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Jul 05 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
The Honorable Alex Kinlaw Jr., Circuit Court Judge
Appellate Case No. 2023-001621

THE STATE,

Appellant,

vs.

CHRISTOPHER STEPHEN QUICK,

Respondent.

RECORD ON APPEAL

ALAN WILSON
Attorney General

KATHRINE H. HUDGINS
Appellate Defender

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Solicitor, Thirteenth Judicial Circuit

ATTORNEY FOR RESPONDENT

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(864) 467-8647

ATTORNEYS FOR APPELLANT

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Criminal Charging Document No.

BAIL PROCEEDING FORM II

STATE OF SOUTH CAROLINA COUNTY OF Greenville

IN THE Greenville General Sessions

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Quick, Christopher Stephen

NAME OF DEFENDANT

Offense Charged: Sex / Criminal sexual conduct with minor, or Attempt - victim 11 to 14 yrs of age inclusive - Second deg. - [2019A2310100558]

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both): [] The release of the defendant on recognizance will not reasonably assure his appearance as required. [] The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

- 1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior. 2. That the above named defendant be released from custody provided as follows (check all that apply):

CASH IN LIEU OF BOND

[] The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of \$ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

[] The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of \$, his release to be obtained by payment to the court of % (not to exceed 10%) of the full amount of the bond, deposits \$ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

[X] The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of \$ 35,000.00.

(PF)

3. That the defendant shall appear at (check one): [X] the term of COURT OF GENERAL SESSIONS beginning on February 21, 2020 at 9:00 o'clock, A.M., at Greenville General Sessions - 305 E. North Street/Greenville County Courthouse/Greenville, SC 29601-2120 / (864) 467-855 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court. [] the session of [] MAGISTRATE COURT [] MUNICIPAL COURT beginning on at o'clock, at If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court. Bond Amount(s): \$35,000.00 (CS) or \$35,000.00 (SB) INITIALS OF DEFENDANT X [Signature] DEFENDANT MUST BE PLACED ON GPS MONITOR WITH EXCLUSIONARY ZONE AROUND VICTIM'S RESIDENCE - No Contact With Victim Directly/Indirectly

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

[Signature] SIGNATURE OF JUDGE

12/17/2019 DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED SCCA/511A (Revised 3/2012) Original Copy For The Trial Court - Copy For The Defendant

FILED

DEC 19 2019

Clerk of Court Greenville County R. 1

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

DEFENDANT INFORMATION: ADDRESS, CITY/STATE/ZIP, SOCIAL SECURITY NUMBER, TELEPHONE, DRIVER'S LICENSE OR ID NUMBER, SIGNATURE OF DEFENDANT, DATE, ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

a. [] Placement in custody. The defendant is placed in the custody of: NAME OF PERSON OR ORGANIZATION

ADDRESS, CITY/STATE, ZIP, TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED), DATE

b. [] Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c. [] Part-time Release. The defendant will be released from custody from TIME o' clock, AM/PM to TIME o' clock, AM/PM on DATE(S) on condition that he return to the custody of NAME OF PERSON OR ORGANIZATION at LOCATION as designated.

d. [] Other conditions. The defendant will comply with the following other conditions of release: DEFENDANT MUST BE PLACED ON GPS MONITOR WITH EXCLUSIONARY ZONE; AROUND VICTIM'S RESIDENCE; No Contact With Victim Directly/Indirectly

APPEARANCE RECOGNIZANCE WITH SURETY

On the 17th day of December, 2019, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$ 35,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

SURETY INFORMATION: NAME OF SURETY BONDSMAN COMPANY, TELEPHONE, ADDRESS OF SURETY BONDSMAN, CITY/STATE/ZIP, NAME OF INSURANCE COMPANY, ADDRESS OF INSURANCE COMPANY, CITY/STATE/ZIP, SIGNATURE OF SURETY BONDSMAN, SIGNATURE OF JUDGE, DATE

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

THE STATE)

v.)

