

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Dec 20 2023

S.C. SUPREME COURT

Certiorari to the Court of Appeals
Appeal from Florence County
Hon. William H. Seals, Circuit Court Judge
Appellate Case No. 2019-000521

THE STATE,

Petitioner,

v.

TERRIEL LESHAWN MACK,

Respondent.

Opinion No. 6031 (S.C. Ct. App. filed July 12, 2023)
(Withdrawn, Substituted and Refiled November 1, 2023)

THE STATE, ... PETITIONER

v.

TERRIEL LESHAWN MACK,.....RESPONDENT.

APPENDIX

KATHRINE H. HUDGINS
Appellate Defender

ALAN WILSON
Attorney General

S.C. Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, South Carolina 29211
(803) 734-1330

TOMMY EVANS, JR.
Assistant Attorney General

Post Office Box 11549
Columbia, South Carolina 29211
(803)734-3727

ATTORNEY FOR RESPONDENT

E. L. CLEMENTS, III
Solicitor, Twelfth Judicial Circuit
180 North Irby Street
Florence, South Carolina 29501
(843) 665-3091
ATTORNEYS FOR PETITIONER

INDEX

RECORD ON APPEAL	1
FINAL BRIEF OF RESPONDENT	694
FINAL BRIEF OF APPELLANT.....	743
UNPUBLISHED OPINION 262 OF THE SC COURT OF APPEALS.....	225
PETITIONER’S PETITION FOR REHEARING	798
ORDER DENYING PETITION FOR REHEARING & SUBSTITUTING OPINION.....	818
OPINION NO. 6031 OF THE SC COURT OF APPEALS.....	819
RESPONDENT’S PETITION FOR REHEARING	836
ORDER DENYING PETITION FOR REHEARING.....	842

1 his attorney. And also, Your Honor, there was a jury note
2 just to demonstrate the importance of his ability to --
3 the importance of his ability to communicate with his
4 attorney. This was not a trial in which the jury went out
5 and come back in 30 minutes and said he's guilty. This is
6 the jury note and in the jury note which was entered as
7 Court's Exhibit 1. I don't know if you have this or not.

8 MR. JEPERTINGER: We got it.

9 MR. WEAVER: As Court Exhibit 1, it says on this
10 note which was passed to the Court, we have a very divided
11 jury at this time. And the words very divided are
12 underlined two times for each word. Very is underlined
13 two times and divided underlined two times. So the fact
14 that there were only 81s days and the fact that this was
15 -- that this trial was not a very decisive trial or a very
16 decisive verdict. I would just say that the fact there
17 were only 81 days did have a detrimental affect. And if
18 my client had been given more time, he may have been able
19 to communicate better with his attorney who knows how this
20 decision would have turned out.

21 Now, I would also like to say that Mr. Mack was
22 never evaluated by the South Carolina Department of Mental
23 Health for his ability to stand trial as an adult. The
24 reason I say that's important, Your Honor, is because --
25 because he was never evaluated, it is no foregone

1 conclusion that he was able to effectively communicate
2 with counsel. Had he been evaluated, I believe it would
3 be much more difficult to assume that he was able to
4 communicate, but he was never evaluated, so it's not a
5 foregone conclusion that he was able to effectively
6 communicate.

7 Now, Attorney Floyd states as in mitigation on
8 page 289 line 69 of the transcript. Your Honor, I think
9 Shaun's had a hard family life, Your Honor. I think he
10 found his family with the wrong people unfortunately.
11 Your Honor, I would just ask that you provide him as much
12 mercy. And, Your Honor, that was the full extent of
13 mitigation. And I know everything that is here is
14 accurate hard family life, found the wrong people, and he
15 ask for mercy. It's accurate, but I believe had my
16 client been given more than 81 days to fully disclose
17 everything that he had been through, that Scott could have
18 had more mitigation to provide to the Court. He wasn't
19 able to disclose to him all of the beatings that he
20 endured at the hands of his mother. He wasn't able to
21 disclose to him all the beatings he witnessed his mother's
22 taken. All the violence that he had been emersed in
23 from the time that he was young. And all of those things
24 I believe, Your Honor, affected his capacity to assist an
25 attorney with his case, Your Honor.

1 Next, Your Honor, I want to talk about the
2 possibility of rehabilitation and I'm not going to harp on
3 the expert witnesses for very long. I just want to give
4 their conclusions. And like I said, Your Honor, these are
5 my experts and no expert was provided to impeach their
6 testimony. It is my opinion that Terriel was at age 17,
7 18 and still is now capable of rehabilitation based on the
8 results of this evaluation, that's Dr. Geoffrey McKee.
9 That is a forensic psychologist. Dr. Matthew Gaskins, the
10 forensic psychiatrist, writes Mr. Mack has had behavior
11 problems in corrections parenthesis fights, write ups,
12 disciplinary actions parenthesis close. He attributes
13 most of these to either defending himself or taking
14 actions necessary to survive prison. The latter point
15 clarified to me that he is not able to show weakness in
16 prison because others would then view him as a target.
17 Your Honor, this is prison. This isn't the Boyscout and
18 because he's charged with murder and because he is right
19 now currently sentenced to life without, he is in the
20 worse facilities. He's not at Palmer Correction. And
21 here has he had disciplinary actions, the answer is, yes,
22 he has had disciplinaries. Has he had some fights, he's
23 had fights. However, I would like to point out that he's
24 never been found guilty of fighting another inmate.
25 However, he has had fights and he admits that.

1 Go to the next one. Mr. Mack -- I'm sorry Dr.
2 Gaskins, the forensic psychiatrist, my expert witness
3 continues by saying Mr. Mack has shown the ability to
4 improve myself and others during his incarceration.
5 Mr. Mack obtained his GED and helped others obtain their
6 GED. That is substantiated, Your Honor, through one of
7 the affidavits that we have of an individual who was
8 incarcerated with Mack who in his affidavit says that he's
9 not friends. He doesn't talk to him any more. However,
10 while he was at this particular location, Mack did help
11 him get his GED and he did see him help others get their
12 GED. Mr. Mack has been involved in tutoring in helping
13 other inmates. Mr. Mack engages in cultural awareness
14 program. Mr. Mack has had extended periods of time
15 without behavior or interactions, that is Dr. Gaskins
16 speaking on his ability to be rehabilitated.

17 Now, furthermore on the possibility of
18 rehabilitation, as I previously stated, been incarcerated
19 for 15 years and hasn't been convicted of fighting an
20 inmate which I find somewhat to be remarkable. But moving
21 on, now we've talked about the things that he has done.
22 When I cross examined the records custodian, I talked
23 about the things that he has not done and sometimes we can
24 lose emphasis on that because we sit here and say what he
25 did. I asked him does murder occur at these institutions.

1 He said yes. Has Terriel ever committed a murder? No.
2 Rape? Same testimony, manslaughter same testimony,
3 stabbing same testimony. There are much more serious
4 offenses that occur in prison than the ones that Terriel
5 has been found guilty of committing. And I would ask that
6 the Court give that the appropriate weight.

7 Also, Your Honor, it's important to note that in
8 the 15 years even though he entered at a very young age,
9 at age of 18, there's no testimony at all of gang activity
10 while incarcerated at SCDC. As the general knowledge,
11 gangs prevalent in the prison system. However, there's no
12 testimony of gang activity. And in the discovery that I
13 received and I looked, I didn't see any evidence of any
14 gang activity.

15 Finally, his letter from the published book
16 Letters To Our Sons, Your Honor, what I think is very very
17 important about this letter, Your Honor, is when it was
18 written. It was written December 31st 2013. He wrote it
19 December 31st 2013 and he ended it on January 4th 2014.
20 So he wrote it as the new year -- he wrote it as the year
21 of 2013 ended and he wrote through midnight up until the
22 new year. Now, the reason that's so important Your Honor
23 is because Aiken v. Byars is a 2014 case. So this letter
24 was written before Aiken v. Byars existed, so it could not
25 have been written in contemplation of litigation. This

1 letter was written from him without any coercion, without
2 any duress and without any hope of benefit from writing
3 it. And these are the words of that letter Your Honor.
4 To black youth who is also the future of our great African
5 legacy at this moment 10:13 p.m. December 31st 2013, I sit
6 inside this prison cell with thoughts rapidly running
7 through my head. One of my thoughts is going to be the
8 first day of the new year. The next thought that comes
9 after that is I'm only 27 and I spent the last ten years
10 of my life incarcerated for the mistakes I made as a
11 child. Some may consider 17 as being a grown man, but in
12 all reality age ain't nothing but a number. What defines
13 your manhood, womanhood is your conscious state of mind
14 and not your age. At times I would sit back and reflect
15 on my childhood and I ask myself a question how can I
16 myself, a grown man, when I had no idea of what being a
17 man was all about because there was none to show me how to
18 be a man. Your Honor, I'm going to read the entire
19 letter. I wanted to read that first paragraph because
20 Attorney Jupertinger took a sentence out of that paragraph
21 and I wanted to give the Court the full context of that
22 sentence. However, the letter itself is in evidence Your
23 Honor for your review.

24 Your Honor, also Dora Vera, the life expectancy
25 table, this was the expert who was hired by South Carolina

1 Department of Indigent Defense to compile all the
2 information and give the projective life expectancy of
3 individuals that enter SCDC at different ages in life.
4 And pursuant to her report, a black male defendant that
5 enters SCDC at the age of 18 is 38.2. The life expectancy
6 here is 38.2 years. The predicted age of death of someone
7 who enters -- of a black male who enters at 18 is 56 years
8 old. Therefore, the sentence equivalent to LWOP is 38
9 plus years, is an exact quote from her report.

10 Now, Your Honor, it is important to note that
11 this is a sentencing hearing not a resentencing hearing.
12 Pursuant to Aiken v. Byars, the Court orders resentencing
13 of all petitioners who note individualize consideration --
14 according to Aiken vs. Byars, resentencing for all
15 petitioners who know individual consideration of the
16 adequacy of the original sentence hearing -- with no
17 individual consideration of the adequacy of the original
18 sentence. And what that means, Your Honor, when it says
19 with no individualize consideration of the adequacy of the
20 original sentencing hearing means that the first
21 sentencing should not have any bearing on this sentencing.
22 This is not a resentencing hearing Your Honor. This is a
23 sentencing hearing pursuant to Miller vs. Alabama and
24 Aiken v. Byars. And the citation, Your Honor, is Aiken at
25 548 on that.

1 Your Honor, also I have submitted to the Court a
2 proportionality of sentencing, that's in my memo on page
3 20. And what I've done with that Your Honor is just
4 compiled some facts on some other cases and what those
5 individuals were sentence to who committed murder. In
6 some cases, I believe the facts were extremely egregious
7 as they are in this case, Your Honor, extremely egregious
8 in this case as well. I would ask that the Court review
9 that in my memo on page 20 and see how those
10 individuals -- how those individuals were sentenced. And,
11 Your Honor, I would just submit to this court that Terriel
12 Mack is a young man who was -- who just got the worse end
13 of the stick of anyone that I've ever sat across the table
14 from. And I'm sure there are people who have it worse.

15 Attorney Jepertinger talked about Oprah Winfrey
16 and those other individuals that he mentioned, Your Honor,
17 but I would submit to the Court that different people
18 react to different circumstances differ. And I'm sure
19 there are some people who had it worse than me who went on
20 to do better. And I'm sure there are some people who had
21 it better than me who went on to do worse. It doesn't --
22 the fact of the matter is I had him evaluated by a
23 psychologist and by a psychiatrist, that psychologist said
24 that since the age of 13 this young man has had PTSD from
25 the events that occurred to him that he witnessed. He

1 also said that he suffered from major depressive episodes
2 since that age. And he also said at the age of 13 he was
3 on drugs and alcohol as a coping mechanism. I don't know
4 what kind of life that is. I'm happy I don't. I hope my
5 children never do, but I would just ask the Court to take
6 everything into consideration. I believe in light of all
7 these circumstances, in light of these factors, in light
8 of the decision in Alabama v. Miller -- I'm sorry Miller
9 v. Alabama and in Aiken v. Byars that my client is
10 entitled to a reduction in the sentencing, Your Honor. I
11 appreciate your time. Thank you very much.

12 MR. JEPERTINGER: Just one matter. Your Honor,
13 Mr. Weaver wanted to make the sentencing memo apart of
14 this record. He did not do that. And I would ask if he's
15 going to do that that he present it. I know he sent it to
16 you and to me.

17 MR. WEAVER: Yes, Your Honor, I would like to
18 make this defense exhibit. Thank you very much.

19 (WHEREUPON, Defendant's Exhibit No. 20 was
20 admitted into evidence.)

21 MR. JEPERTINGER: And if we could have the
22 kindness of providing the power-point presentation to us
23 where you can e-mail it to us.

24 THE COURT: And what I'll do is I'll take it
25 under advisement. I'll think about it. I'll read

1 everything and I'll make a decision. Next time I'm in
2 general sessions in Florence, which I think we'll be in
3 the next two or three weeks. I think it's the 18th of
4 March. And you all did a good job, very good job. The
5 18th that week.

6 MR. JEPERTINGER: So would you like to do it on
7 that Monday, March 18th?

8 THE COURT: Let's do it that Wednesday.

9 MR. JEPERTINGER: That Wednesday that's March
10 20th. Okay. I bring him back to Florence okay, that's
11 why I need to know the date. So 9:30 March 20th.

12 THE COURT: That will work 9:30.

13 MR. WEAVER: Thank you.

14 THE COURT: Thank you.

15 END OF REQUESTED TRANSCRIPT
16
17
18
19
20
21
22
23
24
25

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE } COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)

v STATE,)

TRANSCRIPT OF RECORD
2004-GS-21-1084

v.)

TERRIEL LESHAWN MACK,)

DEFENDANT.)

March 20, 2019
Florence, South Carolina

B E F O R E :

THE HONORABLE WILLIAM H. SEALS, JUDGE

A P P E A R A N C E S:

JOHN C. JEPERTINGER, ESQ.
Assistant Solicitor

MARSHALL S. WEAVER, ESQ.
Attorney for Defendant

FRANCES B. RAY, RPR
Circuit Court Reporter

1 MR. JEPERTINGER: If it please the Court,
2 Your Honor, we are here to finish the sentencing on
3 Terriel Leshawn Mack on 2004-GS-21-1084. Let the
4 record reflect that we conducted a hearing pursuant
5 to an Aiken v. Byers on February 19th and 20th in
6 Marion County with the defendant waiving venue. The
7 court reporter at that time was Keshia Reed. We are
8 now ready to finish the sentencing. Today is
9 March the 20th of 2019. We are in Florence County
10 and Frances Ray is the court reporter.

11 THE COURT: All right.

12 Mr. Weaver, anything you want to say
13 before sentencing?

14 MR. WEAVER: No, Your Honor, prepared to
15 move forward.

16 THE COURT: All right. Pursuant to Aiken
17 v. Byers I have codified my thoughts in an order
18 which I have signed, I'm gonna file, and it's a part
19 of this record. In that regard, the sentence of the
20 Court is that Mr. Mack is committed to the State
21 Department of Corrections for a term of life.

22 MR. JEPERTINGER: Thank you, Your Honor.

23 THE COURT: You all did a good job and I
24 appreciate your records.

25 MR. WEAVER: Thank you, very much. Your

1 Honor, I do have one more thing to add, Your Honor.
2 I will object to the sentencing as it being cruel
3 and unusual and in violation of the Eighth Amendment
4 of the United States Constitution.

5 THE COURT: Your objection is noted, thank
6 you, overruled.

7 MR. JEPERTINGER: Thank you, Your Honor.

8 THE COURT: Thank you, and appreciate your
9 efforts.

10 MR. JEPERTINGER: Your Honor, you have the
11 sentencing sheet. I think that we'll need to get a
12 copy for the transport.

13 THE COURT: And I have the order if
14 anybody would like a copy.

15
16 * * * END OF TRANSCRIPT OF RECORD * * *

17
18
19
20
21
22
23
24
25

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE
MIDLANDS EVALUATION CENTER
PSYCHOSOCIAL EVALUATION

DATE: June 27, 2002

NAME: Terriel LeShawn Mack

MIS: #235445

DOB: [REDACTED]

COMMITTING COUNTY: Florence

OFFENSES: Breaking and Entering a Motor Vehicle (Five Counts)
Petit Larceny (Four Counts)

REASON FOR REFERRAL

The Family Court of Florence County committed Terriel Mack, a fifteen-year-old African-American male, to the South Carolina Department of Juvenile Justice Midlands Evaluation Center (MEC) on May 23, 2002. A comprehensive evaluation was ordered to make recommendations regarding the most appropriate custodial or correctional care and any other interventions that might hold him accountable for the current offenses and reduce the likelihood of future offending. There were no specific referral questions.

NOTICE

This report is confidential and meant for use by qualified professionals only and others involved from a legal perspective with this evaluation for disposition. No unauthorized disclosure of this report or information contained in this report is allowed. Any person who, without proper authorization, discloses information contained in this report assumes all liability associated therewith. Some individuals and family members may tend to misunderstand and/or distort the information enclosed in this report. This may result in significant psychological distress to the individual or may interfere with any treatment and eventual recovery from psychological illness, if present. For individuals with self-destructive or assault tendencies, the consequences of ill-advised disclosure of this report may be serious. Release should be limited to that information pertinent to the needs of the requesting party and jargon and scores may need to be omitted or explained thoroughly.

Terriel was informed of the purpose of the evaluation and was informed that the results would be shared with SCDJJ staff, family court officials, qualified professionals, and others involved from a legal perspective. He was informed that suspected child abuse or neglect must be reported to the proper authorities. He indicated that he understood the limits of confidentiality.

SOURCES OF INFORMATION

Clinical Interviews with Juvenile, Terriel Mack

Collateral Interview with Terriel's Mother, Ms. Dawn Mack

Telephone Interview with Florence County DJJ Community Specialist, Denise Baker

DJJ File Information

Behavioral Observations

Psychological Testing:

Beck Depression Inventory-Second Edition (BDI-II)

Developmental Test of Visual-Motor Integration (VMI)

Millon Adolescent Clinical Inventory (MACI)
Rotter Incomplete Sentences Blank (RISB)
Substance Abuse Subtle Screening Inventory (SASSI)
Wechsler Abbreviated Scale of Intelligence (WASI)
Wechsler Individual Achievement Test (WIAT)-Selected subtests

SUMMARY OF CURRENT OFFENSES AND OFFENSE HISTORY

According to the Florence County Commitment Order dated May 23, 2002, Terriel pled guilty to five counts of Breaking and Entering a Motor Vehicle and four counts of Petit Larceny. Subsequent to his adjudicatory hearing, he was committed to MEC for a comprehensive evaluation. The police incident report related that Terriel, who was fifteen years of age at the time, and two co-defendants, ages fourteen and sixteen years old, broke into several cars and stole a number of cell telephones. The car break-ins occurred after midnight and during the early hours of the morning.

Terriel's referral history dates back to 1999, at which time he was twelve years old. He was referred to legal authorities on the offense of Runaway. This charge was subsequently dismissed. Terriel was referred for several offenses in 2001 at age fourteen. These were school-related offenses that included an Assault and Battery on School Personnel, Disturbing Schools, and Resisting an Officer. The remaining charge was diverted to the mentor Program. The assault offense and Disturbing Schools offenses were dismissed. Although he has had several referrals overtime, some skirting on the serious side, this is the first adjudication for him in the state of South Carolina.

Juvenile's Account of the Offenses

Terriel admitted to his current offenses. As an explanation for his offenses, he stated that "I guess we committed the offenses, because we were bored and were looking for something to do." Terriel reported that all of his current offenses occurred during one night. He reported that on the night of the offenses, he had gotten permission from his mother to spend the night at a friend's house. This friend and another boy, who spent the night, were also involved in the offenses. Terriel related that he and his friends left the house during the early hours of the morning while his friend's parents were asleep. Terriel acknowledged that he knows what he did was wrong, and in retrospect, he should not have done it. He related that he is very sorry and does not want to spend the rest of his life in jail. He reported that he plans to modify his behavior in the future and stay out of trouble.

FAMILY FUNCTIONING

This information was obtained primarily from Terriel and to a lesser extent from his mother. Several unsuccessful attempts were made early on in the evaluation process to contact Terriel's mother. She was finally reached toward the end of the evaluation period.

Terriel related that prior to his commitment, he was living with his 31-year old mother, his stepfather of five months, Mr. Fernando Ford, and his identical twin 13-year old brothers. He related that his mother is employed at a local gas stations as a cashier where she works from 6:00 a.m. to 2:00 p.m. weekly. Ms. Mack related that sometimes she works on the third shift at her job. Terriel reported that when his mother is not at work, she is at home to supervise him.

He related that his stepfather also supervises him and that one of the adults is at home at all times. Terriel related that he has good relations with his mother and his twin brothers. However, he related that he has a strained relationship with his stepfather. He stated, "My stepfather took down the family pictures of my previous stepfather who raised me for ten years, and I did not like that; he can't replace my stepfather." Terriel reported that he was approximately 12-years old when his first stepfather and mother broke up. He related that the breakup was hard for him, "but I got over it."

Overtime, Terriel reported that there is also conflict and tension between him and his mother. He gave some indication that he feels his standing and relationship with his mother has been altered since his current stepfather became a part of his family. Terriel reported that he lived with his maternal grandmother from age 11 to 13 and that he had good behavior in her home and also did well in school during this time. Terriel related that he would not mind living with his grandmother again.

Terriel's mother, Ms. Dawn Mack related that Although Terriel is "basically a good boy, he does not listen sometimes and is rebellious." She reported that she believes that he is currently in trouble because he is associating with a negative crowd. Ms. Mack related that often Terriel is not at home and she does not know his whereabouts. She indicated that on the night of his current offenses, she recalls that she was working and that he had apparently violated her rule for him to stay at home. This differs from Terriel's account in that he stated that he had gotten permission to spend the night at his friends house.

Regarding his current behavior at home, Terriel related that he attempts to be obedient and to do all of the things that his mother asks him to do voluntarily. He indicated that he has chores to do, to include washing the dishes, cleaning his room, and assisting with other chores as they are assigned. He initially had difficulty citing family rules. He later mentioned one rule, a 9:00 p.m. curfew and stated, "That's it." Terriel reported that his mother disciplines him "by just making me stay in the house." He related that this discipline works, "but I mean, everytime, she disciplines me, I understand, she gets her point across."

Terriel described extremely positive relations between himself, his mother, and younger brother. He did, however, admit to being viewed by his mother as a behavior problem. Terriel was reluctant to discuss his father, stating only that they had no current relationship, that he last saw his father about two years ago, and did not, currently, know his whereabouts. When questioned regarding the relationship between his mother and father, he denied awareness, stating only that he and his mother "never" discuss his father. Terriel identified restriction to the house, and assignment of household chores, as the primary form of discipline employed within the home.

Regarding other personal family issues, Terriel denied any family criminal/legal history. Terriel denied that he has been physically or sexually abused or that there has been any DSS involvement with the family. Terriel denied that any family members have any substance abuse problems.

Terriel related that he and his family do fun activities together and his family attends church regularly. Terriel reported that Sunday is the only day that he does not use drugs, "because I can't see myself going to church high; it ain't me." Regarding significant losses, Terriel reported that his great grandmother to whom he was very close died in 1999 when he was 11-years old. He related that "the littlest thing can remind me of her, and I can't help but to cry." He stated

that his grandmother now lives in his great grandmother's old house, and when he visits his grandmother, he is reminded of his great grandmother.

ADOLESCENT FUNCTIONING

Relevant History

Regarding his early childhood development, Terriel's mother related that he accomplished his developmental milestones within the normal ranges. Terriel related that he has been healthy overall and denied any major illnesses or hospitalizations. Terriel denied any out of home placements. Terriel denied experiencing significant medical or physical problems. He denied being currently prescribed medication. He denied hospitalizations or experiencing seizures. He reported losing consciousness, on one occasion at the age of seven or eight, when he accidentally fell into a door jam and cut his head. He added that he had required stitches.

Terriel reported out-of-home placements being limited to living with his maternal grandmother for a "couple of months" about two years ago, citing his desire to have a "break from the regular routine" as the motivating factor for this arrangement. Terriel denied that he has had any previous mental health counseling. He denied any past suicidal ideations or attempts.

Current Symptomatology

Terriel identified his primary problem areas as his spending too much time "on the streets" and exhibiting a negative attitude at school. When confronted with his alcohol and drug use, he denied that these were problem areas and indicated no intent to cease his use of illicit substances.

According to Terriel, he plans to modify future behaviors by spending more time at home, and exhibiting a more positive attitude at school. He denied being currently, or in the past, either homicidal or suicidal. Terriel denied being currently anxious or depressed. He denied experiencing hallucinations of any type.

Terriel reported that he initially became involved with alcohol at the age of fourteen, generally drinking daily. He admitted to often becoming intoxicated. While he denied developing a tolerance, he admitted to experiencing black outs. He reported that his involvement with drugs is confined to marijuana, which he reported using daily since the age of twelve. He indicated having last used both alcohol and marijuana the day prior to his MEC commitment. To the MEC social worker, he related that he would get it from other people "because I know a lot of people." He related that at age 12, he would smoke on the weekends and would smoke a "blunt" by himself. He reported that he continues to smoke and has been smoking daily for the past year, sometimes more than a blunt. He stated, "If I went to school high, I did better. It made me have a good day." He denied that his marijuana use got him in trouble at school. He related, "it don't affect me none; I am the same person." He denied involvement in drug sales. While the SASSI, a measure focusing on substance use, indicated a low probability of substance dependence, there is indication that he was not entirely truthful when responding to questions as evidenced by his failing to endorse items, previously admitted to in his interview,

for example, using alcohol and drugs simultaneously. On the SASSI, Terriel endorsed such items as taking drugs to improve thinking and feeling, and taking drugs to enhance enjoyment of sex. Terriel denied knowledge of any family history of substance abuse. He denied awareness of the drug and alcohol habits of his father.

Behavioral Observations

Terriel is a fifteen year-old male, who stands 5'10" tall, weighs 159 pounds, and who has a tattoo of the word "BLACK" on his right arm. He denied involvement in gang activity. He was casually, but appropriately dressed when seen for a psychological evaluation. He presented as an emotionally isolated individual, who was angry with a "chip" on his shoulder, as evidenced by his tone of voice, perfunctory responses to questioning and body language. He was alert, attentive, and fully oriented. Terriel's memory and motor activity appeared to be within normal limits. He reluctantly responded to questions asked, but exhibited minimal amounts of spontaneous conversation. He exhibited moderate amounts of direct eye contact. His thoughts appeared logical and goal directed. His mood appeared euthymic. Affect appeared situationally appropriate and his associations were intact. Perception, insight, and judgement appeared lower than that which would be generally expected from same age peers.

Terriel appeared comfortable during testing. He responded to questions asked in a relevant and coherent manner. Motivation and concentration appeared to be within acceptable levels. Test results are, therefore, thought to be a valid indication of his current levels of intellectual and emotional functioning.

Behavioral/Emotional/Personality Measures

The MACI profile was valid and indicated that Terriel is cool and indifferent to the feelings and welfare of others. He may tend to take advantage of others to obtain personal advantage or to achieve personal goals. He does not appear interested in developing close relationships with others, and ties to others are generally based on sharing similar antisocial or unempathetic attitudes. Relationships that are formed tend to be shallow and lacking in loyalties. The BDI-II indicated the presence of minimal depressive symptoms. He did indicate that he often feels like crying but he can not. The RISB indicated that Terriel enjoys sports, particularly football. He indicates regret at being sent to jail, suffers as a result of doing bad things, and indicates that he cannot return to jail. He describes his nerves are being "itchy." He indicates that he perceives himself as thinking differently from peers, and also indicates that peers are not "comfortable" around him. He added, however, that "sometimes he likes being around people."

He described his mother in positive terms, also stating that he wants to go home to see his mama, but regarding his father he simply states that his father "is not around." He also indicated a desire to return home. Overall, Terriel appears able to interpret his environment in a basically rational and conventional manner. No evidence for a thought disorder was indicated.

Cognitive Functioning and Academic Achievement

Terriel was administered the WASI, a brief IQ test, whose scores tend to change more over time than scores of more comprehensive IQ tests. IQ tests measure some of the abilities that

contribute to academic success. However, many abilities are not measured by IQ tests. On the WASI, Terriel obtained a Full-4 IQ score of 100 (Average range), which was comprised of Verbal IQ Score of 99 (Average range) and a Performance IQ Score of 99 (Average range). The lack of a discrepancy between the Verbal and Performance domains indicates that his abilities to perform non-verbal tasks are equally developed with his abilities to perform verbal tasks. The chances that the range of scores from 94-106, includes his true IQ are 95 out of 100.

On the Wechsler Individual Achievement Test (WIAT), Terriel obtained age based Standard Scores of 96 and 89, respectively, in reading comprehension and numerical operations skills. Both his reading comprehension and numerical operations skills scores are generally consistent with his performance on the verbal portion of the WASI. The VMI was administered to further sample visual-motor integration. Terriel obtained a Scaled Score of 89, which is considered consistent with his functioning on the performance portion of the WASI.

Test scores indicate that Terriel is intellectually capable of performing better academically, than his self reported average grades, given adequate motivational levels, positive classroom behaviors, and regular school attendance.

