



HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

May 24, 2019

Mr. Edward R. Tallon, Sr.
South Carolina House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Re: Follow-up to May 14, 2019 Subcommittee meeting

Dear Representative Tallon:

Please see attached responses to your follow-up from the meeting on May 14, 2019.

Classification System

1. Please provide the following information related to the agency contracting for assistance with its classification system:
 - (a) When a request for proposal was issued;
 - (b) Why Dr. Austin was chosen to receive the contract;
 - (c) Copy of the contract with Dr. Austin;
 - (d) List of activities related to the creation and entering of the contract performed by SCDC and those performed by State Procurement Office;
 - (e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount,
 - (f) Work product received from Dr. Austin;
 - (g) Work product or services still owed by Dr. Austin;
 - (h) Current status of contract with Dr. Austin,
 - (i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system.
 - For 1a-i, please see attached.
2. Please provide the following information related to aspects of the agency's work that are impacted by a classification system:
 - (a) Does a classification system have an impact safety of inmates and agency staff? If yes, please explain how. If no, please explain why not.
 - (b) Does a classification system have an impact on the rehabilitation of inmates? If yes, please explain how. If no, please explain why not.
 - (c) What else, if anything, does a classification system impact?
 - (a) A correctional system relies on the use of objective classification systems to provide critical information that will assign offenders to facilities that are consistent with their security needs. By matching custody levels with an offender's level of risk,

classification systems help to minimize the potential for prison violence, escape, and institutional misconduct. The classification system must predict a prisoner's risk to self, other prisoners, and staff; risk of escape and to the public. The system should classify offenders relative to their propensity to comply with institutional rules and regulations, commit violent acts, and/or to attempt escape while incarcerated.

Accurate classification ensures the allocation of valuable high-security beds to the offenders that require that level of oversight.

- (b) A classification system should also assess an inmate's need and ensure that inmates are placed in 'appropriate' programs based on their criminogenic risks and needs. A properly functioning classification system, in effect, acts as the "brains" of correctional management system. Correctional systems typically conduct classification assessments of offenders as they enter the system. This is to ensure they receive a level of security commensurate with the risk they present and to identify their program or treatment needs. Offenders will then receive periodic reclassification reviews during their incarceration that may result in changes in their security classification based on their conduct and behavioral record within the system.
- (c) An inmate classification assignment impacts eligibility for jobs (work credits) and housing assignments.

Timelines and Average Inmate Day

3. Please update the reception and evaluation process timeline to add the items about which Ms. Richardson testified during the March 21, 2019 meeting (e.g., when SCDC obtains inmate emergency contact information, provide inmate paper and pencil and envelopes).
 - Please see attached updated timelines.
4. Please update the graphic of the average inmate day in reception and evaluation graphic to add the items about which Ms. Richardson testified during the March 21, 2019 meeting (e.g., removal of "Canteen" in the "2:30pm-next day" block).
 - Please see attached updated timelines.
5. Please update the graphics of the average inmate day at each security level (e.g., Level I; Level II/III; and Restrictive Housing Unit (RHU)) to indicate the following information, as long as this information does not create a security risk:
 - (a) When the inmate is locked in their cell versus outside their cell;
 - (b) Which events require a guard escort (e.g., escort to academic class or programming, escort to medical services);
 - (c) Other events which occur regularly, but may not occur every day (e.g., meeting with inmate classification worker); and
 - (d) Situations in which RHU applies (e.g., single inmate lock up, dorm/wing/facility lock down);

- Level II and III-Restrictive Housing Unit – to provide for the management of inmates requiring more intense behavioral levels of supervision and monitoring in separated area (violent/assaultive/disruptive/escape behaviors)
 - Generally, out of their cell 1 hour per day
 - Escorted at all times in restraints
 - Normally single celled
 - Other events that occur – mental health groups, QMHP visits, visitation, haircuts, recreation, showers, caseworker, review boards, medical visit
 - Restrictive Housing assignment is per policy OP 22.38
- Structured Living Unit - to provide for the management of inmates whose behavior indicates a need for a more structured living environment than provided in General Population, but do not require placement in a Restrictive Housing Unit
 - Generally, out of their cell 2.5 hours per day
 - Escorted any time the inmate exits the unit
 - Double celled
 - Other events that occur – mental health groups, QMHP visits, visitation, haircuts, recreation, showers, caseworker, review boards
 - Not considered a Restrictive Housing Unit per ACA Standards or DOJ Guidelines
- Transition Unit – to provide for the management of general population inmates that are behaviorally compliant and awaiting assignment to education, vocational, work, or program.
 - Generally, out of their cell 4 - 6 hours per day
 - Generally, not escorted. Moves during controlled movement. Events requiring escort would be disciplinary or behavior based.
 - Double celled
 - Other events that occur – sick call, mental health groups, QMHP visits, programs, groups, religious services, visitation, haircuts, recreation, showers, caseworker, review boards
 - N/A
- General Population Units – to provide for the management of other general population inmates that are disciplinary free, assigned to Character program, education program, vocational program, or assigned a job
 - Generally, out of their cell 8 - 12 hours per day
 - Generally, not escorted. Moves during controlled movements. Events requiring escort would be disciplinary or behavior based.
 - Double celled (some dorm style housing)
 - Other events that occur – sick call, mental health groups, QMHP visits, programs, groups, religious services, visitation, haircuts, recreation, showers, caseworker, review boards
 - N/A

Level I

- General Population Units – to provide for the management of minimum custody general population inmates that are disciplinary free, assigned to education program, vocational program, or assigned a job
 - Generally, movement in assigned unit at all times.
 - Generally, not escorted. Moves freely in the unit at all times and outside of the unit during controlled movements. Labor crew always escorted during work. Work Program unescorted (paid civilian jobs)
 - Typically, open bay/dorm
 - N/A
 - N/A

Data

6. Please provide the cost of processing a single sentencing sheet. Alternatively, provide the number of equivalent full-time employees needed just to process sentencing sheets and the total combined cost of those employees' annual salary and fringe benefits.
 - \$14.10 per sentencing sheet.
7. Please provide a brief summary of the training provided to counties regarding data they provide SCDC, including, but not limited to, why the agency believed the training was needed, types of data the training discussed, entities invited to the training, entities that did not attend the training, number of times in the past in which the training has been held, and the agency's plans for future training, if any.
 - A four-hour county training is conducted on a yearly basis to update and train county detention center employees on paperwork needed and procedures for transporting inmates to the R&E centers. Training was conducted on January 29 and January 30, 2019. The training was offered on two (2) separate days to allow for shift coverage at the participating agencies. Areas covered included issues regarding bringing more or less inmates than scheduled, incorrect/missing paperwork, inmate property, missing/incomplete medical documentation. The next training will be held in January of 2020. Please see attachments Agenda and County Participant Roster.
 - Also attached are PowerPoint presentations that are routinely presented by the SCDC General Counsel's Office at conferences and other gatherings several times throughout each year. The audiences for these presentations are generally solicitors, public defenders, judges, and private defense attorneys. The first Power Point deals with all types of sentences, while the second addresses Youthful Offender Act sentences.
8. How does the agency transmit data about inmates to the board or director of the Department of Probation, Parole, and Pardon (e.g., database, email, hard copy) and how long has it been done this way?
 - SCDC electronically transmits database records to SCDPPPS on a nightly basis via secure file transfer using the state data network. The process began in 1999.

9. *Please clarify the “source” (e.g., from whom does the agency obtain the sentencing sheet) for each type of information in the agency’s April 29, 2019 letter to the Committee, question 27 attachment.
- Please see attached column D.

Health

10. In regard to continuity of care forms for inmates, please provide the following information:
- (a) Which entity within a county is supposed to provide the information?
 - Medical section of the detention centers.
 - (b) When is supposed to be provided?
 - When inmate arrives at SCDC.
 - (c) Are counties providing the form late or not at all?
 - Yes, they are providing them late and some counties are not providing them at all.
 - (d) How does not receiving this form impact SCDC operations?
 - Delays are because most inmates cannot tell SCDC medical staff what medications they were taking.
 - (e) Which counties are providing this information timely and which are not?
 - Spartanburg, Horry, Alvin S. Glenn, Charleston county always send medical paperwork. Cherokee and Berkeley county routinely do not provide medical paperwork.
 - (f) What efforts has the agency made in the past to resolve issues with counties failing to provide the forms?
 - Call counties to request paperwork and even offer forms for their completion and send to SCDC. Notified the county and Mr. Blake Taylor (Jail Inspections for SCDC) several times regarding this issue.
 - (g) What recommendations does the agency have for how the General Assembly may be able to assist?
 - Possibly communicate with county lobbyist (Association of Counties and Municipal Association) to strongly encourage provision of these forms but SCDC cannot refuse to take inmates.
11. What information related to an inmate’s current or past medical conditions, if any, is utilized when determining where an inmate is housed when initially admitted to SCDC?
- Upon arrival at the R&E, inmates are given a medical examination and assigned a medical classification. Inmates are only assigned to institutions that can accommodate their medical needs.
 - Please see attached list for Health Information Assignments by Institution.
12. Please provide a table which includes a list of testing and vaccines/medication which is mandatory for inmates and optional for inmates. For those that are optional, provide a brief explanation as to why it is optional and not mandatory.
- Mandatory: *Lab Testing* = HIV, RPR (syphilis), Quantiferon (tuberculosis)
 - Optional: *Lab Testing*, just being initiated according to Hepatitis C Litigation = “Opt Out” Testing for Hepatitis C; Optional according to Class Action settlement

- agreement and national standards across Bureau of Prisons (federal prison system) as well as other state prison systems with similar litigation
- Optional: *Vaccines* = Hepatitis A & Hepatitis B (Twinrix or Havrix & Heplisav B soon) to protect against these diseases; Optional as inmate must agree to vaccination

13. Please list the type of medical conditions for which SCDC may consider moving an inmate from their current cell/dorm/facility to another location, and, for each, why SCDC may consider moving the inmate (e.g., benefit of the inmate or other inmates housed nearby), and to where SCDC may consider moving the inmate.

- Health Services staff conduct medical and mental health assessments upon each inmate admission during the R&E process and complete a classification assignment for each. This healthcare classification is then matched to each facility's designation for medical and mental health classification and any work restrictions in addition to the routine security level assignment. As a result, inmates are transferred from facility to facility to meet medical and mental health needs according to the healthcare designations and staffing/programs at each location. Certain locations are established as "centers of excellence" with expanded staffing who are skilled and trained in specific areas such as inpatient psychiatry is located at Kirkland CI for males. Such moves are made to accommodate the unique and specific needs of the individual inmate with the input of clinical and classification staff.
- Please see attached list for Health Information Assignments by Institution.

14. Do female inmates have access to female hygiene products at no cost or are they required to purchase these items?

- SCDC Commissary provides feminine pads as ordered by the Institutional Commissary and are issued to the housing units to make available to the inmates at no cost to the inmate.

15. If a female inmate gives birth while in custody, are there any type of restraints on the female during child birth? If so, please explain.

- Inmates are not restrained during childbirth.

Transfers

16. Please provide a brief summary of the following as it relates to the Interstate Corrections Compact (ICC):

- (a) States participating;
 - Please see attached list of states that participate in ICC.
- (b) Amount SCDC pays for an inmate transferred to an out-of-state facility;
 - SCDC does not pay for an inmate transferred and housed in an out-of-state facility as it relates to ICC.
- (c) Amount SCDC receives to house an inmate from another state;
 - SCDC does not receive any funds to house an inmate from an out-of-state facility as it relates to ICC.
- (d) Average amount of time to make the transfer, once SCDC determines an inmate at an SCDC facility needs to be transferred out of state;

- Once SCDC determines an inmate needs to be transferred to an out of state facility utilizing the ICC, it takes an average of 90 days to complete.
- (e) Reasons for which an SCDC inmate can be transferred, including any limitations (i.e., conditions in which a state will not accept an inmate); and
- Please see attached 16e.
- (f) Reasons for which an inmate can be transferred to SCDC, including any limitations (i.e., conditions in which SCDC will not accept an inmate).
- Please see attached 16f.
17. Please provide a brief summary of any inmate transfer options, outside of the ICC, the agency has considered or utilized in the last three years. In the summary of each option, include why the agency has considered/used that option instead of ICC as well as differences in the option and ICC (e.g., per day costs of inmates, inmate work/education/programming tracked, speed in which inmates can be transferred).
- Please see attached Summary of Inmate Transfer Options.
 - Wellpath – This is a contract facility, which includes its own medical, mental health and security staffing. It is located in Columbia, SC and also contracts nationally with other states, the BOP, Federal Marshalls, ICE, SCDMH, and potentially others. SCDC's current contract includes up to 10 mental health beds for the most difficult to handle individuals with acute mental health needs, particularly those with significant self-injurious behavior (males or females) in need of frequent off-site emergency management when housed within SCDC, and/or our acute seriously mentally ill females as the SCDC has no female inpatient capacity. Gilliam Psychiatric Hospital (GPH) is a male facility only, located within the confines of Kirkland CI and there is no female alternative at Camille Graham for females.
 - SCDC also houses individuals with subacute medical needs at this facility that are beyond the level of care of the SCDC but who do NOT require acute care hospitalization. Particularly, male or female inmates in need of post stroke rehabilitation will be managed at this facility as SCDC does not have these services on-site within its facilities nor does SCDC have a female subacute infirmary at Camille Graham as we do for males at Kirkland CI. As such, this is a much less expensive alternative than continued inpatient hospitalization.
18. For inmates SCDC involuntarily transferred out-of-state during each of the last three years as a result of issues they were creating (as opposed to for the inmate's protection), through ICC or otherwise, please provide information on whether the inmates, while at SCDC, qualified to participate in work, education, or other programs, and, if so, the work, education, or other programs in which they participated, if any. When providing this information, please do not include the inmates' names or any other identifying information.
- All inmates involuntary transferred out of state through the ICC for the last three years were housed in Restrictive Housing Units in SCDC and did not qualify to participate in work, education, or other programs. The inmates transferred to Core Civic were general population inmates and were eligible to participate in work and education programs.

- Please see attached list outlining the information requested while housed at SCDC.

Admissions and Release

19. Please provide, for all states, the sentence length requirement for admission to a state correctional institute.

Sentence	States
0 months	*4
3 months	1
6 months	6
9 months	1
12 months	33
16 months	1
18 months	1
24 months	2
30 months	1

*Please note that those states with 0-month sentence requirement are unified systems. A unified system is one in which there is an integrated state level prison and jail system.

20. Please provide a table which includes the number of individuals incarcerated per capita in South Carolina compared to other states.

- Please see attached State and Federal Prisoners report from Bureau of Justice Statistics and an Excel spreadsheet bar graph of the 2010 and 2017 incarceration rate per 100,000 U.S. Residents.

21. Please obtain the average per day cost to house an inmate from each county in the state in which SCDC receives inmates.

- SCDC cost is \$21,756.26 per year which is \$59.61 per day, per inmate (State funds only). County facilities are not under the purview of the SCDC and SCDC does not have their average cost per day to house an inmate.

22. Please provide, by county for each of the last three years, the number of inmates that would have remained in local facilities and total number of days they would have remained, if state law only allowed admission of inmates to SCDC who had each of the following:

- (a) At least 90 days remaining on their sentence;
- (b) Sentence length of six months; and
- (c) Sentence lengths of twelve months.
- Please see attached for a, b and c admissions to SCDC.

23. Please briefly explain the 85% rule and provide a list of offenses that are and are not within the rule.

- “No parole” or “85%” offenses are defined in S.C. Code § 24-13-100. This statute states that “no parole offenses are Class A, B, or C felonies, or felonies exempt from classification under 16-1-10(d), which are punishable by a maximum term of

imprisonment of twenty years or more. S.C. Code § 24-13-150 states that “notwithstanding any other provision of law . . . an inmate convicted of a “no parole offense” as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections . . . is not eligible for early release, discharge, or community supervision as provided in Section 24-21-560, until the inmate has served at least 85% of the actual term of imprisonment imposed.” S.C. Code § 24-21-560 (A) states that “notwithstanding any other provision of law, except in a case in which the death penalty or a term of life imprisonment is imposed, any sentence for a “no parole offense” as defined in Section 24-13-100 must include any term of incarceration and completion of a community supervision program operated by the Department of Probation, Parole, and Pardon Services. No prisoner who is serving a sentence for a “no parole offense” is eligible to participate in a community supervision program until he has served the minimum period of incarceration as set forth in Section 24-13-150.”

Therefore, generally, offenses carrying a possible sentence of twenty years or more qualify as 85% offenses, and offenses that carry a possible penalty of less than twenty years are not 85% offenses. One exception to this rule is set forth in the case of Bolin v. South Carolina Department of Corrections, 415 S.C. 276, 781 S.E.2d 914 (Ct. App. 2016), which held that certain second drug offenses at the distribution level are no longer 85% offenses based on statutory amendments.

24. Would the agency be in favor of mandating remote release of inmates who have satisfied their sentence as opposed to a county transporting the inmate to SCDC for release?

- Yes, SCDC would be in favor of mandating remote release of inmates who have satisfied their sentence. This process saves transport time and needed bed space at the R&E.

If so, what does the agency view as pros and cons of a mandate and what are reasons the agency has heard for why some counties prefer not to do remote release?

- Some counties indicate that they do not always use the remote release process because they don't know if the inmate has satisfied his sentence or not.
- SCDC does not have any cons for remote releases.
- The pros for SCDC are conservation of bed space, saving staff time of processing the inmate (please note that the paperwork still has to be processed), save monies on medical testing, save monies on other R & E testing and processing. Will save the county money on transporting the inmate.

Information provided to inmates

25. Please explain what occurs during inmate orientation.

- Each inmate receives a brief orientation concerning the R&E process. All newly arrived inmates are provided written orientation booklet (please see attached) by the R&E personnel on the following minimum topics:
 - SCDC policies and rules;
 - Intake process;
 - Prison Rape Elimination Act (PREA);
 - Inmate grievance system;

- Institutional programs and services;
 - Consular Notification;
 - International treaty;
 - Mail and visitation procedures; and
 - HIV education
 - Inmates receive institutional orientation upon transfer to their assigned institution. The orientation includes information on: scheduled meal times, classification, institutional rules, sexual misconduct, Prison Rape Elimination Act (PREA) guidelines, HIV education, educational and/or vocational opportunities, work assignments, canteen, and commissary. Information regarding sick call and visitation is communicated orally to inmates upon arrival at the institution and is made available to each inmate in writing within 24 hours.
26. Please explain how inmate classification workers interact with inmates including, any specified times in which they meet with an inmate (e.g., when admitted and then once a month during incarceration, etc.) and the type of information they provide an inmate.
- Upon arrival at the designated institution, each inmate will be assigned a Classification Caseworker who is the primary contact person and will handle classification needs/requirements for the inmate. The Classification Caseworker will be responsible for answering questions regarding the inmate's sentence and eligibility dates. Inmate custody and institutional assignments are reviewed once a year by the Classification Committee. Each Caseworker has weekly open-door hours that inmates can come, ask question and discuss his/her concerns. The Caseworker can discuss any information in the SCDC automated or manual system with the affected inmate.
 - Inmates may also utilize the Automated Request to Staff system to communicate with classification staff.
27. Please list other ways in which inmates receive information while in custody and the type of information received.
- Inmates can receive information via US mail, Interdepartmental mail, via telephone, Inmate KIOSK system and tablets as assigned.
 - Inmates may also utilize the Automated Request to Staff system to communicate with staff, please see attached ARTSM report notating the number of requests received from inmates since the implementation of the system on March 31, 2014.

Housing

28. Does the housing of inmates at Allendale Correctional Institute, or any other SCDC facilities, violate American Correctional Association standards?
- No.
29. Please provide a summary of the agency's plan for eliminating triple beds in Allendale Correctional Institute.
- SCDC no longer has inmates permanently assigned to triple cells. However, our male and female R & E inmates will be temporarily assigned to a triple cell while awaiting placement to their institutional assignment.

30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit.

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS-10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population HS-19.03 is a restricted policy and cannot be provided. Criteria is as follows: Any inmate arriving with or developing a condition that warrants an immediate response due to being a danger to him/herself or others is placed in a healthcare setting and receives suicide precaution/crisis intervention services immediately. For further information regarding this unit, please see attached HS-19.04.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.

- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.

Safety and Staffing

31. What options does an inmate have for reporting that they feel they are in danger?
 - They can report their concerns to the Unit Officer, Classification Caseworker, or other institutional staff. Inmates can also submit a Request to Staff through our Automated Request to Staff System or call *22. Police Services generally sends these requests to the institution for handling as this is normally an operational issue.
 - Please see attached SCDC Policy OP-22.23 “Statewide Protective Custody” or OP-21.04 “Inmate Classification Plan” sections 17 & 18 regarding Protective Custody and Separations.
32. Once an inmate reports that they feel they are in danger, what is the process and different options for addressing it?
 - These concerns are usually handled by institutional staff as this is an operational issue. If the threat rises to the seriousness of an investigation being requested by the institution or other area, Police Services will review and provide findings of our review to the appropriate staff to address the inmate’s safety concerns.
 - Please see attached SCDC Policy OP-22.23 “Statewide Protective Custody” or OP-21.04 “Inmate Classification Plan” sections 17 & 18 regarding Protective Custody and Separations.
33. Are inmates who attempt to escape, or involved in assaults, required to participate in any type of programming (e.g. anger management, peer to peer counseling)? If so, please explain.
 - Inmates who attempt to escape or involved in assaults (serious) are normally placed in Security Detention. After completion of Security Detention, inmates may be assigned to a Behavior Management Program or a Step-Down Program in order to disrupt a cycle of repeated disciplinary infractions and encourage compliance with institution rules and regulations.
 - Security Detention (SD) refers to the placement of an inmate who meets approved criteria in a restrictive housing unit (RHU) for an indeterminate time period.

34. How does the agency determine whether it has enough staff on duty at any part of the day to ensure all cell doors can be unlocked in case of a fire?
- The agency determines staffing requirements through an annual review of each institution's post chart. A post chart is a listing of all permanent posts in an institution by location, primary function, priority, and hours of operation. Posts not identified as pull posts are considered mandatory posts and should be filled at all times. Mandatory staffing would ensure, at any time of the day, that an employee is assigned in the living area with the keys that would unlock all cell doors in case of a fire.
35. Does the agency have a cost comparison for systems that would electronically lock cell doors and guard time spent manually locking doors to allow for determination of when the electronic system may pay for itself?
- Please see attached electronic door lock impact.
36. Please provide information on the number of guards per inmate in 1990, 1995, 2000, 2005, 2010, 2015, and 2019.
- Please see attached correctional officer to inmate ratios for the years 2000, 2005, 2010, 2015 and 2019. Also attached are annual reports from 1990 and 1995 that outline staffing and inmate count; however, it does not provide employee to inmate ratio. It provides position to inmate ratio, please be sure to review footnote on the report as the calculations differ from 1990 to 1995.
37. Please provide a table which includes the average salaries of officers in prisons and officers in other law enforcement entities around the state. If this information is not already available, please work with applicable impacted parties to obtain it.
- SCDC provided you with the starting salaries of the largest counties in the State, please see attached salary survey. Also, attached is SCDC's flyer which outlines SCDC starting salaries throughout different level facilities within SCDC.

Work

38. Please explain the following terms, which were included in the list of inmate job descriptions the agency provided in its April 29, 2019 letter:
- (a) labor crew/work program; and
- Labor crew- Inmate labor crews are used to provide a cost-effective minimum-security inmate labor force to work for governmental, business or contracting agencies. To promote the safety and security of the general public, *statutory* non-violent and certain violent offenders in accordance with the Omnibus Sentencing Reform Act of 2010 with no prior history of violent convictions may be assigned to any SCDC inmate labor crew. This program serves as needed transitional services for inmates prior to release from incarceration.
 - Work Program- Specially screened inmates who are assigned to SCDC work program institutions and who work at paid employment in the community.
- (b) designated facility.
- Designated facility- A city or county jail or prison camp with which the South Carolina Department of Corrections (SCDC) has a contractual agreement to house

state inmates. These inmates serve as county inmate workers while they are serving their SCDC sentences.

- Please see attached delimitations, policy and work program agreement.
 - Note: “Prison camp” is not an SCDC term, but is used in the S.C. Code of Laws (e.g., Section 24-9-35). A prison camp is the equivalent of what SCDC operates as a level 1B camp. Level 1-B institutions are minimum-security facilities that house inmates with relatively short sentences or time to serve. Operational procedures at Level 1-B facilities impart a higher level of security compared to level 1-A facilities.

39. Please provide the following information in an Excel chart for each of the last three years and for each inmate work category (e.g., work credits, paid employment in the community, public improvement or development, statehouse landscaping, prison industries enhancement, etc.), unless the agency already has this information in another format, in which case use that format:

- (a) Prerequisites for an inmate to qualify for the work;
 - (b) Number of inmates qualified for the work;
 - (c) Number of qualified inmates working;
 - (d) Number of qualified inmates not working;
 - (e) Whether an inmate working is in a SCDC uniform or employer uniform;
 - (f) Whether an inmate is paid for the work;
 - (g) Whether SCDC supervision is required when an inmate is working;
 - (h) Amount SCDC collects for the work; and
 - (i) Amount SCDC spends to provide the work opportunity.
- Please see attached Excel spreadsheet in addition to the SC Code of Law and policies that will provide additional information.

40. Please provide a summary of amounts the agency or inmates can earn through different types of work and include who receives any portions of those amounts (e.g., agency, child support, inmate trust account, etc.)

- There are several statutes that pertain to inmate work and earnings:
 - § 24-3-40. Disposition of wages of prisoner allowed to work at paid employment.
 - § 24-3-430. Inmate labor in private industry authorized; requirements and conditions.
 - § 24-3-315. Determinations prerequisite to selecting prison industry project.
 - § 24-13-930. Surrender of inmates' earnings; amounts deductible.
 - § 24-13-80. Prisoners to pay for certain costs; definitions; criteria for deductions from inmates' accounts; reimbursement to inmates; recovery from estates of inmates.
 - § 24-1-295. Employment of inmates for work involving exportation of products; deductions from wages.
 - § 42-7-65. Average weekly wage designated for certain categories of employees.
 - A copy of each statute is attached.

41. Please provide, for each of the last three years, a list of entities for which inmates in custody can work in an Excel chart, separated by inmate work category (e.g., work credits, paid employment in the community, public improvement or development, statehouse landscaping, prison industries enhancement, etc.). If the entity is the state or a county or local municipality, please indicate the department/division in which inmates can work. If the agency already has this information in a format other than Excel, please use that format.

- It would be a security concern to provide locations of where inmates work in the community for those assigned to labor crew, work program, and those at a designated facility. However, types of places of work are as follows:
 - Restaurants
 - Departments of Transportation
 - Construction
 - Welding
 - Fabrication
 - Mechanical
 - Lumber yards
 - National Guard
 - Palmetto Pride Litter Crews
 - Machine shops
 - Statehouse grounds
 - Sanitation
 - Recycling
 - Agricultural
 - Canning plants
 - Animal Shelters

42. Please provide, for each of the last three years, the number, and percentage, of inmates that could have participated (e.g., eligible, sufficient staff to escort them) in work, education, or other programs, and chose, for three months of the year or more, not to participate in any.

- SCDC does not track the number of inmates who choose not to work; however, SCDC does have disciplinary offenses for inmates that refuse to work, refuse to attend compulsory programs and for failure to work, please see attached statistics for these infractions.

43. Please provide, for each of the last three years, information on the number of inmates, and number of days, in which inmates were unable to participate in work, education, or other programs due to a lockdown that was not a result of the inmate's actions. Also, include the reason for the lockdown. Please do not include information that may cause security concerns, such as information that would allow someone to determine the location, security level, or specific dates during the year.

- Please see response #33 on letter dated April 29, 2019.

44. Please provide a list of products the House of Representatives utilize, of which the agency is aware (e.g., frames for resolutions), which could be, but is not currently, obtained from inmates at SCDC.

- Per your request, the following are items that are available to sell to state/local government, 501c (non-profit), churches and schools. The items noted with and Asterix are also available for sale to the general public through our PIE certification:
 - *Framing - pictures, certificates, shadow boxes, flags
 - *Plaques – wood engraved, metal engraved
 - *Engraved name plates, picture plates * - metal, wood or acrylic
 - *Wooden challenge coins; custom key chains
 - *Bumper tags (custom license plates)
 - *Desk markers
 - *Business card holders
 - *Vinyl goods – stickers, logos, wall, window statics, and vehicles
 - *Drink wear logos
 - *Banners and signs
 - *Printing Services – Full range of custom printing services
 - *Custom Street Signs – personalized or standard
 - *Business Cards
 - Wide range of Office Furniture – desk, chairs, podiums, lounge seating, cafeteria, accessories
 - Sit stand work surfaces
 - Modular office solutions
 - Moving and relocation services
 - Outdoor metal furniture – benches, tables, trash cans
 - School furniture
 - Corrections clothing/items
 - Custom Embroidery
- Please see attached brochures.

45. Since agency representatives testified there are currently more jobs available than inmates, what does the agency consider when determining where to place inmates for work (e.g., highest paying option available).

- To clarify, there are private sector employers that are interested in employing SCDC inmates through our work program. Inmates assigned to the work program must subsequently interview and be hired by the prospective employers. SCDC's only responsibility is to provide eligible candidates to interview; therefore, SCDC staff determine an inmate's skill and recommend them for an interview. Inmates hired become employees of that company.

46. Would the agency recommend revisions to the wording of S.C. Code Section 24-3-130(C), which is below, based on the testimony of agency representatives that “work camps” are no longer utilized? If so, what revisions would the agency recommend?

Section 24-3-130. Use of inmate labor on State highways or other public projects.


(C) Notwithstanding any other provisions of this chapter, inmates constructing work camps on county property must be supervised and controlled by armed officers and must be drawn exclusively from minimum security facilities. A work camp constructed or operated by the Department of Corrections must house only offenders classified as nonviolent. The contracting officials for the county utilizing prison inmate labor must be provided by the Department of Corrections with the most recent information concerning the composition of all work crews including the respective offenses for which the inmates have been sentenced and their custody levels.

- The agency has not used inmate labor to construct work camps in many years. However, while parts of subsection (C) of S.C. Code 24-3-130 have no current application, other parts remain viable (for example, “A work camp constructed or operated by the Department of Corrections must house only offenders classified as nonviolent.”) Additionally, the agency may at some point decide it is once again feasible to use inmate labor for construction of work camps. Therefore, we do not feel that revision or repeal of subsection (C) is necessary at this time.

47. Please explain the information SCDC maintains about the skills of each inmate and how the agency utilizes this information.

- SCDC captures inmate’s skills through entries made from job assignments and training obtained during incarceration. Our IT department has created an Inmate Occupation Search engine that allows us to extract a listing of inmates with particular skills by county, release date, age, offender type and job code. This information is utilized to assist with job placement internally and as employment referrals prior to release, please see example below. Also, please see attached Released Offender Skills Report.

South Carolina
Department of Corrections



Inmate Occ
NENA M

Home
Secured Applica

Inmate Occupation Search

EWC Job:

County:

Release Begin Date:

Release End Date:

Offender Type:

Age:
to

Search

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[Version: 1.0.18 Built: 04/22/2019 02:21:40 PM Time: 11:10:54 AM]

48. Does the agency have any data to compare the types of work inmates performed prior to incarceration and types of work obtained by the inmates upon release? If so, please explain.

- SCDC does not have data to compare.

49. Please provide, for each of the last three years, the number of inmates who have walked away from work places, separated by type of work category. Please indicate whether any of these inmates were not apprehended.

- Please see attached Walk Aways.

Recidivism rates

50. What factors can the agency utilize to track recidivism (e.g., inmates who enter SCDC with college education, inmates who participate in a particular pre-release program)?

- Any inmate characteristic or data element that is stored with the inmate release data set can be used to compute a recidivism rate. Examples include release type, age, gender, education level, mental health classification, etc.
 - Please see attached list of characteristics stored with the inmate release data set.

51. Since “work credit” jobs and “paid employment in the community” jobs are included in both the “work program” category and the “labor crew” category, is an inmate who works in those jobs counted in the recidivism rates for both categories (i.e., Recidivism rate for work program inmates; and Recidivism rate for labor crew inmates)? Please explain.

- In the recidivism statistics the category “work program” refers to inmates who have worked at “paid employment in the community” and the category “labor crew” refers to inmates who have worked under SCDC supervision on litter crews, on the state house grounds, etc. Many inmates fall into both groups since they are assigned to labor crew prior to becoming eligible for the work program.
52. Similar to the question above, if an inmate earns a General Educational Development (GED) and is involved in a pre-release program, is the inmate counted in both the “Recidivism rate for inmates who earn GED in SCDC,” and “Recidivism rate for inmates involved in a pre-release program”?
- Yes
53. Does the agency provide any information on inmates to the Department of Juvenile Justice (DJJ) to assist DJJ in tracking recidivism of individuals who were incarcerated as juveniles?
- No
54. Please explain the differences, if any, in how SCDC tracks recidivism and how DJJ tracks recidivism.
- SCDC’s definition for recidivism corresponds with Association of State Correctional Administrators Performance Based Measure System. SCDC calculates the recidivism for a release group based on the number of inmates who return to SCDC within three years of release for violations of their conditions of release or for new offenses that occur after their release.
 - Per the attached document from their web site, DJJ calculates recidivism rates for release groups based on new offense adjudications within one year of release.

Education

55. Does the agency have information on the number of inmates released each year that do not have a high school diploma, GED, or other vocational skill? If so, please provide that information for each of the last three years.
- Please see attached Inmates Released from SCDC statistics.
56. Can the agency provide data on the number of inmates earning a GED/High School Diploma as a percentage of the number of inmates admitted to SCDC without a GED/High School Diploma? If so, please provide that information for 2013-14 through 2018-19.
- Please see attached statistics for Inmates Admitted to SCDC.
 - More detailed information will be provided during the Programs, Reentry and Rehabilitative Services presentation.

57. In each of the last three years, how many inmates earned an associate or bachelor's degree while at SCDC?

- Associate of Arts Degrees-Biblical Studies
 - 2016 – 12
 - 2017 - 10
 - 2018 - 12
- Bachelor of Arts/Science Degrees-Biblical Studies
 - 2016- 1
 - 2017- 1
 - 2018- 1

Earned Credits and Outcomes

58. Please provide a brief summary of the ways in which the agency categorizes inmates (e.g., inmates with anticipated release of 5 years, 25 years, life sentences) and, for each, the outcome the agency seeks for the inmate, and agency's strategy for assisting the inmate in reaching that outcome.

- Agency outcome sought for inmates with a 5-year sentence – SCDC's goal for the inmate is to return to society and be a productive member that is free from criminal behavior. Absent mitigating factors (medical, mental health, behavior) this inmate would be assigned to a Level 1 or Level II institution. The programs would be geared towards re-entry (GED, Addictions Treatment, Vocational, Job Assignment). Placement in SCDC's Re-entry program would occur 6 months prior to release.
- Agency outcome sought for inmates with a 25-year sentence – SCDC's goal for the inmate is to serve their time in SCDC offense free and be prepared to return to society as a productive member free from criminal behavior. Absent mitigating factors (medical, mental health, behavior) this inmate would be assigned to a Level III institution (new classification system may change this). SCDC would seek to assign the inmate a job based on their skills and potential for long term employment. Upon meeting requirements for transfer to a Level II institution, SCDC would assign programs geared towards re-entry (GED, Addictions Treatment, Vocational, Job Assignment). Placement in SCDC's Re-entry program would occur 6 months prior to release.
- Agency outcome sought for inmates with a life sentence – SCDC's goal for the inmate is to serve their time in SCDC offense free and become a productive member of the institutional community. This inmate would be assigned to a Level III institution. SCDC would seek to assign the inmate a job based on their skills and availability for long term employment. Assigned programs would be geared towards self-improvement, quality of life, and some inmates becoming

- mentors in other SCDC programs. Dependent upon age, the inmate may be placed in the Lifer's Community at Perry CI. Upon meeting requirements for transfer to a Level II institution, programs would continue to focus on self-improvement and serving as mentors in other SCDC programs.
 - Note: Lifer's community is an inmate that is sentenced to a life sentence or over the age of 40. An inmate over the age of 40 that has an excessive sentence, i.e. 70 years, would also be considered for this community.
59. Do current statutes and agency policies that relate to which inmates are and are not eligible for work, programming, or other services, assisting inmates in obtaining the outcomes sought by the agency, or could revisions potentially allow the agency to more effectively or efficiently assist the inmates in reaching the intended outcomes?
- Revisions to the current statutes and agency policies relating to eligibility for work, programming, and other services could potentially allow the agency to more effectively and efficiently assist inmates in reaching intended outcomes. Further research will need to be conducted in order to determine the best way to revise these statutes and policies.
60. Does the agency regularly review how its current system of earned credits are impacting prisoners progress toward the outcomes sought for those prisoners? If so, how often do are they reviewed and when were they last updated?
- SCDC conducts an annual review of all SCDC policies. This policy was last updated in August 8, 2017.
61. Is there a limit on the amount of work, education, or good conduct credit an inmate can earn? If so, what are the limits and what is the rationale behind having a limit?
- Good time and earned work/education credits limitations are set forth in S.C. Code § 24-13-210 and S.C. Code 24-13-230. S.C. Code § 24-13-210 provides that inmates serving parolable sentences may earn a yearly maximum of 240 days of good behavior credits, while inmates serving no-parole sentences may earn a yearly maximum of 36 days of good behavior credits. S.C. Code § 24-13-230 provides that inmates serving parolable sentences may earn a yearly maximum of 180 days of earned work and education credits, while inmates serving no-parole sentences may earn a yearly maximum of 72 days of earned work and education credits. A copy of each statute is attached.

Should you have additional questions or need further documentation, please do not hesitate to contact me. Thank you.

Sincerely,

Bryan P. Stirling

Bryan P. Stirling

BPS/ndh

Classification System – Status of Contract and Updating System

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "1. Please provide the following information related to the agency contracting for assistance with its classification system: (a) When a request for proposal was issued; (b) Why Dr. Austin was chosen to receive the contract; (c) Copy of the contract with Dr. Austin; (d) List of activities related to the creation and entering of the contract performed by SCDC and those performed by State Procurement Office; (e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount; (f) Work product received from Dr. Austin; (g) Work product or services still owed by Dr. Austin; (h) Current status of contract with Dr. Austin; and (i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system."

1. Please provide the following information related to the agency contracting for assistance with its classification system:

(a) When a request for proposal was issued;

There was no request for proposal issued to update SCDC's classification system.

(b) Why Dr. Austin was chosen to receive the contract;

Dr. James Austin was named a sole source provider as an inmate classification subject matter expert in an amendment to SCDC's Mental Health Settlement Agreement. The following link provides a listing of publications that are attributed to Dr. Austin: <http://www.jfa-associates.com/publications/>.

(c) Copy of the contract with Dr. Austin;

See attached

(d) List of activities related to the creation and entering of the contract performed by SCDC and those performed by State Procurement Office;

A contract was developed by the parties and agreed upon on 9/22/17. Subsequently, SCDC and Dr James Austin entered into the contract after routing through SCDC's internal approval process. The State Procurement Office was not involved in this contract.

(e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount;

See attached

(f) Work product received from Dr. Austin;

See attached

(g) Work product or services still owed by Dr. Austin;

When the contract was discontinued, Dr Austin did not owe the agency any work product (s) or services. However, the new Deputy Director for Operations has reinstated the request for services after a meeting with Dr. Austin on 05/1/19. Dr. Austin provided his final work products on 5/8/19.

(h) Current status of contract with Dr. Austin; and

When the contract was discontinued, Dr Austin did not owe the agency any work product (s) or services. However, the new Deputy Director for Operations has reinstated the request for services after a meeting with Dr. Austin on 05/1/19. Dr. Austin provided his final work products on 5/8/19.

(i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system.

See attached

(c) Copy of the contract with Dr. Austin;

CONSULTING AGREEMENT
By and Between James Austin and
South Carolina Department of Corrections

THIS AGREEMENT is made on this 22nd day of Sept by and between James Austin (hereinafter called "Contractor") and the South Carolina Department of Corrections. (Hereinafter "SCDC").

WHEREAS, SCDC is a party to the Settlement Agreement with T.R., P.R., K.W. and A.M., on behalf of themselves and others similarly situated; and Protection and Advocacy for People with Disabilities, Inc. The Second Amendment to the Settlement Agreement gives SCDC the authority to hire the Contractor as an independent expert.

WHEREAS, Contractor is an independent contractor engaged in the business of providing subject matter consulting services and is willing and able to assist SCDC in the performance of the security staff study by providing the services listed herein; and

WHEREAS, SCDC and Contractor wish to set forth in greater detail further conditions governing their relationship:

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. Description of Services

Contractor shall, as an independent expert in corrections classification, provide the services as outlined below. Contractor shall assure uniformity, integrity and consistency in all aspects of the Contractor's work product and do all things necessary and appropriate for the purpose of enabling SCDC to perform with maximum efficiency. Contractor represents that he is qualified to perform the duties set forth herein.

1.1 Scope of Services: To conduct reliability and validation tests for inmate classification and provide recommendations to include training, if necessary.

2. Consideration

In consideration for the services performed by Contractor, SCDC agrees to pay as follows:

2.1 Invoicing

SCDC agrees to pay the first invoice within sixty (60) days of receipt and all subsequent invoices within thirty (30) days of receipt. Additionally, a monthly time sheet is required to accompany each invoice and be approved by Dennis Patterson, the project director, before payment is rendered.

Contractor will be paid One Hundred Seventy-Five (175) Dollars per hour plus reasonable

expenses. Contractor should submit monthly invoices to SCDC.

In addition, Contractor shall be paid its reasonable expenses for travel necessarily incurred in performing the services, provided, however, that all reimbursable travel must be approved in advance by SCDC. Contractor's reimbursement for travel expenses will not exceed those allowable under the 2017 State of South Carolina travel reimbursement guidelines. Contractor warrants that it is familiar with any such limitations on expense reimbursement.

Each invoice will be accompanied by the work product listed above. In the event that SCDC disagrees with or questions any amount due under an invoice, they agree to communicate such disagreement to Contractor in writing within five (5) days of the invoice date.

Invoices and other identified information shall be submitted so as to arrive at SCDC's primary place of business no later than the due dates indicated. Invoices shall be submitted to:

Jonathan Eckstrom
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, SC 29210
Email: Eckstrom.Jonathan@doc.sc.gov
Fax: (803) 896-1766

Invoices and all relevant documentation and supporting materials may be submitted by facsimile to SCDC at the number shown above or by email to the above cited email address.

A penalty of 1.5% of contract amount may be assessed per day to Contractor for failure to meet the agreed upon deadlines set forth in this Contract. This penalty may be waived at the discretion of the project director upon written request from Contractor submitted prior to the assigned task deadline.

3. Satisfactory Performance

It is expressly understood and agreed by the parties that SCDC reserves the right to determine whether the services called for in this agreement have been satisfactorily performed. SCDC shall, in its sole discretion, make its determination in good faith. Contractor shall be contractually required to exert its best efforts to perform the services within the constraints of the time frame and funding proposed. An essential element for the development of the project is the support and active participation of the staff of SCDC, therefore, SCDC agrees to answer any request for information within five (5) working days.

4. Term

This Agreement shall be effective as of the final date of signature below. It shall be effective for six (6) months. This Agreement can be terminated sooner if Contractor's work is completed prior to six (6) months.

4.1. Extension of Contract: If necessary, this agreement may be extended at the mutual agreement of both parties by the execution of a written Amendment, to be attached and incorporated herein.

4.2 Termination: This agreement may be terminated by either party without cause upon no less than thirty (30) calendar days' notice in writing to the other party unless a sooner time is mutually agreed upon in writing. With reasonable cause, either party may terminate this agreement effective immediately upon the giving of written notice for cause. Reasonable cause shall include: (a) material violation of this agreement and (b) any act exposing the other party to liability to others for personal injury, professional negligence or property damage.

5. Independent Contractor Status

The relationship of Contractor to SCDC is that of any independent contractor and nothing herein shall be construed as creating any other relationship. As such Contractor shall comply with all laws and assume all risks incident to his status as an independent contractor. This includes, but is not limited to, responsibility for all applicable federal and state income taxes, associated payroll and business taxes, licenses and fees, and such insurance as it is necessary for Contractor's protection in connection with work performed under this agreement. Neither Contractor nor anyone employed or subcontracted by them shall be, represent, act, purport to act, or be deemed to be an agent, representative, employee or servant to SCDC.

5.1 Equipment, Tools, Materials, or Supplies: Contractor shall supply at Contractor's sole expense, all equipment, tools, materials and/or supplies to accomplish the work to be performed.

5.2 Federal, State and Local Payroll Taxes: Neither federal nor state nor local income tax nor payroll tax shall be withheld or paid by SCDC on behalf of Contractor or Contractor's employees. Contractor shall not be treated as an employee with respect to the services performed hereunder for federal or state tax purposes.

5.3 Fringe Benefits: Because Contractor is engaged as an independent contractor, Contractor is not eligible for and shall not participate in any company health, life, dental, pension or other fringe benefit plan of SCDC.

6. Insurance

All insurance requirements are waived by Contractor. As an independent contractor,

Contractor is not covered by SCDC's state insurance policy(ies).

7. Restrictive Covenant

Contractor understands and agrees that as a result of his association with SCDC, Contractor may develop, obtain, learn about and use restricted and confidential information (whether or not subject to copyright protections) of SCDC. The Term "Restrictive Services" shall mean "good will" "marketing" "policies" "strategies" and "confidential information" and shall encompass, without limiting the generality of those terms, any SCDC policies, procedures, post orders, and personal identifiable information of inmates or employees.

Contractor further covenants that he will not, directly or indirectly, commit any of the following acts during the Term of this Agreement for the two year period following termination of this agreement:

7.1 solicit or hire any employee of SCDC;

7.2 develop, sell, license or otherwise divulge SCDC's confidential information or restricted policies.

The foregoing shall apply in all instances except in each such case where the Contractor has received in advance the express written permission of SCDC.

8. Injunctive Relief

The Contractor agrees that the remedy at law for any breach by Contractor of any of the foregoing restrictions may be inadequate and that SCDC shall be entitled to injunctive relief.

9. Confidential Information

Contractor agrees that through direct or indirect contact with SCDC he may learn about information which is confidential or restricted. In recognition of the foregoing, Contractor agrees that during the term of the relationship, he will use his best efforts and diligence to guard and protect SCDC's confidential information and restricted policies.

9.1 The Contractor agrees that subsequent to the termination of the relationship governed herein, he will not directly or indirectly as manager, operator, Contractor, partner or stockholder, use for himself or others any of SCDC's confidential information which Contractor may develop, obtain or learn during or as a result of the relationship governed herein.

9.2 The term "confidential information" encompasses, without limiting the generality of the terms: restricted policy(ies), security procedures, post orders, personal identifiable information, institution and building plans, manuals developed by or on behalf of SCDC, and other intellectual property.

9.3 All information provided to Contractor under this Agreement will be considered confidential unless expressly stated otherwise by SCDC.

9.4 Contractor agrees that unauthorized disclosure of confidential information may result in SCDC seeking an injunction to restrain the disclosures in whole or in part of the confidential information. SCDC shall not be prohibited by this provision from pursuing other remedies, including a claim for losses and damages and the forfeiture of any amount described in Paragraph 2, which is then unpaid.

10. SCDC Property

Upon termination, Contractor agrees to turn over to SCDC all of SCDC 's properties of every kind, nature or type, real or personal, including but not limited to, SCDC's systems, restricted policy(ies), security procedures, post orders, institution and building plans, manuals developed by or on behalf of SCDC, confidential information and good will, together with pertinent correspondence. Contractor further agrees that on termination, he will not retain any copies of any or all of the above. Notwithstanding any other provisions of this agreement, no deferred compensation shall be paid to Contractor if SCDC determines that Contractor is in breach of the restrictions contained in this paragraph. The Contractor's obligation under this paragraph shall survive Contractor's termination.

11. General Provisions

11.1 Any and all requests for information made to Contractor that are covered under this Agreement will be forwarded SCDC.

11.2 Waiver of Breach: The failure by either SCDC or Contractor to act upon a breach of any provision of this contract shall not operate or be construed as a waiver of any subsequent breach by either SDCC or Contractor.

11.3 Binding Effect: This contract shall be binding upon and inure to the benefit of both SCDC and Contractor and their respective successors and assigns and legal representatives.

11.4 Amendments: No amendment or variation of the terms and conditions of this contract shall be valid unless the same is in writing and signed by all of the parties hereto.

11.5 Subcontracting and Assignment: Contractor will not subcontract, assign, transfer or otherwise employ anyone to do any part of the services called for under this agreement, nor assign any part of its rights or interest in this agreement, or any claim arising out of this assignment, without prior written approval of SCDC.

11.6 Equal Employment Opportunity: Each party agrees in the performance of this Agreement not to discriminate on the basis of race, ethnicity, national origin, gender, age, religion, disability, sexual orientation, or any other basis prohibited by law in the jurisdiction in which the Agreement is to be performed.

IN WITNESS WHEREOF, this agreement has been executed by SCDC and Contractor on the date shown above,

South Carolina Department of Corrections

Contractor

BY: Bryan P. Stines

TITLE: Director

DATE: 9/21/17

WITNESS: Manu D. deppa

BY: Jamie Quind

TITLE: Consultant

DATE: 9/22/17

WITNESS: De Patten

(e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount;

Dr. Austin Timeline

Timeline of Dr. Austin’s work with SCDC.

Prior to June 2017 Director Stirling initiated communications with Mental Health Panel regarding assessment of Classification System because it had not been reviewed in 25 years. It was then assigned to the Deputy Director for Operations.

June 5, 2017

Assistant DDO wrote a letter to Dr. Austin requesting an estimate for cost for services to conduct assessment of Inmate Classification System.

June 21, 2017

Dr. James Austin was named a sole source provider as an inmate classification subject matter expert in an amendment to SCDC’s Mental Health Settlement Agreement.

September 22, 2017

Contract was developed and parties agreed to terms and contract was signed

December 11, 2017

#1 invoice received from Dr. Austin
Billing invoice includes
A. Professional Fees:
- Review Documents provided by client and conference calls
- Reformat data files and conduct statistical analysis of data files provided by scdc
- Conduct on site visit at SCDC Dec. 4-7, 2017. (Central office, Lakeview and Lieber CI)
Total Professional Fees: \$7,350.00
Total Expenses: \$1,159.44
Total of all: \$8,509.44

January 15, 2018

#2 invoice received from Dr. Austin
Billing invoice includes
A. Professional Fees
- Reformat updated stock data file and conduct statistical analysis of date file provided by SCDC
- Conduct onsite visit at SCDC headquarters 1/2/18
- Reformat release file and conduct statistical analysis on risk assessment instrument
Total Professional fees: \$3,500.00
Total Expenses: \$525.85
Total of all: \$4,025.85

February 12, 2018

#3 invoice received from Dr. Austin
Billing invoice includes
A. Professional Fees
- Develop tables for presentation to the SCDC administrative staff on the proposed inmate classification system and prison population
- Conduct onsite visit at SCDC HQ 1/29/18
Total Professional fees: \$2,450.00
Total Expenses: \$19.60
Total of all: \$2,469.60

July 11, 2018

#4 invoice received from Dr. Austin
Billing invoice includes
A. Professional Fees
- Review documents provided by client and meeting with Central Classification at SCDOC on 4/26/18
- Review documents provided by client and meeting with SCDC on 5/9/18
- Develop sample for classification staff to complete simulation of new classification system. Receive data files from RIM and conduct statistical analysis of same data files.
- Meet with Central Classification staff at SCDC to finalize plans for staff to conduct simulation on 6/19/18. Create spreadsheet for staff to enter said data.
Total Professional fees: \$6,300.00

August 20, 2018

#5 invoice received from Dr. Austin
Billing invoice includes
A. Professional Fees
- Revise current classification custody and security forms
- Meet with Mr. Patterson and Central Classification staff at SCDC to review revised classification matrix on 7/23/18
Total Professional fees: \$2,100.00

October 2018

- Chief Legal & Compliance Officer was provided a copy of Dr. Austin’s initial findings.

- DDO began exploring other options.

November 2018

Due to the Director’s inquisition on the time it was taking to get a final decision on the Classification System, he requested that a Request For Productions be written outlining expectations of SCDC so this project could move forward. The task was assigned to the Division of Classification which falls under the purview of the DDO.

March 2019

Upon naming an Interim DDO Director provided a list of items requesting status and Classification System was on this list. Interim DDO contacted Dr. Austin to determine status for classification system and scheduled meeting to discuss.

May 1, 2019

The new Deputy Director for Operations has reinstated the request for services after the meeting with Dr. Austin. General Counsel’s Office is working on updated contract. Purchase Order is still active.

May 8, 2019

Dr. Austin provided final work products.

★ - 1st purchase Order Issued. Total \$15,005.00 on April 5, 2018

★ - 2nd purchase Order Issued. Total \$43,000.00 on July 18, 2018. Total ending cost was \$23,404.54.

(f) Work product received from Dr. Austin;

Findings

Prison Population

1. Severe staff shortages have created a dangerous situation to staff and inmates alike
2. Unlikely that funds will ever be provided to meet staff shortages
3. Best solution is to introduce a) new classification, b) risk assessment, and c) needs assessment systems that can be used by the DOC and Parole Board to *safely* lower the prison population by reducing current length of stay (LOS).

Inmate Classification

4. Current classification system is a modified version of the old and antiquated Texas prison classification system implemented in 1997.
5. Uses security level and custody level in a redundant and confusing manner.
6. Need to clarify population status versus classification. For example, minimum custody inmate who require placement in a Level 3 medical facility).
7. Current system is unique compared to all other prison inmate classification systems because it does not use a point system which produces a lack of reliability and validity.
8. Does not distinguish between males and females in terms of risk.
9. Changes can be made that will quickly (over a 6 month period) and easily improve the current system by making it simpler to use and understand

Risk and Needs Assessment

10. DOC does not have a validated risk and needs assessment system which would produce a practical and effective inmate case plan.
11. Lack of coordination between the Parole Board which is not paying adequate attention to risk and needs assessment in granting parole.
12. This is essential for developing an effective inmate case plan at admission.

Recommendations

Classification

1. Remove the use of the security matrix as it is largely redundant with the custody matrix.
2. Refine the custody matrix so that it uses a more traditional point scoring system.
3. Change custody levels as follows:
 - a. Close Custody
 - b. Medium Custody
 - c. Minimum Restricted
 - d. Minimum Out

Risk and Needs Assessment

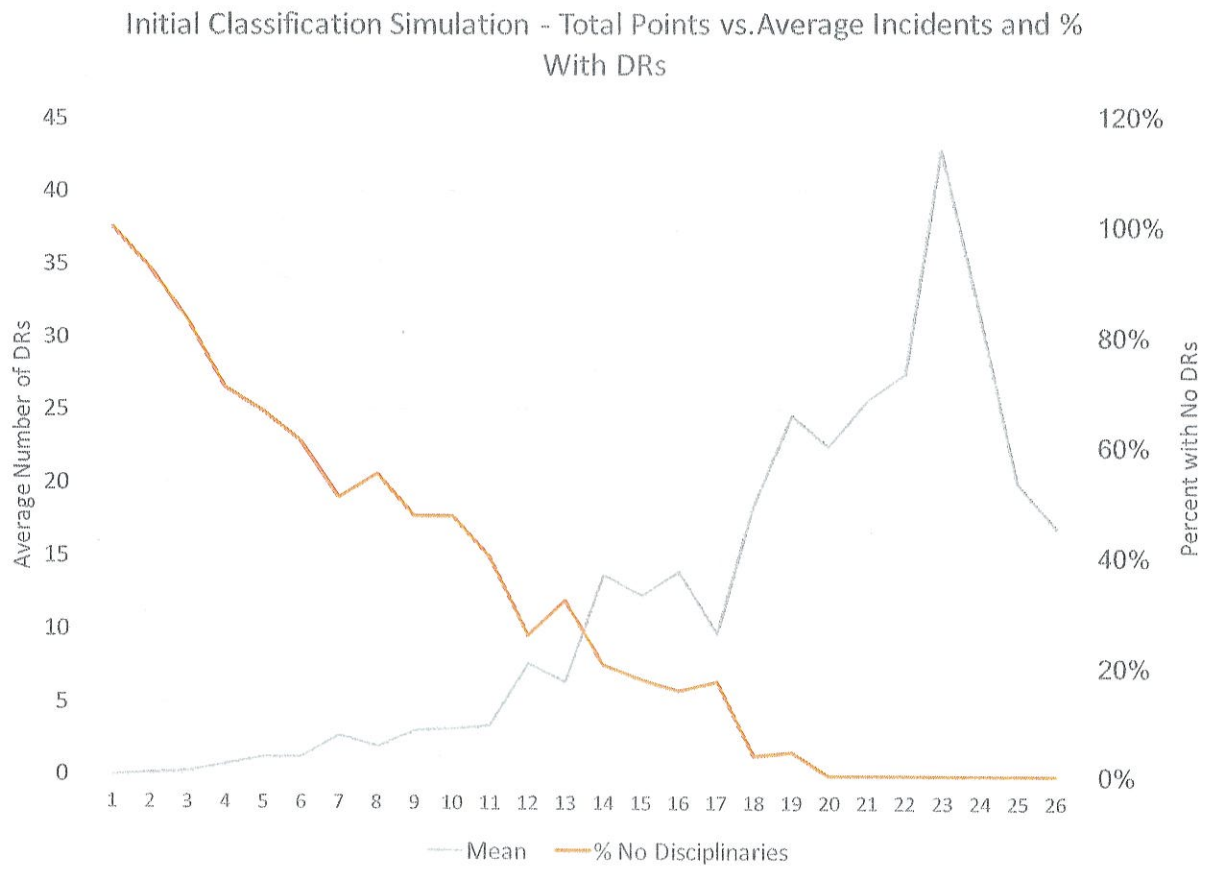
4. Develop case plan at the time of intake which is based on risk and needs assessment to be developed by JFA and DOC staff.
5. The case plan is essential and needs to be continually communicated to the inmate.
6. Need to work the Parole Board so that their grant rates are linked to risk levels and compliance with case plans.
7. The above recommendations would result in increased numbers of lower risk inmates being released at their initial parole eligibility.

New Classification System Changes

1. Uses a point system rather than a matrix.
2. Conforms to the NIC Prison Objective Classification System Standards and Formats
3. This system has been implemented in the vast majority of state and local jail systems.
4. Consists of an Initial and Reclassification Instrument.
5. Initial instrument is based on criminal record, prior institutional violence and stability factors.
6. Reclassification is done every year and is based more on inmate conduct than prior criminal record or current offense.
7. Inmates will not be reclassified every time they are transferred.
8. Allows for mandatory and discretionary over-rides.
9. Changes in security and custody definitions as follows;
 - a. Security is assigned to facilities and housing units
 - b. Custody is assigned to inmates
 - c. Labels for both are as follows:
 - i. Level 3 = Close
 - ii. Level 2 = Medium
 - iii. Level 1b = Minimum
 - iv. Level 1a –Minimum-out
10. Mandatory over-rides block prisoners for going to Minimum Custody for the following reasons:
 - a. More than 5 years to max-out
 - b. Life with or without parole
 - c. Validated gang member
 - d. No out of state/ ICE/ Level 4 or Higher Offense detainees
 - e. No sex offenses unless within 12 months of maximum release date
 - f. Convicted of Murder or Kidnapping.
 - g. No staff or inmate assaults in the past 12 months

Initial Classification
N=5,075 with LOS One Year or Less

ITEM #1 Current Offense	Score	Number	Percent
Level 1 or 2	1	1,555	30.6%
Level 3	3	1,387	27.3%
Level 4	5	1,891	37.3%
Level 5	7	242	4.8%
ITEM #2 Prior Commitments			
None	0	3,114	61.4%
Any Prior Commitment GT 90 days	3	1,523	30.0%
Any Prior Commitment – Violent Crime – GT 90 days	7	438	8.6%
ITEM #3 Escape History			
None Listed	0	4,872	96.0%
Class 1 or more	3	145	2.9%
Class 2 or more	7	58	1.1%
ITEM #4 Past Institutional Violence			
None	0	4,458	87.8%
Any Assault past 24 or GT 25 months	3	549	10.8%
Any Assault past 24 or GT 25 Months involving weapon	7	68	1.3%
ITEM #5 Current Age			
32 years and younger	3	2,547	50.2%
33 – 41 years	2	1,304	25.7%
42 -52 years	1	850	16.7%
53 years and older	0	374	7.4%
ITEM #6 Gender			
Male	0	4,518	86.7%
Female	-1	557	13.3%
ITEM #7 Long Term Offender			
Yes	1	675	13.3%
No	0	4,400	86.7%
ITEM #8 Gang Affiliation			
Yes	2	335	6.6%
No	0	4,740	93.4%
ITEM # 9 Education			
13 yrs. or higher	-1	468	9.2%
12 yrs. or lower	0	4,607	90.8%
ITEM #10 Marital Status			
Single	0	2,767	54.5%
Else	-1	2,308	45.5%

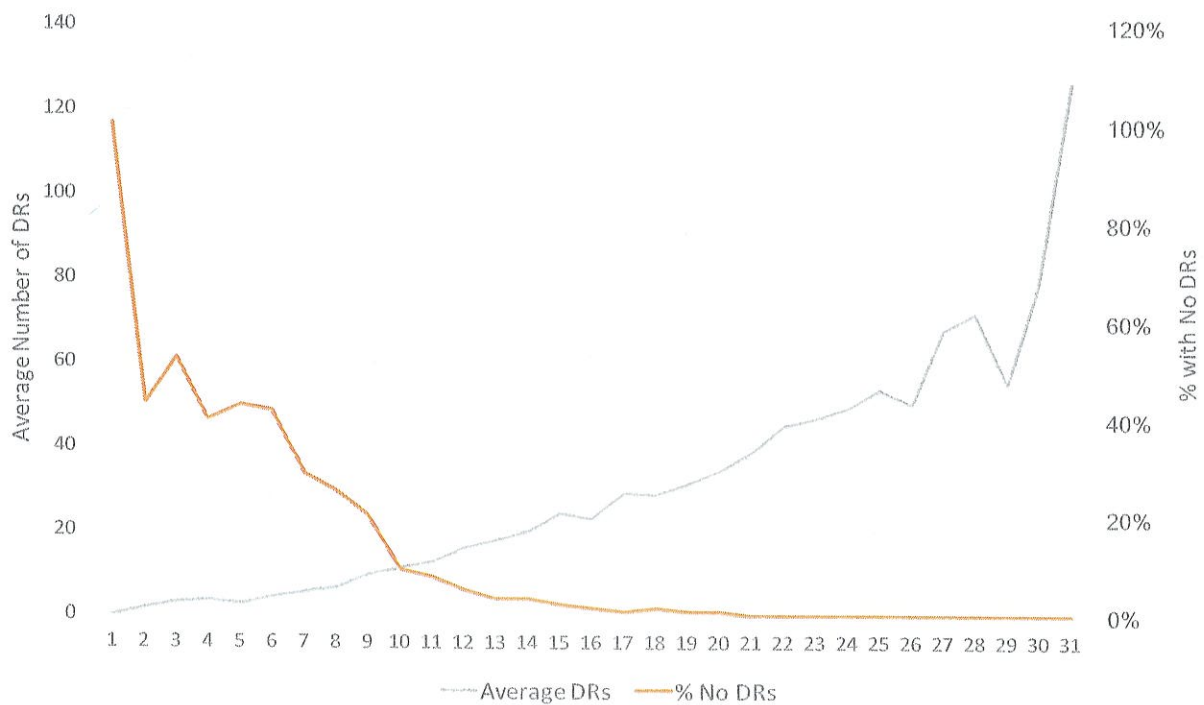


Reclassification
N=14,612 with LOS GT One Year

ITEM #1 Current Offense	Score	Inmates	%
Level 1 or 2	1	560	3.8%
Level 3	2	1,562	10.7%
Level 4	4	8,061	55.2%
Level 5	6	4,429	30.3%
ITEM #2 Prior Commitments			
None	0	8,380	57.4%
Any Prior Commitment GT 90 days	2	4,558	31.2%
Any Prior Commitment – Violent Crime – GT 90 days	6	1,674	11.5%
ITEM #3 Escape History			
None Listed	0	13,464	92.1%
Class 1 or more	3	877	6.0%
Class 2 or more	7	271	1.9%
ITEM #4 Past Institutional Violence			
None	0	12,292	84.1%
Any Assault past 24 months or GT 25 months	3	1,923	13.2%
Any Assault past 24 months or GT 25 Months involving weapon	7	397	2.7%
ITEM #5 Current Age			
32 years and younger	3	4,817	33.0%
33 – 41 years	2	3,992	27.3%
42 -52 years	1	3,262	22.3%
53 years and older	0	2,541	17.4%
ITEM #6 Gender			
Male	0	13,832	94.7%
Female	-1	780	5.3%
ITEM #7 Long Term Offender			
Yes	1	9,557	65.4%
No	0	5,055	34.6%
ITEM #8 Gang Affiliation			
Yes	2	1,649	88.7%
No	0	12,963	11.3%
ITEM #9 # of Disciplinary with Conviction			
None past 24 mos.	-2	1,780	12.2%
None past 12 mos.	-1	6,891	47.2%
1 – 3 past 12 mos.	0	4,456	30.5%
4-5 past 12 mos.	1	824	5.6%
6+ past 12 mos.	2	661	4.5%
Item #10 Compliance with Case Plan – Past 12 Mos.			

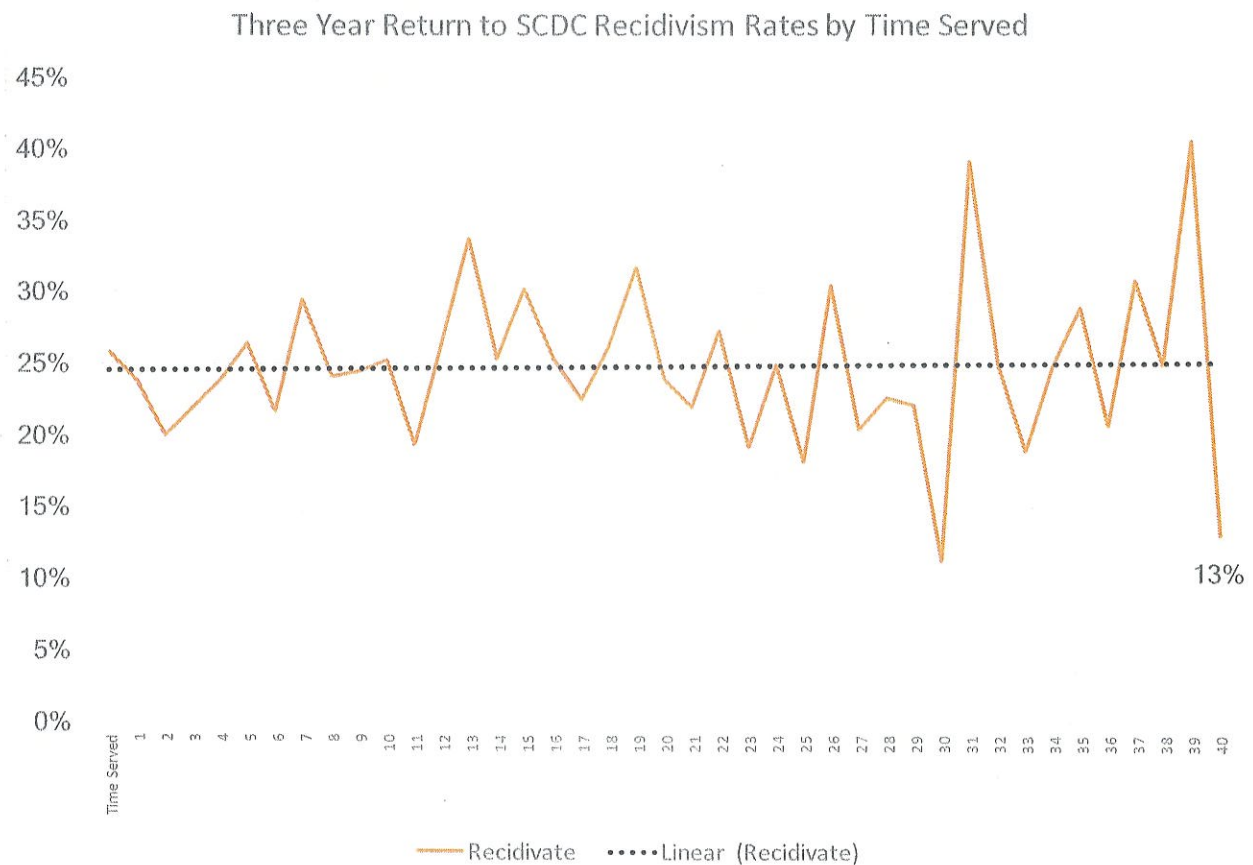
Non-Compliance	2		
Partial Compliance	0		
Full Compliance	-2		

Re-Classiification Simulation - Total Points vs.Average Incidents and %
with No DR Incidents
Current Inmate Population



Developing Risk, Needs and Case Plan Instruments

1. Average time served in SCDOC for FY 2014 Releases (9,485) was 784 days (about 2.2 years)
2. Median time (midpoint) served in SCDOC for FY 2014 was 309 days (less than a year)
3. For every 30 days reduction in the LOS, the prison populations declines by 800 inmates.
4. There is no relationship between LOS and Recidivism Rates
5. Significant reductions in prison populations in several states were associated with significant reductions in crime rates.
6. Key reform is associating reductions in LOS with compliance with cases plans designed to reduce risk.
7. In order for this to occur there must be meaningful incentives for the inmate to comply with case plan requirements.



**Prison and Crime Rate Reductions
New York, California, New Jersey, and Maryland**

	NY	CA	NJ	MD
Reform Year	1999	2006	1999	2008
Prison Population Before Reform	72,899	175,512	31,493	23,239
Current Prison Population	51,727	129,593	20,489	20,274
Prison Reduction	-21,172	-45,919	-11,004	-2,965
% Reduction	-29%	-26%	-35%	-13%
Crime Rate Before Reform	3,279	3,743	3,400	4,126
Current Crime Rate	1,984	3,045	1,882	2,772
Crime Rate Reduction	-1,296	-698	-1,518	1,354
% Reduction	-40%	-19%	-45%	-33%

**Table 3. Maryland Dynamic Risk Scoring Factors
Assessed Prior to Parole Consideration**

Program Completed	3 Year Return to Prison Rate
Yes	31%
No	38%
Security Level	
Pre-Release	33%
Minimum	36%
Medium/Higher	50%
Case Plan	
Full Compliance	31%
Partial Compliance	37%
Non-Compliance	46%

**Table 4. Changes in Risk Level
Prison Admission versus Release**

Risk Level	At Admission	At Release	Difference
Low	1,310	1,696	+386
Low Moderate	1,123	1,273	+150
Moderate	1,358	1,847	+489
High	2,446	1,421	-1,025

**Table 5. Recidivism Rates by Static Risk Level at
Admission vs. Dynamic Risk Level at Release**

Risk Level	Risk at Admission	Risk at Release
Low	21%	27%
Low Moderate	18%	20%
Moderate	22%	30%
Higher	39%	23%

Suggested South Carolina Initial Risk Assessment Factors

Item	Points	Rate
Total		22.3%
1. Arrested prior to age 17		
Yes	2	31.4%
No	0	18.7%
2. Gender		
Male	1	23.2%
Female	0	14.6%
3. Age at Release		
21 and younger	2	33.2%
22 – 33	1	23.8%
34 – 51	0	20.6%
52 plus	-1	12.8%
4. Gang Affiliation		
Yes	2	32.0%
No	0	21.7%
5. Drug Ind		
Yes	2	30.0%
No	0	22.4%
6. Previous Violence Code		
1 B	0	21.8%
2	1	29.0%
3	2	37.7%
7. Any Prior Commitments GT 90 days		
None to One	0	20.5%
Two	1	25.0%
Three to Four	2	30.4 %
Five or more	3	39.3%

Next Steps

1. Develop prototype classification system forms and pilot test on random sample of the current prison population
2. Work with Classification and Research to Develop Reliable and Valid Risk, Needs and Case Plan Instruments.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INSTRUCTIONS FOR COMPLETING INITIAL AND RECLASSIFICATION SECURITY INSTRUMENTS

This document contains instructions for completing the initial classification and reclassification instruments for all inmates held in the South Carolina Department of Corrections (SCDOC) and its various facilities. All sections must be filled out completely using a combination of information provided by the inmate, the inmate's file, prior criminal history, pre-sentence investigations, and other institutional files where available.

Using information in the inmate's file, staff should complete all scoring items on the first page of the initial custody classification form. This will produce a total custody score that will indicate an initial custody designation. Once the initial custody designation has been completed, the inmate should be interviewed to verify the accuracy of objective classification data, determine the need for special housing, explain the classification process to the inmate, and indicate the recommended custody level (Minimum, Medium, Close).

Once the interview has been completed, designated staff must complete the portion of the form that requires staff to consider the need for a custody level over-ride and make a final custody designation. If an over-ride is used to modify the inmate's scored custody level, staff must have the recommended over-ride and modified custody designation approved by the Classification Supervisor /Designee. Any over-rides that would result in either scored close custody prisoner being recommended for minimum custody or a score minimum custody prisoner being recommended for close custody must be approved by the SCDOC Classification Office.

Once this step has been completed, the classification data should be entered into the data system. A housing recommendation will then be made based upon the facility's housing plan, program needs, and bed availability.

Note that there is a different custody scale for the female inmates. The actual scoring items and weights remain the same for both the male and female forms that are listed in attachments.

CUSTODY/SECURITY INITIAL CLASSIFICATION

A. IDENTIFYING INFORMATION

Inmate's Name:

Last: Enter the inmate's last name.

First: Enter the inmate's first name.

M.I.: Enter the inmate's middle initial.

SCDOC Number:

Enter the inmate's state number as it appears on the file.

Institution:

Enter the facility to which the inmate is assigned and the initial classification is conducted.

Initial Classification Date: Enter date of actual initial classification.

B. CUSTODY EVALUATION

Items 1 through 7 are intended to identify an inmate who presents a serious risk to the safety, security, and orderly operation of the facility. In the space provided for the SCORE in the right hand column of each item, enter the number of points indicated for the category that applies to the inmate.

1. Severity of Current Offense:

To determine the Severity of Current Offense, consider the primary crime for which the inmate is committed to the SCDOC. (If the inmate is held pursuant to a detainer or warrant, consider the detainer or warrant charge.) For multiple charges, the charge with the highest severity level will be used in scoring this item. Next, using the Severity of Current Offense table below, enter the appropriate number of points corresponding to the severity level of the most severe current offense.

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
7	Category 5
5	Category 4
3	Category 3
1	Category 1 or 2

2. Severity of Prior Felony Sentences History (past 7 years):

Score the inmate's prior felony sentences, not including the current offense, that have occurred in the past 7 years. Use the same severity point system used for the Current Offense item listed above.

3. History of Escape or Attempts to Escape (past 7 years):

Score the inmate's prior record of escape or attempted escape from a correctional facility by the class level of the escape. . Scoring should be based on the date of return to custody.

Enter 0, if the inmate has not escaped or attempted escape.

Enter 3, if the inmate has been convicted of a Class 2 escape in the past 7 years.

Enter 7, if the inmate has been convicted of a Class 1 escape in the past 7 years.

4. Institutional Violence History (Past 7 years):

Score the inmate's documented institutional violence in the past 7 years to determine the most serious incident of institutional violence. Any incidence of institutional violence documented in the SCDOC disciplinary process requires a finding of guilt through the court system or through the institutional disciplinary process. Include the incarceration period for the current charge. History of violence must be documented and present in the inmate's file in order to assign points.

Enter 0, if the inmate has no history of institutional violence.

Enter 5, if most severe incident was an assault or behavior NOT involving the use of a weapon BUT resulting in serious injury

Enter 7, if most severe incident was an assault or behavior involving the use of a weapon AND/OR resulting in serious injury.

5. Current Age: Score the inmate's age at the time of the interview.

Enter 2, if the inmate is 25 years or younger.

Enter 1, if the inmate is 26-32 years old.

Enter 0, if the inmate is 33 to 50 years old.

Enter -1, if the inmate is 51 years or older

6. Gang Affiliation: Score the inmate's validated gang member.

Enter 0, if the inmate is not a validated or suspected gang member.

Enter 1, if the inmate is a suspected gang member as defined by the SCDOC

Enter 2, if the inmate has been validated by either the SCDOC or the NCIC data systems.

7. Mitigating Factors: Score the inmate's educational attainment and whether the inmate was previously assigned to minimum custody during the most recent incarceration. An inmate can get a maximum of -2 points on this item.

Enter 0, if the inmate does NOT have a verified high school diploma or GED or was not released from minimum custody on the most recent SCDOC incarceration.

Enter -1, if the inmate has a verified high school degree or GED.

Enter -1, if the inmate was previously released from minimum custody on the most recent SCDOC incarceration.

C. CUSTODY SCALE AND RECOMMENDATIONS

Assign Custody Level Indicated by Scale: Using the Custody Level Scale, determine the custody level indicated by the inmate's Total Custody Score (or the inmate's Max Custody Score where the subtotal of items 1-4 is 10 or more). Enter the Scored Custody Level Code in the right-hand column.

Enter Close if inmate scored 10 points or more on items 1-7.

Enter Medium if inmate scored 5 to 9 points on items 1-7.

Enter Minimum if inmate scored 4 or fewer points on items 1-7.

For females use the following scale:

Enter Close if inmate scored 12 points or more on items 1-7.

Enter Medium if inmate scored 6 to 11 points on items 1-7.

Enter Minimum if inmate scored 5 or fewer points on items 1-7.

Over-Riding Scored Custody Level:

Check all special management concerns that apply to the inmate for the purpose of over-riding the scored custody level. Over-rides can be discretionary or non-discretionary.

Non-discretionary over-rides are based on SCDOC policies specifying that certain types of inmates cannot be placed in minimum security facilities and cannot be assigned a minimum custody status. For example, non-discretionary over-ride policies apply to the sex offenders, prisoners with more than 5 years to serve, those with felony detainers, and those with an INS detainer are not eligible for minimum custody placement.

Discretionary over-rides are based on the inmate's behavior or status; these over-rides may result in recommendations that the inmate receive a higher or a lower custody than the scored custody level. For example, a case manager may over-ride an inmate from medium custody to close custody because the inmate is a serious, violent threat to other inmates and/or staff and therefore requires more supervision.

NOTE: Even if an over-ride is not being recommended, all discretionary statuses or behaviors applicable to the inmate should be checked to ensure the close amount of information is being included on the form.

Non-Discretionary – Minimum Custody Restrictions

- ☐ GT 5 yrs. To serve.
- ☐ Convicted Sex Offender
- ☐ Felony Detainer (Category 3-5)
- ☐ HOLD or Wanted (Category 3-5)
- ☐ INS Detainer
- ☐ Non US Citizen
- ☐ Prior Escape – Class 1
- ☐ Validated gang leader
- ☐ Violent with prior violent conviction

Discretionary Over-Ride – Higher Custody

- ☐ Recent Assaultive Behavior (w/in past 12 months)
- ☐ Gang affiliation/recent activities
- ☐ Crime More Severe Than Scored
- ☐ Prior Record More Severe Than Scored
- ☐ Recent Disruptive Behavior
- ☐ Notoriety of Offense

___Security Concerns
___Arrest History

Discretionary Over-Ride – Lower Custody

___Positive Adjustment
___Crime Less Severe Than Scored
___Pre-Release/ Re-Entry Programming Needs
___Prior Record Less Severe Than Scored
___Behavior Warrants less restrictive
___Prior minimum custody placement
___Physically disabled Inmate

Is Over-Ride of Scaled Custody Level Recommended?

Check the appropriate box (yes or no) indicating whether the case manager is recommending an over-ride from the scored custody level. If yes, give the rationale for the over-ride recommendation in the space provided.

Recommended Population Assignment and Custody Level: Indicate both the recommended Population Assignment and Custody Level.

Population Assignment: Enter the two-letter code for the recommended population assignment in the space provided.

Enter GP, if population assignment is General Population.

Enter PC, if population assignment is Protective Custody.

Enter MD, if population assignment is Medical.

Enter MH, if population assignment is Mental Health.

Enter AD, if population assignment is Administrative Segregation.

Custody Level: Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

Enter MIN, if custody level is Minimum

Enter MED, if custody level is Medium

Enter CLO if custody level is Close

Case manager Signature:

The staff person who completed the form must sign and date the form.

D. REVIEW OF RECOMMENDED OVER-RIDE

Approval of Recommended Population Assignment and Custody Level

Check whether the population assignment and custody level is approved. If not, provide a reason or rationale for your decision.

Population Assignment:

Enter the two-letter code for the final population assignment in the space provided.

Enter GP, if population assignment is General Population.

Enter PC, if population assignment is Protective Custody.

Enter MD, if population assignment is Medical.

Enter MH, if population assignment is Mental Health.

Enter AD, if population assignment is Administrative Detention

Custody Level: Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

Enter MIN, if custody level is minimum

Enter MED, if custody level is medium.

Enter CLO, if custody level is close.

Classification Supervisor/Designee Signature

Sign and date the form.

CUSTODY RECLASSIFICATION

This section of the manual contains the detailed instructions for completing the reclassification custody instrument. Proper case management requires periodic review of each inmate's classification and custody status. Unlike the initial classification instrument, the reclassification instrument places greater emphasis on the inmate's institutional conduct. Inmates are to be reclassified every year.

As indicated above, the reclassification form evaluates and places more emphasis on the inmate's in-custody and institutional behavior (i.e. the number of disciplinary reports and severity of infractions). Based upon the data in the inmate's file, the Case Manager should complete all scoring items on the first page of the reclassification form. This will allow staff to make a custody designation using the reclassification criteria. Once the custody designation has been completed, the inmate should be interviewed to verify the accuracy of objective classification data, determine the need for special housing, explain the classification process to the inmate, and indicate the recommended custody level (minimum, medium or close).

Once the interview has been completed, the Case Manager must complete the portion of the form that requires he/she to consider the use of an over-ride and make a final custody designation. If an over-ride is used to

modify the inmate's scored custody level, the Officer must recommend the rationale for the over-ride and modified custody designation. The over-ride must be approved by the Case Management Supervisor. Any over-rides that would result in either scored close custody prisoner being recommended for minimum custody or a score minimum custody prisoner being recommended for close custody must be approved by the SCDOC Transfer Coordinator's Office.

Once this step has been completed, the classification data should be entered into the data system. After the data have been entered, the Classification Examiner must print out a hard copy of the classification form, obtain any required signatures and place the form in the inmate's file. A housing recommendation will then be made based upon the facility's housing plan, program needs and bed availability.

A. IDENTIFYING INFORMATION

Inmate's Name:

Last: Enter the inmate's last name.

First: Enter the inmate's first name.

M.I.: Enter the inmate's middle initial.

SCDOC ID:

Enter the inmate's state number as it appears on the file.

Institution:

Enter the facility to which the inmate is assigned and the re-classification is conducted.

Today's Date: Enter date of reclassification.

Current Custody Level:

Enter the prisoner's current custody level.

Last Review Date:

Enter the date the prisoner was last reviewed for custody.

B. CUSTODY RE-EVALUATION

Items 1 through 8 are intended to identify an inmate who presents a serious risk to the safety, security, and orderly operation of the facility. In the space provided for the SCORE in the right hand column of each item, enter the number of points indicated for the category that applies to the inmate.

1. Severity of Current Offense:

To determine the Severity of Current Offense, consider the primary crime for which the inmate is committed to the SCDOC. (If the inmate is held pursuant to a detainer or warrant, consider the detainer or warrant charge.) For multiple charges, the charge with the highest severity level will be used in scoring this item. Next, using the Severity of Current Offense table below, enter the appropriate number of points corresponding to the severity level of the most severe current offense.

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
6	Category 5
4	Category 4
2	Category 3
1	Category 1 or 2

2. Severity of Prior Felony Sentences History (past 7 years):

Score the inmate's prior felony sentences, not including the current offense, that have occurred in the past 7 years. Use the same severity point system used for the Current Offense item listed above.

3. History of Escape or Attempts to Escape (past 7 years):

Score the inmate's prior record of escape or attempted escape from a correctional facility by the class level of the escape. . Scoring should be based on the date of return to custody.

Enter 0, if the inmate has not escaped or attempted escape.

Enter 3, if the inmate has been convicted of a Class 2 escape in the past 7 years.

Enter 7, if the inmate has been convicted of a Class 1 escape in the past 7 years.

4. Institutional Violence History (Past 7 years):

Score the inmate's documented institutional violence in the past 7 years to determine the most serious incident of institutional violence. Any incidence of institutional violence documented in the SCDOC disciplinary process requires a finding of guilt through the court system or through the institutional disciplinary process. Include the incarceration period for the current charge. History of violence must be documented and present in the inmate's file in order to assign points.

Enter 0, if the inmate has no history of institutional violence.

Enter 5, if most severe incident was an assault or behavior NOT involving the use of a weapon BUT resulting in serious injury

Enter 7, if most severe incident was an assault or behavior involving the use of a weapon AND/OR resulting in serious injury.

5. Current Age: Score the inmate's age at the time of the interview.

Enter 2, if the inmate is 25 years or younger.

Enter 1, if the inmate is 26-32 years old.

Enter 0, if the inmate is 33 to 50 years old.

Enter -1, if the inmate is 51 years or older

6. Gang Affiliation: Score the inmate's validated gang member.

Enter 0, if the inmate is not a validated or suspected gang member.

Enter 1, if the inmate is a suspected gang member as defined by the SCDOC

Enter 2, if the inmate has been validated by either the SCDOC or the NCIC data systems.

7. Frequency of Disciplinary Reports

Enter the number of points associated with the number of disciplinary reports against the inmate during the last 12 – 24 months. Note: Count only those disciplinary reports in which there has been a finding of guilt.

Enter -2 if there have been no DR convictions the past 24 months

Enter -1 if there have been no DR convictions in the past 12 months

Enter 1 if there have been 1-3 DR convictions in the past 12 months

Enter 3 if there have been 4-5 DR convictions in the past 12 months

Enter 5 if there have been 6 or more DR convictions in the past 12 months.

8. Programs Completed on Current Incarceration – Past 12 months

During the inmate's current incarceration, score the program and work activity that has been occurring during the past 12 months.

Enter 2 if the inmate has been refusing to work or participate in programs

Enter -1 if the inmate has received any work or program credits.

Enter -2 if the inmate has continuously been receiving earned work or program credits.

C. CUSTODY SCALE AND RECOMMENDATIONS

Assign Custody Level Indicated by Scale: Using the Custody Level Scale, determine the custody level indicated by the inmate's Total Custody Score (or the inmate's High Custody Score where the subtotal of items A-D is 10 or more). Enter the Scored Custody Level Code in the right-hand column.

Enter Close, if inmate scored 10 points or more on items 1-9.

Enter Med, if inmate scored 5-9 points on items 1-8.

Enter Min, if inmate scored 4 or fewer points on items 1-8.

For females use the following scale:

Enter Close, if inmate scored 12 points or more on items 1-8.

Enter Med, if inmate scored 6 to 11 points on items 1-8.

Enter Min, if inmate scored 5 or fewer points on items 1-8.

Over-Riding Scored Custody Level:

Use the same over-ride factors as described for the initial classification instrument.

Case manager Signature:

The staff person who completed the form must sign and date the form.

Date of Next Review

List the date for the next scheduled classification review.

D. APPROVAL OF RECOMMENDED OVER-RIDE

Approval of Recommended Population Assignment and Custody Level

Check whether the population assignment and custody level is approved. If not, provide a reason or rationale for your decision.

Population Assignment:

Enter the two-letter code for the final population assignment in the space provided.

Enter GP, if population assignment is General Population.

Enter PC, if population assignment is Protective Custody.

Enter MD, if population assignment is Medical.

Enter MH, if population assignment is Mental Health.

Enter AD, if population assignment is Administrative Detention.

Custody Level: Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

Enter MIN, if custody level is minimum

Enter MED, if custody level is medium.

Enter CLO if custody level is close.

Classification Supervisor Signature

Sign and date the form.

South Carolina Department of Corrections

Initial Classification - Males

Inmate's Name: _____ SCDC#: _____

Institution: _____ Review Date: _____

ITEM #1 Current Offense with Highest Category	Pts	Score
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
ITEM #2 Prior Convictions – Highest Category in past 7 years		
None	0	
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
ITEM #3 Escape History – in Past 7 years		
None	0	
Class 2 or more	3	
Class 1 or more	7	
ITEM #4 Institutional Assaultive History – in Past 7 years		
None	0	
Any Assault - no weapon	3	
Any Assault - weapon used	7	
ITEM #5 Current Age		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
ITEM #6 Validated/Suspected Gang Membership		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
ITEM # 7 Mitigating Factors		
Verified Education (HS/GED or higher)	-1	
Prior SCDOC Minimum Custody at Release	-1	
Total Score		

TOTAL CUSTODY SCORE (items 1 – 7) – Circle One

10 or more points = Close

4 to 9 points = Medium

3 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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Is Over-Ride of Scored Custody Level Recommended? ☐ Yes ☐ No
 (must be approved by supervisor)

If yes, give rationale (required):

Recommend Population Assignment and Custody Level**Population Assignment:** _____**Custody Level:** _____

General Population	GP
Protective Custody	PC
Medical	MD
Mental Health	MH
Administrative Segregation	AS

Minimum	MIN
Medium	MED
Close	CLO

Classification Caseworker: _____ **Date:** ____/____/____**Next Review Date** ____/____/____

South Carolina Department of Corrections Re-Classification – Males

Inmate's Name: _____ **SCDOC#:** _____
Institution: _____ **Date of Review:** _____ **Review Reason** _____

ITEM #1 Current Offense with Highest Category	Pts	Score
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
ITEM #2 Prior Convictions – in Past 7 Years		
None	0	
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
ITEM #3 Escape History - in Past 7 Years		
None Listed	0	
Class 2 or more	3	
Class 1 or more	7	
ITEM #4 Past Assaultive Disciplinary History – in Past 7 Years		
None	0	
Any Prison or Jail Assault – no weapon	3	
Any Assault involving weapon – weapon used	7	
ITEM #5 Current Age		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
ITEM #6 Validated/Suspected Gang Membership		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
ITEM #7 Number of Major Disciplinary Convictions		
None past 24 mos.	-2	
None past 12 mos.	-1	
1 – 3 past 12 mos.	1	
4-5 past 12 mos.	3	
6+ past 12 mos.	5	
Item #8 Work/Program Participation – in Past 12 Mos.		
Refusing to Work or Program	2	
Partially Received Earned Work or Program Credits past 12 months	-1	
Continually Received Earned Work /Program Credits– Or Not Required	-2	
Total Score		

TOTAL CUSTODY SCORE (items 1 –8) - Circle One

10 or more points = Close

4 to 9 points = Medium

3 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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Is Over-Ride of Scored Custody Level Recommended? ☐ Yes ☐ No

(must be approved by supervisor)

If yes, give rationale (required):

Recommend Population Assignment and Custody Level**Population Assignment** _____ **Custody Level:** _____

General Population	GP	Minimum	MIN
Protective Custody	PC	Medium	MED
Medical	MD	Close	CLO
Mental Health	MH		
Administrative Segregation	AS		

Classification Caseworker: _____ **Date of Review** ____/____/____**Next Review Date** ____/____/____

South Carolina Department of Corrections Initial Classification - Females

Inmate's Name: _____ **SCDC#:** _____
Institution: _____ **Review Date:** _____

ITEM #1 Current Offense with Highest Category	Pts	Score
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
ITEM #2 Prior Convictions – in past 7 years		
None	0	
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
ITEM #3 Escape History - in past 7 years		
None	0	
Class 2 or more	3	
Class 1 or more	7	
ITEM #4 Assaultive Disciplinary Convictions- in Past 7 years		
None	0	
Any Assault - no weapon	3	
Any Assault - weapon used	7	
ITEM #5 Current Age		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
ITEM #6 Validated/Suspected Gang Membership		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
ITEM # 7 Mitigating Factors		
Verified Education (HS/GED or higher)	-1	
Prior SCDOC Minimum Custody at Release	-1	
Total Score		

TOTAL CUSTODY SCORE (items 1 – 8) – Circle One

12 or more points = Close

6 to 11 points = Medium

5 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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Is Over-Ride of Scored Custody Level Recommended? ☐ Yes ☐ No
 (must be approved by supervisor)

If yes, give rationale (required):

Recommend Population Assignment and Custody Level**Population Assignment:** _____**Custody Level:** _____

General Population

GP

Minimum

MIN

Protective Custody

PC

Medium

MED

Medical

MD

Close

CLO

Mental Health

MH

Administrative Segregation

AS

Classification Caseworker: _____ **Date:** ____/____/____**Next Review Date** ____/____/____

South Carolina Department of Corrections Re-Classification – Females

Inmate's Name: _____ **SCDC#:** _____
Institution: _____ **Date of Review:** _____ **Review Reason** _____

ITEM #1 Current Offense with Highest Category	Pts	Score
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
ITEM #2 Prior Convictions – in Past 7 Years		
None	0	
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
ITEM #3 Escape History - in Past 7 Years		
None Listed	0	
Class 2 or more	3	
Class 1 or more	7	
ITEM #4 Past Assaultive Disciplinary History – in Past 7 Years		
None	0	
Any Prison or Jail Assault – no weapon	3	
Any Assault involving weapon – weapon used	7	
ITEM #5 Current Age		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
ITEM #6 Validated/Suspected Gang Membership		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
ITEM #7 Number of Major Disciplinary Convictions		
None past 24 mos.	-2	
None past 12 mos.	-1	
1 – 3 past 12 mos.	1	
4-5 past 12 mos.	3	
6+ past 12 mos.	5	
Item #8 Work/Program Participation – in Past 12 Mos.		
Refusing to Work or Program	2	
Partially Received Earned Work or Program Credits past 12 months	-1	
Continually Received Earned Work /Program Credits– Or Not Required	-2	
Total Score		

TOTAL CUSTODY SCORE (items 1 –8) - Circle One

12 or more points = Close

6 to 11 points = Medium

5 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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Is Over-Ride of Scored Custody Level Recommended? ☐ Yes ☐ No

(must be approved by supervisor)

If yes, give rationale (required):

Recommend Population Assignment and Custody Level**Population Assignment** _____ **Custody Level:** _____

General Population	GP	Minimum	MIN
Protective Custody	PC	Medium	MED
Medical	MD	Close	CLO
Mental Health	MH		
Administrative Segregation	AS		

Classification Caseworker: _____ **Date of Review** ____/____/____**Next Review Date** ____/____/____

South Carolina Initial Risk Assessment Factors

Item	Risk Points	Return to Prison Recidivism Rate
Total		22.3%
1. Arrested prior to age 17		
Yes	2	31.4%
No	0	18.7%
2. Gender		
Male	1	23.2%
Female	0	14.6%
3. Age at Release		
21 and younger	2	33.2%
22 – 33	1	23.8%
34 – 51	0	20.6%
52 plus	-1	12.8%
4. Gang Affiliation		
Yes	2	32.0%
No	0	21.7%
5. Drug Indicated		
Yes	2	30.0%
No	0	22.4%
6. Previous Violence Code		
None	0	14.6%
1 B	1	21.8%
2	2	29.0%
3	3	37.7%
7. Any Prior Commitments GT 90 days		
None to One	0	20.5%
Two	1	25.0%
Three to Four	2	30.4 %
Five or more	3	39.3%
Risk Level		
Low	0-3	9.9%
Moderate	4-7	20.6%
High	8 plus	37.1%

South Carolina Department of Corrections
Initial Needs Assessment And Case Management Plan

Prisoner Name: _____ DOC#: _____ Date: ____/____/____

Need Area	Score	Recommended Program
Education		
High School Degree, GED, Vocational Degree	0	None
Less than GED or high school degree but not illiterate	1	
Functionally Illiterate/Severe Reading Skills	2	
Substance Abuse		
No history of substance- not factor in current/prior crimes	0	None
Occasional abuse/factor in current or prior offenses	1	
Chronic abuse/Failed Treatment	2	
Alcohol Abuse		
No history of alcohol abuse -not factor in offense	0	None
Occasional abuse/factor in current or prior offenses	1	
Chronic alcoholism/Failed Treatment	2	
Employment		
Stable and Legitimate Employment or currently employed	0	None
Disabled/Retired/FT Student/FT Parent	0	
Irregular/illegitimate employment past 12 months	1	
Unemployed past 12 months/has job skills	2	
Unemployed- no marketable job skills	3	
Sex Offense Against Minor (under 18 years)		
No history of child molestation/sexual abuse	0	None
Prior arrest/conviction for child molestation/abuse	1	
Current conviction child molestation/abuse	2	
Both current supervision or within past 5 years	3	
Mental Health		
No prior mental health treatment	0	None
History of prior MH Treatment	1	
Current MH treatment Required	2	
Both current and prior history	3	
Violent or Sexual Crimes Against a Person		
None Noted	0	None
Factor in prior crimes	1	
Factor in current offense	2	
Both current and prior history or Pattern of Violence	3	
Total Needs Assessment Points		

Overall Needs Level:

0-2 points (**Low**); 3-6 points (**Moderate**); 7 points and above (**High**)

Case Management Plan Summary

Priority Programs, Start Dates, Completion Dates and Parole Eligibility Dates

Priority	Recommended Program	Program Start Date	Expected Completion Date	Parole Eligibility Date
1				
2				
3				

Current Risk Level: ☐ Low ☐ Moderate ☐ High

Projected Risk Level: ☐ Low ☐ Moderate ☐ High

Assessment Completed By: _____ **Date:** ____ / ____ / ____

☐ I have had my needs and risk assessments explained to me by my case manager.

☐ I understand that completion of at least one of the recommended programs (if so recommended) plus a satisfactory conduct record (no major DRs) and satisfactory performance on my work assignment will lower my risk level and thus significantly improve my chances of being paroled.

☐ I understand that failure to remain in compliance with my case management plan will have an adverse impact on my chances of being paroled.

☐ I agree to make a good faith effort to remain in compliance with my case management plan as listed here.

Prisoner's Signature: _____ **Date:** ____ / ____ / ____

Instructions and Guidelines for Dynamic Prison Risk Instruments

Factors	Points	Instructions
1. Current Age		Score the person based on the current age at the time of the assessment.
45 and above	0	
35-44	1	
25-34	2	
24 and younger	3	
2. Completed Education/Treatment /Voc Program?		Score a zero if the person has completed an approved education, treatment, substance abuse, counseling or vocational training program on this current sentence, or, has an existing GED or HS or higher degree.
Yes or Has GED/High School Degree (or not required)	0	
No	2	
3. Current Custody Level		Score the person based on their current prison custody level.
Minimum Custody	0	
Medium Custody	1	
Maximum Custody	3	
Restricted Housing	4	
4. Compliance With Case Management Plan		Score the person based on their current compliance with the existing case management plan. Full compliance means the person is meeting all of the plan's requirements. Partial compliance means the person is meeting one or more of the plan's requirements. Non-compliance means the person is not meeting any of the plan's requirements.
Full Compliance	0	
Partial Compliance	1	
Non-Compliance	3	
5. Current Security Threat Group Membership		Score the person one whether the DOC has designated him/her as an active member of a STG.
Active Member	3	
Non-Member	0	
6. Total Dynamic Score		Add all of the points for dynamic factors 1- 6
7. Risk Level Adjustment		Based on the total dynamic scores apply them to determine whether the current static risk level should be adjusted using the risk adjustment matrix guidelines.
Reduce One Level	0-3	
Retain at Current Risk Level	4-7	
Increase One Level	8 and above	
<i>Mitigating Over-Rides: If the assessor believes the risk level is too high, the following over-rides can be used to lower the risk level by one level only. Only use these over-rides if the assessor disagrees with the static risk level adjustment (Item 8).</i>		

1. Previous success on probation or parole:: The person has been on probation and parole and has successfully completed them without violations		
2. Current Age: The person is above the age of 40 and has demonstrated increased maturation		
3. Medical impairment/disabled: The person's current medical care is sufficiently poor so as to reduce the risk to public safety		
4. Age of prior convictions and arrests: The dates of the prior convictions are beyond 10 years and should be discounted		
<i>Aggravating Over-Rides: If the assessor believes the risk level is too low, the following over-rides can be used to lower the risk level by one level only. Only use these over-rides if the assessor disagrees with the static risk level adjustment (Item 8).</i>		
1. Gang member: The person is involved in a street gang which is substantially increasing the risk to public safety		
2. Criminal record more serious than the risk score reflects: The person's criminal record consists of numerous arrests with no convictions		
3. Significant untreated mental health problem(s): The person has a significant mental health problem that is not treated and poses a risk to public safety		
4. Recent drug and alcohol use in prison past 12 months The person has a recent (last two years) history of drug and/or alcohol abuse that remains untreated		

Review of Initial Risk Level At Parole Hearing

Factors	Points
1. Current Age	
52 and above	0
34-51	1
22-33	2
21 and younger	3
2. Completed Education/Treatment /Voc Program?	
Yes or Has GED/High School Degree (or not required)	0
No	2
3. Current Custody Level	
Minimum Custody	0
Medium Custody	1
Maximum Custody	3
Restricted Housing	4
4. Compliance With Case Management Plan	
Full Compliance	0
Partial Compliance	1
Non-Compliance	3
5. Current Security Threat Group Membership	
Active Member	3
Non-Member	0
6. Total Dynamic Score	
7. Risk Level Adjustment	
Reduce One Level	0-3
Retain at Current Risk Level	4-7
Increase One Level	8 and above

(i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system.

Implementation of the South Carolina Department of Corrections Modified Prison Classification System

The SCDC, in coordination with Dr. James Austin, has developed a modified objective prison classification system that will enhance the reliability and validity of the current classification system. The new system is based on national standards and best practices in prison classification is recommended by the National Institute of Corrections, U.S. Department of Justice. Computer simulations of the new system show it will better identify prisoners for close, medium and minimum custody.

Prior to the new system being implemented, there are three major tasks that need to be completed over the next 8-9 months. These tasks and time frames for completion are summarized and listed on the next page and are summarized next. There should also be a brief period of monitoring the new system (Task 4).

Task 1. Pilot Test the New System with SCDC Classification Staff, approximately two months.

Prior to implementation of the new system, it is critical to allow the classification staff to apply the instruments to a small but random sample of the current prison population. While computer simulations have already been done, it will be necessary to further test certain functions of the system with those staff who will be using it. Approximately 300 prisoners will be sampled and SCDC staff will apply the new forms (initial and reclassification) to each case. Dr. Austin will analyze the results of the pilot test data and help the SCDC make any final adjustments to the system.

Task 2. Develop IT Application for the New Classification System, approximately six months.

While the pilot test work is being completed, SCDC IT staff will begin developing the application that will automate the system. In addition to data entry screens the system will have certain auto scoring algorithms that enhance the usability and accuracy of the new system. A final IT application should be completed within six months.

Task 3. Implement the New Prison Classification System, approximately one month.

At this point, the design and automation of the new system are completed. Staff assigned to classification functions will then need to be formally trained on 1) new classification procedures and policies and 2) the use of the new IT application. The SCDC and Dr. Austin will conduct one-day training sessions to ensure a smooth implementation effort. Once completed, all newly admitted inmates will be classified under the system. Those inmates currently incarcerated will have the new reclassification instrument applied at their next scheduled annual classification review. Under this process, the entire prison population will be classified under the new system within one year.

Task 4. Monitor the New Classification System, approximately, three months,

As the new system is being applied, Dr. Austin and the SCDC will assess how inmates are being classified and housed under the new system. This work will consist of statistical analysis and meetings with classification staff to identify any problem areas.

TIME TASK CHART FOR IMPLEMENTING SCDC INMATE CLASSIFICATION SYSTEM

TASK	RESPONSIBILITY	COMPLETION DATE	AUSTIN COSTS
1. Conduct Pilot Test of Prototype Forms	Austin/ SCDOC	8/1/2019	\$5,000
a. Draw pilot test sample of 300 cases	Austin	6/3/2019	
b. Conduct one day training	Austin	6/10/2019	
c. Complete forms on 300 sampled cases	SCDC	7/1/2019	
d. Key, enter and analyze completed cases	Austin	7/15/2019	
e. Make modification of screens and policies as needed and submit to SCDC for final approval	Austin	8/1/2019	
2. Develop IT Application of New System	SCDC/Austin	2/1/2020	\$2,000
a. Develop new screens	SCDC/Austin	TBD	
b. Modify data base	SCDC	TBD	
c. Test new application with class staff	SCDC/Austin	TBD	
3. Implement New Classification System	Austin/SCDC	2/15/2020	\$2,000
a. Write new classification policies	SCDC/Austin	9/1/2019	
b. Reclass facilities	SCDC/Austin	TBD	
c. Train staff in new policies and IT application	SCDC/Austin	10/1/2019	
d. Implement new system	SCDC/Austin	2/15/2020	
4. Assessment and Final Report			\$5,000
Total Consultant Costs			\$14,000

Timeline - Reception and Evaluation Process (updated)

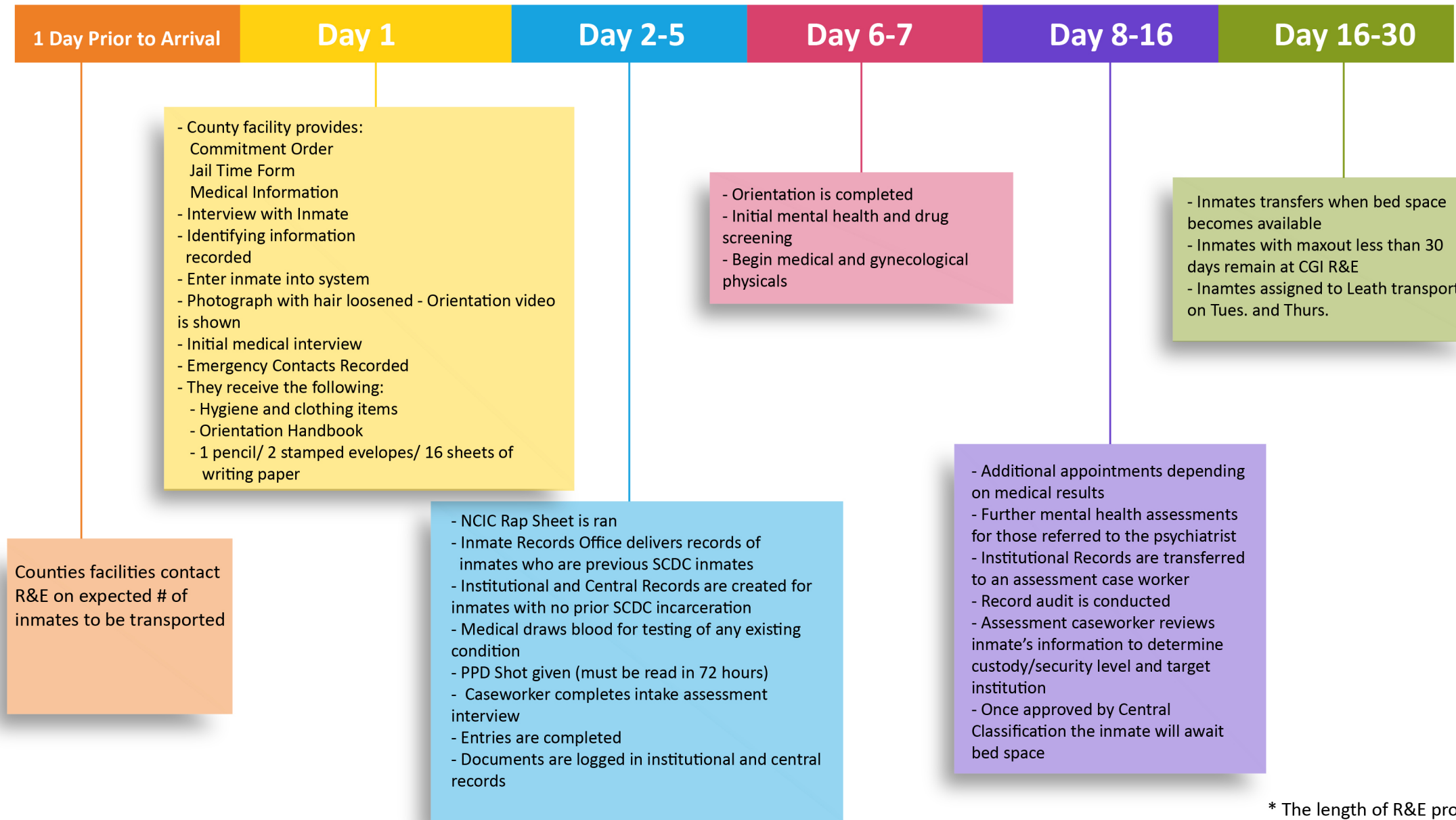
Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "Question #3: Please update the reception and evaluation process timeline to add the items about which Ms. Richardson testified during the March 21, 2019 meeting (e.g., when SCDC obtains inmate emergency contact information, provide inmate paper and pencil and envelopes)."



Timeline of Camille-Graham Reception and Evaluation Process

The below times are estimates. Transfer times may vary based on staff shortages, bedspace availability, institutional lockdown, and additional medical/mental health needs.

Included in SCDC's May 24, 2019 letter to LOC



Activities other than feeding and processing:

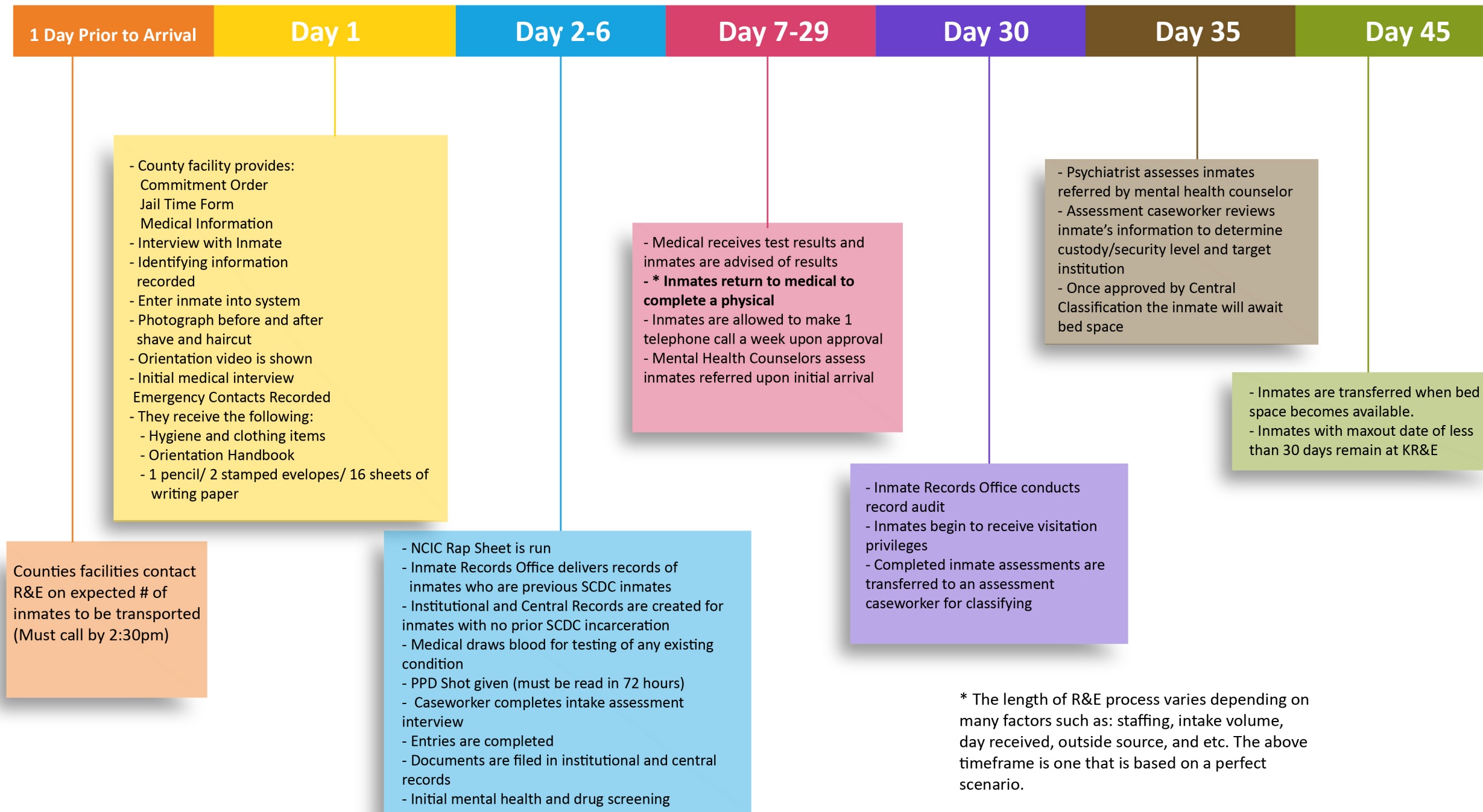
- Religion – Every other week a volunteer conducts a religious service and the institutional chaplain conducts door to door visits. Every week volunteers conduct door to door visits.
- Groups – Over 30 days, Tuesday and Thursday each week. New arrivals – group the following week after arrival for adjustment/coping skills.
- Library – 1 x a week
- Gym – 1 – 2 x a week
- Evening Activities – Every Monday - Thursday evening night is either movie night, game night or coloring/puzzles.
- Visitation – After 30 days the inmate is allowed one (1) visit every two (2) weeks with immediate family members on the approved visitation list. Visitation is held every weekday from 12pm-3pm.
- Phone privileges – Three (3) phone calls per week (Monday, Wednesday, Friday or Tuesday, Thursday, Saturday depending on bed assignment).

* The length of R&E process varies depending on many factors such as: staffing, intake volume, day received, outside source, and etc. The above timeframe is one that is based on a perfect scenario.



Timeline of Kirkland Reception and Evaluation Process

The below times are estimates. Transfer times may vary based on staff shortages, bedspace availability, institutional lockdown, and additional medical/mental health needs.



Activities other than feeding and processing:

- Monday – Friday 6pm-8pm CIU (faith based prison initiative program) conducts sermons, distributes religious and self-help materials, conducts groups and singing. (Cell to cell during lockdown).
- Tuesday/Friday/Saturday/Sunday - 12pm-2pm volunteers from churches and other organizations visit and also conducts the above activities.
- Visitation – After 30 days (1) visit is allowed every two (2) weeks with immediate family members on the approved visitation list. Visitation is held every weekday from 12pm-2pm.
- Phone Privileges – One (1) phone call per week (either Tuesday or Thursday based on bed assignment) after PIN number is submitted and approved.

Average Inmate Day - Reception and Evaluation (updated)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "4. Please update the graphic of the average inmate day in reception and evaluation graphic to add the items about which Ms. Richardson testified during the March 21, 2019 meeting (e.g., removal of "Canteen" in the "2:30pm-next day" block)."



Timeline of an Inmate Day

Reception and Evaluation Female Inmates

This is a generalized time frame of the movement of an inmate daily at an institution.

3:00 AM-
7:30 AM



- Wake up
- Breakfast
- Showers

8:00AM-
12:30 AM



- Medical sick call/ Lab work
- ***Mental Health Orientation**
- ***Medical Orientation**
- ***ATU/ Grievance Orientation**
- Lunch
- Recreation (tiered)
- In building library

*** occurrence depends on day of the week.**

1:00PM-
2:00PM



- Laundry/Dorm cleaning
- Law library

2:30PM-
next day



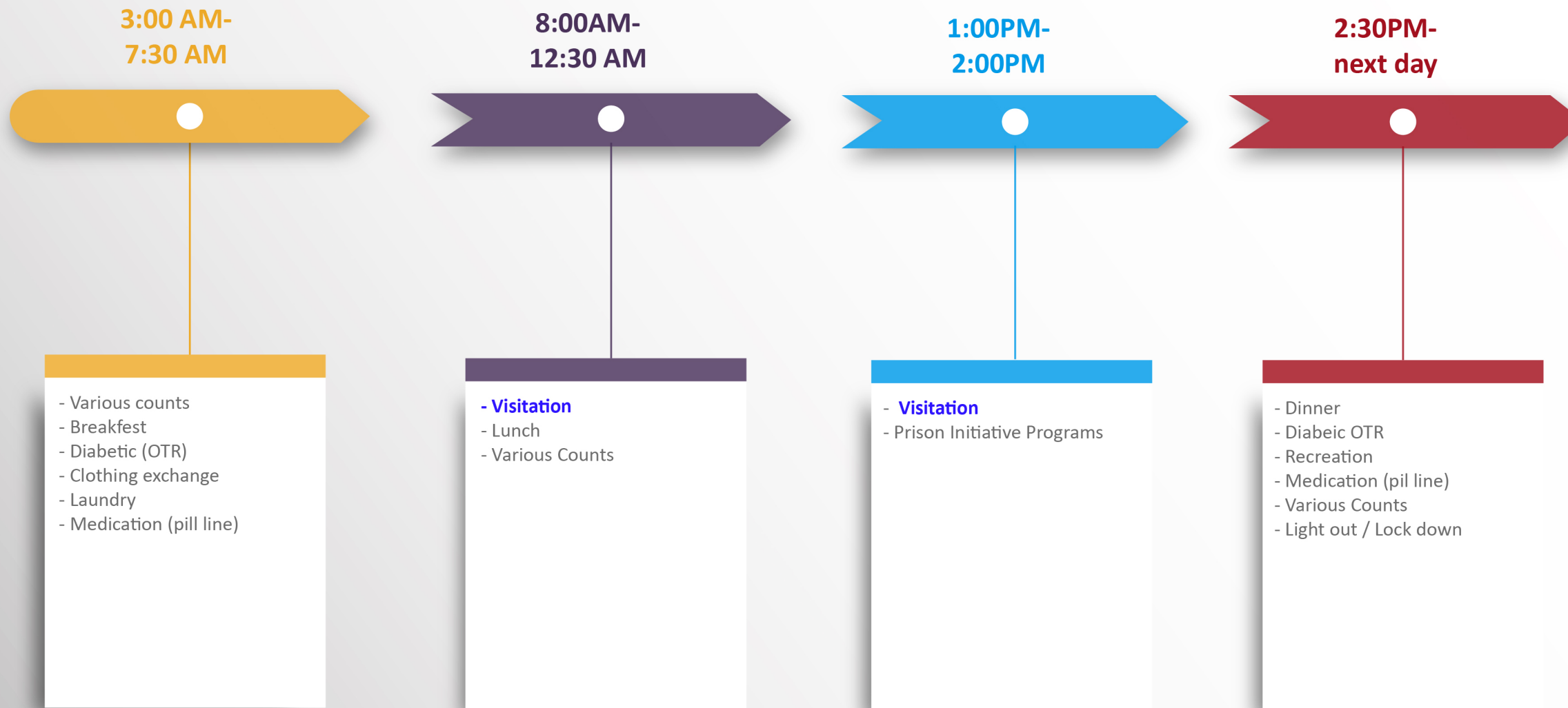
- Dinner
- Telephone calls
- Clean cells



Timeline of an Inmate Day

Reception and Evaluation Male Inmates

This is a generalized time frame of the movement of an inmate daily at an institution.



***visitation is from 12-2pm. R&E inmates are allowed 1 visit every 2 weeks.**

Average Inmate Day While Incarcerated (Updated)

(Applies once an inmate is assigned to a facility after being processed in a reception and evaluation center)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to following question in LOC's May 16, 2019 letter to the Department of Corrections: "5. Please update the graphics of the average inmate day at each security level (e.g., Level I; Level II/III; and Restrictive Housing Unit (RHU)) to indicate the following information, as long as this information does not create a security risk: (a) When the inmate is locked in their cell versus outside their cell; (b) Which events require a guard escort (e.g., escort to academic class or programming, escort to medical services); (c) Other events which occur regularly, but may not occur every day (e.g., meeting with inmate classification worker); and (d) Situations in which RHU applies (e.g., single inmate lock up, dorm/wing/facility lock down)."

In addition to providing the information in this document, SCDC provided the following response:

- Level II and III-Restrictive Housing Unit – to provide for the management of inmates requiring more intense behavioral levels of supervision and monitoring in separated area (violent/assaultive/disruptive/escape behaviors)
 - Generally, out of their cell 1 hour per day
 - Escorted at all times in restraints
 - Normally single celled
 - Other events that occur – mental health groups, QMHP visits, visitation, haircuts, recreation, showers, caseworker, review boards, medical visit
 - Restrictive Housing assignment is per policy OP 22.38
- Structured Living Unit - to provide for the management of inmates whose behavior indicates a need for a more structured living environment than provided in General Population, but do not require placement in a Restrictive Housing Unit
 - Generally, out of their cell 2.5 hours per day
 - Escorted any time the inmate exits the unit
 - Double celled
 - Other events that occur – mental health groups, QMHP visits, visitation, haircuts, recreation, showers, caseworker, review boards
 - Not considered a Restrictive Housing Unit per ACA Standards or DOJ Guidelines
- Transition Unit – to provide for the management of general population inmates that are behaviorally compliant and awaiting assignment to education, vocational, work, or program.
 - Generally, out of their cell 4 - 6 hours per day
 - Generally, not escorted. Moves during controlled movement. Events requiring escort would be disciplinary or behavior based.
 - Double celled
 - Other events that occur – sick call, mental health groups, QMHP visits, programs, groups, religious services, visitation, haircuts, recreation, showers, caseworker, review boards
 - N/A
- General Population Units – to provide for the management of other general population inmates that are disciplinary free, assigned to Character program, education program, vocational program, or assigned a job
 - Generally, out of their cell 8 - 12 hours per day
 - Generally, not escorted. Moves during controlled movements. Events requiring escort would be disciplinary or behavior based.
 - Double celled (some dorm style housing)

- Other events that occur – sick call, mental health groups, QMHP visits, programs, groups, religious services, visitation, haircuts, recreation, showers, caseworker, review boards
- N/A

Level I

- General Population Units – to provide for the management of minimum custody general population inmates that are disciplinary free, assigned to education program, vocational program, or assigned a job
 - Generally, movement in assigned unit at all times.
 - Generally, not escorted. Moves freely in the unit at all times and outside of the unit during controlled movements. Labor crew always escorted during work. Work Program unescorted (paid civilian jobs)
 - Typically, open bay/dorm
 - N/A
 - N/A



Timeline of an Inmate Day

Level I

This is a generalized time frame of the movement of an inmate daily at an institution.

3:00 AM-
10:30 AM



- Various counts
- Breakfast
- Laundry
- Day rooms open
- Trash goes out
- Yard opens
- Lunch
- *Inmates with job assignments report to work (varies on shift schedule)

10:30AM-
5:30PM



- Yard opens
- Laundry is complete
- Dinner
- Various counts
- *Inmates with job assignments report to work (varies on shift schedule)

5:30PM-
1:00AM



- Various counts
- Yard closes
- Day rooms closed
- *Inmates with job assignments report to work (varies on shift schedule)

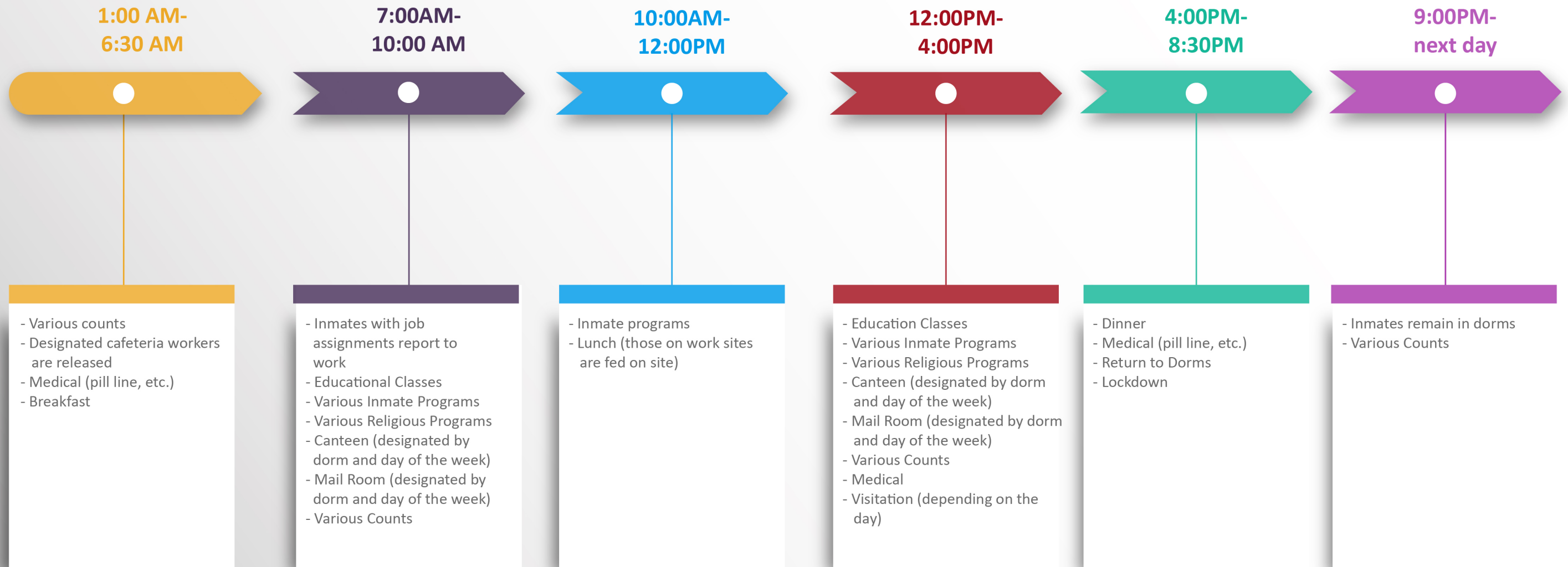
* Inmates that are at Level I A institutions all have job assignments. Depending on which shift they are placed on determines what time of day, they are supposed to report to work. Shifts can range from 1st shift to 3rd shift. Job assignments also varies as some may work in the institution or in the community.



Timeline of an Inmate Day

Level II -Level III Institutions

This is a generalized time frame of the movement of an inmate daily at an institution.



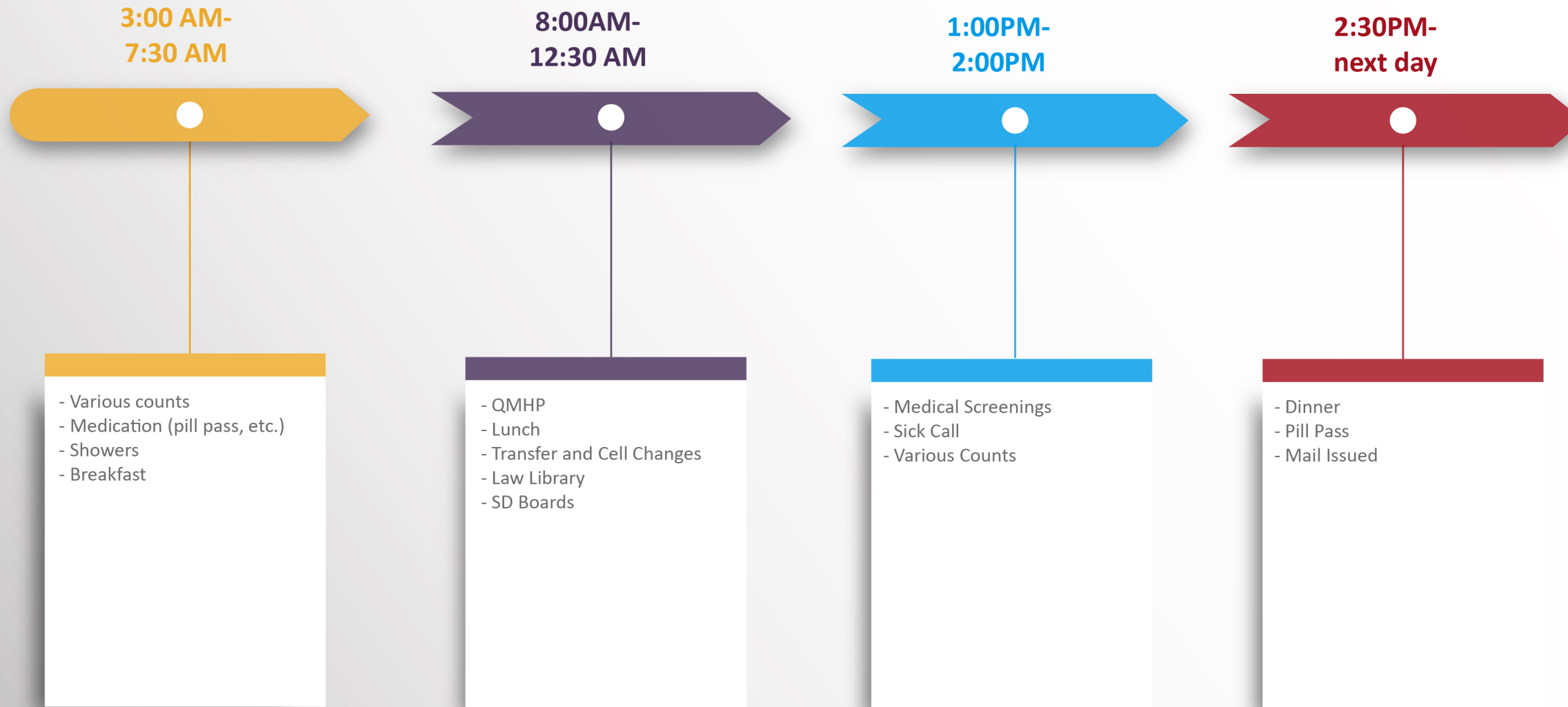
*Recreation schedule varies according to time of the year.



Timeline of an Inmate Day

Restrictive Housing Unit Inmates

This is a generalized time frame of the movement of an inmate daily at an institution.



Intake and Data Training for County Facilities (January 2019)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to following question in LOC's May 16, 2019 letter to the Department of Corrections: "7. Please provide a brief summary of the training provided to counties regarding data they provide SCDC, including, but not limited to, why the agency believed the training was needed, types of data the training discussed, entities invited to the training, entities that did not attend the training, number of times in the past in which the training has been held, and the agency's plans for future training, if any."

In addition to providing the information in this document, SCDC provided the following response:

- A four-hour county training is conducted on a yearly basis to update and train county detention center employees on paperwork needed and procedures for transporting inmates to the R&E centers. Training was conducted on January 29 and January 30, 2019. The training was offered on two (2) separate days to allow for shift coverage at the participating agencies. Areas covered included issues regarding bringing more or less inmates than scheduled, incorrect/missing paperwork, inmate property, missing/incomplete medical documentation. The next training will be held in January of 2020. Please see attachments Agenda and County Participant Roster.
- Also attached are PowerPoint presentations that are routinely presented by the SCDC General Counsel's Office at conferences and other gatherings several times throughout each year. The audiences for these presentations are generally solicitors, public defenders, judges, and private defense attorneys. The first Power Point deals with all types of sentences, while the second addresses Youthful Offender Act sentences.



SCDC COUNTY FACILITY TRAINING

Division of Classification & Inmate Records

Kirkland & Camille Graham R&E Centers

January 29 & 30, 2019



9:00 am

Welcome

- ✓ Introductions

Bryan Stirling, Director

**Michael McCall, Deputy
Director of Operations**

9:15 am

Scheduling/Processing of Intake

- ✓ Procedures for Scheduling Intake
- ✓ Perry & Lieber Satellite Sites
- ✓ Commitment Orders
- ✓ Inmate Authorized Property
- ✓ Advance Notice of Special Issues
 - Transgender
 - Keep Separate
 - Assaultive Behavior
 - Medical Conditions
 - Cont. of Care Form

**Stacey Richardson, R&E
Asst. Division Director**

**Wanda Blanding, R&E
Branch Chief**

10:30 am

Remote Releases

- ✓ Remote Release Procedures
- ✓ SCDC Date Calculation Estimate

**Candi Cannon, IRO
Asst. Division Director**

11:00 am

Contact Information

- ✓ Route Groups
- ✓ Scan to Email
- ✓ Telephone/Fax Numbers

**Stacey Richardson, R&E
Asst. Division Director**

11:30 am

Designated Facilities

- ✓ Approval Process
- ✓ Progress Reports
- ✓ Procedures for Returns to SCDC

**Charline McDaniel,
Program Coordinator II**

12:30 pm

Jail Time

**Christina Bigelow,
Dep. General Counsel**

**Annie Rumler, Attorney
Office of Gen. Counsel**

1:00 pm

Adjourn



Department of Public Safety

Scotty R. Bodiford
Jail Administrator
sbodiford@greenvillecounty.org
(864) 467-2309
www.greenvillecounty.org

FAX COVER SHEET

FOR TRAINING PURPOSES ONLY

TO ~~SCDC~~ SCDCPAGES 8FROM Sgt. D Armstrong
864-467-2416We have 1 female -Please look over and make sure
she's ok to come down there - (see sentence)
start datescall me if there is a problem ☺

Valid Commitment Order

- ▶ At a minimum, per policy, Commitment Orders and Form 9's must contain the following information *in order to be considered valid and complete*:



- ▶ Jurisdiction in which the offense was committed
- ▶ Indictment and/or warrant number
- ▶ Name of person convicted of the crime
- ▶ Offense for which convicted
- ▶ Total sentence and incarcerative sentence
- ▶ Date of sentencing
- ▶ Judge's Signature

Invalid Commitment Order

- ▶ A commitment order will be considered invalid if the following occurs:



- ▶ No Judge's signature
- ▶ No Sentence date
- ▶ Incomplete sentence date (ex: September 25, or September 2015)
- ▶ No term of sentence specified (No notation for days, months, years)

Incomplete Commitment Orders

- ▶ A commitment order will be considered incomplete if the following occurs:

INCOMPLETE

- ▶ Sentence date is incorrect
- ▶ Indictment/case # is missing
- ▶ Term of sentence is ambiguous
- ▶ Previous time served is missing (revocation orders)
- ▶ Consecutive structure is incorrect
- ▶ CDR code, statute, verbiage mismatch

From:

Included in SCDC's May 24, 2019 letter to LOC
11/30/2018 13:10 #075 P.005/005

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.

FOR TRAINING PURPOSES ONLY

INDICTMENT CASE#: 2018GS3203903AKA: Jonathan Bert ShealyA/W#: 2018A3221100523Race: White Sex: M Age: 48Date of Offense: 8/4/2018DOB: 07-17-1970 SS#: 247-43-2101S.C. Code §: 16-03-0600(C)(1)Address: 229 Perry StCDR Code #: 3412City, State, Zip: West Columbia, SC 29169-5831DL#: 008857312 SID#:

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐☐ CONVICTED OF or ☒ PLEADSIn disposition of the said indictment comes now the Defendant who was
TO: Assault / Assault & Battery 1st degreein violation of § 16-03-0600(C)(1) of the S.C. Code of Laws, bearing CDR Code # 3412☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☐ As Indicted, ☐ Lesser Included Offense, ☒ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Lauren
Solicitor102376
SC Bar#Jonathan Shealy
Defendant7-22-18
Attorney for Defendant
SC Bar# 9273WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☒ County Detention Center,for a determinate term of 36 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ yearsand/or to pay a fine of \$ _____; provided that upon the service of 100 days/months/years and/or paymentof \$ _____, plus costs and assessments as applicable*; the balance is suspended with probation for 36

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the SCDOC.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	\$	

TOTAL

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (04/2018)

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning

\$ _____ paid to Public Defender Fund

Other

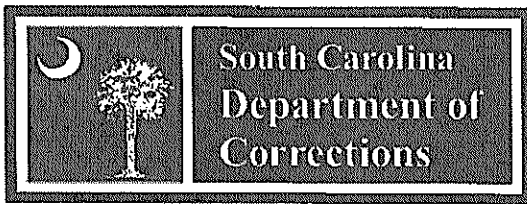
Referral to Mental Health:
Anger Management Council☐ Appointed PD or appointed other counsel, §Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge

Judge Code:

Sentence Date:

2154
11-28-18



HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

May 25, 2018

ATTN: Jail and Local Detention Center Administrators

RE: Personal Property of Intake Inmates / Males and Females

To Whom It May Concern:

The South Carolina Department of Corrections does not provide funding for inmates to mail unauthorized property to their residence or family members. Please inform all intake inmates in advance of their transfer from your location to Kirkland and Camille-Graham R&E Center to make arrangements for their family members to pick up their personal property in excess of the attached list. This includes cell phones, valuables, and jewelry.

Any unauthorized property that arrives with the inmate will be confiscated and donated to charity unless the inmate has appropriate funds (cash or checks) to cover postage, shipping and handling fees. Please post the attached listing of allowed and issued property for inmates while in intake status at Kirkland and Camille-Graham R&E Center.

In addition, for the protection of your officers and ours, please ensure a thorough property and frisk search has been conducted prior to arrival at Kirkland or Camille-Graham R&E. There have been instances of drugs and other illegal items found in inmate property.

If you have any questions or concerns, please contact me at 803-896-3927 or email me at richardson.stacey@doc.sc.gov.

Sincerely,

A handwritten signature in cursive script that reads "Stacey E. Richardson".

Stacey E. Richardson
Reception & Evaluation Center Manager
Kirkland Correctional Institution

Attachments (2)

cc: Joette D. Scarborough, Division Director – Classification and Inmate Records
Blake Taylor, Division Director – Compliance, Standards, and Inspections
Willie Davis, Warden – Kirkland Correctional Institution

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
AUTHORIZED INMATE PROPERTY
KIRKLAND RECEPTION & EVALUATION CENTER
MALES**

ALLOWED (NOT ISSUED)

10 Personal Letters	10 Pictures	1 Watch**
1 Wedding Band *	1 Personal Bible/Quran	Legal Material

*Wedding bands may not contain any gem/stone.

**Watch retail price not to exceed \$35 and may not contain any gem/stone.

Prosthesis/Eye Glass, if approved by SCDC

- You must arrive with **ONLY** the allowed items. You will not be permitted to have any items mailed to you. If you arrive with any items not on the above list:
 - If you have cash/checks to cover postage, shipping and handling fees, you will be allowed to mail the items to your residence/family member.
 - **If you do NOT have cash/checks the date of arrival to cover postage, shipping and handling, your items will be donated to charity.**

ISSUED PROPERTY:

1 Inmate Uniform	1 Laundry Bag	2 Bottle All in One
5 Pairs Boxer Shorts	3 Wash Cloths	1 Toothbrush
5 Pairs Socks	3 Towels	1 Toothpaste
1 Pair Clogs	3 Bars Soap	1 Tumbler and Spork
1 Pencil	1 Deodorant	16 Sheets Paper
1 Roll Toilet Tissue	2 Dated Envelopes	

NOTE: Hygiene items will be issued on a one-for-one exchange basis in the dorm. Upon transfer to your permanent institution, additional items will be made available or may be purchased from the SCDC Canteen.

Possession of any item not listed above could result in disciplinary action.

Revised 5/25/18

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
AUHORIZED INMATE PROPERTY
CAMILLE-GRAHAM RECEPTION & EVALUATION CENTER
FEMALES**

ALLOWED (NOT ISSUED)

10 Personal Letters	10 Pictures	1 Watch**
1 Wedding Band Set*	1 Personal Bible/Quran	Legal Material

*Wedding set (engagement ring and band) will be allowed if the set is not deemed excessively valuable.

**Watch retail price not to exceed \$35 and may not contain any gem/stone.

Prosthesis/Eye Glass, if approved by SCDC

- You must arrive with **ONLY** the allowed items. You will not be permitted to have any items mailed to you. If you arrive with any items not on the above list:
 - If you have cash/checks to cover postage, shipping and handling fees, you will be allowed to mail the items to your residence/family member.
 - **If you do NOT have cash/checks the date of arrival to cover postage, shipping and handling, your items will be donated to charity.**

PER SCDC POLICY OP-22.13, INMATE GROOMING STANDARDS - No female inmate will have an extreme haircut/styles to include Mohawks, rat tailed styles, shaved or partially shaved heads, or etched designs/patterns. Hair should be at least one (1) inch long. Bobbed or under-cut styles should be no higher than one (1) inch of being shaved. Hair may be neatly braided (corn-rowed) straight back only, without designs. Plaits/individual braids (not dreadlocks or twist) may be worn. Small plaits must be braided to the end with no loose hair at the end of the braid. Short afros, blown-outs/naturals, three (3) inches or less may be worn.

ISSUED PROPERTY:

3 Inmate Uniforms	1 Laundry Bag	3 Bottle All in One
7 Panties	3 Wash Cloths	1 Toothbrush
5 Pairs Socks	3 Towels	1 Toothpaste
5 Bras	3 Bars Soap	1 Tumbler and Spork
1 Pair Clogs	1 Deodorant	2 Dated Envelopes
1 Pencil	1 Roll Toilet Tissue	16 Sheets Paper

NOTE: Hygiene items will be issued on a one-for-one exchange basis in the dorm. Upon transfer to your permanent institution, additional items will be made available or may be purchased from the SCDC Canteen.

Possession of any item not listed above could result in disciplinary action.

Revised 5/25/18

**Kirkland & Camille-Graham Reception & Evaluation Centers
Report of County Issues**

DATE	COUNTY	SCHEDULED	BROUGHT
12/3/2018		12	9
12/5/2018		12	8
12/6/2018		12	9
12/7/2018		2	0
12/13/2018		8	5
12/14/2018		8	5
12/14/2018		1	3
12/14/2018		1	0
12/17/2018		7	2
12/18/2018		12	0
12/20/2018		12	8
12/21/2018		9	4
12/21/2018		10	3
12/21/2018		0	1

FOR TRAINING PURPOSES ONLY

[illegible]

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF CLASSIFICATION AND INMATE RECORDS**

MEMORANDUM

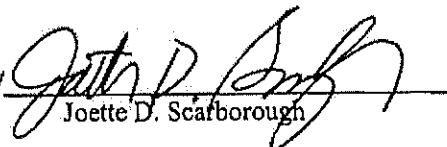
TO: KCI/CGGCI Reception and Evaluation and Inmate Records Office Staff
FROM: Joette D. Scarborough, Division Director –Classification and Inmate Records
SUBJECT: PROCEDURES FOR REMOTE COUNTY RELEASE
DATE: January 29, 2018

The following procedure applies to cases in which the inmate is not physically transferred to SCDC, but sentencing sheets and other documents are sent for release processing via email or fax. These release types are herein referred to as remote county releases.

- All efforts will be made to process each inmate for release on the date that sentencing documents are received. If clarification is needed, the inmate will not be processed for release until such clarification is received.
- The R&E intake staff will ensure that the IRO Supervisors routing group is informed via email of all remote release processing within one (1) hour of receipt.
- Documentation for the remote release of county inmates must be received by the South Carolina Department of Corrections Kirkland R&E by 12 Noon for same day processing. Release documentation received after 12 Noon may be processed for next day release. The factors that may determine next day release would include: all documents not received or late day receipt of documents. The exception to this will be releases scheduled for Fridays or the work day before a state holiday. Required documentation must be faxed to SCDC at (803) 896-2749/2750. Required documentation includes:

Local detention facility release checklist

- All commitment orders and sentencing sheets
 - Jail time documentation
 - All detention warrant documents, if any
 - Copy of booking sheets
 - Inmate identification data
 - Sex offender registry (if applicable)
 - DNA blood sample
- All sentencing sheets not processed for release on the day of receipt will be approved by the Assistant Division Director or Division Director.
 - Orders not processed for release due to a need for clarification must be approved by the Assistant Division Director or Division Director.

SI 
Joette D. Scarborough

JDS/jbg

cc: Bart Vincent, Office of General Counsel
Blake Taylor, Division Director of Compliance, Standards and Inspections
File

LOCAL DETENTION FACILITY RELEASE CHECKLIST

NAME OF FACILITY: _____

INMATE NAME: _____

DOB: _____ SSN: _____

Have the following items been faxed to SCDC:

- | | | |
|---|-----|----|
| 1. All Commitment/Sentencing Sheets/Jail Time Documentation? | YES | NO |
| 2. All Detainer/Warrant Documents, if any? | YES | NO |
| 3. Copy of Booking Sheet/Inmate Identification Data? | YES | NO |

* Sex Offender Registry needed? If YES, must be registered by Sheriff, prior to inmate's release from Local Det. Ctr.	YES	NO
---	-----	----

* Per SC Statute, does inmate need DNA testing?	YES	NO
---	-----	----

If DNA verification is needed, access SLED's DNA database. If access is unavailable, contact Kirkland R & E Center at (803)896-3977 or the Inmate Records Office Release Section at (803)896-8531 for confirmation.

If YES, has DNA been completed?	YES	NO
---------------------------------	-----	----

DNA blood sample must be forwarded to SLED for processing. Please use DNA Blood Draw Kit supplied by SLED. SLED's DNA Laboratory phone number is (803) 896-7309/7351.

A fingerprint card must be forwarded to SLED before release from your facility.

Once this Release Checklist is completed by your agency, email to RemoteRelease@doc.sc.gov or fax to (803) 896-2749/2072. SCDC will then provide you with written authorization to release this inmate.

I verify the above procedures have been complied with in accordance with the Proviso between the South Carolina Department of Corrections and this detention facility.

Facility Manager/Designee

Authorization for Release (SCDC/Inmate
Records Office):

PRINT NAME/TITLE

PRINT NAME/TITLE

Date

Date

SCDC DATE CALCULATION ESTIMATE

SCDC INTERNET WEBSITE - <http://www.doc.sc.gov/>



 **South Carolina**
DEPARTMENT OF CORRECTIONS
A tobacco-free environment

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South Carolina Governor
Henry McMaster



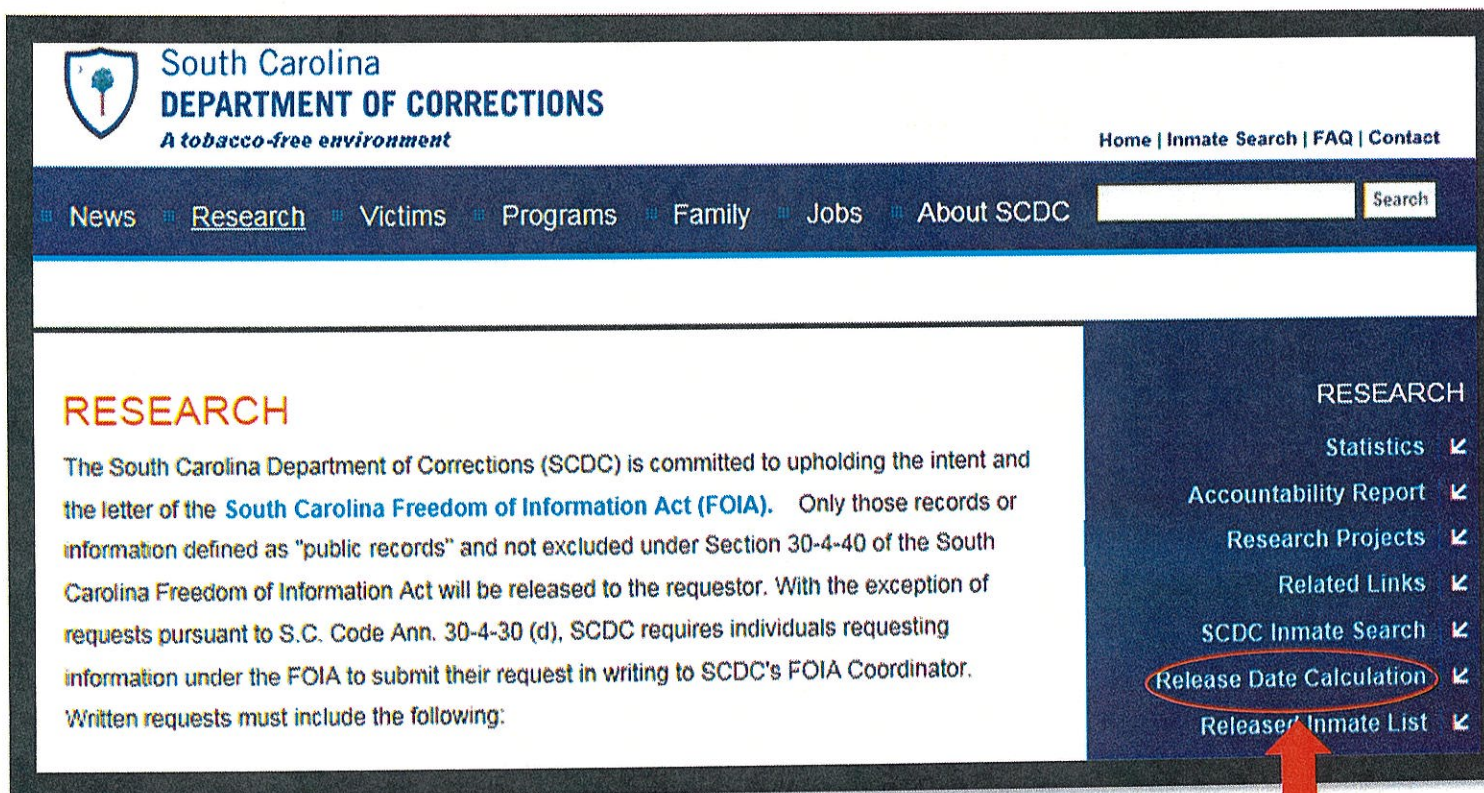
Safety, Service, Stewardship


The mission of the South Carolina Department of Corrections is: Safety--we will protect the public, our employees, and our inmates. Service--we will provide rehabilitation and self-improvement opportunities for inmates. Stewardship--we will promote professional excellence, fiscal responsibility, and self-sufficiency.



QUICK LINKS

- Business Partners ↗
- Employment ↗
- Institutions ↗
- Related Links ↗
- Visitation ↗
- Palmetto Unified School Dist. ↗
- SCDC Employee Access ↗



 **South Carolina**
DEPARTMENT OF CORRECTIONS
A tobacco-free environment

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RESEARCH

The South Carolina Department of Corrections (SCDC) is committed to upholding the intent and the letter of the **South Carolina Freedom of Information Act (FOIA)**. Only those records or information defined as "public records" and not excluded under Section 30-4-40 of the South Carolina Freedom of Information Act will be released to the requestor. With the exception of requests pursuant to S.C. Code Ann. 30-4-30 (d), SCDC requires individuals requesting information under the FOIA to submit their request in writing to SCDC's FOIA Coordinator. Written requests must include the following:

RESEARCH

- Statistics ↗
- Accountability Report ↗
- Research Projects ↗
- Related Links ↗
- SCDC Inmate Search ↗
- Release Date Calculation** ↗
- Releaser/ Inmate List ↗

January 24, 2019

New Calculation

Instructions

:: Release Date Calculation

This is not an official release date. This is a projected release date that assumes maximum good time and maximum work credits. Please read the **disclaimer**.

Date Summary

Earliest Possible Parole Eligibility Date: 09/08/2018
Earliest Possible Release Date: 11/03/2018

Offense #1

Offense #1 Code: 0222 - Vehicle / Use of vehicle without permission for temp. purpose only, unconnected to other crime

Total Sentence:

0 6 0

Years - Months - Days

Inc. Sentence:

0 6 0

Years - Months - Days

Sentence Date:

11/01/2018

mm/dd/yyyy

Jail Credit:

119 Days

Details [+]

Calculate

Offense #2

[+/-]

Consecutive to Offense #1: ☐ Yes ☒ No

Offense #2 Code:

0 0 0

Years - Months - Days

Total Sentence:

0 0 0

Years - Months - Days

Inc. Sentence:

0 0 0

Sentence Date:

mm/dd/yyyy

Jail Credit:

0 Days

Details [+]

Calculate

Offense #3

[+/-]

Consecutive to Offense #2: ☐ Yes ☒ No

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS R&E CONTACT INFORMATION FOR COUNTIES

Stacey E. Richardson

R&E Manager

896-3927

KIRKLAND R&E INTAKE RECORDS SECTION		
Wanda Blanding	Branch Chief	896-5187
Tabitha Greene	Program Coordinator	896-3977
Vacant	Record Analyst III	896-3935
Shaquana Ferguson	Record Analyst III	896-3934
Susan Phillips	Record Analyst III	896-3938
Mischa Michel	Record Analyst III	896-3937
Winderlyn Gallmon	Record Analyst III	896-3936
Portia Tribble	Record Analyst I	896-1363
Vacant	Record Analyst I	896-3930
KIRKLAND R&E ID/FINGERPRINT SECTION		
Bobbie Budden	Supervisor	896-3933
Vacant	Fingerprint Specialist	896-3931
Monica Dash	Fingerprint Specialist	896-3932
CAMILLE-GRAHAM R&E		
Kelley Alston	Intake Coordinator	896-1813
EMAIL ROUTE GROUPS		
<u>R&ERecordsProcessing@doc.sc.gov</u> - This route group should be used to submit detainers, commitment orders, etc., regarding an intake inmate(s). Counties are encouraged to email a day in advance of inmate arrival and indicate the county and arrival date in the subject. While email is preferred, the R&E intake fax number is 803-896-3939.		
<u>R&EFingerprint@doc.sc.gov</u> - This route group should be used when scheduling intake by 2:30pm for the following day.		
<u>RemoteRelease@doc.sc.gov</u> - This route group should be used for remote release documentation to the Inmate Records Office. While email is preferred, the IRO fax numbers are 803-896-2749 and 803-896-2072		

KIRKLAND RECEPTION & EVALUATION CENTER COUNTY CONTACT LIST

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Revised 1/19/19

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

County Facility Training

January 29 & 30, 2019

Participating Counties

Abbeville County

Allendale County

Anderson County

Barnwell County

Beaufort County

Chesterfield County

Clarendon County

Clinton City

Darlington County

Dorchester County

Fairfield County

Florence County

Fort Mill

Georgetown County

Horry County

Kershaw County

Laurens County

Lexington County

Marion County

Marlboro County

Newberry County

Oconee County

Orangeburg County

Pickens County

Richland County

Spartanburg County

Sumter County

Union County

York County

NOTE: These counties signed up for the training. Some counties did not attend and some that were not registered attended.

Presentation - Understanding Prison Sentences

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "7. Please provide a brief summary of the training provided to counties regarding data they provide SCDC, including, but not limited to, why the agency believed the training was needed, types of data the training discussed, entities invited to the training, entities that did not attend the training, number of times in the past in which the training has been held, and the agency's plans for future training, if any."

In addition to providing the information in this document, SCDC provided the following response:

- A four-hour county training is conducted on a yearly basis to update and train county detention center employees on paperwork needed and procedures for transporting inmates to the R&E centers. Training was conducted on January 29 and January 30, 2019. The training was offered on two (2) separate days to allow for shift coverage at the participating agencies. Areas covered included issues regarding bringing more or less inmates than scheduled, incorrect/missing paperwork, inmate property, missing/incomplete medical documentation. The next training will be held in January of 2020. Please see attachments Agenda and County Participant Roster.
- Also attached are PowerPoint presentations that are routinely presented by the SCDC General Counsel's Office at conferences and other gatherings several times throughout each year. The audiences for these presentations are generally solicitors, public defenders, judges, and private defense attorneys. The first Power Point deals with all types of sentences, while the second addresses Youthful Offender Act sentences.

UNDERSTANDING PRISON SENTENCES

Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections
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Background Information about SCDC

- SCDC currently has 21 institutions all across the state.
- Categorized into 4 security levels
 - Level 3 - high
 - Level 2 - medium
 - Level 1-B - minimum
 - Level 1-A – pre-release work centers

Jurisdiction of SCDC

- Per S.C. Code 24-3-20 (A), a person sentenced to “more than three months” comes to SCDC.
- If sentence is less than three months, it must be served at the county detention center.
- Per S.C. Code 24-3-30 (A), SCDC, not a judge, has authority to determine how to classify an inmate and where to house the inmate.

Three Categories of Adult Sentences

- Parolable sentences – earn the most amount of good time and work/education credits – 20 days GT and average 10 EWC per month (these offenders, on average, actually serve between 51% and 65% of their sentences)
- No parole or 85% sentences – earn much less credit – 3 days GT per month and max 6 days of EWC per month
- Day for day or “mandatory minimum” sentences – no credits to reduce the service time – sentence is served “day-for-day”

Where Does the “85%” Come From?

SECTION 24-13-150. Early release, discharge, and community supervision; limitations; forfeiture of credits.

(A) Notwithstanding any other provision of law, . . . an inmate convicted of a "no parole offense" as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections, . . . is not eligible for early release, discharge, or community supervision as provided in Section 24-21-560, **until the inmate has served at least eighty-five percent of the actual term of imprisonment imposed.**

NOTE: This percentage must be calculated without the application of earned work credits, education credits, or good conduct credits, and is to be applied to the actual term of imprisonment imposed, not including any portion of the sentence which has been suspended.

85% offenses (continued)

-No-parole (85%) offenses: S.C. Code 24-13-100: No parole offenses are Class A, B, or C felonies, or felonies exempt from classification under 16-1-10(d), which are punishable by a maximum term of imprisonment of twenty years or more.

Section 16-1-20(A):

- Class A offenses: punishable by 30 years or more
- Class B offenses: punishable by 25 years or more
- Class C offenses: punishable by 20 years or more

Good Time Credit – S.C. Code 24-13-210

- Parolable offenses – 20 days earned per month
- No parole (85%) offenses – 3 days per month
- Day-for-day (mandatory minimum) sentences - no good time available

Earned Work and Education Credits – S.C. Code 24-13-230

- Parolable offenses – maximum yearly 180 days – average 10 days of credit per month for 5-day per week job
- No parole (85%) offenses – maximum yearly 72 days – 6 days per month
- Day-for-day (mandatory minimum) offenses – no work or education credits available

Jail Time Credit – S.C. Code 24-13-40

- In every case in computing the time served by a prisoner, full credit against the sentence **MUST** be given for time served prior to trial and sentencing and **MAY** be given for time spent on monitored house arrest.
 - Case law says providing jail time credit is mandatory
 - Credit for monitored house arrest is per a June 2013 amendment – completely discretionary with sentencing judge – please ensure the amount of credit is clear on the sentence sheet if awarding it.
 - Good time credit (at the rate applicable to the inmate's offense) is automatically factored into jail time credit.

Exceptions to Jail Time Credit

- Two exceptions are set forth in S.C. Code 24-13-40:
 - When a prisoner is an escapee from a penal institution
 - When a prisoner is actually serving another sentence (whether in South Carolina or elsewhere)

Subsequent Concurrent Sentences

- “Concurrent” is NOT the same as “concurrent and backdated”
- A subsequent concurrent sentence will start on the date of sentencing, minus any jail time applicable to that particular offense.
- A subsequent sentence will not automatically be backdated to the start date of a previously-imposed sentence unless the judge specifically writes the previous start date on the subsequent sentence sheet.

Violent vs. No Parole (85%)

- Violent offenses are defined by S.C. Code 16-1-60
- “No parole” or 85% offenses are defined by S.C. Code 24-13-100
- An 85% offense is usually also a violent offense, but not always:
 - Example: Trafficking crack 10-28 grams, 1st offense
 - Violent because listed in S.C. Code 16-1-60
 - But not 85% because only carries 3-10 years

Maxout date vs. Parole Eligibility Date

- Maxout (release) date:
 - Date when sentence is satisfied or “completed”
 - Calculated based upon incarcerative sentence only, NOT including any suspended portion of a split sentence
 - May or may not be followed by supervision in the community – could be followed by probationary term or CSP if 85% offender
- Parole eligibility date:
 - Earliest *opportunity* for release – inmate gets to go before the parole board – the board makes the final decision on whether an inmate should be released on parole and they determine the conditions
 - Calculated based upon total sentence, not just incarcerative portion – includes the suspended portion of a split sentence
 - If paroled, offender continues to serve his or her sentence in the community under supervision by the Department of Probation, Pardon & Parole Services (“PPP”)

Additional Notes on Parole Eligibility

- Violent (but not 85%) offenders – eligible after serving one-third of sentence
- Non-violent offenders – eligible after one-fourth of sentence
- Work credits can be used to “back up” the parole eligibility date
- Subsequent violent offenders – per statute, not eligible for parole if serving a sentence for a violent offense and had a prior violent offense under S.C. Code 16-1-60

CDR Codes v. Statutes

- Case law indicates that SCDC must follow the statute listed on the sentence sheet in the event there is a mismatch between the statute and the CDR code listed.
 - Example: Drug offenses under S.C. Code 44-53-370 and -375
 - Be sure all statutory subsections are filled out (i.e., S.C. Code 44-53-370 (e)(2)(a)(2))

Sentence Calculator

- www.doc.sc.gov
- Research tab
- “Release Date Calculation” near bottom of list on the right hand side
- Accept disclaimer – then can input various sentences
 - This provides an ESTIMATE only and assumes best possible conditions.
 - Does not take into account time spent at R&E (intake) – add at least two months to be on the safe side.

§ 44-53-370 and -375 and Bolin

- The Omnibus Crime Reduction and Sentencing Reform Act of 2010 (effective date June 2, 2010) added the following language to parts of 44-53-370 and -375:

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.

- This language means that the affected offenders, in addition to simply parole consideration, are no longer to be considered 85% offenders. See Bolin v. S.C. Dep't of Corrections, 415 S.C. 276, 781 S.E.2d 914 (Ct. App. 2016). **However**, third drug offenders are only non-85% offenders if all their prior offenses are simple possession-level offenses.

Hayes v. State and Probation Violators

- Post-conviction relief (PCR) case filed by Norman Hayes, who claimed his sentence was “expired” because he was not given credit for time he spent in jail prior to receiving a probationary sentence
- The South Carolina Court of Appeals ultimately agreed with Mr. Hayes, and the Supreme Court finalized the Court of Appeals’ opinion in November 2016.
- This case applies to inmates who come to SCDC on probation violations. It says that these inmates should receive jail time credit against their probation revocation sentences for the time they spent in jail prior to initially being given a probationary sentence.

Supervision After Release

- Parole – for regular parolable (not 85%) offenses
- Community Supervision Program – only for 85% offenders
- Supervised Furlough (mostly a relic of the past - 1983-1993)
- Supervised Reentry – S.C. Code 24-21-32

THE YOUTHFUL OFFENDER ACT

- S.C. Code 24-19-5 and the statutes that follow
- Generally, it's for offenders age 17 **but less than** 25 at time of conviction (not at time of offense)
- No violent crimes, with 2 exceptions:
 - burglary second degree violent
 - CSC with a minor in the 3rd degree (where V was over age 14 and the act was consensual)
- No 85% offenses allowed
- Youthful offenders are only supposed to get one bite at the YOA apple

Second Degree Burglary and the April 21, 2016 Amendment

- Prior to April 21, 2016, both violent and non-violent second degree burglary offenses carried a three-year day-for-day sentence under the Youthful Offender Act.
- On April 21, 2016, S.C. Code 24-19-10 (d) was changed to state that only second degree burglary violent carries a three-year day-for-day sentence.
- Savings Clause in the Act: because there was a savings clause in the Act that amended the statute, SCDC is required to look at the offense date to determine whether the three-year day-for-day sentence applies.

Powers of the Court Upon Conviction of a Youthful Offender

- Generally one of two things happen:
 - Impose a YOA sentence, but suspend it to probation
 - “probation” means adult probation with PPP
 - Impose an active YOA sentence “not to exceed 6 years”
 - Per Craft v. State, if the adult maximum sentence is less than 6 years, the adult maximum controls.
 - Example: possession of heroin carries a max of 2 years

Reception and Evaluation (“Intake”)

- SCDC staff are required to make a “complete study” of each youthful offender upon intake
- Intake should be completed in 30 days unless there are “exceptional circumstances”
- Males – go through intake at Kirkland R&E and then assigned to Trenton, Turbeville, or Allendale
- Females – go through intake at Camille Graham and then placed in the YOA program at Camille Graham

After Intake is Complete

- SCDC's youthful offender division uses our internal mandatory minimum guidelines to assign the youthful offender to a term of programming.
-
- Generally 6 months, 9 months, 18 months, or 3-year mandatory minimum for burglary second degree
 - After serving the assigned term, the youthful offender is conditionally released to YOA parole ("intensive supervision" or "conditional release") for a period of one year
 - If offender is non-compliant, per statute, SCDC can keep a youthful offender up to 4 years in our discretion. Such an offender must be conditionally released at the 4-year mark.
 - Jail time is applied to "back up" the entire statutory period, EXCEPT for three-year day-for-day sentences – we apply the jail time to reduce the three-year period.
 - Example: for PWID cocaine: offender receives a 6-month term. Offender comes to intake for about a month and then begins his 6-month term. Any jail time credit would reduce the entire statutory period we have jurisdiction over the offender, but would not be applied to reduce the 6-month programming term.

Violations of Conditional Release

- An offender who violates the terms of conditional release (also called YOA parole or intensive supervision) can be returned to SCDC custody any time before expiration of the 6-year statutory period we have jurisdiction over the offender
- An offender accused of a violation has an administrative review where a panel decides whether to revoke the conditional release and return the offender to custody or continue the offender on conditional release

Unconditional Discharge

- Complete release from our custody and supervision in the community
- Usually occurs well before the 6-year period for compliant offenders
 - A youthful offender CAN be unconditionally discharged one year after being conditionally released.
 - A youthful offender MUST be unconditionally discharged six years from the sentence start date (backed up by any jail time credit).
 - Probationary sentences (suspended YOAs) that are later activated: six-year total period still begins on sentence start date (backed up by jail time credit).

Expungement of YOA Sentences

- **S.C. Code 22-5-920 – Amended Effective December 27, 2018:**
- Prior to the 12/27/18 amendment, the statute said that if a youthful offender has no other convictions in the five-year period following unconditional discharge, the offender can apply for expungement.
- The 12/27/18 amendment added that an offender seeking expungement cannot have had any convictions, including out-of-state convictions, during the service of the YOA sentence and for a period of five years following completion of the sentence.
- The 12/27/18 amendment also broadened the number of offenses that are eligible for expungement: “For purposes of this section, any number of offenses for which the individual received a youthful offender sentence at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.”
- Specific questions about expungement should be directed to Adam L. Whitsett, General Counsel at SLED.

The “Non-Conforming” YOA Sentence

- Non-conforming means the offender was not statutorily eligible for a YOA sentence, but the sentencing judge ordered a YOA anyway.
- We typically keep nonconforming offenders for a minimum of 36 months (3 years).
- We also have to try our best to keep these offenders separate from our conforming youthful offenders due to the violent nature of their offenses and the potential danger they pose.
- IN SUM: Please don't condone illegal YOA sentences.

The Shock Incarceration Program

- NOTE: The Shock program is NOT just for youthful offenders, but is often used in conjunction with YOA sentences.
- Shock is for any offender with a non-violent, non-85% sentence who is under the age of 30 at the time of admission to SCDC and is eligible for parole in two years or less. The offender cannot have any prior SCDC commitments.
- Shock is a 90-day program with a focus on personal accountability, discipline, skill development, community service, and character development. Daily physical activity is required.
- At the end of the 90 days, the offender is released to parole supervision by PPP. (NOTE: The parole supervision lasts for the duration of the offender's potential incarcerative sentence!)

Remote County Releases

- Remote county release is available for offenders who receive sentences in excess of 90 days, but the sentences are already complete due to the amount of time they spent in the county detention center.
- These offenders are eligible to be released directly from the county detention center if the detention center faxes the appropriate paperwork to SCDC's Intake Center (Kirkland R&E) and receives confirmation back from SCDC that the inmate's sentence is already satisfied. Usually takes less than 1 day to process out.
- Please encourage your county jail to utilize this process next time you have a defendant in this scenario.

QUESTIONS?

- PLEASE CONTACT ME IF YOU HAVE ANY QUESTIONS RELATED TO SENTENCING.
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Presentation – Youthful Offender Sentencing

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "7. Please provide a brief summary of the training provided to counties regarding data they provide SCDC, including, but not limited to, why the agency believed the training was needed, types of data the training discussed, entities invited to the training, entities that did not attend the training, number of times in the past in which the training has been held, and the agency's plans for future training, if any."

In addition to providing the information in this document, SCDC provided the following response:

- A four-hour county training is conducted on a yearly basis to update and train county detention center employees on paperwork needed and procedures for transporting inmates to the R&E centers. Training was conducted on January 29 and January 30, 2019. The training was offered on two (2) separate days to allow for shift coverage at the participating agencies. Areas covered included issues regarding bringing more or less inmates than scheduled, incorrect/missing paperwork, inmate property, missing/incomplete medical documentation. The next training will be held in January of 2020. Please see attachments Agenda and County Participant Roster.
- Also attached are PowerPoint presentations that are routinely presented by the SCDC General Counsel's Office at conferences and other gatherings several times throughout each year. The audiences for these presentations are generally solicitors, public defenders, judges, and private defense attorneys. The first Power Point deals with all types of sentences, while the second addresses Youthful Offender Act sentences.

YOUTHFUL OFFENDER SENTENCING

Bryan P. Stirling, Director, SCDC

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MISSION OF SCDC'S YOUTHFUL OFFENDER PROGRAM

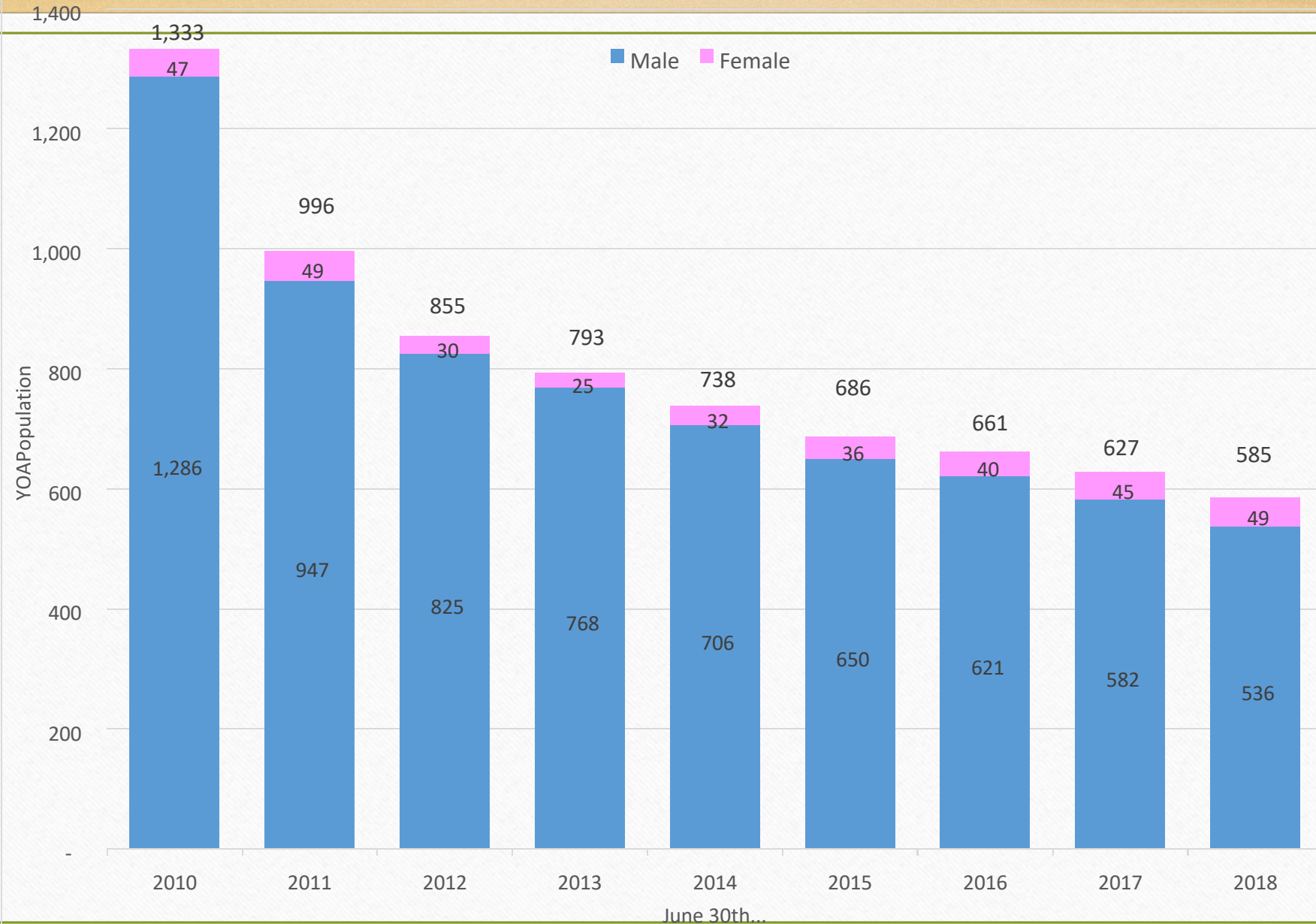
- To reduce recidivism of youthful offenders by utilizing evidence-based principles and practices that teach accountability, enhance skill development, and promote public safety.

Institutions Currently Serving Youthful Offenders

- Turbeville Correctional Institution (males)
- Trenton Correctional Institution (males)
- Allendale Correctional Institution (males)
- Camille Graham Correctional Institution (females)

YOA Offenders in SCDC Jurisdiction on June 30th...

Included in SCDC's May 24, 2019 letter to LOC



Strategies to Reduce Recidivism for YOAs; A Seamless System of Services

- Implement Intensive Supervision Services (ISS)
- Design/implement new release & revocation process
- Implement new Risk/Needs Assessment & Asset Inventory
- Enhance/develop programming for institutions serving Youthful Offenders based upon EBP
- Merge community supervision and institutional programming/counseling into unified, seamless system of services
- Implement Restoring Promise Initiative

Restoring Promise: Young Adult Reform Initiative

- Supported by Vera Institute of Justice
- Aimed at transforming conditions of confinement for sentenced young adults 18-25 years-of-age
- Creates a normalized, community environment focused on achieving rehabilitation through accountability, skill building and community safety
- Incorporates a strong compliment of adult mentors and community volunteers

Youthful Offender Institutional Programming Options

- Criminal Thinking
- Impact of Crime Classes
- Individual/Group Counseling
- Community Meetings
- Family Focus
- Parenting/Fatherhood
- Substance Abuse Education/Addictions Treatment
- GED Preparation/Testing
- Employability/Vocational Training
- “Gateway Character Dorm” Living Unit (Incentive-based)
- “Second Chance Program” Living Unit (incorporates adult mentors and community volunteers)

ELIGIBILITY

S.C. Code 24-19-10, *et. seq.*

-
- Generally for offenders age 17 **but less than** 25 at time of conviction (not at time of offense)
 - No violent crimes, with 2 exceptions:
 - burglary second degree violent
 - CSC with a minor in the 3rd degree (where the victim was over age 14 and the act was consensual)
 - No 85% offenses allowed
 - Youthful offenders only get one bite at the YOA apple

Powers of the Court Upon Conviction of a Youthful Offender – S.C. Code 24-19-50

- Suspend the sentence and place the offender on probation (regular adult probation under supervision of the Department of Probation, Pardon & Parole Services);
- Send the offender to SCDC for observation and evaluation for not more than 60 days, at which point the offender is returned to court with findings and recommendations for sentencing;
- Send the offender to SCDC for an indeterminate YOA sentence not to exceed 6 years; or
 - One exception to the 6 years: if adult maximum penalty for the underlying offense is less than 6 years (for example, possession of heroin carries a maximum of only 2 years), the maximum time the Youthful Offender Division would have jurisdiction over the offender would be 2 years. See Craft v. State, 281 S.C. 205, 314 S.E.2d 330 (1984).
 - Also, per the Craft v. State case, if the adult maximum sentence is 6 years or more, but a judge tries to limit the sentence to a period of less than 6 years, SCDC can consider it a non-binding recommendation.
- Decline to sentence the offender under the Youthful Offender Act and sentence the offender as an adult.

