

January
2013

Report to the Sentencing Reform Oversight Committee



**SOUTH CAROLINA DEPARTMENT OF
PROBATION, PAROLE AND PARDON SERVICES**

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Major Accomplishments

Since the passage of the Omnibus Crime Reduction and Sentencing Reform Act of 2010 (SRA), the Department of Probation, Parole and Pardon Services (SCDPPPS) has made significant strides in implementing the mandates to strengthen probation and parole practices and improve release policies and procedures. The Department and the State of South Carolina are emerging as recognized leaders in evidence-based strategies to reduce recidivism and lessen the impact on the South Carolina Department of Corrections (SCDC) admissions of offenders with technical violations and new felony convictions. The Department is committed to be in the forefront of implementing effective evidence-based practices within the criminal justice system. In the past year the Department has made the following achievements through initiatives that strengthen the Department's resolve for safer communities, the responsible use of resources and offender accountability:

Risk/Needs Assessment

The Department selected the Offenders identified using Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) risk needs assessment. COMPAS is now implemented agency-wide, as well as being utilized in parole release consideration process and assessment for the Parole Board.

- 10,648 Total COMPAS assessments have been completed since implementation on new admissions and legacy cases for release consideration as of January 3, 2012.
- 1,164 Reentry assessments have been completed for parole release consideration as of December 17, 2012.
- The Parole Board utilized the reentry assessments for the first time on November 14, 2012.

Justice Reinvestment Initiative, SMART Probation and the Sentencing Reform Act

Since the inception of the SRA, the State of South Carolina has been awarded a total of \$864,694.48 in federal grant monies to implement empirically-sound supervision strategies at the community level. In continued efforts to adhere to the provisions of the SRA, the Department has sought external funding sources specifically targeted to provide seed monies to implement evidence-based supervision practices to reduce recidivism while improving community correctional supervision practices.

Justice Reinvestment Initiative (JRI)

- Bureau of Justice Assistance (BJA) approved South Carolina's JRI pass-through funding request of \$364,694.48.
- The Department will use \$259,694.48 of the allocated funds for the design of a graduated sanction and incentives matrix, development of the Department's capacity for implementing evidence-based practices (EBP) through core correctional skills training to supplement the use of the COMPAS risk/needs assessment tool, develop a stakeholder EBP curriculum and outreach strategy, and assess data systems and evaluation capacity.
- The Department has signed a contractual agreement with VERA Institute of Justice (VERA) to begin use of funds appropriated for each project and the Department is currently working with VERA to coordinate the deliverables for each project within established timelines.

SMART Probation

- The Department applied for the *Smart Probation: Reducing Prison Populations, Saving Money, and Creating Safer Communities Competitive Grant* which was awarded to the Department by the Bureau of Justice Assistance (BJA) on August 28, 2012 in the amount of \$500,000; the largest amount awarded to the Department and State of South Carolina by the federal government in FY 2012.
- BJA provided seed money to the Department to develop a Smart Probation Model that can be replicated nationally as an evidence-based practice to reduce recidivism in the community.
- The SMART Probation Model includes: an intensive leadership training for a cohort of front-line supervisors and mid-level managers, the use of a proxy risk assessment instrument to efficiently assign legacy offender populations, in efforts to reallocate case loads, provide training and on-going coaching to supervision agents to ensure proficiency in core correctional skills, and promote collaborative partnerships with treatment providers using evidence-based practices to reduce recidivism.

Evidence-Based Practices and Stakeholder Engagement

In adherence to National Institute of Corrections' (NIC) integrated model to reduce recidivism through the collective use of evidence-based principles, organizational development, and collaboration, the Department has made significant gains in engaging external stakeholders in critical need areas related to the provisions of the SRA through the development of community partnerships and cross system collaborations:

The Community Resource Program

The Community Resource Program was created in July 2012 to meet the needs of low- to medium-risk offenders who lack vocational and/or employment skills, housing, and other resources. The program aids them in retaining long-term employment which will build self-efficacy, means to support their family, achieve successful supervision outcomes, and become a contributing member of society.

Goals of the Community Resource Program:

- To create long term employment of the offender through increased community resources, increased employment opportunities, and provide awareness to the community on the benefits of putting offenders to work.
- To increase or add stability to the offender's life, reduce recidivism, and increase public safety.

Target Population

- Offenders identified using Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) who exhibit a high need for vocational/employment programs and other community resource services.

Plan of Action:

- The state was divided into four districts based on needs for employment and resource services using Offender Management System (OMS) data and a review of similar regions used by the Alston Wilkes Society.
- A pilot program was created in two of the four districts. These districts include 11 counties each.
- Enhancements were made to the existing memorandum of agreement with the Department of Employment and Workforce (DEW) to include tracking of offender's progress in SC Works Centers and establishing points of contact between SCDPPPS and DEW to receive monthly progress reports.

Highlights

- Over 100 service providers were contacted by the Community Resource Coordinators in the first 60 days for the purpose of explaining the goals of the program, SCDPPPS' use of the COMPAS assessment, and to receive quality feedback.
- Two forms of literature were created, a brochure to market offenders to employers and a fact sheet about SCDPPPS supervision.
- Community meetings have been held in multiple counties bringing local service providers together with the goal of reducing barriers to employment.
- 8 SC Works Centers (DEW) have implemented a system to track offenders receiving employment services such as job skills, resume writing, and job services.
- 117 referrals have been made to DEW since July 1, 2012 as compared to 115 referrals for FY 12.
- A pre-screen process was created to assist the Community Resource Coordinator to place job ready individuals into the workforce.
- 20 employers have been added to the Community Resource Program job bank.

