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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, Chairman House Ways and Means Committee

FROM: South Carolina Commission on Indigent Defense

DATE: 15 January 2024

RE: Proviso 117.170

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 further required that “after the initial report is submitted, the Commission on Prosecution Coordination and the Commission on Indigent Defense shall provide semiannual progress updates” on the current number of warrants pending.

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

1. Warrants pending/disposed as of 1/1/2024 by Circuit/ County Public Defender Offices (Exhibit 1)
2. Statewide warrant totals (Private Bar and Public Defenders) pre-Pandemic to 1/1/2024. (Exhibit 2)

As the data, reflects total pending warrants greater than a year old appears to have peaked in FY 21-22 (FY 20-21 for PD Offices). There was a decrease of approximately 8,000-10,000 warrants over a year old in FY 22-23. FY 23-24 (YTD) the number of pending warrants over a year old has fluctuated between 79,000-81,000 warrants. Agency input from public defender offices throughout the State is that the significant decrease in FY 22-23 resulted from moving those cases that could be resolved by guilty pleas,

diversion programs etc. Currently many of the remaining cases are requiring jury trials for resolution, which is a time-consuming process and reduces the amount of court time for pleas and other business.

3. Public Defenders warrant totals FY 20-21 to 1/1/2024. (Exhibit 3)

Public Defenders warrant data generally tracks Court Administration data

with warrants over a year-old peaking in FY 20-21 and continuing to decrease each FY but somewhat plateauing in the current FY for reasons outlined in paragraph 2.

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



Statewide Pending General Sessions Warrants as of January 1, 2024

Public Defender Data ¹

Pursuant to Proviso 117.170, 2023-2024 SC Appropriations Act, Part 1B

Circuit/County	FY 22 Pending Warrants July 1, 2022	FY 23 Pending Warrants July 1, 2023	FY 24 Pending Warrants as of January 1, 2024				Warrants Disposed of FY 24 as of January 1, 2024
			FY 24 Pending Warrants	FY 24 Warrants Pending Aged 365 or Less	FY 24 Warrants Pending Aged 366-544 Days	FY 24 Warrants Pending Aged 545 Days or More	
1st Circuit							
Calhoun	270	215	253	134	20	99	82
Dorchester	2,836	2,581	1,857	1,142	343	372	776
Orangeburg	1,786	1,681	1,865	1,032	195	638	1,011
Circuit Totals	4,892	4,477	3,975	2,308	558	1,109	1,869
2nd Circuit							
Aiken	3,104	2,926	3,362	1,568	456	1,338	1,357
Bamberg	271	373	411	176	121	114	182
Barnwell	617	674	850	368	167	315	255
Circuit Totals	3,992	3,973	4,623	2,112	744	1,767	1,794
3rd Circuit							
Clarendon	446	468	444	212	96	136	212
Lee	288	270	247	143	33	71	87
Sumter	2,536	2,982	3,333	1,390	469	1,474	884
Williamsburg	398	515	451	262	76	113	214
Circuit Totals	3,668	4,235	4,475	2,007	674	1,794	1,397
4th Circuit							
Chesterfield	2,528	2,767	1,196	576	153	467	601
Darlington	2,000	1,941	1,864	860	236	768	600
Dillon	587	598	484	223	34	227	194
Marlboro	735	813	817	317	88	412	97
Circuit Totals	5,850	6,119	4,361	1,976	511	1,874	1,492
5th Circuit							
Kershaw	2,274	2,022	2,377	828	261	1,288	601
Richland	10,051	10,326	12,117	6,491	1,459	4,167	4,105
Circuit Totals	12,325	12,348	14,494	7,319	1,720	5,455	4,706

Exhibit 1

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



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6th Circuit							
Chester	957	796	787	383	139	265	354
Fairfield	390	494	474	306	80	88	237
Lancaster	3,149	3,079	4,025	1,646	525	1,854	993
Circuit Totals	4,496	4,369	5,286	2,335	744	2,207	1,584
7th Circuit							
Cherokee	1,821	1,619	1,704	957	328	419	781
Spartanburg	6,279	5,970	5,642	3,082	871	1,689	2,746
Circuit Totals	8,100	7,589	7,346	4,039	1,199	2,108	3,527
8th Circuit							
Abbeville	795	787	540	239	60	241	210
Greenwood	3,841	2,836	2,417	1,293	338	786	1,263
Laurens	3,714	3,102	3,101	1,331	251	1,519	1,254
Newberry	677	773	724	444	90	190	303
Circuit Totals	9,027	7,498	6,782	3,307	739	2,736	3,030
9th Circuit							
Berkeley	3,137	2,631	5,021	1,608	512	2,901	1,150
Charleston	11,923	13,359	11,110	4,307	1,224	5,579	2,815
Circuit Totals	15,060	15,990	16,131	5,915	1,736	8,480	3,965
10th Circuit							
Anderson	2,838	1,723	2,333	1,519	173	641	1,438
Oconee	1,891	1,852	1,728	1,209	199	320	1,035
Circuit Totals	4,729	3,575	4,061	2,728	372	961	2,473
11th Circuit							
Edgefield	753	816	395	268	57	70	239
Lexington	4,025	3,586	3,814	2,559	391	864	2,071
McCormick	483	450	142	110	10	22	133
Saluda	423	415	125	90	15	20	109
Circuit Totals	5,684	5,267	4,476	3,027	473	976	2,552

