

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

September 27, 2016

Governor Haley,

My name is Rena Hamrick, I reside in Mt. Pleasant SC. I am seeking your help for my son, Daniel, and his family. Daniel, ID# 357581, has been an inmate at SCDC for three years serving time for a felony DUI. The accident was 5 years ago and there was great bodily injury to Mr. Ahmed Garland. There are no winners in these cases, there is a ripple effect and many lives are altered. My son has shown remorse since the day of the accident when he rushed to see what his car hit and the shock of discovering it wasn't a deer but a human injured by him altered his life and Mr. Garland's. During his time at SCDC Daniel has demonstrated through his actions, not words, that he is remorseful. He has a clean record with no disciplinary or non-compliance issues. He has taken advantage of classes, attended AA, worked as much as possible, maintained a positive attitude and avoided the many cliques within the system. For the past year he has been housed in a Character Dorm at MacDougall. Inmates manage the dorm, schedule classes and speakers. There is strict criteria to get in the dorm and strict criteria to remain in the dorm. He is now teaching a class, mentoring to younger inmates about how to make good decisions, being responsible, accountable and breaking addictive behaviors. The Character Unit is like a pre-release for the supervised parole. The Director of SCDC Brian Stirling has visited the dorm and was impressed with the good job the inmates had done managing the dorm as well as the education programs which they scheduled.

Daniel was eligible for parole July 2016. Preparing for the parole hearing is very involved and complicated so we saved and hired an attorney, Tommy Thomas, who has a history of working with the Parole Board. Daniel is fortunate to have a home and a job waiting for him. His boss is an ex-police officer and has stayed in touch with Daniel and guaranteed he will have a job when he comes home. Daniel has a wife and three young children waiting as well as extended family and members of his community. We had many letters of support including one from retired Municipal Court Judge Duffy in Charleston who has known Daniel since middle school and a person who had worked as a parole officer, a counselor and a Professor who spent 15 years working with law enforcement. The Parole Package has support letters from Daniel's children, his wife, myself and my husband, employer, neighbors, friends and extended family with enclosed photos of all us and of Daniel's home. Also certificates of the classes taken during incarceration and the class he is now teaching. Plus there are SCDC work and compliance credits applied to reducing his time. The Parole Package was sent to the Board approximately two weeks prior to the hearing.

Statistically a high number of families fracture when a member is incarcerated and the numbers increase with the length of the incarceration. It is an extreme hardship for a wife and three young children. Daniel's wife has done a wonderful job managing and has tried to make the children's home life as normal as possible without their Dad. The strain is showing on his wife and especially on his 12 year old daughter and 16 year old son.

Daniel's Dad and I have helped his family both financially and emotionally. My husband delayed his retirement so he could better afford to help and I have helped to care for the t

three children but we aren't so young anymore and have health problems so it is tough. The Sentencing Reform Act has provided for alternative methods of serving time. The Parole Board has supervised parole where the offender is allowed to go home, support his family and be under supervision with conditions set by the Board until the max out date. The criteria for supervised parole are explained in detail in a report to the Correction and Penology Oversight Committee at a November 2015 Hearing. Must be non-violent, served a minimum of 2 years and the use of **'evidence based practices and individual risk/need assessment'** as criteria for the supervised parole. They stress the importance of consideration based on the **individual's** time in SCDC, family support, home, employment, a low risk to society and unlikely to re-offend. I just about memorized the Sentencing Reform Act and the Oversight Committee Report. Daniel meets or exceeds all of the strict criteria.

