



South Carolina  
DEPARTMENT OF  
JUVENILE JUSTICE  
Sylvia Murray, Director

P.O. Box 21069  
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Nikki R. Haley  
Governor  
State of South Carolina

March 16, 2015

The Honorable Kirkman Finlay III  
Law Enforcement and Criminal Justice Subcommittee, Chairman  
South Carolina House of Representatives  
P.O. Box 11867  
Columbia, SC 29211

Dear Chairman Finlay,

My staff and I appreciated the opportunity to provide an overview of our agency to your subcommittee members on March 4, 2015. We hope that you found the information that we provided useful. Thank you also for explaining the role and process of the Legislative Oversight Committee. We look forward to meeting again in the near future.

As per your request, I am forwarding additional information which I hope will be of benefit to the subcommittee. Specifically, I'm including information on the demographics of the staff working "behind the fence" at DJJ and in the community, a narrative explaining DJJ's caseload and population statistics over the last decade (and how they compare to national statistics), a further narrative on the agency's budget request, and information on the number, cost, and outcomes of lawsuits that DJJ has faced in the last decade. I trust that you will find this information responsive to your request.

Please do not hesitate to contact me if I can provide any additional information. Again, thank you for allowing us to present to your distinguished subcommittee. I look forward to working with you in the future as we partner to provide top quality and cost-effective services to the citizens of our state.

Sincerely,

Sylvia Murray  
Director, Department of Juvenile Justice

**DEPARTMENT OF JUVENILE JUSTICE OVERALL**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 405                    | 71                 | 96                                   | 572                   |
| WF                        | 103                    | 52                 | 64                                   | 219                   |
| OF                        | 6                      | 2                  | 5                                    | 13                    |
| AAM                       | 259                    | 42                 | 34                                   | 335                   |
| WM                        | 63                     | 34                 | 47                                   | 144                   |
| OM                        | 4                      | 0                  | 2                                    | 6                     |
| <b>Total Demographics</b> | <b>840</b>             | <b>201</b>         | <b>248</b>                           | <b>1289</b>           |

**DIRECTOR'S OFFICE**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 0                      | 1                  | 1                                    | 2                     |
| WF                        | 0                      | 1                  | 0                                    | 1                     |
| OF                        | 0                      | 0                  | 0                                    | 0                     |
| AAM                       | 0                      | 0                  | 0                                    | 0                     |
| WM                        | 0                      | 0                  | 0                                    | 0                     |
| OM                        | 0                      | 0                  | 0                                    | 0                     |
| <b>Total Demographics</b> | <b>0</b>               | <b>2</b>           | <b>1</b>                             | <b>3</b>              |

**ADMINISTRATIVE SERVICES**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 16                     | 19                 | 23                                   | 58                    |
| WF                        | 2                      | 7                  | 20                                   | 29                    |
| OF                        | 1                      | 2                  | 1                                    | 4                     |
| AAM                       | 2                      | 4                  | 22                                   | 28                    |
| WM                        | 4                      | 9                  | 36                                   | 49                    |
| OM                        | 0                      | 0                  | 2                                    | 2                     |
| <b>Total Demographics</b> | <b>25</b>              | <b>41</b>          | <b>104</b>                           | <b>170</b>            |

**COMMUNITY SERVICES**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 85                     | 20                 | 25                                   | 130                   |
| WF                        | 37                     | 20                 | 24                                   | 81                    |
| OF                        | 2                      | 0                  | 3                                    | 5                     |
| AAM                       | 58                     | 14                 | 2                                    | 74                    |
| WM                        | 21                     | 10                 | 2                                    | 33                    |
| OM                        | 1                      | 0                  | 0                                    | 1                     |
| <b>Total Demographics</b> | <b>204</b>             | <b>64</b>          | <b>56</b>                            | <b>324</b>            |

**EDUCATION**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 19                     | 0                  | 5                                    | 24                    |
| WF                        | 12                     | 3                  | 6                                    | 21                    |
| OF                        | 1                      | 0                  | 0                                    | 1                     |
| AAM                       | 9                      | 2                  | 0                                    | 11                    |
| WM                        | 12                     | 2                  | 1                                    | 15                    |
| OM                        | 1                      | 0                  | 0                                    | 1                     |
| <b>Total Demographics</b> | <b>54</b>              | <b>7</b>           | <b>12</b>                            | <b>73</b>             |

**INSPECTOR GENERAL**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 11                     | 2                  | 11                                   | 24                    |
| WF                        | 1                      | 0                  | 3                                    | 4                     |
| OF                        | 0                      | 0                  | 0                                    | 0                     |
| AAM                       | 15                     | 1                  | 4                                    | 20                    |
| WM                        | 2                      | 2                  | 2                                    | 6                     |
| OM                        | 0                      | 0                  | 0                                    | 0                     |
| <b>Total Demographics</b> | <b>29</b>              | <b>5</b>           | <b>20</b>                            | <b>54</b>             |