SCHOOL/JOB FUNCTIONING

Terriel related that he had been attending the alternative school since April 2001 after being assigned there due to cumulative behavior problems at the regular school. He was in the 9th grade. Terriel related that he was expelled from the alternative school in November 2001 after he got into an argument with the assistant principal. Terriel reported, "He just kept saying smart stuff to me and I was not going to have that." School records for this year indicated that Terriel was expelled from school on 11/30/2001 "for threatening a staff member" and his threat was verbal. It was related that Terriel had passing, but marginal grades, during the first quarter, and he was absent from school for 14 days during the first quarter and 19 days during the second quarter.

Terriel related that he began having behavior problems in the 6th grade and has had a number of suspensions and has been expelled four times. Terriel's mother related that she thought that he began having significant behavior problems in the 7th grade and was involved in a number of fights. She related that his grades dropped and that he repeated the 7th grade. Terriel acknowledged that he made poor grades in the 7th grade and repeated it. However, he and his mother related that he had made the honor roll in previous years. Terriel's drop in grades appears o be related to that start of his drug and alcohol use.

PEER RELATIONSHIPS

Terriel related that his friends are approximately his same age. He acknowledged that some of them are involved in delinquent activities, as were his co-defendants, and that some of his friends exert a negative influence on him. He denied that he is involved in gang activities or sells drugs. He related that he enjoys spending time with his friends in their homes, going to the malls, to the Movie Theater, and playing video games with them. He related that his mother knows some of his friends and disapproves of his friends who get him into trouble. Ms. Mack related that she does not know many of Terriel's friends, but that she believes that the majority of them are a negative influence on him. Terriel denied that he is currently engaged in any risky

sexual activities.

COMMUNITY FUNCTIONING

Terriel related that he lives in the city of Florence in a house. He related that his house is nice and that he has his own room. He denied that he has to worry about significant crime and violence in his neighborhood. He related that a number of community recreational and sports activities are available for him to participate in.

ADJUSTMENT TO THE EVALUATION CENTER PLACEMENT

The Residential Life Program staff related that Terriel had good grooming and good manners. He got along with his peers and participated in planned activities. His personality was quiet and easygoing. He got along with staff, obeyed the rules, and had a good attitude toward supervision. He volunteered for several work details and demonstrated that he was responsible. He stayed out of trouble and made a good adjustment while at DJJ.

Terriel's teachers at MEC indicated that he behaved appropriately in a large group setting. He had a positive attitude toward his education and attempted to complete his assignments with good effort. He stayed on task despite distractions. According to his teachers, he "frequently" displayed the following positive behaviors: follows oral directions, respects authority, respects the rights of others, adapts to class structure, demonstrates self-control, demonstrates responsibility, and demonstrates age-appropriate social skills.

SUMMARY

Terriel is a 15-year old African American male currently committed to DJJ. This is his first adjudication, although he has several referrals dating back to 1999 when he was 12-years old. He acknowledges that he was associating with a negative crowd and attributes this as one reason for his current offenses. This age also corresponded with the start of his alcohol and drug use. He also related that he was bored and did not have anything to do. It is noted that he had a great deal of idle and unstructured time when his offenses occurred because he was expelled from school. Terriel lives with his mother, stepfather, and twin younger brothers. He acknowledged that he has conflict and problems in his family with his mother and stepfather, but particularly with his mother.

Terriel is currently charged with Breaking and Entering a Motor Vehicle (five counts), and Petit Larceny (four counts). These offenses occurred on one night. Terriel also had significant problems in school since the 6th or 7th grade, indicating a pattern of problematic behaviors. He is currently expelled from the alternative school. These behaviors are most likely exacerbated by his regular use of illicit substances. He tends to employ the defense mechanism of denial, as evidenced by his concerted attempts to deny that he is affected by his father's lack of involvement in his life. He also appears to be expending significant amounts of energy denying his need for emotional closeness and support. There is evidence, that he perceives himself as being different and not readily accepted by peers, and, in an effort to feel better about himself, he presents as though he is superior and does not require or want the acceptance of his peers. He appears to be an angry individual, who readily rejects others, in order to avoid being

rejected first, by them. His regular involvement in substance abuse also indicates an attempt to numb uncomfortable feelings.

Terriel functions within the average range of intellectual abilities, and is currently placed in regular academic programming. Both his reading comprehension and numerical operations skills scores are consistent with obtained levels of intelligence. He is capable of passing the subjects of a traditional academic setting given regular attendance, motivation, and positive classroom behaviors and participation.

Personality testing revealed the presence of an individual who minimizes his problems, and who tends to be emotionally and socially isolated. He appears to feel positively about his mother, with his reference to his father being somewhat neutral and lacking. He fails to accept responsibility for his antisocial behaviors, stating only that he "regrets coming to jail." In general, Terriel appears able to interpret his environment in a basically rational and conventional manner. No evidence for a thought disorder was indicated.

STRENGTHS

- Terriel is capable of being a polite and cooperative youth.
- Terriel is intellectually capable of passing academics at the high school level, given sufficient motivational levels, regular attendance, and sufficient motivational levels.
- Terriel enjoys sports.

DSM-IV DIAGNOSTIC IMPRESSIONS

Axis I: 312.8 Conduct Disorder (moderate)
 305.00 Alcohol Abuse
 305.20 Cannabis Abuse
 V61.20 Family-Child Relational Problems

Axis V71.09 No Diagnosis

Axis III: Diagnosis Deferred

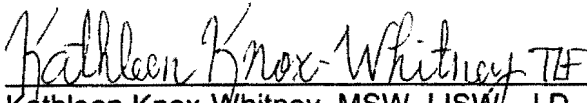
Axis IV: Stressors: Father's lack of involvement in Terriel's life

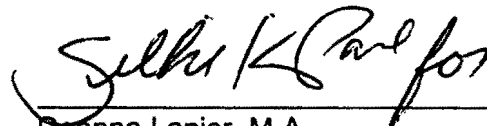
Axis V: GAF-60

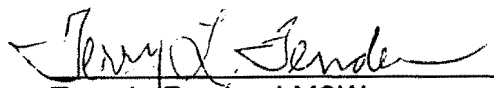
NEEDS AND RECOMMENDATIONS

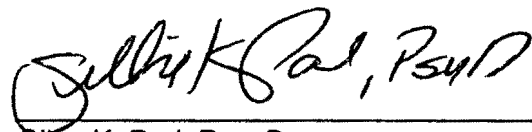
1. It is recommended that Terriel be given a disposition of probation. The terms and conditions of his probation should be made clear to him. The Florence County Department of Juvenile Justice should supervise his probation.
2. Terriel should be returned home to the community on a trial basis. If his delinquent behavior continue, or if he is non-compliant with his probationary terms, he should be considered immediately for an alternative placement of moderate management level. Upon his return home, his mother should provide increased structure and supervision. Terriel should have supervised recreational and leisure time.

3. Terriel should be referred to the Local Drug and Alcohol Commission. Terriel would benefit from Drug and Alcohol Education and rehabilitative services, combined with random drug screens, to assist him in ceasing his use of illicit substances. Community service work in a substance abuse rehabilitation program might be helpful in educating Terriel regarding the negative impact of drugs on individuals and society as a whole.
4. Terriel needs to be referred for general counseling to uncover and deal with his anger, to fully accept responsibility for his behaviors, to learn socially acceptable coping skills, and to resolve conflicts related to his father's absence in his life. This may be incorporated into his drug and alcohol counseling.
5. It is recommended that Terriel's mother be required to successfully complete parenting classes, if she has not already done so in the past, in an effort to learn skills to enable her to more effectively parent Terriel.
6. It is essential that Terriel's activities and associates be monitored during non school hours, encouraging him to become actively involved in a well supervised community program, or church youth activities offering organized sports could provide him with positive outlet during free time.
7. Terriel could benefit from involvement in a mentoring program or the services of a positive role model should be enlisted to assist him in making independent decisions that are in his best interest, and to assist him in learning how avoidance of involvement in use of illicit substances, could be beneficial in the long run.
8. If Terriel is not successful in re-entering school, a referral to a GED program should be considered.


Kathleen Knox-Whitney, MSW, LISW, J.D.
Social Worker IV


Deanna Lanier, M.A.
Contract Psychologist


Terry L. Fender, LMSW
Social Work Manager


Stike K. Parl, Psy. D.
Licensed Clinical Psychologist
Supervising Psychologist

11/10/2003	11/10/2003 Aftercare Order (Parole) 07/05/2005 -- Unconditional Release From Parole -- Juvenile Parole Board	Juvenile Parole Board
02/06/2003	02/06/2003 Indeterminate Sentence Order 11/10/2003 -- Conditional Release from DJJ Institution (Parole) -- Juvenile Parole Board	Caldwell Jr, Wylie H
01/15/2003	01/15/2003 Probation:Violation for Cat. III 01/15/2003 -- Rule To Show Cause Issued -- Solicitor 12th Circuit 01/30/2003 -- Continued Scheduling -- Morehead III, A E 02/06/2003 -- Committed to DJJ, Indeterminate Sentence -- Caldwell Jr, Wylie H	Florence
07/25/2002	07/25/2002 Probation Order 11/14/2003 -- Probation Requirement Ended -- Court Judge (Unknown)	Caldwell Jr, Wylie H
07/01/2002	06/26/2002 Assault:Assault and Battery of a High and Aggravated Nature 08/13/2002 -- Prosecute -- Solicitor 12th Circuit 10/24/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H 06/17/2005 -- Dismissed -- Buchan, Mary E	Florence PD
05/23/2002	05/23/2002 Evaluation Order	Morehead III, A E
05/20/2002	05/02/2002 Domestic:Criminal Domestic Violence - 1st/2nd offense 06/24/2002 -- Divert With Behavior Contract -- Solicitor 12th Circuit	Florence County SD
12/12/2001	12/09/2001 Vehicle:Damaging or Tampering with 01/17/2002 -- Prosecute -- Solicitor 12th Circuit 03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H 04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H 05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E 07/25/2002 -- Probation -- Caldwell Jr, Wylie H -- Suspended Commitment To DJJ Institution -- Caldwell Jr, Wylie H -- Community Services Restitution -- Caldwell Jr, Wylie H	Florence PD

12/09/2001 Vehicle:Damaging or Tampering with

Florence PD

01/17/2002 -- Prosecute -- Solicitor 12th Circuit
03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E
07/25/2002 -- Probation -- Caldwell Jr, Wylie H
-- Suspended Commitment To DJJ Institution -- Caldwell Jr,

Wylie H

-- Community Services Restitution -- Caldwell Jr, Wylie H

12/09/2001 Vehicle:Damaging or Tampering with

Florence PD

01/17/2002 -- Prosecute -- Solicitor 12th Circuit
03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E
07/25/2002 -- Probation -- Caldwell Jr, Wylie H
-- Suspended Commitment To DJJ Institution -- Caldwell Jr,

Wylie H

-- Community Services Restitution -- Caldwell Jr, Wylie H

12/09/2001 Vehicle:Damaging or Tampering with

Florence PD

01/17/2002 -- Prosecute -- Solicitor 12th Circuit
03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E
07/25/2002 -- Probation -- Caldwell Jr, Wylie H
-- Suspended Commitment To DJJ Institution -- Caldwell Jr,

Wylie H

-- Community Services Restitution -- Caldwell Jr, Wylie H

12/09/2001 Vehicle:Damaging or Tampering with

Florence PD

01/17/2002 -- Prosecute -- Solicitor 12th Circuit
03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H
05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E
07/25/2002 -- Probation -- Caldwell Jr, Wylie H
-- Suspended Commitment To DJJ Institution -- Caldwell Jr,

Wylie H

-- Community Services Restitution -- Caldwell Jr, Wylie H

	12/09/2001 Larceny:Petit or Simple Larceny	Florence PD
	01/17/2002 -- Prosecute -- Solicitor 12th Circuit	
	03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E	
	07/25/2002 -- Probation -- Caldwell Jr, Wylie H	
	-- Suspended Commitment To DJJ Institution -- Caldwell Jr,	
	Wylie H	
	-- Monetary Restitution -- Caldwell Jr, Wylie H	
	12/09/2001 Larceny:Petit or Simple Larceny	Florence PD
	01/17/2002 -- Prosecute -- Solicitor 12th Circuit	
	03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E	
	07/25/2002 -- Probation -- Caldwell Jr, Wylie H	
	-- Suspended Commitment To DJJ Institution -- Caldwell Jr,	
	Wylie H	
	-- Monetary Restitution -- Caldwell Jr, Wylie H	
	12/09/2001 Larceny:Petit or Simple Larceny	Florence PD
	01/17/2002 -- Prosecute -- Solicitor 12th Circuit	
	03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E	
	07/25/2002 -- Probation -- Caldwell Jr, Wylie H	
	-- Suspended Commitment To DJJ Institution -- Caldwell Jr,	
	Wylie H	
	-- Monetary Restitution -- Caldwell Jr, Wylie H	
	12/09/2001 Larceny:Petit or Simple Larceny	Florence PD
	01/17/2002 -- Prosecute -- Solicitor 12th Circuit	
	03/07/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	04/04/2002 -- Continued Scheduling -- Caldwell Jr, Wylie H	
	05/23/2002 -- Committed To An Evaluation Center -- Morehead III, A E	
	07/25/2002 -- Probation -- Caldwell Jr, Wylie H	
	-- Suspended Commitment To DJJ Institution -- Caldwell Jr,	
	Wylie H	
	-- Monetary Restitution -- Caldwell Jr, Wylie H	
12/05/2001	11/30/2001 Assault:Simple common law assault, no battery	Florence PD
	12/19/2001 -- Divert With Behavior Contract -- Solicitor 12th Circuit	
	11/30/2001 School:Disturbing Schools	Florence PD
	12/19/2001 -- Divert With Behavior Contract -- Solicitor 12th Circuit	
04/19/2001	04/17/2001 Assault: Assault & battery by student upon a school employee	Florence PD
	09/10/2001 -- Dismissed -- Solicitor 12th Circuit	

	04/17/2001 School:Disturbing Schools	Florence PD
	09/10/2001 -- Dismissed -- Solicitor 12th Circuit	
	04/17/2001 Resisting:Oppose/resist/assault law enforcement officer serving process	Florence PD
	09/10/2001 -- Divert To Mentor Program -- Solicitor 12th Circuit	
10/21/1999	10/19/1999 Juvenile:Runaway	Parent-Guardian
10/19/1999	10/19/1999 Pickup Order	Unknown Or
	10/22/1999 -- Child Has Been Picked Up -- Unknown Or Obsolete	Obsolete

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE
SOCIAL WORK SERVICES

Form # 350.07B

WEEKLY GROUP REPORT

Name

Jerruel Mack

Date

3/26/03

Name of Group

Victim Impact Group

Duration

12:30 - 1:30 pm

Social Worker

Gayle Shellenberg

GROUP DESCRIPTION:

The objectives of the group was for juveniles to be able to define assault, list types of assault and explain the impact of assault on victims.

Assessment of Client's Participation:

Client's participation during group was excellent. Client was well behaved and offered feedback to other members on the group topic.

Client's participation during group was satisfactory. Client was well behaved and joined the discussion when addressed by the social worker. Client did not offer feedback to other members.

Client's participation during group was Unsatisfactory. Client did not participate in the group discussion or offer feedback to other members.

Client's participation during group was poor and client was not well behaved. Client was disruptive and rude to other members.

PARTICIPATION RATING

Poor

RATING

4

1

2

3

4

5

Enthusiastic

ADDITIONAL COMMENTS:

Jerruel is unmeshed in street justice and views it as his responsibility to take the law into his own hands.

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE

350.01A

SERVICE NOTESNAME: Terriel MackMIS# 235445

4/8/03 S- Lock up for fighting
O- Terriel was placed in
lock up following a physical
altercation with another juve
He Terriel acknowledges
that it was gang related. He
reports he has been associ-
ating with both the Blood
and the Folk gang and juv-
eniles felt he was betraying
his allegiance. He states
several juveniles had con-
fronted him and allegedly
the other juvenile struck
him in the head. Terriel
reports he let it go, but
followed it up later by
striking juvenile Smith
Duke Drelling 436
m. m.

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE

350.01A

SERVICE NOTES

NAME: Jerruel Mack

MIS# 235445

4/8/03 Contacted family to notify them of Jerruel's placement on Rock Up and transfer to the STAR program. Left message with Jerruel's mother to return call.

SOUTH CAROLINA BOARD OF JUVENILE PAROLE

DJJ INSTITUTION REPORT FOR THE MONTH OF: May

2003 _____

Juvenile: Terriel Mack MIS: 235445

Social Worker: Gayle Shellenberg Institution: John G. Richards

INSTRUCTIONS: This report may be handwritten if legible, otherwise it must be typed. DO NOT LEAVE ANY QUESTIONS BLANK. If an answer demands an explanation or description, you must complete that portion. You are not limited by the space allocated in the narrative sections, use the back of the page or additional paper, if necessary. If a question is not applicable, please insert N/A and explain.

I. Juvenile:

A. Is there a history of substance use or abuse? YES ☒ X

NO ☐

If yes, explain. Terriel acknowledges daily use of marijuana and indicates he used approximately ¼ ounce on the weekdays and ½ ounce on the weekends. He reports

using alcohol on the weekends and often becoming intoxicated. His SASSI results indicate a low probability of substance dependence, but Terriel acknowledges manipulating the assessment tool by being dishonest.

B. Are there significant health issues? YES ☐ NO

☒

If yes, explain.

C. Are there any serious psychological/emotional issues? YES

☒ NO ☐

If yes, explain. Terriel has a diagnosis of conduct disorder (moderate), cannabis and alcohol abuse. Personality testing reveals the presence of an individual that minimizes his problems and tends to isolate himself both emotionally and socially. He struggles with abandonment associated with the absence of his stepfather in his life. He dislikes the man his mother is currently involved with and has a lot of anger associated with their relationship

D. Are other agencies involved with this juvenile? YES ☐ NO

☒

If yes, explain.

E. Is juvenile currently on medications? YES ☐ NO

☒

If yes, what are they?

1

(DJJ Institution Report – Revised 7-1-01)

The information provided herein is specifically for the purpose of parole consideration and is protected by state and federal confidentiality laws.

F. Is juvenile compliant with taking medication? YES ☐ NO ☐

☐ If no, explain. N/A

G. Are there any unusual family dynamics? YES ☒ NO ☐

☐ If yes, explain.

Terriel lived with his mother, twin brothers and his current stepfather prior to his incarceration. He reports this stepfather has lived with the family for the past year and returned to live with them after completing a prison sentence. Terriel indicates he was about four since they last had contact. He indicates his stepfather is a crack addict, but is trying to quit. Terriel reports that the father who raised him has had no contact with him in the past year and a half. This has been difficult for Terriel. He reports using alcohol and cannabis as a means of self medication instead of addressing the issues

H. Is juvenile lacking in his/her family support system? YES ☒ NO ☐

☐ If yes, explain. Terriel's mother is supportive and involved. Terriel is angry at his mother for maintaining a relationship with his current stepfather and wants nothing to do with him. Terriel can be defiant and resistant to authoritative directives in the home as a result.

II. Institutional Progress and Adjustment

A. Treatment Goals:

1. Goal: Terriel will learn to express his anger appropriately.

Progress: Terriel acknowledges he would keep his anger to himself and self medicate with marijuana prior to his incarceration. He has difficulty addressing his feelings and tends to isolate himself emotionally. This is being addressed in individual counseling and continues to be a treatment focus.

2. Goal: Terriel will perform to his academic capacity.

Progress: Terriel functions in the average range of intellectual functioning. He has the ability to obtain average to above average grades. He was accepted into the Communities in Schools program based upon his academic abilities and is doing well. He has only been in the program about a month so it is difficult to assess his overall abilities at this time

3. Goal: Terriel will address his feelings of loss and abandonment associated with the absence of²his stepfather.

(DJJ Institution Report - Revised 7-1-01)

The information provided herein is specifically for the purpose of parole consideration and is protected by state and federal confidentiality laws.

Progress: Terriel has just begun individual counseling to address these issues. He has only been at CIS for a short time but has established a therapeutic relationship and is making some progress in this area.

4. Goal: Terriel will develop an understanding of the disease process of chemical addiction and it's effects.

Progress: Terriel will be enrolled on an alcohol and drug psycho-educational group while at CIS. He has basic knowledge of the disease process but minimizes its effect on him physically and emotionally.

B. Strengths and Accomplishments (i.e. leadership skills, special program participation, awards, honors):

He has applied for the work program but has not been involved in the program long enough to qualify at this time.

Behavioral Adjustment Summary (Describe behavior over the last reporting period):

1. For major incidents, please note the date, offense, description and action taken:

<u>DATE</u>	<u>OFFENSE/DESCRIPTION</u>	<u>ACTION TAKEN</u>
-------------	----------------------------	---------------------

NONE

2. Summary and explanation of minor infractions:

2/4/03 Out of Place

III. Institutional Release Plans:

A. What special treatment services do you recommend for juvenile upon release?

Terriel would benefit from outpatient alcohol and drug counseling to address his substance abuse.

B. What special conditions do you recommend for successful parole?

None at this time

IV. Recommendation Summary:

A. Do you recommend release?

YES ☐

NO



If yes, check one: Conditional Release ☐ Unconditional Release ☐

C. Rationale: Although Terriel is doing well in the living unit and the Communities in Schools program, he has not been engaged in treatment services for an extensive period of time. Therefore, it is recommended that Terriel remain in the institution where he will have an opportunity to gain a better understanding of his involvement in criminal activity. He will also be afforded an opportunity to gain pro-social skills and learn how to manage his behavior for a consistent period of time.

Gayle Shellenberg, LMSW

Type Reporter's Name/Title/Date
Name/Title/Date

Signature:

Gayle Shellenberg, LMSW
3/18/03

Ray Hoskins, CCS, CACII

Type Supervisor's

Signature:

Ray Hoskins 3/18/03

16:19:28 Thursday, January 10, 2019

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

01/10/19
C001714

SCDC ID: 312070

DISPLAY INMATE OFFENSE HISTORY

MACK, TERRIEL L.

CURR LOC: BROAD RIVE

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

SERIOUS MENTAL ILLNESS: N

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00013	OUT OF PLACE	ADMINIST	04/16/08	/ /	00000	CONVICTED	3
00012	OUT OF PLACE	ADMINIST	04/04/08	/ /	00000	CONVICTED	3
00011	USE, POSS NARC, MARIJ, U	MAJOR DI	12/12/07	01/04/08	00000	CONVICTED	1
00009	SEXUAL MISCONDUCT	MAJOR DI	04/05/07	04/24/07	00000	CONVICTED	2
00008	DAMAGE, DESTROY, PROP.V	MAJOR DI	02/27/07	03/12/07	00000	CONVICTED	2
00007	OUT OF PLACE	ADMINIST	09/27/06	/ /	00000	CONVICTED	3
00006	SEXUAL MISCONDUCT	MAJOR DI	09/08/06	09/27/06	00000	CONVICTED	2
00005	SEXUAL ASSAULT	MAJOR DI	09/04/06	09/21/06	00000	CONVICTED	1
00004	THREATENING TO INFLEC	MAJOR DI	09/04/06	09/21/06	00000	CONVICTED	2
00003	SAFETY REGULATIONS	ADMINIST	01/04/06	/ /	00000	CONVICTED	5
00002	STRIKING AN EMPLOYEE	MAJOR DI	12/21/05	01/31/06	00000	CONVICTED	2
00001	STRIKING AN EMPLOYEE	OTHER AC	12/21/05	/ /	00000	CLOSED	2

PAGE 0003

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

15:19:22 Thursday, January 10, 2019

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

01/10/19

C001714

SCDC ID: 312070

DISPLAY INMATE OFFENSE HISTORY

CURR LOC: BROAD RIVE

MACK, TERRIEL L.

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

SERIOUS MENTAL ILLNESS: N

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00029	THREATENING TO INFLIC	MAJOR DI	03/13/11	03/22/11	00000	CONVICTED	2
00028	REFUSING OR FAILING O	MAJOR DI	02/23/11	03/15/11	00000	CONVICTED	3
00027	EVADING A SECURITY DE	MAJOR DI	02/23/11	03/15/11	00000	CONVICTED	3
00026	STRIKING AN EMPLOYEE	MAJOR DI	02/23/11	03/15/11	00000	CONVICTED	2
00025	THROWING/EXPOSURE OF	MAJOR DI	02/23/11	03/15/11	00000	CONVICTED	2
00023	REFUSING OR FAILING O	OTHER AC	08/15/10	08/19/10	00000	CLOSED	3
00022	POSSESSION OF CONTRAB	MAJOR DI	04/29/10	06/03/10	00000	CONVICTED	3
00021	EXHIBITIONISM AND PUB	MAJOR DI	03/10/10	03/25/10	00000	CONVICTED	2
00020	EXHIBITIONISM AND PUB	MAJOR DI	02/19/10	03/11/10	00000	CONVICTED	2
00019	SOLICIT EMPLOYEE, I/M,	ADMINIST	02/06/10	02/08/10	00000	CONVICTED	3
00015	REFUSING OR FAILING O	ADMINIST	08/28/08	/ /	00000	CONVICTED	3
00014	USE, POSS NARC, MARIJ, U	MAJOR DI	07/23/08	08/12/08	00000	CONVICTED	1

PAGE 0002

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

15:19:16 Thursday, January 10, 2019

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

01/10/19
C001714

SCDC ID: 312070

DISPLAY INMATE OFFENSE HISTORY

MACK, TERRIEL L.

CURR LOC: BROAD RIVE

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV

SERIOUS MENTAL ILLNESS: N

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00056	HOMICIDE	UNDER IN	04/15/18	/ /	00000		1
00055	THREATENING TO INFLIC	MAJOR DI	03/08/18	04/04/18	00000	CONVICTED	2
00054	POSSESSION OF A WEAPO	MAJOR DI	07/13/17	07/31/17	00000	CONVICTED	1
00051	POSSESSION OF A WEAPO	MAJOR DI	06/28/16	07/19/16	00000	CONVICTED	1
00048	EXHIBITIONISM AND PUB	MAJOR DI	01/03/16	01/11/16	00000	CONVICTED	2
00042	EXHIBITIONISM AND PUB	MAJOR DI	06/14/14	07/08/14	00000	CONVICTED	2
00041	STRIKING AN EMPLOYEE	MAJOR DI	05/15/14	06/03/14	00000	CONVICTED	2
00040	STRIKING AN EMPLOYEE	MAJOR DI	05/15/14	06/03/14	00000	CONVICTED	2
00039	DISORDERLY CONDUCT	ADMINIST	09/14/13	09/20/13	00000	CONVICTED	3
00034	UNAUTH I/M ORGAN/PART	MAJOR DI	04/04/12	04/23/12	00000	CONVICTED	3
00032	POSSESSION OF CONTRAB	OTHER AC	02/09/12	02/15/12	00000	CLOSED	3
00030	EXHIBITIONISM AND PUB	MAJOR DI	04/21/11	05/12/11	00000	CONVICTED	2

PAGE 0001

SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

12/21/05
M13

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 2

Institution/Center: Lee CI			
Date of Report: 12/21/05		Time of Report: 11:40 AM	
Reporting Official: Sgt E. MIMS 023166		Date of Incident: 12/21/05	
Location of Incident: Darlington (N)		Time of Incident: 9:20 approx	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. MACK Terriel	312070	BLK	M
2. SMM 116	573		
3.			
4.			
5.			
Employee(s) Involved:			
1. OFC H. Finklea			
2. OFC J. Henry			
3.			
4.			
5.			

On the above date and approximate time: I/M MACK Terriel # 312070 WAS given A directive to remove His Toboggan Hat, He refused, At that time I gave I/M MACK A directive to go back to the Dorm I then Radio Officer J. Henry And told Him to place I/M MACK in His room until I return From the Cafeteria, I then return to the Unit And requested the Assistance of OFC H. Finklea and Wing OFC J. Henry, We then went to I/M MACK room, At that time I gave I/M MACK A directive to give me the toboggan, He refused. I/M MACK then state Fuck you Sgt MIMS I not giving you shit, At that I/M MACK then turn away From heading towards His bed. I then gave Him A directive to stop, He Again refused.

Signature: Sgt E. MIMS

807 Striking An Employee with or without A weapon

Evidence:

Witness(es):

Supervisor's Comments: *He informed he would be charged*

Signature: *[Signature]* Title: *Capt.* Date/Time: *12:30 PM 12/21/05*

Major / Responsible Authority:

Refer to DHD

Signature: *[Signature]* Title: *Att* Date: *12/21/05*

STG Related - Refer to STG Committee
() Yes (☒) No () Unknown

This Incident is DRUG related *12-28-05*
() Yes (☒) No () Unknown

Action Taken

- () Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

445

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 2 of 2

Institution / Center: <u>Lee CI</u>			
Date of Report: <u>12/21/05</u>		Time of Report: <u>11:40 AM</u>	
Reporting Official: <u>Sgt E. MMS 023166</u>		Date of Incident: <u>12/21/05</u>	
Location of Incident: <u>Darlington North</u>		Time of Incident: <u>9:20 AM Approx</u>	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. <u>MACK Terriel 312070</u>			<u>BLK M</u>
2.			
3.			
4.			
5.			
Employee(s) Involved:			
1. <u>OFFICER H. FINKLEA</u>			
2. <u>OFF J. HERNY</u>			
3.			
4.			
5.			

On the above date and approximate time: I/M MACK then turned around and lunged towards me, at that time I sprayed I/M MACK in the FACIAL AREA with 5.5 pepper spray. I/M MACK then fell onto his bed, I then attempted to secure him. I/M MACK then punched me in the upper chest several times. I then again sprayed I/M MACK in the FACIAL AREA, however at that time he kicked OFFICER J. HERNY in the groin area. I then sprayed I/M MACK again in the FACIAL AREA and placed him on the floor, and at that time I was able to secure him by placing handcuffs on both arms. The East Yard was then radio for assistance because there was several inmates who would not clear the area. The East Yard officers then enter the unit and escorted I/M MACK out of unit and to medical.

