Programs, which developed the new Standardized Procedures for Pretrial Intervention, intends to commence new standardized procedures for additional diversion programs in FY 24.

IV. CIRCUIT SOLICITOR PLANS FOR THE CURRENT FISCAL YEAR AND BEYOND

The ongoing efforts and new initiatives of the sixteen (16) elected circuit solicitors support the fair and swift prosecution of criminal cases, rehabilitation of offenders through diversion and treatment court programs, support for crime victims and witnesses, and public safety. The SCCPC's role is to coordinate and provide training programs, legal and legislative research and assistance, statewide prosecution data, legal and legislative updates and responses, and project assistance to support the solicitors' efforts. While the outcomes for the efforts and initiatives of the solicitors' offices are not directly under the control of or influenced by the SCCPC, the ability of the solicitors to carry out their efforts and initiatives is of utmost importance to the SCCPC and directly affects the ability of the SCCPC to effectively carry out the Commission's ongoing efforts and planned initiatives. Therefore, a brief description of these solicitor goals and plans follows:

1. **Continued upgrades to technology in the Offices of Circuit Solicitor.** In FY 23, \$9.6 Million in non-recurring technology funding was appropriated for the Offices of Circuit Solicitor. The funding was equally distributed to the solicitors with the submission by the circuits of their plans for expending the funding as set forth in the 2022-2023 Appropriations Act, Proviso 60.14. As a result of the funding, nine (9) circuits have contracted with new case management system vendors and all these circuits will have migrated to their new case management system by the end of FY 24. Remaining funding and the funding for circuits that did not contract with new CMS vendors will be used to enhance and update their technology and case management systems. These

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significant technology upgrades are an essential part of the SCCPC's database project, as it is critical the circuit CMS work closely with the SCCPC database, which will pull data from the CMS to populate the database. These technology upgrades will ultimately provide the capability of the solicitors' offices to interface with other offices (including prosecutors, law enforcement, courts, defense attorneys) and integrate targeted data with other specialized databases.

2. **Assistant Solicitor Personnel and Retention.** In the 2023-2024 Appropriations Act, \$14.53 Million in recurring funding was appropriated for the Offices of Circuit Solicitor to hire and retain assistant solicitors. This critical funding will help restore the efficient processing of cases by balancing the time spent by prosecutors and public defenders running court, preparing cases for court, and triaging cases as they come into the system.

Several factors, including increased numbers of crimes committed, increased dockets set by the Judicial Branch, and the backlog of cases caused by interruptions in court operations during the COVID-19 pandemic, has necessitated in recent years that most prosecutors' and public defenders' work time be spent running court, leaving minimal time to triage and prepare cases, and leading to a further backlog of cases. This problem has been exacerbated by the lack of assistant solicitors and public defenders to perform these functions. The new funding provided for FY 24 will enhance the ability of Circuit Solicitors to hire and retain prosecutors and reduce the backlog of cases. In total, the Circuit Solicitors report that with the new funding appropriated by the General Assembly for FY 24, they will recruit and advertise to hire 73-76 new attorneys statewide. The SCCPC will assist by organizing a job fair for the solicitors' offices. Once the solicitors' offices have an adequate number of prosecutors, efficient workflow processes can be implemented that allow for balance between case screening and triage, adequate case preparation time, and running court.

V. RESTRUCTURING RECOMMENDATIONS

The SCCPC does not have any restructuring recommendations for the elimination or combination of existing agency programs.

VI. RISK ASSESSMENT AND MITIGATION STRATEGIES

If the SCCPC does not meet its goals and objectives, the criminal justice system and the safety of South Carolina's local communities will be adversely impacted. The SCCPC coordinates communication and collaboration among the Offices of Circuit Solicitor and criminal justice partners; gathers and reports data and information for the benefit of the General Assembly, Circuit Solicitors, other criminal justice agencies and the public; develops and provides training for prosecutors, law enforcement, judges, diversion coordinators, victim advocates and others; and provides legal assistance to the Offices of Circuit Solicitor. Circuit solicitors face several challenges requiring enhanced prosecutor training and continuing legal education and additional support and assistance from the SCCPC. As the number and experience of prosecutors within the solicitors' offices change, the demands on the SCCPC continue to increase.

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Fiscal Year FY 2024-2025

Agency Budget Plan

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS (FORM B1)	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting General Fund Appropriations.
	<input type="checkbox"/>	Requesting Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.