Charleston County-“Project Fresh Start” Program

Based on the history of strong partnerships with community stakeholders and a growing need to provide risk reduction and reentry program services, the Department's Charleston County Office developed an evidence-based program to address the problem of recidivism in Charleston County.

Goals of “Project Fresh Start” Program:

- Prepare participants to make better life choices and develop sound decision-making skills;
- Provide medium- and high-risk offenders with an opportunity to learn new strategies that will help them become successful under supervision;
- Protect the citizens of Charleston County by addressing the participants' basic criminogenic needs and giving them alternatives to criminal thinking.

Target Population

- Offenders identified using COMPAS who exhibit a high need for vocational/employment programs and other community resource services.

Highlights

- Several workshops were conducted by the probation agents and community partners focusing on cognitive behavioral therapy, drug and alcohol abuse education, and educational and vocational services.
- The first workshop, Supervision 101, was conducted on November 2, 2012, to a cohort of four offenders and facilitated by agents in the Charleston County Office.
- Each participant receives an incentive for each workshop attended and there will be ceremony at the conclusion of an offender's successful completion of the program.

Oconee County-Innovative Strategies and Administrative Sanctions

The Oconee County Office developed an innovative strategy to engage external stakeholders to achieve and support successful supervision outcomes in efforts to address offender financial compliance issues. The strategy is employed after a continuum of graduated administrative sanctions are utilized and in an effort to avoid a formal court hearing to address financial arrearages.

Goals of Strategy:

- Implement a swift and certain response to non-compliance with the offender's permission and agreement

- Continue to facilitate a graduated approach to address supervision non-compliance
- Reduce the time spent in court for probation violation hearings while proactively addressing violations as they occur to gain the optimum effect of a punitive sanction.

Target Population

- Offenders who repeatedly fail to comply with financial obligations and specifically those who are assigned public service employment (PSE) as a graduated sanction and remain non-compliant.

Highlights

- The offender, supervising agent, Agent-in-Charge, and if possible a family member meet in a series of “counseling sessions” to discuss a plan of action to address the financial non-compliance through behavioral modification techniques.
- After several “counseling sessions,” offenders who are chronically non-compliant and who have identified needs (e.g., substance abuse and mental health) as a precursor of financial non-compliance opt for a “time-out”. The courts, the offender, and the defense attorney agree to a partial revocation with a minimum amount of jail time to be served at the local detention center; this process involves the use of waivers versus a formal hearing.

Departmental Task Forces

The Department has implemented taskforces comprised of representatives from all divisions tasked with the goal of targeting departmental practices and policies while improving organizational capacity.

Hiring Practices Taskforce

- Taskforce’s goal is to improve current recruitment and hiring processes.
- Recommendations will be made based on a review of national EBP and from survey data collected from new hires within the last 18 months.
- Recommendations will be finalized and presented to the Executive Management Team (EMT) by January 2013.

Administrative Hearing Taskforce

- Taskforce was convened to review the violation process in terms of administrative sanctions.
- Recommendations will be made based on a review of the violations process in other jurisdictions in order to adopt a strategy that will effectively manage the violations process.
- Site visit occurred in December to Travis County Adult Probation Department in Austin, Texas
- Recommendations will be finalized and presented to EMT in January 2013.

Supervision Practices Taskforce

- Taskforce was convened to review national EBP regarding supervision levels and contact standards while incorporating the results of the COMPAS risk/need assessment information.
- The Taskforce has submitted a final report to EMT in November 2012, and recommendations are expected to be implemented in December 2012.

The Summit on Effective Responses to Violations and Parole

South Carolina is quickly being recognized as a leader for its accomplishments with Sentencing Reform efforts. As a result, the Department was invited and participated in a Summit on Effective Responses to Violations of Probation and Parole Supervision, which was jointly sponsored by the American Probation and Parole Association, the National Center for the State Courts, and the Public Safety Performance Project of the Pew Center on the States. Representatives from the Department had the opportunity to meet with representatives from the legislative, executive, and judicial branches from 14 other states with the goal of reviewing and enhancing the use of administrative sanctions nationally and in South Carolina.

Summary

The Department has implemented supervision strategies that resulted in the reduction of recidivism and the financial impact to SCDC while maintaining public safety. The following reductions from the FY 2010 baseline data have been achieved for FY 2012:

- 34% (-1,114) Reduction of compliance revocation admissions to SCDC
- 26% (-1,491) Overall reduction in supervision revocation rates
- 31% (-1,461) Reduction in compliance revocation rates
- 3% (-30) Reduction in new offense revocation rates
- 36% (-9,875) Overall reduction in the issuance of legal process (warrants/citations)
- 43% (-2,708) Overall reduction of administrative hearings

Population

- 5% (1,409 offenders) increase in active population from FY 2010 to FY 2012
- 31,262 active population as of June 30, 2010
- 32,671 active population as of June 30, 2012

Section 24-28-30 Report Data

Administrative Sanctions

- During FY 2012, there have been **22,034** individuals placed on administrative sanctions (**individuals with a least one violation**). This number represents **67%** of the Department's active offender population as of June 30, 2012.
- A total of **56,833 administrative sanctions** were used to address violations in FY 2012. The Department has experienced a **33% increase** in the use of administrative sanctions compared to FY 2011, and a **33% increase** in the use of administrative sanctions compared to FY 2010.
- 10,658 – Number of administrative sanctions issued at the administrative hearing level during FY 2012.
- An average of 2.6 administrative sanctions were used per offender with a violation.
- A full overview of the administrative sanctions is provided in Section 53 (page 22).