Reception and Evaluation (“Intake”)

- SCDC staff are required to make a “complete study” of each youthful offender upon intake
- Intake should be completed in 30 days unless there are “exceptional circumstances”
- Males – go through intake at Kirkland R&E and then assigned to Trenton, Turbeville, or Allendale
- Females – go through intake at Camille Graham and then placed in the YOA population at Camille Graham

Treatment of Youthful Offenders

- The law gives SCDC broad discretion regarding appropriate custody and treatment of youthful offenders. This includes the amount of time we keep these offenders in custody and the amount of time we supervise them in the community.
- While incarcerated, youthful offenders are generally required to be kept separate from adult offenders. Also, classes of youthful offenders are kept separated according to their particular needs. (Example: ATU)

After Intake is Complete

- SCDC's youthful offender division uses internal mandatory minimum guidelines to assign a youthful offender to a term of programming.
- Generally 6 months, 9 months, 18 months, or 3-year mandatory minimum for certain burglary second degree offenses

Burglary Second Degree and the April 21, 2016 Amendment

- Prior to April 21, 2016, both violent and non-violent second degree burglary offenses carried a three-year day-for-day sentence under the Youthful Offender Act.
- On April 21, 2016, S.C. Code 24-19-10 (d) was changed to state that only second degree burglary violent carries a three-year day-for-day sentence.
- Savings Clause in the Act: because there was a Savings Clause in the Act that amended the statute, SCDC is required to look at the offense date to determine whether the three-year day-for-day sentence applies to a non-violent burglary second degree YOA sentence.

Conditional Release

- Conditional release refers to release of a youthful offender to intensive supervision (also called “YOA parole”) in the community.
- The offenders are supervised by SCDC’s own “Intensive Supervision Officers” (“ISOs”).
- The law gives SCDC the authority to conditionally release a youthful offender at any time, except for those offenders required to serve a three-year mandatory minimum for burglary second degree.
- However, we are required to conditionally release a youthful offender 4 years from the date of his or her conviction.
- Typically, for compliant offenders, SCDC’s conditional release is for a period of 1 year.

Steps Required at Conditional Release

- Generally, offenders must agree in writing to warrantless searches and seizures (there is an exception for certain low-level misdemeanors).
 - If such a search became necessary, outside law enforcement would conduct it. SCDC's Intensive Supervision Officers are not law enforcement officers.
- Any victims must be notified that the offender is going to be conditionally released back into the community.

Violations of Conditional Release

- An offender who violates the terms of conditional release (again, also called “YOA parole” or “intensive supervision”) can be returned to SCDC custody any time before expiration of the statutory period we have jurisdiction over the offender
- An offender accused of a violation of conditional release has a review with appropriate staff member(s). Staff then makes a recommendation to a panel. The panel makes the final determination regarding whether to revoke the conditional release and return the offender to custody or continue the offender on conditional release.
- First revocation: 6 months (if firearm involved, 9 months). Second revocation: 9 months. Third revocation: 18 months. If there is a fourth revocation, we may keep the offender in custody until our jurisdiction over him ends.

Unconditional Discharge

- This means complete release from our custody and supervision in the community
- Usually occurs well before the 6-year statutory period for compliant offenders
- Just like with conditional discharge, any victims must be notified when a youthful offender is being unconditionally discharged.
 - A youthful offender CAN be unconditionally discharged one year after being conditionally released.
 - A youthful offender MUST be unconditionally discharged six years from the sentence start date.

Expungement of YOA Sentences

- If a youthful offender has no other convictions in the five-year period following unconditional discharge, the offender can apply for expungement of the YOA sentence.
 - NOTE: S.C. Code § 22-5-920 (B)(2)(b) specifically prohibits violent offenses from being expunged, so it is unclear whether a YOA sentence for burglary second violent is eligible for expungement.

The “Non-Conforming” YOA Sentence

- Non-conforming means the offender was not eligible for a YOA sentence pursuant to the YOA statutes.
- We typically keep nonconforming offenders for a minimum of 3 years.
- Non-conforming offenders are a great challenge for SCDC because these offenders are often violent and pose a threat the well-being of our conforming youthful offender population.

The Shock Incarceration Program

- The Shock Incarceration Program is **not** just for youthful offenders, but is often used in conjunction with YOA sentences.
- Per S.C. Code 24-13-1310 *et seq.*, Shock is for any offender with a non-violent, non-85% sentence who is under the age of 30 at the time of admission to SCDC and is eligible for parole in two years or less. The offender cannot have any prior SCDC commitments.
- Shock is a 90-day program designed as an alternative to traditional incarceration. It has a focus on personal accountability, discipline, skill development, community service, and character development. Daily physical activity is required, and education is mandatory. Within a month of release, Shock inmates participate in programs designed to promote their reintegration into the community.
- Upon completion of the Shock program, offenders are released to parole supervision by PPP.

Intensive Supervision Services (ISS)

An evidenced-based community supervision service provided by SCDC for Youthful Offenders designed to reduce recidivism using evidence-based principles/practices that teach accountability, enhance skill development, and promote public safety.

Intensive Supervision Services Basics

- Intensive Supervision Officer (ISO) is a case manager/service provider – not law enforcement
- Services are cost free to offender
- ISO supervises case load of 20-25
- ISO meets with offender within 30 days of assignment to institution and begins reentry planning
- ISO meets with offender at least monthly throughout incarceration
- ISO maintains a 24/7 schedule

Intensive Supervision Services Basics (cont.)

- ISO completes Risk/Needs Assessment and Asset Inventory (GRAD-90)
- ISO meets with offender's family as needed throughout incarceration
- Upon reentry, offenders are entered in NCIC
- Absconders are extradited when apprehended
- Upon reentry, ISO meets with offender at least weekly in the community
- Cases are staffed with community partners (Community Reentry Teams) monthly to develop resources and problem solve

Intensive Supervision Administrative Release Authority (ISARA)

- Three-member panel of Corrections administrators
- Panel considers release recommendations from the institution, community and victim to approve/disapprove release
- Panel approves/disapproves parole revocations

Considerations for Release:

- Severity of crime (offense category) as measured by SCDC Release Matrix
- Release Recommendations from community, victim(s) and institution
- Risk Assessment Score as measured by Global Risk Assessment Device (GRAD-90)

Data/Outcome Sample on November 1, 2018

1,108 Youthful Offenders assigned to ISS

- 740 (67%) supervised in the community
- 368 (33%) in institution preparing for reentry

65% of Youthful Offenders gainfully employed

20% of Youthful Offenders enrolled in education program

(GED, higher ed., alternative ed.)

69% of Youthful Offenders passed random drug testing

13.7% of paroled Youthful Offenders returned to SCDC for technical violations (over life of program)

10.8% of paroled Youthful Offenders returned to SCDC for new convictions (over life of program)

Inmate Data - Types, Sources, etc. (updated)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "9. Please clarify the "source" (e.g., from whom does the agency obtain the sentencing sheet) for each type of information in the agency's April 29, 2019 letter to the Committee, question 27 attachment."

Please provide a list of the types of data SCDC maintains on each inmate (e.g., programs participated in, disciplinary action, etc.), and for each: (a) when the data is initially obtained/entered, (b) source of the data, and (c) on average, how often the data is updated after initial entry, if updated.				
Type of Data	When obtained/entered?	Source?	Source obtained from:	On average, updated how often?
Identifiers (Name, DOB, SSN, SID#, FBI#, Aliases, etc)	At intake	Sentencing Sheet, NCIC, Livescan, Intake Interview	Sentencing Sheet - County Detention Staff, NCIC/Livescan/Intake Interview - SCDC Staff Conducts	Infrequently
Demographics (Race, Sex, Occupation, Religion, Education Level, Veteran Status, etc)	At intake	Sentencing Sheet, Intake Interview	Sentencing Sheet - County Detention Staff, Intake Interview - SCDC Staff Conducts	Infrequently
Relatives	At intake	Intake Interview	Intake Interview - SCDC Staff Conducts	Infrequently
Addresses	At intake	Sentencing Sheet, Intake Interview	Sentencing Sheet - County Detention Staff, Intake Interview - SCDC Staff Conducts	Infrequently (verified and updated if necessary upon release to supervision)
Convictions (Offense, Incarcerative Sentence, Suspended Sentence, Jail Time Credit, Sex Registry, etc)	At intake and as received from courts	Sentencing Sheet	Sentencing Sheet - County Detention Staff	Infrequently (on status changes - sentence completion, parole, probation, revocation, remand, etc)
Priors	At intake	NCIC	Intake Interview - SCDC Staff Conducts	Infrequently (as additional information is received)
Status (Incarcerated, Released, Parole, Probation, etc)	At intake and upon any status change	Sentencing Sheet, Parole Orders, Records Office Staff	Sentencing Sheet - County Detention Staff, Parole Orders - County Detention Staff or PPP,	Infrequently (upon any status change)
Classification (Custody / Security)	At intake	Convictions, Priors, Disciplinary History, Status Changes, etc	Automated system - SCDC Staff	Yearly or more often as required by new convictions, priors, disciplinary convictions, or status changes
Time Served and Date Projections (Projected Maxout, Parole Eligibility, etc)	Computed by the automated system upon changes to any record that could affect the inmate's date projections	Convictions, Inmate Status, Earned Work Credit Job Assignment, Earned Education Credit Assignments, Disciplinary Convictions / Sanctions, Custody Classification	Automated system - SCDC Staff	Varies by inmate
Movements / Movement Reasons (Administrative, Medical, Court, Release, Death, etc)	When inmates move in and out of correctional institutions	Operations Staff (entries made into the automated system in real time)	Automated system - SCDC Staff	Varies by inmate
Bed Assignment	As inmates are assigned to new cells / beds	Operations Staff (entries made into the automated system in real time)	Automated system - SCDC Staff	Varies by inmate
Assessments (Drug Dependency, Mental Health Screening, Prison Rape Elimination Act, Global Risk Assessment Device, etc)	At intake and as needed thereafter for all types except PREA, which is done at intake and upon every movement to a new facility	Inmate Interviews	SCDC Staff	Varies by inmate
Disciplinary Infractions	As charges are filed	Security, Institutional Staff	Written/automated entries - SCDC Staff	Varies by inmate
Disciplinary Hearings / Sanctions (Loss of Good Time Credits)	As hearings are scheduled and conducted	Disciplinary Hearing Officers	Written/automated entries - SCDC Staff	Varies by inmate
Disciplinary Restrictions (Canteen, Phone, etc)	As imposed	Disciplinary Hearing Officers	Written/automated entries - SCDC Staff	Varies by inmate
Earned Work Credit Job Assignments	Upon employment / termination	Classification Caseworkers	Automated system - SCDC Staff	Varies by inmate
Earned Education Credit Assignments	At enrollment / completion or termination	Classification Caseworkers	Automated system - SCDC Staff	Varies by inmate
Record Audits	As conducted	Records Analysts	Written/automated entries - SCDC Staff	At minimum 1 at intake and 2 immediately prior to release
Parole Reviews / Hearings	As conducted	PPP	PPP Staff	Varies by inmate
Screenings (Labor Crew, Pre-Release, Supervised Re-Entry, etc)	As conducted	Classification Staff	Written/automated entries - SCDC Staff	Varies by inmate
Detainers	Upon receipt	Law Enforcement, Ice	Written/automated entries - SCDC Staff	Varies by inmate
Separation Requirements	As determined by operations and / or police services	Operations / Police Services	Written/automated entries - SCDC Staff	Varies by inmate
Security Threat Group / Gang Affiliation	At intake and as needed	Intake Staff, Inmate Interview, Institutional Operations, Police Services, Outside Law Enforcement	Written/automated entries - SCDC Staff	Varies by inmate
Accomplices	At intake	Intake Interview	Written/automated entries - SCDC Staff	Varies by inmate
Incidents / Use of Force	As needed	Security	Written/automated entries - SCDC Staff	Varies by inmate
Staff Requests / Grievances	As filed	Inmates enter staff requests via kiosk, Grievance Forms	Written/automated entries - SCDC Staff	Varies by inmate
Medical / Mental health / Pharmacy	Upon service and / or medication delivery	Medical Providers And Staff	EMR - SCDC Staff	Varies by inmate
Education (Class enrollment, Degrees / Certificates Earned)	Upon enrollment, attainment of degrees / certificates	Teachers And Education Staff	Written/automated entries - SCDC Staff	Varies by inmate
Program Participation	Upon enrollment, program completion or termination	Classification Caseworkers	Written/automated entries - SCDC Staff	Varies by inmate

Please provide a list of the types of data SCDC maintains on each inmate (e.g., programs participated in, disciplinary action, etc.), and for each: (a) when the data is initially obtained/entered, (b) source of the data, and (c) on average, how often the data is updated after initial entry, if updated.				
Type of Data	When obtained/entered?	Source?	Source obtained from:	On average, updated how often?
Restitution (DNA, Property Damage, Medical Copay, Victims Assistance, Court Ordered, etc)	At intake, when medical services rendered / prescriptions filled, upon conviction for destroying state property	Sentencing Sheet, Medical / Pharmacy, Disciplinary Sanctions	Sentencing Sheet - County Detention Staff, Medical/Pharmacy - EMR/CRT automated entries by SCDC Staff, Disciplinary Sanctions - automated entries by SCDC Staff	Varies by inmate
Trust Fund Transactions	At time of transaction	Deposits, Restitution, Canteen Point Of Sale, Special Funds Sales, Inmate Check Requests	Automated system - SCDC Staff	Varies by inmate
Canteen Items Purchased	At time of transaction	Canteen Point Of Sale	Automated system - SCDC Staff	Varies by inmate
Commissary Items Issued	Upon item issue / return	Commissary Order Forms	Automated system - SCDC Staff	Varies by inmate
Visitation (Visitor Applications, Approved Visitors, Visits)	When applicaton received, as visits occur	Visitor Application Form, Visitation System	Written/automated entries - SCDC Staff	Varies by inmate
Victims (Registrations, Notifications)	Victim registration	Victim Registration Forms	Written/automated entries - SCDC Staff	Varies by inmate
Drug Testing	As conducted	Institutional Staff	SCDC Staff	Varies by inmate

Health Information Assignments by Institution

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections:

11. What information related to an inmate's current or past medical conditions, if any, is utilized when determining where an inmate is housed when initially admitted to SCDC?

- Upon arrival at the R&E, inmates are given a medical examination and assigned a medical classification. Inmates are only assigned to institutions that can accommodate their medical needs.
- Please see attached list for Health Information Assignments by Institution.

13. Please list the type of medical conditions for which SCDC may consider moving an inmate from their current cell/dorm/facility to another location, and, for each, why SCDC may consider moving the inmate (e.g., benefit of the inmate or other inmates housed nearby), and to where SCDC may consider moving the inmate.

- Health Services staff conduct medical and mental health assessments upon each inmate admission during the R&E process and complete a classification assignment for each. This healthcare classification is then matched to each facility's designation for medical and mental health classification and any work restrictions in addition to the routine security level assignment. As a result, inmates are transferred from facility to facility to meet medical and mental health needs according to the healthcare designations and staffing/programs at each location. Certain locations are established as "centers of excellence" with expanded staffing who are skilled and trained in specific areas such as inpatient psychiatry is located at Kirkland CI for males. Such moves are made to accommodate the unique and specific needs of the individual inmate with the input of clinical and classification staff.
- Please see attached list for Health Information Assignments by Institution.

HEALTH INFORMATION FOR INSTITUTIONAL ASSIGNMENTS**24-HOUR NURSING CARE****Males**

Broad River Correctional Institution
 Evans Correctional Institution
 Kirkland Correctional Institution
 Lee Correctional Institution
 Lieber Correctional Institution
 McCormick Correctional Institution
 Ridgeland Correctional Institution
 Turbeville Correctional Institution

Females

Camille G. Graham Correctional Institution
 Leath Correctional Institution

AREA MENTAL HEALTH CENTER**Males**

Lee Correctional Institution
 Lieber Correctional Institution
 Perry Correctional Institution
 Turbeville Correctional Institution (young offenders only)

Females

Camille G. Graham Correctional Institution

DAILY NURSING COVERAGE**Males**

Allendale Correctional Institution
 Kershaw Correctional Institution
 MacDougall Correctional Institution
 Manning Correctional Institution
 Perry Correctional Institution
 Trenton Correctional Institution
 Tyger River Correctional Institution

Females

Leath Correctional Institution

DIALYSIS**Males**

Broad River Correctional Institution

Females

Camille G. Graham Correctional Institution

INTERMEDIATE CARE UNIT (NOTE: Prior approval by **Mental Health Staff is required)****Males**

Kirkland Correctional Institution

Females

Camille G. Graham Correctional Institution

HANDICAP UNIT (NOTE: Prior approval by the **Medical Director is required)****Males**

Evans Correctional Institution
 Lieber Correctional Institution (**Deaf and Blind**)
 Lee Correctional Institution (**4 beds only**)
 Turbeville Correctional Institution (**Youthful Offenders only**)

Females

Camille G. Graham Correctional Institution

MENTAL RETARDATION PROGRAM**Males****Females**

Camille G. Graham Institution

If "No Restriction" is indicated, the inmate can be assigned to any institution from a medical perspective.
 Out Patient Mental Health – any institution except Stevenson, Turbeville, Leath & Wateree.

Interstate Corrections Compact Transfers

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "16. Please provide a brief summary of the following as it relates to the Interstate Corrections Compact (ICC): (a) States participating; (b) Amount SCDC pays for an inmate transferred to an out-of-state facility; (c) Amount SCDC receives to house an inmate from another state; (d) Average amount of time to make the transfer, once SCDC determines an inmate at an SCDC facility needs to be transferred out of state; (e) Reasons for which an SCDC inmate can be transferred, including any limitations (i.e., conditions in which a state will not accept an inmate); and (f) Reasons for which an inmate can be transferred to SCDC, including any limitations (i.e., conditions in which SCDC will not accept an inmate)."

Interstate Corrections Compact Transfers

A copy of the Interstate Corrections Compact (ICC) is attached for reference.

States participating;

- | | | |
|------------------|----------------|------------------|
| • Alabama | • Alaska | • Arizona |
| • Arkansas | • California | • Colorado |
| • Congress | • Connecticut | • D.C. |
| • Delaware | • Florida | • Georgia |
| • Idaho | • Illinois | • Indiana |
| • Iowa | • Kansas | • Kentucky |
| • Maine | • Minnesota | • Missouri |
| • Montana | • Nebraska | • Nevada |
| • New Jersey | • New Mexico | • New York |
| • North Carolina | • Ohio | • Oklahoma |
| • Oregon | • Pennsylvania | • South Carolina |
| • Tennessee | • Texas | • Utah |
| • Vermont | • Virginia | • Washington |
| • Wisconsin | | |

Amount SCDC pays for an inmate transferred to an out-of-state facility;

- SCDC does not pay for an inmate transferred and housed in an out-of-state facility as it relates to ICC.

Amount SCDC receives to house an inmate from another state;

- SCDC does not receive any funds to house an inmate from an out-of-state facility as it relates to ICC.

Average amount of time to make the transfer, once SCDC determines an inmate at an SCDC facility needs to be transferred out of state;

- Once SCDC determines an inmate needs to be transferred to an out of state facility utilizing the ICC, it takes an average of 90 days to complete.

Reasons for which an SCDC inmate can be transferred, including any limitations (i.e., conditions in which a state will not accept an inmate); and

- Reasons for which an SCDC inmate can be transferred under the ICC:
 - Need by the inmate for protection beyond that which is available within this state
 - Inmate identified as a management problem in SCDC
 - In the interest of rehabilitation (i.e., to provide an inmate a fresh start in another prison system)
- Limitations on transfer (Involuntary):
 - Inmate should not have any post-conviction relief hearings pending
 - Inmate should not have any detainers

Reasons for which an inmate can be transferred to SCDC, including any limitations (i.e., conditions in which SCDC will not accept an inmate).

- The reasons for which an inmate can be transferred to SCDC are based on that states policy which should be similar to SCDC policy. Although not an automatic disqualifier, an inmates medical and mental health status is closely reviewed.
- Potential reasons inmates are not accepted for ICC transfer:
 - High profile cases
 - Extreme assaultive behavior
 - Medical issues
 - Mental Health issues
 - High ranking STG member with ties to in state gangs

INTERSTATE CORRECTIONS COMPACT

The Interstate Corrections Compact is as follows:

ARTICLE I--Purpose and Policy

The party states, desiring by common action to fully utilize and improve their institutional facilities and provide adequate programs for the confinement, treatment and rehabilitation of various types of offenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of cooperation with one another, thereby serving the best interests of such offenders and of society and effecting economies in capital expenditures and operational costs. The purpose of this compact is to provide for the mutual development and execution of such programs of cooperation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources.

ARTICLE II--Definitions

As used in this compact, unless the context clearly requires otherwise:

- (a) "State" means a state of the United States, the United States of America, a Territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico.
- (b) "Sending state" means a state party to this compact in which conviction or court commitment was had.
- (c) "Receiving state" means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had.
- (d) "Inmate" means a male or female offender who is committed, under sentence to or confined in a penal or correctional institution.
- (e) "Institution" means any penal or correctional facility, including but not limited to a facility for the mentally ill or mentally defective, in which inmates may lawfully be confined.

ARTICLE III--Contracts

(a) Each party state may make one or more contracts with any one or more of the other party states for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

1. Its duration.
2. Payments to be made to the receiving state by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance.

3. Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on account thereof; and the crediting of proceeds from or disposal of any products resulting therefrom.

4. Delivery and retaking of inmates.

5. Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) The terms and provisions of this compact are a part of any contract entered into by the authority of or pursuant thereto, and nothing in any such contract shall be inconsistent therewith.

ARTICLE IV--Procedures and Rights

(a) Whenever the duly constituted authorities in a state party to this compact, and which has entered into a contract pursuant to Article III, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary or desirable in order to provide adequate quarters and care or an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state; provided, that the sending state shall continue to be obligated to such payments as may be required pursuant to the terms of any contract entered into under the terms of Article III.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact including a conduct record of each inmate and certify said record to the official designated by the sending state, in order that each inmate may have official review of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement

in a receiving state shall not deprive any inmate so confined of any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record together with any recommendations of the hearing officials shall be transmitted forthwith to the official or officials before whom the hearing would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his or her status changed on account of any action or proceeding in which the inmate could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parent, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise, or otherwise function with respect to any inmate shall not be deprived of or restricted in the exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

ARTICLE V--Acts Not Reviewable in Receiving State; Extradition

(a) Any decision of the sending state in respect of any matter over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is formally accused of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which the inmate is confined pursuant to this compact shall be deemed a fugitive from the sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving

state, the responsibility for institution of extradition or rendition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

ARTICLE VI--Federal Aid

Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto and any inmate in a receiving state pursuant to this compact may participate in any such federally aided program or activity for which the sending and receiving states have made contractual provision; provided, that if such program or activity is not part of the customary correctional regimen the express consent of the appropriate official of the sending state shall be required therefor.

ARTICLE VII--Entry Into Force

This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any two states. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states upon similar action by such state.

ARTICLE VIII--Withdrawal and Termination

This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal from the compact to the appropriate officials of all other party states. An actual withdrawal shall not take effect until 1 year after the notices provided in said statute have been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

ARTICLE IX--Other Arrangements Unaffected

Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a nonparty state for the confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of cooperative institutional arrangements.

ARTICLE X--Construction and Severability

The provisions of the compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the

applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

215A.030. Commitment by courts to institutions without State if State has entered into contracts

Any court of this State having power to commit or transfer an inmate, as defined in Article II(d) of the Interstate Corrections Compact, to any institution for confinement may commit or transfer such inmate to any institution within or without this State if this State has entered into a contract or contracts for the confinement of inmates in such institution pursuant to Article III of the Interstate Corrections Compact.

215A.040. Enforcement of Compact

The courts, departments, agencies and officers of this state and its subdivisions shall enforce this Compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions, including, but not limited to, the making and submission of such reports as are required by the Compact.

215A.050. Hearings

Any state officers who may be charged with holding any hearings contemplated by this Compact are hereby authorized and directed to hold such hearings as may be requested by any other party state pursuant to Article IV(f) of the Interstate Corrections Compact.

215A.060. Effectuation of State's participation by contract

Any state officer who may be charged with the disposition or care of an inmate, as defined in Article II(d) of the Interstate Corrections Compact, is hereby empowered to enter into such contracts on behalf of this State as may be appropriate to implement the participation of this State in the Interstate Corrections Compact pursuant to Article III thereof. No such contract shall be of any force or effect until approved by the State Board of Examiners.

Current through the 2009 75th Regular Session and the 2010 26th Special Session of the Nevada Legislature and technical corrections received from the Legislative Counsel Bureau (2010).

END OF DOCUMENT

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Inmate Transfer Options Outside the Interstate Corrections Compact

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to following question in LOC's May 16, 2019 letter to the Department of Corrections: "17. Please provide a brief summary of any inmate transfer options, outside of the ICC, the agency has considered or utilized in the last three years. In the summary of each option, include why the agency has considered/used that option instead of ICC as well as differences in the option and ICC (e.g., per day costs of inmates, inmate work/education/programming tracked, speed in which inmates can be transferred)."

Inmate Transfer Options Outside the Interstate Corrections Compact

The SCDC office of Deputy Director of Operations began discussing use of private prisons to house inmates affiliated with security threat groups or those involved in disruptive behavior. On May 1, 2018, after the disturbance at Lee CI, SCDC began to seriously review options to transfer inmates out of state. The use of private prisons was the option explored. SCDC solicited pricing from three private prison entities (Core Civic, MTC, and GEO). Core Civic was selected and on 6/15/2018 the contract was signed. On 6/19/2018 and 6/21/2018, 48 inmates were transferred to Tallahatchie County Correctional Facility in Tutwiler, MS. The facility is PREA compliant based on their last PREA audit. Additionally, the institution is ACA accredited.

The agency utilized this option based on the fact that Core Civic could accommodate all 48 inmates immediately. The Interstate Corrections Compact was not considered given the volume of inmates involved and the speed at which they could be transferred.

Core Civic - \$70 per day, per inmate.

Core Civic provides a progress report every 6 months giving a summary of each inmate's adjustment since the last report, including custody status, program participation, disciplinary history, job assignment, education assignment, and security threat group (STG) affiliation.

SCDC contracts with Wellpath. This is a contract facility, which includes its own medical, mental health and security staffing. It is located in Columbia, SC and also contracts nationally with other states, the BOP, Federal Marshalls, ICE, SCDMH, and potentially others. SCDC's current contract includes up to 10 mental health beds for the most difficult to handle individuals with acute mental health needs, particularly those with significant self-injurious behavior (males or females) in need of frequent off-site emergency management when housed within SCDC, and/or our acute seriously mentally ill females as the SCDC has no female inpatient capacity. Gilliam Psychiatric Hospital (GPH) is a male facility only, located within the confines of Kirkland CI and there is no female alternative at Camille Graham for females.

Also, SCDC houses individuals with subacute medical needs at this facility that are beyond the level of care of the SCDC but who do NOT require acute care hospitalization. Particularly, male or female inmates in need of post stroke rehabilitation will be managed at this facility as SCDC does not have these services on-site within its facilities nor does SCDC have a female subacute infirmary at Camille Graham as we do for males at Kirkland CI. As such, this is a much less expensive alternative than continued inpatient hospitalization.

Job, Program, and Education Participation of Inmates SCDC Transferred to Core Civic in Mississippi

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to following question in LOC's May 16, 2019 letter to the Department of Corrections: "18. For inmates SCDC involuntarily transferred out-of-state during each of the last three years as a result of issues they were creating (as opposed to for the inmate's protection), through ICC or otherwise, please provide information on whether the inmates, while at SCDC, qualified to participate in work, education, or other programs, and, if so, the work, education, or other programs in which they participated, if any. When providing this information, please do not include the inmates' names or any other identifying information."

In addition to providing the information in this document, SCDC provided the following response:

- All inmates involuntary transferred out of state through the ICC for the last three years were housed in Restrictive Housing Units in SCDC and did not qualify to participate in work, education, or other programs. The inmates transferred to Core Civic were general population inmates and were eligible to participate in work and education programs.
- Please see attached list outlining the information requested while housed at SCDC.

**Program and Education Participation
at Time of Transfer to CoreCivic**

PROGRAM CODE	PROGRAM DESCRIPTION
<i>GENERAL PROGRAMS</i>	
340	PROVERBS 226
350	SECOND CHANCE
400	CHARACTER-BASED PROGRAMS
750	COURT-ORD ATU
945	PARENTING INSIDE OUT
<i>EDUCATION PROGRAMS</i>	
201	ADULT ED I
209	SPECIAL EDUCATION

**EWC Job Assignments
at Time of Transfer to CoreCivic**

JOB CODE	JOB DESCRIPTION
3010	BARBER
3045	CANTEEN OPERATOR
3095	SR DINING ROOM OPERATOR
3355	WARDKEEPER
5100	HAULER
5130	LAUNDRY HELPER
5135	LAUNDRY ROOM ATTENDANT
5240	RECREATION AIDE
5310	WARDKEEPER ASSISTANT
5360	FOOD SERVICE AIDE
5365	CUSTODIAN HELPER
7040	GENERAL WORKER
7060	LAUNDRY WORKER

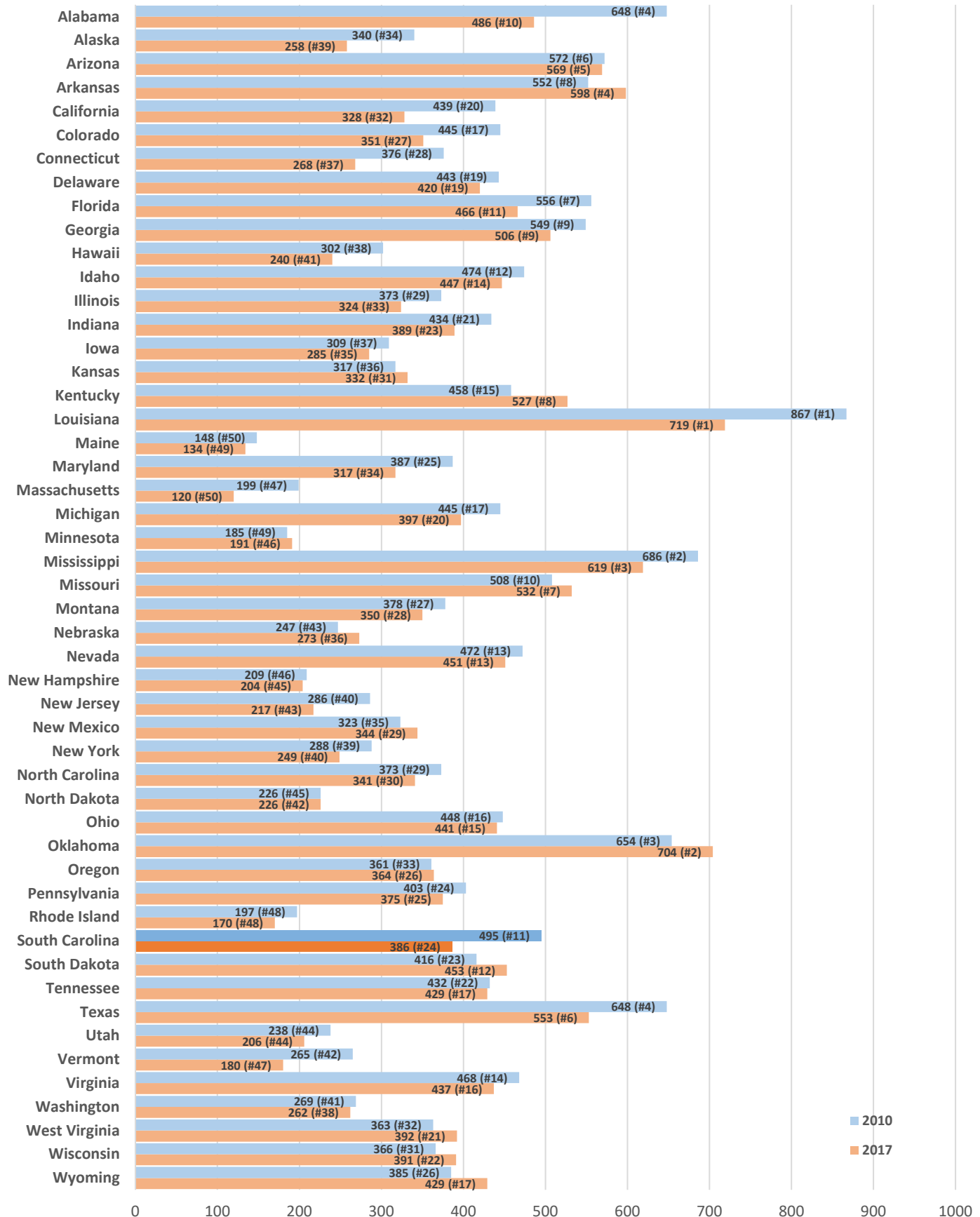
Number of Individuals Incarcerated Per Capita Data

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "20. Please provide a table which includes the number of individuals incarcerated per capita in South Carolina compared to other states."

SCDC states the following as an explanation of the documents attached:

- Please see attached State and Federal Prisoners report from Bureau of Justice Statistics and an Excel spreadsheet bar graph of the 2010 and 2017 incarceration rate per 100,000 U.S. Residents.

Imprisonment Rates of Sentenced Prisoners Under Jurisdiction of State or Federal Correctional Authorities per 100,000 U.S. Residents for 2010 and 2017



Source of data used in graph: Publications from Bureau of Justice Statistics (BJS), Prisoners in 2010 and Prisoners in 2017 .



December 2011, NCJ 236096

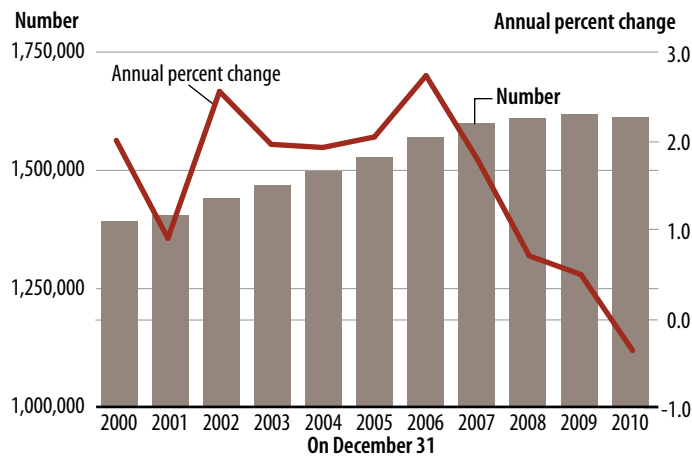
Prisoners in 2010

Paul Guerino, Paige M. Harrison, and William J. Sabol, *BJS Statisticians*

On December 31, 2010, state and federal correctional authorities had jurisdiction over 1,612,395 prisoners, a decrease of 5,575 prisoners from yearend 2009 (**figure 1**). The combined U.S. prison population decreased 0.3% in 2010, the first decline since 1972. The 2010 imprisonment rate for the nation was 500 sentenced prisoners per 100,000 U.S. residents, which is 1 in 200 residents.

The statistics in this report are drawn from the Bureau of Justice Statistics' (BJS) National Prisoner Statistics (NPS) series, which annually collects data on prisoner counts and characteristics, as well as admissions, releases, and capacity, from the 50 states and the Federal Bureau of Prisons. The 2010 NPS collection is the 85th in a series begun in 1925.

FIGURE 1
Prisoners under state and federal jurisdiction at yearend, 2000–2010



Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner regardless of where the prisoner is held.
Source: BJS, National Prisoner Statistics Program.

HIGHLIGHTS

- The overall U.S. prison population declined in 2010 for the first time since 1972. State and federal prisoners numbered 1,612,395 at yearend 2010, a decrease of 0.3% (5,575 prisoners) from yearend 2009.
- The federal prison population increased by 0.8% (1,653 prisoners), while the number of prisoners under state authority declined by 0.5% (7,228 prisoners).
- Half of state departments of corrections (25) reported decreases in their prison populations during 2010. California (down 6,213) reported the largest decline in absolute numbers, while Rhode Island (down 8.6%) reported the largest percentage decrease.
- During 2010, prison releases (708,677) exceeded prison admissions (703,798) for the first time since BJS began collecting jurisdictional data in 1977.
- The stability in prison release rates and expected time to be served indicates that the change in the state prison population between 2009 and 2010 was the result of a decrease in state prison admissions.
- The imprisonment rate was 500 inmates per 100,000 U.S. residents in 2010, continuing the decline since imprisonment rates peaked at 506 per 100,000 in 2007.
- In 2009, the most recent data available, 53% of state prison inmates were serving time for violent offenses, 19% for property, 18% for drug, and 9% for public-order offenses.
- About half (51%) of federal inmates in 2010 were serving time for drug offenses, 35% for public-order offenses (largely weapons and immigration), and less than 10% each for violent and property offenses.
- States held 2,295 inmates under age 18 in custody at midyear 2010, down from 2,779 at midyear 2009. A reported 95,977 non citizens were held in state custody at midyear 2010, down from 97,133 at midyear 2009.

Bulletin

BJS

State correctional authorities had jurisdiction over 1,402,624 prisoners at yearend 2010, down slightly (0.8% or 10,881 prisoners) from yearend 2009 (table 1, figure 2). The federal prison population reached 209,771 prisoners at yearend 2010, up 0.8% (1,653 prisoners) from 2009. This is the smallest percentage growth in the federal prison

population since 1980, when the federal population actually decreased 7.6%. (Not shown in the table.)

Half of state departments of corrections (25) reported decreases in their prison populations during 2010 (appendix table 1). California (down 6,213) reported the largest decline in absolute

numbers, followed by New York (down 2,031) and Michigan (down 1,365). The decline in these states (9,609) was partly offset by increases in other states. Illinois (up 3,257) reported the largest increase in absolute numbers, followed by Texas (up 2,400) and Arkansas (up 996).

TABLE 1**Prisoners under the jurisdiction of state or federal correctional authorities, December 31, 2000–2010**

Year	Total	Federal ^a	State	Male	Female	Sentenced prisoners ^b	Imprisonment rate ^c
2000	1,391,261	145,416	1,245,845	1,298,027	93,234	1,331,278	478
2001	1,404,032	156,993	1,247,039	1,311,053	92,979	1,345,217	470
2002	1,440,144	163,528	1,276,616	1,342,513	97,631	1,380,516	476
2003	1,468,601	173,059	1,295,542	1,367,755	100,846	1,408,361	482
2004	1,497,100	180,328	1,316,772	1,392,278	104,822	1,433,728	486
2005	1,527,929	187,618	1,340,311	1,420,303	107,626	1,462,866	491
2006	1,569,945	193,046	1,376,899	1,457,486	112,459	1,504,660	501
2007	1,598,245	199,618	1,398,627	1,483,740	114,505	1,532,850	506
2008	1,609,759	201,280	1,408,479	1,495,110	114,649	1,547,742	504
2009	1,617,970	208,118	1,409,852	1,504,428	113,542	1,553,700	504
2010	1,612,395	209,771	1,402,624	1,499,573	112,822	1,550,257	500
Percent change							
Average annual, 2000–2009	1.7%	4.1%	1.4%	1.7%	2.2%	1.7%	0.6%
2009–2010	-0.3	0.8	-0.5	-0.3	-0.6	-0.2	-0.8

Note: *Jurisdiction* refers to the legal authority of state or federal correctional officials over a prisoner regardless of where the prisoner is held.

^aIncludes inmates held in non-secure privately operated community corrections centers and juveniles held in contract facilities

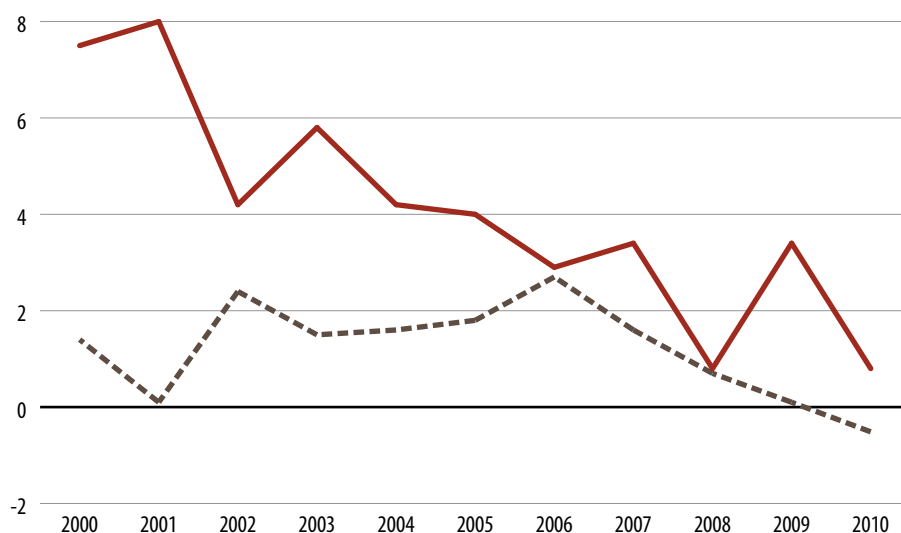
^bCounts based on prisoners with sentences of more than 1 year under the jurisdiction of state or federal correctional officials.

^cImprisonment rate is the number of prisoners under state or federal jurisdiction with a sentence of more than 1 year per 100,000 U.S. residents. Resident population estimates are from the U.S. Census Bureau for January 1 of the following year.

Source: BJS, National Prisoner Statistics Program.

FIGURE 2**Change in the number of prisoners under state and federal jurisdiction, 2000–2010**

Percent change



Note: *Jurisdiction* refers to the legal authority of state or federal correctional officials over a prisoner regardless of where the prisoner is held. Percent change is calculated based on December 31 jurisdiction counts.

Source: BJS, National Prisoner Statistics Program.

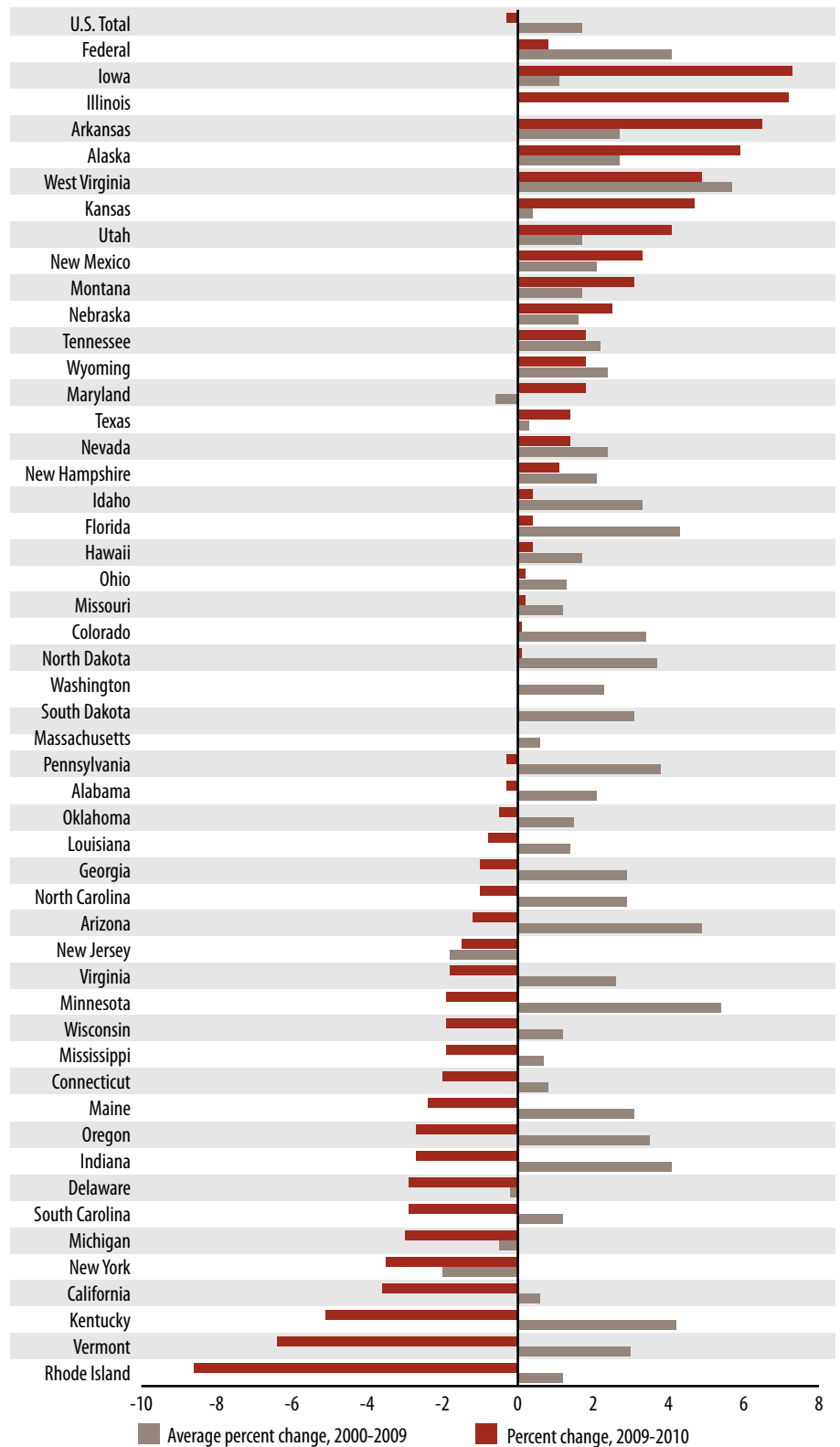
Among state prisons, Rhode Island (down 8.6%) reported the largest percentage decrease in the size of the prisoner population during 2010, followed by Vermont (down 6.4%) and Kentucky (down 5.1%).¹ The 2010 decline in these states contrasts with their average annual change between 2000 and 2009, when Rhode Island had an average annual prison population growth of 1.2%, Vermont averaged 3.0% growth, and Kentucky averaged 4.2%.

During 2010, Iowa reported the largest percentage increase (7.3%) in its state prison population, followed by Illinois (up 7.2%), and Arkansas (up 6.5%). The population increases in these states are substantially higher than their average annual growth between 2000 and 2009, when Iowa had an average annual population growth of 1.1%, the Illinois population remained stable, and Arkansas averaged 2.7% growth (figure 3).

¹In Rhode Island and Vermont prisons and jails form one integrated system. Data include jail and prison populations.

FIGURE 3

Change in prisoners under the jurisdiction of state and federal correctional authorities, 2000–2009 and 2009–2010



Note: *Jurisdiction* refers to the legal authority of state or federal correctional officials over a prisoner regardless of where the prisoner is held.

*Prisons and jails form one integrated system. Data include jail and prison populations.

Source: BJS, National Prisoner Statistics Program.

The imprisonment rate declined in 2010

The nation's imprisonment rate in 2010 was 500 sentenced prisoners per 100,000 U.S. residents, or 1 in 200 residents (not shown in a figure). This was down from the 2009 rate of 504 prisoners per 100,000 or 1 in 198 residents. About 27% of the decrease in the imprisonment rate was due to the decline in the number of sentenced prisoners, and the remaining 73% was due to the increase in the U.S. resident population. Since 2007, the imprisonment rate has declined each year, after reaching a peak of 506 per 100,000.

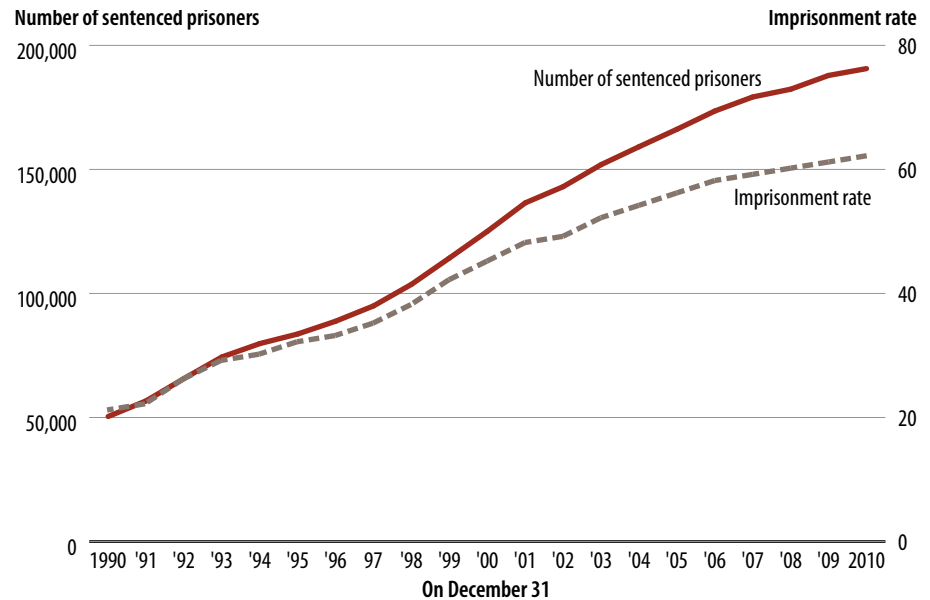
Between 2009 and 2010, the imprisonment rate for federal prisoners remained at 61 per 100,000 U.S. residents, while the state imprisonment rate declined from 444 to 439 per 100,000 (figures 4 and 5; appendix table 9). Compared to the 1990s when the state imprisonment rate increased 60%, from 272 inmates per 100,000 U.S. residents in 1990 to 434 per 100,000 in 1999, the state imprisonment rate has been relatively consistent during the 2000s, fluctuating around 430.

Imprisonment rates decreased in 34 states during 2010, stayed the same in the federal system, and increased in 16 states (not shown in table or figure). Wisconsin (down 27 prisoners per 100,000 state residents) reported the largest imprisonment rate decline, followed by Kentucky (down 20), and California (down 19). Arkansas (up 30 prisoners per 100,000 state residents) reported the largest increase in imprisonment rate, followed by Illinois (up 24) and Iowa and West Virginia (each up 17).

At yearend 2010, the male imprisonment rate for the nation was 943 per 100,000 male residents (down from 952 at yearend 2009). The female imprisonment rate was unchanged at 67 per 100,000 female residents (appendix table 9).

FIGURE 4

Number and imprisonment rate of sentenced prisoners under federal jurisdiction, 1990–2010

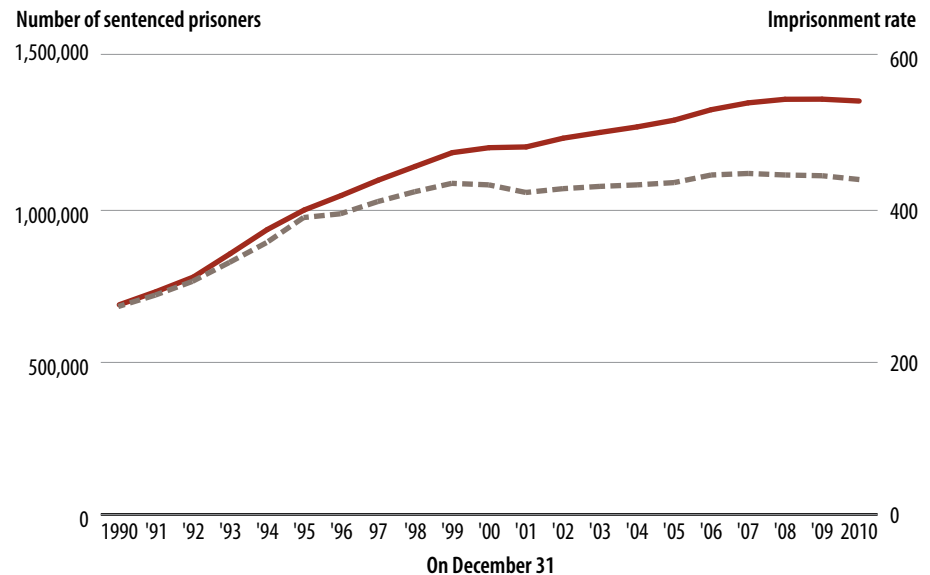


Note: Counts based on prisoners with sentences of more than 1 year under the jurisdiction of state or federal correctional officials.

Source: BJS, National Prisoner Statistics Program.

FIGURE 5

Number and imprisonment rate of sentenced prisoners under state jurisdiction, 1990–2010



Note: Counts based on prisoners with sentences of more than 1 year under the jurisdiction of state or federal correctional officials.

Source: BJS, National Prisoner Statistics Program.

Releases from prison exceeded admissions; however, both declined during 2010

In 2010, both admissions to and releases from prison decreased. Admissions were down 3.8% and releases were down 2.9% (figure 6). For the first time since BJS began collecting jurisdictional data in 1977, releases from prison (708,677) exceeded admissions to prison (703,798), resulting in an overall decline in the prisoner population (table 2).

State prison admissions decreased 3.8% (down 25,746 admissions) during 2010. Among the 31 states with fewer admissions in 2010, several large states led the trend. California had the greatest decline in the number of admissions (down 10,762 admissions or 8.3%), followed by Florida (down 5,264 or 13.8%), Illinois (down 3,402 or 9.0%), and Ohio (down 2,265 or 8.4%) (appendix table 10a). However, the overall decline in admissions was partly offset by increases in several states,

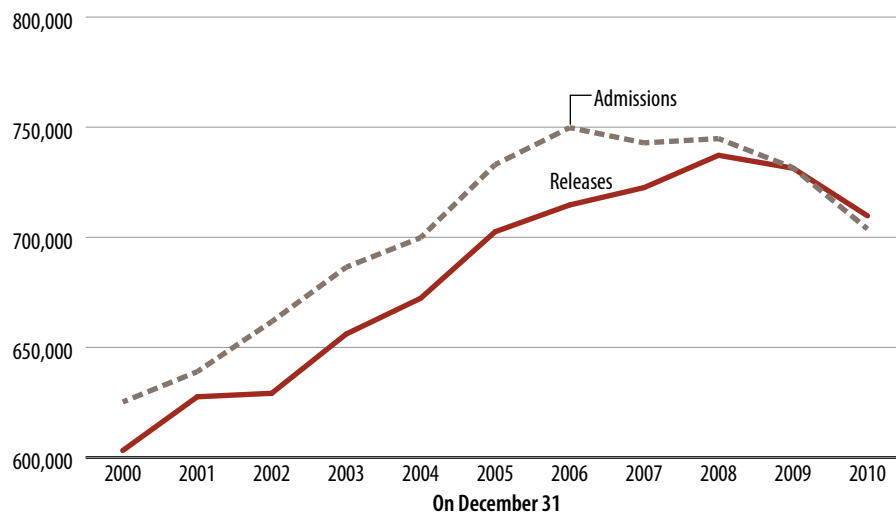
including Texas (up 2,476 admissions or 3.5%) and Louisiana (up 2,251 or 15.1%).

Releases from state prison decreased by 22,839 (down 3.4%), led by some of the same states that experienced a decline in admissions. Illinois released 6,979 fewer prisoners (down 18.3%), California 6,951 fewer (down 5.4%), and Florida 4,518 fewer (down 12.2%). Louisiana had the largest increase in the number of prisoners released during the year (up 2,338 or 15.7%), followed by Pennsylvania (up 2,151 or 14.7%) and Kentucky (up 1,824 or 12.9%).

Federal prison admissions decreased 3.6% in 2010, while releases increased 3.5%. There were 1,767 more sentenced federal prisoners released in 2010 than in 2009.

FIGURE 6
Number of sentenced prisoners admitted to and released from state or federal prison, 2000–2010

Number of sentenced prisoners



Note: Scale of vertical axis was narrowed to reveal divergence between admission and release values.
Source: BJS, National Prisoner Statistics Program.

TABLE 2
Number of sentenced prisoners admitted to and released from state and federal jurisdiction, 2000–2010

Year	Admissions			Releases		
	Total	Federal	State	Total	Federal	State
2000	625,219	43,732	581,487	604,858	35,259	569,599
2001	638,978	45,140	593,838	628,626	38,370	590,256
2002	661,712	48,144	613,568	630,176	42,339	587,837
2003	686,437	52,288	634,149	656,384	44,199	612,185
2004	699,812	52,982	646,830	672,202	46,624	625,578
2005	733,009	56,057	676,952	701,632	48,323	653,309
2006	749,798	57,495	692,303	713,473	47,920	665,553
2007	742,875	53,618	689,257	721,161	48,764	672,397
2008	744,822	53,662	691,160	735,454	52,348	683,106
2009	731,576	56,153	675,423	729,749	50,720	679,029
2010	703,798	54,121	649,677	708,677	52,487	656,190
Percent change						
Average annual, 2000–2009	1.8%	2.8%	1.7%	2.1%	4.1%	2.0%
2009–2010	-3.8	-3.6	-3.8	-2.9	3.5	-3.4

Note: Counts based on prisoners with a sentence of more than 1 year. Counts exclude transfers, escapes, and prisoners absent without leave (AWOL).

Source: BJS, National Prisoner Statistics Program.

Decline in state prison admissions was led by a decrease in parole violators admitted in California

Most offenders enter prison in one of two ways. About two-thirds are admitted as new court commitments. New court commitments include admissions into prison of offenders convicted and sentenced by a court, usually to a term of more than 1 year, including probation violators and persons with a split sentence to incarceration followed by court-ordered probation or parole. About a third of new court commitments were admitted because they violated a condition of supervised release. Parole violators include all conditional release violators returned to prison for either violation of conditions of release or for new crimes. Both types of admissions declined in 2010.

New court commitments to state prison totaled 408,845 in 2010, a 3.5% decrease (14,628 fewer admissions) from 2009. The decrease in new court commitments accounted for more than half of the total decline in the number of state prison admissions in 2010 (**table 3**). Florida (down 5,165 from 2009), Illinois (down 4,593), and California (down 3,405) accounted for nearly 90% of the decrease in new court commitments among state prison systems (not shown).

In addition to new court commitments, 227,311 parole violators returned to state prison. This number represents a decrease of 10,408 (4.4%) from 2009 and accounts for about 40% of the total decline in the number of state prison admissions during 2010 (**table 3**). California admitted 7,357 fewer parole violators in 2010, accounting for about three-quarters (71%) of the total decrease in such admissions among states (not shown).

The decrease in releases from state prisons was divided between conditional and unconditional releases

Most offenders are released in one of two ways. About three-quarters are released conditionally (i.e., released to parole or another form of supervised release). About a quarter are released unconditionally (e.g. expiration of sentence or commutation). The 3.4% overall decrease in state prisoner releases during 2010 (down 22,839 prisoners), was due partly to fewer conditional releases (down 10,738 or 2.1%) and partly to fewer unconditional releases (down 10,727 or 6.6%). (See

type of releases in *Definition of Terms*.) Despite this decrease in releases, the greater decrease in admissions resulted in a decline in the overall prison population (**table 4**).

Illinois (down 7,922 conditional releases) and California (down 6,900) had the largest declines in conditional releases, partially offset by increases in Virginia (up 8,278). The decrease in unconditional releases during 2010 is largely attributable to Virginia (down 8,301—due in part to a change in reporting methods) and Florida (down 2,818) (not shown).

TABLE 3

Sentenced prisoner admitted to state prisons, by type of admission, 2000–2010

Year	Total ^a	New court commitments ^b	Parole violators ^{b,c}
2000	581,487	350,431	203,569
2001	593,838	365,714	215,450
2002	613,568	392,661	207,855
2003	634,149	399,843	198,705
2004	646,830	411,300	219,033
2005	676,952	421,426	232,229
2006	692,303	441,606	239,495
2007	689,257	431,019	247,851
2008	691,160	428,591	248,515
2009	675,423	423,473	237,719
2010	649,677	408,845	227,311
Percent change, 2009–2010	-3.8%	-3.5%	-4.4%

^aCounts based on prisoners with a sentence of more than 1 year. Counts exclude transfers, escapes, and those absent without leave (AWOL). Includes other conditional release violators, returns from appeal or bond, and other admissions.

^bExcludes Alaska because admissions are not available by type.

^cIncludes all conditional release violators returned to prison for either violation of conditions of release or for new crimes.

Source: BJS, National Prisoner Statistics Program

TABLE 4

Sentenced prisoner released from state prisons, by type of release, 2000–2010

Year	Total ^a	Conditional ^b	Unconditional ^c
2000	569,599	425,887	118,886
2001	590,256	437,251	130,823
2002	587,837	440,842	127,389
2003	612,185	442,168	127,386
2004	625,578	480,727	123,147
2005	653,309	495,370	133,943
2006	665,553	497,801	148,114
2007	672,397	504,181	152,589
2008	683,106	505,168	165,568
2009	679,029	504,025	162,116
2010	656,190	493,287	151,389
Percent change, 2009–2010	-3.4%	-2.1%	-6.6%

^aCounts based on prisoners with a sentence of more than 1 year. Counts exclude transfers, escapes, and prisoners absent without leave (AWOL). Totals include deaths, releases to appeal or bond, and other releases.

^bIncludes releases to probation, supervised mandatory releases, and other unspecified conditional releases.

^cIncludes expirations of sentence, commutations, and other unconditional releases.

Source: BJS, National Prisoner Statistics Program.

Decline in admissions accounted for decrease in state prison population, as time served by state prisoners remained relatively unchanged

The mean expected time to be served in state prisons from arrival to release was constant between 2009 and 2010. The stability in expected time to serve in prison cannot account for the decline in the number of prisoners under state correctional authorities (table 5).

Nationwide state prisoners could expect to serve about 2 years from arrival to release in 2010, as mean expected time to be served has been relatively constant from 2000 through 2010. This measure of time served does not account for differences in expected time served between the two types of admissions (new court commitments versus parole violator).

Given the stability in release rates and expected time to be served, the change in the state prison population between 2009 and 2010 must be the result of the decrease in the number admitted into state prisons. Within admission types, the decline in new court commitments accounted for more than half of the overall decline in admissions, and fewer admissions from the courts indicates either a decrease in the probability of a

prison sentence, given conviction, or a decrease in the number of convictions. Data on these two measures are not yet available for 2010.

Other selected findings—

- The sentenced male prison population decreased by 2,716, or 0.2% (appendix table 6); the sentenced female population decreased by 727, or 0.7% (appendix table 8).
- Males had an imprisonment rate of 943 per 100,000 male U. S. residents, 14 times higher than the rate for females (67 per 100,000 female U.S. residents) (appendix table 9).
- At yearend 2010, black non-Hispanic males had an imprisonment rate (3,074 per 100,000 U.S. black male residents) that was nearly 7 times higher than white non-Hispanic males (459 per 100,000) (appendix table 14).
- Black non-Hispanic females (133 per 100,000 U.S. black female residents) had an imprisonment rate nearly 3 times that of white non-Hispanic females (47 per 100,000) (appendix table 14).
- An estimated 7.3% of black males ages 30-34 were in state or federal prison (appendix table 15).
- At yearend 2009 (the most recent data available), males sentenced to more than 1 year incarcerated in state prison for violent offenses (54%), followed by property (18%), and drug offenses (17%) (appendix table 17b).
- More than a third (36%) of females sentenced to more than 1 year were incarcerated for violent offenses. Property offenses (30%) and drug offenses (26%) were the next most prevalent offenses (appendix table 17b).
- Private facilities housed 128,195 prisoners at yearend 2010, down slightly from 129,333 at yearend 2009 (appendix table 19).
- About 16% of federal prisoners (33,830) and nearly 7% of state prisoners (94,365) were housed in private facilities on December 31, 2010 (appendix table 20).
- The number of prisoners under state or federal jurisdiction held in local facilities declined by 2,920. About 5.3% of all state or federal prisoners were held in local facilities at yearend 2010, down from 5.4% in 2009 (appendix table 21).
- Overall, in 2010 state systems were operating between 1% under their highest capacity and 9% over their lowest capacity, compared to being exactly at high capacity and 15% over low capacity in 2000 (appendix table 23). (See capacity in *Definitions of Terms*).
- Nineteen state systems were operating above their highest capacity, with seven states at least 25% over their highest capacity at yearend 2010, led by Alabama at 196% and Illinois at 144% (appendix table 23).
- Twenty-eight state systems were operating at or below their highest capacity.² Mississippi was operating at 46% of its highest capacity, followed by New Mexico (53%) and Utah and Wyoming (each at 79%).
- The Federal Bureau of Prisons operated at 36% above reported capacity at yearend 2010.
- States held 2,295 inmates under age 18 in custody at midyear 2010 (most recent data available), down from 2,779 in 2009 and 3,896 in 2000 (appendix table 24).
- A reported 95,977 noncitizens were held in custody at midyear 2010, down from 97,133 at midyear 2009 (see appendix table 25 for state-level definitions of noncitizen).

TABLE 5

Estimated mean expected time to be served, in years, 2000–2010

Year	Reciprocal of release rate	Growth-adjusted release rate*
2000	2.1 yr.	2.1 yr.
2001	2.0	2.1
2002	2.1	2.1
2003	2.0	2.1
2004	2.0	2.1
2005	2.0	2.0
2006	2.0	2.0
2007	2.0	2.1
2008	2.0	2.1
2009	2.0	2.1
2010	2.1	2.1

Note: Mean expected time to be served is the estimated mean (average) time to be served from entry to release by prisoners admitted during the reference year. See *Methodology*.

*See "Calculating release rates and mean time served" in *Methodology*.

Source: BJS, National Prisoner Statistics Program

Methodology

National Prisoner Statistics

Begun in 1926 under a mandate from Congress, the National Prisoner Statistics (NPS) program collects annual statistics on prisoners at yearend. The Bureau of Justice Statistics (BJS) sponsors the survey, and the U.S. Census Bureau serves as the data collection agent. BJS depends entirely on the voluntary participation of state departments of corrections and the Federal Bureau of Prisons for NPS data.

The NPS distinguishes between prisoners in custody and prisoners under jurisdiction. To have custody of a prisoner, a state or federal prison must hold that inmate in one of its facilities. Jurisdiction over a prisoner means state or federal officials have legal authority over that prisoner regardless of where the prisoner is incarcerated or supervised. Some states are unable to provide counts that distinguish between custody and jurisdiction. (See *Jurisdiction Notes* to determine which states did not distinguish between custody and jurisdiction counts.)

The NPS jurisdiction counts include persons held in prisons, penitentiaries, correctional facilities, halfway houses, boot camps, farms, training or treatment centers, and hospitals. Counts also include prisoners who are—

- temporarily absent (less than 30 days), out to court, or on work release;
- housed in privately operated facilities, local jails, other state or federal facilities; and/or serving concurrent sentences for more than one correctional authority.

The NPS custody counts include all inmates held within a state's facilities, including inmates housed for other states. The custody counts exclude inmates held in local jails and in other jurisdictions. With a few exceptions, the final custody counts reported by BJS include inmates held in privately operated facilities.

The NPS has historically included counts of inmates in the combined jail-prison systems of Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont. The District of Columbia (D.C.) has not operated a prison system since yearend 2001. Felons sentenced under the D.C. criminal code are housed in federal facilities. Jail inmates in D.C. are included in the Annual Survey of Jails. Some previously published prisoner counts and the percentage change in population include D.C. jail inmates for 2001, the last year of collection.

Admissions include new court commitments, parole violator returns, and other conditional release violator returns; transfers from other jurisdictions; returns of prisoners absent without leave (AWOL), with or without a new sentence; escape returns, with or without a new sentence; returns from appeal or bond, and other admissions. For reporting purposes, BJS admission counts exclude transfers from other jurisdictions, AWOL returns, and escape returns.

Releases include unconditional releases (i.e., expirations of sentence, commutations, and other conditional releases), conditional releases (i.e., probations, supervised mandatory releases, discretionary paroles, and other conditional releases), deaths, AWOLs, escapes from confinement, transfers to other jurisdictions, releases to appeal or bond, and other releases. For reporting purposes, BJS release counts exclude AWOLs, escapes, and transfers to other jurisdictions.

BJS allows respondents to update data they previously submitted. This report includes the most recently reported data for 2009 and 2010. Additional information about the NPS, including the data collection instrument, is available on the BJS website at www.bjs.gov.

Estimating imprisonment rates by age, sex, and race/Hispanic origin

Estimates of the total number of sentenced prisoners on December 31, 2010, by age, sex, race, and Hispanic

origin were generated by creating separate totals for federal and state prisons and then combining them.

Federal prisoner data used to calculate age, race, and offense distributions are obtained from the BJS Federal Justice Statistics Program (FJSP). The FJSP obtains prisoner data from the Federal Bureau of Prisons. These data include individual-level records of prisoners in federal facilities as of September 30. Specifically, the FJSP provides counts of sentenced federal inmates by age, sex, race, Hispanic origin, and offense.

Federal prisoner estimates were generated by calculating ratios of FJSP race counts within each sex to the FJSP sex count (e.g., FJSP white male total divided by FJSP male total). This ratio was then multiplied by the NPS counts of sentenced federal prisoners within the appropriate sex (e.g., NPS male total), resulting in FJSP-adjusted NPS count for each sex-race combination (e.g., NPS white males, adjusted to match the ratio of whites in the male FJSP population).

Each sex-race count was then multiplied by the ratio of FJSP age category count within the sex-race combination to the FJSP total count within the sex-race combination (e.g., FJSP 18-19 year-old white males divided by FJSP white males). The resulting product yielded the FJSP-adjusted NPS counts for each sex-race combination by age group (e.g., 18-19 year-old white male prisoners in the federal prison system).

Estimated state prisoner counts were generated by calculating the ratio of the various NPS jurisdiction race totals within each sex to the NPS jurisdiction sex total (e.g., NPS black female total jurisdiction divided by NPS female total jurisdiction) and multiplying the result by the NPS sentenced prisoner count for the sex (e.g., NPS sentenced female total). Once this was completed for each sex-race combination, a ratio adjustment was applied to the resulting totals so they summed to the proper sentenced jurisdictional total (e.g., estimated sentenced prisoner counts for white females, black females, and other females summed to the NPS sentenced

female prisoner count). A similar ratio adjustment was applied to the NPS jurisdiction counts to create sentenced prisoner counts by race. Once these totals were created, a method similar to the one used with federal prisoners was employed, adjusting National Corrections Reporting Program (NCRP) data by age, sex, race, and Hispanic origin to match the estimated NPS sentenced prisoner counts for each sex-race combination.³

The resulting totals were finally ratio-adjusted so the totals within each sex-race category matched the NPS sentenced prisoner counts, adjusted for the difference between administrative race data and the self-reported race data from the 2008-2009 National Inmate Survey.⁴ As described above, the resulting totals were combined with the federal prisoner counts to create estimates of the total number of sentenced prisoners on December 31, 2010, by age, sex, race, and Hispanic origin.

Age-specific imprisonment rates for each age-sex-race group were calculated by dividing the estimated number of sentenced prisoners within each age group by the estimated number of U.S. residents in each age group on January 1, 2011. The result was multiplied by 100,000 and rounded to the nearest whole number. Totals by sex include all prisoners and U.S. residents regardless of race or Hispanic origin. Detailed race and Hispanic origin imprisonment rates exclude persons identifying as two or more races.

³The NCRP data used in 2010 are improved from prior years in their completeness and timeliness. Use caution when comparing totals and imprisonment rates by age, sex, and race/Hispanic origin over time.

⁴Prior year administrative data were adjusted to the 2004 Survey of Inmates in State and Local Correctional Facilities.

Calculating release rates and mean time served

Mean expected time to be served was estimated using two methods that take into account growth in the prison population (table 5). The measure of expected time to be served is an estimate of mean time to be served by persons entering prison. This measure differs from other estimates that are based on the actual time served by persons released from prison. Research has shown that estimates of time served for exiting cohorts are biased estimates of time served for persons entering prison, especially when prison population size is changing or the number of admissions is changing. (For example, see Patterson, E.J. and S.H. Preston (2008). "Estimating Mean Length of Stay in Prisons: Methods and Applications," *Journal of Quantitative Criminology*, 24, 33-49.)

The adjustment for growth in the prison population reduces bias in estimates of time served based only on exits. The two adjusted measures of expected time served were a growth-adjusted release rate measure and a growth-adjusted entry rate measure. The growth-adjusted exit rate measure applies the mean rate of growth in the prison population to the reciprocal of the release rate, or—

$$\text{Mean expected time served} = (P_t - P_{t-1}) / r / R_t$$

Where:

t = year

P = the number of sentenced prisoners

r = mean growth rate, calculated as $\ln(P_t / P_{t-1})$

R = number of releases

The entry rate estimate of mean time to be served, corrected for growth, was estimated as follows.

$$1 / [(P_t / A_t) * (1 - rA_p)]$$

Where t , P , and r are as above, and A_t = the number of sentenced admissions, and A_p equals the mean duration of the prison population, that is mean time served from admission until yearend. Estimates of mean duration of the prison population came from NCRP data.

Prison capacities

State and federal correctional authorities provide three measures of their facilities' capacity: design capacity, operational capacity, and rated capacity. Estimates of the prison populations as a percentage of capacity are based on a state or federal custody population. In general, state capacity and custody counts exclude inmates held in private facilities, although six states include prisoners held in private facilities as part of the capacity of their prison systems: Georgia, Idaho, Louisiana, Mississippi, Oklahoma, and New Mexico. For these states, prison population as a percent of capacity includes private facilities.

NPS jurisdiction notes

Alabama—Operational capacity represents physical capacity to hold inmates, but is not based on staffing, programs, and services.

Alaska—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified. Jurisdiction totals include individuals in electronic and special monitoring programs. Noncitizen data include only offenders known to be noncitizens and do not include offenders of unknown citizenship.

The Alaska Department of Corrections was unable to provide admissions and releases by type. These counts were imputed using a ratio adjustment based on the 2009 admission and release data reported by the state. Capacity counts were not provided in 2010; the 2009 capacity counts were imputed by BJS at the state's request.

Arizona—Population counts are based on custody data and inmates in contracted beds. The Arizona Department of Corrections added about 4,000 state beds rated as operational capacity and some inmates previously housed out of state or in private facilities were transferred to state beds. This transfer is reflected in the change between 2009 and 2010 in the private and noncitizen counts.

California—Jurisdiction counts include felons who are temporarily absent (i.e., housed in local jails, out to court, or in hospitals) and include offenders in the California Civil Addict Program (CAP) who are temporarily absent and typically returned to prison within 30 days. The CAP is a drug abuse treatment program offering treatment both onsite and offsite.

Colorado—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year or less. Counts include 259 male and 11 female inmates in the Youthful Offender System, which was established primarily for violent juvenile offenders. Mandatory releases have increased due to a legislative revision that went into effect July 2009. Operational and design capacity do not include privately run facilities. Noncitizen is defined as foreign born.

Connecticut—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified. Legislation in July 1995 abolished the capacity law. The capacity of a facility is a fluid number based upon the needs of the department. The needs are dictated by security issues, populations, court decrees, legal mandates, staffing, and physical plant areas or facilities that are serving other purposes or have been decommissioned. The actual capacity of a facility is subject to change.

Delaware—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified. Capacity counts include halfway houses under the Department of Corrections.

Federal Bureau of Prisons—Counts include inmates housed in secure facilities through private contracts and subcontracts. They also included 8,629 inmates held in nonsecure privately operated community corrections centers and 2,548 offenders on home confinement. Expirations of sentence include good conduct releases that usually have a separate and distinct term of supervision. The Federal Bureau of Prisons does not house inmates under age 18 in federal facilities; 142 such inmates were housed in contract facilities.

Florida—Noncitizen counts includes both confirmed and suspected alien inmates.

Georgia—Population counts exclude an undetermined number of inmates housed in local jails, awaiting transfer to prison. Counts may not compare to previous years due to a data system conversion.

The Georgia Department of Corrections (GDC) was unable to provide jurisdiction counts of admissions by type or releases by type. Jurisdiction counts by race, type of admission, and type of release were imputed using ratio adjustments based on counts reported by GDC in 2009.

The GDC total admissions and releases for 2010 are reported, but the breakdown by type has been suppressed at their request. These breakouts are included in national totals. All imputations were reviewed and approved by GDC staff.

Hawaii—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified. Noncitizen data are self reported.

Illinois—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year. Noncitizen count is estimated.

Idaho—Capacity is defined as 100% of maximum capacity and operational capacity as 95% of maximum capacity. Design capacity is based on original facility occupancy.

Iowa—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year or less. In 2009, Iowa began including offenders on work release, operating while under the influence continuum status, and Iowa inmates housed in prisons out of state per BJS counting rules. Previously, counts were based on custody data.

NPS jurisdiction notes (continued)

Kansas—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year or less. Noncitizen count is estimated.

Maine—Maine does not use the term parole. Parole releases and parole violator admissions are reported as inmates on post-sentence probation.

Massachusetts—Jurisdiction count excludes approximately 3,271 inmates in local jails and houses of corrections serving a sentence of more than 1 year. By law, offenders in Massachusetts may be sentenced to terms of up to 30 months in locally operated jails and correctional institutions. Noncitizen data are self-reported.

Michigan—Operational capacity includes the net operating capacities of institutions, as well as the population of community programs.

Missouri—Operational capacity is the number of available beds, including those temporarily offline. Noncitizen is defined as foreign born.

Mississippi—Citizenship data were not collected.

Nebraska—Operational capacity is defined as stress capacity, which is 125% of design capacity for designated facilities. This capacity is ordered by the governor, but set by the Department of Corrections.

Nevada—Noncitizen data are not available.

New Jersey—Jurisdiction counts for prisoners with sentences of more than 1 year include prisoners with sentences of 1 year. Noncitizen data were not collected on every inmate.

New York—Noncitizen is defined as foreign born.

North Carolina—Prison inmates held in local jails are not counted in the prison population until admission to prison.

North Dakota—Capacity accounts for double-bunking in the state penitentiary.

Ohio—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year or less. Reporting methods for admissions and releases and for private facilities have been revised and are not comparable to previous years.

Oklahoma—Population counts for inmates with sentences of less than 1 year consist mainly of offenders ordered by the court to the Delayed Sentencing Program for Young Adults pursuant to 22 O.S. 996 through 996.3. Oklahoma has only one type of capacity, which includes state prisons, private prisons, and contract jails. Noncitizen is defined as a person with Immigration and Customs Enforcement detainees.

Oregon—Population counts for prisoners with a sentence of more than 1 year include an undetermined number of prisoners with sentences of 1 year or less. County authorities retain jurisdiction over the majority of these types of inmates. The operational capacity reported is planned capacity.”

Rhode Island—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified. Capacity counts reflect the opening of a new women’s facility in 2010.

South Carolina—Noncitizen data are self-reported.

South Dakota—Operational capacity reported is planned capacity.

Tennessee—Noncitizen is defined as foreign born.

Texas—Jurisdiction count includes offenders in custody as well as those held in privately operated prisons, substance abuse felony punishment facilities, halfway houses, offenders temporarily released to a county jail for less than 30 days, and offenders awaiting paperwork for transfer to state-funded custody.

Vermont—Prisons and jails form one integrated system. Data include jail and prison populations unless otherwise specified.

Virginia—Virginia Department of Corrections maintains a count of beds which most closely fits the definition for rated capacity. Number of beds assigned by rating officials takes into account the number of inmates who can be accommodated based on staff, programs, services, and design. Noncitizen is defined as foreign born.

Wisconsin—Counts include 698 temporary probation and parole placements. Capacity includes two adult state prison facilities, one juvenile facility under the jurisdiction of Wisconsin Department of Corrections (DOC), and one nonDOC facility. Local jails and other federal, state, and private facilities are excluded from capacity.

Wyoming—A new male correctional facility was opened in January 2010.

Definition of Terms

Average annual change—average (mean) annual change across a specific period.

Capacity, design—the number of inmates that planners or architects intended for a facility.

Capacity, highest—the maximum number of beds reported across the three capacity measures: design capacity, operational capacity, and rated capacity.

Capacity, lowest—the minimum number of beds across three capacity measures: design capacity, operational capacity, and rated capacity.

Capacity, operational—the number of inmates that can be accommodated based on a facility's staff, existing programs, and services.

Capacity, rated—the number of beds or inmates assigned by a rating official to institutions within a jurisdiction.

Conditional releases—includes discretionary parole, mandatory parole, post-custody probation, and other unspecified conditional releases.

Conditional release violators—re-admission to prison of persons released to discretionary parole, mandatory parole, post-custody probation, and other unspecified conditional releases.

Custody—prisoners held in the physical custody of state or federal prisons or local jails, regardless of sentence length or authority having jurisdiction.

Imprisonment rate—the number of prisoners under state or federal jurisdiction sentenced to more than 1 year per 100,000 U.S. residents.

Inmate—person incarcerated in a local jail, state or federal prison, or private facility under contract to federal, state or local authorities.

Jail—confinement facility usually administered by a local law enforcement agency; intended for adults, but sometimes holding juveniles; for confinement before and after adjudication. Such facilities include jails and city/county correctional centers, special jail facilities such as medical treatment or release centers, halfway houses, work farms, and temporary holding or lockup facilities that are part of the jail's combined function. Inmates sentenced to jail facilities usually have a sentence of 1 year or less. Connecticut, Rhode Island, Vermont, Delaware, Alaska, and Hawaii operate integrated systems, which combine prisons and jails.

Jurisdiction—the legal authority of state or federal correctional officials over a prisoner regardless of where the prisoner is held.

New court commitments—admissions into prison of offenders convicted and sentenced by a court, usually to a term of more than 1 year, including probation violators and persons with a split sentence to incarceration followed by court-

ordered probation or parole.

Parole violators—all conditional release violators returned to prison for either violation of conditions of release or for new crimes.

Prisons—long-term confinement facilities run by a state or the federal government that typically hold felons and offenders with sentences of more than 1 year. However, sentence length may vary by state. Connecticut, Rhode Island, Vermont, Delaware, Alaska, and Hawaii operate integrated systems, which combine prisons and jails.

Prisoners—individuals confined in correctional facilities under the legal authority (jurisdiction) of state and federal correctional officials.

Sentenced prisoner—a prisoner sentenced to more than 1 year.

Supervised mandatory releases—conditional release with post-custody supervision generally occurring in jurisdictions using determinate sentencing statutes.

Unconditional release—expirations of sentences, commutations, and other unspecified unconditional releases.

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APPENDIX TABLE 1**Prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	1,391,261	1,617,970	1,612,395	1.7%	-0.3%
Federal ^a	145,416	208,118	209,771	4.1	0.8
State	1,245,845	1,409,852	1,402,624	1.4	-0.5
Northeast	174,826	177,361	173,911	0.2%	-1.9%
Connecticut ^b	18,355	19,716	19,321	0.8	-2.0
Maine	1,679	2,206	2,154	3.1	-2.4
Massachusetts	10,722	11,316	11,312	0.6	-0.0
New Hampshire	2,257	2,731	2,761	2.1	1.1
New Jersey	29,784	25,382	25,007	-1.8	-1.5
New York	70,199	58,687	56,656	-2.0	-3.5
Pennsylvania	36,847	51,429	51,264	3.8	-0.3
Rhode Island ^b	3,286	3,674	3,357	1.2	-8.6
Vermont ^b	1,697	2,220	2,079	3.0	-6.4
Midwest	237,378	261,615	263,428	1.1%	0.7%
Illinois	45,281	45,161	48,418	0.0	7.2
Indiana	20,125	28,808	28,028	4.1	-2.7
Iowa	7,955	8,813	9,455	1.1	7.3
Kansas	8,344	8,641	9,051	0.4	4.7
Michigan	47,718	45,478	44,113	-0.5	-3.0
Minnesota	6,238	9,986	9,796	5.4	-1.9
Missouri ^c	27,543	30,563	30,623	1.2	0.2
Nebraska	3,895	4,474	4,587	1.6	2.5
North Dakota	1,076	1,486	1,487	3.7	0.1
Ohio	45,833	51,606	51,712	1.3	0.2
South Dakota	2,616	3,434	3,434	3.1	0.0
Wisconsin	20,754	23,165	22,724	1.2	-1.9
South	561,214	653,819	654,142	1.7%	0.0%
Alabama	26,332	31,874	31,764	2.1	-0.3
Arkansas	11,915	15,208	16,204	2.7	6.5
Delaware ^b	6,921	6,794	6,598	-0.2	-2.9
District of Columbia	7,456	~	~	~	~
Florida	71,319	103,915	104,306	4.3	0.4
Georgia	44,232	56,986	56,432	2.9	-1.0
Kentucky	14,919	21,638	20,544	4.2	-5.1
Louisiana	35,207	39,780	39,445	1.4	-0.8
Maryland	23,538	22,255	22,645	-0.6	1.8
Mississippi	20,241	21,482	21,067	0.7	-1.9
North Carolina	31,266	40,529	40,116	2.9	-1.0
Oklahoma	23,181	26,397	26,252	1.5	-0.5
South Carolina	21,778	24,288	23,578	1.2	-2.9
Tennessee	22,166	26,965	27,451	2.2	1.8
Texas	166,719	171,249	173,649	0.3	1.4
Virginia	30,168	38,092	37,410	2.6	-1.8
West Virginia	3,856	6,367	6,681	5.7	4.9
West	272,427	317,057	311,143	1.7%	-1.9%
Alaska ^b	4,173	5,285	5,597	2.7	5.9
Arizona ^c	26,510	40,627	40,130	4.9	-1.2
California	163,001	171,275	165,062	0.6	-3.6
Colorado	16,833	22,795	22,815	3.4	0.1
Hawaii ^b	5,053	5,891	5,912	1.7	0.4
Idaho	5,535	7,400	7,431	3.3	0.4
Montana	3,105	3,605	3,716	1.7	3.1
Nevada	10,063	12,482	12,653	2.4	1.4
New Mexico	5,342	6,448	6,659	2.1	3.3
Oregon	10,580	14,403	14,014	3.5	-2.7
Utah	5,637	6,538	6,807	1.7	4.1
Washington	14,915	18,233	18,235	2.3	0.0
Wyoming	1,680	2,075	2,112	2.4	1.8

~Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aIncludes inmates held in nonsecure privately operated community corrections centers and juveniles held in contract facilities.

^bPrisons and jails form one integrated system. Data include total jail and prison populations.

^cPrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 2**Male prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of male prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	1,298,027	1,504,428	1,499,573	1.7%	-0.3%
Federal ^a	135,171	194,493	196,222	4.1	0.9
State	1,162,856	1,309,935	1,303,351	1.3	-0.5
Northeast	165,744	168,074	165,100	0.2%	-1.8%
Connecticut ^b	16,949	18,381	18,075	0.9	-1.7
Maine	1,613	2,048	1,988	2.7	-2.9
Massachusetts	10,059	10,597	10,547	0.6	-0.5
New Hampshire	2,137	2,564	2,560	2.0	-0.2
New Jersey	28,134	24,176	23,871	-1.7	-1.3
New York	66,919	56,198	54,438	-1.9	-3.1
Pennsylvania	35,268	48,601	48,552	3.6	-0.1
Rhode Island ^b	3,048	3,444	3,139	1.4	-8.9
Vermont ^b	1,617	2,065	1,930	2.8	-6.5
Midwest	222,780	244,160	245,373	1.0%	0.5%
Illinois	42,432	42,571	45,496	0.0	6.9
Indiana	18,673	26,302	25,522	3.9	-3.0
Iowa	7,363	8,090	8,675	1.1	7.2
Kansas	7,840	8,076	8,428	0.3	4.4
Michigan	45,587	43,723	42,244	-0.5	-3.4
Minnesota	5,870	9,312	9,158	5.3	-1.7
Missouri	25,550	28,136	28,163	1.1	0.1
Nebraska	3,629	4,108	4,176	1.4	1.7
North Dakota	1,008	1,312	1,308	3.0	-0.3
Ohio	43,025	47,617	47,720	1.1	0.2
South Dakota	2,416	3,054	3,023	2.6	-1.0
Wisconsin	19,387	21,859	21,460	1.3	-1.8
South	521,562	604,792	604,934	1.7%	0.0%
Alabama	24,506	29,419	29,261	2.1	-0.5
Arkansas	11,143	14,147	15,040	2.7	6.3
Delaware ^b	6,324	6,301	6,134	0.0	-2.7
District of Columbia	7,100	~	~	~	~
Florida	67,214	96,632	96,956	4.1	0.3
Georgia	41,474	53,063	52,598	2.8	-0.9
Kentucky	13,858	19,343	18,406	3.8	-4.8
Louisiana	32,988	37,164	37,037	1.3	-0.3
Maryland	22,319	21,206	21,686	-0.6	2.3
Mississippi	18,572	19,747	19,542	0.7	-1.0
North Carolina	29,363	37,721	37,297	2.8	-1.1
Oklahoma	20,787	23,772	23,703	1.5	-0.3
South Carolina	20,358	22,771	22,105	1.3	-2.9
Tennessee	20,797	24,956	25,345	2.0	1.6
Texas	153,097	157,679	159,298	0.3	1.0
Virginia	28,109	35,188	34,570	2.5	-1.8
West Virginia	3,553	5,683	5,956	5.4	4.8
West	252,770	292,909	287,944	1.7%	-1.7%
Alaska ^b	3,889	4,696	4,953	2.1	5.5
Arizona ^c	24,546	36,850	36,444	4.6	-1.1
California	151,840	160,286	155,104	0.6	-3.2
Colorado	15,500	20,694	20,763	3.3	0.3
Hawaii ^b	4,492	5,190	5,184	1.6	-0.1
Idaho	5,042	6,656	6,621	3.1	-0.5
Montana	2,799	3,214	3,291	1.5	2.4
Nevada	9,217	11,533	11,689	2.5	1.4
New Mexico	4,831	5,859	6,059	2.2	3.4
Oregon	9,984	13,278	12,948	3.2	-2.5
Utah	5,256	5,956	6,199	1.4	4.1
Washington	13,850	16,836	16,808	2.2	-0.2
Wyoming	1,524	1,861	1,881	2.2	1.1

~Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aIncludes juveniles held in contract facilities.^bPrisons and jails form one integrated system. Data include total jail and prison populations.^cPrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 3**Female prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of female prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	93,234	113,542	112,822	2.2%	-0.6%
Federal ^a	10,245	13,625	13,549	3.2	-0.6
State	82,989	99,917	99,273	2.1	-0.6
Northeast	9,082	9,287	8,811	0.2%	-5.1%
Connecticut ^b	1,406	1,335	1,246	-0.6	-6.7
Maine	66	158	166	10.2	5.1
Massachusetts	663	719	765	0.9	6.4
New Hampshire	120	167	201	3.7	20.4
New Jersey	1,650	1,206	1,136	-3.4	-5.8
New York	3,280	2,489	2,218	-3.0	-10.9
Pennsylvania	1,579	2,828	2,712	6.7	-4.1
Rhode Island ^b	238	230	218	-0.4	-5.2
Vermont ^b	80	155	149	7.6	-3.9
Midwest	14,598	17,455	18,055	2.0%	3.4%
Illinois	2,849	2,590	2,922	-1.1	12.8
Indiana	1,452	2,506	2,506	6.3	0.0
Iowa	592	723	780	2.2	7.9
Kansas	504	565	623	1.3	10.3
Michigan	2,131	1,755	1,869	-2.1	6.5
Minnesota	368	674	638	7.0	-5.3
Missouri	1,993	2,427	2,460	2.2	1.4
Nebraska	266	366	411	3.6	12.3
North Dakota	68	174	179	11.0	2.9
Ohio	2,808	3,989	3,992	4.0	0.1
South Dakota	200	380	411	7.4	8.2
Wisconsin	1,367	1,306	1,264	-0.5	-3.2
South	39,652	49,027	49,208	2.4%	0.4%
Alabama	1,826	2,455	2,503	3.3	2.0
Arkansas	772	1,061	1,164	3.6	9.7
Delaware ^b	597	493	464	-2.1	-5.9
District of Columbia	356	~	~	~	~
Florida	4,105	7,283	7,350	6.6	0.9
Georgia	2,758	3,923	3,834	4.0	-2.3
Kentucky	1,061	2,295	2,138	9.0	-6.8
Louisiana	2,219	2,616	2,408	1.8	-8.0
Maryland	1,219	1,049	959	-1.7	-8.6
Mississippi	1,669	1,735	1,525	0.4	-12.1
North Carolina	1,903	2,808	2,819	4.4	0.4
Oklahoma	2,394	2,625	2,549	1.0	-2.9
South Carolina	1,420	1,517	1,473	0.7	-2.9
Tennessee	1,369	2,009	2,106	4.4	4.8
Texas	13,622	13,570	14,351	-0.0	5.8
Virginia	2,059	2,904	2,840	3.9	-2.2
West Virginia	303	684	725	9.5	6.0
West	19,657	24,148	23,199	2.3%	-3.9%
Alaska ^b	284	589	644	8.4	9.3
Arizona ^c	1,964	3,777	3,686	7.5	-2.4
California	11,161	10,989	9,958	-0.2	-9.4
Colorado	1,333	2,101	2,052	5.2	-2.3
Hawaii ^b	561	701	728	2.5	3.9
Idaho	493	744	810	4.7	8.9
Montana	306	391	425	2.8	8.7
Nevada	846	949	964	1.3	1.6
New Mexico	511	589	600	1.6	1.9
Oregon	596	1,125	1,066	7.3	-5.2
Utah	381	582	608	4.8	4.5
Washington	1,065	1,397	1,427	3.1	2.1
Wyoming	156	214	231	3.6	7.9

~ Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aIncludes juveniles held in contract facilities.

^bPrisons and jails form one integrated system. Data include total jail and prison populations.

^cPrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 4**Sentenced prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of sentenced prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	1,331,278	1,553,700	1,550,257	1.7%	-0.2%
Federal	125,044	187,886	190,641	4.6	1.5
State	1,206,234	1,365,814	1,359,616	1.4	-0.5
Northeast	166,632	167,344	164,271	0.0%	-1.8%
Connecticut ^a	13,155	13,466	13,308	0.3	-1.2
Maine	1,635	1,980	1,942	2.2	-1.9
Massachusetts ^b	9,479	10,070	9,982	0.7	-0.9
New Hampshire	2,257	2,731	2,761	2.1	1.1
New Jersey ^c	29,784	25,382	25,007	-1.8	-1.5
New York	70,199	58,455	56,461	-2.0	-3.4
Pennsylvania	36,844	51,316	51,075	3.7	-0.5
Rhode Island ^a	1,966	2,220	2,086	1.4	-6.0
Vermont ^d	1,313	1,724	1,649	3.1	-4.4
Midwest	236,458	260,667	261,332	1.1%	0.3%
Illinois ^c	45,281	45,161	48,418	0.0	7.2
Indiana	19,811	28,788	28,012	4.2	-2.7
Iowa ^d	7,955	8,813	9,388	1.1	6.5
Kansas ^d	8,344	8,641	9,051	0.4	4.7
Michigan	47,718	45,478	44,113	-0.5	-3.0
Minnesota	6,238	9,986	9,796	5.4	-1.9
Missouri	27,519	30,554	30,614	1.2	0.2
Nebraska	3,816	4,392	4,498	1.6	2.4
North Dakota	994	1,486	1,487	4.6	0.1
Ohio ^d	45,833	51,606	51,712	1.3	0.2
South Dakota	2,613	3,430	3,431	3.1	0.0
Wisconsin ^b	20,336	22,332	20,812	1.0	-6.8
South	538,997	628,751	630,787	1.7%	0.3%
Alabama	26,034	30,723	30,739	1.9	0.1
Arkansas	11,851	15,144	16,147	2.8	6.6
Delaware ^a	3,937	3,971	3,961	0.1	-0.3
District of Columbia	5,008	~	~	~	~
Florida	71,318	103,915	104,306	4.3	0.4
Georgia	44,141	55,516	54,685	2.6	-1.5
Kentucky	14,919	20,672	19,937	3.7	-3.6
Louisiana	35,207	39,780	39,444	1.4	-0.8
Maryland	22,490	21,868	22,275	-0.3	1.9
Mississippi	19,239	20,768	20,366	0.9	-1.9
North Carolina	27,043	34,989	35,436	2.9	1.3
Oklahoma	23,181	24,396	24,514	0.6	0.5
South Carolina	21,017	23,486	22,822	1.2	-2.8
Tennessee	22,166	26,965	27,451	2.2	1.8
Texas ^b	158,008	162,186	164,652	0.3	1.5
Virginia	29,643	38,059	37,410	2.8	-1.7
West Virginia	3,795	6,313	6,642	5.8	5.2
West	264,147	309,052	303,226	1.8%	-1.9%
Alaska ^a	2,128	2,508	2,429	1.8	-3.1
Arizona ^e	25,412	38,529	38,423	4.7	-0.3
California	160,412	170,131	164,213	0.7%	-3.5%
Colorado ^d	16,833	22,795	22,815	3.4	0.1
Hawaii ^a	3,553	4,119	3,939	1.7	-4.4
Idaho	5,535	7,400	7,431	3.3	0.4
Montana	3,105	3,605	3,716	1.7	3.1
Nevada	10,063	12,482	12,556	2.4	0.6
New Mexico	4,666	6,320	6,614	3.4	4.7
Oregon ^d	10,553	14,365	13,971	3.5	-2.7
Utah	5,541	6,524	6,795	1.8	4.2
Washington	14,666	18,199	18,212	2.4	0.1
Wyoming	1,680	2,075	2,112	2.4	1.8

Note: Counts based on prisoners with a sentence of more than 1 year.

~Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aPrisons and jails form one integrated system. Data include total jail and prison populations.^bSee NPS jurisdiction notes.^cIncludes some prisoners sentenced to 1 year.^dIncludes some prisoners sentenced to 1 year or less.^ePrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 5**Sentenced male prisoners under the jurisdiction of state and federal correctional authorities,
December 31, 2000–2010**

Year	Number of sentenced male prisoners			Percent of all sentenced prisoners
	Total	Federal	State	
2000	1,246,234	116,647	1,129,587	93.6%
2001	1,260,033	127,519	1,132,514	93.7
2002	1,291,450	133,732	1,157,718	93.5
2003	1,315,790	142,149	1,173,641	93.4
2004	1,337,730	148,930	1,188,800	93.3
2005	1,364,178	155,678	1,208,500	93.3
2006	1,401,317	162,417	1,238,900	93.1
2007	1,427,064	167,676	1,259,388	93.1
2008	1,441,384	170,755	1,270,629	93.1
2009	1,448,344	176,106	1,272,238	93.2
2010	1,445,628	178,792	1,266,836	93.2
Average annual change, 2000–2009	1.7%	4.7%	1.3%	:
Percent change, 2009–2010	-0.2	1.5	-0.4	:

Note: Counts based on prisoners with a sentence of more than 1 year.

: Not calculated.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 6**Sentenced male prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of sentenced male prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	1,246,234	1,448,344	1,445,628	1.7%	-0.2%
Federal	116,647	176,106	178,792	4.7	1.5
State	1,129,587	1,272,238	1,266,836	1.3	-0.4
Northeast	158,815	159,239	156,596	0.0%	-1.7%
Connecticut ^a	12,365	12,754	12,638	0.3	-0.9
Maine	1,573	1,845	1,801	1.8	-2.4
Massachusetts ^b	9,250	9,645	9,526	0.5	-1.2
New Hampshire	2,137	2,564	2,560	2.0	-0.2
New Jersey ^c	28,134	24,176	23,871	-1.7	-1.3
New York	66,919	55,991	54,269	-2.0	-3.1
Pennsylvania	35,266	48,509	48,401	3.6	-0.2
Rhode Island ^a	1,902	2,129	1,979	1.3	-7.0
Vermont ^a	1,269	1,626	1,551	2.8	-4.6
Midwest	221,902	243,268	243,423	1.0%	0.1%
Illinois ^c	42,432	42,571	45,496	0.0	6.9
Indiana	18,364	26,282	25,507	4.1	-2.9
Iowa ^d	7,363	8,090	8,627	1.1	6.6
Kansas ^d	7,840	8,076	8,428	0.3	4.4
Michigan	45,587	43,723	42,244	-0.5	-3.4
Minnesota	5,870	9,312	9,158	5.3	-1.7
Missouri	25,531	28,129	28,156	1.1	0.1
Nebraska	3,560	4,032	4,101	1.4	1.7
North Dakota	940	1,312	1,308	3.8	-0.3
Ohio ^d	43,025	47,617	47,720	1.1	0.2
South Dakota	2,413	3,050	3,020	2.6	-1.0
Wisconsin ^b	18,977	21,074	19,658	1.2	-6.7
South	503,025	583,557	585,460	1.7%	0.3%
Alabama	24,244	28,404	28,358	1.8	-0.2
Arkansas	11,084	14,086	14,988	2.7	6.4
Delaware ^a	3,692	3,781	3,769	0.3	-0.3
District of Columbia	4,924	~	~	~	~
Florida	67,213	96,632	96,956	4.1	0.3
Georgia	41,390	51,789	51,073	2.5	-1.4
Kentucky	13,858	18,546	17,901	3.3	-3.5
Louisiana	32,988	37,164	37,036	1.3	-0.3
Maryland	21,429	20,867	21,365	-0.3	2.4
Mississippi	17,709	19,154	18,935	0.9	-1.1
North Carolina	25,654	32,871	33,302	2.8	1.3
Oklahoma	20,787	21,870	22,061	0.6	0.9
South Carolina	19,716	22,076	21,467	1.3	-2.8
Tennessee	20,797	24,956	25,345	2.0	1.6
Texas ^b	146,374	150,566	152,403	0.3	1.2
Virginia	27,658	35,156	34,570	2.7	-1.7
West Virginia	3,508	5,639	5,931	5.4	5.2
West	245,845	286,174	281,357	1.7%	-1.7%
Alaska ^a	2,031	2,316	2,263	1.5	-2.3
Arizona ^e	23,623	35,088	35,050	4.5	-0.1
California	149,815	159,396	154,450	0.7	-3.1
Colorado ^d	15,500	20,694	20,763	3.3	0.3
Hawaii ^a	3,175	3,678	3,528	1.6	-4.1
Idaho	5,042	6,656	6,621	3.1	-0.5
Montana	2,799	3,214	3,291	1.5	2.4
Nevada	9,217	11,533	11,592	2.5	0.5
New Mexico	4,322	5,739	6,021	3.2	4.9
Oregon ^d	9,959	13,244	12,908	3.2	-2.5
Utah	5,180	5,943	6,189	1.5	4.1
Washington	13,658	16,812	16,800	2.3	-0.1
Wyoming	1,524	1,861	1,881	2.2	1.1

Note: Counts based on prisoners with a sentence of more than 1 year.

~Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aPrisons and jails form one integrated system. Data include total jail and prison populations.^bSee NPS jurisdiction notes.^cIncludes some prisoners sentenced to 1 year.^dIncludes some prisoners sentenced to 1 year or less.^ePrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 7**Sentenced female prisoners under the jurisdiction of state and federal correctional authorities, December 31, 2000–2010**

Year	Number of sentenced female prisoners			Percent of all sentenced prisoners
	Total	Federal	State	
2000	85,044	8,397	76,647	6.4%
2001	85,184	8,990	76,194	6.3
2002	89,066	9,308	79,758	6.5
2003	92,571	9,770	82,801	6.6
2004	95,998	10,207	85,791	6.7
2005	98,688	10,495	88,193	6.7
2006	103,343	11,116	92,227	6.9
2007	105,786	11,528	94,258	6.9
2008	106,358	11,578	94,780	6.9
2009	105,356	11,780	93,576	6.8
2010	104,629	11,849	92,780	6.8
Average annual change, 2000–2009	2.4%	3.8%	2.2%	:
Percent change, 2009–2010	-0.7	0.6	-0.9	:

Note: Counts based on prisoners with a sentence of more than 1 year.

: Not calculated.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 8**Sentenced female prisoners under the jurisdiction of state and federal correctional authorities, by jurisdiction, December 31, 2000, 2009 and 2010**

Region and jurisdiction	Number of sentenced female prisoners			Average annual change, 2000–2009	Percent change, 2009–2010
	2000	2009	2010		
U.S. total	85,044	105,356	104,629	2.4%	-0.7%
Federal	8,397	11,780	11,849	3.8	0.6
State	76,647	93,576	92,780	2.2	-0.9
Northeast	7,817	8,105	7,675	0.4%	-5.3%
Connecticut ^a	790	712	670	-1.1	-5.9
Maine	62	135	141	9.0	4.4
Massachusetts ^b	229	425	456	7.1	7.3
New Hampshire	120	167	201	3.7	20.4
New Jersey ^c	1,650	1,206	1,136	-3.4	-5.8
New York	3,280	2,464	2,192	-3.1	-11.0
Pennsylvania	1,578	2,807	2,674	6.6	-4.7
Rhode Island ^a	64	91	107	4.0	17.6
Vermont ^a	44	98	98	9.3	0.0
Midwest	14,556	17,399	17,909	2.0%	2.9%
Illinois ^c	2,849	2,590	2,922	-1.1	12.8
Indiana	1,447	2,506	2,505	6.3	-0.0
Iowa ^c	592	723	761	2.2	5.3
Kansas ^d	504	565	623	1.3	10.3
Michigan	2,131	1,755	1,869	-2.1	6.5
Minnesota	368	674	638	7.0	-5.3
Missouri	1,988	2,425	2,458	2.2	1.4
Nebraska	256	360	397	3.9	10.3
North Dakota	54	174	179	13.9	2.9
Ohio ^d	2,808	3,989	3,992	4.0	0.1
South Dakota	200	380	411	7.4	8.2
Wisconsin ^b	1,359	1,258	1,154	-0.9	-8.3
South	35,972	45,194	45,327	2.6%	0.3%
Alabama	1,790	2,319	2,381	2.9	2.7
Arkansas	767	1,058	1,159	3.6	9.5
Delaware ^a	245	190	192	-2.8	1.1
District of Columbia	84	~	~	:	:
Florida	4,105	7,283	7,350	6.6	0.9
Georgia	2,751	3,727	3,612	3.4	-3.1
Kentucky	1,061	2,126	2,036	8.0	-4.2
Louisiana	2,219	2,616	2,408	1.8	-8.0
Maryland	1,061	1,001	910	-0.6	-9.1
Mississippi	1,530	1,614	1,431	0.6	-11.3
North Carolina	1,389	2,118	2,134	4.8	0.8
Oklahoma	2,394	2,526	2,453	0.6	-2.9
South Carolina	1,301	1,410	1,355	0.9	-3.9
Tennessee	1,369	2,009	2,106	4.4	4.8
Texas ^b	11,634	11,620	12,249	0.0	5.4
Virginia	1,985	2,903	2,840	4.3	-2.2
West Virginia	287	674	711	10.0	5.5
West	18,302	22,878	21,869	2.5%	-4.4%
Alaska ^a	97	192	166	7.9	-13.5
Arizona ^e	1,789	3,441	3,373	7.5	-2.0
California	10,597	10,735	9,763	0.1	-9.1
Colorado ^d	1,333	2,101	2,052	5.2	-2.3
Hawaii ^a	378	441	411	1.7	-6.8
Idaho	493	744	810	4.7	8.9
Montana	306	391	425	2.8	8.7
Nevada	846	949	964	1.3	1.6
New Mexico	344	581	593	6.0	2.1
Oregon ^d	594	1,121	1,063	7.3	-5.2
Utah	361	581	606	5.4	4.3
Washington	1,008	1,387	1,412	3.6	1.8
Wyoming	156	214	231	3.6	7.9

Note: Counts based on prisoners with a sentence of more than 1 year.

~Not applicable. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

^aPrisons and jails form one integrated system. Data include total jail and prison populations.^bSee NPS jurisdiction notes.^cIncludes some prisoners sentenced to 1 year.^dIncludes some prisoners sentenced to 1 year or less.^ePrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 9**Imprisonment rates of sentenced prisoners under jurisdiction of state and federal correctional authorities, by sex and jurisdiction, December 31, 2009 and 2010**

Region and jurisdiction	2009			2010		
	Total	Male	Female	Total	Male	Female
U.S. total^a	504	952	67	500	943	67
Federal	61	116	8	61	117	8
State ^a	444	838	60	439	828	59
Northeast^a	302	589	29	296	577	27
Connecticut ^b	382	741	39	376	730	37
Maine	150	287	20	148	281	21
Massachusetts ^a	213	424	12	200	392	13
New Hampshire	206	393	25	209	392	30
New Jersey ^c	291	565	27	286	554	26
New York	298	588	24	288	568	22
Pennsylvania	406	788	43	403	782	41
Rhode Island ^b	211	416	17	197	383	20
Vermont ^b	277	531	31	265	505	31
Midwest	389	737	51	389	735	53
Illinois ^c	349	667	39	373	711	44
Indiana	447	828	77	434	800	76
Iowa ^c	292	542	47	309	574	50
Kansas ^d	305	574	40	317	593	43
Michigan	457	893	35	445	864	37
Minnesota	189	354	25	185	347	24
Missouri	509	958	79	508	954	80
Nebraska	243	450	40	247	453	43
North Dakota	228	401	54	226	394	55
Ohio ^d	446	844	67	448	846	68
South Dakota	420	747	93	416	732	100
Wisconsin	394	747	44	366	696	40
South	555	1,046	78	552	1,039	78
Alabama	650	1,239	95	648	1,233	97
Arkansas	522	990	72	552	1,045	78
Delaware ^b	447	876	42	443	864	42
Florida	559	1,055	77	556	1,047	77
Georgia	561	1,063	74	550	1,044	71
Kentucky	478	873	96	458	837	92
Louisiana	881	1,693	113	867	1,669	103
Maryland	382	752	34	387	762	31
Mississippi	702	1,335	106	686	1,315	94
North Carolina	370	711	44	373	714	44
Oklahoma	657	1,192	135	654	1,190	130
South Carolina	512	988	60	495	953	57
Tennessee	426	809	62	432	817	65
Texas	648	1,204	93	648	1,198	96
Virginia	480	902	72	468	877	70
West Virginia	346	630	72	363	659	76
West	429	793	64	418	772	60
Alaska ^b	357	637	57	340	604	49
Arizona ^e	580	1,053	104	572	1,038	101
California	458	857	58	439	823	52
Colorado ^d	450	810	84	445	802	81
Hawaii ^b	317	561	68	302	533	64
Idaho	476	852	96	474	841	104
Montana	368	656	80	378	668	87
Nevada	470	853	73	472	855	74
New Mexico	316	574	57	323	593	58
Oregon ^d	373	694	58	361	672	55
Utah	232	418	42	238	430	43
Washington	271	502	41	269	496	42
Wyoming	377	666	79	385	673	86

Note: Imprisonment rate is the number of prisoners sentenced to more than 1 year per 100,000 U.S. residents. Based on census estimates for January 1, 2010.

^aThe 2009-2010 imprisonment rates include prisoners sentenced to more than 1 year but held in local jails or houses of correction in the Commonwealth of Massachusetts. See NPS Jurisdiction Notes.

^bPrisons and jails form one integrated system. Data include total jail and prison populations.

^cIncludes some prisoners sentenced to 1 year.

^dIncludes some prisoners sentenced to 1 year or less.

^ePrison population based on custody counts.

Source: BJS, National Prisoner Statistics Program and unpublished U.S. Census Bureau January 1 population estimates.

APPENDIX TABLE 10A**Number of sentenced prisoners admitted to state and federal jurisdiction, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	2000	2009	2010	Average annual change, 2000–2009	Percent change, 2009–2010
U.S. Total	625,219	731,576	703,798	1.8%	-3.8%
Federal	43,732	56,153	54,121	2.8	-3.6
State	581,487	675,423	649,677	1.7	-3.8
Northeast	67,765	67,771	66,844	0.0%	-1.4%
Connecticut	6,185	6,293	6,182	0.2	-1.8
Maine	751	856	1,007	1.5	17.6
Massachusetts	2,062	2,789	2,806	3.4	0.6
New Hampshire	1,051	1,416	1,384	4.4	-10.4
New Jersey	13,653	12,251	12,409	-1.2	1.3
New York	27,601	24,058	23,377	-1.5	-2.8
Pennsylvania	11,777	16,914	16,662	4.1	-1.5
Rhode Island	3,701	959	938	:	-2.2
Vermont	984	2,106	2,079	:	-1.3
Midwest	117,776	147,553	140,904	2.5%	-4.5%
Illinois	29,344	37,718	34,316	2.8	-9.0
Indiana	11,876	19,689	18,501	5.8	-6.0
Iowa	4,656	4,376	4,939	-0.7	12.9
Kansas	5,002	4,816	4,962	-0.4	3.0
Michigan	12,169	14,955	15,668	2.3	4.8
Minnesota	4,406	7,361	6,989	5.9	-5.1
Missouri	14,454	18,216	17,740	2.6	-2.6
Nebraska	1,688	2,101	2,232	2.5	6.2
North Dakota	605	1,042	1,008	6.2	-3.3
Ohio	23,780	26,864	24,599	1.4	-8.4
South Dakota	1,400	3,170	2,843	9.5	-10.3
Wisconsin	8,396	7,245	7,107	-1.6	-1.9
South	217,950	255,706	251,959	1.8%	-1.5%
Alabama	6,296	13,093	11,881	8.5	-9.3
Arkansas	6,941	7,383	7,603	0.7	3.0
Delaware	2,709	1,550	1,583	-6.0	2.1
Florida	35,683	38,050	32,786	0.7	-13.8
Georgia	17,373	17,600	16,718	0.1	-5.0
Kentucky	8,116	14,033	14,674	6.3	4.6
Louisiana	15,735	14,940	17,191	-0.6	15.1
Maryland	10,327	9,959	9,828	-0.4	-1.3
Mississippi	5,796	8,348	8,381	4.1	0.4
North Carolina	9,848	12,171	11,964	2.4	-1.7
Oklahoma	7,426	8,120	8,021	1.0	-1.2
South Carolina	8,460	9,352	8,049	1.1	-13.9
Tennessee	13,675	13,783	13,806	0.1	0.2
Texas	58,197	71,489	73,965	2.3	3.5
Virginia	9,791	12,631	12,221	2.9	-3.2
West Virginia	1,577	3,204	3,288	8.2	2.6
West	177,996	204,393	189,970	1.5%	-7.1%
Alaska*	2,427	2,761	2,650	1.4	-4.0
Arizona	9,560	14,526	13,249	4.8	-8.8
California	129,640	129,705	118,943	0.0	-8.3
Colorado	7,036	11,054	10,553	5.1	-4.5
Hawaii	1,594	1,714	1,577	0.8	-8.0
Idaho	3,386	3,857	4,301	1.5	11.5
Montana	1,202	2,295	2,263	7.5	-1.4
Nevada	4,929	5,409	5,554	1.0	2.7
New Mexico	3,161	5,650	4,135	6.7	-26.8
Oregon	4,059	5,950	5,455	4.3	-8.3
Utah	3,270	3,583	3,377	1.0	-5.7
Washington	7,094	17,074	17,084	10.3	0.1
Wyoming	638	815	829	2.8	1.7

Note: Counts exclude returned escapes and prisoners absent without leave and transfers from other jurisdictions. See *Methodology*.

: Not calculated.

*2010 total admission based on 2009 data. See *Jurisdiction Notes*.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 10B**Sentenced prisoners released from state and federal jurisdiction, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	2000	2009	2010	Average annual change, 2000–2009	Percent change, 2009–2010
U.S. Total	604,858	729,749	708,677	2.1%	-2.9%
Federal	35,259	50,720	52,487	4.1	3.5
State	569,599	679,029	656,190	2.0	-3.4
Northeast	70,646	68,491	69,973	-0.3%	2.2%
Connecticut	5,918	6,850	6,095	1.6	-11.0
Maine	677	1,141	1,176	6.0	3.1
Massachusetts	2,889	2,850	2,908	-0.2	2.0
New Hampshire	1,044	1,460	1,584	3.8	8.5
New Jersey	15,362	12,860	12,821	-2.0	-0.3
New York	28,828	25,481	25,365	-1.4	-0.5
Pennsylvania	11,759	14,630	16,781	2.5	14.7
Rhode Island	3,223	1,246	1,113	:	-10.7
Vermont	946	1,973	2,130	:	8.0
Midwest	114,382	153,082	141,721	3.3%	-7.4%
Illinois	28,876	38,034	31,055	3.1	-18.3
Indiana	11,053	19,699	19,911	6.6	1.1
Iowa	4,379	4,648	4,367	0.7	-6.0
Kansas	5,231	4,721	4,553	-1.1	-3.6
Michigan	10,874	18,197	17,033	5.9	-6.4
Minnesota	4,244	7,777	7,882	7.0	1.4
Missouri	13,346	18,097	17,799	3.4	-1.6
Nebraska	1,503	2,107	2,123	3.8	0.8
North Dakota	598	1,003	1,006	5.9	0.3
Ohio	24,793	26,949	24,495	0.9	-9.1
South Dakota	1,327	3,079	2,857	9.8	-7.2
Wisconsin	8,158	8,771	8,640	0.8	-1.5
South	210,777	256,413	251,502	2.2%	-1.9%
Alabama	7,136	12,231	12,070	6.2	-1.3
Arkansas	6,308	6,990	6,664	1.1	-4.7
Delaware	2,260	1,697	1,681	-3.1	-0.9
Florida	33,994	37,167	32,649	1.0	-12.2
Georgia	14,797	16,161	16,745	1.0	3.6
Kentucky	7,733	14,138	15,962	6.9	12.9
Louisiana	14,536	14,924	17,262	0.3	15.7
Maryland	10,004	10,807	9,387	0.9	-13.1
Mississippi	4,940	9,285	8,694	7.3	-6.4
North Carolina	9,687	11,495	11,539	1.9	0.4
Oklahoma	6,628	8,004	7,903	2.1	-1.3
South Carolina	8,676	9,321	8,716	0.8	-6.5
Tennessee	13,893	15,762	14,735	1.4	-6.5
Texas	59,776	72,320	71,497	2.1	-1.1
Virginia	9,148	13,168	12,989	4.1	-1.4
West Virginia	1,261	2,943	3,009	9.9	2.2
West	173,794	201,043	192,994	1.6%	-4.0%
Alaska*	2,599	3,196	3,068	2.3	-4.0
Arizona	9,100	13,854	13,500	4.8	-2.6
California	129,621	128,869	121,918	-0.1	-5.4
Colorado	5,881	10,858	10,558	7.1	-2.8
Hawaii	1,379	1,915	1,764	3.7	-7.9
Idaho	2,697	3,743	4,264	3.7	13.9
Montana	1,031	2,212	2,152	8.9	-2.7
Nevada	4,374	5,967	6,036	3.5	1.2
New Mexico	3,383	3,650	3,487	0.8	-4.5
Oregon	3,371	5,422	5,290	5.4	-2.4
Utah	2,897	3,498	3,109	2.1	-11.1
Washington	6,764	17,035	17,060	10.8	0.1
Wyoming	697	824	788	1.9	-4.4

Note: Counts based on prisoners with a sentence of more than 1 year. Counts exclude escapes and prisoners absent without leave (AWOL) and transfers to other jurisdictions. See *Methodology*.

: Not calculated.

*2010 total release estimated based on 2009 data. See *Jurisdiction Notes*.

Source: BJS National Prisoner Statistics Program.

APPENDIX TABLE 11**Sentenced prisoners admitted and released from state and federal jurisdiction, by type, December 31, 2010**

Region and jurisdiction	Admissions			Releases		
	Total	New court commitments	Parole violators	Total	Conditional	Unconditional
U.S. Total	703,798	458,360	231,917	708,677	494,249	202,499
Federal	54,121	49,515	4,606	52,487	962	51,110
State	649,677	408,845	227,311	656,190	493,287	151,389
Northeast	66,844	44,948	21,262	69,973	50,803	18,354
Connecticut	6,182	4,997	1,018	6,095	3,182	2,888
Maine	1,007	622	385	1,176	428	746
Massachusetts	2,806	2,428	378	2,908	944	1,929
New Hampshire	1,384	720	594	1,584	1,281	219
New Jersey	12,409	9,501	2,850	12,821	8,075	4,518
New York	23,377	14,457	8,848	25,365	22,220	2,868
Pennsylvania	16,662	10,775	5,620	16,781	12,410	4,218
Rhode Island	938	718	220	1,113	425	682
Vermont	2,079	730	1,349	2,130	1,838	286
Midwest	140,904	91,834	43,497	141,721	106,502	31,412
Illinois	34,316	20,214	13,931	31,055	24,793	6,167
Indiana	18,501	12,164	6,112	19,911	17,606	2,236
Iowa	4,939	3,757	1,067	4,367	2,657	1,377
Kansas	4,962	3,725	1,223	4,553	3,396	1,129
Michigan	15,668	7,364	4,183	17,033	12,892	1,188
Minnesota	6,989	4,522	2,467	7,882	6,600	1,267
Missouri	17,740	9,503	8,233	17,799	15,912	1,779
Nebraska	2,232	2,014	218	2,123	1,139	969
North Dakota	1,008	779	229	1,006	815	186
Ohio	24,599	22,245	2,340	24,495	10,094	14,250
South Dakota	2,843	1,239	695	2,857	2,478	369
Wisconsin	7,107	4,308	2,799	8,640	8,120	495
South	251,959	187,506	60,481	251,502	160,578	86,803
Alabama	11,881	9,613	1,439	12,070	7,684	4,231
Arkansas	7,603	4,874	2,535	6,664	6,264	342
Delaware	1,583	1,295	276	1,681	1,407	157
Florida	32,786	31,986	90	32,649	11,136	21,244
Georgia ^a	16,718	/	/	16,745	/	/
Kentucky	14,674	10,883	3,791	15,962	11,214	4,684
Louisiana	17,191	12,860	4,208	17,262	15,845	1,260
Maryland	9,828	6,128	3,695	9,387	8,194	1,138
Mississippi	8,381	6,683	1,698	8,694	7,277	1,296
North Carolina	11,964	11,468	496	11,539	3,277	8,184
Oklahoma	8,021	5,507	2,478	7,903	3,522	4,304
South Carolina	8,049	5,654	2,320	8,716	4,762	3,817
Tennessee	13,806	8,803	5,003	14,735	10,073	4,599
Texas	73,965	48,470	23,942	71,497	56,862	12,646
Virginia	12,221	12,064	148	12,989	9,620	3,227
West Virginia	3,288	1,689	1,188	3,009	1,548	962
West	189,970	84,557	102,071	192,994	175,404	14,820
Alaska ^b	2,650	/	/	3,068	1,707	1,340
Arizona	13,249	11,005	2,129	13,500	10,307	2,152
California	118,943	41,521	77,422	121,918	119,941	1,728
Colorado	10,553	5,369	5,180	10,558	8,889	1,336
Hawaii	1,577	841	736	1,764	669	349
Idaho	4,301	4,021	280	4,264	3,653	596
Montana	2,263	1,759	504	2,152	1,872	276
Nevada	5,554	4,751	777	6,036	3,969	2,025
New Mexico	4,135	1,469	2,315	3,487	2,352	1,121
Oregon	5,455	3,799	1,470	5,290	5,043	8
Utah	3,377	2,065	1,312	3,109	1,782	1,312
Washington	17,084	7,242	9,832	17,060	14,733	2,279
Wyoming	829	715	114	788	487	298

Note: Counts based on prisoners with a sentence of more than 1 year. Counts exclude escapes and prisoners absent without leave (AWOL) and transfers to other jurisdictions. See *Methodology*.

/Not reported.

^aAdmissions and releases by type were not reported. See *Jurisdiction Notes*.

^bTotal admissions, total releases, and releases by type based on 2009 data. See *Jurisdiction Notes*.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 12**Estimated number of sentenced prisoners under state and federal jurisdiction, by sex, race, and Hispanic origin, December 31, 2000–2010**

Year	Male				Female			
	Total ^a	White ^b	Black ^b	Hispanic	Total ^a	White ^b	Black ^b	Hispanic
2000	1,237,500	436,500	572,900	206,900	83,700	34,500	37,400	10,000
2001	1,259,500	449,200	585,800	199,700	85,000	36,200	36,400	10,200
2002	1,291,300	436,800	586,700	235,000	89,000	35,400	36,000	15,000
2003	1,316,500	454,300	586,300	251,900	92,800	39,100	35,000	16,200
2004	1,337,700	449,300	551,300	260,600	96,100	42,500	32,100	15,000
2005	1,362,500	459,700	547,200	279,000	98,600	45,800	29,900	15,900
2006	1,399,100	478,000	534,200	290,500	103,100	49,100	28,600	17,500
2007	1,427,300	471,400	556,900	301,200	105,500	50,500	29,300	17,600
2008	1,434,800	477,500	562,800	295,800	105,300	50,700	29,100	17,300
2009	1,443,500	479,000	563,500	303,500	105,200	51,200	28,200	17,500
2010 ^c	1,446,000	451,600	561,400	327,200	104,600	48,000	26,600	18,700

Note: Counts based on prisoners with a sentence of more than 1 year. All estimates include persons under age 18. See *Methodology* for estimation method.

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and persons identifying as two or more races.

^bExcludes persons of Hispanic or Latino origin.

^cData source used to estimate race and Hispanic origin changed in 2010. Use caution when comparing to prior years. See *Methodology*.

Sources: BJS, National Prisoner Statistics Program, Federal Justice Statistics Program, National Corrections Reporting Program, Survey of Inmates in State and Local Correctional Facilities, and National Inmate Survey.

APPENDIX TABLE 13**Estimated number of sentenced prisoners under state and federal jurisdiction, by sex, race, Hispanic origin, and age, December 31, 2010**

Age	Male				Female			
	Total ^a	White ^b	Black ^b	Hispanic	Total ^a	White ^b	Black ^b	Hispanic
Total ^c	1,446,000	451,600	561,400	327,200	104,600	48,000	26,600	18,700
18–19	20,900	3,900	10,400	5,300	800	300	300	200
20–24	173,300	42,800	75,200	44,800	10,800	4,600	2,900	2,300
25–29	235,300	64,700	94,900	62,300	17,700	7,900	4,400	3,800
30–34	235,400	64,300	95,700	62,400	17,700	8,200	4,300	3,500
35–39	199,700	58,800	78,300	49,900	15,500	7,300	3,800	2,700
40–44	182,200	61,200	68,200	37,700	15,300	7,100	4,000	2,500
45–49	163,700	59,400	60,000	28,600	13,000	6,100	3,500	1,700
50–54	114,000	43,200	41,100	18,000	7,700	3,600	2,100	1,100
55–59	61,700	24,700	21,400	9,300	3,500	1,600	900	500
60–64	32,000	14,700	9,300	4,600	1,500	800	300	200
65 or older	25,300	13,500	5,600	3,600	900	500	200	100

Note: Data source used to estimate race and Hispanic origin changed in 2010 and data source for age distributions was enhanced between 2009 and 2010. Use caution when comparing to prior years. Counts based on prisoners with a sentence of more than 1 year. See *Methodology* for estimation method.

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and persons identifying two or more races.

^bExcludes persons of Hispanic or Latino origin.

^cIncludes persons under age 18.

Sources: BJS, National Prisoner Statistics Program, Federal Justice Statistics Program, National Corrections Reporting Program, Survey of Inmates in State and Local Correctional Facilities, and National Inmate Survey.

APPENDIX TABLE 14

Estimated rate of sentenced prisoners under state and federal jurisdiction, per 100,000 U.S. residents, by sex, race, and Hispanic origin, December 31, 2000-2010

Year	Male				Female			
	Total ^a	White ^b	Black ^b	Hispanic	Total ^a	White ^b	Black ^b	Hispanic
2000	904	449	3,457	1,220	59	34	205	60
2001	896	462	3,535	1,177	58	36	199	61
2002	912	450	3,437	1,176	61	35	191	80
2003	915	465	3,405	1,231	62	38	185	84
2004	926	463	3,218	1,220	64	42	170	75
2005	929	471	3,145	1,244	65	45	156	76
2006	943	487	3,042	1,261	68	48	148	81
2007	955	481	3,138	1,259	69	50	150	79
2008	952	487	3,161	1,200	68	50	149	75
2009	949	487	3,119	1,193	67	50	142	74
2010 ^c	943	459	3,074	1,258	67	47	133	77

Note: Counts based on prisoners with a sentence of more than 1 year. Rates are per 100,000 U.S. residents as of January 1 in each reference population group. All estimates include persons under age 18. See *Methodology* for estimation method.

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and persons identifying as two or more races.

^bExcludes persons of Hispanic or Latino origin.

^cData source used to estimate race and Hispanic origin changed in 2010. Use caution when comparing to prior years. See *Methodology* for estimation method.

Sources: BJS, National Prisoner Statistics Program, Federal Justice Statistics Program, National Corrections Reporting Program, Survey of Inmates in State and Local Correctional Facilities, National Inmate Survey, and unpublished U.S. Census Bureau January 1 population estimates.

APPENDIX TABLE 15

Estimated number of sentenced prisoners under state and federal jurisdiction per 100,000 U.S. residents, by sex, race, Hispanic origin, and age, December 31, 2010

Age	Male				Female			
	Total ^a	White ^b	Black ^b	Hispanic	Total ^a	White ^b	Black ^b	Hispanic
Total ^c	943	459	3,074	1,258	67	47	133	77
18-19	462	149	1,555	563	20	11	40	31
20-24	1,511	638	4,618	1,908	102	72	182	122
25-29	2,098	980	6,349	2,707	168	125	299	202
30-34	2,261	1,061	7,299	2,808	175	136	309	189
35-39	2,014	995	6,600	2,486	158	124	289	153
40-44	1,752	916	5,637	2,146	147	106	290	156
45-49	1,489	788	4,751	1,901	115	81	238	117
50-54	1,051	552	3,441	1,495	68	45	150	88
55-59	650	347	2,239	1,031	34	22	76	55
60-64	391	233	1,262	679	17	12	33	29
65 or older	143	95	418	294	4	3	7	8

Note: Data source used to estimate race and Hispanic origin changed in 2010 and data source for age distributions was enhanced between 2009 and 2010. Use caution when comparing to prior years. Counts based on prisoners with a sentence of more than 1 year. See *Methodology* for estimation method.

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and persons identifying two or more races.

^bExcludes persons of Hispanic or Latino origin.

^cIncludes persons under age 18.

Sources: BJS, National Prisoner Statistics Program, Federal Justice Statistics Program, National Corrections Reporting Program, Survey of Inmates in State and Local Correctional Facilities, National Inmate Survey, and unpublished U.S. Census Bureau January 1 population estimates.

APPENDIX TABLE 16A**Estimated number of sentenced prisoners under state jurisdiction, by offense, sex, race, and Hispanic origin, December 31, 2008**

Offense	All inmates	Male	Female	White ^a	Black ^a	Hispanic
Total	1,365,400	1,270,600	94,800	532,000	584,800	209,000
Violent	715,900	683,800	32,100	264,200	315,500	113,400
Murder ^b	175,200	165,400	9,800	54,300	83,600	30,400
Manslaughter	16,500	14,500	1,900	7,900	6,400	1,600
Rape	67,500	66,900	600	35,500	23,600	6,400
Other sexual assault	98,300	97,000	1,300	59,300	22,900	13,400
Robbery	183,100	175,600	7,600	44,500	108,100	26,500
Assault	137,100	129,200	7,900	47,400	56,500	28,000
Other violent	38,400	35,300	3,100	15,200	14,600	7,100
Property	263,400	235,000	28,400	132,200	90,100	33,900
Burglary	129,800	123,100	6,500	63,000	48,300	15,300
Larceny	50,400	42,400	8,000	24,900	18,400	5,800
Motor vehicle theft	21,300	19,700	1,600	9,300	4,800	6,500
Fraud	34,100	24,300	10,000	20,200	10,600	2,300
Other property	27,800	25,400	2,300	14,900	8,000	4,000
Drug	255,700	229,800	25,800	76,900	130,300	43,300
Public-order^c	116,100	109,100	7,000	53,400	43,100	15,700
Other/unspecified^d	14,300	12,900	1,400	5,300	5,700	2,800

Note: Counts based on prisoners with a sentence of more than 1 year. Detail may not add to total due to rounding. See *Methodology* for estimation method.

^aExcludes Hispanics and persons identifying as two or more races.

^bIncludes non-negligent manslaughter.

^cIncludes weapons, drunk driving, court offenses, commercialized vice, morals and decency offenses, liquor law violations, and other public-order offenses.

^dIncludes juvenile offenses and other unspecified offense categories.

Sources: BJS, National Prisoner Statistics Program, National Corrections Reporting Program, and National Inmate Survey.

APPENDIX TABLE 16B**Estimated number of sentenced prisoners under state jurisdiction, by offense, sex, race, and Hispanic origin, December 31, 2009**

Offense	All inmates	Male	Female	White ^a	Black ^a	Hispanic
Total	1,365,800	1,272,200	93,600	532,000	582,100	212,100
Violent	726,100	692,600	33,600	265,600	319,700	117,800
Murder ^b	179,000	168,800	10,200	55,700	84,000	32,300
Manslaughter	16,900	14,800	2,200	8,200	6,400	1,900
Rape	67,800	67,200	700	36,300	22,800	6,800
Other sexual assault	99,600	98,200	1,400	58,600	22,600	15,200
Robbery	185,700	177,700	8,000	45,300	110,000	26,600
Assault	138,100	130,000	8,200	46,600	58,400	28,000
Other violent	39,000	36,000	2,900	15,000	15,500	6,900
Property	261,900	234,100	27,700	132,000	88,500	34,400
Burglary	131,000	124,900	6,200	63,400	48,100	16,400
Larceny	49,900	41,600	8,300	24,700	18,100	5,900
Motor vehicle theft	19,800	18,300	1,500	8,500	4,300	6,100
Fraud	33,200	23,700	9,400	19,600	10,300	2,400
Other property	28,000	25,600	2,400	15,900	7,700	3,600
Drug	242,900	218,800	24,000	73,900	122,600	41,400
Public-order^c	121,000	114,300	6,800	54,400	46,400	16,000
Other/unspecified^d	13,900	12,400	1,400	6,000	4,900	2,500

Note: Counts based on prisoners with a sentence of more than 1 year. Detail may not add to total due to rounding. See *Methodology* for estimation method.

^aExcludes Hispanics and persons identifying as two or more races.

^bIncludes non-negligent manslaughter.

^cIncludes weapons, drunk driving, court offenses, commercialized vice, morals and decency offenses, liquor law violations, and other public-order offenses.

^dIncludes juvenile offenses and other unspecified offense categories.

Sources: BJS, National Prisoner Statistics Program, National Corrections Reporting Program, and National Inmate Survey.

APPENDIX TABLE 17A**Estimated percent of sentenced prisoners under state jurisdiction, by offense, sex, race, and Hispanic origin, December 31, 2008**

Offense	All inmates	Male	Female	White ^a	Black ^a	Hispanic
Total	100%	100%	100%	100%	100%	100%
Violent	52.4%	53.8%	33.9%	49.7%	54.0%	54.2%
Murder ^b	12.8	13.0	10.3	10.2	14.3	14.5
Manslaughter	1.2	1.1	2.1	1.5	1.1	0.7
Rape	4.9	5.3	0.6	6.7	4.0	3.0
Other sexual assault	7.2	7.6	1.4	11.1	3.9	6.4
Robbery	13.4	13.8	8.0	8.4	18.5	12.7
Assault	10.0	10.2	8.3	8.9	9.7	13.4
Other violent	2.8	2.8	3.2	2.9	2.5	3.4
Property	19.3%	18.5%	30.0%	24.9%	15.4%	16.2%
Burglary	9.5	9.7	6.8	11.8	8.3	7.3
Larceny	3.7	3.3	8.5	4.7	3.2	2.8
Motor vehicle theft	1.6	1.6	1.7	1.7	0.8	3.1
Fraud	2.5	1.9	10.5	3.8	1.8	1.1
Other property	2.0	2.0	2.5	2.8	1.4	1.9
Drug	18.7%	18.1%	27.3%	14.5%	22.3%	20.7%
Public-order^c	8.5%	8.6%	7.4%	10.0%	7.4%	7.5%
Other/unspecified^d	1.0%	1.0%	1.5%	1.0%	1.0%	1.3%

Note: Counts based on prisoners with a sentence of more than 1 year. Detail may not add to total due to rounding. See *Methodology* for estimation method.

^aExcludes Hispanics and persons identifying as two or more races.

^bIncludes non-negligent manslaughter.

^cIncludes weapons, drunk driving, court offenses, commercialized vice, morals and decency offenses, liquor law violations, and other public-order offenses.

^dIncludes juvenile offenses and other unspecified offense categories.

Sources: BJS, National Prisoner Statistics Program, National Corrections Reporting Program, and National Inmate Survey.

APPENDIX TABLE 17B**Estimated percent of sentenced prisoners under state jurisdiction, by offense, sex, race, and Hispanic origin, December 31, 2009**

Offense	All inmates	Male	Female	White ^a	Black ^a	Hispanic
Total	100%	100%	100%	100%	100%	100%
Violent	53.2%	54.4%	35.9%	49.9%	54.9%	55.5%
Murder ^b	13.1	13.3	10.9	10.5	14.4	15.2
Manslaughter	1.2	1.2	2.3	1.5	1.1	0.9
Rape	5.0	5.3	0.7	6.8	3.9	3.2
Other sexual assault	7.3	7.7	1.5	11.0	3.9	7.2
Robbery	13.6	14.0	8.6	8.5	18.9	12.6
Assault	10.1	10.2	8.7	8.8	10.0	13.2
Other violent	2.9	2.8	3.1	2.8	2.7	3.3
Property	19.2%	18.4%	29.6%	24.8%	15.2%	16.2%
Burglary	9.6	9.8	6.6	11.9	8.3	7.7
Larceny	3.7	3.3	8.8	4.6	3.1	2.8
Motor vehicle theft	1.4	1.4	1.6	1.6	0.7	2.9
Fraud	2.4	1.9	10.0	3.7	1.8	1.2
Other property	2.1	2.0	2.6	3.0	1.3	1.7
Drug	17.8%	17.2%	25.7%	13.9%	21.1%	19.5%
Public-order^c	8.9%	9.0%	7.2%	10.2%	8.0%	7.5%
Other/unspecified^d	1.0%	1.0%	1.5%	1.1%	0.8%	1.2%

Note: Counts based on prisoners with a sentence of more than 1 year. Detail may not add to total due to rounding. See *Methodology* for estimation method.

^aExcludes Hispanics and persons identifying as two or more races.

^bIncludes non-negligent manslaughter.

^cIncludes weapons, drunk driving, court offenses, commercialized vice, morals and decency offenses, liquor law violations, and other public-order offenses.

^dIncludes juvenile offenses and other unspecified offense categories.

Sources: BJS, National Prisoner Statistics Program, National Corrections Reporting Program, and National Inmate Survey.

APPENDIX TABLE 18**Sentenced prisoners under federal jurisdiction, by most serious offense, September 30, 2000, 2009, and 2010**

Offense	2000	2009	2010	Average annual change, 2000–2009	Percent change, 2009–2010
Total	131,739	187,886	190,641	4.5%	1.5%
Violent offenses	13,740	15,010	14,830	1.1%	-1.2%
Homicide ^a	1,363	2,863	2,769	9.7	-3.3
Robbery	9,712	8,389	8,242	-1.8	-1.8
Other violent	2,665	3,758	3,818	4.4	1.6
Property offenses	10,135	11,088	11,264	1.1%	1.6%
Burglary	462	425	392	-1.0	-7.8
Fraud	7,506	7,841	8,063	0.5	2.8
Other property	2,167	2,822	2,809	3.4	-0.4
Drug offenses	74,276	96,735	97,472	3.4%	0.8%
Public-order offenses	32,325	63,714	65,873	8.9%	3.4%
Immigration	13,676	21,739	21,377	6.0	-1.7
Weapons	10,822	27,941	28,821	12.6	3.1
Other	7,827	14,035	15,675	7.6	11.7
Other/unspecified^b	1,263	1,339	1,203	0.7%	-10.2%

^aIncludes murder, negligent, and non-negligent manslaughter.^bIncludes offenses not classified.

Sources: BJS, National Prisoner Statistics Program and Federal Justice Statistics Program.

APPENDIX TABLE 19**State and federal prisoners in private facilities, December 31, 2000–2010**

Year	Number of prisoners in private facilities			Percent of all prisoners
	Total	Federal	State	
2000	87,369	15,524	71,845	6.3%
2001	91,828	19,251	72,577	6.5
2002	93,912	20,274	73,638	6.5
2003	95,707	21,865	73,842	6.5
2004	98,628	24,768	73,860	6.6
2005	107,940	27,046	80,894	7.1
2006	113,697	27,726	85,971	7.2
2007	123,942	31,310	92,632	7.8
2008	129,482	33,162	96,320	8.0
2009	129,333	34,087	95,246	8.0
2010	128,195	33,830	94,365	8.0
Average annual change, 2000–2009	4.5%	9.1%	3.2%	:
Percent change, 2009–2010	-0.9	-0.8	-0.9	:

:Not calculated.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 20**State and federal prisoners in private facilities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of prisoners in private facilities			Percent of all prisoners, 2010
	2000	2009	2010	
U.S. total	87,369	129,333	128,195	8.0%
Federal ^a	15,524	34,087	33,830	16.1
State	71,845	95,246	94,365	6.7
Northeast	2,509	5,423	5,301	3.0%
Connecticut	0	885	883	4.6
Maine	11	0	0	0.0
Massachusetts	0	0	0	0.0
New Hampshire	0	0	0	0.0
New Jersey ^b	2,498	2,950	2,841	11.4
New York	0	0	0	0.0
Pennsylvania	0	920	1,015	2.0
Rhode Island	0	0	0	0.0
Vermont	0	668	562	27.0
Midwest	7,836	4,895	5,885	2.2%
Illinois	0	0	0	0.0
Indiana	991	2,479	2,817	10.1
Iowa	0	0	0	0.0
Kansas	0	0	0	0.0
Michigan	449	0	0	0.0
Minnesota	0	191	0	0.0
Missouri	0	0	0	0.0
Nebraska	0	0	0	0.0
North Dakota	96	0	0	0.0
Ohio ^c	1,918	2,195	3,038	5.9
South Dakota	45	13	5	0.1
Wisconsin	4,337	17	25	0.1
South	45,560	58,737	60,491	9.2%
Alabama	0	883	1,024	3.2
Arkansas	1,540	0	0	0.0
Delaware	0	0	0	0.0
District of Columbia	2,342	~	~	0.0
Florida	3,912	9,812	11,796	11.3
Georgia	3,746	5,129	5,233	9.3
Kentucky	1,268	2,491	2,127	10.4
Louisiana	3,068	2,922	2,921	7.4
Maryland	127	104	70	0.3
Mississippi	3,230	5,286	5,241	24.9
North Carolina	330	217	208	0.5
Oklahoma	6,931	5,989	6,019	22.9
South Carolina	0	14	17	0.1
Tennessee	3,510	5,108	5,120	18.7
Texas	13,985	19,207	19,155	11.0
Virginia	1,571	1,575	1,560	4.2
West Virginia	0	0	0	0.0
West	15,940	26,191	22,688	7.3%
Alaska	1,383	1,626	1,873	33.5
Arizona	1,430	8,971	5,356	13.3
California	4,547	2,316	2,170	1.3
Colorado	/	4,957	4,498	19.7
Hawaii	1,187	1,648	1,931	32.7
Idaho	1,162	2,066	2,236	30.1
Montana	986	1,434	1,502	40.4
Nevada	508	0	0	0.0
New Mexico	2,155	2,822	2,905	43.6
Oregon	0	0	0	0.0
Utah	208	0	0	0.0
Washington ^b	0	124	0	0.0
Wyoming	275	227	217	10.3

/Not reported.

~Not applicable. As of December 31, 2001, responsibility for sentenced felons from the District of Columbia was transferred to the Federal Bureau of Prisons.

^aIncludes federal prisoners held in non-secure, privately operated facilities (8,629 at midyear 2009) as well as prisoners on home confinement (2,548). Counts for prior years can be found in earlier publications.^bIncludes prisoners held in out-of-state private facilities.^cNot comparable to prior years. December 31, 2010 counts include inmates housed in privately operated halfway houses.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 21**State and federal prisoners in local jail facilities, December 31, 2000-2010**

Year	Number of prisoners in local facilities			Percent of all prisoners
	Total	Federal	State	
2000	63,140	2,438	60,702	4.5%
2001	70,681	2,921	67,760	5.0
2002	72,550	3,377	69,173	5.0
2003	73,440	3,278	70,162	5.0
2004	74,445	1,199	73,246	5.0
2005	73,164	1,044	72,120	4.8
2006	77,912	2,010	75,902	5.0
2007	80,621	2,144	78,477	5.0
2008	83,497	2,738	80,759	5.2
2009	85,877	2,896	82,981	5.3
2010	83,436	2,661	80,775	5.2
Average annual change, 2000-2009	3.5%	1.9%	3.5%	:
Percent change, 2009-2010	-2.8	-8.1	-2.7	:

:Not calculated.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 22**State and federal prisoners in local jail facilities, by jurisdiction, December 31, 2000, 2009, and 2010**

Region and jurisdiction	Number of prisoners in local facilities			Percent of all prisoners
	12/31/2000	12/31/2009	12/31/2010	
U.S. total	63,140	85,877	83,436	5.2%
Federal	2,438	2,896	2,661	1.3
State	60,702	82,981	80,775	5.8
Northeast	3,823	2,139	1,508	0.9%
Connecticut ^a	0	0	0	0.0
Maine	24	123	147	6.8
Massachusetts	457	132	162	1.4
New Hampshire	14	47	36	1.3
New Jersey	3,225	1,274	529	2.1
New York	45	38	27	0.0
Pennsylvania	58	525	607	1.2
Rhode Island ^a	0	0	0	0.0
Vermont ^a	0	0	0	0.0
Midwest	2,103	3,588	2,815	1.1%
Illinois	0	0	0	0.0
Indiana	1,187	2,060	1,552	5.5
Iowa	0	0	0	0.0
Kansas	0	0	0	0.0
Michigan	286	52	52	0.1
Minnesota ^b	149	662	536	5.5
Missouri	0	0	0	0.0
Nebraska	0	0	0	0.0
North Dakota	38	47	68	4.6
Ohio	0	0	0	0.0
South Dakota	16	64	71	2.1
Wisconsin	427	703	536	2.4
South	49,455	71,925	71,354	10.9%
Alabama	3,401	2,260	1,366	4.3
Arkansas	728	1,778	1,984	12.2
Delaware ^a	0	0	0	0.0
District of Columbia ^c	1,329	~	~	0.0
Florida ^d	0	1,298	1,293	1.2
Georgia	3,888	3,390	3,634	6.4
Kentucky	3,850	7,639	6,716	32.7
Louisiana	15,599	19,891	20,436	51.8
Maryland	118	111	180	0.8
Mississippi ^e	3,700	4,270	4,613	21.9
North Carolina	0	676	266	0.7
Oklahoma	970	2,238	1,905	7.3
South Carolina	433	379	384	1.6
Tennessee	5,204	7,047	7,432	27.1
Texas	6,477	12,270	12,990	7.5
Virginia	2,962	7,373	6,546	17.5
West Virginia	796	1,305	1,609	24.1
West	5,321	5,329	5,098	1.6
Alaska ^a	0	0	0	0.0%
Arizona	237	0	0	0.0
California	2,758	2,611	2,200	1.3
Colorado	2,178	70	63	0.3
Hawaii ^a	0	0	0	0.0
Idaho	450	312	263	3.5
Montana	548	493	550	14.8
Nevada	175	93	88	0.7
New Mexico	0	0	0	0.0
Oregon	7	14	9	0.1
Utah	1,050	1,223	1,304	19.2
Washington	0	463	614	3.4
Wyoming	17	50	7	0.3

~Not applicable.

^aPrisons and jails form one integrated system. Data include total jail and prison populations.^bIncludes inmates temporarily housed in local jails, on work release, or community work crew programs.^cAs of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.^dAs of 2009, the count includes all prisoners out to court. Not comparable to previous years.^eIncludes local county jails and county regional facilities.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 23**Reported state and federal prison capacities, December 31, 2010**

Region and jurisdiction	Type of capacity measure			Custody population as a percent of—	
	Rated	Operational	Design	Highest capacity ^a	Lowest capacity ^a
Federal	126,863	...	...	136%	136%
Northeast					
Connecticut ^b	...	...	...	...%	...%
Maine	2,339	2,133	2,339	84	92
Massachusetts	...	...	8,029	139	139
New Hampshire	...	2,281	1,945	115	134
New Jersey	...	22,503	16,152	96	134
New York	57,505	58,546	56,590	96	100
Pennsylvania	43,837	43,837	43,837	107	107
Rhode Island ^c	4,283	4,273	4,028	74	78
Vermont	1,613	1,613	1,322	94	115
Midwest					
Illinois	33,700	33,700	29,791	144%	163%
Indiana	...	29,574	...	83	83
Iowa	...	...	7,209	131	131
Kansas	9,054	...	...	100	100
Michigan ^c	45,281	44,420	...	102	104
Minnesota	...	9,099	...	103	103
Missouri ^c	...	31,423	...	97	97
Nebraska ^c	...	3,969	3,175	116	145
North Dakota ^c	1,044	991	1,044	136	143
Ohio	38,389	...	...	127	127
South Dakota ^c	...	3,523	...	96	96
Wisconsin ^c	...	...	17,596	125	125
South					
Alabama ^c	...	...	13,403	196%	196%
Arkansas	14,025	14,025	13,461	101	105
Delaware ^c	6,378	5,210	4,161	100	153
Florida	...	105,814	...	96	96
Georgia ^e	58,763	54,137	...	90	98
Kentucky	13,902	13,902	14,237	87	89
Louisiana ^e	19,008	20,333	...	108	115
Maryland	...	23,016	...	99	99
Mississippi ^e	...	24,236	...	46	46
North Carolina	...	41,705	35,756	97	113
Oklahoma ^{c,e}	25,352	25,352	25,352	95	95
South Carolina	...	24,319	...	95	95
Tennessee	20,946	20,498	...	71	73
Texas ^d	163,381	159,396	163,381	86	89
Virginia ^c	32,921	...	...	92	92
West Virginia	4,304	5,114	4,304	99	118
West					
Alaska	3,058	3,206	...	122%	128%
Arizona ^c	37,089	43,011	37,089	81	94
California	...	149,624	84,181	110	196
Colorado ^c	...	15,032	13,065	121	140
Hawaii	...	3,327	2,291	101	147
Idaho ^{c,e}	7,028	6,677	7,028	103	108
Montana ^d	...	1,679	...	97	97
Nevada	/	/	/	/	/
New Mexico ^e	6,139	7,123	6,128	53	61
Oregon	/	/	/	/	/
Utah	...	6,661	6,901	79	82
Washington	16,420	17,801	17,801	96	104
Wyoming	2,381	2,381	2,221	79	84

...Data not available.

/Not reported.

^aPopulation counts are based on the number of inmates held in facilities operated by the jurisdiction. Excludes inmates held in local jails, in other states, or in private facilities.^bConnecticut no longer reports capacity because of a law passed in 1995.^cCapacity definition differs from BJS definition, see NPS *Jurisdiction Notes*.^dExcludes capacity of county facilities and inmates housed in them.^eIncludes capacity of private and contract facilities and inmates housed in them.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 24

Reported number of inmates under age 18 held in custody in state and federal prisons, by sex, region, and jurisdiction, June 30, 2009 and 2010

Region and jurisdiction	2009			2010		
	Total	Male	Female	Total	Male	Female
U.S. Total	2,779	2,645	134	2,295	2,217	78
Federal ^a	~	~	~	~	~	~
State	2,779	2,645	134	2,295	2,217	78
Northeast	617	584	33	521	507	14
Connecticut ^b	332	310	22	217	211	6
Maine	0	0	0	0	0	0
Massachusetts	8	5	3	3	1	2
New Hampshire	0	0	0	0	0	0
New Jersey ^c	21	21	0	18	18	0
New York	190	184	6	221	217	4
Pennsylvania	61	59	2	58	56	2
Rhode Island ^b	1	1	0	1	1	0
Vermont ^b	4	4	0	3	3	0
Midwest	499	488	11	440	427	13
Illinois	106	105	1	73	72	1
Indiana	54	54	0	49	48	1
Iowa	13	13	0	13	13	0
Kansas	5	5	0	10	9	1
Michigan	132	129	3	109	106	3
Minnesota	13	11	2	32	29	3
Missouri	31	30	1	22	21	1
Nebraska	21	19	2	23	23	0
North Dakota	0	0	0	0	0	0
Ohio	86	84	2	78	76	2
South Dakota ^c	1	1	0	1	1	0
Wisconsin	37	37	0	30	29	1
South	1,273	1,234	39	1,107	1,067	40
Alabama	118	114	4	29	29	0
Arkansas	17	17	0	9	8	1
Delaware ^b	28	28	0	17	17	0
Florida	393	384	9	355	341	14
Georgia	99	94	5	96	94	2
Kentucky	0	0	0	0	0	0
Louisiana ^c	15	14	1	22	22	0
Maryland	58	57	1	57	54	3
Mississippi	28	27	1	25	24	1
North Carolina ^c	215	206	9	184	177	7
Oklahoma	19	17	2	17	16	1
South Carolina	89	88	1	106	102	4
Tennessee	22	20	2	29	28	1
Texas	156	152	4	150	144	6
Virginia	16	16	0	11	11	0
West Virginia	0	0	0	0	0	0
West	390	339	51	227	216	11
Alaska ^b	7	7	0	7	7	0
Arizona	157	149	8	131	123	8
California ^c	0	0	0	0	0	0
Colorado	79	43	36	38	38	0
Hawaii ^b	2	2	0	0	0	0
Idaho	0	0	0	1	1	0
Montana	2	2	0	0	0	0
Nevada	118	115	3	34	33	1
New Mexico	3	3	0	2	2	0
Oregon	13	9	4	8	6	2
Utah	6	6	0	3	3	0
Washington ^c	2	2	0	1	1	0
Wyoming	1	1	0	2	2	0

~Not applicable.

^aThe Federal Bureau of Prisons does not house inmates under age 18 in its custody; 142 such inmates were housed in contract facilities.

^bPrisons and jails form one integrated system. Data include total jail and prison populations.

^cCounts include those held in privately-operated facilities.

Source: BJS, National Prisoner Statistics Program.

APPENDIX TABLE 25**Reported number of noncitizens held in custody in state and federal prisons, by sex, region, and jurisdiction, June 30, 2009 and 2010**

Region and jurisdiction	2009			2010		
	Total	Male	Female	Total	Male	Female
U.S. Total	97,133	90,435	3,923	95,977	92,113	3,864
Federal	30,445	28,404	2,041	30,336	28,336	2,000
State	66,688	62,031	1,882	65,641	63,777	1,864
Northeast	8,955	8,668	287	8,894	8,601	293
Connecticut ^a	796	762	34	768	741	27
Maine	21	20	1	21	20	1
Massachusetts ^b	918	883	35	883	845	38
New Hampshire	82	79	3	67	65	2
New Jersey ^b	/	/	/	/	/	/
New York ^c	6,111	5,922	189	5,988	5,794	194
Pennsylvania	1,008	985	23	1,148	1,120	28
Rhode Island ^a	/	/	/	/	/	/
Vermont ^a	19	17	2	19	16	3
Midwest	5,352	5,197	155	5,641	5,498	143
Illinois ^d	1,946	1,900	46	2,104	2,057	47
Indiana	504	496	8	547	536	11
Iowa	151	148	3	179	175	4
Kansas ^d	287	283	4	310	303	7
Michigan	680	670	10	614	604	10
Minnesota	469	452	17	515	505	10
Missouri ^c	452	428	24	445	423	22
Nebraska	204	200	4	263	258	5
North Dakota	14	13	1	7	7	0
Ohio	584	548	36	596	569	27
South Dakota	61	59	2	61	61	0
Wisconsin	/	/	/	/	/	/
South	23,171	22,513	658	23,047	22,385	662
Alabama	150	147	3	177	175	2
Arkansas	187	183	4	157	153	4
Delaware ^a	316	296	20	291	280	11
Florida ^e	6,344	6,131	213	6,362	6,127	235
Georgia	1,811	1,780	31	1,722	1,687	35
Kentucky	168	164	4	159	152	7
Louisiana	105	102	3	110	105	5
Maryland ^f	430	408	22	653	633	20
Mississippi ^c	/	/	/	/	/	/
North Carolina	1,785	1,742	43	1,775	1,730	45
Oklahoma ^g	340	331	9	359	350	9
South Carolina ^b	462	449	13	504	488	16
Tennessee ^c	240	231	9	238	238	0
Texas	9,618	9,371	247	9,142	8,917	225
Virginia ^{c,f}	1,209	1,172	37	1,390	1,342	48
West Virginia	6	6	0	8	8	0
West	29,210	25,653	782	28,059	27,293	766
Alaska ^{a,b}	11	11	0	21	21	0
Arizona	3,259	3,116	143	4,762	4,610	152
California ^g	18,538	18,073	465	18,650	18,225	425
Colorado ^c	1,250	1,207	43	1,256	1,198	58
Hawaii ^{a,b}	122	115	7	99	90	9
Idaho	288	275	13	163	150	13
Montana	6	6	0	10	10	0
Nevada	/	/	/	/	/	/
New Mexico	105	102	3	118	116	2
Oregon	1,704	1,625	79	1,752	1,678	74
Utah	284	281	3	271	267	4
Washington	798	774	24	904	877	27
Wyoming	70	68	2	53	51	2

/Not reported.

^aPrisons and jails form one integrated system. Data include total jail and prison populations.^bNumber of U.S. citizens based only on inmates who reported their citizenship.^cNoncitizens defined as foreign born.^dEstimated.^eIncludes both confirmed and suspected alien inmates.^fMay not be comparable to prior-year data due to a change in reporting system.^gNoncitizens defined as inmates held by Immigrations and Customs Enforcement (ICE).

Source: BJS, National Prisoner Statistics Program.

U.S. Department of Justice
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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. James P. Lynch is the director.

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The full text of each report is available in PDF and ASCII formats on the BJS website at www.bjs.gov. Tables are also available in PDF and CSV formats. Related datasets are made available on the National Archive of Criminal Justice Data website at <http://www.icpsr.umich.edu/icpsrweb/NACJD/index.jsp>.



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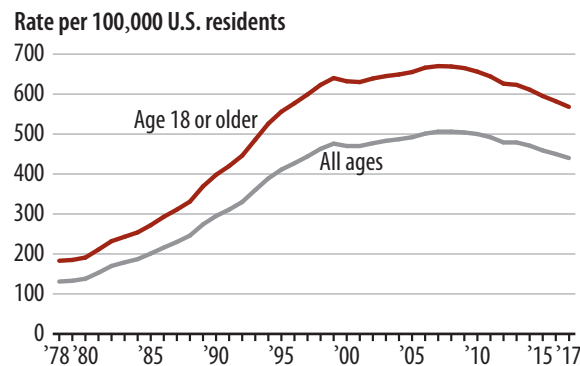
Prisoners in 2017

Jennifer Bronson, Ph.D., and E. Ann Carson, Ph.D., *BJS Statisticians*

The United States prison population declined from 1,508,129 at the end of 2016 to 1,489,363 at the end of 2017, a decrease of 1.2%. During the same period, the number of prisoners under the jurisdiction of federal correctional authorities decreased by 6,100 (down 3%), and the number of prisoners under the jurisdiction of state correctional authorities fell by 12,600 (down 1%). The imprisonment rate for sentenced prisoners was the lowest since 1997, at 440 prisoners per 100,000 U.S. residents of all ages and 568 per 100,000 U.S. residents age 18 or older (figure 1). (Counts of sentenced prisoners include those who have received a sentence of more than one year.)

Findings in this report are based on the National Prisoner Statistics (NPS) program, administered by the Bureau of Justice Statistics (BJS). The program collects annual data from state departments of corrections (DOCs) and the Federal Bureau of Prisons (BOP) on prison

FIGURE 1
Imprisonment rates of sentenced prisoners under the jurisdiction of state or federal correctional authorities, per 100,000 U.S. residents, 1978–2017



Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with a sentence of more than one year. See appendix table 1 for imprisonment rates. Source: Bureau of Justice Statistics, National Prisoner Statistics, 1978–2017; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

HIGHLIGHTS

- The imprisonment rate for sentenced prisoners under state or federal jurisdiction decreased 2.1% from 2016 to 2017 (from 450 to 440 sentenced prisoners per 100,000 U.S. residents) and 13% from 2007 to 2017 (from 506 to 440 per 100,000).
- The number of prisoners under state or federal jurisdiction decreased by 18,700 (down 1.2%), from 1,508,100 at year-end 2016 to 1,489,400 at year-end 2017.
- The federal prison population decreased by 6,100 prisoners from year-end 2016 to year-end 2017 (down 3%), accounting for one-third of the overall change in the U.S. prison population.
- More than half (55%) of state prisoners were serving sentences for violent offenses at year-end 2016, the most recent year for which data are available.
- The number of state or federal prisoners held in private facilities decreased 5% from 2016 to 2017.
- Non-citizens made up roughly the same portion of the U.S. prison population (7.6%) as of the total U.S. population (7.0%, per the U.S. Census Bureau).
- The imprisonment rate of sentenced black adults declined by 4% from 2016 to 2017 and by 31% from 2007 to 2017.
- Nearly half of federal prisoners were serving a sentence for a drug-trafficking offense at fiscal year-end 2017.
- At year-end 2017, the imprisonment rate for sentenced black males (2,336 per 100,000 black male U.S. residents) was almost six times that of sentenced white males (397 per 100,000 white male U.S. residents).
- At year-end 2016, an estimated 60% of Hispanics and blacks sentenced to serve more than one year in state prison had been convicted of and sentenced for a violent offense, compared to 48% of white prisoners.

Terms and definitions

Adult imprisonment rate—The number of prisoners sentenced to more than one year under state or federal jurisdiction per 100,000 U.S. residents age 18 or older.

Capacity, design—The number of inmates a facility can hold set by the architect or planner.

Capacity, highest—The maximum number of beds across the three capacity measures: design, operational, and rated capacity.

Capacity, lowest—The minimum number of beds across the three capacity measures: design, operational, and rated capacity.

Capacity, operational—The number of inmates a facility can hold based on staffing and services.

Capacity, rated—The number of inmates or beds a facility can hold set by a rating official.

Conditional releases—Includes discretionary parole, mandatory parole, post-custody probation, and other unspecified conditional releases.

Conditional-release violators—Persons who returned to prison after having been released to discretionary parole, mandatory parole, or post-custody probation, or after having been granted unspecified conditional release.

Custody—Prisoners held in the physical custody of state or federal prisons, regardless of sentence length or the authority with jurisdiction over the prisoner.

Federal prison system—Includes persons held under the jurisdiction of the Federal Bureau of Prisons in secure federal and private prison facilities; persons held in non-secure, privately operated community corrections facilities; and juveniles in contract facilities.

Imprisonment rate—The number of prisoners sentenced to more than one year under state or federal jurisdiction per 100,000 U.S. residents.

Jail—A confinement facility that is usually administered by a local law enforcement agency and is intended for adults but sometimes holds juveniles for confinement before or after adjudication. Such facilities include jails and city or county correctional centers; special jail facilities, such as medical treatment or release centers; halfway houses; work farms; and temporary holding or lockup facilities that are part of the jail's combined function. Prisoners sentenced to jail facilities usually

have a sentence of one year or less. Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont operate integrated systems that combine prisons and jails.

Jurisdiction—The legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Prisoners under jurisdiction of state or federal correctional officials can be held in publicly or privately operated secure or non-secure facilities, including boot camps, halfway houses, treatment facilities, hospitals, local jails, or another state's facilities.

New court commitments—Admissions into prison of offenders convicted and sentenced by a court, usually to a term of more than one year, including probation violators and persons with a split sentence of incarceration followed by court-ordered probation or parole.

Parole violators—Persons released from prison on discretionary or mandatory parole who were subsequently imprisoned either for violating conditions of release or for new crimes.

Prison—A long-term confinement facility that is run by a state or the federal government and typically holds felons and offenders with sentences of more than one year. Sentence length may vary by state. Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont operate integrated systems that combine prisons and jails.

Prisoner—An individual confined in a state or federal correctional facility, or in a private facility under state or federal jurisdiction.

Probation violators—Persons on probation, sometimes following release from prison, who were subsequently imprisoned either for violating conditions of their probation or for new crimes.

Sentenced prisoner—A prisoner sentenced to more than one year.

Supervised mandatory releases—Conditional releases with post-custody supervision (generally occurring in jurisdictions using determinate sentencing statutes).

Unconditional releases—Expirations of sentences, commutations, and other unspecified releases that are not followed by probation, parole, or other supervision.

Year-end—As of December 31 of the calendar year.

capacity and prisoner counts, characteristics, admissions, and releases. This report is the ninety-second in a series that began in 1926. Forty-eight states and the BOP reported NPS data for 2017, while data for New Mexico and North Dakota were obtained from other sources or were imputed (see *Methodology*).

Total prison population

The number of prisoners under state or federal jurisdiction at year-end 2017 (1,489,400) decreased 8% (down 126,100 prisoners) from 2009, when the U.S. prison population peaked at 1,615,500 ([table 1](#)). Federal prisoners made up 12% of the total U.S. prison population at year-end 2017 and accounted for 33% of the decline in the total prison population. The number of federal prisoners decreased from 189,200 at year-end 2016 to 183,100 at year-end 2017. This was the fifth consecutive year of population decline among federal prisoners.

States held 1,306,300 prisoners at year-end 2017, which was down 1% (12,600) from year-end 2016. A total of 29 states showed decreases in year-end prison populations from 2016 to 2017 ([table 2](#)). The states with the largest declines in prisoners were Illinois (down 2,200), Louisiana (down 1,900), and Oklahoma (down 1,800). Of the 20 states that showed increases in prison populations from 2016, the states with the largest increases were California (up 960), Tennessee (up 780), and North Carolina (up 697). Maine had the same number of prisoners (2,404) at year-end 2016 as at year-end 2017.

Females made up 7% of the total prison population at year-end 2017. The female population decreased by almost 470 prisoners from year-end 2016 (down 0.4%), while the male population decreased by almost 18,300 (down 1.3%). Twenty-five states and the BOP showed decreases in their female prison populations at year-end 2017, with the largest decreases occurring in Texas (down almost 380 female prisoners) and Illinois (down 330). The number of female prisoners increased from 2016 to 2017 in 25 states, with the largest increases occurring in Tennessee (up 290) and Indiana (up 210).

TABLE 1

Prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and sex, 2007–2017

Year	Total	Federal ^a	State	Male	Female
2007	1,596,835	199,618	1,397,217	1,482,524	114,311
2008	1,608,282	201,280	1,407,002	1,493,670	114,612
2009	1,615,487	208,118	1,407,369	1,502,002	113,485
2010	1,613,803	209,771	1,404,032	1,500,936	112,867
2011	1,598,968	216,362	1,382,606	1,487,561	111,407
2012	1,570,397	217,815	1,352,582	1,461,625	108,772
2013	1,576,950	215,866	1,361,084	1,465,592	111,358
2014	1,562,319	210,567	1,351,752	1,449,291	113,028
2015	1,526,603	196,455	1,330,148	1,415,112	111,491
2016 ^b	1,508,129	189,192	1,318,937	1,396,296	111,833
2017 ^c	1,489,363	183,058	1,306,305	1,378,003	111,360
Percent change					
2007–2017	-6.7%	-8.3%	-6.5%	-7.1%	-2.6%
2016–2017	-1.2	-3.2	-1.0	-1.3	-0.4

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year.

^aIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^bCounts from 2016 have been revised based on updated numbers and may differ from numbers in past reports. Total and state estimates include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics (NPS) data. See *Methodology*.

^cTotal and state estimates for 2017 include imputed counts for New Mexico and North Dakota, which did not submit 2017 NPS data. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2007–2017.

TABLE 2**Prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and sex, 2016 and 2017**

Jurisdiction	2016			2017			Percent change, 2016-2017		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. total	1,508,129	1,396,296	111,833	1,489,363	1,378,003	111,360	-1.2%	-1.3%	-0.4%
Federal^a	189,192	176,495	12,697	183,058	170,525	12,533	-3.2%	-3.4%	-1.3%
State^b	1,318,937	1,219,801	99,136	1,306,305	1,207,478	98,827	-1.0%	-1.0%	-0.3%
Alabama ^c	28,883	26,506	2,377	27,608	25,135	2,473	:	:	:
Alaska ^d	4,434	4,024	410	4,399	4,011	388	-0.8	-0.3	-5.4
Arizona	42,320	38,323	3,997	42,030	37,971	4,059	-0.7	-0.9	1.6
Arkansas	17,537	16,161	1,376	18,070	16,651	1,419	3.0	3.0	3.1
California ^e	130,084	124,198	5,886	131,039	125,180	5,859	0.7	0.8	-0.5
Colorado	19,981	18,078	1,903	19,946	18,044	1,902	-0.2	-0.2	-0.1
Connecticut ^d	14,957	13,892	1,065	14,040	13,069	971	-6.1	-5.9	-8.8
Delaware ^d	6,585	6,047	538	6,443	5,931	512	-2.2	-1.9	-4.8
Florida	99,974	93,111	6,863	98,504	91,779	6,725	-1.5	-1.4	-2.0
Georgia	53,627	49,839	3,788	53,667	49,839	3,828	0.1	0.0	1.1
Hawaii ^d	5,602	4,934	668	5,630	5,006	624	0.5	1.5	-6.6
Idaho	8,252	7,239	1,013	8,579	7,534	1,045	4.0	4.1	3.2
Illinois	43,657	41,044	2,613	41,471	39,190	2,281	-5.0	-4.5	-12.7
Indiana	25,546	23,341	2,205	26,024	23,608	2,416	1.9	1.1	9.6
Iowa	9,031	8,210	821	9,024	8,218	806	-0.1	0.1	-1.8
Kansas	9,920	9,051	869	9,971	9,069	902	0.5	0.2	3.8
Kentucky	23,022	20,080	2,942	23,543	20,522	3,021	2.3	2.2	2.7
Louisiana	35,682	33,701	1,981	33,739	31,782	1,957	-5.4	-5.7	-1.2
Maine	2,404	2,169	235	2,404	2,177	227	0.0	0.4	-3.4
Maryland	19,994	19,172	822	19,367	18,519	848	-3.1	-3.4	3.2
Massachusetts	9,403	8,820	583	9,133	8,602	531	-2.9	-2.5	-8.9
Michigan	41,122	38,880	2,242	39,666	37,515	2,151	-3.5	-3.5	-4.1
Minnesota	10,592	9,818	774	10,708	9,974	734	1.1	1.6	-5.2
Mississippi	19,192	17,823	1,369	19,103	17,688	1,415	-0.5	-0.8	3.4
Missouri	32,461	29,124	3,337	32,601	29,205	3,396	0.4	0.3	1.8
Montana	3,814	3,405	409	3,698	3,282	416	-3.0	-3.6	1.7
Nebraska	5,302	4,878	424	5,313	4,884	429	0.2	0.1	1.2
Nevada	13,757	12,490	1,267	13,671	12,405	1,266	-0.6	-0.7	-0.1
New Hampshire	2,818	2,591	227	2,750	2,524	226	-2.4	-2.6	-0.4
New Jersey	19,786	18,952	834	19,585	18,811	774	-1.0	-0.7	-7.2
New Mexico ^f	7,055	6,344	711	7,276	6,492	784	:	:	:
New York	50,716	48,442	2,274	49,461	47,184	2,277	-2.5	-2.6	0.1
North Carolina	35,697	32,985	2,712	36,394	33,553	2,841	2.0	1.7	4.8
North Dakota ^{f,g}	1,791	1,578	213	1,723	1,524	199	:	:	:
Ohio	52,175	47,581	4,594	51,478	47,052	4,426	-1.3	-1.1	-3.7
Oklahoma ^{e,h}	29,916	26,452	3,464	28,143	24,952	3,191	-5.9	-5.7	-7.9
Oregon ^e	15,166	13,862	1,304	15,218	13,891	1,327	0.3	0.2	1.8
Pennsylvania	49,244	46,381	2,863	48,333	45,482	2,851	-1.8	-1.9	-0.4
Rhode Island ^d	3,103	2,927	176	2,861	2,690	171	-7.8	-8.1	-2.8
South Carolina	20,858	19,384	1,474	19,906	18,514	1,392	-4.6	-4.5	-5.6
South Dakota	3,831	3,333	498	3,970	3,430	540	3.6	2.9	8.4
Tennessee	28,203	25,481	2,722	28,980	25,969	3,011	2.8	1.9	10.6
Texas	163,703	149,368	14,335	162,523	148,565	13,958	-0.7	-0.5	-2.6
Utah ^e	6,175	5,769	406	6,443	5,951	492	4.3	3.2	21.2
Vermont ^d	1,735	1,600	135	1,546	1,406	140	-10.9	-12.1	3.7
Virginia	37,813	34,704	3,109	37,158	34,004	3,154	-1.7	-2.0	1.4

Continued on next page

TABLE 2 (continued)**Prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and sex, 2016 and 2017**

Jurisdiction	2016			2017			Percent change, 2016–2017		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Washington	19,104	17,446	1,658	19,656	17,914	1,742	2.9	2.7	5.1
West Virginia	7,162	6,286	876	7,092	6,274	818	-1.0	-0.2	-6.6
Wisconsin	23,377	21,889	1,488	23,945	22,325	1,620	2.4	2.0	8.9
Wyoming	2,374	2,088	286	2,473	2,181	292	4.2	4.5	2.1

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year.

:Not calculated.

^aIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^bTotal and state estimates include imputed counts for New Mexico and North Dakota, which did not submit 2017 National Prisoner Statistics (NPS) data. See *Methodology*.

^cData from 2017 include offenders with Class D felonies and parole revocations and should not be compared to 2016 data.

^dPrisons and jails form one integrated system. Data include total jail and prison populations.

^eState submitted updated 2016 population counts.

^fState did not submit 2017 NPS data. Counts were imputed for 2017 and should not be compared to 2016 counts. See *Methodology*.

^gState did not submit 2016 NPS data. Counts were imputed for 2016 and should not be compared to 2017 counts. See *Methodology*.

^hIncludes persons who were waiting in county jails to be moved to state prison.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016 and 2017.

Counting prisoners

In this report, counts of prisoners may vary depending on the type of population.

- **Most totals and trends** are based on jurisdiction counts, which include all prisoners under the authority of state or federal correctional officials, regardless of where the prisoner is held.
- **Imprisonment rates** are based on sentenced prisoners, which include persons who have received a court-ordered term of imprisonment of more than one year. (In all, 97% of prisoners are sentenced prisoners.)
- **Admissions and releases** are based on prisoners sentenced to more than one year, except where noted.
- **Prisoners age 17 or younger** are based on physical custody populations and exclude those held in private prisons, local jails, or facilities of other jurisdictions.

- **Non-U.S. citizens** data are provided by jurisdictions and include the number of non-U.S. citizens in both state-operated and privately operated facilities. Unless otherwise noted, counts exclude non-U.S. citizens held in the custody of local jails or facilities of other jurisdictions. Prior to the collection of 2017 National Prisoner Statistics (NPS) data, the counts of non-U.S. citizens excluded state prisoners held in private prisons, local jails, and facilities of other jurisdictions. As such, NPS data from 2017 should not be compared to previously published statistics on non-U.S. citizens.

Sentenced prison population

Prisoners sentenced to more than one year made up 97% of the total prison population at year-end 2017. (See *Terms and definitions*.) The remaining proportion had not been sentenced for an offense or had received a sentence of one year or less.