CHRISTOPHER STEPHEN QUICK,)

DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

Warrant/Indictment Nos.:
2019A2310100558

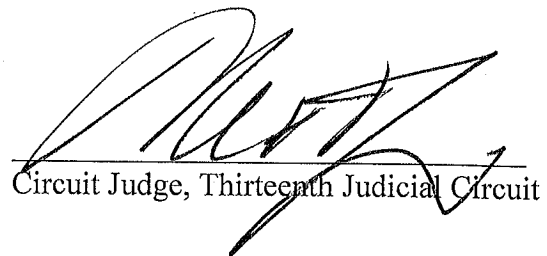
20-4140

ORDER DENYING STATE'S MOTION TO
RECONSIDER SENTENCE

2023 OCT 16 10:25
BPC GREENVILLE SC

WHEREAS, the above defendant, **Christopher Quick**, was before the Honorable Alex Kinlaw Jr., in a motion hearing on September 1st, 2023 on State's motion to reconsider his sentence. Mr. Quick pled guilty on the above warrant and was sentenced by the Honorable Alex Kinlaw Jr. on August 8th, 2023. Subsequently, the State filed a motion to reconsider that sentence on August 17th, 2023. After consideration of all arguments from the State and the Defendant, the State's motion to reconsider the Defendant's sentence is DENIED.

AND IT IS SO ORDERED.


Circuit Judge, Thirteenth Judicial Circuit

Greenville, South Carolina
This 2 day of October, 2023

RECEIVED

Oct 16 2023

SC Court of Appeals

2019A2310100 558

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
)
)
THE STATE OF SOUTH CAROLINA)
)
v.)
)
CHRISTOPHER S. QUICK,)
DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT
Indictment No.: 2020GS2304140
MOTION TO RECONSIDER

2023 OCT 17 PM 2:42
BROOKHURST, SC

COMES NOW, the State, who by and through their representative, Anthony McCollum, Jr., and pursuant to Rule 29 of the S.C. Rules of Criminal Procedure, hereby moves this Court to reconsider the sentence ordered during the Defendant's General Sessions guilty plea hearing on the above-referenced indictment.

The Defendant, Christopher Stephen Quick, plead guilty before the Honorable Alex Kinlaw, Jr. on August 7, 2023 to a charge of Criminal Sexual Conduct with a Minor, 2nd degree. The Defendant was sentenced to 20 years suspended to 10 years in the South Carolina Department of Corrections. The Defendant's active sentence would be followed by probation for a period of 5 years where he would be required to complete Sex Offender Counseling. The Court ordered that this Defendant be given credit for 992 days that he spent on GPS monitoring prior to his conviction.

It is the position of the State that the 992 days credited to the Defendant for his time on GPS monitoring is not appropriate. GPS monitoring is not considered "monitored house arrest" under South Carolina Code §24-13-40. The relevant portion of §24-13-40 states in part, "In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing, and may be given for any time spent under monitored house arrest." It is recognized under South Carolina jurisprudence that "penal statutes

are to be construed ‘strictly against the State and in favor of the defendant.’” Williams v. State, 306 S.C. 89, 91, 410 S.E.2d 563, 564 (1991). “It is well established that in interpreting a statute, the court's primary function is to ascertain the intention of the legislature. When the terms of the statute are clear and unambiguous, the court must apply them according to their literal meaning. Furthermore, in construing a statute, words must be given their plain and ordinary meaning without resort to subtle or forced construction to limit or expand the statute’s operation.” State v. Leopard, 349 S.C. 467, 471, 563 S.E.2d 342, 344 (Ct.App.2002).

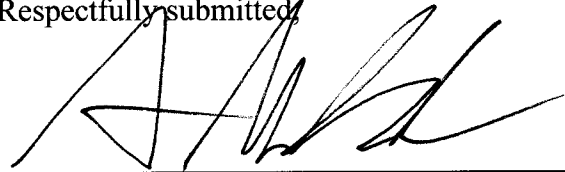
It is clear from the language in §24-13-40 that the terms of the statute are unambiguous. Therefore, the Court must apply the literal, plain, and ordinary meaning of the words in the statute. In determining the literal, plain, and ordinary meaning of the words at issue in the statute, we can look to *The American Heritage Dictionary of the English Language* which defines monitor as “to keep watch over” or “To keep track of by means of an electronic device”. **The American Heritage Dictionary of the English Language 848 (William Morris ed., 1975)**. The Dictionary defines house arrest as “confinement to one’s domicile by administrative or judicial order”. **The American Heritage Dictionary of the English Language 638 (William Morris ed., 1975)**.

In the present case, the Defendant as a condition of his bond was ordered to be placed on a GPS monitor with an exclusionary zone around the victim’s residence and the Defendant was also ordered to have no contact with the victim either directly or indirectly. It is evident from the conditions stated on this Defendant’s bond paperwork [**See attached**] that the Defendant was able to move about the jurisdiction free from any confinement to his home as long as he maintained no contact with the victim and stayed away from the exclusionary zone. Given the above facts, the Defendant should not be entitled to the grant of the time he spent on GPS

electronic monitoring prior to his conviction because it does not comport with the plain language of §24-13-40 of the South Carolina Code of Laws.

