



A LIMITED REVIEW OF THE S.C. DEPARTMENT OF JUVENILE JUSTICE AND FOLLOW UP TO OUR JANUARY 2017 AUDIT



INTRODUCTION

In April 2021, the Legislative Audit Council published an audit entitled *A Limited Review of the S.C. Department of Juvenile Justice and Follow Up to Our January 2017 Audit*. The report focused on the S.C. Department of Juvenile Justice’s (DJJ’s) security, staffing, human resources, medical services, educational services, staff training, and financial issues. This follow up is focused on the implementation status of the 101 new recommendations made in the April 2021 audit report. Some of the more significant recommendations in our audit are discussed in this summary and a list of all recommendations with the current implementation status is part of this report. Almost half of our recommendations have not been implemented.

METHODOLOGY

This follow-up review was limited to the recommendations made in the 2021 audit. We reviewed documentation provided by DJJ regarding the status of our recommendations, monitoring reports from the U.S. Department of Justice, and information from relevant agencies. We also conducted limited fieldwork to verify information, as appropriate.

STATUS OF 101 RECOMMENDATIONS				
2021 RECOMMENDATIONS MADE TO:	IMPLEMENTED	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	NOT APPLICABLE
DJJ	28	22	47	2
GENERAL ASSEMBLY	-	-	2	-
TOTAL	28	22	49	2

SAFETY AND SECURITY

RECRUITMENT & RETENTION

DJJ has prioritized recruitment and retention of front-line staff; however, turnover has been on the rise for front-line staff, continuing personal safety risks for juveniles and staff. The U.S. Department of Justice (DOJ) entered into a settlement agreement with DJJ in April 2022 to resolve all issues associated with its investigation to assess whether DJJ failed to protect youth from physical abuse by other youth and staff and to assess DJJ’s use of prolonged solitary confinement at the Broad River Road Campus (BRRC). Based on DOJ’s monitoring reports, DJJ was unable to sustain the progress it had made in the previous monitoring periods in filling and retaining juvenile correctional officer (JCO) positions. JCO vacancies increased from 15% in October 2023 to 39% in February 2024 at BRRC.

PREA STAFFING

DJJ has been able to meet the Prison Rape Elimination Act (PREA) staffing standards (8:1 during waking hours, 16:1 during sleeping hours) as indicated by the 2024 PREA audit for BRRC but DJJ’s other secured facilities were not in compliance. According to the PREA audit, the agency partially reduced the BRRC population due to renovations. DJJ has moved the entire female population, whether awaiting evaluation or committed, to one evaluation center facility. Only 28 youth were housed at BRRC as of August 15, 2024.

FOR MORE INFORMATION

Our reports are published on our website. Copies can also be obtained by contacting our office.

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SOUTH CAROLINA GENERAL ASSEMBLY
Legislative Audit Council
Independence, Reliability, Integrity

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Director

FOLLOW-UP REPORT

CAMERA SURVEILLANCE

DJJ has made significant improvement in its camera surveillance system in response to our camera surveillance recommendations, as well as DOJ's settlement agreement. DJJ installed 1,197 cameras at a cost of over \$7 million for all five secure facilities and should continue to evaluate areas without video surveillance to determine whether additional cameras are needed, including, but not limited to, buses and vehicles used to transport youth and the Willow Gymnasium upstairs workout room.

SECURITY POLICIES

DJJ admitted that its policy structure needs a complete overhaul and update to reflect the actual impact of the implementation of Raise the Age. The agency is working with the National Partnership of Juvenile Services to develop a strategic roadmap for updating policy. While we recommended that DJJ ensure all security-related policies are maintained and updated at the state and facility level, DJJ is focused on revising 20 policies related to or mandated by the DOJ settlement agreement including: mechanical restraints, camera surveillance, use of force, isolation, reporting events, investigations, special response team, protective custody, and dual supervision. Only five of the nine security-related policies have been finalized.