Number of prisoners sentenced to more than one year declined for the fourth consecutive year

From December 31, 2016, to December 31, 2017, the number of state and federal prisoners who had been sentenced to more than one year declined by 20,100 (down more than 1%) (**table 3**). This was the fourth consecutive year that the population of prisoners with a sentence of more than one year in prison declined. The number of prisoners awaiting sentence or sentenced to one year or less at year-end 2017 was 49,600, an increase from 48,200 in 2016.

On December 31, 2017, state prisons held 1,273,600 prisoners sentenced to more than one year, which was 14,900 fewer sentenced prisoners than at year-end

2016 (down more than 1%). At year-end 2017, federal prisons had 166,200 prisoners sentenced to more than one year, or 5,300 fewer than at year-end 2016 (down 3%). The decrease in prisoners under federal jurisdiction accounted for 26% of the total decline in sentenced prisoners from 2016 to 2017.

From year-end 2016 to year-end 2017, the number of prisoners sentenced to more than one year declined in 29 states and in the federal prison system (**table 4**). Three jurisdictions decreased their counts of sentenced prisoners by at least 2,000 in 2017: the federal system (down 5,280 prisoners), Alabama (down 4,080), and Illinois (down 2,230). Five other jurisdictions decreased their counts of sentenced prisoners by more than 1,000 in 2017: Louisiana (down 1,940 prisoners), Oklahoma (down 1,800), Florida (down 1,470), Michigan (down 1,460), and New York (down 1,260). California (up 840 prisoners), Tennessee (up 780), and North Carolina (up 690) had the largest increases in sentenced prisoners between year-end 2016 and year-end 2017.

TABLE 3

Sentenced prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction, sex, race, and Hispanic origin, 2007–2017

Year	Total	Federal ^a	State	Male	Female	White ^{b,c}	Black ^{b,c}	Hispanic ^c
2007	1,532,851	179,204	1,353,647	1,427,088	105,763	499,800	592,900	330,400
2008	1,547,742	182,333	1,365,409	1,441,384	106,358	499,900	592,800	329,800
2009	1,553,574	187,886	1,365,688	1,448,239	105,335	490,000	584,800	341,200
2010	1,552,669	190,641	1,362,028	1,447,766	104,903	484,400	572,700	345,800
2011	1,538,847	197,050	1,341,797	1,435,141	103,706	474,300	557,100	347,800
2012	1,512,430	196,574	1,315,856	1,411,076	101,354	466,600	537,800	340,300
2013	1,520,403	195,098	1,325,305	1,416,102	104,301	463,900	529,900	341,200
2014	1,507,781	191,374	1,316,407	1,401,685	106,096	461,500	518,700	338,900
2015	1,476,847	178,688	1,298,159	1,371,879	104,968	450,200	499,400	333,200
2016 ^d	1,459,948	171,482	1,288,466	1,354,109	105,839	440,200	487,300	339,600
2017 ^e	1,439,808	166,203	1,273,605	1,334,775	105,033	436,500	475,900	336,500
Percent change								
2007–2017	-6.1%	-7.3%	-5.9%	-6.5%	-0.7%	-12.7%	-19.7%	1.9%
2016–2017	-1.4	-3.1	-1.2	-1.4	-0.8	-0.8	-2.3	-0.9

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year and are based on prisoners with a sentence of more than one year. Data for 2016 have been updated with population-count changes for several states.

^aIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cEstimates are rounded to the nearest 100.

^dEstimates include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics data. See *Methodology*.

^eEstimates include imputed counts for New Mexico and North Dakota, which did not submit 2017 National Prisoner Statistics data. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2007–2017; Federal Justice Statistics Program, 2017 (preliminary); National Corrections Reporting Program, 2016; and Survey of Prison Inmates, 2016.

TABLE 4**Sentenced prisoners under the jurisdiction of state or federal correctional authorities, by sex, 2016 and 2017**

Jurisdiction	2016			2017			Percent change, 2016–2017		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. total	1,459,948	1,354,109	105,839	1,439,808	1,334,775	105,033	-1.4%	-1.4%	-0.8%
Federal^a	171,482	160,090	11,392	166,203	154,931	11,272	-3.1%	-3.2%	-1.1%
State^b	1,288,466	1,194,019	94,447	1,273,605	1,179,844	93,761	-1.2%	-1.2%	-0.7%
Alabama	27,799	25,593	2,206	23,724	21,968	1,756	-14.7	-14.2	-20.4
Alaska ^c	2,089	1,982	107	1,905	1,828	77	-8.8	-7.8	-28.0
Arizona	40,849	37,131	3,718	40,263	36,543	3,720	-1.4	-1.6	0.1
Arkansas	17,476	16,111	1,365	18,028	16,617	1,411	3.2	3.1	3.4
California ^d	129,080	123,261	5,819	129,920	124,127	5,793	0.7	0.7	-0.4
Colorado	19,862	17,963	1,899	19,824	17,925	1,899	-0.2	-0.2	0.0
Connecticut ^c	10,365	9,804	561	9,626	9,142	484	-7.1	-6.8	-13.7
Delaware ^c	4,090	3,889	201	4,066	3,882	184	-0.6	-0.2	-8.5
Florida	99,974	93,111	6,863	98,504	91,779	6,725	-1.5	-1.4	-2.0
Georgia	53,064	49,324	3,740	53,094	49,315	3,779	0.1	0.0	1.0
Hawaii ^c	3,629	3,271	358	3,425	3,154	271	-5.6	-3.6	-24.3
Idaho	7,376	6,416	960	7,752	6,761	991	5.1	5.4	3.2
Illinois	43,657	41,044	2,613	41,427	39,148	2,279	-5.1	-4.6	-12.8
Indiana	25,530	23,325	2,205	26,001	23,587	2,414	1.8	1.1	9.5
Iowa	8,998	8,181	817	8,999	8,197	802	0.0	0.2	-1.8
Kansas	9,628	8,831	797	9,687	8,846	841	0.6	0.2	5.5
Kentucky	23,018	20,077	2,941	23,539	20,518	3,021	2.3	2.2	2.7
Louisiana	35,646	33,665	1,981	33,706	31,749	1,957	-5.4	-5.7	-1.2
Maine	1,828	1,675	153	1,795	1,643	152	-1.8	-1.9	-0.7
Maryland	19,821	19,010	811	19,232	18,399	833	-3.0	-3.2	2.7
Massachusetts	8,494	8,140	354	8,286	7,976	310	-2.4	-2.0	-12.4
Michigan	41,122	38,880	2,242	39,666	37,515	2,151	-3.5	-3.5	-4.1
Minnesota	10,592	9,818	774	10,708	9,974	734	1.1	1.6	-5.2
Mississippi	18,666	17,397	1,269	18,471	17,184	1,287	-1.0	-1.2	1.4
Missouri	32,461	29,124	3,337	32,592	29,197	3,395	0.4	0.3	1.7
Montana	3,814	3,405	409	3,698	3,282	416	-3.0	-3.6	1.7
Nebraska	5,235	4,825	410	5,257	4,837	420	0.4	0.2	2.4
Nevada	13,637	12,403	1,234	13,671	12,405	1,266	0.2	0.0	2.6
New Hampshire	2,818	2,591	227	2,750	2,524	226	-2.4	-2.6	-0.4
New Jersey	19,786	18,952	834	19,585	18,811	774	-1.0	-0.7	-7.2
New Mexico ^e	6,972	6,276	696	7,189	6,422	767	:	:	:
New York	50,620	48,356	2,264	49,360	47,103	2,257	-2.5	-2.6	-0.3
North Carolina	34,596	32,085	2,511	35,283	32,649	2,634	2.0	1.8	4.9
North Dakota ^{e,f}	1,779	1,568	211	1,711	1,514	197	:	:	:
Ohio	52,175	47,581	4,594	51,478	47,052	4,426	-1.3	-1.1	-3.7
Oklahoma ^d	29,531	26,145	3,386	27,729	24,615	3,114	-6.1	-5.9	-8.0
Oregon ^d	15,150	13,846	1,304	15,200	13,877	1,323	0.3	0.2	1.5
Pennsylvania	49,000	46,188	2,812	48,074	45,281	2,793	-1.9	-2.0	-0.7
Rhode Island ^c	2,030	1,962	68	1,808	1,739	69	-10.9	-11.4	1.5
South Carolina	20,371	18,981	1,390	19,541	18,233	1,308	-4.1	-3.9	-5.9
South Dakota	3,820	3,323	497	3,959	3,424	535	3.6	3.0	7.6
Tennessee	28,203	25,481	2,722	28,980	25,969	3,011	2.8	1.9	10.6
Texas	157,903	144,928	12,975	157,584	144,750	12,834	-0.2	-0.1	-1.1
Utah ^d	6,171	5,765	406	6,437	5,945	492	4.3	3.1	21.2
Vermont ^c	1,229	1,146	83	1,126	1,021	105	-8.4	-10.9	26.5

Continued on next page

TABLE 4 (continued)**Sentenced prisoners under the jurisdiction of state or federal correctional authorities, by sex, 2016 and 2017**

Jurisdiction	2016			2017			Percent change, 2016–2017		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Virginia	37,813	34,704	3,109	37,158	34,004	3,154	-1.7	-2.0	1.4
Washington	19,019	17,377	1,642	19,540	17,811	1,729	2.7	2.5	5.3
West Virginia	7,162	6,286	876	7,092	6,274	818	-1.0	-0.2	-6.6
Wisconsin	22,144	20,734	1,410	22,682	21,147	1,535	2.4	2.0	8.9
Wyoming	2,374	2,088	286	2,473	2,181	292	4.2	4.5	2.1

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year and are based on prisoners with a sentence of more than one year.

:Not calculated.

^aIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^bTotal and state estimates for 2016 include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics (NPS) data. Total and state estimates for 2017 include imputed counts for New Mexico and North Dakota, which did not submit 2017 NPS data. See *Methodology*.

^cPrisons and jails form one integrated system. Data include total jail and prison populations.

^dState submitted updated 2016 sentenced population counts.

^eState did not submit 2017 NPS data. Counts were imputed for 2017 and should not be compared to 2016 counts. See *Methodology*.

^fState did not submit 2016 NPS data. Counts were imputed for 2016 and should not be compared to 2017 counts. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016 and 2017.

The number of female prisoners sentenced to more than one year decreased by 810 prisoners in 2017 (down 0.8%), while the number of male prisoners decreased by 19,330 inmates (down 1.4%). The number of male prisoners sentenced to more than one year decreased in 29 states, while the number of females sentenced to more than one year decreased in 25 states. Large percentage changes in the number of sentenced female prisoners from year-end 2016 to year-end 2017 occurred in states with small female prison populations, including Alaska (down 28%), Hawaii (down 24%), Vermont (up 27%), and Utah (up 21%).

Number of prisoners of all races and Hispanic origin sentenced to more than one year declined at year-end 2017

The number of black prisoners sentenced to more than one year decreased by almost 2% (down 11,400) from year-end 2016 to year-end 2017 (see table 3). During that period, the number of white sentenced prisoners declined by almost 1% (down 3,700) and the number of Hispanic sentenced prisoners decreased nearly 1% (down 3,100). Across a decade (2007 to 2017), the

number of black sentenced prisoners decreased by 20%, the number of white sentenced prisoners decreased by 13%, and the number of Hispanic sentenced prisoners increased by 2%.

Imprisonment rates

440 persons per 100,000 U.S. residents of all ages were imprisoned at year-end 2017

There were 440 prisoners sentenced to more than one year in state or federal prison per 100,000 U.S. residents on December 31, 2017, the lowest rate since 1997 (444 per 100,000) ([table 5](#); see figure 1). Among U.S. residents age 18 or older, 568 in 100,000 were imprisoned on a sentence of more than one year at year-end 2017. At that time, 1.1% of adult males living in the United States (1,082 in 100,000) were serving a sentence of more than one year, representing a 2% decrease from year-end 2016 (1,108 in 100,000). The imprisonment rate for females also declined during that period, from 64 to 63 per 100,000 female U.S. residents of all ages and from 82 to 81 per 100,000 female U.S. residents age 18 or older.

TABLE 5

Imprisonment rates of sentenced prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and demographic characteristics, 2007–2017

Year	Per 100,000 U.S. residents of all ages					Per 100,000 U.S. residents age 18 or older					
	Total	Federal ^a	State	Male	Female	Total	Male	Female	White ^b	Black ^b	Hispanic
2007	506	59	447	955	69	670	1,282	90	317	2,233	1,094
2008	506	60	447	956	69	669	1,279	90	316	2,196	1,057
2009	504	61	443	952	67	665	1,271	88	308	2,134	1,060
2010	500	61	439	948	66	656	1,260	86	307	2,059	1,014
2011	492	63	429	932	65	644	1,236	84	299	1,973	990
2012	480	62	417	910	63	626	1,201	82	293	1,873	949
2013	479	61	417	906	65	623	1,193	83	291	1,817	923
2014	471	60	411	890	65	612	1,169	84	289	1,754	893
2015	458	55	403	865	64	594	1,133	82	281	1,670	862
2016 ^c	450	53	397	847	64	582	1,108	82	274	1,606	852
2017 ^d	440	51	390	829	63	568	1,082	81	272	1,549	823
Percent change											
2007–2017	-12.9%	-14.0%	-12.8%	-13.2%	-8.0%	-15.2%	-15.6%	-10.3%	-14.4%	-30.7%	-24.8%
2016–2017	-2.1	-3.8	-1.9	-2.1	-1.4	-2.3	-2.4	-1.6	-1.0	-3.6	-3.4

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year and are based on prisoners with a sentence of more than one year.

^aIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cTotal and state estimates for 2016 include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics data. See *Methodology*.

^dTotal and state estimates include imputed counts for New Mexico and North Dakota, which did not submit 2017 National Prisoner Statistics data. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2007–2017; Federal Justice Statistics Program, 2017 (preliminary); National Corrections Reporting Program, 2016; Survey of Inmates in State and Federal Correctional Facilities, 2004; Survey of Prison Inmates, 2016; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

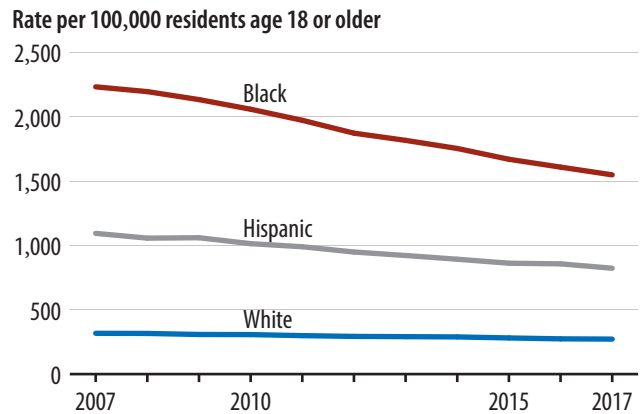
Broken down by state and federal rates, the imprisonment rate for sentenced prisoners per 100,000 U.S. residents was 390 under state jurisdiction and 51 under federal jurisdiction. At year-end 2017, a total of 22 states had imprisonment rates that were higher than the nationwide average for all states. Louisiana had the highest rate (719 per 100,000 state residents), followed by Oklahoma (704 per 100,000) and Mississippi (619 per 100,000) ([table 6](#)).

The imprisonment rate for females was highest in Oklahoma (157 per 100,000 female state residents), followed by Kentucky (133 per 100,000), South Dakota (124 per 100,000), and Idaho (114 per 100,000). More than 1% of all male residents in six states were in prison on December 31, 2017: Louisiana (1,387 per 100,000 male state residents), Oklahoma (1,262 per 100,000), Mississippi (1,189 per 100,000), Arkansas (1,122 per 100,000), Arizona (1,039 per 100,000), and Texas (1,022 per 100,000).

Imprisonment rates decreased more for black adults than for white or Hispanic adults

The rate of imprisonment of black adults declined 4%, from 1,606 per 100,000 black adult U.S. residents at year-end 2016 to 1,549 per 100,000 at year-end 2017 ([figure 2](#)). Over 10 years, the rate of imprisonment of black adults declined 31%, from 2,233 per 100,000 at year-end 2007. The rate for white adults decreased almost 1%, from 274 per 100,000 white adult U.S. residents in 2016 to 272 per 100,000 in 2017. The decline over the past decade was 14%, from 317 per 100,000 in 2007. The imprisonment rate for Hispanic adults decreased 3%, from 852 per 100,000 in 2016 to 823 per 100,000 in 2017. The decline over the past decade was 25%, from 1,094 per 100,000 in 2007.

FIGURE 2
Imprisonment rates of sentenced prisoners under the jurisdiction of state or federal correctional authorities, per 100,000 U.S. residents age 18 or older, by race and Hispanic origin, 2007–2017



Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year and are based on prisoners with a sentence of more than one year. Imprisonment rate is per 100,000 U.S. residents age 18 or older. See [table 5](#) for imprisonment rates. See [Methodology](#) for the calculation of race or Hispanic origin imprisonment rates.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2007–2017; Federal Justice Statistics Program, 2017; National Corrections Reporting Programs, 2016; Survey of Inmates in State Correctional Facilities, 2004; Survey of Prison Inmates, 2016; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

TABLE 6

Imprisonment rates of sentenced prisoners under jurisdiction of state or federal correctional authorities per 100,000 U.S. residents, by jurisdiction and sex, 2016 and 2017

Jurisdiction	2016				2017			
	Total	Male	Female	Total adult ^a	Total	Male	Female	Total adult ^a
U.S. total ^b	450	847	64	582	440	829	63	568
Federal ^c	53	100	7	68	51	96	7	66
State ^b	397	747	57	513	390	733	57	503
Alabama	571	1,085	88	737	486	930	70	626
Alaska ^d	282	511	30	376	258	473	22	343
Arizona	587	1,072	106	766	569	1,039	105	740
Arkansas	583	1,094	90	763	598	1,122	92	781
California ^e	327	629	29	425	328	630	29	424
Colorado	357	641	69	461	351	630	68	452
Connecticut ^d	289	560	31	365	268	522	26	338
Delaware ^d	427	839	41	543	420	830	37	533
Florida	480	914	64	601	466	887	62	582
Georgia	511	977	70	675	506	966	70	666
Hawaii ^d	254	456	50	323	240	441	38	305
Idaho	434	754	113	586	447	777	114	601
Illinois	340	651	40	441	324	623	35	418
Indiana	384	711	65	503	389	716	71	509
Iowa	287	524	52	374	285	522	51	372
Kansas	331	609	55	438	332	608	57	439
Kentucky	518	917	130	670	527	933	133	682
Louisiana	761	1,469	83	997	719	1,387	82	942
Maine	137	256	22	169	134	250	22	165
Maryland	328	649	26	422	317	625	27	407
Massachusetts	156	307	13	195	120	239	9	150
Michigan	413	794	44	529	397	763	42	508
Minnesota	191	355	28	249	191	357	26	249
Mississippi	625	1,202	82	823	619	1,189	84	812
Missouri	532	972	107	688	532	970	109	687
Montana	365	647	79	467	350	617	79	447
Nebraska	273	505	43	364	273	503	44	362
Nevada	459	832	83	596	451	817	84	584
New Hampshire	210	391	34	261	204	378	33	253
New Jersey	220	432	18	282	217	427	17	278
New Mexico ^f	334	607	66	437	344	620	73	448
New York	255	502	22	323	249	488	22	314
North Carolina	339	645	48	437	341	649	50	439
North Dakota ^{f,g}	235	404	57	307	226	391	53	295
Ohio	448	834	77	578	441	822	74	567
Oklahoma ^e	752	1,344	171	996	704	1,262	157	931
Oregon ^e	368	679	63	467	364	671	63	461
Pennsylvania	383	737	43	484	375	721	43	473
Rhode Island ^d	192	381	12	239	170	337	13	212
South Carolina	408	783	54	523	386	743	50	494
South Dakota	441	761	116	586	453	776	124	601
Tennessee	422	782	79	545	429	789	87	553
Texas	562	1,038	92	760	553	1,022	89	746
Utah ^e	201	373	27	287	206	377	32	292
Vermont ^d	197	372	26	243	180	331	33	222

Continued on next page

TABLE 6 (continued)

Imprisonment rates of sentenced prisoners under jurisdiction of state or federal correctional authorities per 100,000 U.S. residents, by jurisdiction and sex, 2016 and 2017

Jurisdiction	2016				2017			
	Total	Male	Female	Total adult ^a	Total	Male	Female	Total adult ^a
Virginia	448	835	72	575	437	813	73	560
Washington	259	473	45	333	262	477	46	336
West Virginia	393	697	95	494	392	700	89	492
Wisconsin	383	721	48	492	391	732	53	501
Wyoming	408	703	100	534	429	742	103	560

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are for December 31 of each year and are based on prisoners with a sentence of more than one year.

^aImprisonment rate per 100,000 U.S. residents age 18 or older.

^bTotal and state estimates for 2016 include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics (NPS) data. Total and state estimates for 2017 include imputed counts for New Mexico and North Dakota, which did not submit 2017 NPS data. See *Methodology*.

^cIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities.

^dPrisons and jails form one integrated system. Data include total jail and prison populations.

^eState submitted updated 2016 population counts.

^fState did not submit 2017 NPS data. Counts were imputed for the calculation of 2017 rates and should not be compared to 2016 rates.

^gState did not submit 2016 NPS data. Counts were imputed for the calculation of 2016 rates and should not be compared to 2017 rates.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016 and 2017; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

Prison admissions and releases

The number of admissions to state and federal prisons was largely unchanged from 2016 to 2017

Federal and state correctional authorities admitted a total of 606,600 prisoners sentenced to more than one year in 2017, including 418,600 new court commitments (**table 7**). (See *Terms and definitions*.) The 606,600 admissions in 2017 were similar to the number of prison admissions in 2016 (606,000). The BOP admitted almost the same number of prisoners in 2017 as in 2016 (44,700). However, large decreases were observed in admissions to state prisons from 2016 to 2017 in Tennessee (down 1,400 admissions), Illinois (down 1,200), Ohio (down 1,200), and Pennsylvania (down 1,000) while large increases occurred in North Carolina (up 2,200), Oklahoma (up 1,500), Alabama (up 1,400), and California (up 1,300).

Sixty-seven percent of state prisoners and 90% of federal prisoners admitted in 2017 entered prison on new court commitments. Thirty percent of state and 10% of federal prisoners were admitted for post-custody supervision violations. States that admitted more than half of their prisoners for violations of conditions of probation or parole in 2017 were Washington (71%), Idaho (71%), Vermont (65%), Utah (55%), Maine (53%), New Hampshire (50%), and Pennsylvania (50%).

Correctional authorities released 3,600 fewer prisoners from state and federal prisons in 2017 than in 2016

The total number of prisoners released by state and federal correctional authorities decreased 1% (down 3,600 releases), from 626,000 in 2016 to 622,400 in 2017. The BOP accounted for almost three-quarters (71%) of the total change in that time, releasing 2,600 fewer prisoners in 2017. Indiana (down 2,900 releases), Arkansas (down 1,900), Illinois (down 1,800), and Delaware (down 1,300) had the largest declines in the number of released prisoners from 2016 to 2017. Kentucky (up 2,000 releases), California (up 1,700), Louisiana (up 1,600), and South Dakota (up 1,000) had the largest increases in the number of persons released from their state prison facilities in 2017.

Four states that reported the type of prison release to BJS in 2017 discharged more than half of their prisoners unconditionally. Post-custody community supervision was not required for the majority of released prisoners in Massachusetts (76% of releases were unconditional), Rhode Island (70%), Florida (61%), and New Jersey (57%).

Most releases from the federal prison system were reported as unconditional. The federal parole system was eliminated under the Sentencing Reform Act of 1984, but federal courts were allowed to impose a term of supervised release after imprisonment as part of a sentence. Because this supervised release term was not implemented under the jurisdiction of the federal prison system, the BOP reports prison releases as unconditional even though released prisoners may serve post-custody community supervision.

TABLE 7**Admissions and releases of sentenced prisoners under jurisdiction of state or federal correctional authorities, 2016 and 2017**

Jurisdiction	Admissions ^a					Releases ^b				
	2016 total	2017 total	Percent change, 2016–2017	2017 new court commitments	2017 conditional supervision violations ^c	2016 total	2017 total	Percent change, 2016–2017	2017 unconditional ^{d,e}	2017 conditional ^{e,f}
U.S. total^g	606,000	606,571	0.1%	418,579	174,210	626,019	622,377	-0.6%	160,596	446,785
Federal^e	44,682	44,708	0.1%	40,180	4,527	52,035	49,461	-4.9%	48,457	318
State^g	561,318	561,863	0.1%	378,399	169,683	573,984	572,916	-0.2%	112,139	446,467
Alabama	10,749	12,170	13.2	8,045	1,624	12,711	13,624	7.2	3,130	8,808
Alaska ^h	1,804	1,580	-12.4	1,446	134	2,159	1,941	-10.1	460	1,476
Arizona	13,663	13,423	-1.8	10,787	2,557	13,857	14,075	1.6	2,332	11,610
Arkansas	9,911	8,971	-9.5	4,623	4,348	10,370	8,443	-18.6	752	7,610
California ⁱ	35,730	37,077	3.8	32,396	4,644	34,528	36,203	4.9	98	35,576
Colorado	8,707	9,638	10.7	6,038	3,600	8,934	9,669	8.2	1,116	8,419
Connecticut ^h	4,747	4,401	-7.3	3,658	606	5,618	5,169	-8.0	2,451	2,707
Delaware ^{h,j}	3,096	2,897	-6.4	2,237	646	4,041	2,736	-32.3	310	2,272
Florida ^k	29,038	28,189	-2.9	27,423	85	31,166	30,467	-2.2	18,703	11,313
Georgia	17,585	16,699	-5.0	14,567	2,124	15,053	15,210	1.0	6,713	8,320
Hawaii ^h	1,538	1,528	-0.7	876	652	1,666	1,834	10.1	345	781
Idaho	5,766	5,747	-0.3	1,671	4,076	5,479	5,395	-1.5	400	4,926
Illinois	25,661	24,468	-4.6	16,401	8,062	28,615	26,850	-6.2	3,982	22,763
Indiana	12,600	12,249	-2.8	9,240	2,888	14,561	11,708	-19.6	910	10,730
Iowa	5,541	5,619	1.4	3,790	1,773	5,305	5,632	6.2	1,182	4,378
Kansas	6,442	6,453	0.2	3,865	1,276	6,394	6,406	0.2	1,690	4,685
Kentucky	20,111	21,239	5.6	12,366	8,605	18,552	20,555	10.8	4,572	15,371
Louisiana	15,877	16,337	2.9	10,662	5,674	16,308	17,868	9.6	1,142	16,584
Maine	657	960	46.1	455	505	647	684	5.7	320	354
Maryland ^l	8,843	8,243	:	5,823	2,415	9,459	8,850	:	2,871	5,919
Massachusetts	2,059	2,141	4.0	1,909	223	2,458	2,309	-6.1	1,745	533
Michigan	12,573	12,013	-4.5	6,670	2,720	14,081	13,470	-4.3	557	10,486
Minnesota	8,027	8,195	2.1	4,804	3,391	8,254	8,092	-2.0	956	7,125
Mississippi	7,510	7,553	0.6	5,488	2,049	7,080	7,748	9.4	444	6,963
Missouri	18,426	18,551	0.7	9,816	8,729	18,410	18,431	0.1	1,528	16,779
Montana	2,666	2,644	-0.8	1,961	683	2,546	2,770	8.8	261	2,492
Nebraska	2,310	2,436	5.5	1,979	445	2,366	2,387	0.9	654	1,710
Nevada ^m	6,059	5,862	-3.3	4,990	794	5,778	6,548	13.3	2,401	4,100
New Hampshire	1,538	1,338	-13.0	668	670	1,601	1,409	-12.0	82	1,320
New Jersey	8,837	8,611	-2.6	6,189	2,422	9,685	8,959	-7.5	5,072	3,683
New Mexico ⁿ	3,615	3,848	:	2,461	1,387	3,631	3,631	:	989	2,626
New York	21,081	20,421	-3.1	12,594	7,727	22,047	21,667	-1.7	2,330	19,042
North Carolina	16,009	18,242	13.9	13,873	4,366	16,677	17,244	3.4	2,685	14,463
North Dakota ^o	1,590	1,570	:	904	665	1,583	1,627	:	216	1,407
Ohio ^p	22,792	21,602	-5.2	16,554	4,401	22,850	22,299	-2.4	8,889	13,246
Oklahoma	8,778	10,228	16.5	7,658	2,570	10,404	9,682	-6.9	2,973	6,623
Oregon ^q	5,020	5,566	:	3,707	1,717	4,712	5,428	:	35	5,185
Pennsylvania	20,326	19,297	-5.1	9,116	9,128	20,418	19,673	-3.6	3,151	16,321
Rhode Island ^h	767	572	-25.4	482	90	939	875	-6.8	610	257
South Carolina	6,688	6,017	-10.0	4,922	1,087	6,709	6,847	2.1	2,239	4,494
South Dakota	2,891	3,896	34.8	1,507	499	2,832	3,859	36.3	311	2,467
Tennessee	12,898	11,541	-10.5	6,877	4,664	13,508	13,307	-1.5	5,080	8,136
Texas	77,385	76,877	-0.7	47,697	27,474	76,733	77,196	0.6	9,977	64,519
Utah	3,293	4,047	22.9	1,814	2,233	3,611	3,781	4.7	674	3,085

Continued on next page

TABLE 7 (continued)**Admissions and releases of sentenced prisoners under jurisdiction of state or federal correctional authorities, 2016 and 2017**

Jurisdiction	Admissions ^a					Releases ^b				
	2016 total	2017 total	Percent change, 2016–2017	2017 new court commitments	2017 conditional supervision violations ^c	2016 total	2017 total	Percent change, 2016–2017	2017 unconditional ^{d,e}	2017 conditional ^{e,f}
Vermont ^{h,o}	1,715	1,737	1.3	607	1,130	1,733	1,795	3.6	284	1,504
Virginia ^r	12,163	12,163	0.0	12,030	133	12,648	12,698	0.4	1,054	11,537
Washington ^p	25,055	25,483	1.7	7,385	18,089	24,940	25,658	2.9	2,217	23,393
West Virginia	3,584	3,590	0.2	1,991	1,372	3,543	3,652	3.1	849	2,275
Wisconsin	6,600	6,865	4.0	4,557	2,282	5,743	5,592	-2.6	212	5,324
Wyoming	997	1,069	7.2	820	249	1,041	963	-7.5	185	770

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts cover January 1 through December 31 for each year and are based on prisoners admitted to or released from state or federal correctional authorities with a sentence of more than one year.

:Not calculated.

/Not reported.

^aExcludes transfers, escapes, and those absent without leave. Includes other conditional-release violators, returns from appeal or bond, and other admissions. See *Methodology*.

^bExcludes transfers, escapes, and those absent without leave. Includes deaths, releases to appeal or bond, and other releases. See *Methodology*.

^cIncludes all conditional-release violators returned to prison from post-custody community supervision, including parole and probation, either for violations of conditions of release or for new crimes.

^dIncludes expirations of sentence, commutations, and other unconditional releases.

^eIncludes prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities. The Federal Bureau of Prisons reports prison releases as unconditional even though prisoners may serve post-custody community supervision. The 318 conditional releases are persons who were sentenced before the 1984 Sentencing Reform Act that eliminated federal parole.

^fIncludes releases to probation, supervised mandatory releases, and other unspecified conditional releases.

^gU.S. total and state estimates for 2016 include imputed counts for North Dakota and Oregon, which did not submit 2016 National Prisoner Statistics (NPS) data on admissions or releases. U.S. total and state estimates for 2017 include imputed counts for New Mexico and North Dakota, which did not submit 2017 NPS data on admissions and releases. See *Methodology*.

^hPrisons and jails form one integrated system. Data include total jail and prison populations.

ⁱCalifornia reported that 16,887 prisoners were released as transfers in 2016. These prisoners were released from state jurisdiction to post-custody supervision by county authorities. BJS counted these as conditional releases.

^jReleases include offenders who received a combined sentence of prison and probation of more than one year.

^kFlorida does not report prison admissions for technical violations. All admissions represent new sentences, with the 85 supervision-violation admissions representing persons who committed new crimes while on post-custody community supervision.

^lDue to implementation concerns with a new information system, Maryland's counts of admissions and releases for 2017 are estimates and should not be compared to earlier years.

^mAdmissions include local jail inmates admitted to the Nevada Department of Corrections due to medical, behavioral, protective, or local staffing issues and persons ordered by judges to serve 6 months or less in prison prior to actual sentencing for felonies.

ⁿState did not submit 2017 NPS data on admissions or releases. Total and detailed types of admissions and releases were imputed from counts reported in 2016 and included in U.S. and state totals. All admissions and releases were included in the reported 2016 data, regardless of sentence length. Estimates of admissions and releases in 2017 are not comparable to previous years' data. See *Methodology* and *Jurisdiction notes*.

^oState did not submit 2016 or 2017 NPS data on admissions or releases. Total and detailed types of admissions and releases were imputed and included in U.S. and state totals. See *Methodology* and *Jurisdiction notes*.

^pIncludes all admissions and releases from state prison, regardless of sentence length. See *Jurisdiction notes*.

^qState did not submit 2016 NPS data on admissions or releases. Total and detailed types of admissions and releases were imputed and included in U.S. and state totals. Estimates of admissions and releases in 2016 are not comparable to reported 2017 data. See *Methodology* and *Jurisdiction notes*.

^rAdmission and release counts are preliminary estimates for fiscal year 2017. Counts for 2016 have been updated.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016 and 2017.

Other selected findings

The remainder of this report presents characteristics of prisoner demographics, offenses, facilities, and other institutional correctional systems. These statistics are presented in a series of tables, with bulleted highlights.

Demographic characteristics among sentenced prisoners

- More than a tenth (12%) of prisoners sentenced to more than one year in state or federal prison at year-end 2017 were age 55 or older ([table 8](#)).
- At year-end 2017, an estimated 7% of white males in state and federal prison were ages 18 to 24, compared to 12% of black and 11% of Hispanic males.
- Sixteen percent of white male prisoners were age 55 or older, compared to 11% of black and 8% of Hispanic male prisoners.
- Seven percent of white female prisoners were ages 18 to 24, compared to 11% each of black and Hispanic female prisoners.
- More than twice as many white females (49,100 prisoners) as black (19,600) or Hispanic (19,400) females were in state and federal prisons at year-end 2017.
- More than 2% of black male U.S. residents were in state or federal prison on December 31, 2017 (2,336 per 100,000 black residents) ([table 9](#)).
- Black males ages 18 to 19 were about 12 times more likely to be imprisoned than white males of the same age. This age group had the highest black-to-white racial disparity in 2017.
- Black males age 65 or older were 4.5 times more likely to be imprisoned than white males age 65 or older. This age group had the lowest black-to-white racial disparity in 2017.
- The imprisonment rate for black females (92 per 100,000 black female residents) was almost double that for white females (49 per 100,000 white female residents).
- Among females ages 18 to 19, black females were 4.4 times more likely than white females and 1.8 times more likely than Hispanic females to be imprisoned in 2017.

Non-U.S. citizens

- In 2017, jurisdictions reported non-U.S. citizens held in both publicly and privately operated facilities. Counts of non-U.S. citizens from 2017 are not comparable to previously published counts ([table 10](#)).
- Non-citizens made up roughly the same portion of the prison population (7.6%) as of the general population in the U.S. (7.0% per the Census Bureau, not shown).
- Twenty percent of federal prisoners (35,900 of 183,100) at year-end 2017 were non-U.S. citizens (excluding persons detained by the U.S. Department of Homeland Security).
- Data from 45 states show that an estimated 69,300 non-U.S. citizens were held in public and private state prison facilities at year-end 2017.
- Twenty-seven percent of sentenced non-U.S. citizens in state or federal prison were females.

Prisoners age 17 or younger

- On December 31, 2017, states held fewer than 900 prisoners age 17 or younger in adult facilities ([table 11](#)).
- The BOP held 42 prisoners age 17 or younger in private contract facilities at year-end 2017.

Offense characteristics of state prisoners

- More than half (55%, or 710,900) of all state prisoners sentenced to more than one year were serving a sentence for a violent offense on their current term of imprisonment at year-end 2016 (the most recent year for which state prison offense-data are available) ([tables 12 and 13](#)).
- At year-end 2016, an estimated 14% of sentenced prisoners (182,400) were serving time in state prison for murder or non-negligent manslaughter, and an additional 13% of state prisoners (164,800) had been sentenced for rape or sexual assault.
- Among sentenced prisoners under the jurisdiction of state correctional authorities on December 31, 2016, about 15% (190,100 prisoners) had been convicted of a drug offense as their most serious crime.
- At year-end 2016, an estimated 60% of Hispanics and blacks serving more than one year in state prison had been sentenced for a violent offense, compared to 48% of white prisoners.
- A quarter (25%) of females serving time in state prison on December 31, 2016, had been convicted of a drug offense, compared to 14% of males.

Offense characteristics of federal prisoners

- Almost half of sentenced federal prisoners on September 30, 2017 (the most recent date for which federal offense data are available) were serving time for drug trafficking (**tables 14 and 15**).
- More than a third (38%, or 64,300) of federal prisoners were imprisoned for a public-order offense, including 17% (28,300) for a weapons offense and 7% (11,100) for an adjudicated immigration offense.
- More than half of female federal prisoners were serving a sentence for drug trafficking, compared to less than half of males.
- A larger proportion of white offenders in federal prison (46%) were serving time for a public-order offense than black (36%) or Hispanic (36%) offenders.
- More than half of Hispanic federal prisoners in 2017 were serving time for drug trafficking, and 20% were imprisoned for an adjudicated immigration offense.

Prison capacity

- At year-end 2017, a total of 13 states and the BOP met or exceeded the maximum capacity of their prison facilities, and 24 states and the BOP had a total number of prisoners in their custody that met or exceeded their minimum number of beds (**table 16**).
- Jurisdictions with more prisoners in custody than the maximum number of beds that their facilities were designed, rated, or operationally intended to have included Nebraska (127%), Iowa (115%), the BOP (114%), Delaware (110%), Colorado (108%), and Virginia (102%).

Private prisons

- At year-end 2017, 8% of state and federal prisoners were held in privately operated facilities that were under the jurisdiction of 27 states or the BOP (**table 17**).
- Federal prisoners held in private prisons decreased by 6,600 prisoners (down 19%) from year-end 2016 to year-end 2017.
- Private prison facilities, including non-secure community corrections centers and home confinement, held 15% of the federal prison population on December 31, 2017.

- Twenty-one states that reported data to the NPS did not hold prisoners in privately operated facilities at year-end 2017.
- Five states housed at least 20% of their prison population in privately operated facilities at year-end 2017: Montana (38%), Hawaii (28%), Tennessee (26%), Oklahoma (26%), and Arizona (20%).

Prisoners held in local jails

- At year-end 2017, a total of 80,900 prisoners (5% of the state and federal prisoner population) were held in the custody of local jails for 34 states or the BOP.
- The number of prisoners held in local jails decreased by 3% at year-end 2017 (down 2,700 prisoners), from 83,700 prisoners at year-end 2016.
- Six states held at least 20% of their state prisoners in local jail facilities at year-end 2017: Louisiana (55%), Kentucky (49%), Mississippi (27%), Tennessee (24%), Utah (22%), and Virginia (20%).

U.S. military and territories

- At year-end 2017, the U.S. military held 1,000 persons sentenced to more than one year under its correctional authority (**table 18**).
- Almost half (45%) of offenders under military correctional authority had served in the U.S. Army before imprisonment.
- The U.S. Army had custody of 66% of all military personnel sentenced to more than one year on December 31, 2017, and the U.S. Navy held 27%.
- Of military personnel whose offense was known and who had been sentenced to any term of imprisonment under military jurisdiction, 61% had committed violent offenses, including 46% incarcerated for violent sexual offenses, 7% for murder, and 7% for assault (**table 19**).
- Almost three-quarters (71%) of the total military prison population were serving time for committing violent or non-violent sex offenses, including sexual misconduct.
- The five U.S. territories or commonwealths held a total of 9,500 persons in the custody of correctional authorities at year-end 2017 (**table 20**).

TABLE 8

Percent of sentenced prisoners under jurisdiction of state or federal correctional authorities, by sex, race, Hispanic origin, and age, December 31, 2017

Age group	Total	Male					Female				
		All male	White ^a	Black ^a	Hispanic	Other ^{a,b}	All female	White ^a	Black ^a	Hispanic	Other ^{a,b}
Total ^c	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
18–19	0.8	0.8	0.4	1.1	0.8	0.7	0.5	0.2	1.0	0.5	0.6
20–24	9.4	9.5	6.4	11.1	10.5	9.9	8.2	6.5	10.2	10.3	9.4
25–29	15.8	15.7	13.1	16.8	17.1	16.2	17.8	17.3	17.3	19.6	17.6
30–34	16.1	15.8	15.2	15.4	17.6	17.5	19.2	19.3	16.8	20.6	20.6
35–39	15.5	15.4	15.1	15.0	16.9	15.8	17.0	17.5	15.3	18.0	18.2
40–44	11.8	11.8	11.7	11.7	12.7	12.6	11.9	12.2	11.2	11.3	11.8
45–49	10.2	10.2	11.4	9.9	9.4	9.8	10.1	10.6	10.2	8.8	9.4
50–54	8.4	8.5	10.1	8.3	6.7	7.5	7.5	7.7	8.7	5.7	6.5
55–59	5.9	6.0	7.6	5.8	4.2	4.9	4.4	4.7	5.1	3.1	4.1
60–64	3.2	3.3	4.3	3.0	2.3	2.5	2.0	2.0	2.0	1.5	1.8
65 or older	2.8	2.9	4.6	1.9	1.9	2.4	1.4	1.6	1.0	1.0	1.2
Number of sentenced prisoners ^d	1,439,800	1,334,800	387,400	456,300	317,100	173,900	105,000	49,100	19,600	19,400	17,000

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with a sentence of more than one year under the jurisdiction of state or federal correctional officials. Federal data include prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities. Totals include imputed counts for New Mexico and North Dakota, which did not submit 2017 National Prisoner Statistics data. Details may not sum to totals. See *Methodology*.

^aExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^cIncludes persons of all ages.

^dEstimates are rounded to the nearest 100.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017; Federal Justice Statistics Program, 2017 (preliminary); National Corrections Reporting Program, 2016; and Survey of Prison Inmates, 2016.

TABLE 9

Imprisonment rates of sentenced state and federal prisoners per 100,000 U.S. residents of corresponding sex, race, Hispanic origin, and age groups, December 31, 2017

Age group	Total	Male					Female				
		All male	White ^a	Black ^a	Hispanic	Other ^{a,b}	All female	White ^a	Black ^a	Hispanic	Other ^{a,b}
Total ^c	440	829	397	2,336	1,054	1,257	63	49	92	66	114
18–19	126	235	69	808	248	294	11	6	26	14	16
20–24	614	1,120	410	3,153	1,326	1,572	80	57	129	85	144
25–29	969	1,746	774	4,444	2,129	2,388	162	135	200	163	250
30–34	1,051	1,899	943	5,007	2,330	2,820	185	156	224	187	300
35–39	1,040	1,912	958	5,212	2,312	2,769	167	143	208	161	276
40–44	866	1,615	808	4,552	1,929	2,436	126	107	171	108	197
45–49	704	1,320	695	3,688	1,572	1,962	100	82	148	91	158
50–54	574	1,091	575	3,101	1,314	1,727	74	56	121	68	126
55–59	386	751	394	2,182	1,005	1,221	41	29	70	41	84
60–64	229	458	236	1,336	731	715	20	13	35	26	37
65 or older	78	168	100	449	316	318	5	4	9	7	9
Number of sentenced prisoners ^d	1,439,800	1,334,800	387,400	456,300	317,100	173,900	105,000	49,100	19,600	19,400	17,000

Note: Counts based on prisoners with a sentence of more than one year under the jurisdiction of state or federal correctional officials. Imprisonment rate is the number of prisoners under state or federal jurisdiction with a sentence of more than one year per 100,000 U.S. residents of corresponding sex, race/Hispanic origin, and age. Resident population estimates are from the U.S. Census Bureau for January 1, 2018. Totals include imputed counts for New Mexico and North Dakota, which did not submit 2017 National Prisoner Statistics data. See *Methodology*.

^aExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^bIncludes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^cIncludes persons of all ages.

^dRace/Hispanic origin totals are rounded to the nearest 100 to reflect estimation of sentenced prisoners.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017; Federal Justice Statistics Program, 2017 (preliminary); National Corrections Reporting Program, 2016; Survey of Prison Inmates, 2016; and U.S. Census Bureau, post-censal resident population estimates for January 1, 2018.

TABLE 10**Non-U.S. citizen prisoners in the custody of publicly or privately operated federal or state prisons, not including jails, by sex, December 31, 2017**

Jurisdiction	Non-U.S. citizen prisoners ^{a,b}				Non-U.S. citizen prisoners sentenced to more than 1 year ^a			
	Total	Male ^c	Female ^c	Percent of prison population ^d	Total	Male ^c	Female ^c	Percent of sentenced population ^d
U.S. total^e	105,129	77,993	2,959	7.6%	99,855	72,943	2,735	7.5%
Federal^{f,g}	35,857	34,314	1,543	19.7%	31,339	29,964	1,375	18.6%
State^e	69,272	43,679	1,416	5.8%	68,516	42,979	1,360	5.8%
Alabama	817	730	87	3.7	784	697	87	3.9
Alaska ^h	119	113	6	2.7	56	53	3	3.0
Arizona ^g	4,018	3,889	129	9.6	3,930	3,806	124	9.7
Arkansas	264	256	8	1.7	264	256	8	1.7
California ⁱ	24,177	/	/	18.8	24,177	/	/	18.9
Colorado ^g	1,525	1,464	61	7.8	1,525	1,464	61	7.8
Connecticut ^h	387	371	16	2.8	268	260	8	2.9
Delaware ^h	266	249	17	4.3	183	182	1	4.6
Florida ^g	5,776	5,613	163	6.0	5,776	5,613	163	6.0
Georgia ^g	2,552	2,431	121	5.2	2,550	2,429	121	5.3
Hawaii ^h	128	122	6	2.5	83	80	3	2.6
Idaho	340	331	9	4.5	294	285	9	4.3
Illinois	1,555	1,517	38	3.8	1,555	1,517	38	3.8
Indiana ^g	560	546	14	2.2	560	546	14	2.2
Iowa ^g	190	180	10	2.1	190	180	10	2.1
Kansas ^g	314	303	11	3.2	306	296	10	3.3
Kentucky	173	170	3	1.4	173	170	3	1.4
Louisiana	120	119	1	0.8	120	119	1	0.8
Maine	38	38	0	1.6	31	31	0	1.8
Maryland	637	624	13	3.2	634	621	13	3.4
Massachusetts	691	665	26	7.9	615	603	12	7.7
Michigan ^g	555	540	15	1.4	555	540	15	1.4
Minnesota ^g	425	413	12	4.7	425	413	12	4.5
Mississippi	21	21	0	0.2	19	19	0	0.1
Missouri ⁱ	239	233	6	0.7	239	233	6	0.7
Montana ^g	16	15	1	0.5	16	15	1	0.5
Nebraska ^g	208	206	2	4.1	208	206	2	4.1
Nevada ^g	1,210	1,166	44	9.1	1,202	1,159	43	8.8
New Hampshire	/	/	/	:	/	/	/	:
New Jersey ^g	1,280	1,254	26	6.6	1,280	1,254	26	6.6
New Mexico ^k	/	/	/	:	/	/	/	:
New York ^g	4,330	4,192	138	8.7	4,330	4,192	138	8.8
North Carolina	1,248	1,213	35	3.4	1,241	1,206	35	3.5
North Dakota ^k	/	/	/	:	/	/	/	:
Ohio ^{g,l}	477	458	19	0.9	477	458	19	0.9
Oklahoma ^m	159	156	3	0.6	151	148	3	0.6
Oregon ⁿ	1,473	/	/	10.0%	/	/	/	:
Pennsylvania	2,038	1,997	41	4.3	1,985	1,944	41	4.2
Rhode Island ^h	/	/	/	:	/	/	/	:
South Carolina ^g	445	428	17	2.3	441	425	16	2.3
South Dakota ^g	86	78	8	2.2	86	78	8	2.2
Tennessee	368	356	12	1.7	368	356	12	1.7
Texas ^g	8,826	8,595	231	5.9	8,746	8,518	228	6.0
Utah ^j	356	350	6	7.1	356	350	6	7.2

Continued on next page

TABLE 10 (continued)**Non-U.S. citizen prisoners in the custody of publicly or privately operated federal or state prisons, not including jails, by sex, December 31, 2017**

Jurisdiction	Non-U.S. citizen prisoners ^{a,b}				Non-U.S. citizen prisoners sentenced to more than 1 year ^a			
	Total	Male ^c	Female ^c	Percent of prison population ^d	Total	Male ^c	Female ^c	Percent of sentenced population ^d
Vermont ^h	8	7	1	0.6	3	2	1	0.3
Virginia	865	844	21	2.9	865	844	21	2.9
Washington	746	725	21	4.2	745	724	21	4.2
West Virginia	24	23	1	0.4	24	23	1	0.4
Wisconsin	476	463	13	2.0	463	451	12	2.1
Wyoming ^g	53	52	1	2.2	53	52	1	2.2

Note: Definition of non-U.S. citizen varies across jurisdictions. Use caution when interpreting these statistics. Unless otherwise noted, citizenship status is based on self-report of the prisoner upon admission to prison. Some jurisdictions use a prisoner's reported country of birth to determine current citizenship. BJS changed the way it measured citizenship for the 2017 reference year, requesting that National Prisoner Statistics (NPS) respondents include all non-U.S. citizens in the physical custody of state and federal correctional authorities and those held in private prisons, while excluding prisoners held in local jails and in the custody of other jurisdictions. Data collected in the 2017 NPS should not be compared to previous years' data. See *Methodology*.

:Not calculated.

/Not reported.

^aUnless otherwise noted, citizenship status is based on self-reporting by prisoners at time of admission.

^bIncludes unsentenced prisoners and those of all sentence lengths.

^cU.S. and state totals for non-U.S. citizens by sex exclude California and Oregon, which did not report citizenship counts by sex.

^dPrison population count is the sum of persons held in the custody of state and federally operated facilities and each jurisdiction's private prison facilities. In 2017, the total custody population in publicly and privately operated state and federal correctional facilities was 1,379,579 (1,197,432 state and 182,147 federal), and the sentenced custody population in those same facilities was 1,339,729 (1,171,372 state and 168,357 federal). These counts exclude custody populations for non-reporting states (New Hampshire, New Mexico, North Dakota, and Rhode Island).

^eTotal U.S. and state counts of non-U.S. citizen prisoners for 2017, and male and female totals, are an undercount due to the exclusion of data from several states that were unable to report this information. The 92.4% of prisoners who are not counted as non-citizens are not necessarily all U.S. citizens, as some may be of unknown citizenship status.

^fCitizenship data from the 2017 Federal Bureau of Prisons (BOP) should not be compared to previous years' data. Federal counts are based on country of current citizenship as recorded in the BOP data system and exclude persons detained by U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement (ICE), or U.S. Customs and Border Protection. In previous years, BOP has provided counts of non-citizens to NPS that were based on a prisoner's country of birth.

^gCitizenship data were subject to verification by an external data source.

^hPrisons and jails form one integrated system. Data include total jail and prison populations.

ⁱCitizenship data were extracted from a state report (<https://sites.cdcr.ca.gov/research/wp-content/uploads/sites/9/2018/07/Offender-Data-Points-as-of-December-31-2017-1.pdf>) and represented the country of birth as reported by prisoners.

^jEstimate not based on self-reported citizenship status but on the number of offenders with ICE detainees.

^kState did not provide 2017 NPS data. Counts of non-U.S. citizens were imputed based on previous years' data and included in the state and U.S. totals. See *Methodology*.

^lCounts of non-U.S. citizens exclude those held in privately operated halfway houses.

^mCitizenship based on prisoner-reported country of birth.

ⁿCitizenship data were extracted from a state report (<https://www.oregon.gov/doc/OC/docs/pdf/IB-54-ICE Criminal Aliens.pdf>) and was unavailable by sex.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017.

TABLE 11

Prisoners age 17 or younger in the custody of publicly or privately operated federal or state prisons, not including jails, by sex, December 31, 2017

Jurisdiction	Prisoners age 17 or younger			Jurisdiction	Prisoners age 17 or younger		
	Total	Male	Female		Total	Male	Female
U.S. total	935	893	42	Mississippi	18	18	0
Federal ^a	42	36	6	Missouri	11	9	2
State	893	857	36	Montana	0	0	0
Alabama	25	24	1	Nebraska	5	5	0
Alaska ^b	13	12	1	Nevada	22	22	0
Arizona	54	53	1	New Hampshire	0	0	0
Arkansas	24	23	1	New Jersey	0	0	0
California	/	/	/	New Mexico ^c	/	/	/
Colorado	8	8	0	New York	67	65	2
Connecticut ^b	55	53	2	North Carolina	76	72	4
Delaware ^b	11	11	0	North Dakota ^c	/	/	/
Florida	133	131	2	Ohio	32	31	1
Georgia	62	61	1	Oklahoma	12	10	2
Hawaii ^b	0	0	0	Oregon	0	0	0
Idaho	0	0	0	Pennsylvania	27	26	1
Illinois	0	0	0	Rhode Island	0	0	0
Indiana	24	24	0	South Carolina	35	33	2
Iowa	10	10	0	South Dakota	0	0	0
Kansas	0	0	0	Tennessee	7	7	0
Kentucky	0	0	0	Texas	42	34	8
Louisiana	21	18	3	Utah	1	1	0
Maine	0	0	0	Vermont ^b	2	2	0
Maryland	13	13	0	Virginia	12	12	0
Massachusetts	0	0	0	Washington	0	0	0
Michigan	40	39	1	West Virginia	0	0	0
Minnesota	8	8	0	Wisconsin	22	21	1
				Wyoming	1	1	0

Note: In 2017, BJS began requesting that National Prisoner Statistics (NPS) respondents include all persons age 17 or younger in the physical custody of state and federal correctional authorities and those held in private prisons, while excluding prisoners held in local jails and in the custody of other jurisdictions. Data collected in the 2017 NPS should not be compared to previous years' data. See *Methodology*.

/Not reported.

^aThe Federal Bureau of Prisons holds prisoners age 17 or younger in private contract facilities; 42 such prisoners were housed in contract facilities in 2017.

^bPrisons and jails form one integrated system. Data include total jail and prison populations.

^cState did not provide any 2017 NPS data. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017.

TABLE 12

Sentenced prisoners under jurisdiction of state correctional authorities, percentages by most serious offense, sex, race, and Hispanic origin, December 31, 2016

Most serious offense	All prisoners ^a	Male	Female	White ^b	Black ^b	Hispanic
Total	100%	100%	100%	100%	100%	100%
Violent	55.2%	56.5%	37.5%	47.6%	60.1%	60.4%
Murder ^c	14.2	14.3	12.0	10.5	16.3	15.5
Negligent manslaughter	1.3	1.3	2.5	1.3	0.8	1.0
Rape/sexual assault	12.8	13.6	2.4	16.4	8.3	14.0
Robbery	13.1	13.5	8.0	7.2	19.3	12.7
Aggravated/simple assault	10.5	10.6	8.8	9.1	11.8	13.3
Other	3.3	3.2	3.8	3.1	3.7	3.8
Property	17.5%	16.9%	26.4%	23.8%	14.5%	12.3%
Burglary	9.4	9.6	7.1	11.5	8.7	7.1
Larceny-theft	3.4	3.0	8.4	5.4	3.0	2.1
Motor vehicle theft	0.7	0.7	0.8	1.0	0.6	0.9
Fraud	2.0	1.6	7.1	2.9	1.2	1.0
Other	2.0	1.9	2.9	2.9	1.0	1.1
Drug	14.8%	14.0%	24.8%	15.4%	13.8%	13.9%
Drug possession	3.5	3.2	7.3	4.1	3.2	3.2
Other ^d	11.2	10.7	17.6	11.3	10.6	10.7
Public order	11.9%	12.0%	10.2%	12.4%	11.2%	13.1%
Weapons	4.2	4.4	1.7	2.6	5.4	5.3
DUI	1.9	1.9	2.6	2.7	0.7	2.6
Other ^e	5.8	5.7	5.8	7.1	5.0	5.1
Other/unspecified^f	0.6%	0.6%	1.1%	0.8%	0.4%	0.4%
Total number of sentenced prisoners^g	1,288,500	1,194,000	94,400	401,100	419,700	278,400

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Estimates are based on state prisoners with a sentence of more than one year. Details may not sum to totals due to rounding and missing offense data. See *Methodology*.

^aAlso includes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cIncludes non-negligent manslaughter.

^dIncludes trafficking and other drug offenses.

^eIncludes court offenses; commercialized vice, morals, and decency offenses; liquor-law violations; probation and parole violations; and other public-order offenses.

^fIncludes juvenile offenses and other unspecified offense categories.

^gEstimates are rounded to the nearest 100.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016; National Corrections Reporting Program, 2016; and Survey of Prison Inmates, 2016.

TABLE 13

Number of sentenced prisoners under jurisdiction of state correctional authorities, by most serious offense, sex, race, and Hispanic origin, December 31, 2016

Most serious offense	All prisoners ^a	Male	Female	White ^b	Black ^b	Hispanic
Total	1,288,466	1,194,000	94,400	401,100	419,700	278,400
Violent	710,900	675,200	35,400	190,900	252,400	168,100
Murder ^c	182,400	171,100	11,300	41,900	68,600	43,200
Negligent manslaughter	17,300	15,000	2,300	5,300	3,200	2,800
Rape/sexual assault	164,800	162,400	2,300	65,600	34,600	39,000
Robbery	168,800	161,200	7,600	28,900	81,100	35,300
Aggravated/simple assault	135,400	127,100	8,300	36,500	49,500	37,200
Other	42,100	38,600	3,600	12,600	15,300	10,700
Property	226,100	201,300	24,900	95,400	61,000	34,200
Burglary	121,300	114,500	6,700	46,000	36,400	19,900
Larceny-theft	44,000	36,200	8,000	21,800	12,700	5,900
Motor vehicle theft	9,600	8,900	800	4,000	2,400	2,600
Fraud	25,900	19,300	6,700	11,800	5,000	2,700
Other	25,200	22,500	2,800	11,800	4,400	3,100
Drug	190,100	166,800	23,500	61,600	57,900	38,600
Drug possession	45,300	38,500	6,900	16,300	13,300	8,800
Other ^d	144,800	128,300	16,600	45,300	44,500	29,800
Public order	153,100	143,500	9,600	49,900	46,900	36,400
Weapons	54,400	52,700	1,600	10,500	22,700	14,800
DUI	24,600	22,100	2,500	11,000	3,100	7,300
Other ^e	74,100	68,600	5,500	28,300	21,100	14,300
Other/unspecified^f	8,200	7,200	1,000	3,300	1,500	1,100

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Estimates are based on state prisoners with a sentence of more than one year. Estimates are rounded to the nearest 100. Details may not sum to totals due to rounding and missing offense data. See *Methodology*.

^aAlso includes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cIncludes non-negligent manslaughter.

^dIncludes trafficking and other drug offenses.

^eIncludes court offenses; commercialized vice, morals, and decency offenses; liquor-law violations; probation and parole violations; and other public-order offenses.

^fIncludes juvenile offenses and other unspecified offense categories.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016; National Corrections Reporting Program, 2016; and Survey of Prison Inmates, 2016.

TABLE 14

Prisoners who received a sentence of any length in the custody of publicly or privately operated federal correctional facilities, percentages by most serious offense, sex, race, and Hispanic origin, September 30, 2017

Most serious offense	All prisoners ^a	Male	Female	White ^{b,c}	Black ^{b,c}	Hispanic ^c
Total	100%	100%	100%	100%	100%	100%
Violent	7.9%	8.1%	4.8%	7.0%	10.6%	2.4%
Homicide ^d	1.6	1.7	1.3	0.7	2.6	0.4
Robbery	3.8	4.0	1.8	4.5	5.8	1.0
Other	2.4	2.5	1.7	1.8	2.1	1.0
Property	5.9%	5.1%	17.4%	8.5%	6.3%	2.8%
Burglary	0.2	0.2	0.1	0.1	0.4	0.0
Fraud	4.6	3.9	14.8	6.7	4.9	2.4
Other	1.0	1.0	2.4	1.7	1.0	0.4
Drug^e	47.3%	46.6%	56.8%	37.5%	46.9%	58.2%
Public order	38.5%	39.8%	20.4%	46.2%	36.0%	36.2%
Immigration ^f	6.7	6.9	3.2	0.6	0.3	19.9
Weapons	17.0	17.9	4.2	14.3	26.7	8.5
Other ^g	14.9	15.0	13.0	31.3	8.9	7.8
Other/unspecified^h	0.4%	0.4%	0.6%	0.8%	0.3%	0.3%
Total number of sentenced prisonersⁱ	166,800	155,700	11,100	46,100	61,800	53,200

Note: Counts are based on prisoners who were convicted and sentenced to any length of time, including those sentenced to one year or less, in the custody of publicly or privately operated federal correctional facilities on September 30, 2017. Details may not sum to totals due to rounding. See *Methodology*.

^aAlso includes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cRace/Hispanic origin data are based on administrative data and self-reports from BJS surveys.

^dIncludes murder and negligent and non-negligent manslaughter.

^eIncludes trafficking, possession, and other drug offenses. More than 99% of federal drug offenders were sentenced for trafficking.

^fIncludes illegal entry, smuggling and importing non-citizens, and holds for immigration officials.

^gIncludes court offenses; commercialized vice, morals, and decency offenses; liquor-law violations; probation and parole violations; and other public-order offenses.

^hIncludes offenses not classified.

ⁱEstimates are rounded to the nearest 100.

Source: Bureau of Justice Statistics, Federal Justice Statistics Program, 2017 (preliminary).

TABLE 15

Prisoners who received a sentence of any length in the custody of publicly or privately operated federal correctional facilities, numbers by most serious offense, sex, race, and Hispanic origin, September 30, 2017

Most serious offense	All prisoners ^a	Male	Female	White ^{b,c}	Black ^{b,c}	Hispanic ^c
Total^d	166,776	155,679	11,097	46,100	61,800	53,200
Violent	13,100	12,600	500	3,200	6,500	1,300
Homicide ^e	2,700	2,600	100	300	1,600	200
Robbery	6,400	6,200	200	2,100	3,600	600
Other	4,000	3,900	200	800	1,300	500
Property	9,800	7,900	1,900	3,900	3,900	1,500
Burglary	400	400	10	100	300	20
Fraud	7,700	6,100	1,600	3,100	3,000	1,300
Other	1,800	1,500	300	800	600	200
Drug^f	78,800	72,500	6,300	17,300	29,000	31,000
Public order	64,300	62,000	2,300	21,300	22,200	19,300
Immigration ^g	11,100	10,700	400	300	200	10,600
Weapons	28,300	27,900	500	6,600	16,500	4,500
Other	24,800	23,400	1,400	14,400	5,500	4,100
Other/unspecified^h	700	700	100	400	200	200

Note: Counts are based on prisoners who were convicted and sentenced to any length of time, including those sentenced to one year or less, in the custody of publicly or privately operated federal correctional facilities on September 30, 2017. Details may not sum to totals due to rounding. See *Methodology*.

^aAlso includes Asians, Native Hawaiians, and Other Pacific Islanders; American Indians and Alaska Natives; and persons of two or more races.

^bExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^cRace/Hispanic origin data are not adjusted to self-reported data.

^dRace/Hispanic origin totals are rounded to the nearest 100 to accommodate differences in data collection techniques between jurisdictions.

^eIncludes murder and negligent and non-negligent manslaughter.

^fIncludes trafficking, possession, and other drug offenses. More than 99% of federal drug offenders were sentenced for trafficking.

^gIncludes illegal entry, smuggling and importing non-citizens, and holds for immigration officials.

^hIncludes offenses not classified.

Source: Bureau of Justice Statistics, Federal Justice Statistics Program, 2017 (preliminary).

TABLE 16**Prison facility capacity, custody population, and percent capacity, December 31, 2017**

Jurisdiction	Type of capacity measure			Custody population	Custody population as a percent of—	
	Rated	Operational	Design		Lowest capacity	Highest capacity
Federal ^a	135,792	...	...	155,006	114.1%	114.1%
State						
Alabama ^b	...	25,784	12,852	21,570	167.8	83.7
Alaska ^c	4,838	...	4,664	4,378	93.9	90.5
Arizona ^d	38,098	44,003	38,098	41,964	110.1	95.4
Arkansas	16,505	16,544	15,721	15,879	101.0	96.0
California	...	121,426	89,763	118,058	131.5	97.2
Colorado	...	14,706	13,125	15,900	121.1	108.1
Connecticut	/	/	/	13,649	/	/
Delaware ^b	5,514	5,566	4,092	6,140	150.0	110.3
Florida	...	88,384	...	84,929	96.1	96.1
Georgia ^d	59,481	53,861	...	53,514	99.4	90.0
Hawaii ^e	...	3,527	3,527	3,536	100.3	100.3
Idaho ^d	...	7,615	...	7,637	100.3	100.3
Illinois ^f	54,543	54,543	...	41,065	75.3	75.3
Indiana ^g	...	28,866	...	25,773	89.3	89.3
Iowa	7,200	7,200	7,200	8,290	115.1	115.1
Kansas	10,435	10,435	10,435	9,701	93.0	93.0
Kentucky	11,971	11,971	12,226	12,008	100.3	98.2
Louisiana	17,956	16,344	...	15,152	92.7	84.4
Maine	2,421	2,602	2,602	2,354	97.2	90.5
Maryland ^h	...	21,256	...	19,919	93.7	93.7
Massachusetts	...	10,208	7,492	8,859	118.2	86.8
Michigan	42,044	41,039	...	39,666	96.7	94.3
Minnesota	...	9,504	...	9,547	100.5	100.5
Mississippi ⁱ	...	17,909	...	15,559	86.9	86.9
Missouri ^b	...	32,536	...	32,564	100.1	100.1
Montana	...	1,689	...	1,769	104.7	104.7
Nebraska ^b	...	4,094	3,375	5,198	154.0	127.0
Nevada	14,092	11,886	...	13,243	111.4	94.0
New Hampshire	2,760	2,760	1,810	2,533	139.9	91.8
New Jersey	16,590	17,439	23,337	16,597	100.0	71.1
New Mexico ^j	...	7,055	7,055	4,048	57.4	57.4
New York	51,409	51,603	50,892	49,514	97.3	96.0
North Carolina	...	38,159	32,684	36,663	112.2	96.1
North Dakota ^j	...	1,353	1,353	1,335	98.7	98.7
Ohio	/	/	/	44,257	/	/
Oklahoma	17,730	19,809	17,730	19,931	112.4	100.6
Oregon	14,712	15,612	14,712	14,660	99.6	93.9
Pennsylvania ^d	48,644	48,644	48,644	47,236	97.1	97.1
Rhode Island	3,989	3,774	3,975	2,683	71.1	67.3
South Carolina	...	21,404	...	19,409	90.7	90.7
South Dakota ^{b,d}	...	4,444	...	3,890	87.5	87.5
Tennessee	16,006	15,488	...	14,391	92.9	89.9

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TABLE 16 (continued)**Prison facility capacity, custody population, and percent capacity, December 31, 2017**

Jurisdiction	Type of capacity measure			Custody population	Custody population as a percent of—	
	Rated	Operational	Design		Lowest capacity	Highest capacity
Texas ^b	157,528	151,431	157,528	137,926	91.1	87.6
Utah	...	6,771	7,127	4,982	73.6	69.9
Vermont	1,602	1,602	1,668	1,333	83.2	79.9
Virginia	...	29,306	...	29,836	101.8	101.8
Washington	...	16,775	...	17,674	105.4	105.4
West Virginia	5,922	5,976	5,922	5,922	100.0	99.1
Wisconsin	...	23,056	17,031	23,513	138.1	102.0
Wyoming	2,298	2,298	2,417	2,182	95.0	90.3

Note: Excludes inmates held in local jails, other states, or private facilities, unless otherwise stated. Rated capacity is the number of inmates or beds a facility can hold set by a rating official; operational capacity is the number of inmates a facility can hold based on staffing and services; and design capacity is the number of inmates a facility can hold set by the architect or planner. Lowest capacity represents the minimum capacity estimate submitted by the jurisdiction, while highest capacity represents the maximum capacity estimate. When a jurisdiction could provide only a single capacity estimate, it was used as both lowest and highest capacity.

...Not available. Specific type of capacity is not measured by state.

/Not reported.

^aDue to differences in the dates when data were extracted, the federal custody count reported for the calculation of capacity differs slightly from the year-end custody count reported in the National Prisoner Statistics (NPS). It includes prisoners of all sentence lengths.

^bState defines capacity differently than BJS does. See *Jurisdiction notes*.

^cAlaska's capacity excludes non-traditional confinement such as halfway houses or electronic monitoring.

^dPrivate facilities included in capacity and custody counts.

^eHawaii's custody count excludes 248 offenders who were relocated out-of-state while an in-state facility was being repaired.

^fIllinois's rated capacity is under revision, and these numbers are the ceiling operational capacity. Numbers are not comparable to prior reports.

^gIndiana's capacity includes facilities owned by the state but staffed with employees of a private correctional company.

^hMaryland's capacity may include some pre-trial detainees excluded from the custody count.

ⁱLocal facilities are included in Mississippi's capacity and custody counts.

^jState did not submit 2017 NPS data on custody or capacity. Custody count was imputed, and capacities were assumed to have not changed from the most recent year the state submitted NPS data. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017.

TABLE 17**Prisoners under the jurisdiction of state or federal correctional authorities and held in the custody of private prisons and local jails, 2016 and 2017**

Jurisdiction	Prisoners held in private prisons ^a				Prisoners held in local jails			
	2016	2017	Percent change, 2016-2017	Percent of total jurisdiction, 2017	2016	2017	Percent change, 2016-2017	Percent of total jurisdiction, 2017
U.S. total	128,323	121,420	-5.4%	8.2%	83,679	80,917	-3.3%	5.4%
Federal ^b	34,159	27,569	-19.3%	15.1%	832	869	4.4%	0.5%
State	94,164	93,851	-0.3%	7.2%	82,847	80,048	-3.4%	6.1%
Alabama	348	264	-24.1	1.0	1,445	2,021	39.9	7.3
Alaska ^c	551	248	-55.0	5.6	40	39	-2.5	0.9
Arizona	8,285	8,283	0.0	19.7	0	0	~	~
Arkansas	0	0	~	~	1,369	1,837	34.2	10.2
California	7,005	6,359	-9.2	4.9	1,651	1,762	6.7	1.3
Colorado	3,564	3,760	5.5	18.9	376	164	-56.4	0.8
Connecticut ^c	508	515	1.4	3.7	~	~	~	~
Delaware ^c	0	0	~	~	~	~	~	~
Florida	12,176	11,676	-4.1	11.9	1,161	1,119	-3.6	1.1
Georgia	7,973	7,880	-1.2	14.7	5,066	4,752	-6.2	8.9
Hawaii ^c	1,405	1,602	14.0	28.5	~	~	~	~
Idaho	420	432	2.9	5.0	791	680	-14.0	7.9
Illinois	0	362	100.0	0.9	0	0	~	~
Indiana ^d	3,927	4,061	3.4	15.6	403	251	-37.7	1.0
Iowa	0	0	~	~	0	0	~	~
Kansas	0	0	~	~	78	97	24.4	1.0
Kentucky	0	0	~	~	11,151	11,531	3.4	49.0
Louisiana	0	0	~	~	20,623	18,587	-9.9	55.1
Maine	0	0	~	~	11	17	54.5	0.7
Maryland	25	32	28.0	0.2	94	58	-38.3	0.3
Massachusetts	0	0	~	~	363	261	-28.1	2.9
Michigan	0	0	~	~	0	0	~	~
Minnesota	0	0	~	~	1,023	1,007	-1.6	9.4
Mississippi	3,078	3,121	1.4	16.3	5,040	5,133	1.8	26.9
Missouri	0	0	~	~	0	0	~	~
Montana	1,481	1,409	-4.9	38.1	589	503	-14.6	13.6
Nebraska	0	0	~	~	149	151	1.3	2.8
Nevada	0	575	100.0	4.2	120	173	44.2	1.3
New Hampshire	0	0	~	~	44	51	15.9	1.9
New Jersey	2,720	2,659	-2.2	13.6	83	87	4.8	0.4
New Mexico ^e	3,040	/	:	:	0	/	:	:
New York	0	0	~	~	13	2	-84.6	0.0
North Carolina	30	30	0.0	0.1	0	0	~	~
North Dakota ^e	/	/	:	:	/	/	:	:
Ohio	6,259	7,224	15.4	14.0	0	0	~	~
Oklahoma	7,149	7,353	2.9	26.1	316	13	-95.9	0.0
Oregon ^f	0	0	~	~	0	22	:	0.1
Pennsylvania	680	407	-40.1	0.8	526	382	-27.4	0.8
Rhode Island ^c	0	0	~	~	~	~	~	~
South Carolina	12	24	100.0	0.1	344	341	-0.9	1.7
South Dakota	34	34	0.0	0.9	0	0	~	~
Tennessee	7,433	7,608	2.4	26.3	6,725	7,038	4.7	24.3
Texas	13,692	12,728	-7.0	7.8	12,051	11,549	-4.2	7.1
Utah	0	0	~	~	1,618	1,405	-13.2	21.8

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TABLE 17 (continued)**Prisoners under the jurisdiction of state or federal correctional authorities and held in the custody of private prisons and local jails, 2016 and 2017**

Jurisdiction	Prisoners held in private prisons ^a				Prisoners held in local jails			
	2016	2017	Percent change, 2016–2017	Percent of total jurisdiction, 2017	2016	2017	Percent change, 2016–2017	Percent of total jurisdiction, 2017
Vermont ^{c,d}	264	0	-100.0	0.0	~	~	~	~
Virginia	1,576	1,553	-1.5	4.2	7,931	7,370	-7.1	19.8
Washington	0	0	~	~	178	42	-76.4	0.2
West Virginia	0	0	~	~	1,263	1,170	-7.4	16.5
Wisconsin	0	0	~	~	187	412	120.3	1.7
Wyoming	269	237	-11.9	9.6	7	21	200.0	0.8

Note: Counts are for December 31 of each year.

:Not calculated.

~Not applicable.

/Not reported.

^aIncludes prisoners held in private facilities in the jurisdiction and another state.

^bIncludes federal prisoners held in non-secure, privately operated facilities (9,497) and on home confinement (2,475). Excludes persons held in immigration detention facilities pending adjudication.

^cPrisons and jails form one integrated system. Data include total jail and prison populations.

^dIncludes prisoners in facilities owned by the state but staffed by employees of a private correctional company.

^eTotals for 2016 include imputed counts for North Dakota, which did not submit 2016 National Prisoner Statistics (NPS) data. Totals for 2017 include imputed counts for New Mexico and North Dakota, which did not submit 2017 NPS data. BJS estimated counts of prisoners held in local jails and private facilities and included these estimates in the state and U.S. totals. See *Methodology*.

^fState submitted updated 2016 sentenced population counts.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2016 and 2017.

TABLE 18**Prisoners under military jurisdiction, by branch of service, 2016 and 2017**

Jurisdiction	Total population ^a			Sentenced population ^b		
	2016	2017	Percent change 2016–2017	2016	2017	Percent change 2016–2017
Total number of prisoners	1,338	1,258	-6.0%	1,084	996	-8.1%
Military branch of service						
Air Force	236	227	-3.8%	192	184	-4.2%
Army	646	570	-11.8	577	502	-13.0
Marine Corps	245	234	-4.5	153	151	-1.3
Navy	191	212	11.0	145	146	0.7
Coast Guard	20	15	-25.0	17	13	-23.5
In custody of—						
Air Force	27	30	11.1%	5	4	-20.0%
Army	781	730	-6.5	713	659	-7.6
Marine Corps	109	132	21.1	27	62	129.6
Navy	421	366	-13.1	339	271	-20.1

Note: Counts are for December 31 of each year.

^aIncludes all prisoners under military jurisdiction, regardless of conviction status or sentence length.

^bIncludes prisoners sentenced to more than one year under military jurisdiction.

Source: Bureau of Justice Statistics, based on data from the Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, 2016 and 2017.

TABLE 19

Prisoners under jurisdiction of military correctional authority, with a sentence of any length, percentages by most serious offense and branch of service, December 31, 2017

Most serious offense	Total ^a	Air Force	Army	Marine Corps	Navy
Total	100%	100%	100%	100%	100%
Violent offenses	61.3%	53.3%	71.5%	54.7%	47.8%
Non-violent offenses	38.7%	46.7%	28.5%	45.3%	52.2%
Total	100%	100%	100%	100%	100%
Sexual	70.5%	71.0%	72.1%	64.6%	70.6%
Violent	46.3	41.1	53.7	40.9	35.6
Non-violent ^b	24.2	29.9	18.3	23.8	35.0
Other violent	15.0%	12.1%	17.8%	13.8%	12.2%
Murder ^c	6.8	6.1	9.1	4.4	3.9
Negligent manslaughter	0.4	0.5	0.0	0.6	1.1
Robbery	0.3	0.0	0.5	0.0	0.0
Aggravated/simple assault	6.7	5.6	6.7	8.3	6.7
Other	0.9	0.0	1.5	0.6	0.6
Property	3.1%	2.8%	2.4%	5.0%	3.9%
Burglary	0.4	0.0	0.2	1.1	1.1
Larceny-theft	2.2	0.9	2.2	3.9	2.2
Motor vehicle theft	0.0	0.0	0.0	0.0	0.0
Fraud	0.4	1.4	0.0	0.0	0.6
Other	0.1	0.5	0.0	0.0	0.0
Drug^d	6.3%	12.6%	1.6%	11.6%	7.8%
Public order	0.1%	0.0%	0.2%	0.0%	0.0%
Military	3.2%	0.9%	2.9%	3.9%	5.0%
Other/unspecified	1.8%	0.5%	3.1%	1.1%	0.6%
Total number of prisoners	1,140	214	551	181	180

Note: Counts are based on prisoners sentenced to any length of time under military correctional authority. Excludes pre-trial detainees. Coast Guard offense distribution not shown due to too few cases.

^aIncludes prisoners who served in the Coast Guard.

^bIncludes sexual harassment, indecent exposure, prostitution, stalking, and other non-violent sexual misconduct.

^cIncludes non-negligent manslaughter.

^dIncludes possession, use, trafficking, and other drug crimes.

Source: Bureau of Justice Statistics, based on data from the Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, 2017.

TABLE 20**Prisoners under jurisdiction or in custody of correctional authorities in U.S. territories and commonwealths, by prison facility capacity, December 31, 2017**

Jurisdiction	Jurisdiction population		Total custody population	Capacity		
	Total ^a	Sentenced to more than 1 year ^a		Rated	Operational	Design
Total	9,488	8,614	10,960	/	/	/
American Samoa ^b	/	/	185	/	/	/
Guam	682	366	628	753	18	260
Commonwealth of the Northern Mariana Islands ^c	262	169	262	559	272	559
Commonwealth of Puerto Rico	7,875	7,701	9,493	14,364	14,632	14,632
U.S. Virgin Islands ^d	669	378	577	468	355	550

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Custody refers to the physical location where the prisoner is held. Rated capacity is the number of inmates or beds a facility can hold set by a rating official; operational capacity is the number of inmates a facility can hold based on staffing and services; and design capacity is the number of inmates a facility can hold set by the architect or planner.

/Not reported.

^aExcludes American Samoa.

^bAmerican Samoa has not submitted National Prisoner Statistics (NPS) data since 2011. Custody data were located in the American Samoa Statistical Yearbook 2016 (<http://doc.as.gov/wp-content/uploads/2011/06/American-Samoa-Statistical-Yearbook-2016.pdf>) and represent the number of persons in custody as of December 2016.

^cThe Commonwealth of the Northern Mariana Islands did not submit 2017 NPS data. Data used had been reported in 2016.

^dThe U.S. Virgin Islands did not submit NPS data from 2014 to 2017 and had inconsistent 2013 data. Data are from 2012.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017.

Methodology

The National Prisoner Statistics (NPS) program started in 1926. The Bureau of Justice Statistics (BJS) sponsors the survey, and Abt Associates, Inc., currently serves as the data collection agent. BJS depends on voluntary participation by state departments of corrections (DOCs) and the Federal Bureau of Prisons (BOP) for NPS data.

The NPS distinguishes between prisoners in custody and prisoners under jurisdiction. To have custody of a prisoner, a state or the BOP must hold the prisoner in one of its facilities. To have jurisdiction over a prisoner, the state or BOP must have legal authority over that prisoner, regardless of where the prisoner is incarcerated or supervised. Some states were unable to provide counts that distinguished between custody and jurisdiction. (See *Jurisdiction notes* to determine which states did not distinguish between custody and jurisdiction counts.)

The NPS jurisdiction counts include persons held in prisons, penitentiaries, correctional facilities, halfway houses, boot camps, farms, training or treatment centers, and hospitals. Counts also include prisoners who were temporarily absent (fewer than 30 days), in court, or on work release; housed in privately operated facilities, local jails, or other state or federal facilities; or serving concurrent sentences for more than one correctional authority.

The NPS custody counts include all prisoners held within a respondent's facility, including prisoners housed for other correctional authorities. The custody counts exclude prisoners held in local jails and other jurisdictions. With a few exceptions, the NPS custody counts exclude prisoners held in privately operated facilities.

Respondents to NPS surveys are permitted to update prior counts of prisoners held in custody and under jurisdiction. Some statistics on jurisdiction and sentenced prison populations for prior years have been updated in this report. All tables showing data based on jurisdiction counts, including tables of imprisonment rates, were based on the updated and most recently available data that respondents provided.

Admissions in this report include new court commitments; returned prisoners for parole, probation, or other conditional release violations; returned prisoners from appeal or bond; and other admissions. They exclude transfers from other jurisdictions, returned prisoners who were absent without leave, and returned escapees, because they have not officially left the jurisdiction.

Releases include unconditional releases (e.g., expirations of sentence or commutations), conditional releases (e.g., probations, supervised mandatory releases, or discretionary paroles), deaths, AWOLs, escapes from confinement, transfers to other jurisdictions, releases to appeal or bond, and other releases. For reporting purposes, BJS release counts exclude AWOLs, escapes, and transfers to other jurisdictions, because they have not officially left the jurisdiction.

The NPS has historically included counts of prisoners in the combined jail and prison systems of Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont. The District of Columbia has not operated a prison system since year-end 2001. Felons sentenced under the District of Columbia criminal code are housed in federal facilities. Jail inmates in the District of Columbia are included in the Annual Survey of Jails. Some previously published prisoner counts include jail inmates in the District of Columbia for 2001, the last year of collection. Additional information about the NPS is available on the BJS website, including the data collection instrument.

Non-reporting states

The New Mexico and North Dakota DOCs did not respond to the 2017 NPS survey. BJS imputed 2017 figures for North Dakota's custody, jurisdiction, admission, and release counts using the state's online report (<https://docr.nd.gov/sites/www/files/documents/statistics/factsheets/2017%2012%2031%20FACT%20SHEET.pdf>). BJS assumed that the sentence-length distributions of the custody and jurisdiction populations, race-and-Hispanic-origin distribution of the prison population, and types of admissions and releases in 2017 were the same as those reported by the North Dakota DOC in 2015, the last year it submitted data. In addition, BJS assumed that the state's prison capacity was the same as in 2015.

The jurisdiction sentence length and custody counts for New Mexico were imputed from the total jurisdiction number based on the distributions reported by New Mexico DOC to the 2016 NPS. BJS also made the assumption that the race and Hispanic origin distribution had not changed from 2016, and that the percentage of prisoners held in local jails and private prisons remained the same. The number of releases was held at its 2016 level, and admissions were calculated to explain the difference between the 2016 and 2017 jurisdiction counts. BJS assumed that the capacity of New Mexico prisons did not change in 2017.

Oregon did not submit data in 2016 but updated some of the jurisdiction counts for that year on the 2017 NPS data collection form. Details regarding the imputation of 2016 Oregon data are summarized in *Prisoners in 2016* (NCJ 251149, BJS web, January 2018).

Estimating year-end counts of prison population by sex, race, Hispanic origin, and age

National-level estimates of the number of persons by race under the jurisdiction of state prisons on December 31, 2017, were based on an adjustment of NPS counts to comply with the Office of Management and Budget (OMB) definitions of race and Hispanic origin. OMB defines persons of Hispanic or Latino origin as a separate category, and racial categories are defined exclusive of Hispanic origin. OMB adopted guidelines for collecting these data in 1997.

Not all NPS providers' information systems categorize race and Hispanic origin in this way. BJS adjusted reported NPS race and Hispanic origin data, separating for state and federal prisoners. For state prisoners, BJS calculated the ratio of the distribution of state prisoners by race and Hispanic origin in self-reported prisoner surveys, which use OMB categories for race, to the distribution of prisoners by race and Hispanic origin in NPS data for the year closest to the fielding of the survey. BJS then multiplied this ratio by the distribution of state prisoners' race and Hispanic origin using the current year's NPS. The percentage of persons self-reporting to the NPS as non-Hispanic and two or more races was assumed to be equal to that of the self-reported prisoner survey. The final percentage distribution of race and Hispanic origin was multiplied by the total of sentenced state prisoners to obtain counts for each category.

The distribution of race and Hispanic origin for federal prisoners used the same adjustment methodology but limited self-reported prisoner survey data to federal prisoners. BJS summed state and federal estimates for race and Hispanic origin to get the total counts published in table 3 and for detailed counts of prisoners by sex, age, and offense.

Prior to the *Prisoners in 2016* report, BJS used the race and Hispanic origin from the 2004 Survey of Inmates in State Correctional Facilities (SISCF) to calculate the ratio for the adjusted state distribution. Starting in 2016, BJS conducted the Survey of Prison Inmates (SPI), which allowed for adjustments to be updated with more recent data. To obtain 10-year estimates of race and Hispanic origin, BJS calculated ratio adjustments for each year twice, once using the 2004 SISCF and once using the

2016 SPI. BJS then weighted the ratios to reflect the number of years between the survey and estimate year. The ratios calculated using SISCF data received higher weights for years closer to 2004, while those calculated using SPI data had higher weights for years closer to 2016. BJS then used the average of these weighted ratios.

For federal estimates, the adjusted NPS data were multiplied by the ratio of the age category count within the sex and race combination in the Federal Justice Statistics Program (FJSP) to the FJSP total count within the sex and race combination (e.g., FJSP white males ages 18 to 19 divided by FJSP white males). The resulting product yielded FJSP-adjusted NPS counts for each sex and race combination by age group (e.g., white male prisoners ages 18 to 19 in the federal prison system). State prison age distributions for the NPS use a similar sex and race ratio adjustment based on individual-level data from the National Corrections Reporting Program (NCRP). State and federal estimates were added together to obtain national estimates for year-end prison populations.

BJS provides the unadjusted jurisdiction-level counts of prisoners by race and Hispanic origin (see appendix table 2). Historical adjusted counts of prisoners by race are archived through the National Archive of Criminal Justice Data (<http://www.icpsr.umich.edu/icpsrweb/NACJD/studies/36281>).

Estimating imprisonment rates by sex, race, Hispanic origin, and age

BJS calculated age-specific imprisonment rates for each sex, adjusted racial and Hispanic origin group, and age by dividing the estimated number of sentenced prisoners within each age group under jurisdiction on December 31, 2017, by the estimated number of U.S. residents in each age group on January 1, 2018. BJS multiplied the result by 100,000 and rounded to the nearest whole number. Totals by sex include all prisoners and U.S. residents, regardless of race or Hispanic origin.

Non-U.S. citizen prisoners

The BOP and some DOCs reported the number of non-U.S. citizens under their jurisdiction or in their custody on December 31, 2017. While the intention is for jurisdictions to report based on prisoners' current citizenship status, some jurisdictions may have instead reported country of birth to NPS. Statistics from 2017 mark the first time that states were asked to include the citizenship status of prisoners held in private facilities, so 2017 counts are more complete than in prior years.

In 2017, the BOP provided counts of non-citizens based on country of current citizenship. This is a change from previous years, when BOP counts were based on country of birth. Non-U.S. citizens held in local jails under the jurisdiction of state correctional authorities are excluded from totals, unless otherwise noted. Four states did not report prisoners' citizenship status, the largest of which was New Mexico.

Estimating offense distribution in the state and federal prison populations by sex, race, Hispanic origin, and age

BJS employed a ratio adjustment method to weight the individual-level offense data from the NCRP to the state prison control totals for sex and the estimated race or Hispanic origin from the NPS, which yielded a national offense distribution for state prisoners. Prisoners missing offense data were excluded from the analysis prior to the weighting. Because data submission for the NCRP typically lags behind that of the NPS, state offense distribution estimates are published for the previous calendar year.

Data presented in tables 14 and 15 are obtained from the FJSP, and counts are based on prisoners who were convicted and sentenced to any length of time, including those sentenced to one year or less, and were under federal jurisdiction on September 30, 2017. Data are limited to prisoners sentenced on U.S. district court commitments or District of Columbia superior court commitments and to prisoners returned to federal custody following violations of probation (both federal and District of Columbia), parole, supervised release, or mandatory release. Estimates in tables 14 and 15 differ from previously published federal offense distributions presented in the FJSP web tool (<https://www.bjs.gov/fjsrc/>) or Federal Justice Statistics bulletins and statistical tables on the BJS website because these publications exclude District of Columbia prisoners. Because FJSP is a custody collection, the total count of prisoners in tables 14 and 15 differs from the jurisdiction count of prisoners reported to the NPS. The race and Hispanic origin distribution for tables 14 and 15 have not been adjusted to self-report distributions because the adjustment to the total population made in earlier tables is based on prisoners sentenced to more than one year.

Reported race and Hispanic origin

- State DOCs and the BOP reported the race and Hispanic origin distribution of their prison populations (see appendix table 2).
- These data are administrative in nature and may not reflect prisoners' self-identification of race or Hispanic origin.

Prison capacities

State and federal correctional authorities provide three measures of their facilities' capacity: design, operational, and rated capacity. Prison population estimates as a percentage of capacity are based on a state or federal custody population. In general, state capacity and custody counts exclude prisoners held in private facilities, although six states include prisoners held in private or local facilities as part of the capacity of their prison systems: Arizona, Georgia, Idaho, Mississippi, Pennsylvania, and South Dakota. For these states, prison population as a percentage of capacity includes prisoners held in the states' private facilities or local facilities.

Military correctional data

BJS obtains an annual aggregate count of service personnel held under military jurisdiction, as well as limited demographic and offense data from the Office of the Under Secretary of Defense for Personnel and Readiness. The Department of Defense disaggregates these data by the branch in which prisoners served, the branch having physical custody of the prisoner, and whether the prisoner was an officer or enlisted.

U.S. territories

Data on prisoners under the jurisdiction of U.S. territorial correctional authorities are collected separately from state and federal NPS data, and U.S. totals in this report exclude territorial counts. Three territories (American Samoa, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands) did not provide 2017 NPS data. Data from prior years and alternate sources are shown in table 20.

National Prisoner Statistics program jurisdiction notes

These notes are provided to the Bureau of Justice Statistics (BJS) by state departments of corrections (DOC) and the Federal Bureau of Prisons (BOP) as part of the National Prisoner Statistics (NPS) data collection. Notes are presented mostly verbatim and were generally edited only for misspellings and to order comments per questions. Not all jurisdictions comment on every question. Respondents are encouraged to describe other types of admissions and releases specific to their system, and these are summarized in these jurisdiction notes and included in the totals in table 7.

Alabama—Other admissions included reopened cases. Prisons were not recently rated for official capacity. The majority of Alabama prisons were overcrowded. As of 2017, a total of 25,784 beds were in operation, which represented the physical capacity for prisoners but was not based on staffing, programs, and services. The operating capacity differed from BJS's definition.

Alaska—Other conditional releases included offenders released due to suspended sentences. The Alaska DOC does not have capacity levels by gender. The design capacity is 4,664. The rated capacity is 4,838. The rated population capacity does not include non-traditional confinement such as halfway houses or electronic monitoring.

Arizona—Jurisdiction counts were based on custody data and prisoners in contracted beds. These counts excluded prisoners held in other jurisdictions because Arizona receives an equal number of prisoners to house from other jurisdictions. Arizona abolished parole in 1994, so only prisoners released prior to 1994 were on parole. Because community supervision prisoners were supervised as parolees, both parolees and community supervision violators were included in admissions as parole violators. Other admissions included persons returned from deportation. Other unconditional releases included prisoners released by the court. Other conditional releases included those on to other community supervision programs. Prison capacities included the capacity of private prisons in Arizona.

Arkansas—No notes.

California—Custody counts included out-of-state correctional facility contracted beds, community correctional facility private contract beds, and private work furlough prisoners. Other conditional releases included boarders from county correctional facilities. Other releases included prisoners released under

California's Public Safety Realignment law (A.B. 109). Citizenship data were extracted from a report published by the California Department of Corrections and Rehabilitation's Office of Research (<https://sites.cdcr.ca.gov/research/wp-content/uploads/sites/9/2018/07/Offender-Data-Points-as-of-December-31-2017-1.pdf>) and represented the country of birth as reported by prisoners. Per California, this does not reflect documentation of current citizenship status.

Colorado—Jurisdiction and custody counts included a small, undetermined number of prisoners with a maximum sentence of one year or less, and 205 males and five females who were part of the Youthful Offender System. Prisoners reported as housed in privately operated correctional facilities were under Federal Transfer and Interstate Compact programs and were not reported in the department's population and capacity counts. Jurisdiction population counts included a small number of prisoners from other states admitted under the interstate compact agreement. Release counts excluded prisoners who were absent without leave (AWOL) or had escaped. Other releases included discharges from youthful offender systems. Prison design capacity is based on data from the Colorado DOC's annual statistical report. Previous years' design capacity figures were set equal to operational capacity.

Connecticut—Prisons and jails formed one integrated system. All NPS data included jail and prison populations. New court commitment admissions included prisoners who were admitted on accused status but received a sentence later in the year. Other admissions included persons returned to prison without prejudice. Counts of other types of admissions and releases included persons with legitimate types of prison entries and exits that did not match BJS categories. Legislation in July 1995 abolished the capacity law, making a facility's capacity a fluid number based on the needs of the department. The needs were dictated by security issues, populations, court decrees, legal mandates, staffing, and physical plant areas of facilities that served other purposes or had been decommissioned. The actual capacity of a facility was subject to change.

Delaware—Prisons and jails formed one integrated system. All NPS data included jail and prison populations. Capacity counts included the halfway houses under the Delaware DOC. Releases included offenders who received a combined sentence (prison and parole) of more than one year.

Federal Bureau of Prisons (BOP)—Data reflected prisoners under BOP jurisdiction on December 30, 2017, except for tables 14 and 15, which cover September 30. Jurisdiction counts included prisoners housed in secure private facilities where the BOP had a direct contract with a private operator and prisoners housed in secure facilities where there was a subcontract with a private provider at a local government facility. Jurisdiction counts also included prisoners housed in jail or short-term detention and others held in state-operated or other non-federal secure facilities. BOP prisoners housed in state facilities are counted as being held in local or county-operated facilities. Counts included 7,022 prisoners (6,081 males and 941 females) held in non-secure, privately operated community corrections centers or halfway houses and 2,475 offenders on home confinement (2,144 males and 331 females). A total of 42 juveniles (36 males and 6 females) were held in contract facilities. These juvenile prisoners were included in the jurisdiction and custody totals but excluded from the counts of privately or locally operated facilities. Some of these juveniles were under the jurisdiction of U.S. probation but housed in the custody of the BOP in contract facilities. Due to information system configuration, Asians, Native Hawaiians, and Other Pacific Islanders were combined, and prisoners of Hispanic origin were included in the racial categories. On December 31, 2017, the BOP held 55,946 male and 4,040 female prisoners of Hispanic origin. Parole violation counts included those with and without a new sentence. Other admissions included hospitalizations and treatment. Expirations of sentence included good conduct releases that usually had a separate and distinct term of supervision and releases from the residential drug abuse treatment program. Other releases included clemencies, compassionate releases, hospitalizations and treatment completed, and releases based on the amount of time served. On December 31, 2017, the BOP custody population was 155,006 prisoners (excluding contracted and private facilities) and the rated capacity was 135,792. Citizenship is being provided as it is recorded in the BOP data system, and is subject to verification by U.S. Immigration and Customs Enforcement (ICE).

Florida—Data on race and Hispanic origin from 2016 and 2017 were not comparable to previous years' data due to a change in reporting methods. Florida reported only admissions for prisoners with new sentences and did not report admissions of prisoners on technical violations. Other admissions included program supervision violations. Other unconditional releases included vacated sentences. Other conditional releases included provisional release supervision, conditional medical

releases, program supervision, mandatory conditional releases, conditional pardons, and parole reinstatements. The number of deaths included three male executions. Reported operational capacity included the capacity of contracted institutions (8,696 males and 1,250 females), contracted drug facilities (225 males), and contracted work release facilities (1,684 males and 317 females), although BJS was able to remove these facilities from the calculations of percentage capacity. Contracted capacities are current as of December 31, 2017. Florida's DOC revised the variables used to determine citizenship of prisoners in 2015. Therefore, estimates of non-U.S. citizens from after 2014 were not comparable to previous years.

Georgia—Data reflect the prison population during the last week of December 2017. Custody populations included both state prisons and county correctional institutions. Subtotals of gender, race, and sentence length, as well as custody counts, were adjusted using interpolation to match the overall totals. Counts of admissions and releases were adjusted using interpolation to balance the jurisdictional populations on January 1, 2017, and December 31, 2017. Females were not housed in privately operated correctional facilities in Georgia. Capacity counts included state, county, and private prisons. Overall population was slightly lower again this year because Georgia's criminal justice reform initiatives have impacted both the commitments and admissions of offenders into the prison system.

Hawaii—Prisons and jails formed one integrated system. All NPS data included jail and prison populations. In custody and jurisdiction counts, sentenced felon probationers and probation violators were included with the counts of prisoners with a total maximum sentence of one year or less. Custody population counts for 2016 and 2017 were different because 248 sentenced felons and parole violators from Halawa Correctional Facility were transferred to Arizona while repairs were being done. Other unconditional releases included one dismissal. Other releases included prisoners released due to status change. Hawaii did not have a rated capacity for its integrated prison and jail system. Information on foreign nationals held in correctional facilities was based on self-reported data by prisoners.

Idaho—Counts were estimates based on live data with some changing variability over time due to the movement and processing of offenders.

Illinois—Jurisdiction, custody population, admission, and release counts for prisoners with maximum sentences of more than one year included an

undetermined number of prisoners with a one-year sentence. All Illinois DOC prisoners have a minimum sentence of one year. However, some prisoners are in custody for less than one year due to pre-trial time spent in local jail custody. Illinois DOC contracts with an outside vendor for two adult transition facilities (i.e., work release). The department considers these offenders in its custody and includes them in the daily population counts. Prisoners in other state or federal custody are tracked separately. Counts of admissions and releases included escapes from adult transition centers, where prisoners leave and return for work assignments. All escapees counted were from adult transition centers, and all returning escapees had escaped from these centers. The Illinois DOC applied the term AWOL returns only to parolees who committed a subsequent technical violation or new offense. These returns were included under parole violation admissions. Electronic detention prisoners were not included in the population total. Other unconditional releases included court orders. The Illinois DOC method for determining rated capacity was under revision. The department provided the ceiling operational capacity and defined this as the total number of beds in a facility.

Indiana—Custody, jurisdiction, admissions, release, and capacity counts included prisoners in two facilities owned by the state of Indiana but staffed by employees of a private correctional company. Other types of admissions included prisoners on active supervision or admitted as “safekeepers.”

Iowa—In 2009, the Iowa DOC began including offenders on work release in the operating-while-intoxicated population. Iowa prisoners housed in out-of-state prisons were also included in the department’s jurisdiction counts. Iowa data included in BJS reports prior to 2009 were custody counts only. The number of sentenced prisoners under Iowa jurisdiction who were transferred from other jurisdictions between January 1, 2017, and December 31, 2017, included offenders transferring from other jurisdictions with an Iowa sentence. Counts of AWOL admissions and releases were of the work release (644 offenders) and operating-while-intoxicated (96 offenders) populations. Other conditional releases included persons released to special sentence supervision.

Kansas—Kansas does not house prisoners in privately operated facilities. Other admissions included sanctions from probation. Other unconditional releases included court appearance releases. Other conditional releases included supervised parole. Information on foreign nationals held in state correctional facilities was based

on self-reported data by prisoners, but an ICE agent is present when a facility’s reception and diagnostic unit interviews a prisoner, and the agent informs the Kansas DOC if the prisoner is a confirmed non-U.S. citizen.

Kentucky—Other types of admissions included special admissions, returns from active release, and returns from shock probation with additional sentence. Other types of unconditional releases included pardons. Other types of conditional prison releases included exits to home incarceration. Other releases included releases from jail and active releases.

Louisiana—Jurisdiction and capacity counts were correct as of December 27, 2017. Other types of unconditional releases included court orders and releases for good time with no supervision. Other types of conditional release included reinstatements to probation. Other types of release included compassionate releases.

Maine—No notes.

Maryland—The number of prisoners with a maximum sentence of more than one year for the jurisdiction and custody measures was estimated by taking the percentage of prisoners with a maximum sentence of more than one year from the automated data and applying the percentage to the manual headcounts for the measure of interest (December 31 jurisdiction population, December 31 custody population). Any sentenced prisoners housed at the Baltimore City Detention Center or the Baltimore Central Booking and Intake Center were included in the jurisdiction and custody counts. Pre-trial prisoners at these facilities were excluded. The unsentenced prisoners in Maryland’s custody on December 31, 2017, were all federal prisoners housed contractually at the Chesapeake Detention Facility. The reported prisoners under Maryland’s jurisdiction who were housed in facilities operated by a county or local authority were sentenced to state prison by local jurisdictions and waiting to be transferred to Maryland DOC custody. Hispanic or Latino origin may have been underreported because records for existing prisoners were still being updated in the new information system. Due to implementation issues with a new information system, admissions and releases for 2017 were estimates. The total number of new court commitments may have included a small, undetermined number of returns from appeal or bond. Mandatory release violators were included with parole violators. Maryland did not distinguish between AWOLs and escapees. Other unconditional releases included court ordered releases. Operational capacities included beds used for some Maryland pre-trial prisoners that were not counted in year-end counts (32 males). BJS removed these 32 individuals from the reported capacity figures.

Massachusetts—By law, offenders in Massachusetts may be sentenced to terms of up to 2.5 years in locally operated jails and correctional institutions. This population was excluded from the state count but was included in published population counts and rates for local jails and correctional institutions. Jurisdiction counts excluded approximately 2,133 prisoners (2,057 males and 76 females) in the county system (local jails and houses of correction) who were serving a sentence of more than one year, but these prisoners were included in imprisonment rate calculations at the request of the Massachusetts DOC. Jurisdiction and custody counts may have included a small but undetermined number of prisoners who were remanded to court or transferred to the custody of another state, federal, or locally operated system and subsequently released. In 2017 there was a transition at Bridgewater State Hospital of patient care from the Massachusetts DOC to an outside contractor, although the Massachusetts DOC did not report these as private prisoners. There was a continued increase in prisoners transferred to local jails prior to their release from prison as part of a step-down initiative for re-entry. One juvenile under the jurisdiction of the Massachusetts DOC and housed in a Massachusetts Department of Youth Services facility was included in the count of prisoners housed in other arrangements. Other admissions included returns from court-ordered release, and other unconditional releases included those ordered by courts. Due to the closing of facilities in 2017, the design capacity for the Massachusetts DOC decreased by 236 beds (from 7,728 to 7,492).

Michigan—Data recorded for Hispanics were treated as an ethnicity rather than a race, and reporting was optional. Therefore, the numbers for Hispanics were significantly underreported. Rather than reporting an incorrect number, the Michigan DOC included the relatively small number of cases recorded as Hispanic in the “white” category.

Minnesota—Minnesota measured only operational capacity.

Mississippi—Jurisdiction counts of local facilities included both local county jails and county regional facilities. Other types of admission and release to state prisons included data corrections because of a lag in processing. Other conditional releases included earned release supervision, house arrests, and medical releases. Total operational capacity on December 31, 2017, was 17,909. This capacity included county jails and county regional facilities.

Missouri—Other types of unconditional releases included those after erroneous commitments, reversals, discharges from remand, and court-ordered discharges. Other types of conditional releases included parole board holdover returns. Other releases included revocations or remands of convictions. The Missouri DOC did not have design capacity data for its older prisons or update design capacity for prison extensions or improvements. Missouri did not use a rated capacity. The state defined operational capacity as the number of beds available, including those temporarily offline. Non-U.S. citizen data were based on the number of offenders with ICE detainers. Previously, the Missouri DOC had reported the number of foreign-born offenders.

Montana—The Montana DOC did not record Hispanic origin.

Nebraska—Other unconditional releases included vacated sentences. Nebraska defined operational capacity as its stress capacity, which was 125% of design capacity for designated facilities. The total design and operational capacities for institutions that house females included one female multi-custody facility. The Nebraska DOC operated two co-ed facilities, which represented a design capacity of 290 and was included in the male design and operational capacities. A 100-bed housing unit was added to one of the Nebraska DOC's facilities in 2017.

Nevada—Other admissions included persons committed to the Nevada DOC through the Intermediate Sanction Probation; Safe Keeper-Boot Camp; Safe Keeper-pre-trial detainees, which include local jail inmates admitted to the Nevada DOC due to medical, behavioral, protective, or local staffing issues; persons ordered by judges to serve 6 months or less in prison prior to actual sentencing for felonies; and prisoners serving consecutive sentences in Nevada and another state but not physically in the custody of Nevada. Other unconditional releases included those made to the committing authority.

New Hampshire—Due to a change in its data-coding system, the New Hampshire DOC has been unable to report to the NPS the number of non-U.S. citizens in custody after 2015.

New Jersey—Population counts for prisoners with a maximum sentence of more than one year included prisoners with sentences of one year. The New Jersey DOC had no jurisdiction over prisoners with sentences of less than one year or unsentenced prisoners. Other types of unconditional releases included vacated and amended sentences and court-ordered releases. Reporting of other conditional releases included

offenders in intensive supervision programs. New Jersey data for escapes did not differentiate between prisoners who disappeared from confined walls or disappeared while out of institutions. Other releases included prisoners transferred early from county jails into the state prison system before being released back to county jails, and other transfers.

New Mexico—State did not submit 2017 NPS data. BJS used the offender population count reported on the New Mexico DOC's website on January 3, 2018 (<http://cd.nm.gov/index.html>) as the total number of prisoners under state jurisdiction. See *Methodology* for the imputation strategy for non-reporting states.

New York—Other admissions included persons who returned to prison after they were erroneously discharged.

North Carolina—As of December 1, 2011, North Carolina prisons no longer housed misdemeanor offenders with sentences of fewer than 180 days. Captured escapees were not considered a prison admission type in North Carolina, and escape was not considered a type of prison release. Other admission types included direct receipt of offenders through an interstate compact. Other types of unconditional releases included court orders and interstate compact releases. Supervised mandatory releases were post-release offenders. Post-release supervision was defined as a reintegration program for serious offenders who served extensive prison terms. This form of supervision was created by the state's Structured Sentencing Act of 1993. Rated capacity was not available. Reported operational capacity included the capacity at a private facility that houses the female offenders (30) included in the private state facilities, and BJS removed these from the calculations of percentage capacity.

North Dakota—State did not submit 2016 or 2017 NPS data. BJS imputed 2016 responses for North Dakota's custody, jurisdiction, admission, and release figures from the state's online reports for 2016 (https://docr.nd.gov/sites/www/files/documents/statistics/factsheets/2016_FACT_SHEET.pdf) and 2017 (<https://docr.nd.gov/sites/www/files/documents/statistics/factsheets/2017%2012%2031%20FACT%20SHEET.pdf>). See *Methodology* for the imputation strategy for non-reporting states.

Ohio—Population counts for prisoners with a maximum sentence of more than one year included an undetermined number of prisoners with a sentence of one year or less. Admissions and releases reported by the Ohio DOC included all offenders regardless

of sentence length. Returns and conditional releases involving transitional control prisoners were reported after movement from confinement to a terminal release status occurred. Admissions of parole violators without a new sentence included only formally revoked violators. Other admission types include judicial release technical returns, previously included as conditional release violators without a new sentence. Escapes included non-confinement escapes. Other unconditional releases included vacated sentences and other court discharges. Other releases included administrative releases. Counts of non-U.S. citizens and prisoners age 17 or younger excluded prisoners housed in privately operated halfway houses.

Oklahoma—Most prisoners with sentences of one year or less were part of the Oklahoma Delayed Sentencing Program for Young Adults. On December 31, 2017, the number of prisoners under the Oklahoma DOC jurisdiction's with a maximum sentence of more than one year included 1,086 males and 76 females who were waiting in county jails to be moved to state prisons. The Oklahoma DOC did not include these in its reported jurisdiction counts, but per NPS definitions, BJS added these individuals into the sentenced jurisdiction and total jurisdiction counts. Prisoners held by Oklahoma for other states were excluded from all jurisdiction counts. Jurisdiction counts included offenders in Oklahoma's DOC county jail program. Numbers reported in "escapes from confinement" represented escapes from state-run prisons and walkaways from halfway houses and community corrections or work centers. Only Oklahoma DOC facilities were included in the capacity counts. Non-U.S. citizen status was based on self-reported data by country of birth.

Oregon—State did not submit 2016 NPS data but updated 2016 population data on the 2017 NPS form. See *Methodology* for the imputation strategy for non-reporting states.

Pennsylvania—Other admissions included those from the state hospital and parole detainees. Other types of unconditional releases included vacated sentences and convictions. Other releases included transfers to other states and unknown other releases. Capacity counts included state correctional institutions, community corrections centers, community contract facilities, and contracted county jails. Community contract facilities were contracted out by the Pennsylvania DOC to private service providers, and it maintained contracted housing services with certain Pennsylvania county jails.

Rhode Island—Prisons and jails formed one integrated system. All NPS data included jail and prison populations. The Rhode Island data system recorded Hispanic origin as a race rather than an ethnicity and did not capture Native Hawaiians, Other Pacific Islanders, or persons of two or more races, including those who may have identified themselves as Hispanic second to another race. Prison admissions classified as escape returns included offenders serving out of state. The Rhode Island DOC's data system could not differentiate between parole violation admissions with and without new sentences, which were all counted as new sentences. Other types of unconditional releases consisted of discharges at court, court-ordered discharges, and discharges out of state. Conditional releases included persons paroled to immigration or paroled out of state. Conditional releases of transfers to another jurisdiction included only persons serving a sentence out of state. Other types of conditional releases included discharges to the state's Institute for Mental Health. Prison system capacity figures were valid as of December 31, 2017. The Rhode Island DOC no longer asks questions relating to citizenship at prison admission, but in previous years, the data were self-reported.

South Carolina—The December 31, 2017, custody count of unsentenced prisoners included five unsentenced males: one on observation status under the state's Youthful Offender Act (YOA) and four "safekeepers." As of July 1, 2003, the South Carolina DOC began releasing prisoners due for release and housed in the department's institutions on the first day of every month. Since January 1, 2018, was a holiday, prisoners eligible for release on January 1 were released on December 31, 2017, causing the prisoner count to be at its lowest point for the month on December 31, 2017. All 24 prisoners (19 males and 5 females) housed in private facilities in South Carolina were in privately operated medical facilities. Prisoners (341 to 322 males and 19 females) reported as housed in local facilities for the South Carolina DOC were housed in designated facilities or considered absent with leave to local or county facilities. South Carolina did not have a specific race code to designate persons identifying as two or more races. These individuals were included in other specific race groups or labeled as "other race." Other types of admissions included prisoners who were resentenced. Other types of unconditional releases consisted of remands. Other release types included persons who were resentenced. There were two paroling authorities within the adult correctional system in South Carolina: the Intensive Supervision Administrative Release Authority paroled 705 offenders under the YOA in 2017, while the South Carolina Department of Probation, Parole,

and Pardon Services paroled 1,009 non-YOA offenders. The state utilizes the operational capacity concept in its management reports and other requested surveys.

South Dakota—Custody and jurisdiction counts of prisoners serving a maximum sentence of one year or less included those under a probation sentence who, as a condition of probation, must serve up to 180 days in state prison. The reporting system for the South Dakota DOC did not have a category for prisoners of two or more races. These prisoners were labeled as "other race." Other admissions included parole or supervised release detainees. South Dakota did not separate discretionary and presumptive parole releases. Parole detainees were included in counts of other release types. The operational capacity reported was planned capacity and included some offenders housed in contractual beds at halfway houses.

Tennessee—Other conditional releases included offenders who were released to community corrections. The reported rated capacity of the Tennessee DOC included the rated capacity of four private prisons (8,091), which BJS removed from the calculations of percentage capacity. The reported operational capacity included the operational capacity of four private prisons (7,742), which BJS removed from the calculations of percentage capacity.

Texas—Offenders in custody were all those serving time in a facility owned and operated by the Texas Department of Criminal Justice at the time of data collection. Jurisdiction counts included offenders in custody and those held in privately operated prisons, intermediate-sanction facilities, punishment facilities for substance-abuse felonies, and halfway houses; temporarily released to a county for less than 30 days; and awaiting paperwork for transfer to state-funded custody. Capacities excluded county jail beds because those correctional facilities did not have a minimum or maximum number of beds available for paper-ready and bench-warrant prisoners. Admissions and releases included offenders received into an intermediate sanction facility, which was a sanction in lieu of revocation. These offenders were counted in the parole violator category, although these were not revocations. Other conditional releases included discretionary mandatory releases. Executions were included in releases due to death. Other admissions and other release types included transfers between divisions. The methodology for foreign offenders was changed to include private facilities, as instructed by BJS. In prior years, this number was calculated using the custody population which excluded private facilities.

Utah—Other types of unconditional release included court-ordered releases and discharges of cases or prisoner holds.

Vermont—Prisons and jails formed one integrated system. All NPS data included jail and prison populations. The Vermont DOC did not report data on admissions and releases in 2015, 2016, or 2017. BJS assumed that the number of admissions in 2017 was equal to the number in 2016 and that the decrease in the jurisdiction population was due solely to an increase in releases in 2016. Admission and release type distributions were assumed to be the same in 2017 as in 2016.

Virginia—Jurisdiction counts were for December 31, 2017. As of September 1, 1998, the state was responsible for prisoners with a sentence of more than one year or a sentence of 12 months plus one day. Prior to September 1, 1998, the state had been responsible for a sentence of more than one year, while local authorities were responsible for a sentence of 12 months or less. Jurisdiction, custody, and race and Hispanic origin counts for 2017 were preliminary and will change. Native Hawaiians and Other Pacific Islanders were included in the Asian racial category. Counts of admissions and releases were preliminary fiscal-year 2017 figures. Other conditional releases included persons released conditionally as sexually violent predators and persons released on conditional pardons or clemency. The Virginia DOC revised its method of reporting prison capacity in 2014 to match BJS definitions. As a result, comparisons should not be made to estimates before 2014. The counts excluded beds assigned to institutional hospitals that may not be designated as male or female only and detention and diversion centers.

Washington—Admission and release counts for conditional releases included offenders who did not receive a sentence of more than one year. Admission and release counts of conditional release violators included offenders who received probation sentences and were sent to county jails for a term of less than 30 days for violating their probation conditions. Other unconditional releases included vacated sentences.

West Virginia—Other types of admissions and releases included those to and from the Anthony Center for Young Adults and Diagnostics. Other types of unconditional releases included court-ordered releases.

Wisconsin—Consistent with the method used to generate population estimates in 2016, the Wisconsin DOC used the time between a prisoner's admission date and maximum discharge date to determine sentence length for year-end counts. If a maximum discharge date was not recorded, the mandatory release date was used. If the mandatory release date was not recorded, the prisoner's release date was used. Therefore, this may not accurately reflect whether the prisoner was initially sentenced to one year or less or to more than one year. Custody measures included prisoners without Wisconsin sentences who were physically housed in a Wisconsin prison. Jurisdiction measures included prisoners with Wisconsin sentences, regardless of where the prisoners were physically located. Unsented prisoners included those who had not yet had data entered reflecting their mandatory release date and maximum discharge date and some offenders temporarily held in the Milwaukee facility. An offender on a temporary hold who was on probation did not have a mandatory release date or maximum discharge date.

The same time intervals used to determine sentence length for year-end counts were used to determine sentence length for admissions totals, while the time between a prisoner's admission date and release date was used to determine sentence length for the releases total. Therefore, admissions and releases totals may not accurately reflect whether a prisoner was initially sentenced to one year or less or to more than one year. Other conditional releases included alternatives to revocation. Other types of releases included those released after erroneous admission.

Wyoming—Other unconditional releases included those that were court-ordered or mandated.

APPENDIX TABLE 1

Imprisonment rates of sentenced prisoners under the jurisdiction of state or federal correctional authorities, per 100,000 U.S. residents, 1978–2017

Year	All ages	Age 18 or older
1978	131	183
1979	133	185
1980	138	191
1981	153	211
1982	170	232
1983	179	243
1984	187	254
1985	201	272
1986	216	293
1987	230	311
1988	246	331
1989	274	369
1990	295	398
1991	311	420
1992	330	446
1993	360	486
1994	389	526
1995	411	556
1996	427	577
1997	444	599
1998	463	623
1999	476	640
2000	470	632
2001	470	630
2002	477	639
2003	483	645
2004	487	649
2005	492	655
2006	501	666
2007	506	670
2008	506	669
2009	504	665
2010	500	656
2011	492	644
2012	479	626
2013	479	623
2014	471	611
2015	459	595
2016	450	582
2017	440	568

Source: Bureau of Justice Statistics, National Prisoner Statistics, 1978–2017; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

APPENDIX TABLE 2**Prisoners under jurisdiction of state or federal correctional authorities, by race and Hispanic origin, December 31, 2017**

Jurisdiction	Total	White ^a	Black ^a	Hispanic	American Indian/ Alaska Native ^a	Asian ^a	Native Hawaiian/ Other Pacific Islander ^a	Two or more races ^a	Other ^a	Unknown	Did not report
Federal^{b,c}	183,058	50,595	67,818	58,446	3,730	2,469	/	~	~	/	0
State											
Alabama	27,608	12,600	14,857	0	2	3	0	0	0	146	0
Alaska	4,399	1,928	486	131	1,611	140	71	~	~	32	0
Arizona	42,030	16,365	5,930	16,503	2,281	198	0	0	670	17	66
Arkansas	18,070	9,942	7,387	587	58	70	8	0	16	2	0
California	131,039	27,811	37,336	57,032	1,476	1,415	355	0	5,614	0	0
Colorado	19,946	9,175	3,493	6,264	666	223	/	/	/	3	122
Connecticut	14,040	4,411	5,765	3,749	45	68	0	0	/	2	0
Delaware	6,443	2,399	3,722	312	1	5	0	0	0	4	0
Florida ^d	98,504	39,443	46,493	12,207	85	21	11	0	239	5	0
Georgia	53,667	19,160	32,243	1,985	24	180	1	61	~	13	0
Hawaii	5,630	1,414	230	137	25	946	2,332	188	~	358	0
Idaho	8,579	6,374	242	1,389	331	38	2	/	92	111	0
Illinois	41,471	12,456	23,365	5,341	61	149	0	39	/	16	44
Indiana	26,024	15,910	8,826	1,067	47	64	12	83	~	15	0
Iowa	9,024	5,993	2,183	617	155	76	0	0	0	0	0
Kansas	9,971	5,684	2,761	1,223	201	90	0	0	1	11	0
Kentucky	23,543	17,858	5,017	328	14	0	0	264	32	26	4
Louisiana	33,739	11,109	22,477	36	24	40	51	0	2	~	0
Maine	2,404	1,943	216	118	71	12	0	17	0	27	0
Maryland ^e	19,367	4,879	13,427	679	103	46	13	/	191	29	0
Massachusetts	9,133	3,956	2,485	2,398	56	126	0	0	112	0	0
Michigan ^e	39,666	17,476	21,060	276	424	106	21	0	0	303	0
Minnesota	10,708	4,978	3,654	734	1,046	275	/	/	/	21	0
Mississippi	19,103	6,910	11,936	177	27	45	0	0	~	8	0
Missouri	32,601	20,787	10,973	594	114	77	/	/	/	56	0
Montana ^f	3,698	2,774	91	~	817	16	0	0	0	0	0
Nebraska	5,313	2,788	1,515	708	218	39	4	/	33	8	0
Nevada	13,671	5,931	4,196	2,802	242	334	74	80	0	12	0
New Hampshire	2,750	2,408	130	92	3	19	0	~	24	74	0
New Jersey	19,585	4,185	11,997	3,126	11	123	0	/	0	143	0
New Mexico ^g	7,276	1,798	512	4,269	500	20	15	0	0	162	0
New York	49,461	12,016	23,820	12,027	406	245	/	/	704	243	0
North Carolina	36,394	14,248	19,042	1,904	946	100	22	/	~	132	0
North Dakota ^g	1,723	1,133	136	98	342	8	0	6	0	0	0
Ohio	51,478	26,454	23,216	1,365	84	68	/	/	291	/	0
Oklahoma	28,143	14,529	7,096	2,055	3,133	79	31	~	58	0	1,162
Oregon	15,218	11,303	1,385	1,857	433	227	7	~	~	6	0
Pennsylvania	48,333	20,577	22,591	4,802	45	125	~	0	0	193	0
Rhode Island ^c	2,861	1,243	823	700	22	43	/	/	29	1	0
South Carolina	19,906	7,266	12,001	459	25	22	1	/	132	0	0
South Dakota	3,970	2,196	307	140	1,301	19	2	0	5	0	0
Tennessee	28,980	16,214	12,071	576	36	83	/	/	/	0	0
Texas	162,523	53,771	53,467	54,373	129	557	0	0	226	0	0
Utah	6,443	4,120	441	1,262	310	73	130	0	0	107	0
Vermont	1,546	1,355	173	12	5	0	1	0	~	0	0
Virginia ^c	37,158	14,291	19,659	897	29	147	~	~	~	2,135	0

Continued on next page

APPENDIX TABLE 2 (continued)**Prisoners under jurisdiction of state or federal correctional authorities, by race and Hispanic origin, December 31, 2017**

Jurisdiction	Total	White ^a	Black ^a	Hispanic	American Indian/ Alaska Native ^a	Asian ^a	Native Hawaiian/ Other Pacific Islander ^a	Two or more races ^a	Other ^a	Unknown	Did not report
Washington	19,656	11,734	3,461	2,552	934	774	/	/	53	148	0
West Virginia	7,092	6,115	863	42	8	7	2	55	0	0	0
Wisconsin	23,945	10,922	9,852	1,992	900	266	~	/	/	13	0
Wyoming	2,473	1,877	124	311	144	5	9	0	3	0	0

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Federal data include prisoners held in non-secure, privately operated community corrections facilities and juveniles held in contract facilities. Estimates were provided by state and federal departments of corrections' administrative record systems and may not reflect prisoners' self-identification of race/Hispanic origin. State, federal, and national totals by race/Hispanic origin differ from other tables in this report due to adjustments made by BJS in other tables to correct for differences between administrative records and prisoner self-reported data of race/Hispanic origin.

~Not applicable. State does not track this race/Hispanic origin.

/Not reported.

^aExcludes persons of Hispanic/Latino origin (e.g., white refers to non-Hispanic white; black refers to non-Hispanic black). See *Methodology*.

^bThe Federal Bureau of Prisons does not separate out persons of Hispanic origin from the individual racial categories when reporting to the National Prisoner Statistics (NPS). To do so, BJS used data from the 2017 Federal Justice Statistics Program (preliminary).

^cAsians, Native Hawaiians, and Other Pacific Islanders were combined in a single category and reported as Asian.

^dFlorida counts from 2017 are not comparable to counts from years before 2016 due to a change in reporting methodology in 2016. See *Jurisdiction notes*.

^ePersons of Hispanic origin may be undercounted due to ongoing changes in information systems.

^fPrisoners of Hispanic origin are included in Montana's individual racial categories.

^gState did not submit 2017 NPS data on race/Hispanic origin. Counts were imputed. See *Methodology*.

Source: Bureau of Justice Statistics, National Prisoner Statistics, 2017; and Federal Justice Statistics Program, 2017 (preliminary).



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Jeffrey H. Anderson is the director.

This report was written by Jennifer Bronson and E. Ann Carson. Zhen Zeng and Stephanie Mueller verified the report.

Edrienne Su and Jill Thomas edited the report. Tina Dorsey produced the report.

April 2019, NCJ 252156



NCJ252156

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How Hypothetical Changes in State Facility Admission Sentencing Requirements Could Potentially Impact SCDC and Local Facilities

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "22. Please provide, by county for each of the last three years, the number of inmates that would have remained in local facilities and total number of days they would have remained, if state law only allowed admission of inmates to SCDC who had each of the following: (a) At least 90 days remaining on their sentence; (b) Sentence length of six months; and (c) Sentence lengths of twelve months."

Calculation Method Explained

We have provided an estimate for the total number of days inmates would serve in local jails, but we cannot produce an exact figure without running a complex simulation for each of the last three years admissions. This simulation would involve extensive modifications to the release date calculation system to change the good time credit earning rate applied to the jail time credit for each conviction and eliminate mandatory service requirements for "no parole" offenses. Inmates often have multiple convictions with different sentence start dates, amounts of jail time credit awarded, parole eligibly/mandatory service requirements, etc. with some sentences running concurrently and others consecutively.

Per 24-13-210, the good time earning rate for inmates sentenced to the custody of SCDC is 20 days for each month served and the rate for inmates sentenced to the custody of local detention facilities is one day for every two days served. Per 24-13-150, the reduced good time earning rate and 85% mandatory service requirement for "no parole" offenses only applies to inmates sentenced to the custody of SCDC.

SECTION 24-13-150. Early release, discharge, and community supervision; limitations; forfeiture of credits.

(A) Notwithstanding any other provision of law, except in a case in which the death penalty or a term of life imprisonment is imposed, an inmate convicted of a "no parole offense" as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, is not eligible for early release, discharge, or community supervision as provided in Section 24-21-560, until the inmate has served at least eighty-five percent of the actual term of imprisonment imposed. This percentage must be calculated without the application of earned work credits, education credits, or good conduct credits, and is to be applied to the actual term of imprisonment imposed, not including any portion of the sentence which has been suspended. Nothing in this section may be construed to allow an inmate convicted of murder or an inmate prohibited from participating in work release, early release, discharge, or community supervision by another provision of law to be eligible for work release, early release, discharge, or community supervision.

(B) If an inmate sentenced to the custody of the Department of Corrections and confined in a facility of the department, confined in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, or temporarily confined, held, detained, or placed in a facility which is not under the direct control of the department, to include an inmate on a labor crew or any other assigned detail or placement, or an inmate in transport status, commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections. If an inmate sentenced to a local detention facility or upon the public works of any county in this State, even when temporarily confined, held, detained, or placed in any facility which is not under the direct control of the local detention facility, to include an inmate on a labor crew or any other assigned detail or placement, or an inmate in transport status, commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the credit he has earned may be forfeited in the discretion of the local official having charge of the inmate. The decision to withhold credits is solely the responsibility of officials named in this subsection.

SECTION 24-13-210. Credit given inmates for good behavior.

(A) An inmate convicted of an offense against this State, except a "no parole offense" as defined in Section 24-13-100, and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of twenty days for each month served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(B) An inmate convicted of a "no parole offense" against this State as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of three days for each month served. However, no inmate serving a sentence for life imprisonment or a mandatory minimum term of imprisonment for thirty years pursuant to Section 16-3-20 is entitled to credits under this provision. No inmate convicted of a "no parole offense" is entitled to a reduction below the minimum term of incarceration provided in Section 24-13-125 or 24-13-150. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(C) An inmate convicted of an offense against this State and sentenced to a local detention facility, or upon the public works of any county in this State, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined, and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of one day for every two days served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which good conduct credits must be computed.

(D) If an inmate sentenced to the custody of the Department of Corrections and confined in a facility of the department, confined in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, or temporarily confined, held, detained, or placed in any facility which is not under the direct control of the department, to include an inmate on a labor crew or any other assigned detail or placement, or an inmate in transport status, commits an offense or violates one of the rules of the facility during his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections. If an inmate sentenced to a local detention facility or upon the public works of any county in this State, even when temporarily confined, held, detained, or placed in any facility that is not under the direct control of the local detention facility, to include a prisoner on a labor crew or any other assigned detail or placement, or a prisoner in transport status, commits an offense or violates one of the rules of the institution during

his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the local official having charge of the inmate. The decision to withhold forfeited good conduct time is solely the responsibility of officials named in this subsection.

(E) Any person who has served the term of imprisonment for which he has been sentenced less deductions allowed for good conduct is considered upon release to have served the entire term for which he was sentenced unless the person is required to complete a community supervision program pursuant to Section 24-21-560. If the person is required to complete a community supervision program, he must complete his sentence as provided in Section 24-21-560 prior to discharge from the criminal justice system.

(F) No credits earned pursuant to this section may be applied in a manner which would prevent full participation in the Department of Probation, Parole and Pardon Services' prerelease or community supervision program as provided in Section 24-21-560.

Inmates Remaining in Location Facilities and Total Days Remaining if State Law Only Allowed Admission of Inmate:
to SCDC with At Least 90 Days Remaining on Sentence, FY 2016 through FY 2018**

COUNTY	FY 2016		FY 2017		FY 2018	
	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL
ABBEVILLE	2	45	0	0	0	0
AIKEN	12	377	15	533	10	231
ALLEDALE	1	60	0	0	0	0
ANDERSON	17	589	23	1,016	14	584
BAMBERG	0	0	0	0	0	0
BARNWELL	3	133	1	38	1	12
BEAUFORT	13	551	11	337	14	462
BERKELEY	12	492	11	350	15	764
CALHOUN	0	0	1	76	1	0
CHARLESTON	35	1,095	30	771	17	642
CHEROKEE	8	245	6	201	6	172
CHESTER	2	75	4	107	2	52
CHESTERFIELD	2	60	0	0	1	59
CLARENDON	0	0	2	151	4	168
COLLETON	1	28	0	0	4	160
DARLINGTON	2	0	3	30	1	29
DILLON	1	22	2	111	2	123
DORCHESTER	13	352	10	411	7	195
EDGEFIELD	3	60	0	0	1	28
FAIRFIELD	1	65	2	129	0	0
FLORENCE	9	379	8	329	13	463
GEORGETOWN	4	127	4	181	6	366
GREENVILLE	43	1,866	62	1,855	62	2,177
GREENWOOD	2	96	5	382	4	129
HAMPTON	0	0	0	0	0	0
HORRY	60	1,858	45	1,601	32	929
JASPER	2	120	1	45	6	149
KERSHAW	2	189	5	223	8	301
LANCASTER	3	120	5	255	8	275
LAURENS	9	233	6	367	9	302
LEE	2	41	1	19	3	101
LEXINGTON	28	894	51	1,770	28	839
MARION	7	308	2	50	6	199
MARLBORO	1	48	1	58	1	38
MCCORMICK	1	45	0	0	1	66
NEWBERRY	1	16	6	235	4	118
OCONEE	5	281	4	99	11	315
ORANGEBURG	6	194	13	301	8	215
PICKENS	9	312	15	377	11	391
RICHLAND	42	1,072	33	1,063	29	665
SALUDA	3	149	2	61	6	143
SPARTANBURG	30	1,310	39	1,251	47	1,875
SUMTER	17	297	15	427	13	471
UNION	1	8	5	248	2	106
WILLIAMSBURG	3	59	1	39	2	74
YORK	16	557	17	548	28	863
TOTAL	434	14,828	467	16,045	448	15,251

* New admissions to SCDC only. Excludes Safekeepers, Shock Evaluation, Juvenile offenders, offenders sentenced under the Youthful Offender Act (YOA), and YOA 5B.

** Days are estimated using earned goodtime specifications for local jails from SC Code 24-13-210.

**Inmates Remaining in Location Facilities and Total Days Remaining if State Law Only Allowed Admission of Inmates
to SCDC Who Had Sentence Lengths of More than Six Months, FY 2016 through FY 2018**

COUNTY	FY 2016		FY 2017		FY 2018	
	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL
ABBEVILLE	4	246	1	92	0	0
AIKEN	46	3,956	45	3,728	24	1,804
ALLENDALE	3	260	2	180	0	0
ANDERSON	39	2,870	26	2,047	13	866
BAMBERG	0	0	1	78	0	0
BARNWELL	8	612	6	531	1	73
BEAUFORT	23	1,725	17	1,287	10	474
BERKELEY	37	2,907	38	2,849	20	1,529
CALHOUN	1	118	2	228	1	117
CHARLESTON	49	3,466	30	1,960	10	774
CHEROKEE	11	837	9	878	3	129
CHESTER	4	225	3	107	2	52
CHESTERFIELD	12	1,005	7	697	4	358
CLARENDON	9	862	19	1,633	10	855
COLLETON	5	520	3	269	6	624
DARLINGTON	7	698	7	491	2	145
DILLON	10	791	7	610	7	533
DORCHESTER	12	828	13	988	7	346
EDGEFIELD	4	127	1	120	1	28
FAIRFIELD	3	293	4	381	2	228
FLORENCE	28	2,320	10	810	11	950
GEORGETOWN	5	282	10	746	1	118
GREENVILLE	124	10,103	118	9,223	87	6,287
GREENWOOD	13	1,119	6	376	10	795
HAMPTON	0	0	1	120	2	181
HORRY	100	6,857	71	5,110	45	3,225
JASPER	2	120	4	317	6	206
KERSHAW	9	876	10	789	7	381
LANCASTER	14	1,150	7	474	10	623
LAURENS	17	1,326	10	853	6	311
LEE	6	500	5	397	4	217
LEXINGTON	74	5,845	81	5,887	35	2,342
MARION	8	482	2	122	3	255
MARLBORO	3	260	4	409	2	158
MCCORMICK	3	258	0	0	0	0
NEWBERRY	4	387	11	790	6	417
OCONEE	9	684	6	519	15	694
ORANGEBURG	11	711	18	1,201	10	690
PICKENS	19	1,581	29	2,277	22	1,635
RICHLAND	48	3,489	33	2,147	25	1,950
SALUDA	8	727	7	632	7	411
SPARTANBURG	61	5,295	58	4,289	50	3,120
SUMTER	32	2,137	38	2,660	24	1,873
UNION	4	364	6	449	5	486
WILLIAMSBURG	4	297	0	0	3	194
YORK	31	2,594	28	2,213	41	3,102
TOTAL	924	72,110	814	61,964	560	39,556

* New admissions to SCDC only. Excludes Safekeepers, Shock Evaluation, Juvenile offenders, offenders sentenced under the Youthful Offender Act (YOA), and YOA 5B.

** Days are estimated using earned goodtime specifications for local jails from SC Code 24-13-210.

**Inmates Remaining in Location Facilities and Total Days Remaining if State Law Only Allowed Admission of Inmates
to SCDC Who Had Sentence Lengths of More than Twelve Months, FY 2016 through FY 2018**

COUNTY	FY 2016		FY 2017		FY 2018	
	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL	# INMATES KEPT IN LOCAL JAIL	DAYS INMATES WILL SERVE IN LOCAL JAIL
ABBEVILLE	14	2,273	2	324	3	498
AIKEN	72	8,524	75	8,162	43	5,035
ALLEDALE	5	592	4	500	0	0
ANDERSON	68	7,854	60	6,542	38	4,400
BAMBERG	3	515	1	78	1	235
BARNWELL	12	1,271	9	1,074	5	564
BEAUFORT	47	5,481	37	4,202	23	2,111
BERKELEY	47	4,640	56	5,936	39	4,129
CALHOUN	2	294	5	746	7	1,388
CHARLESTON	92	9,937	66	6,864	36	4,688
CHEROKEE	40	6,055	28	4,011	22	3,124
CHESTER	8	921	9	1,048	4	462
CHESTERFIELD	20	2,410	11	1,308	7	898
CLARENDON	12	1,367	31	3,873	18	2,294
COLLETON	14	2,086	12	2,034	16	2,033
DARLINGTON	21	2,656	19	2,427	7	1,048
DILLON	21	2,907	17	2,322	11	1,013
DORCHESTER	30	3,128	33	3,829	19	2,212
EDGEFIELD	5	302	5	868	4	523
FAIRFIELD	5	505	11	1,729	8	1,324
FLORENCE	59	7,317	48	7,218	38	5,233
GEORGETOWN	19	2,663	18	2,242	4	505
GREENVILLE	248	30,114	241	27,746	188	20,088
GREENWOOD	27	3,599	20	2,656	21	2,655
HAMPTON	2	367	6	1,082	2	181
HORRY	213	24,190	158	19,032	111	13,012
JASPER	6	605	7	745	9	513
KERSHAW	22	3,335	16	1,648	20	2,440
LANCASTER	25	3,306	28	4,280	25	3,327
LAURENS	34	3,686	22	2,638	17	1,717
LEE	8	874	12	1,562	6	618
LEXINGTON	125	13,659	155	16,016	74	7,269
MARION	25	3,161	20	3,304	21	2,699
MARLBORO	7	1,023	7	857	7	1,031
MCCORMICK	4	348	1	209	4	485
NEWBERRY	12	1,701	21	2,457	12	1,591
OCONEE	25	3,295	23	3,305	29	2,957
ORANGEBURG	30	4,458	34	4,143	30	3,379
PICKENS	47	6,022	68	8,255	75	10,101
RICHLAND	100	11,500	71	7,599	60	6,248
SALUDA	11	1,092	10	1,076	10	695
SPARTANBURG	186	26,788	162	20,039	136	15,326
SUMTER	50	4,948	67	7,747	47	5,406
UNION	25	4,304	24	3,588	23	3,533
WILLIAMSBURG	15	2,420	5	892	5	554
YORK	85	10,886	69	7,908	96	10,242
TOTAL	1,948	239,379	1,804	216,121	1,381	159,784

* New admissions to SCDC only. Excludes Safekeepers, Shock Evaluation, Juvenile offenders, offenders sentenced under the Youthful Offender Act (YOA), and YOA 5B.

** Days are estimated using earned goodtime specifications for local jails from SC Code 24-13-210.

Inmate Orientation Booklets

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "25: Please explain what occurs during inmate orientation."

SCDC responded to the question as follows, in addition to providing the information in this document, "Each inmate receives a brief orientation concerning the R&E process. All newly arrived inmates are provided written orientation booklet (please see attached) by the R&E personnel on the following minimum topics:

- SCDC policies and rules;
- Intake process;
- Prison Rape Elimination Act (PREA);
- Inmate grievance system;
- Institutional programs and services;
- Consular Notification;
- International treaty;
- Mail and visitation procedures; and
- HIV education.

Inmates receive institutional orientation upon transfer to their assigned institution. The orientation includes information on: scheduled meal times, classification, institutional rules, sexual misconduct, Prison Rape Elimination Act (PREA) guidelines, HIV education, educational and/or vocational opportunities, work assignments, canteen, and commissary. Information regarding sick call and visitation is communicated orally to inmates upon arrival at the institution."

Programs Reentry and Rehabilitative Services is working to begin the reentry process immediately upon entry into SCDC and to include the below in the inmate orientation process:

- Programs, Reentry, and Rehabilitative Services at R&E, with newly positioned staff, will provide information to offenders that will help them map their journey through incarceration. Inmates will begin to prepare for release beginning at Orientation.
- The Division is working on the implementation of a Risk/Needs/Responsivity Assessment that will drive the inmate toward necessary rehabilitative programs that lead to successful reentry.
- Inmates will be provided information on credentials, Social Security Card, Birth Certificate, State I.D./Driver's License.
- Begin family reunification process, check for accuracy of family contact information.
- Begin capturing educational level and occupation skills.
- Develop a plan to issue an Admission and Orientation (A&O) Handbook, which provides written overview of programs, services and other offerings. For example, the handbook will outline the various educational/vocational/job skills training programs and how inmates can get involved. They also provide a discussion on the faith based and recreational programs. The A&O handbooks provide a topical overview of many areas of prison life where self-improvement can take place.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
CAMILLE-GRAHAM RECEPTION AND EVALUATION CENTER**

Information Packet for R&E Inmates

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS CAMILLE-GRAHAM RECEPTION AND EVALUATION CENTER

GENERAL OVERVIEW

Below you will find general information that will answer many of the questions you may have during your time at the Camille-Graham Reception and Evaluation Center (CGR&E).

PERSONNEL:

M. Boulware- Warden	M. Griffin- Associate Warden of Operations
K. Small- Associate Warden of Programs/ Services	A. Williams- Major
T. Broome- Administrative Captain	C. Dillard- RHU Lieutenant
K. Alston- Intake Program Coordinator	B. Tucker- R&E Mental Health Manager
K. Phillips- R&E Medical	

GENERAL R&E INTAKE PROCESS: At admission, you will have an SCDC number assigned, be fingerprinted, be photographed, receive a general orientation regarding the R&E process and basic SCDC rules and regulations, undergo a series of test to determine various aspects of your education level, mental health, and medical concerns, be interviewed for additional relevant information, and receive a physical examination. You are encouraged to participate fully in this process and ask and answer questions to the best of your ability. This process will aid in determining your permanent institutional assignment.

STATUS: While at the Camille-Graham R&E Center you will be assigned to Intake Status and will be housed in living quarters consistent with your status. As an intake inmate, you will not be afforded all of the privileges and opportunities available to general population inmates. You will remain in Intake Status until you are transferred to your permanent institution.

WHILE YOU ARE IN INTAKE STATUS, CONTROLLED MOVEMENT WILL BE ENFORCED. YOU ARE REQUIRED TO WALK IN A SINGLE FILE LINE ON THE RIGHT SIDE OF THE WHITE LINE AND HAVE YOUR SCDC ID CARD DISPLAYED ON THE LEFT COLLAR OF YOUR OUTERMOST GARMENT AT ALL TIMES. When you leave your living area, you must have your ID card, cup and spork with you and always wear a bra and panties.

TRANSFER OF INMATES: The R&E unit makes every effort to move all inmates as quickly as possible to their permanent assignments. Sometimes there are delays because of bed space or other problems in gathering information for your record; therefore, you may see someone who has been here less time than you leave before you do. You must also be assessed and cleared by Medical and Mental Health before classification can transfer you to your permanent institution.

ORDER TO REPORTS (OTR): Order to Reports are issued by specific personnel and areas with information for appointments or meetings. They are mandatory

SPECIAL SERVICES: Pastoral Services, depending upon your individual needs, are generally available. To request counseling or an individual visit from the Chaplain, you should submit an inmate request to staff addressed to the Chaplain. There are mental health professionals available to help you handle stress, anxiety and other adjustment problems that you may have with incarceration. You may complete a written request to staff should you desire assistance.

COMMUNICATON SENSITIVITY: South Carolina Department of Corrections prides itself on adhering to the needs of our population. Please inform any R&E Personnel, if you have any concerns with communication difficulties to include hearing impaired or language barriers. SCDC will make every effort to ensure that you receive all needed services in a timely manner.

E.H. COOPER ACCOUNT: Family members and friends can deposit money into your E.H. Cooper Account through JPay. A money order deposit form and instructions are included in your orientation packet.

MAIL SERVICES: You will receive two (2) dated envelopes and writing material upon your admission to the R&E Center. Should your stay extend beyond 30 days, you will be re-supplied with additional envelopes and writing materials. You should use this material to notify your family of your whereabouts. You may send and receive mail. All mail must include your full name, SCDC #, unit and cell #. Your family may write to you and should address all correspondences as indicated below:

SAMPLE

Jane R. Doe, SCDC #123456
Camille-Graham Reception and Evaluation Center – BRE2240X
4450 Broad River Rd.
Columbia, SC 29210

All incoming mail will be opened and searched for contraband, but will not be read. Should you have legal mail with special circumstances, you should speak to your unit manager or officer regarding proper procedures. Any legal mail you receive will be given to you; however, it will be required to be opened in the presence of a staff member so that it too can be searched. All incoming mail must remain unsealed (open) for inspection, with the exception of legal mail.

VISITATION: Two (2) visits per month will be allowed for those who have been at Camille-Graham R&E for 30 days or more and will be more restrictive than in general population institutions. Visitation for intake inmates is on Wednesdays from 9:00am-11:00am with immediate family members on your approved visitation list. Your family must call (803) 896-1821 to schedule visitation.

COUNT: During count time, you must stand by your bed, fully dressed, and with your identification card properly displayed. There will be no talking or other activities during this time. You will remain standing until otherwise directed. Count times will be conducted at 5:30am, 12:30pm, 3:30pm, and 9:00pm. For the 9:00pm count, you must hold your identification card to the left side of your face and state your name, SCDC number, and bed assignment to the officer.

TELEPHONE PRIVILEGES: A PIN number will be automatically assigned to you within a few days of your arrival. You will be able to make collect telephone calls to those persons you have identified on your SCDC Form 2-2, Telephone Privilege Request Form. It takes approximately two (2) weeks to process your request for a PIN number. Refer to the telephone schedule posted in your unit. All phone calls are collect only and will be allowed each Tuesday and Thursday. **Attorney telephone calls** can be requested via request to staff form to your unit Lieutenant. Attorney calls will be conducted Monday – Friday from 9:00a.m. – 4:00p.m.

HYGIENE AND SANITATION: You will be expected to maintain proper personal hygiene at all times. You will be issued personal hygiene items upon your admission to R&E and will be re-issued items after 30 days if you have not transferred by then. You will be required to shower every Tuesday, Thursday, and Saturday as directed by the officer beginning at 6:00a.m.

Mandatory cell cleaning will be conducted every Monday, Wednesday, and Friday evening. Rooms are to be clean, beds completely made, and you are to be fully dressed between 8:00a.m. – 9:00p.m. You will be responsible for the daily cleaning of your cell and will be provided with the necessary items to accomplish this task. You are not permitted to place any items on your cell wall or door windows. If you flush any unauthorized items that require maintenance, you will be charged with Damage, Destruction of Property and a fee of \$5.00.

LAUNDRY: Laundry must be turned in prior to breakfast at 4:45a.m. on the days indicated below. Your items will be marked and sent to the Commissary. If your clothing or linens are soiled, request a trash bag from the dorm officer. Rinse the items in clean water and place in a trash bag for replacement of items. The laundry schedule is as follows:

- MONDAY – Whites will be placed in laundry bag (4 bras, 4 panties and 2 washcloths). Nightgown/towels will be washed in bulk.
- TUESDAY – Uniforms (turn in to R&E dorm workers and indicate correct uniform size).
- WEDNESDAY - Sheets (remove all knots prior to turning in.) Blankets will be washed monthly and you will be notified of the date.

- THURSDAY – Whites will be placed in laundry bag (4 bras, 4 panties, and 2 washcloths). Nightgown/towels will be washed in bulk.
- FRIDAY- Uniforms (turn into R&E dorm workers and indicate correct uniform size).

MEALS: Inmates will be escorted in groups of 30 to the Cafeteria for all meals and you must have your identification card, cup, and spork. There will be no talking outside your cell, while walking to or from the Cafeteria, and while eating. A medical pass will be required for additional snacks. Meal times are:

- Monday – Friday: 5:00am / 10:00am / 2:45pm
- Saturday and Sunday: 8:30am / 2:45pm

MEDICAL SICK CALL: Over the counter medications should be available in your living area for minor discomforts. These can be requested from the unit security staff. Should you feel that additional attention is needed, you will be required to sign up for sick call located on the unit near the exit door. Sick call is conducted Monday through Friday in the R&E Medical Area.

Dental needs should be placed on a staff request and placed in the box for appropriate processing.

The above information is general in nature. It will answer many of the questions that you may have. You are encouraged to keep this with you and share relevant information with your family members and friends.

PRISON RAPE ELIMINATION ACT

Pursuant to the Prison Rape Elimination Act (PREA), the South Carolina Department of Corrections (SCDC) has a zero-tolerance policy regarding sexual abuse and sexual harassment against inmates in correctional facilities, or patients confined in prisons or jails. The SCDC will identify and monitor those inmates who are vulnerable to sexual abuse and those who have a propensity to commit such acts and ensure that they are separated from each other. All persons who have contact with inmates will receive training on Agency sexual abuse and sexual harassment policies, including reporting procedures, the dynamics of sexual abuse in confinement, and how to detect and respond to signs of abuse. All inmates will receive orientation on their rights to be free from sexual abuse and sexual harassment and will be made aware of the procedures available to them for reporting acts of sexual abuse. The Agency will fully investigate all allegations and will take appropriate action pursuant to the outcome of the investigations.

Inmate Reporting Procedures:

- Inmates incarcerated in an SCDC facility may report any act of sexual abuse by calling *22, and/or *by* written or verbal reports to any Agency staff member, contract employee, volunteer, or the Division of Investigations, or SLED (address). The inmate can file a written report without giving his/her name or the name of the abuser(s). This information could also include an assault that occurred at any Correctional Facility, Detention Center, County Facility or while under community supervision, prior to or during his/her commitment to the SCDC. (4-4281-7)
- A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Any inmate conclusively found to have filed an intentionally false report alleging sexual abuse will be subject to disciplinary action through the Inmate Disciplinary System and/or criminal charges.

INMATE GRIEVANCE

The purpose of the grievance procedure is to provide inmates with a means to verbalize their complaints formally to the appropriate staff members within the institution. Grievances may be filed without retaliation. A grievance must be filed in a timely manner. An informal resolution must be attempted prior to the filing of a Step 1 Grievance by sending an Inmate Request to Staff Member form (RTSM) or a Kiosk request to the appropriate supervisor. You have eight (8) working (8) days from the date of the incident to attempt an informal resolution. (Request to Staff Member Form RTSM).

Once you receive a response to your RTSM from the appropriate supervisor, you have eight (8) working days from the date of the appropriate supervisor's signature to file your grievance. You cannot file a grievance without attempting the informal resolution first and you must wait on a response to your RTSM that also must be included with your grievance when it is filed (a copy of the paper RTSM attached or the reference number of the Kiosk request).

If you are convicted of a disciplinary, you have five (5) working days from the date of the hearing to file a grievance and an informal resolution is not necessary.

Certain issues are non-grievable: such as institutional and security assignments, institutional jobs, cell/dormitory or cubicle assignments, administrative transfers, informal or administrative charges unless the sanction imposed was excessive in relationship to the rule violation; grievance(s) against an Inmate Grievance Coordinator for not processing a grievance; disposition on another grievance, on an affidavit presented to the court by an employee, status of a pending grievance and any issue outside the control of the Department of Corrections such as court decisions, state and federal laws and regulations, parole board decision and any other matter outside of the control of the Agency. Policy GA-01.12, located in the SCDC Policies and Procedures Manuals in the KCI Law Library, provides guidelines and procedures for inmate grievances. The grievance office is located in the main administration building. Grievance Step 1 forms may be picked up from the living area. If you are housed in the Restrictive Housing Unit, grievance step 1 forms may be requested from security staff.

The form must be completely filled out with your name, SCDC number, institution, work assignment, and housing unit. State your grievance clearly. List date of incident, time and names of staff/inmates involved.

TRANSPORT TO FUNERAL, BODY VIEWING OR DEATH BED VISIT

Governor McMaster signed into law SC Statute 24-3-220, instituting the transport of inmates to either a death bed visit, body viewing, or funeral of specific relatives to the inmate. Certain criteria must be met in order for this transport to occur:

- The ill or deceased must be an immediate relative (parent/parent substitute, spouse, children, siblings, grandparents, grandchildren) and the relative must be listed on the inmate's visiting list or relative screen in our system.
- No disciplinary convictions within the past 12 months.
- The inmate's escape history and STG/gang affiliations will be strongly considered.
- The inmate is currently housed in RHU, SSR, Death Row, or other restrictive housing area.
- The inmate has attempted, planned, or participated in escape attempts.
- The inmate has had a disciplinary conviction within the past year.
- The inmate has been convicted of a statutorily violent crime.
- The inmate has been convicted of a sex offense.
- The community is in opposition to the inmate's transport.

If all requirements are met, the Warden must determine if he/she will have the appropriate staffing at their institution to accommodate the transport. If not, then the transport will not be approved.

SCDC will attempt to accommodate these transports if they can be done safely and not jeopardize the institutional safety.

Funeral and Hospital Visit Transport – Information for Your Family: Families may now request that a current SCDC inmate attend the viewing or funeral of a deceased relative or visit a sick relative in the hospital when the sick relative is near death. Inmates will ONLY be eligible to attend one (1) service/visit – a hospital visit OR a viewing OR a funeral (not to include graveside). They may not make more than one visit. Listed above are the only family members whose imminent death, viewing, or funeral qualifies for an inmate transport.

DO NOT CALL to request transport for an inmate until you have all of the information needed for SCDC to process the request. Once you have gathered the following information, please contact the institutional Chaplain to submit your request:

- The inmate's name and SCDC number, if you have it.
- The name of the sick or deceased and that person's relationship to the inmate.
- The location and time of the hospital visit, viewing, or funeral.
- Your name, phone number, and relationship to the inmate so that SCDC may contact you once the request is processed.

The list of Chaplains can be found at <http://www.doc.sc.gov/programs/volunteers.html#Chaplain> – Contact Information

Costs for the transport must be paid by the inmate or inmate's family on their behalf. These costs must be paid in advance at least 24 hours prior to transport.

If the fee will be paid by a third party on behalf of the inmate: The fee may be provided by a third party on behalf of the inmate. ONLY approved money orders will be accepted for this fee. The money order will be made out to SCDC and include the inmate's name, SCDC number, and a description of the service. The third party must hand carry the money order to the Business Manager/designee or Chaplain/designee at the institution where the inmate is housed.

If the fee will be paid by the inmate: If the fee is to be paid by the inmate, the funds must be available in the inmate's E.H. Cooper account at the time of the request for transport.

Please note this is ONLY a request. Not all inmates will be eligible for transport. Once the request is processed, an SCDC employee will notify you of the decision.

MAILROOM

When can I receive or send mail?

Mail is issued and taken up Monday through Friday.

How do I obtain notary services?

Notary services are done by **appointment only** and must be requested via request to staff member to the Mailroom. Please wait for your appointment by OTR.

How do I obtain legal supplies or mail out legal?

Legal mail outs and supplies are handled during normal R&E intake mailroom hours. Inmates **with funds** may mail to any legal entity. Indigent inmates (**inmates without funds**) must show proof of active litigation or formally initiated litigations in order to receive legal supplies.

How do I tell if I'm indigent?

An inmate with an account balance of \$6.43 or less for 30 days or more is considered indigent.

Can I send a check home?

No, however, in a case of emergencies, a staff request may be presented to the Warden for approval on a case by case basis.

Can an inmate use or borrow an envelope from another inmate?

Inmates are **not** allowed to loan, share, borrow, or trade issued items with each other. In addition, inmates may not abuse supplies by using any SCDC forms as personal paper. You may not use supplies brought from the county either. These items are considered contraband and will be treated as such.

Outgoing Mail: Only legal mail may be sealed. Personal mail must be submitted tucked and unsealed. Place all mail in the mailbox located in the unit. Do not use the mailbox on the compound or it will be returned to you.

Incoming Mail:

Intake inmates may receive letters and cards. Common items that may keep an inmate from receiving mail:

- Incorrectly addressed mail. The return address must be complete to include the sender's name. Inmate's address must be complete to include the SCDC # and dorm/room #.
- Additional markings on the envelope (drawing/writing other than sender and inmate information is prohibited).
- Perfume/cologne/body spray on the envelope/letter.
- Stickers on the envelope/letter or cards with attachments.
- Completed visitation forms (SCDC Form 19-127)

In addition, R&E intake inmates are not allowed to receive books, magazines, newspapers, writing supplies, (ex: stamps, paper, envelopes), cash, or **pictures**.

What is a SCDC Form 10-7, Rejection Notice?

A rejection notice is given for any contraband item found in incoming/outgoing inmate mail. Contraband is defined in SCDC Policy PS-10.08, Inmate Correspondence.

Outgoing Mail Rejection Notices

If an inmate attempts to mail out contraband, the mail (all contents) will be automatically forwarded to Contraband per policy PS-10.08. Concerns may be addressed via Request to Staff to the mail room.

Incoming Mail Rejection Notices

R&E inmates may **NOT** receive pictures. Any mail received with pictures for R&E inmates will be automatically returned to sender at the inmate's expense (if funds are available) or sent directly to Contraband (if no funds are available) with all contents. (Policy PS-10.08, section 6.1.10)

Rejection notices issued for the following contraband items will be sent directly to Contraband with all contents:

- Any correspondence/envelopes with perfume/cologne/body spray/oils, lipstick, body secretions or unknown substances.
- Any correspondence that is laminated/covered in plastic, or contains any magnets.
- Disapproved/unauthorized inmate to inmate correspondence.
- Anything to eat, drink, or smoke, any appliances, and any hygiene items.
- "Bill me later," free gift transactions, or any solicitation materials may not be sent or received.

Rejection notices for "other" contraband will have the following options and must be returned to the mailroom within **10 days** via the mailboxes:

- Return to sender at inmate's expense:
 - Check the first line "The correspondence is being returned to sender at your expenses by using Form 10-14 agreement to debit E.H. Cooper Account." Sign and date at the bottom.
- Remove contraband and receive remaining items:
 - Check the "other" block at the bottom, write "remove contraband and receive remainder" on the line, sign and date the bottom.
- Send all contents to contraband:
 - Check the third line "By my signature below I choose to have this correspondence disposed of pursuant to SCDC Policy 22.02," sign and date at the bottom.

Inmates will have 10 days from the date of the notice to make a decision in regards to their rejection notice. Any notices received after the 10 day deadline will be returned to the inmate and the correspondence in question will automatically be returned to the sender at the inmate's expense. If the inmate does not have funds, the mail will be destroyed after 30 days in accordance with SCDC Policy OP-22.03, Authorized Inmate Property and Disposition of Unauthorized Property, and SCDC Policy OP-22.35, Contraband Control.

MENTAL HEALTH SERVICES

SCDC is committed to providing all inmates access to mental health care based on documented policies and procedures. Provisions of mental health services include inmate assessment and evaluation, suicide prevention, special needs care, referrals for care, ongoing care, and discharge planning.

Upon arrival at the Reception and Evaluation Center, all intake inmates will receive a comprehensive mental health screening and evaluation by a Qualified Mental Health Professional. Referrals for further evaluation with a Licensed Psychiatrist will be made based on information received from the comprehensive assessment and Continuity of Care form (if provided by transferring county facility).

An individual's level of mental health care is taken into account when classifying and assigning to a permanent institution.

MEDICAL SERVICES

All New Receivers will have a physical exam to include specified lab work as part of her in-processing to R&E. This is your opportunity to inform and explain any medical conditions and or physical limitations you may have. Ensure that you make all medication /medical requests at this time as only the physician may prescribe medication, equipment, make referrals and order items on your behalf.

Medical Services will be provided from the hours of 7:00 a.m. to 6:00 p.m., Monday-Friday, and 7:00 a.m. to 6:00 p.m. on Saturday and Sunday. The following services will be provided:

A. Sick Call Procedures:

- a. Sick call hours are Monday through Friday starting promptly at 7:30 a.m.
- b. To request sick call, place a completed sick call slip in the silver box on the unit near the exit door.

- c. Inmates must report to the R&E Medical Area when called. If you do not respond, you will be considered a "No Show" and you will have to sign up again.

All inmates who received medication must present your inmate ID card and take the dose in front of the nurse. Failure to do so or altering pill packs will result in disciplinary action.

There is a \$5.00 co-pay for sick call and a \$5.00 co-pay each for prescriptions up to a total of \$15.00 per month. If you do not have sufficient funds in your account to cover medical co-payments, you still will be allowed sick call, prescriptions, etc. and your account will be debited (charged when you have funds available).

- B. **M.D. Clinic:** For all M.D. Clinics, an Order to Report will be sent informing you of your scheduled medical appointment. If you are not present at your scheduled time, you will be considered a "No Show." A new request will have to be completed and turned in (there is no charge for medical clinic unless you receive a prescription, then you will be charged a \$5.00 co-pay).
- C. **Dental:** All requests to see the dentist should be placed on a staff request and placed in the box for appropriate processing.

Medications:

- **Prescriptions-** There is a \$5.00 co-pay for each prescription up to a total of \$15.00 per month
- **Mental Health Prescriptions-** There is NO co-pay for mental health medications and will be continued upon arrival to SCDC as long as there is documentation from your county indicating the medication name, dose, and frequency.
- **Refills-** Fill out the medication refill sheet and place in blue mail box seven (7) days before medication runs out.

The following over-the-counter medicines are available in the inmate living areas:

Tylenol
Maalox
Milk of Magnesia
Motrin

If you are dissatisfied with the medical services being provided, please submit a Request to Staff to the medical staff. If the problem is not resolved, you may go through the grievance process.

VISITATION INFORMATION FOR INTAKE INMATES

1. Visitation is permitted for any intake inmate who has been located at the Camille-Graham R&E Center for 30 days or more.
2. Visitors are restricted to immediate family members:
 - Mother, father, children (to include step-children and adopted), siblings, grandparents, great grandparents, spouse, grandchildren, and great-grandchildren.
 - All visitors must be on your approved visiting list.
3. Intake inmates are limited to a maximum of three (3) visitors per visit. Each of the inmate's children, if approved, will be authorized to visit with the inmate. Visiting hours are Wednesdays from 9:00am-11:00am.
4. Only two (2) visits are allowed per month and will be no more than two (2) hours in duration. Visits must be scheduled in advance through the Camille-Graham R&E Classification personnel. No visits will be scheduled with family members until you have been at the R&E Center for 30 days; therefore, you should advise your family members of this rule. **After 30 days, your family may call the following phone number on Monday and Tuesday only between the hours of 8:00 a.m. and 12:00 p.m. to schedule a visit.**

PHONE NUMBER: (803) 896-1821

Information regarding visitation is distributed to you upon admission. It remains your responsibility to provide visitor data forms and rules and regulations to family members and have them forward completed forms to the Central Visitation Center. It is also your family member's responsibility to confirm that you are still at the Camille-Graham R&E Center and not on visitation restriction prior to arrival for a scheduled visit.

INMATE DISCIPLINARY POLICY

Written Explanation of SCDC Policy OP-22.14, "Inmate Disciplinary System," Issued to New Admissions to SCDC – Current version dated 2018. Complete policy can be reviewed in institution's Law Library upon permanent assignment to an institution. Inmates in INTAKE status can review this policy by submitting a request to the correctional staff in your living area.

To promote the order and maintain the security and safety of the South Carolina Department of Corrections (SCDC), the SCDC has developed an Inmate Disciplinary System to provide appropriate redress and sanctions for violations of any Agency rules and regulations and federal/state statutes by inmates. The administration and application of the Inmate Disciplinary System will be completed in compliance with all applicable state and federal statutes, rules and regulations, and in a manner that ensures inmates are afforded adequate due process protection. All inmates under the custody of the SCDC are required to abide by the rules and regulations established by the SCDC. Inmates who violate any of the rules and regulations of the SCDC may be subject to disciplinary action under the terms of this policy. When an inmate has committed a crime, criminal prosecution may also be pursued.

Inmates charged with rules violations will be present at their disciplinary hearings unless he/she has waived the right to be present or his/her behavior prior to or during the hearing justifies their exclusion. Penalties for disciplinary offenses are concurrent. More than one type of sanction may be imposed for a disciplinary offense. Types of Privileges that can be taken: Canteen, Television, Radio, Visitation, Telephone, Personal Property, Employment in Prison Industries, or Other Privileges/Leisure Activities, Restitution.

At the conclusion of the hearing, the Hearing Officer will inform the inmate of his/her right to appeal the decision of the Hearing Officer with respect to guilt or to the penalty imposed by using the inmate grievance procedure. An inmate can file a grievance to a Disciplinary Hearing to appeal a conviction following an innocent plea, or to appeal any guilty verdict due to alleged technicalities or misinterpretation of evidence, or to appeal a sentence when the sanction imposed was allegedly not proportionate to the rules violation. Appeal rights are not applicable to charges resolved informally or administratively.

If the inmate requests, a SCDC Form 10-5, "Step I Grievance Form," will be provided to the inmate by the Hearing Officer (see SCDC Policy GA-01.12, "Inmate Grievance System"). (NOTE: Inmates may request the assistance of the Institutional Inmate Grievance Coordinator to assist them in completing their grievance form if they are unable to read or write or have a language barrier.) The appeal must be initiated by the inmate and must be filed in accordance with the process described in SCDC Policy GA-01.12 or the inmate forfeits all rights to appeal. If the inmate is not satisfied with the Agency's final Step 2 decision, they may file an appeal with the Administrative Law Court if accrued good time was taken or the inmate failed to earn good time as a result of a disciplinary hearing. NOTE: Refer to GA-01.12 for the appeal process to the Administrative Law Court.

SCDC DISCIPLINARY OFFENSES

1. **RULES VIOLATION DEFINED:** The following disciplinary offenses represent violations of the SCDC inmate rules. A violation of these rules may consist of any of the following:

- Engaging in the specified behavior;
- Attempting to engage in the specified behavior;
- Conspiring to engage in the specified behavior; or
- Aiding others in engaging, attempting to engage, or conspiring to engage in the specified behavior.

2. **LIST OF DISCIPLINARY OFFENSES:** The following is a list of the titles and code numbers of disciplinary offenses.

Level 1 Disciplinary Offenses

- **801 Assault and/or Battery of an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public with Means/and/or Intent to Kill or Injure:** The willful hitting, striking, or unauthorized touching of an SCDC employee or other government agency employee, contract employee, volunteer, or member of the public with or without a weapon or the throwing of any substance at or on an SCDC employee or other government agency employee or contract employee who is exercising legitimate authority over an inmate, when such hitting, striking, throwing, or unauthorized touching causes bodily injury.
- **802 Sexual Assault: Forcing another person, by violence or threats of violence, or any other form of coercion to perform a sexual act.** (A sexual act is any intentional contact between the genitals of one inmate and the genitals, mouth, anus, or hands of another person.)
- **803 Riot:** When an inmate, with two or more persons, intentionally participates in conduct that creates danger of damage or injury to property or persons and substantially obstructs the performance of unit operations or institutional operations.
- **804 Homicide:** The killing of any person with/without malice, advance thought, either expressed or implied.
- **805 Hostage Taking:** The act of any inmate acting alone or with others who by threats, coercion, intimidation, or physical force, takes, holds, or carries away any person as a hostage for any reason whatsoever.
- **806 Any Act Defined as a Felony by the Laws of the State of South Carolina or the United States and not otherwise** Defined in these Rules. (State Criminal Statute must be provided.)
- **808 Fighting With a Weapon:** Any group of two or more inmates who engage in a physical altercation with any instrument used for the purpose of inflicting physical injury on any person.
- **811 Possession of a Weapon:** The actual or constructive possession by an inmate of any instrument that could be used to inflict physical injury on any person.
- **857 Assault and/or Battery of an Inmate with Means and/or Intent to Kill or Injure:** The willful hitting, striking, throwing of substances, or unauthorized touching of an inmate with or without a weapon by another inmate, when such hitting, striking, throwing, or unauthorized touching results in great bodily injury.
- **897 Possession of Security Equipment/Property:** The unauthorized possession and or use of security equipment/property of SCDC or that of an outside source. Unauthorized items may include, but not be limited to, institutional security keys, restraints, chemical munitions, employee ID cards, crafted devices, i.e., hand cuff keys, institution keys, or dummy like objects, (for escape/attempt escape purposes), etc. This offense also includes the possession of any materials and/or drawings that could be used in the creation of institution keys.
- **898 The Possession of Any Communication Device:** The possession, receipt, use, concealment, storage, purchase, sale or facilitation of cellular phones or other communications equipment and/or any components thereof. This includes, but is not limited to, MP3 players, I-pods, e-readers or any like devices.
- **901 Class I Escape:** Any escape, attempted escape, or aiding/abetting escape from a Level 2 or 3 Institution or from medium or maximum custody at a local detention center. Also includes escape from a Level 1 Institution or minimum custody at a local detention center that involves any threat of violence, physical harm, or other aggravating circumstances. Aggravating circumstances may also include any criminal behavior that occurs while the inmate is on escape status. NOTE: Should an inmate assigned to an outside detail at any level institution, walk-off (with no aggravating circumstances), should be classified as a Class II escape.
- **902 Class II Escape:** Any escape, attempted escape, or aiding, abetting escape from a Level 1 Institution or minimum custody at a local detention center that does not involve any threat of violence, physical harm, or aggravating circumstances.
- **903 The Trafficking, Use, and/or Possession of Narcotics, Marijuana, or Unauthorized Drugs, including prescription drugs, Inhalants, Intoxicants and Synthetics.** It is a violation of this section for an inmate to: Actually or constructively traffic, use, or possess drugs or intoxicants of any type or description (except those prescribed by an authorized physician and within authorized amounts and expiration dates) such as but not limited to: barbiturates, narcotics, medicines, marijuana, poisons, inhalants and synthetic cannabinoids; as well as all drug paraphernalia, such as but not limited to: needles, syringes, pipes, rolling papers and straws. Officers may rely on their training and experience to identify any intoxicating substance or paraphernalia where no available scientific tests have been created and/or confirmed credible. Substances which cannot be identified by the officer through their training and experience will be considered contraband and subject to an 817 Possession of Contraband charge unless the inmate can prove by a preponderance of the evidence at the disciplinary hearing that the substance was either: (1) issued to the inmate officially; (2) purchased in the institutional canteen; (3) authorized

by the Warden and/or Agency policy; or (4) issued to the inmate by SCDC. This rule violation encompasses the "hoarding" of authorized prescribed medication by any inmate(s), or inmates who having accepted their medication, then failed to ingest the medication at the time they are issued it at the pill call. Or; Under, or feign (pretend) to be under, the influence of any intoxicant, other than one prescribed by an authorized physician, which creates an altered state of physical or mental activity. The observation and documentation by institutional staff of inmates exhibiting behavior such as paranoia, panic attacks, giddiness, agitation, hallucinations, psychosis, unexplained hypertension (high blood pressure), tachycardia (increased heart rate), vomiting, seizures, foaming at the mouth, blurred vision, total memory loss, inability to feel pain, suicidal thoughts, uncontrollable aggression or any other symptoms which through the staff member's training and experience would lead them to reasonably believe the inmate is under the influence of a drug or intoxicant would be sufficient to justify this charge. A voluntary admission by an inmate that they are intoxicated, whether spontaneously uttered or as a result of questioning by institutional staff, can be considered in making this charge but is not, in itself, enough to justify the charge.

Test positive for any unauthorized drug or intoxicant, refuse to submit to a drug test, or fail to produce a specimen within three (3) hours, as specified in SCDC Policy GA-03.03, "Inmate Drug Testing/Screening Program."

- **904 Possession of Escape Tools and/or Paraphernalia:** The actual or constructive possession of any tool, device, document, drawing, or any other item that could be used to plan or execute an escape from a correctional institution.
- **905 Creating and/or Assisting with a Social Networking Site:** The facilitation, conspiracy, aiding, abetting in the creation or updating of an internet web site or social networking site. **Photos of the inmate taken within an SCDC facility and/or of inmate in SCDC uniform may be used to support this charge.**
- **907 Attempted Escape or Breach of Restricted Area:** If an inmate is found to have damaged property (i.e. windows, flooring, fencing, ventilation system, etc.) in an effort to facilitate access to restricted areas, or if an inmate is caught out of place in a restricted area and/or beyond general population areas/fencing, in an attempt to escape or for any other reason, they are to be charged with this offense.

Level 2 Disciplinary Offenses

- **807 Striking an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public:** The willful hitting, striking, spitting, or unauthorized touching of an SCDC employee or other government agency employee, contract employee, volunteer, or member of the public with or without a weapon or the throwing of any substance at or on an SCDC employee, other government agency employee, contract employee, or volunteer who is exercising legitimate authority over an inmate, when such hitting, striking, throwing, or unauthorized touching does not cause bodily injury.
- **809 Threatening to Inflict Harm on/Assaulting an Employee and/or Members of the Public:** Communication, verbal or written, by an inmate to an individual, or any other person, that s/he intends to injure that person or commit a violent or unlawful act dangerous to human life, presently or in the future; or one who commits a physical act of a threatening nature, and the probable result of such threats or action is to place the individual in fear of bodily injury; or one who causes evacuation of a building; or one who creates serious disruption or alarm. Any unauthorized body contact of an employee or member of the public which creates serious alarm, but does not result in bodily injury.
- **810 Striking an Inmate With or Without a Weapon:** The willful hitting, striking, throwing of any substance at, or unauthorized touching of one inmate by another inmate with or without a weapon, whether or not such hitting, striking, or unauthorized touching causes bodily injury.
- **812 Robbery with Force:** The taking of property of another person in that person's presence with use of force and violence which places that person in fear of his/her safety by the use of such force, violence, or threats.
- **813 Throwing/Exposure of any Substance or Object on an SCDC Employee or other Government Employee, Contract Employee, or Volunteer:** The throwing or exposure of any substance, to include bodily secretions, at or on an SCDC employee or other government agency employee, contract employee, or volunteer who is exercising legitimate authority over an inmate, whether or not such throwing causes bodily injury. This includes exposure of bodily secretions (fluids) through an inmate's outgoing correspondence.
- **814 Inciting/Creating a Disturbance:** Any act or activity which results in a disruption of institutional operations or a breach of institution security. Any inmate who purposefully incites or urges a group of two or more other inmates to engage in a current or impending disturbance of institutional operations or gives commands, directions, instructions, or signals to a group of two or more persons to cause, continue, or enlarge a disturbance. An inmate

may be found guilty of this violation even where no disruption of institutional operations actually occurs as a direct or indirect result of his/her actions. A disturbance as used herein is an assemblage of three or more persons which creates grave danger or damage or injury to property or persons and/or substantially disrupts the normal functioning of the institution.

