

Session 113 - (1999-2000)

S 0138 General Bill, By Thomas

Summary: Prisoners, good behavior credits; Youthful Offender Division, Corrections Department, Minors, Parole, Probation

A BILL TO AMEND SECTION 24-13-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CREDIT GIVEN CONVICTS FOR GOOD BEHAVIOR SO AS TO PROVIDE THAT A PRISONER SERVING TIME IN AN ADMINISTRATIVE SEGREGATION UNIT OF AN INSTITUTION OR IN THE MAXIMUM SECURITY UNIT OF THE DEPARTMENT AS A RESULT OF HIS OWN MISCONDUCT, AND A PRISONER WHO COMMITS AN OFFENSE OR IS FOUND GUILTY OF SERIOUS OR REPETITIVE RULE VIOLATIONS OF THE INSTITUTION, IS NOT ENTITLED TO CREDIT UNDER THIS SECTION; TO AMEND SECTION 24-19-30, AS AMENDED, RELATING TO THE DUTIES OF THE YOUTHFUL OFFENDER DIVISION OF THE DEPARTMENT OF CORRECTIONS SO AS TO REQUIRE THAT THE DIVISION REFER TO THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES THE NAMES OF COMMITTED YOUTHFUL OFFENDERS FOR CONDITIONAL RELEASE AND UNCONDITIONAL DISCHARGE; TO AMEND SECTION 24-19-50, AS AMENDED, RELATING TO THE POWERS OF COURTS UPON CONVICTION OF YOUTHFUL OFFENDERS SO AS TO SUBSTITUTE THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES IN PLACE OF THE YOUTHFUL OFFENDER DIVISION AS THE DISCHARGE AUTHORITY FOR YOUTHFUL OFFENDERS UNDER AGE TWENTY-ONE SENTENCED INDEFINITELY TO THE YOUTHFUL OFFENDER DIVISION OF THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 24-19-90, AS AMENDED, RELATING TO OPTIONS OF THE DIRECTOR OF THE RECEPTION AND EVALUATION CENTER, SO AS TO PROVIDE THAT THE DIRECTOR MAY RECOMMEND TO THE YOUTHFUL OFFENDER DIVISION OF THE DEPARTMENT OF CORRECTIONS THAT A COMMITTED YOUTHFUL OFFENDER BE REFERRED TO THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES FOR CONDITIONAL RELEASE UNDER SUPERVISION; TO AMEND SECTION 24-19-110, AS AMENDED, RELATING TO THE PROCEDURE FOR CONDITIONAL RELEASE OF YOUTHFUL OFFENDERS, SO AS TO PROVIDE THAT THE YOUTHFUL OFFENDER DIVISION OF THE DEPARTMENT OF CORRECTIONS MAY, AFTER REASONABLE NOTICE TO THE DIRECTOR, REFER TO THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES THE NAME OF A COMMITTED YOUTHFUL OFFENDER FOR CONDITIONAL RELEASE UNDER SUPERVISION, THAT THE DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES RATHER THAN THE YOUTHFUL OFFENDER DIVISION MAY ASSESS REASONABLE FEES TO BE PAID BY YOUTHFUL OFFENDERS TO OFFSET COSTS OF SUPERVISION, AND THAT THE BOARD OF PROBATION, PAROLE, AND PARDON SERVICES RATHER THAN THE YOUTHFUL OFFENDER DIVISION MAY DISCHARGE A COMMITTED YOUTHFUL OFFENDER UNCONDITIONALLY AT THE EXPIRATION OF ONE YEAR FROM THE DATE OF CONDITIONAL RELEASE; TO AMEND SECTION 24-19-130, RELATING TO REVOCATION OR MODIFICATION OF ORDERS OF THE YOUTHFUL OFFENDER DIVISION OF THE DEPARTMENT OF CORRECTIONS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES RATHER THAN THE YOUTHFUL OFFENDER DIVISION MAY REVOKE OR MODIFY PREVIOUS ORDERS ABOUT YOUTHFUL OFFENDERS; TO AMEND SECTION 24-19-140, RELATING TO SUPERVISORY AGENTS OF YOUTHFUL OFFENDERS PERMITTED TO REMAIN AT LIBERTY OR CONDITIONALLY RELEASED, SO AS TO SUBSTITUTE THE DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES FOR THE YOUTHFUL OFFENDER DIVISION AS THE APPOINTING AND REGULATING AUTHORITY FOR SUPERVISOR AGENTS AND REGULATIONS; TO AMEND SECTION 24-19-150, RELATING TO TREATMENT AND RETURN TO CUSTODY OF YOUTHFUL OFFENDERS, SO AS TO PROVIDE THAT IF, BEFORE THE UNCONDITIONAL DISCHARGE OF A CONDITIONALLY RELEASED YOUTHFUL OFFENDER, THE SOUTH CAROLINA BOARD OF PROBATION, PAROLE, AND PARDON SERVICES IS OF THE OPINION THAT A YOUTHFUL OFFENDER WILL BE BENEFITED BY FURTHER TREATMENT, THE BOARD RATHER THAN THE YOUTHFUL OFFENDER DIVISION MAY DIRECT HIS RETURN TO CUSTODY AND MAY REVOKE THE ORDER OF CONDITIONAL RELEASE; AND TO AMEND SECTION 24-21-560, RELATING TO COMMUNITY SUPERVISION PROGRAMS AND REQUIREMENTS OF NOTIFICATION OF RELEASE OF PRISONERS TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE THAT VICTIMS REGISTERED PURSUANT TO SECTION 16-3-1530, THE VICTIMS AND WITNESSES BILL OF RIGHTS, AND THE SHERIFF'S OFFICE IN THE COUNTY WHERE A PRISONER SENTENCED FOR A "NO PAROLE OFFENSE" IS TO BE RELEASED MUST BE NOTIFIED BY THE DEPARTMENT OF CORRECTIONS RATHER THAN THE DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES, AND TO PROVIDE THAT THE DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES MUST NOTIFY THE REGISTERED VICTIM UPON THE REVOCATION OR COMPLETION OF A COMMUNITY SUPERVISION PROGRAM.

12/16/98 Senate Prefiled

12/16/98 Senate Referred to Committee on Corrections and Penology

01/12/99 Senate Introduced and read first time SJ-54

01/12/99 Senate Referred to Committee on Corrections and Penology SJ-54