NON-RECURRING REQUESTS (FORM B2)	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.



CAPITAL REQUESTS (FORM C)	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

PROVISOS (FORM D)	For FY 2024-2025, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
	<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	Name	Phone	Email
PRIMARY CONTACT:	Lisa H. Catalanotto	(803) 343-0765	lisacatalanotto@cpc.sc.gov
SECONDARY CONTACT:	Janise Dove	(803) 832-8273	jdove@cpc.sc.gov

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE: TYPE/PRINT NAME:	<i>Agency Director</i>  9/15/2023	<i>Board or Commission Chair</i>  9/15/2023
	Lisa H. Catalanotto	ISAAC M. STANGER

This form must be signed by the agency head – not a delegate.

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BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
TOTALS			0	0	0	0	0	0.00	0.00	0.00	0.00	0.00

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FORM D – PROVISO REVISION REQUEST

NUMBER	60.14 <i>Cite the proviso according to the renumbered list (or mark "NEW").</i>
TITLE	PCC: Solicitor Technology Funding Distribution <i>Provide the title from the renumbered list or suggest a short title for any new request.</i>
BUDGET PROGRAM	II. Offices of Circuit Solicitors <i>Identify the associated budget program(s) by name and budget section.</i>
RELATED BUDGET REQUEST	N/A <i>Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.</i>
REQUESTED ACTION	Delete <i>Choose from: Add, Delete, Amend, or Codify.</i>
OTHER AGENCIES AFFECTED	None <i>Which other agencies would be affected by the recommended action? How?</i>

SUMMARY & EXPLANATION

DELETE - 60.14. (PCC: Solicitor Technology Funding Distribution) Existing proviso requires distribution of non-recurring funds appropriated in the FY 23 budget to Solicitor Technology Equipment and Software to be distributed equally among the sixteen Offices of Circuit Solicitor. A total of \$9,600,000 non-recurring was appropriated in FY 23 to be distributed at an amount of \$600,000 per circuit for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Proviso also requires each circuit solicitor to submit a report detailing the capabilities and all associated expenditures for the Prosecution Case Management System to the Commission on Prosecution Coordination who shall compile and submit the reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.

SCPC REQUEST: DELETE proviso because the Solicitor Technology Funding was a non-recurring appropriation in the FY 23 budget that has been fully distributed to the Offices of Circuit Solicitor in accordance with the proviso and because the required one-time report will have been submitted as directed by December 31, 2023. No additional funding was appropriated in the FY 24 budget and no funding is expected for FY 25.

Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

No fiscal impact

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT

Existing Proviso: 60.14. (PCC: Solicitor Technology Funding Distribution) The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile, summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.

Proposed Deletion: DELETE 60.14. (PCC: Solicitor Technology Funding Distribution) The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile, summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

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FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION CONTINGENCY PLAN

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	\$1,415,081
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What is the General Fund 3% reduction amount? This amount should correspond to the reduction spreadsheet prepared by EBO.

ASSOCIATED FTE REDUCTIONS	0 FTEs
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How many FTEs would be reduced in association with this General Fund reduction?

PROGRAM / ACTIVITY IMPACT	<p>The SCCPC retains only 4% of the state funds appropriated to the agency. The remainder is pass-through funding that is distributed as required to the Offices of Solicitor or other entities. The agency cannot absorb a 4% cut without the total elimination of staff and statutorily required support services for the Offices of Solicitor. Thus, a 4% General Fund Budget reduction would be taken from pass-through funding allocated to the Offices of Solicitor for attorney positions. A reduction in the State's prosecutors at a time when there is a critical need to significantly increase the number of these positions would be devastating to the Offices of Circuit Solicitor and managing court schedules that have become increasingly difficult to manage would become more so.</p> <p><i>What programs or activities are supported by the General Funds identified?</i></p>
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SUMMARY	<p>A 4% reduction in General Funds currently appropriated to the agency would have to be taken from pass-through funding for the Offices of Circuit Solicitor. Only 4% of the appropriated funds sent to the SCCPC are retained by the agency with the remaining 96% being distributed to the sixteen Offices of Circuit Solicitor and the South Carolina Center for Fathers and Families. Therefore, taking the reduction from the portion of funding retained by the SCCPC would result in elimination of all agency staff and operations. If the agency's budget is reduced by 4%, the amount distributed to the Offices of Circuit Solicitor would be cut by \$1,415,081 and result in the loss of at least one attorney position in each circuit. Such a reduction in staffing would be an extremely difficult burden to bear at a time when additional attorney positions are required to manage existing caseloads and court schedules and would adversely impact the quality of justice received by the citizens of South Carolina.</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS

The SCCPC retains only 4% of state funding allocated to the agency, with the remainder distributed to the Offices of Circuit Solicitor or other entities. Cost and operating expense reductions totaling \$50,000 could not be sustained within the agency, which operates a single small office. As the workloads and staffing of the Offices of Solicitor continue to increase, additional responsibilities are being imposed upon prosecutors by the General Assembly and the courts, and the law and criminal procedure have become more complex, the service, training, project management, and reporting demands imposed upon the SCCPC have also increased. Any reduction in costs and operating expenses by more than \$50,000 would be taken from the funds distributed to the Offices of Solicitor and adversely impact their prosecutions, programs, and services.

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

Agency Name:	Commission on Prosecution Coordination		
Agency Code:	E210	Section:	60

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Protection of Citizens and Communities through the Administration of Justice
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	Unknown
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What is the expected savings to South Carolina's businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark "X" for all that apply:</p> <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<input type="checkbox"/>	Repeal or revision of regulations.	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.	<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.	<input type="checkbox"/>	Other
<input type="checkbox"/>	Repeal or revision of regulations.								
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.								
<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.								
<input type="checkbox"/>	Other								

METHOD OF CALCULATION	Survey of sixteen Offices of Circuit Solicitor
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	N/A
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	N/A
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

	<p>The SCCPC is unable to identify any spending excess, fees, or fines that should be reduced, or any regulations that should be amended or eliminated. The SCCPC does not charge fees for the services provided; rather, it incurs expenses to provide its core services, and those expenses, particularly those related to technology and software, have increased, and continue to do so.</p> <p>The circuit solicitors receive revenue from fines and fees as directed by statute; however, those revenue collections have significantly declined. Even before COVID-19 first appeared in South Carolina, statewide court fee collections steadily declined each year since FY 15. FY 23 revenue from statutory court fines and fees is 24% less than in FY 15, and the cumulative loss in revenue from court fines and fees for the solicitors' offices since FY 19 (comparing the revenue collected that FY before COVID-19 began impacting court operations) through FY 22 is \$5.2 Million.</p> <p>In addition to court fee revenue losses, revenue from expungement application fees and diversion/drug court participation fees have also significantly declined because of COVID-19, declining application numbers, and exemptions for payment of these fees.</p> <p>The solicitors' revenue from court fees and fines, program participation fees, and application fees primarily support the solicitors' diversion and drug/treatment court programs. The revenue losses experienced have resulted in reductions in staff to support the operation of diversion and treatment court programs and the number of persons that can be admitted into and served by these programs.</p> <p>While revenue losses continue to limit the operations and programs of the Offices of Solicitor, prosecutor caseloads continue to increase. In the period between the 2010 census and the 2020 census, population in South Carolina has grown 10.66%. Unfortunately, the number of arrests during that same length of time increased 13.23%,</p>
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SUMMARY

exceeding population growth. The difficulty and complexity of cases has also increased as more and more cases involve violent crimes.

The Offices of Solicitor must have adequate numbers of prosecutors and staff to handle the increased volume of criminal cases and the ability to retain experience and talent. The growing number of warrants sent to the Offices of Solicitor annually, the increasing complexity of cases, growth in docket backlog, increasing operational expenses (particularly for technology), have made the ability to adequately staff and obtain necessary technology resources for their offices increasingly difficult.

Perhaps the biggest change in criminal justice over the past ten years has been the use of technology by criminals. Cell phone and social media use is prevalent in our society and criminals take advantage of it. They use cell phones and social media to plan, execute, photograph, and publish their crimes. They also use technology to threaten, bully and exploit people. The Offices of Solicitor must continually implement the most current technology advances to keep pace with the technology used by criminals. The lack of sophisticated technology not only hinders the ability of solicitors to combat crime, but it also causes decreased efficiency, accessibility to case files and tracking capability that further compounds the increase in docket backlog.