- **820 Damage, Loss, Destruction, or Defacing of Property Valued at 100.00 or more:** The intentional or reckless damaging, destroying, or disfiguring property belonging to a government agency, a private citizen, an employee, or another inmate. Possession of damaged, destroyed, or disfigured property and the negligent loss of property also qualify as a violation of this offense. (NOTE: This does not include cases in which an inmate loses his/her ID card or issued room key. In these cases, the inmate will be required to pay a replacement fee for such items and will not be processed pursuant to these procedures. See also, SCDC Policies OP-21.06, "Inmate Identification Cards," and OP-22.17, "Key Control," for information regarding the processing of replacement fees.) This charge must be forwarded to a Disciplinary Hearing.
- **822 Sexual Misconduct:** (1) Engaging in consensual or non-consensual sexual acts or intimate physical contact of a sexual nature with other inmates; or soliciting sexual acts from other inmates, or engaging in any form of sexual harassment. Also, engaging in any non-consensual sex act with an employee, visitor, vendor, or volunteer, to include intimate physical contact or solicitation of sexual acts. This charge must be forwarded to a Disciplinary Hearing.
- **832 Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (STG) or STG Activity:** Any participation of any inmate in any organization which has not been approved or any informal organization, association, or group of three (3) or more inmates that has a common name, and whose members or associates engage or have engaged in activities that include planning, organizing, threatening, soliciting, or committing unlawful acts of misconduct classified as serious threats or potential threats to the safety and security of the public, the Department, employees, visitors, and/or other inmates, or any other group that has been designated a Security Threat Group by the Agency Director. Possession of STG material is sufficient to warrant this charge.
- **854 Exhibitionism and Public Masturbation:** (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any manual stimulation of one's exposed or unexposed genitals in a public setting, or in the view of a staff member or other person.
- **855 Smuggling and/or Conspiracy to Smuggle in Contraband:** Any inmate found to have conspired, aided, or acted in collusion with any person, or acting alone with the intent of introducing any form of contraband into any SCDC facility. Conspiracy, aid, or collusion may be defined as using any form of communication or providing any type of assistance with/to any person where plans are made with the intent of introducing contraband. The physical possession/receipt of the contraband by the inmate is not needed to support this charge. An inmate can be charged with this offense if his/her approved visitor is caught bringing in contraband and it is reasonable to believe that the visitor's intent was to supply the inmate with the contraband.
- **858 The Use or Possession of Practice GED Cheat Sheet, the Official GED Test, Any other Standardized or Educational Test, or Standardized Educational Materials Not Authorized for Use by the Inmate:** Possession of, attempt to use, or provide others with a cheat sheet and/or answers to the GED questions, or other educational materials with the intention to gain unfair advantage in securing a passing score on the Practice GED Test, the Official GED Test, or any educational test administered or overseen by the Palmetto Unified School District. (NOTE: Any inmate convicted of this offense will also be prohibited from taking the GED Test while incarcerated.)
- **861 Harassment and/or Intimidation:** ADA Issues: The harassment, discrimination, retaliation, coercion, intimidation, threatening or abusing of any inmate, by any person, if that conduct is based in whole or in part on the victim's status as having a disability. This includes the revealing of any medical condition of an inmate by anyone with malice or ill will. Disability: a condition (such as an illness or an injury) that damages or limits a person's physical or mental abilities (e.g., blindness, deafness, loss of movement or ability to walk, being HIV Positive, hearing impairment, psychiatric condition, etc.)
- **895 Inmate ID Card Violations:** The following are violations of this infraction:
To have possession of another inmate's ID card; to give another inmate possession of your ID card, or another inmate's ID card; to give your ID card to anyone not authorized to have possession of your ID card; the forgery of ID cards; any other actions or use of an ID card that is inconsistent with the ID card's purpose.

- **896 Unauthorized wearing, possession and/or providing Agency uniform(s):** The wearing, possession and or providing of any Agency uniform is a serious offense as it relates to inmate identification, institutional order and security.
- **906 Possession of a Purchasing Instrument:** The actual or constructive possession by an inmate of any item which may be used to buy, sell, or exchange any commodity/service from any individual, whether that commodity/service is authorized or unauthorized. This includes, but is not limited to, cash, green dot cards/numbers, pre-paid phone cards, personal or blank checks, money orders or postage stamps.

Level 3 Disciplinary Offenses

- **815 Evading a Security Device:** The act of an inmate to obstruct, tamper with, or jam any opening, closing, or exiting of a cell door, food flap, locks, any restraint devices, and/or secured area(s).
- **816 Trafficking and Trading:** The buying or selling or unauthorized exchange of any commodity from any individual within the institution, other than authorized purchases from the canteen (evidence may include an excessive inventory of marketable items).
- **817 Possession of Contraband:** The possession of any unauthorized, altered or excessive property, including **unmanned aircraft systems or drones**, tobacco products, gambling paraphernalia, unauthorized publications and unauthorized clothing. The possession of tobacco in a quantity larger than 40 grams is enough to reasonably assume that the intent of the possession was for distribution to other inmates and can be heard as a major disciplinary. Unauthorized property is any item to include keys not assigned to the inmate by the Department or purchased by the inmate from the canteen.
- **818 Use of Obscene, Vulgar or Profane Language or Gestures:** The act of any inmate who verbalizes or writes lewd or indecent notes or letters to another person, or makes gestures or actions that are discourteous or disrespectful in nature, when the person who receives verbal statements, notes, letters, gestures, or actions complains of such.
- **819 Stealing:** Intentionally taking any property belonging to a government agency, a private citizen, the State, an employee, or another inmate.
- **821 Gambling and Loan Sharking:** Any inmate who bets, lends, offers to lend, borrows or attempts to borrow anything of value from another person, or organizes the outcome of any event, including sporting contests. The possession of gambling paraphernalia may be sufficient evidence.
- **823 Fighting Without a Weapon:** Any group of two or more inmates who engage in a physical altercation involving mutual combat and or horseplay.
- **824 Threatening to Inflict Harm, Physical or Otherwise/Assault, on Another Inmate:** The communication, verbal or written, by an inmate to another inmate that s/he intends to injure or commit a violent act, dangerous to human life, presently or in the future; or commits a physical act of a threatening nature placing another inmate in fear of bodily injury, causing evacuation or serious disruption.
- **825 Refusing or Failing to Obey Orders:** Noncompliance with a legitimate order from an SCDC employee or other government/contracted employee who is in a position of authority over the inmate. This includes resisting arrest or failure to follow written policy/procedure requirement (i.e., grooming standards, etc.). The act of any inmate whose actions interfere with or tends to interfere with anyone in pursuit of their assigned duties.
- **826 Refusing to Work:** Refusing to begin or complete a work assignment without a legitimate reason, such as illness.
- **827 Refusing to Attend the Compulsory Mandatory Program:** The refusal of any inmate who scores below an eighth grade reading or math level to enroll/attend/participate in school and/or the refusal of any inmate to attend or participate in any compulsory (mandatory) program.
- **828 Out of Place:** The act of an inmate who without authority either fails to report to his/her appointed place of duty or assignment or any other place to which he/she was ordered; leaves his or her appointed place of duty or assignment; is found to be in an unauthorized area; or does not have specific approval to be in an unauthorized area of the institution or any area of the institution.
- **829 Failure to Work:** Failure to complete a reasonable amount of an inmate's work assignment within a reasonable period of time, or sleeping on the job.
- **830 Mutiny:** When two (2) or more inmates conspire and refuse, as a group, to work, move, return to their cells or cubes, and/or create a work stoppage or other similar activity.

- **831 Lying to an Employee or Knowingly Making False Statements:** The intentional making of untrue statements by an inmate or any inmate who makes a false statement under oath, makes inconsistent statements which are false, or makes a false statement to or against an employee or anyone. The act of any inmate who gives an untrue statement deliberately or a false impression to any SCDC employee, contracted employee or to an employee of a government agency which has authority in supervising the inmate.
- **833 Abusive Treatment of an Animal, Including Carnal Relations With an Animal:** Any physical maltreatment or improper misuse of an animal and/or engaging in sexual activities with an animal.
- **834 Any Act Defined as a Misdemeanor by the Laws of the State of South Carolina or the United States Not Otherwise Defined in these Rules:** (State criminal statute must be provided).
- **835 Forgery or Possession of Any Forged Document:** The act with intent to defraud or deceive another person by falsely making, completing, or altering any document; or knowingly issuing or possessing such an instrument.
- **836 Disrespect:** The failure of any inmate to observe proper decorum or who willfully engages in action or make statements to a person which are discourteous in nature, which may or may not include the use of profanity.
- **837 Interfering with Count:** Failure to stand for count, movement during count which may create confusion or distraction of any kind, or activity by any inmate which may disrupt concentration or the orderly counting of inmates.
- **838 Soliciting Improper Relationships:** Assistance from an Employee or an Inmate to Violate an Agency Rule or an Employee Rule: The act of any inmate who willfully induces any person to do or agree to do any act in violation of his/her lawful duty or in violation of SCDC rules and regulations, or in violation of the lawful rules and regulations of a government agency which is exercising legitimate authority over an inmate. Assisting in the Corruption of or Entering into an Improper Relationship with an Employee: The act of any inmate who willfully gives, offers or promises anything of value with the intent to influence any official act or action within the official responsibility of any employee; the act of any inmate who enters into an improper relationship with an employee. Soliciting Money or Gifts from a SCDC Employee or an Inmate, or from Another Person for the Benefit of an Inmate: Any inmate who tries to obtain, buy, or entice money or gifts from any SCDC employee or another person for his/her benefit.
- **853 The Unauthorized Use of an Inmate's Telephone Personal Identification Number (PIN).** The unauthorized use of telephone personal identification number is a serious violation. Inmate are prohibited from sharing and using other inmate's telephone PINs.
- **856 Damage, Loss, Destruction, or Defacing of Property Valued at Less than \$100.00:** The intentional or reckless damaging, destroying, or disfiguring property belonging to a government agency, a private citizen, an employee, or another inmate. Possession of damaged, destroyed, or disfigured property and the negligent loss of property also qualify as a violation of this offense. (NOTE: this does not include cases in which an inmate loses his/her ID card or issued room key. In these cases the inmate will be required to pay a replacement fee for such items and will not be processed pursuant to these procedures.) For further information regarding the processing of replacement fees, see SCDC Policies OP-21.06, "Inmate Identification Cards," and OP-22.17, "Key Control."
- **859 Disorderly Conduct:** Any inmate who engages in any action which disrupts, or may lead to the disruption of the orderly operations of the institution.
- **860 (PREA) Lying to an Employee or Knowingly Making False Statements:** The intentional making of untrue statements by any inmate who makes a false statement under oath, makes inconsistent statements which are false, or makes a false statement to or against an employee, inmate, or anyone that involves the commission of a sexual act by any employee or inmate on another employee. A good faith report of sexual abuse that cannot be substantiated is not justification to support this charge.
- **899 The Use, Possession, or Distilling and/or Brewing of any Alcoholic Beverage:** Any inmate acting under the influence of alcohol or in possession of alcohol or alcoholic beverage or other brewed substance which, when ingested, creates altered states of physical or mental activity. Note: The first two infractions of 899 for any inmate may be resolved informally or administratively by the Major/Responsible Authority. The third or subsequent infractions of 899 by an inmate must be referred to a hearing officer. However, regardless of how many times the inmate has committed this infraction, any large quantities of alcohol, or possession of alcohol which is commercially produced, or behavior which endangers the security and good order of the institution should be referred for a disciplinary hearing and Hearing Officers will consider such evidence when determining the severity of the sanctions imposed (i.e. large quantities of alcohol, multiple disciplinary offenses, commercial alcohol, and endangering the security and good order of the institution, refusing to submit to alcohol testing, etc.,

will result in more severe sanctions). As always, the circumstances of the infraction and the inmate's disciplinary history should be taken into consideration. Questions should be addressed to the Division of Operations.

Level 4 Disciplinary Offenses

- **839 Mutilation:** Physical injury to an inmate's body that is self-inflicted, allowing it to be inflicted by others with the inmate's permission, or assisting another inmate in mutilating himself/herself. **NOTE:** Any inmate who pierces or attempts to pierce any part of his/her body, or assists others in piercing or attempting to pierce any part of their body will be charged with this offense as the practice creates a health and safety risk.
- **840 Failing or Refusing to respond to an Employee's Questions:** The failure of any inmate to respond to any SCDC employee question even if it is felt that the question is unjust. It is not a defense that an inmate considers the question invalid.
- **841 Malingering:** Pretending to be ill, or refusing to take their medication in order to avoid duty, work, school, to gain financial compensation, or undisclosed reasons involving secondary gain in order to manipulate the medical, mental health, security or other staff for the inmate's own benefit.
- **842 Use or Possession of Tattooing Paraphernalia:** The actual or constructive possession by an inmate of a tattooing device or a tattoo magazine, which may be used for the purpose of tattooing.
- **843 Refusing Medical Treatment for a Communicable Disease:** The failure or refusal of medical treatment by any inmate with a disease capable of being transmitted. **NOTE:** In these cases, inmates will be placed in medical isolation and will not be placed in PHD, Disciplinary Detention, or security detention status.
- **844 Interfering with the Duties of any Person:** The act of any inmate whose actions interfere with anyone in pursuit of their assigned duties.

Level 5 Disciplinary Offenses

601 Court Order Credit Loss: Pursuant to §24-27-200, a prisoner shall forfeit all or part of his earned work, education, or good conduct credits in an amount to be determined by the Department of Corrections upon recommendation of the court or administrative judge. Pursuant to South Carolina Supreme Court Opinion # 25409, filed 02/11/2002 (also known as the Wade Decision). A forfeiture of earned credits pursuant to South Carolina Statute §24-27-2000 cannot be as result of a post-conviction relief hearing decision.

- **845 Unauthorized Services/Piddling (Handicrafts):** No inmate shall provide or attempt to provide professional services or handicrafts for any person for any reason whether it is for profit or not.
- **846 Creating Unnecessary Noise:** The act of any inmate who engages in any action which disrupts or may lead to the disruption of the orderly operation of the institution, the yelling/banging or excessive noise level by any inmate.
- **847 Abuse of Privileges:** The willful violation by an inmate of any provision of an institutional regulation dealing with a privilege. A privilege as used in this subsection is any benefit provided by institutional, SCDC, contracted services, or another governmental agency's regulations.
- **848 Exerting Any Authority Over Another Inmate, to Include:**
Administering any punishment or other form of discipline to other inmates; Granting or denying another inmate access to any benefit or activity; Controlling the movement or activities of other inmates; Escorting another inmate from one place to another, without a staff member, except as required by a bona fide emergency; Inventorying, with or without a staff member, another inmate's property or searching another inmate, his/her living area, or his/her property; Mailing or distributing another inmate's correspondence; Participating in the taking of any count; and Enforcing any SCDC or institutional or other governmental agency rule or regulation.
- **849 Disregarding Safety Regulations, to Include:**
Failing to wear safety goggles when performing any grinding, chiseling, filing, chipping, or buffing operation; Failing to wear hearing protection on any work station designated as a high noise level area or failing to wear work or safety shoes when instructed; Continuing to work in an area or on any machinery or equipment that is deemed unsafe or improperly guarded by the work supervisor; Operating machines or equipment or performing any operation that has not been specifically assigned; Operating equipment without using the safety guards provided or removing the safety guards; Unauthorized fabricating or repairing of personal items on government agency equipment; Riding on the draw bars of farm vehicles; Standing up while riding in moving vehicles or allowing legs to hang over sides of trailers while moving; Creating a health and/or safety hazard (to include flooding of cells).

- **850 Violation of a Written or Posted Institutional Rule Not Contained in These Rules, But Consistent with These Rules.**
- **851 Supervised Furlough II Violation:** Any inmate who is returned to the custody of the SCDC due to a violation of the Supervised Furlough Program. S/he will fail to earn any good time for the month s/he is returned to the custody of SCDC (automatic forfeiture). NOTE: For further clarification, refer to SCDC Policy OP-21.11, "Loss of Statutory Good Time."

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
KIRKLAND RECEPTION AND EVALUATION CENTER
Information Packet for R&E Inmates**

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TELEPHONE PRIVILEGES: It will be necessary for you to obtain a PIN number so that you may make collect telephone calls to those persons you have identified on your SCDC Form 2-2, Telephone Privilege Request Form. It normally takes approximately two (2) weeks to process your request for a PIN number. Unit staff can advise you of the phone schedule once you have a PIN number. All phone calls are collect only.

HYGIENE AND SANITATION: You will be expected to maintain proper personal hygiene at all times. You will be issued personal hygiene items upon your admission to KR&E Center and will be re-issued items after thirty (30) days if you have not transferred by then. You will be offered the opportunity to shower and shave at least three (3) times per week. You will be responsible for the daily cleaning of your cell and will be provided with the necessary items to accomplish this task. You will be afforded at least one (1) haircut per month. You are not permitted to place any items on your cell wall. You will be provided a linen exchange once per week. All sheets and pillowcases should be turned in at this time. **IF YOU ARE NOT IN COMPLIANCE WITH THE GROOMING POLICY, YOU WILL NOT BE ALLOWED TO GO TO THE CAFETERIA FOR REGULARLY SCHEDULED MEALS.**

MEDICAL SICK CALL: Over the counter medications should be available in your living area for minor discomforts. These can be requested from the unit security staff. Should you feel that additional attention is needed, you will be required to sign up for sick call Sunday – Wednesday and place in the sick call box that is conveniently placed in front of the cafeteria on the way to breakfast. The box is emptied at 10:00am every day. You will be seen within 24 to 48 hours after medical receives the sick call slip.

The above information is general in nature. It will answer many of the questions that you may have. You are encouraged to keep this with you and share relevant information with your family members and friends.

relative is near death. Inmates will ONLY be eligible to attend one (1) service/visit – a hospital visit OR a viewing OR a funeral (not to include graveside). They may not make more than one visit. Listed above are the only family members whose imminent death, viewing, or funeral qualifies for an inmate transport.

DO NOT CALL to request transport for an inmate until you have all of the information needed for SCDC to process the request. Once you have gathered the following information, please contact the institutional Chaplain to submit your request:

- The inmate's name and SCDC number, if you have it.
- The name of the sick or deceased and that person's relationship to the inmate.
- The location and time of the hospital visit, viewing, or funeral.
- Your name, phone number, and relationship to the inmate so that SCDC may contact you once the request is processed.

The list of Chaplains can be found at <http://www.doc.sc.gov/programs/volunteers.html#Chaplain> – Contact Information

Costs for the transport must be paid by the inmate or inmate's family on their behalf. These costs must be paid in advance at least 24 hours prior to transport.

If the fee will be paid by a third party on behalf of the inmate: The fee may be provided by a third party on behalf of the inmate. **ONLY** approved money orders will be accepted for this fee. The money order will be made out to SCDC and include the inmate's name, SCDC number, and a description of the service. The third party must hand carry the money order to the Business Manager/designee or Chaplain/designee at the institution where the inmate is housed.

If the fee will be paid by the inmate: If the fee is to be paid by the inmate, the funds must be available in the inmate's E.H. Cooper account at the time of the request for transport.

Please note this is **ONLY** a request. Not all inmates will be eligible for transport. Once the request is processed, an SCDC employee will notify you of our decision.

MAILROOM

What are the mailroom hours?

The mailroom hours for R&E intake inmates are Monday through Friday, 9 AM to 10 AM. You **MUST** have an Order to Report or obtain a pass from the dorm officer. While in line for the Mailroom (as with the entire yard), there is **no talking**.

What is an Order to Report (OTR)?

An Order to Report (SCDC Form 19-45) is a notice served to an inmate to report to a specific location on a date and time. Inmates must respond to the OTR.

How do I obtain notary services?

Notary services are done by **appointment only** and must be requested via request to staff member to either the Law Library or Mailroom. Please wait for your appointment by OTR.

How do I obtain legal supplies or mail out legal?

Legal mail outs and supplies are handled during regular R&E intake mailroom hours. Inmates **with funds** may mail to any legal or privileged entity. Indigent inmates (**inmates without funds**) must show proof of active litigation or formally initiated litigations in order to receive legal supplies.

How do I tell if I'm indigent?

An inmate with an account balance of \$6.43 or less for 30 days or more is considered indigent.

Can I send a check home?

- Check the third line "By my signature below I choose to have this correspondence disposed of pursuant to SCDC Policy 22.02," sign and date at the bottom.

Inmates will have 10 days from the date of the notice to make a decision in regards to their rejection notice. Any notices received after the 10 day deadline will be returned to the inmate. The correspondence in question will automatically be returned to the sender at the inmate's expense. If the inmate does not have funds, the mail will be destroyed after 30 days in accordance with SCDC Policy OP-22.03, Authorized Inmate Property and Disposition of Unauthorized Property, and SCDC Policy OP-22.35, Contraband Control.

MEDICAL SERVICES

Medical Services will be provided from the hours of 6:00 a.m. to 5:00 p.m., Monday-Friday, and 6:00 a.m. to 6:00 p.m. on Saturday and Sunday. The following services will be provided:

A. Sick Call Procedures:

- a. Sick Call hours are Monday through Thursday starting promptly at 6:00 a.m.
- b. Fill out sick call slip Sunday – Wednesday and place in sick call box that is conveniently placed in front of the cafeteria on the way to breakfast. The box is emptied at 10 am every day.

Inmates must report to the Medical Annex on time. If you are late, you will be considered a "No Show" and you will have to sign up again.

There is a \$5.00 co-pay for sick call and a \$5.00 co-pay each for prescriptions up to a total of \$15.00 per month. If you do not have sufficient funds in your account to cover medical co-payments, you still will be allowed sick call, prescriptions, etc. and your account will be debited (charged when you have funds available).

- B. M.D. Clinic: For all M.D. Clinics, an Order to Report will be sent informing you of your scheduled medical appointment. If you are not present at your scheduled time, you will be considered a "No Show." A new request will have to be completed and turned in (there is no charge for medical clinic unless you receive a prescription, then you will be charged a \$5.00 co-pay).

C. Pill Line – Time Scheduled as follows:

7:00 a.m. – 8:30 a.m.
12:00 p.m. – 12:45 p.m.
4:30 p.m. – 6:00 p.m.

If the pill line is late due to the count, it will stay open for 30 minutes after the count has cleared.

Medicine Refill – Fill out medication refill sheet and place in blue mail box seven (7) days before medication runs out.

The following Over the Counter medicines are available in the inmate living areas:

Tylenol
Maalox
Milk of Magnesia
Motrin

There are no "No Shave or Clipper Passes" issued in SCDC.

If you develop razor bumps, you should follow these procedures:

SHAVE DAILY WITH DOWNWARD STROKES, USE SHAVING GEL RATHER THAN FOAM, IF POSSIBLE. USE A NEW, SHARP, SINGLE EDGE RAZOR WHENEVER POSSIBLE. DO NOT PULL THE SKIN DOWN WHEN SHAVING. USE WARM WATER & PAT YOUR SKIN DRY. DO NOT RUB. DO NOT SCRATCH LESIONS OR PLUCK BEARD. IF RAZOR BUMPS BECOME INFECTED, SIGN UP FOR SICK CALL.

due to alleged technicalities or misinterpretation of evidence, or to appeal a sentence when the sanction imposed was allegedly not proportionate to the rules violation. Appeal rights are not applicable to charges resolved informally or administratively.

If the inmate requests, a SCDC Form 10-5, "Step I Grievance Form," will be provided to the inmate by the Hearing Officer (see SCDC Policy GA-01.12, "Inmate Grievance System"). (NOTE: Inmates may request the assistance of the Institutional Inmate Grievance Coordinator to assist them in completing their grievance form if they are unable to read or write, or have a language barrier.) The appeal must be initiated by the inmate and must be filed in accordance with the process described in GA-01.12, or the inmate forfeits all rights to appeal. If the inmate is not satisfied with the Agency's final Step 2 decision, they may file an appeal with the Administrative Law Court if accrued good time was taken or the inmate failed to earn good time as a result of a disciplinary hearing. NOTE: Refer to GA-01.12 for the appeal process to the Administrative Law Court.

SCDC DISCIPLINARY OFFENSES

1. RULES VIOLATION DEFINED: The following disciplinary offenses represent violations of the SCDC inmate rules. A violation of these rules may consist of any of the following:

- Engaging in the specified behavior;
- Attempting to engage in the specified behavior;
- Conspiring to engage in the specified behavior; or
- Aiding others in engaging, attempting to engage, or conspiring to engage in the specified behavior.

2. LIST OF DISCIPLINARY OFFENSES: The following is a list of the titles and code numbers of disciplinary offenses.

Level 1 Disciplinary Offenses

801 Assault and/or Battery of an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public with Means/and/or Intent to Kill or Injure: The willful hitting, striking, or unauthorized touching of an SCDC employee or other government agency employee, contract employee, volunteer, or member of the public with or without a weapon or the throwing of any substance at or on an SCDC employee or other government agency employee or contract employee who is exercising legitimate authority over an inmate, when such hitting, striking, throwing, or unauthorized touching causes bodily injury.

802 Sexual Assault: Forcing another person, by violence or threats of violence, or any other form of coercion to perform a sexual act. (A sexual act is any intentional contact between the genitals of one inmate and the genitals, mouth, anus, or hands of another person.)

803 Riot: When an inmate, with two or more persons, intentionally participates in conduct that creates danger of damage or injury to property or persons and substantially obstructs the performance of unit operations or institutional operations.

804 Homicide: The killing of any person with/without malice, advance thought, either expressed or implied.

805 Hostage Taking: The act of any inmate acting alone or with others who by threats, coercion, intimidation, or physical force, takes, holds, or carries away any person as a hostage for any reason whatsoever.

806 Any Act Defined as a Felony by the Laws of the State of South Carolina or the United States and not otherwise Defined in these Rules. (State Criminal Statute must be provided.)

808 Fighting With a Weapon: Any group of two or more inmates who engage in a physical altercation with any instrument used for the purpose of inflicting physical injury on any person.

811 Possession of a Weapon: The actual or constructive possession by an inmate of any instrument that could be used to inflict physical injury on any person.

857 Assault and/or Battery of an Inmate with Means and/or Intent to Kill or Injure: The willful hitting, striking, throwing of substances, or unauthorized touching of an inmate with or without a weapon by another inmate, when such hitting, striking, throwing, or unauthorized touching results in great bodily injury.

897 Possession of Security Equipment/Property: The unauthorized possession and or use of security equipment/property of SCDC or that of an outside source. Unauthorized items may include, but not be limited to, institutional security keys, restraints, chemical munitions, employee ID cards, crafted devices, i.e., hand cuff keys, institution keys, or dummy like objects, (for escape/attempt escape purposes),etc. This offense also includes the possession of any materials and/or drawings that could be used in the creation of institution keys.

unlawful act dangerous to human life, presently or in the future; or one who commits a physical act of a threatening nature, and the probable result of such threats or action is to place the individual in fear of bodily injury; or one who causes evacuation of a building; or one who creates serious disruption or alarm. Any unauthorized body contact of an employee or member of the public which creates serious alarm, but does not result in bodily injury.

810 Striking an Inmate With or Without a Weapon: The willful hitting, striking, throwing of any substance at, or unauthorized touching of one inmate by another inmate with or without a weapon, whether or not such hitting, striking, or unauthorized touching causes bodily injury.

812 Robbery with Force: The taking of property of another person in that person's presence with use of force and violence which places that person in fear of his/her safety by the use of such force, violence, or threats.

813 Throwing/Exposure of any Substance or Object on an SCDC Employee or other Government Employee, Contract Employee, or Volunteer: The throwing or exposure of any substance, to include bodily secretions, at or on an SCDC employee or other government agency employee, contract employee, or volunteer who is exercising legitimate authority over an inmate, whether or not such throwing causes bodily injury. This includes exposure of bodily secretions (fluids) through an inmate's outgoing correspondence.

814 Inciting/Creating a Disturbance: Any act or activity which results in a disruption of institutional operations or a breach of institution security. Any inmate who purposefully incites or urges a group of two or more other inmates to engage in a current or impending disturbance of institutional operations or gives commands, directions, instructions, or signals to a group of two or more persons to cause, continue, or enlarge a disturbance. An inmate may be found guilty of this violation even where no disruption of institutional operations actually occurs as a direct or indirect result of his/her actions. A disturbance as used herein is an assemblage of three or more persons which creates grave danger or damage or injury to property or persons and/or substantially disrupts the normal functioning of the institution.

820 Damage, Loss, Destruction, or Defacing of Property Valued at 100.00 or more: The intentional or reckless damaging, destroying, or disfiguring property belonging to a government agency, a private citizen, an employee, or another inmate. Possession of damaged, destroyed, or disfigured property and the negligent loss of property also qualify as a violation of this offense. (NOTE: This does not include cases in which an inmate loses his/her ID card or issued room key. In these cases, the inmate will be required to pay a replacement fee for such items and will not be processed pursuant to these procedures. See also, SCDC Policies OP-21.06, "Inmate Identification Cards," and OP-22.17, "Key Control," for information regarding the processing of replacement fees.) This charge must be forwarded to a Disciplinary Hearing.

822 Sexual Misconduct: (1) Engaging in consensual or non-consensual sexual acts or intimate physical contact of a sexual nature with other inmates; or soliciting sexual acts from other inmates, or engaging in any form of sexual harassment. Also, engaging in any non-consensual sex act with an employee, visitor, vendor, or volunteer, to include intimate physical contact or solicitation of sexual acts. This charge must be forwarded to a Disciplinary Hearing.

832 Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (STG) or STG Activity: Any participation of any inmate in any organization which has not been approved or any informal organization, association, or group of three (3) or more inmates that has a common name, and whose members or associates engage or have engaged in activities that include planning, organizing, threatening, soliciting, or committing unlawful acts of misconduct classified as serious threats or potential threats to the safety and security of the public, the Department, employees, visitors, and/or other inmates, or any other group that has been designated a Security Threat Group by the Agency Director. Possession of STG material is sufficient to warrant this charge.

854 Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any manual stimulation of one's exposed or unexposed genitals in a public setting, or in the view of a staff member or other person.

855 Smuggling and/or Conspiracy to Smuggle in Contraband: Any inmate found to have conspired, aided, or acted in collusion with any person, or acting alone with the intent of introducing any form of contraband into any SCDC facility. Conspiracy, aid, or collusion may be defined as using any form of communication or providing any type of assistance with/to any person where plans are made with the intent of introducing contraband. The physical possession/receipt of the contraband by the inmate is not needed to support this charge. An inmate can be charged with this offense if his/her approved visitor is caught bringing in contraband and it is reasonable to believe that the visitor's intent was to supply the inmate with the contraband.

858 The Use or Possession of Practice GED Cheat Sheet, the Official GED Test, Any other Standardized or Educational Test, or Standardized Educational Materials Not Authorized for Use by the Inmate: Possession of, attempt to use, or provide others with a cheat sheet and/or answers to the GED questions, or other educational materials with the intention to gain unfair advantage in securing a passing score on the Practice GED Test, the Official GED Test, or any educational test

- 828 Out of Place: The act of an inmate who without authority either fails to report to his/her appointed place of duty or assignment or any other place to which he/she was ordered; leaves his or her appointed place of duty or assignment; is found to be in an unauthorized area; or does not have specific approval to be in an unauthorized area of the institution or any area of the institution.
- 829 Failure to Work: Failure to complete a reasonable amount of an inmate's work assignment within a reasonable period of time, or sleeping on the job.
- 830 Mutiny: When two (2) or more inmates conspire and refuse, as a group, to work, move, return to their cells or cubes, and/or create a work stoppage or other similar activity.
- 831 Lying to an Employee or Knowingly Making False Statements: The intentional making of untrue statements by an inmate or any inmate who makes a false statement under oath, makes inconsistent statements which are false, or makes a false statement to or against an employee or anyone. The act of any inmate who gives an untrue statement deliberately or a false impression to any SCDC employee, contracted employee or to an employee of a government agency which has authority in supervising the inmate.
- 833 Abusive Treatment of an Animal, Including Carnal Relations With an Animal: Any physical maltreatment or improper misuse of an animal and/or engaging in sexual activities with an animal.
- 834 Any Act Defined as a Misdemeanor by the Laws of the State of South Carolina or the United States Not Otherwise Defined in these Rules: (State criminal statute must be provided).
- 835 Forgery or Possession of Any Forged Document: The act with intent to defraud or deceive another person by falsely making, completing, or altering any document; or knowingly issuing or possessing such an instrument.
- 836 Disrespect: The failure of any inmate to observe proper decorum or who willfully engages in action or make statements to a person which are discourteous in nature, which may or may not include the use of profanity.
- 837 Interfering with Count: Failure to stand for count, movement during count which may create confusion or distraction of any kind, or activity by any inmate which may disrupt concentration or the orderly counting of inmates.
- 838 Soliciting Improper Relationships: Assistance from an Employee or an Inmate to Violate an Agency Rule or an Employee Rule: The act of any inmate who willfully induces any person to do or agree to do any act in violation of his/her lawful duty or in violation of SCDC rules and regulations, or in violation of the lawful rules and regulations of a government agency which is exercising legitimate authority over an inmate. Assisting in the Corruption of or Entering into an Improper Relationship with an Employee: The act of any inmate who willfully gives, offers or promises anything of value with the intent to influence any official act or action within the official responsibility of any employee; the act of any inmate who enters into an improper relationship with an employee. Soliciting Money or Gifts from a SCDC Employee or an Inmate, or from Another Person for the Benefit of an Inmate: Any inmate who tries to obtain, buy, or entice money or gifts from any SCDC employee or another person for his/her benefit.
- 853 The Unauthorized Use of an Inmate's Telephone Personal Identification Number (PIN). The unauthorized use of telephone personal identification number is a serious violation. Inmate are prohibited from sharing and using other inmate's telephone PINs.
- 856 Damage, Loss, Destruction, or Defacing of Property Valued at Less than \$100.00: The intentional or reckless damaging, destroying, or disfiguring property belonging to a government agency, a private citizen, an employee, or another inmate. Possession of damaged, destroyed, or disfigured property and the negligent loss of property also qualify as a violation of this offense. (NOTE: this does not include cases in which an inmate loses his/her ID card or issued room key. In these cases the inmate will be required to pay a replacement fee for such items and will not be processed pursuant to these procedures.) For further information regarding the processing of replacement fees, see SCDC Policies OP-21.06, "Inmate Identification Cards," and OP-22.17, "Key Control."
- 859 Disorderly Conduct: Any inmate who engages in any action which disrupts, or may lead to the disruption of the orderly operations of the institution.
- 860 (PREA) Lying to an Employee or Knowingly Making False Statements: The intentional making of untrue statements by any inmate who makes a false statement under oath, makes inconsistent statements which are false, or makes a false statement to or against an employee, inmate, or anyone that involves the commission of a sexual act by any employee or inmate on another employee. A good faith report of sexual abuse that cannot be substantiated is not justification to support this charge.
- 899 The Use, Possession, or Distilling and/or Brewing of any Alcoholic Beverage: Any inmate acting under the influence of alcohol or in possession of alcohol or alcoholic beverage or other brewed substance which, when ingested, creates altered states of physical or mental activity. Note: The first two infractions of 899 for any inmate may be resolved Informally or Administratively by the Major/Responsible Authority. The third or subsequent infractions of 899 by an inmate must be referred to a hearing officer. However, regardless of how many times the inmate has committed this

Operating machines or equipment or performing any operation that has not been specifically assigned;
Operating equipment without using the safety guards provided or removing the safety guards;
Unauthorized fabricating or repairing of personal items on government agency equipment;
Riding on the draw bars of farm vehicles;
Standing up while riding in moving vehicles or allowing legs to hang over sides of trailers while moving;
Creating a health and/or safety hazard (to include flooding of cells).
850 Violation of a Written or Posted Institutional Rule Not Contained in These Rules, But Consistent with These Rules.
851 Supervised Furlough II Violation: Any inmate who is returned to the custody of the SCDC due to a violation of the Supervised Furlough Program. S/he will fail to earn any good time for the month s/he is returned to the custody of SCDC (automatic forfeiture). NOTE: For further clarification, refer to SCDC Policy OP-21.11, "Loss of Statutory Good Time."

Automated Request to Staff Report (March 2014 to present)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "27. Please list other ways in which inmates receive information while in custody and the type of information received."

In addition to providing the information in this document, SCDC provided the following response, "Inmates can receive information via US mail, Interdepartmental mail, via telephone, Inmate KIOSK system and tablets as assigned. Inmates may also utilize the Automated Request to Staff system to communicate with staff, please see attached ARTSM report notating the number of requests received from inmates since the implementation of the system on March 31, 2014."

Inmate Request Statistics By Date

Today's Date: 5/21/19 19:04

Date Range: 3/31/14 20:02 - 5/21/19 20:02

Request Type	% of Overall	Total	Complete	Pending	% Complete
Commissary	16.96%	380635	380019	616	99.84%
Classification	16.60%	372508	369350	3158	99.15%
Religion	8.88%	199291	198663	628	99.68%
Inmate Financial	7.25%	162586	161890	696	99.57%
Security	4.29%	96147	94955	1192	98.76%
Education	4.22%	94705	94313	392	99.59%
Visitation	3.91%	87757	87458	299	99.66%
Personal Property	3.66%	82157	81466	691	99.16%
Mail	3.48%	77976	77748	228	99.71%
Programs	3.44%	77264	76532	732	99.05%
Food (Cafeteria and Food)	2.82%	63236	62860	376	99.41%
Canteen	2.68%	60198	59995	203	99.66%
Law Library	2.33%	52255	51986	269	99.49%
Grievance	2.10%	47230	47098	132	99.72%
Telephone / Kiosk (Trouble Form)	1.71%	38339	38170	169	99.56%
Bed Assignments	1.70%	38192	38013	179	99.53%
Maintenance	1.68%	37649	37336	313	99.17%
Designated Facilities	1.54%	34632	34549	83	99.76%
Job Assignments	1.37%	30793	30109	684	97.78%
Inmate Records	1.13%	25378	25127	251	99.01%
Disciplinary	1.13%	25304	25184	120	99.53%
Young Offender Parole & Re-Entry	0.91%	20372	20348	24	99.88%
Privilege Reinstatement	0.89%	19905	19785	120	99.40%
Inmate-to-Inmate Correspondence	0.77%	17233	17221	12	99.93%
Contraband	0.72%	16213	15923	290	98.21%
Recreation	0.67%	15117	15045	72	99.52%
Transfers	0.63%	14103	13982	121	99.14%
Policy	0.47%	10648	10577	71	99.33%
Legal	0.45%	10052	10030	22	99.78%
American Disabilities Act (ADA)	0.37%	8319	8310	9	99.89%
Legal Materials	0.36%	8092	8030	62	99.23%
Notary Services	0.32%	7217	7204	13	99.82%
Investigations	0.25%	5525	5403	122	97.79%
EHSO	0.22%	4936	4898	38	99.23%
Special Subcommittee	0.06%	1429	1429	0	100.00%
ARCHIVED	0.01%	212	212	0	100.00%
Test	0.01%	157	121	36	77.07%
ICH - Transfer	0.00%	0	0	0	0.00%

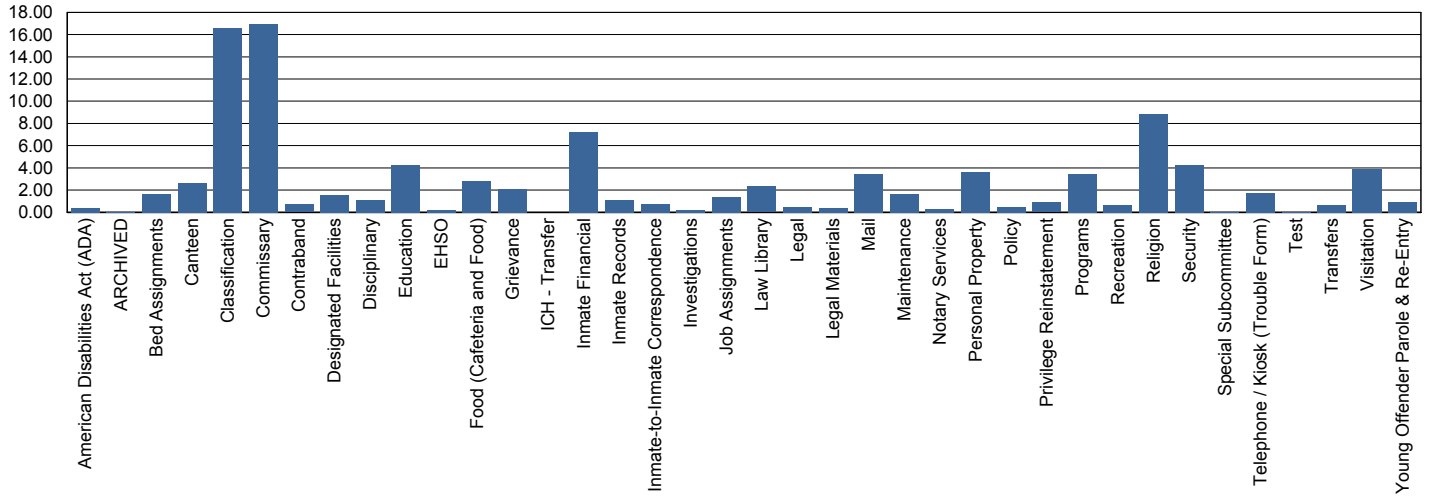
Inmate Request Statistics By Date

Today's Date: 5/21/19 19:04

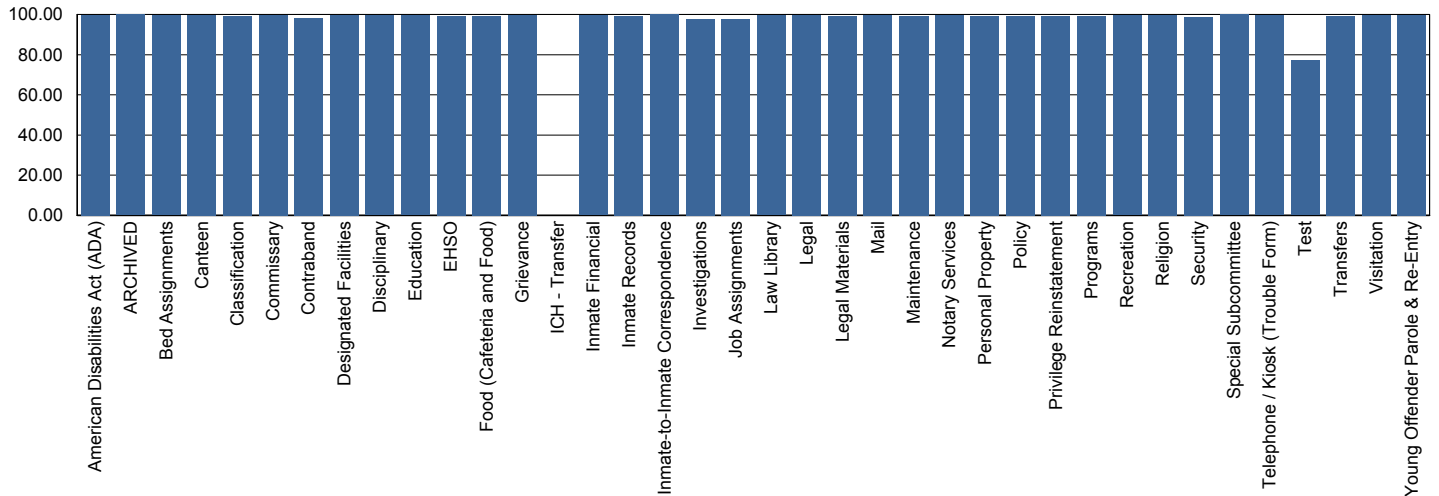
Date Range: 3/31/14 20:02 - 5/21/19 20:02

Request Type	% of Overall	Total	Complete	Pending	% Complete
Total		2243762	2231339	12423	99.45%

% of Overall



% Complete



Statewide Protective Custody (SCDC Policy OP-22.23)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections:

30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit.

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.

- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.

31. What options does an inmate have for reporting that they feel they are in danger?

In addition to providing the information in this document, SCDC provided the following response:

- They can report their concerns to the Unit Officer, Classification Caseworker, or other institutional staff. Inmates can also submit a Request to Staff through our Automated Request to Staff System or call *22. Police Services generally sends these requests to the institution for handling as this is normally an operational issue.
- Please see attached SCDC Policy OP-22.23 “Statewide Protective Custody” or OP-21.04 “Inmate Classification Plan” sections 17 & 18 regarding Protective Custody and Separations.

32. Once an inmate reports that they feel they are in danger, what is the process and different options for addressing it?

In addition to providing the information in this document, SCDC provided the following response:

- These concerns are usually handled by institutional staff as this is an operational issue. If the threat rises to the seriousness of an investigation being requested by the institution or other area, Police Services will review and provide findings of our review to the appropriate staff to address the inmate’s safety concerns.
- Please see attached SCDC Policy OP-22.23 “Statewide Protective Custody” or OP-21.04 “Inmate Classification Plan” sections 17 & 18 regarding Protective Custody and Separations.



SCDC POLICY

NUMBER: OP-22.23

TITLE: STATEWIDE PROTECTIVE CUSTODY

ISSUE DATE: *November 9, 2016*

RESPONSIBLE AUTHORITY: DIVISION OF OPERATIONS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: OP-22.23 (August 1, 2008); (November 1, 2006)

RELEVANT SCDC FORMS/SUPPLIES: 19-10, 19-20, 19-30, 19-32, 19-47, 19-52, 19-67, 19-69, 19-85, 19-87

ACA/CAC STANDARDS: 4-4249, 4-4251, 4-4253, 4-4254, 4-4257, 4-4258, 4-4259, 4-4260, 4-4262, 4-4264, 4-4267, 4-4268, 4-4271, 4-4273

STATE/FEDERAL STATUTES: SC Code 24-1-130 and SC Code 24-1-140

PURPOSE: To outline management and administrative requirements related to the operation of a *Restrictive Housing Unit (RHU)* within SCDC for the housing of inmates who have been identified as requiring Statewide Protective Custody (PC) or have protective concerns (SP).

POLICY STATEMENT: In order to maintain the safety and security of certain inmates who have been identified as requiring protection from the general inmate population, SCDC will house those inmates designated as Statewide Protective Custody in a *Restrictive Housing Unit (RHU)* apart from the general population. To promote good behavior and conformance with Agency rules and regulations, Statewide Protective Custody inmates will be provided privileges consistent with their assignment within the *RHU*. (4-4249)

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42.	USE OF CONTROL CELLS
43.	PERRY ADJUSTMENT UNIT (PAU)
44.	DEFINITIONS

1. PLACEMENT IN PRE-HEARING DETENTION WITH PROTECTIVE CONCERNS (SP): An inmate may be initially placed in SP for up to seven (7) days by the Warden/Duty Warden or an approved designee if:

- The inmate has requested protective custody; or
- The Warden/Duty Warden or approved designee has determined that the inmate is at risk and may require a higher degree of safety and security, and an investigation must be conducted to substantiate the inmate's need for protective custody. **(4-4251)**

2. INMATE REQUEST FOR PROTECTIVE CUSTODY:

2.1 When the inmate requests protective custody s/he will be interviewed by the highest supervisor on duty to determine the nature of the concern. The information will be documented in Section I of SCDC Form 19-47, "Evaluation of Protective Concerns."

2.2 If the inmate refuses to provide specific names and other pertinent information during this interview, this lack of information will be documented on SCDC Form 19-47, "Evaluation of Protective Concerns," and the inmate may be returned to general population. If the inmate refuses to return to general population, then SCDC policies pertaining to the use of physical force may be implemented. Inmates who do not comply will be managed by procedures set forth in SCDC Policy OP-22.14, "Inmate Disciplinary System." (NOTE: Refer to **section** 6.2 for further options with regards to refusal to return to general population.)

2.3 The interviewing official will be responsible for making a recommendation on the form as to his/her assessment of the inmate's reason(s) for requesting protective custody housing. The interviewing official may either recommend that the inmate be returned to the general population or placed in "Pre-Hearing Detention with Protective Custody Concerns" (herein referred to as SP) for further investigation. SCDC Form 19-47 will then be immediately forwarded to the Warden (or in his/her absence the Duty Warden or approved designee) for approval.

2.4 If placement in SP is approved by the Warden/Duty Warden or approved designee the inmate will be transferred to available **Short Term (ST)** bed space for a period of up to seven (7) calendar days for further investigation, and SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," will be completed. The box labeled "Protective Concerns" will be checked. SCDC Forms 19-47 and 19-67, will be forwarded to the Institutional Protective Custody Committee (IPCC) so that a review can be held within seven (7) working days of the inmate's placement in SP to assess the inmate's continued need to be separated from general population inmates at his/her institution. **(4-4251)**

3. WARDEN/DUTY WARDEN DETERMINES INMATE MAY BE AT RISK:

3.1 When the Warden/Duty Warden or approved designee has determined that the inmate is at risk and may require a higher degree of safety and security, an investigation must be conducted to substantiate the inmate's need for Statewide Protective Custody. SCDC Form 19-47 will be completed by the Warden/Duty Warden or approved designee, and the bottom portion of SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," will be used for involuntary placement of the inmate in SP. The box labeled "Protective Concerns" will be checked.

3.2 In some cases placement in Statewide Protective Custody may be approved by the Agency Director or the **Deputy** Director of Operations. The IPCC will convene for informational purposes to inform the inmate of his/her status.

Note: Should an inmate with protective custody concerns commit a disciplinary infraction while in SP, Agency inmate disciplinary system procedures will be followed. See SCDC Policy OP-22.14, "Inmate Disciplinary System," for additional information. The inmate will continue in SP **for a period of time** not to exceed seven (7) calendar days while the IPCC considers his protective custody concerns. Security staff will ensure that special safety considerations, such as separation/segregation from other inmates, are afforded the inmate when recreating, when showering, and when participating in other out-of-cell activities.

4. PROPERTY: Inmates placed in SP will be afforded the same property and privileges as Security Detention **Behavioral** Level III inmates. See SCDC **Policy OP-22.38, "Restrictive Housing Unit,"** for information on property and privileges for Security Detention **Behavioral** Level III inmates.

4.1 Inmates deemed invalid PC will maintain the same property and privileges as Security Detention Level III inmates, with the exception of one (1) Walkman radio. No personal telephone calls or visitation will be allowed.

5. SEVEN (7) DAY REVIEW:

5.1 Inmates must be provided with a review within seven (7) calendar days of their initial placement in SP. The inmate will appear before the IPCC to justify or discuss his/her placement into Statewide Protective Custody housing. If placement in statewide protective

custody is recommended, at least one (1) of the following elements must be established by the IPCC in order for the inmate's request to be considered valid:

- record of having been assaulted;
- reputation among the population, attested to in writing by staff, as an informant or trial witness;
- verified threats, verbal abuse, or harassment;
- former police or criminal justice activity resulting in verified threats, verbal abuse, or harassment;
- conviction of crime repugnant to the inmate population; or
- reliable confirmed evidence of sexual assault. **(4-4251)**

6. IPCC ACTIONS:

6.1 Invalid Determination: An invalid determination is appropriate when the elements listed in **section 5.**, above, are not validated by available evidence and/or testimony. If the IPCC believes that no further evidence may be found to support these elements, the IPCC will document their decision in Section II of SCDC Form 19-47, "Evaluation of Protective Concerns," and the inmate will be immediately returned to the general population. The inmate will be provided a copy of this form to document the disposition of the IPCC. **(4-4251)**

6.2 If the IPCC deems the inmate is invalid for PC placement and the inmate refuses to return to the general population, the following options may be considered:

- Charge the inmate with 825, "Refusing or Failing to Obey Orders" (Confer with the Hearing Officer to classify as a major charge);
- Double celling of invalid PC inmates (allows invalid PC inmates to be housed together after cell assignment form has been completed and inmates are deemed compatible);
- Take their mattress daily; **and/or**
- Recreate invalid PC inmates in the same area together.

6.3 Further Investigation: A finding of further investigation is appropriate when the IPCC believes that additional evidence or testimony may be necessary to determine whether or not the elements listed in **section 5.**, above, are supported. If the IPCC deems that further investigation is required to make a determination as to the inmate's request, the IPCC Chairperson will designate a Captain or higher authority to investigate the reasons given for protective custody. The investigating official will document his/her findings, and provide a written report back to the IPCC Chairperson within seven (7) working days. The investigative report (memorandum) will consist of:

6.3.1 An interview with the inmate requesting protective custody for the purpose of establishing the reason(s) for and the circumstances surrounding the request. At this time, a subjective assessment will also be made of any significant characteristics such as physical size, alleged threats, enemies, etc.

6.3.2 A review of the inmate's record to identify factors which may support placement in **statewide** protective custody, such as age, developmental impairment, enemies, evidence of threat, etc.

6.3.3 Interviews with other inmates or staff, if appropriate and necessary, to identify additional factors or validate any information.

6.3.4 The investigative report will be attached to SCDC Form 19-47, "Evaluation of Protective Concerns" and forwarded to the IPCC and a copy filed in the inmate's institutional record.

6.3.5 Upon completion of the investigation, the IPCC will reconvene to further evaluate all facts found in the investigation. A decision as to the validity of the request will then be made by the IPCC and processed as described in Procedure 6.1, above, or **Procedure 6.3.**

6.4 Valid Determination: If the elements listed in Paragraph 5., above, are present and are supported by available evidence and testimony, a valid determination is appropriate. If the IPCC finds the inmate's protective custody concerns are valid, the Case Manager/Caseworker for the IPCC will create a Custody Review to notify **Central** Classification officials of their recommendation. In addition, the IPCC will document their decision on SCDC Form 19-47, "Evaluation of Protective Concerns" and will fax a copy of this form (along with the investigative report memorandum, if available) to **Central Classification**. The **Central Classification Program Coordinator and the Statewide Protective Custody (SWPC) Board** will be responsible for final disposition of the request as described in Procedure 7., below. **(4-4251)**

7. **CENTRAL CLASSIFICATION AND STATEWIDE PROTECTIVE CUSTODY (SWPC) BOARD ACTIONS:**

7.1 The **SWPC Board** will review the recommendation made by the IPCC, SCDC Form 19-47, "Evaluation of Protective Concerns," and the investigative report and will either approve or disapprove the recommendation. Approvals/disapprovals will be processed as follows:

7.1.1 Invalid: The **Central Classification Program Coordinator** will complete the Custody Review to notify the appropriate Case Manager/Worker of the disapproval. **The Central Classification Program Coordinator** will also be required to document **the SWPC Board's** disapproval in Section III of SCDC Form 19-47, "Evaluation of Protective Concerns," and will fax a copy of this form to the appropriate Case Manager/Worker. A copy of SCDC Form 19-47 will be provided to the inmate. The inmate will then be immediately ordered to return to the general population. Should the inmate refuse to return to the general population, the same procedures outlined in Paragraph 6.1, above, will be followed.

7.1.2 Valid: The **Central Classification Program Coordinator** will complete the Custody Review to notify the appropriate Case Manager/Worker of their approval and of appropriate transfer instructions concerning the inmate. The **SWPC Board** may either indicate that:

- The inmate's protective custody concerns are alleviated through transfer of the inmate to another institution's general population; or
- The inmate be assigned and transferred to the **Restrictive Housing Unit (RHU)** which has been designated by the Agency as the Statewide Protective Custody Housing Unit. (4-4251)
- Recommendations for assignment and transfer to the Agency's Statewide Protective Custody Housing Unit will be approved by the **Statewide Protective Custody Board and the Deputy Director of Operations** by memorandum.

NOTE: At the discretion of SCDC officials, an inmate may be placed in **RHU** due to protective concerns even if the inmate signs a refusal of the same.

7.2 The **Central Classification Program Coordinator** will be required to document **the decision of the SWPC Board** in Section III of SCDC Form 19-47, "Evaluation of Protective Concerns" and **e-mail the form back to the Case manager/designee.**

8. NOTIFICATION TO THE INMATE OF PLACEMENT IN STATEWIDE PROTECTIVE CUSTODY: A copy of the completed SCDC Form 19-47 will be provided to the inmate.

9. APPEAL OF PLACEMENT IN PC: Inmates may appeal the decision of the **SWPC Board** through the inmate grievance system. See SCDC Policy GA-01.12, "Inmate Grievance System," for further information.

10. DOCUMENTATION: All mental health and medical review/screening notes will be maintained in the inmate's medical record. All documents described below, and any other documentation kept on each inmate approved for placement in Statewide Protective Custody, will be maintained in the inmate's institutional record. These records will be maintained in a secured area outside of the **RHU**:

- A copy of SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," and/or SCDC Form 19-47, "Evaluation of Protective Concerns," to document the reasons for the inmate's initial placement in SP;
- Any disciplinary report and/or disciplinary hearing records (SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," and SCDC Form 19-69, "Disciplinary Report and Hearing Record");
- Staff notes and comments, to include copies of SCDC Form 19-32, "Security Detention Daily Evaluation Sheet," and, if necessary, SCDC Form 19-85, "Alternative Meal Service," and SCDC Form 19-20, "Special Management Confiscation Report"; and
- Results of all IPCC reviews and **Statewide Protective Custody Board** approvals (SCDC Forms 19-30, 19-87, and 19-10).

11. IPCC REVIEW: For those inmates who have been approved for placement in Statewide Protective Custody housing, the following reviews will be applicable:

11.1 Ninety (90) day Reviews: The **SWPC Board** will be required to review each inmate every **90** days. Inmates in Statewide Protective Custody will be reviewed in accordance with **sections** 12.1 and 22 of this policy.

12. STATEWIDE PROTECTIVE CUSTODY BOARD SCHEDULED REVIEWS:

12.1 Within **ninety (90) days** of an inmate's placement in Statewide Protective Custody, and every **90 - 180** days thereafter, **the SWPC Board will conduct an** evaluation and review of each inmate housed in Statewide Protective Custody. The purpose will be to review the inmate and to determine whether s/he should be released and returned to general population housing. The **SWPC Board** will be required to review the inmate's **manual and automated** record and to confer with unit staff, the inmate, and **mental health** representatives when formulating their decision to release the inmate.

13. REVIEW FOR RELEASE FROM STATEWIDE PC:

13.1 If, after any scheduled Statewide Protective Custody **90 - 180 day review** of the inmate, it is determined that the inmate is no longer at risk, the IPCC may **recommend** an inmate for release from Statewide Protective Custody. The Case Manager/Worker will create a Custody Review to notify **Central Classification** officials of the recommendation. Upon receipt of the Custody Review and appropriate documentation the **SWPC Board** will review the **IPCC's** recommendation. (4-4254) Appropriate documentation is as follows:

- A copy of the completed committee docket;
- a copy of the SCDC Form 19-30, "**RHU** Institutional Classification Committee Review;"
- written request from inmate requesting release from Statewide Protective Custody and;
- any and all other pertinent documentation, (i.e. investigative reports, summations), supporting release from Statewide Protective Custody.

13.2 SWPC Board Disapproval: If the **SWPC Board** disagrees with the **IPCC's** recommendation for release from Statewide Protective Custody, the custody review will be closed **by the Central Classification Program Coordinator** and the completed Form 19-47 will be forwarded to the Case Manager/Caseworker for distribution to the inmate.

13.3 *SWPC Board* Approval: If the *SWPC Board* agrees with the *IPCC's* recommendation for release from Statewide Protective Custody, a memorandum recommending release will be forwarded *to* the Division of Operations for concurrence.

13.4 Disposition of Review: Final disposition will be provided to the appropriate Case Manager/Caseworker upon completion of the Custody Review and return of the completed Form 19-47. The Case Manager/Caseworker will be required to provide the inmate with a copy of the completed Form 19-47. Should the inmate be released from *SWPC* status, the *Central Classification Program Coordinator* will provide the Case Manager/Worker with appropriate general population housing instructions for the inmate. (NOTE: Inmates who refuse to return to the general population will be managed by procedures set forth in Agency Policy OP-22.14, "Inmate Disciplinary System.")

14. HOUSING REQUIREMENTS: Inmates placed in Statewide Protective Custody status will be housed together in a *RHU* dorm or on a wing segregated from all other inmates. *SWPC* inmates will be single celled, but may be double celled with other *SWPC* inmates with approval by the *Deputy* Director of Operations. The food flap or outer cell door will remain open from 6:00 a.m. until 9:00 p.m. unless, based on an inmate's behavior or security concerns, a Lieutenant or higher authority deems it necessary to be closed. No other inmates, including maintenance inmates, will be allowed on the *SWPC* wing. At no time will an *SWPC* inmate be in the area of other inmates. When it is necessary to escort a *SWPC* inmate to another area of the institution, it is imperative that extreme caution be used.

14.1 If deemed necessary, an inmate in Statewide Protective Custody can be placed in *RHU (behavioral level Substantiated Security Risk--SSR)* as follows:

- If reduced to Security Detention resulting from a classification action; or
- If given disciplinary detention time through a Disciplinary Hearing.

Note: While in *SSR*, the inmate will be granted privileges and appropriate property commensurate with his Security/Disciplinary Detention status. Upon completion of the Disciplinary Detention, the inmate would be returned to the Statewide PC Unit. If in Security Detention advancement was recommended by the Institutional Classification Committee and approved by the Warden, the inmate would be returned to the Statewide PC Unit.

15. RULES VIOLATIONS: All statewide protective custody inmates found guilty of rules violations will be disciplined in accordance with SCDC Policy OP-22.14, "Inmate Disciplinary System." (Cell restriction, loss of privileges, etc., may be given by the institutional disciplinary hearing officer.) Statewide protective custody inmates who become a disciplinary problem and require placement on Security Detention (SD) status, or who receive Disciplinary Detention (DD) resulting from a conviction of a disciplinary hearing, may remain in the Statewide Protective Custody unit in his/her current cell. Both doors will be secured and privileges will be determined by the SD level in accordance with SCDC Policy *OP-22.38, "Restrictive Housing Unit."* If it is determined that the inmate cannot be safely managed in the PC unit, then, and only then, would this inmate be moved to or be considered as a candidate for the *Substantiated Security Risk Unit (SSR)*, as stated in Section 14.1.

16. SECURITY CHECKS:

16.1 Correctional officers assigned to Statewide Protective Custody housing in the respective *RHU* will be required to conduct security rounds and to periodically observe inmates at least every 30 minutes on an irregular schedule. Rounds will be recorded in either a Log Book, cell check log or, if utilized, by electronic security check system. (4-4257)

16.2 At a minimum, the senior correctional officer supervisor in charge of the *RHU*/Statewide Protective Custody unit will be required to make daily visits and rounds of the *RHU*/Statewide Protective Custody unit to ensure the health and well-being of inmates assigned to the same. These visits will be recorded in the unit logbook. (4-4258)

17. *RHU* PERMANENT LOGBOOK:

17.1 The officers assigned to Statewide Protective Custody housing within a *RHU* will be responsible for recording in the *RHU* permanent logbook all routine and unusual events not documented on SCDC forms referenced in this policy. The log will also be used to record all visits by officials who inspect the unit or provide other program services. (4-4260)

18. DAILY INMATE EVALUATION SHEET:

18.1 Security staff assigned to Statewide Protective Custody will be responsible for conducting daily cell inspections and for completing SCDC Form 19-32, "*RHU* Detention Daily Evaluation Sheet," on each inmate assigned to the *RHU*/statewide protective custody unit. This form will be used to record information and evaluate the behavior of inmates assigned to the *RHU*/statewide protective custody unit. Staff will be required to complete the required sections of this form daily. The inmate will be given a check mark for appropriate behavior and a zero ("0") for any inappropriate behavior that is observed. (The only exception to these marks are to the areas for recreation and diet. See below [Procedures 18.1.8 and 18.1.9] for instructions on the marks that will be used.) At a minimum, the following behavior will be observed and evaluated:

18.1.1 Bed: Inmates will be required to keep the pillowcase on the pillow and the pillow on the bed. One (1) sheet will be used to completely cover the mattress and will be tucked under all sides of the mattress. The second sheet (and blanket if issued) will be spread on the bed or folded neatly and placed on the bed.

18.1.2 Walls/Door/Floor: Inmates will keep their cells clean. Inmates will not attach/affix any items to walls, door, bars, or ceilings. Outer cell doors and pass-through flaps will remain open from 6:00 A.M. to 9:00 P.M., unless security issues are involved. Inmates will keep their cell floors clean and free of trash. Inmates are expected to maintain the cell's cleanliness throughout the day. Cleaning supplies/tools will be provided to inmates as needed to clean their cells.

18.1.3 Toilet: Inmates will keep their toilet and lavatory clean and flushed at all times.

18.1.4 Laundry: Inmates will turn in their laundry (clothing, sheets, towels, and blankets) on schedule.

18.1.5 Neatness: Inmates will wear clean clothes and will dress as neatly as possible.

18.1.6 Promptness: Inmates are expected to comply with the schedule and orders in a prompt manner.

18.1.7 Respectfulness: Inmates are expected to conduct themselves in a respectful manner when addressing staff members.

18.1.8 Recreation: Inmates are expected to act appropriately during their recreation time. On those days that out-of-cell recreation privileges will be provided, security staff will contact each inmate to determine if s/he wishes to participate in recreation. The inmate's decision will be recorded on the SCDC Form 19-32, "**RHU** Detention Daily Evaluation Sheet." If the inmate declines, the form will be marked with the letter "D." If the inmate elects to participate, the form will be marked with a check mark. If the inmate is denied recreation due to inappropriate behavior, the form will be marked with a zero ("0") and a unit supervisor must initial by the check. If outdoor recreation is not afforded due to inclement weather, then the form will be marked with the letter "W." An inmate's decision to/not to participate is final and may not be changed at a later time.

18.1.9 Diet: Inmates are provided three (3) meals per day. Each inmate's consumption of food will be monitored by placing an "A" for all food consumed, a "P" for partial food consumed, and a zero (0) for no food consumed each day.

18.1.10 Grooming/Showers: Inmates in an **RHU**/statewide protective custody unit will be afforded a haircut and will be expected to maintain compliance with SCDC Policy OP-22.13, "Inmate Grooming Standards." Inmates will be expected to shower when scheduled and to remain clean.

18.1.11 A copy of the SCDC Form 19-32, "**RHU** Detention Daily Evaluation Sheet," will be filed in the inmate's institutional record for at least six (6) months or until the next scheduled review by the SCC, whichever comes first. The original SCDC Form 19-32 will be maintained in the **RHU**.

19. RESTRAINTS: Statewide protective custody inmates will not normally be restrained; however, they may be restrained for a bona fide reason authorized by a Shift Lieutenant or above, i.e., transportation. Statewide protective custody inmates who are placed in Security Detention (SD) or Disciplinary Detention (DD) status will be restrained in accordance with SD requirements.

20. TRANSPORTATION OUTSIDE THE INSTITUTION: Inmates assigned to Statewide Protective Custody are not to be transported by SCDC Central Bus System. Rather, all such inmates are to be transported via SCDC van or vehicle. (Refer to SCDC Policy OP-22.10, "Transportation of Inmates Outside the Institution.")

21. SELECTION/TRAINING OF STAFF MEMBERS: Only highly motivated and dedicated security personnel will be selected to work within Statewide Protective Custody. The selected security personnel will be trained in the essential skills needed to work in and cope with the pressure and stress associated with a segregation unit. **RHU** personnel will normally serve 18 months in the **RHU**, but may not exceed a maximum of 24 months. Any tour in the **RHU** that will exceed 18 months must be approved in writing by the **Deputy** Director of Operations. Each Warden will be required to maintain a roster of **RHU** employees showing their length of service in Statewide Protective Custody. This roster must be forwarded to the **Deputy** Director of Operations on a quarterly basis (January, April, July, and October).

22. CLASSIFICATION CASEWORKER: Classification Services: Caseworkers assigned to **RHU** will be responsible for making at least one monthly visit to inmates assigned to Statewide protective custody in order to talk with inmates and respond to questions they may have regarding time and sentence calculations, etc. Annual reviews by the ICC of the inmate's status will also be conducted. (4-4261)

23. EARNED WORK CREDITS (EWCS)/INCENTIVE PAY/EARNED EDUCATIONAL CREDITS (EECS): Every effort will be made for inmates on statewide protective custody to be given meaningful work while housed in the statewide protective custody housing unit. Those who work will be given Earned Work Credits at Level 7/5 days per week and in accordance with SCDC Policy OP-21.07, "Earned Work Credits."

24. PROGRAMS: Inmates in statewide protective custody will be allowed access to meaningful programs and services. Statewide protective custody inmates will, to the extent possible consistent with safety and security limitations, be afforded programs comparable to those afforded general population inmates. Members of the programs staff will be available upon the inmate's request. (4-4258, 4-4273)

25. RELIGIOUS PROGRAMMING: Individual requests to see a Chaplain will receive prompt response. All religious programming will be in-cell. (4-4258, 4-4273)

26. MEDICAL CARE: Qualified health care personnel will be required to visit the Statewide Protective Custody Unit daily, unless medical attention is needed more frequently. Dental Services will be available to statewide protective custody inmates as needed. Inmates should submit an SCDC **Form** 19-11, "Inmate Request to Staff Member," indicating that dental services are needed, and an appointment will be scheduled. Dental emergencies occurring after regular hours will be handled in accordance with

institutional procedures. All statewide protective custody inmates will receive medical attention and/or medication as needed in accordance with Agency health services policies and procedures. (4-4259)

27. MENTAL HEALTH:

27.1 All inmates who have been housed in Statewide Protective Custody for more than 30 days will be assessed by a qualified mental health care professional. This assessment will be documented in the inmate's medical record (in the "Sick Call" Notes section). By the 25th of each month, the Institutional Classification Caseworker will be required to provide mental health professionals with a list of all inmates requiring review during the next month.

27.2 Inmates remaining on Statewide Protective Custody past one (1) month will be required to be assessed every three (3) months by a qualified mental health care professional. This assessment will be documented in the inmate's medical record (in the "Sick Call" Notes section).

27.3 Mental health care professionals will immediately notify medical staff of the need for any mental health treatment for assessed inmates and a treatment plan will be developed and implemented by medical/mental health care staff for the inmate, if necessary. (4-4256)

28. ACCESS TO LEGAL MATERIALS: Inmates will have access to legal materials and to available legal reference materials. (Refer to SCDC policies regarding access to the courts for more detailed information.) **(4-4268)**

29. RECREATION: Inmates will be afforded out-of-cell recreation privileges five (5) days per week, a minimum of two (2) hours per day, weather permitting or unless safety and security reasons dictate otherwise. Recreation hours may be extended beyond two (2) hours, with the approval of the Warden. If an inmate chooses not to participate in recreation, it will be documented in the unit's logbook. An inmate's decision is final and may not be changed at a later time. Statewide protective custody inmates will be recreated as a group unless there is a need to recreate certain inmates individually. **(4-4273)**

30. VISITATION: Inmates will be allowed at least four (4) contact visits per month, up to two (2) hours in length each visit. Refer to SCDC Policy OP-22.09, "Inmate Visitation," for specific procedures related to statewide protective custody visitation. **(4-4267)**

31. CORRESPONDENCE PRIVILEGES: Statewide protective custody inmates will be allowed to send and receive mail daily in accordance with SCDC Policy PS-10.08, "Inmate Correspondence Privileges."

32. PERSONAL TELEPHONE CALLS: One (1) personal call will be afforded inmates each day. **(4-4271)**

33. LEGAL TELEPHONE CALLS: Verified calls to attorneys will be allowed as needed.

34. CANTEEN PURCHASES: All inmates in statewide protective custody will be allowed to have canteen privileges, and expenditures will be limited to \$75.00 per week. Only authorized items, approved by the Warden, will be allowed for purchase. Should canteen privileges be abused or the inmate is found guilty of a rules violation, these privileges can be suspended.

35. E. H. COOPER TRUST FUND: Inmates will be allowed access to their E.H. Cooper Trust Fund to send monies to a legitimate church for the purpose of tithing or to send to an approved visitor included on the inmate's visiting list. Refer to SCDC Policy OP-22.09, "Inmate Visitation," for information regarding approved visitors and existing SCDC policies as it relates to E.H. Cooper Trust Fund for additional information.

36. AUTHORIZED PROPERTY: In order to assist correctional personnel working in the statewide protective custody housing unit, an SCDC Form 19-52, "Statewide Protective Custody Cell Card," will be completed for each inmate and affixed to the cell door or cell front. The color-coded card will indicate the inmate's Statewide Protective Custody status and any pertinent information. The following property items will be authorized for inmates housed in Statewide Protective Custody status:

AMOUNT	ITEM
three (3)	clean uniforms (exchanged on laundry days)
three (3)	pairs of socks
three (3)	pair of under shorts (females will be allowed three (3) bras and three (3) pairs of underpants)
three (3)	t-shirts
one (1)	toothbrush
one (1)	tube of toothpaste
one (1)	small comb (females may also have one brush)
one (1)	bar of soap
one (1)	deodorant

two (2)	sheets
one (1)	blanket (during winter months)
one (1)	pillow
one (1)	mattress
one (1)	roll of toilet tissue
four (4)	books or magazines (can be from Library Services or personal - must come from publisher and be received in the mail in accordance with SCDC Policy PS-10.08, "Inmate Correspondence Privileges")
one (1) at a time (after first newspaper - must turn in one [1] to receive one [1])	newspaper (must come from publisher and be received in mail in accordance with SCDC Policy PS-10.08, " Inmate Correspondence Privileges")
one (1)	religious books (Bible or Qur'an) and materials necessary for the practice of the inmate's religion that do not violate the security of the institution (See SCDC Policy PS-10.05, "Inmate Religion.")
twenty (20)	personal letters
three (3)	photographs (up to 8" by 10" in size)
two (2)	towels
two (2)	washcloths
one (1)	radio (Walkman type) and one (1) set of batteries (to be exchanged on a one-for-one basis)
one (1)	pair of shower shoes
one (1)	pair of tennis shoes (state-issued)
one (1)	fan (at non-air-conditioned institutions only)
as appropriate	females in statewide protective custody will be issued feminine hygiene products as required

Note: If an inmate refuses personal mail or refuses to turn in one book/magazine to get another book/magazine that has arrived, a correctional officer will document this refusal in the **RHU** permanent logbook and will ensure that another employee witnesses the refusal by signing his/her name by the entry in the **RHU permanent logbook**. **The refused item will be processed pursuant to SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."**

37. UNAUTHORIZED PROPERTY: Inmates will NOT have metal fasteners of any type, i.e., paper clips, etc. Inmates will NOT have typewriters, televisions, ice chests, personal coffee pots, cosmetics, lamps, single outlet drop cords, **or** instruments (of any type). No property other than that which is authorized in Procedure **36.**, above, will be allowed unless approved in writing by the Warden.

39.8. GROOMING STANDARDS: Inmates will be required to comply with agency grooming standards. Barbering services will be provided twice a month. Inmates will not be allowed to grow or style their hair in any manner other than that authorized in **SCDC Policy OP-22.13, "Inmate Grooming Standards."** Inmates may be given forced haircuts or shaves if they refuse to comply with the haircut and shave policy. Forced haircuts or shaves are considered a use of force and must be videotaped pursuant to SCDC Policy OP-22.01, "Use of Force." Statewide protective custody inmates may purchase hygiene supplies from the canteen. However, for those inmates without funds, necessary hygiene supplies will be provided by SCDC. Inmates will be afforded the opportunity to shower five (5) times per week. Inmates will be provided laundry services at least two (2) times per week. **(4-4262, 4-4263)**

39. MEALS: All inmates in statewide protective custody status will receive normal institutional meals (full regular diets) unless a physician/dentist prescribes otherwise. The preparation and serving of food will be closely supervised. Coffee will be allowed and will be served with breakfast meal only.

41.0. ALTERNATIVE MEAL SERVICE: The alternative meal service will be imposed upon the inmate for the following violations:

- refusing to return food tray, cup, or utensils;
- throwing food, food tray, cup, or utensils;
- collecting or throwing human waste or any unidentified substances by way of tray, cup, or utensils;
- refusing to return uneaten food;

- interfering with the feeding of any meal; or,
- collecting, smearing, throwing, or otherwise exposing an employee to feces, urine, blood, or any other bodily fluid in any manner.

In such cases, the inmate will be charged with a disciplinary per SCDC Policy OP-22.14, "Inmate Disciplinary System," and may be served Nutri-loaf. See SCDC Policy OP-22.12 **OP-22.38," Restrictive Housing Unit,"** for additional information on use of the Alternative Meal Service. (4-4264)

41. DAMAGE, DESTRUCTION, AND/OR MISUSES OF PROPERTY: In such cases, the inmate will be charged with a disciplinary per SCDC Policy OP-22.14, "Inmate Disciplinary System." In addition, inmates may be required to make restitution for the damaged/destroyed item pursuant to SCDC Policy ADM-15.01, "Repayment of Costs by Inmates."

42. USE OF CONTROL CELLS: Inmates in Statewide Protective Custody who are a threat to self should be referred to the Mental Health Provider (MHP) (if on duty) or to Medical Staff (if the MHP is not on duty) in accordance with **SCDC Policy HS-19.03, Inmate Suicide Prevention and Crisis Intervention."**

42.1 The Warden, Duty Warden, or Major may place an inmate in a control cell for up to 72 hours when the inmate:

- is a threat to others by his/her actions;
- is deliberately causing damage to the cell;
- is using items in the cell to cause damage to the cell or any part of the cell's facilities; and/or
- is using items in the cell to disrupt operations in any manner.

42.2 The RHU Supervisor will ensure that regular checks are conducted as required by Paragraph 16.1, above, of this policy. The Shift Captain will ensure that the inmate is reviewed at 24 and 48 hours for possible release from the control cell. The only items that the inmate will be allowed to have in the control cell will be:

- one (1) pair of underwear;
- one (1) security blanket.

42.3 All other property will be placed in a duffel bag, inventoried, and secured in accordance with SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

42.4 The inmate will be released from the control cell when the Warden, Duty Warden, or Major determines the inmate is demonstrating compliance with institutional rules.

42.5 Additionally, the Warden, Duty Warden, or Major may keep any and all property as necessary to protect against further damage to state property for an additional 72 hour period.

43. PERRY ADJUSTMENT UNIT (PAU):

43.1 The Perry Adjustment Unit was created in order to maintain the safety and security of inmates who refuse to return to general population from the Restrictive Housing Unit. Designated inmates are managed in a closed unit under more restrictive guidelines than other general population inmates. Inmates are housed in the Adjustment Unit until they can become acclimated to transfer to the regular general population. The unit's purpose is to promote good behavior and conformance with Agency rules and regulations. Inmates housed in the Adjustment Unit will be provided privileges as outlined by the administration of Perry Correctional Institution. The Adjustment Unit will house designated inmates in the general population of Perry Correctional Institution. Inmate movement, daily schedule, work assignments, escort requirements, programs, recreation, and other privileges will be based on the rules and regulations as determined by the Warden/designee and Unit Case Management Team. Inmates assigned to the Adjustment Unit will only be allowed to leave the unit for specific activities. Movement of inmates will require security staff escort.

44. DEFINITIONS:

Administrative Segregation refers to a form of separation from the general population administered by the Classification Committee or other authorized group when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly operation of the institution. Inmates pending investigation for trial on a criminal act or pending transfer may also be included. SCDC uses **Restrictive Housing Units** for Administrative Segregation.

Alternative Meal Service (Nutri-loaf) refers to a food product (in the form of a loaf) which provides and meets requisite dietary needs and requirements and is provided to inmates in place of regular meals under limited circumstances approved by the Warden/designee and qualified medical officials.

Disciplinary Detention (**DD**) refers to a form of separation from the general population in which inmates committing serious violations of conduct regulations are confined pursuant to **SCDC Policy OP-22.14, "Inmate Disciplinary System."**

Institutional Classification Committee (ICC) refers to the decision-making body for institutional custody decision. The ICC at the Agency's Statewide Protective Custody Unit is responsible for subsequent scheduled reviews and recommendations regarding the inmates' Statewide Protective Custody status. They can recommend release of an inmate from Statewide Protective Custody. ***The Clinic Counselor is a required member of the Committee if the inmate has a mental health designation.***

The ICC will be composed of the following:

- **Classification representative (one [1] Classification Case Manager or Caseworker assigned to the unit);**
- **Other security staff member within the *RHU*; and/or**
- **Qualified medical or mental health care professional (available to the ICC as needed/required).**

Institutional Protective Custody Committee (IPCC) refers to the decision making body for all reviews for initial placement in pre-hearing detention due to protective concerns (SP). The committee will be responsible for gathering all relevant information regarding the inmate's placement in SP, to include a documented investigative report to substantiate the inmate's protective concerns. Upon compilation of all necessary data, the IPCC will submit their findings to the Warden. The IPCC will be chaired by an Associate Warden or Major. In addition to the Chair, the IPCC at a minimum will consist of a one Classification Case Manager or Caseworker assigned to the Unit, and a qualified medical or mental health professional (optional). *The Clinical Counselor is a required member of the Committee if the inmate has a mental health designation.*

Meaningful Programs refers to organized supervised programs, including but not limited to, exercise, educational courses, and certain work programs.

Qualified Medical Professional, for the purpose of this policy, refers to a physician, physician's assistant, LPN, RN, nurse practitioner, or mental health care professional.

Qualified Mental Health Professional refers to staff assigned to the Division of Mental Health Services who provide mental health services to inmates housed in SCDC institutions. Mental Health Professionals are normally referred to as Clinical Correctional Counselors within the institution (as well as psychologists in designated areas), but may also be referred to by their official State Classification System title, i.e., Human Services Specialist II, Human Service Coordinator I and II, or Licensed Psychologist.

Restrictive Housing Unit (RHU) refers to the separation of an inmate from the general inmate population in a structured environment for the purpose of maintaining the safety of staff and inmates; ensuring the security and order of the facility; maintaining the integrity of an investigation; or ensuring an inmate's safety through protective custody measures. Generally, *Restrictive Housing Units* will house Disciplinary Detention, Pre-Hearing Detention, and Security Detention inmates. (NOTE: Other categories may be included as they are phased-in and made operational.)

Security Detention refers to the placement of an inmate who meets approved criteria in a *Restrictive Housing Unit (RHU)* for an indeterminate time period.

Security Detention (SD) Behavioral Levels refers to a series of *five (5)* degrees of control applied to the management of inmates housed in *RHU*, as follows:

- *Behavioral Level I refers to the strictest degree of custody and control. Assignment to Behavioral Level I status comes as a result of a demonstrated propensity for violence and/or unwillingness to conform to standards for behavior in Behavioral Level II. Additionally, inmates involved in an assault on any staff member or inmate, escape with force, or any escape from a Level III institution will be initially assigned to this Behavioral Level. While in this status, inmates will be managed with extreme caution and afforded only essential accommodations.*
- *Behavioral Level II refers to a broadened status in security detention intended for inmates who have demonstrated cooperative behavior and gained a broader range of privileges. Advancement to this behavioral level is based on acceptable behavior demonstrated in Behavioral Level I. The minimum amount of time in this behavioral level is 90 days.*
- *Behavioral Level III refers to the broadest status intended for inmates in the step-down incentive program who have demonstrated a continued willingness to comply with the rules and regulations of the Restrictive Housing Unit and gained the highest level of privileges. Advancement to this behavioral level is based on acceptable behavior demonstrated in Behavioral Level II. The minimum amount of time in this behavioral level is 90 days.*
- *Behavior Level IV refers to a broadened status in security detention intended for inmates who have demonstrated cooperative behavior and gained a higher range of privileges. Advancement to this behavioral level is based on continued acceptable behavior demonstrated in Behavioral Level III. The minimum amount of time in this behavioral level is 90 days.*
- *Behavioral Level V refers to the broadest range of privileges in RHU. Advancement to this behavioral level is based on continued acceptable behavior in behavioral level IV. The minimum amount of time in this behavioral level is 90 days.*

Short-Term Detention (ST) refers to the temporary placement of an inmate charged with, or suspected of, a disciplinary violation in designated cells of a *Restrictive Housing Unit* by the Warden/Duty Warden or an approved designee if the inmate falls into one of the following categories:

- *The inmate has behaved violently and aggressively while incarcerated and is a threat to the physical safety of other inmates or staff. This behavior includes possession of major contraband but is not limited to: Weapons that are capable of inflicting death; escape instruments or articles designed to specifically adopt for criminal use in escape attempt;*
- *Actively involved in disruptive gang activity and is a confirmed leader, enforcer, disruptive core member or recruiter of a security threat group;*
- *The inmate has escaped or attempted to escape from within a security perimeter and/or custody of direct supervision;*
- *The Director or designee determines, based on specific objective criteria set forth in writing, that there is a significant risk that the inmate will cause physical injury to staff, other inmates, or members of the public if he is housed in general population, even at the highest security level;*

- *There are protective concerns for the inmate (refer to sections 1 through 3 of this policy for additional information) or the inmate's presence in the general population would create a threat to the safety, security, and/or order of the institution; or*
- *It is necessary to maintain the integrity of an investigation, i.e., to preserve the integrity of information either in the inmate's possession or another inmate's possession.*

Central Classification refers to those officials assigned to the SCDC **Classification** Central Office responsible for the statewide management of bed space *and approval for release and admission to Restrictive Housing Units (RHU).*

Statewide Protective Custody (SWPC) Board refers to the decision-making body for placement and release of inmates from the protective custody unit. The Statewide Protective Custody Committee is responsible for reviewing all pertinent documentation provided by the IPCC when evaluating requests for protective custody unit placement by the inmates in SP. Recommendations from this Committee will be referred to the Deputy Director of Operations for a final disposition.

Substantiated Security Risk (SSR) refers to a specialized unit which houses inmates who have demonstrated an unwillingness to conform to the rules and regulations of a Restrictive Housing Unit, who have been charged with violent criminal behavior committed while in the general population, and/or for whom emergency placement has been ordered by the Agency Director/Deputy Director of Operations. Because of the admission criteria and the rigid controls on behavior, inmates will not be eligible to receive Earned Work Credits, Earned Educational Credits, or inmate pay while assigned to SSR. The propensity for violent behavior represented by the SSR population requires extraordinary precautions. For that reason, the procedures contained herein are unique to SRR and on some issues will supersede SCDC policies intended for the general population.

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

Mental Health Services – General Provisions (SCDC Policy HS-19.04)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.

- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY

This policy has been developed in response to and as a portion of the Remedial Plan agreed upon by the parties in the settlement of T.R. V. South Carolina Department of Corrections, No. 2005-CP-40-02925. As agreed by the parties in the Settlement Agreement, it is the understanding and agreement of the parties that implementation and effectuation of the provisions of this policy as a portion of the Remedial Plan shall be phased in over time and all aspects shall not become effective immediately. (See Section 2 - Summary of Agreement and Section 4 (f) - Implementation Phase-In of Settlement Agreement effective May 2, 2016).

NUMBER: HS-19.04

TITLE: MENTAL HEALTH SERVICES - GENERAL PROVISIONS

ISSUE DATE: August 31, 2016

RESPONSIBLE AUTHORITY: DIVISION OF MENTAL HEALTH SERVICES

OPERATIONS MANUAL: HEALTH SERVICES

SUPERSEDES: SCDC POLICY HS-19.02 (dated July 1, 2008) - NEW POLICY

RELEVANT SCDC FORMS/SUPPLIES: 19-11, 19-29, M-53, M-107, M-120, M-152

ACA/CAC STANDARDS: 4-ACRS-4C-03, 4-ACRS-4C-06, 4-ACRS-4C-15, 4-ACRS-5A-08, 4-ACRS-7D-07, 4-4095, 4-4098, 4-4099, 4-4256, 4-4277, 4-4285, 4-4286, 4-4295, 4-4296, 4-4305, 4-4348, 4-4351, 4-4368, 4-4370, 4-4371, 4-4372, 4-4373, 4-474, 4-4399, 4-4404, 4-4429-1, 4-4431, 4-4433, 4-4434, 4-4435, 4-4437, 4-4438, 4-4439, 4-4440, 4-4441, 4-4442, 4-4446

STATE/FEDERAL STATUTES: SC Code Ann. §24-1-130; SC Code Ann. §44-115-10 through 150; SC Code Ann. §44-22-10 through 220; SC Code Ann. §44-11-20; Americans with Disabilities Act; HIPAA; Pub.L. 104-191, 110 Stat. 1936; C.F.R. §T. 42, Ch. I, Subch. A, Pt. 2; 42 U.C. Code § 12101

PURPOSE: To provide information and assurance for the care and management involving inmates in need of mental health services within the South Carolina Department of Corrections (SCDC).

POLICY STATEMENT: SCDC is committed to providing all inmates access to mental health care based on documented policies and procedures. Provisions of mental health services include inmate assessment and evaluation, suicide prevention, special needs care, referrals for care, ongoing care, and discharge planning. Unless otherwise noted, policy information is applicable to both male and female inmates.

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SPECIFIC PROCEDURES:

1. GOAL AND INTENT:

1.1 The goal of SCDC is to diagnose and treat mentally ill inmates, and to work with inmates in developing plans of care designed to minimize symptoms and reduce adverse effects of mental illness, maximize wellness, and promote recovery. The Agency intends to achieve the goal through the establishment and operation of programs promoting recovery oriented, individualized approaches to care that utilize evidence-based practices and maximize an inmate's abilities; minimize symptoms, adverse effects, and/or consequences of mental illness; and maintain and promote inmate integration into the general population and/or the community.

1.2 Mental Illness at SCDC: SCDC recognizes a mental disorder as outlined in the most recent edition of the Diagnostic and Statistical Manual (DSM) by the American Psychiatric Association. A mental disorder is a syndrome characterized by a clinically significant disturbance in an individual's cognition, emotion regulation, or behavior that reflects a dysfunction in the psychological, biological, or developmental processes underlying mental function. Mental disorders are usually associated with significant distress or disability in social, occupational, or other important activities. (*An expectable or culturally approved response to a common stressor or loss, such as death of a loved one, is not a mental disorder.*) Socially deviant behavior (e.g., political, religious, or sexual) and conflicts that are primarily between the individual and society are not mental disorders unless the deviance or conflict results from a dysfunction in the individual, as described above.

1.3 Serious mental illness can include diagnoses such as schizophrenia spectrum and other psychotic disorders, bipolar disorders, depressive disorders, and anxiety disorders, trauma and stress related disorders, neurodevelopmental disorders, neurocognitive disorders, and severe personality disorders that result in significant dysfunction and the inability to function in the general population. Inmates who experience significant functional impairment involving acts of self-harm or other behaviors that have a serious adverse effect on life may also fall into this category.

1.4 Mental health services at SCDC include, but are not limited to: assessment, case management, treatment, and discharge planning. Mental health services are provided to all inmates classified as mentally ill. Inmates classified as non-mentally ill receive mental health services if clinically warranted.

2. INSTITUTIONS - IDENTIFY LEVELS OF CARE:

2.1 The following SCDC institutions currently provide mental health care for mentally ill inmates:

- | | |
|---|--|
| 1) Kirkland Reception and Evaluation (L2, L3, L4) | 10) Manning Correctional Institution (L4, L5) |
| 2) Broad River Correctional Institution (L4) | 11) Lee Correctional Institution (L3, L4) |
| 3) Camille Graham Correctional Institution (L2, L3, L4) | 12) Evans Correctional Institution (L4) |
| 4) Perry Correctional Institution (L3, L4) | 13) Kershaw Correctional Institution (L4) |
| 5) Tyger River Correctional Institution (L4) | 14) Turbeville Correctional Institution (L3, L4) |
| 6) McCormick Correctional Institution (L4) | 15) Ridgeland Correctional Institution (L4) |
| 7) Leath Correctional Institution (L4) | 16) Lieber Correctional Institution (L3, L4) |
| 8) MacDougall Correctional Institution (L4) | 17) Allendale Correctional Institution (L4) |
| 9) Gilliam Psychiatric Hospital (L1) | 18) Contract Hospital Facility/females (L1) |

3. RECEPTION AND EVALUATION (R&E) - See Health Services Procedure 700.10 "Reception and Evaluation Center (R&E)":

3.1 Upon entry, inmates committed to SCDC have access to mental health services. As part of SCDC's intake process, **ALL** inmates receive an initial mental health screening to identify any mental health needs. If warranted, inmates may also receive supplementary psychiatric screenings and evaluations. The information obtained will determine an inmate's level of care needs and the inmate's mental health classification.

4. REFERRALS:

4.1 A mental health referral can occur at any time during the inmate's incarceration and may come from a variety of sources to include, but is not limited to:

- P-SERC process;
- Sick call;
- Request from staff;
- Correctional personnel or legal representation; and
- Friends and family members.

4.2 When mental health staff receive a referral, the inmate is screened and evaluated for determination of clinically indicated services.

5. CLINICAL ADMINISTRATION:

5.1 Staffing: SCDC mental health staff is comprised of a diverse group of licensed, credentialed, and qualified mental health professionals that include Psychiatrists, Clinical Supervisors, QMHPs, Mental Health Technicians, and others who offer on-site mental health care and case management on a daily basis to all SCDC inmates as needed. Services include, but are not limited to:

- Mental health screening at intake;
- Psychological evaluation;
- Psychiatric evaluation, medication, and management;
- Psychological assessment;
- Suicide prevention and intervention;

- Crisis intervention;
- Individual and group treatment; and
- Cognitive behavioral treatment.

5.1.1 Qualified Mental Health Professionals (QMHPs) are available either onsite or on call 24 hours a day for every institution.

5.1.2 Psychiatrists, Clinical Supervisors, and other QMHPs are available to provide diagnostic impressions, evaluations, treatment, and other therapeutic mental health services.

5.1.3 Other Qualified Mental Health Professionals (QMHPs) hold a Masters degree in counseling or a counseling related field, and are licensed in the state of South Carolina. They provide treatment and case management services to all inmates classified as mentally ill and any inmate receiving suicide precaution (SP) or crisis intervention (CI) services. QMHPs assist inmates in meeting and maintaining mental health treatment goals and objective through advocacy, on-going assessment and evaluation, planning, communication, education, resource management, and service facilitation. Those mental health providers who are not licensed to practice independently as mental health professionals will be supervised with monthly documentation.

5.1.4 Nurses provide a wide range of duties including caring for and educating inmates about their medical and mental health needs. They administer medications and provide other medical and mental health treatment interventions as authorized or credentialed.

5.1.5 Mental Health Technicians are individuals who have a Bachelor's level degree in counseling or other mental health related area. They are considered to be clinical, non-uniformed staff who assist with care and treatment of the mentally ill inmates.

5.1.6 Activity Therapists are clinical staff members with a degree in recreational therapy, physical education, art therapy, music therapy, or associated area who provide treatment planning, education, supervision, and oversight of therapeutic activities for inmates with a mental health classification.

5.1.7 An annual staffing needs assessment is performed by the Deputy Director of Health Services, Division Director of Behavioral/Mental Health and Substance Abuse Services, Chief Psychiatrist, Director of Nursing, Medical Director, and Quality Management Director in order to ensure that adequate coverage, licensure/credentialing requirements are maintained and service gaps and trends are identified.

5.2 Inmate Screening/Evaluation/Treatment:

5.2.1 Screening: All inmates receive mental health services orientation and mental health screening upon commitment to SCDC (*see Health Services Procedure 700.10, "Reception and Evaluation Center (R&E)"*), and again at any time during the inmate's prison term as needed or requested. Mental health screening can be expedited based on the results of intake screenings conducted by case management and medical staff. Mental health screenings are completed as follows:

- Routine: completed within three (3) business days;
- Urgent: completed within twenty-four (24) hours;
- Emergent: completed within four (4) hours, and the inmate is kept under direct observation until the evaluation is completed.

5.2.2 Evaluation: Inmates who present with mental health concerns as identified through screening may receive routine, urgent, or emergent referral for further evaluation (dependent on their symptom presentation and/or history). Further evaluation includes a confidential clinical evaluation, suicide risk assessment, psychiatric assessment, and psychological testing, when necessary:

- Routine evaluations are completed within fourteen (14) days;
- Urgent evaluations are completed within twenty-four (24) hours;
- Emergent evaluations are completed within four (4) hours, and the inmate is kept under direct observation until the evaluation is completed.

5.3 Classification: Classification will determine inmate placement in accordance with an inmate's level of care, risks, and security requirements. Identifying existing mental health problems and potential mental health concerns will allow Classification to provide proper placement of inmates classified as mentally ill. Inmates are considered admitted to Mental Health Services after the Health Summary has been revised to indicate LOC status. They will subsequently be assigned to institutions that provide the appropriate level of mental health care.

5.3.1 Psychiatrists will complete a mental health evaluation to render a diagnostic impression, make treatment recommendations, and determine need for further psychological, neurological, medical, and laboratory testing to ensure that an inmate receives the proper level of care. A psychiatric evaluation is completed prior to a mental health classification being assigned. The classification is determined by the evaluating psychiatrist with input from other QMHPs.

5.3.2 Psychotropic medications are generally prescribed by a psychiatrist or a psychiatric mid-level practitioner. Psychiatric medication may also be initiated or monitored on a shorter term or interim basis as needed by a general medical physician or mid-level practitioner with appropriate experience and training. Informed consent is required for any inmate voluntarily taking psychiatric medication. Inmates receive medication, education, compliance monitoring, and drug toxicity monitoring by psychiatrists, mid-level practitioners, nursing staff, and pharmacy staff as dictated by their treatment regimen.

5.3.3 Individual counseling services are private through confidential sessions between the inmate and his/her assigned QMHP, Clinical Supervisor, Psychiatrist, or other mental health professional. Counseling sessions provide a supportive environment for the inmate to address feelings, thoughts, and behaviors associated with his/her mental illness and identify goals, objectives, and strategies that foster changes in thinking patterns, an understanding of self-actualization, learning new skills, and/or ways to diminish problem behavior.

5.3.4 All inmates identified as mentally ill (Mental Health Classification L1, L2, L3, L4, or L5) must be monitored by mental health staff, regardless of whether or not psychotropic medication is prescribed, or whether or not the inmate is compliant with his/her prescription medication.

- **L1 Hospitalization** - Male inmates are placed in Gilliam Psychiatric Hospital. Female inmates are placed in a contract facility. Mental health professionals see the inmate at least weekly or more routinely if clinically indicated.
- **L2 Intermediate Care Services (ICS)** - Inmates' ability to function is severely impaired due to mental illness. There are active symptoms of major mental illness with impaired reality testing or multiple failures to conform behavioral functions in a lowered level of care. Inmates are seen at a minimum of twice per month by a QMHP, or more routinely if clinically indicated.
- **L3 Higher Intensity Outpatient Treatment** - Inmates' ability to function in a general population is moderately impaired due to mental illness. They are easily overwhelmed by everyday pressures, demands, and frustrations, resulting in disorganization, impulsive behavior, poor judgment, delusions, hallucinations, or other exacerbations. They are seen by QMHPs at least monthly, or more routinely if clinically indicated, and require a treatment plan update every three (3) months.
- **L4 Outpatient** - Inmates may be housed in general population or structured living unit. Inmate's ability to function in general population is mildly impaired or needs monitoring due to change in medication, recent move from higher level of care, or history of self-injurious behavior. They are seen by QMHPs at least every ninety (90) days, or more often if clinically indicated, and require a treatment plan update every six (6) months.
- **L5 Work Release Eligible** - Inmates carry a mental health diagnosis, symptoms in remission, eligible for KOP (carry on person) medication. Inmates' ability to adjust and function in general population is not impaired due to mental illness. They are seen by QMHPs at least every six (6) months, or more if clinically indicated, and require a treatment plan annually.

5.4 Case Management: The lead QMHP at the receiving institution will ensure that inmates classified as mentally ill are assigned a QMHP. QMHPs will provide appropriate treatment/services based on an inmate's individual clinical need(s). Both routine and significant contacts will be documented in the AMR. QMHPs will keep the treatment team informed of each inmate's progress or lack of progress, and will request any additional support as needed.

5.4.1 With the exception of Incidental/Non-Contact notes, all mental health professionals document mental health care services in Data, Assessment, Plan (DAP) format or Subjective, Objective, Assessment, Plan (SOAP) format. See Health Services Procedure 700.5, "Mental Health Clinical Documentation." Types of contact documented include:

- **Routine Contact:** Documentation for regular contact rather than for a special reason (ex.: individual therapy progress note);
- **Significant Contact:** Documentation of matters that require immediate attention/action (ex.: initial assessments, suicide prevention/precaution);
- **Incidental:** Brief explanation of changes, concerns, and/or problems that may or may not involve contact with the inmate;
- **Group Sessions:** Documenting individual progress for participants in group sessions.

5.4.2 Treatment Planning: Once an inmate has been screened, evaluated, and classified to receive mental health services, mental health staff will determine an effective course of action by establishing an individualized treatment plan in conjunction with the inmate. An individual treatment plan provides treatment recommendations that will help the inmate develop the necessary skills for successful adjustment while incarcerated and upon release to the community. Individual Treatment Plans (ITPs) are completed for each mentally ill inmate. The ITP ensures that treatment remains focused on goal attainment and ensures that resources are effectively utilized to meet the needs of the inmate who is actively receiving mental health care and services. (See SCDC Policy HS-19.05, "Mental Health Services - Treatment Plans and Treatment Team Meetings.")

5.4.3 Treatment Team meetings are conducted regularly and on an as needed basis at all facilities with inmates classified as being in need of mental health care. Inmates are included in the initial treatment planning process, as well as subsequent treatment plan reviews and discussion, and plans reflect any updates/changes. Inmates are encouraged to attend and participate in their individual treatment team session(s). (See SCDC Policy HS-19.05, "Mental Health Services - Treatment Plans and Treatment Team Meetings.")

5.4.4 Group counseling services address the mental health needs of the SCDC population by instruction and discussion of topics such as anger management, medication management, victim impact, etc. Mentally ill inmates are encouraged to participate in group counseling as part of the treatment process. Some groups are limited to participation of mentally ill inmates

only. Others are open and welcome to all inmates. Groups may be closed or open ended in structure. (See Health Services Procedure 700.5, "Mental Health Clinical Documentation.")

5.4.5 Restraints - See SCDC Policy HS-19.08, "Mental Health Services - Clinical Use of Restraints for Mental Health Purposes".

- Restraints are used only when there is imminent danger of the inmate harming him/herself or others that cannot be resolved by a less restrictive method;
- Prior to using restraints, all other less intrusive methods are utilized/considered to protect the individual(s) from harm. Restraints are used as a last resort;
- Restraints are not used for the purpose of punishment or discipline;
- Use of restraints requires a physician's order;
- Any inmate placed in restraints is kept under constant observation. The order for continued restraints will be reviewed at least every four (4) hours;
- The inmate is assessed for circulatory problems, onset of medical concerns, and toileting needs every two (2) hours or more often if needed and has meals served on a regular schedule.

6. LEVEL OF CARE (LOC) CLASSIFICATION AND PROGRAM CODES:

6.1 Classification: SCDC mental health level of care classification and coding system is hierarchical, ranging from (L5), representing inmates who are able to function with minimal assistance from mental health staff, to (L1), representing hospitalization and the greatest need for mental health care. Inmates not requiring current mental health care are classified as NMH.

6.1.1 Hospitalization: Male inmates are placed in Gilliam Psychiatric Hospital. Female inmates, and occasionally male inmates, are placed in a contract facility (*LOC Classification Code: L1*).

6.1.2 Residential Care: Residential mental health services are provided for inmates with moderate to severe symptoms who need frequent, ongoing mental health care and services in a therapeutic environment. Each Residential Care Program has its own LOC identifier:

- Substance Abuse Treatment - LOC Classification Code: SA
- Habilitation Program - LOC Classification Code: ID
- Behavior Management Unit - LOC Classification Sub: BU
- Intermediate Care Services - LOC Classification Code: L2
- Self Injurious Behavior Program - LOC Classification Code: LC

6.1.3 Outpatient: Inmates who have the ability to function in general population may be housed in general population or structured living units. Outpatient inmates are mildly to moderately impaired and/or need monitoring due to a need for medication management, recent move from higher level of care, history of self injurious behavior or mild/moderate symptoms present and/or to maintain stability. There are two (2) levels of outpatient care:

- Higher Intensity Outpatient Treatment: LOC Classification Code: L3; and
- Lower Intensity Outpatient Treatment: LOC Classification Code: L4.

6.1.4 Assignment will be based on review of treatment needs. Inmates who are on more complex medication regimens, or viewed as being less stable or more needy, are classified as Higher Intensity. Institutions designated as suitable for housing Higher Intensity Outpatients will be staffed at a higher level to accommodate additional mental health programming.

6.1.5 Work Release Eligible: Inmate has one or more mental health diagnoses; however, the individual's symptoms are in remission and/or well controlled with treatment. If a mentally ill inmate is considered eligible for work release, his/her case is reviewed on an individual basis by the Treatment Team and the chief psychiatrist to determine if his/her treatment plan can be continued in a work release program (LOC Classification Code: L5).

6.1.6 Non-Mental Health: Designated code for inmates who have no current need for mental health services (LOC Classification Code: NMH).

6.2 Special Program Codes: Program and service codes help to identify and track the progress of mentally ill inmates who participate in several programs, services, and opportunities provided to assist in psychiatric rehabilitation, substance abuse treatment, sex offender treatment, and therapeutic group sessions designed to educate inmates in several areas of life management. Inmates may be assigned one or more of the following codes:

- Sex Offender Treatment Program Code: 310;
- Crisis Intervention Services Code: 079;
- Individual Therapy Services Program Code: 080;
- Group Therapy Services Program Code: 081.

7. PROGRAMS AND SERVICES:

7.1 Inpatient Psychiatric Care:

7.1.1 An inmate experiencing significant, acute, or severe psychiatric or emotional difficulties, whose care requires a healthcare setting and it cannot be accomplished in a less intensive treatment setting, may be admitted to the hospital for further evaluation and care. Admission is voluntary, by court order, or considered emergency while the court order process is being initiated.

7.1.2 Routine referrals for inpatient care will be made to the chief psychiatrist or designee. Emergency referrals will be handled by the psychiatrist on call.

7.1.3 A medical examination, including updated physical exam and clinically appropriate laboratory studies, will be conducted within twenty-four (24) hours of admission.

7.1.4 Voluntary Admission - Institutional medical staff and/or QMHP will coordinate admission for inmates who voluntarily agree to inpatient treatment. Males requiring in-patient psychiatric care will generally be admitted to Gilliam Psychiatric Hospital. Females requiring in-patient psychiatric care will be admitted to a contract facility. Voluntary participants sign a consent form informing them of their right to withdraw from hospitalization at any time. However, if the need for continued treatment is warranted, a psychiatrist will file a petition with Richland County Probate Court for involuntary judicial commitment.

7.1.5 Involuntary Admission - If an inmate refuses a referral for inpatient treatment, the psychiatrist will determine if the inmate is best served by either completing an application for emergency hospitalization to secure inpatient hospitalization on an involuntary basis or filing a petition with Richland County Probate Court for involuntary judicial commitment. Women requiring inpatient psychiatric care will be admitted to a contract facility for involuntary admission. Males requiring psychiatric care are admitted to Gilliam Psychiatric Hospital.

7.1.6 Inmates who are hospitalized have access to short-term and long-term inpatient psychiatric care with the goal of stabilization for transition to a less restrictive environment within SCDC.

7.2 Crisis Intervention (CI)/Suicide Precaution (SP) - See SCDC Policy HS-19.03, "Inmate Suicide Prevention and Intervention":

7.2.1 Any inmate arriving with or developing a condition that warrants an immediate response due to being a danger to him/herself or others is placed in a healthcare setting and receives suicide precaution/crisis intervention services immediately. This level of care is prescribed and discontinued by order of a licensed independent practitioner credentialed to order CI/SP status (psychiatrist, mid-level psychiatric practitioner, or doctoral level Clinical Supervisor).

7.2.2 Emergency intervention and prevention measures are utilized when inmates display suicidal tendencies/actions, homicidal tendencies/actions, self-injurious behaviors, or other conditions that may cause harm to themselves or others.

7.2.3 Each institution has designated specific safe cells that are appropriately secure and suicide resistant to allow inmates, at least temporarily, to be placed on special status under direct observation by uniformed staff with qualified health and mental health professionals performing scheduled and unscheduled observation and evaluation. Inmates placed in safe cells will be subject to the same conditions, restrictions, and privileges set forth for CI/SP inmates in SCDC Policy HS-19.03, "Inmate Suicide Prevention and Intervention."

7.2.4 The Chief Clinical Supervisor will coordinate the CI/SP program within SCDC.

7.3 Residential Mental Health Care:

7.3.1 Intermediate Care Services (ICS) - See SCDC Policy HS-19.12, "Mental Health Services - Intermediate Care Services (ICS)":

- A therapeutic environment is provided for mentally ill inmates with serious, persistent mental illness who need frequent or ongoing mental health services, including monitoring due to potential medication management issues and/or a condition or circumstance requiring more extensive monitoring, treatment, or case management short of hospitalization.
- Inmates meeting specific program admission criteria for ICS may be identified during R&E processing or at any time during his/her period of incarceration. A mental health services referral packet is completed for review by the Program Supervisor/Coordinator to determine suitability for program participation.
- If the inmate is accepted into the program, then s/he can either be transferred from R&E upon completion of the intake process, or from their current living unit upon completion of the designation process by the Division of Classification and Inmate Records.
- The inmate's Health Summary must be updated by a physician, psychiatrist, or nurse practitioner to reflect assignment of the most recent diagnoses.

7.3.2 Habilitation Program (Hab Program):

- Social, vocational, and academic skills programming is provided to inmates who demonstrate significant intellectual impairment limiting their ability to adjust to or function in a general correctional environment.
- The inmate's condition is expected to continue indefinitely. The Hab Unit is a mandatory LOC assignment, but participation in the treatment programs and services is voluntary.

- Inmates are evaluated for program admission during R&E processing or may be identified and referred from any SCDC institution. Various testing instruments that measure intellectual and cognitive functioning, adaptive behavior, and other clinical issues will be utilized in the evaluation process with any inmate suspected of intellectual impairment.
- Referrals are reviewed by the Habilitation Services Program Manager and program Treatment Team. When approval is granted, LOC is updated to reflect the Hab Unit assignment.

7.3.3 Self-Injurious Behavior (SIB) Services:

- Services are provided in a therapeutic environment for mentally ill inmates who 1) display chronic self-injurious behavior; 2) have a documented history of acute self-injurious behavior; and/or 3) are identified by a Psychiatrist/Clinical Supervisor as needing placement in the SIB Program (*Males Only*) or provided other SIB specific services.
- **Males:** QMHPs complete a referral package for review by the SIB Program Manager and program Treatment Team who decide to accept, reject, or refer the inmate to another mental health program. If approval is granted, LOC is updated to reflect SIB program assignment.
- **Females:** Inmates identified by a Psychiatrist/Clinical Supervisor as needing more intensive mental health treatment for self injurious behavior will be referred to a contract facility for inpatient services, if necessary. An individual treatment plan to address follow-up needs in response to continued risk for SIB will be developed.

7.3.4 Substance Abuse Treatment Program:

- Services are provided to any inmate with an addiction to drugs and/or alcohol.
- Mentally ill inmates who are dually diagnosed with a substance abuse problem must be cleared psychologically by their current Mental Health Treatment Team to participate in the Substance Abuse Treatment program.
- Inmates dually diagnosed with a mental illness and substance abuse issues must be psychologically and medically stabilized prior to beginning the Substance Abuse Treatment program.
- Referrals for substance abuse services are outlined in SCDC Policy PS-10.02, "Inmate Substance Abuse Programs."

7.3.5 Behavior Management Unit (BMU): Additional assessment and treatment are provided in a therapeutic environment to mentally ill inmates who display or have displayed serious, ongoing behavioral problems resulting in significant lockdown time due to disciplinary infractions.

7.3.6 Sex Offender Treatment Program (SOTP) - See SCDC Policy PS-10.11, "Sex Offender Treatment Program (SOTP)":

- Voluntary or court ordered services including educational groups, treatment groups, and relapse prevention groups are provided for inmates with a history of deviant sexual behavior.
- The SOTP Coordinator completes individual evaluations on inmates who are court ordered, referred, or request entry into the Sex Offender Treatment Program.
- Mentally ill inmates will retain their current LOC classification and evidence of program assignment, and participation will be indicated/coded in the Program Services Summary. Mental health care will not be interrupted due to program assignment.

7.4 Outpatient Care:

7.4.1 Intensive Outpatient Mental Health Services (IOP) - Higher Intensity Outpatient Care:

- The inmates classified as intensive outpatient are inmates who present with moderate symptoms needing frequent or ongoing mental health care, who are being prescribed psychotropic medication that requires close monitoring, and whose condition or circumstances require a higher level of evaluation, treatment, and/or case management but does not arise to the level of the need for hospitalization or residential care programming.
- When a Psychiatrist indicates IOP services are needed, a QMHP will update the inmate's medical classification information in the AMR to reflect the current mental health status.
- Inmates requiring IOP care are assigned to an institution with full time mental health staff.

7.4.2 Outpatient Mental Health - Lower Intensity Outpatient Care:

- Inmates classified as Lower Intensity Outpatients must be able to function with limited supervision from mental health staff.
- When a Psychiatrist indicates outpatient mental health services are needed, a QMHP will update the inmate's medical classification information in the AMR to reflect the current mental health status.

- Inmates requiring outpatient care are assigned to an institution with full time mental health staff.

7.5 Services for Non-Mentally Ill Inmates:

7.5.1 Inmates designated as NMH are individuals with no current identified mental health needs.

7.5.2 Mental health services, including suicide precaution/crisis intervention, continue to be available to non-mentally ill inmates. Non-mentally ill inmates can request access to mental health services by utilizing the medical referral/sick call process. Any staff member can also bring concerns about any inmate's mental health to the attention of any mental health staff member who will initiate a formal referral for evaluation.

7.6 Mental Health Services for Death Row Inmates - See SCDC Policy OP-22.16, "Death Row":

7.6.1 Male inmates on death row are admitted directly to Lieber Correctional Institution (Lieber) and complete the intake process at Lieber. Female death row inmates are admitted directly to Camille Graham Correctional Institution (Graham) and also receive intake services at Graham.

7.6.2 During the intake process, an incoming death row inmate is placed on precautionary SP/CI status and remains there until he/she completes initial R&E mental health screenings and any identified mental health assessments.

7.6.3 Death row inmates receive the same screening, assessments, and LOC classification as inmates housed in the general population. Mental health treatment will be individualized. All death row inmates are routinely assessed monthly by a QMHP. If at any time a death row inmate appears to need additional mental health services, a referral is completed to begin supplementary mental health services as clinically indicated.

7.6.4 QMHP is present during the reading of an inmate's death warrant after which the inmate is automatically placed on CI/SP. Mental health personnel monitor the inmate during CI/SP and develop and provide mental health treatment as necessary.

7.7 Specialized Mental Health Care Services:

7.7.1 Beyond the traditional mental health services provided, mental health staff will collaborate with various specialized program areas to provide mental health services as required. Since many inmates receiving specialized program services also have a mental illness and/or a medical diagnosis, their program(s) will be located at a facility that can provide their medical, psychiatric, and mental health care management as required. Mental health and medical personnel will coordinate with program staff to ensure the inmate receives concurrent services in order to maintain continuity of care.

7.7.2 Inmates receiving specialized program services who also require mental health services shall have individualized care plans created to ensure that such specialized program services situations do not prevent the inmate from receiving mental health care as clinically indicated. Examples of specialized programs or services that may present mitigating circumstances and/or require the creation of an individual care plan include, but are not limited to, the following:

- Prison Rape Elimination Act (PREA) - Refer to SCDC Policy OP-21.12, "Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment;"
- Infirmary Services - Refer to Health Services Procedure 400.1, "Infirmary Services";
- Shock Incarceration - Refer to SCDC Policy PS-10.12, "Shock Incarceration";
- Guilty But Mentally Ill (GBMI) - Refer to SCDC Policy OP-22.14, "Inmate Disciplinary System," and Health Services Procedure 700.2, "Inpatient Psychiatric Admission";
- Protective Custody - Refer to SCDC Policy OP-22.23, "Statewide Protective Custody";
- Young Offender Parole and Reentry Services - Refer to SCDC Policy OP-22.39, "Young Offender Parole and Reentry Services (YOPRS)";
- Pregnancy-related Health Care Services - Refer to SCDC Policy HS-18.15, "Levels of Care";
- Disability Services (Handicapped Unit) - Refer to SCDC Policy HS-18.15, "Levels of Care";
- Hospice Care - Refer to SCDC Policy HS-18.15, "Levels of Care";
- Chronic/Palliative and Convalescent Care - Refer to SCDC Policy HS-18.15, "Levels of Care";
- Substantiated Security Risk (SSR) - Refer to SCDC Policy OP-22.38, "Restrictive Housing Unit (RHU);" and
- Restrictive Housing Unit (RHU) - Refer to SCDC Policy OP-22.38, "Restrictive Housing Unit (RHU)."

8. DISCHARGE:

8.1 Mental Health Services Discharges:

8.1.1 From Hospitalization: Inmates discharged to a lower level of care after being hospitalized are assigned to an appropriate institution and/or program to meet their level of functioning. Inmates receive a mental health assessment within 48 hours of arriving at the receiving institution. Hospital discharge information including treatment recommendations, medication, etc., is added to the inmate's treatment plan.

8.1.2. From Mental Health Treatment: Inmates can request removal from mental health services at any time. Inmates can also be recommended for removal from mental health services by their Treatment Team. Inmates who are requesting or are recommended for discharge from mental health services will have their case reviewed by the institutional Treatment Team, with input from the Regional Manager, Clinical Supervisor, and Chief Psychiatrist.

8.2 Mental Health Discharge Upon SCDC Release:

8.2.1 QMHPs work diligently to provide as many resources as possible to assist inmates in continuing their treatment upon release. Inmates are fully advised of potential assistance programs and program eligibility requirements. Inmates receive assistance completing applications/enrollment for disability, Medicaid/Medicare, etc. A psychiatrist reviews all psychiatric medications prior to discharge, and an appointment for follow-up care and management of psychiatric medications will be coordinated to occur within five (5) days of the inmate's release date. The inmate will routinely receive a five (5) day supply and one (1) 30-day refill prescription for medication, if clinically indicated, upon the inmate's release. Exceptions can be made on a case by case basis if follow-up care is not scheduled within five (5) days of release.

9. DISCIPLINARY - See SCDC Policy OP-22.14, "Inmate Disciplinary System," and SCDC Policy HS-19.06, "Disciplinary Detention for Inmates Classified as Mentally Ill":

9.1 All inmates classified as mentally ill and receiving higher levels of care (Classifications L1, L2, L3, and LC) and any inmate who suffers from or presents with a serious mental illness, regardless of classification, who is to come before a Disciplinary Hearing Officer (DHO) due to an infraction that could result in a level one or two formal charge, will be assessed by a QMHP. The QMHP will determine what impact, if any, the inmate's mental health state should carry in regard to disciplinary sanctions. The QMHP completing the disciplinary statement will not, whenever possible, be the primary counselor assigned to the inmate.

9.2 An inmate who is or has been on the mental health caseload within the last six (6) months and who is charged with a major disciplinary infraction will have an evaluation completed within three (3) business days by a QMHP with the assistance of a Psychiatrist and/or a Clinical Supervisor as needed. This evaluation will include a formal review of mental health history, diagnosis, and current treatment. The inmate's competency to understand and any impact that his/her mental health issues may have had on his/her behavior at the time of the offense is assessed. The evaluation will be completed by a QMHP who is not assigned to the case.

9.3 A Disciplinary Hearing Officer (DHO) will examine investigatory findings and case study information to fairly adjudicate the inmate. If a mentally ill inmate receives a "guilty" verdict, an institutional Mental Health Disciplinary Treatment Team (MHDTT) consisting of a Clinical Supervisor, Psychiatrist, and QMHP or Regional/Program Manager, as well as a Warden, Associate Warden, and/or Major, will review the nature of the offense to determine an appropriate penalty or other resolution for the inmate after taking into consideration the mitigating factors reflected in the inmate's mental health assessment.

9.4 The MHDTT will review the status of a mentally ill inmate's disciplinary sanctions to determine if the inmate's privileges can be restored or if the inmate can return to the institution's general population or other suitable housing.

9.5 Mentally ill inmates receiving a disciplinary conviction are provided ongoing care and services to assure that corrective measures remain fair and humane. Every effort is made to ensure that inmates classified as mentally ill who commit a disciplinary infraction are:

- granted access to needed levels of mental health care;
- afforded consistent, timely access to a clinical correctional counselor;
- secured in safe and sanitary housing units; and
- considered for alternative sanctions that are conducive to positive therapeutic change.

10. USE OF FORCE:

10.1 Authorized, trained staff members will use the minimum mechanical security restraints and/or minimum reasonable force necessary to gain control of an inmate, after reasonable means of intervention have been exhausted, and use of force will be discontinued when the inmate is under control. The purpose of the appropriate use of force is never to punish but to protect and ensure the safety of the public, staff, inmates, and others; and to prevent injury, prevent serious property damage, and ensure institutional security and good order.

11. HUNGER STRIKE/EXTENDED FAST - See SCDC Policy OP-22.33, "Hunger Strike/Extended Fast Plan," HSP 4000.4, "Medical Management of Malnourished Inmates and Hunger Strike," and HSP 200.6, "Management of Inmate Hunger Strike/Extended Fast":

11.1 Mental health clinicians assist uniformed staff and medical staff in the management of an inmate on a hunger strike, including the provision of counseling with the inmate to resolve the problem.

11.2 Subsequent mental health evaluations will continue for the duration of the failure to eat behavior.

11.3 Psychiatric hospitalization will be considered if the inmate meets the civil commitment criteria.

12. PRISON RAPE ELIMINATION ACT (PREA) / SEXUAL VICTIMIZATION - See SCDC Policy OP-21.12, "Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment":

12.1 Sexual victimization reports are accepted in multiple ways: request to staff, in person to any uniformed or non-uniformed staff member, PREA Compliance Manager, inmate self report, and inmate third party reporting.

12.2 Once a sexual victimization report has been received, mental health staff will follow procedures set forth in the mental health sexual victimization screening procedure and will follow protocol outlined in federal PREA standards.

13. DUTY TO WARN:

13.1 If any mental health staff person, in the course of treating an inmate, has reason to conclude that the inmate poses a threat to a third person, the mental health staff member is obliged by law to take appropriate action to prevent the occurrence of harm.

13.2 If an inmate makes a specific verbal or written threat against an identifiable potential victim and the employee believes that the inmate intends harm to that identifiable potential victim, the employee will immediately inform his/her supervisor and complete SCDC Form 19-29A, "Incident Report," so that all appropriate warning steps can be carried out by the Division of Victim Services. (See SCDC Policy GA-01.13, "Duty to Warn.")

14. INFORMED CONSENT - See *Health Services Procedure 200.3, "Informed Consent"*:

14.1 The Psychiatrist/Nurse Practitioner must clarify the treatment, alternatives, possible benefits, and risks of a treatment to an inmate before starting a psychiatric procedure or treatment. In lay terms, the Psychiatrist/Nurse Practitioner/Medical Doctor must explain the following:

- the treatment, rationale, and possible benefits;
- the nature and severity of material risks, and the likelihood of their occurrence;
- reasonable alternative treatment; and
- possible consequences of withholding consent.

14.2 Informed consent is given when an inmate fully understands treatment, alternatives, and risks, is considered competent to give consent, and then voluntarily agrees to a recommended psychological or psychiatric treatment. The process will be documented in the Automated Medical Record (AMR).

14.3 If an inmate is placed on antipsychotic medication, the inmate will be given SCDC Form M-107, "Consent for Neuroleptic Medications," to sign. The form will be signed by the inmate and witnessed by the Psychiatrist/Nurse Practitioner/Medical Doctor. The form will then be filed in the hard copy of the inmate's medical record. In the event the inmate is being evaluated via tele-psychiatry, the form will be provided by a QMHP at the time of discussion. The QMHP will note the process, and then forward the form for signature by the Nurse Practitioner or Physician.

15. REFUSAL OF MENTAL HEALTH TREATMENT:

15.1 An inmate has the right to refuse any or all proposed mental health treatment.

15.2 An inmate does not waive his or her right to subsequent mental health care by refusing treatment at a particular time.

15.3 If an inmate has a documented history of prior episodes of mental health care, the following steps should be followed:

- document the refusal in the medical record;
- provide a description of the service being refused;
- provide evidence that the inmate has been made aware of any consequences to his/her mental health that may occur as a result of the refusal; and
- obtain the signature of the inmate and the date on any applicable form, along with the signature of any required witness.

15.4 An inmate's refusal of mental health treatment does not equate to a lack of classification for mental health services.

15.5 If an inmate refuses treatment but his/her mental health deteriorates to the point that the inmate is no longer stable, the inmate will be evaluated for involuntary treatment and/or inpatient hospitalization.

15.6 When an inmate refuses a recommended treatment, the inmate must sign SCDC Form M-53, "Refusal of Medical Advice." Once the form is signed, the form will be forwarded to Mental Health Services to ensure they are made aware.

15.7 If an inmate classified as mentally ill wishes to be removed from Mental Health Services, the QMHP will inform the treating Psychiatrist who will see the inmate face to face to determine a plan of action, including a decision about how to handle any current prescriptions. The inmate will continue to be monitored for 90 days. If, at the end of the 90-day monitoring period, the inmate is stable, and with the concurrence of the treating Psychiatrist, Treatment Team, and Regional Manager/Program Manager, the inmate can be removed from Mental Health Services.

15.8 Consequences of the refusal are explained to the inmate. The form will be filed in the hard copy of the inmate's medical record, and the refusal will be documented in the Automated Medical Record.

15.9 If the inmate refuses to sign the Refusal of Medical Advice form, the verbal refusal will be witnessed by two employees, and the verbal refusal will be documented in the Automated Medical Record.

15.10 If the inmate is unable to sign, the verbal refusal or the inmate's mark will be witnessed by two employees, and the verbal refusal will be documented in the Automated Medical Record.

16. ASSESSMENTS FOR INMATES IN RESTRICTIVE HOUSING UNIT (RHU):

16.1 Classification Review Assessments (CRA) will be completed for inmates in RHU. The institution's classification manager will provide the CRA list to the lead QMHP at least thirty (30) days in advance of the review date. The lead QMHP will ensure that the CRA list is completed and returned to the classification manager one (1) week before the Institutional Classification Committee (ICC) hearing.

16.2 All inmates, as part of the intake and initial case management review at RHU, will be administered SCDC Form M-183, "Suicide Precaution/Crisis Intervention Screening Form." Nursing will serve as the primary administrator of the screening form. In places where 24-hour nursing is not available, then appropriate security staff will administer the tool. Security staff will be trained on how to use the tool to arrive at a decision as to whether the inmate needs crisis precautions upon entering into RHU or are housed as normal in RHU. If the screening document indicates the inmate needs crisis precautions, mental health staff will be contacted 24-hours per day, seven days per week, and given the results of the assessment. Crisis precautions will be taken with the inmate to include being placed on a 15-minute watch, as well as having all clothing removed and given a suicide smock. If the assessment does not result in crisis precautions inmates will be assigned as normal. Medical/nursing staff will see each inmate assigned to RHU within 24 hours of admission if the screening document indicated no crisis concerns. Mental health staff will see each inmate assigned to RHU within four (4) hours for emergent or 24 hours for routine if the screening document indicates crisis precautions. The screening document will be kept in a secure place in the RHU control room for 24 hours and then filed in the inmate's medical record. For positive responses other than acute suicidal concerns inmates will receive Q-15 minute checks and will be allowed to keep their property. For inmates responding "yes" to acute suicide behavior, the inmate will be stripped out and placed on 1:1 observation. This observation status will be considered as an emergent referral to mental health constituting evaluation within four (4) hours.

16.3 All inmates will be assessed/monitored weekly while in RHU. All mentally ill inmates will be assessed and evaluated in accordance with their level of care classification, or more frequently if deemed necessary. Assessments will be documented in the Mental Health Clinic (CCC) section of the Automated Medical Record.

16.4 Mental status rounds will be performed on all inmates housed in RHU weekly. These will be done at cell front to identify inmates who are decompensating or having a difficult time adjusting to being isolated.

16.5 Inmates identified as MI/DD or handicapped and housed in an RHU, regardless of the reason, will not be denied services due to their status. These inmates will have a treatment plan developed that reflects services offered while in an RHU. These services will be provided based on the diagnoses, and the treatment/service plan. Services in addition to weekly rounds will be provided as clinically indicated and will be documented in the AMR. Limitations on services will be based on documentable security concerns and/or limitations (e.g., inability to attend groups).

17. CONFIDENTIALITY:

17.1 Every reasonable effort will be made to ensure that an inmate's Mental Health Treatment/Records remain confidential.

17.2 Only authorized Health Services employees will have access to an inmate's Mental Health Records. In the event that Mental Health Records are transported by security, the record will be placed in a sealed envelope to ensure confidentiality.

17.3 Information regarding an inmate's treatment cannot be released to any outside agency or person to include family members without written consent of the inmate. If the inmate agrees to give consent for the information to be released, the inmate must complete SCDC Form M-152, "Release of Information." This form includes the type of information and to whom it can be released.

18. TRAINING ON MENTAL HEALTH SERVICES ISSUES:

18.1 All newly hired SCDC personnel and contract providers receive orientation and training on mental health services and working with mentally ill inmates.

18.1.1 Mental health, medical, and uniformed personnel receive annual training on suicide prevention strategies, self injurious behavior, mentally ill inmate care, and mentally ill inmate security management. Areas of training also include:

- interpreting and responding to symptomatic behaviors, and communication skills for interacting with inmates with mental illness;
- recognizing and responding to indications of suicidal thoughts;
- conducting proper suicide prevention observation;
- responding to mental health crises, including suicide intervention and cell extractions;
- recognizing common side effects of psychotropic medications;
- professional and humane treatment of inmates with mental illness;
- trauma informed care;
- de-escalation techniques;
- alternatives to discipline and use of force when working with inmates with mental illness and more; and
- CPR and First Aid.

18.1.2 All mental health staff, whether full-time or contract, will be specifically trained regarding the function and structure of mental health services including:

- mental health policies and procedures;
- nature of special programs; and
- unique missions of various facilities.

18.1.3 Each mental health staff member will verify understanding of the above by signing an acknowledgement form that will be kept on record.

19. CONTINUOUS QUALITY MANAGEMENT - See SCDC Policy HS-19.07, "Mental Health Continuous Quality Management (CQM)":

19.1 The Division of Behavioral/Mental Health and Substance Abuse Services provides systematic and ongoing comprehensive quality management processes for monitoring, evaluating, and improving the quality and appropriateness of mental health care provided for inmates.

19.2 The process identifies indicators that quantify quality and appropriateness of the multiple aspects of care, and organizes the data collected to help facilitate identification of areas in need of administrative change, training, program revision, or other modifications.

19.3 Continuous Quality Management indicators examine high risk/high volume activities, self-injurious behavior, and special treatment procedures including, but not limited to, the utilization of mental health watches, restraints, and treatment.

20. DEFINITION(S):

Activity Therapist refers to a Clinical staff member with a degree in recreational therapy, physical education or associated area, art therapy, or music therapy, who provides treatment planning, education, supervision, and oversight of therapeutic activities for inmates with a mental health classification.

Case Management refers to assisting inmates in meeting and maintaining mental health treatment goals and objectives through advocacy, ongoing assessment and evaluation, planning, communication, education, resource management, and service facilitation.

Clinical Supervisor refers to a Qualified Mental Health Professional (QMHP) supervising/managing mental health professionals in a program and/or region ensuring quality clinical care.

Continuity of Care refers to the process of ensuring care from the point of admission to discharge to transition into the community.

Crisis Intervention (CI)/Suicide Precaution (SP) refers to the process designed to address immediate acute distress and associated behaviors when an inmate is a danger to him/herself or others. If it is determined that the inmate requires CI or SP status, the inmate may be transferred to a designated CI bed space. The usual length of stay in CI will be ten (10) days or less. The licensed Clinical Supervisor, psychiatrist, physician, physician's assistant, or nurse practitioner who ordered CI or SP will complete SCDC Form M-120, "Crisis Intervention Form."

Developmental Testing refers to administration, interpretation, and reporting of screening and assessment instruments for inmates to assist in the determination of developmental levels for the purpose of facilitating mental health services, placement, and treatment planning.

Discharge Planning refers to preparation for program or institutional dismissal to assure continuity of care and effective aftercare planning prior to an inmate's expected release date.

Duty to Warn refers to the obligation to warn an identifiable individual, organization, or entity of a specific threat of harm.

Evidence-based Treatment refers to intervention with consistent scientific evidence demonstrating improved recipient outcomes.

Healthcare Setting refers to a clean, safe, therapeutic environment with a nursing station that is staffed 24/7.

Hunger Strike/Extended Fast refers to a situation in which an inmate communicates to an SCDC staff member that s/he is on a hunger strike/extended fast, or when an SCDC staff member observes the inmate not consuming an adequate amount of food or liquid for 72 hours or more.

Individual Treatment Plan (ITP) refers to a document that details a client's current mental health problems and outlines the goals and strategies that will assist the client in overcoming his or her mental health issues.

Initial Assessment refers to face-to-face interaction between a mental health staff member and inmate designed to gather information that enables the clinician to evaluate and assess for mental health services.

Inmate refers to a male or female convicted of an offense against the State of South Carolina, sentenced to imprisonment for more than three months, and serving a criminal sentence under commitment to the State Department of Corrections, including persons serving sentences in local detention facilities designated under the provisions of applicable laws and contractual agreements.

Inpatient Care refers to a voluntary or involuntary commitment to a psychiatric hospital.

Level of Care (LOC) refers to a hierarchical coding system that reflects an inmate's current medical and mental health classification, mental health service need(s), and the intensity of treatment an individual will receive. All inmates receive a Level of Care classification.

Medical Record, Automated (AMR) refers to a multidisciplinary, computerized network that links mental health professionals and medical professionals to information. The AMR tracking system helps to maintain continuity of care and allows for timely and efficient access to information.

Medical Record, Hard File refers to a paper-based system of recordkeeping that stores medical, mental health information, and other documents/information not stored in the AMR. Hard files are stored in the medical record area of the inmate's assigned institution. When an inmate transfers to a different institution, the hard file follows the inmate.

Mental Health Disciplinary Treatment Team (MHDTT) was established to review and provide case guidance for inmates with a mental health classification who are found guilty of a disciplinary offense.

Mental Health Screening consists of observation and structured inquiry into each inmate's mental health history and symptoms. Structured inquiry includes questions regarding suicide history, ideation, and potential, prior psychiatric hospitalizations and treatment, and current and past medications, both those prescribed and what is actually being taken.

Mental Health Technician refers to a staff member with at least a Bachelor's Degree and two (2) years' experience in a mental health related field, or an Associate's Degree and four (4) years of experience in a mental health related field, who provides adjunct mental health services to mentally ill inmates under the supervision of licensed clinical staff.

Mental Status Examination refers to a confidential, structured assessment of behavioral and cognitive functioning that describes the mental state of the individual receiving the evaluation. It includes both objective observations by the clinician and subjective descriptions given by the inmate.

Outpatient Care refers to the level of care intended for mentally ill inmates who are able to function satisfactorily in a general population setting for extended periods of time. This includes two subsets of inmates: Higher Intensity Outpatients and Lower Intensity Outpatients.

P-SERC refers to a service delivery process involving psychiatric screening, evaluation, resolution, and classification.

Potential Victim refers to an identifiable individual, organization, or entity who/which is the target of a specific threat of harm.

Psychiatric Assessment/Evaluation consists of a face-to-face interview of the inmate and review of all reasonably available healthcare and mental health records and collateral information. It includes a diagnostic formulation and, at least, an initial treatment plan.

Psychiatrist refers to an individual licensed to practice medicine in the State of South Carolina, who is (1) certified by the American Board of Psychiatry and Neurology or eligible for certification by that Board, or (2) certified by the American Osteopathic Board of Neurology and Psychiatry or is eligible to be certified by the Board.

Psychological Testing refers to psychological evaluation using standard assessment methods and instruments to assist in mental health assessments and treatment planning processes.

Psychologist refers to a mental health practitioner licensed by the State of South Carolina as a psychologist.

Psychotropic Medication refers to any medication (i.e., anti-depressant, anti-anxiety, anti-psychotic or mood stabilizing) prescribed for treating various mental health symptoms.

Qualified Healthcare Practitioner (QHP) refers to a physician, physician's assistant, or nurse practitioner.

Qualified Mental Health Professional (QMHP) refers to a mental health practitioner licensed by the State of South Carolina such as a psychiatrist, licensed psychologist, licensed professional counselor, licensed professional counselor-supervisor, licensed independent social worker, licensed marital and family therapist (LMFT), or psychiatric nurse practitioner. It also includes a licensed master social worker and licensed professional counselor-intern and LMFT-intern with appropriate supervision.

Referral (Mental Health) refers to a request for mental health services.

Residential Care is reserved for mentally ill inmates unable to function in a general population setting due to a mental disorder, but who typically do not meet the criteria for admission to a psychiatric hospitalization. Residential care options, situated in a therapeutic environment, are available to inmates who present with mental health issues likely to affect their ability to function effectively while incarcerated.

Sick Call refers to a system that allows an inmate to report health and mental health concerns and receive individualized and appropriate medical or mental health services for non-emergency illness or injury, to include non-emergency mental health complaints and requests to see counselors.

Specific Threat refers to a written or verbal declaration of intended harm toward an identified potential victim(s).

Suicide Precaution (SP) refers to intervention measures to reduce physical self-harm by an inmate identified as a risk for suicidal behavior. These measures include placement of the inmate into a safe cell under constant observation.

Tele-Psychiatry refers to a process that uses video conferencing to assist in providing psychiatric services to inmates residing in remote institutions.

Therapeutic Environment refers to mental health treatment provided in a setting that is conducive to the achievement of its goals. This includes the physical setting and the social-emotional setting, in which an atmosphere of empathy and respect for the dignity of the patient is maintained. Mental health services are conducted in private and carried out in a manner that encourages the inmate's subsequent use of services. A therapeutic environment implies the following conditions:

- a sanitary and humane environment;
- written procedures;
- adequate medical and mental health staffing;
- adequate allocation of resources for the prevention of suicide, self-injury, and assault;
- adequate observation, treatment, and supervision; and
- social interactions that foster recovery.

Treatment Team refers to a multidisciplinary group including, but not limited to, mental health staff (QHP's, QMHPs, medical personnel, and uniformed staff) who discuss integrated therapeutic services, collaborate, and share appropriate information based on the inmate's level of care, for the purpose of treatment of mentally ill inmates and continuity of care.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

Mental Health Services – Behavioral Management Unit (BMU) (SCDC Policy HS-19.10)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

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- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
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- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
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- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
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- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY

This policy has been developed in response to and as a portion of the Remedial Plan agreed upon by the parties in the settlement of T.R. V. South Carolina Department of Corrections, No. 2005-CP-40-02925. As agreed by the parties in the Settlement Agreement, it is the understanding and agreement of the parties that implementation and effectuation of the provisions of this policy as a portion of the Remedial Plan shall be phased in over time and all aspects shall not become effective immediately. (See Section 2 - Summary of Agreement and Section 4 (f) - Implementation Phase-In of Settlement Agreement effective May 2, 2016).

NUMBER: HS-19.10

TITLE: MENTAL HEALTH SERVICES - BEHAVIORAL MANAGEMENT UNIT (BMU)

ISSUE DATE: August 31, 2016

RESPONSIBLE AUTHORITY: DIVISION OF MENTAL HEALTH SERVICES

OPERATIONS MANUAL: HEALTH SERVICES

SUPERSEDES: SCDC POLICY HS-19.02 (dated July 1, 2008) - NEW POLICY

RELEVANT SCDC FORMS/SUPPLIES: M-177

ACA/CAC STANDARDS: 4-ACRS-5A-08, 4-ACRS-6A-11, 4-4256, 4-4285, 4-4286, 4-4305, 4-4351, 4-4368, 4-4399, 4-4428, 4-4429, 4429-1, 4-4438, 4-4439, 4-4440, 4-4441, 4-4442, 4-4446

STATE/FEDERAL STATUTES: SC Code Ann. § 24-1-130; SC Code Ann. § 44-115-10 through 150; SC Code Ann. § 44-22-10 through 220; HIPPA; Pub.L. 104-191, 110 Stat. 1936; C.F.R. § T. 42, Ch. I, Subch. A, Pt. 2; 42 U.S.C.A. § 12101; SC Code Ann. § 44-17-810 through 900

PURPOSE: The mission of the Behavioral Management Unit (BMU) is to provide inmates with mental health needs likely contributing to their segregation status, with programming, treatment, and structure as an alternative to long term placement in restrictive housing.

POLICY STATEMENT: The Behavioral Management Unit (BMU) is designed as a possible alternative to long term segregation placement for inmates designated as having a mental health classification who are suffering from severe personality disorders and associated disruptive behaviors. It is designed as a therapeutic program to disrupt a cycle of repeated disciplinary infractions resulting in frequent, repetitive sanctions that result in long term segregation placement. The goal of placement in the BMU is to assist inmates in achieving their highest level of functionality by developing alternative coping skills that result in behavioral stability sufficient to return safely to general population. In some cases, the goal will be preparation for reentry to the community at the expiration of their sentence.

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SPECIFIC PROCEDURES:

1. PROCEDURAL GUIDELINES:

1.1 Therapeutic treatment programming will occur Monday-Friday between the hours of 8 am - 4 pm with available on-call coverage after hours, weekends, and on holidays. All inmates in the program will be offered ten (10) hours of structured and ten (10) hours of unstructured activities per week, consistent with activities described in the treatment plan. Structured programming will include mental health programming, education, activity groups, and other programming, in the general framework of a therapeutic community. The

program will target personality disordered, mentally ill male inmates in Restrictive Housing Units with a history of accumulating an extensive amount of lockup time. Inmates diagnosed with a personality disorder and demonstrating persistent disruptive behavioral patterns will be eligible to be screened for placement.

1.2 Location: The Behavioral Management Unit program will be located at one or more institutions within the South Carolina Department of Corrections (SCDC) in Columbia, SC. The physical space identified will be structured to support different security levels and programming needs, and will have a maximum bed capacity of 64 beds. Actual program census will be determined by clinical staff who will take into consideration individual treatment needs and treatment plan intensity of inmates within the program.

2. PROGRAM STAFFING: Staffing for Behavioral Management Unit program will consist of the following:

2.1 Staff:

- Psychiatry - (.5 FTE);
- Psychologist - (1 FTE) (Program Director);
- Qualified Mental Health Professional - (4 FTE);
- Activity Therapist - (1 FTE);
- Administrative Support Staff - (1 FTE);
- Nursing Staff is on site at the institution - 24 hours a day; and
- Security Staff - Adequate security staff will be assigned to BMU to maintain a safe treatment environment for inmate patients, a safe working environment for staff, and to support activities and movement on both sides of the unit.

3. ADMISSION PROCESS:

3.1 Inmates will be considered for placement in this unit if they meet the following criteria:

- Have a mental health classification and a primary diagnosis of personality disorder;
- Have committed or have a history of committing infractions where extensive lockup time is/was warranted;
- Have been staffed by the Institutional Correctional Classification (ICC) Board and, once approved by the ICC Board, the offender is referred to the BMU Treatment Team for a determination on admission.

3.2 Inmates possibly suitable to the Behavioral Management Unit could be identified as early as the Reception and Evaluation process. The recommendations will be reviewed by the R&E and BMU Psychiatrist and the BMU Psychologist Program Director, who will then make a final determination as to the suitability for admission. Inmates already assigned to an institution may be reclassified for the program after the BMU Treatment Team ensures that they are appropriate for placement.

4. SERVICES OFFERED:

4.1 Mental Health Services:

4.1.1 Inmates who have been deemed appropriate for the Behavioral Management Unit program will complete a battery of assessments during an Intake and Orientation phase process that will include a:

- Mental Health Assessment (SCDC Form M-177, "BMHSAS Clinical Assessment");
- Texas Christian University Criminal Thinking Scale (TCU-CTS) questionnaire, which is designed to measure criminal thinking; and
- Columbia-Suicide Severity Rating Scale (C-SSRS); Columbia-Suicide Severity Rating Scale Daily/Shift Screen; and Columbia-Suicide Severity Rating Scale (C-SSRS) Risk Assessment ([see Attachment A](#)).

4.1.2 Services provided will include: crisis intervention, individual treatment, daily rounds, and group therapy. All inmates will be offered ten (10) hours of structured and ten (10) hours of unstructured activity time outside of their cells per week. Qualified Mental Health Professionals will be on-site five (5) days per week, and weekend rounds will be covered by an on-call rotation.

4.1.3 Inmates in the BMU program will receive a cognitive-based therapy (CBT) under the supervision of a licensed psychologist. CBT identifies negative thinking patterns and teaches positive behavioral changes. CBT focuses on high-risk and tough to treat inmates.

4.1.4 All inmates admitted into the Behavioral Management Unit program will be asked to engage in the treatment plan process to develop a behavioral management/treatment plan within thirty (30) days of admission. Behavioral management/treatment plans will be reviewed and updated every ninety (90) days, or more often if clinically indicated.

4.1.5 A multi-disciplinary Treatment Team will meet weekly to review selected cases. The Treatment Team will consist of a psychiatrist, a psychologist, and other qualified mental health professionals, a mental health technician, nursing staff as warranted, and an operational staff member. The Treatment Team's role will be to identify the various needs of the inmates and to recommend each inmate's appropriateness for one of two sub-groups, i.e., Long Term Special Management Custody (SM), and Regular Custody (RC).

- Long Term Special Management Custody (SM) - is for inmates who have demonstrated during incarceration the potential for extreme and potentially deadly violence against staff or other inmates, and the intent for such violence may remain despite a pattern of compliance. Inmates who are SM will receive programming and earn privileges but may require Long Term Restrictive Housing and additional time in restraints during programming due to their security risk.

- The Regular Custody (RC) - is for inmates who are assigned to Restrictive Housing but their offenses are deemed as less violent. Inmates in this grouping may also have repeated disruptive behavior patterns that have become difficult to manage in a regular institution. The goal for inmates in the RC track is to progress through the program and ultimately be returned to general population.

4.1.6 Following completion of orientation, assessments, case planning, and Restrictive Housing assignment, both SM and RC inmates who are assigned to the program in the Behavioral Management Unit will begin working on their individual treatment plans.

4.1.7 Clinical Curriculums covered in the Behavioral Management Unit program include:

- "Challenge Series" (a set of journals developed by the Change Companies in collaboration with the Federal Bureau of Prisons);
- "Thinking for a Change" (a program promoted by the National Institute of Corrections);
- "Victim Impact of Crime" (promoted by the U.S. Department of Justice); and
- Anger Management and Substance Abuse programming, as needed.

4.1.8 An inmate's movement through the program is based on completion of programming specific to each phase, as described below, as well as staff's assessment of the inmate's attitude and behavior.

4.2 Program Types:

4.2.1 Long Term Special Management (SM): Programming will be delivered in different phases which will allow staff to observe the inmate's progress while privileges and responsibilities are incrementally increased at each phase. Each phase becomes a proving ground to move to the next phase. All housing in the Behavioral Management Unit program will be single cell and depend on the inmate's level/phase. SM inmates will be offered ten (10) hours of out-of-cell activity time a week. Inmates assigned to the SM track have three (3) phases through which they must progress consecutively. SM inmates will be offered basic privileges and services. Programming will include access to education services and in-cell reading materials. To progress through the different phases, inmates must complete all assignments and participate in weekly face-to-face sessions with their assigned QMHP. Out-of-cell structured programming will take place using secure program chairs and tables as necessary.

4.2.2 SM inmates will be allowed limited open group activity. As this program level, inmates will be introduced to out-of-cell unit recreation. This program level will operate as follows:

- Single escorts;
- Restrained movement to showers and recreation;
- Housed in single cells;
- Limited congregation;
- Small groups for cognitive programming; and
- Gradually inmates may transition from using the program chairs and desks for programming to unrestrained small groups of approximately five (5) inmates.

4.2.3 Regular Custody (RC) - RC inmates will allow inmates requiring long term segregation the opportunity to receive therapeutic programming. These inmates will be expected to work through a phase level system by engaging in treatment and displaying pro-social behaviors. The phase system provides a gradual decrease of structure and external control, with an increase in privileges, as inmates progress through the program. All housing for RC inmates will initially be single cell; however, inmates in the final phase of the program will be given an opportunity to have a roommate if deemed appropriate by the Treatment Team.

4.3 Medical Services:

4.3.1 All inmates placed in the Behavioral Management Unit program will be screened medically prior to admission to update their medical status. Nursing staff will be available 24 hours a day to assist with any medical issues on the unit. Medication administration will be done on the unit. Medical staff will provide clinical assessment and treatment services as needed or scheduled (i.e., sick call, routine exam, management of urgent situations, etc.).

4.4 Uniformed Staff:

4.4.1 Uniformed staff/correctional officers for the Behavioral Management Unit program will provide support for clinical programming and safety and security of the unit. Uniformed staff will be essential to ensure the safety and security of programming.

5. PHASE SYSTEM:

5.1 The Behavioral Management Unit is designed to assist inmates in achieving their highest level of functioning through the use of a behavioral modification program. BMU operates a three-phase system, using Cognitive Behavioral Therapy (CBT) as the primary treatment model. Inmates admitted to BMU will be expected to work through the phase system by being engaged in treatment and displaying positive pro-social behavior. The phase system will be incentivized. Various incentives can be considered to reinforce positive behavior and programming. Advancement from one phase to the next is determined by the following milestones:

5.1.1 Phase 1 - Orientation - All inmates will receive an initial clinical assessment, will have program rules explained, and will receive an orientation to BMU. During this time, the inmate will work with clinical staff to develop an individualized

Treatment and Risk Management Plan identifying behavioral and clinical treatment needs and goals. The Risk Management Plan will identify risks connected to program behaviors that will have a negative impact on the offender progressing through the phases. All new inmates entering the program will be placed in Phase 1. The estimated time of this phase will be 30-45 days.

a. Privileges and Restrictions:

- Reading material (leisure and homework) available in cell;
- Radio in cell with working headphones after being in program for two weeks without incident;
- One (1) phone call per week;
- Escorted in restraints to and from all activities;
- Canteen items limited to hygiene products and envelopes only; and
- Legal paperwork and approved religious items.

b. Treatment Goals:

- Completion of assessment of Individualized Treatment and Risk Management Plan;
- Weekly sessions with Qualified Mental Health Provider;
- Meeting with Psychiatrist within the first week of placement;
- Face-to-face meeting with Treatment Team; and
- Orientation to Cognitive Behavior Therapy (CBT).

5.1.2 Phase 2 - Intensive Treatment - Inmates who complete Phase 1 without demonstrating major problematic behavior will be transitioned to Phase 2. This phase will focus on engaging in CBT group or individual skills training on a weekly basis. Inmates will continue to meet with their QMHP routinely for determination of progression on Individualized Treatment and Risk Management Plans.

a. Privileges and Restrictions:

- Reading material (leisure and homework) available in cell;
- Radio in cell with working headphones;
- Two (2) phone calls per week;
- The Treatment Team may approve reduced restraints during escort to and from therapeutic programming, recreation, and showers;
- Two (2) visits per month;
- The ability to purchase non-hygiene canteen items contingent on 80% attendance at offered structured out-of-cell programming each week as determined by the Treatment Team;
- Legal paperwork and approved religious items; and
- Access to TV time in day room two (2) hours a day.

b. Treatment Goals:

- Engage in CBT groups or individual CBT skills training on a weekly basis. The inmate will be expected to practice and display skills learned based on Individualized Treatment and Risk Management Plan;
- Weekly sessions with Qualified Mental Health Provider;
- Routine visits with Psychiatrist to remain medication compliant;
- Meeting with the Treatment Team to review Individualized Treatment and Risk Management Plan;
- The completion of additional groups (e.g., Anger Management, Thinking for a Change, Victim Impact) as determined by the Treatment Team and as clinically appropriate;
- The engagement in out-of-cell treatment activities as determined by the Treatment Team; and
- The demonstration of safe behaviors toward self and others for a period of time as determined by the Treatment Team.

5.1.3 Phase 3 - Inmates will be eligible to transition to this phase after demonstrating three consecutive months of no problematic behavior. Placement in Phase 3 is contingent on 80% group attendance in programming while in Phase 2.

a. Privileges and Restrictions:

- Reading material (leisure and homework) available in cell;
- Radio in cell with working headphones;
- Three (3) phone calls per week;
- Inmates may have a reduction in restraints as determined by the Treatment Team. Inmates in this phase may be allowed to move unrestrained to and from groups, recreation, showers, and other activities deemed appropriate;
- Four (4) visits per month;
- The ability to purchase non-hygiene canteen items contingent on 80% attendance at offered structured out-of-cell programming each week as determined by the Treatment Team;
- Legal paperwork and approved religious items;
- Access to TV privileges during all available TV hours;
- Eligible to have a roommate if deemed to be appropriate from both clinical and correctional perspectives; and
- Assignment of a unit job.

b. Treatment Goals:

- Displaying effective use of CBT skills;

- Meeting with Qualified Mental Health Provider every 2-4 weeks or as clinically indicated;
- Maintaining and continuing all treatment recommendations (including medication compliance) and programming, including completion of a full cycle of DBT in a group or 1:1 setting;
- The engagement in positive pro-social behaviors toward themselves and others;
- Meeting with the Treatment Team as needed;
- The engagement in out-of-cell treatment activities as determined by the Treatment Team; and
- The demonstration of safe behaviors toward self and others for a period of time as determined by the Treatment Team.

6. ENGAGEMENT IN OTHER DIRECTED AGGRESSION, SELF-HARM, OR DESTRUCTION OF PROPERTY ON THE UNIT BY PROGRAM PARTICIPANTS:

6.1 Inmates engaging in behavior consisting of homicidal, suicidal, self-injurious, or destruction of property will be expected to complete a Risk Management Plan with their QMPH and present it to the BMU Treatment Team. The BMU Treatment Team will provide feedback and possibly sanctions addressing the target behaviors. For inmates who have progressed to Level III, a decision can be made by the Treatment Team to recycle them back to the main treatment phase (Level II) for an undisclosed period of time. Inmates will be required to meet with their assigned QMHP at least weekly for three months to monitor progress and receive coaching.

7. DISCHARGE PROCESS:

7.1 After one year of no major disciplinary infractions and proving appropriate behaviors, inmates who have progressed through all program levels may be able to transfer to general population at another institution and/or to a different mental health treatment program.

7.2 Re-Entry - The goal of the South Carolina Department of Corrections is that no Restrictive Housing inmate be released directly from Restrictive Housing without the opportunity for re-entry preparation. Most of these inmates will pose a risk, especially those who meet intensive management criteria. In cases where the inmate is within a year of release, the Agency will make every effort to encourage the inmate to progress through all phases of the program.

7.3 Prior to being released, efforts will be made to allow the inmate to function under conditions similar to other general population inmates. Three months prior to release, the inmate will be enrolled in discharge planning/groups. This process will ensure:

- Community mental health follow-up appointments are established;
- Medication after release will be available;
- Vocational Rehabilitation Services will be made available;
- Housing is established at least on a temporary basis;
- Substance Abuse Services are identified if appropriate; and
- Help with SOAR, SSI/DDS applications is provided.

7.4 Medical Services:

7.4.1 All inmates placed in the Behavioral Management Unit program will be screened medically prior to admission to update their medical status. Nursing staff will be available 24 hours a day on the unit to administer medication. Medical staff will provide clinical assessment and treatment services as needed or scheduled (i.e., sick call, routine exam, management of urgent situations, etc.).

7.5 Uniformed Staff:

7.5.1 Uniformed staff/correctional officers for the Behavioral Management Unit program will provide support for clinical programming and safety and security of the unit. Uniformed staff will be essential to ensure the safety and security of programming.

8. QA MANAGEMENT:

8.1 The Behavioral Management Unit will be audited by the Director of Quality Management and assistance through an ongoing continuous auditing/quality management program with reports being generated on at least a quarterly basis.

8.2 The Program Director will conduct internal audits of each counselor assigned to the BMU twice annually to ensure that services are being delivered. The internal audits will consist of evaluation of groups, individual sessions, and if the program is meeting the required standard hours of structured and unstructured activities. The Program Director will observe at least one group per month by each QMHP and at least one individual session. Random client files will be selected for auditing in order to ensure that documentation and Treatment Plans are being completed and updated in a timely manner (per policy).

9. DEFINITION(S):

Behavioral Management Unit (BMU) refers to a program designed to provide services to inmates consistent with institutional safety and security, as an alternative to long term segregation, for inmates with a mental illness suffering from severe personality disorders.

Mental Health Assessment consists of observation and structured inquiry into each inmate's mental health history and symptoms. Structured inquiry includes questions regarding suicide history, ideation, and potential; prior psychiatric hospitalizations and treatment; and current and past medications, both those prescribed and what is actually being taken.

Qualified Healthcare Practitioner (QHP) refers to a Physician, Physician's Assistant, or Nurse Practitioner.

Qualified Mental Health Professional (QMHP) refers to a Psychiatrist, Licensed Psychologist, Licensed Professional Counselor, Licensed Professional Counselor-Supervisor, Licensed Independent Social Worker, Licensed Marital Family Therapist (LMFT), or Psychiatric Nurse Practitioner. QMHP also includes Licensed Master Social Worker, LMFT-Intern, and Licensed Professional Counselor-Intern with appropriate supervision.

Suicide Precaution/Crisis Intervention Screening Form (SCDC Form M-183) refers to an SCDC generated form used as a screen for suicide risk. The form incorporates elements of the Suicide Behavior Questionnaire-Revised (SBQ-R).

Texas Christian University Criminal Thinking Scale (TCU-CTS) refers to a 36 item questionnaire used to measure criminal thinking.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

Mental Health Services – Intermediate Care Service (ICS) (SCDC Policy HS-19.12)

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NUMBER: HS-19.12

TITLE: MENTAL HEALTH SERVICES - INTERMEDIATE CARE SERVICES (ICS)

ISSUE DATE: August 31, 2016

RESPONSIBLE AUTHORITY: DIVISION OF MENTAL HEALTH SERVICES

OPERATIONS MANUAL: HEALTH SERVICES

SUPERSEDES: SCDC POLICY HS-19.02 (dated July 1, 2008) - NEW POLICY

RELEVANT SCDC FORMS/SUPPLIES: M-178, M-179, M-180, M-181, M-182

ACA/CAC STANDARDS: 4-ACRS-4C-04, 4-ACRS-4C-15, 4-ACRS-4C-16, 4-ACRS-6A-01-1, 4-ACRS-6A-11, 4-4295, 4-4305, 4-4348, 4-4368, 4-4372, 4-4373, 4-4374, 4-4399, 4-4400, 4-4404, 4-4429-1, 4-4431, 4-4433, 4-4434, 4-4435, 4-4442, 4-4446

STATE/FEDERAL STATUTES: SC Code Ann. § 24-1-130; SC Code Ann. § 44-115-10 through 150; SC Code Ann. § 44-22-10 through 220; HIPAA; Pub.L. 104-191, 110 Stat. 1936; C.F.R. § T. 42, Ch. I, Subch. A, Pt. 2; 42 U.S.C.A. § 12101

PURPOSE: The mission of Intermediate Care Services (ICS) is to provide residential services for inmates with serious persistent mental illness who require intensive treatment, monitoring, and care, but do not need psychiatric hospitalization.

POLICY STATEMENT: The ICS is a residential mental health program provided in a therapeutic environment within the South Carolina Department of Corrections (SCDC) and is a part of the Division of Behavioral/Mental Health and Substance Abuse Services (BMHSAS). Inmates receive medication therapy, counseling services, and educational interventions aimed at managing psychiatric symptoms, improving basic coping skills, and developing general self-care skills. All services are provided by or under the supervision of licensed professional mental health staff.

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SPECIFIC PROCEDURES:

1. LOCATION AND HOURS OF COVERAGE:

1.1 Location:

1.1.1 The Intermediate Care Services (ICS) is part of the residential mental healthcare services provided for SCDC inmates. It serves inmates with various security needs in locations that can support both therapeutic programming and safety for inmates and staff.

1.1.2 Both male and female ICS programs are located at facilities in Columbia, SC. The program for males has a minimum of 128 rooms dedicated to the ICS inmates, while the program for females has a maximum capacity of 80 beds.

1.1.3 Modified ICS services will also be made available to inmates who meet the mental health criteria for ICS but, based on their security designation, are not able to be housed in the ICS designated housing.

1.2 Program Staffing:

1.2.1 Adequate security staff will be assigned to ICS to maintain a safe treatment environment for inmate patients and a safe working environment for staff, and to support activities and movement in all areas of the unit as follows:

Program Staffing	Male Program	Female Program
Psychiatry	1.5 FTE	1 FTE
Psychology	1 FTE	1 FTE
QMHPs	13 FTE	3 FTE
Mental Health Techs	5 FTE	3 FTE
Activity Therapy	1 FTE	1 FTE
Nursing	15 FTE (RNs/LPNs)	24 FTE (RNs/LPNs)

1.2.2 Hours of Coverage:

- Monday to Friday 7:00 a.m. - 4:00 p.m. (daily mental health programs); and
- Weekends 7:00 a.m. - 3:00 p.m. (weekend coverage mental health staff).

2. ADMISSION CRITERIA:

2.1 Admissions Process:

2.1.1 SCDC Form M-178, "Mental Health Referral," is completed and forwarded to the ICS program manager, who is a licensed psychologist. If it is approved, the program manager or designee will notify the Division of Classification and Inmate Records of the approval and coordinate transferring the inmate to ICS.

2.1.2 General diagnostic guidelines for admission to ICS include: diagnosis of schizophrenia and other psychotic disorders, severe mood disorders (bipolar, major depression), severe anxiety-related disorders, major neurocognitive disorders with behavioral disturbances, dissociative disorders, dually diagnosed inmates wherein a severe mental illness is the primary problem, or personality disorders when symptoms cause serious and persistent disturbances that require structured treatment.

2.1.3 Mentally ill inmates with the following characteristics are appropriate for ICS services:

- Serious symptoms (chronic mood instability, severe anxiety-related disorders, impaired reality testing, impaired judgment, impaired thought processes, impaired social functioning, or impaired communication skills, when these conditions substantially impede an inmate's ability to reside safely within the general population);
- Poor symptom control even with medication therapy and chronically non-compliant with medication;
- Failure to stabilize at lower levels of care or having a poor history of adjustment, usually reflected in multiple hospitalizations; and
- Requiring a highly structured environment.

3. MENTAL HEALTH SERVICES:

3.1 Case Management: Qualified Mental Health Professionals (QMHPs) provide all case management services and serve as the primary counselors to assigned inmates. The primary QMHP works in conjunction with the psychiatrist, psychologist, nursing, and security to ensure that inmates' needs are met.

3.1.1 Upon admission to ICS, inmates receive an initial assessment and are assigned a primary QMHP. The primary QMHP serves as the case manager and completes an intake assessment.

3.1.2 The primary QMHP, the inmate, and the Treatment Team develop an individualized treatment plan (see SCDC Form M-179, "Kirkland R&E Intermediate Care Services Treatment Plan.") In turn, the primary QMHP refers the inmate to groups and may request psychologist testing.

3.1.3 During the first four weeks of the ICS program, the primary QMHP provides individual counseling to the inmate once per week or more often, as clinically indicated. After four (4) weeks, the primary QMHP conducts individual sessions no less than twice monthly, but these sessions may occur more often as clinically indicated. The QMHP will continue to see all inmates on his or her caseload at least weekly in a group format.

3.1.4 A psychiatrist is assigned to the inmate. The psychiatrist determines psychiatric medication needs and ensures that medical needs are addressed. The psychiatrist assesses the inmate every thirty (30) days, or more often as clinically indicated.

3.1.5 The primary QMHP serves as the inmate's staff representative to the Treatment Team.

3.1.6 The primary QMHP acts as a liaison with family and significant others. With appropriate releases of information, the inmate's family members and significant others may be contacted to provide background information pertinent to the inmate's treatment at ICS.

3.1.7 Treatment services include, but are not limited to, psychopharmacology, individual counseling, group therapy, activity therapy, referral services, and discharge planning. The primary QMHP meets with the inmate according to the treatment plan schedule and guides the inmate through the treatment process. The primary QMHP, in conjunction with the Treatment Team, assigns the inmate to groups, updates the treatment plan as necessary, and documents all treatment activities.

3.2 Treatment Planning Process:

3.2.1 The Treatment Team consists of the primary QMHP, assigned psychiatrist, psychologist, other ICS-assigned QMHPs, a nurse, an activity therapist, and operational staff.

3.2.2 Upon admission to ICS, the assigned primary QMHP completes an intake assessment. The psychiatrist completes an initial assessment within seventy-two (72) hours. Within the first week, the primary QMHP completes a psychosocial assessment. In conjunction with the inmate, the primary QMHP, and the Treatment Team develop an initial treatment plan that contains individualized treatment goals and objectives.

3.2.3 The primary QMHP presents the initial plan to the Treatment Team during the week following admission to ICS. A ninety (90) day review of treatment plans is required, but revisions are made throughout the treatment process as clinically indicated in consultation with the Treatment Team. The primary QMHP uses SCDC Form M-180, "Treatment Team Comments," to record decisions made during the 90-day review. The information is also documented in the Automated Medical Record (AMR).

3.2.4 Identification of resolved goals, revisions to existing goals, and the addition of new goals may occur as needed, and these updates are documented on the treatment plan.

3.2.5 Treatment plan hard copies are stored in the mental health section of the medical record. The treatment planning process is documented in the mental health encounters in the AMR.

3.3 Psychopharmacological Therapy: A psychiatrist or qualified mid-level practitioner guides and monitors inmates treated with medication(s). Medical personnel (RN or LPN with supervision) administer all prescribed medications. Patient education regarding medication is an integral part of treatment. Inmates are taught the importance of psychopharmacological therapy adherence, the side-effects of medications, and the importance of disclosing side-effect occurrences. The nursing staff monitors the inmate's compliance with medication(s) and side effects in the AMR.

3.4 Counseling Services: ICS inmates are provided ten (10) hours of structured out-of-cell activities weekly, which take place Monday through Friday. ICS inmates are allowed a minimum of ten (10) hours of unstructured out-of-cell time per week.

3.4.1 Group Therapy: Group therapy is led by a QMHP and is provided primarily Monday through Friday with limited group offerings on weekends. ICS offers a wide variety of groups to improve symptom management and teach cognitive/behavioral decision-making and emotional coping skills. The goals of group are to improve symptom management, reduce problematic behaviors, improve self-care skills, and promote relapse prevention. Group topics may include, but are not limited to:

Activities of Daily Living	Medication Education
Alcohol/Substance Abuse/Relapse Prevention	Music Therapy
Anger/Stress Management	Personal Hygiene
Educational Services	Pre-Release Planning
Library Services	Rational Behavior Therapy
Living with Schizophrenia	Hobby Craft
Work Assignments	

3.4.2 Recreation Therapy: The activity therapist plans, directs, and coordinates recreation programs for inmates. Structured activities are conducted throughout the week and on weekends:

- The activity therapist, either directly, or through supervision of mental health technicians, observes, analyzes, and records patients' participation, reactions, and progress during treatment sessions, and modifies treatment programs as needed;
- Activity therapy treatment plan goals are based on a needs assessment, patient interests, and objectives of therapy, and are documented on the treatment plan;

- The activity therapist, and mental health technicians under his/her direction, encourage inmates to acquire new skills and get involved in health-promoting leisure activities, such as sports, games, arts and crafts, and gardening; and
- The activity therapist collaborates with members of the Treatment Team to plan and evaluate therapy programs.

3.4.3 Individual Counseling: Individual counseling provides confidential therapeutic interactions between the inmate and the primary QMHP in which to focus on treatment plan goals and objectives, practice adaptive coping skills, and confront obstacles to goal attainment. Individual counseling provides a forum for addressing symptom monitoring and managing, medication adherence, and relapse prevention efforts. Individual counseling also affords opportunities to promote personal care skills, and assist inmates in adapting to institutional living while attending to their individual psychological challenges. Individual counseling is provided no less than once per week during the first month at ICS. Thereafter, individual counseling is provided as needed, but not less than twice monthly.

- During the first four (4) weeks of the ICS program, the primary QMHP provides individual counseling to the inmate once per week, or more often if clinically indicated. After four (4) weeks, the primary QMHP conducts individual sessions no less than twice monthly, but these sessions may occur more often as clinically indicated. The QMHP will continue to see all inmates on his or her caseload at least weekly in a group format.

4. MILIEU THERAPY: ICS mental health personnel collaborate with security, medical, and other institutional staff to maintain a safe, clean, and quiet environment that is conducive to positive behavior changes. Specific problematic inmate behaviors are formally addressed during Treatment Team Meetings. Community meetings are also a part of the ICS milieu. The community meeting is a forum for exchanging relevant and useful information between inmates, security, medical, and mental health staff. At the community meeting, inmates are provided appropriate institutional information and are afforded an opportunity to voice their thoughts and concerns. In addition to the community meeting:

4.1 Level System: The ICS structure includes multiple supervision levels. The level system is designed to promote inmate adherence to program rules and recommendations, and encourage progress on treatment goals. The level system provides incentives for adherence to rules of conduct within the ICS Program. Inmates admitted or transferred into the ICS program are assessed and assigned a level.

4.1.1 Level assignments are adjusted based upon changes in symptom severity, appropriateness of social behaviors, and adherence to treatment goals and recommendations. Level 3 is the least restrictive level, and Special Level is the most restrictive ([see Attachment A](#)).

4.1.2 Levels can be reviewed in weekly Treatment Team meetings. Level assignment changes are as a result of changes in behavior and symptom presentation.

4.2 Pre-Hearing Detention:

4.2.1 Inmates charged with serious (Level 1 or 2) violations of SCDC rules are placed on Pre-Hearing Detention (PHD) status by operational staff. Inmates on PHD are housed in Restrictive Housing Unit (RHU) but continue to be seen weekly, or more often if clinically indicated by their primary (or on-call) QMHP.

4.2.2 The ICS program manager regularly consults with the Disciplinary Hearing Officer (DHO) as part of the inmate hearing process, and disciplinary hearings are held weekly.

4.3 Crisis Intervention (CI), Suicide Precautions (SP):

4.3.1 Crisis Intervention (CI) is utilized to allow observation and assessment, while providing a safe environment for inmates who are depressed, exhibiting acting-out or self-injurious behaviors, feel unsafe, or need temporary removal from the environment, but do not require hospitalization. Suicide Precautions (SP) status is utilized to provide constant observation in a safe environment to inmates expressing or exhibiting suicidal behaviors. Procedures for initiating and discontinuing CI and SP are outlined in SCDC Policy HS-19.03, "Inmate Suicide Prevention and Intervention."

4.3.2 ICS assigned inmates requiring placement on CI or SP are transferred within 24 hours to the Crisis Stabilization Unit (CSU), which is located at Broad River Correctional Institution. ICS inmates released from the CSU receive crisis assessments for three (3) consecutive days, and weekly follow-up crisis assessments continue for four (4) weeks post CI or SP status.

4.4 Inpatient Hospitalization (Gilliam Psychiatric Hospital or Columbia Regional Care Center):

4.4.1 Inmates experiencing acute escalation of symptoms, presenting as a danger to self or others, experiencing self-care problems due to mental illness, demonstrating substantial impairment in their capacity for reality testing or an inability to communicate, may be referred for inpatient mental health services at Gilliam Psychiatric Hospital (GPH), and female inmates at Columbia Regional Care Center (CRCC). Admission to GPH/CRCC may be voluntary or involuntary ([see Attachment B](#)). The referral procedures are outlined in SCDC Policy HS-19.13, "Mental Health Services - Gilliam Psychiatric Hospital (GPH)."

4.4.2 A psychiatrist approves inmate referrals to GPH/CRCC, and the inmate's primary QMHP or designee coordinates with appropriate GPH/CRCC personnel to facilitate admission. Inmates who return to ICS from GPH/CRCC are seen no less than weekly for the first four (4) weeks and more often as clinically indicated.

4.5 ICS Services in Lock-up Units: Inmates who qualify for ICS services but who are housed in various RHUs statewide will have their treatment plans updated to provide an appropriate level of service as can best be managed at their institution's RHU.

5. DISCHARGE PLANNING: Discharge planning begins at admission, and the assessment reflects that discharge planning has been addressed. SCDC Form M-181, "Discharge Needs Assessment," is completed at admission for inmates who max-out in one year or less. When an inmate is transferred to another facility, the Discharge Needs Assessment is forwarded to the assigned counselor at the receiving institution.

5.1 Discharge to Area/Outpatient Mental Health Services:

5.1.1 When an inmate has improved and may no longer require ICS structured residential mental health treatment at ICS, the inmate is presented at the Treatment Team meeting to be considered for discharge to Area/Outpatient Mental Health Services. The primary QMHP or designee presents the inmate's progress to the Treatment Team for a decision regarding discharge. The inmate must attend this meeting. Upon recommendation of the Treatment Team and a written order from the assigned psychiatrist, discharge from ICS is initiated and an appropriate transfer referral is made. To qualify for discharge consideration, the inmate must be compliant with medication and without acute symptoms or medication side effects that require frequent monitoring.

5.2 Community Discharge:

5.2.1 Within six (6) months of the inmate's max-out date, the QMHP who is handling case management will coordinate and document all discharge planning services. All contacts relevant to aftercare planning are documented under the appropriate encounter type in the AMR. The QMHP utilizes SCDC Form, M-182, "Discharge Summary," to address recommendations for continued mental health care. Discharge planning content will generally include the following areas:

- Assessing community resources;
- Communication skills;
- Benefits: (SSI/SSDI - Social Security Administration); South Carolina Department of Vocational Rehabilitation (Voc. Rehab.); Veterans' Administration (VA); Department of Social Services (DSS); and Department of Mental Health (SCDMH);
- Money management;
- Family reunification;
- Goal setting (short/long term); and
- Job seeking and survival skills.

5.2.2 Specific Procedures:

5.2.2.1 Six months prior to max-out:

- The inmate is assigned to the discharge planning group;
- Primary QMHP completes a discharge needs assessment;
- Living arrangements and family support are verified; and
- Arrangements must be made for admission to a SCDMH hospital if the case manager and Treatment Team conclude that psychiatric hospitalization is necessary due to the inmate's mental illness. Consultation with SCDC personnel assigned to facilitate admission to an SCDMH facility must be initiated.

5.2.2.2 Four months prior to max-out:

- The primary QMHP reviews the Discharge Needs Assessment with the inmate and makes changes as needed;
- Housing arrangements are finalized;
- For inmates with deficits in self-care skills, the primary QMHP contacts the SCDMH liaison for assistance with residential placement; and
- SSI/SSDI paperwork is completed.

5.2.2.3 One month prior to max-out:

- The primary QMHP notifies medical of the pending max-out date to facilitate ordering a five-day supply of medications that are provided to inmates upon release from SCDC;
- The primary QMHP schedules post release appointments (mental health, vocational rehabilitation, substance abuse, VA, etc.); and
- The primary QMHP finalizes plans with families and the SCDMH liaison.

5.2.2.4 Two days prior to max-out:

- On the day of max-out, the inmate is given at least a five (5)-day supply of medications as ordered by the ICS psychiatric and medical physicians. The inmate also receives prescriptions for a thirty (30)-day supply of each medication; and
- The inmate is given a copy of all scheduled appointments, which include the dates, times, addresses, telephone numbers, and names of contact persons. A copy of the appointment information may be mailed or disclosed to a family member/guardian with the inmate's written permission.

6. QUALITY ASSURANCE:

6.1 The ICS program will be audited by the quality assurance manager and assistants through a continuous quality management auditing process with reports generated on at least a quarterly basis.

6.2 The ICS program director will conduct internal audits of each counselor assigned to the ICS twice annually to ensure that services are being delivered. The internal audits will consist of evaluation of groups, individual sessions, and whether the program is meeting the required standard hours of structured and unstructured activities. The program director will observe at least one group per month by each individual counselor and at least one individual session. Random inmate files will be selected for auditing in order to ensure that clinical documentation and treatment plans are being completed and updated in accordance with applicable policies.

7. DEFINITION(S):

AMR refers to Automated Medical Records.

Community Meeting refers to a forum for exchanging relevant and useful information between inmates, security, medical, and mental health staff.

Crisis Intervention (CI) is utilized to allow observation and assessment, while providing a safe environment for inmates who are acutely depressed, exhibiting acting out or self-injurious behaviors, feel unsafe, or need temporary removal from the environment, but do not require hospitalization.

Intermediate Care Services (ICS) provides residential services for inmates with serious, persistent, mental illness who require intensive treatment, monitoring, and care, but do not need psychiatric hospitalization.

Level System refers to a system designed to promote inmate adherence to program rules and recommendations, and encourage progress on treatment goals. Level assignments are adjusted based upon changes in symptom severity, appropriateness of social behaviors, and adherence to treatment goals and recommendations. The level system provides incentives for adherence to rules of conduct within the ICS program. Level Three is the least restrictive level.