Signature: Sgt E. MMS

Evidence:

Witness(es):

Supervisor's Comments: I/M informed he would be charged

Signature: [Signature] Title: Capt. Date/Time: 12/21/05

Major / Responsible Authority:

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

- () Informal Resolution
() Administrative Resolution
() Refer to Disciplinary Hearing

**NC DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: _____ Inmate Name: TERRIEL MACK SCDC#: 312070
 Living Area: 300 016 7 Job: N/A Custody: ST3
 Offense Date: 12/21/05 Offense Time: 9:20AM AM/PM Offense Location: LEECI - DARLINGTON UNIT
 Offense Description: _____

807- Striking an Employee With or Without a Weapon

Charging Officer/Employee: SGT. E. MIMS

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|--|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☒ I DO NOT WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | |

Date & Time Notified: 1/3/06 7:30 AM/PM By (Print): _____
 Inmate Signature: [Signature] Date: 1/3/06

HEARING INFORMATION:

Hearing Date: <u>1/31/06</u>	Hearing Time: <u>10:40</u> pm	Tape: <u>96</u>	Side: <u>B</u>	Start: <u>100</u>	End: <u>137</u>
------------------------------	-------------------------------	-----------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

OFFENSE CODES	<u>807</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: B) Officer's report

HEARING LENGTH: 10 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
Property (Days): _____	Extra Duty: _____	Restitution: \$ _____ **
Canteen (Days): <u>180</u>	Contact Visit Suspension Thru <u>1/1/06</u>	
Other <u>PHD</u> (Days): <u>180</u>	Cell Restriction (Days): _____	
Disciplinary Detention (Days): <u>180</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD: 1/1/06

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 1/11/06

HEARING OFFICER (PRINT NAME): S. Henderson 4/31/06

APPROVE/REVERSE/MODIFY: [Signature] REASON: _____

CONTACT OUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

**Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Operations

REPORT ON THE USE OF FORCE

Date: 12-21-05	Time: approx. 9:20 a.m.	Institution/Building: Lee CI / Darlington Unit	Location Within Institution/Bldg.: Darlington North
-------------------	----------------------------	---	--

Employee Involved:

Sergeant Ernest Mims, Officer Jemeel Henry, Officer Herman Finklea

Witnesses (4-ACRS-2B-01):

Inmate(s) or Others Involved (Name and SCDC#):

Terriel Mack, #312070, B/M, Age 19

Type Force Used:

(X) Gas... State Type 5.5% Pepper Spray
(X) Other... Explain (e.g. weapon type) Hands On / Handcuffs

STATEMENT OF EMPLOYEE (Reason for use of force)

On December 21, 2005, at approximately 9:20 a.m., Inmate Terriel Mack, #312070, was given several directives to give me his toboggan hat and he refused. Inmate Mack stated, "Fuck you, Sergeant Mims, I'm not giving you shit." I, Sergeant Ernest Mims, then administered 5.5 % pepper spray into the facial area of Inmate Mack. Inmate Mack then punched me in the chest several times and kicked Officer Jemeel Henry in the groin area. I then sprayed Inmate Mack again and placed him on the floor. Officer Henry secured the right leg and Officer Finklea secured the left leg. I then placed handcuffs on both arms. Inmate Mack was then escorted out of the unit and taken to Medical.

Canister #88
Beginning Weight 117 grams
Ending Weight 105 grams

Total Used 12 grams

RECEIVED

JAN 23 2006

OPERATIONS

DATE: 1/18/06 TIME: 9:42 AM Signature of Employee: Sgt E Mims

EXTENT OF INJURY(IES): (This section to be filled out by a Qualified Medical Staff Member.)

TREATMENT AFFORDED:

*Redness noted to eyes. No SOB. Cuffs were
afforded eye wash*

Date: 1/12/06 Time: 1350

Signature of Qualified Medical Staff Member: C E Wilk

Shift/Immediate Supervisor Review:

Mark A. Price, Major

Institutional Division Director Review:

James T. Smith 1/25/06

Warden/Associate Warden/Division Director Review

Margaret Bell (1/20/06)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INSTITUTION
MEMORANDUM

TO: A. J. Padula
Warden

FROM: S. Patterson
Disciplinary Hearing Officer

SUBJECT: DISCIPLINARY HEARING EXTENSION

DATE: January 12, 2006

I am requesting a 21-day disciplinary hearing extension on the following case:

Terriel Mack
INMATE NAME

312070
#

2
CASE #

This case has been extended at the request of:

_____	Counsel Substitute
<u>✓</u>	DHO
_____	Inmate

For the following reason:

_____	Unable to contact accuser
_____	Charges not served 24 hours prior to hearing
_____	Inmate did not meet with counsel substitute
<u>✓</u>	Other

S' Sharon Patterson
Sharon Patterson

APPROVE/DISAPPROVE

[Signature]
Warden/Designee

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

06-01-058

Page 1 of 1

Institution/Center: Lee C.I.					
Date of Report: 1-4-06			Time of Report: Approx: 2:45pm		
Reporting Official: D.C. R. Thompson			Date of Incident: 1-4-06		
Location of Incident: Sma North side Cell 16			Time of Incident: Approx: 10:19 AM		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex	Employee(s) Involved:
1. Terriel Mack	312070	15	M		1.
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time: Inmate Terriel Mack #312070 was observed with water running from under his cell door. Inmate Terriel Mack #312070 Flood out by constantly flushing his toilet. Inmate Terriel Mack #312070 is being charged with 849 Safety Regulation.

Signature: *R. Thompson*

Evidence:

Witness(es):

Supervisor's Comments: INMATE is BEING CHARGED WITH 849 SAFETY REGULATION

Signature: *V. Wall* Title: *Sgt* Date/Time: *1-4-06 3:00 p.m.*

Major / Responsible Authority:

Two inmates were assigned to the cell. Both inmates should have been charged. Informally

Signature: *Shanda Moses* Title: *Captain* Date: *01-11-2006*

STG Related - Refer to STG Committee
() Yes (X) No () Unknown

This Incident is DRUG related
() Yes (X) No () Unknown

Action Taken

(X) Informal Resolution
() Administrative Resolution
() Refer to Disciplinary Hearing

450

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION**

Inmate Name: <u>Terriel Mack</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>849 Safety Regulation</u>	
Date of Violation: <u>01-04-2006</u>	Institution: <u>LEECI</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☒ **INFORMALLY** ☐ **ADMINISTRATIVELY**

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☒
Instructions or directives (Check box if imposing this sanction)	☒
Verbal reprimand (Check box if imposing this sanction)	☒
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	_____ Days
Restriction of canteen, visitation, or other privileges up to 90 days	_____ Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	_____ Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

Aranda Thomas LEECI Aranda Thomas 01.11.2006
Major/Responsible Authority Institution Signature Date
(Print Name)

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, Terriel Mack, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☒ **INFORMALLY** ☐ **ADMINISTRATIVELY**

☒ **Yes**, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ **No**, I do not want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

01.11.2006
Date

Terriel Mack
Inmate's Signature

White: Central Records Green: Institutional Records Goldenrod: Inmate cc: **Financial Accounting (forward copy only when restitution is to be paid)

SEP 05 2006

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 1

0609041

Adm. Ass. _____ Operations _____ Admin. Supv. _____

Institution/Center: Lee CI

Date of Report: 9-4-06

Time of Report: 12:05 PM

Reporting Official: OFC. M. McFadden

Date of Incident: 9-4-06

Location of Incident: Sumter South

Time of Incident: 11:40 AM

Inmate(s)/Resident: SCDC# Age Race Sex Employee(s) Involved:

1. Mack, Terriel 312070 B M

2. Sum 1257 MIZ

3.

4.

5.

On the above date and approximate time: OFC. McFadden observed Inmate Mack, Terriel L. # 312070 in Rm# 2132 with the door open looking down directly at me stroking his penis in a back and forth motion. I instructed I/m Terriel, Mack to close the room door, I/m Mack at that time ran out of that room into Rm# 2124. When I OFC. McFadden started toward that room I/m Mack ran out of that room into another room. At that time I went to lock my wing door and I/m Mack ran up and pushed against the wing door to try and prevent me from closing it. I called for assistance. I/m Mack was found in Rm# 1146 in the bed under the covers by Sgt. Richardson. I/m Mack live in Sumter North Rm# 1257 He is being charged with 802 Sexual Assault and 828 Out of Place + Striking employee 807

Signature: OFC. McFadden

Evidence:

Witness(es):

Supervisor's Comments: I/m MACK was placed on PhD in the Unit and Informed of the charge.

Signature: [Signature] Title: CLO II Date/Time: 09-04-06

Major / Responsible Authority: 8:59 PM

Refer to DHO for 802 + 809
(5) (4)

Signature: [Signature] Title: [Signature] Date: 9/5/06

STG Related - Refer to STG Committee
() Yes (☒) No () UnknownThis Incident is DRUG related
(☒) Yes () No () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

452

SCS CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD

Case#: 04 Inmate Name: Terrell Mack SDC#: 312070
Living Area: Sum #127 Job: N/A Custody: M13

Offense Date: 09 / 04 / 06 Offense Time: 11:40am AM/PM Offense Location: LeeCI - Sumter South
809 - Threatening to Inflict Harm on/Assaulting an Employee and/or Members of the Public: Communications, verbal or written, by an inmate to an individual that s/he intends to injure that person or commit a violent or unlawful act dangerous to human life, presently or in the future; or one who commits a physical act of a threatening nature, and the probable result of such threats or action is to place the individual in fear of bodily injury; or one who causes evacuation of a building; or one who creates serious disruption or alarm. Any unauthorized body contact of an employee or member of the public which creates serious alarm, but does not result in bodily injury.
Charging Officer/Employee: Officer M. McPadden

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
☐ I WAIVE MY RIGHT TO A HEARING
☒ I WANT A COUNSEL SUBSTITUTE
☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 9 / 06 / 06 7:12 AM/PM By (Print): R. Jordan, Sgt.
Inmate Signature: [Signature] Date: 9 / 16 / 06

HEARING INFORMATION:

Hearing Date: <u>9 / 21 / 06</u>	Hearing Time: <u>9:12am</u> pm	Tape: <u>128</u>	Side: <u>B</u>	Start: <u>715</u>	End: <u>901</u>
----------------------------------	--------------------------------	------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>809</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: Officer's Report

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
Property (Days): _____	Extra Duty: _____	Restitution: \$ _____ **
Canteen (Days): <u>180</u>	Contact Visit Suspension Thru <u>1 / 180</u>	
Other (Days): <u>180</u>	Cell Restriction (Days): _____	
Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Notice of Offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1 / 1

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terrell Mack DATE: 9/21/06

HEARING OFFICER (PRINT NAME) S. Patterson

APPROVED/REVERSE/MODIFY [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
Canary - Inmate (Service of Disciplinary Report)
Pink - Central Record

(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

0609041

Page 1 of 1

Institution / Center: <u>Lee CI</u>				
Date of Report: <u>9-4-06</u>		Time of Report: <u>1205 PM</u>		
Reporting Official: <u>OFC. M. McFadden</u>		Date of Incident: <u>9-4-06</u>		
Location of Incident: <u>Sumter South</u>		Time of Incident: <u>1140 AM</u>		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>Mack, Terriel</u>	<u>312070</u>	<u>B</u>	<u>M</u>	
2. <u>Sum 1257</u>	<u>MI3</u>			
3.				
4.				
5.				
Employee(s) Involved:				

On the above date and approximate time: OFC. McFadden observed Inmate Mack, Terriel L. # 312070 in Rm# 2132 with the door open looking down directly at me stroking his penis in a back and forth motion. I instructed I/m Terriel Mack to close the room door. I/m Mack at that time ran out of that room into Rm# 2124. When I OFC. McFadden started toward that room I/m Mack ran out of that room into another room. At that time I went to lock my wing door and I/m Mack ran up and pushed against the wing door to try and prevent me from closing it. I called for assistance. I/m Mack was found in Rm# 1146 in the bed under the covers by Sgt. Richardson. I/m Mack live in Sumter North Rm# 1257 He is being charged with 802 Sexual Assault and 828 Out of Place + Striking employee 807

Signature: OFC. McFadden

Evidence:

Witness(es):

Supervisor's Comments: I/m MACK was placed on Ph.D in the Unit and Informed of the charge.

Signature: St C Title: C/O II Date/Time: 09-04-06 859 PM

Major / Responsible Authority:

Refer to DHO for 802 + 809
(5) (4)

Signature: Mark Bell Title: HU Date: 9/5/06

STG Related - Refer to STG Committee
☐ Yes ☒ No ☐ Unknown

This Incident is DRUG related
☒ Yes ☐ No ☐ Unknown

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 5 Inmate Name: Terriel Mack SCDC#: 312070
 Living Area: Am #1257 Job: N/A Custody: M3
 Offense Date: 09/04/06 Offense Time: 11:40am AM/PM Offense Location: LeeCI - Sumter South

Offense Description:

802 - Sexual Assault: Forcing another person, violence or threats of violence, to perform a sexual act (a sexual act is any intentional contact between the genitals of one inmate and the genitals, mouth, anus, of hands of another person). In addition, sexual assault may occur when an inmate engages in sexual acts or willfully exposes his/her private body parts under circumstances where it is reasonable to believe that the inmate may intend to harm a staff member or other person.

Charging Officer/Employee: Officer M. McFadden

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING ☐ I WAIVE MY RIGHT TO A HEARING 7-8
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING ☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING ☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 9/06/06 9:03 AM/PM By (Print): R. J. ...

Inmate Signature: Terriel Mack Date: 9/06/06

HEARING INFORMATION:

Hearing Date: <u>9/21/06</u>	Hearing Time: <u>9:02am</u>	Tape: <u>128</u>	Side: <u>B</u>	Start: <u>7:15</u>	End: <u>9:01</u>
------------------------------	-----------------------------	------------------	----------------	--------------------	------------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>802</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: Officer's Report

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____	Reprimand: _____	Loss of Good Time (days): _____
Property (Days) _____	Extra Duty: _____	Restitution: \$ _____ **
Canteen (Days) <u>180</u>	Contact Visit Suspension Thru <u>1/1/07</u>	<u>30 days</u>
Other <u>180</u> (Days) <u>180</u>	Cell Restriction (Days): _____	<u>pink punishment 90 days</u>
Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of Offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1/07

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terriel Mack DATE: 9/21/06

HEARING OFFICER (PRINT NAME) S. Patterson

APPROVED/REVERSE/MODIFY [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

06-09-113

Page 1 of 1

Institution / Center: Lee Correctional Institution				
Date of Report: 9-8-06		Time of Report: 9:30 pm		
Reporting Official: Sgt. K. Smith (020515)		Date of Incident: 9-8-06		
Location of Incident: Sumter North		Time of Incident: Approx 7:45 pm		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. Mack, Terric / 11/11/86 / #312070			BM	
2. Che 2250, 11/13				
3.				
4.				
5.				
Employee(s) Involved:				

On the above date and approximate time: While Conducting Count in Sumter North, I - Sgt. K. Smith approached room 1257 with its lights off. I asked the inmate who was standing at the window to turn his cell lights on so that I could see inside the room. The inmate turned the lights on - stood in front of his window with his pants pulled down, his penis exposed with his right hand on it moving his hand in and up and down motion. I informed inmate that I would not tolerate his behavior and that I needed his I.D. and he would be charged with 822. Inmate was identified as Mack Terric / 11/11/86 / #312070 with 822 sexual misconduct.

Signature: Sgt. K. Smith

Evidence:

Witness(es):

Supervisor's Comments:

Informed the Mack of the charges for his actions.

Signature: L. Gandy Title: Lt Date/Time: 9-8-06

Major / Responsible Authority:

Refer to DHO

Signature: Mary F. Title: AU Date: 9/12/06

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(x) Refer to Disciplinary Hearing

456

SO. CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD

Case#: 06 Inmate Name: Terrill Mack SCDC#: 312070
Living Area: One #2250 Job: N/A Custody: MIB
Offense Date: 09/08/06 Offense Time: 7:45pm AM/PM Offense Location: LeeCI - Sumter North

Offense Description:
822 - Sexual Misconduct - Engaging in sexual acts or intimate physical contact of a sexual nature alone or with others; or (2) indecent and/or unnecessary exposure of private body parts; or (3) soliciting sexual acts from others.

Charging Officer/Employee: Sgt. K. Smith (112)

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
☐ I WAIVE MY RIGHT TO A HEARING
☒ I WANT A COUNSEL SUBSTITUTE 7.8
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 09/14/06 4:05 AM/PM By (Print): LY. L. GENTRY
Inmate Signature: Terrill Mack 312070 Date: 09/14/06

HEARING INFORMATION:

Hearing Date: <u>9/27/06</u>	Hearing Time: <u>8:40</u> am/pm	Tape: <u>130</u>	Side: <u>A</u>	Start: <u>357</u>	End: <u>411</u>
------------------------------	---------------------------------	------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>022</u>			
INMATE PLEA (G, NG, None)	<u>C</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: Admission of guilt

Officer's report

HEARING LENGTH: 6 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____ Reprimand: _____ Loss of Good Time (days): _____
Property (Days) _____ Extra Duty: _____ Restitution: \$ _____**
Canteen (Days) 150 Contact Visit Suspension Thru 1/1 360 days
Other phase (Days) 150 Cell Restriction (Days): _____ pink jumpsuit 90 days
Disciplinary Detention (Days): _____

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of Offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD _____

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terrill Mack DATE: 9/27/06

HEARING OFFICER (PRINT NAME) S. Patterson

APPROVE/REVERSE/MODIFY [Signature] REASON _____
Warden

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record

Canary - Inmate (Service of Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)

Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

06-09-352

Page 1 of 1

Institution / Center: Lee CT	
Date of Report: SEPT 27, 2006	Time of Report: 10:25 AM
Reporting Official: LT L Hodges 016712	Date of Incident: SEPT 27, 2006
Location of Incident: SUMTER UNIT	Time of Incident: 10:20 AM
Inmate(s)/Resident: SCDC# Age Race Sex	Employee(s) Involved:
1. Terrell Mack 312070 B M	1.
2.	2.
3.	3.
4.	4.
5.	5.

On the above date and approximate time: I was monitoring movement coming into the SUMTER UNIT. I saw inmate Terrell Mack, SCDC 312070, coming in the front door. Since inmate Mack lives in Chesterfield Unit I am charging him with (828) out of place.

Signature: LT L Hodges

Evidence:

Witness(es): AG

Supervisor's Comments: Coach Brown stated that

he had seen Mack in the gym
taking to him that Mack Terrell
312070 will be charged with (321) 11.41.11

Signature: [Signature] Title: LT Date/Time: 9/27/06

Major / Responsible Authority:

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

() Informal Resolution
(☒) Administrative Resolution
() Refer to Disciplinary Hearing

Signature: ABN Title: Capt. Date: 10-02-06

A21
#

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION

Inmate Name: <u>Terrell Mack</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>828 out of place</u>	
Date of Violation: <u>9-27-06</u>	Institution: <u>Lee</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☒
Instructions or directives (Check box if imposing this sanction)	☐
Verbal reprimand (Check box if imposing this sanction)	☒
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	_____ Days
Restriction of ~~canteen~~ visitation, or other privileges up to 90 days	<u>10</u> Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	_____ Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

<u>Capt. AB Neame</u> Major/Responsible Authority (Print Name)	<u>Lee</u> Institution	<u>Capt. AB Neame</u> Signature	<u>10/02/06</u> Date
--	---------------------------	------------------------------------	-------------------------

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, Terrell Mack, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

☒ Yes, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ No, I do not want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

10/02/06
Date

S/ Terrell Mack
Inmate's Signature

White: Central Records
restitution is to be paid)

Green: Institutional Records

Goldenrod: Inmate

cc: **Financial Accounting (forward copy only when

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 1

Institution/Center: <u>LIEBER</u>			
Date of Report: <u>FEBRUARY 27, 2007</u>		Time of Report: <u>APPROX 9:20 AM</u>	
Reporting Official: <u>OFC EARNEST JACKSON</u>		Date of Incident: <u>FEBRUARY 27, 2007</u>	
Location of Incident: <u>ASHLEY A-WING #52</u>		Time of Incident: <u>APPROX 7:55 AM</u>	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. SHANTE DANIELS ~~288424~~	~~288424~~	AAS2	B/m
2. TERRIEL MACK ~~312070~~	~~312070~~	AAS2	B/m
3.	312070		
4. ST3 M0145	12-3-17		
5. ST3 MA 220	49		
Employee(s) Involved:			
1. OFC E. JACKSON			
2. SGT L. DELACRUZ			
3. LT. A. LOTT			
4. CPL E. WILSON			
5.			

On the above date and approximate time: I, OFC EARNEST JACKSON BEING ASSIGNED TO ASHLEY A-WING. I WAS IN PROCESS OF DOING COUNT AS I CAME TO AA-52 CELL OCCUPIED BY (F/m) INMATE SHANTE DANIELS B/m ~~288424~~ AND (F/m) TERRIEL MACK B/m ~~312070~~ THE WINDOW WAS BEING BROKEN OUT. I OFC E. JACKSON CALLED FOR DORM SGT. L. DELACRUZ TO COME FOR ASSISTANCE. THEN UNHOLSTERED MY MK-4 GAS AND ADMINISTERED INTO CELL THROUGH HOLE IN WINDOW.

MY MK-4 CANNISTER #267 WAS SIGNED OUT BY MYSELF STARTING WEIGHT 108.7g ENDING WEIGHT 103.4 grams USED WEIGHT 5.3 grams

SGT L. DELACRUZ ARRIVED ON SCENE. LT. ALPHONSO LOTT AND CPL ERNEST WILSON ALSO ARRIVED.

Both Inmates being charged with (820) Destroying state properties.

Signature: Ernest Jackson Jr.
EARNEST D. JACKSON JR.

6-25-07 Celldon W...

Evidence:

Witness(es):

Supervisor's Comments: Inmates Broken the window in room # 52 and they were placed on Restraint cuffs. charged as stated.

STG Related - Refer to STG Committee
() Yes ☒ No () Unknown

This Incident is DRUG related
() Yes ☒ No () Unknown

Signature: Sgt Title: Sgt Date/Time: 9:25 AM 2-27-07

Major / Responsible Authority:

Refer to Hearing off. for
I'm MACK admitted he
broke the window charged
with 820

Signature: [Signature] Title: MR Date: 2/5/07

Action Taken

() Informal Resolution
() Administrative Resolution
☒ Refer to Disciplinary Hearing

(820)

460

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

Page 1 of 1

Institution / Center: <u>LCI</u>	
Date of Report: <u>2-27-07</u>	Time of Report: <u>Approx 9:30 Am</u>
Reporting Official: <u>Sgt Loreto Delacruz</u>	Date of Incident: <u>2-27-07</u>
Location of Incident: <u>Ashley A-wing Cell # 52</u>	Time of Incident: <u>Approx 7:55 Am</u>
Inmate(s)/Resident: <u>SCDC#</u> <u>Age</u> <u>Race</u> <u>Sex</u>	Employee(s) Involved:
1. <u>J/m Mack Terriel B/m # 312070</u>	1. <u>Sgt Loreto Delacruz</u>
2. <u>J/m Shonte Daniel B/m # 288424</u>	2. <u>Off Jackson</u>
3. <u></u>	3. <u>LT Lott</u>
4. <u>ST3 MA220 49</u>	4. <u>Cpl Wilson</u>
5. <u>ST3 MB145 12-3-17</u>	5. <u></u>

On the above date and approximate time: I Sgt Loreto Delacruz was assigned to Ashley Unit. As Unit Sgt, when Officer Jackson call me via radio to assist him. As I approached the Top tier. I saw a shattered window in room # 52. And officer Jackson was standing in the corner. I then Unholster my Gas Ashley LT Top Cop. And Administered a burst in the cell # 52 thru the broken window door. First Responder has been called to assist restraining both Inmates. and escorted to the SMU holding cell. Minutes later officer Jackson was informed me that. The back window has been shattered also. The following Inmates was Identified. J/m Mack Terriel B/m # 312070. and J/m Shonte Daniels B/m # 288424. Starting weight 129.4. Ending 109.4. used 20.0 grams. Both Inmates was being with (820) Destroying state properties.

Signature: Loreto Delacruz

Evidence:

Witness(es):

Supervisor's Comments: See Off Jacksons 19-29A
dated 2/27/07 same Incident. Charge
Both inmates as stated

Signature: [Signature] Title: Capt Date/Time: 2/27/07 1345

Major / Responsible Authority:

(520)

Signature: [Signature] Title: mr Date: 3/5/07

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

() Informal Resolution 820
() Administrative Resolution
☒ Refer to Disciplinary Hearing

461

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 8 Inmate Name: Mack, Terrial SCDC#: 312070
 Living Area: MA 220 Job: _____ Custody: ST3
 Offense Date: 2/27/07 Offense Time: 755 AM/PM Offense Location: Lieber Ashley A 52
 Offense Description: 820 Damage, Loss, Destruction, or Defacing of Property with any Value

Charging Officer/Employee: Ofc. Earnest Jackson

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING ☐ I WAIVE MY RIGHT TO A HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING ☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING ☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 2/27/07 137 AM/PM By (Print): _____
 Inmate Signature: Terrial Mack Date: 3/12/07

HEARING INFORMATION:

Hearing Date: <u>3/12/07</u>	Hearing Time: <u>9:52 am/pm</u>	Tape: <u>07-024</u>	Side: <u>A</u>	Start: <u>077</u>	End: <u>155</u>
------------------------------	---------------------------------	---------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	820			
INMATE PLEA (G, NG, None)	G			
FINDINGS (G, NG, DS)	G			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: signature and testimony of Ofc. Jackson, Inmate's admission of guilt. Inmate guilty of damaging state property

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____ Reprimand: _____ Loss of Good Time (days): _____
 Property (Days) _____ Extra Duty: _____ Restitution: \$25.00 **
 Canteen (Days) 180 Contact Visit Suspension Thru (180 days) Cell Window \$25.00
 Other 180 (Days) telephone Cell Restriction (Days): _____
 Disciplinary Detention (Days): 160

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Level 2 offense
for violation of this offense. Most recent major
9/06. Inmate given appeal rights

CREDIT FOR PHD TIME SERVED (YES/NO) IF YES, DAYS 13

DATE INMATE PLACED IN PHD 2/27/07

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terrial Mack DATE: 3/12/07

HEARING OFFICER (PRINT NAME) Deborah Rowe

APPROVED/REVERSE/MODIFY [Signature] REASON _____
 Warden

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
 Golden Rod - (Service of Disciplinary Hearing Disposition)
 Canary - Inmate (Service of Disciplinary Report)
 Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
LIEBER CORRECTIONAL INSTITUTION
MEMORANDUM**

TO: Deborah Rowe, Disciplinary Hearing Officer

FROM: Thierry Nettles, Major

SUBJECT: REQUEST FOR RESTITUTION

DATE: 3-9-07

In reference to SCDC Policy ADM-15.01, Repayment of Cost by Inmates, restitution is requested in the following case:

INMATE NAME Mark Terrell **SCDC #** 312070

INFRACTION DATE 2-27-07

DISCIPLINARY RULES VIOLATION 820

DESCRIPTION OF DAMAGED ITEM Cell door window

INDIVIDUAL CONTACTED TO OBTAIN COST Mr. Spann

COST OF ITEM \$25.00

PURCHASE ORDER # (if applicable) _____

WORK ORDER # _____


T. Nettles, Major

Note: For restitution of \$50 or more, a copy of this memo and a copy SCDC Form 19-79 will be forwarded to the Financial Accounting Branch - HQ

RECEIVED

REPORT ON THE USE OF FORCE

MAY 08 2007

Date: 2-27-07	Time: 7:55 AM	Institution/Building: LCI	Location Within Institution/Bldg.: Ashley A 52
Employee Involved: Ofc Jackson Sgt Delacruz D. Howard RN			
Witnesses (4-ACRS-2B-01):			
Inmate(s) or Others Involved (Name and SCDC#): I/M Mack Terrell I/M # 312070 I/M Shante Daniel I/M # 288424			
Type Force Used: Top cop LT Ashley starting weight 129.4. Ending w. 109.4 (✓) Gas... State Type Total used 20.0 grams. () Other... Explain (e.g. weapon type) Canister mk-4 #267. weight 108.7. Ending 103.4 Used w. 5.3			
STATEMENT OF EMPLOYEE (Reason for use of force) I, Ofc. Earnest Jackson was assigned to Ashley A Wing on the above date and approximate time. I arrived at cell A52 housed by I/M Daniels, Shante 288424 and I/M Mack, Terrell 312070 were breaking the window out of the door. I called for assistance from Sgt. Loreto Delacruz and then administered a burst of MK-4 through the hole in the window but the still refused to stop breaking the window. Sgt. Delacruz arrived administered a burst of Top Cop into the cell through the broken window and they stopped. First Responders were called and assisted in restraining the inmates and escorting them to the holding cell. Canister #267 weight before use, 108.7 grams. After use, 103.4 grams for a total of 5.3 grams used. Lt. Top Cop Canister weight before use, 129.4 grams. After use, 109.4 grams for a total of 20 grams used.			
DATE: 2-27-07 TIME: 7:55 am Signature of Employee: <i>[Signature]</i>			
EXTENT OF INJURY(IES): (This section to be filled out by a Qualified Medical Staff Member.) none			
TREATMENT AFFORDED: none required			
Date: 2-27-07 Time: 8 AM			
Signature of Qualified Medical Staff Member: <i>[Signature]</i>			
Shift/Immediate Supervisor Review: <i>[Signature]</i>		Institutional Division Director Review: <i>[Signature]</i> 5/14/07	
Warden Associate Warden/Division Director Review: <i>[Signature]</i>			

cc: Inspector General

SCDC 19-5 (Rev. January 2003)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

4/12/07 *B*

Page 1 of 1

Institution / Center: <u>LIEBER</u>				
Date of Report: <u>4-5-07</u>			Time of Report: <u>Approximately 11:10pm</u>	
Reporting Official: <u>Bessie White</u>			Date of Incident: <u>4-5-07</u>	
Location of Incident: <u>MAX A-WING</u>			Time of Incident: <u>Approximately 8:27pm</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>HACK, Terrie</u>	<u>312070</u>	<u>B</u>	<u>M</u>	
2.				
3. <u>DD3 / MAZZO / 49</u>				
4.				
5.				

