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9/11/16

The Honorable Kevin Bryant
District 3 - Anderson County
104-A North Ave.
Anderson, SC 29625

Dear Senator Bryant,

In June of this year I wrote letters to all the South Carolina Senators and about half of the members of the House of Representatives. The letter was to request support of a bill (House bill H-5120) that would reduce current mandatory minimum sentences retroactive for all offenders and parole eligibility for all. Current state law of South Carolina requires "no parole" criminals to serve at least 85% of their sentences and the bill proposes reducing it to 65%. The bill which proposed this reduction timed out but my understanding was that the contents were to be incorporated into a senate bill as part of a prison reform initiative. To date I have not been able to find any such bill.

Of the nearly 100 letters I wrote I received two responses – one from Governor's office and one from your office. My son lived and worked in Anderson for over 7 years and had decided to make it his home. He had developed strong ties in the community – with a steady job, a church home and numerous friends and colleagues.

I am attaching the June letter for background on my son and the details of the accident he was involved in. Since his sentencing he has been incarcerated at McCormick correctional institution. (McCormick is a level 3 maximum security facility.) The facility is so severely understaffed that he is "locked down" at least half of every day.

At the prison my son has been given the opportunity to assist in teaching science to inmates working towards their GED. Since the prisoners are not allowed to take their books back to their cells he has developed study guides for them to use. He has also been writing letters to fellow coaches to share with their athletes about the choices they make and the consequences of bad choices – even once. He is corresponding with several of the victim's family members who have explicitly said that they are sorry he is where he is and that they know how remorseful he is for his mistake and that he does not belong there.

I have attached a recent article about overcrowding in South Carolina prisons. I am advocating a bill that would allow first time offenders to have the opportunity to earn parole and be eligible

for work credit. Such an amendment would help reduce the overcrowding and allow inmates to earn their release.

My son would be the first to tell you that not all inmates should be released but a system that rewards good behavior would benefit all. When people have something to strive for they are encouraged to do so. I am asking you to be an advocate for reform that would benefit families, the system and the individuals who have no voice of their own.

I will be calling you to discuss this request but am sending this letter to both of your addresses in hopes of gaining your support. If such a bill were to be introduced I am confident that we will have advocates for it through other Anderson residents who have supported my son and our family and seen firsthand how broken the current system is.

Please give this request careful consideration.

I will be in touch with you soon to discuss further.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laurie McDermott".

Laurie McDermott

Cc

303 Gressette Bldg.
Columbia 29201

Laurie McDermott
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June 26, 2016

Dear,

I am writing to you in support of a bill that would reduce current mandatory minimum sentences retroactive for all offenders and parole eligibility for all. Current state law of South Carolina requires "no parole" criminals to serve at least 85% of their sentences. The bill being proposed would lower that to 65%. House bill H-5120, which proposed this reduction timed out but the contents are to be incorporated into a senate bill as part of a prison reform bill.

On November 8th, 2014 my youngest son Riley, who was living in South Carolina and coaching at his alma mater Anderson University at the time, made a tragic mistake and got behind the wheel of his vehicle after being out with a friend for dinner and drinks. Just before midnight Riley, who at 24 years old, driving a pickup truck had a head on collision with a small passenger car carrying 5 young people. Three of the passengers in the car were killed and 2 were seriously injured.

Riley was held in county jail for 530 days – without bail. In that time he never saw daylight but lived first in the infirmary where he helped care for a dementia patient and then in a dorm. He decided to accept a plea and put himself on the mercy of the court – to avoid putting the families through any further tribulation. After the hearing he spent 37 days in a cell – without even a book to read – waiting for evaluation and placement. Then due to the length of his sentence – this first time offender was sent to a level three – maximum security facility where he spends much of his time locked in a cell.

My son's offense is categorized as a "violent crime". The prosecutor defined it as "murder." When I look up the word murder it is the killing of a human being with intent, malice aforethought (prior intention to kill the particular victim or anyone who gets in the way.) There is no question that Riley's actions were in no way malicious or intentional. He himself is devastated by the result of his actions and has done everything in his power to reach out to the families in remorse. Several of the families affected have even offered forgiveness.

I cannot begin to explain the nightmare our lives and those of all involved have become since the moment of the accident. I know this will sound biased but Riley was just that special kid who was always a kind and gentle soul. He was never a

bit of trouble and a pleasure to parent. At the hearing over 100 people – many from out of state came to offer support and attest to his character.

I ask myself what behavior the Department of Corrections is endeavoring to correct in my son? He has taken responsibility for his actions and has lost most of what he holds dear. Of course there are consequences for actions and poor judgement but here is a person who made one bad decision and will now be incarcerated for 18 years. He has a heart to give back and try to prevent others from making the mistake he has made but I fear that after 18 years he will become hardened to the values he currently embraces out of necessity to survive.

At the plea hearing Judge Maddox challenged Riley to touch other lives by reaching people his own age and telling his story to try to prevent future tragedies such as his. Riley is committed to taking that challenge but asks how he can do that when he will be 40 years old when he is eligible for release.

Please consider supporting this bill which will allow Riley and others like him to earn his freedom in a more reasonable time and allow them to be functioning members of society instead of a burden to an already overwhelmed and broken system.

I implore you to show mercy and humanity worthy of your position. Sincere thanks in advance for any consideration of my request.

