

GA-02.08, "Employee Appearance Before a Parole Board," June 1, 2006

SCDC POLICY/PROCEDURE

NUMBER:GA-02.08

TITLE:EMPLOYEE APPEARANCE BEFORE A PAROLE BOARD

ISSUE DATE: June 1, 2006

RESPONSIBLE AUTHORITY: GENERAL COUNSEL

OPERATIONS MANUAL:GENERAL ADMINISTRATION

SUPERSEDES: GA-02.08 (January 1, 2002)

RELEVANT SCDC FORMS/SUPPLIES: NONE

ACA/CAC STANDARDS:NONE

STATE/FEDERAL STATUTES:

PURPOSE: To establish guidelines for employees of the South Carolina Department of Corrections (SCDC) in regards to making appearances and/or recommendations before the Department of Probation, Parole, and Pardon Services (DPPPS) and/or the Juvenile Parole Board.

POLICY STATEMENT: In order to ensure consistency at DPPPS and Juvenile Parole Board Hearings, the SCDC Agency Director has designated the General Counsel or his/her designee as the liaison to the Boards.

GENERAL PROVISIONS:

1. Any SCDC employee who wishes to appear before the DPPPS Parole Board or the Juvenile Parole Board for any of the below noted reasons must notify the General Counsel or his/her designee in writing (via CRT message, e-mail message, or memorandum). This notification should include the affected inmate, date of hearing, type of hearing, and reason for attendance.
2. The General Counsel or his/her designee will forward the original request to Employee Records and a copy to Inmate Records to be filed.
3. SCDC employees, other than the designated liaison, will not appear before the DPPPS or Juvenile Parole Board on behalf of or in opposition to any inmate while acting in an official capacity with the SCDC. Employees of SCDC who, of their own volition, appear before the DPPPS or Juvenile Parole Board for the purpose of representing an inmate, making recommendations, or otherwise influencing the decision of either

Board will do so while on annual or compensatory leave in accordance with SCDC Policy/Procedure ADM-11.08, "Employee Leave," or while on regular days off from work. Employees who are on annual or compensatory leave for this purpose or on regular days off from work will not be authorized to wear their SCDC uniform when appearing before the Board. During such an appearance, an employee will make it clear to the members of the Board that any recommendations presented are made as a citizen of South Carolina and not as a representative of the SCDC.

4. Designated SCDC staff members from the Habilitation, Handicapped, and Psychiatric Units (to include ICS, in-patient psychiatric, mental health, etc.) are allowed to appear before the Parole Board with individual inmates from such units. Staff attendance will only be for the purpose of answering questions or offering information relevant to the adjustment of the inmate, the inmates present intellectual or emotional condition, the need for community follow-up subsequent to parole, and other pertinent matters.

5. Any employee who may possess factual information pertinent to an inmates parole consideration should submit his/her written comments to the appropriate caseworker for inclusion in the inmates institutional record. This information will be available to the Parole Examiner/Agent as information is gathered in preparation for the parole hearing. However, SCDC employees are cautioned not to make any recommendation(s) concerning the granting or denying of parole.

6. If an employee of SCDC is a victim, the Board will notify him/her in writing as to the time and place of the hearing in advance of the actual hearing date. The same stipulations as those outlined in 5., above, will apply in these cases.

7. DEFINITIONS: None

SIGNATURE ON FILE

—
s/Jon Ozmint, Director

ORIGINAL SIGNED COPY MAINTAINED IN POLICY DEVELOPMENT.