On the above date and approximate time: AS I OFC B. White was Assigned to MAX A-WING, While doing Cell Cleaning I Approached Rm 220 Which housed I/M HACK, Terrie SCDC# 312070 B/M. AS I turnaround to pass him the dust pan I noticed the I/M ~~with~~ with his right hand on his penis with an up & down motion. I gave him a directive to stop, he refused. I/M HACK, Terrie is being charged with 822. My starting weight was 125.5, Ending = 119.0 my usage was 6.5. I/M HACK WILL BE CHARGED WITH (822) Sexual Misconduct.

Signature: Oja B. White

Evidence:

Witness(es):

Supervisor's Comments: Charge as indicated above. On Call briefed. Min completed.

Signature: [Signature] Title: St Date/Time: 04-05-07

Major / Responsible Authority:

REFER TO HEARING OFFICER
I/M CHARGED WITH 822

Signature: [Signature] Title: Mr. Date: 4/6/07

STG Related - Refer to STG Committee
() Yes (☒) No () Unknown

This Incident is DRUG related
() Yes (☒) No () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

465

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Operations

RECEIVED

APR 23 2007

REPORT ON THE USE OF FORCE

OPERATIONS

Date: April 5, 2007	Time: 827 pm	Institution/Building: Lieber Corr. Inst.	Location Within Institution/Bldg.: Max A Wing
Employee Involved: Ofc. Bessie White, Jean Dunne RN			
Witnesses (4-ACRS-2B-01):			
Inmate(s) or Others Involved (Name and SCDC#): I/M TERRIEL MACK, 312070			
Type Force Used: ☒ Gas... State Type TOP COP CANISTER #350 STARTING WT - 125.5, ENDING WT 119.0, TOTAL USED 6.5 grams ☐ Other... Explain (e.g. weapon type)			

STATEMENT OF EMPLOYEE (Reason for use of force)

On the above date and approximate time, I, Ofc. Bessie White was assigned to Max A Wing. As I approached cell A220 to do cell cleaning, I/M Mack, Terrell 312070 asked me to pass him the dustpan. When I turned back around, I observed I/M Mack standing with his penis exposed and masterbating. I gave him a direct order to cease his actions but he refused to comply. I administered a burst of MK-4 at I/M Mack and he ceased his actions. Canister weight before use, 125.5 grams. After use, 119.0 grams for a total of 6.5 grams used.

DATE: 4-5-07 TIME: 827 pm Signature of Employee: *Ofc B. White*

EXTENT OF INJURY(IES): (This section to be filled out by a Qualified Medical Staff Member.) *I/M TERRIEL MACK, 312070*

TREATMENT AFFORDED: *no treatment needed*

Date: *4/5/07* Time: *1038pm*

Signature of Qualified Medical Staff Member: *Jean R*

Shift/Immediate Supervisor Review:
Jack R. Rangelstein
Warden/Associate Warden/Division Director Review:
Michael Johnson, ALW

Institutional Division Director Review:
James P. St. J. *4/24/07*

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 9 Inmate Name: Mack, Terriel SCDC#: 312070
 Living Area: M220 Job: _____ Custody: DD3
 Offense Date: 04/05/07 Offense Time: 8:27 AM/PM Offense Location: Heber Max A-wing
 Offense Description: (822) SEXUAL MISCONDUCT

Charging Officer/Employee: Ofe. White, Bessie

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|---|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I DO NOT WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | |

Date & Time Notified: 4/12/07 630 AM/PM By (Print): B. S. Hensley
 Inmate Signature: _____ Date: ____/____/____

HEARING INFORMATION:

Hearing Date: <u>4/24/07</u>	Hearing Time: <u>12:25</u> am/pm	Tape: <u>07039</u>	Side: <u>A</u>	Start: <u>139</u>	End: <u>227</u>
------------------------------	----------------------------------	--------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	822			
INMATE PLEA (G, NG, None)	NG			
FINDINGS (G, NG, DS)	G			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT;

(B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: testimony of Ofc. White that she observed inmate masturbating in PHD is guilty of sexual misconduct

HEARING LENGTH: _____ (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____	Reprimand: _____	Loss of Good Time (days): _____
Property (Days) _____	Extra Duty: _____	Restitution: \$ _____ **
Canine (Days) <u>180</u>	Contact Visit Suspension Thru <u>1/1/11</u> (1 yr)	
Other <u>180</u> (Days) <u>telephone</u>	Cell Restriction (Days): _____	
Disciplinary Detention (Days): <u>90</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Level 2 offense, 2nd conviction for this offense, also 1st assault conviction. Inmate gives appeal rights

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD: ____/____/____

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terriel Mack DATE: 4/24/07

HEARING OFFICER (PRINT NAME) Deborah Rowe

APPROVED REVERSE/MODIFY: [Signature] REASON: _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

**(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 1

Institution / Center: <u>LeeBee Correctional Inst</u>			
Date of Report: <u>12-12-07</u>		Time of Report: <u>Approx 0040 AM</u>	
Reporting Official: <u>CPI Ernest Wilson II</u>		Date of Incident: <u>12-12-07</u>	
Location of Incident: <u>Med Visitation Room</u>		Time of Incident: <u>Approx 0020 AM</u>	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. <u>MACK, Terriel L</u>	<u>SCDC # 312070</u>	<u>B/m</u>	<u>AB32</u>
2. _____	_____	_____	_____
3. <u>ME3</u>	<u>AB32</u>	<u>49</u>	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

On the above date and approximate time: I cpi Ernest Wilson was Administering Random and Target Inmate Drug test in the Med Visitation Room for THC MARIJUANA AND COCAINE when I tested I/m MACK Terriel L SCDC# 312070 B/m AB32. I/m MACK urine tested Positive For THE MARIJUANA. I then gave I/m MACK a confirmation test which also tested Positive For THC MARIJUANA. ONTRAK AND AMORCANBMAK test was used so for the above listed incident I'm charging I/m MACK, Terriel L # 312070 B/m AB32 with 903

Signature: CPI Ernest Wilson II

Evidence: 19-79 for Positive THC

Witness(es): _____

Supervisor's Comments: I/m MACK CHARGED WITH
903 USE OF DRUGS

Signature: A.E.M. Title: CAPT. Date/Time: 12 DEC 07 2:00 A.M.

Major / Responsible Authority: _____

903

Signature: [Signature] Title: [Signature]

Date: 12/12/07

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

- () Informal Resolution
- () Administrative Resolution
- () Refer to Disciplinary Hearing

468

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 11 Inmate Name: Mack, Terriel SCDC#: 312070
 Living Area: A864 Job: _____ Custody: M13
 Offense Date: 12 12 07 Offense Time: 12:20 AM/PM Institution: Lieber Medium Visitation Room

Offense Description: (903) THE USE OR POSSESSION OF NARCOTICS, MARIJUANA, OR UNAUTHORIZED DRUGS, INCLUDING PRESCRIPTION DRUGS OR INHALANTS; The actual or constructive possession of any item which was not issued to the inmate officially or which cannot be purchased by him/her in the prison canteen, or which has not been authorized by the Agency Director or Warden. Any inmate testing positive for any unauthorized drug, refusing to submit to a drug test, or failing to produce a specimen within three (3) hours as specified in SCDC Policy/Procedure GA-03.03.

Charging Officer/Employee: Wilson, Ernest Title: Cpl Echo

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
☐ I WAIVE MY RIGHT TO A HEARING
 SMU/SEGREGATION ONLY
☐ I WANT A COUNSEL SUBSTITUTE
☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 12/20/07 8:40 AM/PM By (Print): OTIS, J. J.
 Inmate Signature: _____ SCDC#: _____ Date: 1 / 1 / 1

HEARING INFORMATION:

Hearing Date: <u>1/4/08</u>	Hearing Time: <u>10:16 am</u>	Tap: <u>07002</u>	Side: <u>A</u>	Start: <u>333</u>	End: <u>399</u>
-----------------------------	-------------------------------	-------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	903					Rel. date
INMATE PLEA (G NG None)	N.G					99-99-99
FINDINGS (G NG DS)	G					

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT, (B) OFFICER'S REPORT, (C) WITNESS TESTIMONY, (D) OTHER. EXPLAIN IN DETAIL: THE OFFICER REPORT
Evidence attached to SCDC form 523 (12-99)

HEARING LENGTH: 10 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____ Reprimand: _____ Loss of Good Time (days): _____
 * Property (Days): _____ Extra Duty: _____ Restitution: \$ _____ **
 * Canteen (Days): 360
 * Other (Days): 360
 * Disciplinary Detention (Days): 60
 Visit Suspension Thru 360 / 1
 Cell Restriction (Days): _____
Appeal R. 1/15 given

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Appeal R. 1/15 given
change at the nature

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1 / 1 / 1

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: James Mack DATE: 1/4/08

HEARING OFFICER (PRINT NAME) James Mack

APPROVED/REVERSE/MODIFY As per 3/1/08 REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing/Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SCDC 19-69 (Rev. May 2007)

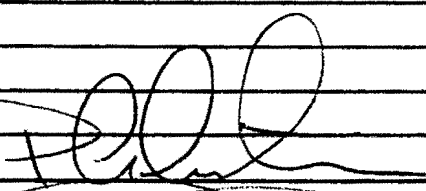
4/16/08

Institution/Center: Lieber					
Date of Report: Apr 16, 2008			Time of Report: ~~10:00 am~~ 3:30 pm		
Reporting Official: Mr. P. Armstrong			Date of Incident: 4/16/08		
Location of Incident: Education			Time of Incident: ~~8:30 am~~ 2 pm		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex	Employee(s) Involved:
1. Mack, Terriel	312070		B	M	1. P. Armstrong
2.					2. Lt. Stewart
3. Mr 31km (d) 49					3. Lt. Easterlin
4.					4.
5.					5.

On the above date and approximate time:

I/M T. Mack, B M, # 312070 falls the under twenty one mandatory school policy and has not been attending school. He has received monthly Order to Report(s), but has ignored them. I am charging him with 827:OP 2.15 Refusing to attend the compulsory (Mandatory) program and 828: OP 2.15; Out of Place. Attached are copies of the monthly attendance reports showing his nonattendance.

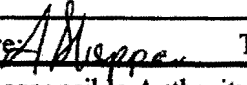
I called Lt. Stewart at 1:45pm and specially asked for all the Ashley A & B side students to report to school. When he brought the Ashley A students he reported that he could not locate I/M Mack.

Signature: 

Evidence: Education monthly attendance record(s)

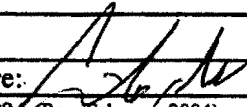
Witness(es): Officer ~~Emmerson~~ Easterlin

Supervisor's Comments: He will be charged with Refusing to attend to school and Out of Place.

Signature:  Title: Lt. Date/Time: 4/16/08 4:30

Major/Responsible Authority: 30 DAYS PROPERTY

TAKEN - I/M WILL NOT RECEIVE PROPERTY BACK UNTIL HE ATTENDS SCHOOL.

Signature:  Title: CAPT. Date: 17 APR 08 10:30 pm

SCDC 19-294 (Rev. February 2004)

STG Related-Refer to STG Committee

() Yes (X) No () Unknown

This Incident is DRUG related

() Yes (X) No () Unknown

Action Taken

() Informal Resolution
(X) Administrative Resolution
() Refer to Disciplinary Hearing

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

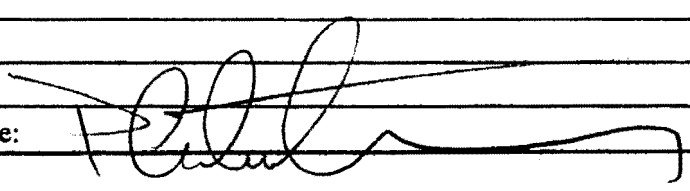
4/4/08

Page 1 of 1

Institution/Center: Lieber					
Date of Report: April 4, 2008			Time of Report: 10:00 am		
Reporting Official: Mr. P. Armstrong			Date of Incident: 4/4/08		
Location of Incident: Education			Time of Incident: 8:30 am		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex	Employee(s) Involved:
1. Frazier, Earl	317645	AA	B	M	1. P. Armstrong
2. Glover, Herbert	310880	CB	B	M	2.
3. Johnson, Derrick	310654	EA	B	M	3.
4. Mack, Terriel	312070	AB	B	M	4.
5.					5.

On the above date and approximate time:

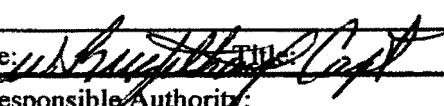
I/M See above, /M, # falls the under twenty one mandatory school policy and has not been attending school. He has received monthly Order to Report(s), but has ignored them. I am charging him with 827:OP 2.15 Refusing to attend the compulsory (Mandatory) program and 828: OP 2.15; Out of Place. Attached are copies of the monthly attendance reports showing his nonattendance.

Signature: 

Evidence: Education monthly attendance record(s)

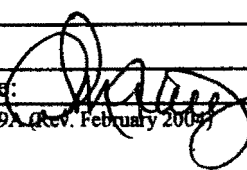
Witness(es): Officer Emrhein

Supervisor's Comments: As stated, the above inmates will be charged as stated.

Signature:  Title: Capt Date/Time: 4/4/08 3:50 pm

Major/Responsible Authority:

CC: ~~CLASSIFICATION~~

Signature:  Title: Major Date: 4/5/08

SCDC 19-29A (Rev. February 2004)

STG Related-Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

- () Informal Resolution
- (x) Administrative Resolution
- () Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION**

Inmate Name: <u>Mack, Terrell</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>228 Out of Place</u>	
Date of Violation: <u>4/16/08</u>	Institution: <u>Lieber</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☐ **INFORMALLY** ☒ **ADMINISTRATIVELY**

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☒
Instructions or directives (Check box if imposing this sanction)	☒
Verbal reprimand (Check box if imposing this sanction)	☒
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	_____ Days
Restriction of canteen, visitation, or <u>other privileges</u> up to 90 days <u>PROPERTY TAKEN</u>	<u>30</u> Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	_____ Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

CAPT. COTE, M.
Major/Responsible Authority
(Print Name)

LIEBER
Institution

[Signature] 04/17/08
Signature Date

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, TERRELL MACK, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☐ **INFORMALLY** ☒ **ADMINISTRATIVELY**

☒ **Yes**, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ **No**, I do not want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

04/17/08
Date

S/ Terrell Mack
Inmate's Signature

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION

Inmate Name: <u>MACK, TERRIE I</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>828 OUT OF PLACE</u>	
Date of Violation: <u>4-4-08</u>	Institution: <u>LIEBER</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☐
Instructions or directives (Check box if imposing this sanction)	☐
Verbal reprimand (Check box if imposing this sanction)	☐
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	<u>30</u> Days
Restriction of canteen, visitation, or other privileges up to 90 days	<u>36</u> Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	<u>30</u> Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

<u>CHARLES WHITTEN LIEBER</u>	<u>Charles Whitten</u>	<u>4/9/08</u>
Major/Responsible Authority (Print Name)	Institution	Signature
		Date

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, TERRIE I MACK, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

☒ **Yes**, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ **No**, I do not want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

4/9/08
Date

S/ Terrell Mack
Inmate's Signature

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

Page 1 of 1

Institution / Center: <u>Lieber</u>				
Date of Report: <u>7/23/08</u>			Time of Report: <u>9:30 a.m. approx</u>	
Reporting Official: <u>Ofe L. Simmers</u>			Date of Incident: <u>7/23/08</u>	
Location of Incident: <u>Asheley Bldg front door</u>			Time of Incident: <u>9:00 a.m.</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>Mack, Terrill L</u>	<u>312070</u>	<u>15</u>	<u>B</u>	<u>M</u>
2. <u></u>	<u></u>	<u></u>	<u></u>	<u></u>
3. <u>ME3 AB64 #9</u>	<u></u>	<u></u>	<u></u>	<u></u>
4. <u></u>	<u></u>	<u></u>	<u></u>	<u></u>
5. <u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Employee(s) Involved:				

On the above date and approximate time: I Ofc L. Simmers gave T/m
Terrill L. Mack a directive to get dressed to take a drug test
in violation to not consume any water. T/m Mack Terrill L 312070
went downstairs. I called T/m Mack name several times. T/m Mack 312070
did not answer or respond. T/m Mack Terrill 312070 is being charged
with violation of 903

Signature: Valentine

Evidence:

Witness(es):

Supervisor's Comments: T/m Mack is being charged
with 903

Signature: Alfonso Lopez Title: LT Date/Time: 7/23/08 9:30 a.m.

Major / Responsible Authority:

903

Signature: [Signature] Title: Major Date: 7/24/08

STG Related - Refer to STG Committee
☐ Yes ☐ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☐ No ☐ Unknown

Action Taken

- ☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

474

Case#: 15-00000 Inmate Name: Hack, Terriel SCDC#: 312070
Living Area: A865 Job: _____ Custody: M13
Offense Date: 07/23/08 Offense Time: 9:00 AM Institution: Lieber Ashley B-Wing Front Door

Charging Officer/Employee: Simmons, Wilson Title: Ofc Echo
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF
 THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING

☐ I WAIVE MY RIGHT TO A HEARING
 SMU/SEGREGATION ONLY.
~~I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING~~

Date & Time Notified: 1/31/08 10:00 AM PM By (Print): Memphis Stafford
 Inmate Signature: [Signature] SCDC#: 312070 Date: 1/31/08

Hearing Date: <u>8/12/08</u>	Hearing Time: <u>1:06pm</u>	am/pm	Tape: <u>0106X</u>	Side: <u>A</u> <u>581</u>	Start: <u>581</u>	End: <u>735</u>
------------------------------	-----------------------------	-------	--------------------	------------------------------	-------------------	-----------------

THE HEARING
 3/10 stated he was in his cell and when he came down it was
 too late

OFFENSE CODES	903			
INMATE PLEA (G, NG, None)	NG			
FINDINGS (G, NG, DS)	G			

reldate
99-99-99

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILTY: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: The officer report
Evidence attached to scene forms (1979 and Refusal)

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____
 * Property (Days) _____
 * Canteen (Days) 360
 * Other 120 (Days) 360
 * Disciplinary Detention (Days): 45

Reprimand: _____
 Extra Duty: _____
 Visit Suspension Thru 369 / _____
 Cell Restriction (Days): _____
Am 1 11 11 5:04

Loss of Good Time (days): _____
 Restitution: \$ _____ **

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: This is the 4th time
Charge of this nature

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS

DATE INMATE PLACED IN PHD 1 1 1

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: *[Signature]* DATE: *9/4/81*

HEARING OFFICER (PRINT NAME) Jane H. Blackwell

APPROVED/REVERSE/MODIFY *Walter J. [illegible]* REASON

Warden

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
Cahary - Inmate (Service of Disciplinary Report)
Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SDC 19-69 (Rev. May 2007)

ORIGINAL

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

9/4/08

Page 1 of 1

Institution / Center: 1 Leber				
Date of Report: 8/28/08		Time of Report: 1:00 pm		
Reporting Official: Sgt. Franklin Jones		Date of Incident: 8/28/08		
Location of Incident: Ashley B- Cell # 64		Time of Incident: Approx 11:55 am		
Inmate(s)/Resident: SCDC# Age Race Sex Employee(s) Involved				
1. Terriel Mack 312070 B/m		1. Sgt. Franklin Jones		
2. Thomas Butler 325328 B/m		2. Lt. McGhee		
3.		3. Lt. McGhee		
4.		4.		
5.		5.		

RECEIVED

AUG 29 2008

MAJORS OFFICE

On the above date and approximate time: I Sgt. Franklin Jones, while performing the inmates on B-wing out of their cells. Approached Cell # 64, which houses inmates Terriel Mack # 312070, and Thomas Butler # 325328 to released on inmate Butler. Inmate Mack was instructed on yesterday morning 8/27/08 that was going to on dead-lock for 24 Hrs, when the wing is release. Inmate Mack attempted to exit the cell. I then gave him a direct order to step back into cell, and he refuse to do so. I then unholstered my Top Cop Canister #31 and administered one burst into his facial area. Inmate Mack then complied and entered his cell. My Supervisor Lt. McGhee along with medical was notified of the incident refusing to obey orders.

I'm Terriel Mack # 312070 is being Charge with (825) Failing or Seem in medical J. Debra Austin, RN

Signature: [Signature] Sgt.
Beginning weight: 111.1 grams / Ending weight: 106.6 grams / Amount used: 5.5 grams

Evidence:
Witness(es): MFL # 08-08-0421-0073

Supervisor's Comments: I'm Terriel MACK # 312070 B/m
Will be Charge accordingly

STG Related - Refer to STG Committee
() Yes (X) No () Unknown

This Incident is DRUG related
() Yes (X) No () Unknown

Signature: [Signature] Title: Lt. Date/Time: 8/28/08 2:10 pm
Major / Responsible Authority:

Action Taken (825)
() Informal Resolution
() Administrative Resolution
(X) Refer to Disciplinary Hearing

Signature: [Signature] Date: 8/29/08
SCDC19-29A (Rev. February 2004)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Operations

REPORT ON THE USE OF FORCE

Date: 8-28-08	Time: 1155 am	Institution/Building: Lieber Corr. Inst.	Location Within Institution/Bldg.: Ashley B 64
------------------	------------------	---	---

Employee Involved:

Sgt. Franklin Jones, Lt. Darryl McGhee, Debra Austin RN

Witnesses (4-ACRS-2B-01):

RECEIVED

Inmate(s) or Others Involved (Name and SCDC#):

Terriel Mack 312 070

SEP 10 2008

Type Force Used:

OPERATIONS

- (☒) Gas... State Type Tkop Cop #31
() Other... Explain (e.g. weapon type)

STATEMENT OF EMPLOYEE (Reason for use of force)

While releasing inmates on Ashley B Wing on above date and approximate time I, Sgt. Franklin Jones approached cell #64 housed by inmates Mack, Terriel #312070 and I/M Butler, Thomas #325328. As I went to release I/M Butler, I/M Mack attempted to exit the cell. He was put on 24 hour dead-lock on Aug. 27, 2008 and the 24 hours had not expired. I gave him a direct order to step back into the cell but he refused to comply. I unholstered my Top Cop and administered a burst to his face. He complied with my directive and was secured in his the cell. Beginning weight 111.1 grams. After use, 106.6 grams for a total of 5.5 grams used.

DATE: 8/28/08 TIME: 1155 PM Signature of Employee: [Signature]

EXTENT OF INJURY(IES): (This section to be filled out by a Qualified Medical Staff Member.)

Swelling @ Wrist. NO SOB OR Resp problems R/T Gassing

TREATMENT AFFORDED:

Ice, motrin -> send RTs if no improvement

Date: 8/28/08 Time: 120pm

Signature of Qualified Medical Staff Member: Debra Austin, RN

Shift/Immediate Supervisor Review:

Institutional Division Director Review:

Warden/Associate Warden/Division Director Review

1

P. 64

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION**

Inmate Name: <u>Terrel MACK</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>825 Refusing to obey orders</u>	
Date of Violation: <u>8-28-8</u>	Institution: <u>LIEBER</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☐
Instructions or directives (Check box if imposing this sanction)	☐
Verbal reprimand (Check box if imposing this sanction)	☒
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	_____ Days
Restriction of canteen, visitation, or other privileges up to 90 days	_____ Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	_____ Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

<u>CHARLES WHITTEN</u>	<u>LIEBER</u>	<u>Charles Whitten</u>	<u>9.3.8</u>
Major/Responsible Authority (Print Name)	Institution	Signature	Date

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, Terrel Mack, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

☒ Yes, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ No, I **do not** want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

9.3.8
Date

Terrel Mack
Inmate's Signature

White: Central Records
restitution is to be paid)

Green: Institutional Records

Goldenrod: Inmate

cc: **Financial Accounting (forward copy only when

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

2/8/10

Page 1 of 1

Institution/Center: <u>Lieber</u>				
Date of Report: <u>2-6-10</u>			Time of Report: <u>Approximate: 10:00 P.M.</u>	
Reporting Official: <u>Off. Timothy Phillips</u>			Date of Incident: <u>2-6-10</u>	
Location of Incident: <u>Cooper A wing</u>			Time of Incident: <u>Approximate: 7:15pm</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>Terriel L. Mack</u>	<u>*312070</u>	<u>CA/32</u>	<u>B/m</u>	
2.				
3.				
4.				
5.				
Employee(s) Involved:				
1. <u>Off. Timothy Phillips</u>				
2.				
3.				
4.				
5.				

On the above date and approximate time: I off Phillips was sitting at the
off. Desk on Cooper A wing when inmate Terriel L. Mack
#312070 CA/32 B/m approached the desk wanting to talk.
Inmate Mack asked about my pay and how happy I
was with my salary. Inmate Mack let me know that
he didn't want to talk about policy and then proceeded
to ask if I could bring him in some money. Inmate
Mack said He could come up with a plan where I would
get paid for bringing him in some money. For the above
incident Inmate Mack is being charged with 838 Soliciting
Improper Relations. Sgt John Carroll and Cpt. Mark Cote
were notified.

Signature: Off. Timothy Phillips

Evidence:

Witness(es):

Supervisor's Comments: FM MACK CHARGED WITH
838 SOLICITING.

Signature: [Signature] Title: CAPT. Date/Time: 7 FEB 10
Approx 5:00 AM

Major/Responsible Authority:

Admin Resolution

Signature: [Signature] Date/Time: 2/7/10
Approx 10:30 AM

STG Related - Refer to STG Committee
☐ Yes ☐ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☐ No ☐ Unknown

Action Taken

☐ Informal Resolution
☒ Administrative Resolution
☐ Refer to Disciplinary Hearing

838

479

C#-32

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINARY SYSTEM
INFORMAL RESOLUTION/ADMINISTRATIVE RESOLUTION**

Inmate Name: <u>Terriel L. Mark</u>	Inmate SCDC Number: <u>312070</u>
Number/Type of Violation: (SCDC Form 19-29, "Incident Report" attached) <u>838 Soliciting</u>	
Date of Violation: <u>2-6-10</u>	Institution: <u>LIEBER</u>

I find the inmate committed the charge(s) specified, offer the inmate the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

and impose the following sanction(s):

Sanction	Number of hours/days of sanction or amount of restitution
Counseling (Check box if imposing this sanction)	☐
Instructions or directives (Check box if imposing this sanction)	☐
Verbal reprimand (Check box if imposing this sanction)	☐
Extra duty or chores up to 40 hours	_____ Hours
Restriction of recreation time (general population only) up to 30 days	_____ Days
Restriction of <u>canteen, visitation</u> , or other privileges up to 90 days	<u>10</u> Days
Restriction of television viewing and/or radio up to 90 days for Informal Resolution or up to 120 days for Administrative Resolution	_____ Days
Payment of restitution	\$ _____
Cell restriction up to 30 days for Informal Resolution or up to 60 days for Administrative Resolution	<u>10</u> Days
ADMINISTRATIVE RESOLUTION ONLY: Disciplinary detention up to seven (7) days time in an institutional Special Management Unit.	_____ Days
ADMINISTRATIVE RESOLUTION ONLY: Failure to earn good time	_____ Days

☐ The above sanctions are suspended for (UP TO 90 DAYS) _____ days. If the inmate commits no additional disciplinary infractions during that time period, the sanctions will be lifted and the inmate will not have to serve them. If the inmate commits an additional disciplinary infraction, s/he will have to serve the above sanctions and may be subject to additional disciplinary action.

<u>Charles Whitten</u>	<u>LIEBER</u>	<u>Charles Whitten</u>	<u>27.10</u>
Major/Responsible Authority (Print Name)	Institution	Signature	Date

INMATE'S ACCEPTANCE OF INFORMAL OR ADMINISTRATIVE RESOLUTION:

This is to certify that I, Terriel, Mark, understand that as a result of the above incident, I have been offered the option to resolve the violation (place check in appropriate box)

☐ INFORMALLY ☒ ADMINISTRATIVELY

☒ **Yes**, I accept the sanctions listed above. I understand that I have the privilege of requesting this case be referred to a disciplinary hearing, and I waive that privilege. I further agree that by accepting this informal or administrative resolution, I waive all appeals, including those pursuant to Al-Shabazz v. State.

☐ **No**, I do not want to accept the sanctions listed above and request that this case be referred to a disciplinary hearing.