Compliance Credits

- 6,025 offenders were eligible to earn compliance credits during FY 2012 and this represents 18% of the Department's active population as of June 30, 2012.
- During FY 2012, **2,459** individuals earned compliance credits. This number represents **8%** of the Department's active offender population as of June 30, 2012.
- The Department has experienced a **3136% increase** in the number of individuals who earned compliance credits compared to FY 2011. **Due to statutory eligibility requirements, compliance credits were not in use in FY 2010.**
- 117,198 credits have been earned during FY 2012.
- 522,726 credits were denied during FY 2012.
- Primary denial reasons – Financial fee and restitution arrearages
- A full overview of the Compliance Credits program is provided in Section 50 (page 21).

Supervision Revocations for Condition Violations

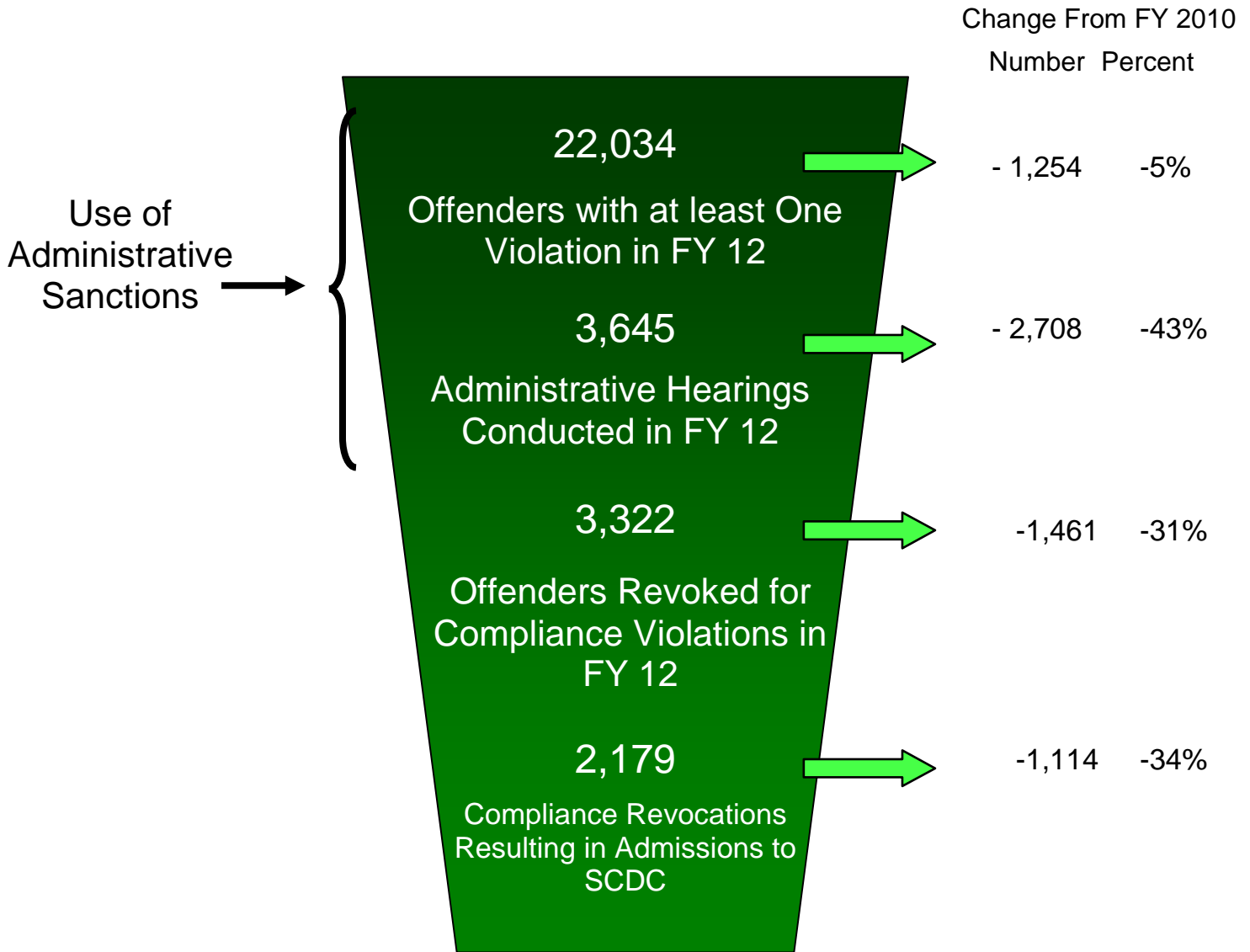
- The Department reports that during FY 2012, **3,322** individuals had their supervision revoked for violations of conditions. This number represents **10%** of the Department's active offender population as of June 30, 2012.
- The Department has experienced a **20% reduction** in the number of individuals who had their supervision revoked for violations of conditions compared to FY 2011, and a **31% reduction** in the rate of individuals who had their supervision revoked for violations of conditions compared to FY 2010.
- The Department reported that during FY 2012, **2,179** individuals were admitted to the SCDC for compliance revocations. This number represents **7%** of the Department's active offender population as of June 30, 2012.
- The Department has experienced a **20% reduction** in the number of individuals who were admitted to the SCDC for compliance revocations compared to FY 2011, and a **34% reduction** in the number of individuals who were admitted to the SCDC for compliance revocations compared to FY 2010.