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12th Circuit							
Florence	4,801	4,120	4,203	2,209	506	1,488	2,107
Marion	712	615	709	340	55	314	420
Circuit Totals	5,513	4,735	4,912	2,549	561	1,802	2,527
13th Circuit							
Greenville	9,019	9,137	9,510	6,332	1,423	1,755	5,463
Pickens	2,478	2,073	2,244	1,474	300	470	1,352
Circuit Totals	11,497	11,210	11,754	7,806	1,723	2,225	6,815
14th Circuit							
Allendale	235	329	317	187	74	56	157
Beaufort	3,413	3,620	3,801	1,387	466	1,948	486
Colleton	1,775	1,352	1,382	540	182	660	432
Hampton	563	646	746	346	71	329	121
Jasper	858	959	1,167	583	176	408	391
Circuit Totals	6,844	6,906	7,413	3,043	969	3,401	1,587
15th Circuit							
Georgetown	1,030	918	634	459	70	105	550
Horry	7,177	6,359	7,838	3,791	820	3,227	3,122
Circuit Totals	8,207	7,277	8,472	4,250	890	3,332	3,672
16th Circuit							
Union	1,090	905	919	382	155	382	523
York	4,291	3,771	3,873	2,369	473	1,031	3,135
Circuit Totals	5,381	4,676	4,792	2,751	628	1,413	3,658
Statewide Total	115,265	110,244	113,353	57,472	14,241	41,640	46,648