Sincerely,

Laurie McDermott

Mr. Jon Ozmint, past director of the Department of Corrections, wisely said, "If you take away all hope from men they act like men with no hope."

TIM SMITH
Greenville News
Aug 24, 2016

COLUMBIA, SC

State prison officer shortages this year have grown so dire that officials have ordered regular lockdowns at some prisons statewide, officials told *The Greenville News*.

But the prison system's director said he hopes a series of actions his agency has taken this summer has turned the corner on vacancies and helped persuade more officers to remain at the state Department of Corrections.

The prison system, which operates 23 prisons holding more than 21,000 inmates, faced a shortage of more than 700 officers in January, according to the department, and a 28 percent vacancy rate..

But after implementing a \$1,500 pay raise and aggressive recruiting, officials say they have whittled that deficit by more than 200.

Bryan Stirling, director of the state Department of Corrections, said prisons hurt at manpower whenever the economy improves and good jobs are available.

"It's literally an inverse relationship from the unemployment rate to our hiring or our vacancy rate," he said. "Once the unemployment rate starts going down, our vacancy rate starts going up."

In January 2011, for instance, the state's unemployment rate stood at 10.6 percent and staff vacancies were at 11.6 percent, according to the prison system. In January 2016, with unemployment below 6 percent, the staff vacancy rate was at 28 percent, according to the agency.

Volvo's new plant in the Lowcountry is great news for job seekers in that area, Stirling said, but because the facility will be located within a couple miles of the McDougal Correctional Institution near Ridgeville, it will affect vacancies at the prison.

"That's going to make it a lot harder to compete with those wages that Volvo is going to pay," he said. "Just like BMW makes it hard in the Upstate."

The vacancies have helped force lockdowns in prisons statewide, he said..

Those lockdowns, which are dreaded by inmates and their families because it can interrupt services, programs and visitation, also are regularly affected by officers who may call in sick and by a prison's needs, such as transportation and staffing for court or to hospitals.

Lockdowns, in which inmates are confined to their cells, can be caused by a variety of factors, including inmates' misbehavior. Stirling said operations officials monitor staffing and safety conditions and decide if lockdowns are necessary, in which dorms and for how long. Prisoners are regularly locked down overnight.

Sometimes the lockdowns are for a portion of a prison's dorms and sometimes they last only for one shift.

"With our officer vacancy rate, it does go hand in hand," Stirling said. "So yes there have been more lockdowns."

But Stirling said they have been a constant in a number of prisons, including Perry Correctional Institution near Piedmont, occurring several times a week.

"Some institutions may go a whole week and they may be locked down from 6 O'Clock at night to the next day," he said. "Lockdowns are a last resort."

He said staff shortages not only can trigger lockdowns but also increase the amount of contraband coming into prisons because it's "less eyes watching what's going on."

To aid in recruiting, lawmakers this year approved a \$1,500 pay raise for prison officers on top of a 3.25 percent pay raise for all state employees.

Stirling said the agency has taken other steps, not only to reduce vacancies but also to improve retention rates, which he said are about 50 percent in the first year of an officer's employment.

Those steps include merit bonuses, creating dorm administrator posts to open new career paths for officers, changing shift schedules and offering overtime pay for those institutions currently experiencing lockdowns.

He said officers working four overtime hours a week could increase their salary by \$4,000.

Stirling said he plans to ask lawmakers for another \$1,500 raise for officers next year.

State Sen. Mike Fair of Greenville, chairman of the Senate Corrections Committee, said he is pleased at the steps the agency has taken to fill officer vacancies. But he said lawmakers are going to have to pay more money if they expect to reduce vacancies and keep officers from leaving for other law enforcement jobs that pay more.

"The state is going to have to face that and be competitive," he said, adding that it may take several budget cycles in which \$1,500 raises are included to bring salaries up to adequate levels.

Officers at Level 1 facilities, the lowest security level, currently start at \$27,891 and after 18 months their pay increases to more than \$30,000, Stirling said.

Officers at the top level prisons start at almost \$31,000 and after two years they can earn more than \$34,000.

The agency also has become more savvy in recruitment, advertising on social media, newspapers, radio, billboards and working with the Department of Employment and Workforce.

"We weren't doing any of that before," Stirling said. "My staff has really stepped up to market good careers at the Department of Corrections."

The steps appear to be working. In July 2015, the agency hired 57 security officers. This July that number jumped to 102. In August 2015, 68 were hired. The agency has hired 121 so far this month..

"We're moving in the right direction," Stirling said.

High prison staff vacancies are not a South Carolina-only problem.

According to the Pew Charitable Trusts, six other states facing "dire" prison staff shortages this year proposed pay increases or new training academies for prison officers to try and solve the problem.

Understaffed prisons, according to the organization, can result in fatigue and stress for guards, and canceled recreational and social programs for inmates, including visitation, and lead to potentially dangerous situations.

Many prisons that are understaffed also are full or overcrowded, according to Pew.

In South Carolina, the prison population has shrunk from a high of 25,088 in 2007 to 21,171 this month, with a reduction of 180 in the past year.

Stirling said he hopes the agency's actions will draw more officers and keep those already at work.

He encouraged anyone who knows someone who is interested in a career in law enforcement to contact his agency.

"They can make a real change in someone's life," he said. "It is a public safety aspect of our world to rehabilitate these folks. We'd like people to apply for jobs here. There are plenty of jobs. You can make a difference in someone's life and make your community safer."