Supervision Revocations for New Offense Convictions

- During FY 2012, **850** individuals had their supervision revoked for new offense convictions. This number represents **2.6%** of the Department's active offender population as of June 30, 2012.
- The Department reported that during FY 2011, **825** individuals had their supervision revoked for new offense convictions. This number represents **2.6%** of the Department's active offender population as of June 30, 2011.
- The Department reported that during FY 2010, **880** individuals had their supervision revoked for new offense convictions. This number represents **2.8%** of the Department's active offender population as of June 30, 2010.
- Despite an increase in offender population of 5% from FY 2010 to FY 2012, there was a **3% reduction** in the number of individuals who had their supervision revoked for new offense convictions during this same time period.

SCDPPPS FY 2012 Violations Summary

Impact of Sentencing Reform Act Strategies



Administrative Sanctions:
 2,887 PSE Conversions
 169 PSE Sanctions
 8,233 Fee Exemptions
 14,978 Fee Restructures
 13,638 Home Visits
 2,804 Other Admin. Sanctions
 14,124 Verbal/Written Reprimands
56,833 TOTAL SANCTIONS

Data as of: 6/30/2012
 Updated: 11/7/2012

Cost Avoidance

- 1,114 – Total reduction in compliance revocation admissions to SCDC in FY 2011 and 2012.
- 579 – Total reduction in compliance revocation admissions to SCDC in FY 2011.
- 535 – Total reduction in compliance revocation admissions to SCDC in FY 2012.

Cost Avoidance Methodology

- SCDPPPS and SCDC received technical assistance from the VERA Institute of Justice's Cost Benefit Analysis Unit to prepare a calculation of the cost avoidance to SCDC in FY 2012 due to SCDPPPS' reduction in technical revocators and to develop a methodology that would allow for this calculation in the future.
- The methodology selected was Method 4: Staffing Ratios, which was presented to the SROC on November 19, 2012. The template of methodology is on pages 11 and 12 and provides a description of all variables used to generate the total cost avoidance for FY 2012.
- SCDPPPS and SCDC agreed that the calculation would include both variable and step-fixed costs. Step-fixed costs would be calculated by using the ratio of inmates to correctional officers.
- A template was developed and cost avoidance calculations were signed off on December 14, 2012.
- SCDPPPS' total cost avoidance for FY 2012 was \$2,993,340 with a maximum reinvestment of 35% totaling \$1,047,669.

FY 2012 – Cost Avoidance Calculations for the Sentencing Reform Act

FY 12 PPP Avoided Bed – Days =	335,325
Variable Cost Avoidance (335,325 x \$5.58) =	\$1,871,114
Step-Fixed Cost Avoidance (335,325 x \$3.35) =	\$1,122,226
Total Cost Avoidance for FY 2012 =	\$2,993,340
Maximum Reinvestment (\$2,993,340 x 35%) =	\$1,047,669

Cost Avoidance Calculation (Method 4)

Fiscal year of analysis		2012	
a	Days per year	366	FY12 was a leap year (366 days)
			Highlighted fields are user inputs. Other fields are calculated.
Section 1 – Bed Days Avoided			
1	PPP Avoided Bed-Days	335,325	Bed Days Saved FY10 –FY12 12-5-2012.xls
2	PPP Avoided Bed-Years	916	line 1 / line a (days per year)
3	Beds per Housing Unit	144	144 Inmates per unit (wing or dorm) of institution (per SCDC)
4	Avoided Units (posts)	6.0	line 2 / line 3 (rounded down)
Corrections officers			
5	Correction Officers per Unit (post)	4.0	Four officers fill two 12-hour shifts
6	Avoided Officer Is (FTEs)	24.0	line 4 x line 5
Shift Supervisors			
7	Officer Posts per Shift Supervisor	4.0	Each supervisor oversees 4 posts
8	Avoided Shift Supervisors Posts	1.0	line 4 / line 7 (rounded down)
9	Shift Supervisors per Supervisor Post	4.0	Four supervisors fill two 12-hour shifts
	Avoided Shift Supervisors (FTE)	4.0	line 8 * line 9
10	Majors		
11	Shift Supervisors per Major	4.0	Each major oversees 4 shift supervisors
12	Avoided Majors (FTEs)	1.0	line 10 / line 11 (rounded down)
Section 2 – Marginal Costs			
<u>Variable Costs Per Inmate</u>			
13	Food Per Diem	\$1.52	Food Cost FY11 and FY12 FINAL.xls
14	Health Care Per Diem	\$4.06	Health Care Cost FY11 and FY12 FINAL 11-19-12.xls
15	Total Per Diem Variable Costs	\$5.58	line 13 + line 14
16	Total Per Annum Variable Costs	\$2,042	line 15 x line a (days per year)

