



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

RECEIVED

Sep 01 2022

SC Court of Appeals

OFFICE OF GENERAL COUNSEL

September 1, 2022


Gregory Pencille, # 312332
Evans Correctional Institution
F4A-275
610 Highway 9 West
Bennettsville, South Carolina 29512

RE: Gregory Pencille, # 312332, v. South Carolina Department of Corrections
Appellate Case No. 2022-000871

Dear Mr. Pencille:

In response to your motion submitted on August 25, 2022, and filed August 29, 2022, enclosed is a complete copy of the Step 1 Grievance form you requested. I am copying the Clerk of Court for the South Carolina Court of Appeals.

Sincerely,


Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections

cc: The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

WARDEN'S DECISION AND REASON:

Gregory Pencille 312332

ECI 0074-22

I have reviewed your grievance. In your statement you alleged Evans Correctional Administration denied your receipt of hardcover books which is in violation of SCDC policy(s) PS-10.08 "Inmate Correspondence Privileges" and OP-22.35 "Contraband Control." You are requesting reimbursement for monies spent on hardcover books. However Pursuant to SCDC Policy OP-22.03 Authorized Inmate Property and Disposition of Unauthorized Property, in order to ensure the safety and security of employees, inmates, and each institution, and to comply with related standards and regulations pertaining to fire-life safety and sanitation and hygiene, inmates will be allowed to possess only those items of property authorized to be retained. The SCDC will identify the types of property that may be retained, issued, possessed, and/or purchased and be informed of the control and the allowable limits of inmate property and of what is considered unauthorized property. On March 7, 2022 a memo was enforced stating, "Hard cover books are now prohibited. Inmates who currently have hardcover book must mail them out using provided amnesty boxes or turn the books into contraband control for disposable.

Therefore, your grievance is denied.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing a SCDC Step 2 Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this decision.

Andy Whinger 3-22-22
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

[Signature] 3/23/22
Grievant Signature Date

J. Leal 3/23/22
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.