

House Legislative Oversight Committee  
Request for Information about Committee Recommendations, 2019

Agency Responding	Prosecution Coordination, Commission on
Submission Date	11/3/2019

Agency Responses							
Recommendation Number	Recommendations to Agency and Implementation Notes on File with Legislative Oversight Committee as of August 2019	Status of Implementation	Actual or Anticipated Date of 100% Completion	Estimated Net Financial Savings, Realized or Anticipated, in the 5 Years Following Implementation*	Non-Financial Benefits Realized or Anticipated from Implementing Recommendation	Non-Financial Drawbacks Realized or Anticipated from Implementing Recommendation	Additional Comments (optional)
Report Rec #03	AGENCY: (a) Publish online the agency's finance task force report and (b) House Legislative Oversight Committee follow up with the agency on its finance task force's report  IMPLEMENTATION: None to date	In Progress	Unknown (2020)	None	Increase in public trust in the Offices of Solicitor	None	The SCCPC's Task Force on Circuit Solicitor Office Finances is led by Representative Tommy Pope and Senator Greg Hembree. The task force is currently working with a representative small circuit (4th), medium circuit (16th), and large circuit (15th) to review their individual circuit finance protocols and create a proposal of statewide best practices on solicitor finance matters that are appropriate for circuits of all sizes. Once those are completed, they will be presented to the Commission for the purposes of adopting protocols for use by the Offices of Solicitor.
Report Rec #04	AGENCY: Establish electronic transfer of state funds to circuit solicitors' offices  IMPLEMENTATION: None to date.	Not Started - No plans to implement	Unknown	Unknown	Unknown	Reduced ability to track receipt of funding by the Offices of Solicitor; slower receipt of funds by the Offices of Solicitor.	The SCCPC has explored the use of electronic funds transfers by reaching out to several counties and the South Carolina Treasurer's Office. For those solicitors' offices that receive funds through one or more of the county governments in their circuit, electronic transfer of funds do not appear to be a possibility at this time. These circuits do not have a standalone bank account with which to receive an electronic transfer of funds. The counties the SCCPC would send funds to for pass-through to the Office of Solicitor cannot flag or have difficulty flagging funds received for a specific county office and assuring the direct transfer of funds to the solicitor's office. The SCCPC also contacted the South Carolina Treasurer's Office for more information on electronic funds transfer to county governments for distribution to the Offices of Solicitor. The Treasury Management division of the Treasurer's Office has asked that, since the payment methodology associated with vendors of the State falls under the auspices of the State Treasurer, the Committee contact that Office directly rather than the SCCPC attempting to relay any information.  While the agency will monitor advancements in the capabilities of governments to receive funds for the Offices of Solicitor by electronic funds transfer, the SCCPC is currently unable to establish distribution of funds by this method.
Report Rec #05	AGENCY: Reduce personnel time and costs when collecting data from circuit solicitors' offices for analysis and reporting  IMPLEMENTATION: None to date	Not Yet Started - Agency plans to implement	Unknown	Unknown	Saves staff time at both the SCCPC and the Offices of Solicitor. Enables accurate and uniform data collection and reporting.	None	The SCCPC has converted a number of the reports that require data from the Offices of Solicitor to an Excel reporting format to reduce inconsistent and missing information. While this effort enable data received to be merged more efficiently, both the SCCPC's and Circuit Solicitor's technology resources remain severely inadequate.  The SCCPC requested for FY 20, but did not receive funding from the General Assembly for technology and IT staff. For FY 21, \$417,940 recurring and \$589,300 non-recurring is being requested of the General Assembly to enable the agency to acquire a prosecution data collection system, a database administrator, and a technology operations manager. The funds will also be used for the development of a website and for increases in annual costs for technology, software services and maintenance, and for a five-year agency computer rotation.  For FY 21, \$1,609,000 recurring and \$2,704,000 non-recurring funding is being requested of the General Assembly to enable Circuit Solicitors to purchase Prosecution Case Management Systems and IT Infrastructure. Funding to enable acquisition of these systems has been a top priority for years because they will significantly increase the efficiencies and capabilities of the Offices of Solicitor and because interface and connectivity with courts, law enforcement, public defenders, and databases that compile data from the unique case management systems for these criminal justice partners is not possible until Circuit Solicitors, too, are able to purchase and maintain modern prosecution case management systems capable of supporting interface and connectivity.  Unfortunately, the ability to implement most of the initiatives that fall under this recommendation are driven by funding support provided by the General Assembly. Without the requested support to develop and implement a Prosecution Data Collection System, manual and other antiquated data collection and reporting methods will continue to be used, additional data reflecting true measures of success will not be identified or collected, and any measure of efficiency in the collection, analysis and reporting of data cannot be achieved.  One area of significant progress in 2018 and 2019 has been with SLED on the development of the new diversion database. The new database, anticipated to "go-live" in March 2020, will provide for automated reporting of the diversion programs, including Pretrial Intervention; Alcohol Education Program; Traffic Education Program; and Drug Courts.