WHEREFORE, the State respectfully requests that this Court amend the sentencing sheet on the above captioned indictment to remove the credit given to the Defendant for time spent on GPS monitoring or in the alternative the Court order a hearing to be scheduled to reconsider the grant of credit for the days spent on GPS monitoring at the imposition of sentence for the Defendant's guilty pleas to Criminal Sexual Conduct with a Minor, 2nd degree.

Respectfully submitted,



Anthony J. McCollum, Jr. – Assistant Solicitor
Thirteenth Judicial Circuit-Greenville County
305 East North Street – Suite 325
Greenville, SC 29601
SC Bar # 103761

Dated: August 17, 2023
Greenville, South Carolina

CERTIFICATE OF SERVICE

I HEREBY certify that a true copy of the foregoing has been furnished by hand or by U.S. mail to Rachel A. Kepley, Esq. at the Office of the 13th Circuit Public Defender, 305 E. North Street, Suite 123, Greenville, SC 29601.

2023 AUG 17 PM 2:43
BRIAN GRIFFITH/COURT CLERK/SC

Respectfully submitted,



Anthony J. McCollum, Jr. – Assistant Solicitor
Thirteenth Judicial Circuit-Greenville County
305 East North Street – Suite 325
Greenville, SC 29601
SC Bar # 103761

Dated: August 17, 2023
Greenville, South Carolina

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INDEX

(SW) - Denotes State's Witness
(DW) - Denotes Defense Witness
(IC) - Denotes In Camera

PAGE

There were no witnesses called.

EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVD</u>
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There were no exhibits introduced.

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P R O C E E D I N G S

(WHEREUPON, proceedings commenced at 1:34 PM.)

THE CLERK: The following is a Greenville County charge. Indictment Number 2020-GS-23-4140, the State vs. Christopher Quick, indictment for criminal sexual conduct with a minor second degree, pleading to the same. This is a true bill.

Please raise your right hand.

WHEREUPON,

CHRISTOPHER STEPHEN QUICK

After having been duly sworn, testified as follows:

THE COURT: All right. You are Christopher Stephen quick; is that right?

DEFENDANT QUICK: Yes, sir.

THE COURT: Mr. Quick, you're 48 years of age?

DEFENDANT QUICK: Yes, sir.

THE COURT: Are you married?

DEFENDANT QUICK: Yes, sir.

THE COURT: Do you have children?

DEFENDANT QUICK: Yes, sir.

THE COURT: How far did you go in school?

DEFENDANT QUICK: Graduated.

THE COURT: All right. You're represented by Ms. Kepley?

DEFENDANT QUICK: Yes, sir.

1 THE COURT: Are you satisfied with the advice and
2 counsel she's given you?

3 DEFENDANT QUICK: She's amazing. Yes, sir.

4 THE COURT: You don't have any complaints whatsoever
5 to make against your lawyer.

6 DEFENDANT QUICK: No complaints.

7 THE COURT: Do you have any complaints to make
8 against the solicitor's office or anybody?

9 DEFENDANT QUICK: Everybody was amazing.

10 THE COURT: All right. This indictment ending in
11 04140 charges you with criminal sexual conduct with a
12 minor 11 to 14 years of age, this being -- is this a
13 second ---

14 MS. KEPLEY: Yes, Your Honor.

15 MR. McCOLLUM: Second degree.

16 THE COURT: Second degree. I'm sorry.

17 And you understand that in this particular offense, I
18 can give you anywhere from 0 to 20 years in prison; do you
19 understand that?

20 DEFENDANT QUICK: Yes, sir.

21 THE COURT: Understanding that, you still want to
22 move forward and plead guilty?

23 DEFENDANT QUICK: Yes, sir.

24 THE COURT: Are you under the influence of anything
25 at all that may impact your judgment?

1 DEFENDANT QUICK: No, sir.

2 THE COURT: Are you telling me you're clear-minded,
3 you understand what you're doing?

4 DEFENDANT QUICK: Yes, sir.

5 THE COURT: All right. Did your lawyer tell you that
6 once you decide to plead guilty, that plea is knowingly
7 and intelligently given, you waive certain constitutional
8 rights? You waive your right to a trial which means
9 you're no longer afforded the opportunity to have a trial
10 by jury; you understand that?

11 DEFENDANT QUICK: Yes, sir.

12 THE COURT: You also waive your constitutional right
13 to remain silent; do you understand that?

14 DEFENDANT QUICK: Yes, sir.

15 THE COURT: You waive your right to confront any
16 witnesses that the State may have against you in this
17 indictment; do you understand that?