**LEGAL**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 5                      | 2                  | 3                                    | 10                    |
| WF                        | 0                      | 2                  | 0                                    | 2                     |
| OF                        | 0                      | 0                  | 0                                    | 0                     |
| AAM                       | 1                      | 0                  | 1                                    | 2                     |
| WM                        | 0                      | 1                  | 0                                    | 1                     |
| OM                        | 0                      | 0                  | 0                                    | 0                     |
| <b>Total Demographics</b> | <b>6</b>               | <b>5</b>           | <b>4</b>                             | <b>15</b>             |

**PLANNING AND PROGRAMS**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 5                      | 1                  | 3                                    | 9                     |
| WF                        | 2                      | 1                  | 1                                    | 4                     |
| OF                        | 0                      | 0                  | 0                                    | 0                     |
| AAM                       | 0                      | 1                  | 2                                    | 3                     |
| WM                        | 1                      | 3                  | 1                                    | 5                     |
| OM                        | 0                      | 0                  | 0                                    | 0                     |
| <b>Total Demographics</b> | <b>8</b>               | <b>6</b>           | <b>7</b>                             | <b>21</b>             |

**REHABILITATION SERVICES**

| <b>Demographics</b>       | <b>Direct Services</b> | <b>Supervisory</b> | <b>Administrative /Other Support</b> | <b>Total Staffing</b> |
|---------------------------|------------------------|--------------------|--------------------------------------|-----------------------|
| AAF                       | 229                    | 21                 | 21                                   | 271                   |
| WF                        | 20                     | 6                  | 4                                    | 30                    |
| OF                        | 1                      | 0                  | 1                                    | 2                     |
| AAM                       | 168                    | 19                 | 3                                    | 190                   |
| WM                        | 13                     | 5                  | 3                                    | 21                    |
| OM                        | 2                      | 0                  | 0                                    | 2                     |
| <b>Total Demographics</b> | <b>433</b>             | <b>51</b>          | <b>32</b>                            | <b>516</b>            |

## TREATMENT & INTERVENTION

| Demographics              | Direct Services | Supervisory | Administrative /Other Support | Total Staffing |
|---------------------------|-----------------|-------------|-------------------------------|----------------|
| AAF                       | 35              | 5           | 4                             | 44             |
| WF                        | 29              | 12          | 6                             | 47             |
| OF                        | 1               | 0           | 0                             | 1              |
| AAM                       | 6               | 1           | 0                             | 7              |
| WM                        | 10              | 2           | 2                             | 14             |
| OM                        | 0               | 0           | 0                             | 0              |
| <b>Total Demographics</b> | <b>81</b>       | <b>20</b>   | <b>12</b>                     | <b>113</b>     |

### Abbreviation Key

|     |                         |
|-----|-------------------------|
| AAF | African American Female |
| WF  | White Female            |
| OF  | Other Female            |
| AAM | African American Male   |
| WM  | White Male              |
| OM  | Other Male              |

# Populations and Caseloads

## *SCDJJ compared to the U.S. in the last decade*



Since the peak of juvenile crime in 1995, both juvenile crime and incarceration have dropped drastically in the U.S. Those numbers have continued to drop in recent years. National juvenile detention rates fell about 41% between 1995 and 2010. And juvenile violent crime dropped 63% between 1995 and 2012. The number of juveniles on probation has also seen a less dramatic, but significant, decline. In 2002, there were 618,600 juvenile probation cases in the U.S. In 2009 there were 541,400 juvenile probation cases, a 13% drop.

There are many factors at play in explaining these declines in juvenile crime in general and incarceration rates in particular. A recent study by the Annie E. Casey Foundation pointed to a wide disparity among the juvenile crime and incarceration rates of individual states. While rates on average dropped in the U.S., individual states like Arkansas, Idaho, and West Virginia actually showed increases in juvenile incarceration. The report attributes the average drop to states which:

- Limit eligibility for correctional placements
- Invest in promising alternatives to incarceration
- Adopt best-practices for supervising delinquent youth in their communities
- Incentivize community-based alternatives to confinement
- Establish small treatment-oriented facilities for those confined.

South Carolina in particular has proven to be a superb example of putting these basic principles into real-world practice. This state has consistently bested national averages for declines in juvenile incarceration, referrals, violent crime, and probation over the last decade. South Carolina has seen:

- A **40% decrease** in the average daily population at DJJ's hardware-secure and staff-secure facilities in the last eight years.
- Juvenile crime referrals to DJJ **down 38%** in the last decade.
- Juvenile violent and serious crime **down 64%** since its peak in 1994-1995.