Report Rec #06	AGENCY: Establish a replacement plan for technology and educational resources essential to agency staff  IMPLEMENTATION: None to date	In Progress	Unknown	Unknown	Ensure staff's ability to perform job duties	None	The SCCPC has developed a plan for the replacement of technology and educational resources. Unfortunately, the ability to implement these plans are driven by whether funding support is provided by the General Assembly. Without the requested support to replace inoperable, malfunctioning and aging equipment would result in a reduction of training programs offered.  The SCCPC requests \$8,300 in non-recurring funding to replace end-of-life and malfunctioning equipment needed for education trainings. The SCCPC organizes and conducts annually an average of 20 trainings providing 150 hours of continuing education credit hours for over 1,400 prosecutors, victim advocates, diversion coordinators, law enforcement officers and judges. The non-recurring education training needs for equipment include: •2 portable projectors (\$3,900) •2 Laptops (\$4,000) •6 Wireless Presenters (\$200) •Pull-down Projection Screen (\$200)  The SCCPC requests \$66,000 to establish an agency training budget for training expenses, including training space and travel costs, to provide more specialized and regional training opportunities. Additional funding for training expenses is also needed replace a reduction in Traffic Safety Resource Prosecutor (TSRP) grant funds awarded by SCDPS in order to sustain and enhance training programs on DUI and other traffic-related charges provided for prosecutors and law enforcement.

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Report Rec #07	<p>AGENCY: Research case management options to determine if software may allow for receipt of evidence from law enforcement in the way it is currently transmitted (i.e., compact disc and flash drive) as well as via cloud upload</p> <p>IMPLEMENTATION: None to date</p>	Complete	FY 20	n/a	Ensure ability of the Offices of Solicitor to receive reports, photographs, and other case documents in an efficient manner.	Unknown	<p>This recommendation refers to evidence management software that enables the transmittal and storage of evidence by law enforcement. Such software is different from prosecution case management software, for which funding has been a top priority of solicitors for years. In fact, prosecution management systems can also link with evidence management software in order to maximize the storage of discovery; enable efficient communication and data-transfer between prosecutors, law enforcement agencies, public defenders and judges; reduce physical delivery of discovery; and alleviate a portion of law enforcement data storage needs and expenses.</p> <p>The SCCPC did, in fact, request \$1 Million for FY 20 not for the prosecutors, but to enable law enforcement agencies, public defenders and county courthouses to obtain adequate bandwidth required for uploading evidence to a cloud-based evidence platform. Slow connections and upload speeds are an impediment to many law enforcement agencies acquiring or utilizing evidence management software. Access to maximum available bandwidth optimizes the speed to upload, transmit and download discovery. This request was not funded.</p> <p>Utilization of evidence management software by law enforcement can be expanded through the purchase of the software by additional law enforcement agencies or solicitors' offices, as some law enforcement agencies and solicitors' offices already have. Expansion is subject, however, to availability of funding. Certainly receiving evidence by flash drive from law enforcement can be manually uploaded by prosecutors in new case management systems, but is very inefficient as it requires multiple uploading of discovery by law enforcement, prosecutors and public defenders (while evidence discovery software only requires one upload). Viability of compact discs as a method of transferring discovery, however, will continue to decline over time as old computers fail and cannot be supported because new computers no longer read compact discs.</p> <p>Funding to enable acquisition of these systems has been a top priority for years because they will significantly increase the efficiencies and capabilities of the Offices of Solicitor and because interface and connectivity with courts, law enforcement, public defenders, and databases that compile data from the unique case management systems for these criminal justice partners is not possible until Circuit Solicitors, too, are able to purchase and maintain modern prosecution case management systems capable of supporting interface and connectivity.</p> <p>Options for receiving evidence have been researched. Future implementation of evidence management software or continued transmittal of evidence by current methods of flash drive or compact disc depends on the willingness of law enforcement to implement new technologies, access to adequate bandwidth, and funding availability for law enforcement and solicitors.</p>