The day of the hearing, September 7, was the most nervous I've ever been in my life because of the importance to Daniel's wife and children's future. We arrived at Lieber at 7:45. We waited three and a half hours before being called. There were three Board Members on video screen. One of them, a lady with blonde hair, was the only one who spoke. She asked questions to Daniel. We were to bring three people to speak plus lawyers. Daniel's wife spoke. Then I started to speak but was interrupted, the third person was not allowed to speak. The Board member talked to Daniel again saying she was impressed with his good record and the way he had conducted himself. Especially interested and complimentary about the Character Dorm, the classes he has taken and that he is teaching a class. He told her the Character Based Unit is like a pre-release portion of supervised parole because of the strict requirements and compliance required to get in and to stay in the dorm. An inmate must stay involved and committed to show progress and ability to abide by all the rules to earn the right to remain in the dorm proving by actions, not just words, remorse and accountability. An inmate has to be serious about rehabilitation and leading a crime-free life after serving time. The Character Based Unit has proven to be a success in rehabilitation, education, honor and trust and prepared to re-enter society and lead a crime free life. She also commented on the fact he had a job, home and supportive family all important parts of a successful supervised parole. Daniel told her he had me contact MUSC about doing a full needs assessment for him and his family to see if there might be adjustment problems for him, his wife or children at home after being incarcerated. She said Mr. Hamrick you have done a good job, spoken and carried yourself well. We were then asked to leave. And in less than 2, maybe even one minute, a lady walked out and said, REJECTED. How could this be? Every criteria developed to comply with the statutes for supervised parole was met or exceeded. Using **'Evidence Based Practices and risk/need assessment of the individual to determine Daniel's risk to society and of re-offending which is just about zero.** Supervised parole is about serving your sentence by an alternative method, being supervised, and paying for that supervision, until the max-out date with conditions set by the Board. Non-violent offenders serving time outside of jail so the inmate, and ultimately his wife and children, are not a burden to the state is a goal the Director of SCDC has spoken about publicly. Getting non-violent offenders out of the prison environment into a supervised parole situation has positive results for preventing recidivism because the offender is more likely to succeed in getting a good job, fewer broken families and acceptance back into the community. The Director said violent offenders should be in jail. Non-violent offenders are suited to alternative methods of serving their time outside of prison which results in lowering the prison population and costs to the state. The Sentencing Reform Act and the development of supervised parole is designed for offenders just like Daniel. Rejected in less than 2 minutes left me in shock and heartbroken for his wife, three children and very concerned about the effect it would have on Daniel,

Page 3.....who has worked so hard and stayed positive for three years, to remain in the prison environment which is full of risks for non-violent, 40 year old first timers. I don't want his family to be another statistic ..another fractured family. Three people making a life changing decision for a family's future is a huge responsibility. The Board is given specific, objective evidence based practices and a risk/need assessment to use specifically for the individual to comply with the statutes of the law in granting supervised parole. Supervised parole was developed so that non-violent offenders are successfully rehabilitated to serve the remainder of their time outside of prison. It is a proven process that will help reduce the burden to the state by getting non-violent offenders back in the community, decrease the risk that results from being incarcerated for an extended period, working , pay for their supervision and serve out their sentence to the max-out date.

The letter Daniel received said he was rejected because of the 'nature of the crime.' Not opposition or failure to meet the strict criteria for supervised parole. He was told he could have three people to speak I started my speech and was interrupted and our third person was not allowed to speak. We thought because the Board member who spoke, mostly to Daniel, was so positive and complimentary they didn't need to hear from us to grant parole with conditions. We were wrong.

Daniel was found to be guilty of a serious crime, a felony, and in no way is he seeking to not serve his time. At his sentencing the Judge told him she would like to sentence him to less time but the law required her to sentence him to the maximum of 15 years. Daniel's lawyer objected to the Judge stating the law required she sentence him to the max saying she had discretion but he was overruled. The Prosecutor discussed an eight year sentence. The Judge told Daniel that he would be 'out' in time to 'raise his children.' He has served three years with an excellent record and work history.

I am compelled to say the three person panel failed to comply with the criteria for parole consideration. And also the three panel Board did not allow me to complete my statement or our third person to speak. We have learned many things in the last five years about our criminal justice system, Even with the good, caring correction officers prison is a dangerous place. I understand why you appointed Director Stirling, because you believe in reform too, and his goal is to move non-violent offenders out of jail to serve their sentence, reduce recidivism and reserve prison for violent offenders. The Parole Board and SCDC report to you so we respectfully ask that you help the decision to reject to be reconsidered and grant Daniel supervised parole. I apologize for the length of this letter, I wanted you have all the background information ...the full story.

Respectfully,



Rena Hamrick

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