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MEMORANDUM TO:

The Honorable Henry McMaster, Governor of South Carolina
The Honorable Harvey S. Peeler, Jr, Chm. Senate Finance Committee
The Honorable Bruce W. Bannister, Chm. House Ways and Means Committee

FROM: South Carolina Commission on Indigent Defense

DATE: 19 July 2024

RE: Proviso 117.166

The Commission on Indigent Defense provided an initial report on 15 July 2023 outlining the information required in accordance with Proviso 117.170 of the FY 23-24 General Appropriations Act (H 4300).

The proviso was continued in the current budget (FY 24-25) and re-numbered 117.166. The proviso requires that the Agency report warrants pending on July 1st of the preceding FY and current FY.

The warrants pending as of July 1, 2024, are as follows:

1. Warrants pending/disposed as of 7/1/2022, 2023, and 2024 by Circuit/ County Public Defender Offices (Exhibit 1)

The data reflects the steady progress in reducing the number of pending warrants in matters handled by PD Offices from 115,265 in FY 22 to currently 104,608.

2. Statewide pending warrant totals (Private Bar and Public Defenders) FY 23 and FY 24. (Exhibit 2)
3. Exhibit 3 and 4 reflects the distribution of funds amongst the 16 Circuit PD Offices.

4. Statewide recruitment and retention data reflecting Public Defender office hires and other personnel data. (Exhibit 5).



Statewide Pending General Sessions Warrants as of July 1, 2024

Public Defender Data ¹

Pursuant to Proviso 117.170, 2024-2025 SC Appropriations Act, Part 1B

Circuit/County	FY 23 Pending Warrants July 1, 2022	FY 24 Pending Warrants July 1, 2023	FY 25 Pending Warrants as of July 1, 2024				Warrants Disposed of FY 24 as of July 1, 2024
			FY 25 Pending Warrants	FY 25 Warrants Pending Aged 365 or Less	FY 25 Warrants Pending Aged 366-544 Days	FY 25 Warrants Pending Aged 545 Days or More	
1st Circuit							
Calhoun	270	215	236	103	54	79	158
Dorchester	2,836	2,581	1,611	889	309	413	1,621
Orangeburg	1,786	1,681	1,943	1,017	265	661	1,202
Circuit Totals	4,892	4,477	3,790	2,009	628	1,153	2,981
2nd Circuit							
Aiken	3,104	2,926	3,723	1,686	605	1,432	1,631
Bamberg	271	373	407	226	60	121	147
Barnwell	617	674	899	404	143	352	288
Circuit Totals	3,992	3,973	5,029	2,316	808	1,905	2,066
3rd Circuit							
Clarendon	446	468	442	238	67	137	451
Lee	288	270	283	156	44	83	242
Sumter	2,536	2,982	3,336	1,163	485	1,688	1,232
Williamsburg	398	515	530	296	78	156	290
Circuit Totals	3,668	4,235	4,591	1,853	674	2,064	2,215
4th Circuit							
Chesterfield	2,528	2,767	1,251	639	106	506	535
Darlington	2,000	1,941	1,888	863	194	831	662
Dillon	587	598	364	205	69	90	267
Marlboro	735	813	469	246	59	164	369
Circuit Totals	5,850	6,119	3,972	1,953	428	1,591	1,833
5th Circuit							
Kershaw	2,274	2,022	2,440	892	240	1,308	883
Richland	10,051	10,326	11,749	6,262	1,294	4,193	8,706
Circuit Totals	12,325	12,348	14,189	7,154	1,534	5,501	9,589

Exhibit 1

1) Data reflects warrants handled by Public Defender offices, as compiled by SCCID Defender Data System (Case Management).