Report Rec #08	<p>AGENCY: Create a uniform method of case data management for circuit solicitors</p> <p>IMPLEMENTATION: None to date</p>	Not Yet Started - Agency plans to implement	Unknown	Unknown	Savings in Commission resources as it relates to the collection of data from the Offices of Solicitor for reporting.	Unknown	<p>The SCCPC has identified the development of a Prosecution Data Collection System (consisting of a database at the SCCPC with portal access by the circuit solicitors) as the best solution for creating a uniform method of case data for reporting and information-sharing purposes after consultation with the SC Department of Administration's Division of Technology, prosecution coordinators from other states, and commercial prosecution case management system vendors. This solution also considers the foreseeable resources of the Offices of Circuit Solicitor, including compatibility with all case management platforms and the capability to interface with modern cloud-based prosecution case management systems (if or when such systems can be acquired in each circuit based on funding availability). A prosecution data collection system is essential to streamline and maximize the accuracy and efficiency of existing statewide reporting requirements and will support future enhancements to accommodate additional data collection and analysis that will improve the assessment of existing processes and programs and provide information to help identify and develop new initiatives. Various cloud-based prosecution case management systems can interface with each other and with a Prosecution Data Collection System at the SCCPC, which is not dependent on a singular case management platform to receive information from. In fact, because of cost efficiencies and individual needs of each circuit, the circuit solicitors are best served by choosing the best case management system for their circuit instead of having to implement a singular system (as they have now and which does not have interface capabilities).</p> <p>A Prosecution Data Collection System at the SCCPC will have uniform data measures that can be implemented with the existing case management systems of the circuit solicitors and can interface with modern case management systems in the future as they are acquired by the solicitors' offices. It is vital that technology be funded for both the SCCPC and the circuit solicitors. Together, implementation of a Prosecution Data Collection System at the SCCPC and web-based Prosecution Case Management Systems by the circuit solicitors will promote uniformity in the collection and reporting of data, increase the information available and improve efficiencies. Unfortunately, the ability to implement these plans are driven by whether funding support is provided by the General Assembly. New recurring technology funding for both the SCCPC and the circuit solicitors was requested, but not provided for FY 20.</p> <p>For FY 21, the SCCPC requests FTE authorization and both recurring and non-recurring funding for the development and implementation of a Prosecution Data Collection System and to hire a database administrator to implement and maintain the system.</p> <p>The new funding allocations and FTE authorization requested to support this project include: 1) \$500,000 non-recurring to procure a contract with a vendor to analyze the agency's data collection needs and build a database or provide a commercial off-the-shelf system for the SCCPC that allows the Offices of Circuit Solicitor to access the database for entering data and uploading documents/information; 2) \$106,000 recurring (\$75,000 Salary/\$30,000 Fringe/\$1,000 Operating), \$3,000 non-recurring for a computer and equipment, and authorization for 1 additional FTE to hire a database administrator to operate and maintain the data collection system, build and incorporate data fields and reports, and provide technical assistance on the database to users (SCCPC and Offices of Circuit Solicitor); and 3) \$150,000 recurring for annual system support/maintenance costs, testing, modifications and upgrades.</p> <p>The proposed Prosecution Data Collection System will function and operate much in the same manner as the SC Department of Administration's IT Data Collection and Planning System which provides access to state agencies to enter current and planned IT resources and needs. The IT Data Collection and Planning System allows the Department of Administration to streamline its data collection processes so it can easily review, analyze and report data based on information entered by various state agencies. Likewise, the SCCPC's Prosecution Data Collection System will streamline the agency's data collection processes so it can easily review, analyze and report</p>
Report Rec #09	<p>AGENCY: Conduct management training for circuit solicitors</p> <p>IMPLEMENTATION: None to date</p>	In Progress	January - April 2020	None	Increase management abilities of the Circuit Solicitors; increase public confidence in the Offices of Solicitor.	Unknown	The SCCPC has reached out to potential faculty for a management training for the Circuit Solicitors during the first quarter of 2020.