DATA COLLECTION

Effective June 30, 2024, DJJ ended the use of Performance-based Standards, Pbs, a national data collection program implemented by DOJ's Office of Juvenile Justice and Delinquency Prevention, for facility compliance without having a revised data collection process in place. Agency staff indicated that DJJ continues to work on developing its own "facility data collection process," which involves updating the Event Reporting System that DJJ uses to track incidents at DJJ facilities.

STAFF TRAINING

JDC OFFICER TRAINING

Instead of DJJ sending juvenile detention center (JDC) officers to the S.C. Criminal Justice Academy (CJA), DJJ requested and received an exemption from CJA to be able to train its own JDC officers, provided CJA approves the curriculum. DJJ is required to notify CJA within five days of staff completing certification; however, we found discrepancies between the data provided by DJJ and the list of certified officers provided by CJA. For example, DJJ's data included officer certification dates that CJA does not reflect, making it difficult to determine which officers are actually certified JDC officers. JDC staffing continues to be a challenge at DJJ. We reviewed 118 JDC officers hired and trained by DJJ in 2023 and found that, as of early August 2024, 79% (93) of those officers had left DJJ, averaging just three months at the agency.

HUMAN RESOURCES

EMPLOYEE SALARIES

DJJ has made progress in providing salary increases to front-line employees including juvenile correctional officers, human services specialists, and coordinators working in the community, as well as other staff.

DISCIPLINARY ACTIONS

In the 2021 audit, we noted several employees with multiple disciplinary offenses that were employed by DJJ. We reviewed the current status of these employees and found that only one is currently employed by DJJ. This employee left DJJ but was later rehired in a higher-level position. We did not find any additional disciplinary actions regarding this employee subsequent to rehire.

We reviewed a sample of disciplinary actions taken under DJJ's current employee progressive discipline policy (last revised in September 2021) to determine whether the agency enforced all disciplinary actions as required. We found no instances of the agency failing to take the appropriate disciplinary action for employees with multiple infractions.

MEDICAL CARE AND EDUCATIONAL SERVICES

MEDICAL TRANSPORTATION

DJJ has not updated its transportation policy to ensure that juveniles are transported to medical appointments. DJJ staff confirmed that juveniles are not being transported to needed medical care and that the agency does not have a transportation plan in place.

MENTAL HEALTH

DJJ identified and implemented the Mental Health Training for Juvenile Justice curriculum, developed by the National Center for Youth Opportunity and Justice. This mental health training is provided to JCO staff as part of the security and operations basic training. In addition, we recommended that mental health training be required annually for security staff. We requested DJJ's current policy requiring annual mental health training; however, DJJ responded that its training policy and plan are in the process of being revised.

STUDENT GRADES

DJJ has not implemented quality assurance review procedures for students' end-of-year final grade calculations and credit awards, as we recommended.

FOLLOW-UP REPORT

FINANCIAL

INTERNAL AUDIT

DJJ does not have an independent internal audit function, as recommended.

VENDOR PAYMENTS

A review of vendor payments from July 2023 through February 2024 showed no improvement in the timeliness of payments since the April 2021 audit. Invoices paid more than 180 days past the invoice date included multiple food invoices for secure facilities, a group home invoice, and employee travel reimbursement. In addition, DJJ staff noted that medical providers discontinued services for juveniles due to delayed payment, which we also found in the 2021 audit.

CARRYFORWARD

DJJ's carryforward balances continued to increase through FY 22-23; however, the agency is in the process of utilizing some funds to support agency needs as allowed by Proviso 67.15. This proviso allows DJJ to utilize certain carryforward funds for agency operating and/or capital needs including recruitment and retention of qualified staff, youth services' training and community programs, physical plant maintenance and upgrades, and projects on both the agency's master plan and comprehensive permanent improvement plan. The plan must be submitted for review to the chairs of four legislative committees before the expenditure of any funds. This proviso, passed initially in FY 22-23, was renewed for FY 24-25.