27.10
Date

Terriel Mark
Inmate's Signature

White: Central Records Green: Institutional Records Goldenrod: Inmate cc: **Financial Accounting (forward copy only when restitution is to be paid)

INCIDENT REPORT

Page 1 of 1

Institution/Center: Lieber
 Date of Report: 2/19/10 Time of Report: 238m approx
 Reporting Official: ofc Stacey Stein Date of Incident: 2/19/10
 Location of Incident: Cooper A Rm 32 Time of Incident: 225pm approx
 Inmate(s)/Resident: SCDC# Age Race Sex Employees(s) Involved:
 1. Mack Terriel 312070 B M 1.
 2. 2.
 3. 3.
 4. 4.
 5. 5.

On the above date and approximate time:

ofc Stacey Stein was conducting count on the Cooper A wing, when ofc Stein approached room 32, Inmate Mack Terriel Scdc # 312070 was standing at the door with his penis exposed rubbing it in a back and forth motion. Inmate Mack - I ofc Stein completed the count of A wing and then asked inmate Mack for his identification for verification. Inmate Mack Terriel Scdc # 312070 is being charged with exhibitionism and public masturbation - 854

Signature: [Signature]

Evidence:

Witness(es):

Supervisor's Comments: I/m Mack is being charge as stated above

Signature: [Signature] Title: IA

Approx 3:50 p.m.
 Date/Time: 2-19-10

Major/Responsible Authority:

(854)

Signature: [Signature] Title: A/W

2/22/10
 Date:

STG Related - Refer to STG Committee
☐ Yes ☒ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☒ No ☐ Unknown

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case: 20 Inmate Name: Mark, Terriel SCDC#: 312070

Living Area: C-32 Job: _____ Custody: M13

Offense Date: 02/10/10 Offense Time: 1:25 AM/PM Institution: Lieber Cooper A-32

Offense Description: (854) Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent exposure of genitals or other private body parts to a staff member or other person; (2) engaging in acts of masturbation or any manual stimulation of one's exposed or uncovered genitals in a public setting, or in the view of a staff member or other person. A conviction of this charge will result in a loss of the inmate's visitation privileges for one (1) year.

Charging Officer/Employee: Stein, Stacy Title: Ofc A-1

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- ☐ I WAIVE MY RIGHT TO A HEARING
 SM/SEGREGATION ONLY
☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 2/10/2010 AM/PM By (Print): _____
 Inmate Signature: _____ SCDC#: _____ Date: 2/10/10

HEARING INFORMATION:

Hearing Date: 3/11/10 Hearing Time: 10:02 am Tape: 10-013 Side: B Start: 089 End: 238

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE, IF ANY; (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

I do not want a counsel substitute, but Smith provided a statement to all those which was read into record.

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G NG None)	<u>NG</u>	<u>1</u>		
FINDINGS (G NG DS)	<u>G</u>			

*Time called
3 minutes
99-99-99
9:55 am*

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: THE OFFICER REPORT

HEARING LENGTH: 8 (MINUTES)

SANCTIONS: by Pnk

Loss of Privileges (Days): _____ Reprimand: _____ Loss of Good Time (days): _____
 * Property (Days) _____ Extra Duty: _____ Restitution: \$ _____
 * Canteen (Days) 180 + 180 Visit Suspension Thru 3/10/10
 * Other (Days) 180 + 180 Cell Restriction (Days): _____
 * Disciplinary Detention (Days): 180

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: This is the 2nd charge of this nature within 2 yrs

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terriel Mark DATE: 3/11/10

HEARING OFFICER (PRINT NAME): Stacy Stein

APPROVED/REVERSE/MODIFY Warden REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
 Golden Rod - Inmate (Service of Disciplinary/Hearing Disposition)
 Canary - Inmate (Service of Disciplinary Report)
 Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SCDC 19-69 (Rev. May 2007)

Institution/Center: <u>Lieber C 1</u>	
Date of Report: <u>3-10-10</u>	Time of Report: <u>630 am</u>
Reporting Official: <u>Jeanette Maxley</u>	Date of Incident: <u>3-10-10</u>
Location of Incident: <u>Complex A</u>	Time of Incident: <u>545 am</u>
Inmate(s)/Resident: <u>SCDC#</u> <u>Age</u> <u>Race</u> <u>Sex</u>	Employee(s) Involved:
1. <u>MACK TERRIEL L 312070 B m</u>	1. <u>Jeanette Maxley</u>
2.	2.
3.	3.
4.	4.
5. <u>MC3/Ca 32147</u>	5.

On the above date and approximate time:

On 3-10-10 Wednesday, at approximately 545 am while collecting sheets, I Officer Jeanette Maxley happened to see inmate Mack Terriel masturbating with his right hand in an up and down motion. I/m Mack Terriel L 312070 Bm is being charged with (854) Public Masturbation.

Signature: Jeanette Maxley

Evidence:

Witnesses:

Supervisor's Comments: I/m Mack being charged as indicated above and placed in the Max Holding Cell per Capt Brightman. I/m Mack is a threat to female staff. Approx 7:00 am
Scott Hargraves Title: LT Date/Time: 3-10-10

Major Responsible Authority:

(854)

Signature: Paul B. Hargraves Title: A/W

Date: 3/10/10

SCDC 19-29A (Rev. February 2004)

STG Related - Refer to STG Committee
☐ Yes ☒ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☒ No ☐ Unknown

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

(854)

Institution/Center: Lieber Correctional				
Date of Report: 3-10-10			Time of Report: approx 6:35 am	
Reporting Official: Ofc Ronald Metts			Date of Incident: 3-10-10	
Location of Incident: Cooper A-wing			Time of Incident: approx 5:50 am	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. Mack, Terriel	312070		B	M
2.				
3.				
4.				
5. 312070/147				

On the above date and approximate time: I, Ofc Ronald Metts, was advised by Ofc J. Moxley that inmate Terriel Mack SCDC 312070 B/M was masturbating at her, myself and Ofc Moxley entered A-wing and did not see him. When B-1 shift arrived Ofc P. High and myself got 1/m Mack and had Sgt. Lumpkins escort him to operations.

Signature: Ofc. R. Metts

Evidence:

Witness(es):

Supervisor's Comments: 1/m Mack Placed in the Max holding

Signature: [Signature] Title: Lt Date/Time: 3-10-10
Major/Responsible Authority:

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

- () Informal Resolution
() Administrative Resolution
() Refer to Disciplinary Hearing

Signature: Title: Date:

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 21 Inmate Name: Mack, Terriel SCDC#: 312070
 Living Area: Max A 122 Job: _____ Custody: DD3
 Offense Date: 3/10/10 Offense Time: 345 AM/PM Institution: Lieber Cooper A Wing

Offense Description: (854) Exhibitionism and Public Masturbation: (1) Engaging in acts of indecent and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any manual stimulation of one's exposed or exposed genitals in a public setting, or in the view of a staff member or other person. A conviction of this charge will result in a loss of the inmate's visitation privileges for one (1) year.

Charging Officer/Employee: Jeannette Moxley Title: Ofc.
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING ☐ I WAIVE MY RIGHT TO A HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING ☒ SMU/SEGREGATION ONLY
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING ☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 2/18/2010 8:42 AM/PM By (Print): Cpl John G. King / Ofc. James Jones
 Inmate Signature: Terriel Mack SCDC#: 312070 Date: 3/15/2010

HEARING INFORMATION

Hearing Date: <u>3/25/10</u>	Hearing Time: <u>8:55 am</u> am/pm	Tape: <u>10616</u>	Side: <u>A</u>	Start: <u>047</u>	End: <u>219</u>
------------------------------	------------------------------------	--------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

THE STATES HE WAS NOT SO AND THE OFFICER REPORT DID NOT GO FAR ENOUGH TO CONVINCE HIM.

OFFENSE CODES	<u>854</u>				Rel. Date
INMATE PLEA (G NG None)	<u>NG</u>				<u>9999</u>
FINDINGS (G NG DS)	<u>G</u>				

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: THE OFFICER REPORT
Testimony of the accuser

HEARING LENGTH: 6 (MINUTES)

SANCTIONS: 1 yr pink suit

Loss of Privileges (Days)	Reprimand: <u>1</u>	Loss of Good Time (days):
* Property (Days)	Extra Duty: _____	Restitution: \$ <u>**</u>
* Canteen (Days) <u>150 + 150</u>	Visit Suspension Thru <u>360/1/09</u>	
* Other <u>150</u> (Days) <u>150 + 150</u>	Cell Restriction (Days):	
* Disciplinary Detention (Days): <u>150</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: THIS IS THE 2nd 3rd
Charge of this nature within 2 yrs

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS 15

DATE INMATE PLACED IN PHD 3/10/10

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terriel Mack DATE: 3/25/10

HEARING OFFICER (PRINT NAME): Jeannette Moxley

APPROVED/REVERSE/MODIFY Warden REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

312070

PRE-HEARING DETENTION PLACEMENT/EXTENSION

PHD EXTENSION

Inmate Name _____ SCDC # _____

Date: ____/____/____

Reason for Extension:

RECEIVED

MAR 11 2010

MAJOR'S OFFICE
LEBER C.I.

Length of Extension: (up to 10 days only) _____

Requesting Official: _____ Title: _____

Approved/Disapproved: _____ Date: ____/____/____
Warden/Duty Warden

NOTICE OF PLACEMENT IN PHD

Inmate Name: Terriel Mack SCDC#: 312070 Custody: _____

Reason for Placement in PHD: ☐ Current Escape Risk ☐ Maintain the Integrity of an Investigation
☐ Protective Concerns ☒ Inmate is a threat to the physical safety of other inmates or staff
☐ Inmate's presence in the population would create a threat to the safety, security, and/or order of the institution

S/ Wm. Bright
Warden, Associate Warden, Major, Captain,

Date 3/10/10 Time: 7:07 AM/PM

I certify that I was given a copy of this notice within 72 hours of my placement in PHD. I also certify that this notice is clear and readable and that I will appear before the Institutional Classification Committee within seven (7) calendar days of my placement in PHD.

Inmate/Witness Signature: Terriel Mack

Date 3/10/10 Time: 3:00 AM/PM

Serving Officer/
Witness Signature: Ronald Brown

Date 3/10/10 Time: 3:00 AM/PM

ORIGINAL

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

5/7/10 B

Page 1 of 2

Institution / Center: Lieber / SUM	
Date of Report: 29 April 2010	Time of Report: approx 745 pm
Reporting Official: Sergeant Marado Swalls	Date of Incident: 29 April 2010
Location of Incident: SUM - max cell 122	Time of Incident: approx 720 pm
Inmate(s)/Resident: SCDC# Age Race Sex	Employee(s) Involved:
1. JW Miller III / UA 122 330546 / B M	1. Ofc. Skyler Norris
2. Terriel Mack / UA 122 312070 / B M	2. Ofc. David Hall
3. Terriel Mack / UA 122 312070 / B M	3. Cpl Justin Aranda
4.	4. Lt. Roger Stewart
5.	5. Nurse Shana Morrall

On the above date and approximate time: On April 29, 2010 at approx 720 pm I, Sergeant Marado Swalls was called to A-wing by Officer Skyler Norris. I was then informed the following Inmate had fallen and hit his head in cell UA 122. JW Miller III Bln scoc# 330546, seemed to be having a seizure. His cellmate Terriel Mack Bln scoc# 312070 was restrained after the seizure had stopped. I, Sgt Swalls was assisted by Officer David Hall and Corporal Justin Aranda to enter the cell. At that time the Mack exited the cell and restraints were placed on #1m Miller. (security handcuffs and Beg Iron). He was not responding well and could not remember his scoc# or where he was at. Nurse Shana Morrall and Lieutenant Roger Stewart was then informed. Nurse Morrall stated that #1m Miller's actions were not normal and asked him three times if he had taken anything. He replied No. At that time a cell search was conducted and (6) six pills were found in the legal box of #1m Mack by Cpl Aranda. It was verified that (2) two pills were not prescribed for either Inmate: Neurontin 400mg multi-color / Neurontin 300mg yellow. The other (4) four were Nortriptyline 50 mg - white / which are for #1m Mack and are dose by dose. Both Inmates were secured in their cell afterward.

Signature: Marado O. Swalls

Evidence: (1) Neurontin / 300 mg and (1) Neurontin / 400 mg also (4) Nortriptyline / 50 mg each

Witness(es):

Supervisor's Comments: True Statement. Both
This will be charged as stated.

Signature: [Signature] Title: LT Date/Time: 4-29-10

Major / Responsible Authority: Approx 9:30 pm

(817)

Signature: [Signature] Title: A/W Date: 4/30/2010

SCDC19-2A (Rev. February 2004)

STG Related - **RECEIVED**
() Yes () No () Unknown

This Incident is DRUG related
(X) Yes () No () Unknown
MAY 03 2010
MAJOR'S OFFICE

Action Taken
() Informal Resolution
() Administrative Resolution
(X) Refer to Disciplinary Hearing
(817)

487

**H. CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case: 22 Inmate Name: Mack, Carriel SCDC#: 312070

Living Area: A122 Job: _____ Custody: DD3

Offense Date: 04/29/10 Offense Time: 7:20 AM/PM XX Institution: Lieber SMU A-122

Offense Description: (817) Possession of Contraband: The possession of any unauthorized, altered or excessive property, including money, tobacco products, gambling paraphernalia, unauthorized publications and unauthorized clothing. The possession of tobacco in a quantity larger than 40 grams is enough to reasonably assume that the intent of the possession was for distribution to other inmates and can be heard as a major disciplinary. Unauthorized property is any item to include keys not assigned to the inmate by the Department or purchased by the inmate from the canteen.

Charging Officer/Employee: X Msaalla, Marado Title: Sgt XXXX B-2

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|---|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ SMU/SEGREGATION ONLY |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☒ I WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I DO NOT WANT A COUNSEL SUBSTITUTE |

Date & Time Notified: 05/07/10 7:50 AM By (Print): Sgt. WAYNE MINNERY
Inmate Signature: [Signature] SCDC#: 312070 Date: 05/07/10

HEARING INFORMATION:

Hearing Date: 5/27/10 Hearing Time: 9:33 am am/pm am Tape: 10-032 Side: B Start: 000 End: 140

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	817			
INMATE PLEA (G, NG, None)				
FINDINGS (G, NG, DS)	<u>NG</u>			

6-3-10
maxout
99-99-99

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: The officer report
is done attached to same form 5-22 (Phone 19-79)

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days)	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days) _____	Extra Duty: <u>20</u>	Restitution: \$ _____
* Canteen (Days) <u>30</u>	Visit Suspension Thru <u>10/1</u>	
* Other <u>Phone</u> (Days) <u>30</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Several attempts made
Supervisor was contacted. This is the 1st charge of this nature

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1/10

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 5/7/10

HEARING OFFICER (PRINT NAME) [Signature]

APPROVED/REVERSE/MODIFY [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SCDC 19-69 (Rev. May 2007)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT SUPPLEMENT**

Institution/Center: Lieber / Sun		Date of Report: 29 April 2010
Reporting Official: Sgt Marado Snalls		Date of Incident: 29 April 2010
Location of Incident: Sun - Max cell 122		Time of Incident: approx 720 pm
Inmate(s)/Resident(s)	SCDC#	Age Race Sex
1.		
2.		
3.		
Employee(s) Involved		
1.		
2.		
3.		
Details of Incident: The Mack admitted that the (4) four Nortriptyline were his and that he will be charged with possession of contraband for having none that were prescribed for him. Nurse Morrill stated that the signs and symptoms that the Miller were having is a reaction from the Nortriptyline. Therefore he also will be charged.		
Inmate JW Miller III B/M SCDC# 330546 and Inmate Terriel Mack B/M SCDC# 312070 of cell A122 are charged with the Possession of Contraband (817) for having medications not prescribed. Lt. Stewart was informed. The charge of Possession of Narcotic was not issued because the medications are not considered a narcotic. Nurse Brenda Kay verified it along with Nurse Shana Morrill.		

RECEIVED

MAY 03 2010

MAJOR'S OFFICE
LIEBER C.I.

00025
3.3.11
DB

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT
12.8

50227A
ST3

RECEIVED

FEB 25 2011
Page of

BRCI MAJOR'S OFFICE

Institution / Center: <u>BRCI</u>	
Date of Report: <u>2-23-11</u>	Time of Report: <u>7:00 PM</u>
Reporting Official: <u>Off. L. Cook 043193</u>	Date of Incident: <u>2-23-11</u>
Location of Incident: <u>Saluda A-wing Cell 227</u>	Time of Incident: <u>Approx 5:10 pm</u>
Inmate(s)/Resident: SCDC# Age Race Sex	Employee(s) Involved:
1. <u>Mack Terriel</u> <u>312070</u> <u>B</u> <u>M</u>	1.
2.	2.
3.	3.
4.	4.
5.	5.

On the above date and approximate time: At approximately 5:10pm during feeding of the Saluda unit I approached cell 227 inmate Mack Terriel 312070 threw a liquid substance that made contact with my face shield. I used Top Cop chemical munitions to gain control of the situation. Inmate backed away from the flap and I quickly secured it without any further incident. Notified Sgt. Glass of incident.

STARTING weight 67 GRAMS
ENDING weight 0 GRAMS
Total Used 67 GRAMS

Signature: [Signature]

Evidence:

Witness(es):

Supervisor's Comments: FORWARD TO MATOR
SUITOR FOR FURTHER ACTION

Signature: [Signature] Title: LT Date/Time: 7:37 AM 2/23/11

Major / Responsible Authority: 813 Throwing Substance
on an Employee

Signature: [Signature] Title: Captain Date: 2-25-11

STG Related - Refer to STG Committee
() Yes () No (☒) Unknown

This Incident is DRUG related
() Yes () No (☒) Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

490

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case# 00025 Inmate Name: Hack, Terriel SCDC# 312070
 Living Area: 50227A Job: Locked-Up Custody ST3
 Offense Date: 02/23/11 Offense Time: 5:10 AM/PM Institution: BRCI
 Offense Description: 813/Throwing of any Substance or Object on an SCDC Employee
or other Government Employee, Contract Employee, or Volunteer:...

Charging Officer/Employee: ~~Wanda D. Smith~~ L. Cook Title: Ofc
INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING

☐ I WAIVE MY RIGHT TO A HEARING
 SMU/SEGREGATION ONLY
☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 2/7/11 2:05 AM/PM By (Print): Bunch
 Inmate Signature: _____ SCDC#: _____ Date: 2/7/11

HEARING INFORMATION

Hearing Date: <u>2/7/11</u>	Hearing Time: <u>1:00</u> am/pm	Tape: <u>001-006</u>	Side: <u>A</u>	Start: <u>406</u>	End: <u>492</u>
-----------------------------	---------------------------------	----------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>813</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: _____

HEARING LENGTH: 7 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) 120 Reprimand: _____ Loss of Good Time (days): _____
 * Property (Days) 120 Extra Duty: _____ Restitution: \$ _____**
 * Canteen (Days) 120 Visit Suspension Thru 1/15/12
 * Other 120 (Days) 120 Cell Restriction (Days): _____
 * Disciplinary Detention (Days): 120

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Violation of the rules

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1/11

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: Terriel Hack DATE: 2/7/11

HEARING OFFICER (PRINT NAME) Kristi Rowe

APPROVED BY: [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Inmate's Record Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OPERATIONS
SPECIAL MANAGEMENT CONFISCATION REPORT & REVIEW

Inmate Name: Terral Mack

SCDC#: 312070

NY Level

Confiscated Location: On 2/23/11 at am (p.m.)

Thrown Liquid Substance on Employee

the above referenced inmate was found to have damaged/destroyed the following property item(s):

This item(s) was confiscated on 2/23/11 at am

[Signature]
(Signature of Unit Supervisor)

- ☒ Remain confiscated for a period of 3 days
☐ Returned to the inmate

Committee Review: The ICC met on 2/24/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson)

Confiscated Location: On 2/24/11 at am (p.m.), the above referenced inmate was found to have damaged/destroyed the following property item(s):

This item(s) was confiscated on 2/24/11 at am

(Signature of Unit Supervisor)

- ☐ Remain confiscated for a period of 3 days
☒ Returned to the inmate

Committee Review: The ICC met on 2/28/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson/designee)

Weekly Reviews:

Week 1: The ICC met on 2/28/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson/designee)

- ☐ Remain confiscated for a period of 3 days
☒ Returned to the inmate

Week 2: The ICC met on 3/6/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson/designee)

- ☐ Remain confiscated for a period of 3 days
☒ Returned to the inmate

Week 3: The ICC met on 3/13/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson/designee)

- ☐ Remain confiscated for a period of 3 days
☒ Returned to the inmate

Week 4: The ICC met on 3/20/11 and recommends that the above property item(s):

by J. W. Whitaker (ICC Chairperson/designee)

- ☐ Remain confiscated for a period of 3 days
☒ Returned to the inmate

CC Institutional Record
Central Record
ICC Chairperson

SCDC Form 19-20 (April, 1997)

00026
3-3-11
HB

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT
12.8

50227A
ST3

RECEIVED
FEB 24 2011
Page of

Institution / Center: <u>BRCI</u>				BRCI MAJOR'S OFFICE	
Date of Report: <u>2/23/2011</u>			Time of Report: <u>6:05 pm</u>		
Reporting Official: <u>Sgt Furman R GLASS 048462</u>			Date of Incident: <u>2/23/2011</u>		
Location of Incident: <u>SALUDA / CELL # 227</u>			Time of Incident: <u>5:25 pm</u>		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex	Employee(s) Involved:
1. <u>Terrill MACK</u>	<u>312070</u>		<u>B</u>	<u>M</u>	1. <u>Furman R GLASS 048462</u>
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time: while serving evening dinner I/m
Mack, Terrill ~~SCDC#~~ 227 would NOT pull his arm in after
he got his food. ~~that I~~ (Sgt GLASS) Had I/m Mack T spray
with Chemical spray and while try to get his arm out
of The Food Flap I/m Mack grabbed my arm and cut
me with his nail. LT Parker HAS BEEN INFORMED OF THE
INCIDENT.

Signature: Sgt. Furman R Glass

Evidence:

Witness(es):

Supervisor's Comments: Report forwarded to the
Major for action

Signature: [Signature] Title: CPT Date/Time: 2-23-11 7:00pm

Major / Responsible Authority: 807 Striking Employee

Signature: [Signature] Title: Captain Date: 2-28-11

STG Related - Refer to STG Committee
() Yes () No (X) Unknown

This Incident is DRUG related
() Yes () No (X) Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(X) Refer to Disciplinary Hearing

493

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case # 00026 Inmate Name: Nack, Terril SCDC#: 312070

Living Area: 80227A Job: Locked-Up Custody: ST3

Offense Date: 02/23/11 Offense Time: 5:25 AM/PM Institution: BRCI

Offense Description: 807/Striking an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Members of the Public:....

Charging Officer/Employee: F. Glass Title: Sgt

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:	
☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING	☐ I WAIVE MY RIGHT TO A HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING	☐ SMU/SEGREGATION ONLY
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING	☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING	☐ I DO NOT WANT A COUNSEL SUBSTITUTE
Date & Time Notified: <u>3/7/11</u> <u>2:05 AM/PM</u> By (Print): <u>Bunch</u> <u>C.S. J. Jones</u>	
Inmate Signature: _____	SCDC#: _____ Date: <u>1/1/11</u>

HEARING INFORMATION:

Hearing Date: <u>2/15/11</u>	Hearing Time: <u>11:20</u> (am/pm)	Tape: <u>11-006</u>	Side: <u>H</u>	Start: <u>492</u>	End: <u>616</u>
------------------------------	------------------------------------	---------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>807</u>			
INMATE PLEA (G NG None)	<u>NG</u>			
FINDINGS (G NG DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: _____

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days): _____	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days): <u>140 + 270</u>	Visit Suspension Thru <u>1/1/12 + 270</u>	
* Other <u>Meal</u> (Days): <u>140 + 270</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): <u>270</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Waived right to offense

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD: _____

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: 1/5/11

HEARING OFFICER (PRINT NAME): Ernest A. Rone

APPROVED REVERSE MODIFY _____ REASON _____

Warden _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

3-3-11

EDB

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INCIDENT REPORT

50227A

12.8

ST3

Page

of

Institution / Center: <u>BROOK</u>	
Date of Report: <u>2/23/11</u>	Time of Report: <u>7:30 PM</u>
Reporting Official: <u>Lt. E Hambrick</u>	Date of Incident: <u>2/23/2011</u>
Location of Incident: <u>Saluda 227</u>	Time of Incident: <u>6:10 PM</u>
Inmate(s)/Resident: SCDC# Age Race Sex	Employee(s) Involved:
1. <u>Mack, Terriel</u> 312070 <u>Sec-227</u> <u>B/m</u>	1.
2.	2.
3.	3.
4.	4.
5.	5.
On the above date and approximate time: <u>I Lt. E Hambrick gave Inmate Mack Terriel #312070 Saluda 227 to back up to the cell door to be restrained. I/m Mack refused and said come on A get me. At that time I/m Mack had his jacket, jumpsuit and shorts tied to the cell door and bed so the door could not open. I Lt. E Hambrick gave I/m Mack several more directions to remove those items and back up to the door. I/m Mack refused again and said come and get me. I Lt. Hambrick then administered 30.0 grams of MK-9 Fozgon to the facial area of I/m Mack Terriel</u>	
Signature: <u>Lt. E Hambrick</u>	
Evidence:	
Witness(es):	
Supervisor's Comments: <u>Refer to Major Sutton for further action</u>	
Signature: <u>[Signature]</u> Title: <u>LT</u> Date/Time: <u>2/23/11 8:00 PM</u>	
Major / Responsible Authority: <u>815 Evading Security Device; 825 Refusing to obey. Being referred to DHO because of the seriousness of incident.</u>	
Signature: <u>[Signature]</u> Title: <u>Captain</u> Date: <u>2-28-11</u>	

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken
() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

495

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case # 00027 Inmate Name Mack, Terriel SCDC# 312070
 Living Area: S0227A Job: Locked-Up Custody: ST3
 Offense Date: 02/23/11 Offense Time: 5:10 AM/PM Institution: BRCI
 Offense Description: 00027/815/Evading a Security Device:....
00028/825/Refusing or Failing to Obey Orders:....

Charging Officer/Employee: E. Hambrick Title: Lt
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|---|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ SMU/SEGREGATION ONLY |
| ☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I DO NOT WANT A COUNSEL SUBSTITUTE |

Date & Time Notified: 3/7/11 8:05 AM/PM By (Print): Burke, C. S. Tamey
 Inmate Signature: _____ SCDC#: _____ Date: 1/11

HEARING INFORMATION:

Hearing Date: <u>3/15/11</u>	Hearing Time: <u>10:45 am/pm</u>	Tape: <u>41-606</u>	Side: <u>H</u>	Start: <u>329</u>	End: <u>404</u>
------------------------------	----------------------------------	---------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>815</u>	<u>825</u>		
INMATE PLEA (G, NG, None)	<u>NG</u>	<u>NG</u>		
FINDINGS (G, NG, DS)	<u>G</u>	<u>G</u>		

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: _____

HEARING LENGTH: 7 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days): _____	Extra Duty: _____	Restitution: \$ _____
* Canteen (Days): <u>70/120/120+60</u>	Visit Suspension Thru <u>1/190/190/120+60</u>	
* Other (Days): <u>70/120/120+60</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): <u>30/120/160</u>		

SPECIFIC ACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Waiver of the offense

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD: 3/1/11

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: 3/1/11

HEARING OFFICER (PRINT NAME): Ernest Rome

APPROVED/REVERSE MODIFY: [Signature] REASON: _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
 Canary - Inmate (Service of Disciplinary Report)
 Pink - Central Record

**Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

50227A
ST3

MAR 14 2011
Page 1 of 1

Institution / Center: BRCI				BRCI MAJOR'S OFFICE	
Date of Report: 3/13/11			Time of Report: 1100 AM		
Reporting Official: Sgt Furman R GLASS 048462			Date of Incident: 3/13/11		
Location of Incident: Saluda, Smu, cell 227			Time of Incident: 945 AM		
Inmate(s)/Resident:	SCDC#	Age	Race	Sex	Employee(s) Involved:
1. Mack, Terriell	312070		B	M	1. Sgt Furman R GLASS 048462
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time: While doing rounds on A-wing upper level of Saluda (Smu). I/m Mack, Terriell ~~SCDC~~ SCDC #312070 Rm #227 ask to talk to me (Sgt GLASS). AT THAT TIME I/m Mack, T. Told me (Sgt GLASS) AND I (Sgt GLASS) quote "The Frist chance I (I/m Mack) get "I Am going to kill your cracker ASS." I did NOT reply AND left and Than I wrote This Incident report. LT Parker has been informed of the situation.

Signature: *Sgt Furman R Glass*

Evidence:

Witness(es):

Supervisor's Comments: **FORWARD to Major Sutton to Disciplinary**

Signature: *Kent* Title: **LT** Date/Time: **3/13/11 5:00 pm**

Major / Responsible Authority: **809 Threatening Employee**

Signature: *Shay Jones* Title: **Captain** Date: **3-14-11**

STG Related - Refer to STG Committee
() Yes (☒) No () Unknown

This Incident is DRUG related
() Yes (☒) No () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

497

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case: 00019 Inmate Name: Mack, Terriell SCDC#: 312070
 Living Area: 60237A Job: Locked-Up Custody: ST3
 Offense Date: 03/15/11 Offense Time: 9:45 AM/PM Institution: BRO
 Offense Description: 809/Threatening to Inflict Harm on/Assaulting an Employee and/or Members of the Public:....