Step-fixed Costs Per Inmate		
Health Care and other programming		
17	Health/programming personnel, per diem	- To be determined on an annual basis starting in FY 2013.
Corrections Officers		
18	Average Officer Salary (Officer 1)	\$26,281 Level I Correctional Officer I Salary Information.xls (Officer I)
19	Average Shift Supervisor Salary	\$30,511 Level I Correctional Officer I Salary Information.xls (Corporal, Lieutenant, Sergeant)
20	Average Major Salary	\$48,802 Level I Correctional Officer I Salary Information.xls (Major)
21	Fringe Benefit Rate	40% Charles Bradberry email (11/27/12)
22	Average Salary & Benefits (Officer I)	\$36,793 line 18 + (line 18 x line 21)
23	Average Salary & Benefits (Shift Supervisor)	\$42,715 line 19 + (line 19 x line 21)
24	Average Salary & Benefits (Major)	\$68,323 line 20 + (line 20 x line 21)
25	Officer I Step-Fixed Cost	\$883,042 line 6 x line 22
26	Shift Supervisor Step-Fixed Cost	\$170,862 line 10 x line 23
27	Major Step-Fixed Cost	\$68,323 line 12 x line 24
28	Officer Cost Avoidance	\$1,122,226 line 25 + line 26 + line 27
29	Officer Cost Avoidance per Inmate	\$3.35 line 28 / line 1
30	Total Per Diem Step-Fixed costs	\$3.35 line 17 + line 29
31	Total Per Annum Step-Fixed costs	\$1,225 line 30 x line a (days per year)
Total Marginal Cost Per Inmate		
32	Per Diem Marginal Cost	\$8.93 line 15 + line 30
33	Per Annum Marginal Cost	\$3,267 line 32 x line a (days per year)
Section 3 – Cost Avoidance and Maximum Reinvestment		
34	Variable cost avoidance	\$1,871,114 line 1 x line 15
35	Step-fixed cost avoidance	\$1,122,226 line 1 x line 30
36	Grand Total	\$2,993,340 line 34 + line 35
37	Maximum reinvestment	\$1,047,669 35% x line 36

Cost of Supervision

Fiscal impact estimates for SCDPPPS to maintain non-compliant offenders in the community.

Yearly Cost to SCDPPPS per Offender for FY 2011	\$1,175
Yearly Cost to SCDPPPS per Offender for FY 2012	\$1,088
Daily Supervision Cost per Offender (High Supervision) FY 2011	\$3.22
Daily Supervision Cost per Offender (High Supervision) FY 2012	\$2.98
Supervision Days for Year 1	114,063
Supervision Cost for Year 1	\$367,283
Supervision Days for Year 2	335,325
Supervision Cost for Year 2	\$999,269
Total Supervision Cost for Year 1 and Year 2	\$1,366,552

Notes:

- 31,262 – Active population as of June 30, 2010
- 32,671 – Active population as of June 30, 2012
- 5% Increase in population between FY 2010 and FY 2012
- 19% decrease in supervision fees collected and retained between FY 2010 and FY 2012 (decrease of \$1,778,078)

Reinvestment Recommendations

Introduction

According to the RKC Group, a criminal justice research and policy analysis consulting firm based in Colorado, "Investing in evidence-based programs is key to reducing victimization and increasing public safety while simultaneously managing correctional costs." In continued efforts to strengthen community corrections and through the use of evidence-based supervision strategies, the Department has conscientiously developed a proposed use of reinvestment funding based on the maximum reinvestment calculated by Vera's Cost Calculation Model. Based on the accomplishments achieved by the Department, this well-deserved performance-based funding incentive is greatly needed for the Department's continued success in the implementation and utilization of evidence-based supervision strategies. The reinvestment of these funds will be a significant investment in the Department and in community correctional strategies proven empirically effective to reduce recidivism in similar jurisdictions.

Purpose

Through the appropriation of funds pursuant to Section 24-28-30 of the SC Code, the Department intends to continue development of programs and initiatives which use evidence-based behavioral modification strategies and interventions with the goal to reduce offender recidivism. These programs will provide offenders with essential competencies and appropriate treatment interventions which will promote offender accountability, ensure public safety, and minimize the cost to SCDC attributed to offenders with technical revocations.

The following recommendations are based on cost avoidance appropriations, which include the total estimated cost for each priority, the total percentage of reinvestment cost, and the order of importance for each priority:

Priority 1 – Specialized Offender Population Programs for Caseload Specializations

In alignment with the FY2014 Budget request for Caseload Allocations for Optimal Agent/Offender Ratio, the Department is requesting reinvestment funding to provide technical assistance in the development of Risk Management Units (RMU) for high risk/high needs special offender populations in driver counties based on a statistical analysis (e.g., young adult offenders ages 17-24, female offenders, chronic substance abuse offenders, sex-offenders, and mental health offenders). RMUs would be strategically placed in counties with the highest identified need for supervision agent specialization and based on the results of COMPAS assessments. The ideal caseload size for specialized caseloads would be 1:35 under a RMU model. The Department is requesting reinvestment funding to target driver counties with high risk/high needs offenders for caseload specialization to:

- Provide specialized training for targeted RMU caseload specialists.
- Obtain technical assistance to develop and implement a standard RMU model protocol and RMU program evaluation for caseload specializations.
- 15 – Number of FTE's needed for Special Population Caseload Specialists.
- **\$772,220-Total Estimated Cost**
- **74% of the Total Percentage of Reinvestment Cost**