Statewide Pending General Sessions Warrants as of July 1, 2024
Public Defender Data ¹
Pursuant to Proviso 117.170, 2024-2025 SC Appropriations Act, Part 1B

Circuit/County	FY 23 Pending Warrants July 1, 2022	FY 24 Pending Warrants July 1, 2023	FY 25 Pending Warrants as of July 1, 2024				Warrants Disposed of FY 24 as of July 1, 2024
			FY 25 Pending Warrants	FY 25 Warrants Pending Aged 365 or Less	FY 25 Warrants Pending Aged 366-544 Days	FY 25 Warrants Pending Aged 545 Days or More	
6th Circuit							
Chester	957	796	820	352	156	312	560
Fairfield	390	494	431	249	58	124	298
Lancaster	3,149	3,079	4,226	1,599	585	2,042	1,834
Circuit Totals	4,496	4,369	5,477	2,200	799	2,478	2,692
7th Circuit							
Cherokee	1,821	1,619	1,547	871	201	475	1,021
Spartanburg	6,279	5,970	5,288	2,792	902	1,594	3,676
Circuit Totals	8,100	7,589	6,835	3,663	1,103	2,069	4,697
8th Circuit							
Abbeville	795	787	543	254	52	237	227
Greenwood	3,841	2,836	2,523	1,380	327	816	1,355
Laurens	3,714	3,102	2,793	1,177	390	1,226	1,435
Newberry	677	773	718	421	100	197	341
Circuit Totals	9,027	7,498	6,577	3,232	869	2,476	3,358
9th Circuit							
Berkeley	3,137	2,631	3,317	1,443	425	1,449	1,623
Charleston	11,923	13,359	7,973	3,953	1,473	2,547	4,500
Circuit Totals	15,060	15,990	11,290	5,396	1,898	3,996	6,123
10th Circuit							
Anderson	2,838	1,723	2,221	1,613	231	377	2,658
Oconee	1,891	1,852	1,667	1,097	208	362	1,359
Circuit Totals	4,729	3,575	3,888	2,710	439	739	4,017
11th Circuit							
Edgefield	753	816	374	250	54	70	304
Lexington	4,025	3,586	3,519	2,192	473	854	3,487
McCormick	483	450	112	82	11	19	146
Saluda	423	415	132	93	12	27	208
Circuit Totals	5,684	5,267	4,137	2,617	550	970	4,145

Exhibit 1

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Statewide Pending General Sessions Warrants as of July 1, 2024

Public Defender Data ¹

Pursuant to Proviso 117.170, 2024-2025 SC Appropriations Act, Part 1B

Circuit/County	FY 23 Pending Warrants July 1, 2022	FY 24 Pending Warrants July 1, 2023	FY 25 Pending Warrants as of July 1, 2024				Warrants Disposed of FY 24 as of July 1, 2024
			FY 25 Pending Warrants	FY 25 Warrants Pending Aged 365 or Less	FY 25 Warrants Pending Aged 366-544 Days	FY 25 Warrants Pending Aged 545 Days or More	
12th Circuit							
Florence	4,801	4,120	4,087	2,088	725	1,274	2,406
Marion	712	615	734	405	95	234	368
Circuit Totals	5,513	4,735	4,821	2,493	820	1,508	2,774
13th Circuit							
Greenville	9,019	9,137	9,652	6,309	1,399	1,944	7,614
Pickens	2,478	2,073	2,485	1,669	335	481	1,654
Circuit Totals	11,497	11,210	12,137	7,978	1,734	2,425	9,268
14th Circuit							
Allendale	235	329	151	88	18	45	247
Beaufort	3,413	3,620	3,877	1,301	569	2,007	1,839
Colleton	1,775	1,352	1,086	497	129	460	1,035
Hampton	563	646	552	202	120	230	293
Jasper	858	959	1,089	505	141	443	649
Circuit Totals	6,844	6,906	6,755	2,593	977	3,185	4,063
15th Circuit							
Georgetown	1,030	918	645	504	75	66	811
Horry	7,177	6,359	6,075	3,588	763	1,724	4,204
Circuit Totals	8,207	7,277	6,720	4,092	838	1,790	5,015
16th Circuit							
Union	1,090	905	925	439	112	374	571
York	4,291	3,771	3,475	2,153	325	997	4,785
Circuit Totals	5,381	4,676	4,400	2,592	437	1,371	5,356
Statewide Total	115,265	110,244	104,608	54,851	14,536	35,221	70,192