Report Rec #10	<p>AGENCY: Define, in regulation, the term "case" for circuit solicitors to utilize in measuring workload, backlog, and other metrics</p> <p>IMPLEMENTATION: None to date</p>	In progress	Unknown (2020)	None	Increase consistency in case data collected.	Unknown	As a starting point, two deputy solicitors have been assigned to come up with a definition of the term "case," which will then be reviewed by the SCCPC staff and other representatives of the Offices of Solicitor. The final product of that effort will be presented to the Commission.

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Report Rec #11	AGENCY: Promulgate regulations outlining a procedure to measure the success of circuit solicitors' offices IMPLEMENTATION: None to date	In Progress	Unknown	None	Unknown	Unknown	The Offices of Solicitor have participated in a survey conducted by the Prosecutors' Center for Excellence designed to systematically collect information about the work of prosecutors of all sizes and from jurisdictions across the country. The survey will provide much needed foundational information about the role and needs of the modern prosecutor. The report is expected before the end of the year. In addition, Agency staff has begun gathering information (articles and reports) on measurement of prosecution success. And, as part of the Diversion Program Comprehensive Enhancement Plan, the SCCPC is studying the measures of success utilized by the Offices of Solicitor for diversion programs.
Report Rec #12	AGENCY: Report concerns, if any, about court rules for the General Assembly's consideration IMPLEMENTATION: None to date	In Progress	Unknown	None	Support ability of Offices of Solicitor to complete prosecution duties.	Unknown	The SCCPC and the Offices of Solicitor are constantly reviewing the court rules; any issues that should be brought to the General Assembly for consideration will be.
Report Rec #13	AGENCY: Create, in regulation, a uniform definition of recidivism for measuring outcomes of diversion programs IMPLEMENTATION: None to date	In Progress	Unknown	None	Ensure consistency in understanding what is meant by the term "recidivism."	Unknown	This is currently being studied and considered as one component of the SCCPC's "Comprehensive Enhancement Plan" (CEP), has been the subject of a survey of the circuit solicitors, and will also be considered by other segments of the Offices of Solicitor before being presented to the Commission.
Report Rec #15	AGENCY: Require circuit solicitors to seek input from circuit public defenders on establishing and/or revising diversion programs IMPLEMENTATION: None to date	Not Started - No plans to implement	Unknown	None	Allow for feedback (which is already received on an informal basis).	Unknown	While the Circuit Solicitors do obtain informal input from the Circuit Public Defenders on the diversion programs, it is uncertain whether the Commission will require a formal consultation as informal consultations are already occurring.  The SCCPC is currently conducting a study of current diversion programs and existing needs. A plan titled the "Comprehensive Enhancement Plan" (CEP) has been created to identify the needs of South Carolina's diversion programs and develop recommendations to address those needs. The SCCPC commenced the CEP with a survey and creation of working groups made up of SCCPC staff and members of the Offices of Solicitor. The recommendations of the working groups will be presented to the Commission and Circuit Solicitors, recommending legislative changes and/or inclusion in future budget requests. The SCCPC has taken the initial step of consulting with the SC Commission on Indigent Defense (SCCID), including a November call with the agencies.
Report Rec #17	AGENCY: Update standards and guidelines to measure the effectiveness and efficiency of pre-trial intervention programs IMPLEMENTATION: None to date	Partially Implemented	FY2020 - 21	None	Ensure more efficient and effective operation of pretrial diversion/intervention programs.	Unknown	In September 2019, the SCCPC adopted the "South Carolina Diversion/Intervention Standards," which replace the old pretrial intervention standards and apply to all diversion/intervention programs. The SCCPC is in the process of developing procedures for each of the diversion/intervention programs.