Pre-Hearing Detention (PHD) refers to the security status for inmates awaiting a disciplinary hearing. ICS inmates on PHD status are placed in a Restrictive Housing Unit (RHU).

Primary QMHP refers to a Qualified Mental Health Professional (QMHP) assigned as an inmate's case manager.

Qualified Mental Health Professional (QMHP) refers to a psychiatrist, licensed psychologist, licensed professional counselor, licensed professional counselor-supervisor, licensed independent social worker, psychiatric nurse practitioner, and also includes a licensed master social worker and licensed professional counselor-intern with appropriate supervision.

Suicide Precautions (SP) refers to intervention measures to reduce physical self-harm by an inmate identified as a risk for suicidal behavior. These measures include placement of the inmate into a safe cell under constant observation.

Treatment Team refers to a primary QMHP, a psychiatrist, a psychologist, other ICS-assigned QMHPs, a nurse, an activity therapist, and security staff.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

ATTACHMENT A

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF BEHAVIORAL/MENTAL HEALTH & SUBSTANCE ABUSE SERVICES
INTERMEDIATE CARE SERVICES**

LEVEL SYSTEM

Intermediate Care Services (ICS) Level System is designed to facilitate inmate adherence to program rules, treatment goals, and recommendations. The Level System provides incentives for advancement through the ICS Program. All inmates admitted or transferred to ICS are assigned to the Level System. Assignments are based on the inmate's presenting symptoms, behaviors, and adherence to treatment goals and recommendations. Level Three is the least restrictive level and Special Level is the most restrictive.

The Level System consists of the following levels and privileges:

Level Three:

- Inmates assigned to Level Three (3) are free of institutional charges and are treatment and medication compliant. The inmates have no minor charges or infractions or a pending disciplinary. Inmates on this level are cooperative with all aspects of treatment and security requirements.
- Restriction(s): No restrictions are identified for this level.
- Privileges: All approved institutional privileges are allowed.

Level Two:

- Inmates assigned to Level Two (2) may have a minor charge or pending charge. Inmates may be non-compliant with no more than one area or treatment recommendations. Any behavioral infraction while on Level Two may cause a reduction to Level One.
- Restriction(s): Inmates on Level Two are locked in their rooms at 6:00 p.m. each day.
- Privileges: Inmates on Level Two are allowed out of their rooms from 6:00 a.m. to 6:00 p.m. daily.

Level One:

- Inmates on Level One (1) may have several minor charges or a major charge pending. Inmates assigned to Level One may be non-compliant in two or more areas of treatment or displaying disruptive/acting out behaviors in the institution or ICS Program. Inmate visits are in the Secure Visiting Room and must be escorted to and from all visits.
- Restriction(s): Inmates on Level One are allowed no participation in institutional organized sports/activities.
- Privileges: Inmates are allowed two (2) hours of recreation between 1:00 pm and 3:00 pm.

Restrictive Housing Unit (SCDC Policy OP-22.38)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.

- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



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SCDC POLICY

This policy has been developed and/or revised in response to and as a portion of the Remedial Plan agreed upon by the parties in the settlement of T.R.V. South Carolina Department of Corrections, No. 2005-CP-40-02925. As agreed by the parties in the Settlement Agreement, it is the understanding and agreement of the parties that implementation and effectuation of the provisions of this policy as a portion of the Remedial Plan shall be phased in over time and all aspects shall not become effective immediately. (See Section 2 - Summary of Agreement and Section 4 (f) - Implementation Phase-In of Settlement Agreement effective May 2, 2016).

Change 1 to OP-22.38 dated March 26, 2019: [5.4](#), [5.5](#), and [40.1](#)

Change 2 to OP-22.38 dated April 12, 2019: [14](#).

NUMBER: OP-22.38

TITLE: RESTRICTIVE HOUSING UNIT

ISSUE DATE: July 7, 2017

RESPONSIBLE AUTHORITY: DIVISION OF OPERATIONS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: SCDC POLICIES OP-22.11 & OP-22.12- NEW POLICY; November 5, 2015

RELEVANT SCDC FORMS/SUPPLIES: 18-1, 18-3, 18-39, 18-68, 19-7A, 19-7B, 19-10, 19-11, 19-20, 19-30, 19-34, 19-35, 19-67, 19-69, 19-85, 19-87, ~~19-164~~, 20-18, E-3, S-29, [ATTACHMENT A](#), [APPENDIX A](#)

ACA/CAC STANDARDS: 4-4235, 4-4239, 4-4249, 4-4250, 4-4252, 4-4253, 4-4254, 4-4255, 4-4256 through 4-4273

RELATED HEALTH SERVICES PROCEDURE: 300.8

STATE/FEDERAL STATUTES: NONE

PURPOSE: To outline management and administrative requirements related to the operation of Restrictive Housing Units (RHU) *and/or the Substantiated Security Risk (SSR) Unit* within SCDC institutions.

POLICY STATEMENT: In order to maintain the safety and security of the general population, the staff, and the Agency, the SCDC will house those inmates requiring more intense behavioral levels of supervision and monitoring in separated areas herein referred to as Restrictive Housing Units (RHU) apart from the general population. To ensure that the inmate is placed in the least restrictive environment conducive to rehabilitation, to promote good behavior and conformance with Agency rules and regulations, to make available incentives to high risk inmates to recognize and encourage good institutional conduct and to provide privileges consistent with their assignment to particular behavioral levels within the RHU. (4-4249)

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41.	DEFINITIONS

SECTION ONE: RESTRICTIVE HOUSING UNIT INMATES

1. PLACEMENT IN SHORT TERM DETENTION (ST):

1.1 The Warden/designee may confine an inmate in the Restrictive Housing Unit (RHU) in Short-term detention if the inmate falls into one of the following categories:

- 1.1.1 The inmate has behaved violently and aggressively while incarcerated and is a threat to the physical safety of other inmates or staff. This behavior includes possession of major contraband but is not limited to: Weapons that are capable of inflicting death; escape instruments or articles designed to specifically adopt for criminal use in escape attempt;
- 1.1.2 Actively involved in disruptive gang activity and is a confirmed leader, enforcer, disruptive core member or recruiter of a security threat group;
- 1.1.3 The inmate has escaped or attempted to escape from within a security perimeter and/or custody of direct supervision.
- 1.1.4 The Director or designee determines, based on specific objective criteria set forth in writing, that there is a significant risk that the inmate will cause physical injury to staff, other inmates, or members of the public if he/she is housed in general population, even at the highest security level.
- 1.1.5 The inmate's presence in the general population would create a threat to the safety, security, and/or order of the institution;
- 1.1.6 It is necessary to maintain the integrity of an investigation, i.e., to preserve the integrity of information either in the inmate's possession or another inmate's possession.

NOTE: If the inmate is confined in a RHU, and there are protective concerns for the inmate see SCDC Policy OP-22.23, "Statewide Protective Custody," for additional information.

1.2 The Warden/Duty Warden or an approved designee should carefully consider the circumstances of the charges, the security level of the institution, and the availability of Short Term (ST) detention beds when making the decision to place the inmate in the restrictive housing unit.

1.3 Short Term Detention can last up to thirty days. However, the inmate's placement in ST must be reviewed within 72 hours of initial placement, including weekends and holidays. If, at the end of thirty days, it is determined the inmate needs to **be recommended for Security Detention**, the reason will be documented on the automated RHU review **and the appropriate paperwork as outlined in section 3 below will be** forwarded to Central Classification for final approval. The Warden can approve a thirty day extension **by documenting approval via memorandum** (for a total 60 days) in ST status.

1.4 If a thirty day extension is needed because the disciplinary hearing can not be heard within the first thirty days in ST, the Deputy Director of Operations/Designee may grant a thirty day Short Term Detention extension. The extension memo will be requested via email by the Major or Supervisor (including **Police Services Agents**) to the Office of the Deputy Director of Operations. The inmate will be given a legible copy of the memo.

1.5 The Warden/Duty Warden or an approved designee will fill out SCDC Form 19-67, "Restrictive Housing Unit Placement/Extension," and get all necessary signatures. The inmate must be given the opportunity to sign the 19-67; but if the inmate refuses to sign the form, two (2) SCDC employees must witness the form to show that it was served to the inmate. The inmate must be given a legible copy of the completed 19-67 within 72 hours of his/her placement in ST. If the copy of the 19-67 that is given to the inmate is not legible, the Hearing Officer will provide the inmate with a legible copy. (Note: If the placement in ST was due to a disciplinary infraction, the procedures in SCDC Policy OP-22.14, "Inmate Disciplinary System," will also apply as they relate to the disciplinary charge/hearing.) Once an inmate is moved to ST, the RHU supervisor will ensure that the information for the inmate is entered on SCDC Form S-29, "RHU/PHD Log." Inmates who commit another offense while in ST will not be served a new SCDC Form 19-67.

1.6 Inmates placed in ST will be afforded the same property and privileges as Behavioral Level III inmates until such time that they are placed in Disciplinary Detention or in Security Detention (if applicable).

1.7 An initial seven (7) day review will be conducted by the Warden/security designee and the Classification Case Worker for inmates placed in Short Term Detention to ensure the disciplinary is proceeding in a timely manner as required by SCDC Policy OP-22.14, "Inmate Disciplinary System." The Warden/security designee and the Classification Caseworker will review the status of each inmate placed in Short Term detention every 30 days. (See OP-22.23, "Statewide Protective Custody" for procedures regarding inmates placed in Protective Concern status.) **Qualified mental Health Professional (QMHP)** will be included as a committee member if the inmate has a mental health designation. The review will be documented on the RHU automated review and the SCDC Form 18-1, "Committee Docket."

1.8 If during the placement of the inmate on ST, he/she is transferred to Gilliam Psychiatric Hospital, the Department of Mental Health, an SCDC infirmary, or any other location outside the control of the Agency, his/her seven (7) calendar day time limit for the initial review will be suspended until the inmate is returned to ST.

1.9 Immediately following an inmate's placement in ST, the Classification Caseworker assigned to the RHU will be responsible for collecting the below listed information for the initial 7 day review. This review will be documented on automated RHU review on the SCDC intranet.

- A copy of the SCDC Form 19-67, "Restrictive Housing Unit Placement/Extension," which caused the inmate to be placed in PHD;
- A review of any Cautions/Separations and/or special needs; and
- A review of his/her 19-29A, "Incident Reports," and 19-69, "Disciplinary Report And Hearing Record".

1.10 **The Prison Rape Elimination Act (PREA) assessment tool and the inmate's RHU custody status** will be used to determine the appropriate cell assignment for inmates who are double celled in RHU. See SCDC Policy OP-21.04, "Inmate Classification Plan," for cell assignment procedures.

1.11 The Warden/Associate Warden is authorized to release an inmate from ST prior to a Disciplinary Hearing or the inmate's assignment to Security Detention. At the end of the thirty day period in Short term detention the Warden must: request a thirty day extension, release the inmate to the general population *or* request approval for security detention.

2. PLACEMENT IN DISCIPLINARY DETENTION (DD):

2.1 DISCIPLINARY DETENTION: A Disciplinary Hearing Officer may assign an inmate to a RHU for a designated period of time as a result of a serious violation of conduct. The Disciplinary Hearing or Administrative Resolution will be subject to the same rules and restrictions as an inmate in Security Detention behavioral Level III, as written in this policy.

2.2 Disciplinary detention will not exceed sixty (60) days. Inmates on disciplinary detention will remain on behavioral level III. Inmates that display chronic disciplinary history or those that meet the criteria for security detention will be processed for placement in Security detention status as outlined in Section 3 below.

2.3 In general, Disciplinary Detention is served day for day; however, the Warden/Associate Warden may, for purposes of bedspace management, release inmates to General Population early when the inmate has demonstrated good behavior during the term of Disciplinary Detention. The Classification Caseworker will conduct a custody review on the CLASSP prior to release to the general population. Only the Warden/Associate Warden is authorized to release an inmate from Disciplinary Detention.

2.4 When an inmate has served his/her term of Disciplinary Detention, it may be appropriate to continue his/her segregation from the general population if the inmate falls into one of the categories listed in Section 1.1 above except for 1.1.5 and 1.1.6. When this is necessary, the ICC should consider the inmate for placement in Security Detention.

3. PLACEMENT IN SECURITY DETENTION (SD):

3.1 Initial placement in Security Detention will be recommended by the ICC consisting of the Warden/Associate, Classification Caseworker and security designee, providing that the inmate meets the criteria as outlined in Section 3.2 below. This review will be recorded. The review will be held in a private office setting and the inmate will be present and allowed to make a brief statement regarding his/her placement. A *Qualified Mental Health Professional (QMHP)* will be included as a committee member if the inmate has a mental health designation. The review will be documented on the RHU automated review and the SCDC Form 18-1, "Committee Docket," and forwarded to Central Classification for final disposition. Inmates in Short term detention and Disciplinary detention status may be reviewed for placement in Security Detention. *Inmates in Short Term detention and Disciplinary Detention status may be recommended for placement in Security Detention prior to completion of DD or ST.*

3.2 The following procedures will be followed when an inmate is suspected or confirmed to have engaged in the sexual abuse or harassment of another inmate(s), and in the opinion of institution or agency officials the perpetrating inmate should be placed in Security Detention (SD) in order to protect other inmates.

3.2.1 Initial placement in Security Detention will be recommended by the ICC consisting of the Warden/Associate, Classification Caseworker and security designee, providing that the inmate meets the criteria as outlined in Section 3.3 below. This review will be recorded. The review will be held in a private office setting and the inmate will be present and allowed to make a brief statement regarding his/her placement. The Clinical Correctional Counsel (CCC) will be included as a committee member if the inmate has a mental health designation. The review will be documented on the RHU automated review and the SCDC Form 18-1, "Committee Docket," and forwarded to Central Classification for final disposition.

3.2.2 Central Classification will document their approval/disapproval on the custody review and in the PREAREVW screen. Upon receipt of a Central Classification decision, the institutional case manager/caseworker will make the appropriate entry in the CUST screen using the Reason Code for "Sexual Perpetrator".

3.2.3 Inmates in SD for this reason will be reviewed and the reviews documented as stipulated in agency policy. The decision to release an inmate from SD will be recommended by the ICC and approved by Central Classification. Central Classification will document their approval/disapproval on the custody review and in the PREAREVW screen. Upon receipt of a Central Classification decision, the institutional case manager/caseworker will make the appropriate entry in the CUST screen using applicable Reason Code.

3.3 Inmates approved for Long Term segregation status will be placed in Security Detention (SD). For the purpose of placement in security detention, the inmate's institutional behavior will be evaluated including the inmates historical institutional adjustment. The inmate will be placed in security detention if the inmate meets at least one of the following criteria:

3.3.1 The inmate has behaved violently and aggressively while incarcerated and is a threat to the physical safety of other inmates or staff. This behavior includes possession of major contraband but is not limited to weapons that are capable of inflicting death; ammunition that includes bullets, gunpowder, shots or shells; escape instruments or articles designed to specifically adopt for criminal use in escape attempt. *Generally, inmates charged with assaults on staff will remain in SD status for a minimum of one (1) year.*

3.3.2 Actively involved in disruptive gang activity and is a confirmed leader, enforcer, disruptive core member or recruiter of a security threat group.

3.3.3 The inmate has escaped or attempted to escape from within a security perimeter and/or custody of direct supervision. *Inmates who breach secured buildings by going through the roof, cutting cell bars and/or cell windows, placing holes in floors, are found on rooftops or on the fence lines will be charged with escape and recommended for SD.*

3.3.4 The Director or Deputy Director of Operations/designee determines, based on specific objective criteria set forth in writing, that there is a significant risk that the offender will cause physical injury to staff, other inmates, or members of the public if he/she is housed in general population, even at the highest security level.

3.4 Central Classification Review of Referral: Once the initial process is concluded at the institutional level, the Classification Case Manager/Designee will forward via e-mail the supporting documentation (Referral Packet) to Central Classification for final decision. The Classification Case Manager/Designee is responsible for creating a review that will PEND to Central Classification on the Restrictive Housing Unit Review Application.

3.5 Central Classification must receive all supporting referral packet documentation prior to the review for security detention placement. This information should include, but not limited to:

- History of current behavior;
- Specific reason for referral;
- Prior specific behavior related to recommendation;
- Chronology and specific dates of applicable events;
- Where the offender was housed;
- Other inmates and/or staff involved; and
- Copy of inmate's disciplinary history.
- *Copy of SCDC Form 18-1, "Committee Docket."*

NOTE: The RHU Coordinator will *review* the inmate's Central record *as needed* as part of the review process.

3.6 The Restrictive Housing Unit Coordinator will take action based on information provided in the referral packet and inmate's overall record. If the information or documentation provided is unclear or insufficient, the RHU Coordinator/Designee will contact the sending institution's Warden/Designee in order to obtain additional information.

3.7 The Restrictive Housing Unit Coordinator will make the determination as to whether an inmate should be approved for Security Detention within ten (10) working days following receipt of the referral.

3.8 The Classification Case Manager/Designee will be notified of the final disposition when the pending security detention review is closed out as approval (SD) or disapproved return to general population. The inmate will be *mailed* a disposition by the *RHU Coordinator* that will advise them of the final decision within seven (7) working days after completion of the review.

3.9 Restricted Housing Unit: Multi-Disciplinary Committee members with representatives from Division of Security, Division of Mental Health and Division of Classification and Inmate Records will review all initial RHU Coordinator security detention approvals on a quarterly basis. Information provided as outlined in Section 3.4 submitted for the RHU Coordinator review along with any written statement the inmate submits will be reviewed by the committee. The committee will vote on approval/disapproval of security detention placement. The inmate will receive a written disposition from the committee within ten (10) working days of the hearing.

3.10 Quorum: Chairperson and at least two (2) voting members. Each member will have one (1) vote and the majority vote will rule.

3.11 Agency Review: Inmates in Level Four (4): Long-term Offender Program Security Detention (SD) placement will be reviewed every six (6) months by the RHU's Multi-Disciplinary Committee for possible release.

3.12 Appeal of Placement in SD: Inmates may appeal the decision of the RHU Coordinator and RHU's Multi-Disciplinary Committee through the inmate grievance system. See SCDC Policy GA-01.12, "Inmate Grievance System", for further information.

NOTE: If the inmate is confined in a RHU, and there are protective concerns for the inmate see SCDC Policy OP-22.23, "Statewide Protective Custody," for additional information.

4. BEHAVIORAL LEVEL REVIEWS:

4.1 The RHU ICC consisting of the Warden/Associate, Classification Caseworker and security designee will conduct behavioral level reviews. If the inmate has a mental health designation, the *Qualified Mental Health Professional (QMHP)* will also serve as a member of the ICC.

4.2 If the ICC recommends placement in Security Detention, the ICC will also recommend the appropriate behavioral level at which the inmate will be initially housed and any other special conditions that will govern the inmate while he/she is housed in security detention, i.e., recreation/exercise precautions, special needs, etc.

4.3 Inmates placed in Security Detention will be present at this hearing and be given the opportunity to speak on his/her behalf, or present a written statement. The rules and regulations will be explained to the inmate, and he/she will receive a release plan recommendation within seven (7) working days of arrival.

4.4 A list of services available in RHU and privileges will be developed based on behavioral levels. Specific incentives available to inmates will differ between behavioral levels. Some incentives available to inmates in behavioral level IV will be consistent with the general population.

4.5 Generally, inmates approved for Security Detention will be placed in behavioral level III. Exceptions will be those inmates charged with *attempted escape*, escape with force, escape from a Level III institution, or assault on a staff member and/or inmate. These inmates will automatically be assigned to behavioral level II or *Behavioral Level I* Substantiated Security Risk (SSR) status. (4-4252)

4.6 The inmate will be present for his/her 90 day behavioral reviews unless the inmate's behavior is not conducive to removal from his/her cell, or the inmate waives his/her right to appear at the classification hearing by completing SCDC Form 18-39, "Classification Waiver." The purpose of the ICC is to review the inmate for possible release, *if the inmate has successfully completed six (6) months in Security Detention*, retention, increase or decrease of the inmate's behavioral level, or provide a release recommendation plan for future release. The committee must use objective written criteria in documenting its decisions. These reasons need to be specific. The Classification Caseworker will enter the behavioral level in the automated system. The inmate may be reviewed for advancement or release more frequently if his/her behavior warrants. (4-4254)

4.7 The inmate's record will be examined during each review. The ICC will have the authority to reduce or advance the inmate's behavioral level as appropriate based on the inmate's behavior while housed in RHU. The committee must use objective written criteria in documenting its decisions. These reasons need to be specific. The Classification Caseworker will enter the behavioral level in the automated system.

4.8 The ICC will review each inmate in Security Detention for advancement in behavioral level or release from RHU at the below listed intervals. Inmates will advance in behavioral levels based on service requirements at each level as well as successful completion of required standards such as their institutional conduct, personal hygiene, grooming standards and cell/housing sanitation. Behavior level reviews will be conducted every 90 days.

4.8.1 Behavioral Level I: Refers to Substantiated Security Risk (SSR) - The strictest degree of custody and control in RHU. Inmates in SSR status must successfully complete any class/counseling sessions required by staff, and remain disciplinary free in order to be advanced and considered for release from SSR status. SSR will have three (3) statuses to include:

- D- Disciplinary, poor behavior- Advancement will be approved after successful completion of 3-6 months service requirement.
- I- Improved- Advancement will be approved after successful completion of 6-12 months service requirement.
- R- Eligible for Release- Advancement will be approved after successful completion of 12 months service requirement.

4.8.2 Behavioral Level II to Behavioral Level III: Advancement will be approved after successful completion of 90-180 days service.

4.8.3 Behavioral Level III: Advance and release will be approved after successful completion of 6-18 months service.

4.8.4 Behavioral Level IV: Advance and release will be approved after successful completion of 6-18 months service. *Offenders can be detained in Behavioral Level IV indefinitely, but will be considered for release every six (6) months.*

5. PROCEDURE FOR RELEASE FROM SECURITY DETENTION:

5.1 The decision to release an inmate from Security Detention is recommended by the ICC and approved by Central Classification and will be based upon the inmate's overall disciplinary record and compliance with all Agency policies and procedures while in Restrictive Housing Unit. The inmate may submit a written statement regarding his/her placement. The Classification Caseworker will create a Custody Review for inmates approved for release. A copy of the disposition will be provided to the inmate. (4-4254)

5.2 The inmate will be evaluated for release using the following criteria:

- Disciplinary history while in the administrative segregation unit.
- After six (6) months disciplinary free, an inmate may be released from Security Detention status.
- STG activity while housed in the Restrictive Housing Unit.
- Confidential information received while housed in the Restrictive Housing Unit.
- Consideration of past criminal history.

5.3 The Classification Caseworker will document the review by the ICC on the automated RHU review screen and provide the inmate with a copy of its recommendation no later than 48 hours after the review. Central Classification will provide a disposition on the release of all inmates from Security Detention within 30 days of institutional recommendations. (4-4253)

5.4 *All recommendations for removal from SD by the ICC, but disapproved by Central Classification, will be sent to the Assistant Deputy Director of Operations for their approval or reversal of Central Classification's decision.*

5.5 Upon receipt of approval by the Central Classification *or the Assistant Deputy Director of Operations*, to release an inmate from security detention, the Classification Case Manager/Worker will initiate a Custody Review in the automated Offender Management System indicating the recommended disposition. An inmate who is released will be appropriately classified to the general population. The Classification Case Manager/Worker will coordinate with Central Classification for bed space management purposes. **(Changes in BLUE in 5.4 and 5.5 per Change 1 to SCDC Policy OP-22.38, dated March 26, 2019).**

5.5 Inmates in RHU who continue to commit serious rules infractions may be recommended for placement in the Substantiated Security Risk (SSR) Unit.

6. APPEAL OF PLACEMENT IN SD: In addition to appealing their placement in SD to the Warden and the RHU Coordinator, inmates may appeal the decision of the ICC and Central Classification through the inmate grievance system. See SCDC Policy GA-01.12, "Inmate Grievance System," for further information. (4-4248)

7. DOCUMENTATION MAINTAINED ON INMATES IN ST/SD: All documents described below on each inmate in ST, DD or SD, will be maintained in the inmate's institutional record: (These records will be maintained in a secured area outside of the RHU.)

7.1 A copy of the SCDC Form 19-67, "Restrictive Housing Unit Placement/Extension," to document the reasons for the inmate's initial placement in PHD;

7.2 Any incident report and/or disciplinary hearing records (SCDC Form 19-69, "Disciplinary Report and Hearing Record");

7.3 Staff notes and comments, to include, if necessary, SCDC Form 19-85, "Alternative Meal Service," and SCDC Form 19-20, "Restrictive Housing Unit Confiscation Report".

(NOTE: All mental health and medical review/screening notes will be maintained in the inmate's medical record.)

SECTION TWO: SUBSTANTIATED SECURITY RISK (SSR) INMATES

8. SUBSTANTIATED SECURITY RISK (SSR):

PURPOSE: To outline management and administrative requirements related to the operation of the SCDC Substantiated Security Risk Unit (SSR), a specialized housing unit for inmates who have demonstrated an unwillingness to conform to the rules and regulations of a Restrictive Housing Unit, who have been charged with violent criminal behavior committed while in the general population, and/or for whom emergency placement has been ordered by the Agency Director or the Deputy Director of Operations. In order to maintain the safety and security of the general population, staff and the Agency, the SCDC will house those inmates requiring the most intense levels of supervision and monitoring in a separate housing unit in Substantiated Security Risk (SSR) status apart from the general population. (4-4249)

9. PROCEDURES FOR PLACEMENT IN SSR STATUS:

As the initial step in the admission process, any inmate considered for assignment to SSR (other than an emergency placement ordered by the Agency Director or the Deputy Director of Operations) will be provided an institutional hearing by the Central Classification Committee. The inmate will be served a written notice, SCDC Form 19-10, "Notice of Review/Hearing," not less than forty-eight (48) hours prior to the hearing advising him why he is being considered for SSR status. At the hearing, the inmate will be given a chance to respond. The documentation notes taken and/or audio tape of the hearing will be included in the admission referral packet.

(NOTE: If an inmate's adjustment can be handled in a Restrictive Housing Unit [RHU], the inmate should not be recommended for admission to SSR.)

9.1 The referring institution will prepare an SSR Referral Packet. The SSR Referral Packet will include copies of documents assembled in the following order:

1. SSR Referral Memo (See [Appendix A](#) for format);
2. Offender Summary (CLASSINQ from the automated Offender Management System);
3. Disciplinary Documents/MINs that resulted in referral;
4. Mental Health Status Examination; and
5. Institution Hearing Documentation.

9.2 The SSR Referral Packet will be sent to the Division Director of Classification and Inmate Records (Chairperson of the SSR Review Board) who will do a preliminary review to ensure that the SSR Referral Packet is complete. (Incomplete or unsubstantiated requests will be returned to the requesting Warden.)

9.3 The SSR Review Board will consider inmates for SSR admission within 20 working days of receipt of the request from the referring Warden. Prior to the formal review, all documents referred to in Section 3.2, above, must be provided. A majority of the SSR Review Board must be present to consider recommendations. Upon completion of the Review Board's review/evaluation of all pertinent documentation, a majority vote is necessary to recommend placement in SSR. The Chair of the Review Board will document the reasons for the Review Board's recommendation in a written memorandum to the Deputy Director of Operations. The memo will be filed in the SSR Referral Packet and submitted to the Deputy Director of Operations.

9.4 During the review of the mental health status examination, if it is determined by the SSR Review Board that the inmate is in need of in-patient mental health care, he can be referred to Gilliam Psychiatric Unit and reviewed again upon his release.

9.5 The Deputy Director of Operations will review the SSR Referral Packet and will approve/disapprove SSR placement within 20 working days after receipt.

9.6 The Deputy Director of Operations will approve or disapprove the memo from the SSR Review Board. A copy of the Deputy Director of Operations' concurrence/non-concurrence for placement in SSR will be forwarded to the recommending Warden, Institutional Record, and Warden of Kirkland Correctional Institution. The original will be filed in the inmate's Central Record. The Deputy Director of Operations will send a letter to the inmate informing said inmate of his admission to SSR. Copies of both documents will be filed in the SSR Referral Packet which will be maintained by the Division of Classification and Inmate Records.

9.7 If approved for placement in SSR by the Deputy Director of Operations, the Kirkland R&E ICC will conduct a classification review to place the inmate in SSR status.

10. EMERGENCY ADMISSION TO SSR: In circumstances considered by the Agency Director or Deputy Director of Operations to be an emergency, inmates may be confined in SSR. The Deputy Director of Operations will be responsible for notifying the Kirkland Correctional Institution's Duty Warden of this admission. All other steps as stated in Sections 9 - 9.3, above, will be expedited. (If, for security reasons, the sending institution is unable to complete step 3.1, prior to the inmate's transfer to SSR, then the inmate will be served notice and receive a hearing within seven (7) working days after arrival at SSR. The Warden of the sending institution and the Warden of Kirkland Correctional Institution will coordinate this.) If the sending institution fails to provide the necessary information as noted in Section 9.1, above, to the Division Director of Classification and Inmate Records within seven (7) working days, the Division Director of Classification and Inmate Records will report this to the Deputy Director of Operations. Unless a compelling reason is given, the Deputy Director of Operations may direct that the inmate be immediately returned to the sending institution.

10.1 REASONS FOR PLACEMENT IN SSR: The most common reasons for placement in SSR include, but are not necessarily limited to:

10.1.1 Violent escapes or escape attempts with force;

10.1.2 Violent resistance to apprehension;

10.1.3 Aggravated assault on staff or inmates.

10.1.4 Murder and/or attempt to commit murder while incarcerated;

10.1.5 Violent participation in a riot or other institutional disorder;

10.1.6 Seizing and holding a hostage or in any manner unlawfully detaining a person against his will;

10.1.7 The Director or Deputy Director of Operations/designees determination, based on specific objective criteria set forth in writing, that there is a significant risk that the offender will cause physical injury to staff, other inmates, or members of the public if he/she is housed in general population, even at the highest security level.

10.1.8 History of violent and assaultive behavior; and/or

10.2 REFERRING INSTITUTION'S RESPONSIBILITIES FOR TRANSFER TO SSR: Prior to transfer of an inmate to SSR, the Warden/designee of the referring institution will be responsible for ensuring that:

- An audit of the inmate's record is conducted by institutional classification staff, ensuring that all information is current. The record and documentation of all disciplinary infractions will accompany the inmate to SSR.
- All of the inmate's property is sent with the inmate to SSR at which time approved items will be authorized for his use. See SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property," for information on the appropriate disposition of property that the inmate may not use while in SSR.
- A medical review for intersystem transfer is completed pursuant to Agency procedures relating to inmate health services. The inmate should have a medical screen accomplished upon arrival at the SSR.

11. SSR STAFF RESPONSIBILITIES:

11.1 Immediately upon an inmate's arrival at SSR, the Associate Warden/designee will ensure that the appropriate custody change is initiated and entered in the automated record system. A new photo ID will be made of the inmate. A new photo will also be placed in the inmate's central and institutional records. These photo IDs will be updated at least every three (3) years or when the inmate's appearance is altered (e.g., large gain/loss of weight).

11.2 The SSR Case Management Committee will manage the inmate's progress in SSR. The committee will review inmate behavior/progress every 90 calendar days. These meetings will be utilized to review an inmate's progress and to establish goals for the up-coming period. The Committee will make recommendations for corrective actions. The Case Management Committee will meet with the inmate to discuss the inmate's progress. Formal counseling will take place as part of the inmate's program and will be delivered by the appropriate discipline. The Classification Case Manager will ensure that these reviews are documented appropriately in the automated Offender Management System. (4-4253)

The review will be documented on SCDC Form 18-68, "Staff Memorandum," and will include, but not be limited to, such factors as:

- Daily cell inspections and/or shakedown;
- Self-improvement actions (program participation);
- Relationships with staff;
- Personal grooming and appearance; and
- Adherence to instructions and standards of acceptable behavior.

11.3 Prior to progression from one behavioral level to the next, the inmate must meet the following minimum guidelines:

- Minimum time in behavioral level;
- An overall satisfactory rating on all the measured criteria; and
- Positive adjustment.

The inmate will be notified by memo of all behavioral level changes. A copy of these memos will be filed in the inmate's institutional record.

11.4 Inmates with incident-free records and compliance with Unit procedures, grooming, and sanitation standards will be advanced from behavioral level to behavioral level, subject to the following minimum time frames:

- The minimum assignment to SSR will be 12 months or until completion of sentence if that occurs first
- Inmates who are not compliant with unit rules and regulations will have all incidents of non-compliance documented utilizing SCDC Form 19-29, "Incident Report," SCDC Form 19-7A, "Cell Check Log," etc..

- If an inmate is reduced in behavioral level based upon unacceptable behavior or any rules violations, he/she must serve 90 days in that behavioral level before he/she can return to an advanced behavioral level.

11.5 Recommendation for Release from SSR:

11.5.1 Upon completion of 12 months minimum term and any appropriate extensions, and when the inmate has shown good behavior and progress in "R" Status for the previous six (6) months, the inmate will be recommended for release to a Restrictive Housing Unit (RHU) by the SSR Case Management Committee. The Case Management Committee will prepare the SSR Release Recommendation which will include:

- SSR Referral Memo that approved the inmate's placement in SSR;
- Incident/Disciplinary reports received while housed at SSR;
- SSR Case Management Committee Review notes; and
- Mental Health Status Examination Report (prepared by assigned Mental Health Division staff).

11.5.2 The Case Management Committee will meet to evaluate the inmate. After evaluation, the Case Management Committee will send a recommendation to the Division Director of Classification and Inmate Records or designee (Chairperson of the SSR Review Board), who will do a preliminary review to ensure the SSR Release Recommendation Packet is complete. The Case Management Committee and the SSR Board must use, and document objective criteria to justify decisions.

11.5.3 The SSR Review Board will meet and recommend disposition to the Deputy Director of Operations within 30 working days of receipt of the SSR Release Recommendation Packet.

11.5.4 After reviewing the SSR Release Recommendation Packet, the Deputy Director of Operations will notify the Division Director of Classification and Inmate Records of the final decision within 20 working days. The Deputy Director of Operations will approve or disapprove the recommendation from the SSR Review Board.

11.5.5 If approved for release from SSR, Central Classification will notify the SSR Classification Caseworker and coordinate the move to an appropriate Level 3 RHU. (4-4254)

11.5.6 Once assigned to a RHU, the inmate will be placed in SD3 custody and reviewed every 30 days by the Warden.

11.5.7 Before being released from the RHU, the Institutional Warden will contact the SSR Review Board for concurrence. If concurrence is given, the institution will contact Central Classification to assist in locating an appropriate housing assignment in the general population of a Level 3 institution.

11.5.8 Once released to the general population the inmate must remain in the general population in ME security/custody for at least one (1) full year before being considered for security level advancement.

12. RECORD KEEPING: All documents described below and any other documentation kept on each inmate housed in SSR will be maintained in the inmate's institutional record. The inmate records will be maintained in the institutional records office. In addition to the documents normally maintained in the institutional records, the following will be included:

- The referral request endorsed by the sending institution;
- SSR Referral Memo that documents approval for placement;
- Copies of all hearings which were part of the referral/placement process;
- Any incident/disciplinary reports the inmate receives while housed at SSR status;
- Staff notes and comments to include copies of SCDC Form 19-7A, "Cell Check Log," and, if necessary, SCDC Form 19-85, "Alternative Meal Service"; SCDC Form 19-2, "Inmate Property Inventory."
- Results and notes from all SSR Case Management Committee reviews;
- Offender Summary (CLASSINQ) from the Offender Management System; and disciplinary reports; and
- Any other pertinent information.

13. BEHAVIORAL/MENTAL HEALTH STAFF REVIEWS OF INMATES ASSIGNED TO SSR:

13.1 All inmates, as part of the intake and initial case management review at SSR, **must** be assessed by a behavioral/mental health staff member. Inmates classified as mentally ill will be assessed within 72 hours of initial placement. All inmates will be assessed within 30 days, with mentally ill inmates receiving a subsequent assessment, in addition to the initial 72 hours assessment. If confinement continues after completion of the 30 day assessment, a behavioral/mental health staff member will assess inmates classified as mentally ill every month, and assess No Mental Health (NMH) inmates every three (3) months. All mentally ill inmates will be assessed and evaluated in accordance with their level of care classification, or more frequently if **deemed** necessary. Assessments will be documented in the Mental Health Clinic (CCC) section of the Automated Medical Record.

13.2 A member of the Behavioral/Mental Health Division will conduct daily on-site staff rounds of SSR. Staff rounds will address and ensure the mental health and well-being of all assigned inmates. It is also intended that the assigned behavioral/mental health staff member develop a working relationship with SSR security personnel and remain sensitive to the stress associated with SSR duty. Daily Behavioral/Mental Health staff rounds will be documented in the SSR Logbook (bound logbook).

13.3 Behavioral/Mental Health staff members will immediately notify medical staff of the need for any mental health treatment for assessed inmates. If emergency treatment is needed, sections 2 through 3.3 of SCDC Policy HS-19.01, "Placement of Inmates on Crisis Intervention Status," will be followed. As part of the case management process, a treatment plan will be developed, and/or updated, and implemented by medical/mental health staff for the inmates who are classified as mentally ill. (4-4256)

SECTION THREE: PROCEDURES FOR RESTRICTIVE HOUSING UNIT (RHU)

14. RHU CORRECTIONAL OFFICER SECURITY CHECKS:

Correctional Officers assigned to the RHU will be required to conduct security checks and to personally observe each inmate ~~at least every 30 minutes~~ *a minimum of twice per hour* on an irregular, unannounced schedule. ~~At no time shall a security check be more than 40 minutes apart.~~ The time of each security check will be recorded in the RHU permanent log book and SCDC Form 19-7A, "Cell Check Log." (5-44-4257). The 19-7A will be kept on file in the Restrictive Housing Unit. In institutions with electronic surveillance systems, the Control Room Officer will check the monitor at least ~~every thirty minutes~~ *twice per hour, but no more than 40 minutes apart* and record it in the Control Room Log. (5-44-4257, 5-44-4260) (Changes in **GREEN** made per Change 2 to SCDC Policy OP-22.38 dated April 12, 2019).

14.1 Inmates will be housed in an appropriate RHU cell. SCDC prohibits the use of alternative spaces such as shower stalls, recreation cages, holding cells and interview booths for any purpose other than what they have been created for. Inmates placed in Crisis Intervention status will be placed in a cell designated to house inmates in the status.

14.2 Inmates are required to stand and be fully dressed for formal counts. During formal counts in RHU, inmates who fail to stand for the count will automatically forfeit their next regularly scheduled exercise period. This will be documented on the SCDC Form 19-7A, "Cell Check Log." If the recreation period is forfeited, a staff member will verify that the inmate has a copy of [Attachment A](#), "In-Cell Exercise Guide."

14.3 Cell searches will be conducted on a randomly scheduled basis. Cell searches must be recorded on both the SCDC Form 19-7A, "Cell Check Log," and in the RHU Logbook. Each cell will be searched at least once a week. (4-4192)

14.4 Specific institutional Post Orders will reflect detailed operating procedures relevant to the placement, control, and management of assigned inmates.

14.5 Recreation: On days that out-of-cell exercise privileges will be provided, security staff will contact each inmate to determine if he/she wishes to exercise. The inmate's decision will be recorded on the SCDC Form 19-7A, "Cell Check Log." If the inmate declines, the form will be marked with the letter "R" (Refused). If the inmate elects to participate, the form will be marked with a "Y" (YES). If the inmate is denied recreation due to inappropriate behavior, the form will be marked with an "I" (Ineligible) and a unit supervisor must initial by the "I". If outdoor recreation is not afforded due to inclement weather, then the form will be marked with the letter "N" (No). An inmate's decision to/not to participate is final and may not be changed after the security staff has recorded his/her decision and left the inmate.

14.6 Meals: Inmates are provided three (3) meals per day, Monday through Friday. On the weekends, inmates are provided two (2) meals a day (Brunch and Dinner). The inmate's decision will be recorded on the SCDC Form 19-7A, "Cell Check Log." If the inmate declines the meal, the form will be marked with the letter "R" (Refused). If the inmate elects to receive the meal, the form will be marked with a "Y" (YES).

14.6.1 If an inmate begins a hunger strike or refuses food, the RHU staff is responsible to initiate procedures outlined in SCDC Policy OP-22.33, "Hunger Strike/Extended Fast Plan."

15. RHU PERMANENT LOGBOOK:

The officer(s) assigned to the RHU Control Room will be responsible for maintaining a permanent logbook. The log book will be signed daily by the officer in the control room and the shift supervisor.

15.1 At a minimum, the log book will include:

- A record all admissions and releases;
- The name and number of each inmate admitted to the unit including the date, time, and reason for admission;
- Special medical or psychiatric problems or needs;
- All visits by staff or other visitors to include the purpose of the visit;
- Record of inspections;
- Observation of unusual behavior;
- Exercise participation and/or offering of exercise;
- Telephone use;
- Haircuts, shaves and showers;
- Telephone calls; and
- Transfers (4-4258, 4-4260, 4-4263)

15.2 The log will also be used to document any exceptions to the regular schedule for laundry, barbering/hair care services, and when clothing, bedding, and linen are not exchanged on the same basis as inmates in the general population. These exceptions will only be permitted when found necessary by the senior official on duty, and any exception will be recorded in the RHU permanent log book and justified in writing.(4-4260, 4-4263)

16. RHU INSPECTIONS AND STAFF VISITS:

Monitoring of the RHU will be conducted on a regular basis. This monitoring enables responsible officials to observe and evaluate conditions of confinement, to include face to face interaction with confined inmates. The monitoring visits shall be conducted in accordance with the following schedule:

16.1 The Senior Correctional Officer Supervisor in charge of the RHU shall visit once each shift and conduct rounds of the RHU to ensure the health and well-being of inmates assigned to the same. (4-4258)

16.2 The Classification Caseworker assigned to the RHU will be responsible for making at least monthly visits to the RHU. Inmates in RHU with classification related questions/issues must submit their questions/issues to their classification caseworker utilizing SCDC Form 19-11, "Request To Staff Member." Classification Caseworkers will document RHU visits on the SCDC Form 18-68, "Staff Memoranda," of those inmates that they actually talk with. Inmates that cannot read/write will be seen by the caseworker to address their concerns.(4-4258)

16.3 The Behavioral/Mental Health staff will visit weekly and as requested by staff or by inmate request.

16.4 The Major will visit the RHU at least twice per week, when on duty.

16.5 The Warden, Associate Warden for Operations and the Associate Warden for Programs will each make weekly visits to the RHU.

16.6 If an institution has a Deputy Warden for RHU (RHU Administrator), they must be present in the RHU for the major portion of their work day.

16.7 The visits by the Warden, Associate Wardens and Major, as documented in sections 16.4 and 16.5 will be performed on separate days to ensure that RHU is visited each of the five (5) working days. The Duty Warden and/or the Senior Supervisor in charge will visit the RHU on weekends and holidays.

16.8 Documentation of visits: It shall be the responsibility of each individual to document their visit on SCDC Form 19-164, "RHU Visitation Log." Their visit will also be documented by the Control Room Officer in the Log Book.

17. RESTRAINTS AND SECURITY PRECAUTIONS FOR RHU INMATES:

The proper restraints and security precautions will be utilized whenever RHU behavioral level inmates are removed from, escorted, or placed back into their cells. All RHU inmates will be in full restraints when transported out of the institution. The following matrix will be adhered to:

Custody Level	Restraints Required	Number of Employees/ Officers Required
Level I - Substantiated Security Risk (SSR)	Inmates in all SSR behavioral levels will be restrained with leg irons, security cuffs and/or belly chains with black box (hobble chain may be attached) with a leader chain attached whenever exiting their cell or when the cell door is unlocked.	A minimum of two (2) certified officers, one (1) of whom will be of a supervisory rank of Sergeant or above (may be a corporal when necessary and as approved by Major or above).
SD Behavioral Level II	Full Restraint 2-key system, i.e., maximum security cuffs (1-key style) with black box/lead chain/padlock; and belly chains and leg irons (other key style).	A minimum of two (2) certified officers, one (1) of whom will be of a supervisory rank of Sergeant or above (may be a corporal when necessary and as approved by Major or above).
Behavioral Level III (SD/DD/ST/SK)	Full Restraint 2-key system, i.e., maximum security cuffs (1-key style) with black box/lead chain/padlock; and belly chains and leg irons (other key style).	A minimum of two (2) certified officers, one (1) of whom will be of a supervisory rank of Sergeant or above (may be a corporal when necessary and as approved by Major or above).
Behavioral Level IV	<i>No restraints while in assigned living unit.</i>	One (1) certified officer <i>on wing.</i>

17.1 An inmate assigned to the RHU will be strip searched any time that he/she exits or enters his/her cell except for Levels IV. These inmates can be pat/frisk searched. Strip searches can be randomly conducted.

17.2 Stab Proof Vests and Clear Face Shields Must be worn at all times by RHU staff, non-uniformed staff, and/or visitors while on duty, or present in the unit, during escorts of RHU inmates within the institution, or whenever inmate contact is required.

17.3 Keys are to be issued and carried as required by SCDC Policy OP-22.17, "Key Control." Keys are to be worn and maintained on an SCDC numbered lanyard and attached to the innermost belt of the employee, with the keys carried inside of the BDU pants pocket. NOTE: Keys will not be attached to a Karabiner, D-Ring, hook, etc. at any time.

17.4 Officers assigned to RHU will not possess any cell door keys, wing door keys and/or restraint keys during the night shift or at any time when inmate movement is not required (i.e. in some cases holidays, weekends, lockdowns, etc.). A supervisor, at the rank of Sergeant or above will be required to sign out any cell door keys, wing door keys and/or restraint keys during the night shift, or at times when inmate movement is not required. A supervisor must be present when inmates are restrained and removed from their cell for any reason. Officers may possess food flap/service window keys and necessary gate keys to perform required security and cell checks, and for escort purposes.

18. TRANSPORTATION OF RHU INMATES OUTSIDE THE INSTITUTION:

Inmates assigned to the RHU will be transported in SCDC vehicles or vans pursuant to the procedures outlined in SCDC Policy OP-22.10, "Transportation of Inmates Outside the Institution."

19. EDUCATIONAL REQUIREMENTS FOR RHU INMATES:

19.1 Eligibility for Earned Work Credits (EWCs)/Incentive Pay/Earned Educational Credits (EECs): Inmates in Behavioral Level I, II and III are not eligible to earn EWCs, Inmate Incentive Pay, or EECs.

19.2 Inmates assigned to Behavioral Level IV in RHU who wish to continue their education may fill out a SCDC Form 19-11, "Request to Staff Member," and will be provided with appropriate educational materials. Failure to complete and return required handout material will be documented by the Educational Coordinator who will provide this information to the ICC during review of the inmate's Behavioral Level or review for release from RHU. Inmates will not be allowed to accumulate these handout materials and must return them to the Educational Coordinator on the due date determined by the Educational Coordinator. (4-4273, 4-4255, 4-4258)

19.3 Library books will be requested from Library Services using SCDC Supply E-3, "Book Request." (4-4269, 4-4273)

20. GRIEVANCE RIGHTS:

The SCDC grievance mechanism (except for placement in SSR and/or denial of release from SSR) will be available to all RHU inmates in accordance with SCDC Policy GA-01.12, "Inmate Grievance System." (4-4284)

20.1 Inmates may appeal SSR placement or denial of release from SSR directly to the Agency Director. The written appeal must be initiated no later than ten (10) working days (Monday through Friday) after the inmate's admission to SSR. Specific reasons for the appeal must be given by the inmate. The Agency Director will respond to this appeal within 30 working days from the date of the appeal.

21. RELIGIOUS PROGRAMMING:

All inmates assigned to RHU will be allowed visitation by the institutional or Volunteer Chaplain at least once per week. Individual inmate requests to see a Chaplain will receive a prompt response. All religious programming will be in-cell. (4-4255, 4-4258, 4-4273)

22. MEDICAL CARE:

All inmates assigned to the RHU will receive health care and/or medication as needed in accordance with Agency health services policies/procedures. At a minimum, qualified medical personnel will be required to visit all RHUs at least daily to ensure the health and well-being of inmates. (4-4258, 4-4261)

23. MENTAL HEALTH REVIEWS:

23.1 All inmates, as part of the intake and initial case management review at RHU, must be assessed by a behavioral/mental health staff member. Inmates classified as mentally ill will be assessed within 72 hours of initial placement. All inmates will be assessed within 30 days, with mentally ill inmates receiving a subsequent assessment in addition to the initial 72 hour assessment. If confinement continues after completion of the 30 day assessment, a behavioral/mental health staff member will assess inmates classified as mentally ill every month, and assess NMH inmates every three (3)

months. All mentally ill inmates will be assessed and evaluated in accordance with their level of care classification, or more frequently if deemed necessary. Assessments will be documented in the Mental Health Clinic (CCC) section of the Automated Medical Record.

23.2 Mental health professionals will immediately notify medical staff of the need for any mental health treatment for assessed inmates. A treatment plan will be developed and/or updated and implemented by medical/mental health staff for inmates classified as mentally ill. (4-4256, 4-4273)

24. **LEGAL MATERIALS:** Law Library Privileges/Legal Materials: Inmates will have access to legal materials and to available legal reference material. Refer to SCDC Policy GA-01.03, "Inmate Access to the Courts," for additional information. Each RHU inmate will be allowed to retain the amount of legal material that would fit into an 15" x 12" x 10" box. Any excess legal materials beyond an 15" x 12" x 10" box will be put into another box(es) (any size box may be used). NOTE: Legal material is only the materials dealing with an inmate's court cases, not personal mail, papers, pictures, etc. If an inmate mis-uses this box in any way, it will be removed, as outlined in OP-22.36, "Damage, Destruction & Abuse of Property." The inmate's name, inmate identification number, and the number of the box (es) (e.g., 1,2,3, etc.,) will be written on the box that contains the excess legal materials and the box(es) will be sealed in the presence of the inmate. The box(es) containing the excess legal materials will be stored in the property room. No legal materials will be disposed of. When the inmate needs to use the legal materials stored in the excess legal materials box, he/she will complete an SCDC Form 19-11, "Request to Staff Member." The inmate must identify the number of the box he requires and the amount of time that he will need the box. In general, the inmate may be allowed to keep the box for five calendar days, however the box may be removed from the cell sooner if security or safety needs dictate. The box will be provided to the inmate in a timely manner upon receipt of his/her SCDC Form 19-11. The inmate is allowed to remove material from the box stored in his/her cell and exchange it with materials stored in the excess legal materials box. When the inmate is finished with the excess legal materials box, it will be re-sealed in the inmate's presence and returned to the property room. (4-4268, 4-4273)

25. EXERCISE PRIVILEGES:

Exercise periods outside the cells shall be available five (5) days per week, one (1) hour per day, weather permitting or unless safety and security reasons dictate otherwise. All inmates scheduled for exercise will be strip searched prior to being removed from their cell and at the conclusion of exercise except for Levels IV and V, strip searches on these inmates can be randomly conducted. (4-4255, 4-4270, 4-4273)

25.1 Inmates in Behavioral Level I/SSR participating in out-of-cell exercise will be restrained according to their status as outlined in section 4.8.1.

- D - Disciplinary, poor behavior - Full Restraints
- I- Improved - Belly chains only
- R- Eligible for Release - No Restraints

25.2 Behavioral Level II inmates will be exercised individually or with one (1) other Behavioral Level II inmate with the approval of the Unit Supervisor or other higher authority. Inmates may have their restraints removed once they are secured within the individualized exercise area. The inmate will be properly restrained prior to exiting the exercise yard.

25.3 Behavioral Level III inmates will be exercised individually or in groups with the approval of the Unit Supervisor or higher authority. Restraints will be removed once the inmate is securely inside the exercise yard and once he/she is returned to his/her cell. (4-4273)

25.4 Behavioral Level IV inmates will be exercised in groups with the approval of the Unit Supervisor or higher authority. NOTE: Behavioral Level **IV** inmates will granted additional out of cell recreation time if staffing permits.

25.5 Disruptive behavior during out-of-cell exercise will result in suspension of this privilege for the remainder of that exercise period and for the next scheduled exercise period. If an inmate's behavior creates a serious threat to his/her own safety and security or the safety and security of others, the inmate's exercise privileges may be suspended for no longer than 7 days at a time. In such cases, the unit supervisor will ensure that the inmate has a copy of Attachment A, "Physical Fitness, An In-Cell Exercise Program." Any inmate who does not stand for a formal count will automatically forfeit his/her next regularly scheduled recreation period. (4-4273)

NOTE: An officer may recommend that an inmate's exercise be suspended; however, a Lieutenant or higher must approve the suspension and place his/her initials next to the remarks on the form. Disciplinary action may be taken against an inmate in these cases as well.

26. VISITATION:

26.1 Legal Visits: Inmates may receive visits from their legal counsel pursuant to SCDC Policy OP-22.09, "Inmate Visitation." (4-4275)

26.2 Family Visit(s): Appointment and scheduling will be coordinated by the Associate Warden/designee. Visits will last for one (1) hour and will be dependent upon space, security, and staffing considerations. No more than two (2) approved visitors may visit at a time. All approved visitors must be over 18 years of age. NOTE: Only immediate family members as defined in SCDC Policy OP-22.09 will be allowed. The Associate Warden/designee for RHU may suspend, alter, or change without notice, any pre-arranged appointment for visiting purposes when security concerns or behavior problems require such action. This will be documented on SCDC Form 19-29A, "Incident Report," and in the RHU Log Book. (4-4260, 4-4267)

Note: The Warden may require visits with RHU inmates to be non-contact when facilities permit non-contact visits and a contact visit would create a security risk. (4-4267)

26.3 Behavioral Level I/SSR Inmates:

- Inmates in Level R Status will be eligible for one (1) inmate family visit per month.
- Inmates in Level I Status will be eligible for one (1) inmate family visit every 90 days.
- Inmates in Level D Status will not be eligible for any inmate family visits.

26.4 Behavioral Level II Inmates: No general visiting privileges with family members or friends.

26.5 Behavioral Level III Inmates: A maximum of two (2) visits per month with their immediate family members only (as defined by OP-22.09, "Inmate Visitation.") unless the inmate's visitation privileges were suspended as a result of a disciplinary offense or the immediate family member's visitation privileges have been suspended. Any inmate whose visitation has been suspended by the Major/Responsible Authority or the Hearing Officer will not be allowed visitation until the suspension expires.

26.6 Behavioral Level IV Inmates: A maximum of three (3) visits per month with their immediate family members only (as defined by SCDC Policy OP-22.09, Inmate Visitation) unless the inmate's visitation privileges were suspended as a result of a disciplinary offense or the immediate family member's visitation privileges have been suspended. Any inmate whose visitation has been suspended by the Major/Responsible Authority or the Hearing Officer will not be allowed visitation until the suspension expires. NOTE: Inmates in Level **IV** will be permitted one (1) contact visit per month. This contact visit is considered one (1) of the three (3) visits noted above.

26.7 Clergy Visits: Will be allowed pursuant to SCDC Policy OP-22.09, "Inmate Visitation."

27. CORRESPONDENCE PRIVILEGES:

All inmates assigned to the RHU will be allowed to send and receive mail in accordance with SCDC Policy PS-10.08, "Inmate Correspondence Privileges." (4-4255, 4-4266)

28. TELEPHONE CALLS:

28.1 Inmates in Behavioral Level I/SSR Status:

- Inmates in Level R Status may earn the privilege of four (4) personal collect telephone calls per month
- Inmates in Level I Status will be eligible for one (1) personal collect call per month.
- Inmates in Level D Status will not be eligible for any personal telephone calls.

28.2 Inmates in Behavioral Level II are not allowed personal telephone calls.

28.3 Inmates in Behavioral Level III are allowed one (1) personal telephone call per week.

28.4 Inmates in Behavioral Level IV are allowed two (2) personal telephone calls per week.

NOTE: Officers will be required to dial the number using the inmate's Personal Identification Number (PIN) to approved party. Officers may limit the duration of the call to less than 15 minutes to give other inmates the opportunity to make personal phone calls. (4-4271, 4-4272)

28.5 Legal Telephone Calls: All inmates will be allowed to place verified telephone calls to their legal counsel. For purposes of these procedures, "legal counsel" may consist of the inmate's attorney of record and/or paralegal(s). Inmate requests for attorney calls require 24 hours advance notice to allow for staff verification. Telephone calls will be scheduled and approved by the Captain, Lieutenant, or RHU Supervisor. Inmates must be able to demonstrate, and RHU staff will be responsible for verifying, that communication with the attorney by correspondence or visiting is not adequate, i.e., court deadline or other legal deadline. Attorney calls will be dialed by an Officer. Once verified, the call will not be monitored. NOTE: All telephone calls will be collect. Any deviation from this procedure will be documented in the inmate's record. Inmates may not be denied use of a telephone to make a star 22 call; however, such calls must be verified by staff. (4-4271, 4-4272)

29. TELEVISION:

Communal televisions will be stationed for view by inmates in Behavioral Levels IV. No televisions will be stationed for the access of inmates in any other behavioral level.

30. CANTEEN PURCHASES:

Note: The Commissary will issue essential and other authorized clothing, hygiene items, and writing supplies to indigent inmates in RHU according to guidelines established in SCDC Policy ADM-16.08, "Commissary Operations."

30.1 Behavioral Level I, Behavioral II, and Behavioral Level III inmates do not have Canteen privileges.

30.2 Behavioral Level IV will have canteen privileges to purchase a radio and a set of earbuds.

30.3 Inmates who possessed a radio prior to admission to RHU will not be required to repurchase a radio. Rather, the inmate's old radio will be removed from the inmate's duffel bag. Inmates must submit a "Request to Staff Member," SCDC Form 19-11, to the Unit Supervisor for this purpose. If an inmate is reduced to Behavioral Level I or II, the inmate will lose his/her privilege to have the radio for the duration of his/her time in the RHU. The radio will be stored in the inmate's duffel bag and the inmate will not be allowed to have it again until he/she is released from RHU.

NOTE: SCDC Form 20-18, "Personal Equipment Order Form," should be used by inmates to request the above items from the Canteen and to authorize deductions from an inmate's E. H. Cooper Trust Fund.)

31. E. H. COOPER TRUST FUND: Inmates will be allowed access to their E.H. Cooper Trust Fund to have funds withdrawn to be sent to a legitimate church for purposes of donation, to pay for legal copies and correspondence materials or to be sent an immediate family member currently on the inmate's approved visiting list. See SCDC Policy OP-22.09, "Inmate Visitation," for information concerning approved visitors and SCDC Policy ADM-15.12, "E.H. Cooper Trust Fund," for additional information.

32. PROPERTY: The following sections describe the type of property items for each inmate in RHU. In order to assist correctional personnel working in RHU, a separate, color-coded card will be completed for each inmate and affixed to the cell door or cell front. The color-coded card will indicate the inmate's assigned Behavioral Level and any pertinent restrictions applicable to the inmate.

32.1 ALL inmates in RHU may have the following property items:

Item	Quantity
State-Issued Jump-Suit	1 (4-4273)
Underwear	2 Pairs (for females, a pair will consist of bra and panties) (4-4273)
Socks	2 Pairs (4-4273)
Clogs (*One (1) pair of tennis shoes (bobos) will be issued in place of clogs if required size is unavailable)	1 Pair
Watch	1
Wedding Band	1
State-Issued Jacket	1 (On an as-needed basis (weather permitting) for use while on outside recreation.)
Small Comb	1 (4-4261)
Soap/3 in One	1 Bar (4-4261)
Deodorant	1 (4-4261)
Toothbrush	1 (4-4261)
Toothpaste	1 (4-4261)
Toilet Tissue	1 Roll
Towel	1 (4-4263)
Washcloth	1 (4-4263)
Bed Sheets	2 (4-4263)

Pillow	1 (4-4263)
Pillow Case	1 (4-4263)
Mattress	1 (4-4263)
Blanket	1 (During cold weather, as needed) (4-4263)
Laundry Bag	1
Bible/Qura'n	1 Inmates can have a copy of the primary source book for their religion. (4-4269)
Kufi	1 - Inmates who have been officially recognized as Muslim will be allowed to have one kufi. * Muslim women can have a scarf to cover the head. See SCDC Policy PS-10.05, "Inmate Religion" for additional information on authorized religious items.
Prayer Rug	1 - Inmates who have been officially recognized as Muslim will be allowed to have one prayer rug. * A towel can be substituted if the inmate does not own a prayer rug. See SCDC Policy PS-10.05, "Inmate Religion" for additional information on authorized religious items.
Kippah	1 - Inmates who have been officially recognized as Jewish will be allowed to have one kippah. See SCDC Policy PS-10.05, "Inmate Religion" for additional information on authorized religious items.
Personal Letters	10
Books	1 Book (in addition to the primary religious materials) from Library Services ONLY . The inmate must turn in one book to receive one new book. Books will be requested from Library Services using SCDC Supply E-3, "Book Request." (4-4269, 4-4273)
Photographs	3 - Inmate will select while he is packing his/her bag (If the inmate did not pack his/her own belongings, he/she will be allowed to go into his/her property bag for the purpose of obtaining photographs one (1) time only during his/her entire stay in RHU. The dimension of each photograph will not exceed four (4") inches by six (6") inches. Photographs must meet the standards outlined in SCDC Policy PS-10.08, "Inmate Correspondence.")

NOTE: Inmates in Levels IV will receive an additional jumpsuit, pair of underwear, pair of socks, towel and washcloth. The inmate will also be allowed to have three (3) books and ten (10) pictures. NOTE: Refer to the authorized property chart (above).

33 UNAUTHORIZED PROPERTY: Inmates in RHU will NOT have typewriters, televisions, ice chests, personal coffee pots, cosmetics, lamps, single outlet drop cords, instruments (of any type), nor metal fasteners of any type, i.e., paper clips, staples, etc. Any property item that the inmate is NOT allowed to possess in the RHU will be processed pursuant to SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

33.1 Newspapers: Inmates in RHU will not be allowed to receive newspapers.

33.2 Electric Fan: Wardens are authorized at their discretion [unless an inmate's medical status requires] to permit inmates housed in RHUs that are not air-conditioned to possess electric fans provided they have exhibited positive behavior. For purposes of these procedures, "positive behavior" refers to those inmates in Behavioral level IV. An inmate who does not possess a fan may be authorized to purchase one [1] fan provided he/she has sufficient funds in his/her account. Inmates in Behavioral Level I or II will not be permitted to possess fans.

34. DAMAGE, DESTRUCTION, AND/OR MISUSE OF PROPERTY:

34.1 Inmates housed in RHU who damage, destroy, or misuse property may lose privileges and/or property items, as outlined in SCDC Policy OP-22.36, "Damage, Destruction and Abuse of Property". In addition, they may be decreased in their Behavioral Level as deemed appropriate by the ICC according to the following procedures: NOTE: This action can be taken in addition to formal disciplinary action being taken against the inmate pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System." In addition, inmates may be required to make restitution for the damaged/destroyed item pursuant to SCDC Policy ADM-15.01, "Repayment of Costs by Inmates."

34.2 Anytime an inmate is found to have damaged, destroyed, or misused property, the unit supervisor may confiscate the property and will document this confiscation on SCDC Form 19-20, "Restrictive Housing Unit Confiscation Report/Review."

34.3 Misuse of Cups: Inmates who use cups to throw part of a meal to assault staff or other inmates will be prohibited from having cups in their cells for a period of up to 90 days. SCDC Form 19-20, "Restrictive Housing Unit Confiscation Report/Review," will be used by security staff to document this restriction. During this time, he/she will be allowed to drink water out of the sink in his/her cell. The inmate's behavior will be reviewed after thirty days by the Unit Lieutenant/designee; and, if approved, the inmate may be allowed to retain a cup in his/her cell. The Unit Lieutenant/designee's decision will be documented on SCDC Form 19-20. Repeated occurrences of similar behavior by an inmate will be handled similarly. Also, see Sections 29 through 29.6, and Sections 36.1 through 36.7, above for information about using the Alternative Meal Service.

34.4 All documented records concerning the misuse of property will be filed in the inmate's institutional record and may be used by the ICC to adjust an inmate to a more restrictive Behavioral Level assignment.

34.5 Inmates who use cups or other property items to throw other substances which constitute a health risk (e.g., feces, urine, etc.) or to assault staff or other inmates will be subject to the same restrictions as described above. In the event that substances thrown are verified to be bodily fluids, the inmate may also be criminally prosecuted pursuant to existing state statutes. In addition, such inmates may also be subject to control by utilization of the restraint chair. See SCDC Policy OP-22.01, "Use of Force," for additional information. (4-4265)

35. GROOMING STANDARDS:

For security reasons, inmates in all behavioral levels of RHU will be required to adhere to grooming standards established in Agency Policy OP-22.13, "Inmate Grooming Standards." Inmates will wear clean clothes and dress as neatly as possible. Inmates are also expected to take care of their clothes, not give them away, tear or deface them, or flush them down the toilet. Inmates in all behavioral levels will be expected to be fully clothed during routine working hours (8:00 a.m. to 4:00 p.m.). (4-4283)

35.1 Inmates will be required to be in compliance with SCDC Policy OP-22.13, "Inmate Grooming Standards." Inmates will not be allowed to grow or style their hair in any manner other than that authorized in OP-22.13. Inmates will be given forced haircuts or shaves by an SCDC employee if they refuse to comply with the haircut and shave policy. Forced haircuts or shaves are considered a use of force and must be videotaped pursuant to SCDC Policy OP-22.01, "Use of Force." Grooming services for inmates will be in compliance with SCDC Policy ADM-16.02, "Inmate Barbering/Beauty Services." (4-4262, 4-4263)

35.2 Male institutions will have the option to have the inmates be shaved/trimmed when haircuts are given or be issued a disposable razor by security staff after he enters the shower. For those inmates who want to have a beard and/or mustache, a clipper set will be available in the living area for the inmate to maintain their beard/mustache to the designated standard as outlined in SCDC Policy OP-22.13. If a razor is issued for females or males, it

will be returned by the inmate to security staff before he/she leaves the shower. Razor restrictions can be imposed by the RHU Security Supervisor for security and/or mental health concerns. (4-4262, 4-4263)

35.3 Inmates in RHU will be afforded the opportunity to shower three (3) times per week. Inmates in Level IV will be afforded the opportunity to shower five (5) times per week. Inmates in SSR will be afforded the opportunity shower five (5) times per week. The inmate's decision will be recorded on the SCDC Form 19-7A, "Cell Check Log." If the inmate declines, the form will be marked with the letter "R" (Refused). If the inmate elects to shower, the form will be marked with a "Y" (YES). If the inmate is denied a shower, the form will be marked with an "I" (Ineligible) and a unit supervisor must initial by the "I".(4-4262)

35.4 To ensure appropriate sanitation and personal hygiene, RHU inmates who refuse to shower may be force-showered. Inmates may also be given forced haircuts or shaves if they refuse to comply with SCDC Policy OP-22.13, "Inmate Grooming Standards". All SSR inmates will receive, upon arrival and at least every 30 days thereafter, personal hygiene items at no cost. Any deviation from this practice must be documented on SCDC Form 19-29A, "Incident Report," by security staff. Any personal hygiene item used to impede security may be withheld and/or issued on an as-needed basis. (4-4262, 4-4263)

35.5 At male institutions, a designated inmate barber will perform barbering services for the inmates assigned to the RHU. At female institutions, an inmate may submit a request to have their hair cut, and a hairdresser will be provided. The inmate barber will be picked up by SSR staff, strip searched, restrained and taken to the SSR by van. All items will be thoroughly searched prior to entrance into the SSR. Once in the SSR, the restraints will be removed. The inmate barber will be issued a jumpsuit and clogs to be worn while cutting hair. The inmate barber will be escorted to the barber area of the unit and allowed to perform barbering services for the inmates assigned to the SSR. Upon completion, all items will be thoroughly searched. The inmate barber will be issued his uniform, will be restrained, and will be returned to the institution. Muslim inmates housed in the SSR will be provided with a method to remove body hair when required for observance of certain religious requirements once monthly. Haircuts and laundry schedules for inmates housed in SSR will be jointly developed by the Associate Warden and the Commissary Manager. Barber services will be provided weekly or an as-needed basis. (4-4262)

35.6 SSR inmates will shower within their cells. No less than five (5) showers a week will be given. Showers will be scheduled and water flow will be centrally controlled by unit employees. Clean clothes will be issued to inmates immediately preceding showers three (3) times per week.

35.7 Laundry Services: Inmate clothing will be laundered at least two (2) times per week. Sheets and pillowcases will be laundered one (1) time per week. Blankets will be laundered every two (2) months. SSR inmates Linens will be exchanged and washed once a week. (4-4263, 4-4340)

36. MEALS: All inmates in the RHU will receive normal institutional meals (full regular diets - except for coffee) unless a physician/dentist prescribes otherwise or authorization has been given to use an alternative meal service. An inmate can receive an alternate entree meal when prescribed by the Chaplain. See procedures in PS-10.05, "Inmate Religion".

36.1 ALTERNATIVE MEAL SERVICE:

The alternative meal service (Nutri-loaf) may be imposed upon the inmate for the following violations:

- Throwing food, food tray, cup, or utensils; collecting or throwing human waste or any unidentified substances by way of tray, cup, or utensils; refusing to return uneaten food; interfering with the feeding of any meal; or,
- Collecting, smearing, throwing, or otherwise exposing an employee to feces, urine, blood, or any other bodily fluid in any manner.

(NOTE: The use of Nutri-loaf is approved as an alternative meal service. If the institution does not have Nutri-loaf on hand and must order it from Food Services, the inmate may be served finger foods or a bag lunch as appropriate until the Nutri-loaf arrives.)

36.2 The alternative meal service must be approved in writing by the Warden (or an approved designee at the level of Major or above) and by a qualified medical professional. The qualified medical professional will be required to review any medical condition that may preclude the inmate from being placed on the alternative meal service. Section I of SCDC Form 19-85, "Alternative Meal Service," will be used for this purpose. (4-4264)

36.3 The use of the alternative meal service must be reviewed every forty-eight (48) hours by the Major or other higher authority and by a qualified medical professional. Each use of the alternative meal service cannot exceed seven (7) days. Section III of SCDC Form 19-85, "Alternative Meal Service," will be used to document these reviews. A copy of this form will be maintained in the inmate's Institutional Record.

36.4 If the inmate appears to need medical care, the officer MUST notify the nursing staff.

36.5 If the inmate engages in any of the behavior described above after being returned to regular meals, he/she may be returned to the alternative meal service for a period not exceeding seven (7) additional days following the procedures listed above. This additional period will begin at the time of the subsequent offense.

36.6 If an inmate continues to commit any of the violations described in Section 36.1 while he/she is being provided the alternative meal service, the inmate may be continued on the alternative meal service for an additional seven (7) days, provided that he/she is given regular meals for a period of twenty-four (24) hours prior to the start of his/her next alternative meal service period. The same procedures described in Section 36.2 above, will be followed to return the inmate to an alternative meal service. The 24-hour break will also be documented in the RHU permanent logbook.

36.7 Each inmate approved to be placed on the alternative meal service must be provided with written notification of the same. Section II of SCDC Form 19-85, "Alternative Meal Service," will be provided to the inmate for this purpose. (4-4264)

37. USE OF FORCE:

37.1 Use of force will be governed by SCDC Policy OP-22.01, "Use of Force," regarding use of force and restraints.

38. NON-RHU INMATES: Will not be allowed inside or near the unit with the exception of inmate workers responsible for cutting the grass around the unit or cleaning the front/soft inside of the RHU unit, other inmates assigned to perform specific maintenance or sanitation, or the inmate barber. These inmate workers who cut grass will be closely supervised by the Horticulture Correctional Officer and an RHU Officer. Those inmate workers who provide barbering services or other maintenance or sanitation services will be closely supervised by the RHU staff. The Warden or Associate Warden must approve all inmate workers assigned to tasks within the RHU.

39. USE OF CONTROL CELLS: Inmates in RHU who are a threat to self should be referred to the Mental Health Provider (MHP - if on duty) or to Medical Staff in accordance with HS-19.01, "Placement of Inmates on Crisis Intervention Status."

39.1 The Warden, Duty Warden, or Major may place an inmate in a control cell for up to 72 hours. Medical will be consulted to ensure this assignment will not negatively affect the inmate's health. This consultation will be documented by the institution's operational staff on SCDC Form 19-29A, "Incident Report." *A MIN will also be completed documenting the behavior that prompted the placement on control cell status and the employee that authorized the placement.* An inmate may be placed in a control cell when the inmate:

- Is a threat to others by his/her actions;
- Is deliberately causing damage to the cell;
- Is using items in the cell to cause damage to the cell or any part of the cell's facilities; and/or
- Is using items in the cell to disrupt operations in any manner.

39.2 The RHU Supervisor will ensure that regular checks are conducted as required by this policy and that the inmate is reviewed at 24 and 48 hours for possible release from the control cell. The only items that the inmate will be allowed to have in the control cell will be:

- One (1) pair of underwear;
- One (1) blanket.

39.3 All other property will be placed in a duffel bag, inventoried, and secured in accordance with SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

39.4 The inmate will be released from the control cell *within the 72 hour period* when the Warden, Duty Warden, or Major determines the inmate is demonstrating compliance with institutional rules.

40. STAFF TRAINING AND ASSIGNMENT:

Only highly motivated and dedicated personnel will be selected and trained to work within RHU. Security staff must be certified prior to working in the RHU. Selected staff, both security and non-security, will be trained in the essential skills needed to work in and cope with the pressure and stress associated with a Restrictive Housing Unit. Such training will also include emphasis on the appropriate use of force mechanisms, techniques, and conflict management skills.

40.1 Personnel assigned to RHU shall be selected carefully and regularly evaluated by the RHU supervisory personnel. 18 to 24 hours of specialized departmental training will be developed to be taught to newly assigned staff of the RHU concerning rules governing its operation and the needs and problems typical of inmates in the RHU. The orientation and training must be documented. All RHU personnel will normally serve ~~18~~ 12 months in the RHU. At the end of ~~18~~ 12 months a review will be held to determine if the staff member needs to be rotated out. If he/she desires to stay another six (6) months, they will be re-assessed at the end of 24 18 months. If he/she decides they want to stay longer, approval must be obtained in writing by the Warden and the Deputy Director of Operations. Each Warden will be required to maintain an automated roster of RHU employees showing their length of service in RHU and documentation of these reviews at ~~18~~ 12 and 24 18 months. This roster must be forwarded to the Deputy Director of Operations on a quarterly basis (January, April, July, and October). (4-4259) (Changes in BLUE per Change 1 to SCDC Policy OP-22.38, dated March 26, 2019).

40.2 Assignment of Positions and Staff:

40.2.1 Specific security and non-security positions will be identified and designated for assignment in the RHU.

40.2.2 The Warden/Designee of Kirkland Correctional Institution will be responsible for overseeing all operations of the SSR, to include position assignment and employee staffing.

40.2.3 Employees assigned to SSR will initially be assigned for 24 months. Extensions of assignment to RHU may be approved for twelve (12) months. In most cases, only one extension per employee will be approved. To request an extension, the Warden will submit a memo to the Deputy Director of Operations fully justifying the reasons for the extension. Any assignment exceeding 36 months will be approved by the Deputy Director of Operations. The Warden of Kirkland Reception and Evaluation/designee will be required to maintain a roster of SSR employees showing their length of service in RHU. This roster must be forwarded to the Deputy Director of Operations on a quarterly basis (January, April, July, October). Once an employee has rotated out of RHU, s/he should not be reassigned to any RHU for a period of one (1) year. Employees who complete their assignment and any approved extensions in the SSR may be reassigned to an open position with the appropriate classification at Kirkland or another institution within 30 miles of the SSR facility. (4-4259)

40.3 Filling of Vacant Positions: Positions will be filled only for a limited period of time (as identified above), and employee assignment will be considered temporary, not a permanent RHU assignment. The Recruiting and Employment Services Branch may be requested to assist the Warden with the announcement of available positions through the Agency's vacancy announcement process, or an individual may be reassigned without announcement. Vacancy announcements must clearly indicate that the position is temporary and assigned to the RHU. The ultimate selection of any RHU employee will be the responsibility of the Warden. The Deputy Director of Operations will advise Wardens in the surrounding area that individuals may be rotated to other facilities upon completion of the 24 - 36 month (or less) period, and placement into facility positions will be mandatory.

40.4 Announced Positions: A vacant position may be announced through the Agency's vacancy announcement process as outlined in SCDC Policy ADM-11.28, "Applicant Selection Process." The vacancy announcement must clearly state that the assignment is for a limited period of time and that the successful candidate will be rotated to the same or another location within 24 - 36 months.

40.5 Unannounced Positions: An employee may also be selected for lateral reassignment into the SSR Unit at Kirkland without following procedures under the Applicant Selection Process: The Warden/designee will develop a fair and consistent process (such as E-Mail to each Warden for bulletin board posting) to notify employees of vacancies. The Division of Human Resources will make appropriate budget unit, program code, source of funding, etc., changes to the employee's records to show the employee's move to the SSR Unit.

41. DEFINITIONS:

Alternative Meal Service (Nutri-loaf) refers to a food product (in the form of a loaf) which provides and meets requisite dietary needs and requirements and is provided to inmates in place of regular meals under limited circumstances approved by the Warden/designee and qualified medical officials.

Behavioral Levels refers to a series of *four (4)* degrees of control applied to the management of inmates housed in the RHU, as follows:

- Behavioral Level I/SSR refers to the strictest degree of custody and control. Assignment to Behavioral Level I status comes as a result of a demonstrated propensity for violence and/or unwillingness to conform to standards for behavior in Behavioral Level II. Additionally, inmates involved in an assault on any staff member or inmate, escape with force, or any escape from a Level III institution may be initially assigned to this Behavioral Level. While in this status, inmates will be managed with extreme caution and afforded only essential accommodations.
- Behavioral Level II refers to a stricter status in security detention intended for inmates who have demonstrated uncooperative and/or disruptive behavior that require a stricter degree of custody and control. Reduction to this behavioral level is based on unacceptable behavior demonstrated in behavioral level III. The minimum amount of time in this behavioral level is 90 days.
- Behavioral Level III refers to the beginning level of inmates entering RHU. These inmates have limited privileges while in this level. The minimum amount of time in this behavioral level is 90 days.
- Behavioral Level IV refers to a broaden status in security detention intended for inmates who have demonstrated cooperative behavior and gained a higher range of privileges. Advancement to this behavioral level is based on continued acceptable behavior demonstrated in behavioral

level III. Inmates may be considered for the step down incentive program while in this status. The minimum amount of time in this behavioral level is six (6) months.

Central Classification Office (CCO) refers to those officials assigned to the SCDC Central Office responsible for the statewide management of bed space and approval for release and admission to the Restrictive Housing Unit.

Disciplinary Detention (DD) refers to a form of separation from the general population in which inmates committing serious violations of conduct regulations are confined pursuant to OP-22.14, "Inmate Disciplinary System."

Institutional Classification Committee refers to RHU Caseworker, RHU security personnel and other staff members as appropriate. The Warden/Associate Warden and the Clinical Correctional Counselor (CCC) will serve as a member of the Institutional Classification Committee to give mental health assessments, housing and treatment recommendations if the inmate has a mental health designation.

Qualified Medical Professional, for the purpose of this policy, refers to a physician, physician's assistant, LPN, RN, or nurse practitioner.

Qualified Mental Health Professional refers to staff assigned to the Division of Mental Health Behavioral/Mental Health & Substance Abuse Services who provide mental health services to inmates housed in SCDC institutions. Mental Health Professionals are normally referred to as Clinical Correctional Counselors within the institution (as well as psychologists in designated areas), but may also be referred to by their official Central Classification System title, i.e., Human Services Specialist II, Human Service Coordinator I and II, or Licensed Psychologist.

Security Detention (SD) refers to the placement of an inmate who meets approved criteria in a restrictive housing unit (RHU) for an indeterminate time period.

Short Term Detention (ST) refers to the temporary placement of an inmate charged with, or suspected of, a disciplinary violation in designated cells of a Restrictive Housing Unit.

SSR Case Management Committee refers to the Committee that systematically reviews the behavior, programming needs, and level of inmates assigned to SSR status. The Kirkland Case Management Committee is responsible for reviewing the inmate at scheduled intervals and for approving an inmate's movement from one behavioral level to another. The SSR Case Management Committee is also responsible for recommendations to the SSR Review Board for releases from the SSR. The SSR Case Management Committee will consist of the Associate Warden, Major, or Captain of the SSR Unit, a Kirkland Classification Caseworker, and the assigned member of the Mental Health Division. The Associate Warden, Major, or Captain of the SSR will chair the Kirkland Case Management Committee. (NOTE: When necessary, members of the SSR Case Management Committee may be represented at called meetings by an approved representative. In the event that one of the Case Management Committee members will be out of work for an extended period of time, a designee from that area may serve on the Committee.) (4-4254)

SSR Referral Packet refers to the documentation on an inmate gathered by a sending institution and submitted to the Division Director of Classification and Inmate Records recommending admission to SSR.

SSR Release Recommendation Packet refers to the documentation on an inmate gathered by the SSR Case Management Committee and submitted through the SSR Review Board to the Deputy Director of Operations when an inmate is considered for release from SSR. SSR Review Board refers to the Board that reviews and makes recommendations to the Deputy Director of Operations on issues of inmate's placement and/or release from SSR. The SSR Review Board will be composed of the Division Director of Classification and Inmate Records (Chairperson), Operations Coordinator from the Division of Operations, Division Director of Security, Program Manager of the Mental Health Division, and the Warden of the Kirkland Reception and Evaluation Center. (NOTE: When necessary, members of the SSR Review Board may be represented at called meetings by an approved representative. In the event that one of the SSR Review Board members will be out of work for an extended period of time, a designee from that area may be appointed by the Agency Director.) (4-4254)

Substantiated Security Risk (SSR) refers to a specialized unit which houses inmates who have demonstrated an unwillingness to conform to the rules and regulations of a Restrictive Housing Unit, who have been charged with violent criminal behavior committed while in the general population, and/or for whom emergency placement has been ordered by the Agency Director/Deputy Director of Operations. Because of the admission criteria and the rigid controls on behavior, inmates will not be eligible to receive Earned Work Credits, Earned Educational Credits, or inmate pay while assigned to SSR. The propensity for violent behavior represented by the SSR population requires extraordinary precautions. For that reason, the procedures contained herein are unique to SSR and on some issues will supersede SCDC policies intended for the general inmate population.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT

ATTACHMENT A

PHYSICAL FITNESS

AN IN-CELL EXERCISE PROGRAM

The South Carolina Department of Corrections has endorsed the following exercise program for those inmates who are, for whatever reason, required to remain in their cells most of the time (i.e., institutional lockdown, Restrictive Housing Unit, Substantiated Security Risk Unit, Death Row, etc.). The program is called Physical Fitness: An In-Cell Exercise Program for Inmates. In this program, the benefits of physical fitness are discussed, along with setting a schedule and staying on it, and, most importantly, the listing and explanation of those exercises that are appropriate for both men and women. This Attachment should be disseminated to inmates whenever they are confined to their cells or housing areas and are not authorized recreation.

INTRODUCTION:

Physical fitness involves a sound program of exercise. Exercise is important in improving respiration, circulation, digestion, and many other bodily systems. A good exercise program is a type of preventive medicine against breakdown of the human machine. Included are a few basic exercises for men and women that can be done in living areas and can be effective for personal fitness.

Inmates with medical problems or physical disabilities should have a consultation with a physician before attempting any physical exercise program. If you have not exercised for a long time, take it easy. Too active an exercise period can lead to physical set-backs. Start slowly and gradually increase the number of exercises.

Set a schedule and stick to it. Do not be rushed. Never exercise directly after meals. The best time to exercise might be in the morning when you first get up or an hour or so before you go to bed at night.

It is suggested that you gradually build up your exercise period. Do not try to do too much at first. When you first start your program, repeat each exercise only two (2) times, increasing by one (1) repetition every two (2) or three (3) days, until you reach your desired number. Space your sessions with deep breathing pauses of a few seconds. If there is not a clock available, time yourself by counting "one thousand one, one thousand two," etc., to the number of seconds desired.

It is recommended that each participant employ the three phases of physical fitness training (warm-up, conditioning and cool down) when using this In-Cell Exercise Program:

PHYSICAL FITNESS WARM-UP AND COOL DOWN EXERCISES:

A. Start with warming the body up by slowly walking/jogging in place for about one (1) minute, then move to rotational exercises.

1. **NECK ROTATION:** Rotate clockwise three (3) times, repeat in opposite direction three (3) times. (2 sets, 5 seconds each direction.)
2. **ARMS AND SHOULDERS ROTATION:** Rotate the shoulders forward in a large circular motion, repeat in opposite direction. (2 sets, 5 seconds each direction.)
3. **HIP ROTATION:** Rotate the hips clockwise while keeping the back straight, repeat in opposite direction. (2 sets, 5 seconds each direction.)
4. **KNEE AND ANKLE ROTATION:** With hands above the knees, rotate the legs clockwise, repeat in opposite direction. (2 sets, 5 seconds each direction.)

B. Then move to static stretches starting at the top of the body and working your way to the bottom. Hold each stretch a minimum of 20-30 seconds. In cold climate, hold stretches longer.

1. **OVERHEAD ARM PULL STRETCH:** (2 sets, 10 seconds each direction.)
2. **CHEST STRETCH:** (3 sets, 10 seconds each direction.)
3. **UPPER BACK STRETCH:** (3 sets, 10 seconds each direction.)
4. **ABDOMINAL STRETCH:** (3 sets, 10 seconds each direction.)
5. **THIGH STRETCH:** (2 sets, 10 seconds each direction.)
6. **HAMSTRING STRETCH (STANDING):** (2 sets, 20 seconds each direction.)
7. **GROIN STRETCH (STANDING, SEATED OR SEATED STRADDLE):** (2 sets, 20 seconds each direction.)
8. **CALF STRETCH: VARIATION: TOE PULL:** (2 sets, 10 seconds each direction.)

C. EXERCISE OR CONDITIONING (SEE INSTRUCTIONS BELOW)

EXERCISES FOR MEN:

1. **TOE TOUCHES:** From a standing position and keeping knees straight, bend forward and touch your toes, or go as far down as possible. Do not jerk or bounce in the stretched position. Repeat this six (6) times. Now unlock your knees and bend over again, this time concentrating on a maximum stretch for the lower back muscles. Repeat this exercise six (6) times also.

2. **SIT-UPS:** This is the most basic of all stomach exercises. It is suggested that you do the partial sit-up, with hang time as follows: Lie down with legs together, knees bent so that your feet are flat on the floor. Clasp your hands behind neck and bring your shoulders and upper back off the floor slowly, sitting up as far as possible. As the sitting position is reached, bring your arms forward and stretch them out in front to their limit. Hold this sit-up position for 10 seconds, then slowly return back to original position. Repeat this exercise five (5) times.

3. **LEG LIFT:** Lying on your back, put your arms at the sides, palms down, your feet together and your legs straight. Now raise feet 18 to 24 inches, hold for five (5) seconds. Never bring your feet high enough to gain a resting position at the top of the raise. Now lower feet to within three (3) inches of the starting position. Your feet should not come to rest until the end of the exercises. Repeat this exercise five (5) times.

4. **REVERSE DIPS:** While lying on your back, place your hands on the edge of your bunk or some other secure furniture. With your elbows straight and in a vertical position stretch your legs in front of you (heels down). Keep your body straight and hips up, lower yourself down until your hips are only a few inches above the floor by bending the elbows, then push up until arms are straight again. Repeat five (5) times.

5. **PUSH-UPS:** Lie on the floor with your legs extended straight and your stomach facing the floor. Place your hands, palms down, on the floor about shoulder width (your arms should now be bent). Extend arms to a straight position. Now bending at the elbow, lower body to a position where nose is touching the floor. Keeping legs and back straight, return to a starting position. Start with five (5) to 10 push-ups, slowly working up to 25.

6. **KNEEBENDS:** Stand with feet about eight (8) inches apart. Hold arms straight in front at shoulder level for balance. Keep upper body straight as you lower hips to the seat level of a chair or a bunk. Return to an upright position. Repeat six (6) times.

7. **SIDE BENDS:** Stand up with your left hand against your left thigh. Now bend to the left until your fingertips are just below your left knee. Return to standing position. Now switch to the right side and repeat this procedure. Repeat this exercise to left and right side five (5) times. Increase this number as you progress.

EXERCISES FOR WOMEN:

1. **LEG STRETCHING EXERCISES:** This exercise is very easy to do. While lying down with feet together push one (1) leg down as though your are trying to lengthen it. Point your toes and feel the pull from your hips down to your heels. Hold this position for 10 seconds then relax. After a moment's rest, repeat the exercise with your other leg. Repeat this exercise six (6) times on each side. If this exercise is done in the morning, it may be repeated at night if you wish. After finishing the leg stretching exercise, get up slowly, and stretch once more with the arms above the head.

2. **KNEE BENDS:** Stand with feet about eight (8) inches apart. Hold your arms straight in front at shoulder level for balance. Keep your upper body straight as you lower your hips to the seat level of a chair or a bunk. Return to an upright position. Repeat six (6) times.

3. CHEST EXERCISES: Stand with your arms raised to shoulder level, elbows bent, and the heel of one hand pressing against the other. Move your arms to the right. Keep facing forward. Still pressing one (1) hand against the other, move arms to the left.

4. HIP EXERCISE: Stand with your hands on your hips and raise your right knee. Stretch your right leg behind you. Complete your quota with your right leg, then repeat with your left leg.

5. BACK AND HIP EXERCISE: Stand with your legs apart and hands clasped behind your head. Bend forward, twist, and try to touch your right knee with your left elbow. Exhale as you bend down. As you straighten up, inhale. Repeat, trying to touch your left knee with your right elbows.

6. SUPPLENESS EXERCISE: Lie on your back, knees and arms bent, palms flat under shoulders with fingers in, feet apart. Pressing evenly with hands and feet, and moving knees forward, raise your hips, then your shoulders off the floor. In a continuous motion, raise your spine, evenly bending your shoulders and hips to a back-bend position. Avoid exaggerated bending in your lower-back region. This can be prevented by holding-in your stomach muscles in contraction.

7. BEAUTY STRETCH EXERCISE: Stand with your legs apart and your arms up over your head, with your fingers clasped and palms turned up. Stretch high and inhale. Keep stretching and slowly bend to the right, sliding against an imaginary wall. Exhale, stretch up again and inhale. Continue the motion, keep stretching, bend your body to the left, exhale. To loosen up every muscle of your body, bend forward and then relax a few seconds.

ISOMETRIC EXERCISES:

1. NECK EXERCISES:

A. Sitting or standing, with your fingers interlaced and your hands on your forehead, forcibly exert a forward push of your head while resisting equally hard with hands.

B. Sitting or standing, with your fingers interlaced and your hands behind your head, push your head backward while exerting a forward pull with your hands.

C. Sitting or standing, with the palm of your left hand on left side of your head, push with your left hand while resisting with your head and your neck. Reverse, using your right hand on the right side of your head.

2. ARM AND CHEST EXERCISES:

A. Standing with your feet slightly apart, flex your right elbow, close to your body with your palm up. Place your left hand over your right hand. Forcibly attempt to curl right arm upward, while giving equally strong resistance with the left hand. Repeat with your left arm.

B. Stand with your feet comfortably spaced, knees slightly bent. Clasp your hands, palms together, close to chest. Press your hands together and hold.

C. Stand with your feet slightly apart and your knees slightly bent. Grip your fingers with your arms close to your chest. Pull hard and hold.

CONCLUSION:

Although the exercises in this leaflet are designed for men or for women or as isometric, any or all might be beneficial to you. One should pick those exercises which can be accomplished without undue strain to your body, although your pulse and breathing rates should be increased when you are exercising. It is also important that you practice the steps involved in each exercise prior to trying to do the complete exercise or an exercise routine. "For your good health," remember that physical exercise is essential.

APPENDIX A

SSR UNIT REFERRAL MEMO FORMAT

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

MEMORANDUM

TO: SSR UNIT REVIEW BOARD

FROM: WARDEN'S NAME, NAME OF INSTITUTION

SUBJECT: SSR UNIT REFERRAL FOR INMATE (NAME), (SCDC NUMBER)

Inmate (full name), SCDC Number (), is recommended for placement in the Substantiated Security Risk Unit. The following information is provided:

Current Custody Level;

Offense/Charges That Caused The Referral;

Narrative Justification Supporting The Requested Action;

Supporting Documentation (List).

S/

(Warden's Name)

Intensive Management and Restrictive Management Step-Down Programs for High Risk Inmates (SCDC Policy OP-22.38B)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.

- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY

"This policy has been developed and/or revised in response to and as a portion of the Remedial Plan agreed upon by the parties in the settlement of T.R.V. South Carolina Department of Corrections, No. 2005-CP-40-02925. As agreed by the parties in the Settlement Agreement, it is the understanding and agreement of the parties that implementation and effectuation of the provisions of this policy as a portion of the Remedial Plan shall be phased in over time and all aspects shall not become effective immediately. (See Section 2 - Summary of Agreement and Section 4 (f) - Implementation Phase-In of Settlement Agreement effective May 2, 2016).

NUMBER: OP-22.38B

TITLE: INTENSIVE MANAGEMENT AND RESTRICTIVE MANAGEMENT STEP-DOWN PROGRAMS FOR HIGH RISK INMATES

ISSUE DATE: November 16, 2017

RESPONSIBLE AUTHORITY: DIVISION OF CLASSIFICATION AND INMATE RECORDS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: NONE- NEW POLICY

RELEVANT SCDC FORMS/SUPPLIES: 18-86, 18-87

ACA/CAC STANDARDS: 4-4249, 4-4253, 4-4254, 4-4255, 4-4301, 4-4442, 4-4444

STATE/FEDERAL STATUTES: S.C. Code Ann. §24-1-20

PURPOSE: The South Carolina Department of Corrections (SCDC) has established procedures for an incentive-based offender management program which will create a pathway for offenders to transition from the Restricted Housing Unit (RHU) in a manner that maintains public, staff, and offender safety. The Intensive Management and Restrictive Management Step-Down Programs house inmates in closed custody Behavioral Level 4 in general population status.

POLICY STATEMENT: Generally, long-term inmates in RHU have displayed an inability to conform to institutional standards of conduct; and the complexity of social, psychological, and behavioral factors have warranted them to be offered a higher level of care. Many of these behaviorally challenging inmates have not benefited from rehabilitation efforts in the community or at the institutional level.

Inmates in the Step-Down Program will be provided classes to help curtail their negative thinking and behavioral patterns. There are mandatory classes inmates are required to attend and additional classes inmates may choose from due to their individual needs. This program focuses on reducing the inmates' risk, not by risk-control, but by teaching them life skills so that they are able to behave in a productive, non-violent way.

In order to accomplish the Step-Down Program's goals effectively, specialized Step-Down Programs have been developed to individually help each inmate based on his needs, risk, and response to the program.

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PROGRAM

15. PLACEMENT IN LEVEL 5

SECTION ONE: STEP-DOWN PROGRAM INMATES

1. CATEGORICAL DIVISION OF SDP INMATES: Inmates placed in the Step-Down Program (SDP) will be divided into two (2) categories:

1.1 Intensive Management (IM) Step-Down Program (McCormick Correctional Institution): Inmates with the potential for extreme and deadly violence who have been a threat to the physical safety of other inmates or staff at one time, to include:

- Inmates with a history that indicates a willingness to carry out intentional serious or deadly harm;
- Inmates who have received additional charges of murder, voluntary manslaughter, or assault with intent to cause death while incarcerated;
- Inmates with institutional charges with the intent to seriously harm or cause death to staff or other offenders;
- Inmates with a high escape risk who have a history of planned and/or serious escape attempts; or
- Inmates with high profile crimes who have created heightened security.

1.2 Intensive Management inmates have generally been in long term segregation status and would fall into one or more of the following categories:

- Previous Substantiated Security Risk (SSR) status;
- Hostage Taking of staff or inmates;
- Riots;
- Sexual Assault of staff or inmates;
- Class I Escapes with force; and
- Involved in disruptive gang activity and is a confirmed leader, enforcer, disruptive core member, or recruiter of a security threat group.

1.3 Restrictive Management (RM) (Lee Correctional Institution): Inmates who are continually placed in RHU due to poor adjustment in general population who do not pose a deadly threat to staff or inmates, to include:

- Inmates with a chronic history of assaultive behavior directed at inmates or staff without the intent to inflict serious harm;
- Inmates with a pattern of repeated disruptive behavior where other interventions have not shown to be successful;
- Inmates with continually recurring disciplinary infractions that show a pattern of disrespect towards staff in a non-life threatening manner; or
- Inmates who continually receive disciplinary infractions for the purpose of remaining in RHU.

1.4 Restrictive Management inmates have generally been in and out of RHU for repeated disciplinary infractions and would be involved in one or more of the following, but not limited to:

- Fighting with/without a weapon;
- Striking inmates;
- Stealing from staff or inmates;
- Throwing bodily fluids on staff and/or inmates;
- Flooding cells in RHU;
- Damaging property;
- Continually being charged with contraband;
- Being disrespectful to staff;
- Frequently involved in use of force incidents;
- Poor adjustment to general population overall; and
- Class I Escape without force.

1.5 Step Down Program inmates are not on RHU status. Inmates in this status are as the general population - Closed Custody.

2. ELIGIBILITY CRITERIA FOR ASSIGNMENT:

2.1 All inmates approved or recommended for release from RHU will be assessed on the following criteria for SDP Placement:

- Length of time spent in RHU;
- Reason for originally being placed in RHU;
- Mental health status;
- Disciplinary infractions received while in RHU;
- Criminal history;
- Max-out date; and
- Overall institutional conduct.

3. SDP REFERRAL/RECOMMENDATION PROCESS:

3.1 All inmates in RHU SD behavioral level III will be screened quarterly (every 90 days) for participation in the Intensive Management or Restrictive Management SDP by the Central Classification designees.

3.2 Upon recommendation for placement in the SDP, the ICC shall recommend an inmate for an SDP by sending the request to the SDP routing group via email. Justification must also be included for referral.

3.3 The Warden/security designee may recommend inmates for review to participate in the SDP by sending the request to the SDP e-mail routing group. Justification must also be included.

3.4 The RHU Coordinator will refer the names of eligible Security Detention inmates to the Step-Down Program Coordinators. Once reviewed for eligibility by the SDP Coordinators, the inmate's case will be presented to the Restrictive Housing Unit (RHU) Multi-disciplinary Committee for final approval.

3.5 The Restrictive Housing Unit (RHU) Multi-disciplinary Committee, which consists of the Deputy Director of Operations/designee, Division Director of Classification and Inmate Records/designee, Mental Health designee, Division Director of Security/designee, Step-Down Program Coordinator, and the RHU Program Coordinator, will review recommendations for inmates referred to the Intensive Management Step-Down Program at McCormick Correctional Institution and to the Restrictive Management Step-Down Program at Lee Correctional Institution for approval or disapproval. All inmates referred for admission or termination from the SDP must be approved by the RHU Multi-disciplinary Committee.

3.6 The institutional Step-Down Program Review Team, consisting of the SDP Program Coordinator (Chairperson) and at least two (2) voting members, will be responsible for making classification decisions relative to the inmate's needs at the institutional level. Decisions will be made as a formal committee and in accordance with SCDC Policy OP-21.04, "Inmate Classification Plan," to ensure that they are made in a rational, objective, and equitable manner.

3.7 Once inmates have been approved to participate in the SDP, they will be informed using SCDC Form 18-86, "Step Down Program Acceptance Letter," from Central Classification to the Classification Case Manager of this decision. The Classification Case Manager will meet with the inmate in person to explain the Central Classification decision within 72 hours of receipt of disposition.

4. ASSESSMENT AND ORIENTATION:

4.1 Inmates placed in the SDP will receive orientation within three (3) working days using SCDC Form 18-87, "Step Down Program Notification of Rules and Regulations," that will provide them with information about the SDP expectations, policies, and procedures, classes offered, and incentives. All inmates will be given a brochure outlining the entire program and may address any concerns at this time. During the orientation phase, staff will also complete assessments, identify needs of each inmate, and develop individual schedules for each inmate based on his/her needs.

4.2 All inmates will be required to sign SCDC Form 18-87, "Step Down Program Notification of Rules and Regulations," at the completion of orientation acknowledging their understanding of the rules and regulations and the requirements set forth to complete the program.

SECTION TWO: PROCEDURES FOR STEP-DOWN PROGRAM

NOTE: Inmates will be required to complete all three (3) phases of the Intensive Management (IM) SDP. Upon completion of one (1) phase, the inmate will progress to the next phase and will receive the incentives for that phase.

5. PHASE REQUIREMENTS:

5.1 The inmate SD status is suspended while participating in the SDP. Inmate failure to comply with SDP rules and regulations can result in the RHU Multi-Disciplinary Committee returning the inmate to RHU in security detention.

5.2 Intensive Management (IM) SDP: Inmates in the IM-SDP are required to complete a minimum of one (1) year in the program. This timeframe can be extended if the inmate has not advanced to each stage in the specified timeframe due to disciplinary infractions.

5.2.1 Phase I: (3 Months Successful Participation):

5.2.1.1 Upon completion of orientation, inmates will be assigned to Phase I. Inmates in this phase will be expected to participate and attend all mandated classes, as well as a minimum of three (3) voluntary classes offered. If inmates do not possess their GED or High School Diploma, they will be screened during this phase and will be enrolled in school in Phase III. Inmates are to show an understanding of the SDP and be respectful to all staff and other inmates in the program. Inmates who abide by all requirements and actively participate in the program by demonstrating improvements in their behavior will be rewarded by more incentives.

5.2.1.2 For inmates to advance to Phase II:

Inmates will not be involved in any assaultive disciplinary whatsoever. This will be identified through the following disciplinary convictions:

- Fighting without a weapon;
- Striking Inmate;
- Threatening to Inflict;
- Possession of a Weapon;
- Riot/Inciting a Disturbance; and
- Non-Assaultive Major Disciplinary - (This will be reviewed on a case-by-case basis. Chronic negative behavior may result in remaining in Phase I for an additional ninety [90] days)

NOTE: The SDP Review Team will make a recommendation to remove the inmate.

Inmate will:

- Demonstrate respectful behaviors to self, staff, and inmates as will be evident through inmate expressing him/herself calmly during all class discussions and while in the SDP Dorm.
- Attend all classes enrolled in. Excessive, unexcused absences may result in remaining in Phase I for an additional (90) days.
- Be in compliance with SCDC Policy OP-22.13, "Inmate Grooming Standards."
- Keep cell clean at all times.
- Complete all journal assignments given at the completion of class and on time.

NOTE: Striking an Employee or Fighting With a Weapon will result in immediate removal from the SDP followed by a review by the RHU Multidisciplinary Committee for appropriate placement.

5.2.2 Phase II: (3 Months Successful Participation):

5.2.2.1 Inmates who have successfully completed Phase I and are approved by the Step-Down Program Review Team will advance to Phase II.

5.2.2.2 For inmates to advance to Phase II, they will:

- Continue to meet all Phase I Requirements.
- Complete at least (90) days of programming in Phase II.
- Demonstrate openness to constructive feedback from others.
- Acknowledge and accept responsibility for their actions that led them to being placed in RHU.
- Demonstrate management and control of impulsive behavior.
- Identify reasons change is needed.

NOTE: Non-Assaultive Major Disciplinary will be reviewed on a case-by-case basis. Chronic negative behavior may result in remaining in Phase II for an additional ninety (90) days. Inmates who are convicted of any assaultive major disciplinary while in Phase II will be reviewed by the Institutional SDP Review Team for reduction back to Phase I or removal from the SDP and placement in SD.

5.2.3 Phase III: (6 Months Successful Participation):

5.2.3.1 Inmates who have successfully completed Phase II requirements and are approved by the SDP Review Team will be advanced to Phase III. Inmates will receive additional incentives due to their positive behavior and will be in the least restrictive level of the SDP. Treatment and programs will continue based on each inmate's individual needs. Phase III inmates will serve as role models for inmates in Phase I and Phase II and, after a period of sustained appropriate behaviors, will be considered for release to the general population outside of SDP.

5.2.3.2 Advancement to the general population outside of the SDP will require the inmate to:

- Continue to meet all Phase I and Phase II requirements.
- If inmates do not possess their GED/Diploma, they will be enrolled in school in Phase III.
- Show pro-social behaviors by refraining from secretive, deceptive, and manipulative behaviors.
- Demonstrate an improvement in thinking and behavioral patterns by a change in past behavior and poor decisions.
- Demonstrate a use of acquired coping skills when faced with difficult day to day tasks or dilemmas.
- Not receive any negative informational reports for the remaining six (6) months in the program.
- Complete transition meeting with the SDP Review Team.

5.3 Restrictive Management (RM) SDP: Inmates considered for the SDP Program are in SD, ST or DD status and have repeated failures to adjust in the general population. Inmates are required to complete a minimum of six (6) months in the program. This timeframe can be expanded if the inmate has not advanced to each stage in the specified timeframe due to disciplinary infractions or poor adjustment.

5.3.1 Phase I: (90 Days Successful Participation):

5.3.1.1 Upon completion of orientation inmates will be assigned to Phase I. Inmates in this level will be expected to begin to participate and attend all mandated classes. If inmates do not have their GED, they will be tested to see what level they require. In Phase II they will be enrolled in school. Inmates are to show an understanding of the SDP and be respectful to all staff and other inmates in the program. Inmates who abide by all requirements and actively participate in the program by demonstrating improvements in their behavior will be rewarded by more incentives.

NOTE: Straight time inmates under the age of 21 are required to attend school and will begin in Phase I. (Refer to SCDC Policy PS-08.01 "Mandatory Educational Attendance Program.")

5.3.1.2 For inmates to advance to Phase II:

Inmate will not be involved in any assaultive disciplinary whatsoever. This will be identified through the following disciplinary convictions:

- **Fighting Without a Weapon.**
- **Striking Inmate.**
- **Threatening to Inflict.**
- **Possession of a Weapon.**
- **Riot/Inciting a Disturbance.**

NOTE: Rule violations will subject the inmate to disciplinary action and placement in RHU.

Inmate will:

- **Demonstrate respectful behaviors to self, staff, and inmates as will be evident through inmate expressing him/herself calmly during all class discussions and while in the SDP Dorm.**
- **Attend all classes enrolled in. Excessive, unexcused absences may result in remaining in Phase I for an additional ninety (90) days.**
- **Be in compliance with SCDC Policy OP-22.13, "Inmate Grooming Standards."**
- **Keep cell clean at all times.**
- **Complete all journal assignments given at the completion of class and on time.**

5.3.2 Phase II: (90 Days Successful Participation):

5.3.2.1 Inmates who have successfully completed Phase I and are approved by the SDP Review Team will advance to Phase II.

5.3.2.2 For inmates to advance to Phase II:

Inmate will:

- **Continue to meet all Phase I Requirements.**
- **Complete at least ninety (90) days of programming in Phase II.**
- **Not receive any major disciplinary infraction in Phase II. Minor or informal disciplinary infractions may result in the inmate remaining in Phase II for an additional ninety (90) days.**
- **Demonstrate openness to constructive feedback from others.**
- **Acknowledge and accept responsibility for actions that led him/her to being placed in RHU.**
- **Demonstrate management and control of impulsive behavior.**
- **Identify reasons change is needed.**

NOTE: Inmates who are convicted of any major disciplinary while in Phase II will be reviewed by the SDP Review Team for reduction back to Phase I.

6. PHASE INCENTIVES:

6.1 Intensive Management (IM) SDP:

6.1.1 Phase I Incentives:

- **Will be allowed out of cell from 8:00 AM - 3:00 PM.**
- **Lunch will be provided in the cafeteria; breakfast and dinner in the cell.**
- **Will be given recreation two (2) days/week.**
- **Visits: No visits allowed if on visitation restriction.**
- **Canteen: Spending limit of \$30 for inmates on canteen restriction.**

6.1.2 Phase II Incentives:

- **Will be allowed out of cell from 8:00 AM - 6:00 PM.**

- Lunch and dinner will be provided in the cafeteria; breakfast in the cell.
- Will be given recreation two (2) days/week.
- Visits: Allowed one (1) visit per month if on visitation restriction.
- Canteen: Spending limit of \$40 for inmates on canteen restriction.

6.1.3 Phase III Incentives:

- Inmates will be assigned job duties outside of SDP Dorm.
- Will be allowed out of cell from 8:00 AM - 8:00 PM.
- Breakfast will be provided in cell.
- Lunch and dinner will be provided in the cafeteria.
- Will be given recreation two (2) days/week.
- Visits: Allowed two (2) visits per month if on visitation restriction.
- Canteen: Spending limit of \$50 for inmates on canteen restriction.

6.2 Restrictive Management (RM) SDP:

6.2.1 Phase I Incentives:

- Will be allowed out of cell from 8:00 AM - 5:30 PM.
- Breakfast, lunch, and dinner in the cell.
- Will be given recreation at least three (3) days/week.
- Inmates who do not have their GED/Diploma will be tested to determine their level of education.
- Inmates who are under the age of 21 and do not have the GED or High School Diploma will be enrolled in school.
- Visits: three (3) visits/month (if on visitation restriction).
- Canteen: \$30 spending limit/week (if on canteen restriction).
- Inmates will be assigned jobs within the SDP.

6.2.2 Phase II Incentives:

- Will be allowed out of cell from 8:00 AM - 7:00 PM.
- Lunch and dinner will be provided in the cafeteria; breakfast in the cell.
- Will be given recreation at least three (3) days/week.
- Inmates will be assigned jobs outside of the SDP Dorm upon availability.
- Inmates who do not have the GED/Diploma will be enrolled in school.
- Visits: three (3) visits/month (if on visitation restriction).
- Canteen: \$50 spending limit/week (if on canteen restriction).

6.3 Incentives upon graduation from the SDP:

- Inmates will receive a status review at completion of the program.
- Inmates who are on canteen, telephone, and/or visitation restrictions will have these restrictions lifted.
- Inmates who qualify would have the opportunity to transfer to other programs offered within SCDC.
- Inmates who request to remain in the Step-Down Program to become a facilitator would be considered to do so and could help with future inmates coming into the program.

7. PHASE PROGRESSION:

7.1 Phase progression will be based solely on each inmate's ability to achieve and maintain specific requirements. The SDP Review Team and Qualified Mental Health Professional will review the progress of each inmate and determine whether each inmate advances to the next phase. If the inmate is not recommended for advancement, additional steps that are needed for advancement will be given to the inmate in person and in a private setting by a member of the SDP Review Team.

8. PHASE REGRESSION:

8.1 Regardless of the current phase the inmate is in, if he/she is convicted of a serious major disciplinary or refuses to participate in any part of the program, it may result in the inmate returning to a previous phase. The SDP Review Team will review each disciplinary on a case-by-case basis and make a determination. Consideration will be given to the length of time the inmate has spent in RHU, the reason he/she was originally placed in RHU, his/her mental health status, his/her risk-level, his/her willingness to participate in the program, and the safety and security of staff and other inmates.

8.2 All inmates who are removed from the SDP and placed back in RHU, who meet the criteria will be recommended for SD custody or placed in another program. All other inmates who do not meet the SD criteria will complete their DD time in RHU and then be placed back in the Step-Down Program a second time. The inmate will have to start the program over again in Phase I. "NOTE: Under no circumstances will an inmate be removed from the SDP, placed in RHU, and then released to general population."

9. EDUCATIONAL REQUIREMENTS FOR SDP INMATES:

9.1 Education will be the focal point of the Step-Down Program. All inmates, upon acceptance into the SDP, will be screened for completion of GED or High School Diploma. Inmates who have not obtained either will be enrolled (based on space availability) in education in Phase II (RM) or Phase III (IM). If they do not complete the educational requirements to obtain a GED upon completion of the SDP, they will continue their education once placed in general population outside of the SDP. Straight time inmates under the age of 21 are required to attend school and will begin in Phase I. (NOTE: Refer to SCDC Policy PS-08.01, "Mandatory Educational Attendance Program.")

10. MANDATED PROGRAM REQUIREMENTS:

10.1 All inmates will have mandatory classes that they must attend throughout Phases I and II. Advancement to each phase depends highly on whether inmates attend these classes, actively participate, and complete all journal assignments on time. The following is an outline of different classes offered:

10.1.1 Life Skills and Expressive Writing Class:

- This class is based on two parts: (1) learning life skills and (2) expressing one's self through writing.
- The life skills part consists of the following:
 - Accountability, responsibility, and authority.
 - Understanding one's personality characteristics (strengths and weaknesses).
 - Learning how to handle one's emotions, conflict, and stresses of life.
 - Understanding self-concept, constructive criticism, and setting goals in one's life.
- The expressive writing part consists of journal entries that the inmates are required to complete on a weekly basis. The journal's main purpose is to give the inmates a positive outlet to express their feelings, both good and bad. Some of the topics would consist of:
 - Describe your family using the parts of an airplane.
 - What is something you have done that you think is unforgivable?
 - Has your self-concept changed over the years? If so, how?

10.1.2 Thinking for a Change (T4C):

- This curriculum is a cognitive behavioral change program that was developed by the National Institute of Corrections (NIC) that addresses the cognitive, social, and emotional needs of offenders. There are (3) main components:
 - Cognitive self-change.
 - Social Skills.
 - Problem Solving Skills.

10.1.3 Violence Prevention:

- Sexual violence prevention refers to efforts intended to stop the perpetration of unhealthy, harmful, dangerous, and illegal behaviors and acts, as well as victimization by others. Prevention efforts include developing the attitude, knowledge, skills, behaviors, and resources necessary to promote individual and community health, safety, and wellbeing.

10.1.4 Victim Impact:

- The focus of this class is on victims and the impact of crime on them. Inmates learn victims' personal experiences which are the centerpiece of the program. The program provides offenders with the opportunities to change their thinking and their behavior while giving them an option to make amends to their victims, directly or indirectly.

10.1.5 Anger Management:

- Anger is a normal, healthy response to a threat when used appropriately. The goal of this class is to reduce inmates' emotional feelings and the physiological arousal that anger causes. The class will go over strategies to control one's anger and identify what general triggers should be avoided or managed to keep someone from going over the edge.

10.1.6 Art Class:

- Art therapy alleviates stress in a productive and healthy way. Art class will be divided into segments that will consist of: sketching, painting, watercolors, and scratch art.

10.1.7 Creative Writing:

- This covers a wide variety of writing styles to include: poetry, short-stories, autobiographies, and grammar.

11. ADDITIONAL CLASSES: In addition to the mandatory classes that all inmates are required to complete, inmates will have the choice in choosing a minimum of three (3) additional classes to add to their schedule. The goal of these classes is to help inmates express themselves in a positive manner by developing positive hobbies. All classes will be held weekly and will be available during the entire duration of the program. The available classes will consist of the following:

11.1 Spanish Class:

- Inmates will be allowed the opportunity to learn a second language. In this class they will learn the alphabet, numbers, colors, days of the week, months, seasons, common phrases, verb tenses, etc.

11.2 Business Class:

- Inmates who are interested in understanding business will learn how to develop a business plan and how to start their own business.

11.3 Max-out Right:

- Inmates who have a max-out date in the near future would be encouraged to participate in this class. They will learn how to create a resume, how to look for jobs, and how to interview when applying for jobs.

11.4 Anxiety and Depression:

- This class will go over the types of anxiety we experience, what the causes for anxiety and depression are, and how to overcome this in a productive manner.

11.5 Parole Workshop:

- The primary focus of this class will be to help inmates gather all of their information to submit to the Parole Board in the form of a parole packet.

11.6 Substance Abuse:

- Substance abuse classes will be conducted by the mental health counselor in a separate class primarily for inmates in the SDP.

12. FACILITATORS:

12.1 Inmate facilitators from general population or graduates of the SDP will be recommended by the Institutional SDP Review Team and approved by the RHU Multi-disciplinary Team to help mentor/assist the inmates in the program. They will be chosen due to their individual characteristics, positive behavior while incarcerated or in the program, and their mentoring skills. Inmates who have previously mentored other inmates, have been viewed by staff as being a positive influence, and have good social skills would be ideal for these positions. The main duties of a facilitator are to help with the classes taught to the SDP inmates, help inmates with journal assignments or other areas of assistance, and overall try to influence the inmates in a positive manner. If bed space permits, facilitators will live within the SDP.

13. STAFF TRAINING AND ASSIGNMENT:

13.1 Assignment of both security and non-security personnel working in the SDP will be carefully reviewed and screened by both the Warden at the SDP institution and the Division Director of Classification and Inmate Records.

13.2 Training of staff who will be working in SDP Dorms is essential to support culture change. All staff working with inmates in this program will complete training in Effective Communication and Crisis Intervention Training (CIT).

14. COMPLETION OF THE SDP INTENSIVE MANAGEMENT PROGRAM AND RESTRICTIVE MANAGEMENT PROGRAM:

14.1 Upon successful completion of Phase III in Intensive Management and Phase II in Restrictive Management, the RHU Multi-Disciplinary Committee will review each inmate for appropriate institutional placement or placement in Behavioral Level 5.

14.2 If approved for release by the RHU Multi-Disciplinary Committee, the inmate will appear before the ICC for a status review and will then be placed in the appropriate correctional facility and housing unit.

14.3 Upon completion of the SDP, Central Classification staff will coordinate release from the SDP to the appropriate correctional facility and housing unit.

15. PLACEMENT IN LEVEL 5:

5.1 The Intensive Management-Step-Down Program will be designated bed space for Level 5 inmates.

15.1.1 Inmates who are referred for placement in Level 5 will be inmates whose presence outside the SDP would pose a threat to staff and/or other inmates. To continue the inmates' progress, it is believed to be in the inmates' best interest to remain in a specialized program environment with privileges that are commensurate with the general population.

15.1.2 Inmates in Level 5 will be reviewed every six (6) months for release to the general population.

15.2 Reasons for Placement in Level 5: Most common reasons for placement in Level 5 would consist of, but are not necessarily limited to:

15.2.1 History of assaultive and/or violent behavior;

15.2.2 Aggravated assaults on inmates or staff;

15.2.3 Murder and/or attempt to commit murder while incarcerated;

15.2.4 Holding a hostage or unlawfully detaining a person against his will while incarcerated;

15.2.5 Violent escapes or repeated attempted escapes;

15.2.6 Violent participation in a riot/riots or other institutional disorder;

15.2.7 The Agency Director or the Deputy Director of Operations/designee's determination, based on specified objective criteria set forth in writing, that there is a significant risk that the offender will cause injury to staff, other inmates, or members of the public if he/she is housed in general population, outside of the Intensive Management-Step-Down Program.

16. DEFINITIONS: NONE

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT

Young Offender Parole and Reentry Services (SCDC Policy OP-22.39)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.

- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY

NUMBER: OP-22.39

TITLE: YOUNG OFFENDER PAROLE AND REENTRY SERVICES (YOPRS)

ISSUE DATE: June 7, 2016

RESPONSIBLE AUTHORITY: DIVISION OF YOUNG OFFENDER PAROLE AND REENTRY SERVICES

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: SCDC POLICY PS-10.09 - NEW POLICY

RELEVANT SCDC FORMS/SUPPLIES: 9-11, 19-11, 18-1, 18-11, 19-29A, 19-69, 25-2, 25-3, 25-6, 25-7, 25-12, 25-66, 25-67, 25-68, 25-69, 25-70, 25-71, 25-72; 25-73; 25-74; 25-75; 25-77, 25-78, 25-79, 25-80, 25-82, 25-83, 25-84, 25-85 25-86, 25-88, 25-89, 25-90.

(NOTE: All SCDC approved forms starting with the number 25 pertain solely to the operations of the Division of Young Offender Parole and Reentry Services.)

ACA/CAC STANDARDS: 4-4099, 4-4102, 4-4142, 4-4166, 4-4274, 4-4275, 4-4277, 4-4299, 4-4304, 4-4305, 4-4306, 4-4307, 4-4309, 4-4311, 4-4312, 4-4374, 4-4428, 4-4429, 4-4430, 4-4441, 4-4449, 4-4464, 4-4497, 4-4498

STATE/FEDERAL STATUTES: § 24-19-40; S.C. Code § 24-19-10 et seq.; § 24-13-40

PURPOSE: The purpose of the Division of Young Offender Parole and Reentry Services (YOPRS) is: 1) to reduce recidivism for the Youthful Offender population through a seamless system of services implemented at the time of incarceration and concluded upon completion of community supervision (parole); 2) to provide rehabilitative services for young offenders sentenced as juveniles and transferred to the custody of SCDC upon reaching an appropriate age; and 3) to provide rehabilitative services for Youthful Offenders, as well as Adult Straight-timers, who are referred by the courts and accepted into the Shock Incarceration Program.

POLICY STATEMENT: The Division of Young Offender Parole and Reentry Services provides services utilizing evidence-based principles and practices that teach accountability, enhance skill development, and promote public safety. Services include: 1) Young Offender Institutional Services (YOIS); 2) Intensive Supervision Services (ISS); 3) Intensive Supervision Services Administrative Release Authority (ISARA); and 4) Shock Incarceration Program. The Division Director is responsible for overseeing and managing all services under the guidance of the Deputy Director of Operations.

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SECTION ONE: YOUNG OFFENDER INSTITUTIONAL SERVICES (YOIS)

1. RESPONSIBILITIES:

1.1 The Division Director of YOPRS is responsible for overseeing and monitoring YOIS under the guidance of the Deputy Director of Operations.

1.2 Training: All newly assigned YOIS staff must attend YOIS training within six (6) months of their hire date (unless an extension has been granted by the Warden, YOIS Program Coordinator, or Division Director of YOPRS). Other program specific training will be required and conducted as needed by the YOA institution, YOIS Program Coordinator, or the Division Director of YOPRS.

1.3 The YOIS Program Coordinator is responsible for the overall management of YOIS and will report to the Division Director of YOPRS.

1.4 Each YOIS Institutional Coordinator directly supervises the YOIS Rehabilitation Correctional Counselors and YOIS Case Managers and reports to the YOIS Program Coordinator. Each Institutional Coordinator is responsible for:

- Planning, organizing, and implementing rehabilitative services and materials;
- Implementing all YOIS operational procedures within the institution in accordance with Agency policy and procedures;
- Coordinating and facilitating all in-service training programs;
- Performing quality assurance audits monthly and reports to YOIS Program Coordinator; and
- Completing all institutional reports and correspondence in reference to YOIS.

1.5 Rehabilitation Correctional Counselors (RCC) are responsible for:

- Completing and documenting initial institutional orientation;
- Completing and documenting the Global Risk Assessment Device for newly assigned Youthful / Young Offenders;
- Providing individual and group counseling sessions, as well as crisis intervention services to the Youthful Offender population;
- Developing specialized groups outside of the normal curriculum, as needed;
- Participating in and providing feedback regarding the case management of Youthful Offenders;
- Monitoring and providing services to Youthful Offenders receiving mental health services, as outlined in SCDC policies/procedures related to mental health care;
- Placing timely and written documentation in the YOIS offender file;
- Data entry that accurately reflects each offender's behavior and performance in the Automated Records Program and "PROG" screens;
- Coordinating and communicating with all personnel in the institution and community to ensure that Youthful Offenders receive services as identified during intake assessment; and
- Providing appropriate rehabilitative recommendations concerning each Youthful Offender's Conditional Release to community supervision.

1.6 YOIS Case Managers are responsible for:

- Making appropriate computer entries as pertaining to YOIS;
- Evaluating offenders' records through audits to determine pertinent information;
- Conducting institutional orientation with newly assigned offenders;
- Serving as a member/case manager of Offender Focus sessions;
- Developing a consistent schedule to meet with the offenders;
- Coordinating with all personnel in the institution to ensure completion of community meetings, release ceremonies, and Administrative Offender Focus sessions;
- Performing administrative duties associated with Accountability Board meetings; and
- Monitoring and assisting in keeping YOIS Offender Files and SCDC records current.

1.7 Wardens of institutions where YOIS are provided are responsible for:

- Ensuring that all components of YOIS are implemented;
- Providing on-site service management;
- Providing adequate service space;
- Developing daily movement schedules which coordinate programming with institutional requirements (copies of schedules should be forwarded to YOIS Program Coordinator and Division of YOPRS);
- Administering the disciplinary and Accountability Board process for YOIS;
- Ensuring that recommendations for release of Youthful Offenders participating in YOIS are forwarded to the Division of YOPRS in a timely manner;
- Providing direct supervision of Youthful Offenders for the purpose of security and safety;
- Meeting with YOIS and institutional staff at least monthly to address needs of the program; and
- Ensuring, to the greatest degree possible, that Youthful Offenders are separated from non-Youthful Offenders pursuant to the Youthful Offender Act and YOIS policies and procedures.

1.8 Reception and Evaluation Center Classification Assessment Caseworkers are responsible for the initial review of each Youthful Offender's medical, mental health, education, substance abuse, custody, and security issues. See SCDC Policy OP-21.04, "Inmate Classification Plan, ♦♦? for additional information.

2. CLASSIFICATION AND ASSIGNMENT OF YOUTHFUL OFFENDERS:

2.1 Reception and Evaluation: Male and female Youthful Offenders will be received at an SCDC Reception and Evaluation (R&E) Center. The staff at the R&E Center will interview and conduct a medical examination, screen the offender for mental health problems, and give the offender an orientation about SCDC. (See SCDC Policy OP-21.04, "Inmate Classification Plan, ♦♦? for additional information.)

2.2 Special Needs: When a Youthful Offender has a serious medical condition, a physical disability, or a mental health diagnosis which requires Intermediate Care Unit Services, and/or s/he is mentally challenged, s/he will be assigned to an SCDC institution which provides services to treat those needs. The Special Needs Youthful Offender is considered to be in YOIS; and the Division of YOPRS is still responsible for monitoring the offender's progress and recommending his/her Conditional Release to the Intensive Supervision Administrative Release Authority (ISARA), see Section 3, "Intensive Supervision Administrative Release Authority. ♦♦? The Clinical Correctional Counselor who is responsible for the Special Needs Youthful Offender will provide information on the offender's progress to the YOIS Program Coordinator monthly, or as requested by the Division.

2.3 YOIS Assignment: After assessment at R&E, the male and female Youthful Offenders will be assigned to the appropriate YOA institution based on medical/mental health needs, convictions, sentence, security, and program considerations. All Youthful Offenders will be assigned by R&E assessment staff to an institution that offers YOIS or manages special needs. Assignment will be based on the Agency's classification criteria. (See SCDC Policy OP-21.04, "Inmate Classification Plan, ♦♦? for additional information.)

2.4 YOA Institutions:

2.4.1 Male Youthful Offenders are primarily housed at Turbeville and Trenton Correctional Institutions. **Addictions Treatment:** Male Youthful Offenders who require addictions treatment may be assigned to Turbeville or Trenton Addictions Treatment Unit; **Specialized Services and Considerations:** Male Youthful Offenders requiring specialized services or considerations may be assigned to an institution that manages the special needs.

2.4.2 Female YOIS Youthful Offenders are primarily housed at Camille Griffin Graham Correctional Institution. **Addictions Treatment:** Female Youthful Offenders who require addictions treatment may be assigned to Goodman Correctional Institution.

2.5 YOA Institutional Custody Assignment: Once the Youthful Offender is assigned to an appropriate YOA institution, Central Classification will be responsible for assigning the Youthful Offender to a custody level.

3. AREAS:

3.1 Youthful Offenders will transition through three service areas which include Orientation, Rehabilitation, and Reentry. The YOIS framework of individualized targeted interventions and cognitive restructuring is accomplished through services including, but not limited to, an Assessment Process, Services Planning, Individual Counseling, Group Counseling, Community Meetings, Case Management, and Reentry Planning.

3.2 Orientation: During Orientation, the Youthful Offender will participate in a YOA institutional orientation and undergo an assessment. Institutional orientation includes an introduction to YOIS philosophy and institutional services; participant expectations; recreation services overview; health and wellness requirements; education overview, if determined appropriate; pastoral services; and structured movement education and demonstration. The Youthful Offender will acknowledge completion of Orientation by signing "YOIS/SHOCK Orientation Checklist, ♦♦? SCDC Form 25-2. Orientation should occur within a period of time not to exceed fourteen (14) business days.

3.2.1 Assessment: All Youthful Offenders assigned to YOIS will be assessed using the Global Risk Assessment Device (GRAD). Completion of the assessment to determine service appropriateness will be the responsibility of the Rehabilitation Correctional Counselor (RCC). See Section 2, "Intensive Supervision Services," section 19., "Global Risk Assessment Device (GRAD), ♦♦? for additional information.

3.2.2 Individual Rehabilitation Plan: During Orientation and upon completion of the assessment, the Youthful Offender's RCC and the Youthful Offender will develop an "Individualized Rehabilitation Plan" (SCDC Form 25-3). SCDC Form 25-3 must be completed within ten (10) business days of the offender's assignment to the RCC. Individual Rehabilitation Plans are maintained in the YOIS offender file, should be present at all Offender Focus sessions (Administrative, Rehabilitative, and Reentry), and should be reviewed every thirty (30) days with update of rehabilitation goals, as needed. Individual Rehabilitation Plan goals must be updated when an offender transitions from Rehabilitation to Reentry area.

3.3 Rehabilitation: Youthful Offenders' transition into Rehabilitation upon completion of Orientation. Within Rehabilitation, the assigned RCC works with the Youthful Offender on addressing the identified goals on the offender's "Individualized Rehabilitation Plan," SCDC Form 25-3.

3.3.1 Education is mandatory for all Youthful Offenders the age of twenty-one (21) and under without verified GED or Diploma. Offenders over the age of twenty-one (21) who do not have a high school diploma or GED may be assigned to a course of study to prepare for the GED or Diploma. A minimum of three (3) hours per day is devoted to structured classroom activities. High school graduates may be assigned as teachers' aides or enrolled in vocational training where available. Successful completion of the educational component requires that an offender reach his/her potential by acquiring a GED or Diploma, and satisfactorily progressing in Vocational Training as deemed appropriate for the offender. Those offenders who cannot reach these educational milestones, as determined by the institutional educational staff, must demonstrate academic progress as well as meet all behavioral and performance requirements. Failure to comply with educational guidelines may result in disciplinary actions. Offenders who are awaiting verification of a high school diploma or GED will be required to attend school until a confirmation is received.

3.3.2 Groups: All Youthful Offenders assigned to YOIS will be required to complete a series of core groups in accordance with YOIS policies and procedures. Additional specialized groups will be offered based upon institutional staffing and an offender's individualized needs. Youthful Offenders are required to attend a minimum of three groups weekly, with employment and/or education counting as one group daily. The range of groups included will be conducted in accordance with institutional and YOIS policies and procedures. Rehabilitation services' core and specialized groups include, but are not limited to:

- Criminal Thinking;
- Substance Abuse Awareness;
- Interpersonal Skills (Decision Making & Conflict Resolution);
- Anger Management;
- Parenting;
- Self-Esteem;
- Act Like A Man;
- Act Like A Lady;
- Men's Fraternity;
- Positive Relationships.

3.3.3 Individual Counseling: All Youthful Offenders participating in YOIS will be required to complete an Individual Counseling session on a monthly basis. The Individual Counseling sessions allow for more in-depth discussion of the offender's rehabilitation goals or any offender concerns. Individual Counseling sessions should be documented in the Automated Medical Record (AMR) within 72 hours of the completion of sessions.

3.3.4 Family Focus: All Youthful Offenders participating in YOIS will be afforded a Family Focus, as outlined on his/her Individualized Rehabilitation Plan, to include, but not limited to:

- Special Visit, through Warden/designee approval;
- Participation in Family Reunion sessions; and
- Monitored conference call.

3.4 Reentry: Youthful Offenders are transitioned to Reentry between ninety (90) and sixty (60) days prior to the offender's projected Conditional Release. Within this area, the Youthful Offender participates with transition planning and reentry services. Reentry services may include, but are not limited to:

- Life Skills (Budgeting, Financial Planning, etc.);
- Career Skills (Interviewing Skills, Resume Writing, Dress for Success);
- Vocational Rehabilitation Services, appointments, etc.;
- Outreach groups and seminars (i.e., AA, NA);
- Family Reunification;
- Victim Impact;
- Supervision Expectations; and
- Transitioning Planning (Successful Reentry).

4. CASE MANAGEMENT (OFFENDER FOCUS):

4.1 YOIS Case Management Teams (CMTs), referred to as Offender Focus, are utilized to monitor and address the offender's needs, behavior, progress/lack of progress, sanctions, privileges and referrals. Each CMT may consist of personnel, relevant to the offender's case, from multiple disciplines to include YOIS Institutional Coordinator, YOIS RCC, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, Classification, and Prison Industries. All CMTs should be scheduled to accommodate work, school, and counseling schedules. CMT sessions should be scheduled at times when staff is available and conducted pursuant to

YOIS policies and procedures. Results from all CMT sessions should be documented on the corresponding SCDC Form 18-1, "Committee Docket," the Automated Records Program Screen, and within the scheduled offender's record on the Staff Memoranda, as outlined in YOIS policies and procedures.

4.2 Administrative: The Administrative session is utilized to analyze the Youthful Offender's assessment and Individualized Rehabilitation Plan to ensure appropriate placement in group and individual YOIS services. The Administrative session should meet a minimum of twice per month and should occur within ten (10) business days of the offender's assignment to the YOA institution.

4.3 Rehabilitative: The Rehabilitative session is utilized to monitor the Youthful Offender's progress and/or lack of progress with the Individualized Rehabilitation Plan, and to modify services based upon the Youthful Offender's identified needs and assets. The Rehabilitative session will initiate fourteen (14) days upon completion of the Administrative session to process the offender's participation and adjustment in services and to determine if Rehabilitative sessions on the assigned Youthful Offender will be conducted monthly, bimonthly, or quarterly. The Rehabilitative session may have special meetings when the need occurs. A minimum of two corrections professionals should be present for the Rehabilitative session to include YOIS staff and personnel directly correlated to the offender's case.

4.4 Reentry: Reentry session, referred to as Reentry Offender Focus (ROF), is utilized to assess the Youthful Offender's progress in YOIS, and to properly coordinate services during offender's transition to the Reentry services and eventual release. The ROF Team should meet a minimum of once monthly and should occur between ninety (90) and sixty (60) days before the Youthful Offender's Conditional Release. A Youthful Offender in Disciplinary Detention (DD) or Youthful Offender Security Detention (YOSD) will be automatically ineligible for transition to Reentry services, unless special circumstances exist and the offender's case is staffed with the YOIS Program Coordinator.

5. PRIVILEGES AND RESTRICTIONS:

5.1 YOIS relies heavily on teamwork, rewards, self-discipline, and changing thoughts and behavior that have led or may lead to criminal behavior. The program addresses a wide variety of needs for a diverse population of young offenders. Because of this, certain privileges which are normally allowed for the general offender population must be earned by Youthful Offenders who are assigned to YOIS. The Warden/designee may determine what constitutes as special privileges.

5.2 Canteen: Youthful Offenders in Orientation services are given limited canteen privileges for hygiene items. (Exceptions may be made for special needs offenders. The Warden/designee is authorized to make these exceptions). Normal canteen privileges are allowed during the Rehabilitation and Reentry service areas. Necessary hygiene items will be provided to indigent Youthful Offenders in accordance with SCDC Policy ADM-16.08, "Commissary Operations."

5.3 Correspondence: Youthful Offenders will be allowed to send and receive correspondence pursuant to SCDC Policy PS-10.08, "Inmate Correspondence Privileges." Legal correspondence will be governed by SCDC Policy GA-01.03, "Inmate Access to the Courts."

5.4 Personal Telephone Calls:

5.4.1 Orientation: Each Youthful Offender will be allowed a minimum of one (1) five (5) minute call to his/her family during the period of Orientation. Additional calls will be allowed during Orientation if authorized by the YOIS Institutional Coordinator/Warden/designee.

5.4.2 Rehabilitation & Reentry: Each Youthful Offender will be allowed unlimited telephone usage whenever possible after s/he completes daily requirements. The duration of phone calls may be limited by the Warden/designee to ensure that all offenders who have met the required standard are afforded the opportunity to make such calls.

5.5 Emergency/Legal Phone Calls: Youthful Offenders, in all service areas, may make verified emergency and legal calls with the approval of the Warden/designee. For purposes of these procedures, "legal counsel" may consist of the offender's attorney of record and/or paralegal(s). Offender requests for attorney calls require 24-hours advance notice to allow for staff verification. Youthful Offenders will use SCDC Form 19-11, "Request to Staff Member," or the Kiosk for this purpose. (See SCDC Policy GA-01.03, "Inmate Access to the Courts," for additional guidance on when offenders may be allowed to call their legal counsel.) Attorney calls will be dialed by a staff member. Once verified, the call will not be monitored. Any deviation of this procedure will be documented in the offender's record.

5.6 Visitation:

5.6.1 Youthful Offenders who are in Rehabilitation and Reentry Services may be eligible for visitation privileges. The Warden/designee will determine the schedule for visiting privileges for Youthful Offenders. Youthful Offenders in Rehabilitation Services who have not had their privileges restricted will only be allowed visits from their mother, father, step-parents, grandparents, spouse, common law spouse, and/or children. Youthful Offenders in Reentry Services are allowed visitation privileges as outlined in SCDC Policy OP-22.09, "Inmate Visitation." All visitors and visitation must meet the requirements of SCDC Policy OP-22.09, "Inmate Visitation."

5.6.2 Special Visits are conducted at the discretion of the Warden/designee for the purpose of Family Focus, transitional housing interviews, State Agency visitors, or other needs deemed appropriate by visitation. Special visits should be arranged through the YOIS Institutional Coordinator through written requests and approved by the Warden.

5.7 Television: Youthful Offenders who are in Orientation are not allowed to view television unless the staff determines that a particular program or videotape will enhance scheduled services. Rehabilitation and Reentry Youthful Offenders will be allowed selected television viewing after daily services. The Warden/designee can use television viewing as a reward incentive to encourage positive behavior.

5.8 Hobbycraft: Youthful Offenders participating in Rehabilitation and Reentry Services will be allowed to participate in any approved hobbycraft program. Participation in the hobbycraft program is considered a privilege. Youthful Offenders desiring to participate in an institutional hobbycraft program must submit an "Automated Request to Staff Member (ARTSM)" through the kiosk to his/her Hobbycraft Coordinator to the Warden/designee. The Hobbycraft Coordinator will review the offender's record and advise the Warden/designee whether the offender meets the following mandatory criteria:

5.8.1 The offender must be assigned to the institution for at least three (3) consecutive months; (NOTE: If an offender who has been participating in an approved hobbycraft program is transferred for non-punitive reasons to another institution, the receiving Warden may opt to waive the three (3) month eligibility criteria if work space is available. The offender's hobbycraft tools/supplies will be transported with his/her personal property in a box that has been purchased by the offender. No finished or partially finished hobbycraft items will be transported. These items will be required to be mailed home at the offender's expense or disassembled and disposed of by the Property Control Officer/designee.)

5.8.2 The offender must have maintained a clear disciplinary record for three (3) months;

5.8.3 The offender must have attended school for at least three (3) months; and

5.8.4 The offender must have sufficient funds in his/her E. H. Cooper Trust Fund Account to make initial purchases of supplies and materials as follows:

- Basic Art;
- Woodworking;
- Leather Working; and
- Other Crafts.

5.8.5 Refer to SCDC Policy PS-10.06, "Inmate Hobbycraft Program," for additional information.

6. RULES VIOLATIONS/DISCIPLINARY INFRACTIONS:

6.1 Each Youthful Offender will be given a thorough orientation regarding the rules and regulations that govern YOIS. The offender is required to sign SCDC Form 25-2, "Program Orientation Checklist," to show that s/he has received this orientation. Rules violations will be documented on SCDC Form 19-29A, "Incident Report." The completed SCDC Form 19-29A will be placed in the incident box. The YOIS Captain/Institutional Major will review incident reports and grade each rules violation for referral in accordance with Section 4, "Major/Responsible Authority Review," in SCDC Policy OP-22.14, "Inmate Disciplinary System." Informal and/or Administrative Resolutions forwarded by the YOIS Captain/Institutional Major will be heard by the Accountability Board. If the rules violation is graded as a Major, it will be referred to the Disciplinary Hearing Officer (DHO). If a rules violation is referred to the DHO, the Warden/designee will ensure completion of the SCDC Form 19-69, "Disciplinary Report and Hearing Record." The institutional staff will then enter the Major violation into the disciplinary screen and ensure that the hearing is scheduled. All Administrative Resolutions must be entered in the YOIP screen.

6.2 Progressive Consequences: The purpose of progressive consequences is to provide a learning experience that allows the Youthful Offender to be accountable for his/her behavior and performance within YOIS, and to require the offender to consider alternate forms of behavior under similar situations. All consequences must be properly documented in the offender's file and on the Offender Management System's Disciplinary screen, pursuant to YOIS policies and procedures.

6.3 Informal Resolution: All rules violations should be handled at the lowest possible level by the YOIS Captain/Institutional Major. All actions from an informal resolution will be documented in the YOIS informal discipline logbook. If found guilty, the YOIS Captain/Major may impose no more than any two (2) of the following consequences at a time as a means of resolving the incident informally:

- Counseling;
- Written Essay;
- Special Referrals (Mental Health, Medical, Behavior Modification group);
- Restriction of Privileges (Canteen, Visitation, or Telephone), not to exceed fourteen (14) days;
- Extra Duty or chores, up to twenty (20) hours;
- Restitution;
- Recreation Restriction, not to exceed five (5) days;
- Cell or Cube Restriction – not to exceed ten (10) days.

6.4 All consequences will be documented on SCDC Form 25-6, "YOIS/SHOCK Accountability Board Report." This report should be distributed to all YOIS staff for review and information. All imposed consequences must be approved by the Institutional Warden/Associate Warden of Programs or stated designee before SCDC Form 25-6 is finalized and processed. Refer to Section 5, "Informal Resolution," in SCDC Policy OP-22.14, "Inmate Disciplinary System," for additional information.

6.5 Violations Heard by the Accountability Board: The Accountability Board addresses conduct violations through an Administrative Hearing process. It is made up of a minimum of three individuals from different disciplines within the institution, to

include YOIS/SHOCK personnel. The Accountability Board may be chaired by the Associate Warden, Major, Captain, Building/Field Lieutenant, or Sergeant. Only one uniformed security staff sits on the Accountability Board at any one time. The Accountability Board will, at a minimum, meet weekly. Offenses forwarded to the Accountability Board will be at the YOIS Captain/Institutional Major's discretion and should, at a minimum, have been addressed on one occasion at an informal resolution level by the YOIS Captain/Institutional Major. The Accountability Board may impose no more than any two (2) of the following consequences at a time as a means of resolving the incident administratively:

- Counseling;
- Written Essay;
- Special Referrals (Mental Health, Medical, Behavior Modification group);
- Restriction of Privileges (Canteen, Visitation, or Telephone), not to exceed fourteen (14) days;
- Extra Duty or chores, up to twenty (20) hours;
- Restitution;
- Recreation Restriction, not to exceed five (5) days;
- Cell or Cube Restriction, not to exceed ten (10) days;
- Disciplinary Detention (DD) in institutional Restrictive Housing Unit (RHU), not to exceed seven (7) days;
- Youthful Offender Security Detention (YOSD);
- Special Disciplinary Wing (SDW), not to exceed fifteen (15) days.

(NOTE: If the Accountability Board recommends that the offender be assigned to RHU or SDW, the recommendation must receive final approval from YOIS Program Coordinator or Division Director of YOPRS.)

6.6 Accountability Board Procedures: (Note: All Accountability Board meetings will be recorded and maintained according to current Agency guidelines for disciplinary hearings and YOIS policies and procedures.)

6.6.1 The Youthful Offender will be notified to report to the Accountability Board. Notification will be given to the Youthful Offender within 24 hours of scheduled appearance.

6.6.2 An SCDC Form 18-1, "Committee Docket," and SCDC Form 25-6, "YOIS/SHOCK Accountability Board Report," will be prepared for each Accountability Board meeting. Each offender will be required to sign the docket.

6.6.3 Each Youthful Offender will appear before and participate in the Accountability Board. The rules violation, to include the incident report, will be read to the Youthful Offender.

6.6.4 The Youthful Offender will be given the opportunity to respond to the charge(s), to include an account of his/her actions and a statement accepting/not accepting accountability for his/her actions.

6.6.5 The Accountability Board will provide immediate individualized counseling, if deemed appropriate, and/or refer offender to assigned counselor.

6.6.6 The Accountability Board will impose appropriate progressive consequences, when deemed necessary, to address the Youthful Offender's exhibited behavior.

6.6.7 The YOIS/SHOCK Accountability Board Report, identifying imposed consequences, must be reviewed and approved by the Institutional Warden/Associate Warden of Programs or stated designee prior to further processing.

6.6.8 Youthful Offender's placement in RHU or SDW (Turbeville C.I.) can only be approved by the YOIS Program Coordinator or Division Director of YOPRS.

6.6.9 The offender has the right to refuse the Accountability Board and request that the incident be referred to a disciplinary hearing; however, the DHO has the authority to levy additional consequences if the offender is found guilty of the incident. (NOTE: Should the offender decline informal or Administrative Resolution, the offender will sign and date SCDC Form 25-6, and it will be forwarded to the Hearing Officer by the YOIS institutional Major/designee.)

6.6.10 The offender waives any appeal rights including grievance rights under the SCDC Inmate Grievance System and those pursuant to *Al-Shabazz v. State* if s/he accepts the Accountability Board consequences.

6.7 Major Violations Heard by the DHO: The DHO and recorder will notify the offender and schedule the disciplinary hearing pursuant to SCDC Policy OP 22.14, "Inmate Disciplinary System." The DHO will hear the case and make a finding of guilty or not guilty. If the offender is found guilty, the DHO will administer appropriate consequences within the YOIS guidelines. For consequence timeframes imposed by the DHO, see Section 17., "Penalties Imposed by the Hearing Officer," in SCDC Policy OP 22.14, "Inmate Disciplinary System." A Youthful Offender referred to the DHO for violation(s) previously addressed through Informal Resolutions and by the Accountability Board will receive consequences as though it is the first (1st) offense.

6.7.1 Youthful Offenders in ST (PHD) status will be reviewed in seven (7) days by Institutional Classification, in accordance with SCDC Policy OP-22.38, "Restrictive Housing Unit (RHU)," until heard by the DHO.

6.7.2 If the DHO hears the case and assigns the offender to Disciplinary Detention time in Special Disciplinary/RHU, then the Warden/YOIS designee is responsible for reviews. Upon assignment of the offender to DD, the DHO/designee will notify YOIS Institutional Coordinator or Lead Counselor, who will coordinate movement with Classification and Institution Operations.

6.8 Youthful Offender Placement in Disciplinary Detention (DD)/Security Detention (SD): Youthful Offenders placed in Security Detention or Disciplinary Detention shall be managed and reviewed in accordance with SCDC Policy OP-22.38, "Restrictive Housing Unit," Section 2., "Placement in Disciplinary Detention," and Section 3., "Placement in Security Detention." ICC boards reviewing the Youthful Offender shall consist of the Warden/Associate Warden, Youthful Offender staff designee, Classification Caseworker, uniformed staff designee and Qualified Mental Health Professional, if the offender has a mental health designation. Youthful Offenders in Short Term Detention and Disciplinary Detention status may be reviewed for placement in Security Detention.

6.8.1 Transition from Disciplinary Detention (DD)/Security Detention (SD):

- **Security Detention:** If offender is assigned to Security Detention and it is determined that return to YOIS general population is appropriate, the Youthful Offender will transition through the Special Disciplinary Wing (SDW) prior to returning to YOIS general population. If determined that return to YOIS general population is not appropriate, the offender will be staffed with YOIS Program Coordinator, ICC, and Warden/designee for appropriate security/custody placement and transitioned to the appropriate institution through administrative reassignment.
- **Disciplinary Detention:** If determined that return to YOIS general population is appropriate, the Youthful Offender will be transitioned to YOIS general population. If determined that return to YOIS general population is inappropriate, the Youthful Offender's case will be staffed with YOIS Program Coordinator for administrative reassignment.
- **Youthful Offender Females in SD or DD:** If determined that return to YOIS general population is appropriate, the Youthful Offender will be transitioned to YOIS general population. If determined that return to YOIS general population is inappropriate, the Youthful Offender's case must be staffed with YOIS Program Coordinator and Warden/designee for assignment to Security Detention (SD) status.

NOTE: If the inmate is confined in an RHU, and there are protective concerns for the inmate, see SCDC Policy OP-22.23, "Statewide Protective Custody," for additional information.

6.9 Entering Disciplinary Information into the Automated System: All charges/imposed consequences will be entered into the Offender Management System's Disciplinary screen. The Accountability Board will be responsible for determining the resulting consequences and for providing the results to the designee for entry into the CRT. The Recorder or designee will be responsible for entering all disciplinary infractions, to include charges and findings, into the Disciplinary Screen.

7. SPECIAL DISCIPLINARY WING (SDW):

7.1 Special Disciplinary Wing (SDW): An intermediate level of services located at Turbeville Correctional Institution. SDW is designated for those Youthful Offenders who have failed to meet program expectations, are recommended for placement by the Accountability Board due to a disciplinary not warranting placement in RHU, and/or are in need of administrative reassignment (i.e., security/protective concerns; custody/security reduction and/or have received multiple disciplinary/security concerns).

7.2 Management of Youthful Offenders in Special Disciplinary Wing (SDW):

7.2.1 Youthful Offenders placed in SDW will transition through a level system in accordance with YOIS policies and procedures.

7.2.2 Youthful Offenders in SDW will receive a specialized YOIS curriculum to include group counseling, individual counseling, and education while progressing back to YOIS general population.

7.2.3 Placement on the SDW must be approved by the Warden/designee and documented on the appropriate forms and the Staff Memoranda.

7.2.4 Reviews of offenders placed on SDW will be conducted every thirty (30) days by designed YOIS personnel. All reviews will be recorded and documented on the appropriate review form with approval of level progression or transition into YOIS general population by the Warden/designee and Division of YOPRS personnel.

7.3 Transition of Youthful Offender from Special Disciplinary Wing (SDW) to YOIS General Population: The Youthful Offender can be recommended during their Case Management Review or at the recommendation of the Warden/designee to be reassigned from SDW to YOIS general population as the result of the offender's improved behavior and the offender's commitment to complete YOIS. This will be determined by the offender's willingness to comply with areas addressed on SCDC Form 25-7, "Behavioral Expectations of Participation." When an offender is recommended for transition to YOIS, the recommendation will be made on SCDC Form 25-12, "Special Disciplinary Review Form." The form must be signed by the appropriate authorities prior to the offender being released from SDW. The assigned institution will be responsible for arranging offender's transition to YOIS general population with the Division of Operations and Institutional Classification.

8. ADMINISTRATIVE REASSIGNMENT:

8.1 A Youthful Offender can be reassigned administratively within YOIS to meet Agency or facility needs, e.g., transfers, special service assignments, custody and security, etc., or when it is determined by the YOIS Program Coordinator that it is in the best interest of the Youthful Offender (i.e., new medical condition, psychological problem(s), administrative segregation, gang related, protective concerns, separation and caution, etc.) to be moved to another institution. All administrative reassignments of Youthful Offenders must be reviewed and approved by the YOIS Program Coordinator and the Division Director of YOPRS.

9. RELEASE OF YOUTHFUL OFFENDERS FROM SCDC INSTITUTIONAL CUSTODY:

9.1 Youthful Offenders may be Conditionally Released to community supervision, pursuant to the South Carolina YOA and policies and procedures established by the Division of YOPRS. Refer to Section 3, "Intensive Supervision Administrative Release Authority" (ISARA), for additional information.

9.2 The YOIS Case Manager is responsible for making recommendations to the ISARA pertaining to the Youthful Offender's institutional behavior and progress on SCDC Form 25-67, "Youthful Offender Release Recommendations: Correctional Institution."

9.3 Unconditional Release: At the YOA six (6) year sentence max out date, the offender will be released from SCDC institutional custody without any supervision obligation. Refer to Section 3, "Intensive Supervision Administrative Release Authority (ISARA)," for additional information.

10. REVOCATION OF YOUTHFUL OFFENDERS:

10.1 Revocation by Department of Probation, Parole and Pardon Services (DPPPS): The SCDC must receive copies of the Order of Revocation and violation warrant or notice of violation upon an offender's arrival at R&E. Offenders who are not transported with appropriate paperwork are subject not to be admitted to R&E. Following the DPPPS revocation hearing, the chairperson of the Revocation Board will provide the Division of YOPRS with a revocation packet on each Youthful Offender.

10.1.1 County detention facility authorities should provide copies of the Order of Revocation, violation warrant, and/or notice of violation to appropriate SCDC officials when the offender arrives at the R&E Center.

10.1.2 If the offender is transported from the detention facility by SCDC personnel, the transport officer should ensure that this paperwork is obtained from the detention facility authorities, prior to transport.

10.2 Revocation Approved by ISARA: Refer to Section 3, "Intensive Supervision Administrative Release Authority."

10.3 Reassignment to YOIS for Youthful Offenders whose Conditional Release has been revoked, or other appropriate disposition of the case including Unconditional Release to a straight sentence, will be made by the Division.

10.4 Youthful Offenders who have been revoked and have less than 90 days to max out (no absconction time) will be transferred to Turbeville or Trenton Correctional Institution for Reentry services.

10.5 Youthful Offenders returning to the SCDC with a new adult straight time sentence with no indication of violation of the YOA Conditional Release will be given their previous number without a "Y." If the Conditional Release is subsequently revoked, the offender's case will be reviewed and appropriate action taken in accordance with the Division of YOPRS guidelines.

10.6 The Division of YOPRS will receive automated notification from the Inmate Records Office when detainers are dropped after individuals have been revoked and when detainers are placed for violation of Conditional Release from DPPPS.

11. CONFIDENTIALITY OF RECORDS:

11.1 All information in a Youthful Offender's Case Management Records is confidential and will be treated as such. Information will not be released to anyone outside of the SCDC unless the Youthful Offender gives prior consent in writing on a SCDC Form 9-11, "Inmate/Resident Release of Information Consent."

12. CALCULATION OF ABSCONCTION (DEAD) TIME:

12.1 Inmate Records staff will review the paperwork on Youthful Offenders who have had their parole revoked to determine if dead time needs to be added. The time is calculated from the date the warrant is issued until the date the warrant is signed by the offender. After calculating the amount of time that has lapsed between the two dates, this time is added to the offender's six (6) year max out date. Dead time is noted via the Transfer and Count Menu (TRANCT) in the OMS and may entail multiple entries based on warrants received and continuation on parole.

13. PROCEDURES TO REQUEST JAIL TIME CREDIT:

13.1 Youthful Offenders are eligible for jail time credit when court-ordered (§ 24-13-40). If an offender has served jail time that has not already been processed for jail time credit by the Inmate Records Office, the Classification Case Manager/designee will complete SCDC Form 18-11, "Request for Jail Time," and forward the complete form to the appropriate point of contact in the Inmate Records Office. The Inmate Records Office will send the form to the appropriate county. Upon return of the form, the Inmate Records Office will provide the jail time credit information to the institution where the offender is assigned. For additional information see SCDC Policy OP-21.09, "Inmate Records Plan."

14. GUIDELINES FOR YOUTHFUL OFFENDERS WHO ALSO HAVE STRAIGHT TIME SENTENCES:

14.1 The Inmate Records Office will review the paperwork on Youthful Offenders who also have straight time sentences to determine type of sentence(s) and corresponding procedures.

Type of Sentence(s)	Procedures
Offender received at R&E as an initial gain with a YOA sentence and a concurrent straight sentence of nine (9) years or more.	Entered into the automated Offender Management System as a straight time offender with a HOLD for YOA certificate. The YOA sentence will be entered on the CONVICT screen. The YOA sentence will be marked Paroled by R&E personnel.
Offender received at R&E as an initial gain with a YOA sentence and a concurrent straight sentence of less than nine (9) years.	Entered into the automated Offender Management System as a YOA offender with a HOLD for YOA/ST review. The straight sentence will be entered on the CONVICT screen.
Offender is received at R&E as an initial gain with a YOA sentence and a consecutive straight sentence.	HOLD will be placed in the automated Offender Management System for YOA/ ST review. The offender will be entered in the automated Offender Management System as a YOA. The consecutive straight sentence will be entered on the CONVICT screen.
YOA goes to court on outstanding charges and receives a straight sentence.	Division of YOPRS will be notified by the Inmate Records Office staff when the staff generates the YOA/ST review HOLD. If the concurrent straight sentence exceeds the YOA four (4) [Initial Gains Revocator] or six (6) year date, the offender will be converted to a straight timer with a HOLD for YOA certificate. If the straight sentence does not exceed the YOA four (4) or six (6) year date, the offender will remain a YOA with a HOLD for YOA/ST review. The straight sentence will be entered on the CONVICT screen.
Straight timer goes to court on outstanding charges and receives a YOA sentence.	Division of YOPRS will be notified by the Inmate Records Office staff when the staff generates the YOA/ST review HOLD. If the straight sentence exceeds the YOA six (6) year date, the YOA sentence will be entered on the CONVICT screen and the offender will remain a straight timer. If the straight time sentence does not exceed the YOA six (6) year dates, the offender will remain a straight timer with a HOLD for YOA/ST review. The YOA sentence will be entered on the CONVICT screen.
Revocations	
Revoked YOA received at R&E with a two (2) year or more straight sentence.	Entered as a straight timer. A HOLD for YOA/ST review will be placed by R&E personnel.
Revoked YOA received at R&E with less than two (2) year straight sentence.	Entered as a YOA. A HOLD for a YOA/ST review will be entered by R&E personnel.
Revoked YOA received at R&E with a consecutive straight sentence.	Remains a YOA. The straight sentence will be entered on the CONVICT screen. A HOLD for YOA/ST review will be placed by R&E personnel.
YOA received at R&E with a straight sentence and no YOA parole revocation order.	Offender will be entered in the automated Offender Management System as a straight timer. The R&E personnel will be responsible for notifying the Division of YOPRS by placing a HOLD for YOA/ST Review with remarks noting specific information. The HOLD will also be sent to R&E Classification. For SCDPPPS revocations, Division of YOPRS liaison to SCDPPPS will notify the SCDPPPS to ensure that the revocation paperwork is initiated. Upon receipt of the SCDPPPS revocation order, the offender may be considered for Unconditional Release by the ISARA depending on the length of YOA community supervision previously served under SCDPPPS. Offenders approved for Unconditional Release will have their YOA sentence marked complete by Division of YOPRS staff. For Division of YOPRS revocations, Division staff will ensure paperwork is initiated. The straight sentence will be entered on the CONVICT screen. Upon receipt of the YOPRS revocation order, the offender will be reviewed by the ISARA for appropriate disposition. The CONVICT screen will be updated by the Division of YOPRS staff to reflect ISARA's disposition.
Revoked YOA assigned to the YOIS with a detainer who goes to court and receives a concurrent straight sentence of two (2) years or more (not reduced by jail time or time served).	The offender will be converted to a straight timer. A HOLD will be placed for YOA/ST review. The straight sentence will be entered on the CONVICT screen.

***All YOA/ST review HOLDs will remain in effect until review by Division of YOPRS personnel.

***All detainees should be processed using normal detainer guidelines. ***

15. SPECIALIZED POPULATIONS:

15.1 Seventeen (17) year olds: Mandatory Separation:

15.1.1 Adult Straight-timers: All seventeen (17) year olds convicted under an Adult Straight-time commitment must sleep separately from Adult Straight-timers and Youthful Offenders that are eighteen (18) years of age and above within suitable limitations of the institutional environment. Upon their eighteenth (18th) birthday, the offenders will be transitioned to general population.

15.1.2 Youthful Offenders: All seventeen (17) year old Youthful Offenders must sleep and complete recreation separately from Adult Straight-timers and Youthful Offenders that are eighteen (18) years of age and above. Upon their eighteenth (18th) birthday, offenders will be transitioned to general population to be housed with offenders that meet Classification requirements.

15.1.3 Institutional Activities: All seventeen (17) year old Adult Straight-timers and Youthful Offenders may attend school, religious services, visitation, group services, etc., with older inmates/offenders only when there is "sight and sound supervision" by an authorized SCDC employee.

15.1.4 Educational Services: All seventeen (17) year old Adult Straight-timers and Youthful Offenders must attend educational services until their high school diploma or GED can be obtained or verified.

15.2 South Carolina Department of Juvenile Justice (DJJ): YOIS will provide rehabilitative services and case management for young offenders sentenced as juveniles and transferred to the custody of the Department of Corrections upon reaching an appropriate age.

15.2.1 General Sessions: Juveniles who are sentenced in the Court of General Sessions under the SC YOA prior to their seventeenth (17th) birthday will initially be detained in the South Carolina DJJ. Upon transfer from DJJ to the Department, a Youthful Offender in the Division of YOPRS, is assigned to YOIS, and, when designated, begins receiving Intensive Supervision Services per YOPRS guidelines. SCDC acts as the releasing authority for General Sessions YOA Juveniles, as outlined in Section 3, "Intensive Supervision Administrative Release Authority."

15.2.2 Family Court: Juveniles who are adjudicated in Family Court prior to their seventeenth (17th) birthday and initially detained at DJJ can be transferred to SCDC and assigned to the Division of YOPRS, pursuant to the SC Juvenile Justice Code. Family Court Juveniles who receive rehabilitative services through YOIS, however, are subject to release by the Board of Juvenile Parole and not assigned to ISS. The Division is required to submit a quarterly progress report on Family Court YOA juveniles. Juvenile Parole quarterly reports must include program participation, educational progress, special needs, work history, and disciplinary history. The Division will advise assigned institutions of the requirement for these reports as the Juvenile Parole Board requests them. The YOIS Program Coordinator/designee is responsible for completing and submitting these quarterly reports.

15.2.3 Housing: Juvenile offenders will be housed and complete recreation separately from Youthful Offenders and Adult Straight-timers. At no time will they transition to general population, as long as they are classified as Juvenile Offenders.

15.2.4 Educational Services: All Juvenile Offenders must attend educational services until their high school diploma or GED is obtained or can be verified.

15.3 South Carolina Department of Probation, Parole, and Pardon Services (DPPPS) Legacy Cases: Offenders meeting the following criteria may be transferred for services under the Division of YOPRS, to include YOIS and ISS.

15.3.1 Offenders previously under DPPPS's YOA parole/community supervision for more than one (1) year, and meeting the following:

- Returned to SCDC on a new, adult straight sentence(s) (no YOA revocation packet received from DPPPS);
- Have more than three (3) months left to serve on YOA sentence(s) before reaching the YOA six (6) year sentence max out date;
- Not located at a work release correctional institution.

15.3.2 Offenders with adult straight and YOA sentences to serve, and meeting the following:

- Have never been revoked by DPPPS on his/her YOA community/parole supervision;
- Have adult straight sentence(s) not projected to be completed until after his/her projected YOA Conditional Release date (NOTE: See "Guidelines for Youthful Offenders who also have straight time sentence(s)" above for additional information).

15.4 Mental Health:

15.4.1 Youthful Offenders who are managed by YOIS and classified as mentally ill will receive mental health services, pursuant to HS-19.02, "Mental Health Services." All offenders classified as mentally ill must sign a release of information giving YOIS permission to access all Protected Health Information (PHI).

15.4.2 Primary case management and mental health services for Youthful Offenders classified as MI-3 or MI-4 will be provided by the Clinical Correctional Counselor (CCC) or qualified YOIS personnel.

15.4.3 Primary case management and mental health services for Youthful Offenders classified as MI-1 or MI-2 will be provided by a CCC. The CCC will provide the YOIS Program Coordinator or authorized YOIS personnel with a monthly report outlining the offender's progress with treatment goals and objectives, medication compliance, and any additional information required or requested by the Division of YOPRS.

15.4.4 In order to maintain the continuity of care, a CCC or qualified mental health professional will coordinate with YOIS personnel to provide assistance in obtaining appropriate mental health care services for Youthful Offenders transitioning to community supervision under Intensive Supervision Services.

15.5 SHOCK Incarceration: See SCDC Policy PS-10.12, "SHOCK Incarceration" for additional information.

15.6 Youthful Sex Offenders: See SCDC Policy PS-10.11, "Sex Offender Treatment Program (SOTP)" for additional information.

16. SELECTION AND TRAINING OF YOIS UNIFORMED STAFF MEMBERS:

16.1 Uniformed personnel assigned to a YOIS unit shall be selected carefully and regularly evaluated by supervisory personnel. Selected uniformed personnel must exhibit effective communication skills, patience, and the desire to work with young offenders. Specialized training will be taught to newly assigned staff of a YOIS unit concerning rules governing its operations, conflict resolution, and needs/problems associated with young offenders. If possible, this training will be made available prior to unit assignment. The orientation and training must be appropriately documented through the SCDC Training Academy.

16.2 Removal from YOIS Unit: If any uniformed personnel assigned to a YOIS unit receives formal employee corrective action, it is at the discretion of the YOIS Program Coordinator and Associate Warden to consider the uniformed personnel's removal from the YOIS unit. Reinstatement into the YOIS unit requires approval from the Associate Warden and YOIS Program Coordinator.

SECTION TWO: INTENSIVE SUPERVISION SERVICES (ISS)

17. RESPONSIBILITIES:

17.1 The Division Director of YOPRS is responsible for overseeing and managing ISS under the guidance of the Deputy Director of Operations.

17.2 Training: All newly assigned staff who work directly with ISS must attend ISS training within six (6) months of their hire date (unless an extension has been granted by the Division Director of YOPRS). Other program specific training will be conducted as needed and directed by the Division of YOPRS.

17.3 Intensive Supervision Officers (ISOs) assigned to ISS are responsible for:

- Making appropriate and timely computer entries (additions, changes, and deletions as they pertain to ISS, and other related areas);
- Developing a consistent schedule to meet with the Youthful Offender at the offender's assigned YOA institution and coordinate with Rehabilitation Correctional Counselors and SCDC institutional staff to develop a comprehensive reentry plan prior to the Youthful Offender's Conditional Release;
- Developing an appropriate residential plan for the Youthful Offender prior to Conditional Release;
- Serving as case manager and arranging services for Youthful Offenders under ISS within the community;
- Developing and maintaining an updated Case Management Plan (CMP);
- Utilizing graduated responses to deter non-compliance, as well as incentives to promote positive behavior;
- Establishing and coordinating Intensive Supervision Community Reentry Team (ISCRT) meetings to update community stakeholders on each Youthful Offender's CMP and coordinate services/referrals; and
- Monitoring and supervising of the Youthful Offender's release guidelines.

18. OFFENDER SUPERVISION:

18.1 Supervision While in SCDC Institutional Custody: Each Youthful Offender incarcerated at SCDC and assigned to ISS will be assigned an ISO, who will see the offender at least once per month upon admission to a YOA institution. During the incarceration period, the ISO's primary responsibility will be to assess and plan for the Youthful Offender's successful reentry into the community to include residential planning, risk/asset assessment, and case management development.

18.1.1 The Youthful Offender's ISO and the Youthful Offender will determine an approved residential address prior to Youthful Offender's projected Conditional Release date. The approved residential address will be documented on SCDC Form 25-88, "Offender Residence Assessment." SCDC Form 25-86, "Offender Residence Assessment: Sex Offenders" must subsequently be completed on all Youthful Offenders convicted of CSC with a minor (1st and 2nd offense), assault with intent to commit CSC with a minor, kidnapping of a person under the age of eighteen (18), or trafficking in persons under the age of eighteen (18).

18.1.2 The ISO is responsible for administering the Global Risk Assessment Device (GRAD) to the Youthful Offender. Refer to Paragraph 3, "Global Risk Assessment Device."

18.1.3 Case Management Plan (CMP) Development: After the assessment period, the assigned Youthful Offender's ISO and the Youthful Offender together will develop a "Case Management Plan" (CMP), SCDC Form 25-79. The CMP will be reviewed and revised quarterly, and as needed. The CMP will reflect the Youthful Offender's goals and risks/assets identified by the GRAD.

18.1.4 Intensive Supervision Officers/Rehabilitation Correctional Counselors: ISOs and Rehabilitation Correctional Counselors will work closely together and maintain open communication. They will routinely discuss the needs and progress of a Youthful Offender. An ISS regional representative will participate in ROF to provide input on SCDC Form 25-84, "ISS:

Reentry Offender Focus Staffing Form, ♦♦? for each Youthful Offender's transition to Reentry services within the YOA institution.

18.1.5 Conditional Release: Youthful Offenders may be Conditionally Released to community supervision, pursuant to South Carolina YOA and policies and procedures outlined in Section 3, "Intensive Supervision Administrative Release Authority. ♦♦? The ISO is responsible for making recommendations to the ISARA pertaining to the ISO's assessment and plan for the Youthful Offender's successful community reentry.

18.2 Community Case Supervision: ISOs provide community parole supervision for Youthful Offenders granted Conditional Release from SCDC institutional custody. A Youthful Offender released on ISS in the community is required to maintain constant and direct contact with his/her assigned ISO, as defined by Paragraph 2.2.1, "Levels of Supervision. ♦♦? The ISO is responsible for ensuring that the Youthful Offender is participating in structured and productive daily activities. The ISO will coordinate services for the Youthful Offender and monitor his/her progress by maintaining regular contact with service providers. The duration and focus of contacts will be determined by the CMP. New developments, concerns, or problems, as well as progress/lack of progress, offender statements, and other relevant data, will be documented in the ISS Web Application.

18.2.1 Levels of Supervision: A Youthful Offender's level of supervision upon Conditional Release from SCDC institutional custody is outlined in the ISS Standard Operating Procedures. At any time, a Youthful Offender's supervision level may be reduced or intensified as a result of his/her progress or lack of progress with supervision conditions.

18.2.1.1 Intensive Level of Supervision: Youthful Offenders on an Intensive Level of Supervision in the community will receive a minimum of one weekly contact from the ISO, to include monthly evening and weekend visits. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

18.2.1.2 Moderate Level of Supervision: Youthful Offenders on a Moderate Level of Supervision in the community will receive a minimum of two contacts per month from the ISO, to include a monthly evening or weekend visits. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

18.2.1.3 Transitional Level of Supervision: Youthful Offenders on a Transitional Level of Supervision in the community will receive a minimum of one face-to-face and one phone contact per month from the ISO. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

18.2.1.4 Supervision While in Placement: A Youthful Offender Conditionally Released from SCDC institutional custody to a secure placement for ISS community supervision, to include detention center or inpatient treatment facility, requires the ISO to verify the Youthful Offender's location on his/her release date and make monthly contact thereafter.

18.3 Case Management Plan (CMP) Review: The ISO is responsible for conducting and documenting CMP reviews on SCDC Form 25-79 with Youthful Offenders quarterly and updating as needed. During reviews, Youthful Offenders demonstrating compliance with supervision and progression in his/her case management objectives may be considered for reduction in supervision level pursuant to ISS policies and procedures.

18.4 Youthful Offenders must be randomly drug tested on ISS, in accordance with ISS policies and procedures. The appropriate documentation of results will be reported on SCDC Form 8-17, "Inmate Drug Testing. ♦♦? SCDC Form 25-80, "Drug Testing Refusal. ♦♦? or SCDC Form 25-82, "Drug Testing Voluntary Admission. ♦♦? Offenders who test positive, refuse drug testing, and/or provide a voluntary admission to drug use while on community supervision will be subject to appropriate interventions pursuant to Paragraph 6, "Youthful Offender Interventions. ♦♦? ISOs will ensure that results are properly and promptly documented and communicated to the appropriate personnel.

18.5 Travel Authorization for Temporary Out-Of-State Travel:

18.5.1 The Division may approve temporary travel for purposes other than relocation to Youthful Offenders on community supervision who request to travel to another state for less than thirty (30) days. Youthful Offenders requesting authorization for temporary out-of-state travel shall be determined by ISS staff on a case-by-case basis, considering the circumstances of the case and the reason for travel. Travel permits shall be issued at the informed discretion of the ISO and RRC/designee pursuant to ISS policies and procedures, and should be considered as an incentive for Youthful Offenders in compliance with their conditions of supervision and CMP. Upon RRC approval, the ISO is responsible for:

- Completing SCDC Form 25-85, "Offender Out-of-State Travel Permit and Agreement to Return. ♦♦? citing the time frame, location(s) to which the offender is traveling, and any reporting instructions.
- Notifying the designated Youthful Offender verbally and in writing by using SCDC Form 25-85 for approved Out-of-State Travel Instructions. Each Youthful Offender will acknowledge receipt of this information by signing in the appropriate section of the "Offender Out-of-State Travel Permit and Agreement to Return. ♦♦? ISO will ensure that one (1) signed SCDC Form 25-85 is provided to the designated Youthful Offender, and one (1) signed SCDC Form 25-85 is uploaded to the ISS Web Application.
- **Commuting Offenders:** The ISO may, at his/her discretion and RRC/designee approval, authorize temporary travel to offenders who are employed in another state and commute regularly for work purposes. Before approving the travel, the ISO must verify the employment in the receiving state and subsequently every thirty (30) days prior to the re-issuing of SCDC 25-85.

- A "Youthful Offender Release: Arrest Warrant, ◆◆? SCDC Form 25-70, will be issued on any Youthful Offender who fails to comply with conditions outlined on SCDC Form 25-85.

19. GLOBAL RISK ASSESSMENT DEVICE (GRAD):

19.1 All Youthful Offenders, receiving ISS, will be assessed using the GRAD. The GRAD documents patterns of behavior, resource needs, and assets that impact the well-being of the Youthful Offender in different spheres of an offender's life. The GRAD addresses both risks (mental health issues, substance use, sociability concerns, career development) and assets (individual strengths, positive leisure time, family/mentor support, workforce readiness) proven relevant to the offender population.

19.2 Completion and documentation of the GRAD will be the responsibility of the assigned YOIS or ISS personnel. The completed GRAD will be utilized in the development of the institutional Individualized Rehabilitation Plan and community Case Management Plan and serve as the basis for recommendations and referrals for services in both the institutional and community settings.

19.3 The GRAD will be completed in a time frame consistent with YOIS and ISS policies and procedures.

20. COMMUNITY REENTRY TEAM:

20.1 The Intensive Supervision Community Reentry Team (ISCRT) represents a compilation of community resources/services including service providers, human resource organizations, law enforcement agencies, and other community stakeholders assembled by the ISO. The ISCRT is utilized to review, recommend, and coordinate services/referrals for each Youthful Offender's CMP. Each Youthful Offender's ISO will keep the ISCRT informed of each offender's progress or lack of progress and will request/seek any additional support or resources as needed. These ISCRT staffings must be documented in the ISS Web Application.

20.2 Presentation of Cases to ISCRT: Cases may be presented by the assigned ISO or ISS regional representative at the ISCRT under the following conditions:

- Completion of new GRAD assessment;
- Recommendations for Conditional Release from SCDC institutional custody;
- Development of CMP;
- Changes to supervision status;
- Recommendations for referrals;
- Discussion/updates;
- Quarterly updates or standard updates on CMPs.

20.3 Frequency of ISCRT Staffing: Each county's ISCRT will meet monthly and as staffing needs occur. Youthful Offenders while in SCDC institutional custody will be staffed at least upon completion of the GRAD assessment and prior to release to ISS community supervision. ISCRT staffings for Youthful Offenders on community supervision should occur based upon the offender's individualized needs.

