



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

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Feb 02 2023

SC Court of Appeals

OFFICE OF GENERAL COUNSEL

February 2, 2023

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

RE: Travon Simuel, # 246568, v. South Carolina Department of Corrections
Appellate Case No. 2022-000934

Dear Ms. Kitchings:

This letter is in response to the Court's letter dated February 2, 2023, inquiring as to whether Respondent received the corrected Record on Appeal that was received by the Court on November 21, 2022. While Respondent did receive this version of the Record, it is still deficient in that it is missing consecutive page numbers in between pages 1 and 8, and it also fails to contain the Affidavit of Jeffrey Bowers, which was relied upon by the ALC below and Respondent specifically requested in its Designation of Matter. Respondent cites to this Affidavit multiple times in its Brief. The Affidavit is attached to this letter.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections

cc: Travon Simuel, # 246568
Turbeville Correctional Institution
SA-0204
1578 Clarence Coker Highway
Turbeville, South Carolina, 29162

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Feb 02 2023

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE ADMINISTRATIVE LAW COURT**

Travon Simuel, SCDC # 246568,

Appellant,

v.

South Carolina Department of Corrections,

Respondent.

Docket No.: 21-ALJ-04-0373AP

Grievance No.: TCI-0183-21

Hon. Shirley C. Robinson

**AFFIDAVIT OF
JEFFREY BOWERS**

PERSONALLY APPEARED BEFORE ME, Jeffrey Bowers, who, being duly sworn, states as follows:

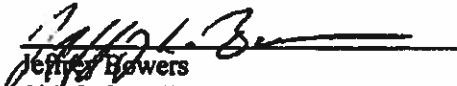
1. I am employed by the South Carolina Department of Corrections Office of Investigations and Intelligence as Chief of Intelligence Operations. As Chief of Intelligence Operations, I reviewed inmates for validation as members of a security threat group. I am familiar with SCDC Policy-OP-21.01 Security Threat Groups.

2. On October 7, 2021, changes were made to this review process. On that date, SCDC Policy-OP-21.01 Security Threat Groups was superseded by SCDC Policy OP-22.58 Security Threat Groups.

3. SCDC Policy-OP-21.01 Security Threat Groups provided a list of criteria to be considered in deciding whether validation was appropriate. It did require that at least two of the criteria be present for an inmate to be validated as a member of a security threat group. However, it did not mandate validation where two of the criteria were present. The decision whether to validate was up to the discretion of the reviewing employees. This policy did not require that the inmate be given advance notice of this review or an opportunity to be heard on the issue.

4. On May 7, 2021, I reviewed Travon Simuel, SCDC # 246568, for possible validation as a member of a security threat group. SCDC Policy-OP-21.01 Security Threat

Groups was in effect at that time. Two of the policy criteria were present; he possessed security threat group publication(s) and correspondence identifying a security threat group affiliation. Mr. Simuel had been classified as a suspected member of a security threat group since 2005. I approved the recommendation for validation. Mr. Simuel's status was updated to validated member of a security threat group on May 11, 2021.


Jeffrey Bowers
Chief of Intelligence Operations
Office of Investigations & Intelligence
S.C. Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221

Sworn to before me this 30th day
of March, 2022.



Notary Public for South Carolina
My Commission Expires: 10/1/2031