#	A LIMITED REVIEW OF THE S.C. DEPARTMENT OF JUVENILE JUSTICE AND FOLLOW UP TO OUR JANUARY 2017 AUDIT (APRIL 2021) RECOMMENDATIONS	IMPLEMENTED	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	N/A
SAFETY & SECURITY					
1	The S.C. Department of Juvenile Justice should ensure that Prison Rape Elimination Act and internal staffing standards are regularly met.		X		
2	The S.C. Department of Juvenile Justice should ensure that security staff remain eligible to earn paid overtime when covering essential shifts at secure facilities.	X			
3	The S.C. Department of Juvenile Justice should standardize facility staffing plans and re-evaluate these plans on an annual basis.		X		
4	The S.C. Department of Juvenile Justice should standardize the contents of shift reports, including the number of juveniles and staff present throughout the shift.		X		
5	The S.C. Department of Juvenile Justice should ensure that these shift reports are disseminated to all levels of management, including the director, on a daily basis.	X			
6	The S.C. Department of Juvenile Justice should increase the number of employees with event reporting system categorization responsibilities, including employees with specialized gang training.			X	
7	The S.C. Department of Juvenile Justice should implement clear standards for events that should be assigned for criminal investigation.	X			
8	The S.C. Department of Juvenile Justice should record what action is taken in cases referred to management for follow up, and use that information to monitor whether these cases are addressed appropriately.	X			
9	The S.C. Department of Juvenile Justice should modify its investigations' policy to improve the timeliness and transparency of administrative investigations.	X			
10	The S.C. Department of Juvenile Justice should implement a comprehensive gang intervention program that adopts the strategies of the Office of Juvenile Justice and Delinquency Prevention Comprehensive Gang Model.			X	
11	The S.C. Department of Juvenile Justice should consult with solicitors local to DJJ facilities to establish standards for notification of criminal incidents and recommendation of criminal cases.			X	
12	The S.C. Department of Juvenile Justice should discontinue its policy of requesting probable cause determinations from local solicitors regarding pending criminal investigations.	X			
13	The S.C. Department of Juvenile Justice should allow Performance-based Standards' (PbS) staff and other staff who review and handle incidents access to all relevant evidence, including video camera footage.			X	
14	The S.C. Department of Juvenile Justice should develop a plan to address each limited compliance and failed compliance quality measure to achieve satisfactory compliance levels in a timely manner.		X		
15	The S.C. Department of Juvenile Justice should address systemic problems identified by the quality assurance reports and other external reviews regarding the secure facilities.		X		