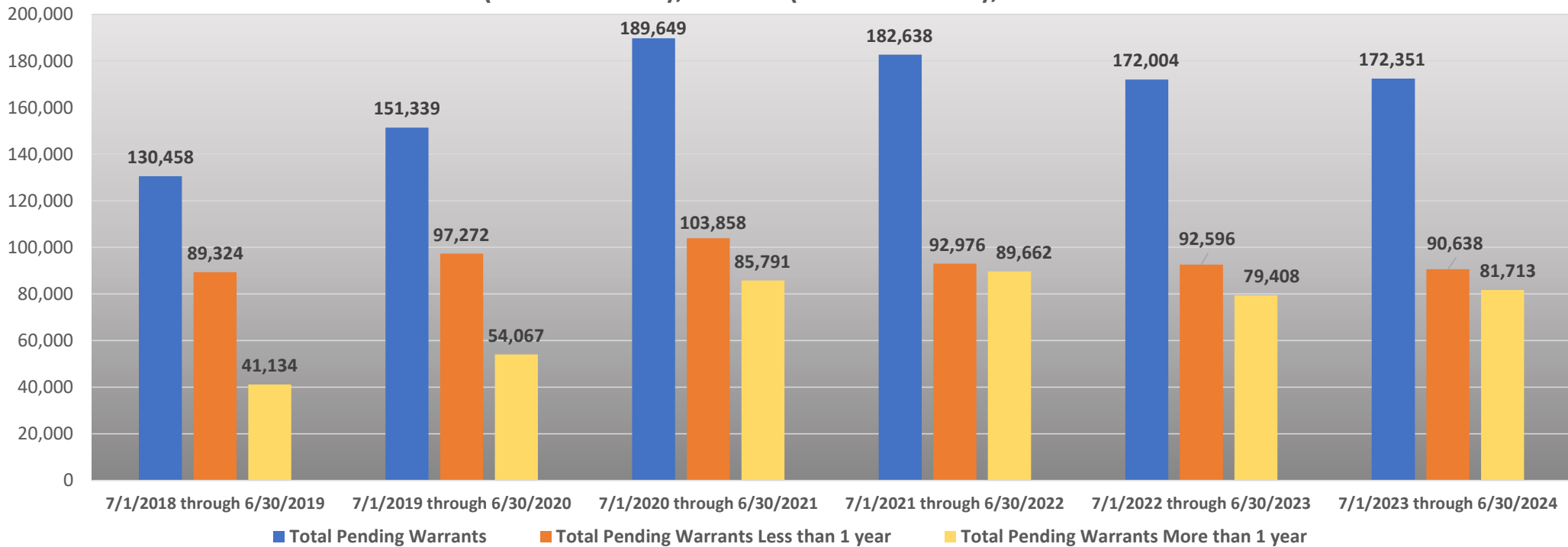
Exhibit 1

1) Data reflects warrants handled by Public Defender offices, as compiled by SCCID Defender Data System (Case Management).



COURT ADMIN GENERAL SESSIONS WARRANT BACKLOG

SC Court Administration's Backlog of Warrants for FY2019 (Pre Pandemic); FY2020 (Partial Pandemic); FY2021 (Full Pandemic); FY2022 (Post Pandemic); FY2023 and FY2024