Priority 2 – Reinvestment in the SMART Probation Model

The Bureau of Justice Assistance provided seed funding to the Department to develop a SMART Probation Model under the premise of future reinvestment funding to expand and sustain the program statewide. The main objective of the SMART Probation Model is to increase the total number of successful supervision closures in efforts to facilitate long-term behavioral change. The SMART Probation Model includes: an intensive leadership training for a cohort of front-line supervisors and mid-level managers, the use of proxy risk assessment instrument to efficiently assign legacy offender populations, in efforts to reallocate case loads, provide training and on-going coaching to supervision agents to ensure proficiency in core correctional skills, and promote collaborative partnerships with treatment providers using evidence-based practices to reduce recidivism. The Department is requesting reinvestment funding to:

- Expand the number of staff trained based on the SMART Probation Model and the Justice Reinvestment Initiative (JRI) once all grant funding awarded has been fully utilized by the Department.
- Continue to provide offender treatment services assistance in support of the SMART Probation Model once all grant funding awarded has been fully utilized by the Department.
- **\$197,800-Total Estimated Cost**
- **19% of the Total Percentage of Reinvestment Cost**

Priority 3 – Evidence-Based Victim Impact Educational Program

With reinvestment funding, localized programs and initiatives will be developed in coordinated efforts to build collaborative relationships with external stakeholders. The goal of the Victim Impact Educational Program is to provide offenders with evidence-based programming in order to raise their awareness about victimization and with the hopes of preventing future reoffending. The Department is requesting reinvestment funding to:

- Develop an evidence-based victim impact program which provides programming options to teach offenders about the long- and short-term victimization trauma, increase the offender's awareness of the negative impact of their criminogenic behavior on their victims and others, and encourage offenders to accept responsibility for their past criminal behavior.
- Implement a community-based sanctioning or incentive option for offender referrals to participate in a victim impact course.
- Provide victim impact training to the Department's Victim Services Coordinators for facilitated evidence-based victim impact classes in a community-based correctional setting.
- Obtain technical assistance from the National Institute of Justice-Office of Justice Programs to adopt an evidence-based victim impact course and train-the-trainer curriculum for the Department to build capacity in EBP crime victim-related educational programs.
- 1 – Number of FTE's needed for Victim Impact Program Coordinator
- **\$77,649-Total Estimated Cost**
- **7% of the Total Percentage of Reinvestment Cost**

Combined reinvestment costs (estimated) = \$1,047,669

Section 18

Driving Under Suspension

§ 56-1-460(A)(c)

- Statutory eligibility – DUS 3rd offense or greater.
- Offense date of June 2, 2010 or later.
- Statute mandates fees be charged to cover full costs of monitoring, must have landline phone, and must agree to have electronic monitoring equipment installed.

Highlights for FY 2012

- There were no recommendations or admissions for FY 2012

Section 31

Youthful Offenders

§ 24-19-10

- Statutory eligibility – Offense date of June 2, 1010 or later.
- Expands Youthful Offender Act (YOA) eligible offenses to allow for designated violent and sex offenses.
- Mandates a minimum three years incarceration prior to release for the expanded offense classifications.
- Population impact expected in 2013.

Status

- Department will utilize and support SCDC strategies/policies for this population
- Department staff are working with the SCDC's YOIP Section on any identified issues
- Policies, procedures, forms and MOA language are being updated in conjunction with SCDC strategies/policies

Section 38

Drug Offenses

§ 44-53-375

- Ten drug offenses are eligible.
- Sentence date must be on or after June 2, 2010.
- Non-violent offenders are eligible after serving 25% of their sentence.
- Violent offenders are eligible after serving 33% of their sentence.

Highlights for FY 2012 (All information as of June 30, 2012)

- 346 inmates are currently eligible by statute
- 179 (52%) of the eligible inmates are currently scheduled for a parole hearing
- 86 offenders have been heard for parole
- 16 (19%) Total number of offenders have been granted conditional parole:
 - 3 Number of offenders have been released to conditional parole
 - 13 Number of offenders pending completion of pre-release programming (ATU and/or SPICE)
- 106 offenders have been placed on probation by the Courts in lieu of incarceration
 - 39,207 – Number of bed days saved

Section 40

Conditional Discharge

§ 44-53-450

- Allows for a conditional discharge if: (1) the Defendant has not previously been convicted of any offense under this article or any offense under any State or Federal statute relating to marijuana, or stimulant, depressant, or hallucinogenic drugs, and (2) the current offense is possession of a controlled substance under either Sections 44-53-370 (c) and (d), or Section 44-53-375 (A) of the Code of Laws of South Carolina 1976, as amended.
- Defendant is placed on probation.
- Upon fulfillment of the terms and conditions and payment of a \$350 fee, the Court shall discharge the Defendant and dismiss the proceedings.

Highlights for FY 2012 (All information as June 30, 2012)

- 725 offenders were admitted to the program in FY 2012 for a total of 1,000 admissions since inception
- 612 offenders are currently active on Conditional Discharge
- 319 closures occurred in FY 2012
- 229 (72%) of offenders closed in FY 2012 were closed successfully
- There has been a 22% increase in successful closures since FY 2011
- 7.79 months – Average length of supervision
- 10 Counties have discussed/promoted Conditional Discharge with their Solicitor's Office
- 90 offenders (28%) were returned to the Solicitor's Office

Section 45 & 52

Administrative Monitoring

§ 24-21-100

- Statutory eligibility – Offense date of January 1, 2011, or later.
- Administrative Monitoring (AM) upon the completion of traditional supervision, prior to full payment of required financial obligations IF all obligations other than financial have been met.
- New program with “monitor only” authority.

