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March 1, 2016

The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

HAND-DELIVERED

Dear Governor Haley:

As you are aware, the House Legislative Oversight Committee is conducting an oversight study of the Department of Juvenile Justice pursuant to S.C. Code Section 2-2-5, et. seq. The purpose of this letter is to share information obtained from the public as a part this study. This information questions the life, health, and safety of juveniles and employees at the Department of Juvenile Justice. While unsubstantiated, nevertheless, these are serious allegations. Given the serious nature of these allegations, the purpose of this letter is to share these concerns sooner rather than later with the Office of the Governor as this is a cabinet agency.

The House Oversight Committee seeks input from the public as a part of its legislative process. Public input is solicited in a variety of ways, including sworn testimony at meetings, interactions with constituents, and online surveys allowing for anonymous comments. Online surveys and interactions with constituents that wish to remain anonymous, pursuant to Committee Standard Practice 10.4, are not considered testimony or offered for the truth of the matter asserted but may nevertheless serve the purpose of directing the Committee to potential issues with an agency.

I would like to thank the Governor's Office for sharing information with the Committee about an incident that occurred Friday, February 26, 2016, at the Department of Juvenile Justice. After this incident, anonymous constituent input to the Committee has increased. The concerns shared by constituents, wishing to remain anonymous, focus on these areas: lack of control, lack of trust, lack of adequate staffing, and lack of safety for juveniles and employees.

Lack of Safety for Juveniles and Employees

Most concerning of all, more than one constituent has expressed a concern that either a guard or juvenile, may be seriously injured or killed. There are allegations of violent behavior by juveniles, e.g., setting of intentional fires and sexual and other assaults on juveniles and guards.

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Lack of Control

The Committee has received an allegation that in the last six months, four units have become uninhabitable as a result of destruction of a violent nature by juveniles. It is further alleged that juveniles have escaped from at least four different units, with one juvenile able to completely leave the grounds of the Broad River Road Complex (BRRC). In addition, the agency has requested, assistance from the State Law Enforcement Division in locating juveniles who have escaped on the grounds.

Lack of Trust

The Committee has received allegations that management sides with juveniles over employees and that juveniles are not being held accountable for their behavior. It has been alleged that event reports may be discarded as there seems to be no follow up after they are submitted, especially when the reports include juveniles attacking guards. The Committee has received allegations that management pressures employees to not file charges against juveniles.

Lack of Adequate Staff

There is an allegation that juveniles know when the agency is short staffed, by the presence of a supervisor on duty, and violence is more likely to occur during those times.

The House Oversight Committee will continue its study of the agency. If the Committee may be of assistance to the Office of the Governor with regards to these concerns, please do not hesitate to contact me. Additionally, the Committee is referring all allegations of fraud, waste, abuse, mismanagement, misconduct, or wrongdoing to the State Inspector General.

Thank you for your dedication to the important issues facing the people of this State.

Sincerely,

The Honorable Wm. Weston J. Newton
Committee Chair

cc: The Honorable Jay Lucas, Speaker of the House
The Honorable Kirkman Finlay III, Law Enforcement and Criminal Justice Subcommittee Chair
The Honorable William K. Bowers, Law Enforcement and Criminal Justice Subcommittee Member
The Honorable Raye Felder, Law Enforcement and Criminal Justice Subcommittee Member
The Honorable Edward R. Tallon Sr., Law Enforcement and Criminal Justice Subcommittee Member
State Inspector General Patrick J. Maley