CIRCUIT	COUNTY NAME	POPULATION 2020 CENSUS	Distribution	Circuit Totals
1	CALHOUN	14,119	\$ 15,044.10	
1	DORCHESTER	161,540	\$ 172,124.25	
1	ORANGEBURG	84,223	\$ 89,741.37	\$ 276,909.72
2	AIKEN	168,808	\$ 179,868.46	
2	BAMBERG	13,311	\$ 14,183.15	
2	BARNWELL	20,589	\$ 21,938.01	\$ 215,989.62
3	CLARENDON	31,144	\$ 33,184.58	
3	LEE	16,531	\$ 17,614.13	
3	SUMTER	105,556	\$ 112,472.13	
3	WILLIAMSBURG	31,026	\$ 33,058.85	\$ 196,329.69
4	CHESTERFIELD	43,273	\$ 46,108.29	
4	DARLINGTON	62,905	\$ 67,026.59	
4	DILLON	28,292	\$ 30,145.72	
4	MARLBORO	26,667	\$ 28,414.25	\$ 171,694.85
5	KERSHAW	65,403	\$ 69,688.27	
5	RICHLAND	416,147	\$ 443,413.33	\$ 513,101.60
6	CHESTER	32,294	\$ 34,409.93	
6	FAIRFIELD	20,948	\$ 22,320.53	
6	LANCASTER	96,016	\$ 102,307.06	\$ 159,037.52
7	CHEROKEE	56,216	\$ 59,899.32	
7	SPARTANBURG	327,997	\$ 349,487.68	\$ 409,387.00
8	ABBEVILLE	24,295	\$ 25,886.83	
8	GREENWOOD	69,351	\$ 73,894.95	
8	LAURENS	67,539	\$ 71,964.22	
8	NEWBERRY	37,719	\$ 40,190.38	\$ 211,936.38
9	BERKELEY	229,861	\$ 244,921.71	
9	CHARLESTON	408,235	\$ 434,982.93	\$ 679,904.64
10	ANDERSON	203,718	\$ 217,065.79	
10	OCONEE	78,607	\$ 83,757.42	\$ 300,823.21
11	EDGEFIELD	25,657	\$ 27,338.07	
11	LEXINGTON	293,991	\$ 313,253.56	
11	McCORMICK	9,526	\$ 10,150.15	
11	SALUDA	18,862	\$ 20,097.86	\$ 370,839.64
12	FLORENCE	137,059	\$ 146,039.23	
12	MARION	29,183	\$ 31,095.10	\$ 177,134.33
13	GREENVILLE	525,534	\$ 559,967.47	
13	PICKENS	131,404	\$ 140,013.71	\$ 699,981.18
14	ALLENDALE	8,039	\$ 8,565.73	
14	BEAUFORT	187,117	\$ 199,377.08	
14	COLLETON	38,604	\$ 41,133.37	
14	HAMPTON	18,561	\$ 19,777.13	
14	JASPER	28,791	\$ 30,677.42	\$ 299,530.73
15	GEORGETOWN	63,404	\$ 67,558.29	
15	HORRY	351,029	\$ 374,028.75	\$ 441,587.04
16	UNION	27,244	\$ 29,029.05	
16	YORK	282,090	\$ 300,572.80	\$ 329,601.85
	TOTAL	5,118,425	\$ 5,453,789.00	\$ 5,453,789.00

Recruitment Funding Assistant Public Defenders Pro Rata
(3 new Attorney Positions plus operating per Circuit)