Highlights for FY 2012 (All information as June 30, 2012)

- 8,424 offenders are currently eligible
- 11,062 cases are currently eligible
- 86 offenders were admitted to the program in FY 2012
- 92 cases were placed in the program in FY 2012
- 53 offenders active in the program
- 56 active cases
- 33 (38%) offenders placed in the program have successfully completed in FY 2012
- \$57,452 – Amount of monies owed
- \$1,058 (2%) – Amount of monies collected
- \$630 AM Fee is owed (\$10 a month)
- \$40 (6%) of this has been collected

Sections 45 & 50

Supervision Risk/Needs Assessment

Implementation/Action/Timeline

- **August 2012** - The Department integrated specified data from the COMPAS risk/needs assessment in OMS and PIC as “read-only” for case management and information.
- **September 2012** - Supervision practices focus group made a recommendation regarding supervision contact standards based on COMPAS assessment data and evidence-based best practices
- **November 2012** - COMPAS software integration for OMS and PIC to align supervision levels and contact levels with the recommended COMPAS supervision level.
- **December 2012** - Development of plan to begin COMPAS norm study with Northpointe researchers
- **January 2013**-Design and development of re-certification for certified COMPAS trainers with Northpointe’s training division
- **February 2013** - OMS upgrades completed to conduct case plans based on the criminogenic needs identified by COMPAS

Supervision Risk/Needs Highlights (As of January 3, 2013)

- 10,648 Total COMPAS assessments have been completed since implementation on new admissions and legacy cases for release consideration
- OMS reports updated to provide management notice of the completion of assessments in compliance with agency best practices and policies
- Supervision practices focus group presented a recommendation for contact standards based on COMPAS assessment results to the Executive Management Team in November 2012

Sections 45 & 46

Parole Risk/Needs Assessment

Parole Risk/Need Highlights (As of December, 17 2012)

- COMPAS reentry assessments were fully implemented in the parole release consideration process in August 2012
- 1,164 COMPAS reentry assessments have been completed on inmates eligible for parole
- The first parole hearing where the assessment results were provided to the parole board was on November 14, 2012 and two subsequent hearing dates (i.e., November 28 and December 12)
- The overall concurrence rate of the examiners’ recommendation with Risk Recommendations Matrix is 70%
- The following has been initiated to address assessment concurrence issues:
 - Implement mandatory override review by management team
 - Enhance database to identify/track/measure override recommendation
 - Enhancement to staff training and policies to better promote purpose and understanding of risk/need tool

Section 46

Parole Board Member Training

§ 24-21-10

- Requires new members of the parole board to complete a comprehensive training course developed by SCDPPPS using training components consistent with those offered by the National Institute of Corrections or the American Probation and Parole Association.
- Requires each member of the Parole Board to complete eight hours of annual training.

Data

- All seven members of the Board completed a one day training on August 1st, 2012. The training was conducted by Neil Goodloe, of Northpointe Inc. on the use of the COMPAS Risk and Needs Assessment in the application of consideration for Parole. The Parole Board began reviewing these assessments as a part of their decision making process in November 2012.

Orientation Training:

- Evidence-Based Practices in Corrections
- National and State Crime Trends
- Criminal Justice Collaboration
- Offender Success and Public Safety
- An Overview of Illegal Drugs in South Carolina
- Parole and the Media
- SPICE (Self Paced in Class Education) Program
- The Role of a Risk and Needs Assessment Instrument in the Decision-Making Process for Paroling Authorities

Section 48

Supervised Reentry

§ 24-21-32

- Statutory eligibility – Offense date of January 1, 2011, or later.
- Minimum two years incarceration must be served to be eligible (includes credit for time served)
- Mandatory release if criteria are met.

Highlights (As of October 1, 2012)

- Program design, policies, practices have been finalized
- SCDPPPS and SCDC have developed release procedures for this population
- Quarterly meetings are held between SCDPPPS and SCDC to improve release communication
- One offender was admitted to the program in August 2012
- Fiscal year projections for 2013 estimates up to 300 eligible inmates

Section 50

Compliance Credits

§ 24-21-280

- Statutory eligibility – Offense date of January 1, 2011, or later and
- An aggregate of 366 days or more of supervision with no break in supervision.
- Department must identify, calculate and award compliance credits (CC) to eligible offenders.
- The purpose is to reduce the supervision period for compliant offenders, thereby reducing workload for SCPPPS staff and less technical revocations returned to prison.

Summary

- As of June 2012, 60% of the denials of compliance credits were for supervision fee arrearages. The Department recommends the statute be modified to align with the Department's policy regarding supervision fee payments. Currently, an agent must address supervision fee arrearage when the account is three payments in arrears and staff at six payments.

Highlights for FY 2012 (All information as June 30, 2012)

- 6,025 – Offenders currently eligible to earn compliance credits. This represents 18% of the Department's active population.
- 624,808 – Potential credits to be earned in FY 2012
- 117,198 – Credits have been earned in FY 2012
- 2,459 – Offenders who have earned compliance credits in FY 2012
- 522,726 – Total number of compliance credits denied in FY 2012
- 60% (314,305) of the denials were for supervision fee arrearages
- 23% (118,640) of the denials were for financial restitution arrearages
- 17% (89,781) of the denials were for violations, supervision status and case status
- 1,741 – Total number of compliance credits revoked in FY 2012
- 197 – Offenders who had compliance credits revoked in FY 2012
- 80% (157) of offenders with compliance credits revoked had their credits revoked due to unsuccessful closure of supervision
- 4 – Offenders closed early due to earning compliance credits
- 159 days – The average number of days that these offenders closed early due to compliance credits
- 12.25 months – The average time under supervision for offenders who closed early due to compliance credits

Section 53

Administrative Sanctions

§ 24-21-110

- Department will identify, develop and implement alternative sanctions to address compliance violations.