FOLLOW-UP REPORT

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16	The S.C. Department of Juvenile Justice should review previous Correctional Consulting Services, LLC and Legislative Audit Council recommendations to ensure they are addressed and implemented.				X
17	The S.C. Department of Juvenile Justice should hold facility management and relevant management at agency headquarters accountable for the implementation and compliance of all quality assurance corrective action plans.		X		
18	The S.C. Department of Juvenile Justice should ensure that the quality assurance reports are completed annually for each secure facility.			X	
19	The S.C. Department of Juvenile Justice should ensure all security-related policies are maintained and updated at the state and facility levels.		X		
20	The S.C. Department of Juvenile Justice should ensure that the surveillance system covers the blind spots at every secure facility.	X			
21	The S.C. Department of Juvenile Justice should, with the upgrade of the system, change its procedures concerning the retention of the videos to ensure their availability for investigations.	X			
22	The S.C. Department of Juvenile Justice should increase recruitment efforts to ensure that there is sufficient staff to address the increase of Raise the Age juveniles.		X		
23	The S.C. Department of Juvenile Justice should develop a formal housing plan for Raise the Age juveniles to ensure the agency complies with the requirements of the state constitution.			X	
24	The S.C. Department of Juvenile Justice should expand its Youth in Transition program to address the needs of all Raise the Age juveniles.			X	
HUMAN RESOURCES					
25	The S.C. Department of Juvenile Justice should develop and implement a standard operating procedure prioritizing greater salary increases for front-line employees on an annual basis.		X		
26	The S.C. Department of Juvenile Justice should reallocate funds to ensure that front-line, essential employees receive raises at the same rate as the other job classes.	X			
27	The S.C. Department of Juvenile Justice should modify agency policy to require that start and end times for dually-employed staff are used to track hours worked, not net hours.			X	
28	The S.C. Department of Juvenile Justice should conduct an Employee Performance Management System process for all employees who are overdue for performance reviews as soon as possible.			X	
29	The S.C. Department of Juvenile Justice should develop policy and implement standard operating procedures for performance reviews of non-covered employees, including its deputy directors.			X	
30	The S.C. Department of Juvenile Justice should follow state regulations and its policy to ensure all covered employees undergo the Employee Performance Management System process annually.		X		
31	The S.C. Department of Juvenile Justice should implement an annual agencywide Employee Performance Management System date to ensure compliance.	X			
32	The S.C. Department of Juvenile Justice should ensure that each position description contains a thorough and accurate description of that position's job duties.			X	
33	The S.C. Department of Juvenile Justice should develop and implement standard operating procedures to ensure that all employees have had an opportunity to review and sign their position descriptions.	X			
34	The S.C. Department of Juvenile Justice should annually review all position descriptions to ensure accuracy and completeness.			X	
35	The S.C. Department of Juvenile Justice should develop and implement standard operating procedures to ensure that position descriptions, for positions not subject to the agency's delegated authority, are sent to the S.C. Department of Administration's Division of State Human Resources as the position descriptions are updated.		X		
36	The S.C. Department of Juvenile Justice should conduct an audit of its human resources files to ensure that all employees claiming a degree have an official transcript demonstrating receipt of the degree in their files.			X	
37	The S.C. Department of Juvenile Justice should ensure that each employee claiming a degree has an official transcript demonstrating receipt of the degree prior to hiring.			X	
38	The S.C. Department of Juvenile Justice should always conduct a full applicant search to ensure that the most qualified individuals are hired, especially for deputy director positions.			X	

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39	The S.C. Department of Juvenile Justice should include clearer definitions in its policy for all offenses for which an employee may be disciplined.	X			
40	The S.C. Department of Juvenile Justice should modify its employee progressive discipline policy to include a clear timeframe for adjudication of employee infractions to increase the timeliness of suspensions pending investigation.		X		
41	The S.C. Department of Juvenile Justice should review employee disciplinary actions to determine whether employees should work for the agency in a security position.	X			
42	The S.C. Department of Juvenile Justice should enforce all disciplinary actions as outlined in its employee progressive discipline policy.	X			
43	The S.C. Department of Juvenile Justice should revise its recruitment and retention plan(s) to include all recruitment and retention benefits.	X			
44	The S.C. Department of Juvenile Justice should immediately implement the rapid hire event toolkit of the Division of State Human Resources and the critical recruitment proviso into the agency's recruitment and retention efforts.	X			
45	The S.C. Department of Juvenile Justice should identify the security staff who leave for another law enforcement/correctional agency, determine the cost of mandatory training that was completed within a two-year period of resignation, and request reimbursement from the receiving organization.			X	
46	The S.C. Department of Juvenile Justice should develop and utilize a tracking system to analyze the results of recruitment and retention efforts and include the results in the recruitment and retention plans using data-based information			X	
47	The S.C. Department of Juvenile Justice should identify selection and process requirements that can be included in the posting process.	X			
48	The S.C. Department of Juvenile Justice should examine its current practices for posting and hiring vacant juvenile correctional officer positions to eliminate unnecessary reviews.	X			
49	The S.C. Department of Juvenile Justice should change criminal background, driver's license, and prior DJJ employment reference checks to be part of the human resources screening prior to authorizing hiring officials to conduct interviews.		X		
50	The S.C. Department of Juvenile Justice should, in its postings, have the hiring salary and a list of what additional qualifications would make an applicant eligible for a higher salary.	X			
51	The S.C. Department of Juvenile Justice should authorize the human resources and institutional services' divisions to post and hire entry-level juvenile correctional officer pre-approved vacant positions in bands one through four without oversight by senior leadership.	X			
52	The S.C. Department of Juvenile Justice should review the employment tests used by North Carolina, Florida, and Georgia to determine their feasibility for South Carolina.			X	
53	The S.C. Department of Juvenile Justice should evaluate Florida and Georgia's basic training and certification requirements and implement pertinent aspects into its basic training curriculum and certification requirements.			X	
54	The S.C. Department of Juvenile Justice should analyze which job fairs generate the most hires to determine where they should be held.			X	
55	The S.C. Department of Juvenile Justice should expand the tracking spreadsheets to include the number of staff members involved, the job fair fees, and travel costs to determine a rate on return of hires compared to cost.		X		
56	The S.C. Department of Juvenile Justice should add outcomes, deadlines, and potential costs to the written recruiting plan.			X	
57	The S.C. Department of Juvenile Justice should identify, collaborate, and participate with other agencies and workforce partners including the S.C. Department of Social Services, the S.C. Department of Employment and Workforce, and other community organizations (such as food banks) in drive-through job fairs.	X			
58	The General Assembly should consider amending Title 9 of the S.C. Code of Laws: Retirement Systems regarding participation in the Police Officer's Retirement System to better clarify positions considered "peace officers."			X	