21. RESTITUTION:

21.1 Prior to the Youthful Offender's Conditional Release to community supervision, the ISO shall review all sentences to determine whether the Youthful Offender has been ordered to pay restitution. The ISO will discuss restitution payments with the Youthful Offender and respond appropriately in circumstances where restitution nonpayment is willful. Youthful Offenders will not be Unconditionally Released from ISS in circumstances where restitution is owed, unless a Civil Judgment has been obtained. Consideration and submission of a Civil Judgment will be conducted pursuant to ISS policies and procedures.

22. YOUTHFUL OFFENDER INTERVENTIONS:

22.1 An ISO will utilize progressive supervision practices to hold the Youthful Offender accountable for conditions of release. Any Youthful Offender not abiding to the conditions established in his/her "Youthful Offender Conditional Release Certificate, ◆◆? SCDC Form 25-70, is in violation of his/her ISS Conditional Release. All violations and violation responses must be properly documented in ISS Web Application.

22.2 Graduated Responses: The purpose of the Graduated Response process is designed to hold the Youthful Offender accountable for his/her behavior and elicit alternative positive behaviors. For technical violations requiring a Graduated Response, the appropriate documentation, SCDC Form 25-83, "Graduated Response Agreement, ◆◆? and Youthful Offender notification must be uploaded in the ISS Web Application. The ISO has the authority to impose and/or recommend sanctions including, but not limited to:

- Verbal or Written Reprimand;
- Community Service;
- Drug Testing;
- Electronic Monitoring;
- Home Arrest;
- Community Agency Referral;
- Treatment/Residential Placement;
- Modification of Driving or Curfew Privileges;

- Restitution;
- Administrative Review;
- Other Modification of Supervision Conditions.

22.3 Incentives: ISS practices and principles rely heavily on teaching accountability and promoting prosocial changes in thoughts and behavior that previously may have contributed to criminal behavior. Youthful Offenders who maintain compliance with supervision conditions and/or complete case management objectives may be eligible for incentives. The ISO may determine what constitutes as an incentive, including, but not limited to: reduction in supervision level, verbal or written recognition of achievement, donated goods or gift cards, and other modifications to supervision conditions. The ISO will ensure that the utilization of any incentive(s) will be properly and promptly documented in the ISS Web Application.

22.4 Warrants: Pursuant to the South Carolina YOA and the Division of YOPRS, an ISO has the authority, in circumstances of major violations of the Youthful Offender's "Conditional Release Certificate, ♦♦? SCDC Form 25-70, to recommend SCDC Form 25-73, "Youthful Offender Release: Arrest Warrant, ♦♦? be issued. The ISO must staff all requests for a "Youthful Offender Release: Arrest Warrant ♦♦? with his/her RRC or designee.

22.5 Administrative Review: An Administrative Review is conducted in circumstances where a Youthful Offender has been arrested on a YOA warrant or where additional interventions may be necessary. The Administrative Review entails a neutral division member to serve as the Administrative Review Officer (ARO) and requires the attendance of the Youthful Offender and the assigned ISO. The ARO is responsible for reviewing the violations orally with the Youthful Offender and providing the opportunity for the Youthful Offender to respond. The ARO may impose additional modifications to supervision, to correct the behavior and return the Youthful Offender to community supervision, utilizing SCDC Form 25-77, "Jail Release Continued Supervision Order ♦♦? or recommend the Youthful Offender's return to SCDC institutional custody, SCDC Form 25-74 "SCDC Violation of Parole Order for Return to Custody. ♦♦? The ISARA is responsible for reviewing and approving any Youthful Offender's case where a return to SCDC institutional custody is the recommended outcome of the review. Refer to Section 3, "Intensive Supervision Administrative Release Authority. ♦♦?

23. UNCONDITIONAL RELEASE OF YOUTHFUL OFFENDERS FROM SUPERVISION:

23.1 Pursuant to the South Carolina YOA, all Youthful Offenders in compliance with supervision may be considered for Unconditional Release from ISS after completing one year of community supervision. EXCEPTION: Youthful Offenders at their YOA six (6) year sentence max out date must be released from supervision.

23.2 Case Closure Request: Youthful Offenders may be recommended for Unconditional Release from supervision after the case has been staffed by the ISO and RRC, ninety (90) days prior to the Youthful Offender's projected Unconditional Release from supervision date. In accordance with ISS policies and procedures, a "Case Closure Request, ♦♦? SCDC Form 25-78, will be completed by the ISO for any Youthful Offender recommended for Unconditional Release from supervision and forwarded to the ISARA. All decisions regarding Youthful Offenders Unconditional Release from supervision will be made by the ISARA, refer to Section 3, "Intensive Supervision Administrative Release Authority. ♦♦?

24. DOCUMENTATION:

24.1 All ISS contacts will be properly and promptly documented in the ISS Web Application according to the ISS policies and procedures.

25. INTERSTATE COMPACT:

25.1 The South Carolina DPPPS will serve as liaison between the SCDC and the South Carolina Interstate Parole Compact Administrator concerning all Compact matters regarding Youthful Offenders. When a Youthful Offender informs an ISO that s/he would like to live out of state while on community supervision, the ISO is responsible to make contact with the Youthful Offender to get the necessary information and forms that require signature. The Division of YOPRS will then forward the forms to the South Carolina DPPPS for processing no earlier than four (4) months prior to release.

26. CONFIDENTIALITY OF RECORDS AND RELEASE OF INFORMATION:

26.1 Release of the information contained in the ISS Web Application is confidential unless the Youthful Offender gives prior consent in writing on SCDC Form 25-75, "Offender Records and Information Release Authorization. ♦♦? Release of Information will be obtained prior to any contact with other agencies or relatives of Youthful Offenders. ISOs will provide criminal justice agencies requesting information on a Youthful Offender who is suspected of involvement in a crime, with information that the ISO has observed, not information personally shared by the Youthful Offender.

SECTION THREE: INTENSIVE SUPERVISION ADMINISTRATIVE RELEASE AUTHORITY

27. GENERAL PROVISIONS:

27.1 Pursuant to the South Carolina YOA, SCDC has the legal authority to Conditionally Release any Youthful Offender from SCDC institutional custody. SCDC has designated this authority to the ISARA. The ISARA is a three-member panel of different disciplines

within corrections, to include a victim representative. The ISARA will, at a minimum, meet monthly to consider and approve/disapprove the Conditional Release of Youthful Offenders to ISS in the community and approve/disapprove any Youthful Offender's case where a return to SCDC institutional custody is the recommended outcome of the Administrative Review.

28. RELEASE OF YOUTHFUL OFFENDERS FROM SCDC INSTITUTIONAL CUSTODY:

28.1 A person who has been sentenced for the first time as a Youthful Offender may be incarcerated in SCDC for up to four (4) years. An offender who has parole revoked must be released when the number of days incarcerated in SCDC institutional custody plus the number of days on YOA parole/community supervision and any applicable dead time equals the YOA six (6) year sentence max out date or the statutorily maximum for the sentence imposed. At the YOA six (6) year sentence max out date or the statutorily maximum for the sentence imposed, the offender will be released without any supervision obligation.

29. CONDITIONAL RELEASE PROCESS:

29.1 The purpose of ISARA is to review release recommendations for Youthful Offenders approaching Conditional Release. The release authority process consists of a threefold review by the ISARA of the Youthful Offender's institutional behavior and progress: SCDC Form 25-67, "Youthful Offender Release Recommendation: Correctional Institution; ISO's assessment and plan for offender's successful community reentry, SCDC Form 25-69, "Youthful Offender Release Recommendation: ISS Region; and verification that victim/witness notification requirements have been completed, SCDC Form 25-71, "Youthful Offender Release Recommendation: Victim Services.

29.2 When a Youthful Offender is within seventy-five (75) days of projected Conditional Release date, the YOIS Rehabilitation Correctional Counselor, Division of Victim Services, and ISS Region submits release recommendations to ISARA for review. Any pertinent information that is received by the Division of YOPRS that may affect an offender's release (detainers, new charges, consecutive sentence, etc.) is distributed to the appropriate correctional institution and ISS Region.

29.3 If a Youthful Offender is not approved for Conditional Release by the ISARA, the Division of YOPRS will return this disapproval to the correctional institution, Division of Victim Services, and ISS Region. The ISARA will notify all entities of next projected conditional release date and provide reason(s) for ISARA's disapproval. Division staff will enter the new projected Conditional Release date in the ISS Web Application. The YOIS Rehabilitation Correctional Counselor will notify the offender of this disapproval, and the ISO will review the disapproval reason(s) with the offender during the next monthly visit to the correctional institution.

29.4 Conditional Releases:

- If an offender is approved for Conditional Release by the ISARA, the Division of YOPRS will return this approval to the correctional institution, Division of Victim Services, and ISS Region. Division staff will enter the approved offender on the agency's mainframe maxrel screen.
- ISO will notify verbally and in writing by using SCDC Form 25-70, "Youthful Offender Conditional Release Certificate," the designated Youthful Offender of approved Conditional Release date. Each Youthful Offender will acknowledge receipt of this information by signing in the appropriate section of the "Youthful Offender Conditional Release Certificate. ISO will ensure that a signed SCDC Form 25-70 and SCDC Form 25-90, "ISS: Parole Transportation Plan, is provided to designated personnel at each institution serving Youthful Offenders thirty (30) days prior to Conditional Release.
- Should there be changes in a Youthful Offender's Conditional Release status, the correctional institution, the ISS Region, or the Division of Victim Services may submit a "Youthful Offender Emergency Hold Recommendation: C.I. (EHR), SCDC Form 25-66, "Youthful Offender Emergency Hold Recommendation: ISS Region, 25-68, and "Youthful Offender Emergency Hold Recommendation: Victims Services. SCDC Form 25-72, to ISARA for consideration. The ISARA will review the EHR and make an informed decision as to the offender's EHR approval or disapproval. If approved, a new projected Conditional Release date will be distributed to the correctional institution, ISS Regions, and the Division of Victim Services from the Division of YOPRS. If disapproved, ISARA is responsible for providing all above parties with reason(s) for disapproval. Division staff will enter the new projected Conditional Release date in the ISS Web Application.
- No Youthful Offender will be released without official notification from the Division of YOPRS.
- All Youthful Offenders' victims will be notified prior to their release by the Division of Victim Services.
- EXCEPTIONS: Non-conforming statutory violent offenders must serve a minimum of thirty-six (36) months. All Youthful Offender convicted of Burglary, 2nd, non-violent on June 2, 2010, or after will serve a minimum of thirty-six (36) months. Juveniles who were adjudicated by a Family Court Judge can only be released by the Juvenile Parole Board on or before their 21st birthday.

30. REVOCATION OF YOUTHFUL OFFENDERS:

30.1 For all Youthful Offender Administrative Reviews in which the return to SCDC institutional custody is recommended, the ISARA will receive a violation packet, to include SCDC Form 25-74, "SCDC Violation of Parole Order for Return to Custody, from the ARO, in accordance with policies and procedures of ISS. The ISARA is responsible for reviewing the violation packet and approving/disapproving the recommendation to return the Youthful Offender to SCDC institutional custody.

30.2 The ISARA should establish final disposition prior to Youthful Offender's arrival at R&E. Upon final disposition, the ISARA should submit copies of the "Youthful Offender Release: Arrest Warrant, ♦♦? SCDC Form 25-73, the "SCDC Violation of Parole Order for Return to Custody Order, ♦♦? SCDC Form 25-74, and the violation report to R&E.

31. UNCONDITIONAL RELEASE FROM SUPERVISION PROCESS:

31.1 When a Youthful Offender, eligible for Unconditional Release, is within forty-five (45) days of projected Unconditional Release date, the ISS Region submits "Case Closure Request, ♦♦? SCDC Form 25-78, to the ISARA for review.

31.2 If an offender is not approved for Unconditional Release from supervision by the ISARA, the Division of YOPRS will return this disapproval and notification of next projected Unconditional Release date to the ISS Region.

31.3 If an offender is approved for Unconditional Release from supervision by the ISARA, the Division of YOPRS will return this approval to ISS Region, who is responsible for notifying the Youthful Offender, in accordance to ISS policies and procedures.

- No Youthful Offender will be released without official notification and documentation from the Division of YOPRS.
- All Youthful Offenders' victims will be notified at the time of the Youthful Offender's Unconditional Release from supervision by the Division of Victim Services.
- At the YOA six (6) year sentence max out date, the Youthful Offender will be Unconditionally Released from supervision without any further obligation.

SECTION FOUR: DEFINITIONS

Accountability Board refers to a three-member Administrative Hearing panel of corrections professionals that is responsible for reviewing all minor incident reports received during the week and determining appropriate consequences for the incidents as specified in this policy and YOIS procedures.

Case Management Plan (CMP) refers to an individualized service plan for the Youthful Offender that is part of and consistent with the offender's community supervision conditions.

Civil Judgment is an order signed by a General Session Court Judge and recorded with the Clerk of Court in favor of the victim and against the offender for the balance of the unpaid restitution pursuant to the S.C. Code 17-25-323. The offender is legally obligated to pay the restitution balance through the Clerk of Court. The Civil Judgment will remain in force for a period of ten (10) years or until the restitution balance is paid in full.

Conditional Release refers to releasing a committed Youthful Offender from SCDC institutional custody to ISS community parole supervision, under conditions which outline the restrictions and requirements of his/her release. Breach of any condition may revoke the Youthful Offender's release order.

Family Court YOA Juveniles refers to juveniles who were adjudicated in Family Court prior to their 17th birthday and initially detained in the South Carolina Department of Juvenile Justice (SCDJJ). Family Court YOA juveniles are sentenced to be incarcerated until the age of twenty (21) or until sooner released by the SC Board of Juvenile Parole. Family Court YOA juveniles are transferred to the Department, based upon age and offense guidelines established by SCDJJ.

General Sessions YOA Juveniles refers to juveniles who are sentenced in General Sessions Court under the South Carolina YOA prior to their 17th birthday. Prior to their 17th birthday, General Sessions Youthful Offenders are initially detained in the South Carolina Department of Juvenile Justice (SCDJJ). When the General Sessions YOA Juvenile turns 17 years of age, s/he is transferred to the SCDC as a Youthful Offender and assigned to the Division of YOPRS. SCDC acts as the releasing authority for General Sessions YOA Juveniles, as outlined in Section 3, "Intensive Supervision Administrative Release Authority. ♦♦?

Global Risk Assessment Device (GRAD) refers to the assessment tool of choice for the Division of YOPRS. The GRAD addressed specific risk (mental health issues, substance abuse, sociability concerns, career development) and assets (individual strengths, positive leisure time, family/mentor support, workforce readiness) that are salient to the lives of the offenders. The information gathered from the GRAD is utilized to drive case planning activities insofar as it provides the evidence needed to make recommendations and referrals for services in both the institution and community.

Individualized Rehabilitation Plan refers to an outline of individualized services for the Youthful Offenders while in SCDC institutional custody.

Intensive Supervision Administrative Release Authority (ISARA) refers to a panel of corrections professionals, to include a victim representative, which considers and approves/disapproves the release of Youthful Offenders to Intensive Supervision in the community and Unconditional Release from supervision. The ISARA also considers and approves/disapproves a Youthful Offender's case in which a return to SCDC institutional custody is the outcome of the Administrative Review.

Intensive Supervision Community Reentry Team (ISCRT) refers to a team consisting of community resources/services, including service providers, human resource organizations, law enforcement agencies, and other community stakeholders assembled by the ISO. The ISCRT is utilized to review, recommend, and coordinate services/referrals for each Youthful Offender's CMP.

Intensive Supervision Officers (ISO) refers to individuals who provide community parole supervision for Youthful Offenders assigned to ISS. The ISO is responsible for monitoring release guidelines and CMP of the assigned Youthful Offender, and making referrals to services based upon the offenders' identified needs/assets. Each Youthful Offender is assigned an ISO at the time of admission to SCDC.

Offender Focus refers to YOIS CMTs that are utilized to monitor and address the Youthful Offender's needs, behavior, progress/lack of progress, sanctions, privileges and referrals. Each Offender Focus may consist of personnel, relevant to the offender's case, from multiple disciplines to include YOIS Institutional Coordinator, YOIS Rehabilitation Correctional Counselor, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, Classification, and Prison Industries.

Regional Reentry Coordinator (RRC) refers to the individual who provides regional coordination and ongoing implementation of ISS. The RRC provides direct technical assistance and supervision to ISOs assigned to a region and insures the practice of quality case management.

Rehabilitation Correctional Counselor (RCC) refers globally to Division of YOPRS staff responsible for providing therapeutic counseling services to the Youthful Offender population in SCDC institutional custody. The Lead RCC refers to the individual at the institutional level who is designated to supervise other RCC's assigned to that institution and coordinate Offender Focus sessions.

South Carolina Youthful Offender Act (YOA) refers to Chapter 19, Section 24, of the South Carolina Code of Laws, as amended.

Special Needs Offenders refers to Youthful Offenders with medical, mental health, and/or other special considerations who require more specialized services. Special needs Youthful Offenders will be assigned to an appropriate institution based on their needs while in SCDC institutional custody. The Division of YOPRS is still responsible for monitoring the Youthful Offender's institutional progress, recommending his/her release to ISS community supervision, developing a comprehensive reentry plan, and arranging appropriate services upon Conditional Release.

Travel Permit/Pass refers to written permission granted to offenders authorizing travel from one state to another.

Unconditional Release refers to discharging a Youthful Offender from his/her YOA sentence, on or before the Youthful Offender's YOA six (6) year sentence max out date. A Youthful Offender may be Unconditionally Released from supervision at the expiration of one year from the date of his/her Conditional Release.

YOIS Case Manager refers to staff who are responsible for monitoring the behavior and performance of assigned Youthful Offenders. Each Youthful Offender is assigned a YOIS Case Manager.

Youthful Offender refers to an offender who is at least 17 but less than 25 years of age at the time of conviction, referred to ISS, and who is sentenced under the South Carolina YOA, as defined in Chapter 19, Section 24, of the South Carolina Code of Laws, as amended, for a crime that is a misdemeanor, a Class E or F felony, or a felony which provides for a maximum term of imprisonment of 15 years or less.

Youthful Offender Security Detention (YOSD) refers to the placement of a Youthful Offender in Security Detention for an initial period of thirty (30) days. At the end of the thirty (30) day period, the CMT reviews the offender to determine if his/her performance and behavior allow his/her return to YOIS activities.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

Shock Incarceration (SCDC Policy PS-10.12)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.

- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY/PROCEDURE

Change 1 to PS-10.12, Shock Incarceration [13](#).

NUMBER: PS-10.12

TITLE: SHOCK INCARCERATION

ISSUE DATE: APRIL 1, 2004

RESPONSIBLE AUTHORITY: DIVISION OF YOUNG OFFENDERS

OPERATIONS MANUAL: PROGRAM SERVICES

SUPERSEDES: NONE

RELEVANT SCDC FORMS/SUPPLIES: 18-14, 18-54, 19-11, 19-145, 25-27 (Available from the Division of Young Offenders)

ACA/CAC STANDARDS: 3-4099, 3-4123, 3-4279, 3-4284, 3-4291, 3-4318, 3-4380, 3-4389, 3-4395, 3-4439, 3-4440, 3-4441-1

STATE/FEDERAL STATUTES: South Carolina Code of Laws, 1976, as amended, Sections 24-13-1310 through 24-13-1330; South Carolina Code of Regulations, Section 33-2.

PURPOSE: To establish guidelines for identification, processing, placement, programming, and parole of eligible inmates placed in the Shock Incarceration Program (SIP).

POLICY STATEMENT: The Shock Incarceration Program (SIP) is a program to which eligible inmates are ordered by the Court to participate and serve 90 days in an incarceration facility designated as a "Shock" facility by the Director, SCDC. The program provides rigorous physical activity, intensive regimentation, and discipline, and rehabilitation therapy, and programming as set forth under South Carolina Code of Laws, 1976, as amended, Sections 24-13-1310 through 1330. (3-4395)

SPECIFIC PROCEDURES:

1. GENERAL GUIDANCE/ELIGIBILITY:

1.1 The SIP Coordinator will be responsible for the overall management of the SIP and will report to the Division Director, Young Offender Services. Pursuant to SCDC Policy/Procedure ADM-11.36, "Dual Supervision," all personnel who are working in, or whose official work site is located in, an SCDC institution/center are under the general supervision of the Warden or designee during the time that they are in the institution and will at all times comply with Agency policies/procedures including approved institutional/center rules. See SCDC policy/procedure ADM-11.36, "Dual Supervision," for additional information.

1.2 An inmate ordered by the court for screening to enter the SIP must meet the following eligibility criteria:

- Must not have reached the age of 30 years at the time of admission to the department;
- Is eligible for release on parole in two (2) years or less (eight (8) years incarcerative or suspended sentence);
- "no parole offense" as defined in Section 24-13-100;
- Has not been incarcerated previously in a state correctional facility or has not served a sentence previously in a Shock Incarceration Program (no prior commitment over 90 days); and
- Is physically and mentally able to participate in the program.

2. EVALUATION FOR PLACEMENT IN SHOCK:

2.1 When an inmate who has been ordered to screened for the SIP arrives at Kirkland or Graham Reception and Evaluation (R&E) Center, the designated R&E employee will notify the SIP Coordinator, or designee that the inmate has arrived and was ordered to undergo an evaluation for possible placement in the SIP. The SIP Coordinator or designee will log the arrival date of the inmate and authorize the R&E to proceed with the evaluation process.

2.2 The R&E will schedule the inmate to undergo a comprehensive physical and psychological examination. These tests must be completed within 15 working days and the SIP Coordinator or designee must receive the documentation within that time frame to inform the court of the inmate's eligibility or ineligibility. The R&E will start an application, SCDC Form 18-54, "Application for Court Ordered Shock Incarceration," on the inmate and obtain necessary information including parole address, test scores, and medical evaluation. An inmate will not be allowed to participate in the program unless s/he agrees to be bound by all the terms and conditions and indicates this by reading and signing the "Voluntary Agreement Statement" on Form 18-54. The R&E will provide the following information to the SIP Coordinator or designee within three working days of the inmates' arrival for review.

- All commitment orders;
- NCIC/SLED or FBI criminal information data sheet; and

- Copies of all detainers, holds, and notifies

2.3 The SIP Coordinator or designee shall review all information on inmates to verify that eligibility criteria and sentencing guidelines were met.

2.4 Upon receipt of approved medical and psychological evaluations and verification of eligibility criteria, the SIP Coordinator or designee will prepare a report to the sentencing judge indicating the date the inmate will start the program. If an inmate is determined to be ineligible, the SIP Coordinator or designee will notify the sentencing judge of the reason and have the inmates placed in a non-shock facility.

2.5 All evaluations for shock inmates must be completed within 15 working days and the results reported to the court. (3-4099)

3. ORIENTATION: Inmates approved for placement in the SIP will be assigned for a minimum of 90 days to a facility designated by the Director of the SCDC as a shock incarceration facility. Within 24 hours of arrival at the Shock Incarceration Unit (SIU), each inmate will receive an orientation that includes information on the following topics (additional topics may be added to the orientation as needed):

3.1 Visitation from immediate family members will be authorized after successful completion of the first four (4) weeks of the program (the first Sunday after 28 days). Holiday visits will be permitted as determined by the SIP Coordinator, Unit Captain, or designee. Approved visitors are not allowed to wear blue jeans and must meet the requirements as outlined in SCDC Policy/Procedure OP-22.09, "Inmate Visitation." (3-4440, 3-4441-1)

3.2 Phone Calls will be authorized after successful completion of the first four weeks of the program. After successful completion of four (4) weeks in the Shock Program, one collect call may be placed weekly as outlined in the SIU procedures. Emergency and legal calls may be made at a designated time, with the approval of the Program Coordinator or designee. Inmates will be allowed to place verified telephone calls to their legal counsel. For purposes of these procedures, "legal counsel" may consist of the inmate's attorney of record and/or paralegal(s). Inmate requests for attorney calls require 24-hours advance notice to allow for staff verification. Inmates will use SCDC Form 19-11, "Request to Staff Member," for this purpose. (See SCDC Policy/Procedure GA-01.03, "Inmate Access to the Courts," for additional guidance on when inmates may be allowed to call their legal counsel.) Attorney calls will be dialed by a staff member. Once verified, the call will not be monitored. Any deviation of this procedure will be documented in the inmate's record. (3-4439)

3.3 Money is contraband and no form of money is to be in the inmates' possession. See SCDC Policy/Procedure ADM-15.12, "E. H. Cooper Account," for more information. (3-4279)

3.4 Personal Property: Each inmate is allowed to possess the following personal items:

- Three (3) letters;
- Two (2) pictures; and
- Personal hygiene items/correspondence supplies purchased from the canteen or provided as part of the indigent hygiene pack; (3-4279)

3.5 Rules and Regulations for SIU: A "Shock Incarceration Handbook" will be issued to each inmate. Inmates who do not understand the handbook contents will have the rules and regulations read to him/her by a staff member. Inmates have to sign an acknowledgment stating that they understand the Handbook. Inmates will also be informed that they have access to non-restricted SCDC Policies/Procedures. (3-4279)

3.6 Parole addresses are required prior to release to aid in parole supervision by the Department of Probation, Parole, and Pardon Services (DPPPS). The SIP Coordinator will coordinate with DPPPS to schedule time for a representative from DPPPS to provide new inmates with an orientation about parole requirements and address verification. This orientation will normally be accomplished within seven (7) working days of the inmate's arrival. (3-4099)

3.7 Daily Schedules for work, physical training, education, and life skills programs will either be made available to the inmates or appropriate instructions will be issued by the officers. Normally, schedules will be posted in platoon common areas.

3.8 Program Extension and Removal Procedures: A complete orientation in the disciplinary and medical extension and removal process will be given to each new inmate.

3.9 Personal Hygiene: Rules for cleanliness of living areas, clothing, appearance, and personal hygiene will be included in the "Shock Inmate Handbook."

3.10 Shock inmates will be administered the Test of Adult Basic Education ("TABE") test as soon as practical after arriving at the unit. This educational assessment will determine the educational level of the inmate and will be used to determine the inmate's proper placement in school.

3.11 All shock inmates will undergo a program orientation and program assessment administered by the clinical counselors on the third (3rd) day of orientation. Information obtained at the assessment will be utilized to formulate individual treatment plans for the inmates.

4. UNIFORMS: Inmates in the shock program will wear only state-issued clothing. Standard work uniforms will consist of blue jeans with white stripe down the side of each leg and a blue shirt with "SCDC" stenciled on the back. This uniform combination ensures the easy recognition of shock inmates to enforce the strict separation guidelines required by law. Work boots will be issued for all non-

athletic activities. Caps, gloves, eye and ear protection, steel-toe boots, and other safety apparatus will be worn as appropriate/required by the Occupational Safety and Health Administration (OSHA). (3-4318)

5. SAFETY: Safety training for operation of equipment and handling of chemicals will be conducted and documented prior to any inmate being allowed to perform duties requiring one of these activities. See SCDC Policy/Procedure ADM-16.03, "Occupational Safety and Health," or contact the Division of Compliance, Standards and Inspections for additional information.

6. WORK ASSIGNMENTS: All shock incarceration participants will be given specific work assignments relevant to the demands of the SIU in which the inmate is housed. Length of time served in the program will be a factor in determining work assignments. All requests from outside SCDC for assistance in providing labor from an SIU must be submitted in writing on the "Request for Job Approval" (Shock) form to the SIP Coordinator, who will determine if requests by non-SCDC entities can be fulfilled.

7. PROGRAM PARTICIPATION: Program participation will include involvement in life-skills groups pertaining to those skills necessary to enhance opportunities for success when released. Topics will include, but not be limited to:

- Job seeking and keeping skills;
- Substance abuse education;
- Family relationships;
- Communication skills;
- Financial management;
- Decision-making and goal-setting;
- Pre-release/pre-parole planning;
- Sexually-transmitted diseases; and
- Gender responsive topics (will be included in units as appropriate). (3-4380, 3-4389)

8. EDUCATION: Education is mandatory for all inmates participating in the SIP. Individual levels of instruction will be based on program TABE test scores. Inmates who have earned a high school diploma, GED, or higher will work on their weakest subject areas (i.e., math, reading, etc.), tutor remedial groups, and be used as literacy tutors. Inmates will attend school five (5) days a week, three (3) hours per day. (3-4395)

9. PHYSICAL TRAINING: Physical training (PT) will be conducted on a daily basis. Participation will be based on the fitness level and medical condition of the inmate. After an initial test to determine the inmate's level of conditioning, PT will be increased progressively during the 90-day cycle. Performance evaluations prior to program completion will be measured on a standardized scale. Safety and health are foremost considerations. If an inmate complains that s/he is unable to continue PT or exhibits signs of overexertion, the officer will have the inmate stop the PT exercises. The officer will contact medical for additional guidance.

10. DRILL AND CEREMONY: Drill and ceremony will be taught in all units to teach program participants to work and move in an organized cooperative assemblage. Inmates will march to all work assignments, classes, and work details.

11. DISCIPLINARY PROCESS:

11.1 The SIP Coordinator or designee will establish a Unit Management Committee (UMC) responsible for reviewing evaluations and hearing disciplinary cases. Each committee will be comprised of no less than three (3) of the following:

- SIP designee;
- Field Lieutenant/Lieutenant/Senior Sergeant available;
- Clinical Counselor; and/or
- Platoon Officer or designated Security Officer.

11.2 Disciplinary infractions of a minor nature may be corrected by means of counseling, reprimands, extra duty, loss of privileges, corrective physical training, or other in-house actions in accordance with established shock incarceration disciplinary guidelines. Normally, extra duty or loss of any privilege must be approved by the SIP Coordinator/designee or result from a UMC disciplinary hearing. Emergencies may occur where the senior officer on duty must stop a privilege in process or cancel all privileges for the safety and security of the unit.

11.3 Repeat or major disciplinary infractions will be referred to the UMC. The accused inmate should be present at the UMC hearing unless s/he waives attendance. After reviewing all pertinent information concerning the infractions, the hearing committee may:

11.3.1 Administer extra duty or physical training, take privileges, reprimand, or take other in-house actions in accordance with established shock incarceration disciplinary guidelines.

11.3.2 Recommend to the SIP Coordinator that the inmate be extended in the program to allow for successful completion. One hundred twenty days in the SIP is the maximum time allowed by law.

11.3.3 Refer the inmate to the SIP Coordinator for removal from the program and assignment to an appropriate non-shock institution to complete the original incarcerative sentence. Prior to a removal hearing, an inmate will be interviewed by a clinical counselor for the purpose of evaluating the inmate. Unit referrals must be made through medical to obtain a counselor, unless a counselor is already working with the inmate on an individual basis.

11.4 An inmate may also be extended in or removed from the program based on non-disciplinary occurrences such as:

11.4.1 A period of absence due to placement in SMU for disciplinary reasons or extended court appearance. The time missed in the program will result in an extension to ensure 90 days participation in the program.

11.4.2 A medical/mental disability when the inmate is transferred to an appropriate institution to receive medical care. If the absence is no longer than 30 days, the inmate will be returned to shock and complete the balance of his/her 90-day shock sentence. The time missed in the program will result in an extension to ensure that the inmate participates in the program for at least 90 days.

11.4.3 If it is determined that an inmate is unable to complete the shock program for medical reasons, the clinical counselor or appropriate personnel will inform the inmate of his/her status. SCDC Form 25-27, "Order of Shock Incarceration Removal," with the medical documentation attached must be forwarded to the Director, Division of Young Offender Services for approval. The SIP Coordinator or designee will inform the court in writing of the findings. The time missed in the program will result in an extension to ensure 90 days participation in the program. The day the inmate departs from and the date s/he returns will count as program days.

11.4.4 If an inmate is temporarily removed from the shock program for mental health observation, the appropriate paperwork will be completed by the clinical counselor and forwarded to the SIP Coordinator. The counselor will continue to monitor the inmate at the inmate's current institution during this period, up to 30 days. If the absence is no longer than 30 days, the inmate will be returned to shock to complete the balance of his/her 90 day shock sentence. If the absence is longer than 30 days, the inmate will be processed for removal from the shock program. The time missed in the program will result in an extension to ensure that the inmate participates in the program for at least 90 days. The day the inmate departs from and the date s/he returns will count as program days.

11.4.5 Conviction for an ineligible offense or a sentence creating a parole date in excess of two years;

11.4.6 No verifiable address for release on parole;

11.4.7 Failure of an external agency who holds an active warrant (i.e., County Sheriff, DPPPS, etc.) to pick up an inmate before 12:00 AM on the inmate's scheduled parole date.

11.5 In all cases, if a disqualifier is corrected, the inmate will be considered for reinstatement in the program and/or release upon the completion of 90 days (or an appropriate extension up to 120 days).

12. SHOCK INCARCERATION REVIEW COMMITTEE:

12.1 Each inmate participating in the SIP will be evaluated monthly to monitor his/her progress throughout the program. Evaluations will be completed by designated staff members in security, work, education, fitness, training, drill, and programs. At the end of the program, a final evaluation will be completed indicating the inmate's overall success. (3-4123, 3-4284)

12.2 The SIP Coordinator or designee will enter each new participants' name on the evaluation form (SCDC 19-145, "Inmate's Work Performance Report") during orientation. Each new platoon will have evaluations filed in a shock folder labeled with each inmate's name, number, and dates for the scheduled evaluation reviews.

12.3 When the inmate starts his/her fourth, eighth, and eleventh week of the program, the program assistant will distribute the forms to the following staff members for evaluation in their areas.

- Physical training Sergeant - complete section 1 on form
- Clinical Counselor - complete section 2 on form
- Education - complete section 3 on form
- Field Lieutenant/Sergeant - complete section 4 on form
- Barracks Sergeants - complete section 5 on form

12.4 When completed evaluations are received from the staff, the second shift sergeant will place the forms in the appropriate file indicating the current evaluation phase of the inmate (i.e., First, Second, or Third). Completed evaluations from each phase will be prepared for review by the Shock Case Management Review Committee.

12.5 The Shock Program Review committee will be comprised of the following shock staff members:

- SIP Coordinator or designee
- Clinical Counselor
- Field Officer
- Platoon Officer (Drill Instructor)
- Education Representative

12.6 The committee will be chaired by the SIP Coordinator. The committee will review all aspects of the inmates' participation of the program. Areas covered at each review will include:

- Discipline - inmates behavior during rating period;
- Work - ability to work and quality of work;
- Physical Training - participation in the PT program;
- Drill and Ceremony - participation in drill and ceremony;
- Personal Hygiene and Living Area Inspection - personal grooming and maintaining barracks standards for living area;

- Education - participation in class, completion of assignments and behavior;
- Program - inmates participation in mandatory life skills, alcohol and drug classes, behavioral modification, etc.

12.7 The members of the Review Committee will discuss the evaluation with the inmate. Any area of achievement will be noted as well as areas that are deficient. The inmate will be informed of ways to improve deficiencies and will be commended for his/her achievements during the rating period. At the conclusion of the Review Committee, the SIP Coordinator, and the inmate will sign the evaluation. The inmate's signature will acknowledge that s/he understands the recommendations and evaluation results presented by the committee. A copy of the evaluation will be placed in the Central shock file at Central Office and in the inmate's institutional record.

12.8 At the conclusion of the inmate's participation in the SIP, SCDC Form 18-14, "Shock Incarceration Final Evaluation," will be completed by designated staff members in each of the program areas and security. The final evaluation will be completed during the last week of the inmate's 90-day cycle. Inmates who are extended will have their evaluations moved to the final week of the extension.

12.9 The Review Committee will use the same procedure as outlined in paragraphs 12.6 and 12.7, above, and recommend the inmate for parole if all the evaluation standards receive a minimum rating of "satisfactory". If any area is less than "satisfactory," the inmate may be extended a minimum of one week to correct those areas and will be reviewed again at the end of the extension for parole consideration. An inmates may be extended up to a maximum of 30 days to correct deficiencies in any area. Each extension will be a maximum of 15 days. If the inmate does not progress in the deficient areas after the maximum number of extensions, s/he may be recommended for removal by the committee.

12.10 An inmate who satisfactorily completes all program requirements on the final evaluation will be recommended for parole by the committee. Completed evaluations will be signed by appropriate staff members for each area and forwarded to the SIP Coordinator for distribution. The SIP Coordinator will review final evaluations and distribute copies as follows:

- Original - Shock Incarceration File
- Copy - Institutional Record (3-4291)

13. Conditional Release: The Shock Program Review Committee will review inmates who have projected release dates. The review will consist of a record audit to ensure that all sentence and program requirements have been met, that victim/witness notification requirements are completed, and that all detainer(s) and outstanding changes and/or pending disciplinaries are satisfactorily addressed. The Shock Program Review will consist of a review of the YOA inmate's central record, SCDC Form 25-25, "Discharge Summary," and a review of the disciplinary screen for recent disciplinaries. An address inquiry will ensure that the inmate has an approved residence plan and verify that the inmate has completed all requirements for the Shock Incarceration Program.

13.1 Upon approval a tentative drop list will be distributed to institutions/facilities from the Shock Program Director or designee who have been approved for release.

13.2 Information will be provided verbally and in writing by using the "Certificate of Release" form which is provided by the South Carolina Department of Probation, Pardon, and Parole Services. Each inmate will acknowledge receipt of this information by signing in the appropriate section of the "Certificate of Release."

13.3 Should there be changes in an inmate's status, the institution/facilities will immediately notify the Program Director for Shock or the Division of Young Offender Services. Operations will be notified if the Division of Young Offenders has made changes to inmate's release status.

13.4 No Shock Incarceration inmate will be released without official notification (a drop list). If there are changes that are not reflected on the drop list a message will be sent from the Program Director or Designee from the Division of Young Offender Services.

14. PAROLE:

14.1 Inmates who successfully complete the SIP will be paroled for the remainder of their sentence, or if sentenced under the Youthful Offender Act, conditionally released under supervision until completion of the sentence conditions. Prior to parole a list of those persons scheduled for release will be provided for notification purposes to appropriate officials to include the South Carolina Department of Probation, Parole, and Pardon Services and the SCDC Victim Witness liaison, Offender Records, and the Division of Young Offender Services. (3-4099)

14.2 Parole Eligibility - Shock incarceration inmates earn their release to parole by meeting the following criteria:

14.2.1 Complete all programmatic obligations with a rating of "satisfactory" or better in each graded component;

14.2.2 Unanimous recommendation by the Shock Case Management Review Committee for parole;

14.2.3 Approved address/sponsor verified by an agent of the South Carolina Department of Probation, Parole, and Pardon Services in the inmate's county of residence;

14.2.4 Completion of release orientation by Parole Agent and inmate's signature acknowledging his/her understanding of parole obligations, rules, and supervision on the appropriate section of the condition of release.

14.2.5 Preparation and review of a release plan approved by the clinical counselors assigned to the Shock Incarceration Unit. The release plan will be signed by the counselor and the inmate.

15. DEFINITIONS:

Case Management Review Committee refers to a panel of staff members from each program element (education, security, work, programs, and physical training) that will review each inmate's progress on a regularly scheduled basis.

Eligible Inmate refers to an inmate ordered by the court who meets all eligibility criteria for acceptance in the SIP.

Extension refers to a lengthening of the time an inmate must serve past their 90 day parole date for disciplinary infractions or failure to comply with program requirements. An inmate may be extended up to 30 days to correct deficiencies in any area. Each extension will be a maximum of 15 days.

Fifteen Day Evaluation refers to a time limit established by South Carolina Code of Laws, 1976, as amended, Section 24-13-1310, to evaluate inmates ordered by the court to be screened for shock. Inmates must be assessed by the R&E staff and be found medically and psychologically capable of participating in the program. The SIP Coordinator or designee will review all sentences and determine if the inmate meets the criteria of a non-violent, first-time offender, age, and prior criminal history. A report is completed on each inmate and returned to the sentencing judge indicating the inmate's eligibility or disapproval.

Immediate Family refers to an inmate's mother, father, legal guardian, children (to include adopted), sister, brother, grandmothers, grandfathers, wife, husband, common-law spouse, stepparents, and stepchildren.

Parole Address refers to an address that has been approved by the South Carolina Department of Probation, Parole, and Pardon Services prior to an inmate's parole date. Inmates who have provided addresses that have not been approved will be extended up to an additional 30 days pending address approval. The inmate will be returned to the R&E Center and will be sent to an appropriate institution. After reassignment, the inmate may be paroled with address approval.

Physical Training Program refers to a physical fitness regimen based on the US Army Field Manual 21-20 and designated as a component of the SIP under Section 24-13-1310 (2). Physical training is evaluated by officers specifically trained by the US Military Police School Rehabilitation Training Instructor Course.

Privileges refers to phone calls, visitation, canteen, and restricted television viewing that may be earned by shock inmates through proper behavior and rules compliance.

Program Evaluation refers to an instrument used to measure each Shock participant's progress through the 90 day program.

Program Removal refers to removal from the Shock Program because of non-compliance with program directives, excessive disciplinarys, or major rules violations. Inmates removed from the shock program will be placed in an appropriate SCDC institution to complete their sentences as imposed by the Court.

Progressive Discipline refers to the process in which the inmates are given various sanctions to correct minor rules infractions or behavioral problems. Progressive discipline consists of verbal reprimand, on the spot corrective measures such as physical training, extra duty, loss of privileges, program extension, and program removal. Commitment documents will be closely checked by Classification for orders to return the inmate to court for re-sentencing.

Shock Incarceration Program (SIP) refers to a 90 day program established under the South Carolina Code of Laws, 1976, as amended, sections 24-13-1310 through 1320 for first time, non-violent offenders who meet the eligibility requirements.

Unit Management Committee (UMC) refers to a Disciplinary Board headed by the SIP Coordinator or designee. The disciplinary board hears charges against inmates and resolves them with sanctions established under shock progressive disciplinary system. These sanctions include: loss of privileges, extra duty, combination of loss of privileges and extra duty, and recommendation for disciplinary extensions up to 30 days or for program removal. (3-4123)

SIGNATURE ON FILE

s/Jon E. Ozmint, Director

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Inmate Reentry Program (SCDC Policy PS-10.14)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following questions in LOC's May 16, 2019 letter to the Department of Corrections: "30. Please describe different types of housing units within SCDC that incorporate programs into the day to day living, including the requirements for an inmate to qualify for placement in the unit."

In addition to providing the information in this document, SCDC provided the following response:

- Structured Living Unit – policy is in draft form.
- Transition Unit – General Population - criteria: behavior compliant, waiting on job, education, vocational assignment.
- Work/Program Unit – General Population – criteria: behavior compliant, assigned a job, education, vocational, etc.
- Character Unit – General Population – Criteria can be reviewed in PS.10-17, Attachment A, Item 3, please see attached.
- Re-Entry Unit (Kershaw/Manning) – Criteria: can be reviewed in PS-10.14, please see attached.
- Addictions Treatment Unit YOA (Turbeville)– General Population – Criteria can be reviewed in OP-22.39, Section 2 and see definition of young offender.
- Addictions Treatment Unit Adult (Turbeville)– General Population – Criteria: approved/assigned by Mental Health.
- Shock Unit (Turbeville/Camille) – General Population – Criteria can be reviewed in PS-10.12, Section 1.2, please see attached.
- Restoring Promise (Lee/Turbeville) – General Population – Criteria is being developed by Young Offender Parole and Reentry Services.
- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.

- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY/PROCEDURE

NUMBER: PS-10.14

TITLE: INMATE REENTRY PROGRAM

ISSUE DATE: JUNE 1, 2004

RESPONSIBLE AUTHORITY: Division Director of Programs and Services

OPERATIONS MANUAL: PROGRAMS

SUPERSEDES: None

RELEVANT SCDC FORMS/SUPPLIES: None

ACA/CAC STANDARDS: None

STATE/FEDERAL STATUTES: None

PURPOSE: To establish guidelines for the South Carolina Department of Corrections reentry initiative.

POLICY STATEMENT: The South Carolina Department of Corrections will provide programming, support, and services to prepare inmates who are selected for the reentry initiative program for release from confinement and transition into the community. The goals of the initiative are to prepare the offender for employment; prevent re-offending; assist the offender to avoid crime; engage in pro-social community activities; and meet family responsibilities.

SPECIFIC PROCEDURES:

1. RESPONSIBILITIES:

1.1 The Division Director of Programs and Services will ensure that a Coordinator of Reentry Programs is selected.

1.2 The Coordinator of Reentry Programs will:

1.2.1 Ensure that Transition Coordinators are selected and employed at each reentry program site.

1.2.2 Supervise Transition Coordinators.

1.2.3 Act as the Agency's contact to all other state and community agencies participating in the program.

1.2.4 Ensure progress reports and other information are prepared and submitted as requested by the grant funding agency.

1.2.5 Ensure that the Reentry Program Advisory Task Force, comprised of individuals from the Agency, other government agencies, and the private sector, meets regularly to coordinate efforts and share information.

1.3 Transition Coordinators will:

1.3.1 Interview newly assigned inmates to confirm employment history, social history, family background, criminal history, vocational and educational needs, substance abuse and mental health history, and other related information.

1.3.2 Assess individual inmate needs, develop program recommendations, enroll the inmate in the reentry program, and assist the inmate to develop a comprehensive reentry plan. The reentry plan will be specific with measurable goals and objectives and a time schedule for achieving these goals.

1.3.3 Maintain case records on each inmate to include: Initial intake form, individual reentry plan, evaluation and progress reports, signed release of information form, referrals to other agencies, and other appropriate documentation.

1.3.4 Conduct individual and group counseling and education sessions on: use of available social, employment, psychological, educational, and vocational services available in the community; financial and budget management; employer's expectations; anger/feelings management; goal setting and decision making; communication skills; parenting skills; and leisure time activities, etc.

1.3.5 Organize and chair meetings and maintain ongoing contact with representatives from government agencies and community organizations that provide reentry/transitional services in the geographic area.

1.3.6 Compile and submit documentation required by the Coordinator of Reentry Programs.

1.3.7 Publish a monthly calendar of classes and other activities for the Reentry Program.

1.4 The Division of Resource Information Management will identify eligible inmates and produce a list of eligible inmates on a quarterly basis.

1.5 The Division of Classification and Inmate Records will ensure inmates selected for the program are appropriately assigned.

2. SELECTION FOR THE PROGRAM:

2.1 Inmates should have at least one year to serve at the time of selection for the program. Referrals from R&E can be made directly to the program if the inmates have 12 to 18 months to serve. The program is designed to serve inmates from 17 to 35 (excluding offenders sentenced under the Youthful Offender Act) with a prior criminal history and a requirement for community supervision in the State of South Carolina following a period of at least one year of incarceration. (Note: Sex Offenders will be considered for the program at any age and with any prior criminal history provided they are otherwise eligible for the program.) Offenders incarcerated as a result of technical violations and considered to be high risk to return to incarceration will be included in this target population.

2.2 The Division of Resource Information Management will identify eligible inmates and produce a list of eligible inmates on a quarterly basis. This list will be forwarded to the Coordinator of Reentry Programs, and to the Transition Coordinator and Classification Caseworker at each grant site.

2.3 If space is limited, inmates closer to release will be placed in the program first, with others being moved into the program, as places become vacant. A waiting list will be maintained by the Transition Coordinator at each site.

2.4 A reentry eligible (yes/no) designation will also be included on a screen currently utilized by the Division of Classification and Inmate Records in order to alert classification staff that the inmate is involved in the reentry program and should not be moved without the approval of the Division Director of Classification and Inmate Records and the Coordinator of Reentry Programs.

2.5 To the extent possible, inmates should stay in the assigned reentry facility throughout the program. However, because of custody or security level changes, transfers may need to be made. When an inmate is placed in close custody, or experiences a reduction in security or custody level, every reasonable effort will be made to continue that inmate in the reentry program. If possible, he/she will be placed in the reentry program that is available at his/her current location. If a transfer is necessary, every effort will be made to make the transfer to another facility at which a reentry grant program is available. (If someone must be moved from a Level II to a Level III facility, Lee Correctional Institution should be used because it is the only Level III reentry site.)

3. PROGRAM CAPACITY:

3.1 The ideal capacity for each program site will be approximately 40 inmates; however, capacity may fluctuate due to issues such as the numbers of eligible inmates, their time to release, and the extent of each inmate's reentry needs.

3.2 No inmates should be moved on a large-scale basis for the purposes of participating in this program. Inmates will be selected for the program from populations currently residing in the reentry grant sites. On a case by case basis, where numbers of eligible inmates are low or there is a specific need (hardship cases, post release resource issues, etc.), the Coordinator of Reentry Programs and the Division Director of Classification and Inmate Records will assess the need and coordinate movement, if indicated.

3.3 Inmates may not necessarily be placed in a facility near the location to which they plan to be released. However, eligible inmates may be moved if his/her reentry needs can be better met at a reentry site in closer proximity to his/her home community. A request for such a move should be made by the Transition Coordinator and will be sent to the Coordinator of Reentry Programs and the Division Director of Classification and Inmate Records.

4. LABOR CREW/WORK RELEASE:

4.1 Since employment is a crucial factor in reentry success, inmates in the program may continue to be eligible for work release programs. The nearest Transition Coordinator will maintain contact with the inmate once he/she enters a work release program and will continue to work on reentry issues with the individual.

4.2 Inmates participating in the reentry initiative who are subsequently approved for the Labor Crew/Work Release program will be required to complete a minimal Labor Crew assignment (preferably 60 days) prior to Work Release assignment. Inmates who are participating in the reentry initiative may waive participation in the Labor Crew/Work Release program.

4.3 Inmates in the reentry program will not be moved to a thirty-day pre-release program.

5. TRANSITION COORDINATORS/CLASSIFICATION CASEWORKERS:

5.1 Transition Coordinators and Classification Caseworkers will work closely together and maintain open communication. There will often be a need for them to discuss needs of inmates in the program on a case-by-case basis. Issues such as hardship transfers and other placement issues will be discussed and coordinated between these employees.

5.2 Transition Coordinators will participate in Classification Boards to provide input for inmates involved in the reentry program.

6. INMATE'S RESPONSIBILITIES: Each inmate selected for the reentry program will be required to:

- abide by all SCDC policies and procedures;
- attend assigned classes and participate in group and individual meetings;
- participate in the development of an individual reentry plan;
- meet with representatives from outside agencies and community groups as assigned;
- attend scheduled after care appointments; and
- follow the release plan.

7. REENTRY PLANS:

Each inmate's reentry plan will be documented in the Offender Management System and in files maintained by the Transition Coordinator. This plan will include information on work plans, housing plans, finances, family, etc., as well as information on the inmate's scheduled individual and group counseling and other activities as required.

8. COORDINATION WITH OTHER STATE AGENCIES AND COMMUNITY GROUPS:

A Reentry Program Advisory Task Force comprised of individuals from the Agency, other government agencies, and the private sector will meet regularly to coordinate efforts and share information.

SIGNATURE ON FILE

Jon E. Ozmint, Director

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Character Based Units and Programs (SCDC Policy PS-10.17)

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- Restrictive Housing Unit – Restricted Population – Criteria can be reviewed in OP.22.38, please see attached.
- Death Row – Restricted Population/Managed as General Population – Criteria must be sentenced to death.
- Diversionary Housing Unit – Restricted Population – Criteria: Inmates assigned to Security Detention with a Mental Health classification of 3, awaiting assignment to a Behavior Management Program or Step-Down Program, for further information see HS-19.10, Section 3 will amended, please see attached.
- HLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 2, please see attached.
- LLBMU – Restricted Population – Criteria can be reviewed in HS-19.10, Section 3, please see attached.
- ICS – Restricted Population – Criteria can be reviewed in HS-19.04, Section 16, please see attached.
- Choices – Restricted Population – Criteria is - pending addition to policy HS-19.04 & HS- 19.12, please see attached.
- Crisis Stabilization Unit – Restricted Population – Criteria can be reviewed in HS-19.04, Section 6 &7, please see attached.
- Step Down – Restricted Population – Criteria can be reviewed in OP-22.38B, please see attached.
- Adjustment Unit – General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.
- Restorative Unit – General Population - Criteria: SP inmates (majority with Mental Health designation) with unsubstantiated protective concerns refusing to live in General Population.
- Special Concerns Unit - General Population – Criteria: SP inmates with unsubstantiated protective concerns refusing to live in General Population.

- Statewide Protective Custody – Restricted Population/Managed as General Population – Criteria can be reviewed in OP-22.23, please see attached.
- Mental Health Units (BRCI-Murray, Lee F1A,) – General Population – Criteria: Inmates with Mental Health designation.
- Infirmary – Medical – Criteria: Medical.



SCDC POLICY

NUMBER: PS-10.17

TITLE: CHARACTER - BASED UNITS AND PROGRAMS

ISSUE DATE: May 21, 2018

RESPONSIBLE AUTHORITY: DIVISION OF INMATE SERVICES

OPERATIONS MANUAL: PROGRAM AND SERVICES

SUPERSEDES: *Replaces PS-10.15*

RELEVANT SCDC FORMS/SUPPLIES: Automated Request To Staff Member (ARTSM); 10-26; *10-27; 10-28*; Attachment A;

ACA/CAC STANDARDS: 4-4277, 4-4428

STATE/FEDERAL STATUTES: South Carolina Code of Laws, Section 1-32-10, et seq., as amended.

PURPOSE: To provide guidelines for the development and monitoring of Character-Based Unit (CBU) Programs.

POLICY STATEMENT: Within the limitations imposed on the South Carolina Department of Corrections (SCDC) as a result of its safety and security needs, SCDC will be committed to providing programming that will assist inmates to become more successful members of society and help to reduce the recidivism rates of these inmates. Character Based Programs are designed to assist with inmate institutional adjustment, rehabilitation, successful re-entry into the community upon release, the reduction of recidivism, and improved institutional security. Character Based Programs provide the structure, resources, and environment to increase opportunities for personal growth and collective change. (4-4428)

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ATTACHMENT A

The Division of Programs & Services has direct oversight in the development, standardization, and approval of all Character Based Units (CBU), programs, and courses.

Attachment A: Universal Standard Operating Procedures, a detailed addendum, may supersede portions of this policy. The Universal SOP provides enforceable, auditable criteria that is mandatory for all CBUs.

Character Program Mission Statement:

SCDC Character Programs provide opportunities to participants for personal development, education, and cognitive change in a residential environment supported by behavioral contracts and peer-to-peer accountability methods that improve institutional safety, reduce criminality, and recidivism.

Character Program Vision Statement:

SCDC's commitment to Character Programming will improve cognitive and educational skills, pro-social attitudes, and behaviors during incarceration and following release. Character Based Units will cultivate powerful, positive transformations in the lives of participants.

SPECIFIC PROCEDURES:

1. GOALS:

(See Attachment A: Universal Standard Operating Procedures)

1.1. CBU Program Goals:

- *Create a cleaner, quieter, safer living environment.*
- *Reduce recidivism for participants.*
- *Reduce disciplinary infractions for the institution.*
- *Emphasize educational growth.*
- *Provide a more stable, pro-social living environment.*

1.2. CBU Program Objectives:

- *Provide courses helping with self-actualization.*
- *Provide core courses that are evidence based, support the Social Contract, and Peer-to-Peer accountability.*
- *Provide structured courses in a Peer-to-Peer environment.*
- *Promote personal development.*
- *Promote Peer-to-Peer accountability.*

Community/House Rules:

Each institution must establish and maintain a written set of Community/House Rules that are institution specific.

All Character Based Units will be known as CBU's. Each institution may adopt a site-specific name for their housing unit. However, for purposes of uniformity, only one formal name, CBU, will be recognized.

2. ESTABLISHING/EXPANDING A NEW CHARACTER-BASED UNIT (CBU): Institutions interested in establishing a new CBU will follow the outline below in the initial establishment phase:

- *A written request will be submitted to the Division of Programs & Services for review and approval, prior to establishing or expanding any CBU. (See Attachment A: Universal Standard Operating Procedures)*

3. LEADERSHIP AND OVERSIGHT:

3.1 Under direct oversight of the Division of Programs & Services, institutional leadership and institutional program management includes the following:

- **SCDC Program Coordinator:** Preferably the Associate Warden of Programs, or a full time employee with treatment and programs experience. This individual is tasked with directing, evaluating, and monitoring all aspects of the Character Based Program. The Coordinator works directly with staff, inmates and volunteers to develop, implement, and evaluate specific programs and resources related to the Program.
- **CBU Administrative Committee:** The primary council of employees that works closely with the inmate leadership to advance the strong rehabilitative objectives of the Program. Members of the **CBU Administrative** Committee are typically selected by the **SCDC** Program Coordinator, with the Warden's concurrence, based on their expertise in various areas as well as a demonstrated interest in the rehabilitative/restorative goals of the Program. The recommended composition of the Committee is: **SCDC** Program Coordinator (Chairman); Security (A/W of Operations, Major, or Administrative Captain); Chaplain; Behavioral Health Counselor; Classification Case Manager or Caseworker; Administrative Support (Administrative Assistant or Administrative Specialist). The Committee should meet weekly to review unit activities, programmatic changes, problematic issues, recommendations for removal, Inmate **Program Liaison** performance, etc.
- **Inmate Program Liaisons (General Provisions):** A group of inmates carefully selected for their demonstrated leadership abilities, integrity, and excellent reputation. They act as mentors for both inmates in the **CBU** and inmates in other living units to assist them with adjustment; act as mediators involving inmate/inmate and inmate/staff issues; review and recommend classes and class schedules; conduct quarterly peer reviews on all **CBU** residents and present them to the Committee; act as liaisons between the Committee and **CBU** residents; actively participate with the Committee in the conceptualization, planning and implementation of various programs and projects within the **CBU**; and provide outreach to inmates from other housing units. As set forth in SCDC Policy OP-22.15, "Inmate Governance," section 5, it is important to understand that these responsibilities in no way imply that the Inmate **Program Liaisons** have control or authority over any staff and/or inmates. All contact to recruit programs and/or supplies will be the sole responsibility of the CBU Administrative Committee. The Inmate **Program Liaison** will not make direct contact with any entity to provide/solicit assistance or services.
- **Inmate Program Liaisons:** *Inmates who are members of the institution's Inmate Representative Committee (IRC) are not automatically promoted to levels of responsibility within the CBU. IRC and CBU function autonomously of one another, and the two should not be confused. IRC members must meet the CBU eligibility criteria as any other applicant/participant.*

(See Attachment A: Universal Standard Operating Procedures)

4. APPLICATION AND SELECTION PROCESS:

4.1 *See Attachment A, "Universal Standard Operating Procedures," for application procedures.*

4.2 *All applications for admission to a CBU are voluntary, and made without coercion.*

4.3 Equal Opportunity: *No inmate is excluded from the application/selection process based on race, ethnicity, religious beliefs, sexual orientation, or medical/mental health reasons (4-4277).*

5. FORMAL ORIENTATION, INDUCTION, AND SIGNING OF THE SOCIAL CONTRACT:

(See Attachment A, Universal Standard Operating Procedures)

5.1 Once a resident receives a housing assignment in the CBU, a series of events take place that solidify his/her place in the community.

5.1.1 The new resident is greeted by members of the community who have accepted the specific responsibility of making newcomers feel welcome. If the new resident has already been assigned to an inmate mentor, the inmate mentor explains the CBU's opportunities and expectations to the new resident.

5.1.2 As soon as possible, the new resident undergoes orientation. This orientation should include a meeting conducted by several Inmate **Liaisons** and should be led by at least one staff member.

5.1.3 *Social Contract/Community Rules (refer to Attachment A, Universal Standard Operating Procedures).*

5.2 Town Hall Meetings:

5.2.1 Town Hall Meetings will be held to give the participants the opportunity to discuss the business of the community in an open, formal setting. The meeting should be chaired by the Program Coordinator/designee and should take place weekly. **NOTE:** Minutes will be taken by a designated Inmate **Liaison**, and will be reviewed by the Administrative Committee.

5.2.2 During the Town Hall Meeting, the new resident is formally inducted into the community by reading and publicly signing the Social Contract (**SCDC Form 10-27**). The new participant should be given the opportunity to address the community, telling them in the participant's own words both who the participant is today, and how the participant hopes the CBU will help him/her to become a better person. This not only gives the community the opportunity to meet the new participants, it gives the new participants the opportunity to explain his/her current situation and plan for personal development.

6. VOLUNTEERS:

Institutions are encouraged to work with and utilize a wide variety of volunteers to enhance the CBU programs. The **Administrative Committee** and the Inmate **Liaison** will work together to design and implement innovative programming utilizing volunteers. Volunteers are subject to the requirements of SCDC Policy PS-10.04, Volunteer Services Programs. The Administrative Committee is responsible for all communication in regards to the development of volunteer based programs/services. *Inmates will not serve on, or participate in, committees with volunteers to seek external funds to support institutional programs. Inmates will not make final decisions on programs and supplies that support programs in an institution.*

Volunteers writing grants, and/or soliciting funding to support institutional programs will seek advance written approval for such grant applications, or solicitations, from the Division of Programs & Services.

6.1 Volunteer Mentors: Character based programs may offer mentoring/instruction by registered volunteers and inmate mentors to each inmate. The size of the program will vary according to availability of appropriate mentors. In programs where one-on-one volunteer mentoring is used, mentoring topics will be geared towards personal growth in ethical behavior and interpersonal relationships. Reasonable efforts will be made to match inmates with volunteer mentors who are best suited to address the individual inmate's needs. **Volunteer Mentors**, where used, will be assigned as available by the Administrative **Volunteer Coordinator Committee** with input from the **Inmate Program Liaisons**.

7. COURSES AND ACTIVITIES:

(See Attachment A; Universal Standard Operating Procedures.)

All courses must be approved by the Division of Programs & Services, using SCDC Form 10-26, prior to instruction.

7.1 Character Based Units place a heavy emphasis on involvement in **courses** and activities. Residents who do not have a verified High School diploma or GED are required to be actively enrolled in and participating in formal Education classes. Those who are unable to read or for whom English is a second language are required to be involved in classes to improve their skills.

7.2 A wide range of volunteer-led and inmate-led **courses** and groups are available to inmate residents. Skill building, self disclosure, self help, instructional, spiritual, and educational groups may be chosen. Inmate work schedules should be taken into account when developing program schedules.

7.3 The **CBU Administrative Committee**, with recommendation from the Inmate **Program Liaison**, may require that a resident take specific programs or groups based on documented behavioral issues, educational needs, committing offense(s), etc. Minimally, residents must participate in at least **three (3) courses** each quarter.

7.4 No **courses** will be offered in **Character-Based Units** that:

- Promote conversion of inmates toward a particular faith or religious preference or criticize the faith of others.
- Promote negative attitudes against inmates based on race, creed, religious preference or sexual orientation.

7.5 Each **course** will provide an outline of activities offered to inmates and an example of class/activity/mentoring schedule for approval by Programs and Services once a year. These classes/activities/mentoring sessions will promote the goals of this policy.

7.6 Members of the **CBU** are not authorized to contact any outside entity for the purpose of establishing **courses**/programming for the unit. All such requests **approved by** the Division of Programs and Services at Headquarters.

8. **ENGAGEMENTS/CONFLICT RESOLUTION:**

(See Attachment A, Universal Standard Operating Procedures)

8.2 It is highly encouraged to use the **Engagement** process to also recognize those members of the community who have displayed exemplary behavior or who have provided services that benefit the community and/or the institution as a whole.

9. **REMOVAL FROM THE CBU:**

9.1 When it is recognized that a participant is exhibiting behavior that violates the **Social Contract**, and mentoring and peer support fails to positively correct the behavior, the Inmate **Program Liaison** will present a recommendation to the CBU Administrative Committee as to the potential removal of the offending participant. After review, the Committee will make a determination. If the Committee decides to remove the participant, he/she will be informed and given terms for possible future reinstatement. If a participant recognizes that he/she is not living up to the social contract, he/she is expected to remove himself/herself from the program. An ex-participant will be required to wait a minimum of **one (1) year** to reapply for admission.

Zero Tolerance infractions and disciplinary offenses are detailed in Attachment A, the Universal Standard Operating Procedures.

10. **PARTICIPANT EMPLOYMENT:**

(See Attachment A Section 10; Universal Standard Operating Procedures.)

11. **DEFINITIONS: None**

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT

SCDC Character Based Units

Universal Standard Operating Procedures

¶ It's not our mistakes that define who we are, it's how we recover from those mistakes.

Learning takes place in the mind, and is demonstrated by one's behavior through the formation of associations between specific actions and events. Behavior is a feature of one's individuality that can be transformed. Cognitive change begins when one desires change and learns how to affect change. Peer-to-Peer programming promotes, supports, and reinforces positive, dynamic change.

Character ethics depend on deep personal change that comes from within. Good character involves personal integrity, fairness, humility, courage, loyalty, ambition, consideration for others, sincerity, and determination. Character, good or bad, identifies one's underlying, fundamental values.

In every organization there are those who organize, encourage, hold others accountable, facilitate, and to some extent, lead. Peer-to-Peer programming takes full advantage of all of these attributes. Levels of inmate guidance must support the SCDC Mission Statement "providing rehabilitation and self-improvement opportunities for inmates" in Character Programs, dorms, and across the yards.

Peer-to-Peer programming, in conjunction with peer accountability, encourages the abandonment of negative character traits and the development of a refined set of core values and positive personal traits. Character Programming is where this process of reform, personal development, and personal growth takes place. Character Programs create synergy, and define CBUs (Character Based Units) as living in an improved community, rather than survival of the fittest.

When the true meaning of Peer-to-Peer/Character Programming is embraced, CBUs will be self-regulating environments. The level of success is based on the strength of peer accountability.

Character Program Mission Statement:

SCDC Character Programs provide opportunities to participants for personal development, education, and cognitive change in a residential environment supported by behavioral contracts and peer-to-peer accountability methods that improve institutional safety, reduce criminality, and recidivism.

Character Program Vision Statement:

SCDC's commitment to Character Programming will improve cognitive and educational skills, prosocial attitudes, and behaviors during incarceration and following release. Character Based Units will cultivate powerful, positive transformations in the lives of participants.

Character Based Units (CBU):

1. GOALS

CBU Program Goals:

- Create a cleaner, quieter, safer living environment.*
- Reduce recidivism for participants.*
- Reduce disciplinary infractions for the institution.*
- Emphasize educational growth.*
- Provide a more stable, prosocial living environment.*

CBU Program Objectives:

- Provide courses helping with self-actualization.*
- Provide core courses that are evidence based, support the Social Contract, and Peer-to-Peer accountability.*
- Provide structured courses, in a Peer-to-Peer environment.*
- Promote personal development.*
- Promote Peer-to-Peer accountability.*

Community/House Rules:

Each institution must establish and maintain a written set of Community/House rules that are institution specific. Community/House Rules will cover local matters not addressed in the SOP. All Community/House Rules, and modifications, will be submitted to the Division of Programs & Services for review and approval, prior to implementation. Community/House Rules will

not conflict with, countermand, or supersede the Universal SOP. Community/House Rules will display signatory approval by the institution's Program Coordinator, Warden, Assistant Deputy Director, and Deputy Director of Programs & Services, or designee. Community/House Rules must be readily accessible to, and understood by all CBU participants.

- *All pre-existing Community/House Rules, to include updates and modifications, will be submitted to Programs & Services for review and approval.*
- *Approval shall not take more than 90 days from the date of submission to the Division of Programs & Services office.*

2. ESTABLISHING/EXPANDING A CHARACTER-BASED UNIT (CBU)

START-UP

A written request to establish or expand a CBU must be submitted to the Deputy Director of Programs & Services for approval. The request must contain specific information on the proposed CBU. The request must include:

- *Name of the Institution.*
- *Name of Warden.*
- *Proposed name of the CBU (if any).*
- *CBU start date.*
- *Name of the staff Program Coordinator.*
- *CBU population (proposed number of participants in the CBU).*
- *CBU Programs (name and number of proposed programs within the CBU)*
- *Anticipated outcomes for the institution and the participants.*

Once approved, the Warden will:

- *Hold a general staff meeting to explain/introduce the CBU concept and state the staff buy-in process.*
- *Select the Program Coordinator if the position does not exist, (preferably the Associate Warden of Programs or equivalent) with approval from the Division of Programs & Services.*
- *Establish the Institutional CBU Administrative Committee (see guidelines below.)*
- *Determine the optimum location for the CBU.*
- *Identify the Inmate Liaisons using the criteria below, excluding the one (1) year in the program.*
- *Announce the program to the general population and begin to take applications.*
 - *NOTE: Screening of application is outlined in Section 4.*
- *Begin to solicit volunteers and other community support for the unit.*
- *Begin to identify programs for the unit.*
- *When applications are processed and successful candidates are identified, hold an organizational meeting to serve as the initial program orientation and contract signing.*
- *Work with Classification to establish the procedure to begin moving participants to the CBU.*

All processes above will be thoroughly documented and provided to the Division of Programs & Services for review and final approval. Meetings with the Warden may be necessary. (It is imperative that CBU's have the backing and support of institution staff, from the Warden to all Correctional Officers working in the CBU. Without this support, the CBU will not succeed.)

Expansion

Expansion must be well planned. Like starting a new CBU, expansion can be time consuming, requiring staff "buy in" and willing inmate participants. Expansion of a CBU requires prior written approval by the Division of Programs & Services.

To expand an existing CBU, seasoned and respected Inmate Program Liaisons are required to move into the new CBU Expansion Unit. The veteran Liaisons help build a foundation from which the new CBU will rise. Veteran Liaisons recruit, engage, and mentor participants ensuring standards are maintained. These Liaisons will also identify, and work closely with those who are the new Program Liaisons in the CBU Expansion Unit. The veteran Liaisons will become Advisors to the "new" Liaisons, providing encouragement, feedback, and guidance to all participants.

3. LEADERSHIP AND OVERSIGHT:

Inmate Peer Programming Job Descriptions:

Inmates, under no circumstances will be placed in, or elevated to, a position of control or authority over another inmate (OP 22.15.5).

Leadership in the CBU does not entitle participants to control, bully, dictate to, or manipulate other participants. These positions provide stability and guidance to the CBU and its participants.

Inmate Program Liaison:

Approved by the SCDC staff Program Coordinator, and/or CBU Administrative Committee, the Inmate Program Liaisons must exhibit proven leadership qualities, organization abilities, integrity, and demonstrated positive character traits. Some of the Liaisons' responsibilities are:

Inmate Program Liaison Duties:

- Encourage and guide fellow participants in adapting to a new way of thinking, while living in a pro-social environment that focuses on the community;*
- Serve others through the sacrifice of time, energy, and resources, building and sustaining the peer-to-peer relationships that are fundamental to character programs;*
- Ensure community adherence to the Social Contract, general community rules, rules of conduct, and the Zero Tolerance Policy, through positive role modeling and reinforcement;*
- Mediate conflict resolution among community participants promoting a harmonious living environment;*
- Mentor all program participants;*
- Serve as a conduit through which community concerns and issues flow, and are properly elevated to the Warden, Associate Warden, Program Coordinator, Unit Manager, or CBU staff;*
- Assist staff in the planning and implementation of new courses/programs;*
- Assist staff in the selection and review of inmates making application to join the CBU; staff has final authority in the selection process.*
- Create course schedules that are conducive to participation, and review new course proposals;*
- Promote, recruit, and provide outreach to prospective participants who are not Character Program participants;*
- Carry out or delegate the procedures on which the courses depend;*
- Conduct Town Hall meetings;*
- Help conduct quarterly reviews, as needed, on all program participants and present those reviews to the CBU Program Coordinator and the Administrative Committee;*

Inmate Program Liaisons Criteria:

- Must be gainfully employed.*
- Must be free of Level 1 or Level 2 convictions, and receive no more than two (2) convictions or administrative resolutions as a result of Level 3, Level 4, or Level 5 charges during a 24 month period.*
- Meet all of the requirements of a Program participant.*
- Be a program participant for a minimum of two (2) years unless the institution is establishing a new Program, or the individual was an Inmate Program Liaison in his/her previous institution and transfers while still in good standing. (The dispatching institution will provide proof of "good standing" status to the receiving institution upon inmate transfer).*
- Successful service as a Lead Mentor for a minimum of six (6) consecutive months unless the institution is establishing a new program or the individual was an Inmate Program Liaison (PS-10.17.34), or mentor in his previous institution and transferred while still in good standing. (The dispatching institution will provide proof of "good standing" status to the receiving institution upon inmate transfer).*
- Must specifically demonstrate a history of exceeding what is required in terms of meaningful interaction with others, conceptualization and development of program ideas, outreach, etc. (PS-10.17.34).*
- Must have a good reputation and integrity as determined by staff and peers (PS-10.17.34).*
- Must have at least a high school diploma/GED.*
- Must have successfully completed leadership training.*

- *Meet all requirements of a Lead Mentor.*
- *Must be unanimously recommended and approved by current Program Liaison, Advisors/Ambassadors, and the CBU Administrative Committee.*
- *Actively participate in courses in the CBU.*
- *Be of good reputation, maintaining high personal standards, as determined by peers and staff.*
 - *Initially appointed by SCDC staff, the position of Inmate Program Liaison should be self-perpetuating. As one Program Liaison vacates the position, the remaining Unit Liaisons will recommend the replacement to staff based on Unit Liaison criteria.*
 - *Institutions should set the optimum of Inmate Program Liaisons for each wing based on population needs. The number of Inmate Program Liaison will not be less than two (2) and will not exceed more than (6) per wing.*
 - *All newly appointed Program Liaisons will serve in a probationary status for a period six (6) months. At the end of six (6) months, all Program Liaisons will meet to review the Probationary Liaison's performance and successful participation in the role. The Probationary Liaison will either be assessed as having successfully completed the probationary period, or the Probationary Liaison will be recommended for removal from Liaison status. All Program Liaisons must vote on the removal of any inmate from Liaison status.*

Inmate Lead Mentor:

The position is comprised of a select few program participants who have served extensively as Mentors. The Inmate Lead Mentor must demonstrate a significant capacity for leadership, while embracing the commitment to the principals of life in a Character dorm, and the Social Contract. Inmate Lead Mentors will support and guide a group of mentees, performing the same duties as Inmate Peer Mentors. Additionally, they are "advisors" the Inmate Peer Mentors turn to when seeking resolution to conflicts and problems, before escalating the issues to Inmate Programs Liaisons, or staff. As "leaders," a replacement Inmate Program Liaison is often selected from the group of Lead Inmate Mentors. Inmate Lead Mentors have the same duties/responsibilities as Inmate Peer Mentors and must meet the following criteria:

Inmate Lead Mentor Criteria:

- *Must meet all criteria of a Peer Mentor.*
- *Must have at least one (1) year successful service as a Peer Mentor.*
- *Demonstrate above average skills in conflict resolution/mediation.*
- *Impressively demonstrate their abilities as a Mentor.*
- *Agree to complete all tasks and work in close accord with Program Liaisons.*
- *Proven record of above average decision-making abilities and relationship building skills.*
- *Unanimously approved by Program Liaisons and the CBU Administrative Committee.*

The number of Lead Mentors should be adequate to assist in serving the population of the wing.

Inmate Peer Mentors:

The power of peers dramatically influences positive learning and personal development, or conversely inhibits it. SCDC Character Program Mentors will provide positive support, and will exhibit, and reinforce the pro-social behaviors necessary for program and participant success.

Inmate Peer Mentors are program participants displaying significant personal development who act as counselors and guides with their peers. Inmate Peer Mentors, assigned a specific number of mentees, will assist those mentees in creating personal development plans, and then regularly evaluate the mentees' progress. The Inmate Peer Mentor will be available to assist the mentee by inspiring, guiding, and intervening, when necessary. Inmate Peer Mentors must find creative ways to counsel, console, and compel the mentees to take the personal initiative to invest in themselves, their living community, the institution's population, and in the lives of their personal families.

Inmate Peer Mentors should create realistic expectations for success in their mentees. Mentors will provide the mentees with constructive feedback that helps the mentee understand where improvement is needed, without belittling or embarrassing the mentee.

Inmate Peer Mentor Criteria:

- *Must be gainfully employed;*
- *Must be free of Level 1 or Level 2 convictions, and receive no more than two (2) convictions or administrative resolutions as a result of Level 3, Level 4, or Level 5 charges during a 24 month period.*

- *Demonstrate a pattern of above average decision-making abilities and relationship building skills;*
- *Meet all of the requirements of a Program participant;*
- *Be a successful and active Program participant for at least one (1) year;*
- *Must have at least a high school diploma/GED;*
- *Must have successfully completed leadership training;*
- *Must have successfully completed all Core curriculum;*
- *Must actively participate in courses in the CBU; and*
- *Must be recommended by another Mentor, or Lead Mentor.*

Inmate Peer Mentor Duties include:

- *Take initiative helping and motivating others, while personally investing in the success of the community;*
- *Exhibit positive behaviors that help escalate community morale;*
- *Communicate clearly and with respect;*
- *Help hold the community to the commitment of the Social Contract;*
- *Maintain a positive attitude during difficult times;*
- *Build rapport with mentees that is authentic, sympathetic, and inspiring;*
- *Lead by example, as a reflection of personal character, while not losing focus on his/her own personal development;*
- *Intervene in internal conflict seeking an informal and peaceful resolution to minor disputes;*
- *Agree to provide guidance, counseling, peer support, etc. to new participants or participants in need of such encouragement; and*
- *Conduct quarterly reviews on all program participants and present those reviews to the Program Liaisons.*

The number of Inmate Peer Mentors should be sufficient so that no Mentor has more than eight (8) Mentees.

Inmate Program Clerks:

Clerks are hand selected from among the CBU residents. These participants demonstrate a capacity for organization skills, computer literacy, critical thinking, objectivity, as well as time management and administrative skills. They must also exhibit honesty and reliability because of the amount of information they must maintain. The Clerks will reliably carry out requests for information and the recording of documentation. This position will work closely with the Inmate Program Liaisons, while understanding this position is directly accountable to and overseen by the SCDC staff Program Coordinator.

Inmate Program Clerk criteria:

- *Must be gainfully employed;*
- *Must be free of Level 1 or Level 2 convictions, and receive no more than two (2) convictions or administrative resolutions as a result of Level 3, Level 4, or Level 5 charges during a 24 month period.*
- *Meet all of the requirements of a Program participant;*
- *Be an active program participant for a minimum of two (2) years (unless the institution is establishing a new Program);*
- *Must have proven skills in Microsoft Office;*
- *Must have a good reputation and integrity as determined by staff and peers;*
- *Must have at least a high school diploma/GED;*
- *Must have good organizational skills;*
- *Must actively participate in courses in the CBU.*

Inmate Program Clerk duties include but are not limited to:

- *Meet, at least twice weekly, with the Inmate Program Liaison in order to maintain a consistent line of communication;*

- *Create and maintain CBU data, all documents, memos, and guidelines that regulate every aspect of the program, submitting them to the staff Program Coordinator for approval;*
- *Generate all memos, reports, and informational postings;*
- *Generate and maintain all CBU support paperwork;*
- *Maintain all current unit records;*
- *Record and maintain all current and former residents' information;*
- *Track attendance for all CBU courses and outreach activities;*
- *Generate, organize, record, and maintain all Quarterly Review materials;*
- *Track educational status of all participants (work with PUSD);*
- *Maintain course schedules; and*
- *Format and maintain course syllabi and handout materials.*

The number of Inmate Program Clerks is established by each institution, included in the House Rules, with signatory approval by the Institution's Program Coordinator and the Warden.

CBU Liaison Advisors/Ambassadors:

Selected by Programs & Services, and Wardens, Program Liaison act as program advisors and ambassadors to all CBUs. They will engage Character Program residents, from a Peer-to-Peer perspective, to help staff identify the assets and needs of Character Communities. The purpose of the Liaison Advisor is to assist staff in enhancing the quality of each CBU from an internal perspective. Liaison Advisors, with security in mind, will be accountable to the Warden, yet they will work closely with Programs & Services. Advisors are not positions of authority, holding influence over others.

CBU Liaison Advisors criteria:

- *Must be gainfully employed;*
- *Must be free of Level 1 or Level 2 convictions, and receive no more than two (2) convictions or administrative resolutions as a result of Level 3, Level 4, or Level 5 charges during a 36 month period.*
- *Meet all of the requirements of a Program participant;*
- *Be a program participant for a minimum of four (4) consecutive years (unless the institution is establishing a new Program or the individual was an Inmate Program Liaison in his/her previous institution and transfers while still in good standing. The dispatching institution will provide proof of "good standing" status to the receiving institution upon inmate transfer); and*
- *Be an Inmate Program Liaison for a minimum of three (3) consecutive years:*
 - *The initial group of Liaison Advisors/Ambassadors will consist of the group of participants who worked with Programs & Services, facilitating the standardization of the program.*
 - *CBU Liaison Advisors/Ambassadors will serve at the discretion of the Division of Programs & Services.*

4. APPLICATION AND SELECTION PROCESS:

CBU Resident Selection Process

Application: Inmates will initiate the application process by sending an Automated Request to Staff Member (ARTSM) to the designated employee of the appropriate institution, requesting admission to the Character Based Program. The designated employee will screen the prospective inmate's record to determine if the prospective inmate meets the minimum qualifications, which are:

- *One (1) year with no major disciplinary conviction;*
- *Six (6) months with no administrative resolutions;*
- *At least six (6) months in general population, or transfer from a Character Based Unit in another institution as a participant in good standing. The dispatching institution will provide proof of "good standing" status to the receiving institution upon inmate transfer;*
- *High school diploma/GED, or enrollment in education;*
- *Evidence of meaningful program involvement (participation in personal development programs); and*
- *Consistent employment history within the inmate's physical/mental limitations.*

The inmate who meets the qualifications will then complete SCDC Form 10-28, "Correctional Institution Character-Based Unit Application." A pre-orientation meeting is scheduled with the applicant and Inmate Program Liaisons. Program Liaisons provide information about the CBU while allowing the applicant an opportunity to interact with participants from the unit. Program Liaisons, in a basic briefing, answer any questions the applicant may have and provide insight regarding expectations of life in the CBU.

Selection: The CBU Administrative Committee will meet to discuss applicants, review all available information, both formal and informal. Inmate Program Liaisons will be consulted during the applicant review process for knowledge of, or familiarity with, applicants. A consensus will be reached by the Administrative Committee as to whether an applicant is a good candidate in terms of what the applicant brings to the program, or may gain from the program. The Administrative Committee will make the final decision. Once selected for participation, the applicant will be moved into the first available bed based on classification guidelines and perceived compatibility.

Equal Opportunity: No inmate will be excluded from the application/selection process based on race, ethnicity, religious beliefs, sexual orientation, or medical/mental health reasons (4-4277).

Custody Requirements: Inmates must be Minimum-In (MI), Minimum-Restricted (MR), or Minimum-Out (MO) custody. Medium (ME) custody inmates may be considered on an individual basis.

Educational Requirements: Education attainment is the foundation for programming in all CBU's. Any applicant who lacks a high school diploma or GED must be enrolled in, and actively participating in, formal educational classes through PUSD, or be on a waiting list for PUSD classes. Waiting list status must be verified in writing by PUSD. (Active participation is defined as consistent, measurable improvement in test scores.)

For anyone requiring tutoring or assistance, additional courses and mentors will help foster skills improvement in preparation for the GED courses. Education is not an option; it is a requirement for application/participation in the CBU.

Education/Tutoring:

Each CBU shall provide educational tutoring, approved by PUSD, to any participant without a High School diploma or GED. Inmate tutors can do much to aid in the education process.

Tutoring and education programs held in the CBU are not Character Programs and will not be counted as such. Active enrollment in the education attainment is a prerequisite for all Character Programs and will not be counted as Character course work. Active enrollment is defined as regular and consistent attendance, and improvement, in Peer-to-Peer tutoring, or course work offered by PUSD leading to graduation or success in the GED program. (Some special exceptions for this enrollment requirement will be considered on a case-by-case basis as recommended by PUSD. Written exceptions will be noted, and maintained, by the institution's Program Coordinator.)

5. FORMAL ORIENTATION, INDUCTION, AND SIGNING OF THE SOCIAL CONTRACT:

Induction and Signing the Social Contract (SCDC Form 10-27):

Reference SCDC PS-10.17.

Orientation and Induction are the warm, friendly welcome to life in the CBU. This is not to be hurried; it is a time to answer any questions a new resident may have.

Social Contract: As a part of SCDC policy, the Social Contract may not be modified (additions or deletions) for any reason. The signing of the Social Contract is very important for the new resident. New residents must participate in the Core Course, "An introduction to the Social Contract," prior to the formal contract signing. This course provides detailed instruction on participant expectations, Community/House Rules, and life in a CBU. The new CBU participants must pass an exam at the end of this course, prior to signing the Social Contract. The intent of this course is to inform comprehensively on the level of accountability that is required of all participants.

Should a new participant decide that the expectations of life in the CBU are too great, the participant may voluntarily sign out of the CBU, immediately returning to General Population, without consequence. Once signed out, the participant must wait for a period of one (1) year from the date of sign out to re-apply to the CBU.

The applicant, upon acceptance and by signing the Social Contract voluntarily agrees to abide by the rules and conditions of life in the CBU.

Contract signing will be a special event conducted at a Town Hall Meeting, with all program residents present.

Town Hall Meeting: Town Hall meetings will be held to give the participants the opportunity to discuss the business of the community in an open, formal setting. The meeting should be chaired by the institution's Program Coordinator/designee and should take place weekly. NOTE: Minutes will be taken by a designated Inmate Liaison, and will be reviewed by the Administrative Committee.

During the Town Hall Meeting, the new resident is formally inducted into the community by reading, and publicly signing the Social Contract (Attachment B). The new participant should be given the opportunity to address the community, telling them in the participant's own words both who the participant is today, and how the participant hopes the CBU will help him/her to become a

better person. This not only gives the community the opportunity to meet the new participant, it gives the new participant the opportunity to explain his/her current situation and plan for personal development.

- *Participants who have not signed the Social Contract within two (2) weeks of admission to the CBU, or refuse to sign the Social Contract, may not live in the CBU. They will be returned to General Population immediately.*

Quarterly Review: Program Liaisons, Lead Mentors, and Mentors will conduct performance reviews on each participant, quarterly. Reviews will note if the participant is employed, engaged in positive programming or activities, and contributing to the success and well-being of the community. Participants who fail to show evidence of such will be placed on a Redemption/Probation Plan. Subsequent review failures will result in Program Liaisons recommending to the Administrative Committee that the participants be removed from the CBU. Quarterly reviews are maintained by the Program Clerk and retained for a period of two (2) years.

6. VOLUNTEERS:

Reference SCDC Policy PS-10.17.6

SCDC recognizes the need, and welcomes volunteer support of the CBU, and active involvement in teaching courses that benefit the participants.

Inmates will not serve on, or participate in, committees with volunteers to seek external funds to support institutional programs. Inmates will not make final decisions on programs and supplies that support programs in an institution.

Volunteers writing grants, and/or soliciting funding to support institutional programs will seek advance written approval for such grant applications, or solicitations, from the Division of Programs & Services.

7. COURSES AND ACTIVITIES:

All courses, or programs, to include Vocational, Job Skills Training, Pre-Release, etc., are under the direct oversight of the Division of Programs & Services. Programs & Services will be notified of all new, or revised courses and programs in writing.

CBU Courses:

Previously referred to as "programs," the essence of activity in the Character Programs are the courses. Courses offer the participant the opportunity to generate and embrace personal change. The courses are not a classical methodology of behavioral modification, but rather a means to personal discovery, revealing untapped potential, and altering one's lifestyle, by choice.

Course progression follows an academic structure, with an accumulation of credits based on successful course completion. Credit accumulation is relative to the course type, or importance.

- *Mission Critical (Core/Mandatory) courses have a weight of three (3) credits each;*
- *Mission Supportive (Personal Development and Life Skills) courses have a weight of two (2) credits each;*
- *Elective courses have a weight of one (1) credit each.*

Progression through Character Programming must have a definable period, ultimately resulting in "graduation." The progression mirrors collegiate models consisting of four (4) tier equivalents, Alpha Tier (freshman), Beta Tier (sophomore), Gamma Tier (junior), and Delta Tier (senior). Completion, "graduation," does not mean the end of the road, but provides a demarcation of an inmate's advancement in the program. It is essential that there be no perception that a participant's progression, i.e. Beta Tier, Delta Tier, etc., has any more authority in the program than does the Alpha Tier participant.

A fifth tier, Omega, will be reserved for those who attain Ambassador status. Those in Omega have completed all course requirements for graduation, are actively and consistently, giving back to the CBU community, and seek no self-promotion. Omega participants will have served as Lead Mentors, Program Clerks, or Program Liaisons, having no less than four (4) consecutive years in the CBU, and have above average scores on the last four (4) quarterly reviews.

Character Programs have Mission Critical courses (Core/Mandatory) that all CBU participants are required to complete. These courses will include Character 101, Violence Prevention, Impact of Crime, 7 Habits on the Inside, and other evidence based, or essential curriculum, the Division of Programs & Services identifies and prescribes.

Progression from each Tier requires an accumulation of at least 24 credits per tier. Tier advancement is not determined by the number of months/years in the program, but by the number of earned credits.

Elective courses may not be taken for credit, until all Mission Critical courses have been completed. (Participants, at any point, can take Electives. However, credit will not be given for courses until all Mission Critical courses are completed. Credit will not be retroactive.)

Mission Critical and Mission Supportive courses may be taken at the same time. Mission Supportive and Electives may be taken at the same time. No participant is allowed to take only Elective courses, for credit, at any point.

- *End of course exams will be administered for all Mission Critical and Mission Supportive courses. Exams will measure proficiency in the subject matter, as well as provide proof of passing status. Tests will provide a numeric score, not just a*

"Pass" or "Fail" grade. Grades are recorded as a portion of the participant's transcripts. Exams will be kept on file for a period of one (1) year.

- Some courses will require two (2) quarters of instruction, or more, for completion. Course credit is based on completion of the individual course, regardless of the length of instruction i.e. "7 Habits on the Inside" may be taught across two (2) consecutive quarters. Upon completion, participants will earn three (3) credits. If a participant fails to complete the second half of the course, no credit is given, and the course must be retaken. Participants are not allowed to complete the second half "at a later date."*

NOTE: Course credit will NOT be calculated or recognized based on hours of participation. Course credits are based on successful course completion, not contact hours (hours of class participation).

Course Schedule:

Courses will be offered on a quarterly basis with the following standard schedule:

- Quarter 1: January 1st - March 31st*
- Quarter 2: April 1st - June 30th*
- Quarter 3: July 1st - September 30th*
- Quarter 4: October 1st - December 31st*

Course Requests

All courses must be approved by Programs & Services using SCDC Form 10-26.

Anyone (staff, inmate, or volunteer) may propose a new course, so long as he/she provides a syllabus outline the course curriculum. The individual must prove they possess the training/experience necessary to certify proficiency and teach the subject matter effectively. Proficiency is obtained via education, formal training, job experience, or professional certification. The requestor must possess all course materials, books, CDs, DVDs, charts, or handouts prior to approval. Additionally, each course will require a final exam. A copy of the final exam must accompany each Course Request, and be approved.

CBUs will not provide/allow courses promoting the conversion of participants from one particular faith, or religious preference to another. Courses will not criticize the faith or belief of others. Courses will not be used to promote, recruit, or perpetuate gang activities. Additionally, courses will not promote bias or negative attitudes toward others based on race, creed, religious preference, or sexual orientation.

Avoiding all perceptions of discrimination or coercion, faith-based courses are not Mission Critical courses in Character Programming. SCDC recognizes the value of faith-based courses as they relate to personal development. Nonetheless, faith-based courses are Electives; participation is not mandatory. All faith-based courses must fall under the Chaplaincy with each institution's Chaplain responsible for course oversight.

- All Mission Critical and Mission Supportive courses, regardless of content, must relate to the Social Contract, support Peer-to-Peer accountability, teaching and reinforcing positive, ethical, and pro-social behaviors, while also providing structured learning/educational opportunities to all participants.*
- The Division of Programs & Services must approve all courses prior to beginning instruction. Should a CBU start a course that has not been approved, the course is subject to suspension or termination, pending review, and approval. NOTE: Course approval shall not take more than 90 days from the date of submission to the Division of Programs & Services office.*

Participation, Attendance, & Assignments:

Attendance in courses is important to successful participation in the Program. Courses instructors are responsible for maintaining accurate attendance records. Attendance records will be submitted to the Clerks.

Participation: All participants must be actively involved in a minimum of three (3) courses per quarter. Failure to meet this minimum requirement leaves participants subject to review by the staff Program Coordinator and/or the Administrative Committee and/or removal from the CBU. A "minimum participation waiver/excused participation" must be approved, in writing, by the Program Coordinator and/or the Administrative Committee for a period not to exceed two (2) quarters, and kept on file by the Program Clerk. If the "minimum participation waiver/excused participation" becomes chronic, more than two (2) occurrences in one (1) year, the participant will voluntarily sign out, or be removed by the CBU Administrative Committee, from the CBU.

Once a participant registers for a course, attendance and active involvement are mandatory.

Absences: Participants with excessive, unauthorized, absences from any course will not receive credit for course completion. "Excused" absence is when the participant is out of the institution, or has a valid OTR. (OTR absences are subject to review by the institution's Program Coordinator, or Programs & Services staff.) Upon review, participants can be removed from courses, or denied course credit, for an excessive number of OTR's.

Participants are counted as a "late arrival" 10 minutes after the class has begun. Two (2) "late arrivals" will count as one (1) absence. A participant who is more than fifteen (15) minutes late will be counted absent. Failure to meet this requirement will result in removal from the course with no course credit earned.

Leaving classes early will be noted in the attendance record. Two (2) occurrences of leaving class early will count as one (1) absence. Leaving early is defined as leaving class at least 10 minutes prior to class dismissal. There are no excused early departures.

Assignments: A participant must show interest and willingness to participate in class discussions, completing 80% of all in-class assignments or homework the classes require. This ensures participant's commitment and success. Instructors will engage all participants in discussions, class assignments, and homework.

Exams: All courses should give a final exam; Mission Critical and Mission Supportive course tests are mandatory. Mission Critical course tests will be developed by Programs & Services to provide consistency across all institutions, for these courses. Testing ensures that participants are learning from the classes. Tests will be used to measure participant progress.

Instructors must develop an exam, for pre-existing courses, for their class and submit a copy to the institution's Program Coordinator and/or Programs & Services for signatory approval. All exams will be graded on a 100-point-maximum system. All grades will be turned into the Program Clerk within three (3) days of the conclusion of class, along with the class attendance roster. The Program Clerk will keep all graded exams on file for a period of one (1) year. Participant's grades will be reviewed quarterly.

- *Failure to meet any of these requirements will result in no course credit for the participant.*

Outreach/Recruiting:

Each institution will develop an outreach and recruiting mechanism for their respective yards. It is expected, as part of the due diligence, that CBU participants use their positive experiences, and "different" living conditions, as outreach to those who would who would greatly benefit from all the CBU offers. Part of life in the CBU is "paying it forward" to help others live a more meaningful life while behind bars.

As part of the outreach process, Character Programs are to offer intra-institutional courses in locations other than the CBU, i.e. the Step Down Unit, Mental Health, or other housing units. Participants, approved by the Warden, or Program Coordinator, will be recognized by Unit Managers and other staff as being authorized to teach in other living units, outside of the CBU.

Recruiting will not take place at, or in, Reception & Evaluation (R&E), or between institutions. Inmates who are at R&E do not meet the CBU entrance criteria, and the environment at R&E is less than ideal for recruiting.

8. ENGAGEMENTS/CONFLICT RESOLUTION:

Engagements and Conflict Resolution: Engagements are a process that encourage constructive criticism and create a record for future reference, if warranted. In the spirit of peer support, the CBU will promote a positive and healthy approach to addressing disagreements and objectionable behavior. In all cases, participants will consider these matters in a calm manner without accusation.

- *Informal Engagements are "one-on-one" meetings between peers, but should be documented in the Engagement Log. The Informal Engagement is a conversation seeking to resolve a disagreement or to address behavior not in keeping with life in the CBU. Multiple Informal Engagements with the same individual, three (3) or more, for the same matter will result in a Formal Engagement.*
- *Formal Engagements, involving Mentors and Program Liaisons, require formal documentation of matters that cannot be resolved through the Informal Engagement. The Engagement Log is used for this matter. During the Formal Engagement, the Mentor, Lead Mentor, and a Program Liaison should be present. Should the participant's behavior continue, the matter, and Formal Engagement, should be referred to the CBU's Administrative Committee for the participant's removal from the CBU.*
- *Engagements, not always a result of negative behaviors, should be used as positive reinforcement for a job well done. Engagements should also be used to recognize those who exhibit exemplary behaviors and attitudes, and for those who provide support services that benefit the CBU and/or the institution as a whole.*
 - *Engagement protocol may vary from institution to institution. However, specifics of Engagements will be detailed in each institution's Community/House Rules.*

9. REMOVAL FROM THE CBU:

Zero Tolerance:

Zero Tolerance infractions, by their very nature, are egregious and undermine the integrity of the Character Program. Zero Tolerance infractions, derived from SCDC Policy OP-22.14, will result in immediate removal from a CBU. Violation of Zero Tolerance expectations threaten the stability of the CBU, and jeopardize the success of the program as a whole. Incidences/reports of Zero Tolerance transgressions will be elevated to the staff Program Coordinator and the CBU Administrative Committee for review. Because participants and staff built the CBU on trust, there are no exceptions to violations of the Zero Tolerance rules per SCDC Policy OP-22.14.

CBU Zero Tolerance infractions include:

- ***Possession/Use of Alcohol;***
- ***Possession/Use of Drugs, or drug related paraphernalia;***
- ***Possession/Use of Tobacco;***
- ***Disrespecting an Officer, Staff member, or Volunteer;***
- ***Physical Abuse/Fighting;***
- ***Abuse of an Animal (for institutions participating in animal rehabilitation or training);***
- ***Public Masturbation/Exhibitionism, Sexual Misconduct, or Sexually Acting Out;***
- ***Possession/Use of a Cell Phone;***
- ***Stealing;***
- ***Tattooing, Receiving Tattoos, or Possession of Tattoo Related Paraphernalia;***
- ***Self-Mutilation; and***
- ***Gang Activity.***

Anyone convicted of a Level 1, 2, or 3 SCDC disciplinary offense will be removed from the CBU, and returned to General Population. Multiple informal/administrative resolutions, Level 3, Level 4 or Level 5 convictions, more than three (3) in 24 months, will lead to removal. Infractions documented in the Engagement Log, and supported by staff through a formal disciplinary conviction, or administrative resolution, will result in the person's removal from the CBU.

10. PARTICIPANT EMPLOYMENT:

Gainful Employment:

All program participants will be gainfully employed. Gainful employment (work), for CBU participants, is defined as any SCDC recognized job in which an inmate is employed, Prison Industry, Prison Industry Enhancement program, Education, Maintenance, Food Service, Horticulture, etc., or earning EWC. Work is further defined as a location outside of the inmate's living unit; Program Liaisons, Lead Mentors, and CBU Clerks are exempt from the location requirement. No living unit will have more Dorm Workers than are routinely required to keep the unit clean. Dorm Worker, or any other job position/title, will not be exploited for the sake of the "gainful employment" of program participants.

11. ADMINISTRATIVE REDEMPTION: (Allendale Correctional Institution ONLY)

Provisions in the SOP may require a program participant's removal to General Population. However, Allendale's staff Program Coordinator, or Administrative Committee, may offer the participant an intensive probation period not to exceed 90 days, upon receipt of unanimous petition from the Program Liaisons. Probation is voluntary.

During such probation, the participant must be moved to a housing unit where he will be denied benefits inherent of the CBU. The participant will be required to adhere to all standards of the CBU, i.e. House Rules, and the Social Contract, and any additional requirements sanctioned by the staff Program Coordinator or Administrative Committee.

Upon successful completion of the terms of the probationary period, the participant may be provisionally reinstated as a member of the CBU. A lack of compliance, during the probationary period, will result in the participant's removal from the program. No program participant may receive intensive probation more than once in a 12-month period.

Why be satisfied with mediocrity when excellence lies before each of us. Excellence is not a matter of chance; it is a matter of choice.

Inmate Classification Plan (SCDC Policy OP-21.04)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "32. Once an inmate reports that they feel they are in danger, what is the process and different options for addressing it?"

In addition to providing the information in this document, SCDC provided the following response:

- These concerns are usually handled by institutional staff as this is an operational issue. If the threat rises to the seriousness of an investigation being requested by the institution or other area, Police Services will review and provide findings of our review to the appropriate staff to address the inmate's safety concerns.
- Please see attached SCDC Policy OP-22.23 "Statewide Protective Custody" or OP-21.04 "Inmate Classification Plan" sections 17 & 18 regarding Protective Custody and Separations.



SCDC POLICY

Change 1 to OP-21.04: [20.2](#), [66.6](#), [69.6](#), [69.7](#)

Change 2 to OP-21.04: [20.2.1](#); [20.3](#)

NUMBER: OP-21.04

TITLE: INMATE CLASSIFICATION PLAN

ISSUE DATE: December 13, 2017

RESPONSIBLE AUTHORITY: DIVISION OF CLASSIFICATION AND INMATE RECORDS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: (OCTOBER 21, 2013); OP-21.04 Change 3 (September 26, 2012); Change 2 (February 10, 2011); Change 1 (February 3, 2011); (JANUARY 1, 2011); (JANUARY 1, 2010); (AUGUST 1, 2006); (JANUARY 1, 2005); Change 1 (March 28, 2005); Change 2 (October 1, 2005)

RELEVANT SCDC FORMS/SUPPLIES: 18-1, 18-3, 18-6, 18-34 18-39, 18-68, 18-69, 18-78, 18-79, 19-11, 19-17, 19-29, 19-30, 19-45, 19-47, 19-54, 19-97, 19-100, 19-123, 19-141, 27-4, 27-9, 27-10, 27-16, 27-17, 27-18, 27-23, 27-49, 27-53, 27-67, 27-70, M-14, M-31, S-13, S-15, S-28, S-32, B-19, 447-SC-DMV

RELATED HEALTH SERVICES PROCEDURES: 300.9, 300.25, 300.27

ACA/CAC STANDARDS: 4-ACRS-2A-07, 4-ACRS-2A-08, 4-ACRS-3A-03 through 4-ACRS-3A-06, 4-ACRS-5A-01, 4-ACRS-5A-03 through 4-ACRS-5A-06, 4-ACRS-5A-11 through 4-ACRS-5A-16, 4-ACRS-6A-10 through 4-ACRS-6A-12, 4-ACRS-6B-01, 4-ACRS-6B-02, 4-ACRS-7B-03, 4-ACRS-7D-07 through 4-ACRS-7D-10, 4-ACRS-7D-32, 4-ACRS-7D-33, 4-ACRS-7F-01, 4-ACRS-7F-04, 4-ACRS-7F-05, 4-ACRS-7F-08, 4-4017, 4-4095, 4-4096, 4-4098, 4-4400, 4-4402, 4-4235, 4-4250, 4-4253, 4-4255, 4-4281-1, 4-4281-2, 4-4285, 4-4286, 4-4287, 4-4288, 4-4290, 4-4292, 4-4295, 4-4296, 4-4297, 4-4298, 4-4299, 4-4300, 4-4301, 4-4302, 4-4303, 4-4304, 4-4305, 4-4312-1, 4-4344, 4-4442, 4-4444, 4-4449, 4-4499.

STATE/FEDERAL STATUTES: Section 17-25-65, South Carolina Code of Laws, 1976; Section 24-1-140, South Carolina Code of Laws, 1976, as amended; Prison Rape Elimination Act (PREA) Statute 42 USC 15601; PREA Standards 115.41, 115.42, 115.43, 115.81.

PURPOSE: To provide a general outline of the Agency's inmate classification plan and to establish the general criteria by which inmates will be classified and assigned to housing within the Agency.

POLICY STATEMENT: The South Carolina Department of Corrections is committed to upholding public safety and to operating a safe, secure, and humane prison system. To this end, the Agency will develop and implement an inmate classification system designed to assess an inmate's risk based on his/her past criminal behavior and to assign him/her to appropriate institutional housing based on the results of such risk assessment. To promote positive behavior, an inmate's custody level and privileges while assigned to an institution will be based on behavior driven criteria.

Inmate custody classification is based on different factors and embodies correctional discretion. An inmate has no right to any particular custody level.

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<u>74. COURT COORDINATION</u>
<u>75. DMV ID CARDS</u>
<u>76. REDUCTION OF SENTENCE FOR SUBSTANTIAL ASSISTANCE TO THE STATE</u>

SECTION ONE: INTRODUCTION

1. POLICY DIRECTIVES:

1.1 The South Carolina Department of Corrections will develop, implement, and publish an Inmate Classification Plan in compliance with applicable state and federal statutes and American Correctional Association Standards. With the approval of the Agency Director and the Deputy Director of Operations, responsibility for the development and implementation of the plan will rest with the Division Director of Classification and Inmate Records. The Classification Plan will be reviewed at least annually and updated as necessary.

1.2 A copy of the Inmate Classification Plan will be provided to each Warden, Regional Director, Division Director, Classification staff member, policy manual holders, the Agency Director, the General Counsel, and other members of the Executive Staff. Inmates will be afforded access to the plan through publication of the same in the SCDC Operations Operational Manual available for their review in each institutional library (or area within the institution generally accessible to all inmates). When necessary, updates to the plan will be published and distributed to staff by the Division Director of Classification and Inmate Records and the Branch Chief of Policy Development.

1.3 The Inmate Classification Plan will generally be designed to:

- Assign inmates to institutional housing based on risk assessment criteria;
- Establish regular reviews and multiple custody levels within institutions;
- Assign inmates to various custody levels and provide privileges to inmates based on behavior driven criteria;
- Increase supervision and control of disruptive inmates in maximum and medium custody units;
- Establish graduated release for eligible inmates through a systematic decrease in supervision and corresponding increase in responsibility pertaining to work release and/or placement in a pre-release center; (In preparation for final release, inmates will be encouraged and provided opportunities for involvement with family and participation in community activities in accordance with SCDC Policies OP-22.09, "Inmate Visitation," and PS-10.04, "Volunteer Services Programs.")
- Retain inmates at assigned institutions for longer periods of time to reduce transfers and stabilize the inmate population; and
- Standardize inmate record keeping to ensure that consistent, up-to-date information is maintained on each inmate from which classification decisions may be based.

1.4 At a minimum, an inmate's classification status will be reviewed at regular intervals to ensure the proper classification of each inmate during his/her term of incarceration. Inmates may also be reviewed as a result of a change in their status, i.e., disciplinary infractions, changes in their sentence, criminal charges, etc.

1.5 Inmates will be afforded the opportunity to appeal classification decisions through the Agency's Inmate Grievance System. (See SCDC Policy GA-01.12, "Inmate Grievance System.")

1.6 The Division Director of Classification and Inmate Records or designee will monitor classification programs within each institution at least annually with formal on-site visits to ensure that classification procedures are properly administered.

2. CLASSIFICATION PLAN CRITERIA AND OBJECTIVES:

2.1 This classification plan uses detailed information on the inmates that is gathered and entered into the automated system during intake processing at the R&E Center. Inmates will then be assigned and transferred to the correct security level. Privileges and Earned Work Credit/Earned Educational Credit (EWC/EEC) accrual rates will be determined by behavior at the receiving institution where an inmate can move to less or more restrictive custody (supervision).

2.2 The format for the classification criteria is designed to:

- Simplify and standardize the process;
- Meet the public's perception and demand for justice and safety;
- Account for risk as presented by past criminal behavior;
- Specifically address institutional behavior; and
- Develop policy/procedural guidelines for custody and security level placements with the concurrence of many field personnel.

2.3 Objectives of Classification Training:

- Allow field personnel active participation in case-by-case evaluation.
- Ensure common understanding among staff in the interpretation of the classification system.

- Ensure that, despite simplification, the essential elements of an objective and consistent classification system based on risk and protection of the public are not compromised.
- Obtain feedback to finalize a set of system wide policy/procedural guidelines from which the system can be automated and reports generated for monitoring and evaluation.

2.4 System Design: The system is designed to:

- Establish multiple custody levels within facilities;
- Base custody and privileges on inmate behavior;
- Increase supervision and control of disruptive inmates with maximum and medium custody units; and
- Emphasize work, programs, and good behavior.

2.5 Format for *Central* Classification Security Level Review: The format evaluates inmates on six (6) placement criteria: Severity of current offense; Incarcerative sentence based on time to max out; Prior commitments over 90 days; Assaultive disciplinary convictions; Escape history; and Detainers. Also considered are assessed special needs such as: Mental Health, Sex Offender, Medical, Mental Retardation, and Substance Abuse. In addition, the following are considered: Security Threat Group Affiliation; Separation Requirements; Resident Stability; and NCIC Offense Information.

2.6 Institutional Classification Custody Review: The custody is determined by analysis of "behavior driven" criteria to assess the level of supervision based on:

- Assaultive disciplinarys with a weapon;
- Assaultive disciplinarys without a weapon;
- Assaults against staff;
- Assaults against inmates;
- Escapes;
- Chronic/major disciplinary history;
- Criminal offenses committed while incarcerated;
- Resident stability;
- Detainers; and
- Security Threat Group Affiliation.

2.7 Custody Assignment: The Institutional Classification Committee (ICC) will be the decision-making body for institutional custody decisions. Classification committees will be chaired by the Classification Case Manager/Caseworker (CPS II/CPS I in level 1A institutions). The ICC will make decisions regarding custody with the exception of placement in Protective Custody and Minimum Out/Minimum Restricted custody in Security Level 2 and 3 facilities. The ICC will make recommendations and *Central* Classification will make final decisions to approve or disapprove the custody assignment in these situations. All inmates will be classified for custody and housing. The principal custody designations are: Minimum Out (MO); Minimum Restricted (MR); Minimum In (MI); Medium (ME); Maximum (MX); Security Detention (SD); *Short term Detention (ST)* with Protective Custody Concerns (SP); Protective Custody (PC); Disciplinary Detention (DD); Disciplinary Yard (DY).

2.8 Inmate custody classification is based on different factors and embodies correctional discretion. An inmate has no right to any particular custody level.

2.9 The inmate's custody should be based on behavior and criminal history. The custody will determine the inmate's privileges and EWC/EEC level. Criminal history is considered when evaluating an inmate for MO and MR custody.

3. SECURITY AND INSTITUTION ASSIGNMENT:

3.1 *Central* Classification will be the decision-making body for security level and institution assignment. The principal security level designations are: 1A, 1B, 2, and 3.

3.2 USE OF AUTOMATION: Data in the automated system is being enhanced through transfer of information from the manual record; entering additional data in areas such as medical and mental health; and auditing records to increase the accuracy of the information.

SECTION TWO: RECEPTION AND EVALUATION (R&E) CENTERS

4. INITIAL RECEPTION AND EVALUATION PROCEDURES: All inmates who arrive at an R&E Center will immediately be processed through the following steps of receiving and evaluation (paragraphs 4.1 through 4.15).

4.1 The R&E Records staff will be responsible for creating both an institutional and a central record for each inmate. The institutional record will accompany the inmate upon transfer from R&E and upon every institutional transfer thereafter, with the exception of inmates being transferred to regional court hubsites, medical/doctors appointments, outside (non-SCDC) hospital admissions, and overnight court transports/overnight PCR hearings.

4.2 Each inmate's commitment papers will be reviewed by the receiving person and delivered to the appropriate R&E records person for processing. The R&E Records staff will review the commitment papers to ensure that the inmate has a valid South Carolina sentence. Inmates who do not have valid commitment papers or a valid South Carolina sentence will not be accepted by the SCDC.

4.3 Each inmate will be searched for contraband as indicated in SCDC Policy OP-22.19, "Searches of Inmates."

4.4 Medical and trained security staff will conduct a medical screen to determine immediate action to be taken if inmate appears to be suicidal (i.e., referral to mental health counselor) and/or identify medical conditions that need immediate attention. Medical, mental health, and dental screening will be conducted in accordance with SCDC Policy HS-18.13, "Health Screening and Exams."

4.5 Inmates arriving at the R&E Center with a GBMI (Guilty But Mentally Ill) conviction will automatically be sent to Gilliam Psychiatric Hospital (males) or to Camille Graham Correctional Institution (Special Needs Facility) (females) for evaluation.

4.6 See SCDC Policy OP-22.16, "Death Row," for information regarding the reception and evaluation process for inmates with death sentences.

4.7 Each inmate's property and money will be processed in accordance with established SCDC procedures. (Refer to SCDC Policy OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property," and ADM-15.12, "E.H. Cooper Trust Fund," for further information.)

4.8 Each inmate will receive hygienic attention (shower, shave, hair cut, etc.) and will be issued clothing and any additional items approved for issuance to the newly-arrived inmate. (Refer to SCDC Policy OP-22.13, "Inmate Grooming Standards.")

4.9 Each inmate will be questioned to determine age and any other questions necessary in order to assist in making cell assignment.

4.10 Each inmate will be fingerprinted and photographed (to include notation of identifying marks or other unusual physical characteristics for identification). An Identification Card will be issued to the inmate with assignment of an SCDC number.

4.11 Each inmate will be given assistance in notifying *his/her* next of kin and family of admission, if necessary.

4.12 Initial Housing Assignments: Initial housing assignments at the R&E will be made by the Operations Coordinators in charge on the basis of the inmate's age, physical size, and any other available security-related characteristics, including information received prior to the inmate's arrival or from the law enforcement or jail personnel who transported the inmate to the R&E Center. Housing for inmates undergoing reception and diagnostic processing will be in cells specifically designated for R&E.

4.13 Immediate Care Requirements: Each inmate will be interviewed to determine if s/he requires immediate medical or mental health care in compliance with related Health Services procedures. Inmates who require immediate medical or mental health care will be referred to the appropriate health services professional staff for evaluation and treatment.

4.14 Prescriptions and Medications: Each inmate will be required to present prescriptions and all medications (prescribed and over-the-counter) that the inmate obtained prior to arrival at the R&E Center. The medical staff will review all prescriptions and medications and confer with a SCDC physician to decide upon continuation of these medications. When the inmate is examined by a physician, a final determination will be made as to what medications the inmate will require.

4.15 Initial Orientation: Each inmate will receive a brief orientation concerning the reception process. All newly arrived inmates will receive written orientation by the R&E personnel on the following minimum topics:

- SCDC policies and rules;
- Intake process;
- Prison Rape Elimination Act (PREA);
- Inmate grievance system;
- Institutional programs and services;
- Consular Notification;
- International treaty;
- Mail and visitation procedures; and
- HIV education.

5. INITIAL MEDICAL ASSESSMENT, ORIENTATION, INTAKE ASSESSMENT, AND REFERRALS:

5.1 Preliminary Medical Examination: During the receiving and screening phase at the Reception and Evaluation Center, medical staff will screen the incoming inmate within **72 hours**, using SCDC Form M-14 and the history portion of the R&E Physical in the automated medical record (AMR). Additional medical information will be requested from outside sources, i.e., inmate's physician prior to admission to verify an inmate's claim of previous medical treatment. (PREA Standards 115.41 and 115.42)

5.1.1 On a case by case basis, the **Gender Dysphoria Multi-Disciplinary Team** will determine whether to assign a transgender or intersex inmate to an institution for male or female inmates. The placement decision will be based on the inmate's own views with respect to his or her health and safety, and whether such decision will present a management or security problem. (PREA Standard 115.42)

5.1.2 Inmates with special medical and/or mental health needs will be referred to the appropriate professional medical staff for further evaluation and treatment.

5.1.3 The results of the preliminary medical examination will be recorded on SCDC Supply S-15, "Comment Sheet," and other appropriate forms, which will be filed in the inmate's medical record. A copy of the Comment Sheet will be forwarded to the assessment classification section. This information is also included in the automated record.

5.1.4 Initial Screening for Risk of Victimization or Abusiveness: Inmates must be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of arrival at SCDC and again at each subsequent transfer. A trained

designated staff member will use the automated PREA screening instrument (SCDC Form 18-79, "PREA Screening Checklist") to interview the inmate and complete the checklist. Inmates who have experienced prior sexual victimization or perpetrated sexual abuse on others whether it occurred in an institutional setting or in the community will be offered a follow-up meeting with a qualified medical/mental health staff within 14 calendar days of the initial screening. The screening interview will be individualized to ensure the safety of each inmate and will be conducted in a private area that is conducive to obtaining complete and accurate information. Inmates will not be disciplined for failure to disclose or *for* refusal to answer questions related to prior sexual abuse. (PREA Standards 115.41 and 115.81)

5.1.5 Within 30 days of transfer, the Classification Caseworker/CPS will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since the inmate's transfer. If additional, relevant information has been received, the classification caseworker will assess the inmate's risk using the automated PREA screening instrument. If no additional, relevant information has been received, the classification caseworker will indicate that on the automated PREA DUE LIST.

5.1.6 The inmate's PREA status will be used when making decisions regarding cell assignment, job assignment, education, and program assignment. Inmates designated as PREA perpetrators will be kept to the extent possible from those designated as PREA victims. (PREA Standard 115.42)

5.1.7 Initial Housing of LGBT (lesbian, gay, bisexual, and transgender) inmates: Lesbian, gay, bisexual, transgender, or intersex inmates will not be housed solely on the basis of such identification unless placed for the purpose of protecting the inmate. Transgender and intersex inmates will be given the opportunity to shower separately from other inmates. Placement and program assignment of transgender and intersex inmates will be reassessed every six months to review any threats to safety experienced by the inmate. (PREA Standard 115.42)

5.1.8 Information from the risk screening instrument will be considered when making housing, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, and ensuring that determination about how to ensure the safety of each inmate is individualized.

5.2 Orientation: Each inmate will receive a brief orientation through written material and video tapes and/or by a short presentation conducted by the assessment classification staff. Assistance will be provided to those inmates unable to understand or speak English. This orientation will be documented on SCDC forms 18-69, "Certificate Of Inmate Orientation," and 18-78, "Certification Of Prison Rape Elimination Act (PREA) Orientation."

The following topics will be addressed:

- Inmate process;
- Improper behavior between staff and inmates;
- Prison Rape Elimination Act (PREA) Guidelines;
- SCDC institutions;
- Consequences of rules violations;
- Programs; and
- HIV education.

5.3 Assessment Testing: All newly received inmates and those who have not been evaluated in the past three (3) years will be administered the math portion of the Wide Range Achievement Test (WRAT) and the Drug Dependence Screen (DDS) test in a group setting. Those unable to read will have the DDS read to them. The reading portion of the WRAT will be administered separately during the Intake Assessment Interview. Substance Abuse Services staff will grade the DDS test, and the Educational and Classification personnel will grade all other tests and record the scores.

5.4 Intake Assessment Interview: The Intake Assessment Interview will be conducted with each newly received inmate by an assessment classification caseworker after the tests described in 5.3, above, are completed.

5.5 Inmate assessment data will be entered in the automated Offender Management System as the inmates are interviewed. The Intake Assessment Interview will be conducted with each newly received inmate by an assessment classification caseworker on the first day of intake when feasible. If for any reason newly received inmates can not be interviewed on their first day of admission, emergency contact information will be entered, and the inmate will be re-scheduled for a complete interview the next work day. The interviews will consist of the following personal data information: Marital/family/social history (to include last known address and emergency contact information); Education/Vocational history; Juvenile history; Employment history; Substance abuse history; Medical/Dental/Mental health history; Needs Assessment and Program Adult criminal record/Legal aspects of the case; Sexual misconduct data; Court ordered recommendations; Staff recommendations; and date information was gathered.

5.6 Assessment Referrals/MEDCLASS: Once the Intake Assessment Interview is entered in the Automated Offender Management System, the computer will generate an Intake Referral Form if certain questions or parts of the interview are answered in the affirmative. The Intake Referral Form will indicate which assessment questions triggered the referral.

5.7 The Intake Assessment Referral will be forwarded to mental health staff for evaluation, and the following steps will be taken:

- Upon evaluation, mental health staff will forward the referral to appropriate medical staff with recommendations for treatment or further evaluation.
- Medical staff will then initiate any other actions for approval in special needs programs, if necessary.
- Medical staff will then complete the MEDCLASS screen and indicate any institutional, cell, work, or transportation restrictions. This screen will be viewed by classification staff before institutional assignments are made.

6. INITIAL CLASSIFICATION AND ASSIGNMENT PROCEDURES: All inmates processed through an R&E Center will be initially classified for a security and custody level and assigned to an institution that best meets their needs. The same procedures will apply to all inmate readmissions and reassignments to R&E Centers.

6.1 Initial Classification: Once the records audit is completed, the security review can be created under the CLASSP screen of the automated Offender Management System. The computer will automatically rate each of the six (6) security criteria and recommend a security level. Each criteria should be reviewed with the manual record, to include any open dispositions, plea bargained, or dismissed/nol prossed sex offenses on the NCIC. If discrepancies are found, the records auditors will be contacted to update the automated record.

PART I:

Security Criteria - See chart for levels (Paragraph 8) :

- 1. Severity of current offense** - based on category of the most serious current offense (1-5).
- 2. Incarcerative sentence** - based on remaining time to serve until max-out.
- 3. Prior criminal history** - commitments of more than 90 days, counted as violent or non-violent per statute.
- 4. Disciplinary convictions** - will be major or administrative. All assaultive disciplinaries will be recorded as against a staff member or an inmate, and with or without a weapon.
- 5. Detainers** - (includes wanteds and holds) are based on the offense category of each detainer (1-5). Notifies are reviewed on a case-by-case basis.
- 6. Escapes** - any escape from custody or confinement, based on date returned from escape, if known. Categorize as Class I or Class II escape. See escape definitions. (Note: Other escape related offenses are reviewed on a case-by-case basis.)

Resident Stability - based on arrest record from the NCIC and indication of citizenship status.

Violent Offense with Prior Violent Conviction- "Y" or "N" will appear based on inmate's criminal history.

Inmate Labor Crew Date - if eligible, date will appear.

Recommend Screening for Labor Crew Now - "Y" or "N" will appear based on when the labor crew date occurs.

PART II:

Special Needs Per Intake Assessment/Medical - "Y" or "N" will appear if the inmate was referred for evaluation in a specific area. This does not necessarily mean that the inmate needs this program, only that an evaluation was done in this area.

Security Threat Groups - will be indicated.

Separation Requirement - "Y" or "N".

Resident Stability - appears again for reference.

PART III:

Recommend Security - level recommended based on security criteria.

Assigned Security - level recommended by classification staff.

Institutional Override - see override codes - must thoroughly explain justification in remarks section. (Note: First and second lines of text.)

Central Classification Approved Security - approved security level.

Central Classification Override - must thoroughly explain justification in remarks section. (Note: Third line of text.)

Review Reason - indicates reason that the review is being conducted.

6.2 Completing Security Review: Before the classification caseworker completes the "assigned security," several areas need to be reviewed:

6.2.1 Check the MEDCLASS screen for any restrictions.

6.2.2 Check the CLASSINQ screen to review the inmate's past history for prior commitments and disciplinaries.

6.2.3 Document security level as deemed appropriate after the review of the above information. If the assigned security is different from the recommended security level, then an override code will be needed. Also, text must be provided to justify the override code utilized.

6.2.4 Transfer requests will be coordinated by **Central** Classification on an as-needed basis.

SECTION THREE: **CENTRAL CLASSIFICATION**

7. **CENTRAL CLASSIFICATION: Central Classification (CC)** will have the primary responsibility for all transfers and bed management in the Agency. The main duties and responsibilities of **CC** are as follows: bed space management (all institutions); transfers; special needs/programs; assignment to Minimum Out/Minimum Restricted custody; placement of Separations/Cautions; Labor Crew/Work Program; Pre-Release assignments; **Young** Offender Institutional Service (YOIS) (Transfers); Designated Facilities (Transfers); Interstate Corrections Compact Agreement (ICC); Immigration and Customs Enforcement (ICE) Coordination; International Prison Transfers; **Interstate Agreement on Detainers (IAD), Extradition, Other Jurisdiction**, Court Coordination Transfers; Statewide Protective Custody Placement and Removal; and Approval for Security Level 1. Authority may be delegated to individual **CC** members for the purposes of making routine, case-by-case decisions relative to daily operations. However, decisions regarding difficult or unusual cases will be referred by **CC** members to the **Assistant Division Director CC** will have the authority to override Institutional Classification decisions in the interests of safety, security, and orderly management of inmates and institutions.

8. SECURITY CRITERIA CHART:

CRITERIA	LEVEL 1A LABOR CREW/WORK PROGRAM CONDITIONS LC/WP	LEVEL 1B CONDITIONS	LEVEL 2 CONDITIONS	LEVEL 3 CONDITIONS
Severity of current offense Manual check-	No sex offenses Non-violent offense No Category 4 or 5 offenses except certain violent offenses pursuant to Sentencing Reform Act of 6/2/2010**	First time Category 5 offenses. First time violent offense. No sex offenses or sex registry offenses.	All Categories except Life without Parole.	All Categories, Life without parole
Incarcerative Sentence	Five (5) years or less to max-out for Labor Crew YOA's must be referred by YOIS	Eight (8) years or less to max-out	Ten (10) years served in SCDC or ten (10) years to Max-out	All categories, Life without Parole
Prior Criminal History	No prior violent or any Category 4 or 5 convictions/commitments No prior sex or plea-bargained sex conviction, commitments, arrests, or not prossed .	Unlimited non-violent priors May have one (1) prior Category 4 dominant commitment No prior kidnapping convictions, commitments, or arrests. except certain violent offenses pursuant to Sentencing Reform Act of 6/2/2010** No prior sex or plea bargained sex conviction or commitment (do <u>not</u> count by dominant commitment) No prior sex arrest, dismissed/not prossed within last 10 years	No more than two (2) Category 4 or 5 prior dominant commitments, if current offense is non-violent One (1) violent prior dominant commitment, if current offense is violent No more than two (2) violent prior dominant commitments if current offense is non-violent	Three (3) or more Category 4 or 5 prior dominant commitments, if current offense is non-violent Two (2) prior violent dominant commitments, if current offense is violent. Three (3) or more prior violent dominant commitments, if current offense is non-violent.
Disciplinary Convictions	No pending disciplinary for eligibility No major disciplinary conviction within past 6 months for eligibility No more than two (2) "Major" disciplinary convictions within past 12 months (different dates) for eligibility Unlimited "Administrative" disciplinary convictions after placement and no "Major" disciplinary convictions after placement No drug disciplinary convictions within past 24 months for eligibility. No removal for disciplinary convictions from a LC/WP within past 24 months for eligibility. Male inmates will be placed in a facility other than the one where the disciplinary occurred. No assaultive disciplinary conviction within past 24 months for eligibility.	No pending disciplinary for eligibility No major disciplinary conviction within past 6 months for eligibility. * No Sexual Misconduct and/or Exhibitionism or Public Masturbation disciplinary conviction within the past twenty-four (24) months for eligibility. No more than two (2) "Major" disciplinary convictions within past 12 months (different dates) for eligibility. Unlimited "Administrative" disciplinary convictions after placement and no "Major" disciplinary convictions after placement	Major disciplinary conviction within past six (6) months, review on case-by-case basis. No more than four (4) major disciplinary convictions in last twelve months for eligibility * No more than two (2) Sexual Assault, Sexual Misconduct, and/or Exhibitionism or Public Masturbation disciplinary convictions within the last twelve months for eligibility For lifers with parole, no major disciplinary conviction for ten (10) years.	* Three (3) or more sexual assault and/or sexual misconduct and/or Exhibitionism or Public Masturbation disciplinary convictions within 12 months. Five (5) or more "Major" disciplinary convictions within 12 months.

	* No Sexual Misconduct and/or Exhibitionism or Public Masturbation disciplinary convictions within the last 24 months for eligibility.	No drug disciplinary conviction within past 24 months for eligibility No assaultive disciplinary conviction within past 24 months for eligibility.		
Adjustment	No removal for adjustment problems from a Designated Facility within 6 months prior to placement date (i.e., any removal of a disciplinary) No termination from a job or program within past 6 months If age 17-20, must have H S. Diploma or GED	If age 17-20, must have H. S. Diploma or GED No substantiated security concerns		
Detainers	No Category 4 or higher (wanted or hold) No out-of-state/federal detainers (wanted/notify/hold) No ICE detainers No Category 4 or 5 open arrest (Notify only)	No Category 4 or higher (wanted or hold) No out-of-state/federal detainers (wanted/notify/hold) No ICE detainers No Category 4 or 5 open arrest (Notify only)	No Category 5 (wanted or hold)	
Escapes	No Class I or Class II escapes Other escape-related offenses, review on case-by-case basis	No Class I escapes No Class II escape within last 10 years Other escape-related offenses, review on case-by-case basis	No Class I escape within last 10 years of return No more than (1) class II Escape within 10 years	
Resident Stability	No NC (non US citizens) No UO	No NC (non US citizens) No UO		
STG	No validated STG	No validated STG	Validated STG-GP	Validated STG GP

** Reference paragraph 49.1 (Voluntary Manslaughter, Kidnapping, Carjacking with/without Bodily Injury, Burglary 2nd - violent, Armed Robbery, Attempted Armed Robbery, Manufacturing/Distribution of Meth, 1st, 2nd, & 3rd and the crime did not involve any criminal sexual conduct and the offender is within five (5) years of max-out.)
Inmates who are in possession of a firearm during the commission (Firearm Provision) of the above listed violent crimes are eligible for consideration for the Labor Crew/Work Program. Offense date occurred on or after 6/2/10. Level 1B Inmates will be eligible for labor crews in Level 1B, Level 2 and Level 3 institutions upon meeting other specific classification criteria. Only statutory non-violent inmates with no prior history of violent convictions may be assigned to contract labor crews.

9. BEDSPACE MANAGEMENT:

9.1 Restrictive Housing Unit Beds:

9.1.1 Short term Detention (ST): **ST** beds allow institutions to move inmates between the general population and RHU to accommodate their needs. **ST** beds also hold inmates with protective concerns.

9.1.2 Protective Custody Concerns (SP): General population bed is reserved.

9.1.3 Disciplinary Detention (DD): General population bed is not reserved if DD time is greater than 60 days.

9.1.4 Security Detention (SD): General population bed is not reserved.

NOTE: Exception to OP-21.04: Security Level 3 inmates may be housed in Security Level 2 Restrictive Housing Units (RHUs), if no bedspace is available in Security Level 3 institutions. All inmates must meet the criteria for placement, and operational mandates will be maintained as outlined in SCDC Policy OP-22.38, "Restrictive Housing Unit." (Exception approved as of December 29, 2015.)

9.2 General Population Beds: General population beds are considered as minimum and medium. All other bed types, **excluding ST** and HOSP beds, are considered special designated beds, such as habilitation unit beds, safekeeper beds, intermediate care unit beds, addictions treatment unit beds, SPICE beds, Sex Offender Treatment beds, behavioral management beds, protective custody beds, and labor crew/work release program beds.

9.2.1 Disciplinary Yard (DY): Inmates who receive disciplinary convictions and disciplinary detention time to serve while in Reception and Evaluation (R&E) Intake status. Inmates who have fully completed the R&E process and receive DD time to serve will be transferred to their initial institution assignment in DY custody status. Entry should be made on the Inmate Custody Screen (CUST Screen) as DY custody status and the change reason #32: DD time to serve/Refer to Warden. (NOTE: This status is reserved for R&E use only.)

9.2.1.1 Inmates received in DY status must be reviewed by the ICC within 48 hours of arrival (exclude weekends and holidays). The institutional record will be referred to the Warden/Designee who will make a final decision to determine if the DD time will be waived or the inmate will be placed in RHU to complete the DD time. The Warden/Designee will document his/her decision on the 18-68 Staff Memoranda. If the DD time is waived, the Classification Caseworker will notify via e-mail the institution disciplinary recorder and modifier who will update the disciplinary narrative screen.

9.3 Procedures for Maintenance: When an inmate leaves a general population bed (MIN or MED) and is placed in a **ST**, SP, bed or a hospital/infirmary bed (**ST** or HOSP), there will be a bed held by the automated Offender Management System. This is because the inmate's stay is only temporary. **Central** Classification will not fill that general population bed, unless the inmate transfers to security detention, disciplinary detention, a special designated bed, or out of the institution. When an inmate comes out of a ST, SP, or HOSP bed, s/he will have an available general population bed (MIN or MED) to go back into. A specific custody bed will not be held, only a general population bed. The NUMBED screen of the BEDS menu will still indicate available beds next to each bed type. However, it will not be a true indicator of available beds for **Central** Classification to schedule transfers into. Only the row labeled Transportation-General Population will indicate the total number of general population beds for which **Central** Classification can schedule transfers.

Example of ST: Suppose there are 500 MIN beds and 200 MED beds in the general population. Five (5) inmates go to **ST**. Two (2) inmates go to infirmary beds (HOSP). One (1) inmate transfers to another institution. The seven (7) inmates in **ST** and HOSP beds will have general population beds held for them until they return. **Central** Classification can only fill the one (1) bed where the inmate transferred out of the institution. If one (1) of the inmates in **ST** is approved by the ICC/Warden to go to Security Detention (SD), then his/her general population bed will become available and **Central** Classification can fill it.

10. TRANSFERS: The **Central Classification** staff will handle all inmate transfers. **CC** will approve the transfer and locate appropriate beds. (See Paragraph 69., "Inmate Hardship Transfer Requests," for additional information.) Due to Agency needs and bedspace availability, groups of inmates may transfer to other institutions. Institutions may be contacted to screen inmates for any medical/mental health conditions that would exclude them from being transferred to targeted institutions. Once the screening is complete, **CC** will initiate the transfers and enter these transfers in the automated system. Transfers initiated at institutions should be handled in the following manner: **Central** Class will note the approved custody at the receiving institution in the comment section of the TRANREQ screen. If the inmate is being transferred from a Restrictive Housing Unit to a general population bed, Institutional staff should review the TRANREQ and ensure that the inmate is dressed in the correct uniform (tan if inmate will be assigned to a general population bed, yellow jumpsuit if inmate will be assigned to a RHU bed). Operations staff must update the inmate's custody on the CUST screen prior to transfer.

10.1 Change in Security Level: If there is a change in the security level of the inmate, the following steps will be taken:

- ICC creates a security status review recommending a new security level.
- **CC** approves/disapproves new security level from the on-line pending security review list.
- If the new security level is approved and warrants a transfer, **CC** will initiate the transfer.
- **CC** will enter TRANREQ notating reason for transfer in remarks section.
- ICC can review the **CC** final decision by viewing the completed security review.

NOTE: Security level may change due to disciplinary convictions, detainers placed/removed, reduction/additional time or sentence, or STG status change or resident stability. Security reviews will not be conducted on inmates in Security Detention, Disciplinary Detention, Substantiated Security Risk Unit (SSR), or Death Row; however, custody reviews will be conducted as required by SCDC Policy OP-22.38, "Restrictive Housing Unit," and OP-22.16, "Death Row." Security reviews will be conducted at least annually on all other inmates.

10.2 Change in Custody Level: If there is a change in the custody level of the inmate, the following steps will be taken when this custody level is not available at the inmate's current institution:

- ICC initiates the custody review.
- ICC sends an **email** to **CC** advising them of the need to transfer the inmate due to custody change.
- If the transfer is warranted, **CC** will create the TRANREQ and the inmate will move as bedspace becomes available. Reason for transfer will be noted in remarks section of TRANREQ.
- If the transfer is not warranted, **CC** will contact ICC.

10.3 Protective Custody (PC) (See SCDC Policy OP-22.23, "Statewide Protective Custody," for in depth information):

- The IPCC-Institutional Protective Custody Committee holds a PC review board.
- If the inmate can be validated for statewide protective concerns, the Case Manager/Caseworker for the IPCC will create a custody review with justification for PC.
- The ICC Case Manager/Caseworker for the IPCC will fax SCDC Form 19-47, "Protective Custody Evaluation," and all supporting documentation to **Central** Classification for final disposition.
- **CC** will create the TRANREQ and initiate the transfer to the institution designated to house protective custody. Reason for transfer will be noted in remarks section of TRANREQ.
- If the inmate cannot be validated for statewide protective concerns, the Case Manager/Caseworker for the IPCC will create a custody review with justification for the appropriate custody. The inmate will return to general population.
- If protective concerns exist at that particular institution and the concerns can be alleviated through a transfer, the SCDC Form 19-47, along with supporting documentation, should be faxed to **Central** Classification for review and final disposition.

10.4 Separation/Caution:

- ICC will complete the SCDC Form 19-141, "Separation/Caution Memorandum," to initiate a separation/caution and forward to **CC** for review.
- If separation/caution is approved, **CC** will create the TRANREQ and enter the reason for the transfer in the remarks section.
- If separation/caution is disapproved, **CC** will contact ICC.

10.5 Disciplinary (Institutions without Restrictive Housing Units (RHUs)):

- Upon entry of major disciplinarys, the ICC should send **an email** to **CC** explaining the circumstances for the transfer request.
- **CC** will create the TRANREQ and enter the reason for transfer in the remarks section.
- The Case Manager/designee at the receiving institution creates a new custody/security review to the appropriate level based on the "pending disciplinary" disposition.

NOTE: If disciplinary charges are dropped or overturned, or the inmate is found not guilty, s/he will normally return to the sending institution. If an RHU bed is needed for an inmate because of a disciplinary situation during normal working hours, the institution will contact **CC**. If a transfer is requested because of a security reason, the inmate must be charged with a formal disciplinary infraction or documented as being under official investigation which may lead to disciplinary charges. Institutions should maximize the use of their **short term** detention beds to manage disciplinary infractions/rule violations. In cases where an inmate is not charged with a major disciplinary however poses an institutional security concern, the institution may request a transfer when the circumstances of the concern can be verified.

10.6 Inmates with Life Sentences with the Possibility of Parole: Inmates with life sentences with the possibility of parole who have served ten (10) years of their sentence without a major disciplinary conviction for a continuous ten (10) year period of time may advance in security level providing they meet all other Level 2 criteria. If a lifer is released from SCDC (i.e., paroled, released on appeal bond, sentence remanded, etc.) and subsequently returns to SCDC, the 10 years will begin from the date of return to SCDC. Institutional assignments for these inmates will be Kershaw CI, Allendale CI, Tyger River CI, or Evans CI. Administrative resolution convictions will not score on the custody and security instrument, but may be considered as a disqualifier for advancement. Lifers approved for advancement to L2 that choose not to be transferred to a L2 institution may request to remain at the L3 institution where advancement occurred. This request should be made clear in the remarks section of the annual classification review. However, should they receive a major disciplinary conviction after advancement, they will be reduced to L3 and subsequently transferred.

10.7 Educational Funding Act: Inmates admitted to SCDC who are under twenty one years old and who do not have a GED or a high school diploma will be assigned to designated Education Funding Act (EFA) institutions.

11. **CC REVIEW OF INMATES FOR EMERGENCY/IMMEDIATE INSTITUTIONAL TRANSFERS:**

11.1 During normal operating hours - Monday through Friday, 8:30 a.m. to 4:30 p.m.: The institution will notify **Central Classification (CC)** of requested emergency/immediate transfer by automated message system (CRT). Detailed circumstances will be given relative to the requested emergency/immediate transfer. Examples of potential emergency/immediate transfers include: Inmate assaultive behavior/serious assault on staff, potential escape risk, a potential threat to the institution, emergency/immediate medical situation, or violation of community programs procedures which would necessitate an immediate transfer. If additional information is required by **CC**, it will be requested via CRT message system or by telephone. **CC** will be responsible for reviewing all information regarding the request for emergency/immediate transfers. If an emergency/immediate transfer is approved by **CC**, the institution will be notified and a specific assignment will be made.

11.2 After normal operating hours - Monday through Friday (4:30 p.m. to 8:30 a.m.), weekends, and holidays: The institution will locate an available bed (RHU or general population). This information is accessible through the OMS Main Menu, selecting "BEDS," then "NUMBED," and entering the desired institution's location code. The last line of this screen will indicate under "TRANSPORTATION" the type and number of beds which can be utilized at the desired location. If the sending institution is unable to locate a bed (RHU or general population) for an emergency transfer, the institution may contact the Emergency Action Center (EAC). The EAC will contact **CC** on-call employee for assistance. The sending institution will be responsible for checking any separations/cautions and coordinating transportation and notification to receiving institution. **CC** will be notified via CRT message by the sending institution no later than the beginning of business the following work day and apprised of circumstances regarding the emergency/immediate transfer. **CC** will review the transfer and determine if additional reassignment is necessary.

12. SPECIAL JOB SKILLS/SPECIAL PROGRAMS: **CC** will be responsible for approving and disapproving all inmates for the following specially skilled jobs or programs: Division of Facilities Management construction crews, Get Smart Program, Governor's Mansion, Addictions Treatment Unit, Department of Public Safety, SLED, **and** Bloodhound Detail. **CC** will also be responsible for approving and disapproving Security Level 2/3 Minimum Out assignments, and Minimum Restricted assignments. The criteria and procedures for special job skills and programs vary. Once the criteria have been met, the following guidelines must be checked: Pending disciplinarys, assaultive disciplinary convictions, or positive drug tests will disqualify inmates from participation; Separations/Cautions from the institution where the job or program is offered must be evaluated; and MEDCLASS - check for institutional restrictions. Required medical/mental health services may not be available at the institution offering the job program. **CC** will also be responsible for coordinating any requests from outside agencies for community or outside crews and details. Institutions that receive such requests from outside agencies should contact **CC** for guidance.

12.1 Inmate Approval/Retention for Statewide Travel: Inmates must be in MO/1B custody and meet established criteria to be considered for placement and retention for statewide travel for the purpose of completing a job assignment. The job supervisor will submit the names of persons to be screened to the Institutional Case Managers using SCDC Form 18-25, "Memo to Request Statewide Travel/Transfer Request for Inmate Worker." The Case Manager will screen MO-1B inmates for statewide travel using the following criteria and submission to the Warden for final approval. **Central Classification** will approve inmates for Statewide Travel if the inmate is transferring from one institution to another in order to work on a specific job.

- No drug disciplinary convictions within 24 months;
- If an Administrative disciplinary is committed after assignment to statewide travel status, the inmate may, depending on the circumstances of the disciplinary, be reassigned to SHOP ONLY status. Inmates in SHOP ONLY status can not travel away from their designated job site; and
- No Separations from incarcerated inmates, or currently employed staff members.

NOTE: The Warden/designee will in consultation with the appropriate Division Director determine whether or not the inmate will be reassigned to SHOP ONLY status. The Classification Casemanager/designee will conduct quarterly audits of inmates assigned to statewide travel. All decisions or changes in an inmate's travel status will be documented on the staff memoranda in the institutional record.

NOTE: Victim Witness Notification: If an inmate has a Victim Witness Notification(s), the victim(s) will be notified by the Warden/Designee via U.S. Mail that SCDC, in accordance with OP-22.11, "Victim Witness Notification," will be assigning the inmate to a job that requires travel throughout the state under direct supervision of trained SCDC employees. The inmate must not be allowed to report to work on the detail until at least five working days after the letter is mailed. Copies of the letter with clear indication of the date mailed will be maintained on file at the institution. Under no circumstances will copies of this information be placed in the inmate's institutional or central record. A copy will also be provided to the Division of Victim Services. Letters returned due to inadequate address provided by the Victim will be forwarded to the Division of Victim Services. Entry will be made in the automated record concerning contact and attempts to contact the victim by the institutional Casemanager/designee. Any questions concerning matters not adequately addressed will require consultation with the Division of Victim Services. If additional information is received from community responses regarding the inmate's job assignment, this information will be considered for possible reassignment.

13. SPECIAL NEEDS: The South Carolina Department of Corrections provides medical and mental health care to inmates in an effective manner with efficient utilization of personnel by concentrating inmates in designated areas according to their level of need. A list of services provided at specific institutions will be published and updated periodically.

The following are brief descriptions of special needs programs provided at designated institutions:

13.1 24-Hour Nursing Care - Institutions that provide in-patient and/or out-patient medical services 24 hours per day. There is a concentration of medical staff available to meet the needs of chronically ill inmates.

13.2 Daily Nursing Coverage - Nursing services are provided seven (7) days per week, eight (8) to 12 hours per day.

13.3 Chronic Infirmary Care - In-patient nursing care available to inmates whose medical condition carries a prognosis of not being able to live in institutional housing for a period of three (3) months or more.

13.4 Handicapped Unit - For inmates who have ambulatory problems, substantial hearing or visual impairment, and/or need assistance in daily living. Prior approval by the Medical Chief of Staff (or designee) is required.

13.5 Gilliam Psychiatric Hospital (GPH) - Facility where male inmates receive in-patient psychiatric care.

13.6 In-Patient Psychiatric Care for Females - Questions on in-patient psychiatric care for female inmates should be referred to the Division of Mental Health Services.

13.7 Area Mental Health Centers - Institutions with a concentration of mental health staff that can provide group and individual counseling for inmates with moderate to severe mental illnesses.

13.8 Intermediate Care Services - Housing for inmates with a major mental illness, often of a chronic nature, who are usually on psychotropic medication. These inmates need a more structured environment than the general population, but are not ill enough for in-patient treatment at a hospital. Prior approval by the Behavioral Medical Staff is required.

13.9 Umbrella Services - This is a step-down program from Intermediate Care Services with less structure. Medications are monitored, and assistance and counseling are provided.

13.10 Intellectual Disability Program - (Habilitation Unit) - Services available for adult inmates identified with developmental disabilities. Prior approval by the Behavioral Medical Staff is required.

13.11 Out-Patient Mental Health Services - For inmates with mild to moderate mental illness who need intermittent mental health services that will be provided on referral and as needed. Assignments can be made to any institution except Trenton, Goodman, Wateree, and Level 1A institutions.

13.12 Assisted Living - Living area that houses inmates who require assistance with activities of daily living.

13.13 Dialysis Care - Services and medical care available for inmates requiring dialysis treatment.

13.14 Sex Offender Treatment Program (SOTP) – Residential treatment unit for inmates with current, active commitments for sex offenses.

13.15 Addiction Treatment Unit: For specific details, refer to SCDC Policy PS-10.02, "Inmate Substance Abuse Programs."

14. PROCEDURES FOR APPROVING MINIMUM OUT/MINIMUM *OUT* RESTRICTED CUSTODY AND 1B SECURITY PLACEMENTS:

14.1 The inmate will be reviewed by Institutional Classification and will be recommended for Minimum Out/Minimum **Out** Restricted custody and Level 1B security placement.

14.2 Central Classification will be informed of recommendation for Minimum Out/Minimum **Out** Restricted or Security Level 1B by Institutional Classification. This will be accomplished by appropriate entry being made in the automated system on the custody or security status review. The ICC will document the name of the committee chairperson in the review. **Central** Classification will retrieve information from the automated system and Central Record concerning recommendation for Minimum Out/Minimum **Out** Restricted custody status and security level 1B placement. Appropriate information regarding the inmate which is available in the automated system and Central Record will be reviewed. The information reviewed will include the following:

- a. Current security requirements
- b. Prior custody history
- c. Disciplinary history
- d. Detainer information
- e. Escape history
- f. Cautions or separations
- g. Medical class summary
- h. Work record/job skills
- i. Education record
- j. Security Threat Group affiliation
- k. Resident Stability
- l. NCIC Offense Information

14.3 Items a. through k. in paragraph 14.2, above, may be obtained by inquiry on Classification Inquiry Report Screen of Classification Menu. Further detail will also be available on individual screens in the automated system. NCIC offense information may be obtained from the central/institutional record. Upon obtaining all necessary and required information, **CC** will approve/disapprove recommendation for Minimum Out/Minimum **Out** Restricted custody or security level 1B by completion of the automated custody review.

15. HEALTH INFORMATION FOR INSTITUTIONAL ASSIGNMENTS: If "No Restriction" is indicated, the inmate can be assigned to any institution from a medical perspective.

24-HOUR NURSING CARE

Males: Broad River Correctional Institution, Evans Correctional Institution, Lee Correctional Institution, Lieber Correctional Institution, Perry Correctional Institution, Kirkland R&E Center, Kirkland Correctional Institution, Ridgeland Correctional Institution, Turbeville Correctional Institution, McCormick Correctional Institution

Females: Camille Graham Correctional Institution

AREA MENTAL HEALTH CENTER

Males: Lee Correctional Institution, Lieber Correctional Institution, Perry Correctional Institution, Turbeville Correctional Institution (young offenders only)

Females: Camille Graham Correctional Institution

DAILY NURSING COVERAGE

Males: Tyger River Correctional Institution, Kershaw Correctional Institution, MacDougall Correctional Institution, Manning Correctional Institution, Trenton Correctional Institution, Allendale Correctional Institution (plus Handicap Unit), **Wateree River Correctional Institution**

Females: Leath Correctional Institution

DIALYSIS ACCESSIBLE

Males: Broad River Correctional Institution

Females: Camille Graham Correctional Institution (Treated at Broad River Correctional Institution)

INTERMEDIATE CARE UNIT

(**Note:** Prior approval by the Director of Mental Health Services/Designee is required.)

Males: Kirkland Correctional Institution

Females: Camille Graham Correctional Institution

HANDICAP UNIT

(**Note:** Prior approval by the Medical Director/designee is required.)

Males: Allendale Correctional Institution (No 24 hour care), Evans Correctional Institution, Lee Correctional Institution (Four [4] beds only), Turbeville Correctional Institution (Young Offenders Only)

Females: Camille Graham Correctional Institution

INTELLECTUAL DISABILITY PROGRAM

(Note: Prior approval by the Mental Health Director/designee is required.)

Males: Kirkland Correctional Institution

Females: Camille Graham Correctional Institution

NOTE: If "No Restriction" is indicated, the inmate can be assigned to any institution from a medical perspective.

OUTPATIENT MENTAL HEALTH

Inmates with Outpatient Mental Health medical classifications can be assigned to any institution, except Goodman, Trenton, Wateree, and Level 1A institutions for LC/WP.

- All inmates identified as mentally ill (Mental Health Classification L1, L2, L3, L4, or L5) must be monitored by mental health staff regardless of whether or not psychotropic medication is prescribed, or whether or not the inmate is compliant with his/her prescription medication.
- ***BL - Low Level BMU***
- ***BU - High Level BMU***
- L1 ***GPH*** - Male inmates are placed in Gilliam Psychiatric Hospital (***GPH***). Female inmates are placed in a contract facility. Mental health professionals see the inmate weekly.
- L2 Intermediate Care Services (ICS) - Inmates' ability to function is severely impaired due to mental illness. There are active symptoms of major mental illness with impaired reality testing or multiple failures to conform behavioral functions in a lowered level of care. Inmates are seen twice a month by mental health professionals.
- L3 Area Mental Health - Inmates' ability to function in a general population is moderately impaired due to mental illness. They are easily overwhelmed by everyday pressures, demands, and frustrations, resulting in disorganization, impulsive behavior, poor judgment, delusions, hallucinations, or other exacerbations. They are seen by mental health professionals at least monthly, and require treatment update every six months.
- L4 Outpatient - Inmates may be housed in general population or structured living unit. Inmates' ability to function in general population is mildly impaired or needs monitoring due to change in medication, recent move from higher level of care, or history of self-injurious behavior. They are seen by mental health professionals at least every 90 days.
- L5 Stable - Inmates carry a mental health diagnosis, symptoms in remission, eligible for KOP (carry on person) medication. Inmates' ability to adjust and function in general population is not impaired due to mental illness. They are seen by mental health professionals at least every six months.
- ***LC - former SIB***
- Inmates are considered admitted to Mental Health Services after the Health Summary has been revised to indicate MI status. They will subsequently be assigned to institutions that provide the appropriate level of mental health care.
- ***MR - Intellectual Disability Program - Habilitation Unit.***

16. RESTRICTIVE HOUSING UNIT (RHU) SECURITY DETENTION: For more specific details, refer to SCDC Policy OP-22.38, "Restrictive Housing Unit (RHU)."

16.1 When reviewing inmates for release from security detention to a less restrictive custody, the reasons for initial placement in SD and overall behavior while in RHU will be taken under consideration. If this review indicates that the inmate was placed in SD for life threatening circumstances, serious injury/assault, or criminal charges as a result of the incident, the inmate will be placed in medium custody. Inmates may be placed in minimum custody if disciplinary convictions/incidents are of a less serious nature.

17. PROTECTIVE CUSTODY: For more specific details, refer to SCDC Policy OP-22.23, "Statewide Protective Custody."

18. SEPARATIONS/CAUTIONS: To establish guidelines to flag the records of inmates for whom special caution must be taken for certain actions involving these inmates.

18.1 ***The Central Classification Separation Committee*** is responsible for issuing the official caution to be placed in the inmate's records when conditions or circumstances exist that would potentially jeopardize the safety and security of the inmate, employee(s), or other persons. SCDC Form 19-141, "Separation/Caution Memorandum," will be submitted to ***Central Classification (CC)***.

18.2 The reasons an inmate may be identified with a Separation/Caution include:

- The inmate has testified against another inmate, and this is verified through court documentation, solicitor's office, or law enforcement.
- *Co-defendants are assessed on a case-by-case basis. Known hostility must exist or inmate must have a separation order from an appropriate law enforcement agency.*
- The victim, victim's family members, or known associates are incarcerated or employed at the inmate's assigned institution, and this is verified through court documentation, solicitor's office, law enforcement, victim/witness office, or employee.
- There are known strong hostilities between inmates, and this is verified by MINs and/or SCDC Form 19-29, "Incident Report."
- The inmate has physically assaulted and/or caused serious injuries to an SCDC employee who works at an institution, and this is verified by MINs and/or SCDC Form 19-29.
- The inmate makes written or verbal threats against an employee(s) or other inmate(s) that are found to be credible by institutional or Agency personnel.
- *Relatives of an inmate employed at the institution or with the SCDC will be evaluated on a case-by-case basis to determine if potential concerns exist between the inmate and the employee.*
- *Parent, child or current spouse of the inmate. Siblings will be assessed on a case-by-case basis.*

18.3 When an employee determines that circumstances warrant the placement of a separation in an inmate's record, s/he will complete SCDC Form 19-141, "Separation/Caution Memorandum," verify the information, attach any documentation, and forward it to the Warden/Duty Warden for approval. The Warden/Duty Warden will sign the SCDC Form 19-141 and forward it to **Central Classification** if approved. Documentation of the Warden/Duty Warden's disapprovals will be noted on the staff memorandum and filed in the institutional record, central record, and maintained in the Warden's office.

NOTE: For Kirkland R&E Center only: The R&E Manager can sign the 19-141 as would a Duty Warden. The R&E Manager will also determine if the 19-141 is invalid due to insufficient evidence and disapprove the Separation Request at that time instead of forwarding it to **Central Classification**. Documentation of disapproved request will be noted on the staff memorandum and filed in the institutional record, central record, and maintained at the Kirkland R&E Center.

18.4 Upon receipt of SCDC Form 19-141, "Separation/Caution Memorandum," *the Central Classification Separation Committee* will review for approval or disapproval. When a separation is approved, the information is entered into the automated system and SCDC Form 19-141 and documentation will be filed in **Central Classification automated** separation files. Temporary placement of SCDC Form 19-141 in Section 2 may be permitted only until the automated form is returned. An automated form (golden rod copy) will be printed and filed in the inmate's Central Record and Institutional Record. This copy will be placed in Section 2 of both records with nothing being filed on top of the Caution (golden rod). When *the Central Classification Separation Committee* disapproves a Separation/Caution, a return memo will be forwarded to the institution with an explanation as to the reason for disapproval. *Classification staff will file it in Section 3 of the Inmate Record.*

18.5 All active cautions will be reviewed for accuracy and applicability once every two (2) years. The Division Director of Classification and Inmate Records will be responsible for establishing a review schedule and procedures. If modifications to the Caution are necessary, a written request must be forwarded to the Division Director.

18.6 Cautions will not be removed from any record unless the original conditions causing the placement of the Caution are no longer a factor. When it is determined that a Caution is no longer necessary, the appropriate employee will request removal of the Caution by completing SCDC Form 19-141, "Separation/Caution Memorandum," with the Warden's approval and signature. When forwarded to **CC** for removal, an explanation must accompany the request. The Division Director of Classification and Inmate Records or designee will make the final decision to approve or disapprove removal of the Caution. If approved for removal, **CC** will be responsible for dropping the Caution from the automated system and for notifying Inmate Records via CRT message to remove it from the Central Record. The appropriate staff at the institution will be notified to remove it from the Institutional Record. (Note: A hard copy will be maintained by **CC** for historical information.)

18.7 When an inmate is released or paroled from the SCDC, any Caution information will remain in his/her records and will not be purged. In the event the inmate is reincarcerated, the Classification Coordinator at the Reception and Evaluation Center will review the inmate's record for Caution information when s/he is readmitted. If the inmate has previously had a designated Caution, the Classification Coordinator will ensure that both the manual and the automated records are properly flagged. If necessary, SCDC Form 19-141 will be completed and forwarded to **CC**.

18.8 When an initial or scheduled review is conducted by the ICC, the Classification Caseworker/Community Programs Supervisor will be responsible for checking the inmate's record for Cautions to verify that the manual and automated systems coincide. If they do not match, **Central Classification** will be notified to initiate any necessary corrective actions. If it is discovered that two (2) or more inmates housed in the same institution have Cautions against each other, an immediate transfer request should be made to **Central Classification**.

18.9 It is the responsibility of the Institutional Operations Section at both the sending and receiving institutions to carefully check the inmate's Institutional Record and automated system for placement of a Separation/Caution.

18.10 If an inmate with a Caution is inadvertently transferred to an institution to which s/he should not be assigned, immediate steps must be taken to isolate the inmate until s/he can be moved to another facility.

19. Labor Crew/Work Program:

Central Classification will screen inmates for Labor Crew/Work Program (LC/WP) based on LC/WP eligibility dates, as calculated through the automated system. For detailed guidelines, refer to Section Five (5), paragraph 49.

20. PRE-RELEASE PROGRAM: MANNING CORRECTIONAL INSTITUTION

20.1 All institutions will be responsible for ensuring that all inmates have access to a program of release preparation prior to their release.

20.2 The mission of the pre-release program is to provide rehabilitative services through programs/training and other life skills programs in an effort to prepare offenders for re-entry into the community.

Male offenders being considered for the pre-release program at Manning Correctional Institution must meet the following criteria:

20.2.1 Central Classification will screen inmates for placement and participation in the Pre-Release Program. When an inmate is within **90-180** days of maxout/**SRP eligibility date**, he will be eligible to be considered for the program ~~at Manning Correctional Institution~~. A computer generated eligibility list will be provided to **CC**. **CC** will screen each inmate's automated record for assignment and transfer to the program. Long term violent offenders who are being granted conditional parole provided that they participate in a pre-release program may be assigned to the designated pre-release center program. Kirkland Reception & Evaluation Center inmates assigned to security level 1B at admission who meets all other pre-release criteria may be assigned to pre-release. All inmates assigned to the pre-release program at Manning Correctional Institution must meet the following criteria: (**Changes in BLUE amended by Change 1 dated April 18, 2018; Changes in GREEN amended by Change 2 dated June 13, 2018**)

- No pending disciplinary.
- No ~~major~~ **assaultive** disciplinary in the last six months.
- ~~No extensive disciplinary history during current incarceration.~~
- No more than three (3) major disciplinaries in the last twelve (12) months.
- No Class 1 or Class 11 escapes within ten (10) years.
- No Category 4 or higher detainees (Wanted); Holds and Notifies may be considered.
- No current or prior sex convictions or commitments (Plea Bargain or Nol Prose may be considered).
- No open sex related arrests.
- Daily nursing coverage institutional assignment.
- Outpatient Mental Health (L-4) mental health assignment.
- No Category 5 open arrest(s).
- No out-of-state detainees (wanteds or holds).
- No Validated STG.

Female inmates being considered for the pre-release program at **Camille Graham** Correctional Institution must meet the following criteria:

- No pending disciplinary.
- No ~~major~~ **assaultive** disciplinary in the last six months.
- No validated STG.

Male inmates being considered for the pre-release program at Kershaw Correctional Institution must meet the following criteria:

- *No pending disciplinary.*
- *No major disciplinary in the last six months.*
- *No assaultive disciplinary in the last six (6) months.*
- *No more than three (3) major disciplinaries in the last (12) months.*
- *No extensive disciplinary history during current incarceration.*
- *No assaultive disciplinary within two years.*
- *Meet the medical/mental health institutional assignment.*
- *No Category 4 or higher detainees (Wanted); Holds and Notifies may be considered;*
- *No Category 5 Open Arrests(s);*
- *No out-of-state detainees (Wanted or Holds);*
- *No validated STG.*

20.3 *Inmates in the following status will not be considered for placement in the Pre-Release Program at Manning Correctional Institution:*

- Housed at and/or participating in formal ATU program.
- Housed at Pre-Release Center on Labor Crew/Work Program.
- Housed at a Designated Facility.
- Housed in Gilliam Psychiatric Hospital (GPH).
- ~~Currently in Medium Custody.~~
- **Young** Offender.
- Lock up Status.
- Protective Custody Status.
- Security Detention Status.
- Maximum Security Status.
- ~~Self Paced In-Class Education Program (SPICE).~~
- ~~Out to Court Status.~~
- Interstate Corrections Compact Status.

20.4 When an inmate is approved for the pre-release program, **CC** will arrange the inmate's transfer to the appropriate institution. Inmates will be assigned to Minimum-Out Custody and 1B Security Level. Transfer is mandatory if approved for the pre-release program by **Central** Classification.

20.5 The initial ICC will be conducted in the same format as listed in Paragraph 29 of this policy with the exception that ICC hearings can be conducted solely by the Classification Caseworker with the option for a full Institutional Classification Committee. The Warden can designate cases in which the Classification Caseworker must conduct a full committee hearing.

21. YOUNG OFFENDER PAROLE AND REENTRY SERVICES (YOPRS): The South Carolina Department of Corrections has established a **Young** Offender **program** to provide progressive programming and strict discipline to inmates sentenced under the Youthful Offender Act (YOA). **Central** Classification will initiate necessary transfers **upon request of YOPRS**. The Case Management Team (CMT) will conduct initial reviews, initial orientation, and regularly scheduled reviews of inmates sentenced under the Youthful Offender Act. Reviews will be conducted as required by SCDC Policy PS-10.09, "**Young** Offender **Parole and Re-entry Services (YOPRS)**." Refer to PS-10.09, "**YOPRS**," for additional procedures.

NOTE: Exemption to policy exists for the **Young** Offenders who simulate custody and/or security level ME3. **Exception dated August 21, 2017: Young Offenders who stimulate custody/security level ME3 can be assigned to a specialized unit at Turbeville Correctional Institution or YOIS Second Chance Program at Allendale Correctional Institution, both of which are level two (2) institutions.**

21.1 Young Offenders will be exempt from the cell assignment procedures specified in paragraphs 47 through 48 of this policy. Instead, **Young** Offenders will be assigned to cells/beds as in accordance with procedures of the **Young** Offender Institutional Services (YOIS).

21.2 "Y" Prefix: Effective March 1, 2007, inmates admitted to SCDC sentenced under the Youthful Offender Act will no longer be assigned an inmate number with a "Y" prefix. **Young** offenders admitted as of March 1, 2007, will be identified by their offender type. **Young** offenders currently in SCDC will maintain their current number.

21.3 YOA Conversion: Effective March 1, 2007, the OFFTYPE screen on the OMS will show the date of **Young** Offender conversions.

22. SHOCK INCARCERATION PROGRAM: **Refer to SCDC Policy P.S - 10.12, "Shock Incarceration."**

23. DESIGNATED FACILITY INMATE TRANSFERS: Refer to SCDC Policy OP-21.05, "Designated Facility Inmate Transfers."

24. INTERSTATE CORRECTIONS COMPACT: Refer to SCDC Policy OP-21.03, "Interstate Corrections Compact," and procedures as defined in Articles I through X of the South Carolina Code of Laws, § 24-11-10 et seq.

24.1 The Classification Caseworker will review the inmate's request for transfer to another state and determine if all eligibility requirements are met. The Classification Caseworker will forward the application to **Central** Classification (**CC**) for review.

24.2 CC will review inmate's request for an ICC transfer. If approved, the application will be forwarded to the requested state for its review and approval/disapproval.

25. INMATES PAROLED TO IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE):

The United States Immigration and Customs Enforcement (ICE), the South Carolina Department of Probation, Parole and Pardon Services (DPPPS), and the South Carolina Department of Corrections (SCDC) have entered into a formal agreement to ensure that inmates who are illegally in the United States and are in the custody of the SCDC are appropriately paroled to the custody of the ICE. This agreement makes possible the pickup and deportation of aliens from the United States conditionally paroled to the ICE detainees. DPPPS will notify inmates who are in the United States in violation of the law and who become subject to ICE immigration deportation proceedings as a result of their conviction. **Central** Classification will coordinate the pickup with the United States Federal Government (ICE) once the SCDC inmate has been paroled to ICE by DPPPS. The DPPPS will fax a copy of the parole papers to the SCDC (**CC**) for each inmate conditionally paroled to the ICE. **Central** Classification and the officials of the ICE will mutually agree upon a date and location to effect the parole and transfer of such inmates to the custody of the ICE. **Central** Classification will review the record of ICE conditionally paroled inmates for significant changes to include disciplinarys, new criminal charges, or other detainees. Further detailed procedures concerning preparations to transport inmate for ICE pickup are outlined in SCDC Policy OP-21.02, "Inmates Paroled to ICE Detainers."

26. EXTRADITIONS:

26.1 *For the purpose of this plan, extradition refers to the return from another state of an inmate who is wanted by the SCDC (i.e., escape, to begin or complete service of an active South Carolina sentence, improper release, or other applicable situations). The Central Classification Program Coordinator will be the responsible authority for coordinating all extradition proceedings prior to the actual transport of the inmate (i.e., maintaining records, placing detainees, monitoring release dates where the inmate is serving time/being held).*

26.2 *There are specific SCDC procedures for the extradition of inmates to the custody of SCDC. Extradition procedures must be completed in strict compliance with all applicable state and federal statutes and regulations.*

26.3 *Bringing an inmate into the state of South Carolina from another state or country (international extradition) may require extradition procedures of a legal nature that vary from state to state (i.e., facility where inmate is serving/being held initiates the necessary extradition process or the local sheriff takes custody of the inmate and processes extradition). The rights of inmates are protected by the Uniform Criminal Extradition Act.*

26.4 Governor's rendition orders are used between states and rendered through the individual state's court system. International treaties are signed and international courts administer rulings regarding the extradition of country's private citizen.

26.5 An inmate may elect to "waive" extradition to SCDC. To "waive" extradition means the inmate knowingly agrees to give up his/her legal right to an extradition hearing and consents to be returned to SCDC. This consent is documented on a "Waiver of Extradition" Form which the inmate is required to sign.

26.6 If Central Classification is notified that an inmate, whom SCDC is seeking to return to South Carolina, refuses to sign a Waiver of Extradition, then a Governor's rendition order will be necessary. The Central Classification Program Coordinator will coordinate with the General Counsels office to secure, from the Clerk of Court where the charges originated, three (3) individual sets of certified true copies of the original indictment/commitment order and the arrest warrant. If applicable, the sets will also include the outstanding warrant for the crime committed by the inmate within SCDC (i.e., escape warrant).

26.7 Upon receipt of the above documents, it will be the responsibility of the Central Classification Program Coordinator to forward three (3) sets of certified true copies, including an additional three (3) certified true copies of the current NCIC rap sheet, fingerprint card, and photograph, to the Governor's Office. A letter from Central Classification will also be generated, requesting extradition of the inmate. All subsequent correspondence with the detaining state and South Carolina, up to the granting of extradition, will be made through the Governor's Office.

26.8 Upon receipt of notification from the detaining state or the Governor's Office that the inmate will be returned to SCDC's custody, the Central Classification office will coordinate with the Transportation Unit (Division of Security) to determine whether or not to use SCDC Transportation Officers or use a private extradition company in the return of the SCDC inmate.

26.9 The SCDC Transportation Unit or the transporting authority will be provided the following:

- Inmate's Name, SCDC Number, Booking Number, or OJ Inmate Number;*
- The name and telephone number of the contact person at the inmate's location;*
- The appropriate SCDC delivery location (this will be the Kirkland or Camille Graham Reception and Evaluation (R&E) Center).*

26.10 Central Classification will notify the appropriate institution's designees and the Director of Classification and Inmate Records Office as to where/when the inmate is to be delivered to SCDC.

26.11 The IRO will forward the inmate's Central Record and Institutional Record to the appropriate facility (Kirkland or Camille Graham R&E Center) for processing. Afterward, the Central Record is to be returned to the IRO for storage and the Institutional Record will follow the inmate to his/her institutional assignment(s).

27. INTERSTATE AGREEMENT ON DETAINERS:

27.1 The Interstate Agreement on Detainers (IAD) (S.C. Statute 17-11-10) establishes uniform procedures for transferring an inmate who is incarcerated in one (1) state to the temporary custody of another state to resolve untried criminal charges. An inmate requesting IAD must have at least six (6) months to serve on his/her SCDC incarceration to allow for processing of paperwork.

27.1.1 Detainers: Detainers are received by the Inmate Records Office and entered on the DETAIN Screen. Notification is filed and the inmate's assigned institution is notified via the automated DETAIN messaging system of pending criminal charges in another jurisdiction.

27.1.2 Sending State: the state in which trial is to be held on untried criminal charges.

27.1.3 Receiving State: The state in which trial is to be held on untried criminal charges.

27.1.4 Circumstances Under Which the IAD Applies: There are three (3) prerequisites that must be met prior to transferring an inmate to resolve untried criminal charges as follows:

- Both sending and receiving state must be signatories on the IAD;*
- The individual against whom a detainer is filed must be a sentenced inmate serving a term of imprisonment; and*
- The Detainer lodged against the inmate must be based upon on untried indictment, information, or complaint.*

27.1.5 Detainers That Cannot be Resolved Under the IAD: The IAD will apply to detainers based on untried indictments, information, or complaints. The IAD will not apply to the following:

- Parole violation;*
- Probation violation;*
- Detainers filed by a Department of Corrections in another state requesting inmate's return to serve an unexpired portion of his/her sentence;*
- Detainers lodged from Louisiana or Mississippi; and*
- Immigration and Customs Enforcement detainers for deportation.*

27.1.6 Two (2) Methods a Detainer can be resolved:

- *IAD requested by the inmate; or*
- *IAD requested by the Prosecuting Attorney of the jurisdiction where charges are pending.*

NOTE: Only the above can activate the IAD procedures. If an inmate requests final disposition, this request will be an automatic waiver of extradition; however, most states will still request a signed waiver of extradition. If a prosecutor requests temporary custody, a pre-transfer hearing will be required, unless the inmate executes a formal waiver of extradition.

27.1.7 If an inmate receives an out-of-state detainer, the caseworker will provide the inmate with the following information:

- *Source of detainer;*
- *Contents of detainer; and*
- *His/Her right to request final disposition.*

27.2 Activating a Request for Final Disposition: Inmate sends SCDC Form 19-11, "Request to Staff Member, " to a Classification Caseworker who will forward the form to the IAD Coordinator. The following will apply:

- *The IAD Coordinator will send the Interstate Agreement on Detainers (IAD) Form II, "Inmate's Notice of Place of Imprisonment and Request for Disposition of Indictments, Information, or Complaints"; IAD Form III, "Certificate of Inmate Status"; IAD Form IV, "Offer to Deliver Temporary Custody"; and a "Waiver of Extradition" to the Classification Caseworker to be signed by the inmate and appropriate institution officials as indicated on the forms.*
- *When the forms are appropriately signed and the "Waiver of Extradition" is notarized, they will be send back to the IAD Coordinator.*
- *The signed documents will be forwarded to the appropriate out-of-state District Attorney (D.A.) with a cover letter and copies of the warrants.*
- *The D.A.'s Office will send IAD Form VII, "Prosecutor's Acceptance of Temporary Custody," and IAD Form VI, "Evidence of Agent's Authority to Act for Receiving State," back to the IAD Coordinator. The cover letter will either indicate a definite pick-up or give directions on who to contact to set up a date. The Form VI will indicate who will pick up the inmate.*
- *In all cases, after the inmate has been sentenced and s/he is ready for return, the IAD Form IX, "Prosecutor Report on Disposition of Charges, " will be sent to the original place of incarceration.*
- *All mail will be sent certified.*

27.3 If the other state initiates the IAD request, the following procedures will apply:

- *Prosecutor sends a letter to Central Classification. If the institution receives a letter from the Prosecutor, it will be forwarded immediately to the IAD Coordinator.*
- *The prosecutor will send the IAD Coordinator on IAD Form V, "Agreement on Detainers" (which will initiate the IAD Procedure), along with a certified copy of the Bench Warrant.*
- *Once the receiving state is prepared to accept temporary custody, it must send the following two (2) documents to the IAD Coordinator:*
 - *IAD Form VI, "Evidence of Agent's Authority to Act for Receiving State"; and*
 - *IAD Form VII, "Prosecutor's Acceptance of Temporary Custody Offered in Connection with a Prisoner's Request for Disposition of the Detainer."*
- *When the IAD Coordinator is notified by the District Attorney of an exact date for pick-up, a message will be sent to Institutional Operations and the Case Manager. The message will notify the institution if any additional paperwork is required. Prior to transport, the receiving state will contact the institution to be sure that all paperwork is completed and the inmate is available at a particular date and time (outlined in the LAD Agreement).*
- *When the receiving state is ready to transport the inmate, they must present the following documentation upon demand:*
 - *Proper identification (picture ID, driver's license, employment ID, etc.);*
 - *IAD Form VI, "Evidence of Agent's Authority to Act for Receiving State," - unless this form was mailed prior to the date of pick-up. The IAD Coordinator will let the institution know via message whether or not this form is needed; and*
 - *Duly certified copy of indictment, information, or complaint upon which the detainer is based.*

27.4 Time Limit:

27.4.1 Article III of the IAD Law states that an inmate who requests final disposition must be brought to trial within 180 days after s/he filed written notice of imprisonment and request for final disposition to be delivered to the prosecutor and appropriate court in receiving state. Article IV of the IAD Law states that a court official from another state who requests temporary custody of an inmate for trial pursuant to the IAD will have 120 days to be brought to trial.

27.4.2 If the inmate or the action is not brought to trial within the 180 days time limit of Article III, the appropriate court in the jurisdiction where charges are pending will enter an order dismissing the same with prejudice, and any detainer based thereon will cease to be of any force or effect. The CC Program Coordinator will send a letter requesting resolution documentation to the prosecuting attorney, and will remove and return the detainer once this information is received from the prosecuting attorney.

27.4.3 At the earliest possible time after trial and sentencing are completed in the receiving state, the inmate must be returned to the custody of officials in the sending state and notified of the disposition of the charges.

27.4.4 Escape from Custody: An inmate's request for final disposition will become void when an inmate escapes from the sending state's custody before transfer.

27.4.5 Tolling of Prisoner's Earned Work Credit (EWC)/Earned Educational Credit (EEC): An inmate's time of imprisonment will continue to run while the inmate is subject to temporary custody of the receiving state. The inmate will continue to earn good time (GT) but will not earn earned work credits and/or earned educational credit.

27.4.6 Other Claims: An inmate may be prosecuted in the receiving state only for charges upon which the detainer is based. Crimes for which no detainer has been lodged may not be prosecuted while inmate is in temporary custody.

27.4.7 Costs: The costs of transportation and housing an inmate who is transferred under the IAD will be borne by the receiving state.

27.4.8 Tolling of Time Periods for Trial: When an inmate is able to stand trial, there will be 180 day time limit (inmate request) and 120 day time limit (prosecutor request). This toll will begin when the prosecutor for the receiving state receives all paperwork.