Charging Officer/Employee: F. Glass Title: Set
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING ☐ I WAIVE MY RIGHT TO A HEARING
☐ I DO WANT MY ACCUSER PRESENT AT THE HEARING ☐ SMU/SEGREGATION ONLY
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING ☐ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 3/16/11 3:07 AM/PM By (Print): Burch C.S. G. Robinson
 Inmate Signature: _____ SCDC#: _____ Date: 3/16/11

HEARING INFORMATION:

Hearing Date: <u>3/22/11</u>	Hearing Time: <u>11:45 AM/PM</u>	Tape: <u>011-007</u>	Side: <u>A</u>	Start: <u>307</u>	End: <u>424</u>
------------------------------	----------------------------------	----------------------	----------------	-------------------	-----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>805</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: _____

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days) _____	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days) <u>150 + 150</u>	Visit Suspension Thru <u>1/1/12</u> <u>150</u>	
* Other <u>150</u> (Days) <u>150 + 150</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): <u>150</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of the offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1/11

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: _____

HEARING OFFICER (PRINT NAME) James H. Rye

APPROVED/REVERSE/MODIFY _____ REASON _____

Warden _____
 CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)

Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

#00030
4/25/11
TAB

SCDC
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT
12.8

RECEIVED

SD227A
DD3

Page 2 2/2008

Institution / Center: Broad River		BRCI MAJOR'S OFFICE	
Date of Report: 4/21/11		Time of Report: 11:00pm	
Reporting Official: Sgt. K. Fogle #041317		Date of Incident: 4/21/11	
Location of Incident: A-Top-Tier salala		Time of Incident: 10:30pm	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. Terriel Mack	312070	RM	#227 BM
2.			
3.			
4.			
5.			
Employee(s) Involved:		1. Nurse R. Foster	
		2.	
		3.	
		4.	
		5.	

On the above date and approximate time: I Sgt. K. Fogle was escorting Nurse Foster on A-Top Tier to pass medication. When we came upon cell #227, I/m Terriel Mack SCDC# 312070, was at his flap masturbating with his right hand in a back and forth motion.

Signature: K. Fogle (#041317)

Evidence:

Witness(es):

Supervisor's Comments: I/m Mack will be Charge

Accidentally

Signature: Donald Robin Title: CAPT Date/Time: 4-22-11

Major / Responsible Authority:

854

Signature: [Signature] Title: Major Date: 4/23/11

STG Related - Refer to STG Committee
() Yes () No () Unknown

This Incident is DRUG related
() Yes () No () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
() Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case # 2011010 Inmate Name Mark, Terral SDC# 312070
 Living Area B0227A Job locked-Up Custody DD3
 Offense Date 05/21/11 Offense Time 10:30 AM Institution BRCI
 Offense Description 854/ Exhibitionism and Public Masturbation:....

Charging Officer/Employee L. Fogie Title Sgt
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

reserved

INMATE WAIVERS

- | | |
|---|--|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ SMU/SEGREGATION ONLY |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | ☒ I DO NOT WANT A COUNSEL SUBSTITUTE |

Date & Time Notified 5/14/11 8:50 AM By (Print) Bunch
 Inmate Signature Terral Mark SDC# 312070 Date 5/17/11

C.S. G. Robinson

HEARING INFORMATION

Hearing Date <u>5/17/11</u>	Hearing Time <u>11:00 AM</u>	Tape <u>011-011</u>	Side <u>B</u>	Start <u>369</u>	End <u>509</u>
-----------------------------	------------------------------	---------------------	---------------	------------------	----------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

*Dismissing Inmate Health Statement received and approved
 by Counselor McCarley, #156 on 5/29/11*

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL:

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
Property (Days): _____	Extra Duty: _____	Restitution: \$ _____
Quarantine (Days): <u>150 + 240</u>	Visit Suspension Thru <u>1/30/12</u>	<u>360 days post Jan</u>
Other (Days): <u>150 + 240</u>	Cell Restriction (Days): _____	
Disciplinary Detention (Days): <u>360</u>		

SPECIFY ACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Value of the offense

CREDIT ON PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD 5/17/11

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT Terral Mark DATE 5/17/11

HEARING OFFICER (PRINT NAME) L. Fogie

OFFICER'S REVERSE MODIFY L. Fogie REASON _____

SENT TO CORRECTION CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

Canary - Inmate (Service of Disciplinary Report)

Pink - Central Record

(In addition, a copy of this form should be forwarded to Financial Accounting.)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case# 00030 Inmate Name Mack, Terril SCDC# 312070

Living Area 50227A Job Locked-Up Custody DD3

Offense Date 04/21/11 Offense Time 10:30 AM Institution BRCI

Offense Description 854/ Exhibitionism and Public Masturbation:....

Charging Officer/Employee K. Fogle Title Sgt

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|--|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ SMU/SEGREGATION ONLY |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | ☒ I DO NOT WANT A COUNSEL SUBSTITUTE |

Date & Time Notified 4/27/11 115 AM By (Print) Kenn A. Perkins
Inmate Signature _____ SCDC# _____ Date 4/27/11

HEARING INFORMATION

Hearing Date <u>5/4/11</u>	Hearing Time <u>6:40 am</u>	Tape <u>04-010</u>	Side <u>B</u>	Start <u>537</u>	End _____
----------------------------	-----------------------------	--------------------	---------------	------------------	-----------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G, NG, None)				
FINDINGS (G, NG, DS)				

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: _____

HEARING LENGTH: _____ / (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days): _____	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days): _____	Visit Suspension Thru <u> </u> / <u> </u> / <u> </u>	
* Other (Days): _____	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): _____		

SPECIFY FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED:

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD / /

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT _____ DATE: _____

HEARING OFFICER (PRINT NAME) Ernest R. Rame

APPROVED/REVERSE/MODIFY _____ REASON _____

IF YOU DO NOT UNDERSTAND THIS FORM, ASK YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

Canary - Inmate (Service of Disciplinary Report)
Pink - Central Record

When there is separation, a copy of this form should be forwarded to Financial Accounting.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 34 Inmate Name: MOORE, Samuel SCDC#: 312070
 Living Area: Cy18 Job: LIV Custody: DD3
 Offense Date: 04/04/12 Offense Time: 330 AM/PM Institution: P...

Offense Description: **832: Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (STG) or STG Activity:** Any participation of any inmate in any organization which has not been approved or any informal organization, association, or group of three (3) or more inmates that has a common name, and whose members or associates engage in activities that include planning, organizing, threatening, or committing unlawful acts of misconduct classified as serious threats or potential to the safety and security of the public, the Department, employees, visitors, or any other group that has been designated a Security Threat Group by the Agency Director.

Charging Officer/Employer: _____ Title: _____
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- ☐ I WAIVE MY RIGHT TO A HEARING
 SMU/SEGREGATION ONLY
☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 04/18/12 1:12 AM/PM By (Print): [Signature]
 Inmate Signature: _____ SCDC#: 312070 Date: 04/18/12

HEARING INFORMATION:

Hearing Date: <u>4/20/12</u>	Hearing Time: <u>1159</u> am/pm	Tape:	Side:	Start:	End:
------------------------------	---------------------------------	-------	-------	--------	------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

MHS attached;

OFFENSE CODES	<u>832</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: picture of evidence

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days): _____	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days): <u>30</u>	Visit Suspension Thru <u>1/130</u>	
* Other <u>PHU</u> (Days): <u>30</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of Offense

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD 1/1

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: 4-23-12

HEARING OFFICER (PRINT NAME) [Signature]

APPROVED/REVERSE/MODIFY [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
 Canary - Inmate (Service of Disciplinary Report)
 Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

#40

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

5/16/14 (6/5)

Page 1 of 1

Institution / Center: <u>Perry Correctional</u>				
Date of Report: <u>15 May 14</u>			Time of Report: <u>Approx. 11:10A</u>	
Reporting Official: <u>Det. Wilson</u>			Date of Incident: <u>15 May 14</u>	
Location of Incident: <u>Q4 Sallyport</u>			Time of Incident: <u>Approx. 10:42 AM</u>	
Inmate(s)/Resident: SCDC# <u>312070</u> Age <u>NA</u> Race <u>B</u> Sex <u>M</u>				
1. <u>Terrell Mack #312070</u>			1. <u>Det. D. Cotter</u>	
2.			2. <u>Off. Rivera</u>	
3.			3.	
4.			4.	
5.			5.	

On the above date and approximate time: First responders were called to Q4 for me to the holding cell. I stepped off of B wing into the Sallyport to see what was happening and was informed by Off. Rivera that inmate Terrell Mack #312070 had refused to obey a directive from Off. Rivera and was arguing with Off. Rivera. Lt. Cotter entered the Sallyport to escort inmate Mack to the holding cell he refused to be cuffed and turned and swung with right fist at Lt. Cotter and struck me with his right fist on the right side of my face. I then placed my hands on his back got a hold of his shirt and turned him then placed my arm around his head and took him to the floor and held him until we were able to restrain him. I received lacerations to my face and eye.

Evidence:
Witness(es):

Supervisor's Comments: ful

Signature: William Title: capt Date/Time: 5-16-14 227m

Major / Responsible Authority: 801

Assault and/or Battery of an SCDC Employee

Signature: [Signature] Title: Capt Date: 5/16/14

STG Related - Refer to STG Committee
() Yes () No (☒) Unknown

This Incident is DRUG related
() Yes (☒) No () Unknown

Action Taken
() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

#41

5/16/14 (6/5)

Institution / Center: <u>Perry Correctional</u>				
Date of Report: <u>5/15/14</u>			Time of Report: <u>11:30 AM</u>	
Reporting Official: <u>Lt. Daniel Cotter #42204</u>			Date of Incident: <u>5/15/14</u>	
Location of Incident: <u>Q4 Sally Port</u>			Time of Incident: <u>APPROX. 10:42 AM</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>Terriel Mack</u>	<u>312070</u>		<u>B</u>	<u>M</u>
2.				
3.				
4.				
5.				
Employee(s) Involved:				
1. <u>ofc. Rivera</u>				
2. <u>Sgt. Wilson</u>				
3. <u>Lt. Horne</u>				
4.				
5.				

On the above date and approximate time: I reported to Q4 because I/M Mack was refusing to go to the holding cell. I Separated I/M Mack from ofc. Rivera because I/M Mack was yelling at him. I took hold of I/M Mack's wrist and told him to turn around because he was going to the holding cell to cool off. When I did he said, "Don't do this cotter." Inmate Mack then Spun around and punched me on the left side of the head with his right fist. Inmate Mack continued to throw punches at myself, Sgt. Wilson, ofc. Rivera and Lt. Horne. I assisted in placing I/M Mack on the ground. I took hold of his left arm and an unknown officer placed handcuffs on him. During the incident I/M Mack punched me in the head 4-5 times. Inmate Mack was taken to lock-up where he was checked for injuries by Nurse Harris.

As a result of the assault I suffered a contusion to the left side of my face and recieved numerous scratches to my cheeks and head.

Signature: Lt. Daniel Cotter

Evidence: None

Witness(es):

Supervisor's Comments: 801

Signature: C. Williams Title: CPT Date/Time: 5-15-14

Major / Responsible Authority: 122 p.m.

801 - Assault and/or Battery of an
SCDC Employee

Signature: [Signature] Title: Capt Date: 5/16/14

STG Related - Refer to STG Committee
() Yes ~~(X) No~~ (☒) Unknown

This Incident is DRUG related
() Yes ~~(X) No~~ () Unknown

Action Taken

() Informal Resolution
() Administrative Resolution
(☒) Refer to Disciplinary Hearing

504

NMH

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

GT.Ø

Case#: 41 Inmate Name: MACK, TERRELL SCD# : 312070

Living Area: DXS Job: Lock-up Custody: 513

Offense Date: 5/15/14 Offense Time: 10:42 AM/PM Institution: PCI

Offense Description: 807
807: Assault and/or Battery of an SCD Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public with Means/and/or Intent to Kill or Injure: The willful hitting, striking, or unauthorized touching of an SCD employee or other government agency employee, contract employee, or volunteer with or without a weapon or the throwing of any substance at or on an SCD employee.

Charging Officer/Employee: J. Connor Title: LT.

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- ☐ I WAIVE MY RIGHT TO A HEARING
SMU/SEGREGATION ONLY
☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 5/30/14 2:25 AM/PM By (Print): OTC Connor
 Inmate Signature: _____ SCD#: 312070 Date: 5/30/14

HEARING INFORMATION:

Hearing Date: <u>6/3/14</u>	Hearing Time: <u>11:2</u> am/pm	Tape:	Side:	Start:	End:
-----------------------------	---------------------------------	-------	-------	--------	------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

Change reduced to 40 days. 1 year 7 months
OK for 40 days. 1 year 7 months
no serious bodily injury

OFFENSE CODES	<u>807</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: (B) 101 photo (C) 481 photo
OK for 40 days. 1 year 7 months
with 101 photo. 1 year 7 months
 HEARING LENGTH: _____ (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____ Reprimand: _____ Loss of Good Time (days): _____
 * Property (Days) _____ Extra Duty: _____ Restitution: \$ _____
 * Canteen (Days) 520 (10/1/14) Visit Suspension Thru 520 (10/1/14)
 * Other 7/1/14 (Days) 520 (10/1/14) Cell Restriction (Days): _____
 * Disciplinary/Detention (Days): 360 20 = (340)

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: 546 807. 1 year 7 months
lost photo 807 1 year 7 months

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD 5/15/14

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 6/3/14

HEARING OFFICER (PRINT NAME) [Signature]

APPROVED/REVERSE/MODIFY [Signature] REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record 346 Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) 180 Pink - Central Record

**(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

#42

6/20/14 (7/10)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

6-14-14-

196

Page 1 of 1

Institution / Center: <u>PCT</u>			
Date of Report: <u>6/14/14</u>		Time of Report: <u>6pm</u>	
Reporting Official: <u>Patricia Rinker Ipn 052324</u>		Date of Incident: <u>6/14/14</u>	
Location of Incident: <u>Delta Dorm wing</u>		Time of Incident: <u>2:15pm</u>	
Inmate(s)/Resident:	SCDC#	Age	Race Sex
1. <u>Terrell Mack</u>	<u>312070</u>		
2.			
3.			
4.			
5.			
Employee(s) Involved:			

On the above date and approximate time: Nurse turned from giving meds to
Corridor down hall & observed inmate masturbating.

Signature: P. Rinker Ipn

Evidence:

Witness(es):

Supervisor's Comments: Sexual Misconduct

Signature: [Signature] Title: Capt Date/Time: 6-14-14 6:30pm

Major / Responsible Authority:

854- Exhibitionism and Public
Masturbation

Signature: [Signature] Title: Capt Date: 6/17/14

STG Related - Refer to STG Committee
☐ Yes ☒ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☒ No ☐ Unknown

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

506

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 43 Inmate Name: MARK TERRELL Job: LOCK UP
Living Area: DY5 Offense Date: 6/14/14 Offense Time: 2:15 AM/PM Institution: RLT

Offense Description: **854: Exhibitionism and Public Masturbation: (1) Engaging in acts of indecency and/or unnecessary exposure of genitals or other private body parts to a staff member or other person; or (2) engaging in acts of masturbation or any sexual stimulation of one's sexual or urinary genitals in a public setting, or in the view of a staff member or other person.**

Charging Officer/Employee: P. Rinker Title: LPI
INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- ☐ I WAIVE MY RIGHT TO A HEARING
SMU/SEGREGATION ONLY
☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 7/3/14 3:15 AM/PM By (Print): L. Loman
Inmate Signature: _____ SCDC#: _____ Date: 7/3/14

HEARING INFORMATION:

Hearing Date: <u>7/18/14</u>	Hearing Time: <u>9:00</u> am/pm	Tape: _____	Side: _____	Start: _____	End: _____
------------------------------	---------------------------------	-------------	-------------	--------------	------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G, NG, None)	<u>NO</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: (B) OFFICER'S REPORT

HEARING LENGTH: _____ (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____ Reprimand: _____ Loss of Good Time (days): _____
* Property (Days) _____ Extra Duty: _____ Restitution: \$ _____
* Canteen (Days) 270 Visit Suspension Thru 443 DD-180
* Other 10/12/14 (Days) 270 Cell Restriction (Days): _____ 270 DAYS
* Disciplinary Detention (Days): 90

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: 4th time entered

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____
DATE INMATE PLACED IN PHD _____
INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: 7/18/14
HEARING OFFICER (PRINT NAME) R.L. Turner

APPROVED/REVERSE/MODIFY _____ REASON _____
Warden _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

**(Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

DT1048
Ed 4.10.3
ME3
MFI-4

Page 1 of 1

Institution/Center: <u>McCormick</u>				Date of Report: <u>January 3, 2016</u>	
Reporting Official (Full Name): <u>C. S. Holmes</u>				Time of Report: <u>10:30 pm</u>	
Employee ID #: <u>014141</u>				Date of Incident: <u>January 3, 2016</u>	
Location of Incident: <u>F4A Room #101</u>				Time of Incident: <u>9:30 pm</u>	
Inmate(s)/Resident:	SCDC #	Age:	Sex:	Race:	Employee(s)/Witnesses Involved:
1. <u>Mack, Terrell</u>	<u>318070</u>		<u>M</u>	<u>B</u>	1. <u>Nurse Johnson</u>
2.					2.
3.					3.
4.					4.
5.					5.

On the above date and approximate time: White Escort Nurse Johnson with Medication to Inmate's Room. I C.T. Holmes Alone with Nurse Johnson observed Elm Mack, Terrell SCDC # 318070 B/M standing at his Room Door # 101 Messing/bathing.

Signature: C. S. Holmes Title: CT

Evidence:

Disposition of Evidence:

Supervisor's Comments: 854
Mit-4

Printed Name: R. Griffin
Signature: [Signature] Title: CT Date/Time: 2330hrs 1-3-16

Major/Responsible Authority:

854

Printed Name: F. Mason Date/Time: 8:30 AM 01-04-16
Signature: [Signature] Title: R

STG Related - Refer to STG Committee	
☐ Yes	☐ No ☐ Unknown
This incident is DRUG related	
☐ Yes	☐ No ☐ Unknown
Responsible Authority	
Action Taken	
☐ Informal Resolution	
☐ Administrative Resolution	
☒ Refer to Disciplinary Hearing	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 48 Inmate Name: McK, Terrell SCDC#: 312070
 Living Area: F-4 #161 Job: N/A Custody: MIS
 Offense Date: 1/3/16 Offense Time: 9:30 AM/PM Institution: McLumick
 Offense Description: 854: Exhibitionism and Public Masturbation

Charging Officer/Employee: S. Holmes Title: LT
INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:	
☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING	☐ I WAIVE MY RIGHT TO A HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING	☒ SM/SEGREGATION ONLY
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING	☒ I WANT A COUNSEL SUBSTITUTE
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING	☐ I DO NOT WANT A COUNSEL SUBSTITUTE
Date & Time Notified: <u>1/6/16 8:32</u> AM/PM By (Print): <u>Sgt. H. Numa</u>	
Inmate Signature: _____	SCDC#: _____ Date: <u>1/11/16</u>

HEARING INFORMATION:					
Hearing Date: <u>1/11/16</u>	Hearing Time: <u>10:45</u>	Tape: _____	Side: _____	Start: _____	End: _____

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

All statements attached W/ witness statement attached

OFFENSE CODES	<u>854</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: 15/1/16

HEARING LENGTH: 4 (MINUTES)

SANCTIONS:

Loss of Privileges (Days)	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days) <u>60 x 30</u>	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days) <u>10 x 30</u>	Visit Suspension Thru <u>1/1</u>	<u>60 x 30</u>
* Other <u>None</u> (Days) <u>60 x 30</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): <u>30</u>		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: 2nd 854 in a year

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD _____

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 1/11/16

HEARING OFFICER (PRINT NAME): [Signature]

APPROVED REVERSE/MODIFY _____ REASON _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record	Canary - Inmate (Service of Disciplinary Report)
Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)	Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

OH05
MH4
ME3
EAU9.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page of

44-233

Institution/Center: <u>McLermick</u>	Date of Report: <u>6/28/16</u>
Reporting Official (Full Name): <u>Rhodesia Taylor</u>	Time of Report: <u>1700</u>
Employee ID #: <u>034278</u>	Date of Incident: <u>6/28/16</u>
Location of Incident: <u>F-4 Rm # 1203</u>	Time of Incident: <u>1215</u>
Inmate(s)/Resident: SCDC # Age: Sex: Race:	Employee(s)/Witnesses Involved:
1. <u>Black Terrell #312070 M BKK</u>	1.
2.	2.
3.	3.
4.	4.
5.	5.

On the above date and approximate time: The Black was fighting in his room #1203 and he was escorted out to PHU. The U/C Taylor went and dead locked his door so the roommate couldn't go in. The U/C Taylor went back to shake down his room and do his inventory for lock up and he had a homemade knife in the in side of his mattress and a sharp pointed stick.

Signature: [Signature]

Title: U/C

Evidence:

Disposition of Evidence:

Supervisor's Comments:

811

MIT

STG Related - Refer to STG Committee

() Yes (☒) No () Unknown

Printed Name:

Signature:

Title:

Date/Time:

Major/Responsible Authority:

811

MIT

This incident is DRUG related

() Yes (☒) No () Unknown

Responsible Authority

Action Taken

() Informal Resolution

() Administrative Resolution

(☒) Refer to Disciplinary Hearing

Printed Name:

Signature:

Title:

Date/Time:

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case#: 51 Inmate Name: MOORE, RICHARD SCDC#: 21 2070
 Living Area: 14-333 Job: 1041 Custody: MIC3
 Offense Date: 6/28/16 Offense Time: 4:15 AM/PM Institution: McCormick
 Offense Description: 811: Poss of Weapon

Charging Officer/Employee: R. Taylor Title: WIC
INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING
☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING
- ☐ I WAIVE MY RIGHT TO A HEARING
 SMU/SEGREGATION ONLY
☐ I WANT A COUNSEL SUBSTITUTE
☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 7/1/16 11:53 AM/PM By (Print): Gregory A. Taylor
 Inmate Signature: _____ SCDC#: _____ Date: 7/1/16

HEARING INFORMATION:

Hearing Date: <u>7/19/16</u>	Hearing Time: <u>11:55</u> am/pm	Tape: _____	Side: _____	Start: _____	End: _____
------------------------------	----------------------------------	-------------	-------------	--------------	------------

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING

Picture of Weapon submitted as evidence

OFFENSE CODES	<u>811</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>6</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: INMATE WAS HEARD
guilty based on B

HEARING LENGTH: 5 (MINUTES)

SANCTIONS:

Loss of Privileges (Days)	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days) <u>30.5</u>	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days) <u>100</u>	Visit Suspension Thru <u>100</u>	
* Other (Days) <u>100</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: This is the inmate
1st charge of this nature since you

CREDIT FOR PHD TIME SERVED? YES/NO IF YES, DAYS _____

DATE INMATE PLACED IN PHD: 7/1/16

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: _____ DATE: 7/1/16

HEARING OFFICER (PRINT NAME): Gregory A. Taylor

APPROVED/REVERSE/MODIFY: _____ REASON: _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition)
 Canary - Inmate (Service of Disciplinary Report)
 Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

Page 1 of 1

DHCS
MH4
ME3
EALUC

Institution/Center: <u>McCormick CI</u>				Date of Report: <u>7-13-17</u>	
Reporting Official (Full Name): <u>Sgt. McCary</u>				Time of Report: <u>approx: 10²⁵am</u>	
Employee ID #: <u>040997</u>				Date of Incident: <u>7-13-17</u>	
Location of Incident: <u>F4 Cell 233 - Terriel Mack</u>				Time of Incident: <u>approx: 10³⁰am</u>	
Inmate(s)/Resident: <u>SCDC #</u>		Age: <u></u>		Sex: <u></u> Race: <u></u>	
Employee(s)/Witnesses Involved:					
1. <u>Terriel Mack 312070 Bm</u>				1. <u>Agency Search Team</u>	
2. <u></u>				2. <u>RBT</u>	
3. <u></u>				3. <u></u>	
4. <u></u>				4. <u></u>	
5. <u></u>				5. <u></u>	

On the above date and approximate time: Sgt. McCary along with members of the Agency search team and RBT conducted a search of F4 Cell 233 and found 2 shanks (6 inch and 9 inch) in the window seal. Inmate Terriel Mack 312070 will be charged with 811.

Signature: <u>[Signature]</u>	Title: <u>[Signature]</u>
Evidence: <u>6 inch + 9 inch shank</u>	
Disposition of Evidence: <u>Given to contraband</u>	

Supervisor's Comments: <u>811</u>		STG Related - Refer to STG Committee ☐ Yes ☐ No ☐ Unknown
Printed Name: <u>K. McCary 022308</u> Date/Time: <u>10:30am</u> Signature: <u>[Signature]</u> Title: <u>LT.</u> Date/Time: <u>7-13-17</u>		
Major/Responsible Authority: <u>811</u>		This incident is DRUG related ☐ Yes ☐ No ☐ Unknown
Printed Name: <u>S. Marshall 016449</u> Signature: <u>[Signature]</u> Title: <u>Cpt</u> Date/Time: <u>7-14-17</u>		Responsible Authority Action Taken ☐ Informal Resolution ☐ Administrative Resolution ☒ Refer to Disciplinary Hearing

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD**

Case: 54 Inmate Name: Daniel, Darnell SCDC#: 311230710
 Living Area: 10-233 Job: 10/17/17 Custody: 11/13
 Offense Date: 7/13/17 Offense Time: 10:30 AM Institution: 11/12/17

Offense Description:

511 Fugitive/Escape

Charging Officer/Employee: J. D. [Signature] Title: Officer

INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- | | |
|---|--|
| ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING | ☐ I WAIVE MY RIGHT TO A HEARING |
| ☐ I DO NOT WANT TO BE PRESENT AT MY HEARING | ☐ SMU/SEGREGATION ONLY |
| ☒ I DO WANT MY ACCUSER PRESENT AT THE HEARING | ☐ I WANT A COUNSEL SUBSTITUTE |
| ☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING | ☒ I DO NOT WANT A COUNSEL SUBSTITUTE |

Date & Time Notified: 7/24/17 12:30 AM By (Print): C. J. Hall
 Inmate Signature: [Signature] SCDC#: _____ Date: 7/24/17

HEARING INFORMATION:

Hearing Date: 7/24/17 Hearing Time: 12:30 Tape: _____ Side: _____ Start: _____ End: _____

EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.
1. Counselor not present

OFFENSE CODES	<u>511</u>			
INMATE PLEA (G, NG, None)	<u>NG</u>			
FINDINGS (G, NG, DS)	<u>G</u>			

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: Officer's report

HEARING LENGTH: _____ (MINUTES)

SANCTIONS:

Loss of Privileges (Days): _____	Reprimand: _____	Loss of Good Time (days): _____
* Property (Days): <u>30</u>	Extra Duty: _____	Restitution: \$ _____ **
* Canteen (Days): <u>30</u>	Visit Suspension Thru: <u>7/24</u>	
* Other (Days): <u>30</u>	Cell Restriction (Days): _____	
* Disciplinary Detention (Days): _____		

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Level 1 offense

CREDIT FOR PHD TIME SERVED? YES/NO _____ IF YES, DAYS _____

DATE INMATE PLACED IN PHD: 7/21/17

INMATE SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature] DATE: 7/21/17

HEARING OFFICER (PRINT NAME): [Signature]

APPROVED/REVERSE/MODIFY: [Signature] REASON: _____

CONTACT YOUR CLASSIFICATION CASEWORKER OR COUNSEL SUBSTITUTE IF YOU DO NOT UNDERSTAND THIS FORM.

White - Institutional Record Canary - Inmate (Service of Disciplinary Report)
 Golden Rod - Inmate (Service of Disciplinary Hearing Disposition) Pink - Central Record

** (Note: When there is restitution, a copy of this form should be forwarded to Financial Accounting.)

SCDC 19-69 (Rev. May 2007)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INCIDENT REPORT

Page 1 of 1

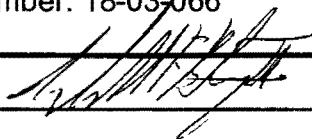
Institution/Center: Lee Correctional Institution					Date of Report: 03/08/18	
Reporting Official (Full Name): Burley III, William					Time of Report: Apx 2:00 PM	
Employee ID #: 042720					Date of Incident: 03/08/18	
Location of Incident: West Yard / F3					Time of Incident: Apx 1:35 PM	
Inmate(s)/Resident:	SCDC #	Age:	Sex:	Race:	Employee(s)/Witnesses Involved:	
1. Mack, Terriel L.	312070	31	M	B	1.	
2.					2.	
3.					3.	
4.					4.	
5.					5.	

On the above date and approximate time:

I, Sgt. Burley III, William (042720), while clearing the West Yard in preparation for count, observed I/M Mack, Terriel L. (312070) around the front of the F3 Unit. I/M Mack had tried to enter the unit but stopped when he was told not to. I/M Mack was then asked to return to his Unit(F1). I/M Mack refused. I/M Mack was given several other directives to return to his unit but would not comply. During this time I/M Mack made several threats that, "It's going to take a lot more than just you to get me off this yard." He threatened to "beat up" U/C Williams. He also made the statement that he had "retired plenty of officers under his belt" and that he would do the same to me. I/M Mack was finally taken to the unit by U/M Stuart. I/M Mack is charged with 809 Threatening to Inflict Harm on/Assaulting an Employee and/or Members of the Public, 825 Refusing or Failing to Obey Orders, and 828 Out of Place.

RECEIVED

Control Number: 18-03-066

Signature: 

Title: Sgt.