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59	The General Assembly should amend Title 9 of the S.C. Code of Laws: Retirement Systems to require the S.C. Public Employee Benefit Authority to provide oversight regarding employees entering the state retirement system, including, but not limited to, verification of membership requirements before enrolling an employee into a state retirement plan.			X	
MEDICAL CARE & EDUCATIONAL SERVICES FOR JUVENILES					
60	The S.C. Department of Juvenile Justice should review the current capabilities of its Mediat system and immediately implement changes to better track medical histories of the juveniles, refusal of medical care, and missed medical appointments.			X	
61	The S.C. Department of Juvenile Justice needs to develop a transportation plan by identifying staff and protocols for efficiently transporting juveniles to medical appointments.			X	
62	The S.C. Department of Juvenile Justice should update and implement a policy on transporting juveniles to improve current practices.			X	
63	The S.C. Department of Juvenile Justice should hire more full-time nursing staff instead of relying on contract nurses.		X		
64	The S.C. Department of Juvenile Justice should identify adequate mental health training and require its security staff to complete this training annually.		X		
65	The S.C. Department of Juvenile Justice should expedite its plans to open an intensive group home.			X	
66	The S.C. Department of Juvenile Justice should include the procedures and standards for enrolling students into the GED course of study in its policies and/or standard operating procedures.			X	
67	The S.C. Department of Juvenile Justice should implement a formal document retention policy for end-of-year final grade calculations and credit awards.			X	
68	The S.C. Department of Juvenile Justice should adopt quality assurance review procedures for end-of-year final grade calculations and credit awards.			X	
69	The S.C. Department of Juvenile Justice should work with the S.C. Department of Education to modify its student transfer policies, including defining the records to be transferred and shortening the deadline to send records after receiving a request.			X	
70	The S.C. Department of Juvenile Justice should work with the S.C. Department of Education to identify recommendations to make to the General Assembly to amend its adult education regulations to remove the family court certification and re-enrollment feasibility requirements for certain DJJ youth.		X		
STAFF TRAINING					
71	The S.C. Department of Juvenile Justice should ensure all officers assigned to work at the Juvenile Detention Center graduate from the three-week basic detention training at the S.C. Criminal Justice Academy within one year of their hire dates.				X
72	The S.C. Department of Juvenile Justice should immediately schedule the Juvenile Detention Center officers who are not currently certified to complete the required training.			X	
73	The S.C. Department of Juvenile Justice should ensure that training is scheduled to maintain JDC officers' recertification.	X			
74	The S.C. Department of Juvenile Justice should ensure that all juvenile correctional officers receive the mandated training within the required time for certification (first six months of employment) and annual recertification.		X		
75	The S.C. Department of Juvenile Justice should ensure that officer training is required for anyone acting in a security officer capacity.		X		
76	The S.C. Department of Juvenile Justice should determine what additional defensive countermeasures are needed to properly handle the current population of juveniles.	X			
77	The S.C. Department of Juvenile Justice should implement better defensive countermeasures once identified.		X		
78	The S.C. Department of Juvenile Justice should ensure that non-security employees complete training, as required by policy.			X	
79	The S.C. Department of Juvenile Justice should ensure the South Carolina Enterprise Information System's learning management system has not duplicated trainings.	X			