- A **33% decline** in probation cases in the last decade.

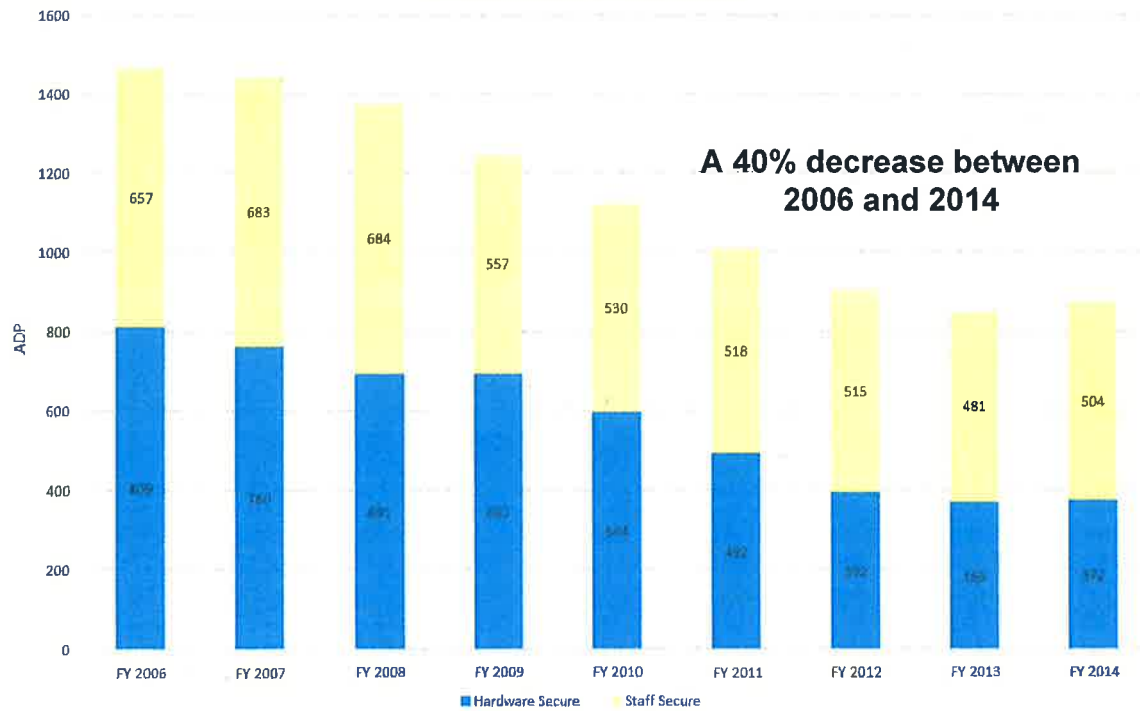
Each of these statistics compares favorably with the national average, with much more drastic drops in probation cases and long-term incarceration in South Carolina than in the nation as a whole.

In specific practice, these improvements are attributable to a number of solid best-practice initiatives at SCDJJ in the last decade. DJJ has:

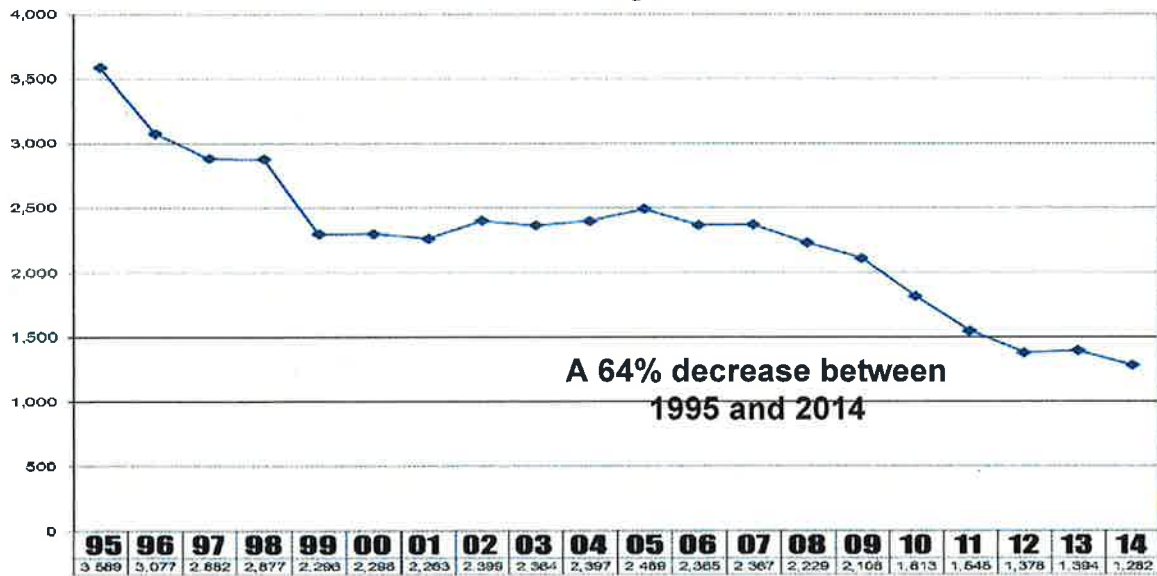
- Repositioned our facility clinicians (social workers and psychologists) to the front-end of the juvenile justice system in local communities.
- Lowered caseloads for probation/parole officers and initiated an **Intensive Supervision Officer (ISO) program** with caseloads limited to 20 supervised juveniles.
- Improved family services and counseling at the county level.
- Created extensive job training, anti-gang, and afterschool prevention programs both behind the fence and in the community. This includes a system of 8 **Job Readiness Training sites**, one **Job Readiness Training Center** in Columbia, 38 **Teen After-School Centers (TASC)**, and a **Gang Resistance Education and Training (G.R.E.A.T.) program** for elementary school students across the state.
- Created and expanded diversion programs and referral sources, such as **Juvenile Arbitration**, to give prosecutors and Family Court judges more options with young offenders.
- Partnered with private providers to institute a continuum of commitment and alternative placement options for youth in commitment status and on probation or parole.