Highlights for FY 2012 (All information as of June 30, 2012)

- 31% decrease in total revocations comparing FY 2010 and FY 2012
- 36% decrease in number of legal process documents issued comparing FY 2010 and FY 2012
- 33% increase in the use of lower level administrative sanctions comparing FY 2010 and FY 2012
- Data Analysis to Reduce Recidivism (DARR) meetings continue to be conducted to address county performance

	FY 2010	FY 2011	FY 2012	Change FY10 to FY12	% Increase / Decrease
Active Offenders	31,262	30,977	32,671	1,409	5%
Offenders w/ at Least One Violation	23,288	20,758	22,034	-1,254	-5%
Administrative Sanctions					
PSE Conversions	1,312	1,652	2,887	1,575	120%
PSE Accounts	160	140	169	9	6%
Financial Assessment Restructures	14,168	14,615	14,978	810	6%
Fee Exemptions	7,381	6,341	8,233	852	12%
Home Visits *	11,754	11,911	13,638	1,884	16%
Other Administrative Sanctions	2,535	2,516	2,804	269	11%
Verbal / Written Reprimands	5,367	5,645	14,124	8,757	163%
Total Admin Sanctions	42,667	42,820	56,833	14,156	33%
Legal Process					
Warrants Issued	11,163	9,302	7,150	-4,013	-36%
Citations Issued	16,052	13,082	10,190	-5,862	-37%
Total Legal Process	27,215	22,384	17,340	-9,875	-36%

	FY 2010		FY 2011		FY 2012		Change FY10 to FY12	% Increase / Decrease
	No.	% of Total Closures	No.	% of Total Closures	No.	% of Total Closures		
Revocations								
Compliance Revocations	4,783	29%	4,141	27%	3,322	22%	-1,461	-31%
New Offense Revocations	880	5%	825	5%	850	6%	-30	-3%
Total Revocations	5,663	34%	4,966	32%	4,172	28%	-1,491	-26%

- Home visits to address violations are home visits that occur 30 days after the start of supervision.

Administrative Sanction Imposed at the Administrative Hearing Level (Hearings Officers) for FY 2012

Administrative Sanctions	Number of Sanction
Revocation	
Weekend Jail	14
Partial Revocation	307
Full Revocation	681
YOA Revocation- New Active Sentence	147
Reporting	
Extend Supervision	155
Extend Supervision with Probation Terminated upon Payment	184
Increase Supervision Contacts	440
Decrease Supervision Contacts	3
Report more Frequently until Employed	46
Financial	
Restructure Financial Obligation	1131
Exempt Fee(s) PSE	1118
PSE Conversion	341
Conversion Income Tax to Financial Obligations	1
Disability Pay to Financial Obligations	11
Stack Accounts	287
Report more Frequently until Accounts are Current	4
Set Time to Bring Accounts Current	446
Defer Payment for Time Period	62
Civil Judgment for Fine/Restitution	261
Budgeting Ledger	6
Financial Counseling	1
Reduce Supervision Fee	537
Substance Abuse Treatment	
Inpatient Substances Abuse Treatment	108
Outpatient Substance Abuse Treatment	202
Alcoholics Anonymous/Narcotic Anonymous (AA/NA) 90 in 90	1
AA/NA at Agent Discretion	13
Half-way House	10
Incarceration until Bed Available	84
Treatment Assessment	4
Criminal Domestic Violence	
Anger Management	29
Domestic Violence Counseling	14
No Contact with Victim of Violence	2
Home Detention/Electronic Monitoring/Global Positioning System	
Home Detention	51
Electronic Monitoring	55
Global Positioning System	5
Public Service Employment (PSE)	
Reinstate PSE	90
Impose PSE	16
Vocation/Education	
General Education Diploma (GED)	32
Write Paper on Life Goals	1
Vocational Rehabilitation	92
Five Job Applications per Day	1
Complete Job Search Forms	65
Employment Security Commission	3
Behavioral Treatment	
Mental Health Treatment/Evaluation	45
Grief Counseling	1
Family Counseling	1
Sex Offender Counseling	4
Restrict where Offender May Live	9
Mandate where Offender Lives	7
Restrict Contact with Certain People	11
Letter of Apology to Family	6
Zero Tolerance for Future Violations	38
Remove Special Conditions	24
Other	3,451
Total Sanctions at the Administrative Hearing Level for FY 12	10,658 *

* Included in total administrative sanctions listed on page 8.

Section 55

Parole for Terminally Ill, Geriatric, or Permanently Disabled Inmates

§ 24-21-715(A)

- SCDPPPS to provide supervision for inmates' parole from incarceration due to designated status (e.g., medical, etc.).

Highlights through November 30, 2012

- 11 – Referrals received from SCDC
 - 7 – Inmates were heard for parole
 - 2 – Inmates were conditionally paroled (neither have been released pending nursing home placement by SCDC)
 - 5 – Inmates were rejected for conditional parole
 - 1 – Inmate expired while awaiting hearing
 - 1 – Hearing is pending
 - 2 – Inmates were not eligible for parole due to being a no parole offense