CIRCUIT	COUNTY NAME	POPULATION 2020 CENSUS	Distribution	Circuit Totals	Quarterly Circuit Totals
1	CALHOUN	14,119			
1	DORCHESTER	161,540			
1	ORANGEBURG	84,223		\$ 359,184.00	\$ 89,796.00
2	AIKEN	168,808			
2	BAMBERG	13,311			
2	BARNWELL	20,589		\$ 359,184.00	\$ 89,796.00
3	CLARENDON	31,144			
3	LEE	16,531			
3	SUMTER	105,556			
3	WILLIAMSBURG	31,026		\$ 359,184.00	\$ 89,796.00
4	CHESTERFIELD	43,273			
4	DARLINGTON	62,905			
4	DILLON	28,292			
4	MARLBORO	26,667		\$ 359,184.00	\$ 89,796.00
5	KERSHAW	65,403			
5	RICHLAND	416,147		\$ 359,184.00	\$ 89,796.00
6	CHESTER	32,294			
6	FAIRFIELD	20,948			
6	LANCASTER	96,016		\$ 359,184.00	\$ 89,796.00
7	CHEROKEE	56,216			
7	SPARTANBURG	327,997		\$ 359,184.00	\$ 89,796.00
8	ABBEVILLE	24,295			
8	GREENWOOD	69,351			
8	LAURENS	67,539			
8	NEWBERRY	37,719		\$ 359,184.00	\$ 89,796.00
9	BERKELEY	229,861			
9	CHARLESTON	408,235		\$ 359,184.00	\$ 89,796.00
10	ANDERSON	203,718			
10	OCONEE	78,607		\$ 359,184.00	\$ 89,796.00
11	EDGEFIELD	25,657			
11	LEXINGTON	293,991			
11	McCORMICK	9,526			
11	SALUDA	18,862		\$ 359,184.00	\$ 89,796.00
12	FLORENCE	137,059			
12	MARION	29,183		\$ 359,184.00	\$ 89,796.00
13	GREENVILLE	525,534			
13	PICKENS	131,404		\$ 359,184.00	\$ 89,796.00
14	ALLENDALE	8,039			
14	BEAUFORT	187,117			
14	COLLETON	38,604			
14	HAMPTON	18,561			
14	JASPER	28,791		\$ 359,184.00	\$ 89,796.00
15	GEORGETOWN	63,404			
15	HORRY	351,029		\$ 359,184.00	\$ 89,796.00
16	UNION	27,244			
16	YORK	282,090		\$ 359,184.00	\$ 89,796.00
	TOTAL	5,118,425	\$ 5,746,944.00	\$ 5,746,944.00	\$ 1,436,736.00
	Total Funds:	\$5,746,944			
	Per Capita:	1.122795391			

**Statewide Public Defender Recruitment and Retention Data
as of April 1, 2024
Public Defenders hired between 7/1/2023 - 4/1/2024**

Circuit/County	Full Time	Contract	Total Hired	Pending Bar	Failed Bar	Passed Bar	Offer Rejected	Vacant Positions
1st Circuit <i>Calhoun, Dorchester, Orangeburg</i>	2.0	1.0	3.0			1.0		0.0
2nd Circuit <i>Aiken, Bamberg, Barnwell</i>	2.0		2.0					3.0
3rd Circuit <i>Clarendon, Lee, Sumter, Williamsburg</i>	2.0	2.0	4.0			1.0	2.0	0.0
4th Circuit <i>Chesterfield, Darlington, Dillon, Marlboro</i>	3.0		3.0					0.0
5th Circuit <i>Kershaw, Richland</i>	5.0	9.0	14.0	1.0	3.0	2.0	6.0	10.0
6th Circuit <i>Chester, Fairfield, Lancaster</i>	2.0	3.0	5.0		2.0			1.0
7th Circuit <i>Cherokee, Spartanburg</i>	2.0		2.0	2.0				3.0
8th Circuit <i>Abbeville, Greenwood, Laurens, Newberry</i>	3.0		3.0					1.0
9th Circuit <i>Berkeley, Charleston</i>	4.0	4.0	8.0		2.0		3.0	5.0
10th Circuit <i>Anderson, Oconee</i>	1.0	4.0	5.0		2.0	1.0		2.0
11th Circuit <i>Edgefield, Lexington, McCormick, Saluda</i>	7.0		7.0		1.0		5.0	11.0
12th Circuit <i>Florence, Marion</i>	2.0		2.0	2.0				1.0
13th Circuit <i>Greenville, Pickens</i>	1.0	2.0	3.0	2.0				3.0
14th Circuit <i>Allendale, Beaufort, Colleton, Hampton, Jasper</i>		4.0	4.0					2.0
15th Circuit <i>Georgetown, Horry</i>	4.0		4.0				1.0	2.0
16th Circuit <i>Union, York</i>	3.0		3.0			1.0		0.0
Statewide Total	43.0	29.0	72.0	7.0	10.0	6.0	17.0	44.0