And the agency plans to continue this strong focus on prevention and "front-end" efforts to prevent juvenile crime and keep youth from entering the juvenile justice system in the future. DJJ is currently developing programs to further limit probation caseloads (similar to the Intensive Supervision program), provide more intensive non-punitive therapy to incarcerated juveniles, and to focus on a new "4<sup>th</sup> generation" risk-needs assessment program.

**Average Daily Population  
Hardware Secure vs. Staff Secure**



**Violent and Serious Juvenile Cases  
FY 1994/95 through FY 2013/14**



**Juvenile Referrals to DJJ**

2004                      26,213

2014                      16,429

**A 38% Decrease**

**Juvenile Probation Cases**

2004                      6,013

2014                      3,981

**A 33% Decrease**

**Detail of Program Cost for FY 14**

|                                   | Personnel         | Operating        | Transfer to Perm Improvement Proj | Case Services    | Employer Contributions | Total             |
|-----------------------------------|-------------------|------------------|-----------------------------------|------------------|------------------------|-------------------|
| <b>I. Parole Division</b>         |                   |                  |                                   |                  |                        |                   |
| Parole Board                      | 339,553           | 55,807           |                                   | -                |                        | 395,360           |
| <b>II. Administration</b>         |                   |                  |                                   |                  |                        |                   |
| Director's Office                 | 201,071           | 11,911           |                                   |                  |                        | 212,982           |
| Legal Office                      | 456,000           | 66,154           |                                   |                  |                        | 522,154           |
| Adm Management                    | 192,292           | 12,886           | 1,700,000                         |                  |                        | 1,905,178         |
| Fiscal Affairs                    | 1,072,305         | 44,810           |                                   |                  |                        | 1,117,115         |
| Human Resources                   | 778,957           | 35,947           |                                   |                  |                        | 814,904           |
| Information Technology            | 960,881           | 1,967,800        |                                   |                  |                        | 2,928,681         |
| <b>Total Administration</b>       | <b>3,661,506</b>  | <b>2,139,508</b> | <b>1,700,000</b>                  | <b>-</b>         |                        | <b>7,501,014</b>  |
| <b>III. Programs and Services</b> |                   |                  |                                   |                  |                        |                   |
| <b>A Community Services</b>       |                   |                  |                                   |                  |                        |                   |
| Community Serv Management         | 254,624           | 459,478          |                                   |                  |                        | 714,102           |
| Piedmont Region                   | 2,995,542         | 324,470          |                                   | 467              |                        | 3,320,479         |
| Midlands Region                   | 3,514,428         | 349,713          |                                   | 728              |                        | 3,864,869         |
| Coastal Region                    | 3,464,918         | 380,723          |                                   | 1,374            |                        | 3,847,015         |
| Consultation & Eval               | 1,369,246         | 126,295          |                                   | 879,539          |                        | 2,375,080         |
| Community Justice                 | 249,672           | 17,028           |                                   | 250,515          |                        | 517,215           |
| Victims Services                  | 43,110            | 1,663            |                                   | -                |                        | 44,773            |
| TASC                              | 41,386            | 49,118           |                                   | 588,641          |                        | 679,145           |
| Arbitration                       | -                 | -                |                                   | 960,000          |                        | 960,000           |
| Interstate Compact                | 124,541           | 20,752           |                                   | 2,637            |                        | 147,930           |
| Treatment & Intervention          | 388,030           | 33,863           |                                   | -                |                        | 421,893           |
| <b>Total Community Services</b>   | <b>12,445,497</b> | <b>1,763,103</b> |                                   | <b>2,683,901</b> |                        | <b>16,892,501</b> |
| <b>B Longterm Facilities</b>      |                   |                  |                                   |                  |                        |                   |
| Business Services                 | 667,910           | 1,247,905        |                                   |                  |                        | 1,915,815         |
| Dietary                           | 552,463           | 1,052,929        |                                   |                  |                        | 1,605,392         |
| Dietary - Coastal Eval Ctr        | 111,804           | 111,332          |                                   |                  |                        | 223,136           |
| Dietary - Upstate Eval            | 92,825            | 136,404          |                                   |                  |                        | 229,229           |
| Grounds/Facility                  | 331,991           | 279,406          |                                   |                  |                        | 611,397           |
| Physical Plant                    | 790,479           | 2,971,163        |                                   |                  |                        | 3,761,642         |
| Support Services                  |                   | 10,435           |                                   |                  |                        | 10,435            |
| Store of Hope                     |                   | 65               |                                   |                  |                        | 65                |
| Community Conn Ctr                |                   | 35,070           |                                   |                  |                        | 35,070            |
| Community Outreach                |                   |                  |                                   |                  |                        | -                 |
| BRRC                              | 10,757,710        | 885,367          |                                   | 2,780            |                        | 11,645,857        |
| <b>Total Longterm Facilities</b>  | <b>13,305,182</b> | <b>6,730,076</b> | <b>-</b>                          | <b>2,780</b>     |                        | <b>20,038,038</b> |