27.4.9 Mental Illness: An inmate who is medically determined to be mentally ill cannot be transferred under the IAD. The inmate's CONVICT screen should be reviewed for Guilty but Mentally Ill (GBMI) finding.

28. OTHER JURISDICTION INMATES:

28.1 Other Jurisdiction (OJ) refers to an inmate that has either a concurrent or consecutive South Carolina (SC) sentence and is currently incarcerated in the other jurisdiction serving another state or federal sentence.

28.2 The Inmate Records Office (IRO) receives commitment orders from the Solicitors, County Clerks of Clerk, parole/probation revocations from the S.C. Department of Probation, Parole and Pardon Services, or from other jurisdiction facilities where an inmate is incarcerated. The S.C. sentence must be 91 days or more.

28.3 All YOA Parole Revocations on inmates in OJ status are forwarded to the YOA Division, S.C. Department of Corrections (SCDC), to determine the length of time left to serve on the YOA sentence and if a detainer is required. The YOA Division will then advise the IRO to process the YOA inmate within the OJ guidelines.

28.4 It is the responsibility of the IRO to process the commitment order(s) and generate a criminal history rap sheet, and to determine if the inmate is to be assigned his/her previous SCDC inmate number. The Central Classification OJ/Extradition Section will indicate, on the Offender Management Screen (OMS), all appropriate information to include the SCDC inmate number, commitment information, and location. The OJ Program Coordinator is responsible for sending a letter to the S.C. Law Enforcement Division (SLED), listing pertinent information on the OJ inmate, so that SLED can update the inmate's criminal history rap sheet.

28.5 Upon completion of the above, it is the responsibility of the OJ Program Coordinator to process and forward to the OJ facility, via fax or US mail, a detainer letter for the SCDC requesting that a "Hold" be placed on the individual inmate. Written confirmation of receipt of the SCDC letter is requested and any changes in the inmate's release from the other jurisdiction should be forwarded to Central Classification. The inmate's OJ release date is entered in the SCDC automated system and monitored by the OJ Program Coordinator on a weekly basis.

28.6 As an inmate's OJ release date approaches, the inmate record is reviewed to determine if the inmate will satisfy the S.C. sentence prior to release from the OJ. If so, a letter is forwarded to the authorities in the OJ, advising them of the date the inmate satisfies the S.C. sentence and instructing them to remove the SCDC detainer. The record is then relocated to the Release Section (IRO) for processing.

28.7 YOA inmates in OJ status must be reviewed by the YOA Division to determine the completion status of the YOA sentence. The record will remain in the OJ Section until notification in writing is received from the YOA Division that the YOA sentence has been satisfied and the detainer can be lifted.

28.8 Should the inmate complete time served in OJ prior to completion of the S. C. sentence, the inmate will be returned to SCDC.

29. MEDICAL FURLOUGH/MEDICAL PAROLE:

29.1 MEDICAL FURLOUGH: Inmates who are terminally ill with a life expectancy of one (1) year or less may be referred by Health Services to be considered for a Medical Furlough for the Terminally Ill. Applications will be initiated by the Health Services staff and processed through the Warden at the institution of assignment. In order to be initially considered, the inmate must have an approved immediate, in-state family member to act as sponsor, must have established outside medical care and treatment, and must have a prognosis of less than one year remaining to live. Refer to SCDC Policy HS-18.01, "Specialized Health Services Programs," and to Health Services Procedures pertaining to furloughs for terminally ill inmates for additional information.

29.1.1 The application packet will be submitted to **Central** Classification through the Office of the Deputy Director of **Health Services/designee** for processing. The packet will include at a minimum: SCDC Form 27-17, "Medical Furlough Application/Sponsor Agreement"; statement from a SCDC physician that the inmate has one (1) year or less to live and status of ambulation; notarized letter from the inmate's sponsor agreeing to assume all financial responsibility and care of the inmate; letter from a community physician agreeing to assume health care for the inmate and indicating that it is understood that the SCDC will be released from financial responsibility; and a statement from the Deputy Director of **Health Services/designee** concurring with the physician's opinion and recommending the furlough.

29.1.2 Upon processing by **Central** Classification, a criminal history review will be conducted and all facts regarding the inmate's criminal history and institutional record will be compiled.

29.1.2.1 As required by state statute, law enforcement officials and victim/witnesses will be contacted for any violent offender who applies to return to the county of commitment. Law enforcement and victim witness written recommendations must be received as appropriate. Victim witness notification will be made in all cases. Written response is only required for violent offenders as mandated by statute.

29.1.2.2 Should community opposition be received for the violent offender, **Central** Classification will submit the application packet to the Division Director of Classification and Inmate Records for final disposition.

29.1.2.3 Upon completion of the criminal history review and notification, with no community opposition, the application packet and criminal history review will be submitted through the Division Director of Classification and Inmate Records to the General Counsel **Office** and the Deputy Director of Operations. The Deputy Director of Operations/Designee will review the application packet and criminal history review and forward a recommendation to the **Agency** Director. The **Agency** Director will consider recommendation from the law enforcement community, victim/witness recommendation, and/or staff recommendation for final approval or disapproval of the medical furlough for the terminally ill.

29.1.3 If a Medical Furlough is approved, appropriate forms will be completed and required orientations will be given to the inmate and sponsor. **Central** Classification will coordinate medical furlough orientation with the inmate's assigned institution. Approved inmates who are released to the Medical Furlough must reside at the approved residence, and will be monitored by geographically located Pre-Release Center staff.

29.1.4 Required Forms: SCDC Form 27-17, "Medical Furlough Application/Sponsor Agreement," and SCDC Form 27-18, "Inmate and Sponsor Agreement for Medical Furlough."

29.1.5 The **Community Program Supervisor**, along with a uniformed security staff member, will be responsible for making monthly home or hospital visits. The Community Program Supervisor will complete monthly status reports for inmates on medical furlough and comments will be documented on SCDC Form 18-68, "Staff Memoranda," and submitted to **Central** Classification on a monthly basis.

29.1.6 Per SCDC Form 27-18, "Inmate Sponsor Agreement for Medical Furlough," upon receipt of a copy of the death certificate from the sponsor, the Community Program Supervisor will forward the death certificate to **Central** Classification.

29.2 MEDICAL PAROLE: Inmates who meet the following criteria may be considered for Medical Parole:

- Terminally Ill- means an inmate who, as determined by a licensed physician, has an incurable condition caused by illness or disease that was unknown at the time of sentencing or, since the time of sentencing, has progressed to render the inmate

terminally ill, and that will likely produce death within two years, and that is so debilitating that the inmate does not pose a public safety risk.

- Geriatric- means an inmate who is seventy years of age or older and suffers from chronic infirmity, illness, or disease related to aging, which has progressed so the inmate is incapacitated as determined by a licensed physician to the extent that the inmate does not pose a public safety risk.
- Permanently incapacitated- means an inmate who no longer poses a public safety risk because of a medical condition that is not terminal but that renders the inmate permanently and irreversibly incapacitated as determined by a licensed physician and which requires immediate and long term residential care.
- Inmates who meet these criteria may be referred by Health Services to be considered for a Medical Parole. Applications will be initiated by the Health Services staff and processed through the Warden at the institution of assignment. In order to be initially considered, the inmate must have established outside medical care and treatment. SCDC and the SCDPPPS will be released from all financial responsibility. Refer to SCDC Policy HS-18.01, "Specialized Health Services Programs," and to Health Services Procedure (HSP) #300.25 pertaining to medical parole.
- The application packet will be submitted to **Central** Classification through the Office of the Deputy Director of **Health Services** for processing. The packet will include at a minimum: SCDC Form 27-17, "Medical Furlough Application/Sponsor Agreement," and a statement from a SCDC physician that the inmate meets the Medical Parole criteria; notarized letter from the inmate's sponsor agreeing to assume all financial responsibility and care of the inmate; a statement from the **Health Services** Deputy Director concurring with the physician's opinion and recommending the furlough.
- Upon processing by **Central** Classification, a criminal history review will be conducted and all facts regarding the inmate's criminal history and institutional record will be compiled. Upon completion of the criminal history review and notification, the application packet and criminal history review will be submitted through the Division Director of Classification and Inmate Records to the Agency General Counsel and the Deputy Director of Operations. The Deputy Director of Operations/Designee will review the application packet and criminal history review and forward a recommendation to the **Agency** Director. The **Agency** Director will consider the application packet and, if approved, will forward the packet under cover letter to the Director, SCDPPPS, for Medical Parole consideration.
- SCDPPPS will process the Medical Parole application in the same manner as a normal parole, to include any required victim/law enforcement notifications and the scheduling of the parole hearing before the Parole Board. If the Board grants parole, the inmate will be processed in the same manner as an inmate being granted parole.

SECTION FOUR: INSTITUTIONAL CLASSIFICATION

30. OVERVIEW: INSTITUTIONAL LEVEL CLASSIFICATION:

30.1 Initial Housing Assignment: As a general rule, inmates newly-assigned to an institution may be assigned to temporary housing until their permanent housing is available and has been approved by the Institutional Classification Committee (ICC).

30.2 Initial Appearance Before the ICC: Inmates will meet with their assigned Classification Caseworker/Committee Program Supervisor (CPS) generally within 72 hours (excluding weekends and holidays). Inmates can not waive appearance before initial classification hearings. A custody review (only) must be completed on all initial institutional assignments. Security reviews are conducted at the annual hardship review and in cases where the ICC is recommending a security level change or a review has not been conducted.

30.3 Inmates newly assigned to an institution will receive orientation within ten (10) working days of arrival unless exceptional circumstances exist. During orientation, a staff member must verbally explain the Agency's policy regarding sexual misconduct between staff and inmates. Each inmate must be provided with a written memo that explains said policy and procedures. This memo can be obtained from the Division of Classification and Inmate Records.

30.4 Records Checklist: "The Records Checklist," SCDC Form S-13, and the initial audit of the inmate's institutional record, to include a check of the NCIC report, court orders, and other legal documents must be completed within ten (10) working days of arrival at the institution.

30.5 Custody Assignment: Each inmate will be assigned a custody which is compatible with the inmate's disciplinary record, escape history, proximity to release, detainer record, and security score. The principal custody designations are Minimum Out (MO), Minimum Restricted (MR), Minimum In (MI), Medium (ME), and Maximum (MX). The special status categories to which inmates may be assigned are death row (DR), medical, mental health, handicapped, protective concerns (SP), protective custody (PC), safekeeper (SK), intake (IN), **short term** detention (**ST**), disciplinary detention (DD), security detention (SD), and disciplinary yard (DY) *status*.

30.6 Institutional Classification Process: The Institutional Classification Committee (ICC) will be responsible for making classification decisions and/or recommendations relative to an inmate's needs at the institutional level. Most new arrivals/reassignments will be recommended by the Reception and Evaluation Center for assignment to minimum-in custody. If information contained in the inmate's official record indicates a need for a more restrictive custody, the Reception and Evaluation Center may recommend that an inmate be assigned to medium custody. Upon an inmate's arrival at a unit of assignment, the inmate's recommended or previously assigned custody will be reviewed, and either approved or changed, by the Classification Caseworker/CPS. The Classification Caseworker/CPS will also review the inmate's record and criminal history to ensure that s/he is appropriately assigned. Appropriate documentation will be required in the narrative of all custody reviews.

30.7 Review/Assessment Schedule:

30.7.1 Reviews of each inmate's custody, job assignment, housing assignment, and treatment programming should be conducted on a regular basis. A reclassification review will take place on an annual basis. Classification reviews may also be conducted as a result of a status change. Inmates will be provided with written notice of their hearing (SCDC Form 18-34, "48 Hour Notice") at least 48 hours prior to the same. Inmates will be afforded the opportunity to waive their appearance at reclassification hearings. (Note: See Section Five, Labor Crew/Work Program, for the review requirements for inmates assigned to Labor Crew or Work Programs at Pre-Release Centers.)

30.7.2 The classification caseworker will be responsible for scheduling each inmate to appear before the Institutional Classification Committee (ICC) annually. Whenever feasible, the caseworker will meet with the inmate prior to the hearing to review the report and answer questions.

30.8 Status Change: Classification reviews or committee actions will also be conducted as a result of a significant change involving the inmate. The Classification Caseworker is responsible for reviewing the automated and/or manual records of inmates referred to the custody due list because of status changes to determine if the inmate is simulating a more or less restrictive custody/security change. All custody and security advancements, reductions, and job terminations must be approved by the ICC. Examples of reclassification resulting from a status change are:

- Return from court with additional sentences;
- Placement or removal of detainee that changes the security level simulation;
- Placement/release from Restrictive Housing Unit;
- Discharge from hospital or psychiatric unit with changes on the MEDCLASS screen;
- Convicted of major or chronic administrative disciplinary infraction(s); (Note: Status change reviews of inmates convicted of major disciplinary convictions will only be conducted if the disciplinary results in a change of status for the inmate. When the inmate is convicted of a major disciplinary, the Caseworker/CPS will do an automated simulation on the CLASSP. If the conviction does not change the inmate's custody/security status, the conviction will be considered at his next regularly scheduled review. If the conviction results in a simulated change in custody/security, the inmate will be referred to the ICC for review of status change.);
- Criminal charge (warrant/detainer) for an offense committed while incarcerated;
- Custody re-assignment;
- Major program change;
- Overturn of criminal conviction;
- Change in cell assignment status;
- Change in job assignment from one area to another is conducted by the Classification Caseworker (The ICC must approve all job terminations);
- Change in Security Threat Group Status (STG);
- When an inmate is reviewed by the ICC as a result of a Guilty But Not Accountable (GBNA) disciplinary conviction, the mental health counselor (MHC) will participate in the ICC hearing. The MHC input should be used in conjunction with other risk factors to determine the correct security and custody recommendation.

30.9 MEDCLASS Summary: The MEDCLASS Summary for Classification and Assignment will be completed by R&E Medical or the Institutional Medical Section. This will indicate any medical or mental health requirements which need to be taken into consideration when determining the inmate's job or housing assignment. In certain cases a representative from Medical and Professional Health Services may be contacted to serve on the Institutional Classification Committee.

30.10 Central Classification Office Review/Override Authority: **Central Classification Office (CC)** will be responsible for the review and approval of all inter-institutional transfers, all assignments to Minimum Out/Minimum **Out** Restricted custody, and Protective Custody. **Central Classification Office** will have the authority to override Institutional Classification decisions in the interest of the safety, security, and orderly management of inmates and institutions.

31. INSTITUTIONAL RECEPTION PROCESS AND INITIAL CLASSIFICATION REVIEW:

31.1 Reception of Newly-Assigned Inmates/Housing: Upon an inmate's arrival at the initial institutional assignment, the receiving officer will ensure that all records are received (inmate's institutional record and medical record). The institutional record will be forwarded to the classification office, and the medical record will be forwarded to the medical division. The institutional record will be used by the Classification Caseworker/CPS during initial classification reviews and all subsequent classification reviews. Inmates will be classified within 72 hours of their arrival at the institution (excluding weekends and holidays). If appropriate permanent housing is not available for the inmate, the inmate will be assigned to temporary housing until such time as appropriate permanent housing becomes available.

31.2 Upon arrival at the institutional assignment, each inmate will be assigned a Classification Caseworker/Community Programs Supervisor who will be the primary contact person and will handle classification needs/requirements for the inmate. The Classification Caseworker will be responsible for answering questions regarding the inmate's sentence and eligibility dates. Upon initial transfer to the institution, the Classification Caseworker will be responsible for conducting an audit of the inmate's institutional record. Audits will be conducted using the SCDC Form S-13, "Records Checklist," and will be documented on the SCDC Form 18-68, "Staff Memorandum," within ten (10) working days of arrival. At the inmate's annual review, the classification caseworker will be responsible for conducting an automated audit of the inmate's court orders. This review will be documented on the SCDC Form 18-68, "Staff Memorandum."

31.3 All documents relative to the inmate's medical or mental health evaluations and assessment will be reviewed by the institutional health services and educational professional staff.

31.4 During the reception period, information will be distributed to inmates on available programs and services. Inmates will also be permitted to participate in general services (i.e., religion, library, recreation, etc.).

31.5 Institutional Orientation: Inmates will receive institutional orientation within ten (10) working days of arrival at the institution of assignment. This orientation will be documented on SCDC Form 18-69, "Certificate of Inmate Orientation." The orientation will include information on: Scheduled meal times, classification, institutional rules, sexual misconduct, Prison Rape Elimination Act (PREA) guidelines, HIV education, educational and/or vocational opportunities, work assignments, canteen, and commissary. Each inmate will sign the 18-78, "Prison Rape Elimination Act Orientation" form. Note: Information on sick call and visitation will be communicated orally to inmates upon arrival in the institution and will be made available to each inmate in writing within 24 hours.

31.5.1 Initial Screening for Risk of Victimization or Abusiveness: Inmates must be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of transfer. A trained designated staff member will use the automated PREA screening instrument to interview the inmate and complete the checklist. Inmates who have experienced prior sexual victimization or perpetrated sexual abuse on others, whether it occurred in an institutional setting or in the community, will be offered a follow-up meeting with a qualified medical/mental health staff within 14 calendar days of the initial screening. The screening interview will be individualized to ensure the safety of each inmate and conducted in a private area that is conducive to obtaining complete and accurate information. Inmates will not be disciplined for failure to disclose or refusal to answer questions related to prior sexual abuse. (PREA Standard 115.42.)

31.5.2 Information received in response to answers on the PREA screening checklist or other sensitive information will not be used to the inmate's detriment by staff or other inmates. Inmate must not be disciplined for failure to disclose or refuse to answer questions related to prior sexual abuse.

31.5.3 Within 30 days of transfer, the classification caseworker/CPS will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since the inmate's transfer. If additional information has been received, the classification caseworker will assess the inmate's risk using the automated PREA screening checklist. If no additional, relevant information has been received, the classification caseworker will indicate that on the automated PREA DUE LIST.

31.5.4 The inmate's PREA status will be used when making decisions regarding cell assignments, job assignments, and education and program assignments. Inmates who are designated as PREA perpetrators will be kept to the extent possible from those designated as PREA victims.

31.6 The Classification Case Manager will be responsible for ensuring that all newly-assigned inmates receive an institutional orientation and ensuring that all newly-assigned inmates are advised of, and have access to, the information relevant to custody assignments, transfers, and general classification information; information advising the inmate of his/her assigned Classification Caseworker; and information regarding classification review schedules. Caseworkers will generally respond to an inmate's request to staff within 30 working days.

31.7 Classification Decisions and Recommendations (Custody, Housing, and Job Assignment): After thorough review and consideration of all available information, the ICC/Classification Caseworker/CPS will determine the inmate's appropriate custody designation. Most new arrivals/reassignments will be recommended by the Reception and Evaluation Center for assignment to "minimum-in custody." If information contained in the inmate's official record indicates a need for a more restrictive custody, the Reception and Evaluation Center may recommend that an inmate be assigned to medium custody. The ICC will also determine specific housing and job assignment for the inmate. At the inmate's initial assignment, the ICC will determine the inmate's cell assignment status (i.e., the identification of any restrictions). Custody, housing, and job assignment will be made in accordance with established criteria and correlate with the inmate's current classification. Recommendations and restrictions noted on the inmate's MEDCLASS Summary will be considered by the ICC. The Classification Caseworker will review the PREA risk screening for each inmate when making housing, work, education, and other program assignments. An individualized determination concerning placement will be made on inmates who are identified as being high risk of victimization and those having potential for sexual aggression.

32. RESPONSIBILITIES OF THE ICC: The ICC will be responsible for making classification decisions and/or recommendations relative to an inmate's needs at the institutional level. Decisions on custody and security advancement, reduction, and job terminations will be made as a formal committee to ensure that decisions are made in a rational, objective, and equitable manner. Reviews of each inmate's custody designation, housing assignment, placement in/release from security detention status, and treatment programming will be conducted by the ICC. Classification reviews may also be conducted as a result of changes in an inmate's security and/or treatment needs. The Classification Caseworker/CPS will also be responsible for reviewing and updating each inmate's relative and emergency contacts screens. (NOTE: See Section 29.2 for in depth information.)

32.1 It is the policy of the South Carolina Department of Corrections that all ICC hearings will be conducted in such a manner as to ensure that each inmate appearing before a committee is properly classified through the consistent and objective application of classification criteria and on the basis of the inmate's safety, security, and treatment needs.

32.2 RESPONSIBILITIES:

- Initial classification of all newly received inmates and inmates transferred from other institutions.
- Custody designations involving security detention status, medium, minimum-in, minimum-out restricted, and minimum-out custody inmates.

- Review of inmates convicted of major or chronic administrative disciplinary rule violations if the conviction results in a change in status.
- Recommendations to **Central Classification (CC)** for transfer of inmates, placement in minimum out/minimum **out** restricted custody, assignment to or removal from protective custody status.
- Recommendations for placement in/release from security detention status.
- Recommendations for inter-institutional transfers.
- Review of special placement of inmates for treatment or educational programs.
- Changes in job assignment (approve all job terminations).
- Rescheduling of inmates for subsequent classification review.
- Review any changes in the inmate's status to include: Return from court with additional sentence; Placement or removal of detainers resulting in a security simulation change; Release from security detention or disciplinary detention status; Discharge from hospital or psychiatric unit with changes to the MEDCLASS screen; or Criminal charge (warrant/detainer) for an offense committed while incarcerated.
- Review and update the inmate relative screen as needed at the annual classification review. Requests for update should be submitted by the inmate on SCDC Form 19-11, "Request to Staff Member." A copy of one of the following documents must be attached to the SCDC Form 19-11 for each added family member: A copy of a birth certificate (long form that includes both parents' names); legal court records showing guardianship; legal documents verifying paternity with DNA test results; marriage license; or to verify common-law status, lease agreement or mortgage statement with both names, or utility or phone bill with both names. The SCDC Form 19-11, along with the required document, will be forwarded to the Division of Visitation and Inmate Drug Testing for appropriate action.
- The caseworker will review the inmate's emergency contact screen (ADMITINQ, ADDRESS) during each review and will correct any information. The caseworker must enter the updated emergency contact information on the CLASSP (address) menu. Information must be updated at the annual review or as needed.
- Inmate relative data will not be deleted from the automated system except in case of divorce and the inmate can provide a copy of the divorce decree.

33.3 TRAINING FOR ICC MEMBERS: The Division of Classification and Inmate Records/designee will conduct training sessions for ICC members at the Institution, as needed.

33. MEMBERSHIP OF THE ICC: The Warden will designate a security representative to sit on the ICC to represent security.

33.1 CHAIRPERSON/RESPONSIBILITIES: The Classification Case Manager/Caseworker will serve as chairperson.

- To preside over the proceedings to ensure that all of the presented cases are handled in accordance with the policies/procedures of the Classification Plan.
- To ensure that each member is given the opportunity to have input regarding each presented case.
- To ensure that each voting member votes of his/her own free will.
- To ask each inmate if s/he has any questions or statements pertinent to the committee proceedings.
- To maintain a professional attitude and unbiased demeanor during the hearing.
- To analyze the information presented and to ensure that the committee makes an unbiased, objective decision.

33.2 ICC MEMBERS' RESPONSIBILITIES: Security or non-security staff members, i.e., job supervisors, Chaplain, Education (i.e., guidance counselor, academic, or vocational supervisor).

- To be punctual and dependable in participation in the classification hearings.
- To review and understand SCDC policies/procedures relating to Institutional Classification.
- To make a determination of the most suitable action by the committee and to vote accordingly.
- To maintain a professional and unbiased demeanor during the hearing.

33.3 Classification Case Manager or Caseworker Responsibilities: Under no circumstances should classification staff represent the majority of members on the committee or two (2) classification persons serve as voting members of the ICC. The Classification Case Manager/Caseworker will prepare the docket and schedule the committee's hearings, and has the following responsibilities:

- To present all relevant information regarding the inmate's current and prior criminal history to the ICC.
- To analyze the details of each case in light of the classification issue at hand.
- To initiate and complete the Committee Docket.
- To make determination of the most suitable action to be taken by the committee and vote accordingly.

33.4 Additional Member(s): Physician, Registered Nurses, Clinical Correctional Counselors - The Clinical Counselor is a required member of the committee if the inmate has a mental health designation.

33.5 QUORUM: Chairperson and two (2) voting members. Each member will have one (1) vote and the majority vote will rule.

34. PROCEDURES BEFORE ICC HEARINGS: The following steps will be taken by the Classification Case Manager/Caseworker prior to the hearing:

- Plan the schedule for the ICC hearing.
- Review the records of each inmate scheduled for review.
- Verify the eligibility status of inmates whose requested actions have established minimum requirements.
- Gather and organize the necessary paperwork for each action to be presented at the hearing.

- Notify the inmates who are scheduled to appear before the committee in writing at least 48 hours prior to the hearing. If an inmate requests to waive the 48-hour period or does not want to appear for the hearing, complete the SCDC Form 18-39, "Classification Waiver."
- Whenever feasible, interview each inmate prior to the hearings to review the report, explain the procedures, answer the inmate's questions, and obtain additional information. This will enable the hearing to proceed more efficiently.

35. ICC PROCEEDINGS:

35.1 Inmates will be present, except during the deliberations, at all classification hearings that may affect custody, security assignment, loss/forfeiture of good time, job assignment, or treatment programs, except when the inmate waives the right to appear at the classification hearing using SCDC Form 18-39, "Classification Waiver."

35.1.1 Inmates who fail to appear for ICC: The ICC hearing can be held in the inmate's absence if the inmate has been notified via SCDC Form 19-45, "Order to Report," and/or SCDC Form 18-34, "48 Hour Notice," and the inmate fails to appear. The Caseworker will file the Order to Report and/or 48 Hour Notice for documentation. The Caseworker must also note that the committee was held in the inmate's absence on the SCDC Form 18-1 "Committee Docket," and in the comment sections of the custody and security review.

35.2 Inmates will be given notice dated and signed by the appropriate caseworker 48 hours prior to the hearing and may waive, in writing, the waiting period using SCDC 18-39, "Classification Waiver." An inmate who does not wish to appear before the ICC must sign a waiver stating the reason. Inmates who waive their rights to appear will also waive any grievance rights regarding any decision made by the ICC. In the event of a waiver, the Classification Caseworker can review the reclassification reports with the inmate. The inmate must sign the SCDC Form 18-39, "Classification Waiver." If the inmate refuses to sign, it must be documented and witnessed by the Classification Caseworker.

35.3 Each inmate will appear individually before the committee. The reasons for the hearing will be fully explained to the inmate. Inmates who cannot speak or understand English will be assisted by an employee who can act as an interpreter. Inmates who are hearing or sight impaired will be provided with assistance to ensure that they understand the deliberations.

35.4 The inmate will be given the opportunity to ask questions and to present information at the hearing which may affect the committee's decisions. The information used by the committee in making classification decisions will be available to the inmate so that the inmate may participate in the classification process. The committee members will ask the inmate any relevant questions concerning his/her request or review. The inmate can be allowed to participate in assessing his/her needs and in selecting programs to meet those needs.

35.5 Each inmate's case will be presented to the ICC by the Classification Caseworker/Case Manager. All relevant documents and information contained in the inmate's record, as well as information obtained from the automated system, will be presented to the committee. Committee members will review the inmate's record. The inmate's record can be reviewed in the presence of the inmate; however, psychiatric and mental health information as well as confidential information from the community will be withheld. The inmate will have access to the portion of his/her records considered by the ICC except for the confidential information.

35.6 The chairperson will moderate the committee proceedings. Each committee member will have one (1) vote, with the chairperson voting last. The majority vote will rule. The classification caseworker presenting to the committee may be a voting member only if no other classification employees are participating as voting members. All committee members and persons involved in the committee hearing must introduce themselves and state their name and job title.

35.7 The information on which the ICC bases its decisions will be documented in the inmate's institutional record as well as in the automated system.

35.8 After all of the information has been reviewed and input has been heard, the inmate may be excused from the hearing for the committee's deliberation.

35.9 Each inmate will be advised of the ICC's decision directly by the committee at the conclusion of the hearing. Inmates who do not attend the ICC hearing will be informed of the committee's decision by the Institutional Classification Caseworker/Case Manager within ten (10) working days.

35.10 The Institutional Classification Case Manager will be responsible for the completion and maintenance of the SCDC Form 18-1, "Committee Docket," for each inmate who appears before the ICC.

35.11 The Institutional Classification Caseworker/Case Manager will be responsible for entering all decisions made at the committee hearings in the automated Offender Management System (OMS). All entries should be made no later than the following working day after the committee hearing. The Institutional Classification Caseworker/Case Manager will update the appropriate OMS screens, enter detailed comments to document ICC decisions, ensure that all sections of the "Classification Committee Docket" are completed, and provide notification to the inmate within ten (10) days if s/he waived appearance before the ICC.

36. APPEAL PROCEDURES: Inmates may appeal the decisions of the Institutional Classification Committee through established inmate grievance procedures. (See SCDC Policy GA-01.12, "Inmate Grievance System," for further information.)

37. TAPE RECORDING: All ICC hearings involving security levels and custody level changes, and loss of credits must be recorded, except in cases where the inmate signs the SCDC Form 18-39, "Classification Waiver." Inmates who sign the Form 18-39, "Classification Waiver," will waive any grievance rights regarding any decision made by the ICC. In these cases, tape recordings will

not be required. If the inmate signs a waiver, the Caseworker/CPS must file a copy of the waiver in the inmate's institutional record and document on the Committee Docket.

37.1 The Case Manager/designee is responsible for properly labeling and downloading the ICC hearings into the institution's automated file on the Intranet. The tape number will be recorded on SCDC Form 18-1, "Committee Docket." The tape recording will be made available to the appropriate reviewing authority (SCDC Grievance employee), if it is needed to determine the outcome of an appeal. The factors considered by the Committee and reasons supporting the particular decision regarding custody will be clearly documented on the Committee Docket.

38. SUBSEQUENT CLASSIFICATION REVIEWS:

38.1 It is the policy of the Division of Classification and Inmate Records that all inmates will be reviewed for the purposes of classification on a routine basis and as required by the inmate's current needs and circumstances. This will ensure that each inmate receives appropriate and adequate supervision, and housing, job, and program assignments which are commensurate with changing needs and requirements during his/her entire period of incarceration. All classification decisions will be made on the basis of the inmate's total record. No inmate will be denied access to work, recreation, education, or other programs or opportunities because of health status unless such denial is required for medical or mental health reasons, as determined by a medical/mental health professional. The primary function and objective of all classification committees and classification staff (including individuals with authority to make classification-related decisions) will be to ensure that each inmate's safety, security, and that treatment needs are met and the safety and security of staff, the institution, and the public are maintained.

38.2 Review Schedule: Full status reviews will be conducted annually as a formal classification committee hearing.

39. INMATE REQUESTS FOR CLASSIFICATION REVIEWS:

39.1 Inmates may request classification reviews by forwarding such requests to the Classification Caseworker. Reviews may be requested for placement in, or release from, protective custody status; or other review requests (e.g., change in cell assignment status, overturn of criminal convictions, changes in STG status). An inmate cannot request a review because the time frame for the disciplinary conviction to affect classification status has expired or because the remaining time left to serve has lessened to make him/her eligible for advancement.

39.2 The Classification Caseworker will review the institutional record to determine the inmate's eligibility for review by the Institutional Classification Committee, in accordance with the classification characteristics, boundaries, and criteria outlined in these procedures. Requests for reviews may be denied if unreasonable, if duplication of a recent review, or if the inmate does not meet minimum eligibility requirements. *Upon determining that the inmate is eligible for review consideration, the Classification Caseworker will schedule him/her to appear before the Institutional Classification Committee.*

40. JOB/SCHOOL ASSIGNMENT BY ICC:

40.1 The ICC will be responsible for inmate job assignments. This will include newly received inmates from the Kirkland R&E Center and the Camille Graham R&E Center, inmates transferred from other institutions, and all job re-assignments to include terminations, return from lock-up, return from court, medical, etc.

40.2 The Classification Caseworker/CPS will have the authority to make changes in job/school assignments **within areas after the initial assignment by the ICC**. The inmate will be required to remain on his/her assigned job for at least one (1) year before the inmate can request a job change. The Warden/designee may reduce the length, if deemed necessary.

40.3 MEMBERSHIP:

CHAIRPERSON: The Classification Case Manager or Caseworker will serve as chairperson. The Case Manager will be the voting member if the Classification Caseworker is presenting the case to the committee. Under no circumstances should classification staff represent the majority of members on the committee or two (2) classification persons serve as voting members.

MEMBERS:

The Warden will designate a security representative to sit on the ICC to represent security.

Security or non-security staff members, i.e., job supervisors, Chaplain, Education (i.e., guidance counselor, academic or vocational supervisor).

Additional Member(s): Physician, Registered Nurse - The appropriate health services specialist(s) will be a required member of the committee in those cases where the chairperson has determined that there is a need for more information than is provided on the inmate's current Health Summary for Classification Form.

40.5 QUORUM : Chairperson and two (2) voting members. Each member will have one (1) vote and the majority vote will rule. The Classification Caseworker/CPS can conduct the ICC review of inmates in Level 1A institutions, Manning and Goodman Pre-Release, custody/security reviews with no change in status, job assignment/reassignments, and treatment programming.

40.6 Health Services Professional Staff (i.e., physician, psychiatrist, clinical counselor, registered nurse, etc.) will be responsible for updating an inmate's MEDCLASS Summary for Classification and providing appropriate notification with request to any changes in an inmate's health status which requires a job change for health-related reasons. Job-related restrictions and recommendations of health

services professional treatment staff, as noted on the MEDCLASS Screen, will be followed by all classification committees and all individuals with authority to make specific decisions related to offender jobs.

40.7 Job assignments will be made on the basis of an inmate's total record and as required by the inmate's current needs and circumstances, as reflected in the inmate's institutional record, MEDCLASS Summary for Classification, PREA status and the automated record, in order to ensure that each inmate receives an appropriate job with adequate safety, supervision, and treatment.

40.8 The work force requirements of the institution, and specialized skills of an individual inmate (e.g., welder, carpenter, baker, typist), will be considered when making job assignments. Staff should attempt to match the work force needs of the institution with the skills of the available inmate workers whenever possible.

40.9 The Classification Caseworker/CPS will assign inmates to EWC jobs using standardized criteria which include such factors as:

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Risk Factor: Escape risk, security threat group, custody designation, disciplinary history, current institutional adjustment, current offense, violent tendencies, and PREA status.

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Institutional Need: Work force requirements of the unit, skills possessed by each inmate, and skill requirements of vacant jobs.

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Job Restrictions: Limiting physical and psychological factors (as noted on each inmate's health summary) for classification will be followed by the ICC. This will also include any recommendations of health services professional treatment staff.

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Educational/Vocational: The inmate's need or desire to attend academic or vocational school. Inmates reading on or below the 8th grade level will require mandatory placement in an education program.

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Food Service Assignments: Inmates assigned to food service duties must be screened by health services personnel and should be thoroughly instructed regarding sanitation and personal hygiene by the food service supervisor prior to actually working in food service.

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Health-Related Criteria: (treatment program, psychiatric, handicapped, mentally retarded, ATU, etc.) Current medical status (i.e., no exposure to direct sunlight or other special job assignment needs due to medical conditions) and current mental health, intellectual impairment, physical handicap, or disability status.

NOTE: Consideration will be given to all criteria to ensure that safety, security, and treatment needs of all inmates are being met and that the safety and security of staff and the institution are maintained.

40.10 Refusing to Work/Failure to Work/Refusing to Attend the Compulsory School Program: An inmate will not be allowed to refuse any work or mandatory educational assignment or other mandatory program. Such refusal will subject the inmate to disciplinary action. (See Policy OP-22.14, "Inmate Disciplinary System.")

40.11 No Work Pass and/or Change in Medical Status: When a change in an inmate's medical condition occurs that causes a job restriction(s) to be placed on the inmate, the MEDCLASS screen should be updated immediately by the appropriate health services staff and notification made to the Classification Case Manager/designee. The Classification Caseworker/CPS will review the MEDCLASS screen and make an appropriate job change, if necessary. The inmate should be given a SCDC Supply M-31, "Medical No Work Pass," with specified dates. If the medical no-work pass exceeds three (3) days, EWC/EEC will be terminated effective the 1st day of the medical no-work pass per policy. An inmate who is unable to perform his/her current job assignment due to a temporary medical condition, i.e., flu, cold, fever, etc., as determined by appropriate health services staff, will also be given a no-work pass with a specified length of time that the inmate is to be absent from work. Medical will forward a copy of all SCDC Supply M-31s to the Case Manager.

40.12 Recording of Job/School Assignment: The SCDC Form 18-1, "Committee Docket," and the SCDC Form 19-54, "Inmate Job/School Assignment," with dispositions, will be used for recording all initial job/school assignments and subsequent changes (including custody changes and terminations). Inmates assigned to jobs and/or to school will be directed to the appropriate supervisor following the classification hearing. Individual work supervisors will receive notice from the Case Manager of the inmate's assignment within 24 hours of the hearing.

40.13 Offender Management System (OMS) Entry: Job/School assignment information will be entered into the OMS indicating the inmate's SCDC number, job classification code, effective date of hire, job location, and number of days/hours to be worked. The designated institutional employee will make appropriate entries on the Earned Work Credit/Earned Educational Credit (EWC/EEC) screens of the OMS within three (3) working days after the ICC hearing.

40.14 Job Pool: The Classification Case Manager will monitor job vacancies. The Case Manager will provide information on job vacancies and the need for inmate workers in specific areas to *Classification staff weekly*. Job supervisors are required to keep the Case Manager informed of vacancies and the need for additional workers.

41. GENERAL JOB RE-ASSIGNMENTS:

41.1 Inmate Request: An inmate who has successfully completed at least one (1) year in an assigned job may request a job change. The inmate must appear before the Classification Caseworker/CPS for approval/disapproval.

41.2 Terminations: An inmate may be recommended for termination from a job by his/her supervisor for unsatisfactory job performance, inability to perform work, or other appropriate reasons. Prior to termination, the inmate should be given a SCDC Form 19-123, "EWC Performance Evaluation, Warning Notice," by his/her supervisor explaining how his/her performance may be improved. Depending on the circumstances surrounding the termination, the inmate may be charged with a rules violation. (A warning notice will not be required prior to termination; however, an incident report will be prepared if appropriate.) All terminations must be approved by the Institutional Classification Committee. If the inmate is terminated by the ICC, the effective date of termination will be the date signed by the job supervisor on the SCDC Form 19-54, "Inmate Job/School Assignment."

41.3 Administrative Request: An inmate may be reassigned at the discretion of the Warden or designee when it is deemed necessary for the safety and security of the facility.

41.4 Return from RHU: Upon return from *Short Term* Detention (*ST*), Disciplinary Detention (DD), or Security Detention (SD), the inmate must appear before the ICC to determine if s/he should return to his/her previous job or be reassigned. If the inmate was convicted of disciplinary offense 903, The Use or Possession of Narcotics, Marijuana, or Unauthorized Drugs, Including Prescription Drugs, or Inhalants (Old Disciplinary Code 1.10 and 2.02), the Warden/designee may instruct the ICC not to reassign the inmate to his/her previous job or to a job in the same work section.

41.5 Return from Medical: When a change in an inmate's medical condition occurs and a job restriction(s) is placed on the inmate by the physician, the inmate will be referred to the ICC to determine if job reassignment is necessary.

41.6 Assignment of Inmates (as Clerks/Supervisors): Inmates will not be permitted to exercise authority over other inmates in any aspect. This stipulation will not prohibit the use of inmates who oversee work provided that they do not discipline, hire, retain, fire, determine pay, or evaluate the performance of other inmates. Under no circumstances will inmate clerks have access to inmate records or any other confidential information. Inmates will not type classification forms or assist with the performance of any classification duty.

41.7 Back Dating of EWC/EEC by Institutional Classification Central Office: Any EWCs awarded retroactively must be requested by the Warden with at least two (2) supporting statements and documentation from SCDC or supervising employees verifying the work and the dates performed. All Earned Work Credits awarded retroactively must be approved by the Division Director of Classification and Inmate Records/*designee*.

42. ICC REVIEW HEARINGS FOR RESTRICTIVE HOUSING UNITS: Inmates assigned to RHUs will be classified in accordance with the conditions of this confinement as outlined in SCDC Policy OP-22.38, "Restrictive Housing Unit."

43. SUBSTANTIATED SECURITY RISK UNIT (SSR) (KIRKLAND): Level reviews will be conducted pursuant to SCDC Policy OP-22.38, "Restrictive Housing Unit." Inmates will not receive annual reviews while in SSR. A full status change review should be conducted before release.

44. CUSTODY DESIGNATIONS AND CREDITS: The ICC will evaluate the inmate's behavior and other relevant factors and make a custody determination. Any decision which differs from the recommendation from the automated criteria must be coded as an override and fully explained in the comment section of the custody review. All privileges (to include level of supervision within and outside of the institution, meal schedule, controlled movement, access to programs and activities, access to jobs, EWC/EEC level, access to canteen, access to visits, and access to telephone) will be based on the inmate's custody level. When a decision is made regarding the custody, the inmate's privileges (for inmates assigned and eligible to earn credits) will be consistent.

Minimum Out	Level 2
Minimum Restricted	Level 2
Minimum In	Level 3 (Level 2 if meets behavior and time requirements)
Medium	Level 5
<i>Close Custody</i>	<i>Reserved for inmates assigned to specialized units in restrictive housing (Step Down Program, Behavioral Management Units)</i>
<i>Restrictive Housing Unit</i>	N/A

44.1 Custody Criteria Applicable to Wateree River Correctional Institution Only: Inmates with drug disciplinary convictions that are at least six (6) months old and inmates with an arrest record (not conviction) of a sex related offense and/or plea bargain to

include not processed/dismissed arrests may be assigned to Wateree River Correctional Institution in Minimum Restricted (MR) custody.

44.2 Special Status Categories:

44.2.1 Death Sentence Status: Offenders in death sentence status require the highest level of custody supervision available. Inmates in this status (referred to as Death Row) are precluded from assignment to a principal custody designation.

44.2.2 Safekeeping Status: Individuals in safekeeping status will be assigned to unit housing which is specifically designated for safekeeping status. Such housing will be commensurate with the specific safety needs of the individuals assigned there. Refer to SCDC Policy SK-22.02, "Safekeepers," for additional information.

44.2.3 Medical Status: Offenders who require special consideration due to their medical conditions (e.g., offenders who are assigned to special medical treatment programs or those who have medical restrictions with regard to housing, job, and other assignments) will be assigned to units and given housing, job, and program assignments which are commensurate with their special medical needs. All medical status offenders will be assigned to an appropriate custody designation and given housing, job, and program assignments commensurate with their special medical needs. All health-related restrictions regarding basic housing requirements, bunk assignment, row assignment, job assignment, or disciplinary procedures, as noted on the MEDCLASS screen, will be followed by all classification staff, classification committees, and security personnel.

44.2.4 Intellectual Disability status: A designation of **intellectual disability** will be assigned to those offenders who require special consideration due to their retardation or developmental disability. **This status is assigned to an offender who has a WAIS-R full scale IQ of 73 or below or a social history indicative of mental retardation. Housing and other restrictions for these offenders (II), as identified by professional treatment staff, will be specified on the MEDCLASS screen. Offenders housed in an intellectual disability unit will be placed in a cell with inmates of similar status.**

44.2.5 Physically Disabled Offender Status: Offenders who require special consideration due to a permanent physical disability will be assigned to institutions and given housing, job, and program assignments which are commensurate with their special needs. The term "physically disabled" refers to offenders with a mobility impairment, or visual, hearing, or speech impairment. The ICC will determine the inmate's housing assignment based upon behavioral characteristics, institutional history, and the need to separate specific offenders. Housing and other restrictions for offenders in physically disabled offender status, as identified by appropriate medical staff and noted on the MEDCLASS screen, will be binding on all classification staff, classification committees, and security personnel.

The meeting of custody criteria does not guarantee placement at any particular level. An inmate's custody classification involves the exercise of discretion in regard to security needs and overrides may be used.

45. CUSTODY AND PRIVILEGES: NOTE: Exemption to Section #43, dated April 8, 2016, as it relates to inmates in GPH. Inmates in GPH will have a spending limit of \$30.00 per week.

	MINIMUM OUT	MINIMUM RESTRICTED	MINIMUM IN	MEDIUM	CLOSE	MAXIMUM
ACCESS TO PROGRAMS AND ACTIVITIES	Outside the perimeter, off institutional property	Inside the perimeter or outside the perimeter on institutional property	Inside the perimeter	Inside the perimeter	<i>Inside the unit. Selected activities outside of the unit on institutional property.</i>	Selected cell activity only
ACCESS TO JOBS	Outside the perimeter off institutional property	Inside the perimeter or outside the perimeter on institutional property	All inside the perimeter; Under armed supervision outside the perimeter	All inside the perimeter; Under armed supervision outside the perimeter	<i>Refer to program policy and guidelines.</i>	None except job assignments within unit for Statewide protective custody
EWC/EEC LEVEL	2	2	3 until meets behavior and time requirements to MOR, then automatically to 2	5	<i>7 for inmates assigned to jobs.</i>	None, except 7 for Statewide protective custody
ACCESS TO CANTEEN	\$150.00 week limit	\$150.00 week limit	\$150.00 week limit	\$50.00 week limit	<i>Refer to program policy and guidelines.</i>	Refer to OP-22.16 for Death Row, OP-22.23 for Statewide Protective Custody, OP-22.38 for RHU. Pre-Trial SK inmates are eligible for Canteen privileges.
ACCESS TO VISITS	See SCDC Policy OP-22.09, "Inmate Visitation," OP-22.38, "Restrictive Housing Unit," or OP-22.23, "Statewide Protective Custody," for information on Visitation Privileges.					
ACCESS TO TELEPHONE (This does not affect access to legal telephone calls.)	Normal	Normal	Normal	4 calls per month	<i>Refer to program policy and guidelines.</i>	Up to 1 call per month (Depending upon Security Detention level designation.) Refer to OP-22.38, Restrictive Housing Unit," for SSR, and OP-22.23 for Statewide Protective Custody.

46. CUSTODY CRITERIA:

CUSTODY CRITERIA	*MINIMUM OUT (MO) LEVEL 1	MIN OUT/ RESTRICTED (MR) LEVEL 2 / LEVEL 3	MINIMUM IN (MI)	MEDIUM (ME)	SECURITY DETENTION (SD)
Assaultive Disciplinaries	No assaultive disciplinaries within past 24 months.	No assaultive disciplinary within past 24 months.	No assaultive disciplinary conviction within 24 months.	One (1) or more assaultive disciplinary convictions within 24 months.	Threat to physical safety of other inmates or staff.
Chronic or Major Disciplinaries (Non-Assaultive)	No Major disciplinary within past 6 months for placement. No Major disciplinary convictions after placement. No pending disciplinary. No drug disciplinary conviction within past 24 months for eligibility. *1A No sexual misconduct, no exhibitionism, and no public masturbation disciplinary convictions within the last 24 months for eligibility. *1B No sexual misconduct, no exhibitionism, and no public masturbation disciplinary convictions within the last 24 months for eligibility.	No Major disciplinary within past 6 months for placement. No pending disciplinary for placement. No more than two (2) major disciplinary convictions within 12 months for eligibility. (Different dates) No drug disciplinary conviction within past 24 months for eligibility. No Major disciplinary convictions after placement. No sexual misconduct, no exhibitionism, and no public masturbation disciplinary convictions within the past 24 months for eligibly.	Three (3) major disciplinary convictions within past 12 months (different dates).	Four (4) or more major disciplinary convictions within past 12 months (different dates).	Threat to order and security of the institution. Threat to integrity of an investigation.
Escapes	1A No Class I or Class II escapes. 1B No Class I or Class II escapes within past 10 years. Other escape-related, review on case-by-case basis.	No Class I escapes. No Class II escapes within past 10 years. Other escape-related, review on case-by-case basis.	No Class I escape within past 30 months No Class II escape within 18 months.	No Class I escape within past 6 months Class II escape upon return Class II must serve a minimum of 18 months in Medium Class I escape from County Jail/Detention Center, prior to admission to SCDC with no aggravating circumstances	Current escape risk. Class I escape <i>for a minimum of a 6 months</i> upon return.
Behavior/ Adjustment	Stable work record for six (6) months. No substantiated security concerns	Stable work record for six (6) months. No substantiated security concerns			
Sex Offense History	No sex offenses. No current, prior, or plead sex offense convictions or commitments. No prior sex arrests, dismissed/nol prossed within past ten (10) years.	No sex offenses. No current, prior, or plead sex offense convictions or commitments. No prior sex arrests, dismissed/nol prossed within past ten (10) years.			
Proximity to Release	1A Five (5) years or less to max-out 1B Eight (8) years or less to maxout.	Eight (8) years or less to maxout.			
Detainers/Resident Stability	No category 4 or higher (wanted or hold) No out-of-state/federal detainers (wanted/notify/holds) No ICE detainers No category 4 or 5 open arrest (notify only) No NC (non-US citizen) No UO (unstable out of state)	No Category 4 or higher (wanted or hold.). No out-of-state/federal detainers (wanted/notify/holds) No ICE detainers No category 4 or 5 open arrest (notify only) No NC (non- US citizen) No UO (unstable out of state)			
Current Custody					

					Current MX Custody scores to SD Upon removal.
Security Threat	No validated STG	No validated STG	Validated-STG-GP	Validated STG-GP	Validated STG

Note: Inmates in Minimum In custody will advance to EWC Level 2 when s/he meets the criteria for MO/MR.

* At Level 1, minimum out restricted (MR) will be reflected. At Level 2 or 3, minimum in (MI) will be reflected with indicator for minimum out restricted (MR) eligibility.

* EWC and EEC will automatically convert at eight (8) years or less to max-out, providing that all behavior and custody criteria are met. Specifically, the criteria for level 2 (EWC and EEC) is as follows:

- Minimum In Custody;
- Employed or assigned to school;
- Eight (8) years or less to max-out;
- No assaultive disciplinary convictions within past 24 months;
- No major disciplinary convictions within past six (6) months;
- No drug disciplinary within past 24 months;
- No class I escape within 30 months;
- No class II escape within 18 months;
- The inmate's offense and resident stability status does not affect EWC/EEC level 2 eligibility.

47. RESIDENT STABILITY CODES: Resident Stability Codes are utilized to flag resident status when inmates are being considered for assignment to unfenced institutions and outside assignments. This code is an indicator of potential escape risks and extensive criminal activity. The code is also used to flag inmates who are non-United States citizens. It does not replace a manual review of the institutional record. Data is entered by the Records Audit Section and the Kirkland Reception and Evaluation Center Intake Section to code resident stability on the priors screen. Information is interpreted from a review of the NCIC and FBI rap sheets, commitment orders, intake interview, and other documents in the manual record. The resident stability code will be indicated on CLASSP state and custody reviews through the automated system. The automated system will automatically assign a code of N/A if the resident stability code is other than Unstable Out-of-State.

UNSTABLE OUT-OF-STATE (UO): Inmate who has one or more criminal arrest(s) in another state AND has no apparent residence in South Carolina, North Carolina, or Georgia. NOTE: Inmates must meet both the criminal arrest and residence criteria in order to be classified as Unstable Out-Of-State (UO).

CITIZEN: Born in the United States (US) or born to parents who are citizens of the US living abroad, or a person born in a country other than the US but has completed the process to become a citizen of the US.

NON-CITIZEN (N/C) OR ALIEN: Inmate who holds citizenship in a country other than the United States (US).

48. OVERRIDE OF CUSTODY: A custody override code and a detailed justification statement will be required when the custody assigned to an inmate by the ICC is different from the automated recommended custody. The automated recommended custody will be based on criteria included in the Classification Plan. Documentation for overrides (logic/reason for the override) will be provided by the ICC. If the ICC determines that it is necessary to override the inmate's custody, the committee will inform the Case Worker of the justification for that decision. The ICC will clearly state the reasons for the override and explain the reasons in sufficient detail. Note: The Division of Classification and Inmate Records will provide an Override Code List to all Classification Caseworkers and will update the list as required. Classification Caseworkers will maintain this list in the Classification Manual.

48.1 Institutional Classification Committees (ICCs) will have the authority to override principal custody designations which would otherwise be indicated by established custody assignment specifications (classification characteristics and boundaries). These overrides, however, will only be initiated in the interests of good correctional practice, and in accordance with the following guidelines:

- The decision of an Institutional Classification Committee to override custody criteria will be based on unusual or peculiar circumstances relative to individual classification considerations and issues not otherwise covered by established custody and security criteria.
- Lack of bed space in an appropriate custody housing area for an offender will never be grounds for exercise of an override.
- When professional judgment and discretion compel classification decisions which constitute a departure from established classification criteria, the reasons for such decisions will be clearly stated and explained in sufficient detail by the Institutional Classification Committee on the SCDC Form 18-1, "Committee Docket," and other appropriate documents. Documentation will include entry of such overrides in the automated system and detailed reasons explained in the comment section of the review.

48.2 If the Warden disagrees with the recommendation of the ICC, the Warden must submit his/her concerns in a memorandum, through Division Director of Classification and Inmate Records, to the Deputy Director of Operations. The Deputy Director of Operations will be responsible for resolving any disagreements.

48.3 Central Classification (CC) will have the authority to override Institutional Classification Committee decisions when such overrides are deemed by **CC** to be necessary in the interests of good correctional practice, i.e., in order to ensure the safety, security, and orderly management of offenders and institutions. In the event of such an override, **CC** will clearly state the reasons for the override and explain the reasons in sufficient detail. The ICC may appeal **CC** decisions to the Division Director of Classification and Inmate Records.

49. INMATE HOUSING ASSIGNMENTS: It is the policy of the South Carolina Department of Corrections that each inmate will be housed in such a manner so as to ensure, to the maximum extent possible, that the safety, security, and treatment needs of all inmates are being met, and the safety and security of staff and the institution are maintained. All inmate housing assignments, to include assignment to an institution and to specific housing areas, will be made on the basis of rational, objective criteria. The ICC for inmate housing and cell assignment will consist of the Classification Case Manager/Caseworker assigned to the inmate and the Unit Lieutenant/Security Designee. All ICC hearings for cell assignments will be documented on the SCDC Form 18-3, "Cell Assignment."

49.1 General Housing Guidelines: The following guidelines for inmate housing assignments, to include assignment to the institution and to a specific housing area, will be followed by all classification committees and by all individuals with authority to make specific decisions related to inmate housing. Housing assignments will be made on the basis of an inmate's total record, as required by the inmate's current needs and circumstances as documented in the inmate's institutional record, medical and health summary, cell assignment form, and automated record. The Division of Classification and Inmate Records will identify housing areas to separate inmates in cells by custody designation.

49.2 Inmates Assigned Out of Custody Level: If a bed in an inmate's assigned custody is not available or the custody designation itself is not available at the institution, the inmate will be assigned by the Institutional Classification Committee (ICC) to housing which can best provide for the safety and security of the inmate, other inmates and staff, and the institution. The Case Manager/designee will monitor inmates housed out of custody for more than 30 calendar days and assure that appropriate action is taken. Inmates assigned to cells will be assigned to share a cell only with inmates of the same custody designation.

49.3 Special Considerations: Consideration may also be given to an inmate's job assignment if such consideration is consistent with the inmate's needs and requirements relative to safety, security, and treatment.

49.4 No inmate will be assigned to any housing area solely on the basis of race, color, or ethnic origin.

49.5 The ICC will be responsible for making and monitoring cell assignments. The committee will ensure that vulnerable inmates are separated to the extent possible from those inmates with histories of assaults.

49.6 Housing-related restrictions and recommendations of health services professional treatment staff, as noted on the MEDCLASS Screen, will be followed by all classification committees and classification and security staff. If the ICC determines that conflicting security and treatment concerns exist in terms of an appropriate housing assignment for an inmate (e.g., single-celling vs. double-celling), the committee will immediately refer the matter to the Warden or designee and the Institutional Health Care Authority for resolution.

49.7 Housing restrictions and recommendations of health services will be followed by the ICC. A representative from the treatment staff will be included on all ICC reviews of cell assignment in special needs units. Inmates assigned to special needs units will be housed according to their treatment needs. The ICC will continue to work with the treatment staff to ensure that inmates with patterns of assaultive or disruptive behavior are separated from more vulnerable inmates.

50. CELL ASSIGNMENT FORM: The SCDC Form 18-3, "Cell Assignment Form," will be used to determine the appropriate cell assignment for inmates and will be completed on all inmates housed in cells. The SCDC Form 18-3 is not used for wards or open bay areas. The cell assignment checklist consists of a series of questions designed to record pertinent information which will affect the inmate's housing assignment. The SCDC Form 18-3 and other relevant information and criteria will be used by the ICC or individuals with authority to make specific decisions related to inmate housing (e.g., Warden, Associate Warden, or Major) to determine the inmate's cell assignment. All inmate cell assignments should be made on the basis of rational, objective criteria, taking into consideration each individual inmate's safety, security, treatment, and rehabilitation needs. The SCDC Form 18-3 of all cell partners must be reviewed and updated to ensure compatibility. The SCDC Form 18-3, "Cell Assignment Form," must be updated each time that inmates are moved. Inmates in specialized treatment programs who are assigned to a cell will be exempt from the cell assignment process and completion of the SCDC Form 18-3, "Cell Assignment Form." Inmates in specialized treatment programs will be assigned to cells in accordance with their respective treatment. 1B inmates housed in labor crew dorms and specialized work units at Level 2/3 institutions will be exempt from the cell assignment process (designated dorms must house labor crew inmates only).

50.1 PROCEDURES: Upon arrival at the institution, each newly received inmate will appear before the Institutional Classification Committee within 72 hours (excluding weekends and holidays). The ICC chairperson or classification caseworker assigned to the inmate will complete the SCDC Form 18-3 and determine the inmate's cell assignment status. The following guidelines for cell assignment will be observed by the ICC or individuals with authority to make specific decisions related to inmate housing (e.g., Warden, Associate Warden, Major, Operations).

50.2 GENERAL HOUSING GUIDELINES: Cell assignment will be made on the basis of an inmate's criminal and behavior profile, physical and mental health restrictions, prior history of assaultive behavior, Security Threat Group affiliation, and separation requirements. Inmates should be matched with respect to similar characteristics to other inmates in order to determine cell assignment partners. The ICC will compare these characteristics when determining compatible cell/housing partners. Housing restrictions and recommendations of health services professional staff as noted by Health Services will be followed by the classification committee and security staff. Any inmate identified by the classification committee as being too assaultive or too vulnerable to be safely housed with another inmate will be housed in a cell alone. The inmate can request a cell change once a year at his/her annual review. The ICC will review the inmate's request and make a decision related to inmate housing.

50.3 CELL ASSIGNMENT: Cell assignments will be made on the basis of the criteria listed below. Consideration will be given to all criteria to ensure that the safety and security of all inmates and the institution are maintained.

INSTRUCTIONS FOR COMPLETING

SCDC FORM 18-3, "CELL ASSIGNMENT FORM"

The following criteria will be considered in making cell assignments:

1. Prior history of assaultive or violent offenses;
2. Violent or passive tendencies; and
3. PREA status - Aggressive sexual behavior, sexual victimization.

Health related criteria as indicated by Health Services, on the MEDCLASS, will be used to record any current medical conditions which make it difficult for the inmate to climb stairs, to climb into an upper bunk, or to be housed on the upper tier. The current mental health status as well as intellectual impairments (i.e., mental retardation), as determined by Health Services, must be considered in making cell assignment. In making any housing assignment, the health related criteria determined by Health Services must be followed.

INMATE REQUEST FOR HOUSING ASSIGNMENT

The ICC will review all inmate requests for housing changes to determine the reason for the inmate's request. The review should be done in accordance with good correctional practices to ensure that security requirements are met. When it is determined that a request for cell assignment is due to incompatibility with the cell partner, the Warden/designee can initiate an emergency housing change if it is operationally feasible. All permanent housing changes must be approved by the classification committee. The inmate does not have to be present during the ICC's review of housing changes.

SECTION FIVE: LABOR CREW/WORK PROGRAM**51. LABOR CREW/WORK PROGRAM:**

Central Classification will screen inmates for Labor Crew/Work Program (LC/WP) based on the LC/WP eligibility date as calculated through the automated system. During the **CC** review, the Labor Crew program screens will be initiated and completed in the automated system. Inmates will be eligible for the Labor Crew/Work Program with five (5) years or less remaining to maxout or supervised re-entry eligibility and upon meeting other specific classification criteria. Inmates who are eligible for Labor Crew/Work Program must meet conditions set forth in the Security Criteria for 1A institutions. Upon approval by **CC** for the Labor Crew Program, inmates will be transferred to an **appropriate** Pre-Release Center/**Institution** in Labor Crew status. An inmate assigned to the Labor Crew Program will either be assigned to a job within the Pre-Release Center, to a Correctional Officer supervised **litter** crew, or to an outside Contracted Agency crew.

51.1 In accordance with the Omnibus Sentencing Reform Act (6/2/10), certain violent offenders are eligible to be considered for the Labor Crew/Work Program. An offender is eligible for the program if the offender is sentenced for voluntary manslaughter (Section 16-3-50), kidnapping (Section 16-3-910), carjacking with or without Bodily Injury (Section 16-3-1075), burglary in the 2nd degree (Section 16-11-312 (B)), armed robbery (Section 16-11-330 (A)), or attempted armed robbery (Section 16-11-330 (B)), or Manufacturing/Distribution of Methamphetamine, 1st, 2nd, & 3rd (Section 44-53-370 (B)), and the crime did not involve any criminal sexual conduct, and the offender is within five (5) years of max-out or **supervised re-entry eligibility** date. Offenders that are eligible to be screened pursuant to this Act are only those offenders whose offense date occurred on or after 6/2/10. The offenses listed above will be eligible for the Work Program if convicted of Possession of a Firearm (Firearm Provision) during the commission of these violent crimes.

51.2 Inmates in special programs are not eligible to be screened for the labor crew/work program. Programs include PRE-RELEASE, SPICE, ATU, SHOCK, JUMPSTART, **VETERANS DORM at MacDougall**, and **YOPRS**. Inmates assigned to a designated facility will only be screened upon request. Inmates in lock-up and in R&E status are also not eligible to be screened.

52. INSTITUTIONAL CLASSIFICATION PROCEDURES IN LEVEL 1A INSTITUTIONS:

52.1 To be eligible for the Work Program, an inmate must first be approved for assignment and transferred to the Labor Crew Program at an **appropriate** Pre-Release Center/**Institution that houses 1A inmates**. Upon arrival at the Pre-Release Center/**Institution**, the Community Programs Supervisor or designated staff will project the Work Program rollover date based on time remaining to maxout or **supervised re-entry eligibility date**.

52.2 An inmate, excluding 85% sentences, can expect to spend at least half the amount of time remaining to maxout on the Labor Crew Program. No inmate will be permitted to roll to the Work Program with more than 36 months remaining to maxout or supervised re-entry eligibility date. In accordance with the Omnibus Sentencing Reform Act and Truth in Sentencing (1/1/96), an inmate serving an 85% non-parolable sentence will not be permitted to participate on the work program until s/he has served 80% of his/her sentence. Eligibility dates will be calculated through the automated system for each affected inmate after labor crew placement.

52.3 Assignment to the Work Program is a privilege, and rollover will be contingent upon satisfactory adjustment and behavior at the Pre-Release Center/**Institution** on the Labor Crew Program. An inmate could remain on the Labor Crew Program for the duration of his/her sentence should his/her adjustment and behavior not warrant being rolled over to the Work Program. After placement on the Labor Crew, inmates must have no administrative disciplinary conviction for at least six (6) months before being allowed to enter the Work Program. Depending on the circumstances of the administrative disciplinary conviction, the Warden/**designee** can waive the suspension after 90 days and allow the inmate to roll over to the Work Program. An inmate with a short time to serve prior to maxout may be placed in the Work Program if employment is available, particularly if s/he plans to reside in the area and can maintain his/her job after release.

52.4 Prior to an inmate's Work Program roll over, the ICC must ensure that mandated notifications have been made by the **CC**. As notifications are made by **CC**, the date of the notification will either be autoloading or manually entered onto the applicable program

screen(s) in the automated system. No inmate will be rolled over to the Work Program before these notifications are made by **CC**. When the inmate is rolled to the Work Program by the ICC and the inmate's status is changed to Work Program in the automated system, **CC** will initiate and complete the Work Program screens.

52.5 All Agency Rules and Regulations and State Laws will apply to inmates on the Labor Crew and Work Programs. Disciplinary action will be enforced pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System."

53. PROCEDURES FOR LABOR CREW/WORK PROGRAM :

53.1 Purpose: To establish a uniform and consistent approach to program management within Labor Crew/Work Program Pre-Release Centers/**Institutions** in order to provide for needed transitional services for inmates prior to and subsequent to release from incarceration.

53.2 General Overview: To be eligible for the Work Program, an inmate must first be approved for assignment and transferred to the Labor Crew Program at an **appropriate** Pre-Release Center/**Institution**. Upon arrival at the Pre-Release Center Institution, the Community Program Supervisor (CPS) or designated staff will project the Work Program roll over date based on time remaining to maxout and required amount of time to be spent on Labor Crew Program. An inmate can expect to spend at least half of the amount of time remaining to maxout or supervised re-entry eligibility date on the Labor Crew Program (i.e., an inmate with 14 months remaining to serve should expect to serve at least seven (7) months on the Labor Crew prior to Work Program roll over).

53.3 SCDC does not accept inmate referrals from other agencies.

53.4 Procedural Guidelines: Each Pre-Release Center/**Institution** Warden and other designated program and security personnel will ensure that all guidelines addressed as specific procedures are adhered to in order to facilitate consistent and efficient program management within the Pre-Release Centers. Specific operational procedures will be in accordance with Agency guidelines. In accordance with SCDC Policy GA-03.03, "Inmate Drug Testing/Screening Program," drug screening/testing will be conducted for all inmates prior to transfer to the Labor Crew/Work Program and randomly after placement.

53.5 Community Interaction/Resources:

53.5.1 Citizens Advisory Committee: Each Pre-Release Center/**Institution** Warden will establish a Citizens Advisory Committee which is representative of the total community to provide for interaction between the center and the community. The Warden/designee will ensure that meetings will be held at least annually to address issues of mutual concern in reference to programs, policies, procedures, etc.

53.5.2 Volunteer programs will be established and maintained in accordance with SCDC Policy PS-10.04, "SCDC Volunteer Services Program."

53.5.3 Public Information and Education: Each Warden will be responsible for community interaction with law enforcement and judicial agencies and local governing bodies and participation in professional organizations and associations. Interaction with the public and the news media will be in accordance with SCDC Policy GA-02.01, "Inmate and Employee Relations with News Media and Others."

53.5.4 Community Resource Manual: Each center will develop and utilize contacts with public and private resource agencies for referral assistance. A current Community Resource Manual will be maintained by each center for use by staff and inmates for all counties under its geographical jurisdiction. Referral sources will be current. Agencies to meet inmate needs will include, but are not limited to: Education, vocation, employment, housing, religion, psychological/medical, drug abuse, etc. Referral services will include any public or private agency which can render assistance to inmates in meeting personal, family, program, and/or Agency goals. Information contained in the resource manual may include, but will not be limited to: agency name; agency address/location; description of services; qualifications for services eligibility; area served; application procedures; schedule of services to include cost; and contact persons.

54. LABOR CREW/WORK PROGRAM ELIGIBILITY AND ASSIGNMENT:

54.1 Program eligibility will be based on approved program conditions as established through this Inmate Classification Plan. SCDC prohibits discrimination based on an inmate's race, religion, national origin, sex, disability, or political views.

54.2 Inmates will automatically be screened by **Central** Classification for **1A** Labor Crew assignment based upon date, security, and custody eligibility.

54.3 Inmates approved for **1A** Labor Crew (LC) will be transferred to an appropriate Pre-Release Center/**Institution** as space becomes available. Upon approval, an automated transfer request will be created.

54.4 Intake: Any applicable restrictions regarding the inmate's assignment will be noted as a provision of the inmate's approval, will be included in the inmate's institutional record, and will be closely monitored by the center personnel to ensure compliance. The Institutional Classification Committee (ICC) will verify that all inmates received have been properly cleared and approved for assignment to the center and are placed in the appropriate status.

54.5 The initial ICC will be conducted in the same format as listed in paragraph 28.5 of this policy with the exception that ICC hearings can be conducted by the Community Programs Supervisor (CPS) with the option for a full Institutional Classification Committee.

54.6 Orientation: A complete orientation will be conducted by the Community Program Supervisor in accordance with the Inmate Classification Plan guidelines after the inmate's arrival at the center. Orientations will address all pertinent information, program goals, rules/regulations, employment, program service issues as related to the inmate, and collection and payment of fees. Orientations will be documented on SCDC Form 18-69, "Certificate of Inmate Orientation," and SCDC Form 27-67, "Certificate of Outside Labor Crew Orientation." The inmate will review a copy of SCDC "Inmate Information Guide." This guide will be posted and available for inmates to review. The orientation should allow the inmate an opportunity to discuss any behavioral problems, program restrictions, etc., noted in the inmate's institutional record. The inmate will be assigned to the caseload of a Community Program Supervisor. This supervisor will assume and retain the responsibility for the inmate's program involvement while assigned to that center. Each supervisor will be required to maintain and report caseload data on the SCDC Form 18-6, "Classification Monthly Report," by the 5th of each month to the Division of Classification and Inmate Records.

54.7 Special attention and assistance will be provided to inmates with specific learning disabilities and/or physical handicaps to ensure maximum program understanding and assistance with individual needs and program objectives.

54.8 Each inmate's progress will be reviewed on an annual basis and evaluated during the ICC pursuant to this Inmate Classification Plan with the results documented, dated, and signed.

54.9 The Community Program Supervisor will explain Work Program roll-over eligibility to Labor Crew inmates. Ideally, inmates will serve half of the amount of time to max out on Labor Crew. Upon positive adjustment and after all required notifications have been made, Labor Crew inmates will be eligible to roll to the Work Program. Early roll-overs may be coordinated by the ICC for purposes of bed space when it is in the best interest of the Agency. Explanation and justification will be documented for all early roll-overs.

54.10 Law enforcement agency and victim/witness notifications will be required prior to assigning an inmate to a Work Program job. The Community Program Supervisor (CPS) will be responsible for verifying notifications by viewing the Community Programs (CPREV) OMS screen for date entries. If these notifications are not documented, the CPS will be responsible for contacting **CC** via automated system messaging.

55. WORK PROGRAM ORIENTATION:

55.1 During orientation, the inmate will read, or have explained to him/her by center personnel, the SCDC Form 27-4, "Work Program Agreement," which will be properly completed, dated, and signed by center personnel and dated and signed by the inmate.

56. WORK PROGRAM CASE MANAGEMENT:

56.1 The Following SCDC Forms Will Be Utilized for Work Program Inmates:

- SCDC Form 27-16, "Inmate Payroll Receipt/Financial Report";
- SCDC Form 27-53, "Work Program Initial Loan"; and
- *SCDC Form 27-5, "Personalized Budget Plan/Deductions".*

57. LABOR CREW/WORK PROGRAM JOB DEVELOPMENT, PLACEMENT, AND EMPLOYMENT GUIDELINES:

57.1 The Community Programs Supervisor (CPS) will be responsible for employment development and placement, as well as assistance in other needs for each inmate assigned to his/her caseload at the respective center. All inmates will be assigned to a supervisor's caseload until release or removal from the center. Assignments will be made in an equitable, fair, and rational manner without regard to race, creed, or national origin.

57.2 Inmates will not be permitted to develop or secure employment on their own.

57.3 Labor Crew Inmates: After admission to the Pre-Release Center/**Institution**, the ICC will conduct job assignment boards in accordance with this policy/procedure. Labor Crew job assignments will be made based on the institutional needs, outside labor crew needs, and the inmate's ability/skill. Every effort will be made to assign inmates with specialized skills to an area where that skill can be utilized to the fullest. However, if such is not located and approved, the inmate will be assigned to an appropriate labor crew. Assignment of inmates to outside/contracted labor crews will be in accordance with OP-21.08, "Contracted Labor Crews." Inmates must be on the labor crew/work program for a minimum of six (6) months before they are eligible to apply for a transfer to a designated facility.

57.4 Work Program Inmates Initial Job Placement: At the time of actual employment, SCDC Form 27-4, "Work Program Agreement," will be completed and signed by the employer, inmate, and the CPS. The CPS will thoroughly explain all program procedures and regulations governing overtime work as stipulated on the form. The employer is to be advised that all civilian employees are to be made aware of the rules and regulations relating to the inmate's employment.

57.4.1 An inmate may be placed on the Work Program for one (1) - two (2) months if employment is available, particularly if s/he plans to reside in the area and can maintain his/her job after release. Nothing in these guidelines precludes an inmate from remaining on a labor crew for the duration of his/her sentence.

57.5 Work Program Follow-up: The CPS will personally visit the employer and job site for progress reports at least once per month. These visits will be documented on SCDC Form 27-69, "Job Site Monthly Visit." Rules and regulations are to be reiterated during each visit.

57.6 Loss of Employment: Quitting a job without proper authorization or being fired from a job will be considered a direct violation of the Work Program Agreement. In both cases, the CPS will investigate the situation to determine the exact circumstances by conferring

with the inmate and the employer and will provide a report to the Warden/*designee*. If it is determined that the job loss is the fault of the inmate, it will be dealt with as a major violation of work program regulations, and disciplinary action will be taken pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System." If it is determined that the inmate was not physically or mentally capable of performing his/her job, or the job loss was by no fault of the inmate (i.e., layoff), consideration will be given to other appropriate employment and/or assignment.

57.7 Job Terminations: An inmate assigned to the Work Program may be recommended for termination from a job by his/her supervisor for unsatisfactory job performance, inability to perform work, or other appropriate reasons. Prior to termination, the inmate should be given a SCDC Form 19-123, "EWC Performance Evaluation, Warning Notice," by his/her supervisor explaining how his/her performance may be improved. Depending on the circumstances surrounding the termination, the inmate may be charged with a rules violation. (A "Warning Notice" will not be required prior to termination.) In case of termination, the supervisor will submit to the Classification Section a completed SCDC Form 19-54, "Inmate Job/School Assignment," indicating the circumstances surrounding termination. Copies of any warning notices, counseling forms, or incident reports should be attached. The CPS will distribute copies as indicated on the form. The ICC will review all documentation, interview the inmate, and determine whether the termination was legitimate. The inmate will be transferred if s/he is charged with a major disciplinary. If not legitimate/substantiated, the inmate will be reassigned to another job by the ICC.

57.8 Establishing Work Program Employers: Every effort should be made by the CPS to ensure that only quality employment with respectable and reliable employers is secured for Work Program inmates. Employers who, through previous association, have proven to be unfavorable for Work Program employment will not be utilized. The employer will not be under active supervision of the Department of Probation, Parole and Pardon Services (DPPPS). An inmate will be permitted to work under the supervision of another inmate or former inmate in a community job with the approval of the Warden/*designee*; however, such will not be permitted in the center.

57.9 Types of Work Program Employment/Acceptable Jobs:

57.9.1 Self/Family-employment: Self-employment and employment in family operated businesses will not be permitted. SCDC personnel should exercise good judgment in the purchase of goods and services from such businesses in order to avoid the appearance of impropriety.

57.9.2 Alcoholic Beverages: Employment requiring selling, serving, and/or dispensing alcoholic beverages will not be permitted. The Warden/*designee* will be responsible for determining which establishments will be permissible for inmate employment.

57.9.3 The preferred work schedule will be day shift (6:00 a.m. to 6:00 p.m.) employment. Every effort will be made to assign inmates to jobs during these hours.

57.10 Work Program Union Benefits: When contacting employers for the purpose of placing work program inmates on a particular job, the CPS will inquire as to the company's union status. If unionized, the CPS will contact the local union representative or a statewide union control body and get its policy concerning the placement of an inmate in that particular position. If the work force is completely unionized, the inmate must join the union. If a strike occurs within a unionized company, no inmate will be permitted to either participate in strike activities or to work during the strike period. If the strike is of a prolonged nature, additional/other employment will be considered for the inmate.

57.11 Work Program Employee Group Insurance: Work Program inmates will not be required to participate in insurance programs provided by the employer. However, if offered by the employer, the Work Program inmate may participate.

57.12 Workers' Compensation: All work program inmates must be covered by individual employer insurance or State Workers' Compensation. Job placement personnel will verify, using SCDC Form 27-4, "Work Program Agreement," that all prospective employers are covered by Workers' Compensation Insurance or otherwise meet those requirements under SCDC Workers' Compensation Regulations.

57.13 Unemployment Compensation: Work program inmates will be eligible for, and subject to, state unemployment compensation laws through the Employment Security Commission. However, for the purposes of this plan, this will be restricted to those inmates who have been employed on the work program and have been terminated by their employers due to reductions in force or other similar layoffs. These inmates will be re-employed as soon as possible. Any inmate who obviously delays reemployment for the purpose of continuing to receive unemployment benefits will be charged as appropriate and may be removed from the center, and unemployment benefits will be discontinued. Inmates whose employment is severed as a result of program removal will not be eligible for unemployment compensation.

57.14 Hours Worked/Overtime: Each employer will present the center with a weekly schedule of the inmate's required work hours. Each inmate will be expected to work overtime when required, and it will be the responsibility of the employer to notify the center well in advance of the regularly scheduled quitting time. Center personnel will verify the overtime request by return telephone call to the job site and job supervisor. Inmates will be limited to working no more than 12 hours per workday. Split shifts are not permitted. It will be the employer's responsibility to notify the center in advance to request additional working days not regularly scheduled. The automated system for the institution's time clock will be closely monitored by the center personnel to verify and ensure time worked. SCDC Form 27-9, "Verification of Overtime Work," will be completed on each inmate required to work overtime, and all overtime will be verified with the employer by the center personnel.

57.15 Provisional Parolees: Center personnel will provide employment related assistance to provisional parolees by working with local DPPPS supervisors.

57.16 Conditional Parolees: If approved for Labor Crew, conditional parolees may be referred to the Pre-Release Centers for placement. The CPS will assist the inmate in notifying the parole supervisor in the inmate's geographical area to address parole placement needs.

58. MANDATORY DEDUCTIONS FOR WORK PROGRAM INMATE WAGES: (Note: SCDC Policy ADM-15-10, "Work Release Accounting," governs Work Program inmate wages.)

58.1 Twenty (20%) percent of gross wages will be deducted for victims. Court ordered victim restitution will be distributed to the courts. If no court ordered restitution exists or if the restitution order(s) is satisfied, then 20% will be distributed to victim programs as provided by law.

58.2 Thirty-five percent (35%) of gross wages will be deducted for child support. If court ordered child support exists, 35% will be paid for all orders. If no court order(s) exists, then allotments at 35% will be made directly to the family for child support. If the inmate has no children or if the order(s) has been satisfied, then the 35% is distributed at a rate of twenty-five percent (25%) to the S.C. General Fund for room and board; and ten percent (10%) remains in the inmate's Work Release account. SCDC Form 27-23, "Verification of Dependents," will be used to document each inmate's dependent children. If the inmate is subject to DNA testing and the associated \$250.00 testing fee, up to 5% of the inmate's wages will be deducted to pay the DNA fee. The DNA fee will be deducted after all other deductions required by law and after the mandatory savings has been met.

58.3 The above deductions will be made from all Work Program inmate Work Release accounts commencing with the August 4, 1999, payroll cycle.

58.4 Work Program participants will be assessed a transportation charge as provided for by state law of \$4.00 per day to offset the cost of transportation to and from the job site. Deductions will be made from all Work program inmates' work release accounts commencing on January 10, 2006. Deductions will be made commensurate to each inmate's pay cycle.

58.5 All Work Program inmate funds will remain in the inmate's Work Release account, except for the portion currently being transferred to E.H. Cooper Trust Fund account.

58.6 Effective August 1, 1999, the unspendable portion of the inmate's account will be the August 1, 1999, mandatory savings balance, plus the 10% of gross wages recorded on or after August 4, 1999.

58.7 Work Program inmates will continue to receive weekly allowance through the Work Release account.

58.8 Other deductions (employment needs, family needs, attorney fees, etc.) will be permitted from the inmate's Work Release account; however, mandatory savings funds will not be available for payment of these deductions. Special requests for these deductions will be evaluated and approved only by the Warden.

58.9 Hair cuts will be provided by SCDC at no charge.

59. WORK PROGRAM EMPLOYMENT TRANSPORTATION: The Pre-Release Center/*Institution* will provide transportation for inmates to and from the place of employment unless prior approval for some other means of transportation is given by the Warden/*designee*. A daily work-trip schedule will be established by the Warden/designee, and each inmate will be notified as to the mode and time his/her ride will depart and arrive. The inmate will be responsible for meeting this schedule. All inmates will be transported in state vehicles unless otherwise approved, i.e., transported by employer/coworker. The SCDC Form 27-10, "Release of Liability," will be signed by the inmate and designated persons prior to transport. No inmate will be permitted to cross state lines for any reason. Should pick-up times change during the workday, only the job supervisor will be permitted to call the center for pick-up. The inmate will not be permitted to call. Drop off points are to be avoided. However, either the job supervisor or the SCDC driver will remain with the inmate until an exchange of custody is physically made.

60. WORK CLOTHING/PERSONAL HYGIENE: Work Program inmates will wear clothing suitable for their assignment. The inmate will be neat, clean, and well groomed at all times in accordance with SCDC Policy OP-22.13, "Inmate Grooming Standards." Labor Crew inmates will wear the designated SCDC inmate uniform. All inmates will be required to comply with Agency grooming guidelines.

61. VIOLATIONS OF PROGRAM RULES AND REGULATIONS: Labor Crew/Work Program participation is a privilege granted to SCDC inmates. Considering the Agency's sensitive position in the community, and the need to maintain adequate community/employer relations, problem inmates who do not abide by program regulations will not be retained on the Work Program. All program infractions will be thoroughly investigated by designated staff members or a committee appointed by the Warden and fully documented prior to taking action. Disciplinary action will be in accordance with SCDC Policy OP-22.14, "Inmate Disciplinary System." The inmate will be formally charged and/or removed, as appropriate.

61.1 ADMINISTRATIVE/INFORMAL INFRACTIONS: Those infractions graded as administrative/informal in accordance with Agency disciplinary procedures may be handled in varying ways by the Major/Responsible Authority. Each violation will be appropriately weighed for type action. Program sanctions may be taken instead of formal disciplinary action, as appropriate. Program sanctions will include, but will not be limited to, the following:

- Verbal reprimand or warning;
- Restriction to the Center, such as job reassignment;
- Suspension from Work Release and return to labor crew status for a specified period of time;
- Payment of a donation to be contributed to the Inmate Welfare Fund (not to exceed \$50.00);
- Other sanctions as approved through SCDC Policy OP-22.14, "Inmate Disciplinary System."

61.2 Any formal disciplinary action will be taken pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System." If an inmate is charged with and convicted of an Administrative disciplinary conviction, Work Program privileges may be suspended for at least six (6) months from the infraction date or date of discovery. Work Program inmates may be rolled back to Labor Crew status. Depending on the circumstances of the administrative disciplinary conviction, the Warden can waive the suspension after 90 days and return the inmate to the Work Program. **CC** will make appropriate program screen entries placing the inmate back on the Labor Crew program.

61.3 MAJOR INFRACTIONS: When an inmate is charged with an infraction graded as major in accordance with Agency disciplinary procedures, that inmate will be removed from the Labor Crew/Work Program and the Pre-Release Center. When an inmate is charged with a major disciplinary, the institution will submit a CRT message to **CC** requesting the removal of the inmate. **CC** will arrange the transfer of the inmate, as appropriate.

62. WORK PROGRAM REMOVAL: All removal requests must be submitted and approved by **CC**. If continuous program violations occur and the inmate is apparently unsuited for the Pre-Release Center/**Institution**, the inmate will be formally charged and/or removed from the Center as deemed appropriate. When segregation (Restrictive Housing Unit (RHU)) is necessary, contact **Central Classification** during normal business hours. After normal business hours, contact the Emergency Action Center, or the nearest secure SCDC institution. If an inmate is determined by Medical not to be mentally competent to function under Pre-Release Center regulations and limited supervision, the inmate will be removed from the Center for appropriate reassignment and treatment. If it is determined by Medical that an inmate is not medically fit for Labor Crew/Work Program assignment, the inmate will be removed from the Center for appropriate reassignment and treatment. If an inmate receives a Category 4 or higher detainer/wanted, s/he will be removed from the Center for appropriate reassignment.

63. MEDICAL/DENTAL/ILLNESS/INJURY:

63.1 Labor Crew Inmates: Medical and dental services will be provided through the appropriate SCDC facilities.

63.2 Work Program Inmates: Medical and dental services will be arranged by the Warden and the HCA at the covering institution. Emergency situations will be handled as outlined in SCDC HS-18.02, "Emergency Care." Co-payments will be assessed as outlined in SCDC HS-18.17, "Medical Co-Payment."

63.2.1 Temporary Injury: A Work Program inmate injured on the job or elsewhere which might cause him/her to be out of work for a period not exceeding three (3) weeks may remain in the center. The injury must be verified by a physician. If the inmate remains at the center, mandatory deductions will not be required for the second and third weeks unless Workers' Compensation is received. When the recuperation period exceeds three (3) weeks, a waiver must be submitted to the Division Director of Classification and Inmate Records. The decision whether to leave the inmate at the center or return the inmate to a facility where such services are available will be made by the Warden and the covering HCA.

63.2.2 Permanent and/or Extended Injury: If an injury is of a permanent nature and the inmate will not be permitted to return to work, s/he will be transferred to a facility where medical treatment is available. If constant medical treatment is not required and a Labor Crew position is available that the inmate can perform, s/he may remain at the center in that capacity. Involvement of the Division of Health Services will be required.

63.2.3 Terminal Illness: If a Work Program inmate becomes terminally ill and hospital treatment or isolation is deemed necessary by a physician, s/he may be placed on furlough in accordance with SCDC Policy HS-18.01, "Specialized Health Services." Otherwise, s/he will be transferred to a facility where medical services are available.

63.2.4 Temporary Illness: If the illness is of a temporary nature, not exceeding three (3) weeks, and hospitalization or isolation is not necessary, the inmate may remain at the Center. Mandatory deductions for the second and third weeks will not be required unless sick pay or insurance, etc., is received. If the convalescence period exceeds the three (3) weeks, and if the medical conditions allow, the inmate may be assigned to duties and retained as a Labor Crew inmate until s/he is able to return to his/her community job.

64. LABOR CREW/WORK PROGRAM INMATE VISITATION: Inmates will be permitted visitors as authorized pursuant to SCDC Policy OP-22.09, "Inmate Visitation."

65. PROCEDURES FOR LABOR CREWS/WORK PROGRAM IN LEVEL 1B, LEVEL 2, AND LEVEL 3 INSTITUTIONS:

65.1 General Overview: Level 1B Inmates will be eligible for the Labor Crews upon meeting other specific classification criteria. The ICC will determine job assignments to Institutional Labor Crews.

65.2 Victim Witness Notification: Notification for transfer to all institutions for potential placement on outside labor crew details will be completed by institutional personnel designated by the Warden. When the inmate is assigned a job on a Labor Crew, a letter to **each** registered victim must be placed in the mail as soon as possible. The inmate must not be placed on the detail until at least five (5) working days after the letter is mailed. Copies of the letter with clear indication of the date mailed (or the letter and envelope if returned) will be maintained on file at the institution. This is NOT to be filed in the inmate's institutional or central record. In extreme cases, institutional staff should contact the Division of Victim Services by telephone.

SECTION SIX: SPECIAL PROGRAMS

66. COURT ORDERED SUPERVISED FURLOUGH EARLY RELEASE PROGRAM:

66.1 Purpose: To allow carefully screened inmates to be placed on furlough from the South Carolina Department of Corrections (SCDC) under the supervision of Probation and Parole Agents from the Department of Probation, Parole, and Pardon Services (DPPPS) for the purpose of pre-release preparation, securing employment, or obtaining rehabilitation services.

66.2 When an inmate is eligible for release under the Court Ordered Supervised Furlough Early Release Program, his/her record will be screened to ensure that s/he meets the criteria as set forth, and a proposed residence will be verified by DPPPS. When it is certified that s/he meets all requirements for participation, s/he will be released from the SCDC on a pre-determined release date to the supervision of the DPPPS Probation and Parole Agents until his/her established maxout date.

66.3 Eligibility Criteria: In order to be released under the Court Ordered Supervised Furlough Early Release Program, the inmate must meet the following requirements:

- The dominant offense (offense that results in the maxout date) must have an offense date between 6/14/83 and 6/13/93 (includes dates 6/14/83 and 6/13/93);
- The individual must have a claimed residence in South Carolina that is verified and approved by the DPPPS;
- The inmate must be within six (6) months of maxout;
- The inmate must have served six (6) months in SCDC disciplinary free prior to his/her eligibility date;
- The inmate must have an approved in-state address (no post office box numbers); and
- There must be no detainers/wanted or holds against the inmate.

66.4 Procedural Guidelines:

66.4.1 The Division Director of Resource and Information Management (RIM) or designee will produce a monthly automated listing of potentially eligible inmates. An automated record of eligibility status and the screening process will be produced at this time on the "SFREV" Screen for each of these inmates.

66.4.2 The Institutional Classification Case Managers/Case Workers will manually review the record of each inmate appearing on the computer listing daily to verify that s/he meets the established criteria, obtain address information, and make appropriate approval/disapproval entries in the automated system. The designated classification personnel will contact each inmate to discuss the program and determine whether the inmate chooses to participate since participation is voluntary. If the inmate wishes to participate, s/he must provide the address at which s/he will reside. Notification to the inmate will be documented on the SCDC Form 27-70, "Supervised Furlough Early Release Notification." This address will then be entered into the automated record (SFREV Screen) by the designated classification personnel.

66.4.3 Upon completion of the second screening by the Institutional Classification Central Office, the inmate's SFREV record will be referred to the Inmate Records Branch for audit of offense and conviction dates to ensure accurate entry. The Inmate Records Branch will enter a "Y" in the SFREV screen if date is correct and the inmate is eligible.

66.4.4 Upon completion of a "Y" entry by the institution, Institutional Classification Central Office, and Inmate Records, the SFREV screen is referred to DPPPS for verification of residence. DPPPS Probation and Parole Agents will verify the acceptability of each residence. If a residence is not approved, the inmate will be given the opportunity to provide additional addresses which will be checked. These approvals or disapprovals will be entered into the automated record (SFREV Screen) by DPPPS.

66.4.5 If the address is approved, DPPPS staff will enter a "Y" in the appropriate field and the SFREV screen will be referred to the MAXREL for audit. If the address is not approved, DPPPS staff will enter a "n" in the appropriate field and the inmate's name will be referred back to the institution's list for a second/subsequent address entry.

66.4.6 Upon address approval entry by DPPPS, an audit will be conducted by the Inmate Records Office using the MAXREL screen. Upon verification of accurate data entries, the inmate's name will be referred to the Institution's Tentative Release list.

66.4.7 Each inmate who has an acceptable residence in the community will be released into the community on the established release date after signing the Supervised Furlough certificate prepared and issued by DPPPS. At the time of the release, the terms of the program will be discussed with each individual by the Parole Examiner.

66.4.8 The inmate's name will appear on the Authorized Release List on the date of eligibility. The inmate is not to be released until his/her name appears on the final Authorized Release List and DPPPS has issued the Supervised Furlough Certificate.

66.4.9 Inmates released to the Court Ordered Supervised Furlough Early Release Program will continue to earn Earned Work Credit, Earned Educational Credit, and good time at their current rate upon release.

66.5 Revocation Procedures: When a participant is determined to have violated the terms of the release agreement, s/he will be offered a hearing conducted by the DPPPS. If DPPPS revokes the inmate or the inmate signs a waiver of the hearing, s/he will be returned to the custody of SCDC. The inmate will automatically fail to earn twenty (20) days of good time for the month in which the revocation occurs. The inmate will be received at the Kirkland R&E Center or the Camille Graham R&E Center if female and reassigned to an SCDC institution by **CC**. **Earned work credits will be discontinued if a warrant for SFII-A violation is issued. The effective date of termination is the warrant issued date.**

66.6 Supervised Re-entry Program (SRP): To provide for a period of reentry supervision upon release from incarceration, eligible inmates will be released six months prior to their projected maxout date.

Eligibility Criteria: (Changes in BLUE amended by Change 1 dated April 18, 2018)

- Inmate is not serving an active sentence for a no-parole offense which does not allow for parole release.
- Inmate has been incarcerated for a minimum of two (2) years.
- Offense date must be on or after January 1, 2011.
- The period of re-entry supervision will be reduced by any term of probation following the inmate's sentence.
- *Inmate cannot have more than six (6) months probation.*
- Supervised re-entry is a mandatory release if all criteria is met.
- *No out-of-state detainers/wanted or Holds against the inmate.*

67. INMATE SOCIAL SECURITY CARD: The South Carolina Department of Corrections will make a reasonable effort to obtain a social security card for all inmates admitted without a card, who are being considered for employment in a Prison Industries, assigned to a Labor Crew/Work Program, or within a specific time of release. The purpose is to provide inmates with appropriate documentation to obtain employment while incarcerated.

67.1 Reception and Evaluation Center Records personnel will determine if an inmate has a social security number and card during processing. The social security number and the physical existence of the social security card will be entered into the automated record. The social security card will be filed in Section 4 of the inmate's institutional record.

67.2 When a social security card is received, it will be forwarded to the classification caseworker who will enter physical existence of the card in the inmate's automated record (SSNUM screen), have the inmate sign the card, and file the social security card in the inmate's institutional record. The social security card will be given to the inmate along with other documents and property when the inmate is released (parole, max-out, early release program).

68. INMATE PHOTOGRAPHS:

68.1 A new inmate photograph will be taken at least every five (5) years, or when there is a significant change in the inmate's appearance. At the inmate's annual review, the caseworker will ensure that a photograph is in the inmate's record and that it is less than five years old. If the photograph is more than five years old or the inmate's appearance has significantly changed, the caseworker will ensure that a new photograph is taken.

69. ESCAPES: Escape, attempted escape, or aiding/abetting escape while in the custody or confinement of an adult state, county, or city law enforcement institution, facility, or program.

69.1 Class of Escape: All escapes will be categorized into one (1) of the following classes:

Class I: Any escape, attempted escape, or aiding/abetting escape from a Level 2 or 3 institution, or from medium or maximum custody at a local detention center. Also includes escapes from a Level 1 institution, while assigned to a Level 1 institution, but not on institutional property, or minimum custody at a local detention center that involves any threat of violence, physical harm, or other aggravating circumstances, to include actual or constructive possession of tools or items which are intended to be used to facilitate an escape. Aggravating circumstances may also include any criminal behavior that occurs while the inmate is on escape status. Note: Should an inmate assigned to an outside detail, at any level institution, walk-off (with no aggravating circumstances), this should be classified as a Class II escape.

Class II: Any escape, attempted escape, or aiding/abetting escape from a Level 1 institution or minimum custody at a local detention center that does not involve any threat of violence, physical harm, or other aggravating circumstances. Note: Should an inmate assigned to an outside detail, at any level institution, walk-off (with no aggravating circumstances), this should be classified as a Class II escape. Inmates who receive escape convictions for fleeing from arrest, departure from lawful custody, or violation of a Home Incarceration Program will be classified as a Class II. If aggravating circumstances exist, the escape conviction will be classified as a Class I.

69.2 Institutional Assignment of Escapees: Upon capture, inmates will be assigned to an appropriate facility considering the circumstances surrounding the escape, bed space availability, and other pertinent assignment factors.

Class I: Escapees will be assigned to a Level 3 institution.

Class II: Inmates with escapes more than ten years old may be assigned to Level 1 institutions. If the inmate has a previous escape of any type, s/he will be assigned to a Level 3 institution. Note: Class II escape convictions may be assigned to a Level 2 or 3 institution and considered for placement in medium/minimum custody, as appropriate.

NOTE: Aggravating circumstances includes, but not limited to, any action which causes serious bodily injury, damage to physical property, and excessive use of resources and/or manpower.

69.3 Escape-Related Offenses: The following escape-related offenses will be categorized as Other (not Class I or Class II) and will NOT be counted as an escape:

- Absconctions of any type;
- Jumping bail;
- AWOL;
- Flight to avoid prosecution.

69.4 An inmate who commits a Class 1 escape from SCDC is to be placed in SD custody upon his/her return from the escape. This rule applies regardless of the date the escape occurred. (Example: Inmate escapes from SCDC in 1975, but is returned to SCDC in 2005; this inmate is to be placed in SD custody.)

69.5 An inmate who escapes from a county or municipal jail/detention center, and is subsequently admitted to SCDC, is to be placed in ME and Security Level 3 custody if the escape incident is classified as a Class I. If the escape involved aggravating circumstances, s/he may be assigned to SD custody. If Class I escapes are modified, the inmate's custody will be reviewed for appropriate assignment.

69.6 *Inmates with an escape history, either Class I or Class II, will not be assigned to an institutional job with a loading dock or in any maintenance shop that utilizes Class II or Class III tools if the escape is within the past 10 years.* (Changes in BLUE amended by Change 1 dated April 18, 2018)

69.7 If an inmate has a Class I escape on a previous commitment, but eventually completed the sentence and was released from SCDC and has returned to SCDC on a new commitment, s/he is not to be placed in SD custody solely for the previous Class I escape.

Escape Classification Matrix

	TYPE	ESCAPE CLASSIFICATION
1.	Active SCDC Warrant for Escape	Escape - Class I or II (whichever is appropriate)
2.	Active Non-SCDC Warrant for Escape	Escape - Class I or II
3.	Dropped SCDC Escape Warrant	Other
4.	Dropped Non-SCDC Escape Warrant	Other
5.	Dropped/Overtured Through Grievance Escape Disciplinary	Other
6.	Escape Warrant on NCIC/FBI Rap Sheet with no Disposition	Escape - Class I or II (until disposition is received)
7.	Escape Warrant on NCIC/FBI Rap Sheet with Conviction Disposition	Escape - Class I or II (whichever is appropriate)
8.	Escape Warrant on NCIC/FBI Rap Sheet with Disposition of Dismissed/Nol Prossed/Overtured Through Grievance	Other
9.	Found Not Guilty	Other

69.8 *Institutional Escape Audit - In addition to the check of each inmate's escape history at the initial audit, the Classification Case Manager/Designee in level 1 institutions will conduct an institutional escape audit every 90 days.*

70. INMATE HARDSHIP TRANSFER REQUESTS: Institutional classification staff will review all written requests from an inmate for transfer during the inmate's annual classification reviews. This review will be the only time an inmate can request a transfer. The inmate must meet the criteria and provide the appropriate documentation at the time of review. Each inmate will sign indicating whether he/she is requesting a hardship transfer at the annual review. Family members for whom the inmate is requesting a hardship transfer must be on the inmate's visiting list as provided by the Central Visitation Center. Inmates who request transfers will be screened for an appropriate institution in the geographical area and not for specific institutions. An inmate requesting a transfer based on a family hardship (immediate family members are defined as parent or parent substitute (family member who raised the inmate), grandparent, sibling, spouse, and child(ren) as verified by either the Offender Management System Inmate Relative Screen or the inmate's visiting list) should provide the following information:

- Doctor's statement on official stationery (for verification of a family member's illness);
- Documents from a community representative or official on official stationery (i.e., pastor, Department of Social Services);
- For verification of older family members age (65 or older), a copy of the driver's license or birth certificate must be provided.

(NOTE: ALL INMATES MUST PROVIDE ALL HARDSHIP DOCUMENTATION AT THE TIME OF HIS/HER ANNUAL REVIEW.)

70.1 Evaluation of Hardship Transfer: *The following criteria will be reviewed by the institutional classification staff when evaluating the hardship transfer:*

- *Institutional adjustment: the transfer will not be granted if the inmate has any major disciplinary convictions in the past 12 months or more than one (1) disciplinary handled as a minor or administratively in the past 12 months.*
- *Work history: The transfer will not be granted if the inmate has had unsatisfactory job performance in the past 12 months.*
- *The inmate's programmatic needs (Mental Health, Addictions Treatment, **Young Offender**, etc.) and the Institutional Mission of the requested institution.*
- *Time Served: The transfer will not be granted for inmates who have served less than twelve (12) months in the custody of SCDC.*
- *Separations/Cautions at the requested institution.*
- *Male inmates will only be considered for transfer to institutions that house their current security level. Because the female institutions house various security level inmates, their requests will be reviewed on a case-by-case basis.*

70.2 *The Caseworker will compile all appropriate information, identify the targeted geographical location, and indicate his/her recommendation for approval/disapproval on the SCDC Form 19-11, "Request to Staff." The caseworker will forward a copy of the 19-11, "Inmate Request to Staff," and the appropriate hardship documentation to **Central** Classification for final disposition. The Classification Caseworker will inform the inmate at initial, and annual, classification reviews of the hardship transfer process. The Caseworker will document the inmate's request for transfer on the Staff Memoranda and in the comments section of the custody/security review on the automated system.*

70.3 *Once the hardship transfer has been approved, the inmate will be expected to remain disciplinary free while awaiting his/her transfer and after arrival at his/her new location. If the inmate receives a disciplinary conviction for a major charge while awaiting or after the transfer, the hardship request would be rescinded and s/he will be subject to removal from that location. In addition, the inmate will be ineligible to request another hardship transfer for a period of three (3) years from the date of the disciplinary infraction.*

71. OVERTURNED DEATH PENALTY SENTENCES:

71.1 *If an inmate serving a death sentence has that sentence overturned, but will still be confined by SCDC due to other convictions, he/she will immediately be segregated from the Death Row population until such time that a decision is made regarding relocation.*

71.2 *The Deputy Director of Operations and the Division Director of Classification and Inmate Records will review the inmate's record and consult with the affected Wardens to determine an appropriate institutional assignment. The Inmate Records Office will be informed of the final decision so that appropriate adjustments can be made to the inmate's record, including any change to the inmate number.*

71.3 *Upon transfer from Death Row to another institution, the inmate will have a classification review conducted by the ICC. The ICC should consider the normal classification criteria as well as pending court action regarding the overturned sentence in making a custody assignment.*

72. CONSULAR NOTIFICATION:

72.1 *Whenever a foreign national (a person who is a citizen of another country, whether permanent resident in the United States, green card holder, visitor, or illegal alien) is arrested or detained in the United States, there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance. Often times, the foreign national may already have been informed of his consular notification and access rights before he or she enters the South Carolina Department of Corrections. However, this is not always the case, and it is imperative for corrections officials to help make sure that consular notification and access rights are respected.*

72.2 *In all cases, the foreign national must be told of the right of consular notification and access. In most cases, the foreign national then has the option to decide whether to have consular representatives notified of the arrest or detention. In other cases, however, the foreign national's consular officials must be notified of an arrest and/or detention regardless of the foreign national's wishes. Whenever a foreign national is taken into SCDC custody, the Classification Case Manager/Worker at the appropriate Reception and Evaluation Center should determine whether consular notification is at the option of the foreign national or whether it is mandatory. A list of all embassies and consulates in the United States, with their telephone and facsimile numbers, is included in United States Department of State publication titled, "Consular Notification and Access," which should be provided by the Division of Inmate Classification and Inmate Records to each Classification Case Manager. This publication also provides the notification statement in a variety of foreign languages.*

72.3 *Notification at the Foreign National's Option: In all cases, the Classification Case Manager/Worker must tell the foreign national of the right of consular notification and access. The foreign national then has the option to decide whether he/she wants consular representatives notified of the arrest or detention, unless the foreign national is from a "mandatory notification" country. The mandatory notification countries may be found in the publication "Consular Notification and Access." If the detained foreign national is a national of a country not on the mandatory notification list, the requirement is that the foreign national be informed without delay of the option to have his/her government's consular representatives notified of the detention. If the detainee requests notification, the Reception and Evaluation Classification Case Manager/Worker must ensure that notification is given to the nearest consulate or embassy of the detainee's country without delay.*

72.4 Mandatory Notification: In some cases, "mandatory notification" must be made to the nearest consulate or embassy "without delay," "immediately," or within the time specified in a bilateral agreement between the United States and a foreign national's country, regardless of whether the foreign national requests such notification. Foreign nationals subject to mandatory notification requirements should otherwise be treated like foreign nationals not subject to the mandatory notification requirement. The Reception and Evaluation Classification Case Manager/Worker must inform the foreign national that notification has been made and advise **him/her** that he/she may also specifically request consular assistance from his or her consular officials.

72.5 Time, Means of Notification, and Record Keeping Requirements: The Department of State would normally expect notification to consular officials to have been made within 24 hours, and certainly within 72 hours. Phone and fax numbers are in the publication, "Consular Notification and Access," and the suggested fax sheet in that publication may be used for making the notification. After notification, the fax sheet and any other documentation should be filed in the inmate's institutional and central records.

72.6 Inmate's Contact/Correspondence and Visitation with Consular Officers: Foreign consular officers must be given access to their nationals and permitted to communicate with them. Such officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation. They must refrain from acting on behalf of a foreign national, however, if the national opposes their involvement. In addition, consular officers may not act as attorneys for their nationals. The rights of consular access and communication generally must be exercised subject to local laws and regulations. For example, consular officers may be required to visit during established visiting hours. Questions on legal requirements may be addressed to the Office of General Counsel.

72.7 Death of a Foreign National: If a foreign national inmate dies, the institutional Classification Case Manager/Worker must notify the Assistant Division Director of **Central Classification**, who will then notify the nearest consulate of that national's country. This will permit the foreign government to make an official record of the death for its own legal purposes. See the publication, "Consular Notification and Access," for additional information.

73. INTERNATIONAL PRISONER TRANSFER PROGRAM (IPTP):

73.1 The United States has entered into international treaties with many countries, which may permit a foreign national prisoner from one of the treaty countries to transfer to his/**her** home country to serve the remainder of his/her sentence. The State of South Carolina has enacted legislation that allows it to participate in the IPTP. The program is discretionary, meaning that not everyone who applies will qualify, nor will all be approved for transfer.

73.2 In all cases, the foreign national of a country, with which the United States has a treaty, must be informed of the right to request a transfer to **his/her** home country pursuant to the terms of the treaty. Whenever a foreign national is taken into SCDC custody, the Classification case manager/worker at the appropriate Reception and Evaluation Center will determine whether an IPTP request is an option for the affected inmate. A list of all the countries that entered into a treaty with the United States will be provided by the Division of Classification and Inmate records to each classification case manager/R&E staff. The inmate must sign the notification and acknowledgement form either requesting transfer or declining interest. The forms should be filed in the inmate's institutional record. After the inmate arrives at his/her assigned institution, classification staff will review the International Prisoner Notification and Acknowledgement Form to determine if further processing is needed. If the inmate has no interest in transferring to his/her home country, the original Prisoner Transfer Notification and Acknowledgement Form should be forwarded to **Central Classification** and a copy should be maintained in the inmate's institutional record, with the appropriate annotations made on the Staff Memoranda.

73.3 Eligible Foreign National Inmates: Inmates who are interested in applying for transfer to their home country to serve the remainder of their sentence must first complete the Prisoner Transfer Application Questionnaire. These forms will be made available to the Institutional case manager. The original Notification and Acknowledgement and the original Prison Transfer Application questionnaire should be forwarded to the Division of Classification and Inmate Records for further processing. A copy of these forms should be maintained in the inmate's institutional record and the Staff Memoranda should be annotated accordingly. If the inmate meets the criteria established for eligibility, his/her request, along with pertinent documents, will be submitted to the Director of SCDC for approval. If approved by the Director of SCDC, all documentation will be forwarded to the United States Department of Justice's International Prison Transfer Unit (DOJ/IPTU) Representative for further processing. The United States Department of Justice and the home country must then approve the request for transfer before a transfer can occur.

73.4 Consent Verification: If the inmate is approved for transfer by the DOJ/IPTU, the Division of Classification and Inmate Records will coordinate with the Department of Justice/IPTU representative to set up a consent verification hearing and coordinate the transfer of the inmate into the custody of the Bureau of Prisons (BOP).

73.5 Inmate's correspondence and visitation with Consular Officers to assist in the IPTP process: Foreign Consular officers must be given access to their nationals and permitted to communicate with them to assist with the IPTP process:-

74. Court Coordination: **Central Classification** Court Coordination Section will coordinate and monitor the scheduling and transportation of inmates to all court-ordered appearances requested by the State Grand Jury, County Law Enforcement, Office of the Attorney General, Circuit Solicitors, Department of Social Services, and any other agencies "requesting" transportation. **Central Classification** Court Coordination Section will be the central point of contact for all court-related transports and will verify the validity of all court orders and transport requests.

74.1 Court Transports:

74.1.1 Central Classification Court Coordination Section, upon receiving a request to transport an inmate to court, will verify all court orders, transport requests, and inmate locations. **Central Classification** will notify the institution to transport via the

*automated system message (RCVDOC). For court follow-up purposes, the message will include all information stated in the order/request, specifically the reason for transport. Once the institution is notified to transport an inmate to court, no changes will be made to the transport unless authorized by the **Central Classification** Court Coordination Section personnel.*

74.1.2 *Institutional Operations/Classification must ensure that CRT entries on all "to and from court" actions are made at the time of the transfer of the inmate to and from court.*

74.1.3 *When an inmate is turned over to another agency's custody for a court appearance, **prior to the inmate's scheduled release date**, the institutional personnel will complete SCDC Form 19-17, "Temporary Custody Receipt for SCDC Inmate."*

74.1.4 *The Case Manager/Operations Coordinator will contact the authority in receipt of the inmate every two (2) weeks for the first 90 days to verify the inmate's physical location. After 90 days, Central Office personnel will contact the authority in receipt of the inmate every two (2) weeks.*

74.2 Post Conviction Relief (PCR) Hearings:

74.2.1 *The PCR Coordinator in **Central Classification** Court Coordination Section will review the PCR Hearing docket and coordinate the inmate's transport to the respective court hearing.*

74.2.2 *Representatives from the Inmate Records Office who appear for court testimony will document pertinent facts regarding the hearing and forward that information to the Assistant Division Director- IRO*

74.2.3 *The Assistant Division Director in charge of the Inmate Records Office or designee will receive disposition from the Office of the Attorney General, obtain legal clarification and status of any appeals, and determine appropriate action in consultation with SCDC's Office of General Counsel.*

74.3 Inmate Records Office Follow Up:

74.3.1 *The Inmate Records Office Release Section personnel will investigate the dispositions on inmates who are within 30 days of release who have "open" court transport entries on the automated "received document" screen.*

74.3.2 *The Inmate Records Office Document Processing Section staff will make CRT entries when commitment orders and detainers are received (RCVDOC/DETAIN).*

74.3.3 *The Inmate Records Office Records Processing Section staff will make CRT entries of all new commitment orders (CONVICT) and provide updated face sheets/dates changes to Caseworkers.*

74.3.4 *The Records Analysts and Supervisors in the Inmate Records Office will make necessary contacts with Clerks of Court to investigate and obtain necessary documents when court action is known.*

74.4 Institutional Follow-Up (Classification/Operations):

74.4.1 *The Classification Records Managers or appropriate Caseworker will be responsible for reporting information and forwarding newly obtained court documents to the Inmate Records Office, Document Processing Section, immediately. An SCDC Form S-32, "Document Transmittal/Request for Action," will be attached to the forwarded documents. Operations personnel will be responsible for ensuring that these documents are forwarded to the Classification Records Manager.*

74.4.2 *The Classification Records Manager or appropriate caseworker will be responsible for completing the records checklist and immediately notifying the Inmate Records Office of inconsistencies between the automated record and documents in the institutional record and for forwarding all original court documents by interoffice mail.*

75. DMV ID CARDS: *The SCDC, SC Department of Motor Vehicles (DMV), and SC Probation, Parole and Pardon Services (PPP) will work together to provide DMV issued identification cards to eligible inmates who wish to possess one upon their release from SCDC for the purposes of facilitating reentry into the community.*

- *The Classification Caseworker/ CPS will provide the 447 SC DMV application, and assist the inmate in completing the form.*
- *447 SC DMV applications will be submitted to the Classification Central Office by the specified deadline.*
- *Eligible inmates must have the required identification data in the SCDC and SCDMV automated system in order to receive an ID card.*
- *DMV ID cards should be given to the inmate at the time of release.*

76. Reduction of Sentence for Substantial Assistance to the State: *In accordance with Section 17-25-65, South Carolina Code of Laws, inmates who substantially assist a Department of Corrections employee or volunteer who has been or is in danger of being seriously injured or killed may be eligible to receive a reduction of sentence. It will be the inmate's responsibility to notify the circuit solicitor in the county where his/her case arose. The final decision to grant or deny the sentence reduction is made by the chief judge or a circuit court judge currently assigned to that county and not by SCDC.*

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT

Electronic Cell Door Impact

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "35. Does the agency have a cost comparison for systems that would electronically lock cell doors and guard time spent manually locking doors to allow for determination of when the electronic system may pay for itself?"

Time to recoup electronic door lock renovation
with current authorized strength

Number of cells affected	7572
6 Level III's and 4 Level II's	10
Dorms	44
Number of Control Rooms needed	88

High Estimate	\$	75,000,000
Low Estimate	\$	55,000,000

Average per Dorm	H	\$	1,704,545
	L	\$	1,250,000

Current number of Auth Strength Officers pre-
renovation per dorm 4.25

Number of Auth Strength Officers post-renovation
per dorm 4

Salary per officer average Level II & III	\$50,108
.25 fte officer reduction per dorm	\$ 12,527
Officer cost Savings per year (44 dorms)	\$ 551,188

Time to recoup renovation	Hi	136.1 Years
	Low	99.8 Years

*Due to the shortage of officers, no direct savings will be realized. This study is for
administrative purposes only.

Inmate to Correctional Officer Ratios

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "36. Please provide information on the number of guards per inmate in 1990, 1995, 2000, 2005, 2010, 2015, and 2019."

SCDC stated the following as an explanation of the information in this document:

- Please see attached correctional officer to inmate ratios for the years 2000, 2005, 2010, 2015 and 2019. Also attached are annual reports from 1990 and 1995 that outline staffing and inmate count; however, it does not provide employee to inmate ratio it provides position to inmate ratio, please be sure to review footnote on the report as the calculations differ from 1990 to 1995.

Institutional Correctional Officers (C.O.) to Inmate Ratio

July 1, 2000 - May 1, 2019

Calculation based on the number of Correctional Officers assigned to an institution and the number of inmates housed in a SCDC facility.

Date	Inmate to C.O. Ratio	C.O. to Inmate Ratio
July 1, 2000	5.2	0.192
July 1, 2005	6.4	0.156
July 1, 2010	6.4	0.156
July 1, 2015	6.5	0.153
May 1, 2019	7.0	0.143

Note: Includes Correctional Officers of all ranks.

TABLE 31
DISTRIBUTION OF SCDC LINE LEVEL SECURITY STRENGTH BY FACILITY
AS OF JUNE 16, 1995*

	NUMBER OF CORRECTIONAL OFFICERS** AUTHORIZED	NUMBER OF CORRECTIONAL OFFICERS** ACTUALLY ASSIGNED			FISCAL YEAR AVERAGE INMATE POPULATION	NUMBER OF INMATES PER AUTHORIZED CORR. OFFICER**
		MALE	FEMALE	TOTAL		
APPALACHIAN REGION	677	379	201	580	5019	7.4
Blue Ridge Pre-Release/Work Center	10	7	3	10	217	21.7
Catawba Work Center	6	3	2	5	165	27.5
Cross Anchor Correctional Institution	74	40	11	51	644	8.7
Dutchman Correctional Institution	95	57	26	83	658	6.9
Givens Youth Correction Center	10	7	3	10	115	11.5
Greenwood Correctional Center	14	12	1	13	145	10.4
Leath Correctional Institution for Women	77	11	53	64	340	4.4
Livesay Work Center	9	7	2	9	130	14.4
Spartanburg Restitution Center	5	3	1	4	0	0.0
McCormick Correctional Institution	172	111	57	168	1103	6.4
Northside Correctional Institution	33	20	8	28	393	11.9
Perry Correctional Institution	172	101	34	135	1109	6.4
COASTAL REGION	467	346	96	441	3129	6.7
Allendale Correctional Institution	161	100	49	149	1100	6.8
Coastal Work Center	23	12	6	18	118	5.1
Lieber Correctional Institution	226	186	32	218	1295	5.7
MacDougall Correctional Institution	57	48	8	56	616	10.8
Ridgeland Correctional Institution	45	0	1	1	0	0.0
EASTERN REGION	743	497	184	681	3865	5.2
Evans Correctional Institution	163	106	37	143	1101	6.8
Lee Correctional Institution	274	191	59	250	1448	5.3
Palmer Work Center	12	8	4	12	191	15.9
Palmer Work Camp	8	4	2	6	93	11.6
Turbeville Correctional Institution	191	116	63	179	172	0.9
Wateree River Correctional Institution***	95	72	19	91	860	9.1
MIDLANDS REGION	1,041	681	298	979	5492	5.3
Broad River Correctional Institution	232	158	56	214	1372	5.9
Campbell Work Center	14	11	3	14	224	16.0
Columbia Restitution Center	5	2	2	4	0	0.0
Goodman Correctional Institution	50	41	9	50	473	9.5
Kirkland Correctional Institution	251	188	41	229	687	2.7
Lower Savannah Work Center	14	10	1	11	118	8.4
Lower Savannah Work Camp	9	6	3	9	86	9.6
Manning Correctional Institution	99	75	21	96	794	8.0
State Park Correctional Institution	68	27	38	65	334	4.9
Stevenson Correctional Institution	61	48	12	60	271	4.4
Trenton Correctional Institution	74	48	18	66	332	4.5
Walden Correctional Institution	41	31	9	40	348	8.5
Watkins Pre-Release Center	17	14	2	16	155	9.1
Women's Correctional Institution***	106	22	83	105	298	2.8
TOTAL	2,928	1,903	779	2,681	17505	6.0

*This date is closest to the end of the period of which information for developing this table is available.

**Supervisors and assistant supervisors are not included in these counts.

***Shock Incarceration units correctional officers were counted in these facilities.

Table 30
Distribution of SCDC Security Strength by Facility
(As Of June 16, 1990)

FACILITIES	NUMBER OF CORRECTIONAL OFFICERS AUTHORIZED	NUMBER OF CORRECTIONAL OFFICERS ACTUALLY ASSIGNED			AVERAGE INMATE POP. ***	NUMBER OF INMATES PER AUTHORIZED CORR. OFFICER
		MALE	FEMALE	TOTAL		
APPALACHIAN CORRECTIONAL REGION	921	807	280	867	4,138	4.6
Blue Ridge Pre-Release/Work Center	15	3	5	8	197	13.1
Catawba Work Center	15	12	3	15	140	9.3
Cross Anchor Correctional Institution	134	98	33	131	543	4.1
Dutchman Correctional Institution	142	88	49	137	525	3.7
Givens Youth Correctional Center	17	15	2	17	135	7.9
Greenwood Correctional Center	17	13	2	15	96	5.6
Greenwood Work Camp	16	2	13	15	74	4.6
Livesay Work Center	10	9	1	10	94	9.4
Livesay Rest Center	11	4	6	10	31	2.8
McCormick Correctional Institution	231	149	62	211	1,087	4.7
Northside Correctional Center	42	33	10	43	330	7.9
Perry Correctional Institution	271	181	74	255	884	3.3
MIDLANDS CORRECTIONAL REGION	1,846	1,287	484	1,771	6,722	3.6
Aiken Youth Correctional Center	61	43	19	62	284	4.7
Broad River Correctional Institution	374	290	74	364	1,285	3.4
Byrnes Clinic	34	25	8	33	14	0.4
Campbell Work Center	13	10	3	13	148	11.4
Campbell rest. Ctr	12	4	8	12	42	3.5
Central Correctional Institution	368	272	87	359	1,311	3.6
Goodman Correctional Institution	66	52	15	67	452	6.8
Kirkland Correctional Institution	266	212	52	264	591	2.2
Lower Savannah Work Center	33	14	3	17	80	2.4
Lower Savannah Work Camp	16	7	9	16	27	1.7
Manning Correctional Institution	136	102	14	116	435	3.2
State Park Correctional Center	62	33	28	61	279	4.5
Geriatric/Handicapped Unit	-	-	-	-	-	-
Women's Work Release Unit	-	-	-	-	-	-
Stevenson Correctional Institution	74	51	16	67	160	2.2
Walden Correctional Institution	56	40	10	50	297	5.3
Wateree River Correctional Institution	112	92	17	109	619	5.5
Watkins Pre-Release Center	26	24	4	28	128	4.9
Women's Correctional Center	137	16	117	133	570	4.2
COASTAL CORRECTIONAL REGION	892	639	211	850	3,649	4.1
Allendale Correctional Institution	238	159	73	232	827	3.5
Coastal Work Center	16	12	3	15	155	9.7
Evans Correctional Institution	233	164	57	221	827	3.5
Lieber Correctional Center	320	242	58	300	1,187	3.7
MacDougall Youth Correctional Center	73	53	19	72	553	7.6
Palmer Work Center	12	9	1	10	100	8.3
Misc. Assigned ****	14	10	3	13		
TOTAL	3,673	2,543	958	3,501	14,507	3.9

Source: Division of Personnel Administration and Training

* Security Personnel includes all uniformed personnel, i.e. Correctional Officers, Correctional Officer Assistant Supervisor, Correctional Officer Supervisors, and Chief Correctional Officers.

** This date is closest to the end of the period of which information for developing this table is available.

*** Fiscal Year Averages (includes Restitution Centers and Byrnes Clinic)

**** All non-institutionalized security not designated above.

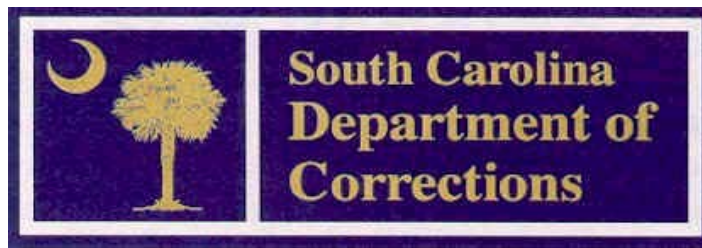
Salary Comparison – Correctional Officers to Other Law Enforcement

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "37. Please provide a table which includes the average salaries of officers in prisons and officers in other law enforcement entities around the state. If this information is not already available, please work with applicable impacted parties to obtain it."

SCDC stated the following as an explanation of the information in this document:

- SCDC provided the starting salaries of the largest counties in the State, please see attached salary survey. Also, attached is SCDC's flyer which outlines SCDC starting salaries throughout different level facilities within SCDC.

	Sheriff Deputy	Detention officer
Richland	\$35,002	\$30,088.80
York	\$37,165	\$35,519
Lexington	\$39,474	\$36,891
Charleston	\$37,121	\$35,070
Greenville	\$35,872	\$35,518
Florence	\$30,943	\$30,000



Now Hiring CADETS & OFFICERS

(18 – 20 years of age)

(21 years of age & up)

SALARIES EFFECTIVE June 2, 2018 – “NO EXPERIENCE”

Requirements: US Citizenship, 18 years of age, High School Diploma or GED, Valid Driver's License. If offered employment, applicant must pass a physical exam administered by SCDC. Please be advised that if you were convicted of a crime with a maximum allowable sentence of one year or more or a fine of \$1,000 we may not employ you as a Cadet/Correctional Officer. Incumbent must satisfactorily complete all academic and OJT by the Department of Corrections as specified. Training is provided in accordance with CLEE Guidelines.

Schedule: 12 hour Shifts, No Rotation, 2 Weekends off per Month, Work only 14 days per Month

(While in training you may be assigned to an 8 hour shift (working 5 days a week) until satisfactory completion of Correctional Officer Basic Certification)

Summary of Duties: Provides Security, custody and control of inmates in a correctional setting.

Benefits: 3 weeks vacation, 3 weeks sick leave, 13 paid holidays/year, 15 days military leave per year; Police Officers' Retirement, group health, dental & vision insurance; uniforms furnished. SCDC is a qualified employer under the **Student Loan Forgiveness Program (SLFP) and the Veterans Administration (VA) On The Job Training Program. (Ask for more information).**

Level I Institutions

Catawba PRC, Goodman CI, Livesay CI, Manning CI, Palmer PRC

Salary for Level I (No Experience)	
Correctional Officer	\$32,263

Level II Institutions

Allendale CI, Camille Graham CI, Evans CI, Kershaw CI, Leath CI, MacDougall CI,
Ridgeland CI, Trenton CI, Turbeville CI, Tyger River CI, Wateree River CI

Salary for Level II with Incentive & No Experience

Cadet	Base: \$28,375	With Incentive: \$29,358
Correctional Officer	Base: \$32,263	With Incentive: \$33,560
*After 6 months	Base: \$33,380	With Incentive: \$34,677

Level III Institutions

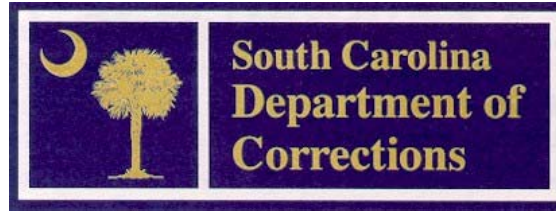
Broad River CI, Kirkland CI, Lee CI, Lieber CI, McCormick CI, Perry CI

Salary for Level III with Incentive & No Experience

Cadet	Base: \$28,375	With Incentive: \$31,216
Correctional Officer	Base: \$32,263	With Incentive: \$35,596
*After 6 months	Base: \$33,380	With Incentive: \$36,713

Salaries indicate NO experience. With 6 months or more of experience, please contact a Lt. Recruiter at (803) 896-1665.

*Applies to Correctional Officers only; Cadet converts to Correctional Officer at age 21.



**Additional Dollars* for Security Staffing
Fiscal Years 2013 - 2019**

FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019 YTD	Total
\$1,899,103	\$1,295,537	\$2,552,804	\$3,722,509	\$16,979,426	\$23,559,606	\$17,052,179	\$67,061,146

*Includes overtime, spot bonuses, raises and others.

Historical Correctional Officer Starting Salary

Fiscal Year	LEVEL 1 (Min. Security)	LEVEL 2 (Med. Security)	LEVEL 3 (Max. Security)	Weighted Average (All Levels)
2014	\$25,060	\$26,062	\$27,897	\$26,826
2015	\$25,561	\$26,583	\$28,438	\$27,377
2016	\$25,561	\$26,583	\$28,438	\$27,384
2017	\$27,891	\$28,913	\$30,768	\$29,560
2018	\$31,263	\$32,560	\$34,596	\$33,289
2019	\$32,263	\$33,560	\$35,596	\$34,311
2020	\$32,908	\$34,231	\$36,308	\$35,023
FY14 - FY19 Increase (%)	\$7,848 (31.3%)	\$8,169 (31.3%)	\$8,411 (30.1%)	\$8,197 (30.6%)

The overall average starting salary for correctional officers in FY 2019 was \$34,311.

With overtime, eligible correctional officers earned \$39,361.

Designated Facility Inmate Assignments and Transfers (SCDC Policy OP-21.05)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "38. Please explain the following terms, which were included in the list of inmate job descriptions the agency provided in its April 29, 2019 letter: (a) labor crew/work program; and (b) designated facility."



SCDC POLICY

NUMBER: OP-21.05

TITLE: DESIGNATED FACILITY INMATE ASSIGNMENTS AND TRANSFERS

ISSUE DATE: September 6, 2016

RESPONSIBLE AUTHORITY: DIVISION OF CLASSIFICATION AND INMATE RECORDS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: OP-21.05 (April 1, 2006); (January 1, 2004); Change #1 (October 4, 2004)

RELEVANT SCDC FORMS/SUPPLIES: 18-12, 19-11, 19-97

ACA/CAC STANDARDS: 4-4300, 4-4303

STATE/FEDERAL STATUTES: South Carolina Code of Laws, §24-3-20, §24-3-30, and §24-13-660

PURPOSE: To establish eligibility criteria and guidelines for assigning inmates to, and transferring inmates to and from, Designated Facilities.

POLICY STATEMENT: The Agency will authorize and facilitate the selection, assignment, and transfer of eligible inmates to and from Designated Facilities in accordance with the provisions of the Designated Facility contractual agreement. To promote the safety and security of the general public and all victims of crime, SCDC inmates requesting to be considered for assignment to a Designated Facility will be thoroughly screened prior to a transfer being authorized. All Designated Facility inmate transfers will be approved and implemented in compliance with all applicable SCDC policies and state and federal statutes.

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[ATTACHMENT A - REQUEST FOR TRANSFER TO DESIGNATED FACILITY](#)

[ATTACHMENT B - DESIGNATED FACILITY REQUEST AND AGREEMENT FOR TRANSFER OF SCDC INMATE](#)

1. ELIGIBILITY FOR PLACEMENT/TRANSFER: Inmates being considered or screened for a Designated Facility placement must initially meet the following criteria:

1.1 Time Requirements: The following criteria regarding sentence length will be applicable for all inmates being considered/screened for placement at a Designated Facility:

1.1.1 *All inmates who are currently in Level 1A are eligible to be considered for placement at any Designated Facility after being on the labor crew/work program for at least six (6) months.*

1.1.2 Inmates who have been convicted of statutory non-violent offenses, and who are *currently in* Level 1B, are eligible to be considered for placement at any suitable Designated Facility immediately after admission to SCDC upon completion of processing at the Reception and Evaluation Center, only if an inmate has been specifically requested by a Designated Facility.

1.1.3 Inmates at all other institutions who have been convicted of statutory non-violent offenses are eligible to be considered for placement at any suitable Designated Facility when there *are* eight (8) years or less remaining to be served prior to the projected max out date.

1.1.4 Inmates at all other institutions who have been convicted of statutory violent offenses and who are *currently in* Level 1B, are eligible to be considered for placement at any suitable Designated Facility when there *are* eight (8) years or less remaining to be served prior to the projected max out date, but only after having already served at least one third (1/3) of the total incarcerative sentence as originally imposed by the court without benefit of good time or earned work/earned *education* credits. (NOTE: Inmates with life sentences are NOT eligible for consideration.)

1.2 Disciplinary Convictions: Inmates will be further eligible to be considered/screened for placement at a Designated Facility provided that they have:

-

No pending disciplinaries;

- No Informal or Administrative disciplinary conviction within the past six (6) months;
- No major disciplinary conviction within the past twelve (12) months;
- No assaultive disciplinary conviction within the past thirty-six (36) months;
- No drug or alcohol related disciplinary conviction, to include refusing or being unable to test, within the past thirty-six (36) months;
- No sex related disciplinary convictions, to include: Exhibitionism, Public Masturbation, Sexual Assault, or Sexual Misconduct within the past forty-eight (48) months;
- *No Soliciting Improper Relationships disciplinary conviction and no corroborated inappropriate involvement with staff within the past forty-eight (48) months; and*
- No active disciplinary sanctions, such as: canteen, visitation, telephone, etc.

1.3 Detainers: Only inmates with Category I detainers will be eligible to be considered/screened for transfer to a Designated Facility.

1.4 Female Inmates: Female inmates will be eligible to be considered/screened for placement at a Designated Facility provided (a) that the facility can adequately accommodate sentenced females; and (b) that female staff are on duty and available to supervise female inmates at all times.

2. NON-ELIGIBILITY FOR PLACEMENT/TRANSFER: An inmate applying for placement at a Designated Facility will not be eligible if s/he falls under any of the following:

2.1 Category V Offenses: An inmate is not eligible if the current offense, or any prior commitment, is for a Category V offense (as defined in the Definition Section). However, if the inmate was charged with a Category V

offense, but was convicted of or pled guilty to a lesser charge, s/he may be further considered/screened, to include a review of all information available regarding the incident leading to arrest and the original charges.

2.2 Sex Offenses: The inmate is not eligible if the current offense or any prior conviction is for a sex offense (as defined by the statute), to include convictions for which an original charge was for a sex offense even though the charges were subsequently reduced or the inmate was convicted of or plea bargained to a lesser offense, and to include prior arrests for a sex charge, regardless of disposition.

2.3 Criminal Domestic Violence Offenses: An inmate who has ever been charged with or convicted of any Criminal Domestic Violence offense, regardless of disposition, *must be screened in order to determine whether that criminal history, balanced against subsequent adjustment and circumstances, make him/her* eligible for consideration of assignment to any Designated Facility.

2.4 Escape History: The inmate is not eligible if s/he has had any type of escape charge (during current or any prior commitments), regardless of disposition. However, if the inmate has never been charged with an escape, but s/he has been charged with any other escape-related offense, s/he may be considered/screened after ten (10) years.

2.5 Prior Designated Facility Assignment: If an inmate has *ever* been returned to SCDC from a prior Designated Facility assignment and has been convicted of any disciplinary infraction and/or charged with any criminal offense that occurred while s/he was assigned to a Designated Facility (see SCDC Policy OP-22.14, "Inmate Disciplinary System," for more information), s/he will not be eligible for placement at any Designated Facility in the future. If an inmate has been returned to SCDC from a prior Designated Facility assignment and is charged with a disciplinary infraction or a criminal offense, but the charge is dropped or dismissed, s/he will not be eligible to be considered/screened for placement at any Designated Facility in the future, unless it is unequivocally determined that the inmate was completely innocent of any misbehavior, unsuitable conduct, unsatisfactory adjustment, or questionable attitude, and then only if there was no stipulation of future ineligibility at the time of removal. (This stipulation should be documented on SCDC Form 18-12, "Designated Facility Transfer Record.") If an inmate has been returned to SCDC from a prior Designated Facility assignment for an administrative/non-disciplinary reason, s/he will not be eligible to be considered/screened for placement at any Designated Facility for at least six (6) months, and then only if there was no stipulation of future ineligibility at the time of removal. (This stipulation should be documented on SCDC Form 18-12.)

2.6 Community Opposition: Prior to the final approval of an inmate's request for placement at a Designated Facility, the registered victim(s), if any, will be notified of this consideration and given an opportunity to submit any objections or to ask for special restrictions. If there are any objections from the registered victim(s), the placement and transfer request will be denied in accordance with SCDC Policy GA-02.05, "Victim-Witness Notification." There will be no further consideration or appeal of the decision. The inmate will be ineligible for transfer to any Designated Facility.

2.6.1 Community opposition from some other source(s) that come to the attention of SCDC prior to the final decision regarding placement and transfer may also result in denial of the request. When assignment to a Designated Facility is disapproved because of such concern, there will be no further consideration or appeal of the decision. Opposition from any source(s) that come to the attention of SCDC after an inmate has been placed at a Designated Facility may result in removal and reassignment. When the inmate is returned from a Designated Facility because of such a concern, there will be no further consideration or appeal of the decision (4-4403).

2.7 Young Offender: No inmate who is sentenced under the Youthful Offender Act, or is participating in the Young Offender Intensification Program, will be eligible for placement at any Designated Facility. No inmate under age 21 who does not have a high school diploma or GED will be eligible for placement at any Designated Facility.

2.8 Unstable Out-of-State: An inmate who has no apparent residence in South Carolina, *North Carolina, or Georgia*, and who has one (1) or more criminal arrest(s) in another state(s), will not be eligible to be considered/screened for placement at any Designated Facility.

2.9 Medical Restrictions: *An inmate who has medical limitations that require 24-hour nursing, daily nursing, area mental health, outpatient mental health, or close medical supervision, or who has work restrictions other than bottom bunk requirements, will not be eligible for placement at any Designated Facility.*

2.10 STG Affiliation: *No inmate who has any current STG affiliation will be eligible to be considered/screened for placement at any Designated Facility.*

3. TRANSFERRING INMATES FROM SCDC TO DESIGNATED FACILITIES: All requests for placement at and/or transfer to Designated Facilities will be processed as follows:

3.1 An inmate may request to transfer to any Designated Facility when job vacancies are announced/posted by *utilizing the inmate Kiosk. Inmates should review the Designated Facility openings and ensure that there are openings available for which they are qualified. Inmates may request up to three (3) Designated Facility options at a time. The Designated Facilities Coordinator/designee in the Division of Classification and Inmate Records* will verify *each inmate's* eligibility for placement and transfer. The *Designated Facilities Coordinator/designee* will review the inmate's automated records to determine if the inmate meets eligibility requirements for placement at and transfer to a Designated Facility. **(4-4403)**

3.2 The Designated Facilities Coordinator/designee *will request the inmate's central record for review and will also forward inmate information to medical and dental for clearance. The Designated Facilities Coordinator/designee will request [Attachment A](#), "Request for Transfer to Designated Facility," from the Classification Caseworker at the institution. It should be noted on the form if the inmate has any specific work skills and/or physical problems. Only requests from inmates who are eligible for such a transfer will be processed further. Upon completion of review of the central record, the Designated Facilities Coordinator/designee will forward* a Fact Sheet (Inmate Record Summary) to the approving Designated Facility Administrator or designee for consideration. Included in the packet will be information regarding the inmate's Security Level and restrictions, if any, that apply to the inmate's placement. *The Designated Facility Administrator or designee will have ten (10) working days to respond and request or reject the inmate for placement at that location.* If approved for acceptance, the Designated Facility Administrator or designee will subsequently forward *an [Attachment B](#), "Designated Facility Request and Agreement for Transfer of SCDC Inmate,"* to the Designated Facilities Coordinator/designee for processing. (NOTE: By contract, if an inmate is approved for placement at a Designated Facility, the Designated Facility will be responsible for arranging necessary medical care for the inmate during any time that s/he is assigned there, and for the cost of any treatment and/or medications for the inmate if s/he has medical, dental, or optometry problems.)

3.3 *Upon request from the Designated Facility Administrator or designee for a particular inmate, appropriate victim/witness notifications will be made, if applicable. After ten (10) working days, if no opposition is noted, the inmate will be scheduled for transfer. Once* a final decision is made, a copy of [Attachment A](#) will be sent to the Classification Caseworker, who will inform the inmate.

3.4 If the inmate is disapproved for a Designated Facility placement and/or transfer, a reason will be noted on [Attachment A](#). After six (6) months have passed from the last disapproval, the inmate may submit another request when *available* job vacancies are announced/posted if the inmate meets current eligibility criteria, and unless previously indicated otherwise.

3.5 The Designated Facility Administrator or Manager may request a specific inmate who is assigned to any South Carolina Department of Corrections facility by notifying the Designated Facilities Coordinator/designee. The Designated Facilities Coordinator/designee will then contact the appropriate Classification Caseworker to review the inmate in order to determine eligibility for such a placement and transfer.

3.6 The Designated Facilities Coordinator/*designee* will be the final approving authority for all Designated Facility placements and transfers and may disapprove any request if s/he feels that it is not in the best interest of the public, SCDC, the victim/witness, or the inmate.

3.7 The Designated Facilities Coordinator/designee will notify the Division Director of Compliance, Standards, and Inspections of approved placements prior to transfer.

3.8 The inmate's institutional record, *along with continuity of care information and an approved visitation list*, will be sent with the escorting Officer(s), to be delivered to the Designated Facility Manager for safekeeping and appropriate official use during the inmate's stay at the facility.

3.9 Questions from the staff at the Designated Facility regarding information in the institutional record and/or regarding sentence computation, projected release dates or other eligibility dates, or Earned Work Credits will be directed to the Designated Facilities Coordinator/designee in the Division of Classification and Inmate Records *and should be sent via email*. Inquiries *on these matters* from the inmate must be *submitted* in writing.

4. RETURNING INMATES FROM DESIGNATED FACILITIES TO SCDC: Any SCDC inmate must be accepted for return from an assigned Designated Facility. The process will be as follows:

4.1 The inmate may be returned to the SCDC for any reason (administrative, disciplinary, or non-disciplinary). This action may be initiated by either the Designated Facility Administrator or Manager, or by an authorized SCDC employee. An inmate may request to return to the SCDC after six (6) months at the Designated Facility by submitting a request to the Designated Facility Administrator or Manager or to the Designated Facilities Coordinator or designee in the Division of Classification and Inmate Records.

4.2 The Designated Facility Administrator/Manager or *designee* will be responsible for contacting (by telephone) the Designated Facilities Coordinator or the designee on duty to advise him/her of the nature of the transfer and to provide supplemental information as needed. The Designated Facilities Coordinator/designee will complete SCDC Form 18-12, "Designated Facility (DF) Transfer Record," to indicate the specific reason(s) for the transfer. (NOTE: This form must be submitted no later than four [4] calendar days after an inmate is returned to SCDC regardless of the reason[s].) Upon receipt of the completed SCDC Form 18-12, the Classification Coordinator or designee at the Reception and Evaluation Center will arrange for the inmate to be medically cleared, reclassified, and assigned to an appropriate institution. The inmate must be cleared for communicable disease and have a complete physical if s/he has not had one (1) within the last 90 days. A copy of the completed SCDC Form 18-12 will be filed in the inmate's central and institutional records.

4.3 The Designated Facilities Coordinator/*designee* in the Division of Classification and Inmate Records will report the nature of the transfer to the Division Director of Compliance, Standards, and Inspections and will coordinate bed space availability and transportation requirements. The Designated Facilities Coordinator/designee will notify the receiving institution and, if appropriate, the Central Transfer System in order to coordinate the inmate's earliest feasible arrival at the Reception and Evaluation Center. The inmate's institutional record and, if applicable, any outstanding warrants or additional commitment orders will be sent with the escorting Officers on each trip and movement.

4.4 The Designated Facilities Coordinator/designee will be responsible for contacting (by telephone) the Assistant Division Director, Reception and Evaluation Center, to coordinate any disciplinary transfers and will ensure that disciplinary incidents are properly documented and submitted, along with applicable evidence, prior to the deadlines in accordance with SCDC Policy OP-22.14, "Inmate Disciplinary System."

5. MANAGEMENT OF INMATES HOUSED AT DESIGNATED FACILITIES: The management of inmates who are housed in a Designated Facility is governed by the Designated Facility contractual agreement between SCDC and the entity/authorized officials responsible for the Designated Facility. Questions about the contractual agreement or the day to day management of these inmates should be addressed to the Division Director of Compliance, Standards, and Inspections.

5.1 Escapes, deaths, accidents, injuries, investigations, serious incidents, and other circumstances which may cause citizen, law enforcement, or media interest or concern must be reported immediately to the Division Director of Compliance, Standards, and Inspections.

5.2 Rules violations and/or behavior which rise to the level of being disciplinary infractions, but which are deemed relatively minor in nature, may be proposed for handling by allowing an inmate who has acknowledged responsibility to plead guilty and voluntarily fail to earn good time credits for that month. Before utilizing this alternative, the Designated Facility Manager must first contact the Division Director of Compliance, Standards, and Inspections, and receive concurrence. The written request by the inmate must then be obtained and provided to the Division Director of Compliance, Standards, and Inspections for approval, for documentation, and for necessary action to have it entered into the SCDC automated system.

5.3 When other methods of corrective action are used in addition to, or instead of, the failure to earn good time, details about the behavior which is being addressed, as well as the sanction(s) imposed, must be documented; a copy must be sent to the Division Director of Compliance, Standards, and Inspections; and a copy must be retained at the Designated Facility with the respective inmate's file.

6. CLASSIFICATION REVIEWS OF INMATES HOUSED AT DESIGNATED FACILITIES:

Classification Reviews of inmates at Designated Facilities will be completed at least annually by the respective Designated Facility Manager or designee by completing an "Inmate Progress Report" form and submitting it to the Designated Facilities Coordinator in the Division of Classification and Inmate Records. The Designated Facilities Coordinator/designee will establish an annual classification review date for each inmate *assigned to a Designated Facility*, and the respective Designated Facility Manager will be notified by receipt of the inmate's "Inmate Progress Report" form. The form should be completed by the Designated Facility Manager or designee and returned to the Designated Facilities Coordinator/designee within two (2) weeks of receipt. *After completing one (1) year at a Designated Facility, an inmate may request a hardship transfer to another Designated Facility at the time of his/her annual review/progress review. Inmates must have proper paperwork to support a hardship as outlined in SCDC Policy OP-21.04, "Inmate Classification Plan." If approved and the inmate is accepted by another Designated Facility, it will be the responsibility of the gaining Designated Facility to transport the inmate, coordinating with the Designated Facility's Coordinator/designee in the Division of Classification and Inmate Records for the transfer. (4-4300)*

7. JUVENILES: All inmates who are less than 17 years old at the time that they are sentenced to the South Carolina Department of Corrections will be photographed, fingerprinted, and assigned an SCDC number at the Kirkland Reception and Evaluation Center if male, or the Graham Correctional Institution if female. All such inmates will be incarcerated at the South Carolina Department of Juvenile Justice until their 17th birthday. The Division of Classification and Inmate Records will maintain the appropriate sentence and classification documentation on juveniles sentenced to SCDC, and the juveniles will be recorded and counted in Designated Facility status during the time that they are at the Department of Juvenile Justice. No other portion of this policy will apply to these inmates nor to the Department of Juvenile Justice or any SCDC functional area(s) except the Division of Classification and Inmate Records.

8. DEFINITIONS:

Classification Caseworker refers to an institutional staff member who is responsible for the initial screening of the inmates' records to determine eligibility for placement at a Designated Facility.

Designated Facility refers to a city or county jail or prison camp with which the South Carolina Department of Corrections (SCDC) has a contractual agreement to house state inmates while they are serving their SCDC sentences.

Designated Facility Administrator refers to the County Administrator, Sheriff, City Administrator, or other official charged by law with the administrative oversight of a local detention facility.

Designated Facility Manager refers to the Jail Administrator, Detention Director, Prison Camp Supervisor, or other comparable official who is responsible for the daily operations of the local detention facility.

Designated Facilities Coordinator refers to the SCDC Division of Classification and Inmate Records staff member who is the approving authority for placement of state inmates at a Designated Facility.

Category V Offenses: The following offenses are categorized as a Category V Offense: Abuse/Negligence in Adult Death; Attempt to Commit Murder; Bomb **Detonation** with Malice - Death; Conspiracy to Commit Murder; Criminal Sexual Conduct 1st Degree; CSC With Spouse or Minor; Damage to an Airport resulting in Death; Explosive/Incendiary Use-Death; Foreign Substance in Highway Death; Homicide by Child Abuse; Interfering **with** Traffic Device **Resulting** in Death; Kidnapping; Kill by Stabbing; Murder; Murder before June, 1977; Rape; Sexual Exploitation of Minor 1st Degree; Sexual Offense - 2nd and 3rd Offense; and Taking Hostages by Inmates.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT

Attachment A

REQUEST FOR TRANSFER TO DESIGNATED FACILITY

INMATE NAME:	SCDC#:	PRESENT CUSTODY/SECURITY LEVEL:
INSTITUTION PRESENTLY ASSIGNED TO:	REQUESTING TRANSFER TO:	

I fully understand and agree to the following conditions of the transfer for which I am requesting:

1. While serving my sentence at the requested Designated Facility, I may not be able to participate in certain educational, academic, vocational or counseling programs unless offered and approved by the Designated Facility Administrator/Manager and the South Carolina Department of Corrections (SCDC).
2. I understand that I am required to abide by all Designated Facility rules and regulations, as well as SCDC policy requirements, including but not limited to, **SCDC Policy OP-22.13, "Inmate Grooming Standards."** I understand that I may not participate in interviews by news media representatives, in photo sessions by news or non-news media representatives, or in public speaking engagements.
3. I understand that I am subject to random alcohol and/or drug testing, and searches for contraband. I understand that the random alcohol and/or drug testing may not use the same testing process as the South Carolina Department of Corrections and that there may not

be a confirmation test performed. However, I agree to abide by the results of whatever alcohol and/or drug testing process that the Designated Facility administers.

4. I understand that I may be returned to SCDC at the discretion of the Designated Facility Administrator/Manager and/or SCDC. *If I am returned to SCDC, I WILL be reclassified according to SCDC Policy OP-21.04, "Inmate Classification Plan," regardless of custody while at a Designated Facility. Upon my transfer back to SCDC, if I am required to leave personal property, I have thirty (30) days to make arrangements and dispose of that property, otherwise consenting to the disposition of the property according to the procedures of the facility.*

5. *If returned to SCDC, I understand that, even if I am not charged with or convicted of a disciplinary offense, SCDC may determine that I am ineligible to be considered for placement at a Designated Facility in the future. I understand that if I am charged with a disciplinary offense while I am at the Designated Facility, any incident report or description of the disciplinary infraction may be used against me when I am returned to SCDC, that the accusing official will be an employee of SCDC, and that I may be subject to disciplinary sanctions pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System."*

6. *I understand that all visitors must be on my approved visitation list with SCDC and, if others wish to be placed on the said list, all SCDC procedures will be followed. Special visits are prohibited.*

7. *I understand that as an SCDC inmate assigned to a Designated Facility, I may be required to work beyond a forty (40) hour work week and/or an eight (8) hour work day to perform duties for the benefit of the Designated Facility.*

INMATE SIGNATURE:		DATE:
ELIGIBLE / INELIGIBLE: COMMENTS:	CLASSIFICATION CASEWORKER:	DATE:
APPROVED/DISAPPROVED:	<i>CENTRAL</i> CLASSIFICATION:	DATE:
COMMENTS:		

Cc: Central Inmate Records, Institutional Record, Inmate

Attachment B

DESIGNATED FACILITY REQUEST AND AGREEMENT FOR TRANSFER OF SCDC INMATE

This is to formally request that the below listed inmate(s) be transferred to the _____ designated city/county facility.

I am aware of the offense(s) committed by the inmate(s) and the length of sentence imposed. The inmate(s), if approved, will be employed and confined in compliance with the terms of the contract designating this facility to house South Carolina Department of Corrections inmates, and in compliance with SCDC Designated Facilities Manual and South Carolina state law.

I understand that I am responsible for providing appropriate medical, dental, and optometric care for the inmate(s) while assigned to the facility.

I also certify that the inmate(s) will be working the number of hours and days as indicated below:

<i>SCDC #</i>	<i>INMATE'S NAME</i>	<i>DESIGNATED FACILITY JOB ASSIGNMENT</i>	<i>HOURS PER DAY</i>	<i>DAYS PER WEEK</i>

Facility Manager: _____ *Date:* _____

Work Program Agreement - Sample

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "38. Please explain the following terms, which were included in the list of inmate job descriptions the agency provided in its April 29, 2019 letter: (a) labor crew/work program; and (b) designated facility."

In addition to providing the information in this document, SCDC provided the following response:

(a) labor crew/work program; and

- Labor crew- Inmate labor crews are used to provide a cost-effective minimum-security inmate labor force to work for governmental, business or contracting agencies. To promote the safety and security of the general public, *statutory* non-violent and certain violent offenders in accordance with the Omnibus Sentencing Reform Act of 2010 with no prior history of violent convictions may be assigned to any SCDC inmate labor crew. This program serves as needed transitional services for inmates prior to release from incarceration.
- Work Program – Specially screened inmates who are assigned to SCDC work program institutions and who work at paid employment in the community.

(b) designated facility.

- Designated facility- A city or county jail or prison camp with which the South Carolina Department of Corrections (SCDC) has a contractual agreement to house state inmates. These inmates serve as county inmate workers while they are serving their SCDC sentences.
- Please see attached delimitations, policy and work program agreement.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Division of Classification and Inmate Records

WORK PROGRAM AGREEMENT

Name of Inmate: _____ Center: _____

SCDC#: _____ Race: _____ Soc. Sec. #: _____

Offense: _____ Sentence Length: _____

Employing Company: _____ Address: _____

Phone Number: _____ Fed ID#: _____

1. EMPLOYER

We have received, agree to the terms of, and wish to participate in the South Carolina Department of Corrections Community Work Programs by employing the above inmate on a (hourly/weekly/monthly) basis at a salary/wage of \$ _____. Employment hours will be from _____ to _____, _____ days a week through _____.

Date	Signature of Company Official	Office or Position
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2. INMATE

I agree to accept the conditions and salary/wage as outlined above. I have read and agree to all items listed on this document.

Date	Inmate's Signature
------	--------------------

3. CENTER

Starts Work _____ through _____

Date of Receipt of First Payroll: _____

Date	Employment Authorized By
------	--------------------------

4. SPECIAL RESTRICTIONS/STIPULATIONS: *Additional conditions of this agreement as pertains to a special program of guidelines*

5. TERMINATION OF AGREEMENT

Date of termination from this employment: _____ Reason: _____

SCDC Official: _____ Inmate: _____ Date: _____

(COMPLETE THIS SECTION ONLY UPON JOB TERMINATION)

EMPLOYERS AND INMATES UNDERSTAND AND AGREE TO THE FOLLOWING INFORMATION:

1. Employers having problems with inmates or having questions concerning the program must contact the center immediately.
2. Employers needing inmates released from work early or that require overtime must have a Supervisor notify the Center in time so transportation arrangements can be made. It is the inmate's responsibility, when required to work overtime or to remain at a scheduled program participation longer than scheduled, to ensure that the employer notifies the Center well in advance of the regular scheduled quitting time. It is the inmate's responsibility to ensure that the employer notifies the Center with as much advance notice as possible to request additional working days not regularly scheduled.
3. Inmates are not to leave place of employment/designated job assignment area at any time and will not quit or alter job or situation without first consulting the Warden or designee. Any inmates that violate this rule, fail to report to work, or that leave work without permission are to be reported without delay to the Center. Inmates that leave a work site will be charged with Escape. Any employee/supervisor, who knowingly assists and/or conspires with an inmate to leave his job site may be subject to criminal action that could include a fine or imprisonment for up to ten years.

4. Inmates are not to be taken across state lines/boundaries under any circumstances. Inmates fully understand that if they cross state lines they will be subject to escape charges. Inmates will always be delivered to a supervisor and picked up from a supervisor. Inmates are responsible for meeting all scheduled transportation and must go directly to place of employment by the approved mode of transportation and return by the same after work or assigned activity is completed.
5. Inmates will not have visitors on the job and will not make or receive phone calls to include cell phones, other than extreme emergency calls to the institution. Inmates will not have any packages/materials dropped off at work by friends/family or others. *Inmates are not to possess, purchase, or use any form of tobacco or tobacco paraphernalia. Alcohol, tobacco products/paraphernalia, cell phones, and illegal drugs are considered to be serious contraband items for inmates.* Violations identified by employers are to be reported to the Center without delay.
6. Inmates are to be given equal consideration as it pertains to other employees. Any salary deductions other than health/dental insurance, and state and federal taxes will have to be approved by the Warden/designee of the institution. Employer agrees to provide Workers' Compensation Insurance or meet those requirements to be self-insured. At no time will inmates be hired as independent sub-contractors which may require inmates to be responsible for their tax deductions.
7. Inmates are not to be issued their paychecks. Paychecks may be picked up by institutional personnel or may be mailed to the institution. All paychecks will be deposited into the inmate's center account. The South Carolina Department of Corrections is responsible for disbursement of all income associated with inmate program participation. All income inmates' receive, excluding standard deductions (required by law), or deductions authorized by the Warden, will be submitted to the Center immediately for distribution (as agreed on SCDC Form 27-5, "Personalized Budget Plan/Deductions"). At no time will inmates attempt to make loans from employers to be deducted from payroll. Inmates will not cash paychecks, accept or retain cash payments, or spend earnings before submitting them to the Center.
8. If the inmate resigns, is terminated from this Company, escapes/absconds, or is removed from the program for any other reason(s), his/her paycheck(s) will not be released to the inmate. Inmate's signature on this document authorizes the Center accountant to deposit any paycheck(s), with or without signature, into the Center account in order to pay outstanding restitution/court ordered obligations, victim's restitution, maintenance, medical bills, Center costs/fees, etc., owed, from funds in the inmate's institutional account, in accordance with SC Code of Law 24-3-40.
9. Inmates must remain at the Center at all times unless on otherwise approved and authorized activities to include, but not limited to, work assignments, education programs, and scheduled medical appointments. Inmates are aware of Center boundary lines.
10. Inmates will not purchase, make a down payment, acquire interest in an automobile, and will under no circumstances drive a motor vehicle. Inmates will not hold either the Department of Corrections or any of its employees liable for any injury resulting from the operating of an authorized vehicle or as a passenger in any Privately Owned Vehicle.
11. Inmates will not enter any kind of contractual agreement while on the program without the authorization of the Warden.
12. Inmates understand and agree to aid financially authorized dependents who will be verified by SCDC. By signing SCDC Form 27-23, "Verification of Dependents", inmates acknowledge these to be legal dependents and understand they are subject to disciplinary action if false information is provided. Inmates will be required to begin paying any court ordered restitution or fines.
13. Inmates may be removed from the program for at fault job loss, partaking of alcoholic beverages or drugs, or engaging in improper or illegal activities, and serious or excessive minor rules violations. Disciplinary action may also be taken for these violations.
14. Inmates understand that after being employed they will be responsible for all expenses incurred through outside of SCDC medical and/or dental services, and for the cost of medicine as determined by SCDC. Inmates will be required to participate in group insurance programs provided by the employer. Working inmates are responsible for paying applicable transportation and laundry costs to SCDC, as well as any authorized reimbursement fees determined by the Agency.
15. As a Labor Crew/Work Program participant, inmates understand they are responsible for knowing and conforming to the rules of this Center, the Department of Corrections, and the laws of this State. By signing this document, inmates agree they have had explained and fully understand the Labor Crew/Work Program. Inmate agrees to abide by the rules and regulations and any special conditions of this Center. Violations subject inmates to removal from the program and possible disciplinary action and/or legal action.
16. By signing this document inmates hereby authorize the Department of Corrections to release, on a need to know basis, any information contained in the inmate's record relative to either the processing of the inmate's case or participation on the program.
17. Inmates understand that they will be subject to drug screening and agree to hold the Department of Corrections harmless for any errors that may rise in testing. Positive results of drug tests will affect the inmate's privileges and may be used in either disciplinary or administrative action.

Inmate Work – Earning and Supervision Details, Policies, and Statutes

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections:

39. Please provide the following information in an Excel chart for each of the last three years and for each inmate work category (e.g., work credits, paid employment in the community, public improvement or development, statehouse landscaping, prison industries enhancement, etc.), unless the agency already has this information in another format, in which case use that format: (a) Prerequisites for an inmate to qualify for the work; (b) Number of inmates qualified for the work; (c) Number of qualified inmates working; (d) Number of qualified inmates not working; (e) Whether an inmate working is in a SCDC uniform or employer uniform; (f) Whether an inmate is paid for the work; (g) Whether SCDC supervision is required when an inmate is working; (h) Amount SCDC collects for the work; and (i) Amount SCDC spends to provide the work opportunity.

SCDC stated the following as an explanation of the information in this document:

- Please see attached Excel spreadsheet in addition to the SC Code of Law and policies that will provide additional information.

40. Please provide a summary of amounts the agency or inmates can earn through different types of work and include who receives any portions of those amounts (e.g., agency, child support, inmate trust account, etc.)

In addition to providing the information in this document, SCDC provided the following response:

- There are several statutes that pertain to inmate work and earnings, which are attached:
 - § 24-3-40. Disposition of wages of prisoner allowed to work at paid employment.
 - § 24-3-430. Inmate labor in private industry authorized; requirements and conditions.
 - § 24-3-315. Determinations prerequisite to selecting prison industry project.
 - § 24-13-930. Surrender of inmates' earnings; amounts deductible.
 - § 24-13-80. Prisoners to pay for certain costs; definitions; criteria for deductions from inmates' accounts; reimbursement to inmates; recovery from estates of inmates.
 - § 24-1-295. Employment of inmates for work involving exportation of products; deductions from wages.
 - § 42-7-65. Average weekly wage designated for certain categories of employees.

Inmate Work Details - Qualifications, number working, earning, etc.

	Work Program	Labor Crew	Prison Industries (PI) - Private Sector	Prison Industries - Service	Prison Industries - Third Party	Prison Industries - Traditional	Institutional Jobs
Prerequisites	See SCDC Policy OP-21.04 Sections 5 and 8 (attached)	See SCDC Policy OP-21.04 Section 5 and 8 (attached)	See SCDC Policy OP-21.04 Section 40 (attached)	See SCDC Policy OP-21.04 Section 40 (attached)	See SCDC Policy OP-21.04 Section 40 (attached)	See SCDC Policy OP-21.04 Section 40 (attached)	See SCDC Policy OP-21.04 Section 40 (attached)
Number of Inmates Qualified	All inmates who meet the work program screening criteria are assigned to work program jobs.	All inmates who meet the labor crew screening criteria are assigned to labor crew jobs.	Inmates are only screened for qualifications at the time of work assignment.	Inmates are only screened for qualifications at the time of work assignment.	Inmates are only screened for qualifications at the time of work assignment.	Inmates are only screened for qualifications at the time of work assignment.	Inmates are only screened for qualifications at the time of work assignment.
Number of Inmates Working							
as of June 30, 2016	444	375	659	430	73	45	14,641
as of June 30, 2017	425	271	709	379	78	45	13,701
as of June 30, 2018	316	246	647	304	76	186	13,011
Number of Inmates Not Working	0	0	This data is not available.	This data is not available.	This data is not available.	This data is not available.	This data is not available.
Inmate required to wear SCDC during work?	No	Yes	Yes	Yes	Yes	Yes	Yes
Inmate paid for work?	Yes	Only if grandfathered under old inmate pay policy prior to 1/20/1998	Yes	Yes	Yes	Only if employed in specific programs (2) or grandfathered under old inmate pay policy prior to 1/20/1998	Only if grandfathered under old inmate pay policy prior to 1/20/1998
SCDC Supervision required?	No	Yes unless provided by contract w/ federal, state, county, or municipal agency	Yes	Yes	No except for Braille operation at Leath	Yes	Yes

Inmate Work Details - Qualifications, number working, earning, etc.

	Work Program	Labor Crew	Prison Industries (PI) - Private Sector	Prison Industries - Service	Prison Industries - Third Party	Prison Industries - Traditional	Institutional Jobs
Amount SCDC collects	See Section 24-3-40 (attached): 20% victim restitution + 35% child support OR 25% room and board if no child support obligation + \$4 per day transportation fee	See Section 24-13-660 (attached). Contract rate is typically \$15 per inmate per day (see attached labor rate and labor crew spreadsheets). Any grandfathered inmate pay is subject to the normal restitution process when deposited in the inmate trust fund account.	See PI Spreadsheet, Section 24-3-430, and Section 24-3-40 (attached): 20% victim restitution + 35% child support OR 25% room and board if no child support obligation	See PI Spreadsheet, Section 24-3-430, and Section 24-3-40 (attached): 20% victim restitution + 35% child support OR 25% room and board if no child support obligation	See Section 24-3-430 and Section 24-3-40 (attached): 20% victim restitution + 35% child support OR 25% room and board if no child support obligation	PI Traditional Sales offset the inmate pay cost. See attached PI spreadsheet. Any grandfathered inmate pay is subject to the normal restitution process when deposited in the inmate trust fund account.	Inmates with institutional work assignments perform various functions for the agency including landscaping, maintenance, food service, etc. Any grandfathered inmate pay is subject to the normal restitution process when deposited in the inmate trust fund account.
FY16	Gross Pay: \$6,940,576 Room/Board: \$1,059,535 Family Support: \$966,961 Victim Assistance: \$264,145 SCDC Victim Services: \$792,602 Restitution: \$337,460 Transportation: \$290,860	See attached	Room/Board: \$1,241,290 Family Support: \$790,788 Victim Assistance: \$681,139 SCDC Victim Services: \$681,137 Restitution: \$84,437	Room/Board: \$96,270 Family Support: \$8,630 Victim Services: \$81,803 Restitution: \$128	Room/Board: \$8,757 Victim Services: \$8,757	See attached	Not Applicable
FY17	Gross Pay: \$8,274,039 Room/Board: \$1,244,727 Family Support: \$1,183,617 Victim Assistance: \$312,833 SCDC Victim Services: \$938,671 Restitution: \$407,076 Transportation: \$277,508	See attached	Room/Board: \$1,327,575 Family Support: \$690,218 Victim Assistance: \$690,401 SCDC Victim Services: \$690,418 Restitution: \$76,416	Room/Board: \$71,162 Family Support: \$3,303 Victim Services: \$58,714 Restitution: \$91	Room/Board: \$9,401 Victim Services: \$9,401	See attached	Not Applicable
FY18	Gross Pay: \$7,503,970 Room/Board: \$1,096,581 Family Support: \$1,110,474 Victim Assistance: 288,165 SCDC Victim Services: \$864,712 Restitution: \$351,821 Transportation: \$216,416	See attached	Room/Board: \$1,343,381 Family Support: \$628,036 Victim Assistance: \$674,290 SCDC Victim Services: \$673,945 Restitution: \$83,736	Room/Board: \$54,230 Family Support: \$4,256 Victim Services: \$45,544 Restitution: \$241	Room/Board: \$9,040 Victim Services: \$9,040	See attached	Not Applicable

Inmate Work Details - Qualifications, number working, earning, etc.

	Work Program	Labor Crew	Prison Industries (PI) - Private Sector	Prison Industries - Service	Prison Industries - Third Party	Prison Industries - Traditional	Institutional Jobs
Amount SCDC spends	Transportation costs vary by work location but are recovered through the \$4 per day transportation fee.	Labor crew costs vary by assignment but may be recovered through contract with federal, state, county or municipal agency. See attached labor crew spreadsheet.	SCDC costs are recovered as specified in the contractual agreements. See PI spreadsheet (attached).	See PI Spreadsheet (attached).	Inmate pay expenses itemized below. These expenses are reimbursed by 3rd parties (School for the Deaf and Blind, Department of Public Safety, and Criminal Justice Academy)	See PI Spreadsheet (attached).	Inmate pay expenses itemized below.
FY16	This data not available.	See attached	See attached	See attached	\$87,362	See attached	\$111,501
FY17	This data not available.	See attached	See attached	See attached	\$100,281	See attached	\$102,880
FY18	This data not available.	See attached	See attached	See attached	\$104,827	See attached	\$92,469

PRISON INDUSTRIES ACTIVITY
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
FY16,17 & 18

Prison Industries (PI) expenses for each FY

**Prison Industry Enhancement (PIE) is a federally authorized program run by the Bureau of Justice Assistance (BJA) that works with private sector third party partners to provide approved goods and services.*

Prison Industry Traditional provides business services to state government, local government, 501 (c), churches and schools

Prison Industry Service is established by South Carolina Code of Laws to provide recycling, refurbished, remanufactured goods and services for approved partners

	EXPENSES								
	Prison Industry Enhancement (PIE)			Prison Industry Traditional			Prison Industry Service		
	FY16	FY17	FY18	FY16	FY17	FY18	FY16	FY17	FY18
Employee Expense									
PI Funded	839,227.16	895,005.91	1,050,961.36	1,008,247.08	1,035,654.32	1,013,442.05	501,518.09	495,589.06	554,441.64
Fringe	1,316,626.62	1,385,609.55	1,225,800.36	462,022.06	468,467.25	458,180.67	214,538.44	204,689.10	239,549.71
Inmate Earnings	7,227,232.44	7,274,431.93	7,160,238.65	36,897.47	41,851.58	41,987.61	410,663.33	324,458.80	280,282.73
Inmate Incentives	-	-	-	-	-	26,803.02	-	-	26,803.02
Employee Expense	9,383,086.22	9,555,047.39	9,437,000.37	1,507,166.61	1,545,973.15	1,540,413.35	1,126,719.86	1,024,736.96	1,101,077.10
Services									
Phone Service	209.64	399.44	-	4,897.27	4,427.75	2,355.87	1,197.97	1,034.35	1,049.66
Other Contractual Services	2,219.00	1,405.86	1,363.48	213,279.44	316,795.48	262,208.83	271.63	388.52	265.50
Services	2,428.64	1,805.30	1,363.48	218,176.71	321,223.23	264,564.70	1,469.60	1,422.87	1,315.16
Supply Expenses									
Supplies	62,519.74	77,420.02	80,400.23	635,842.35	834,200.42	1,006,421.98	47,236.75	65,947.73	64,097.48
Supply Expenses	62,519.74	77,420.02	80,400.23	635,842.35	834,200.42	1,006,421.98	47,236.75	65,947.73	64,097.48
Other Expenses									
Travel	-	-	-	-	966.60	1,574.78	-	-	-
Other Rental, Fines and Fees	3,162.96	3,850.64	1,698.78	185,611.89	125,381.97	123,086.32	2,002.08	589.44	555.72
Other Expenses	3,162.96	3,850.64	1,698.78	185,611.89	126,348.57	124,661.10	2,002.08	589.44	555.72
Utilities Expenses									
Electric	133,381.91	125,193.79	125,062.91	111,492.57	122,715.01	124,342.12	136,233.48	117,263.79	109,136.23
Propane	287.53	250.34	-	15,615.68	2,887.54	10,388.72	3,271.27	686.09	168.98
Gasoline	-	-	-	1,156.83	6,208.91	879.30	962.13	6,736.66	-
Natural Gas	1,339.76	1,898.00	1,988.65	3,263.95	1,542.13	4,307.85	17,698.83	12,467.52	17,184.50
Garbage	-	-	-	14,781.08	9,675.96	-	-	-	-
Water/Sewer	-	-	-	3,740.81	4,841.53	6,409.57	910.12	-	-
Diesel	-	-	-	1,773.73	1,354.15	1,148.64	2,702.10	11,536.28	3,013.33
Utilities Expenses	135,009.20	127,342.13	127,051.56	151,824.65	149,225.23	147,476.20	161,777.93	148,690.34	129,503.04
Equipment & Assets									
Equipment	-	-	-	7,601.62	66,511.80	128,752.96	25,572.00	-	-
Total Equipment & Assets	-	-	-	7,601.62	66,511.80	128,752.96	25,572.00	-	-
Total Expense	9,586,206.76	9,765,465.48	9,647,514.42	2,706,223.83	3,043,482.40	3,212,290.29	1,364,778.22	1,241,387.34	1,296,548.50

PIE/Service contractual (rent) payments for each FY

	FY16	FY17	FY18
Suncrest Supply	2,080.24	25,000.08	25,000.08

PI traditional program proceeds for each FY

	FY16	FY17	FY18
Revenue	5,916,386.53	5,404,702.92	6,182,756.57
Cost of Goods Sold	(2,455,093.09)	(1,909,966.70)	(2,110,095.06)
Gross Profit	3,461,293.44	3,494,736.22	4,072,661.51

LABOR CREW CONTRACTS
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
FY16,17 & 18

GL NUMBER	GL NAME	FY 2016	FY 2017	FY 2018
5010800000	Inmate Earnings	91,792.00	75,524.00	59,864.00
5033010000	Food supplies	102,232.00	63,438.00	52,038.00
5130400000	Workers Comp Insurance	75,694.00	53,115.00	44,413.00
5010580000	Salary for Officers	68,695.20	75,970.80	84,092.40
5031530000	Gasoline	27,122.88	19,095.11	31,066.59
	TOTAL	\$365,536.08	\$287,142.91	\$271,473.99

INMATE LABOR RATES
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
FY16,17 & 18

Agency	Labor Rate
Adjutant General	\$15/day
City of Aiken	\$15/day
City of Aiken Housing Authority	\$15/day
City of Florence	\$15/day
City of Greenville	\$13/day
City of Mauldin	\$15/day
City of North Augusta	\$15/day
City of North Charleston	\$15/day
City of Simpsonville	No Contract in Place
City of Spartanburg	\$13/day
City of Spartanburg Housing Authority	\$15/day
City of Sumter	\$15/day
City of Traveler's Rest Community Services Dep't	No Contract in Place
Clemson University, Public Service & Agriculture	\$15/day
County of Florence	\$15/day
County of Kershaw	\$15/day
County of Lancaster	No Contract in Place
County of Richland	\$15/day
County of Spartanburg	\$0/day pursuant to S.C. Code Ann. § 24-3-40
County of Sumter	\$13/day
Division of General Services of South Carolina	\$0/day pursuant to S.C. Code Ann. § 24-3-40
Office of the Governor of S.C.	\$0/day pursuant to S.C. Code Ann. § 24-3-40
Pee Dee Farmer's Market	\$0/day pursuant to S.C. Code Ann. § 24-3-40
S.C. Criminal Justice Academy	\$9/day
S.C. Dep't of Juvenile Justice	\$15/day
S.C. Dep't of Labor, Licensing, & Regulation	\$0/day pursuant to S.C. Code Ann. § 24-3-40 - stipulation included
S.C. Dep't of Mental Health	No Contract in Place
S.C. Dep't of Parks, Recreation, and Tourism	\$15/day
S.C. Dep't of Public Safety	\$9/day
S.C. Dep't of Transportation	\$15/day
S.C. Dep't of Vocational Rehabilitation	No Contract in Place
S.C. Forestry Commission	\$15/day
S.C. State Law Enforcement Division	\$15/day
Town of Fountain Inn	\$13/day
Town of Timmonsville	\$15/day
Wil Lou Gray Opportunity School	No Contract in Place

SCDC FY 18-19 LITTER CREWS' ASSOCIATED VEHICLE/SUPPLY/SALARY COST

<u>SCDC #</u>	<u>LICENSE#</u>	<u>FY18-19 FUEL COST</u>	<u>FY18-19 MAINT. COST</u>	<u>FY18-19 INSUR. COST</u>	<u>FY18-19 SUPPLY COST</u>	<u>FY18-19 NON UNIFORM SALARIES</u>	<u>FY18-19 SALARY REIMBURS. PALM PRIDE</u>	<u>FY18-19 PRIDEWAY REVENUE</u>
974	11174SG	\$4,764.86	\$ 1,806.33	\$ 320.00				
960	13193SG	\$4,164.35	\$ 2,074.60	\$ 320.00	\$ 128,900.00	\$ 27,113.00	\$ 12,498.00	\$ 301,488.00
961	SG85060	\$354.21	\$ 796.01	\$ 320.00		\$ 27,113.00	\$ 12,498.00	
962	SG85438	\$1,362.53	\$ 1,345.17	\$ 320.00	\$ 21,500.00	\$ 29,329.00	\$ 30,000.00	
964	SG86272	\$334.23	\$ 85.28	\$ 320.00		\$ 27,495.00	\$ 30,000.00	
980	SG86284	\$366.07	\$ 1,085.03	\$ 320.00		\$ 27,113.00	\$ 30,000.00	
971	SG86899	\$1,096.25	\$ 2,211.82	\$ 320.00		\$ 27,113.00	\$ 30,000.00	
982	SG86904	\$2,977.51	\$ -	\$ 320.00				
969	SG88762	\$1,008.84	\$ 1,345.63	\$ 320.00				
966	SG89173	\$2,726.50	\$ 3,361.43	\$ 320.00				
1864	SG90567	\$5,051.31	\$ 1,614.43	\$ 320.00				
4161	SG90578	\$2,700.17	\$ 1,307.51	\$ 320.00				
970	SG90608	\$2,013.64	\$ 1,379.45	\$ 320.00				
4165	SG90637	\$1,833.21	\$ 264.26	\$ 320.00				
963	SG91810	\$96.15	\$ 995.83	\$ 320.00				
972	SG93117	\$1,973.60	\$ 2,439.36	\$ 320.00				
973	SG93130	\$5,677.97	\$ 1,709.44	\$ 320.00				
975	SG93165	\$2,716.36	\$ 2,299.24	\$ 320.00				
978	SG98763	\$4,684.53	\$ 752.35	\$ 320.00				
976	SG98764	\$4,160.44	\$ 2,944.84	\$ 320.00				
977	SG98765	<u>\$2,893.73</u>	<u>\$ 1,566.84</u>	<u>\$ 320.00</u>				
	TOTAL	<u>\$52,956.46</u>	<u>\$31,384.85</u>	<u>\$6,720.00</u>	<u>\$150,400.00</u>	<u>\$165,276.00</u>	<u>\$144,996.00</u>	<u>\$301,488.00</u>

NOTE: 6 LITTER SALARIES ARE OFFSET BY PALMETTO PRIDE REIMBURSEMENTS, 15 LITTER SALARIES ARE THE SALARIES OF UNIFORM STAFF.