The State has recognized these challenges and has begun to address the funding needs of the Offices of Solicitor and the SCCPC through the state budget. \$9.6 Million in non-recurring funding was appropriated to the circuit solicitors for FY 23 for case management system upgrades. Several solicitors' offices have already procured contracts with new case management system vendors and/or are utilizing the funds for maintenance and enhancement costs. The technology improvements that have or will be implemented by the solicitors through their case management systems will enable them to better combat crime, assist law enforcement, address docket backlog, and maintain security of sensitive information.

Additionally, \$14.53 Million in recurring funding was appropriated to the circuit solicitors for the recruitment and retention of assistant solicitors. This critical funding will help restore the efficient processing of cases by balancing the time spent by prosecutors and public defenders running court, preparing cases for court, and triaging cases as they come into the system.

The State has also provided funding over the last two fiscal years to improve the technology posture of the SCCPC. Both recurring and non-recurring funding has been appropriated to assist with the agency's development of its database project for the collection of statewide prosecution data. The development phase of this project is well underway, which includes the design and implementation of an e-forms documentation system by the agency's contracted partner. The completed database will incorporate interface capabilities between the SCCPC and the Offices of Circuit Solicitor which will eliminate manual data entry by the solicitors' offices of information contained in the solicitors' case management systems as well as duplicate data entry by both the solicitors' offices and the SCCPC, which will increase efficiency and accuracy in the collection of prosecution data. Upon implementation, the database will streamline and maximize the accurate and efficient collection of existing statewide data to meet reporting requirements, analyze case data and trends, and measure the programmatic effectiveness of the Offices of Circuit Solicitor. The database will also provide the Circuit Solicitors with better access to statewide prosecution data which will enable them to better assess their programs, identify and track criminal activity trends, and develop targeted strategies for improving the management of their offices and suppressing criminal activity in their communities.

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?

South Carolina Commission on Prosecution Coordination

This quote will provide shared services hosting for the CPC Court Diversion application at the State Data Center. Application support and development, also noted in this quote will be provided by a third-party vendor. A contingency is included to accommodate for changes and unforeseen expenses outside the scope of contracted services.

DTO Costs – Server Environment

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
Virtual Server (2 CPU/4 GB RAM/80 GB DISK)	\$145.00	8	\$1,160.00	N/A	\$13,920.00
Server Management	\$360.00	2	\$720.00	N/A	\$8,640.00
Data Backup	\$0.44	400	\$176.00	N/A	\$2,112.00
SQL Server – per 2 core	\$2,337.14	2	N/A	N/A	\$4,674.28
Citrix Remote Access Licensing	\$19.00	2	\$38.00	N/A	\$456.00
TOTAL:			\$2,094.00	N/A	\$29,802.28

Service Notes: These quantities and charges are based on actual usage and are subject to change. This cost is estimated based on the current state negotiated price and are subject to change.

Kopis Costs – Application Onboarding, Testing, Support and Maintenance

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
Onboarding*	\$6,960.00	1	N/A	\$6,960.00	N/A
User Acceptance Training Setup**	\$4,350.00	1	N/A	\$4,350.00	N/A
Application Support***	\$2,900.00	1	\$2,900.00	N/A	\$34,800.00
SQL Managed Services^	\$1,450.00	1	\$1,450.00	N/A	\$17,400.00
TOTAL:			\$4,350.00	\$11,310.00	\$52,200.00

*Includes Application and SQL managed services. This is estimated at 48 hours for onboarding.

**Includes server set, publishing builds and meetings.

***Includes bug fixes and enhancements.

^Includes database backups, performance, database service health checks/updates.

Kopis Service Notes: Third-party costs will be negotiated in a separate document and subject to the terms and conditions stipulated in that agreement.

Total Cost Estimate

SERVICE DESCRIPTION	UNIT PRICE	QUANTITY	MONTHLY RECURRING COST	ONE-TIME COST	ANNUAL RECURRING COST
DTO Costs	\$2,094.00	1	\$2,094.00	N/A	\$29,802.28
Kopis Costs	\$4,350.00	1	\$4,350.00	\$11,310.00	\$52,200.00
Contingency Costs	18,000.00	1	N/A	N/A	\$18,000.00
TOTAL:			\$6,444.00	\$11,310.00	\$100,000.28

I agree that the quote for services has been explained to me and I authorize the Division of Technology Operations (DTO) to proceed with implementation of this service/project.

Signature: _____ Date: _____

Title: _____

Billing Account No. service will be billed to: _____