|   | Personnel         | Operating         | Transfer to Perm<br>Improvement Proj | Case Services     | Employer<br>Contributions | Total              |
|---|-------------------|-------------------|--------------------------------------|-------------------|---------------------------|--------------------|
| <b>C Evaluation Centers</b>               |                   |                   |                                      |                   |                           |                    |
| Midlands Evaluation Center                | 2,813,252         | 199,768           |                                      | 3,519             |                           | 3,016,539          |
| Upstate Evaluation Center                 | 2,500,014         | 421,831           |                                      | 624               |                           | 2,922,469          |
| Coastal Evaluation Center                 | 2,305,202         | 401,868           |                                      | 150               |                           | 2,707,220          |
| <b>Total Evaluation Centers</b>           | <b>7,618,468</b>  | <b>1,023,467</b>  |                                      | <b>4,293</b>      |                           | <b>8,646,228</b>   |
| <b>D County Serv-Detention</b>            |                   |                   |                                      |                   |                           |                    |
| <b>Detention Center</b>                   | <b>3,240,088</b>  | <b>198,528</b>    |                                      | <b>29,371</b>     |                           | <b>3,467,987</b>   |
| <b>E Residential Operating</b>            |                   |                   |                                      |                   |                           |                    |
| Community Alternatives                    | 546,123           | 15,924            |                                      | 12,926,255        |                           | 13,488,302         |
| Alterntive Placements                     | -                 | -                 |                                      | 13,947,986        |                           | 13,947,986         |
| HQ Rd Office                              | -                 | 13,200            |                                      | -                 |                           | 13,200             |
| <b>Total Residential Services</b>         | <b>546,123</b>    | <b>29,124</b>     |                                      | <b>26,874,241</b> |                           | <b>27,449,488</b>  |
| <b>F Juvenile Health &amp; Safety</b>     |                   |                   |                                      |                   |                           |                    |
| Inspector General                         | 1,811,754         | 506,522           |                                      | -                 |                           | 2,318,276          |
| Health Services                           | 1,546,565         | 1,122,273         |                                      | 1,769,092         |                           | 4,437,930          |
| <b>Total Juvenile Health &amp; Safety</b> | <b>3,358,319</b>  | <b>1,628,795</b>  |                                      | <b>1,769,092</b>  |                           | <b>6,756,206</b>   |
| <b>G Program Analysis</b>                 |                   |                   |                                      |                   |                           |                    |
| Staff Development                         | 445,725           | 167,673           |                                      | -                 |                           | 613,398            |
| Medicaid Management                       | 267,592           | 46,512            |                                      | -                 |                           | 314,104            |
| Programs & Planning                       | 710,062           | 329,024           |                                      | 27,282            |                           | 1,066,368          |
| <b>Total Program Analysis</b>             | <b>1,423,379</b>  | <b>543,209</b>    |                                      | <b>27,282</b>     |                           | <b>1,993,870</b>   |
| <b>H Education</b>                        |                   |                   |                                      |                   |                           |                    |
| Education Mngmt                           | 2,137,471         | 641,466           |                                      | 1,118             |                           | 2,780,055          |
| Birchwood School                          | 1,608,039         | 70,039            |                                      |                   |                           | 1,678,078          |
| Willow Lane School                        | 7,500             | -                 |                                      |                   |                           | 7,500              |
| Coastal Eval School                       | 561,365           | 9,044             |                                      |                   |                           | 570,409            |
| Detention Ctr School                      | 326,268           | 5,185             |                                      |                   |                           | 331,453            |
| Midlands Eval School                      | 184,744           | 3,714             |                                      |                   |                           | 188,458            |
| Upstate Eval School                       | 332,259           | 3,413             |                                      |                   |                           | 335,672            |
| <b>Total Education</b>                    | <b>5,157,646</b>  | <b>732,861</b>    |                                      | <b>1,118</b>      |                           | <b>5,891,625</b>   |
| <b>IV Employee Benefits</b>               |                   |                   |                                      |                   |                           |                    |
| Employer Contribution                     | -                 | -                 |                                      | -                 | 20,839,307                | 20,839,307         |
| <b>Total Agency Costs</b>                 | <b>51,095,761</b> | <b>14,844,478</b> | <b>1,700,000</b>                     | <b>31,392,078</b> | <b>20,839,307</b>         | <b>119,871,624</b> |