Report Rec #18	AGENCY: Analyze the agency's new communication methods and use the data to continually improve investment in technology IMPLEMENTATION: None to date	Not Yet Started - Agency plans to implement	Unknown	None	Ensure more efficient and effective communication with the Offices of Solicitor and allow for public accessibility to more information about prosecution in South Carolina, including statistics, diversion programming, and some matters of law.	Unknown	The SCCPC has requested funding for the FY21 budget year to fund IT Infrastructure and Prosecution Case Management Systems for the Offices of Solicitors and a SCCPC Prosecution Data Collection System to allow for the most direct and accurate means of communication related to data. In addition, funding has also been requested to develop and implement a new website, with public and restricted access pages, that will allow the agency to share information and resources with the Offices of Circuit Solicitor, as well as to educate and inform citizens about the agency and the Offices of Circuit Solicitor.
Report Rec #20	AGENCY: Collect and publish employee data (e.g., number of employees, years of experience, etc. - same personnel information included in the Commission on Indigent Defense's annual human resources and funding survey) at each circuit solicitor's office and promulgate regulations to require this reporting from circuit solicitors on a regular basis IMPLEMENTATION: None to date	In Progress	Fall 2020	None	Unknown	Unknown	Over the past year, the SCCPC has changed the information it requests from the Offices of Solicitor about personnel; further changes are underway so that the same information is collected from the Offices of Solicitor as the Commission on Indigent Defense collects from the Circuit Public Defenders, in order to meet the recommendation made. This will include information such as salaries, job duties, which prosecutors are assigned to which courts, and handling of juvenile cases. Development of a Prosecution Data Collection System, for which funding is being requested by the SCCPC, will enable uniform collection of data from solicitors' offices. Until then, collecting such data is a very slow, manual process.
Report Rec #21	AGENCY: List any additional data the agency recommends collecting and potential benefits of each IMPLEMENTATION: None to date	In Progress	Unknown	None	Allow for greater understanding of the operation of the Offices of Solicitor and identification of needs and areas of concerns.	Unknown	The SCCPC will increase the data it currently collects on the staffing of the Offices of Solicitor so as to provide information to the Legislature that is consistent with that collected about the Public Defenders' Offices by SCCID. The information may also prove useful to the Circuit Solicitors. In addition, as part of the Diversion Program Comprehensive Enhancement Plan, the SCCPC will evaluate the types of data it collects from the Offices of Solicitor for the purpose of identifying any gaps, determining the most efficient and effective uses of the data that is currently collected, and identifying means of acquiring the most accurate data.
Report Rec #22	AGENCY: Determine the intended purpose of agency funds appropriated to the S.C. Center for Fathers and Families IMPLEMENTATION: None to date	Complete	10/18/2019	None	None	None	Scott Brabham, the Director of Finance for the S.C. Center for Fathers and Families, has informed the SCCPC that the center "uses the funds passed through the SC Commission on Prosecution Coordination to fund our Jobs Not Jail (Alternative to Incarceration) program."
Report Rec #25	AGENCY: Allow anonymous employee feedback IMPLEMENTATION: None to date	Not Started - No plans to implement		n/a	n/a	n/a	The SCCPC does not feel the need at this time to establish a procedure to allow for anonymous feedback. The agency is small (only six employees actually work at the Commission), there are regular staff meetings, and the Executive Director maintains an open door policy.
Report Rec #26	AGENCY: Collect and share data, which may indicate a need for targeted training for law enforcement entities, with the Criminal Justice Academy and promulgate regulations which outline the data tracked, reasons why, and process for collection IMPLEMENTATION: None to date	Not Started - No plans to implement		n/a	n/a	n/a	While regulations have not been considered, such data is informally collected and shared with the South Carolina Criminal Justice Academy, through either its general counsel or instructors. In addition, staff members have participated in training in the past.

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Report Rec #29	AGENCY: Collect applicable data associated with cloud-based transfer of electronic evidence upon which policy makers can make recommendations  IMPLEMENTATION: None to date	In Progress	FY2020 - 21	n/a	n/a	n/a	The SCCPC asked the Offices of Solicitor for some information about cloud-based transfer of evidence last year, and there was a question about cloud-based transfer of body worn camera recordings in the survey conducted by the Prosecutors' Center for Excellence (mentioned above in more detail). Once the survey report is received, the Commission will make a decision as to what other steps need to be completed.

Note:  
\* If implementation of a recommendation will result in a net cost to the agency, please include that as a negative number in column E.