MAR 12 2018

Evidence:

LEE CI MAJOR'S OFFICE

Disposition of Evidence:

Supervisor's Comments: <i>Refer to D.A.</i>	
Printed Name: <i>D.A. Stewart</i> Approx: <i>2:30 p.m.</i>	
Signature: <i>D.A. Stewart</i>	Title: <i>U/M</i> Date/Time: <i>03-08-18</i>
Major/Responsible Authority: <i>809</i>	
Printed Name: <i>Alenda Thomas</i> Approx: <i>2:35pm</i>	
Signature: <i>Alenda Thomas</i>	Title: <i>Captain</i> Date/Time: <i>3-13-2018</i>

STG Related - Refer to STG Committee

☐ Yes ☐ No ☒ Unknown

This incident is DRUG related

☐ Yes ☐ No ☒ Unknown

Responsible Authority

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

CLAI360D

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
CUSTODY REVIEW01/10/19
C060646SCDC #: 00312070
NAME...: MACK, TERRIEL L.LOCATION...: BROAD RIVER
REVIEW DATE: 08/07/18
REVIEW TYPE: STATUS

N

NO. OF CLASS I ESCAPES: 00
IN PAST 24 MOS....: 00
OVER 24 MOS.....: 00NO. OF CLASS II ESCAPES.....: 00
IN PAST 6 MOS.....: 00
OVER 6 MOS.....: 00MAJOR DISTURB. OR RIOT: N
OFFENSE DISQUALIFIED FOR LEVEL 1: N
RESIDENT STABILITY: NA NOT APPLICABLECURRENT VIOLENT OFFENSE...: Y
HIGHEST CATEGORY DETAINER: 1
MAXOUT DATE.....: 99/99/99

APPROVED SECURITY.....: L3

RECOMMENDED CUSTODY.....: ME

ASSIGNED CUSTODY.....: SD APPROVED BY: M MACON

OVERRIDE.....:

STATE APPROVED CUSTODY.....: SD APPROVED BY: K GAUSE

08/10/18

OVERRIDE.....:

REVIEW REASON.....: T SECURITY DETENTION

ICC HELD IN RHU, COMMITTEE RECOMMEND SD DUE TO INVOLVEMENT IN THE LEE INCIDENT
DISTURBANCE/HOMICIED ON 4/15/18.//RHU-APPROVE SD; PER POLICE SERVICES, INMATE IS
A SUBJECT IN THE INVESTIGATION OF THE 7 HOMICIDES AT LEE ON 4/15/18
CUSTODY REVIEW RECORD PART II DISPLAYED ...

<PF12>PRINT SD REPT

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF CLASSIFICATION AND INMATE RECORDS

RHU CLASSIFICATION COMMITTEE REVIEW

Inmate Name: TERRIC MACK SCDC #: 312070

Institution: BRCI Date Inmate Placed in RHU: 4/19/18

Inmate Assignment (if applicable): ☒ Security Detention ☐ Death Row ☐ Statewide Protective Custody

The Institutional Classification Committee met on 8/7/18 to conduct a ☐ Initial Seven-Day Review
☐ Regularly Scheduled _____ Day Review

The Committee recommends that the above referenced inmate be:

- ☐ Released from RHU and Returned to the General Population.
- ☒ INITIALLY Placed in Security Detention in Behavioral Level 3
- ☐ Advanced/Reduced/Remain in Behavioral Level Assignment: _____
- ☐ Advanced/Reduced/Remain Death Row Level Assignment: ☐ Level I
☐ Level II
☐ Level III
- ☐ Remain in Protective Custody Status.
- ☐ Released from Protective Custody and Returned to the General Population.

The Committee further recommended that the inmate be placed in SD custody
(list any other special restrictions/needs here)

The justification for this decision was: involved in hcc incident disturbance/homicide
on 4-15-18

s/ Amirip Mason
Institutional Classification Committee Person

Date: 8/7/18

s/ AW. J. Wainwright
Warden/Duty Warden (only for placement and release from SD)

Date: 8/7/18

PAPER WORK done over to correct hcc incident date
inmate given corrected copy

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF CLASSIFICATION AND INMATE RECORDS

RHU CLASSIFICATION COMMITTEE REVIEW

Inmate Name: Mock, Terrie SCDC #: 312070
Institution: Broad River Date Inmate Placed in RHU: 8/10/18
Inmate Assignment (if applicable): ☒ Security Detention ☐ Death Row ☐ Statewide Protective Custody

The Institutional Classification Committee met on 01/10/19 to conduct a ☐ Initial Seven-Day Review
☒ Regularly Scheduled 90 Day Review

The Committee recommends that the above referenced inmate be:

- ☐ Released from RHU and Returned to the General Population.
- ☐ INITIALLY Placed in Security Detention in Behavioral Level _____
- ☒ Advanced/Reduced/Remain in Behavioral Level Assignment: 2
- ☐ Advanced/Reduced/Remain Death Row Level Assignment: ☐ Level I
☐ Level II
☐ Level III
- ☐ Remain in Protective Custody Status.
- ☐ Released from Protective Custody and Returned to the General Population.

The Committee further recommended that the inmate Remain in SD
(list any other special restrictions/needs here)

The justification for this decision was: Investigation on Lee disturbance

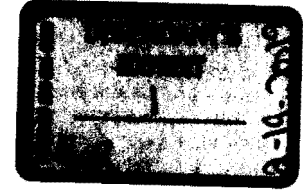
S/ MS. Shiver
Institutional Classification Committee Person

Date: 01/10/19

S/ _____
Warden/Duty Warden (only for placement and release from SD)

Date: ____/____/____

Geoffrey R. McKee, PhD, ABPP
Forensic Psychological Services
1728 Main Street, Suite 110
Columbia, SC 29201
(803) 251-3499



9 February 2019

Marshall S. Weaver, Esq.
The Weaver Law Firm, LLC
2137 Hoffmeyer Rd., Suite B
Florence, SC 29501

Brie R. Russell, Esq.
Law Office of Brie Russell, LLC
900 Elmwood Drive, Suite 200
Columbia, SC 29201

Re: Terriel Mack, age 32
Age at arrest on current conviction: 17 years, 1 month (2003)
Age at SCDC incarceration on current conviction: 18 years, 2 months (2005)

Dear Mr. Weaver & Ms. Russell:

At your request, I conducted a forensic psychological evaluation of Terriel on 1/11/19, 1/14/19, and 1/22/19 to assess his current diagnoses, risk of harm to others, sophistication and maturity, and amenability for treatment pursuant to *Aiken, et al. v. Byers* (SC Supreme Court Opinion 27465; filed 11/12/2014) and *Miller v. Alabama* 132 S. Ct. 2455 (2012). At the time of the evaluation, Terriel was in his 15th continuous year of jail and SCDC prison confinement since his arrest at age 17 years-1 month in December 2003 on a charge of murder with co-defendants. He was sentenced to Life Without Parole at age 18 on 10/26/05. It is my understanding from you, that in light of *Miller v. Alabama*, he is currently without a definitive sentence pending a hearing in General Sessions court where he could subsequently receive anywhere between 30 years and Life imprisonment for his conviction of murder.

Assessment Approach:

In cases such as these—a (long-delay interval since trial) post-conviction rather than a pre-trial evaluation to address *Miller* factors—the task of the criminal forensic psychologist is to conduct a retrospective evaluation; that is, to psychometrically reconstruct the best estimate of the inmate's psychological, emotional, behavioral, and cognitive functioning as s/he might have been at the age when s/he was first eligible for sentencing in light of the U.S. Supreme Court's opinion in *Miller v. Alabama*. When the juvenile is assessed on a pre-trial status, the assessment is a contemporaneous evaluation; that is, that the clinical and psychometric data collected represents the defendant's current psychological, emotional, behavioral, and cognitive functioning.

Mr. Mack was confined in the Florence County Detention Center (FCDC) at age 17 and convicted at age 18 in 2005, therefore, for this retrospective evaluation, I only used those psychological tests and instruments which would have been peer-reviewed, published, widely-used and applicable for mid-teen—not adult—defendants had I conducted a contemporaneous pre-trial evaluation. Therefore, I administered tests and criminal recidivism risk inventories that were applicable and normed (researched and standardized) with males his current age *and* his age when he was first confined as a teenager on the charge for which he is in prison. These tests and instruments included the Jesness Inventory-Revised (with norms for males including age groups of 15-17 and 18-34), the Substance Abuse Subtle Screening Inventory—3rd Edition (SASSI-3)

which permits an individual to quantitatively estimate his/her substance use over a lifetime or for a 6-month period prior to a significant event: in Terriel's case, the six months before his arrest at age 17 years.

Following the last evaluation date of 1/22/19, I calculated four different quantitative estimates of Terriel's likely developmental maturity and dangerousness/criminal recidivism risk at the time of his arrest at age 17. I scored the Risk-Sophistication-Treatment Inventory (RSTI) which empirically assesses a teenager's level of Dangerousness, Sophistication (Developmental Maturity), and Treatment amenability—factors suggested by the United States Supreme Court in *Kent v. United States* (383 U.S. 541; 1966) for juvenile waiver (and later *Miller*) cases. While the RSTI scoring requires one or more direct interviews with the individual as well as review of available records, documents, and psychological testing, the remaining three were developed expressly without the interview requirement so that probation/parole officers and/or correctional personnel could empirically estimate from available records and reports an offender's risk of criminal recidivism if he/she were released into the community. These instruments included the Salient Factor Score (SFS; 7 risk factors) used for decades by the US Probation Office, the SC Department of Probation, Parole, and Pardon Services' Parole Risk Assessment (PRA; 10 risk factors), and the nationally-used Level of Service Inventory-Revised (LSI-R; 54 risk factors). In all, these instruments comprise over 70 risk factors which have been shown to be highly correlated with an individual's risk of criminal reoffending and/or violation of community supervision.

To assess Terriel's *current* mental status and psychological functioning I administered the Personality Assessment Screener (PAS; 22 items) and the Trauma Symptom Inventory (TSI; 100 items) in addition to a review of his SCDC medical/mental health records and the clinical interviews of him on: 1/11/19 for 1.5 hours with you (to assess the ever-recurrent issue of Competency to Stand Trial/Proceed and ability to assist his attorneys, his abstract reasoning ability, and his expressive/receptive vocabulary) and on 1/14/19 (~3 hours also with testing) and 1/22/19 (1 hour also with testing) without his attorneys.

Each of the quantitatively-scored tests and risk instruments described above were selected precisely to maximize inter-rater reliability as the foundation for the opinions in this report: that other similarly-trained and experienced criminal forensic psychologists using the same methods and procedures would likely arrive at similar conclusions and opinions regarding Terriel.

NOTIFICATION:

On 1/11/19 and in your presence, I explained to Terriel that I had been retained by you to conduct an evaluation of him and that the results of the assessment would be protected as work product under attorney-client privilege. Terriel had no difficulty understanding the conditions of the evaluation and agreed to participate in the clinical interviews and the psychological testing.

SOURCES OF INFORMATION (ADDITIONAL TO INTERVIEWS AND TESTING):

1. Transcript of Record (10/25-26/05) State of SC vs. Terriel Lashawn Mack Court of General Sessions
2. SC Birth Certificate of Terriel Lashawn Mack DOB [REDACTED] (1 page)
3. Florence County School District records (262 KB)
4. Florence County Medical Records (262 KB)
5. McLeod Hospital (Florence) Medical Records (765 KB)
6. SCDJJ Institutional Records, including 6/27/02 Psychosocial Evaluation by Silke K. Parl, PsyD Licensed Clinical Psychologist and Terry L. Fender LMSW Social Work Manager 9 pages) and
7. SCDJJ Discharge Summary of 11/14/03 by Shirley R. Fleming, Youth Counselor. (5 pages)
8. SCDC Inmate Records of Terriel Mack 12/2003- (56,597 KB)

9. SCDC Medical Records of Terriel Mack 12/2003- (62,755 KB)
10. 2/5/19 Affidavits of Terry McLaughlin, Shante McLaughlin, and Nourise McLaughlin
11. Florence County Sheriff's Office incident reports

RELEVANT HISTORY:

Childhood to age 10. Terriel stated that he was born at McLeod Hospital on 11/11/1982 and was initially raised by his biological mother: "my real father denied me (corroborated by Terriel's Birth Certificate) even after blood tests were done when I was about 9; he said I wasn't his child. He never let me visit or live with him." When asked if he could remember any traumas or emotionally upsetting events before he entered public school, he reported "yes, I was in Pre-K(indergarten). I'd gone to sleep but woke up somewhere else in another house. I didn't know where my mother was." He stated he now thinks that he might have been in foster care, but still doesn't know why he would have been placed outside his home. When asked if he had had any step-fathers during this time in his life, he replied "Yes. His name was Nathaniel and he was with us for many years until I was in the 6th grade." He stated that Nathaniel "raised me up and kept me even though I was not his child. He kept me in sports and stayed on me about my grades." Florence school records corroborated that Terriel was regularly promoted from Kindergarten through the 6th grade at which time he was reading at grade-level indicating that he had been persistently studying and completing his homework during his elementary school grades. When asked to describe his early childhood, he replied "Mom always tried to do her best for us but after Nathaniel left when I was about 11, I had three or four step-fathers, none of them were good." Though Terriel recalled his years with Nathaniel and his mother positively, Florence County Sheriff's Office (FCSO) incident records indicated that when Terriel was 8 years old, Nathaniel was arrested for Criminal Domestic Violence (CDV) on his mother and for extensive damage within their residence. According to FCSO records, when Terriel was only 10 years old, he contacted law enforcement after his mother had physically hit him and his two siblings resulting in the Department of Social Services placing all three children with their grandmother, Peggy Mack. Two months later, Nathaniel was arrested again for assaulting Terriel's mother. These traumatic, fear-inducing episodes have perhaps been forgotten (or repressed) by Terriel, yet such experiences are a common cause for a child to develop anxiety-related disorders such as Posttraumatic Stress Disorder (PTSD). Though this part of his life seemed to be very happy and productive for him, Terriel was about to experience a series of traumas to his family system and his emotional stability; none which was initiated by his behavior.

Pre-adolescence to age 13. When Terriel was asked whether he'd experienced any traumas during this time period, he immediately stated "February 12, 1997 when my (maternal) great-grandmother died of cancer. She was the rock of the family and after she died the family came apart and we were never the same again." He stated that because his mother was only 16 when she gave birth to him, he was his great-grandmother's first great-grandchild and that he had a very special and close relationship with his mother's grandmother. That Terriel could quickly recall the exact date of his great-grandmother's death suggests how important and potentially disruptive the event was to him.

His next trauma occurred shortly after his great-grandmother's death: he stated that his mother and his step-father, Nathaniel, were having many arguments which culminated (when Terriel was 11) in Nathaniel leaving their house and never returning. When asked if he ever knew why his mother and Nathaniel separated, he replied "No, but when I saw him packing his bags, I packed mine." He stated after Nathaniel left, he said "I'd see him around, but when he moved to North Carolina it was the last time I saw him."

The next trauma happened shortly thereafter: Terriel stated he had another step-father enter his life, but this man proceeded to remove or destroy any pictures or other mementos of Nathaniel; in effect, another episode

(as with his biological father's rejection of him at age 9) of being forced to deny having a relationship and history with an adult male figure in his life. I believe that these very upsetting and destabilizing events in his pre-adolescent life resulted in Terriel having a series of undiagnosed and untreated Major Depressive Episodes (MDEs) which significantly altered his future. SCDJJ Dr. Parl's psychological evaluation (p. 6) indicated that he "began having behavior problems in the 6th grade and has had a number of suspensions and has been expelled four times. His mother related that she thought that he began having significant behavior problems in the 7th grade and was involved in a number of fights. She related that his grades dropped and that he repeated the 7th grade." Dr. Parl's report noted that Terriel's behavior had significantly changed because he'd been on the honor roll in previous years. The report also indicated that during this time Terriel had begun using alcohol and drugs.

The next trauma that Terriel experienced during this period from ages 10 to 13 was less apparent and not even recognized by Terriel as a trauma: he lost his virginity at age 12 to a 17 year-old female: "she used to be my babysitter and would help me with my homework. I know it was not her first time (having sex)." Young teenage boys who have sex with females who are of legal age to consent often do not perceive the event(s) as traumatic; rather, they feel like they had "gotten lucky." However, decades of research regarding pre-teen sexualization experiences have shown that the episodes can be very emotionally upsetting and disruptive to the child's psychological and interpersonal development with depression and anxiety-related disorders (e.g., Posttraumatic Stress Disorder [PTSD] and Acute Stress Disorder [ASD]) being common diagnoses. Adolescent girls who experience clinically-significant depression often engage in self-punitive, self-damaging behavior including suicide attempts, self-mutilation (cutting their forearms, etc.), social withdrawal, and prolonged periods of crying. However, adolescent boys who experience clinically-significant depression (such as the MDEs Terriel likely had as described above) express their depression externally in the form of aggression, rage, fighting, and overt disobedience especially to parents and other authority. These differences have been highlighted by prior research; for example McKee and Dwyer (2015) found that boys account for more than 95% of physically and sexually aggressive behavior which result in delinquency charges being brought against the teenager. As well, in a study of 92 adolescent boys in South Carolina (Shumaker and McKee, 2001), 63% of boys charged with homicide and 81% of boys charged with other violent offenses had been diagnosed with at least one Axis I disorder including depression, substance abuse, conduct disorder, oppositional-defiant disorder or adjustment disorder. More recent research represented in the American Psychiatric Association's Diagnostic and Statistical Manual-5th Edition (DSM-5) has recognized the link between depression and aggressive/defiant behavior in pre-adolescent children: the diagnosis of Disruptive Mood Dysregulation Disorder (DMDD) is manifested by severe recurrent verbal or physical temper outbursts and persistent near-daily anger and irritability which is grossly out of proportion to the situation in which it occurs.

Terriel reported that he first started drinking alcohol at age 12: "it was beer that I'd get from friends or I'd get someone to buy it for me. I really started drinking alcohol often when I was about 15 after my mother and I had a falling out and I was on the streets. I was drinking every day." He stated that he never received any counseling for his alcohol abuse/dependence. He stated that he began smoking marijuana when he was 12 and had increased to daily consumption when he was 13 years old: "I'd smoke it all day and be cranky in the morning if I didn't have it." He denied ever in his life of using cocaine ("my uncle died from it"), intravenous drugs, inhalants, variants of methamphetamine, or pills ("I was too scared of them"). He denied ever trying LSD but stated when he was 15 "I tried mushrooms a few times with some white guys", but never took any hallucinogenic drugs again. These statements were also corroborated by SCDJJ reports.

Adolescence until arrest at age 17 and conviction at age 18. Dr. Parl's SCDJJ report of 6/27/2002 was the first formal psychological evaluation Terriel has had; he was by then almost 16 years old (age 15 years-7 months). The report noted that Terriel had had a number of interactions with the Family Court as a young adolescent beginning at age 12 for running away and school-related incidents (many of them dismissed). However the report verified (p. 2) that his commitment to DJJ for five counts of Breaking and Entering a Motor Vehicle and four counts of Petty Larceny (all occurring on the same night with co-defendants) "was the first adjudication for him in the state of South Carolina." The report found that Terriel's intelligence level by testing was most likely in the Average range and that his reading comprehension and numerical operation skills by testing were also within the Average range for his age-group. The examiners found no deficits in Terriel's visual-motor integration capacity, a test to screen for cognitive-neurological impairments. The evaluation also found that there was no evidence of a psychotic disorder but noted his chronic alcohol and marijuana abuse. The report found that overall, "Terriel appears able to interpret his environment in a basically rational and conventional manner." The examiners concluded that Terriel's had Alcohol Abuse, Cannabis Abuse, Family-Child Relational Problems, and Conduct Disorder (Moderate).

That the examiners concluded that his Conduct Disorder (CD) was at a Moderate level is significant: if his CD was at a Severe level, that specification would have indicated much more violent, aggressive behavior which "cause considerable harm to others" such as rape/sexual assault, physical cruelty, and/or use of a weapon in offenses like armed robbery (DSM-IV, p. 87). The diagnosis of Conduct Disorder, rendered *after* Terriel was 15 years old is also significant for any future diagnoses he might have as an adult (see current mental status description of SCDC mental health records below); that is, DSM-IV diagnosis of Antisocial Personality Disorder (ASPD)—the most common diagnosis of incarcerated male inmates—requires that the diagnosis of Conduct Disorder must be established *before* age 15. Terriel was placed on probation, which had been recommended by Dr. Parl but was subsequently committed to DJJ on an indeterminate sentence on 2/6/2003. According to his SCDJJ Form 5 and a Family Court order he'd been committed for violating his probation for non-violent behaviors including failing to attend school regularly and failure to pay court-ordered restitution.

Terriel entered DJJ custody on 2/6/03 (age 16 years-1 month) and was discharged on 11/14/03 at age 17 years-0 months. The SCDJJ Discharge Summary report of 11/14/03 by Shirley R. Fleming, Youth Counselor noted his diagnoses at Admission were Alcohol Abuse (DSM-IV 305.00) and Cannabis Abuse (DSM-IV 305.20) and that his diagnoses at Discharge remained the same. Notably, SCDJJ did not continue his previous diagnosis of Conduct Disorder, Moderate nor did they include any other diagnosis of adolescent aggression/violence (e.g. Oppositional Defiant Disorder, Intermittent Explosive Disorder). The discharge report noted that Terriel participated in daily morning and afternoon treatment groups, alcohol and drug counseling, victim awareness sessions, anger management, and activity therapy as well as school classes every day. The report also noted that Terriel is "intellectually capable of academic sufficiency" and is "capable of being polite and cooperative." Further, the report indicated that he has "made some progress with anger management" but had had some behavior problems. Terriel was paroled on 11/14/03 returning to the community to live with his mother, step-father, and siblings.

PSYCHOLOGICAL TESTING ESTIMATING HIS PRE-TRIAL (2003-04) FUNCTIONING AND CRIMINAL RECIDIVISM RISK:

To assess how Terriel was most likely functioning following his arrest for murder at age 17 years-1 month, I administered the Jesness Inventory-Revised (JI-R) and, because his only documented DSM-IV diagnoses were Alcohol Abuse and Cannabis Abuse, I also administered the Substance Abuse Subtle Screening Inventory-3rd Edition (SASSI-3) focusing on the few weeks following his discharge from SCDJJ. I also

scored the Risk-Sophistication-Treatment Inventory (RSTI) to assess his level of dangerousness, developmental maturity, and amenability for treatment. I also calculated quantitative estimates of his dangerousness and criminal recidivism by scoring the Salient Factor Score (SFS), SCDPPPS' Parole Risk Assessment (PRA), and the Level of Service Inventory-Revised (LSI-R). These results are described below.

Jesness Inventory-Revised (JI-R). The Jesness Inventory-Revised (JI-R) is a 160-item objective adolescent personality inventory specifically developed to quantitatively assess male and female criminal offenders in confined and community-supervision settings. Since its inception, the instrument has been among the most-widely used tests in juvenile corrections in the past 50 years and has researched delinquent juveniles in age-groups of 8-11, 12-14, and 15-17 as well as convicted adults ages 18-34 and over 35 years old. The juvenile's responses result in his/her placement into one of 3 empirically-determined levels of personality integration (I-Levels) and one of 9 subgroups from a poorly-integrated, most socially maladjusted subtype ("Undersocialized/Active") to the least maladjusted/most mature adult-like subtype ("Adaptive"). On the JI-R, Terriel's results—whether using the 15-17 or the 18-34 age-groups—were the same indicating that his personality characteristics had not changed since he was 17 years old: his two highest scale scores at age 17—Social Maladjustment and Immaturity were the highest scales when scored at his present age in the 18-34 year old group. Individuals who score high on Social Maladjustment are described as having a negative self-concept, feeling misunderstood, unhappy, and worried; they show a marked distrust of authority, tend to blame others (low insight, poor self-understanding) for their difficulties, have trouble controlling their emotions, and are highly sensitive to criticism. Individuals who score high on Immaturity are described as having attitudes, viewpoints, perceptions, and reasoning/problem-solving abilities of much younger persons. Further at both age 17 and currently, his JI-R results placed him in the lowest (least cognitively mature) I-Level and in the subtype of "Undersocialized Active" individuals. Respondents in the lowest I-Level are described as simplistically seeing others as givers or withholders, they view the world in concrete, inflexible ways not seeing finer distinctions among individuals' differences; as a result, they have difficulty in decision-making and problem-solving and become easily frustrated/angry because of their delayed development in interpersonal and cognitive maturity. Individuals in the "Undersocialized Active" subtype are described as persons who have come from (emotionally, financially, and/or parentally) deprived backgrounds; they commonly have poor morale, are distrustful of some of their family members and feel a lack of affection from them, and perceive others as being hostile towards them. Though Undersocialized Active individuals try to seek out affiliation with their peers' groups, they are often rejected by these adolescents because of their emotional volatility. These JI-R results indicate that although he may have been chronologically 17 years old at the time of his arrest and subsequent confinement in jail awaiting trial, he was emotionally, perceptually, and cognitively (decision-making, problem-solving) a much younger person.

The Substance Abuse Subtle Screening Inventory-3rd Edition (SASSI-3). Determination of whether an individual might have—or have had at an earlier chronologically-defined period—a diagnosis of alcohol or drug dependence on the SASSI-3 is based on 9 different "rules"; any rule scored 'Yes' would indicate that the individual had a "High Probability of having a Substance Dependence Disorder (Test Manual)." Regarding his alcohol use at age 17, he reported that he was "drinking every morning and throughout the day and using drugs before and after school." On the test's items, he indicated that he "repeatedly": took drinks to help him express his feelings or ideas, to give him energy to keep going, and to experience recurrent effects of excessive alcohol consumption. He indicated that "several times" he: had physical problems (nausea, dizziness, etc.) after drinking, became depressed after having sobered up, and had argued with his family and friends about his drinking. Regarding his drug use, he indicated that he had "repeatedly": taken drugs to improve his thinking and feeling, to feel better about a problem, to become more aware of his senses, to enhance his enjoyment of sex, to forget feeling he was helpless and unworthy, to spend his time in

drug-related activities, to use drugs and alcohol at the same time, and to continue to use drugs to avoid the physical pain of drug withdrawal. As a result of his answers to the test's items, two of the 'rules' of Terriel's SASSI-3 results involving alcohol *and* drug use were scored 'Yes' thus it was likely that in the six months before his arrest at 17, his alcohol and drug use rose to a level of Alcohol and Drug Dependence Disorders.

The Risk-Sophistication-Treatment Inventory (RSTI). The RSTI was developed by a team of forensic psychologists to provide a peer-reviewed, published, and quantitative method to assist forensic clinicians' and courts' decision-making regarding juveniles' and young adults' characteristics as highlighted by *Kent v. United States* (383 U.S. 541; 1966) and subsequent cases. In particular, the RSTI focuses on *Kent's* three-pronged analysis of the juvenile's "risk for dangerousness", "sophistication and maturity", and "amenability to treatment." The RSTI is based on an interview and records review focused on the child's: 1) history with his/her family and parents, relationships, school/education, employment, and legal/delinquency/criminal behavior; 2) developmental maturity; 3) treatment/mental health history; and 4) personal responsibility. Following the RSTI interview, the post-graduate-trained forensic clinician scores the juvenile's responses on a three-level scale in three areas: **Risk for Dangerousness** (in the future) [15 items; item-clusters of Violent and Aggressive Tendencies, Planned and Extensive Criminality, and Psychopathic Features]; **Sophistication-Maturity** [15 items; item-clusters of Autonomy, Cognitive Capacity, and Emotional Maturity], and **Treatment Amenability** [15 items; item-clusters of Psychopathology—Degree and Type, Responsibility and Motivation to Change, and Consideration and Tolerance for Others]. The juvenile's scores in Dangerousness, Sophistication-Maturity, and Treatment Amenability can then be compared to samples of detained and non-detained, chronic and first-time, and/or violent and nonviolent males or females from states in the Southeastern and/or Midwestern United States.

On the RSTI—calculated from his SCDJJ records and evaluation reports as well as his JI-R and SASSI-3 results described above when he was age 17, Terriel's score on the Dangerousness domain would have likely fallen in the Low Risk category, a large majority of juvenile offenders (~66%) would pose a greater potential risk to society. On the Sophistication-Maturity domain his score would also likely have fallen in the Low range: a large majority of juvenile/young adult offenders (~81%) would display more maturity; and on the Treatment Amenability domain, his score would have likely been in the Middle range, approximately 43% of juvenile/young adult offenders would display higher motivation and personal responsibility in treatment.

Records'-based estimates of Terriel's criminal recidivism risk at age 17.

NOTE: The following risk instruments were scored based on records and reports which would have been available during 2003-04 for a pre-sentence forensic psychological evaluation. Each has been scored in a light most favorable to the prosecution; that is, an assumption that Terriel would have been/had been convicted of murder.

Salient Factor Score (SFS). On the SFS, Terriel's score of 6 (11 best score) fell in the "Good" Parole prognosis category; the other categories include "Very Good", "Fair", and "Poor." Over 40 years of research on the SFS has shown that the category placements are highly correlated to future criminal recidivism/violations of community supervision: the "Very Good" group has the lowest rate of criminal reoffending but parolees in the "Poor" group had the highest rate of recidivism and violations of parole/probation.

SCDPPPS Parole Risk Assessment (PRA). On the PRA, over 77 % of SC probationers/parolees with Terriel's score of 6 (20-41 = High criminal recidivism/violation of probation/parole) successfully complete their community supervision; **less than 5%** were revoked due to the commission of a new violent crime.