## BUDGET NARRATIVE

The agency's budget is comprised of four program areas: Parole Division, Administrative Division, Programs and Services and Employee Benefits. The following is a brief description of the program areas and subprogram areas.

**I. Parole Board**-Although a separate entity, DJJ is statutorily required to provide administrative support to the Parole Board. This entity is charged with establishing the guidelines for juveniles indeterminately committed to DJJ and determining when and under what conditions said juveniles may be released. During FY 13-14, \$395,360 was expended in this area.

**II. Administrative Division**-This section encompasses key managerial functions such as the Director's Office, Legal and Fiscal Affairs. Information Technology and Human Resources are also included in this budget area. The \$7,501,014 expended includes personnel and operating expenses.

**III. Programs and Services**-The vast majority of the agency's budget, \$91,135,943 was expended on this section. Divided into eight subprograms, this category includes key deliverables such as probation and parole supervision, intake, secure confinement services and education.

- A. The community services component of the budget includes those services that are provided out of the county offices such as intake, parole and probation supervision, and victim services. The teen afterschool centers and juvenile arbitration are also included in this budget area. The bulk of the funds expended in this area, \$12,445,497 was used to cover personnel costs. Operating and case services (direct services) expenses rounded out the remaining \$4,447,004.
- B. The Long-term Facilities budget subgroup covers the Broad River Road Complex and the various sections of the agency that support this long term institution. Dietary services, grounds, physical plant and support services are a few of the services captured within the subgroup. The largest expense in this category is the personnel costs for the juvenile correctional officers and supervisors who oversee the youth committed to the agency. Treatment and other support staff are also reflected in this budget item. The personnel cost for this area is \$13,305,182. The cost of basic needs for the juveniles and staff that support them is \$6,732,856.
- C. The Evaluation Center subgroup includes the Coastal, Midlands and Upstate Regional Evaluations Centers. These facilities provide court-ordered evaluations for juveniles in a secure setting. A total of \$8,646,228 was expended on this subgroup.

- D. The County Detention subgroup covers the Juvenile Detention Center. This is DJJ's secure, short-term facility that provides custodial care and treatment to juveniles detained by law enforcement agencies and the family courts prior to disposition. A total of \$3,467,987 was expended on this category.
  
- E. The Residential Operations subgroup covers the non-secure out of home placements such as the wilderness camps and alternative placements. A total of \$27,449,488 was expended on this category.
  
- F. The Juvenile Health and Safety subgroup covers the Inspector General's Office and Health Services. DJJ is charged with ensuring the health and safety to youth committed to its care. Youth medical services are provided to youth as needed. A total of \$6,756,206 was expended on this category.
  
- G. The Program Analysis subgroup covers the Staff, Development and Training, Medicaid Management and Planning and Programs Sections of the agency. These sections support the mission of the agency by ensuring a well trained staff, monitoring the strategic plan and maximizing the use of resources. A total of \$1,993,870 was expended in this subgroup.
  
- H. The final subgroup of the Programs and Services Section is Education. DJJ is statutorily required to meet the educational needs of youth committed to its care. Educational services are offered at the Broad River Road Complex, three Regional Evaluation Centers and the Juvenile Detention Center. A total of \$5,891,625 was expended on this subgroup.