NOTE: ALL ASSOCIATED COST IS CAPTURED ON A FISCAL YEAR BASIS, NOT A CONTINUOUS BASIS.

NOTE: THERE IS NO SALARY OFFSET FOR UNIFORM STAFF PERFORMING LITTER DETAIL DUTIES.

SCDC FY 18-19 WORK CENTERS'-LABOR CREWS ASSOCIATED VEHICLE COST

<u>SCDC #</u>	<u>LICENSE#</u>	<u>FY18-19 FUEL COST</u>	<u>FY18-19 MAINT. COST</u>	<u>FY18-19 INSUR. COST</u>
1854	11254SG	\$296.99	\$1,168.72	\$ 320.00
1855	11184SG	\$467.93	\$1,728.35	\$ 320.00
1856	SG88705	\$211.41	\$1,072.71	\$ 320.00

1857	SG76681	\$370.39	\$1,405.33	\$ 320.00	
1861	SG78264	\$19.94	\$731.51	\$ 320.00	
1864	SG90567	\$5,051.31	\$1,614.43	\$ 320.00	
1865	10791SG	\$164.93	\$1,304.51	\$ 320.00	
3057	SG88035	\$2,230.66	\$581.36	\$ 320.00	
3060	SG86285	\$1,998.53	\$1,444.92	\$ 320.00	
3062	SG97403	\$2,524.40	\$385.75	\$ 320.00	
3064	SG76783	\$200.42	\$1,253.09	\$ 320.00	
3065	14287SG	\$1,267.35	\$2,810.03	\$ 320.00	
3066	11181SG	\$7,807.43	\$2,760.95	\$ 320.00	
3067	17290SG	\$2,321.82	\$348.77	\$ 320.00	
3068	11252SG	\$664.33	\$1,934.01	\$ 320.00	
3358	14285SG	\$1,710.59	\$3,739.31	\$ 320.00	
3359	13176SG	\$3,357.72	\$1,693.69	\$ 320.00	
3360	SG97361	\$2,648.18	\$253.23	\$ 320.00	
3362	SG97387	\$1,918.67	\$3,661.09	\$ 320.00	
3364	SG90575	\$955.80	\$813.80	\$ 320.00	
3365	11241SG	\$4,160.53	\$1,014.97	\$ 320.00	
3367	17287SG	\$3,189.70	\$424.10	\$ 320.00	
4258	15980SG	\$6,783.23	\$4,097.58	\$ 320.00	
4261	11173SG	\$7,694.61	\$2,496.81	\$ 320.00	
4262	SG97357	\$1,914.96	\$707.33	\$ 320.00	
4264	20723SG	\$1,300.64	\$1,890.78	\$ 320.00	
4269	17286SG	\$11,490.73	\$3,509.51	\$ 320.00	
		<u>\$72,723.20</u>	<u>\$44,846.64</u>	<u>\$8,640.00</u>	Total
		FUEL COST	MAINT. COST	INSURANCE COST	\$126,209.84

SCDC Policy OP-21.04 Inmate Classification

Section 51. Labor Crew/Work Program:

Central Classification will screen inmates for Labor Crew/Work Program (LC/WP) based on the LC/WP eligibility date as calculated through the automated system. During the CC review, the Labor Crew program screens will be initiated and completed in the automated system. Inmates will be eligible for the Labor Crew/Work Program with five (5) years or less remaining to maxout or supervised re-entry eligibility and upon meeting other specific classification criteria. Inmates who are eligible for Labor Crew/Work Program must meet conditions set forth in the Security Criteria for 1A institutions. Upon approval by CC for the Labor Crew Program, inmates will be transferred to an appropriate Pre-Release Center/Institution in Labor Crew status. An inmate assigned to the Labor Crew Program will either be assigned to a job within the Pre-Release Center, to a Correctional Officer supervised litter crew, or to an outside Contracted Agency crew.

51.1 In accordance with the Omnibus Sentencing Reform Act (6/2/10), certain violent offenders are eligible to be considered for the Labor Crew/Work Program. An offender is eligible for the program if the offender is sentenced for voluntary manslaughter (Section 16-3-50), kidnapping (Section 16-3-910), carjacking with or without Bodily Injury (Section 16-3-1075), burglary in the 2nd degree (Section 16-11-312 (B)), armed robbery (Section 16-11-330 (A)), or attempted armed robbery (Section 16-11-330 (B)), or Manufacturing/Distribution of Methamphetamine, 1st, 2nd, & 3rd (Section 44-53-370 (B)), and the crime did not involve any criminal sexual conduct, and the offender is within five (5) years of max-out or supervised re-entry eligibility date. Offenders that are eligible to be screened pursuant to this Act are only those offenders whose offense date occurred on or after 6/2/10. The offenses listed above will be eligible for the Work Program if convicted of Possession of a Firearm (Firearm Provision) during the commission of these violent crimes.

51.2 Inmates in special programs are not eligible to be screened for the labor crew/work program. Programs include PRE-RELEASE, SPICE, ATU, SHOCK, JUMPSTART, VETERANS DORM at MacDougall, and YOPRS. Inmates assigned to a designated facility will only be screened upon request. Inmates in lock-up and in R&E status are also not eligible to be screened.

Section 8. Security Criteria Chart

CRITERIA	LEVEL 1A LABOR CREW/WORK PROGRAM CONDITIONS LC/WP	LEVEL 1B CONDITIONS	LEVEL 2 CONDITIONS	LEVEL 3 CONDITIONS
Severity of current offense Manual check-	No sex offenses Non-violent offense No Category 4 or 5 offenses except certain violent offenses pursuant to Sentencing Reform Act of 6/2/2010**	First time Category 5 offenses. First time violent offense. No sex offenses or sex registry offenses.	All Categories except Life without Parole.	All Categories, Life without parole
Incarcerative Sentence	Five (5) years or less to max-out for Labor Crew YOA's must be referred by YOIS	Eight (8) years or less to max-out	Ten (10) years served in SCDC or ten (10) years to Max-out	All categories, Life without Parole
Prior Criminal History	No prior violent or any Category 4 or 5 convictions/commitments No prior sex or plea-bargained sex conviction, commitments, arrests, or nol <i>prossed</i> .	Unlimited non-violent priors May have one (1) prior Category 4 dominant commitment No prior kidnapping convictions, commitments, or arrests. <i>except certain violent offenses pursuant to Sentencing Reform Act of 6/2/2010**</i> No prior sex or plea bargained sex conviction or commitment (do <u>not</u> count by dominant commitment) No prior sex arrest, dismissed/nol prossed within last 10 years	No more than two (2) Category 4 or 5 prior dominant commitments, if current offense is non-violent One (1) violent prior dominant commitment, if current offense is violent No more than two (2) violent prior dominant commitments if current offense is non-violent	Three (3) or more Category 4 or 5 prior dominant commitments, if current offense is non-violent Two (2) prior violent dominant commitments, if current offense is violent. Three (3) or more prior violent dominant commitments, if current offense is non-violent.

CRITERIA	LEVEL 1A LABOR CREW/WORK PROGRAM CONDITIONS LC/WP	LEVEL 1B CONDITIONS	LEVEL 2 CONDITIONS	LEVEL 3 CONDITIONS
Disciplinary Convictions	<p>No pending disciplinary for eligibility</p> <p>No major disciplinary conviction within past 6 months for eligibility</p> <p>No more than two (2) "Major" disciplinary convictions within past 12 months (different dates) for eligibility</p> <p>Unlimited "Administrative" disciplinary convictions after placement and no "Major" disciplinary convictions after placement</p> <p>No drug disciplinary convictions within past 24 months for eligibility.</p> <p>No removal for disciplinary convictions from a LC/WP within past 24 months for eligibility. Male inmates will be placed in a facility other than the one where the disciplinary occurred.</p> <p>No assaultive disciplinary conviction within past 24 months for eligibility.</p> <p>* No Sexual Misconduct and/or Exhibitionism or Public Masturbation disciplinary convictions within the last 24 months for eligibility.</p>	<p>No pending disciplinary for eligibility</p> <p>No major disciplinary conviction within past 6 months for eligibility.</p> <p>* No Sexual Misconduct and/or Exhibitionism or Public Masturbation disciplinary conviction within the past twenty-four (24) months for eligibility.</p> <p>No more than two (2) "Major" disciplinary convictions within past 12 months (different dates)for eligibility.</p> <p>Unlimited "Administrative" disciplinary convictions after placement and no "Major" disciplinary convictions after placement</p> <p>No drug disciplinary conviction within past 24 months for eligibility</p> <p>No assaultive disciplinary conviction within past 24 months for eligibility.</p>	<p>Major disciplinary conviction within past six (6) months, review on case-by-case basis.</p> <p>No more than four (4) major disciplinaries in last twelve months for eligibility</p> <p>* No more than two (2) Sexual Assault , Sexual Misconduct, and/or Exhibitionism or Public Masturbation disciplinary convictions within the last twelve months for eligibility</p> <p>For lifers with parole, no major disciplinary conviction for ten (10) years.</p>	<p>* Three (3) or more sexual assault and/or sexual misconduct and/or Exhibitionism or Public Masturbation disciplinary convictions within 12 months.</p> <p>Five (5) or more "Major" disciplinary convictions within 12 months.</p>
Adjustment	<p>No removal for adjustment problems from a Designated Facility within 6 months prior to placement date (i.e., any removal of a</p>	<p>If age 17-20, must have H. S. Diploma or GED</p> <p>No substantiated security concerns</p>		

CRITERIA	LEVEL 1A LABOR CREW/WORK PROGRAM CONDITIONS LC/WP	LEVEL 1B CONDITIONS	LEVEL 2 CONDITIONS	LEVEL 3 CONDITIONS
	disciplinary) No termination from a job or program within past 6 months If age 17-20, must have H S. Diploma or GED			
Detainers	No Category 4 or higher (wanted or hold) No out-of-state/federal detainers (wanted/notify/hold) No ICE detainers No Category 4 or 5 open arrest (Notify only)	No Category 4 or higher (wanted or hold) No out-of-state/federal detainers (wanted/notify/hold) No ICE detainers No Category 4 or 5 open arrest (Notify only)	No Category 5 (wanted or hold)	
Escapes	No Class I or Class II escapes Other escape-related offenses, review on case-by-case basis	No Class I escapes No Class II escape within last 10 years Other escape-related offenses, review on case-by-case basis	No Class I escape within last 10 years of return No more than (1) class II Escape within 10 years	
Resident Stability	No NC (non US citizens) No UO	No NC (non US citizens) No UO		
STG	No validated STG	No validated STG	Validated STG-GP	Validated STG GP

** Reference paragraph 49.1 (Voluntary Manslaughter, Kidnapping, Carjacking with/without Bodily Injury, Burglary 2nd - violent, Armed Robbery, Attempted Armed Robbery, Manufacturing/Distribution of Meth, 1st, 2nd, & 3rd and the crime did not involve any criminal sexual conduct and the offender is within five (5) years of max-out.) Inmates who are in possession of a firearm during the commission (Firearm Provision) of the above listed violent crimes are eligible for consideration for the Labor Crew/Work Program. Offense date occurred on or after 6/2/10. Level 1B Inmates will be eligible for labor crews in Level 1B, Level 2 and Level 3 institutions upon meeting other specific classification criteria. Only statutory non-violent inmates with no prior history of violent convictions may be assigned to contract labor crews.

Section 40.

The Classification Caseworker/CPS will assign inmates to EWC jobs using standardized criteria which include such factors as:

- Risk Factor: Escape risk, security threat group, custody designation, disciplinary history, current institutional adjustment, current offense, violent tendencies, and PREA status.
- Institutional Need: Work force requirements of the unit, skills possessed by each inmate, and skill requirements of vacant jobs.
- Job Restrictions: Limiting physical and psychological factors (as noted on each inmate's health summary) for classification will be followed by the ICC. This will also include any recommendations of health services professional treatment staff.
- Educational/Vocational: The inmate's need or desire to attend academic or vocational school. Inmates reading on or below the 8th grade level will require mandatory placement in an education program.
- Food Service Assignments: Inmates assigned to food service duties must be screened by health services personnel and should be thoroughly instructed regarding sanitation and personal hygiene by the food service supervisor prior to actually working in food service.
- Health-Related Criteria: (treatment program, psychiatric, handicapped, mentally retarded, ATU, etc.) Current medical status (i.e., no exposure to direct sunlight or other special job assignment needs due to medical conditions) and current mental health, intellectual impairment, physical handicap, or disability status.

NOTE: Consideration will be given to all criteria to ensure that safety, security, and treatment needs of all inmates are being met and that the safety and security of staff and the institution are maintained.

SECTION 24-13-660. Public service work performed by inmates.

(A) A criminal offender committed to incarceration anywhere in this State may be required by prison or jail officials to perform public service work or related activities while under the supervision of appropriate employees of a federal, state, county, or municipal agency, or of a regional governmental entity or special purpose district. Prison or jail officials shall make available each inmate who is assigned to the program for transportation to his place of work on all days when work is scheduled and shall receive each inmate back into confinement at the respective facility after work is concluded. This public service work is considered to be a contribution by the inmate toward the cost of his incarceration and does not entitle him to additional compensation.

(B) No offender may be allowed to participate in these public service work activities unless he first is properly classified and approved to be outside the prison or jail without armed escort.

(C) The public service work requirement in subsection (A) operates only when adequate supervision and accountability can be provided by the agency, entity, district, or organization which is responsible for the work or related activity. The types of public service work permitted to be performed include, but are not limited to, litter control, road and infrastructure repair, and emergency relief activities.

(D) The South Carolina Department of Corrections may enter into a contractual agreement with any federal, state, county, or municipal agency, or with any regional governmental entity or public service district, to provide public service work or related activities through the use of inmate labor under authorized circumstances and conditions. A county municipal, or multijurisdictional jail, detention facility, or prison camp also may provide public service work or related activities through the use of inmate labor in accordance with the Minimum Standards for Local Detention Facilities in South Carolina and with applicable statutes and ordinances.

(E) It is the policy of this State and its subdivisions to utilize criminal offenders for public service work or related activities whenever it is practical and is consistent with public safety. All eligible agencies, entities, districts, and organizations are encouraged to participate by using a labor force that can be adequately supervised and for which public service work or related activities are available.

(F) Nothing in this section may be construed to prohibit or otherwise to limit the use of inmate labor by the South Carolina Department of Corrections within its own facilities or on its own property, or by any local governing body within its own facilities or on its own property. Further, nothing in this section prevents the South Carolina Department of Corrections or a local detention facility from escorting and supervising any inmate for a public purpose when the department or the local detention facility provides its own security.

§ 24-3-40. Disposition of wages of prisoner allowed to work at..., SC ST § 24-3-40

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 1. Persons Confined and Use Thereof Generally

Code 1976 § 24-3-40

§ 24-3-40. Disposition of wages of prisoner allowed to work at **paid** employment.

Effective: July 1, 2017

Currentness

(A) Unless otherwise provided by law, the employer of a prisoner authorized to work at **paid** employment in the community under Sections 24-3-20 to 24-3-50 or in a prison industry program provided under Article 3 of this chapter shall **pay** the prisoner's wages directly to the Department of Corrections.

If the prisoner is serving his sentence in a local detention or correctional facility pursuant to a designated facilities agreement or in a local work/punishment program, or if the local governing body elects to operate one, then the same provisions for payment directly to the official in charge of the facility shall apply if the facility has the means to account for such monies.

The Director of the Department of Corrections, or the local detention or correctional facility manager, if applicable, shall deduct the following amounts from the gross wages of the prisoner:

(1) If restitution to a particular victim or victims has been ordered by the court, then twenty percent must be used to fulfill the restitution obligation. If a restitution payment schedule has been ordered by the court pursuant to Section 17-25-322, the twenty percent must be applied to the scheduled payments. If restitution to a particular victim or victims has been ordered but a payment schedule has not been specified by the court, the director shall impose a payment schedule of equal monthly payments and use twenty percent to meet the payment schedule so imposed.

(2) If restitution to a particular victim or victims has not been ordered by the court, or if court-ordered restitution to a particular victim or victims has been satisfied then:

(a) if the prisoner is engaged in work at **paid** employment in the community, five percent must be placed on deposit with the State Treasurer for credit to a special account to support victim assistance programs established pursuant to the Victims of Crime Act of 1984, Public Law 98-473, Title II, Chapter XIV, Section 1404, and fifteen percent must be retained by the department to support services provided by the department to victims of the incarcerated population; or

§ 24-3-40. Disposition of wages of prisoner allowed to work at..., SC ST § 24-3-40

(b) if the prisoner is employed in a prison industry program, ten percent must be directed to the Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund for use in training, program development, victim compensation, and general administrative support pursuant to Section 16-3-1410 and ten percent must be retained by the department to support services provided by the department to victims of the incarcerated population.

(3) Thirty-five percent must be used to pay the prisoner's child support obligations pursuant to law, court order, or agreement of the prisoner. These child support monies must be disbursed to the guardian of the child or children or to appropriate clerks of court, in the case of court ordered child support, for application toward payment of child support obligations, whichever is appropriate. If there are no child support obligations, then twenty-five percent must be used by the Department of Corrections to defray the cost of the prisoner's room and board. Furthermore, if there are no child support obligations, then ten percent must be made available to the inmate during his incarceration for the purchase of incidentals pursuant to subsection (4). This is in addition to the ten percent used for the same purpose in subsection (4).

(4) Ten percent must be available to the inmate during his incarceration for the purchase of incidentals. Any monies made available to the inmate for the purchase of incidentals also may be distributed to the person or persons of the inmate's choice.

(5) Ten percent must be held in an interest bearing escrow account for the benefit of the prisoner.

(6) The remaining balance must be used to pay federal and state taxes required by law. Any monies not used to satisfy federal and state taxes must be made available to the inmate for the purchase of incidentals pursuant to subsection (4).

(B) The Department of Corrections, or the local detention or correctional facility, if applicable, shall return a prisoner's wages held in escrow pursuant to subsection (A) as follows:

(1) A prisoner released without community supervision must be given his escrowed wages upon his release.

(2) A prisoner serving life in prison or sentenced to death shall be given the option of having his escrowed wages included in his estate or distributed to the persons or entities of his choice.

(3) A prisoner released to community supervision shall receive two hundred dollars or the escrow balance, whichever is less, upon his release. Any remaining balance must be disbursed to the Department of Probation, Parole and Pardon Services. The prisoner's supervising agent shall apply this balance toward payment of the prisoner's housing and basic needs and dispense any balance to the prisoner at the end of the supervision period.

§ 24-3-40. Disposition of wages of prisoner allowed to work at..., SC ST § 24-3-40

Credits

HISTORY: 1962 Code § 55-321.2; 1966 (54) 2180; 1980 Act No. 431, § 2; 1986 Act No. 462, § 9; 1993 Act No. 181, § 393; 1994 Act No. 500, § 2; 1995 Act No. 7, Part II, § 54; 1999 Act No. 68, § 2; 2000 Act No. 387, Part II, § 83A; 2010 Act No. 237, § 4, eff June 11, 2010; 2017 Act No. 96 (S.289), § 10, eff July 1, 2017.

Editors' Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

CROSS REFERENCES

Earnings of **inmate** working in private industry must be **paid** directly to Department of Corrections and applied as provided under this section, see § 24-3-430.

FEDERAL ASPECTS

Provisions of the Victims of Crime Act of 1984, P.L. 98-473, Title II, Chapter XIV, Section 1404, see 42 U.S.C.A. § 10603.

Relevant Notes of Decisions (11)

View all 12

Notes of Decisions listed below contain your search terms.

In general

Inmates working in prison industries program could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates'** hourly wage and violated prevailing wage provision of prison industry statute; rather, **inmates** were to present such claims via the **inmate** grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment [↗](#) 84; Prisons [↗](#) 315

Alleged actions of Department of Corrections (DOC), in removing money remitted by private industry sponsor as wages for **inmates** participating in prison industries program and then disbursing from the lower amount the **percentages** listed in statute governing disbursement of prisoner wages, violated the statute governing disbursement of prisoner wages, which directed DOC to disburse the money based on gross wages. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Prisons [↗](#) 172

Prevailing wage statutes did not give **inmates** private right of action against state Department of Corrections (DOC) for alleged violation of statutes in **paying** training wage, and minimum wage, to **inmates** employed in prison industry; overall purpose of prevailing wage statutes was to prevent unfair competition, and nothing in statutes indicated legislative intent to create civil liability for violation of statutes. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Action [↗](#) 3; Prisons [↗](#) 309

Remedies

§ 24-3-40. Disposition of wages of prisoner allowed to work at..., SC ST § 24-3-40

Crime victims and **inmates'** dependents, as beneficiaries of wages paid to **inmates** participating in prison industries program, could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates'** hourly wage and violated prevailing wage provision of prison industry statute; rather, the victims and dependents were to maintain their claims through the DOC's internal grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ⚡ 84; Prisons ⚡ 381

Inmates working in the prison industries program have a cognizable, state-created interest in having the Department of Corrections (DOC) pay them according to the statutory scheme governing the program, but they do not have a private right of action; instead, the DOC's internal grievance procedure, with recourse to the Administrative Law Court, is the appropriate way to have a prisoner's wage claim adjudicated. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Action ⚡ 3; Prisons ⚡ 309; Prisons ⚡ 315

Inmates working in prison industries program could not maintain declaratory-judgment action seeking declaration that they were entitled to immediately access their wages held in escrow; rather, **inmates** were to present this claim via the **inmate** grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ⚡ 84; Prisons ⚡ 315

Inmates, who did not have private civil cause of action under prevailing wage statutes to maintain action against state Department of Corrections (DOC) for alleged violations of statutes by DOC in **paying inmates** for their work in prison industry, could seek remedy by filing **inmate** grievance to protest DOC's failure to **pay** wages in accordance with mandatory statutory provisions. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Prisons ⚡ 273; Prisons ⚡ 315

Remedies of crime victims and inmates' dependents

Crime victims and **inmates'** dependents, who were directly entitled to a portion of **inmates'** wages earned through the prison industries program, were to be afforded due process before being denied this state created right, and thus victims and dependents were entitled to maintain their own claims through the Department of Corrections' (DOC's) internal grievance procedure and did not need to rely on the **inmates'** own grievance claims. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Constitutional Law ⚡ 4822; Constitutional Law ⚡ 4840; Prisons ⚡ 381

Deductions

The South Carolina Department of Corrections (SCDC) was not entitled to deduct security costs and overhead from **inmate's** gross wages earned under service work contract entered into by SCDC as part of Prison Industries program during one-month gap between end-date of budget proviso for fiscal year and effective date of statute authorizing certain deductions from **inmate's** pay under service work contract, including "any other required deductions," even though contract included language that "SCDC shall be responsible to **pay inmate** workers, cover security costs and [Prison Industries] overhead," since more general statutory provision, which was effective during one-month gap and governed **paid** employment of **inmates**, did not authorize such deductions. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ⚡ 181

Issue of proper deductions taken from **inmate's** pay for work performed under service work contract entered into by South Carolina Department of Corrections (SCDC) as part of Prison Industries program was raised by **inmate** and SCDC in

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proceedings before Administrative Law Court (ALC), and, thus, issue was properly before ALC, where **inmate** requested, in his brief, that ALC calculate his back wages less any deductions authorized by applicable statute, and SCDC argued, in its brief, that deductions for overhead and security costs were authorized by service work contract. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ¶ 293

Statute authorizing certain deductions from **inmate's pay** under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to **inmate's wages** violated his due process rights, since **inmate** had right to wages, prior to effective date of statute authorizing certain deductions from his **pay**, pursuant to budget provisos and statutes requiring **inmates** to earn prevailing wage, **inmate's** right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested **inmate's** vested right to higher net wage under statute governing **paid** employment of **inmates**. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law ¶ 4822; Prisons ¶ 181

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§ 24-3-430. Inmate labor in private industry authorized;..., SC ST § 24-3-430

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 3. Prison Industries

Code 1976 § 24-3-430

§ 24-3-430. **Inmate** labor in private industry authorized; requirements and conditions.

Currentness

(A) The Director of the Department of Corrections may establish a program involving the use of **inmate** labor by a nonprofit organization or in private industry for the manufacturing and processing of goods, wares, or merchandise or the provision of services or another business or commercial enterprise considered by the director to enhance the general welfare of South Carolina. No violent offender shall be afforded the opportunity to perform labor for nonprofit organizations if such labor is outside the confines of a correctional institution. **Inmates** participating in such labor shall not benefit in any manner contradictory to existing statutes.

(B) The director may enter into contracts necessary to implement this program. The contractual agreements may include rental or lease agreements for state buildings or portions of them on the grounds of an institution or a facility of the Department of Corrections and provide for reasonable access to and egress from the building to establish and operate a facility.

(C) An **inmate** may participate in the program established pursuant to this section only on a voluntary basis and only after he has been informed of the conditions of his employment.

(D) No **inmate** participating in the program may earn less than the prevailing wage for work of similar nature in the private sector.

(E) **Inmate** participation in the program may not result in the displacement of employed workers in the State of South Carolina and may not impair existing contracts for services.

(F) Nothing contained in this section restores, in whole or in part, the civil rights of an **inmate**. No **inmate** compensated for participation in the program is considered an employee of the State.

(G) No **inmate** who participates in a project designated by the Director of the Bureau of Justice Assistance pursuant to Public Law 90-351 is eligible for unemployment compensation upon termination from the program.

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(H) The earnings of an inmate authorized to work at paid employment pursuant to this section must be paid directly to the Department of Corrections and applied as provided under Section 24-3-40.

Credits

HISTORY: 1995 Act No. 7, Part II, § 43; 1998 Act No. 355, § 1.

Editors' Notes**FEDERAL ASPECTS**

Public Law 90-351 see, 42 U.S.C.A. 3711 et seq.

Relevant Notes of Decisions (19)

[View all 19](#)

Notes of Decisions listed below contain your search terms.

Wages

Statute authorizing certain deductions from inmate's pay under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to inmate's wages violated his due process rights, since inmate had right to wages, prior to effective date of statute authorizing certain deductions from his pay, pursuant to budget provisos and statutes requiring inmates to earn prevailing wage, inmate's right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested inmate's vested right to higher net wage under statute governing paid employment of inmates. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law [§ 4822](#); Prisons [§ 181](#)

Although the federal Fair Labor Standards Act (FLSA) does not apply to inmate workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure inmate workers who are employed in a PIP receive the same pay rates and employment conditions as their non-inmate peers in the same locality. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 172](#)

While the prevailing wage statutes for inmates working in prison industries programs (PIP) do not entitle inmates to a private right of action in tort for Department of Corrections' failure to comply with those statutes, inmates may protest through the grievance process the Department's failure to comply with these statutes. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 273](#)

Inmate was entitled to time-and-a-half pay for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of pay for inmate labor in a PIP could not be less than that paid for work of a similar nature in the private sector in the locality in which the work was performed. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 172](#)

§ 24-3-430. Inmate labor in private industry authorized;..., SC ST § 24-3-430

Although the federal Fair Labor Standards Act (FLSA) does not apply to **inmate** workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure **inmate** workers who are employed in a PIP receive the same **pay** rates and employment conditions as their non-**inmate** peers in the same locality. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 172

While **inmates** working in a prison industries program (PIP) are not entitled to a private right of action in tort to challenge Department of Corrections' alleged noncompliance with governing statutes, they may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 273

Inmate was entitled to time-and-a-half **pay** for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of **pay** for **inmate** labor in a PIP could not be less than that **paid** for work of a similar nature in the private sector in the locality in which the work was performed. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 172

Inmate's participation in voluntary program which served Department of Corrections by employing and training **inmates** was not a right, but a privilege, and this employment program did not meet the test for a state-created liberty interest because it did not present an atypical, significant hardship on **inmates** who were not permitted to participate, and consequently, **inmate**, in being terminated from his prison employment, did not suffer an infringement upon his liberty interests for due process purposes; there was no statutory requirement that all correctional facilities employ voluntary employment program, or that an **inmate** participate. Skipper v. South Carolina Dept. of Corrections (S.C.App. 2006) 370 S.C. 267, 633 S.E.2d 910. Constitutional Law ☞ 4822; Prisons ☞ 173

Department of Corrections was required to **pay inmate** in prison industries program the prevailing wage; nothing in the statutory scheme creating prison industries program authorized Department to **pay** a training wage less than the prevailing wage. Wicker v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Prisons ☞ 172

State's statutory mandate that **inmates** be **paid** the prevailing wage in prison industries program created an interest that could not be denied without due process, and thus, Department of Corrections' failure to **pay** prevailing wage was reviewable by Administrative Law Judge. Wicker v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Constitutional Law ☞ 4822; Prisons ☞ 172; Prisons ☞ 293

Prevailing wage statutes did not give **inmates** private right of action against state Department of Corrections (DOC) for alleged violation of statutes in **paying** training wage, and minimum wage, to **inmates** employed in prison industry; overall purpose of prevailing wage statutes was to prevent unfair competition, and nothing in statutes indicated legislative intent to create civil liability for violation of statutes. Adkins v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Action ☞ 3; Prisons ☞ 309

Remedies

Inmates' grievances to amount of **pay** received under Prevailing Wage Statute and contract for work performed as part of prison industry program were grievances to South Carolina Department of Corrections (SCDC) "policies/procedures" rather than to incidents, and, thus, were excepted from grievance system policy's 15-day filing deadline for incident grievances;

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policy expressly excepted “policies/procedures” grievances from deadline, grievances challenging SCDC’s day-to-day operations fell within SCDC’s proposed definition of “policies/procedures,” **inmates’ pay** under statute was expression of legislative policy, and contractual **pay** was not incident, in that it effected numerous **inmates** and was not temporally limited. *Ackerman v. South Carolina Dept. of Corrections* (S.C.App. 2016) 415 S.C. 412, 782 S.E.2d 757, rehearing denied, certiorari denied. Prisons ☞ 283

Crime victims and **inmates’** dependents, as beneficiaries of wages paid to **inmates** participating in prison industries program, could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates’** hourly wage and violated prevailing wage provision of prison industry statute; rather, the victims and dependents were to maintain their claims through the DOC’s internal grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ☞ 84; Prisons ☞ 381

Inmates working in the prison industries program have a cognizable, state-created interest in having the Department of Corrections (DOC) pay them according to the statutory scheme governing the program, but they do not have a private right of action; instead, the DOC’s internal grievance procedure, with recourse to the Administrative Law Court, is the appropriate way to have a prisoner’s wage claim adjudicated. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Action ☞ 3; Prisons ☞ 309; Prisons ☞ 315

Although **inmate** had no claim for civil damages, he was entitled to file a grievance with the Department of Corrections regarding the fact that he was not being paid in accordance with the Prevailing Wage Statute for work performed in prison industries program. *Wicker v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Prisons ☞ 273

Inmates, who did not have private civil cause of action under prevailing wage statutes to maintain action against state Department of Corrections (DOC) for alleged violations of statutes by DOC in paying **inmates** for their work in prison industry, could seek remedy by filing **inmate** grievance to protest DOC’s failure to pay wages in accordance with mandatory statutory provisions. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Prisons ☞ 273; Prisons ☞ 315

Remedies of crime victims and inmates’ dependents

Crime victims and **inmates’** dependents, who were directly entitled to a portion of **inmates’** wages earned through the prison industries program, were to be afforded due process before being denied this state-created right, and thus victims and dependents were entitled to maintain their own claims through the Department of Corrections’ (DOC’s) internal grievance procedure and did not need to rely on the **inmates’** own grievance claims. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Constitutional Law ☞ 4822; Constitutional Law ☞ 4840; Prisons ☞ 381

Review

Inmate failed to preserve for appeal to Administrative Law Court (ALC) his argument that he was entitled to overtime **pay**, even though South Carolina Department of Corrections (SCDC) addressed issue of overtime in its grievance determination; **inmate** did not request overtime **pay** on any grievance form filed with SCDC. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

Issue, which was raised by **inmate** to Administrative Law Court (ALC) in his wage-related grievance proceeding challenging

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pay received from Prison Industries program, of whether South Carolina Department of Corrections (SCDC) should be ordered to process wage grievances for other inmates participating in same program who did not file their own grievances was manifestly without merit, and, thus, ALC was not required to address it, even though ALC did not expressly state in its order that such issue was manifestly without merit, since there was no requirement in ALC rules that opinion was required to specifically state that issue was manifestly without merit in order to avoid addressing it. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. *Prisons* 293

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Code 1976 § 24-3-430, SC ST § 24-3-430

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§ 24-13-930. Surrender of inmates' earnings; amounts deductible., SC ST § 24-13-930

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 11. Work/Punishment Program for **Inmates** Confined in Local Correctional Facilities

Code 1976 § 24-13-930

§ 24-13-930. Surrender of **inmates'** earnings; amounts deductible.

Currentness

The earnings of each **inmate** participating in the work/punishment program, less payroll deductions required by law, must be collected by or surrendered to the official administering the program or his authorized representative. From these earnings, the official may deduct in the following order:

- (a) any amount the **inmate** may be legally obligated to **pay**, or that the **inmate** desires to **pay**, for the support of the **inmate's** dependents;
- (b) any amount the **inmate** may be legally obligated to **pay** in restitution to the victim of his offense;
- (c) not less than five dollars nor more than ten dollars per workday to offset the cost to the local facility providing food, lodging, supervision, clothing, and care to the **inmate**. Any remaining amount of the **inmate's** earnings must be credited to the **inmate's** earnings account to be disbursed to the **inmate** upon release or to be disposed of according to applicable regulations of the local correctional facility.

Credits

HISTORY: 1986 Act No. 462, § 7.

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§ 24-3-315. Determinations prerequisite to selecting prison..., SC ST § 24-3-315

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 3. Prison Industries

Code 1976 § 24-3-315

§ 24-3-315. Determinations prerequisite to selecting prison industry project.

Currentness

The Department of Corrections shall ensure that inmates participating in any prison industry program pursuant to the Justice Assistance Act of 1984 is on a voluntary basis. The director must determine prior to using inmate labor in a prison industry project that it will not displace employed workers, that the locality does not have a surplus of available labor for the skills, crafts, or trades that would utilize inmate labor, and that the rates of pay and other conditions of employment are not less than those paid and provided for work of similar nature in the locality in which the work is performed.

Credits

HISTORY: 1987 Act No. 177 § 2; 1993 Act No. 181, § 409.

Editors' Notes

Relevant Additional Resources

Additional Resources listed below contain your search terms.

CROSS REFERENCES

Employer, of prisoner authorized to work at paid employment in a prison industry program provided under this article, must pay prisoner's wages directly to the Department of Corrections, see § 24-3-40.

Relevant Notes of Decisions (7)

[View all 7](#)

Notes of Decisions listed below contain your search terms.

In general

Statute authorizing certain deductions from inmate's pay under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to inmate's wages violated his due process rights, since inmate had right to wages, prior to effective date of statute authorizing certain deductions from his pay, pursuant to budget provisos and statutes requiring inmates to earn prevailing wage, inmate's right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested inmate's vested right to higher net wage under statute governing paid employment of inmates. Gatewood v. South

§ 24-3-315. Determinations prerequisite to selecting prison..., SC ST § 24-3-315

Carolina Dept. of Corrections (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law ⚡ 4822; Prisons ⚡ 181

Although the federal Fair Labor Standards Act (FLSA) does not apply to **inmate** workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure **inmate** workers who are employed in a PIP receive the same **pay** rates and employment conditions as their non-**inmate** peers in the same locality. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 172

While the prevailing wage statutes for **inmates** working in prison industries programs (PIP) do not entitle **inmates** to a private right of action in tort for Department of Corrections' failure to comply with those statutes, **inmates** may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 273

Inmate was entitled to time-and-a-half **pay** for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of **pay** for **inmate** labor in a PIP could not be less than that **paid** for work of a similar nature in the private sector in the locality in which the work was performed. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 172

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While **inmates** working in a prison industries program (PIP) are not entitled to a private right of action in tort to challenge Department of Corrections' alleged noncompliance with governing statutes, they may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ⚡ 273

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Code 1976 § 24-3-315, SC ST § 24-3-315

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§ 24-13-80. Prisoners to pay for certain costs; definitions; criteria..., SC ST § 24-13-80

Code of Laws of South Carolina 1976 Annotated
Title 24. Corrections, Jails, Probations, Paroles and Pardons
Chapter 13. Prisoners Generally
Article 1. General Provisions

Code 1976 § 24-13-80

§ 24-13-80. Prisoners to **pay** for certain costs; definitions; criteria for deductions from **inmates'** accounts; reimbursement to **inmates**; recovery from estates of **inmates**.

Effective: June 11, 2010

Currentness

(A) As used in this section:

(1) "Detention facility" means a municipal or county jail, a local detention facility, or a state correctional facility used for the detention of persons charged with or convicted of a felony, misdemeanor, municipal offense, or violation of a court order.

(2) "**Inmate**" means a person who is detained in a detention facility by reason of being charged with or convicted of a felony, a misdemeanor, a municipal offense, or violation of a court order.

(3) "Medical treatment" means each visit initiated by the **inmate** to an institutional physician, physician's extender including a physician's assistant or a nurse practitioner, dentist, optometrist, or psychiatrist for examination or treatment.

(4) "Administrator" means the county administrator, city administrator, or the chief administrative officer of a county or municipality.

(5) "Director" means the agency head of the Department of Corrections.

(B) The administrator or director, whichever is appropriate, may establish, by rules, criteria for a reasonable deduction from money credited to the account of an **inmate** to:

(1) repay the costs of:

§ 24-13-80. Prisoners to pay for certain costs; definitions; criteria..., SC ST § 24-13-80

(a) public property wilfully damaged or destroyed by the **inmate** during his incarceration;

(b) medical treatment for injuries inflicted by the **inmate** upon himself or others;

(c) searching for and apprehending the **inmate** when he escapes or attempts to escape. The costs must be limited to those extraordinary costs incurred as a consequence of the escape; or

(d) quelling a riot or other disturbance in which the **inmate** is unlawfully involved;

(2) defray the costs **paid** by a municipality or county for medical services for an **inmate**, which have been requested by the **inmate**, if the deduction does not exceed five dollars for each occurrence of treatment received by the **inmate**. If the balance in an **inmate's** account is less than ten dollars, the fee must not be charged. However, a deficiency balance must be carried forward and, upon a deposit or credit being made to the **inmate's** account, any outstanding balance may be deducted from the account. This deficiency balance may be carried forward after release of the **inmate** and may be applied to the **inmate's** account in the event of subsequent arrests and incarcerations. This item does not apply to medical costs incurred as a result of injuries sustained by an **inmate** or other medically necessary treatment for which that **inmate** is determined not to be responsible.

(C) All sums collected for medical treatment must be reimbursed to the **inmate**, upon the **inmate's** request, if the **inmate** is acquitted or otherwise exonerated of all charges for which the **inmate** was being held.

(D) The detention facility may initiate an action for collection of recovery of medical costs incurred pursuant to this section against an **inmate** upon his release or his estate if the **inmate** was executed or died while in the custody of the detention facility.

Credits

HISTORY: 1994 Act No. 497, Part II, § 44A; 1995 Act No. 7, Part II, § 44; 2010 Act No. 237, § 69, eff June 11, 2010.

Editors' Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

EFFECT OF AMENDMENT

The 2010 amendment, in subsection (A)(1) inserted “, a local detention facility, or a”; rewrote subsection (B)(2); and inserted “, upon the **inmate's** request,” in subsection (C).

§ 24-13-80. Prisoners to pay for certain costs; definitions; criteria..., SC ST § 24-13-80

CROSS REFERENCES


Medical services for **inmates**, see § 24-7-110.

Relevant Notes of Decisions (1)

[View all 1](#)

Notes of Decisions listed below contain your search terms.

In general

Debiting **inmate's** prison trust account to cover hospital emergency room treatment he received after being attacked by other **inmates** was not authorized by South Carolina statute providing deductions from such accounts of costs of medical treatment for injuries inflicted by **inmate** upon himself or others. *Burks v. Pate* (C.A.4 (S.C.) 2005) 119 Fed.Appx. 447, 2005 WL 19485, Unreported, on remand 2005 WL 4859266. Prisons  117

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§ 24-1-295. Employment of inmates for work involving..., SC ST § 24-1-295

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 1. Department of Corrections

Code 1976 § 24-1-295

§ 24-1-295. Employment of **inmates** for work involving exportation of products; deductions from wages.

Effective: August 1, 2007

Currentness

The Director of the Department of Corrections may enter into contracts with private sector entities that allow **inmate** labor to be provided for prison industry service work and export work that involves exportation of products. The use of **inmate** labor may not result in the displacement of employed workers within the local region in which work is being performed. Pursuant to this section, service work is defined as any work that includes repair, replacement of original manufactured items, packaging, sorting, recycling, labeling, or similar work that is not original equipment manufacturing. The department may negotiate the wage to be **paid** for **inmate** labor provided under prison industry service work contracts and export work contracts, and these wages may be less than the prevailing wage for work of a similar nature in the private sector. However, the Director of the Department of Corrections shall deduct the following from the gross earnings of the **inmates** engaged in prison industry service work in addition to any other required deductions:

(1) If restitution to a particular victim or victims has been ordered by a court of appropriate jurisdiction, then twenty percent must be used to fulfill the restitution obligation.

(2) If restitution to a particular victim or victims has not been ordered by a court of appropriate jurisdiction, or if the court-ordered restitution to a particular victim or victims has been satisfied, then twenty percent must be applied to the South Carolina Victim Compensation Fund.

(3) Thirty-five percent must be used to **pay** the prisoner's child support obligations pursuant to law, court order, or agreement of the prisoner. These child support monies must be disbursed to the guardian of the child or children or to appropriate clerks of court, in the case of court ordered child support, for application toward payment of child support obligations, whichever is appropriate. If there are no child support obligations, then twenty-five percent must be used by the Department of Corrections to defray the cost of the prisoner's room and board. Furthermore, if there are no child support obligations, then ten percent must be made available to the **inmate** during his incarceration for the purchase of incidentals pursuant to item (4). This is in addition to the ten percent used for the same purpose in item (4).

(4) Ten percent must be made available to the **inmate** during his incarceration for the purchase of incidentals. Any monies made available to the **inmate** for the purchase of incidentals also may be distributed to the person or persons of the **inmate's** choice.

§ 24-1-295. Employment of inmates for work involving..., SC ST § 24-1-295

(5) Ten percent must be held in an interest bearing escrow account for the benefit of the prisoner.

(6) The remaining balance must be used to **pay** federal and state taxes required by law. Any monies not used to satisfy federal and state taxes must be made available to the **inmate** for the purchase of incidentals pursuant to item (4).

Credits

HISTORY: 2007 Act No. 68, § 2, eff August 1, 2007.

Relevant Notes of Decisions (7)

[View all 7](#)

Notes of Decisions listed below contain your search terms.

In general

Inmates' grievances to amount of **pay** received under Prevailing Wage Statute and contract for work performed as part of prison industry program were grievances to South Carolina Department of Corrections (SCDC) "policies/procedures" rather than to incidents, and, thus, were excepted from grievance system policy's 15-day filing deadline for incident grievances; policy expressly excepted "policies/procedures" grievances from deadline, grievances challenging SCDC's day-to-day operations fell within SCDC's proposed definition of "policies/procedures," **inmates' pay** under statute was expression of legislative policy, and contractual **pay** was not incident, in that it effected numerous **inmates** and was not temporally limited. *Ackerman v. South Carolina Dept. of Corrections* (S.C.App. 2016) 415 S.C. 412, 782 S.E.2d 757, rehearing denied, certiorari denied. Prisons [§ 283](#)

Constitutional issues

Statute authorizing certain deductions from **inmate's pay** under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to **inmate's** wages violated his due process rights, since **inmate** had right to wages, prior to effective date of statute authorizing certain deductions from his **pay**, pursuant to budget provisos and statutes requiring **inmates** to earn prevailing wage, **inmate's** right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested **inmate's** vested right to higher net wage under statute governing **paid** employment of **inmates**. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law [§ 4822](#); Prisons [§ 181](#)

Deductions

The South Carolina Department of Corrections (SCDC) was not entitled to deduct security costs and overhead from **inmate's** gross wages earned under service work contract entered into by SCDC as part of Prison Industries program during one-month gap between end-date of budget proviso for fiscal year and effective date of statute authorizing certain deductions from **inmate's pay** under service work contract, including "any other required deductions," even though contract included language that "SCDC shall be responsible to **pay inmate** workers, cover security costs and [Prison Industries] overhead," since more general statutory provision, which was effective during one-month gap and governed **paid** employment of **inmates**, did not authorize such deductions. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304,

§ 24-1-295. Employment of inmates for work involving..., SC ST § 24-1-295

785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 181

Security costs and overhead connected with Prison Industries program of the South Carolina Department of Corrections (SCDC) constituted “other required deductions” for purposes of statute authorizing deductions from inmate’s pay “in addition to any other required deductions” under service work contract as part of program, since such expenses were built into negotiated wage, contract’s payment provision stated that any increase in inmate’s wage would “only reflect SCDC’s increased costs of prison overhead,” and statutory provisions implied that SCDC had flexibility to determine amount it would charge industry sponsor to compensate SCDC for inmate labor and any other costs SCDC might incur to make such work available for eligible inmates. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 181

Review

Inmate asserting wage grievance challenge preserved for appeal his question of whether retroactive application of statute authorizing certain deductions from inmate’s pay under service work contract as part of Prison Industries program by Administrative Law Court (ALC) violated his due process rights, even if inmate did not raise issue before ALC, since ALC’s application of statute to inmate’s wage deductions prior to statute’s effective date implied it operated retroactively, inmate’s challenge to which statute applied to his wage deductions fairly encompassed retroactivity question, and question of whether applying statute retroactively violated due process was fairly subsumed within question of whether it in fact operated retroactively. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 298

Inmate failed to preserve for appeal to Administrative Law Court (ALC) his argument that he was entitled to overtime pay, even though South Carolina Department of Corrections (SCDC) addressed issue of overtime in its grievance determination; inmate did not request overtime pay on any grievance form filed with SCDC. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

Issue, which was raised by inmate to Administrative Law Court (ALC) in his wage-related grievance proceeding challenging pay received from Prison Industries program, of whether South Carolina Department of Corrections (SCDC) should be ordered to process wage grievances for other inmates participating in same program who did not file their own grievances was manifestly without merit, and, thus, ALC was not required to address it, even though ALC did not expressly state in its order that such issue was manifestly without merit, since there was no requirement in ALC rules that opinion was required to specifically state that issue was manifestly without merit in order to avoid addressing it. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

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Code 1976 § 24-1-295, SC ST § 24-1-295

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§ 42-7-65. Average weekly wage designated for certain categories..., SC ST § 42-7-65

Code of Laws of South Carolina 1976 Annotated

Title 42. Workers' Compensation

Chapter 7 Funds

Article 1. State Accident Fund

Code 1976 § 42-7-65

§ 42-7-65. Average weekly **wage** designated for certain categories of employees.

Effective: June 7, 2010

Currentness

Notwithstanding the provisions of Section 42-1-40, for the purpose of this title and while serving in this capacity, the total average weekly **wage** of the following categories of employees is the following:

(1) for all members of the State and National Guard, regardless of rank, seventy-five percent of the average weekly **wage** in the State for the preceding fiscal year, or the average weekly **wage** the service member would be entitled to, if any, if injured while performing his civilian employment, if the average weekly **wage** in his civilian employment is greater;

(2) for all voluntary firemen of organized voluntary rural fire units and voluntary municipal firemen, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year;

(3) for all members of organized volunteer rescue squads, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year;

(4) for all volunteer deputy sheriffs, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year; and

(5) for all volunteer state constables appointed pursuant to Section 23-1-60, while performing duties in connection with their appointments and authorized by the State Law Enforcement Division, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year.

The **wages** provided in items (2), (3), (4), and (5) of this section may not be increased as a basis for any computation of benefits because of employment other than as a volunteer. Persons in the categories provided by items (2), (3), (4), and (5) must be notified of the limitation on average weekly **wages** prescribed in this section by the authority responsible for obtaining coverage under this title.

§ 42-7-65. Average weekly wage designated for certain categories..., SC ST § 42-7-65

“Volunteer firemen” and “rescue squad members” mean members of organized units whose membership is certified to the municipal clerk or chairman of the council of the municipality or county in which their unit is based by the chief officer of the unit concerned. A “volunteer deputy sheriff” is a volunteer whose membership is certified by the sheriff to the governing body of the county. No volunteer deputy sheriff may be included under the provisions of this title unless approved by the governing body of the county or municipality. A voluntary constable appointed pursuant to Section 23-1-60 must be included under the provisions of this title only while performing duties in connection with his appointment and as authorized by the State Law Enforcement Division. The workers’ compensation premiums for these constables must be paid from the state general fund upon warrant of the Chief of the State Law Enforcement Division. Notwithstanding any other provision of law, voluntary firemen of organized volunteer fire units and members of organized volunteer rescue squads are covered under this title by the county governing body unless the governing body of the county opts out of the coverage.

The average weekly wage for inmates of the State Department of Corrections as defined in Section 42-1-480 is forty dollars a week. However, the average weekly wage for an inmate who works in a federally approved Prison Industries Enhancement Certification Program must be based upon the inmate’s actual net earnings after any statutory reductions. The average weekly wage for county and municipal prisoners is forty dollars a week. The average weekly wage for students of high schools, state technical schools, and state-supported colleges and universities while engaged in work study, marketing education, or apprentice programs on the premises of private companies or while engaged in the Tech Prep or other structured school-to-work programs on the premises of a sponsoring employer is fifty percent of the average weekly wage in the State for the preceding fiscal year.

Credits

HISTORY: 1983 Act No. 33 § 2; 1983 Act No. 92 § 4; 1984 Act No. 424, § 3; 1985 Act No. 174, § 2, eff June 24, 1985; 1991 Act No. 16, § 2, eff April 9, 1991; 1996 Act No. 259, § 2, eff April 1, 1996; 1998 Act No. 419, Part II, § 24A, eff July 1, 1998; 2002 Act No. 339, § 38, eff July 2, 2002; 2005 Act No. 80, § 1, eff upon approval (became law without the Governor’s signature on May 31, 2005); 2005 Act No. 98, § 2, eff June 1, 2005; 2010 Act No. 219, § 1, eff June 7, 2010.

Editors’ Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

RESEARCH REFERENCES**Treatises and Practice Aids**

2 Modern Workers Compensation § 201:19, Prison Inmates.

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Code 1976 § 42-7-65, SC ST § 42-7-65

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§ 24-13-210. Credit given inmates for good behavior., SC ST § 24-13-210

KeyCite Yellow Flag - Negative Treatment

Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 3. Reduction in Sentence; Early Release

Code 1976 § 24-13-210

§ 24-13-210. Credit given inmates for good behavior.

Effective: June 11, 2010

Currentness

(A) An inmate convicted of an offense against this State, except a “no parole offense” as defined in Section 24-13-100, and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of twenty days for each month served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(B) An inmate convicted of a “no parole offense” against this State as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of three days for each month served. However, no inmate serving a sentence for life imprisonment or a mandatory minimum term of imprisonment for thirty years pursuant to Section 16-3-20 is entitled to credits under this provision. No inmate convicted of a “no parole offense” is entitled to a reduction below the minimum term of incarceration provided in Section 24-13-125 or 24-13-150. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(C) An inmate convicted of an offense against this State and sentenced to a local detention facility, or upon the public works of any county in this State, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined, and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of one day for every two days served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which good conduct credits must be computed.

§ 24-13-210. Credit given inmates for good behavior., SC ST § 24-13-210

(D) If an inmate sentenced to the custody of the Department of Corrections and confined in a facility of the department, confined in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, or temporarily confined, held, detained, or placed in any facility which is not under the direct control of the department, to include an inmate on a labor crew or any other assigned detail or placement, or an inmate in transport status, commits an offense or violates one of the rules of the facility during his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections. If an inmate sentenced to a local detention facility or upon the public works of any county in this State, even when temporarily confined, held, detained, or placed in any facility that is not under the direct control of the local detention facility, to include a prisoner on a labor crew or any other assigned detail or placement, or a prisoner in transport status, commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the local official having charge of the inmate. The decision to withhold forfeited good conduct time is solely the responsibility of officials named in this subsection.

(E) Any person who has served the term of imprisonment for which he has been sentenced less deductions allowed for good conduct is considered upon release to have served the entire term for which he was sentenced unless the person is required to complete a community supervision program pursuant to Section 24-21-560. If the person is required to complete a community supervision program, he must complete his sentence as provided in Section 24-21-560 prior to discharge from the criminal justice system.

(F) No credits earned pursuant to this section may be applied in a manner which would prevent full participation in the Department of Probation, Parole and Pardon Services' prerelease or community supervision program as provided in Section 24-21-560.

Credits

HISTORY: 1962 Code § 55-8; 1952 Code § 55-8; 1942 Code § 1578; 1932 Code § 1578; Cr. C. '22 § 531; 1914 (28) 617; 1935 (39) 467; 1938 (40) 1833; 1955 (49) 475; 1956 (49) 1776; 1958 (50) 1910; 1959 (51) 123; 1960 (51) 1917; 1973 (58) 428; 1980 Act No. 513, § 1; 1986 Act No. 462, § 13; 1993 Act No. 181, § 437; 1995 Act No. 83, § 26; 2010 Act No. 237, § 72, eff. June 11, 2010.

Notes of Decisions (8)

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§ 24-13-230. Reduction of sentence for productive duty..., SC ST § 24-13-230

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 3. Reduction in Sentence; Early Release

Code 1976 § 24-13-230

§ 24-13-230. Reduction of sentence for productive duty assignment or participation in academic, technical, or vocational training program.

Effective: June 11, 2010

Currentness

(A) The Director of the Department of Corrections may allow an inmate sentenced to the custody of the department, except an inmate convicted of a "no parole offense" as defined in Section 24-13-100, who is assigned to a productive duty assignment, including an inmate who is serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30 or who is regularly enrolled and actively participating in an academic, technical, or vocational training program, a reduction from the term of his sentence of zero to one day for every two days he is employed or enrolled. A maximum annual credit for both work credit and education credit is limited to one hundred eighty days.

(B) The Director of the Department of Corrections may allow an inmate sentenced to the custody of the department serving a sentence for a "no parole offense" as defined in Section 24-13-100, who is assigned to a productive duty assignment, including an inmate who is serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30 or who is regularly enrolled and actively participating in an academic, technical, or vocational training program, a reduction from the term of his sentence of six days for every month he is employed or enrolled. However, no prisoner serving a sentence for life imprisonment or a mandatory minimum term of imprisonment for thirty years pursuant to Section 16-3-20 is entitled to credits under this provision. No prisoner convicted of a "no parole offense" is entitled to a reduction below the minimum term of incarceration provided in Section 24-13-125 or 24-13-150. A maximum annual credit for both work credit and education credit is limited to seventy-two days.

(C) No credits earned pursuant to this section may be applied in a manner which would prevent full participation in the Department of Probation, Parole and Pardon Services' prerelease or community supervision program as provided in Section 24-21-560.

(D) The amount of credit to be earned for each duty classification or enrollment must be determined by the director and published by him in a conspicuous place available to inmates at each correctional institution. If a prisoner commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the work credit or education credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections.

§ 24-13-230. Reduction of sentence for productive duty..., SC ST § 24-13-230

(E) The official in charge of a local detention facility must allow an inmate sentenced to the custody of the facility who is assigned to a mandatory productive duty assignment a reduction from the term of his sentence of zero to one day for every two days so employed. The amount of credit to be earned for each duty classification must be determined by the official in charge of the local detention facility and published by him in a conspicuous place available to inmates.

(F)(1) An individual is eligible for the educational credits provided for in this section only upon successful participation in an academic, technical, or vocational training program.

(2) The educational credit provided for in this section, is not available to any individual convicted of a violent crime as defined in Section 16-1-60.

(G) The South Carolina Department of Corrections may not pay any tuition for college courses

Credits

HISTORY: 1962 Code § 55-8.1; 1963 (53) 506; 1964 (53) 2165; 1969 (56) 273; 1974 (58) 2366; 1978 Act No. 496 § 16; 1986 Act No. 462, § 14; 1993 Act No. 181, § 438; 1995 Act No. 83, § 28; 2010 Act No. 237, § 73, eff June 11, 2010.

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Code 1976 § 24-13-230, SC ST § 24-13-230

Current through 2019 Act No. 25 and Act No. 27, subject to technical revisions by the Code Commissioner as authorized by law before official publication.

End of Document

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Disciplinary charges for fiscal years 2016 through 2018 related to refusing to work, failing to work, and refusing to attend compulsory program

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "42. Please provide, for each of the last three years, the number, and percentage, of inmates that could have participated (e.g., eligible, sufficient staff to escort them) in work, education, or other programs, and chose, for three months of the year or more, not to participate in any."

In addition to providing the information in this document, SCDC provided the following response: "SCDC does not track the number of inmates who choose not to work; however, SCDC does have disciplinary offenses for inmates that refuse to work, refuse to attend compulsory programs and for failure to work, please see attached statistics for these infractions."

**Inmates Charged with SCDC Disciplinary Offense 826, 827, or 829,
July 1, 2016 through June 30, 2018**

Disciplinary Description *		FY 2016	FY 2017	FY 2018
826	Refusing to Work	454	340	315
827	Refusing to Attend Compulsory Program	288	143	208
829	Failure to Work	80	76	46

*** Definitions for Disciplinary Descriptions from SCDC Policy OP-22.14:**

826 - Refusing to Work: Refusing to begin or complete a work assignment without a legitimate reason, such as illness.

827 - Refusing to Attend Compulsory Program: The refusal of any inmate who scores below an eighth grade reading or math level to enroll/attend/participate in school and/or the refusal of any inmate to attend or participate in any compulsory (mandatory) program.

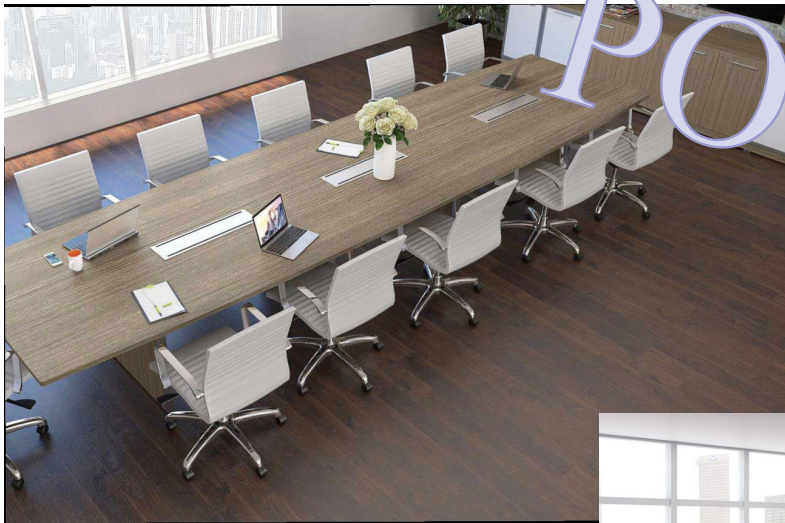
829 - Failure to Work: Failure to complete a reasonable amount of an inmate's work assignment within a reasonable period of time, or sleeping on the job.

Items for Sale Through SCDC Work Programs

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "44. Please provide a list of products the House of Representatives utilize, of which the agency is aware (e.g., frames for resolutions), which could be, but is not currently, obtained from inmates at SCDC."

In addition to providing the information in this document, SCDC provided the following response:

- Per your request, the following are items that are available to sell to state/local government, 501c (non-profit), churches and schools. The items noted with and Asterix are also available for sale to the general public through our PIE certification:
 - *Framing - pictures, certificates, shadow boxes, flags
 - *Plaques – wood engraved, metal engraved
 - *Engraved name plates, picture plates * - metal, wood or acrylic
 - *Wooden challenge coins; custom key chains
 - *Bumper tags (custom license plates)
 - *Desk markers
 - *Business card holders
 - *Vinyl goods – stickers, logos, wall, window statics, and vehicles
 - *Drink wear logos
 - *Banners and signs
 - *Printing Services – Full range of custom printing services
 - *Custom Street Signs – personalized or standard
 - *Business Cards
 - Wide range of Office Furniture – desk, chairs, podiums, lounge seating, cafeteria, accessories
 - Sit stand work surfaces
 - Modular office solutions
 - Moving and relocation services
 - Outdoor metal furniture – benches, tables, trash cans
 - School furniture
 - Corrections clothing/items
 - Custom Embroidery
- Please see attached brochures.



SCDC—Division of Industries



CONFERENCE TABLE
10' CD12048CT-E \$614

ZETTI MID-BACK CHAIR
CD309MW \$220



U SHAPED DESK
LAYOUT P-106 \$1,318

LIVELLO GUEST CHAIR
CD307GW \$220



**Most available in blanco, espresso,
grigio, miele, moderno chery, and noce**



BULLET END DESK W/BBF
CDP7236-BED
CDP22BBF
\$459

LATERAL FILE
LAYOUT P-111 \$779

DESK LAYOUT P-103 \$813

ZETTI EXECUTIVE CHAIR
CD-309-HW \$228

FLY SIDE CHAIR
CD-17W \$98



RECEPTION FRONT/BACK
LAYOUT P-107 \$909

LIVELLO HIGH-BACK CHAIR
CD-307HW \$251



SCDC—Division of Industries

POTENZA SLING



**66X30 L-SHAPE w/ GLASS TOP
CD-SLING6630LW-WG(E) \$953**

**...L-SHAPE w/ LAM GRIGIO TOP
CD-SLING6630LW-G (G) \$798**



**66X30 STRAIGHT w/ GLASS TOP
CD-SLING6630S-W-WG (E) \$710**

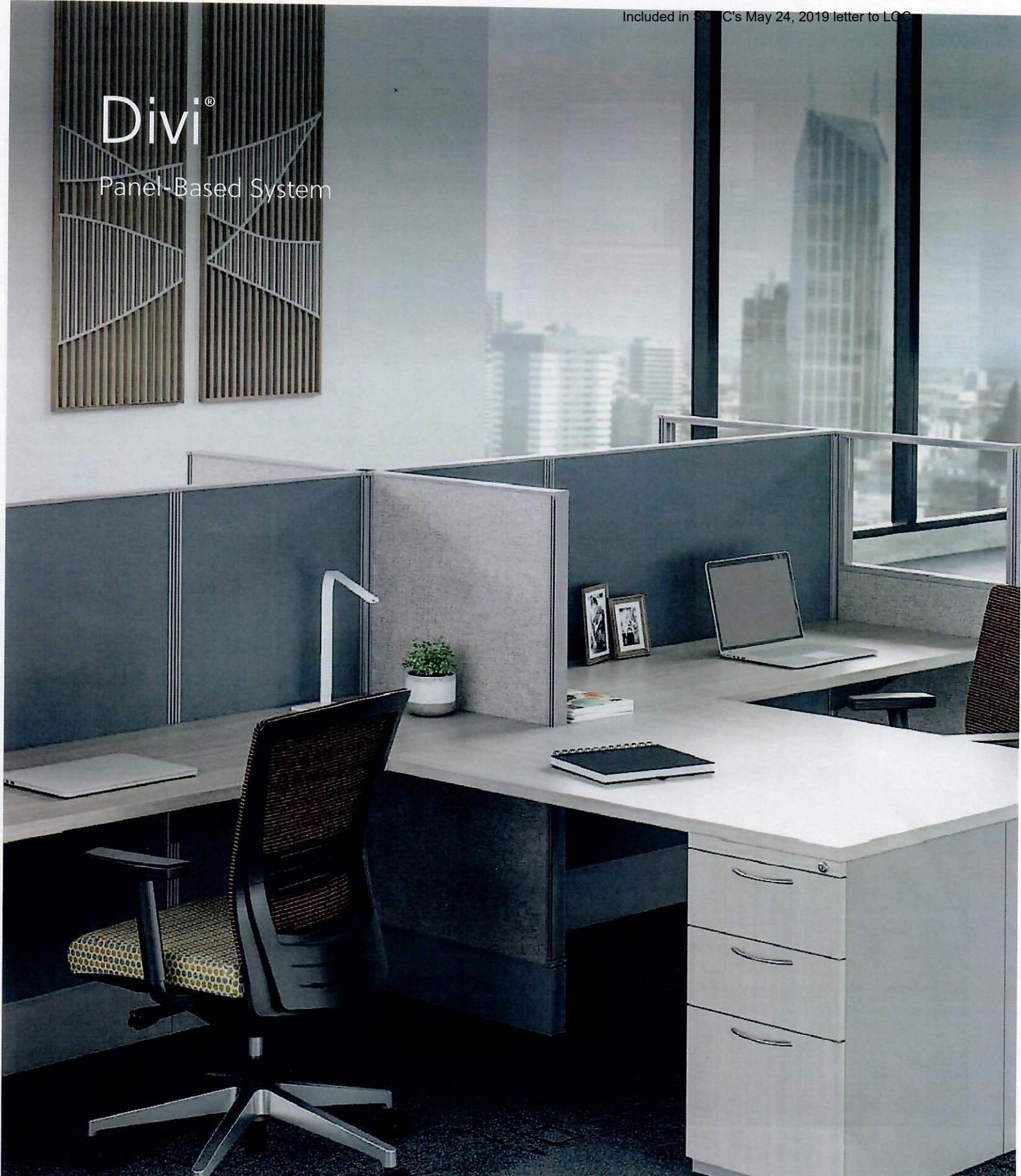
**DELUXE MOBILE PEDESTAL B/F w/BLACK FABRIC CUSHION TOP
15X20X24 CD-P20MBF \$193**

POTENZA SPACES



Divi®

Panel-Based System





Divi redefines
the open plan

An Open Invitation

Divi delivers on all the positives of a 2" panel-based open plan, with remarkable flexibility and simplicity. There's a Divi solution for practically every workspace need, making it the smart, scalable answer for individuals and teams across your organization.













Need Divi Fast?
Explore the Divi FastTrack program, which offers
select Divi elements that ship in just seven days!

Panel / Screen Fabrics

All Grades 3

Please note: The finish samples below are digital representations. Colors will vary depending on your monitor. Please refer to an actual sample before finalizing your selections.



Materials and Finishes

Laminates*



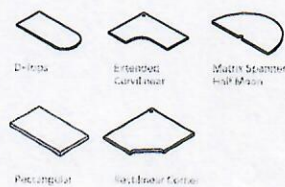
Trim Finishes



*Low Base Finishes

Worksurfaces

Many different worksurfaces are available.



*Laminates can be applied to worksurfaces and panels.

DIVI PANEL-BASED SYSTEM

Divi redefines the open plan.

Bring remarkable flexibility and simplicity into the open plan. Personalize any space with an inspiring menu of options while supporting a wide range of workstyles—from ad hoc teams to solo work. Then easily change your space as your needs shift. Divi makes it easy.

Cost-effectively Create and Customize

Divi offers monolithic panels that can be specified with a segmented look, as well as glass stacks and optional inserts in embossed metal, laminate and whiteboard for a more modern, updated aesthetic. Add Calibrate® Series Storage and Day-to-Day™ Tables for a highly integrated, functional space.

- Height options: 42", 50", 66", 82"
- Width options: 24", 30", 36", 42", 48", 60"
- UL® Certified, high-capacity 6" base raceway
- SCS Indoor Advantage™ Gold certified for air quality
- BIFMA e3 level® 2 certification
- Many solutions available in 7 days through our Fast Track program

Finish Options

Choose from a variety of Grade A laminate options for worksurfaces and panels—or consider customizing Divi panels with your own material.



Integration and Options



Power Data Access



Pull-out Storage



A-Leg



N-leg



Square Pull



Loop Pull



Bar Pull



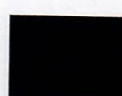
L-Pull



Absolute Acajou



Alntoo Savatre



Black



Brazilwood



Cabinet Almond



Chalk



Corporate Walnut



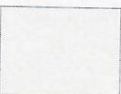
Dark Rum Cherry



Grand Cherry



Leave Likatre



Linen



Looks Likatre



Midwest Maple



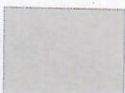
Nightfall



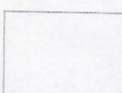
Recon Oak



Storm



Summer Drops



True White



Trytoo Savatre

SCDC

INDUSTRIES

Frame Shop



Locations:

Broad River Road
4444 Broad River Road
803-896-8516
Monday – Friday
7am – 4pm

Downtown Columbia
921 Main Street, Room 108
803-734-3720
Monday – Friday
11am – 3pm


SCDC Industries, where we know that the trained inmate is the one who we prepare to never again be...an inmate.

In FY 2018,

incarcerated offenders participating in Division of Industries work programs:

- Contributed \$1,393,781 to victims and victims programs
- Offset costs associated with their room and board in the amount of \$1,397,612
- Provided \$83,978 in restitution
- Were able to send \$629,199 in child support payments for their dependent children



 Scan me

Custom framing for your prints, diplomas, etc. as well as custom collages for memorabilia, clothing, etc. We can frame just about anything!



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship



- 10 DAY QUICKSHIP -
metropolis



COVER PAGE: Shown in L121 white and L141 prestige maple laminates.

CS metropolis 10 day quickship

Metropolis quickship program offers:

- 4,000+ SKUs available
- Private office and conference configurations
- 17 standard laminates
- Hutches, bookcases and cabinetry are shipped fully assembled
- Two tone laminate configurations
- 6 handle options
- 1" and 1½" thick worksurfaces
- Worksurfaces and desk shells are shipped knocked down

Metropolis Professional

Metropolis professional features 1" thick worksurfaces in various shapes and sizes to outfit the entire team with style, functionality and space optimization in a welcoming atmosphere.

Metropolis Executive

For a contemporary executive suite, metropolis executive features 1½" thick worksurfaces with a choice of two decorative trim styles: Straight or Gothic.

Shown in L142 bora bora and L143 acacia laminates with cliffon handles and frosted glazing upper cabinet doors.

QS top 8 typicals

To order one of our top 8 typicals shown below, quote the metropolis quickship typical code (ie: **QS-T4P**) on your order. To configure your own typical with our 4,000+ SKUs, contact our team of space planners who will design a configuration to meet your exclusive requirements.

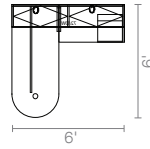


Shown in **TWO TONE** L133 copa cabana and L121 white laminates
(L121 white is only available on professional worksurfaces)

Typical 1 |

PROFESSIONAL COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
K-CCAB-16	CANTILEVER ARM, 16"D, BLACK, INT	1
T-FPBU-1618	UNDERDESK BBF PEDESTAL, 16"W X 18"D	1
TL-SHOP-1572	OPEN HUTCH W/ PIGEON HOLES, 38.5"H X 72"W X 15"D	1
TL-UC4G-7242-R-N	UNITIZED CURVED DESK, 72"W X 42"D, GROMMET, 1" TOP	1
TL-WS1G-3024-L	STRAIGHT RETURN, GROMMET, FULL MODESTY, 30"W X 24"D	1



Shown in **TWO TONE** L132 tuxedo and L124 opal laminates

Typical 2 |

PROFESSIONAL COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
K-CCAB-16	CANTILEVER ARM, 16"D, BLACK, INT	1
T-FPBU-1618	UNDERDESK BBF PEDESTAL, 16"W X 18"D	1
TL-SHIHW-1572-L	WALL MOUNTED HUTCH W/ LOCK, 16.5"H X 72"W X 15"D	1
TL-TD0G-7230	D-TABLE WITH FULL GABLE, GROMMET, 72"W X 30"D	1
TL-WS1G-4224-L	STRAIGHT RETURN, PARTIAL MODESTY, GROMMET 42"W X 24"D	1

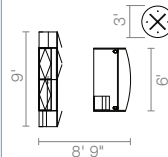


Shown in L142 bora bora laminate

Typical 5 |

PROFESSIONAL COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
K-CCAB-16	CANTILEVER ARM, 16"D, BLACK, INT	1
T-FPJU-3620-R	UNDERDESK COMBO PEDESTAL, BBF, 36"W X 20"D	1
TL-FCSF-1821-L	COMBO CABINET W/ STORAGE & FF, 18"W X 21"D	1
TL-SHH0-1584-L	HINGED DOOR HUTCH W/ LOCK, 38.5"H X 84"W X 15"D	1
TL-TSRG-7230	STRAIGHT DESK, REC. FULL MODESTY, GROMMET, 72"W X 30"D	1
TL-WS1G-5421-L	STRAIGHT RETURN, FULL MODESTY, GROMMET, 54"W X 21"D	1



Shown in L111 amber laminate

Typical 6 |

EXECUTIVE COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
T-B6-36	CROSS BASE, 24"W X 24"D	1
T-FCSB-1821-L-G	COMBO CABINET W/ GLAZED DOORS, BBF, 18"W X 21"D	1
T-FCSF-1821-R-G	COMBO CABINET W/ GLAZED DOOR, FF, 18"W X 21"D	1
T-FL2U-3621	UNDERDESK 2-DRAWER LATERAL FILE, 36"W X 21"D	1
T-FPBU-1618	UNDERDESK BBF PEDESTAL, 16"W X 18"D	1
T-FSU0-3621	UNDERDESK STORAGE CABINET, 36"W X 21"D	1
T-SHH0-1572-G	HUTCH W/ GLAZED DOORS, 39"H X 72"W X 15"D	1
T-TARG-7236	ARC DESK, REC. FULL MODESTY, GROMMET, 72"W X 36"D	1
T-WOXX-36	O-TABLE TOP, 36" DIAMETER	1
T-WSS0-7221	STRAIGHT CREDENZA TOP, 72"W X 21"D	1



Shown in L140 mahogany clove laminate

Typical 3 |

PROFESSIONAL COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
K-CCAB-16	CANTILEVER ARM, 16"D, BLACK, INT	2
T-FPB-1618	UNDERDESK BBF PEDESTAL, 16"W x 18"D	1
T-FPFU-1618	UNDERDESK FF PEDESTAL, 16"W x 18"D	1
TL-BSOG-4224	STRAIGHT BRIDGE, FULL MODESTY, GROMMET, 42"W X 24"D	1
TL-FCSL-3621	COMBO CABINET W/ STORAGE & LAT. FILE, 36"W X 21"D	1
TL-SHHO-1572-L	HINGED DOOR HUTCH W/ LOCK, 38.5"H X 72"W X 15"D	1
TL-TSOG-7221	STRAIGHT DESK, FULL MODESTY, GROMMET, 72"W X 21"D	1
TL-TSRG-7230	STRAIGHT DESK, REC. FULL MODESTY, GROMMET, 72"W X 30"D	1



Shown in L141 prestige maple laminate

Typical 4 |

PROFESSIONAL COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
T-1030-1618	MOBILE BOX/FILE PEDESTAL W/ CUSHION, 16"W X 18"D	1
K-CCAB-16	CANTILEVER ARM, 16"D, BLK, INT	2
T-FPFU-1618	UNDERDESK FILE/FILE PEDESTAL, 16"W X 18"D	1
TL-SHHW-1548-L	WALL MOUNTED HUTCH W/ LOCK, 17"H X 48"W X 15"D	2
TL-TJOG-724824R-N	J TABLE, FREESTANDING, 72"W X 48"D, 1" TOP	1
TL-TSOG-7224	STRAIGHT DESK, FULL MODESTY, GROMMET, 72"W X 24"D	1
TL-BSOG-2424	STRAIGHT BRIDGE W/ GROMMET, 24"W X 24"D	1



Shown in L132 tuxedo laminate

Typical 7 |

CONFERENCE COMPONENTS:

PART NUMBER	COMPONENT DESCRIPTION	QTY
T-MBE1-14448	BOAT-SHAPED TABLE TOP W/ ELLIPTICAL BASE, 144"W X 48"D	1
TB-FCSO-3621	SERVING CABINET, 36"W X 21"D	3



Shown in L132 tuxedo laminate

Typical 8 |

CONFERENCE COMPONENTS:


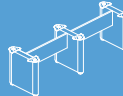
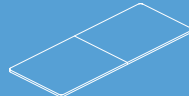
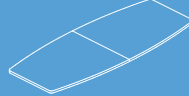

PART NUMBER	COMPONENT DESCRIPTION	QTY
T-FL2U-3621	UNDERDESK 2-DRAWER LATERAL FILE, 36"W X 21"D	1
T-FSUO-3621	UNDERDESK STORAGE CABINET, 36"W X 21"D	1
T-WSSO-7221	CREDENZA TOP, 72"W X 21"D	1
T-MREN-8442	RACETRACK TABLE TOP W/ ELLIPTICAL BASE, 84"W X 42"D	1

CS

metropolis conference

Metropolis conference tables can be configured and will ship in just 10 business days.

- 9 standard conference table sizes (36" x 72" – 48" x 144")
- 1" or 1½" table top thicknesses
- Power grommets are available in black or silver and provide telephone, data and electricity access
- 48" x 108" tables and larger include 2 power grommets

			
		gable and modesty base	elliptical base
 straight top	WITHOUT POWER	T-MSGN-12048	T-MSEN-12048
	WITH POWER	T-MSG1-12048	T-MSE1-12048
 boat-shaped top	WITHOUT POWER	T-MBGN-12048	T-MBEN-12048
	WITH POWER	T-MBG1-12048	T-MBE1-12048
 racetrack top	WITHOUT POWER	T-MRGN-12048	T-MREN-12048
	WITH POWER	T-MRG1-12048	T-MRE1-12048

Prices reflected in this chart are based on a 1½" thick 48" x 120" conference table.

Conference table shown in L132 tuxedo laminate with silver accents • Cabinet shown in L132 tuxedo laminate with melbourne handles



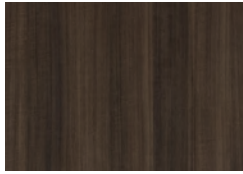
laminates & vinyl trim

NOTE: Colors and/or textures shown are approximate. Please request a laminate sample.

L = laminate V = vinyl



L100 | V100 congo



L132 | V132 tuxedo



L133 | V133 copa cabana



L142 | V142 bora bora



L140 | V140 mahogany clove

AVAILABLE IN EXECUTIVE
1 1/2" WORKSURFACE

L111 | V111 amber



L143 | V143 acacia



L102 | V102 auburn



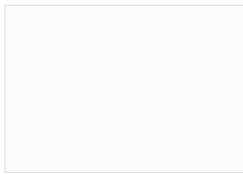
L141 | V141 prestige maple



L103 | V103 wheat



L124 | V124 opal



L121 | V121 white



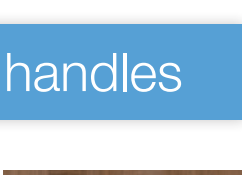
L110 | V110 electrum



L122 | V112 silver



L128 | V128 cityscape

AVAILABLE IN PROFESSIONAL
1" WORKSURFACE

L112 | V112 silver



L113 | V139 charcoal

handles



melbourne (standard)



clifton



humber



manhattan



brooklyn



rosdale

1 1/2" executive trim styles



(standard) straight trim



(optional) gothic trim

Conference table shown in L132 tuxedo laminate with silver accents • Cabinet shown in L132 tuxedo laminate with melbourne handles



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Division of Industries



Get Inspired!

Learning can take place anywhere and everywhere. Physical spaces need to adapt and evolve to promote uninhibited exploration, support curiosity and encourage high levels of interaction and collaboration. In the classroom and beyond the classroom, boundaries often blur in “defining” spaces. What one planner thinks of as a social space, may be another person’s learning space.

Look through these inspired spaces and imagine how your learning environments can be transformed to enhance the total learning experience.




-  LEARNING SPACES
-  SOCIAL SPACES
-  OFFICE SPACES

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Social Spaces	p. 5
Office Spaces	p. 6

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LEARNING SPACES



SOCIAL SPACES



OFFICE SPACES

Learning Spaces



StyleLinks benching, Attain task chairs



Develop W Base adjustable tables, Attain task stools

Learning Spaces



Suavé lounge chairs, Attain 4-leg chairs with casters, Attain café stools, Develop P Base tables, media table not available

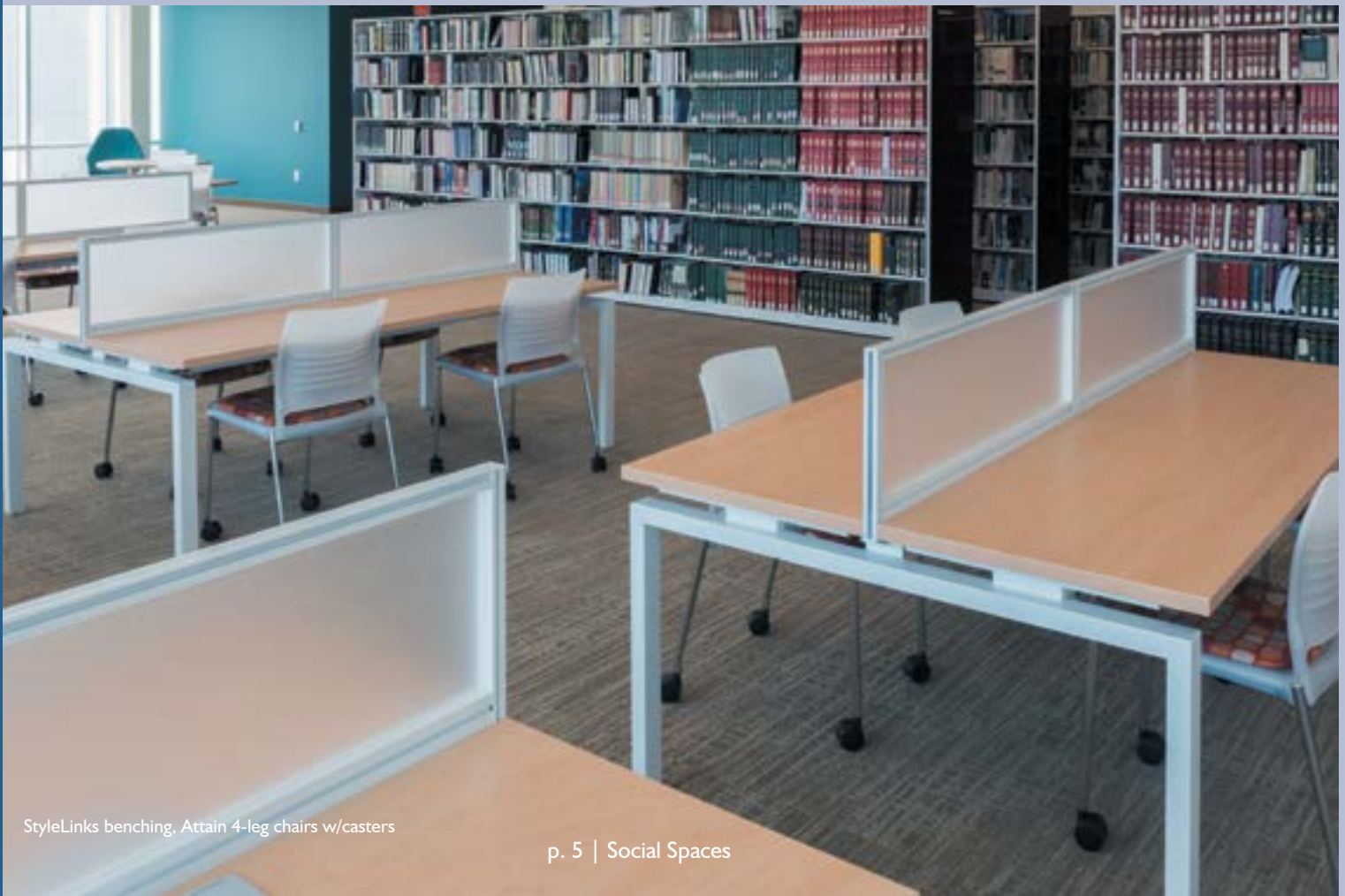


Sitka café stools, Develop T Base tables, Acclimate lectern, StyleLinks screen

Social Spaces



Suave lounge and tables



StyleLinks benching, Attain 4-leg chairs w/casters

Office Spaces



Legion panel system, Ithaca task chair, Sitka task chairs



Sitka task chairs, StyleLinks benching,

Office Spaces



Occupy task chairs, StyleLinks credenzas and pedestals



Legion panel system, ALT3 task chair

Office Spaces



Legion panel system, ALT3 task chair,
Develop L Base adjustable table, StyleLinks credenza



Legion panel system, Sitka task chairs,
Develop W Base adjustable tables, StyleLinks credenzas

Product Portfolio

CLASSROOM FURNITURE



Instruct
700 Series



Instruct
[Acclimate](#)
Lectern AV Rack



Instruct
[Acclimate](#)



Instruct
[Acclimate](#)
Mobile



Instruct
[Acclimate](#)
Mobile Lectern



Instruct
[Acclimate](#)
AV Rack



Instruct
[FlexStation](#)



[FaceTime Wave](#)
Cantilever Chair



[FaceTime Wave](#)
4-Leg Chair



[FaceTime Wave](#)
4-Leg w/Casters



[FaceTime Wave](#)
Music Chair



[FaceTime Wave](#)
Tablet Arm Chair



[FaceTime Wave](#)
Task Chair



[FaceTime Wave](#)
Task Stool



[FaceTime Wave](#)
Café Stool



[FaceTime Wave](#)
Combo Chair Desk



[FaceTime Wave](#)
Double Entry Desk



[FaceTime Wave](#)
XL Double Entry Desk



[FaceTime Wave](#)
Contour Tripod Desk



[FaceTime Wave](#)
Trapezoid Desk



[FaceTime Wave](#)
4-Leg Desk



[FaceTime Wave](#)
Cantilever Desk



[FaceTime Wave](#)
Sit / Stand Desk



[FaceTime Wave](#)
ADA Desk



[FaceTime Wave](#)
Two-Student Desk

CLASSROOM FURNITURE (continued)



[FaceTime Wave](#)
Cantilever Chair



[FaceTime Wave](#)
Cantilever Desk



[FaceTime Wave](#)
Cantilever Desk Adj

SEATING - STACK CHAIRS



[Sitka](#)
4-Leg



[Sitka](#)
4-Leg w/Casters



[Sitka](#)
Sled Base



[Piper](#)
High Density



[Dakota](#)
High Density



[Revelation](#)
4-Leg



[Revelation](#)
4-Leg w/Casters



[Revelation](#)
Wallsaver



[Attain](#)
4-Leg



[Attain](#)
4-Leg w/ Casters



[Navigator](#)
4-Leg



[Navigator](#)
Sled Base



[Navigator Air](#)
4-Leg



[Navigator Air](#)
Sled Base



[Alta](#)
Basic



[Alta](#) Standard
4-Leg



[Alta](#) Standard
Sled Base



[Alta](#) Standard
Wallsaver

SEATING - NESTING CHAIRS



[Attain](#)



[Navigator Air](#)



[Navigator Nesting](#)

SEATING - GUEST CHAIRS



[Alta Conference](#)



[Bantam](#)



[Ithaca](#)



[Ithaca Ultra](#)



[Breathe](#)

SEATING - TASK CHAIRS



[ALT3 Conference](#)



[ALT3 Fabric](#)



[ALT3 Mesh](#)



[Benefit](#)



[Breathe](#)



[Pride](#)



[Sitka](#)



[Ithaca](#)



[Ithaca Ultra Mid-Back](#)



[Ithaca Ultra High-Back](#)



[FaceTime Wave](#)



[Occupy](#)



[Pilot XL](#)



[Attain](#)



[Navigator](#)



[Navigator Air](#)

SEATING - TASK STOOLS



[Pride](#)



[Sitka](#)



[Ithaca](#)



[Ithaca Ultra](#)



[FaceTime Wave](#)



[Attain](#)



[Navigator](#)



[Navigator Air](#)

SEATING - CAFÉ STOOLS



[Sitka](#)



[FaceTime Wave](#)



[Revelation](#)



[Alta](#)

SEATING - FOLDING CHAIRS



[UltraLite](#)

SEATING - MULTIPLE



[Perth](#)

SEATING - LOUNGE



[Jessa](#)
Chair



[Jessa](#)
Loveseat



[Jessa](#)
Sofa



[Jessa](#)
Tablet Arm



[Suavé](#) Wood Leg
Chair



[Suavé](#) Wood Leg
Chair and a Half



[Suavé](#) Wood Leg
Loveseat



[Suavé](#) Wood Leg
Sofa



[Suavé](#) Sled Base
Chair



[Suavé](#) Sled Base
Chair and a Half



[Suavé](#) Sled Base
Loveseat



[Suavé](#) Sled Base
Sofa



[Suavé](#)
Tablet Arm



[StyleLinks](#)
Privacy Booth



[Perth](#)
Bariatric Chair

SEATING - OTTOMANS



[Suavé](#) Ottoman

LECTURE



[Transpire](#)
Lectern

TABLES – MULTI-PURPOSE / ADJ HEIGHT / NESTING



[Develop](#) A Base
AH4



[Develop](#) A Base
AH3 Adjustable
Height



[Develop](#) E Base
X Legs



[Develop](#) E Base
X Legs



[Develop](#) E Base
T Legs



[Develop](#) E Base
T Legs



[Develop](#) E Base
TT Legs



[Develop](#) E Base
T Legs "Plus"

Develop E Base also available in
Trapezoid, Crescent and Half Round



[Develop](#) H Base



[FaceTime](#) Activity
Rectangular



[FaceTime](#) Activity
Square



[FaceTime](#) Activity
Round



[FaceTime](#) Activity
Quarter Round



[FaceTime](#) Activity
Sixth Round



[FaceTime](#) Activity
Kidney

TABLES – MULTI-PURPOSE / ADJ HEIGHT / NESTING (continued)



[Develop](#) P Base
X Legs



[Develop](#) P Base
X Legs



[Develop](#) P Base
X Legs
Café Height



[Develop](#) P Base
T Legs



[Develop](#) P Base
TT Legs



[Develop](#) P Base
T Legs



[Develop](#) L Base
Electronic
Adjustable Height



[Develop](#) L Base
Fixed Height



[Develop](#) T Base
X Legs



[Develop](#) T Base
T Legs



[Develop](#) T Base
T Legs



[Develop](#) T Base
TT Legs



[Develop](#) T Base
T Legs



[Develop](#) T Base
Plus

[Develop](#) T Base
also available in
Square, Trapezoid,
Racetrack, and Half
Round



[Develop](#) W Base
Electronic
Adjustable Height



[Develop](#) W Base
Ratchet
Adjustable Height



[Develop](#) W Base
Crank
Adjustable Height



[Develop](#) W Base
Counterbalance
Adjustable Height



[Develop](#) W Base
Fixed Height

TABLES - POWERED



Flat Screen Garage
Single Unit



Flat Screen Garage
Double Unit

TABLES - MODULAR POWER



Active8
Electronic System



PowerUp
Power Module



Villa
Power Module



Ashley Duo
Power Module

TABLES - OCCASIONAL



[Suavé](#)
End Table



[Suavé](#)
Coffee Table



[Suavé](#)
Markerboard Table

TABLES - MOBILE FOLDING / CAFETERIA



Unify
Rectangular
w/Benches



Unify
Rectangular
w/Split Benches



Unify
Rectangular
w/Stools



Unify
Round
w/Benches



Unify
Round
w/Stools



Unify
Round



Unify
Oval



Unify
Square



Unify
Rectangular



Unify
Hexagonal



Unify
Octagonal



Unify
Convertible Bench

TABLES - FOLDING



UltraLite
Rectangular



UltraLite
Square



UltraLite
Round

CASEGOODS



[Transpire](#) Desks and Credenzas – available in numerous shapes and sizes



[Transpire](#) Conference Room Furniture – tables, lecterns, service carts, markerboards, printer stands, and more



[Transpire](#) Storage – AV cabinets, wardrobes, towers, cabinets, peds, bookcases and more in numerous shapes and sizes

BENCHING



[StyleLinks](#)
Single-Sided



[StyleLinks](#)
w/Privacy Screen



[StyleLinks](#)
w/Markerboard Shelf



[StyleLinks](#)
w/Cubby



[StyleLinks](#) Café Height



[StyleLinks](#) Café Height
Teaming



[StyleLinks](#) Café Height
w/Dividers

DESKING



[T4](#) Adjustable Desking System



[T4](#)
Fixed Height



[T4](#) Pin Height
Adjustable



[T4](#) Crank Height
Adjustable



[T4](#) Electric Height
Adjustable

T4 available in rectangular, tripod corner, two-legged corner, square shoe, P-shaped, arcade, and transitional with privacy screens, and overhead storage



[Volition](#) Desking System

Volition available in rectangular, bow front, corner, square shoe, D-shaped, P-shaped, piano, transitional, add-on, and transaction with privacy screens, dividers, and overhead storage



[FlexStation](#) Desking System



[FlexStation](#) Basic



[FlexStation](#) Two Heights



[FlexStation](#) Piano Shape

FlexStation available in basic, adjustable, curvilinear, stand-up, corner, corner curvilinear, P-shaped, piano, square shoe, conference end, mobile teardrop and mobile semi-circle, peninsula, transitional with end panels, modesty panels, privacy screens, and overhead storage.

PANEL SYSTEMS



[PowerWorks](#) Build Your Own System



[System XXI](#) System



[Legion](#) System



[PowerWorks](#) System

FILES AND STORAGE



[Series XXI](#)
Bookcase



[Series XXI](#)
Pedestal



[Series XXI](#)
Lateral



[Series XXI](#)
Cupboard



[Series XXI](#)
Vertical



[Acclimate](#) Binder Towers and Storage Towers

FILES AND STORAGE (continued)



[StyleLinks](#) Pedestals, Credenzas, and Lockers



[Vini](#) Pedestals, Credenzas, and Lockers



[Venus](#) Overhead

Overhead Shelf

[Universal](#) Overhead

[Vini](#)
Sliding Door
Overhead/Underhead

ACCESSORIES



[Acclimate](#)
Markerboard Cart

[Acclimate](#)
Mobile Screens

[StyleLinks](#)
Mobile Screen

Flat Screen
[Monitor Arm](#)
Single

Flat Screen
[Monitor Arm](#)
Double

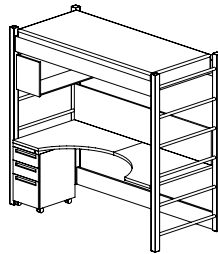


[Keyboard](#) Tray

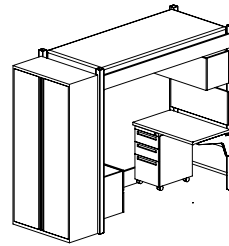
RESIDENCE HALL FURNITURE



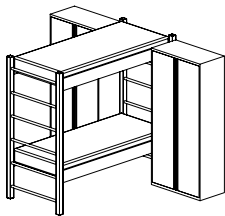
RoomScape



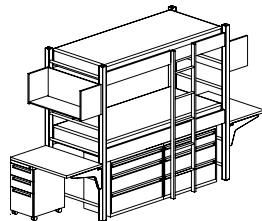
RoomScape
Loft Bed over
Mega Surface



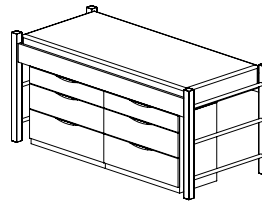
RoomScape
Loft Bed over
Hang-on Surface



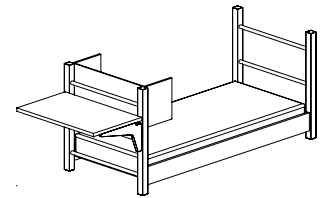
RoomScape
Bunk Beds with
Wardrobes



RoomScape
Bunk Beds over
Drawers



RoomScape
Single Bed over
Drawers



RoomScape
Single Bed with
Hang-on Surface

FINISH OPTIONS

- For finish options, see the [Color Addendum](#).
- View the [Paint and Poly Swatch Card](#) for applicable color options.
- View the [Edge Swatch Card](#) for applicable color options.
- View the [Laminate Swatch Card](#) for applicable color options.
- View the [Stain Swatch Card](#) for applicable color options.



SOUTH CAROLINA

DEPARTMENT OF CORRECTIONS

Division of Industries



South Carolina Department of Corrections Division of Industries

“Making a Difference in South Carolina”

SEATING CATALOG



Benefits of purchasing from SCDC—Prison Industries

- No State Sales Tax
- Prison Industries is exempt from State Procurement Code
- All Profits Stay in South Carolina to Support our state

Table of Contents

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24/7 HD	16
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To Order Call: 1.800.922.8121

About SCDC-PI

SCDC Industries is completely self-supporting, and serves the Department of Corrections and the State of South Carolina by employing and training inmates. This training oriented work allows the inmates to return to society with skills that will enable them to become useful and productive citizens. In pursuit of this objective, the cost of incarceration is offset through inmate wages, and quality products and services are provided to qualified businesses and organizations at substantial savings. Three programs operate within SCDC Industries: Traditional, Service and Prison Industry Enhancement (PIE). Industries serves over 500 client organizations.

A large percentage of our inmate population enters Corrections lacking the education and work skills necessary to excel in today's society. SCDC Industries' programs provide meaningful skills to inmates, allowing them to become productive citizens after their release.

Industries is certified by the Justice Department to enter into contracts with private sector companies and to manufacture products for interstate shipment under the Prison Industries Enhancement (PIE) program. Inmates working in the PIE program receive prevailing wages for their labor. As with any job, federal and state taxes are deducted from their checks along with deductions for the inmates' room and board and the state Victim Compensation Fund. Additional deductions are made for family support and the remaining money is placed in a trust for the inmate to receive upon release.

Choosing to purchase goods and services from Industries is an investment in your state and community. By supporting Industries, you are promoting education, job skills training, good moral values and work ethic. You are also strengthening South Carolina, our state government and private businesses, to the benefit of all South Carolina citizens.

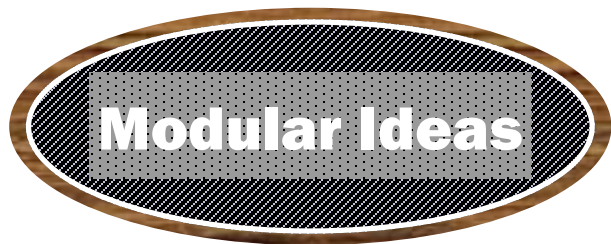
Who May Order Our Products and Services?

All products and services are available to governmental entities, schools and non-profit organizations. The public may only purchase custom framing, plaques and signs.

Contact Industries for additional information by emailing scdcpi.custserv@doc.sc.gov or by calling 803.896.8516 in the Columbia area or 1.800.922.8121. Periodically, check for new product lines and specials by visiting our webpage at <http://www.scdcindustries.sc.gov>.

To Order Call: 1.800.922.8121

**Create an ideal environment with Industries
These ideas will help you get started!**



Room For Ideas

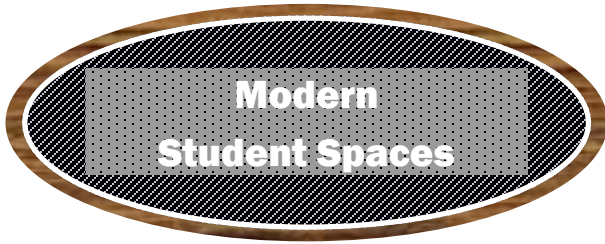


Community Areas



Open Concept — Room To Think





Chair Ideas— Multiple Colors and Styles



STANDARD VENEERS PLACAGES STANDARD



p.15

01

02

p.22

Outdoor Areas



Modular Systems

SCDC—Division of Industries



Open Concepts—Room To Think



To Order Call: 1.800.922.8121



Sapphire No Arms

Swivel seat
Height adjustment
Contoured Back and seat

(chair) #130178

(arms) #130147

Maximus

Bonded leather seating surface
Chromed metal arms with
upholstered pads

360° swivel action
500 lbs rating
Big & tall seat plate

#td



Sitka

Poly back and seat
Polished aluminum base
Swivel action

With or without arms available

#td

SCDC—Division of Industries



Piretti Advanced Task Chair with Adjustable Arms

Seat height from 16" to 20.75". Seat depth is adjustable. Adjustable back height. Optimum lumbar support. The seat also features a variable position seat slide lock to maintain peak comfort in any position the user chooses.

#130173 with Adjustable Arms
#130174 with Fixed Arms

Piretti Advanced Task Chair With No Arms

Seat height from 16" to 20.75". Seat depth is adjustable. Adjustable back height. Optimum lumbar support. The seat also features a variable position seat slide lock to maintain peak comfort in any position the user chooses.

#130175



Media Chair

5 Star swivel Base
Breathable Back
Height Adjustment

#144702

To Order Call: 1.800.922.8121

Berkeley High Back

Metal reinforced base.
Multi-position knee tilt. Height adjustment.
Top quality base and casters. Contoured back.
Variety of upholstery options.

#130156



Breathe Task Chair

Sculpted polypropylene back structure.
Double layer of nylon mesh provide ultimate support.
2:1 Back to seat ratio.
3 position tilt lock or remain unlocked.

#136663
(headrest) #143424



Snap Task Seating

Both the mid back and high back versions offer the comfort and ergonomic adjustability of luxury task chairs.

Molded foam construction.
Sculpted seat. Waterfall edge.

#142310 High back
#142311 Mid back



Ithaca Task Chair

Offers back height.
Offers seat depth.
Foam contours to mirror your body.

ITEM # 136664

SCDC—Division of Industries



Georgetown Side Chair

High density cushion core provides elegant comfort with support.
Super soft polyurethane wrap adds to seating comfort
Fabric wrap keeps cushion casing in place for lasting good looks.
Inside front-to-back braces provide added frame reinforcement.

#130234C
#130235M
#130237W



Georgetown Swivel

Top quality casters.

#130238C
#130239M
#130241W



Montgomery Side Chair

High density cushion core provides elegant comfort with support
Super soft polyurethane wrap adds to seating comfort
Fabric wrap keeps cushion casing in place for lasting good looks
Inside front-to-back braces provide added frame reinforcement
Kiln-dried hardwood frame gives excellent durability

#130265C
#130266M

SCDC—Division of Industries

Fairfield High Back Executive Chair

Tilt & Lock. Pneumatic Height adjustment.
Solid hardwood frame & arms.
Steel base/hardwood caps/carpet casters. Waterfall seat & roll back details.
Seat & back comfort suspension.

#141666M

#141667W



Fairfield Side Chair

Solid Hardwood Frame.
High resilience foam,
Waterfall seat & roll back details.
Seat & back comfort suspension.

#130230C

#130231M

#130233W



Diplomat Side Chair

Classic styling
High density foam seat & back
Expertly hand crafted
Durable hardwood frame
Variety of upholstery options

(no Casters)

#130220C

#130221M

#130227W

(Casters)

#130223C

#130224M

#130226W

Hampton House Classic Side Chair

Classic styling
High density foam seat and back
Expertly hand crafted
Durable hardwood frame
Variety of upholstery options

#130208C

#130209M

#130211W



To Order Call: 1.800.922.8121



Poly Lab Chair

Swivel
Pneumatic



ITEM # 142312



Ithaca Stool With Arms

Adjustable T Arms, Seat Slider

ITEM # 140129

Lab Stool, Poly, Swivel, Black

tbd



To Order Call: 1.800.922.8121

Eclipse

Stool-height seating
w/ folding back height
Adjustable arms
19" wide seat

ITEM # tbd



Sum4 Stool

Stack up to 20 on dolly or up to 10 on the floor
Café 30" seat height
Minimalist footrest

ITEM # tbd

Sitka Café Stool

Poly back and seat
Stack up to 20 on dolly or up to 4 on the floor
Hybrid café 24" or 30" seat height
3-sided foot ring
With or without arms available

ITEM # tbd



SCDC—Division of Industries



Pilot Swivel Chair, Arms

Adjustable Arms
24/7
Durable five leg base

#137746 with arms
#137747 w/o arms

Tuf Cop 24/7

With or Without Arms
Great for full gear.

(chair) Item #130187
(arms) Item #130148



Evolve Oversized

Wood back, armless 2" upholstered seat
Rated to hold 400 lbs.

#tbd

To Order Call: 1.800.922.8121



Vale Guest Chair

With Arms,
Pick Seat Fabric

tbd

Moon Guest Chair

With Arms
Sled Base or Legs
Pick Seat Fabric

tbd



Flash Guest Chair

With Arms
Sled Base or Legs
Pick Seat Fabric

tbd



SCDC—Division of Industries

Breathe Sled

Adjustable lumbar support
Contemporary seating option
Equipped with glides to help protect the floor and chair frame

tbd



Alta Sled Base No Arms

Well structured, sturdy, smart and functional.
Stackable
Easy Storage

ITEM # 130155

Alta Sled Base with Arms

Well structured, sturdy, smart and functional.
Stackable
Easy Storage

ITEM # 130154



Alta Regular Side Chairs No Arms

The Alta four-leg chair's modern design elements transform an ordinary room into an extra-ordinary room! Alta's clean lines and fresh look update any waiting room, conference room, food service area, training room or office guest area while its padded and contoured seats offer the ultimate comfort in occasional seating.

ITEM # 130151

To Order Call: 1.800.922.8121



**Jefferson Side-Mate High Back
or Low Back**

Almond, Black, Brown

**#130162 HB Almd
#130163 HB BLK
#130164 HB BRN**

**#130165 LB Almd
#130166 LB BLK
#130167 LB BRN**

Revelation Group

No Arms
Sled

(casters) **#130176**
(glides) **#130177**



Equity

With or without arms
Sled base or 4 leg option
Black or chrome frame

Mesh or poly back
Upholstered padded seat
Black or white mesh, outer back, and arms

tbd

SCDC—Division of Industries



Irving

High strength tubular steel construction
Durable electro-coated power paint
Upholstered back and arms
24.6" w x 24.8" d x 33.5" h

tbd

Variety Chair

Many options for shell and cut-out
Best sellers shown below.

Standard laminate colors: beech,
white, black, red



Backpack Notch



Large Oval



Barclay Model

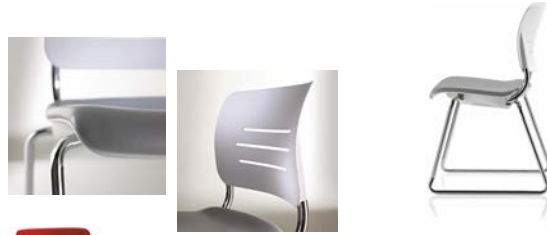
Shell Options:



Cutout Options:



To Order Call: 1.800.922.8121



Sitka Stacking

4-leg or sled base
Poly back/seat
Stackable up to 5' high on floor
With or without arms

tbd



Dakota Stacking Chair Polypropylene With Arms

These molded chairs offer durability and versatility at an affordable price.

Molded chairs stack 45 high and are available in a wide variety of colors.

ITEM # 130215

Dakota Stacking Chair Polypropylene Without Arms

These molded chairs offer durability and versatility at an affordable price.

Molded chairs stack 45 high and are available in a wide variety of colors.

ITEM # 130216



Dakota Stacking Chairs

Padded
With Arms

ITEM # 130213

SCDC—Division of Industries



Dakota Stacking Chairs

Padded
No Arms

ITEM # 130214

Navigator Conference Chair

With Arms
Poly Back
uph. Seat, casters
Nesting Feature

ITEM # 130168



Swell

Sled base or 4 leg
Chrome frame
Stackable
One piece poly shell
UV protected

Black, blue, red, orange shell colors

tbd

Sum4 Stacking

Stack up to 12 poly or 6 upholstered 4-leg on a dolly
or up to 5 of either style on the floor

Ganging glides available

Café 30" seat height

tbd



To Order Call: 1.800.922.8121



Navigator Conference Chair

Poly Back
No Arms
Uph. Seat, casters

ITEM # 130169



Navigator Conference Chair

With Arms
Nesting Feature
Uph. seat and back, casters

ITEM # 130170

To Order Call: 1.800.922.8121



Dana Office Task Chair

Adjustable Height, Loop Arms
Black Bonded Leather

tbd

Griffin

Upholstered in black bonded leather
Fixed chrome arms
Chrome base

tbd



Maxim

Soft faux leather upholstery
Two backrest options
Task and conference arm options
Dual caster
Synchro-tilt movement w/tension adjustment and
lockout

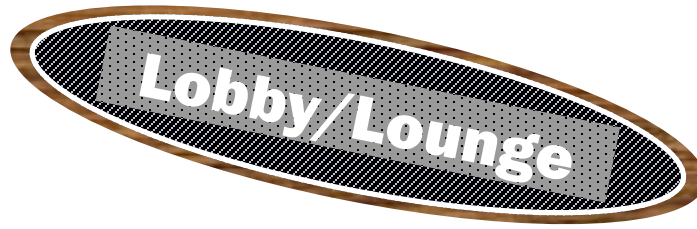
tbd

Snap Conference

136692



SCDC—Division of Industries



Wooden Bench

#130066

Aspen Lounge Chair 3010

35"H 36"W 35"D
#140410



Aspen Three Seater

35"H 81"W 35"D
#140412



Aspen Two Seater

35"H 58"W 35"D
#140414



Meaghan

Lounge 32"w 35"h 33"d

Two Seater 55"w 35"h 33"d

Three Seater 78w 35"h 33"d

tbd



tbd



Cooper Lounge Chair



Cooper Three Seater



Cooper Two Seater

Suave' Collection

Chair and a half 38"w 31"h 38.25"d

Lounge Chair 32"w 28.25"h 33.5"d

Two Seater 55"w 28.25"h 33.5"d

Sofa 78"w 28.25"h 33.5"d

Ottoman 18"w 18"h 26"d

Metal and wood options

tbd



SCDC—Division of Industries

Carr

Lounge 23W 35H 25D

Wider Lounge 33W 35H 25D

Two Seater 44W 35H 25D

Three Seater 66W 35H 25D

tbd



Other Services

Reupholstery Program

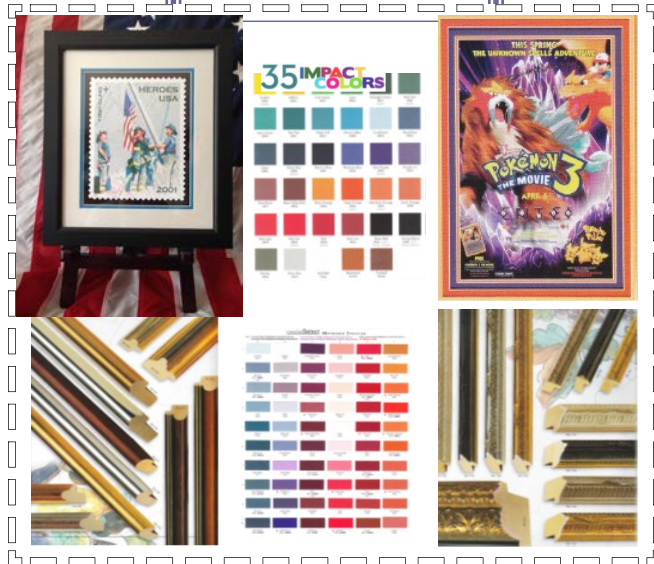


Before



After

Division of Industries
Frame Shop
Phone: 803.896.1456
Downtown: 803.734.3720



SCDC
Sign Shop

- Traffic Signs
- Highway Signs
- Street Signs
- Custom Signs
- Stick-on Decals
- Phenolic Signs
- Name Tags
- Desk Markers
- Plaques

Contact the SCDC Sign Shop direct at:

Phone (803) 896-2131
Fax (803) 896-2239
pesignshop@doc.state.sc.us

The Print Shop

Catalogs, business cards, brochures,
and vinyl are samples
of what we can do....



Embroidery

We can take care of ordering your items as well as embroidering them. Bring your items to us too. Shirts, hats, bags, and patches are just some examples.







Released Offender Skills Report

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "47. Please explain the information SCDC maintains about the skills of each inmate and how the agency utilizes this information."

In addition to providing the information in this document, SCDC provided the following response:

- SCDC captures inmate's skills through entries made from job assignments and training obtained during incarceration. Our IT department has created an Inmate Occupation Search engine that allows us to extract a listing of inmates with particular skills by county, release date, age, offender type and job code. This information is utilized to assist with job placement internally and as employment referrals prior to release, please see example below. Also, please see attached Released Offender Skills Report.

The screenshot shows the 'Inmate Occupation Search' web application. The header features the South Carolina Department of Corrections logo and the text 'Inmate Occupation Search NENA M WALKER-STALEY May 22, 2019'. Below the header is a navigation bar with 'Home', 'Secured Applications', and 'Logout'. The main content area is titled 'Inmate Occupation Search' and contains a search form with the following fields: 'EWC Job:' (dropdown), 'County:' (dropdown), 'Release Begin Date:' (text input), 'Release End Date:' (text input), 'Offender Type:' (dropdown), and 'Age:' (text input) followed by a 'to' text input and a 'Search' button. The footer contains copyright information: 'Copyright © 2002-2019 SCDC | South Carolina Department of Corrections. All rights reserved. [Version: 1.0.18 Built: 04/22/2019 02:21:40 PM Time: 11:10:54 AM]'.

South Carolina Department of Corrections		Inmate Occupation Search	
Home		Secured Applications Logout	
Inmate Occupation Search			
EWC Job:	<input type="text"/>	County:	<input type="text"/>
Release Begin Date:	<input type="text"/>	Release End Date:	<input type="text"/>
Offender Type:	<input type="text"/>	Age:	<input type="text"/> to <input type="text"/> <input type="button" value="Search"/>
Copyright © 2002-2019 SCDC | South Carolina Department of Corrections. All rights reserved. [Version: 1.0.18 Built: 04/22/2019 02:21:40 PM Time: 11:10:54 AM]			

OFFENDER DESCRIPTION	
SCDC ID:	
SEX:	MALE
RACE:	BLACK
AGE:	52

OFFENDER INCARCERATION(S)	
START DATE	END DATE
10/06/2017	03/30/2018
10/26/2012	10/01/2013
02/29/2008	05/01/2008
08/17/1999	03/13/2000

PROGRAMS		
PROGRAM DESCRIPTION	START DATE	END DATE
PRE-REL INT/ORIENT 180 DY	12/07/2017	12/07/2017

JOB ASSIGNMENTS		
JOB DESCRIPTION	START DATE	END DATE
PRE-RELEASE PROGRAM	12/05/2017	03/30/2018
AGRICULTURE HELPER	08/06/2013	10/01/2013
SENIOR HEAT /A.C. OPER	06/06/2013	08/05/2013
ELECTRICIAN	12/11/2012	06/05/2013
LAUNDRY ROOM ATTENDANT	12/21/1999	03/13/2000
CARPENTER HELPER	12/20/1999	12/20/1999
CARPENTER HELPER	09/08/1999	12/19/1999

CERTIFICATES	
CERTIFICATE DESCRIPTION	RECEIVED DATE
VOCATIONAL BASIC 10 HOUR SAFETY	02/16/2018

REPORT DEFINITIONS

Dates of Incarceration

Includes the date that the inmate is admitted to SCDC until the inmate is released from SCDC custody (completion of sentence, parole, etc.). Could include dates of multiple incarceration periods.

History of Job / Educational / Vocational Assignments

SCDC requires all capable inmates under its jurisdiction to actively participate in a productive duty assignment and/or educational or vocational programming, consistent with security requirements. Inmates who are assigned to and actively participating in a productive duty assignment and/or educational or vocational programming and who are otherwise qualified will receive a reduction from the term of their sentence in compliance with applicable state statutes. Our tracking system shows breaks in job/educational/vocational assignments for a variety of reasons, to include institutional transfers, court appearances, job changes/promotions, custody advancements, etc.

A LARGE NUMBER OF CHANGES IN JOBS IS NOT UNUSUAL NOR IS IT NECESSARILY A REFLECTION OF THE INMATE'S WORK PERFORMANCE.

Character-Based Unit

Character-Based Programs are designed to facilitate inmate institutional adjustment, rehabilitation, successful re-entry into the community upon release, the reduction of recidivism, and improved institutional security. Character-Based Programs provide the structure, resources, and environment to enhance opportunities for personal growth and collective change. Inmates must meet strict guidelines to be admitted, must sign and adhere to a behavioral contract, and promote the positive aspects of the community.

Pre-Release Programs

A re-entry program of up to 180 days immediately preceding release from the system that includes vocational, educational, and specific life-skill classes designed to prepare inmates for successful reintegration into society.

Labor Crews / Work Programs

Inmates are approved to work for contracted governmental entities (Labor Crew) or private employers (Work Program). In all cases, the inmate is working away from SCDC property and being directly supervised by non-SCDC personnel. To qualify for these programs, the inmate must be within five (5) years of sentence completion (max-out) and meet strenuous policy guidelines regarding criminal history and internal behavior.

Program Assignments

Various educational, vocational, and programmatic assignments available to inmates.

CIU

A two year associate degree college program in divinity studies offered by Columbia International University at Kirkland Correctional Institution (males) and Camille Graham Correctional Institution (females). Graduates of this program are strategically placed throughout our system to assist in Chaplaincy programs and/or as needed.

Vocational Certificates

Awarded to students who demonstrate skills competencies in specific Career Technology Education (CTE) or National Center for Construction Education and Research (NCCER) programs. A student must demonstrate mastery of the performance standards of the specific vocational area and pass the written assessment for each module. Some CTE Level I programs require the completion of as many as twelve modules. More information can be found at the links below.

CTE: <http://ed.sc.gov/agency/ac/Career-and-Technology-Education/>

NCCER: <http://www.nccer.org/training-and-certifications>

On the Job Certificates (OJT)

Awarded to inmates who demonstrate work competencies and soft-skills by work area supervisors. Individuals must demonstrate required competencies during contact/work hours and the selected twelve soft skills. Requires a minimum of 200 hours.

A Career Readiness Certificate (WorkKeys)

A job skills assessment system measuring "real-world" skills that employers believe are critical to job success. Students are assessed in three foundational skills area: Reading for Information, Applied Math and Locating information. Certificates are awarded as follows:

- Bronze - Student scores a minimum level of a 3 on all assessments
- Silver - Student scores a minimum level of a 4 on all assessments
- Gold - Student scores a minimum level of a 5 on all assessments
- Platinum - Student scores a minimum level of a 6 on all assessments

<http://www.act.org/products/workforce-act-national-career-readiness-certificate/>

SC High School Diploma

Awarded to students who successfully completed the 24 Carnegie Units needed for graduation in South Carolina.

General Equivalency Diploma (GED)

Awarded to students who successfully pass the Official GED Test which measures general knowledge and thinking skills.

The Employability Skills Curriculum Certificate

Intended to enhance a student's employability upon release through the teaching of the following:

- Resume Writing
- Job Search Techniques
- Job Application Completion
- Interview Techniques

RELEASED OFFENDER SKILLS REPORT

This Released Offender Skills Report reflects SCDC's records of an offender's participation in programs and job assignments, and certificates obtained while incarcerated. This information is provided as a service to former inmates and prospective employers. Any released offender who wishes to request that his/her information not be provided through this service may do so by sending a written request to:

Division of Inmate Services
Attention: [REDACTED]
4444 Broad River Road
Columbia, SC 29210

Please note the following disclaimers:

- While all efforts are made to provide complete and accurate information, SCDC does not warrant the accuracy or reliability of any information on this system. SCDC shall not be liable for any losses caused by reliance on the accuracy or reliability of this information, including, but not limited to incidental and consequential damages. This system is provided "as is" without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability or fitness for a particular purpose. SCDC maintains all immunities, including those provided in the South Carolina Tort Claims Act.

- This website provides a summary of information as a service to former inmates and prospective employers in accordance with S.C. Code Ann. 41-1-65, which allows for the disclosure of limited employment information. It is not an official record of the State, the Department of Corrections, or its employees. Official records of the Department are on file and may be accessed as provided by applicable law. This website does NOT provide criminal background checks. To conduct a criminal background check, please visit:

http://www.sled.state.sc.us/sled/default.asp?Category=CATCH_SSN&Service=crc

- Access to this web site by a site data scraper or any similar software intended to discover and extract data from a website through automated, repetitive querying for the purpose of collecting such data is expressly prohibited.

If you have questions about the information contained on a Released Offender Skills Report, please contact Deniz Foster at Foster.Deniz@doc.sc.gov or (803) 896-8558.

Educational Certificates:

Released offenders who took portions of the GED, but did not complete it, may continue to pursue the GED through Pearson Vue GED Testing Service by following the steps below.

Released offenders who completed their GED within SCDC should follow the steps below to obtain a copy of their transcript or view their scores.

DO NOT go to GED.com and created a new account! Follow the steps below to access your current account. Creating a new account will hinder the process of accessing your current scores and/or transcript.

- a. Step 1 :Call the GED Testing Service call center at 1-877-392-6433
 - Give your name, date of birth, inmate number, and the correctional facility where you took the GED® test. To speed the process, also have the address and phone number of the facility where you took the test.
 - The testing center will ask for your new address, phone number, and email address in order to update your account and release your account from SCDC
 - NOTE: Call center hours are 7:00 AM - 7:00 PM CT.
- b. Step 2: Log into your MyGED® account.
 - Go to GED.com
 - Use your updated email address to log in
 - Click "Forgot Password" if you need to reset your password
 - Log in to see your scores, continue studying, and schedule your remaining tests
- c. If you completed the GED, to request your transcript: Log into MyGED® at GED.com
 - Click on the "Request a Transcript" link at the bottom of the screen
 - Follow the steps to request a transcript to be sent to your new address

WorkKeys: Documentation of WorkKeys certificates are available. Any questions regarding educational certificates can be directed to Palmetto Unified School District (PUSD) at (803) 896-1583.

Vocational and OJT: Documentation of Vocational and OJT certificates are available. Any questions regarding educational certificates can be directed to Palmetto Unified School District (PUSD) at (803) 896-1583.

Inmate Walk Aways from Work Places (FY 2016 through 2018)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "49. Please provide, for each of the last three years, the number of inmates who have walked away from work places, separated by type of work category. Please indicate whether any of these inmates were not apprehended."

Walk Aways from Work Places by Work Category
FY 2016 - 2018

Fiscal Year	Work Category			Total Walk Aways	Apprehended
	Work Program	Labor Crew	Litter Crew		
2016	4	1	1	6	6
2017	3			3	3
2018	2			2	2

Characteristics in Inmate Release Dataset

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "50. What factors can the agency utilize to track recidivism (e.g., inmates who enter SCDC with college education, inmates who participate in a particular pre-release program)?"

In addition to providing the information in this document, SCDC provided the following response:

- Any inmate characteristic or data element that is stored with the inmate release data set can be used to compute a recidivism rate. Examples include release type, age, gender, education level, mental health classification, etc.

Description of Elements for Releases Dataset

INMNO	SCDC Identification number
RELEASE	Release Type for the fiscal year release.
CHG_DTE	Date of Release for the fiscal year release.
DOB	Date of Birth
FBI	FBI Identification Number
LOCATION	Location code for location released to.
LINST	Previous institution code from the movement prior to the release.
LSTADDTE	Last Admission Date – The latest admission date for the inmate (based on the date the releases dataset was generated).
LSTADMTY	Last Admission Type – The latest admission reason (based on the date the releases data set was generated.)
MAXDTE	Maxout Date – the projected release date for expiration of sentence from SCDC service (the last date calculated at time of release).
MSO	Most Serious Offense Code.
MSOCNTY	Most Serious Offense County Code (based on county of MSO).
MSODESC	Most Serious Offense Description (MSO).
MULTVIND	Multiple Violent Offender Indicator – Department of Parole, Probation, and Pardon Services determination that inmate is non-parolable due to subsequent violent convictions.
NAME	Inmate Name (last, first middle)
PROBIND	Probation Indicator (shows “Y” if inmate has any one offense with a probation requirement).
RACE	Race
SEX	Sex
SEXREG	Sex Offender Registry Indicator Y/N – (has at least one offense under the sex offender registry legislation).
SID	State Identification Number (used by SLED – South Carolina Law Enforcement)
SSDATE	Sentence Start Date – the date the offender’s service time begins.
SSN	Social Security Number
TOTFLYR	Total Full Sentence (including suspended time) years field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
TOTFLMO	Total Full Sentence (including suspended time) months field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
TOTFLDA	Total Full Sentence (including suspended time) days field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
TOTINYR	Total Incarcerative Sentence years field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
TOTINMO	Total Incarcerative Sentence months field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
TOTINDA	Total Incarcerative Sentence days field. This sentence is calculated when any data affecting release date calculations is altered (done in batch program nightly).
VIOCLASS	Defines the inmate as violent if he has at least one violent conviction in his criminal history, regardless of the effective date (contains “V” for violent, “N” for non-violent)
VIOLSTATU	Defines the inmate as violent if he has at least one violent conviction in his current commitment, per the effective date. Contains “V” for violent, “N” for non-violent, or “U” for unclassified (meaning there was no definition for violent at the time the crime was committed, i.e., offenses committed before 6/3/86).

RELEASES FROM SCDC BASE POPULATION FY 2018

RELEASES	BLACK MALES		BLACK FEMALES		WHITE MALES		WHITE FEMALES		OTHER MALES		OTHER FEMALES		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
EXPIRATION OF SENTENCE (LESS GOOD TIME & WORK/EDUCATION MAXOUT - YOA	1,362	33.2%	110	41.5%	1,170	36.3%	356	43.6%	63	39.4%	6	46.2%	3,067	35.7%
PLACED ON PROBATION	45	1.1%	1	0.4%	17	0.5%	1	0.1%	0	0.0%	0	0.0%	64	0.7%
PAROLED TO INTENSIVE SUPERVISION SERVICES*	592	14.4%	51	19.2%	764	23.7%	230	28.2%	21	13.1%	1	7.7%	1,659	19.3%
PAROLED BY YOA PAROLE BOARD**	315	7.7%	14	5.3%	130	4.0%	27	3.3%	6	3.8%	0	0.0%	492	5.7%
PAROLED BY DPPPS***	127	3.1%	4	1.5%	58	1.8%	2	0.2%	2	1.3%	0	0.0%	193	2.2%
RE-SENTENCED	549	13.4%	37	14.0%	474	14.7%	141	17.3%	15	9.4%	3	23.1%	1,219	14.2%
COMMUNITY SUPERVISION RELEASE (UNDER TRUTH-IN-SENTENCING STATUTE)	2	0.0%	3	1.1%	0	0.0%	1	0.1%	1	0.6%	0	0.0%	7	0.1%
SUPERVISED RE-ENTRY	595	14.5%	20	7.5%	264	8.2%	29	3.5%	46	28.8%	3	23.1%	957	11.1%
DEATH	432	10.5%	21	7.9%	293	9.1%	30	3.7%	6	3.8%	0	0.0%	782	9.1%
DEATH-EXECUTED	63	1.5%	4	1.5%	47	1.5%	0	0.0%	0	0.0%	0	0.0%	114	1.3%
RELEASED TO EPA	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
COURT ORDERED, PAID FINE, APPEAL BOND, PARDON, AND REMANDED TO COUNTY	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
TOTAL RELEASES	24	0.6%	0	0.0%	7	0.2%	0	0.0%	0	0.0%	0	0.0%	31	0.4%
TOTAL RELEASES	4,106	100.0%	265	100.0%	3,224	100.0%	817	100.0%	160	100.0%	13	100.0%	8,585	100.0%

Note: Percentages may not add up due to rounding.

* Intensive Supervision Administrative Release Authority (ISARA) assumed YOA Parole Board duties on February 1, 2013.

** The Youthful Offender Act provides for indeterminate sentences of 1 - 6 years for offenders aged 17 - 25.

*** Department of Probation, Parole, and Pardon Services.

DJJ Recidivism Rates and Calculation Method

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "54. Please explain the differences, if any, in how SCDC tracks recidivism and how DJJ tracks recidivism."

In addition to providing the information in this document, SCDC provided the following response:

- SCDC's definition for recidivism corresponds with Association of State Correctional Administrators Performance Based Measure System. SCDC calculates the recidivism for a release group based on the number of inmates who return to SCDC within three years of release for violations of their conditions of release or for new offenses that occur after their release.
- Per the attached document from their web site, DJJ calculates recidivism rates for release groups based on new offense adjudications within one year of release.

DJJ Recidivism Rates

FY 2013/2014 through FY 2015/2016 (Latest Year)

SCDJJ defines its Annual Recidivism Rate as: *Youth who are adjudicated for a new offense within one year of completing Arbitration, Probation, or Commitment.*

To calculate these values, youth records are queried in a given Fiscal Year (July 1, 2014 – June 30, 2015, for example) that contain:

- (1) Case Closure from showing successful completion of Arbitration, or
- (2) Probation Requirement Ended, or
- (3) Determinate Sentence Complete*, or
- (4) Conditional Release Granted*, or
- (5) Unconditional Release Granted*

Once members of each group are identified, youth records are queried to see if the identified youth have an adjudication for a new offense within one year of the arbitration, probation, or commitment completion date.

	Recidivism Rates		
	FY 2013-14	FY 2014-15	FY 2015-16
Arbitration	4.8%	5.6%	5.4%
Probation	15.8%	15.0%	15.4%
Commitment	16.6%	16.8%	16.0%

*These dispositions represent a Commitment status.



Inmates Released from SCDC with no GED, High School Diploma, or Other Vocational Skill (FY 2016 through 2018)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "55. Does the agency have information on the number of inmates released each year that do not have a high school diploma, GED, or other vocational skill? If so, please provide that information for each of the last three years."

**Inmates Released from SCDC without GED/H.S.
Diploma or Other Vocational Skill
FY 2016 - 2018 Releases**

Fiscal Year	Total	No GED/ H.S. Diploma, Vocational or OJT Certificate*	% of Releases
2016	9,147	2,204	24%
2017	9,305	2,182	23%
2018	8,585	1,993	23%

* Inmates who self-reported GED, High School Diploma, Vocational Skill or Vocational Certificate or earned a GED, High School Diploma, Vocational Certificate or OJT (On-the-Job Training) Certificate are excluded.

Inmates without GED that earn one at SCDC (FY 2014 through 2019)

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "56. Can the agency provide data on the number of inmates earning a GED/High School Diploma as a percentage of the number of inmates admitted to SCDC without a GED/High School Diploma? If so, please provide that information for 2013-14 through 2018-19."

**Inmates Admitted to SCDC without a
GED/High School Diploma and
Inmates who Earned One While Incarcerated
FY 2014 - 2019 (thru 4/30/2019) Admissions**

Fiscal Year	Admissions** w/out GED/ H.S. Diploma	% of Admissions
2014	4,228	10.93%
2015	3,897	5.31%
2016	3,832	6.24%
2017	3,671	5.97%
2018	3,204	5.34%
2019*	2,539	1.65%

* FY19 admissions through 4/30/2019.

** Excludes admissions where inmate was serving
SC sentence in another state or federal prison.

Good Time, Work, and Education Limits – Applicable Statutes

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections, "61. Is there a limit on the amount of work, education, or good conduct credit an inmate can earn? If so, what are the limits and what is the rationale behind having a limit?"

In addition to providing the information in this document, SCDC provided the following response:

- Good time and earned work/education credits limitations are set forth in S.C. Code § 24-13-210 and S.C. Code 24-13-230. S.C. Code § 24-13-210 provides that inmates serving parolable sentences may earn a yearly maximum of 240 days of good behavior credits, while inmates serving no-parole sentences may earn a yearly maximum of 36 days of good behavior credits. S.C. Code § 24-13-230 provides that inmates serving parolable sentences may earn a yearly maximum of 180 days of earned work and education credits, while inmates serving no-parole sentences may earn a yearly maximum of 72 days of earned work and education credits. A copy of each statute is attached.

§ 24-13-210. Credit given inmates for good behavior., SC ST § 24-13-210

KeyCite Yellow Flag - Negative Treatment

Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 3. Reduction in Sentence; Early Release

Code 1976 § 24-13-210

§ 24-13-210. Credit given inmates for good behavior.

Effective: June 11, 2010

Currentness

(A) An inmate convicted of an offense against this State, except a “no parole offense” as defined in Section 24-13-100, and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of twenty days for each month served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(B) An inmate convicted of a “no parole offense” against this State as defined in Section 24-13-100 and sentenced to the custody of the Department of Corrections, including an inmate serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of three days for each month served. However, no inmate serving a sentence for life imprisonment or a mandatory minimum term of imprisonment for thirty years pursuant to Section 16-3-20 is entitled to credits under this provision. No inmate convicted of a “no parole offense” is entitled to a reduction below the minimum term of incarceration provided in Section 24-13-125 or 24-13-150. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which the good conduct credit is computed.

(C) An inmate convicted of an offense against this State and sentenced to a local detention facility, or upon the public works of any county in this State, whose record of conduct shows that he has faithfully observed all the rules of the institution where he is confined, and has not been subjected to punishment for misbehavior, is entitled to a deduction from the term of his sentence beginning with the day on which the service of his sentence commences to run, computed at the rate of one day for every two days served. When two or more consecutive sentences are to be served, the aggregate of the several sentences is the basis upon which good conduct credits must be computed.

§ 24-13-210. Credit given inmates for good behavior., SC ST § 24-13-210

(D) If an inmate sentenced to the custody of the Department of Corrections and confined in a facility of the department, confined in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30, or temporarily confined, held, detained, or placed in any facility which is not under the direct control of the department, to include an inmate on a labor crew or any other assigned detail or placement, or an inmate in transport status, commits an offense or violates one of the rules of the facility during his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections. If an inmate sentenced to a local detention facility or upon the public works of any county in this State, even when temporarily confined, held, detained, or placed in any facility that is not under the direct control of the local detention facility, to include a prisoner on a labor crew or any other assigned detail or placement, or a prisoner in transport status, commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the good conduct credit he has earned may be forfeited in the discretion of the local official having charge of the inmate. The decision to withhold forfeited good conduct time is solely the responsibility of officials named in this subsection.

(E) Any person who has served the term of imprisonment for which he has been sentenced less deductions allowed for good conduct is considered upon release to have served the entire term for which he was sentenced unless the person is required to complete a community supervision program pursuant to Section 24-21-560. If the person is required to complete a community supervision program, he must complete his sentence as provided in Section 24-21-560 prior to discharge from the criminal justice system.

(F) No credits earned pursuant to this section may be applied in a manner which would prevent full participation in the Department of Probation, Parole and Pardon Services' prerelease or community supervision program as provided in Section 24-21-560.

Credits

HISTORY: 1962 Code § 55-8; 1952 Code § 55-8; 1942 Code § 1578; 1932 Code § 1578; Cr. C. '22 § 531; 1914 (28) 617; 1935 (39) 467; 1938 (40) 1833; 1955 (49) 475; 1956 (49) 1776; 1958 (50) 1910; 1959 (51) 123; 1960 (51) 1917; 1973 (58) 428; 1980 Act No. 513, § 1; 1986 Act No. 462, § 13; 1993 Act No. 181, § 437; 1995 Act No. 83, § 26; 2010 Act No. 237, § 72, eff. June 11, 2010.

Notes of Decisions (8)

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Code 1976 § 24-13-210, SC ST § 24-13-210

Current through 2019 Act No. 25 and Act No. 27, subject to technical revisions by the Code Commissioner as authorized by law before official publication.

End of Document

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§ 24-13-230. Reduction of sentence for productive duty..., SC ST § 24-13-230

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 3. Reduction in Sentence; Early Release

Code 1976 § 24-13-230

§ 24-13-230. Reduction of sentence for productive duty assignment or participation in academic, technical, or vocational training program.

Effective: June 11, 2010

Currentness

(A) The Director of the Department of Corrections may allow an inmate sentenced to the custody of the department, except an inmate convicted of a "no parole offense" as defined in Section 24-13-100, who is assigned to a productive duty assignment, including an inmate who is serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30 or who is regularly enrolled and actively participating in an academic, technical, or vocational training program, a reduction from the term of his sentence of zero to one day for every two days he is employed or enrolled. A maximum annual credit for both work credit and education credit is limited to one hundred eighty days.

(B) The Director of the Department of Corrections may allow an inmate sentenced to the custody of the department serving a sentence for a "no parole offense" as defined in Section 24-13-100, who is assigned to a productive duty assignment, including an inmate who is serving time in a local facility pursuant to a designated facility agreement authorized by Section 24-3-20 or Section 24-3-30 or who is regularly enrolled and actively participating in an academic, technical, or vocational training program, a reduction from the term of his sentence of six days for every month he is employed or enrolled. However, no prisoner serving a sentence for life imprisonment or a mandatory minimum term of imprisonment for thirty years pursuant to Section 16-3-20 is entitled to credits under this provision. No prisoner convicted of a "no parole offense" is entitled to a reduction below the minimum term of incarceration provided in Section 24-13-125 or 24-13-150. A maximum annual credit for both work credit and education credit is limited to seventy-two days.

(C) No credits earned pursuant to this section may be applied in a manner which would prevent full participation in the Department of Probation, Parole and Pardon Services' prerelease or community supervision program as provided in Section 24-21-560.

(D) The amount of credit to be earned for each duty classification or enrollment must be determined by the director and published by him in a conspicuous place available to inmates at each correctional institution. If a prisoner commits an offense or violates one of the rules of the institution during his term of imprisonment, all or part of the work credit or education credit he has earned may be forfeited in the discretion of the Director of the Department of Corrections.

§ 24-13-230. Reduction of sentence for productive duty..., SC ST § 24-13-230

(E) The official in charge of a local detention facility must allow an inmate sentenced to the custody of the facility who is assigned to a mandatory productive duty assignment a reduction from the term of his sentence of zero to one day for every two days so employed. The amount of credit to be earned for each duty classification must be determined by the official in charge of the local detention facility and published by him in a conspicuous place available to inmates.

(F)(1) An individual is eligible for the educational credits provided for in this section only upon successful participation in an academic, technical, or vocational training program.

(2) The educational credit provided for in this section, is not available to any individual convicted of a violent crime as defined in Section 16-1-60.

(G) The South Carolina Department of Corrections may not pay any tuition for college courses

Credits

HISTORY: 1962 Code § 55-8.1; 1963 (53) 506; 1964 (53) 2165; 1969 (56) 273; 1974 (58) 2366; 1978 Act No. 496 § 16; 1986 Act No. 462, § 14; 1993 Act No. 181, § 438; 1995 Act No. 83, § 28; 2010 Act No. 237, § 73, eff June 11, 2010.

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Code 1976 § 24-13-230, SC ST § 24-13-230

Current through 2019 Act No. 25 and Act No. 27, subject to technical revisions by the Code Commission as authorized by law before official publication.

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§ 24-3-40. Disposition of wages of prisoner allowed to work at..., SC ST § 24-3-40

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 1. Persons Confined and Use Thereof Generally

Code 1976 § 24-3-40

§ 24-3-40. Disposition of wages of prisoner allowed to work at **paid** employment.

Effective: July 1, 2017

Currentness

(A) Unless otherwise provided by law, the employer of a prisoner authorized to work at **paid** employment in the community under Sections 24-3-20 to 24-3-50 or in a prison industry program provided under Article 3 of this chapter shall **pay** the prisoner's wages directly to the Department of Corrections.

If the prisoner is serving his sentence in a local detention or correctional facility pursuant to a designated facilities agreement or in a local work/punishment program, or if the local governing body elects to operate one, then the same provisions for payment directly to the official in charge of the facility shall apply if the facility has the means to account for such monies.

The Director of the Department of Corrections, or the local detention or correctional facility manager, if applicable, shall deduct the following amounts from the gross wages of the prisoner:

(1) If restitution to a particular victim or victims has been ordered by the court, then twenty percent must be used to fulfill the restitution obligation. If a restitution payment schedule has been ordered by the court pursuant to Section 17-25-322, the twenty percent must be applied to the scheduled payments. If restitution to a particular victim or victims has been ordered but a payment schedule has not been specified by the court, the director shall impose a payment schedule of equal monthly payments and use twenty percent to meet the payment schedule so imposed.

(2) If restitution to a particular victim or victims has not been ordered by the court, or if court-ordered restitution to a particular victim or victims has been satisfied then:

(a) if the prisoner is engaged in work at **paid** employment in the community, five percent must be placed on deposit with the State Treasurer for credit to a special account to support victim assistance programs established pursuant to the Victims of Crime Act of 1984, Public Law 98-473, Title II, Chapter XIV, Section 1404, and fifteen percent must be retained by the department to support services provided by the department to victims of the incarcerated population; or

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(b) if the prisoner is employed in a prison industry program, ten percent must be directed to the Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund for use in training, program development, victim compensation, and general administrative support pursuant to Section 16-3-1410 and ten percent must be retained by the department to support services provided by the department to victims of the incarcerated population.

(3) Thirty-five percent must be used to pay the prisoner's child support obligations pursuant to law, court order, or agreement of the prisoner. These child support monies must be disbursed to the guardian of the child or children or to appropriate clerks of court, in the case of court ordered child support, for application toward payment of child support obligations, whichever is appropriate. If there are no child support obligations, then twenty-five percent must be used by the Department of Corrections to defray the cost of the prisoner's room and board. Furthermore, if there are no child support obligations, then ten percent must be made available to the inmate during his incarceration for the purchase of incidentals pursuant to subsection (4). This is in addition to the ten percent used for the same purpose in subsection (4).

(4) Ten percent must be available to the inmate during his incarceration for the purchase of incidentals. Any monies made available to the inmate for the purchase of incidentals also may be distributed to the person or persons of the inmate's choice.

(5) Ten percent must be held in an interest bearing escrow account for the benefit of the prisoner.

(6) The remaining balance must be used to pay federal and state taxes required by law. Any monies not used to satisfy federal and state taxes must be made available to the inmate for the purchase of incidentals pursuant to subsection (4).

(B) The Department of Corrections, or the local detention or correctional facility, if applicable, shall return a prisoner's wages held in escrow pursuant to subsection (A) as follows:

(1) A prisoner released without community supervision must be given his escrowed wages upon his release.

(2) A prisoner serving life in prison or sentenced to death shall be given the option of having his escrowed wages included in his estate or distributed to the persons or entities of his choice.

(3) A prisoner released to community supervision shall receive two hundred dollars or the escrow balance, whichever is less, upon his release. Any remaining balance must be disbursed to the Department of Probation, Parole and Pardon Services. The prisoner's supervising agent shall apply this balance toward payment of the prisoner's housing and basic needs and dispense any balance to the prisoner at the end of the supervision period.

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Credits

HISTORY: 1962 Code § 55-321.2; 1966 (54) 2180; 1980 Act No. 431, § 2; 1986 Act No. 462, § 9; 1993 Act No. 181, § 393; 1994 Act No. 500, § 2; 1995 Act No. 7, Part II, § 54; 1999 Act No. 68, § 2; 2000 Act No. 387, Part II, § 83A; 2010 Act No. 237, § 4, eff June 11, 2010; 2017 Act No. 96 (S.289), § 10, eff July 1, 2017.

Editors' Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

CROSS REFERENCES

Earnings of **inmate** working in private industry must be **paid** directly to Department of Corrections and applied as provided under this section, see § 24-3-430.

FEDERAL ASPECTS

Provisions of the Victims of Crime Act of 1984, P.L. 98-473, Title II, Chapter XIV, Section 1404, see 42 U.S.C.A. § 10603.

Relevant Notes of Decisions (11)

View all 12

Notes of Decisions listed below contain your search terms.

In general

Inmates working in prison industries program could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates'** hourly wage and violated prevailing wage provision of prison industry statute; rather, **inmates** were to present such claims via the **inmate** grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment [↗](#) 84; Prisons [↗](#) 315

Alleged actions of Department of Corrections (DOC), in removing money remitted by private industry sponsor as wages for **inmates** participating in prison industries program and then disbursing from the lower amount the **percentages** listed in statute governing disbursement of prisoner wages, violated the statute governing disbursement of prisoner wages, which directed DOC to disburse the money based on gross wages. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Prisons [↗](#) 172

Prevailing wage statutes did not give **inmates** private right of action against state Department of Corrections (DOC) for alleged violation of statutes in **paying** training wage, and minimum wage, to **inmates** employed in prison industry; overall purpose of prevailing wage statutes was to prevent unfair competition, and nothing in statutes indicated legislative intent to create civil liability for violation of statutes. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Action [↗](#) 3; Prisons [↗](#) 309

Remedies

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Crime victims and **inmates'** dependents, as beneficiaries of wages paid to **inmates** participating in prison industries program, could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates'** hourly wage and violated prevailing wage provision of prison industry statute; rather, the victims and dependents were to maintain their claims through the DOC's internal grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ⚡ 84; Prisons ⚡ 381

Inmates working in the prison industries program have a cognizable, state-created interest in having the Department of Corrections (DOC) pay them according to the statutory scheme governing the program, but they do not have a private right of action; instead, the DOC's internal grievance procedure, with recourse to the Administrative Law Court, is the appropriate way to have a prisoner's wage claim adjudicated. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Action ⚡ 3; Prisons ⚡ 309; Prisons ⚡ 315

Inmates working in prison industries program could not maintain declaratory-judgment action seeking declaration that they were entitled to immediately access their wages held in escrow; rather, **inmates** were to present this claim via the **inmate** grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ⚡ 84; Prisons ⚡ 315

Inmates, who did not have private civil cause of action under prevailing wage statutes to maintain action against state Department of Corrections (DOC) for alleged violations of statutes by DOC in **paying inmates** for their work in prison industry, could seek remedy by filing **inmate** grievance to protest DOC's failure to **pay** wages in accordance with mandatory statutory provisions. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Prisons ⚡ 273; Prisons ⚡ 315

Remedies of crime victims and inmates' dependents

Crime victims and **inmates'** dependents, who were directly entitled to a portion of **inmates'** wages earned through the prison industries program, were to be afforded due process before being denied this state created right, and thus victims and dependents were entitled to maintain their own claims through the Department of Corrections' (DOC's) internal grievance procedure and did not need to rely on the **inmates'** own grievance claims. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Constitutional Law ⚡ 4822; Constitutional Law ⚡ 4840; Prisons ⚡ 381

Deductions

The South Carolina Department of Corrections (SCDC) was not entitled to deduct security costs and overhead from **inmate's** gross wages earned under service work contract entered into by SCDC as part of Prison Industries program during one-month gap between end-date of budget proviso for fiscal year and effective date of statute authorizing certain deductions from **inmate's** pay under service work contract, including "any other required deductions," even though contract included language that "SCDC shall be responsible to **pay inmate** workers, cover security costs and [Prison Industries] overhead," since more general statutory provision, which was effective during one-month gap and governed **paid** employment of **inmates**, did not authorize such deductions. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ⚡ 181

Issue of proper deductions taken from **inmate's** pay for work performed under service work contract entered into by South Carolina Department of Corrections (SCDC) as part of Prison Industries program was raised by **inmate** and SCDC in

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proceedings before Administrative Law Court (ALC), and, thus, issue was properly before ALC, where **inmate** requested, in his brief, that ALC calculate his back wages less any deductions authorized by applicable statute, and SCDC argued, in its brief, that deductions for overhead and security costs were authorized by service work contract. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ¶ 293

Statute authorizing certain deductions from **inmate's pay** under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to **inmate's wages** violated his due process rights, since **inmate** had right to wages, prior to effective date of statute authorizing certain deductions from his **pay**, pursuant to budget provisos and statutes requiring **inmates** to earn prevailing wage, **inmate's** right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested **inmate's** vested right to higher net wage under statute governing **paid** employment of **inmates**. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law ¶ 4822; Prisons ¶ 181

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§ 24-3-430. Inmate labor in private industry authorized;..., SC ST § 24-3-430

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 3. Prison Industries

Code 1976 § 24-3-430

§ 24-3-430. **Inmate** labor in private industry authorized; requirements and conditions.

Currentness

(A) The Director of the Department of Corrections may establish a program involving the use of **inmate** labor by a nonprofit organization or in private industry for the manufacturing and processing of goods, wares, or merchandise or the provision of services or another business or commercial enterprise considered by the director to enhance the general welfare of South Carolina. No violent offender shall be afforded the opportunity to perform labor for nonprofit organizations if such labor is outside the confines of a correctional institution. **Inmates** participating in such labor shall not benefit in any manner contradictory to existing statutes.

(B) The director may enter into contracts necessary to implement this program. The contractual agreements may include rental or lease agreements for state buildings or portions of them on the grounds of an institution or a facility of the Department of Corrections and provide for reasonable access to and egress from the building to establish and operate a facility.

(C) An **inmate** may participate in the program established pursuant to this section only on a voluntary basis and only after he has been informed of the conditions of his employment.

(D) No **inmate** participating in the program may earn less than the prevailing wage for work of similar nature in the private sector.

(E) **Inmate** participation in the program may not result in the displacement of employed workers in the State of South Carolina and may not impair existing contracts for services.

(F) Nothing contained in this section restores, in whole or in part, the civil rights of an **inmate**. No **inmate** compensated for participation in the program is considered an employee of the State.

(G) No **inmate** who participates in a project designated by the Director of the Bureau of Justice Assistance pursuant to Public Law 90-351 is eligible for unemployment compensation upon termination from the program.

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(H) The earnings of an inmate authorized to work at paid employment pursuant to this section must be paid directly to the Department of Corrections and applied as provided under Section 24-3-40.

Credits

HISTORY: 1995 Act No. 7, Part II, § 43; 1998 Act No. 355, § 1.

Editors' Notes**FEDERAL ASPECTS**

Public Law 90-351 see, 42 U.S.C.A. 3711 et seq.

Relevant Notes of Decisions (19)

[View all 19](#)

Notes of Decisions listed below contain your search terms.

Wages

Statute authorizing certain deductions from inmate's pay under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to inmate's wages violated his due process rights, since inmate had right to wages, prior to effective date of statute authorizing certain deductions from his pay, pursuant to budget provisos and statutes requiring inmates to earn prevailing wage, inmate's right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested inmate's vested right to higher net wage under statute governing paid employment of inmates. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law [§ 4822](#); Prisons [§ 181](#)

Although the federal Fair Labor Standards Act (FLSA) does not apply to inmate workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure inmate workers who are employed in a PIP receive the same pay rates and employment conditions as their non-inmate peers in the same locality. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 172](#)

While the prevailing wage statutes for inmates working in prison industries programs (PIP) do not entitle inmates to a private right of action in tort for Department of Corrections' failure to comply with those statutes, inmates may protest through the grievance process the Department's failure to comply with these statutes. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 273](#)

Inmate was entitled to time-and-a-half pay for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of pay for inmate labor in a PIP could not be less than that paid for work of a similar nature in the private sector in the locality in which the work was performed. *South Carolina Dept. of Corrections v. Tomlin* (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons [§ 172](#)

§ 24-3-430. Inmate labor in private industry authorized;..., SC ST § 24-3-430

Although the federal Fair Labor Standards Act (FLSA) does not apply to **inmate** workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure **inmate** workers who are employed in a PIP receive the same **pay** rates and employment conditions as their non-**inmate** peers in the same locality. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 172

While **inmates** working in a prison industries program (PIP) are not entitled to a private right of action in tort to challenge Department of Corrections' alleged noncompliance with governing statutes, they may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 273

Inmate was entitled to time-and-a-half **pay** for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of **pay** for **inmate** labor in a PIP could not be less than that **paid** for work of a similar nature in the private sector in the locality in which the work was performed. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ☞ 172

Inmate's participation in voluntary program which served Department of Corrections by employing and training **inmates** was not a right, but a privilege, and this employment program did not meet the test for a state-created liberty interest because it did not present an atypical, significant hardship on **inmates** who were not permitted to participate, and consequently, **inmate**, in being terminated from his prison employment, did not suffer an infringement upon his liberty interests for due process purposes; there was no statutory requirement that all correctional facilities employ voluntary employment program, or that an **inmate** participate. Skipper v. South Carolina Dept. of Corrections (S.C.App. 2006) 370 S.C. 267, 633 S.E.2d 910. Constitutional Law ☞ 4822; Prisons ☞ 173

Department of Corrections was required to **pay inmate** in prison industries program the prevailing wage; nothing in the statutory scheme creating prison industries program authorized Department to **pay** a training wage less than the prevailing wage. Wicker v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Prisons ☞ 172

State's statutory mandate that **inmates** be **paid** the prevailing wage in prison industries program created an interest that could not be denied without due process, and thus, Department of Corrections' failure to **pay** prevailing wage was reviewable by Administrative Law Judge. Wicker v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Constitutional Law ☞ 4822; Prisons ☞ 172; Prisons ☞ 293

Prevailing wage statutes did not give **inmates** private right of action against state Department of Corrections (DOC) for alleged violation of statutes in **paying** training wage, and minimum wage, to **inmates** employed in prison industry; overall purpose of prevailing wage statutes was to prevent unfair competition, and nothing in statutes indicated legislative intent to create civil liability for violation of statutes. Adkins v. South Carolina Dept. of Corrections (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Action ☞ 3; Prisons ☞ 309

Remedies

Inmates' grievances to amount of **pay** received under Prevailing Wage Statute and contract for work performed as part of prison industry program were grievances to South Carolina Department of Corrections (SCDC) "policies/procedures" rather than to incidents, and, thus, were excepted from grievance system policy's 15-day filing deadline for incident grievances;

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policy expressly excepted “policies/procedures” grievances from deadline, grievances challenging SCDC’s day-to-day operations fell within SCDC’s proposed definition of “policies/procedures,” **inmates’ pay** under statute was expression of legislative policy, and contractual **pay** was not incident, in that it effected numerous **inmates** and was not temporally limited. *Ackerman v. South Carolina Dept. of Corrections* (S.C.App. 2016) 415 S.C. 412, 782 S.E.2d 757, rehearing denied, certiorari denied. Prisons ☞ 283

Crime victims and **inmates’** dependents, as beneficiaries of wages paid to **inmates** participating in prison industries program, could not maintain declaratory-judgment action seeking declaration that Department of Corrections (DOC) violated prison industry statutes by allegedly diverting portion of **inmates’** hourly wage and violated prevailing wage provision of prison industry statute; rather, the victims and dependents were to maintain their claims through the DOC’s internal grievance procedure. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Declaratory Judgment ☞ 84; Prisons ☞ 381

Inmates working in the prison industries program have a cognizable, state-created interest in having the Department of Corrections (DOC) pay them according to the statutory scheme governing the program, but they do not have a private right of action; instead, the DOC’s internal grievance procedure, with recourse to the Administrative Law Court, is the appropriate way to have a prisoner’s wage claim adjudicated. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Action ☞ 3; Prisons ☞ 309; Prisons ☞ 315

Although **inmate** had no claim for civil damages, he was entitled to file a grievance with the Department of Corrections regarding the fact that he was not being paid in accordance with the Prevailing Wage Statute for work performed in prison industries program. *Wicker v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 421, 602 S.E.2d 56. Prisons ☞ 273

Inmates, who did not have private civil cause of action under prevailing wage statutes to maintain action against state Department of Corrections (DOC) for alleged violations of statutes by DOC in paying **inmates** for their work in prison industry, could seek remedy by filing **inmate** grievance to protest DOC’s failure to pay wages in accordance with mandatory statutory provisions. *Adkins v. South Carolina Dept. of Corrections* (S.C. 2004) 360 S.C. 413, 602 S.E.2d 51. Prisons ☞ 273; Prisons ☞ 315

Remedies of crime victims and inmates’ dependents

Crime victims and **inmates’** dependents, who were directly entitled to a portion of **inmates’** wages earned through the prison industries program, were to be afforded due process before being denied this state-created right, and thus victims and dependents were entitled to maintain their own claims through the Department of Corrections’ (DOC’s) internal grievance procedure and did not need to rely on the **inmates’** own grievance claims. *Torrence v. South Carolina Dept. of Corrections* (S.C. 2007) 373 S.C. 586, 646 S.E.2d 866, rehearing denied. Constitutional Law ☞ 4822; Constitutional Law ☞ 4840; Prisons ☞ 381

Review

Inmate failed to preserve for appeal to Administrative Law Court (ALC) his argument that he was entitled to overtime **pay**, even though South Carolina Department of Corrections (SCDC) addressed issue of overtime in its grievance determination; **inmate** did not request overtime **pay** on any grievance form filed with SCDC. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

Issue, which was raised by **inmate** to Administrative Law Court (ALC) in his wage-related grievance proceeding challenging

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pay received from Prison Industries program, of whether South Carolina Department of Corrections (SCDC) should be ordered to process wage grievances for other inmates participating in same program who did not file their own grievances was manifestly without merit, and, thus, ALC was not required to address it, even though ALC did not expressly state in its order that such issue was manifestly without merit, since there was no requirement in ALC rules that opinion was required to specifically state that issue was manifestly without merit in order to avoid addressing it. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. *Prisons* 293

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§ 24-13-930. Surrender of inmates' earnings; amounts deductible., SC ST § 24-13-930

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 13. Prisoners Generally

Article 11. Work/Punishment Program for **Inmates** Confined in Local Correctional Facilities

Code 1976 § 24-13-930

§ 24-13-930. Surrender of **inmates'** earnings; amounts deductible.

Currentness

The earnings of each **inmate** participating in the work/punishment program, less payroll deductions required by law, must be collected by or surrendered to the official administering the program or his authorized representative. From these earnings, the official may deduct in the following order:

- (a) any amount the **inmate** may be legally obligated to **pay**, or that the **inmate** desires to **pay**, for the support of the **inmate's** dependents;
- (b) any amount the **inmate** may be legally obligated to **pay** in restitution to the victim of his offense;
- (c) not less than five dollars nor more than ten dollars per workday to offset the cost to the local facility providing food, lodging, supervision, clothing, and care to the **inmate**. Any remaining amount of the **inmate's** earnings must be credited to the **inmate's** earnings account to be disbursed to the **inmate** upon release or to be disposed of according to applicable regulations of the local correctional facility.

Credits

HISTORY: 1986 Act No. 462, § 7.

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Code 1976 § 24-13-930, SC ST § 24-13-930

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§ 24-3-315. Determinations prerequisite to selecting prison..., SC ST § 24-3-315

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 3. State Prison System

Article 3. Prison Industries

Code 1976 § 24-3-315

§ 24-3-315. Determinations prerequisite to selecting prison industry project.

Currentness

The Department of Corrections shall ensure that inmates participating in any prison industry program pursuant to the Justice Assistance Act of 1984 is on a voluntary basis. The director must determine prior to using inmate labor in a prison industry project that it will not displace employed workers, that the locality does not have a surplus of available labor for the skills, crafts, or trades that would utilize inmate labor, and that the rates of pay and other conditions of employment are not less than those paid and provided for work of similar nature in the locality in which the work is performed.

Credits

HISTORY: 1987 Act No. 177 § 2; 1993 Act No. 181, § 409.

Editors' Notes

Relevant Additional Resources

Additional Resources listed below contain your search terms.

CROSS REFERENCES

Employer, of prisoner authorized to work at paid employment in a prison industry program provided under this article, must pay prisoner's wages directly to the Department of Corrections, see § 24-3-40.

Relevant Notes of Decisions (7)

[View all 7](#)

Notes of Decisions listed below contain your search terms.

In general

Statute authorizing certain deductions from inmate's pay under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to inmate's wages violated his due process rights, since inmate had right to wages, prior to effective date of statute authorizing certain deductions from his pay, pursuant to budget provisos and statutes requiring inmates to earn prevailing wage, inmate's right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested inmate's vested right to higher net wage under statute governing paid employment of inmates. Gatewood v. South

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Carolina Dept. of Corrections (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law ⚡ 4822; Prisons ⚡ 181

Although the federal Fair Labor Standards Act (FLSA) does not apply to **inmate** workers, statutes governing prison industries programs (PIP) compel the Department of Corrections to ensure **inmate** workers who are employed in a PIP receive the same **pay** rates and employment conditions as their non-**inmate** peers in the same locality. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 172

While the prevailing wage statutes for **inmates** working in prison industries programs (PIP) do not entitle **inmates** to a private right of action in tort for Department of Corrections' failure to comply with those statutes, **inmates** may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 273

Inmate was entitled to time-and-a-half **pay** for overtime worked in prison industries program (PIP), under prison industries statutes providing that rate of **pay** for **inmate** labor in a PIP could not be less than that **paid** for work of a similar nature in the private sector in the locality in which the work was performed. South Carolina Dept. of Corrections v. Tomlin (S.C.App. 2010) 387 S.C. 652, 694 S.E.2d 25, certiorari dismissed. Prisons ⚡ 172

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While **inmates** working in a prison industries program (PIP) are not entitled to a private right of action in tort to challenge Department of Corrections' alleged noncompliance with governing statutes, they may protest through the grievance process the Department's failure to comply with these statutes. South Carolina Dept. of Corrections v. Cartrette (S.C.App. 2010) 387 S.C. 640, 694 S.E.2d 18, certiorari dismissed as improvidently granted 396 S.C. 523, 722 S.E.2d 805. Prisons ⚡ 273

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§ 24-13-80. Prisoners to pay for certain costs; definitions; criteria..., SC ST § 24-13-80

Code of Laws of South Carolina 1976 Annotated
Title 24. Corrections, Jails, Probations, Paroles and Pardons
Chapter 13. Prisoners Generally
Article 1. General Provisions

Code 1976 § 24-13-80

§ 24-13-80. Prisoners to **pay** for certain costs; definitions; criteria for deductions from **inmates'** accounts; reimbursement to **inmates**; recovery from estates of **inmates**.

Effective: June 11, 2010

Currentness

(A) As used in this section:

(1) "Detention facility" means a municipal or county jail, a local detention facility, or a state correctional facility used for the detention of persons charged with or convicted of a felony, misdemeanor, municipal offense, or violation of a court order.

(2) "**Inmate**" means a person who is detained in a detention facility by reason of being charged with or convicted of a felony, a misdemeanor, a municipal offense, or violation of a court order.

(3) "Medical treatment" means each visit initiated by the **inmate** to an institutional physician, physician's extender including a physician's assistant or a nurse practitioner, dentist, optometrist, or psychiatrist for examination or treatment.

(4) "Administrator" means the county administrator, city administrator, or the chief administrative officer of a county or municipality.

(5) "Director" means the agency head of the Department of Corrections.

(B) The administrator or director, whichever is appropriate, may establish, by rules, criteria for a reasonable deduction from money credited to the account of an **inmate** to:

(1) repay the costs of:

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(a) public property wilfully damaged or destroyed by the **inmate** during his incarceration;

(b) medical treatment for injuries inflicted by the **inmate** upon himself or others;

(c) searching for and apprehending the **inmate** when he escapes or attempts to escape. The costs must be limited to those extraordinary costs incurred as a consequence of the escape; or

(d) quelling a riot or other disturbance in which the **inmate** is unlawfully involved;

(2) defray the costs **paid** by a municipality or county for medical services for an **inmate**, which have been requested by the **inmate**, if the deduction does not exceed five dollars for each occurrence of treatment received by the **inmate**. If the balance in an **inmate's** account is less than ten dollars, the fee must not be charged. However, a deficiency balance must be carried forward and, upon a deposit or credit being made to the **inmate's** account, any outstanding balance may be deducted from the account. This deficiency balance may be carried forward after release of the **inmate** and may be applied to the **inmate's** account in the event of subsequent arrests and incarcerations. This item does not apply to medical costs incurred as a result of injuries sustained by an **inmate** or other medically necessary treatment for which that **inmate** is determined not to be responsible.

(C) All sums collected for medical treatment must be reimbursed to the **inmate**, upon the **inmate's** request, if the **inmate** is acquitted or otherwise exonerated of all charges for which the **inmate** was being held.

(D) The detention facility may initiate an action for collection of recovery of medical costs incurred pursuant to this section against an **inmate** upon his release or his estate if the **inmate** was executed or died while in the custody of the detention facility.

Credits

HISTORY: 1994 Act No. 497, Part II, § 44A; 1995 Act No. 7, Part II, § 44; 2010 Act No. 237, § 69, eff June 11, 2010.

Editors' Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

EFFECT OF AMENDMENT

The 2010 amendment, in subsection (A)(1) inserted “, a local detention facility, or a”; rewrote subsection (B)(2); and inserted “, upon the **inmate's** request,” in subsection (C).

§ 24-13-80. Prisoners to pay for certain costs; definitions; criteria..., SC ST § 24-13-80

CROSS REFERENCES


Medical services for **inmates**, see § 24-7-110.

Relevant Notes of Decisions (1)

[View all 1](#)

Notes of Decisions listed below contain your search terms.

In general

Debiting **inmate's** prison trust account to cover hospital emergency room treatment he received after being attacked by other **inmates** was not authorized by South Carolina statute providing deductions from such accounts of costs of medical treatment for injuries inflicted by **inmate** upon himself or others. *Burks v. Pate* (C.A.4 (S.C.) 2005) 119 Fed.Appx. 447, 2005 WL 19485, Unreported, on remand 2005 WL 4859266. Prisons  117

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§ 24-1-295. Employment of inmates for work involving..., SC ST § 24-1-295

Code of Laws of South Carolina 1976 Annotated

Title 24. Corrections, Jails, Probations, Paroles and Pardons

Chapter 1. Department of Corrections

Code 1976 § 24-1-295

§ 24-1-295. Employment of **inmates** for work involving exportation of products; deductions from wages.

Effective: August 1, 2007

Currentness

The Director of the Department of Corrections may enter into contracts with private sector entities that allow **inmate** labor to be provided for prison industry service work and export work that involves exportation of products. The use of **inmate** labor may not result in the displacement of employed workers within the local region in which work is being performed. Pursuant to this section, service work is defined as any work that includes repair, replacement of original manufactured items, packaging, sorting, recycling, labeling, or similar work that is not original equipment manufacturing. The department may negotiate the wage to be **paid** for **inmate** labor provided under prison industry service work contracts and export work contracts, and these wages may be less than the prevailing wage for work of a similar nature in the private sector. However, the Director of the Department of Corrections shall deduct the following from the gross earnings of the **inmates** engaged in prison industry service work in addition to any other required deductions:

(1) If restitution to a particular victim or victims has been ordered by a court of appropriate jurisdiction, then twenty percent must be used to fulfill the restitution obligation.

(2) If restitution to a particular victim or victims has not been ordered by a court of appropriate jurisdiction, or if the court-ordered restitution to a particular victim or victims has been satisfied, then twenty percent must be applied to the South Carolina Victim Compensation Fund.

(3) Thirty-five percent must be used to **pay** the prisoner's child support obligations pursuant to law, court order, or agreement of the prisoner. These child support monies must be disbursed to the guardian of the child or children or to appropriate clerks of court, in the case of court ordered child support, for application toward payment of child support obligations, whichever is appropriate. If there are no child support obligations, then twenty-five percent must be used by the Department of Corrections to defray the cost of the prisoner's room and board. Furthermore, if there are no child support obligations, then ten percent must be made available to the **inmate** during his incarceration for the purchase of incidentals pursuant to item (4). This is in addition to the ten percent used for the same purpose in item (4).

(4) Ten percent must be made available to the **inmate** during his incarceration for the purchase of incidentals. Any monies made available to the **inmate** for the purchase of incidentals also may be distributed to the person or persons of the **inmate's** choice.

§ 24-1-295. Employment of inmates for work involving..., SC ST § 24-1-295

(5) Ten percent must be held in an interest bearing escrow account for the benefit of the prisoner.

(6) The remaining balance must be used to **pay** federal and state taxes required by law. Any monies not used to satisfy federal and state taxes must be made available to the **inmate** for the purchase of incidentals pursuant to item (4).

Credits

HISTORY: 2007 Act No. 68, § 2, eff August 1, 2007.

Relevant Notes of Decisions (7)

[View all 7](#)

Notes of Decisions listed below contain your search terms.

In general

Inmates' grievances to amount of **pay** received under Prevailing Wage Statute and contract for work performed as part of prison industry program were grievances to South Carolina Department of Corrections (SCDC) "policies/procedures" rather than to incidents, and, thus, were excepted from grievance system policy's 15-day filing deadline for incident grievances; policy expressly excepted "policies/procedures" grievances from deadline, grievances challenging SCDC's day-to-day operations fell within SCDC's proposed definition of "policies/procedures," **inmates' pay** under statute was expression of legislative policy, and contractual **pay** was not incident, in that it effected numerous **inmates** and was not temporally limited. *Ackerman v. South Carolina Dept. of Corrections* (S.C.App. 2016) 415 S.C. 412, 782 S.E.2d 757, rehearing denied, certiorari denied. Prisons [§ 283](#)

Constitutional issues

Statute authorizing certain deductions from **inmate's pay** under service work contract was neither remedial nor procedural and operated prospectively only, and, thus, retroactive application of statute to **inmate's** wages violated his due process rights, since **inmate** had right to wages, prior to effective date of statute authorizing certain deductions from his **pay**, pursuant to budget provisos and statutes requiring **inmates** to earn prevailing wage, **inmate's** right to certain wage became vested as soon as he earned that wage, and increase in deductions retroactively to gross wages earned prior to effective date divested **inmate's** vested right to higher net wage under statute governing **paid** employment of **inmates**. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Constitutional Law [§ 4822](#); Prisons [§ 181](#)

Deductions

The South Carolina Department of Corrections (SCDC) was not entitled to deduct security costs and overhead from **inmate's** gross wages earned under service work contract entered into by SCDC as part of Prison Industries program during one-month gap between end-date of budget proviso for fiscal year and effective date of statute authorizing certain deductions from **inmate's pay** under service work contract, including "any other required deductions," even though contract included language that "SCDC shall be responsible to **pay inmate** workers, cover security costs and [Prison Industries] overhead," since more general statutory provision, which was effective during one-month gap and governed **paid** employment of **inmates**, did not authorize such deductions. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304,

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785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 181

Security costs and overhead connected with Prison Industries program of the South Carolina Department of Corrections (SCDC) constituted “other required deductions” for purposes of statute authorizing deductions from inmate’s pay “in addition to any other required deductions” under service work contract as part of program, since such expenses were built into negotiated wage, contract’s payment provision stated that any increase in inmate’s wage would “only reflect SCDC’s increased costs of prison overhead,” and statutory provisions implied that SCDC had flexibility to determine amount it would charge industry sponsor to compensate SCDC for inmate labor and any other costs SCDC might incur to make such work available for eligible inmates. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 181

Review

Inmate asserting wage grievance challenge preserved for appeal his question of whether retroactive application of statute authorizing certain deductions from inmate’s pay under service work contract as part of Prison Industries program by Administrative Law Court (ALC) violated his due process rights, even if inmate did not raise issue before ALC, since ALC’s application of statute to inmate’s wage deductions prior to statute’s effective date implied it operated retroactively, inmate’s challenge to which statute applied to his wage deductions fairly encompassed retroactivity question, and question of whether applying statute retroactively violated due process was fairly subsumed within question of whether it in fact operated retroactively. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 298

Inmate failed to preserve for appeal to Administrative Law Court (ALC) his argument that he was entitled to overtime pay, even though South Carolina Department of Corrections (SCDC) addressed issue of overtime in its grievance determination; inmate did not request overtime pay on any grievance form filed with SCDC. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

Issue, which was raised by inmate to Administrative Law Court (ALC) in his wage-related grievance proceeding challenging pay received from Prison Industries program, of whether South Carolina Department of Corrections (SCDC) should be ordered to process wage grievances for other inmates participating in same program who did not file their own grievances was manifestly without merit, and, thus, ALC was not required to address it, even though ALC did not expressly state in its order that such issue was manifestly without merit, since there was no requirement in ALC rules that opinion was required to specifically state that issue was manifestly without merit in order to avoid addressing it. *Gatewood v. South Carolina Dept. of Corrections* (S.C.App. 2016) 416 S.C. 304, 785 S.E.2d 600, rehearing denied, certiorari denied. Prisons ☞ 293

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§ 42-7-65. Average weekly wage designated for certain categories..., SC ST § 42-7-65

Code of Laws of South Carolina 1976 Annotated

Title 42. Workers' Compensation

Chapter 7 Funds

Article 1. State Accident Fund

Code 1976 § 42-7-65

§ 42-7-65. Average weekly **wage** designated for certain categories of employees.

Effective: June 7, 2010

Currentness

Notwithstanding the provisions of Section 42-1-40, for the purpose of this title and while serving in this capacity, the total average weekly **wage** of the following categories of employees is the following:

(1) for all members of the State and National Guard, regardless of rank, seventy-five percent of the average weekly **wage** in the State for the preceding fiscal year, or the average weekly **wage** the service member would be entitled to, if any, if injured while performing his civilian employment, if the average weekly **wage** in his civilian employment is greater;

(2) for all voluntary firemen of organized voluntary rural fire units and voluntary municipal firemen, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year;

(3) for all members of organized volunteer rescue squads, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year;

(4) for all volunteer deputy sheriffs, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year; and

(5) for all volunteer state constables appointed pursuant to Section 23-1-60, while performing duties in connection with their appointments and authorized by the State Law Enforcement Division, thirty-seven and one-half percent of the average weekly **wage** in the State for the preceding fiscal year.

The **wages** provided in items (2), (3), (4), and (5) of this section may not be increased as a basis for any computation of benefits because of employment other than as a volunteer. Persons in the categories provided by items (2), (3), (4), and (5) must be notified of the limitation on average weekly **wages** prescribed in this section by the authority responsible for obtaining coverage under this title.

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“Volunteer firemen” and “rescue squad members” mean members of organized units whose membership is certified to the municipal clerk or chairman of the council of the municipality or county in which their unit is based by the chief officer of the unit concerned. A “volunteer deputy sheriff” is a volunteer whose membership is certified by the sheriff to the governing body of the county. No volunteer deputy sheriff may be included under the provisions of this title unless approved by the governing body of the county or municipality. A voluntary constable appointed pursuant to Section 23-1-60 must be included under the provisions of this title only while performing duties in connection with his appointment and as authorized by the State Law Enforcement Division. The workers’ compensation premiums for these constables must be paid from the state general fund upon warrant of the Chief of the State Law Enforcement Division. Notwithstanding any other provision of law, voluntary firemen of organized volunteer fire units and members of organized volunteer rescue squads are covered under this title by the county governing body unless the governing body of the county opts out of the coverage.

The average weekly wage for inmates of the State Department of Corrections as defined in Section 42-1-480 is forty dollars a week. However, the average weekly wage for an inmate who works in a federally approved Prison Industries Enhancement Certification Program must be based upon the inmate’s actual net earnings after any statutory reductions. The average weekly wage for county and municipal prisoners is forty dollars a week. The average weekly wage for students of high schools, state technical schools, and state-supported colleges and universities while engaged in work study, marketing education, or apprentice programs on the premises of private companies or while engaged in the Tech Prep or other structured school-to-work programs on the premises of a sponsoring employer is fifty percent of the average weekly wage in the State for the preceding fiscal year.

Credits

HISTORY: 1983 Act No. 33 § 2; 1983 Act No. 92 § 4; 1984 Act No. 424, § 3; 1985 Act No. 174, § 2, eff June 24, 1985; 1991 Act No. 16, § 2, eff April 9, 1991; 1996 Act No. 259, § 2, eff April 1, 1996; 1998 Act No. 419, Part II, § 24A, eff July 1, 1998; 2002 Act No. 339, § 38, eff July 2, 2002; 2005 Act No. 80, § 1, eff upon approval (became law without the Governor’s signature on May 31, 2005); 2005 Act No. 98, § 2, eff June 1, 2005; 2010 Act No. 219, § 1, eff June 7, 2010.

Editors’ Notes**Relevant Additional Resources**

Additional Resources listed below contain your search terms.

RESEARCH REFERENCES**Treatises and Practice Aids**

2 Modern Workers Compensation § 201:19, Prison Inmates.

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