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80	The S.C. Department of Juvenile Justice should require employees to complete refresher trainings/certifications once notifications are received from the South Carolina Enterprise Information System learning management system.			X	
81	The S.C. Department of Juvenile Justice should ensure all employees annually complete the ethics/code of conduct course offered by the S.C. Department of Administration.			X	
FINANCIAL ISSUES					
82	The S.C. Department of Juvenile Justice should have its internal audit function report directly to the agency director.			X	
83	The S.C. Department of Juvenile Justice should update its policies to require that the internal audit function reports directly to the agency director to maintain independence in accordance with the Institute of Internal Auditors standards.			X	
84	The S.C. Department of Juvenile Justice should update its policies and standard operating procedures to align with the reorganization of the internal audit function.			X	
85	The S.C. Department of Juvenile Justice should continue to follow the Institute of Internal Auditors standards, despite the reorganization of the internal audit function.			X	
86	The S.C. Department of Juvenile Justice should review its processes and procedures and implement steps to improve the accuracy of the data entered into the South Carolina Enterprise Information System.			X	
87	The S.C. Department of Juvenile Justice should continue to streamline its processes and train staff to issue payments in a more timely fashion.			X	
88	The S.C. Department of Juvenile Justice should provide guidance to applicable staff regarding its expectations of timelines for the submission of invoices, goods receipts, and all other aspects of the payment processes.			X	
89	The S.C. Department of Juvenile Justice should work with the S.C. Enterprise Information System to correct grant expenditures for the issues identified in the statewide accounting system.	X			
90	The S.C. Department of Juvenile Justice should develop more comprehensive guidance and procedures for the reconciliation of grants and end-of-year close out.			X	
91	The S.C. Department of Juvenile Justice should only charge a grant for costs incurred during its period of performance.	X			
92	The S.C. Department of Juvenile Justice should only charge a grant for costs that fall within allowable categories under grant guidance.	X			
93	The S.C. Department of Juvenile Justice should have a full, independent audit of grant expenditures and adjustments from FY 16-17 through FY 19-20 for all educational grants.			X	
94	The S.C. Department of Juvenile Justice should reimburse the S.C. Department of Education for any federal funding used for unallowable costs.	X			
95	The S.C. Department of Juvenile Justice should provide training to staff in response to the findings of the state auditor's FY 18-19 report and future findings, if training has not already been provided.			X	
96	The S.C. Department of Juvenile Justice should, to help lower insurance premiums, ensure juveniles are supervised at all times and unable to gain access to staff personal property, including staff vehicles.		X		
97	The S.C. Department of Juvenile Justice should develop internal, written procedures governing the periodic review of role assignments in the statewide accounting system and other agency accounting systems.			X	
98	The S.C. Department of Juvenile Justice should continue to review segregation of duties on an annual basis, at a minimum, and when role changes occur, for new or current employees to ensure responsibilities are separated as much as possible.			X	
99	The S.C. Department of Juvenile Justice should separate the oversight of the accounts receivable and accounts payable functions to increase segregation of duties.			X	
100	The S.C. Department of Juvenile Justice should separate the trust accounting functions to increase segregation of duties.			X	
101	The S.C. Department of Juvenile Justice should utilize existing funds to support the agency's needs, as appropriate and allowable by state law, and minimize its end-of-year carry forward funds.		X		