IV. **Employee Benefits**-The agency paid \$20,839,307 in employee fringe benefits in FY 13-14.

See attached Detail of Program Cost for FY14 for additional information.

**Lawsuits filed against the SC Department of Juvenile Justice, 2005 to Present**

This information was compiled and provided pursuant to the request of the Law Enforcement and Criminal Justice Subcommittee of the Legislative Oversight Committee of the South Carolina House of Representatives. DJJ reports information concerning pending and resolved litigation to the Comptroller General's Office on a yearly basis as part of the Litigation Closing Packet. Unless otherwise indicated, all settlement/judgment amounts and costs associated with the defense of these lawsuits were paid by the Department's insurance carrier, the Insurance Reserve Fund.

**2005** - There was one lawsuit filed against DJJ.

| <b>Case Name</b>                                     | <b>Date Filed</b> | <b>Description</b>   | <b>Status</b>     |
|--|-------------------|--|-------------------|
| <u>Calvin Jerome Rogers v. DJJ</u> , 2005-CP-40-2931 | July 20, 2005     | SCDC inmate claimed he was illegally committed to DJJ for evaluation due to being younger than the minimum commitment age. | Dismissed 1/28/09 |

**2006** – There were four lawsuits filed against DJJ.

| <b>Case Name</b>  | <b>Date Filed</b>  | <b>Description</b>  | <b>Status</b>                           |
|---|--------------------|---|---|
| <u>Russell Cooke v. DJJ and Melvin Matthews</u> , 2006-CP-38-613            | May 30, 2006       | Former DJJ detainee alleged that JCO Matthews performed oral sex on him at the Juvenile Detention Center. | Settled for \$38,000 on January 3, 2008 |
| <u>Thomas Matthew Caldwell v. DJJ and Atkean Anderson</u> , 2006-CP-40-2006 | June 19, 2006      | Former DJJ inmate was physically assaulted by another juvenile, resulting in a broken jaw.                | Settled for \$25,000 in November 2007   |
| <u>Debbie Lancaster v. DJJ</u> , 2006-CP-23-5302                            | July 2006          | Temporary employee (white) claimed race discrimination when she was denied permanent employment with DJJ. | Settled for \$2,500 on January 22, 2007 |
| <u>Thomas Turner v. Thomas Simms and DJJ</u> , 2006-CP-40-5332              | September 14, 2006 | Former DJJ inmate alleged another juvenile punched him in the mouth at the request of a DJJ staff member. | Settled for \$36,400 in November 2006   |

2007 – No lawsuits were filed against DJJ.

2008 – There were three lawsuits filed against DJJ.

| Case Name   | Date Filed       | Description  | Status                                   |
|---|------------------|--|--|
| <u>Tyrone Aiken (aka Tyrone Craig) v. DJJ</u> , 2008-CP-40-5481 | July 30, 2008    | Former DJJ inmate was assaulted by several juveniles, resulting in cuts and scratches to his face and his front tooth being knocked out.   | Settled for \$20,000 on March 16, 2009   |
| <u>Kareem Thompson v. DJJ</u> , 2008-CP-40-7718                 | October 24, 2008 | Former DJJ inmate suffered a broken arm while being restrained by a JCO after Thompson threw milk and a cup at another JCO. He later reinjured his arm after a physical altercation with another juvenile. | Settled for \$12,000 on January 17, 2012 |
| <u>James Berlin v. DJJ</u> , 2008-CP-40-7952                    | December 2008    | Automobile accident on I-26 involving a DJJ Police Officer speeding and illegally stopping on the roadway.   | Settled for \$9,256 on March 16, 2009    |

2009 – There were two lawsuits filed against DJJ.

| Case Name   | Date Filed     | Description  | Status  |
|---|----------------|--|---|
| <u>John Doe v. DJJ and DMH</u> , 2009-CP-40-2896  | April 20, 2009 | Former DJJ inmate, who was transferred to a DMH facility, alleged that he was sexually assaulted by another youth who was placed in the same DMH facility.                             | DJJ dismissed as a party on February 27, 2012                 |
| <u>Carol Seawright v. DJJ</u> , 3:09-CV-01197-CMC | May 2009       | DJJ's former Finance Director claimed that her separation from DJJ after saying "I quit" and the agency's refusal to allow her to return to work amounted to a constructive discharge. | Summary Judgment granted and case dismissed November 29, 2010 |

2010 – There were two lawsuits filed against DJJ.