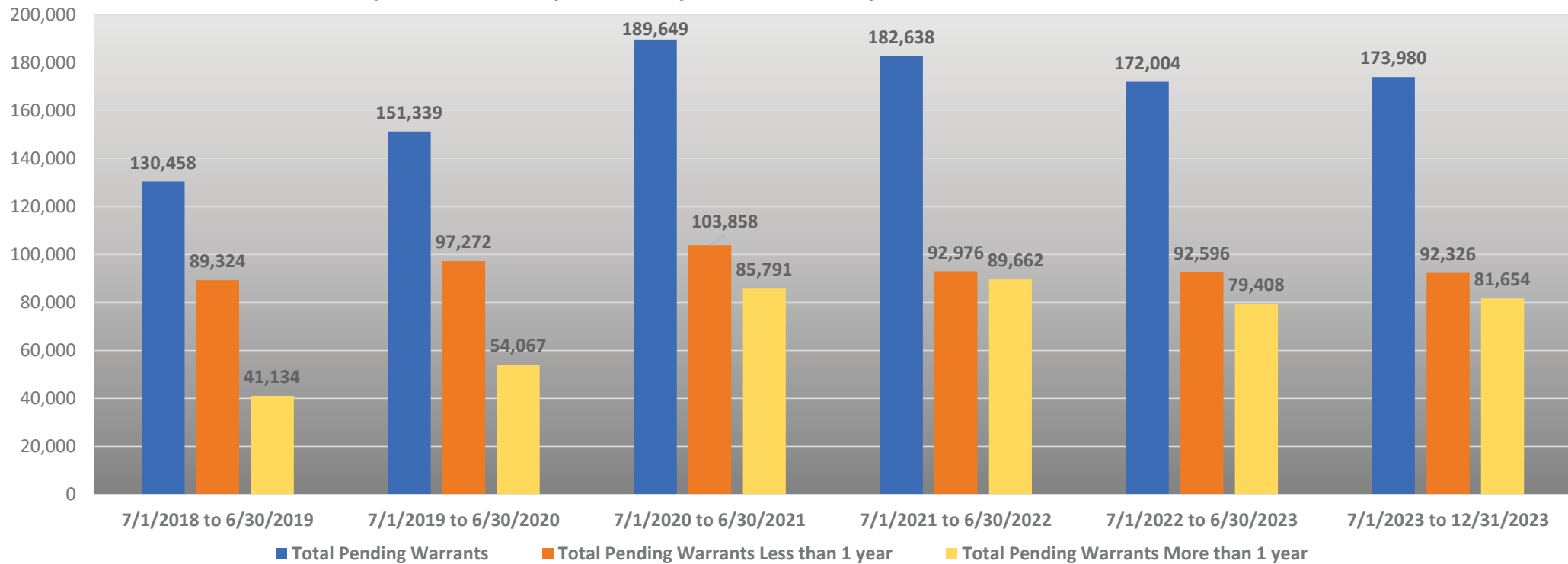
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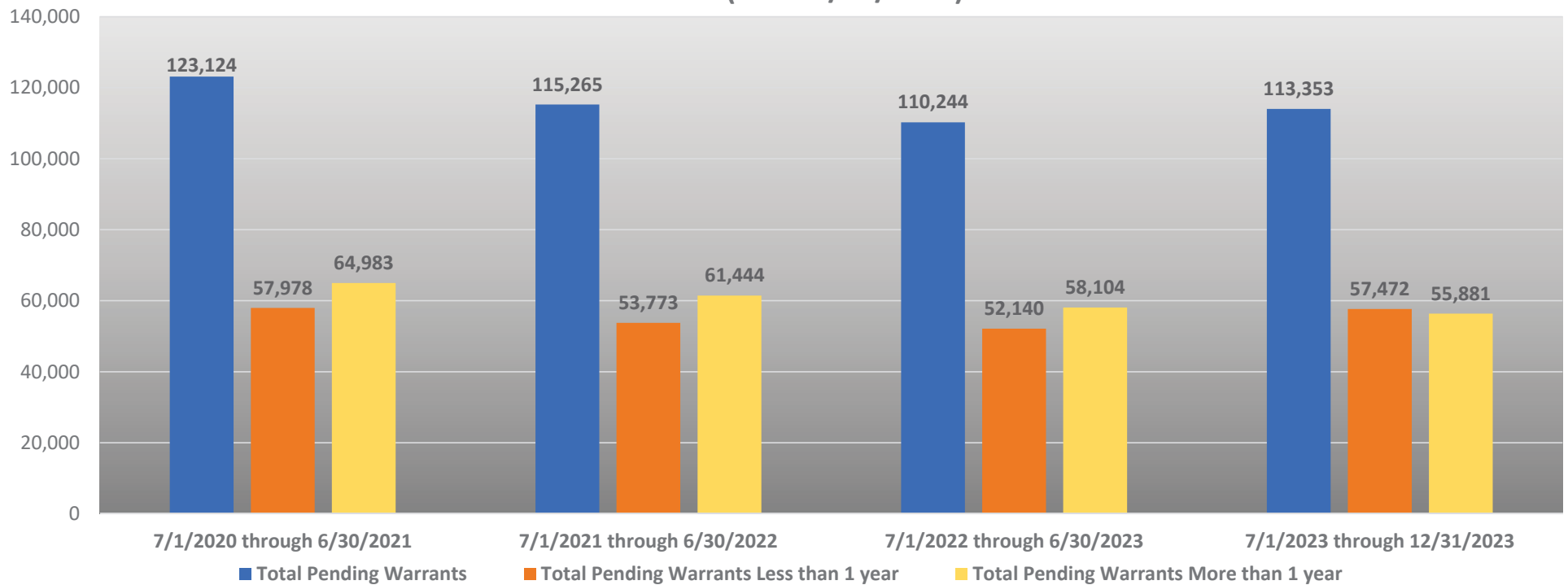


COURT ADMIN GENERAL SESSIONS WARRANT BACKLOG

SC Court Administration's Backlog of Warrants for FY2019 (Pre Pandemic); FY2020 (Partial Pandemic); FY2021 (Full Pandemic); FY2022 (Post Pandemic); FY2023 and FY24 (7/1/2023 to 12/31/2023)



SCCID's Backlog of Warrants for FY2021 (Full Pandemic); FY2022 (Post Pandemic); FY2023 and FY24 (YTD 12/31/2023)



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

Circuit/County	Full Time	Part Time Contract	Total Hired	Pending Bar	Failed Bar	Passed Bar	Offer Rejected	Vacant Positions
1st Circuit <i>Calhoun, Dorchester, Orangeburg</i>	2.0	0.5	2.5			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	1.0	3.0			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	4.5	9.5	1.0	3.0	2.0	6.0	10.0
6th Circuit <i>Chester, Fairfield, Lancaster</i>	2.0	1.5	3.5		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	2.0	6.0		2.0		3.0	5.0
10th Circuit <i>Anderson, Oconee</i>	1.0	2.0	3.0		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	1.0	2.0	2.0				3.0
14th Circuit <i>Allendale, Beaufort, Colleton, Hampton, Jasper</i>		2.0	2.0					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	14.5	57.5	7.0	10.0	6.0	17.0	44.0 ¹

Exhibit 4

1) As of July 1, 2023 there were 41 vacant positions.