Level of Service Inventory-Revised (LSI-R). On the LSI-R, less than 32% of men with his score of 17 (maximum score = 47) violated their supervision. His LSI-R results fell in the "Low/Moderate Risk/Needs (for prosocial/therapeutic support services)", better than the other categories of "Moderate Risk/Needs" (48% recidivism risk), "Medium/High Risk/Needs" (57% recidivism risk), and "High Risk/Needs" (76% recidivism risk) but worse than the "Low Risk/Needs" group with less than 12% recidivism.

TERRIEL'S CURRENT MENTAL STATUS AND PSYCHOLOGICAL TESTING RESULTS

Current Mental Status: Terriel was cooperative with the evaluation and appeared to give forth his best effort to questions and testing. He was alert and oriented to person, place, location, date, and situation. His speech was clear and articulate. He was dressed in SCDC inmate clothing and appeared to be sufficiently neat and clean. He maintained good eye contact throughout the interview and was not restless or hyperactive. He was never disruptive or actively oppositional; often his answers exceeded the scope of the question asked. He did not display facial or motor tics. His answers were consistent with his average intelligence, receptive vocabulary (ability to understand spoken words), and expressive vocabulary (ability to speak and use words correctly). There was no evidence of any overt signs or symptoms of a psychotic disorder, but his SCDC Medical/Mental Health records indicated that he has been prescribed various anti-psychotic medications (Geodon, Risperdal, Geodon, Loxitane, and most recently Thorazine) as well as anti-depressants (Zoloft, Remeron, Nortriptyline) for diagnoses of Psychosis NOS (Not Otherwise Specified), Posttraumatic Stress Disorder (PTSD), and since 2/9/17 additional diagnoses of Antisocial Personality Disorder (ASPD) as well as Rule/Out Intermittent Explosive Disorder (IED) and Rule/Out Malingering and Rule/Out Depressive Disorder. There was no evidence of disorganized speech, or bizarre behavior or expressions. His perfect score of 14 (14 maximum score) on the Information and Orientation scale from the Wechsler Memory Scale-3rd Edition (WMS-III) suggested that his long-term/remote memory was not impaired nor was he attempting to malingering cognitive/intellectual deficits. He was able to repeat a list of four words in order and was able to recall 2 of the 4 words (and the 2 other words with category prompting) after a number of minutes of distracting tasks: his performance suggested that his working/short-term memory was also intact. His judgment and reasoning are intact and realistic regarding his ability to assist his attorneys before and during his pending re-sentencing hearing. He has a factual and rational understanding of his current legal situation.

Psychological test results assessing Terriel's current emotional functioning.

Trauma Symptom Inventory (TSI). On the TSI, Terriel produced a non-defensive and non-malingering valid test profile. Men with similar TSI results are commonly described as extremely traumatized individuals with recurrent, intrusive symptoms. Scales measuring Intrusive Experience (IE), Defensive Avoidance (DA), and Anxious Arousal (AA) were highly elevated though all other scales measuring Depression (D), Anger/Irritability (A/I), Dissociation (DIS; brief, transient disruptions of attention and concentration), Sexual Concerns (SC), Dysfunctional Sexual Behavior (DSB), Impaired Self Reference (ISR; low self-esteem), and Tension Reducing Behavior (TRB; impulsive acting-out, physical aggression) were all within normal limits. Men with elevations on IE, DA, and AA often display chronic symptoms of PTSD which have become integrated into their personality. Additionally, they likely exhibit significant symptoms of nervousness, jumpiness, hyperalertness and hypervigilance, excessive worrying, and fears of being physically harmed by others. The IE/DA/AA pattern is seen as a very serious psychological disability requiring regular ongoing counseling and psychotherapy augmented by psychiatric medication.

Personality Assessment Screener (PAS).

On the PAS, Terriel produced a non-defensive and non-malingering valid profile. Approximately 88% of men with similar results will likely report and/or display psychological/psychiatric symptoms—the potential for emotional and/or behavioral problems is substantially greater than is typical for individuals within a non-

incarcerated community. Men with these results are likely seen as having marked problems with symptoms of persecutory thinking and suspiciousness toward others, social withdrawal and disinterest in interactions with others, thoughts of death and suicide, and sleep disorders with recurrent anxiety and fatigue. Notably, scales measuring hostility control and anger control were not markedly elevated and a scale measuring alienation (feeling unloved, unsupported, and misunderstood) was well within normal limits.

OPINIONS/RECOMMENDATIONS:

It is my opinion that if Terriel had been referred for a pre-trial criminal forensic psychological evaluation when he was 17, expert forensic psychological testimony could have been presented about these above-described readily-available tests' and instruments' results in mitigation (with a written report for prosecution cross-examination as well as the Court's questioning) once the jury was dismissed by the Judge after rendering its verdict of Guilty. The expert's report and testimony could have also highlighted Terriel's personal history of: 1) achievements, family stability, and happiness before age 10; 2) devastating traumas and reactive depression between ages 10-13; and 3) adolescent "self-medication" of his depression and emotional/behavioral volatility by substance dependence from ages 14 until his arrest for murder,

It is my opinion that if Terriel had been referred for a Competency to Stand Trial (CST) evaluation by the SC Department of Mental Health (SCDMH), his history as described above, the content of the SCDJJ evaluation report and Discharge Summary, and his diagnoses—as required by 44-23-420 for CST reports—would have been available for the court's consideration.

It is my opinion that Terriel was at age 17/18, and still is now, capable of rehabilitation based on the results of this evaluation and his current mental status, diagnoses of PTSD and possible psychosis and psychological functioning as reflected in the results from the TSI and PAS. These data indicate that he would profit from recurrent mental health treatment including regular group and/or individual counseling sessions augmented by appropriate psychiatric medication for the foreseeable future.

Please contact me at (803) 251-3499 or (803) 463-7573 (cell phone) if you have questions regarding this report or would like further information about Terriel. I have attached a one-page CV summary for your and the Court's review.



Geoffrey R. McKee, PhD, ABPP
Diplomate in Forensic Psychology
Clinical Professor, Department of Neuropsychiatry and Behavioral Sciences
University of South Carolina School of Medicine
&
Affiliate Professor, Department of Psychiatry and Behavioral Sciences
Medical University of South Carolina

¹McKee, G.R. & Dwyer, R.G. (2015). Physically and sexually violent females. In C.A. Pietz & C. Mattson (Eds.) Violent offenders: Understanding and Assessment. New York: Oxford University Press.

²Shumaker, D. & McKee, G.R. (2001). Characteristics of homicidal and violent juveniles. *Violence and Victims*. 16, (4), 401- 409.

Geoffrey R. McKee, PhD, ABPP
Forensic Psychological Services
1728 Main Street
Columbia, SC 29201
(803) 251-3499 or (803) 463-7573

Curriculum Vitae Summary as of 2019

- Board-certified in Forensic Psychology, American Board of Professional Psychology (ABPP)
- Clinical Professor, Department of Neuropsychiatry, U. of South Carolina School of Medicine (pro bono).
2007 Chairman's Award for Outstanding Contributions to Forensic Psychiatry Training.
- Affiliate Professor, Department of Psychiatry, Medical University of South Carolina (pro bono)
- Private practice in criminal and domestic Forensic Psychology since 1976; licensed psychologist in AZ (1972-80), ND (1981-85), MN (1984-85), NC (1996-99; 2011-12), and SC since 1985 (#370)
- Chief Psychologist, Division of Forensic Evaluation Services, SCDMH 1998-2011.
- SCDMH representative to Multidisciplinary Team of SC Sexually Violent Predator Act 1998-2011
- Chief Psychologist, Forensic Psychiatry Division, Hall Psychiatric Institute, 1986-98. Director of Training, Forensic Psychology Rotation, APA-approved clinical psychology internship
- Consultations/evaluations to state and county child protection services agencies on issues of child sexual assault (victims and perpetrators) in AZ, ND, and SC since 1976
- Child custody and parenting capacity evaluations and expert testimony for Family Courts in AZ, ND, and SC since 1976
- Forensic psychological evaluations in over 500 murder cases at state and federal level including gang-related homicides as well as other major felonies.
- Retained by defense or prosecution for evaluation, consultation, and expert testimony in state and federal courts in over 200 criminal and 30 death penalty trials or appeals in SC, ND, IN, NC, CA, and KY.
- Expert testimony before the SC Supreme Court twice.
- Past President, American Academy of Forensic Psychology, 1992-94
- Invited Continuing Legal Education lectures to State Bar, Family Court judges, and public defenders associations in VA, WI, and SC and law students in SC and NY.
- Former Consulting Faculty, National Advocacy Center, US Department of Justice
- Former Consulting Faculty, National Advocacy Center, National District Attorneys Association
- Author, Why Mothers Kill: A Forensic Psychologist's Casebook (2006; Oxford University Press).
www.whymotherskill.com
- Publications in peer-reviewed journals and book chapters on maternal filicide, juveniles' trial competency, violent adolescents, violent females, MMPI/MMPI-2 profiles of adult criminal defendants/sex offenders, and criminal forensic psychology practice.
- Peer-reviewed research presentations/workshops on homicide, violent crimes, and sex offenders
- Case analyst/commentator on "Wicked Attractions" television series, 2009-2012 (final episode)

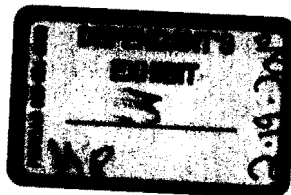
NARRATIVE

ON 7-27-95 MYSELF ALONG WITH DEPUTY MARION YARBOROUGH RESPONDED TO [REDACTED] ARD STREET, FLORENCE WHICH IS LOCATED OFF OF PAMPLICO HIGHWAY IN REFERENCE TO A DOMESTIC. UPON ARRIVAL I SPOKE WITH THE VICTIM DAWN MACK WHO STATED THAT THE SUBJ NATHANIEL SMITH WHO IS HER BOYFRIEND WAS AT HER RESIDENCE AND ASSAULTED HER AND DESTROYED SOME PROPERTY INSIDE OF THE RESIDENCE. YOU COULD SEE IN THE BEDROOM WHERE HE TOOK THE LAMP AND THREW IT AGAINST THE WALL AND IT BOUNCED BACK ONTO THE TABLE BREAKING THE GLASS THAT WAS IN THE LAMP. ALSO THE TABLE IN THE LIVING ROOM WAS DAMAGED BY THE SUBJ PICKING UP THE TV AND THROWING IT ON THE GLASS TABLE. ALSO IN THE DEN THE SUBJ TOOK ANOTHER TV AND THREW IT ON THE FLOOR BUSTING THE BACK OF THE TV. ESTIMATED VALUE OF THE DAMAGE IS \$200. THE VICTIM STATED THAT THIS IS NOT THE FIRST TIME THAT THE SUBJ HAS ASSAULTED HER. SHE HAD HIM ARRESTED BEFORE. THE VICTIM STATED THAT THE SUBJ STRUCK HER IN THE BACK OF THE HEAD A COUPLE OF TIMES AND THE SUBJ PUT HIS HAND IN HER FACE AND WAS PUSHING HER HEAD BACK. THE VICTIM STATED THAT THE SUBJ WAS DRUNK AND HE DID SMELL STRONGLY OF ALCOHOL ON HIS PERSON AS I WAS INTERVIEWING HIM. I ADVISED THE VICTIM THAT THIS WOULD JUST SOLVE HER PROBLEM FOR TONIGHT AND SHE WOULD NEED TO GO AND TALK WITH A MAGISTRATE IN REFERENCE TO HAVING HIM EVICTED OR WHATEVER LEGAL ACTION SHE NEEDED TO TAKE. THE SUBJ WAS ARRESTED AND TRANSPORTED TO FLORENCE COUNTY DETENTION CENTER FOR CRIMINAL DOMESTIC VIOLENCE. HE WAS ISSUED TICKET NO. 04752XL.



NARRATIVE

ON 021697 AT 5:58 HOURS I RESPONDED TO THE ABOVE ADDRESS AND SPOKE WITH THE COMPLAINANT, DAWN MACK, IN REFERENCE TO AN ASSAULT. THE COMPLAINANT STATED HER BOYFRIEND, NATHANIEL SMITH, HAD GOTTEN ANGRY AT HER BECAUSE SHE HAD GONE OUT TO A RESTAURANT FOR SUPPER WITH SOME OF HER FRIENDS. THE COMPLAINANT STATED WHEN SHE GOT HOME, THE SUBJECT STRIPPED ALL OF HER CLOTHES OFF OF HER AND STARTED ACCUSING HER OF HAVING A BOYFRIEND. WHEN THE SUBJECT STARTED TAKING THE COMPLAINANT'S CLOTHES OFF, SHE TRIED TO MAKE HIM STOP. THE SUBJECT WOULD NOT STOP. THE SUBJECT CONTINUED TO ASSAULT THE COMPLAINANT BY RIPPING HER SHIRT, AND HE ALSO HIT HER IN THE LEFT EYE AREA. THE SUBJECT HIT THE COMPLAINANT IN THE MOUTH WITH HIS FIST AND BROKE ONE OF HER FRONT TEETH. THE COMPLAINANT STATED THIS IS NOT THE FIRST TIME THIS TYPE OF INCIDENT HAD HAPPENED. THE COMPLAINANT STATED THE SUBJECT WAS ARRESTED APPROXIMATELY THREE YEARS AGO FOR CDV. I ADVISED THE COMPLAINANT IF SHE THOUGHT SHE NEEDED TO GO SOMEWHERE SAFE, I WOULD GET IN TOUCH WITH PEE DEE COALITION FOR HER. THE COMPLAINANT STATED SHE DID NOT. SHE STATED SHE DID NOT NEED MEDICAL ATTENTION. I ADVISED THE COMPLAINANT TO CONTACT THE SHERIFF'S OFFICE IF SHE NEEDED US TO HELP HER ANY FURTHER. THE SUBJECT WAS ARRESTED ON TICKET #01329XO.



NARRATIVE

ON 012397 AT 1732 THE REPORTING OFFICER WAS DISPATCHED TO THE ABOVE ADDRESS IN REFERENCE TO CHILD ABUSE. UPON MY ARRIVL, I SPOKE WITH THE COMPLAINANT, THE COMPLAINANT STATED THAT HIS MOTHER, DAWN MACK, CAME HOME. HE STATED HE AND HIS TWO GIRLS, AND , WERE PLAYING IN THE ROOM, LAUGHING AND HAVING FUN. THE SUBJECT, DAWN MACK, WENT TO THE ROOM AND ASKED WHAT WAS GOING ON. THE COMPLAINANT STATED HE TOLD HER. HE STATED THE SUBJECT GOT UPSET AND STARTED HITTING ALL THREE OF THEM. THE SUBJECT HIT BESIDE THE HEAD AND RIPPED HIS SHIRT AND KNOCKED HIM TO THE GROUND. HE HAD A LUMP ON THE SIDE OF HIS HEAD. WAS SLAPPED ON THE LEFT SIDE OF THE FACE AND PUNCHED ON THE RIGHT SIDE AND HER NOSE WAS BLEEDING. THE SUBJECT HIT IN THE BACK WITH HER HAND. AFTER THE SUBJECT STRUCK THE VICTIMS, SHE TOLD THE COMPLAINANT TO BRING HER CHAIR INTO THE LIVINGROOM. THE COMPLAINANT THEN WENT TO HIS ROOM TO DO HIS HOMEWORK. THE SUBJECT TOLD THE COMPLAINANT NOT TO GO OUT OF THE DOOR. THE SUBJECT THEN LEFT THE RESIDENCE, AND THE COMPLAINANT CALLED FLO. CO. SHERIFF'S OFFICE. AFTER TALKING WITH THE COMPLAINANT, I CONTACTED DSS AND ALSO INV. PROSSER. BOTH OF THEM RESPONDED TO THE RESIDENCE. ALL THREE VICTIMS STATED THE SUBJECT DOES THIS TYPE OF BEHAVIOR ALOT. THEY ALSO STATED THE SUBJECT TWISTED THE COMPLAINANT'S WRIST AND HANDS. DSS CASEWORKER, ANDREA GREGG, GOT IN CONTACT WITH THE GRANDPARENTS OF THE VICTIMS. THE GRANDMOTHER, PEGGY MACK, WAS GOING TO PICK UP THE THREE JUVENILES.

VICTIM

NAME:.

TYPE: INDIVIDUAL

USINESS:

ADDRESS:.

PHONE:

OCCUPA:

BUS.PH:

RACE: B SEX: M AGE:0108

ETHN: N

DATE OF BIRTH: ' /87

** VICTIM RELATION TO SUBJECTS **

SUBJECT# 001

VICTIM

NAME:

TYPE: INDIVIDUAL

USINESS:

ADDRESS:.

PHONE:

OCCUPA:

BUS.PH:

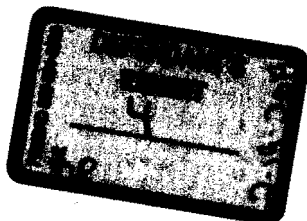
RACE: B SEX: F AGE:0108

ETHN: N

DATE OF BIRTH: / /87

** VICTIM RELATION TO SUBJECTS **

SUBJECT# 001



NARRATIVE

ON 12/21/96 AT 1521 HRS I RESPONDED TO [REDACTED] ARD STREET & SPOKE WITH COMPL, DAWN MACK, IN REFERENCE TO A MISSING JUVENILE. MS. MACK STATES THAT APPROX 12:00 ON 12/21/96 HER SON, [REDACTED] LEFT THEIR RESIDENCE. [REDACTED] WAS DRESSED IN A DALLAS COWBOYS JUMPSUIT AND AN ORLANDO MAGIC STARTER JACKET. MS. MACK STATES THAT SHE THINKS THE REASON [REDACTED] LEFT IS BECAUSE SHE TOLD HIM IF HE GOT SUSPENDED FROM SCHOOL AGAIN THAT HIM & HER WERE GOING TO HAVE IT OUT. MS. MACK STATED THAT [REDACTED] DID GET SUSPENDED FROM SCHOOL ON 12/19/96. HE HID THE SUSPENSION SLIP FROM MS. MACK IN HIS ROOM. MS. MACK STATED THAT WHENEVER SHE WAS CLEANING UP THE ROOM, SHE FOUND THE SLIP. SHE ADVISED THAT [REDACTED] KNEW THAT SHE WAS STARTING TO CLEAN UP AND SHE FEELS LIKE HE KNEW SHE WAS GOING TO FIND THE SLIP, SO HE LEFT THE RESIDENCE. MS. MACK ADVISED THAT SHE DID NOT THINK HE WAS IN ANY DANGER, SHE JUST THOUGHT HE WAS BEING HARD HEADED AND HE WAS HIDING SOMEWHERE IN THE NEIGHBORHOOD. I TALKED WITH APPROX 15 TO 20 PEOPLE IN THE NEIGHBORHOOD AND ADVISED THEM TO BE ON THE LOOKOUT FOR [REDACTED] AND IF THEY SPOTTED HIM, TO CALL THE SHERIFF'S OFFICE. I ALSO WENT OUT TO THE FAST POINT STORE, THE QUIK FILL, ALSO THE BARBEQUE RESTAURANTS ON PAMPLICO HIGHWAY AND ADVISED ALL THAT IF THEY SAW THE SUBJECT COME IN, TO CONTACT THE SHERIFF'S OFFICE. I ALSO ADVISED MS. MACK TO CONTACT THE SHERIFF'S OFFICE IF [REDACTED] RETURNED HOME.

*

*

*SEE CASE FILE.



NARRATIVE

ON 102199 I, DEPUTY CHAD COLLINS, WAS DISPATCHED TO A CALL TO RESPOND TO [REDACTED] ARD STREET IN FLORENCE, SC IN REFERENCE TO A MISSING JUVENILE AND TO MEET WITH COMPLAINANT/VICTIM, DAWN MACK. UPON ARRIVAL, MS. MACK RELATED THAT HER SON, [REDACTED] HAS BEEN MISSING SINCE APPROXIMATELY 20:30 HRS ON 101899. [REDACTED] LEFT THE RESIDENCE AFTER HAVING AN ARGUMENT WITH HIS MOTHER, DAWN MACK.

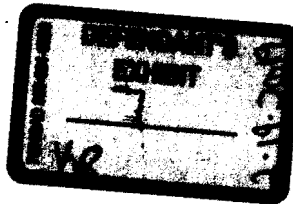
[REDACTED] IS DESCRIBED AS A BLACK MALE 12 YRS OF AGE, 5'9", 145 LBS, HAIR BLACK, EYES BROWN. LAST SEEN WEARING A WHITE TEE SHIRT BLUE JEAN OVERALLS AND WHITE SOCKS WITH NO SHOES. NO KNOWN LOCATION ON

DAWN MACK ALSO STATED THAT IF UNABLE TO REACH HER, TO CALL HER MOTHER AS A SECOND CONTACT INDIVIDUAL, MAGGIE PHONE [REDACTED] NCIC FORM COMPLETED AND SUBJECT WAS ENTERED INTO NCIC.



NARRATIVE

ON 120799 I, DEPUTY JOLLY HICKS, WAS DISPATCHED TO RESPOND TO THE CITY-COUNTY COMPLEX TO MEET WITH THE COMPLAINANT, IN REFERENCE TO CDV. UPON ARRIVAL, I MET AND SPOKE WITH THE COMPLAINANT, DOROTHY MACK. THE COMPLAINANT STATED HER BOYFRIEND CAME BACK TO THE RESIDENCE ON THIS DATE. SHE STATED THE SUBJECT THREATENED HER. SHE STATED SHE TRIED TO LEAVE THE RESIDENCE. SHE STATED THE SUBJECT BROKE THE MIRROR OFF THE TRUCK. SHE STATED SHE HAD TO LEAVE THE RESIDENCE FOR HER SAFETY. THIS UNIT ESCORTED THE COMPLAINANT BACK TO THE RESIDENCE. THE COMPLAINANT WANTED TO PICK UP SOME OF HER BELONGINGS. SHE WAS GOING TO STAY WITH ANOTHER FAMILY MEMBER UNTIL SHE COULD GO TO COURT. WHEN WE ARRIVED TO THE LOCATION, THIS UNIT WENT INTO THE RESIDENCE WITH THE COMPLAINANT. THE SUBJECT WAS HIDING UNDER THE BED AREA. THE SUBJECT WAS ARRESTED FOR CDV. HE WAS TRANSPORTED TO THE LEC. THE TICKET NUMBER IS 97580BH. THE COMPLAINANT WAS GIVEN VICTIM FORMS.



ADMINISTRATION

JURISDICTION - THEFT:

RECOVERY:

REPORTING OFFICER: JAMES RHODES

INVESTIGATOR:

VICTIM ADVOCATE:

ACTIVE: ARREST: X UNDER 18:

UNF: EX.CLD: 18&OVER: X

TYPIST: BARBARA ROSE

NUMBER: 1005 REPORT DATE: 1/24/00

NUMBER: ASSIGN.DATE: 0/00/00

NUMBER: 000

NARRATIVE

ON 012200 WHILE ON PATROL IN FLORENCE COUNTY I MET AND SPOKE TO COMPLAINANT MS. DAWN MACK IN REFERENCE TO A DOMESTIC DISPUTE THAT OCCURRED AT [REDACTED] TRIPLE CROWN ROAD IN CHURCHHILL DOWNS SUBDIVISION OFF OF POSSUM ROAD IN FLORENCE. MS. MACK STATED SHE WAS AT A FRIEND'S RESIDENCE WHO WAS DOING SOME NEW CONSTRUCTION IN THE SUBDIVISION AND WAS HELPING HIM CLEAN UP WHEN THE SUBJECT, MS. MACK'S EX-BOYFRIEND, MR. KENDRICK CANNON WAS ALSO AT THE LOCATION KEPT ANNOYING HER TRYING TO TALK TO HER. MS. MACK STATED THAT THE MALE PARTY WAS TRYING TO TALK TO HER BECAUSE HE WANTED TO GET BACK WITH HER AND REFORM THEIR RELATIONSHIP. MS. MACK STATED SHE DID NOT WISH TO RESTORE THE RELATIONSHIP WITH THE SUBJECT BECAUSE THERE WAS VIOLENCE AND AT THAT TIME THE SUBJECT BECAME VERY DISORDERLY TOWARDS HER. MS. MACK STATED THEY GOT INTO A VERBAL ARGUMENT WITH THE MALE PARTY ATTEMPTING TO TALK TO THE FEMALE AND ONCE THIS FAILED, HE GOT MORE DISORDERLY WITH HER AND PUNCHED HER IN THE FACE WITH HIS FIST SEVERAL TIMES. THIS WAS BROKEN UP BY FAMILY MEMBERS OF THE MALE PARTY AND FRIENDS OF THE FEMALE PARTY WHO WERE ALSO THERE DOING SOME WORK AROUND THE HOUSE AND TRYING TO CLEAN UP. MS. MACK STATED THEY LOCKED THE SUBJECT OUTSIDE OF THE HOUSE DUE TO THE FACT THAT THEY DIDN'T WANT TO HEAR HIS TIRADES ANYMORE. THE SUBJECT STAYED AROUND OUTSIDE AND WAITED. MS. MACK STATED THAT AS IT GREW DARKER DURING THE COURSE OF THIS INCIDENT DECIDED TO PACK IT IN AND LOCK THE DOORS AND AT THE TIME SHE ATTEMPTED TO LEAVE WITH HER MINOR CHILDREN WHEN THE MALE PARTY CONFRONTED HER ONCE AGAIN AND WORDS WERE EXCHANGED ONCE AGAIN. MS. MACK STATED THAT SHE THEN GOT INTO HER JEEP CHEROKEE WHICH WAS DESCRIBED AS A 1989 MODEL GRAY 4DR WITH SC TAG [REDACTED]. THE MALE PARTY TRIED TO TALK TO HER AND TRIED TO GET INTO THE VEHICLE AND MS. MACK STATED SHE LOCKED HIM OUTSIDE THE CAR. AT THAT TIME THE MALE GOT MAD THEN KICKED THE WINDOW ON THE DRIVER'S SIDE FRONT AND WAS UNABLE TO GET ENTRANCE. HE THEN KICKED A SECOND TIME AND SHATTERED THE WINDOW OUT. MS. MACK STATED SHE THEN JUMPED OUT THE CAR WITH HER MINOR CHILDREN AND BEGAN WALKING ON FOOT AND THE MALE PARTY LEFT THE AREA IN THE VEHICLE. MS. MACK STATED THE SUBJECT DID NOT HAVE HER CONSENT TO DRIVE THE VEHICLE. I OBSERVED THAT MS. MACK DID HAVE SOME SWELLING TO HER FACE WHERE THE SUBJECT HAD PUNCHED HER. MS. MACK DECLINED ANY MEDICAL ATTENTION. I THEN ISSUED THE COMPLAINANT A VICTIM WITNESS NOTIFICATION FORM AND BROCHURE AND ADVISED HER TO SEEK ASSISTANCE FROM THE MAGISTRATE'S OFFICE FOR FURTHER ACTION.

*

*

SUPPLEMENT

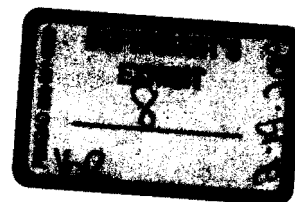
NAME: KENDRICK CANNON

LOCATION: LEC

INCIDENT DATE: 012600 1520 / 012600 1520 ZONE:

DISPATCH DATE: 012600 1520 ARRIVED: 1520 DEPARTED: 1520

ON 012600 I, DEPUTY JAMES KIZER, SERVED ARREST WARRANT G-408005 ON THE SUBJECT, FOR THE CHARGE OF SIMPLE ASSAULT. THE SUBJECT WAS ALSO SERVED WARRANT NUMBER G-408006 FOR THE CHARGE OF VANDALISM. THE SUBJECT WAS ALSO SERVED WARRANT NUMBER G-408007 FOR THE CHARGE OF GRAND LARCENY. THE WARRANT WAS SERVED ON THE SUBJECT AT THE LEC. THE SUBJECT WAS CURRENTLY IN MAGISTRATE'S COURT ON A CDV HEARING. THE SUBJECT WAS SERVED THE THREE WARRANTS AT THAT TIME. HE WAS ESCORTED TO THE BOOKING AREA.



NARRATIVE

ON 081602 I, SGT. MIKE BUXTON, RECEIVED A CALL IN REFERENCE TO A 911 HANG UP CALL. WHEN I ARRIVED AT [REDACTED] RD STREET, I SAW A BLACK MALE CHASING A BLACK FEMALE ACROSS THE YARD. HE TACKLED HER IN THE FRONT YARD. I GOT OUT OF MY CAR, WENT OVER GOT THE INDIVIDUAL AND PUT HIM ON THE HOOD OF MY CAR. SEARCHED HIM AND ALSO PLACED HIM UNDER ARREST FOR CDV. LATER ON, I FOUND THAT HE HAD ALREADY PLED GUILTY TO CDV, 1ST OFFENSE. AS A MATTER OF FACT, I HAD ARRESTED HIM FOR CDV, 1ST OFFENSE. HE WAS CHARGED WITH CDV, 2ND OFFENSE; TICKET #23579BT. THE COMPLAINANT HAD SCRATCHES ON BOTH SIDES OF HER NECK, AND THE LEFT SIDE OF HER FACE WAS CUT. THIS UNIT ADVISED THE COMPLAINANT THAT THE INDIVIDUAL WOULD BE PLACED IN THE DETENTION CENTER. I FILLED OUT A VICTIM'S RIGHTS FORM AND ISSUED IT TO HER.