| Case Name   | Date Filed        | Description  | Status   |
|---|-------------------|--|--|
| <u>Patrick Booker v. DJJ and Michael Peterson</u> , 2010-CP-23-7158 | September 1, 2010 | SCDC inmate claims he was physically assaulted by JCO Peterson in 2000 while at DJJ.   | Summary Judgment granted and case dismissed September 14, 2011 |
| <u>Cherby Adams v. DJJ</u> , 2010-CP-40-8270                        | November 24, 2010 | Former DJJ inmate's arm was injured when a JCO used allegedly unnecessary and excessive force on him in an attempt to prevent him from fighting with another juvenile. | Settled for \$42,000 on January 26, 2012                       |

2011 – There were two lawsuits filed against DJJ.

| Case Name   | Date Filed     | Description  | Status                                    |
|---|----------------|--|---|
| <u>Harold Kashner, as Parent and Legal Guardian of Jesse Kashner v. DJJ</u> , 2011-CP-26-7032 | January 2011   | Former DJJ Inmate was physically assaulted by another juvenile when a JCO fell asleep at his post.   | Settled for \$10,000 on September 6, 2011 |
| <u>Rose Powell v. Loris Healthcare Systems, et al.</u> (including DJJ), 2011-CP-26-2550       | April 29, 2011 | Plaintiff was physically assaulted by 3 teenagers in hospital parking lot. She claimed that DJJ was negligently supervising one of the youth on probation at the time of the incident. | Settled for \$14,000 on December 4, 2012  |

2012 – There was one lawsuit filed against DJJ.

| Case Name   | Date Filed         | Description  | Status                     |
|---|--------------------|--|----------------------------|
| <u>A.L. v. DJJ, Jeffrey Carnes, et al.</u> , 2012-CP-40-6882, 3:12-3617-JFA-PJG | September 20, 2012 | Former DJJ detainee (who was being held at the DJJ Detention Center on adult charges of murder and attempted murder) claimed that he was physically assaulted by | Dismissed February 6, 2014 |

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|  |  | another detainee and that DJJ was negligent in not preventing the assault. |  |
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**2013** – There were four lawsuits filed against DJJ.

| <b>Case Name</b>  | <b>Date Filed</b> | <b>Description</b>   | <b>Status</b>   |
|---|-------------------|--|---|
| <u>Patrick Booker v. DJJ and Juvenile Parole Board, 2013-CP-23-1782</u>     | March 13, 2013    | SCDC Inmate claimed that DJJ and the Parole Board were negligent in releasing him home on parole rather than sending him to a group setting upon his release from DJJ, causing him commit adult crimes and be sentenced to SCDC.     | Summary Judgment granted and case dismissed January 8, 2014 |
| <u>Leigh D. Hicks v. DJJ, 3:13-CV-1170</u>                                  | April 30, 2013    | Former DJJ employee (social worker) claimed she was discriminated against, retaliated against, and defamed because of her race when DJJ denied her promotions and did not allow her to perform certain duties she wanted to perform. | Settled for \$7,500 on August 16, 2013                      |
| <u>Bobby Houston v. Avalonia Group Homes, Inc. and DJJ, 2013-CP-23-5668</u> | October 22, 2013  | Juvenile claimed, following an altercation with another juvenile, he was physically disciplined by Avalonia staff and that DJJ was negligent in failing to supervise the provision of services at Avalonia.                          | Settled for \$10,000 in December 2014                       |
| <u>Craig Way v. AMIKids Sand Hills, Inc and DJJ, 2013-CP-13-740</u>         | December 23, 2013 | Juvenile alleges that he was kissed and inappropriately touched while at Camp Sand Hills “by an employee or volunteer known as Mr. John” and that DJJ was  | Pending   |

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|  |  | negligent in failing to supervise or inspect Sand Hills. |  |
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**2014** – There were three lawsuits filed against DJJ.

| <b>Case Name</b>  | <b>Date Filed</b>  | <b>Description</b>   | <b>Status</b>  |
|---|--------------------|--|--|
| <u>Dessa Brown-Hearns v. DJJ</u> , 3:14-CV-01807-MBS-PJG    | May 5, 2014        | Employee (JCO) claimed she was discriminated against based on her gender when another employee (male) received a promotion rather than her.                              | Settled for salary increase and \$7,500 on October 3, 2014 |
| <u>Rebecca Veney v. DJJ</u> , 3:14-cv-03798-JFA-PJG         | September 27, 2014 | Employee (HR) claims race and age discrimination, retaliation, defamation, intentional infliction of emotional distress, and negligent retention.                        | Pending  |
| <u>Dwight Decker v. DJJ, et al.</u> , 2:14-cv-04363-DCN-MGB | November 11, 2014  | Former employee (ISO) who was terminated during probationary period asserts various claims, including discrimination, retaliation, whistleblower action, and defamation. | Pending  |

**2015** – As of March 11, 2015, there have been no lawsuits filed and served on DJJ.