18 DEFENDANT QUICK: Yes, sir.

19 THE COURT: And you waive your right to assert any
20 defenses that you may have as it relates to this
21 indictment; do you understand that?

22 DEFENDANT QUICK: Yes, sir.

23 THE COURT: And your decision to waive your
24 constitutional rights and move forward, is that your
25 decision?

1 DEFENDANT QUICK: Yes, sir.

2 THE COURT: And did you have ample opportunity to
3 discuss it with your lawyer?

4 DEFENDANT QUICK: I did, yes, sir.

5 THE COURT: All right. Do you have any questions of
6 me regarding anything I just asked you?

7 DEFENDANT QUICK: No, sir.

8 THE COURT: All right. The solicitor is going to
9 tell me about the facts of the case, your prior record and
10 whether or not there's any kind of recommendation. You
11 understand this may or may not be with a recommendation,
12 but even if it was, I can consider it or I don't have to
13 consider it, I can do what I think is appropriate? Do you
14 understand that?

15 DEFENDANT QUICK: Yes, sir.

16 THE COURT: You still want to move forward?

17 DEFENDANT QUICK: Yes, sir.

18 THE COURT: All right. And you understand you have
19 ten days to appeal any guilty plea?

20 DEFENDANT QUICK: Yes, sir.

21 THE COURT: All right. Solicitor?

22 MR. McCOLLUM: May it please the Court, Your Honor.
23 For the record, this is a plea off of the trial docket for
24 the trial that's scheduled August 14th in Greenville
25 County.

1 Mr. Quick does have credit for one day in jail and, I
2 believe, 991 days on GPS monitoring.

3 On the factual summary, on November 30, 2019, in
4 Greenville County, the victim in this case disclosed that
5 her uncle, the defendant Christopher Quick, had sexually
6 assaulted her the night of November 29, 2019, going into
7 the morning of November 30th. The victim initially
8 disclosed this information to the wife of the defendant,
9 April Quick.

10 This incident occurred in the home of the defendant,
11 specifically in the defendant's bedroom.

12 The victim was transported to the hospital where a
13 SANE examination was performed. While at the hospital,
14 the victim did disclose to the nurse that her uncle did
15 put his privates inside her private part.

16 At a later date, a forensic interview was conducted
17 with the victim through the Julie Valentine Center, and
18 during that interview the victim disclosed that she had
19 been sexually assault each time she spent the night at the
20 defendant's home, and that the assaults begin when she was
21 7 -- between 7 or 8 years old. The victim also disclosed
22 that, during this particular incident, the defendant's
23 wife and children slept in the room where the victim was
24 supposed to sleep while the victim slept in the main
25 bedroom where the defendant slept in the main bedroom as

1 well.

2 During the course of this investigation, DNA samples
3 were collected from the victim during the SANE examination
4 and buccal swabs were collected from the defendant. Upon
5 examination and comparison of these samples, it was found
6 that the defendant's DNA in the form of sperm cells were
7 found on the vaginal swabs obtained from the victim as
8 well as underwear cuttings taken from the interior rear
9 and crotch area of the victim's underwear.

10 Your Honor, at the time of this plea, there is no
11 recommendation. The State is asking that 20 years -- that
12 you sentence this defendant to 20 years. Also, as a part
13 of this plea, the State will be dismissing a direct
14 presentment for CSC with a minor first.

15 Information came upon an interview between myself, my
16 investigator and Ms. Sustakovitch in meeting with the
17 victim where she made additional disclosures that these
18 incidents had started when she was 7 or 8 years old which
19 would have resulted in an additional charge of CSC with a
20 minor first. However, as a part of the negotiations in
21 this plea, the State will be dismissing that direct
22 presentment at this time.

23 Additionally, Your Honor, while sex offender registry
24 is mandatory for a conviction of CSC with a minor in the
25 second degree, lifetime monitoring is not. The State

1 would ask that, after the position of any sentence, the
2 defendant also be required to register on lifetime GPS
3 monitor as a part of this plea today.

4 The victim is present in the courtroom with her
5 mother and her family. They did prepare written
6 statements, Your Honor. At this time I will read the
7 statements into the record.

8 First from the victim: Dear Judge, ever since he did
9 this to me, I have been emotionally scarred. It has been
10 hard to do everyday tasks. I'm often cooped up in my room
11 and stay to myself when around people or when
12 confrontation appears. I shut down by going to panic
13 attack mode. Relationships are hard to have such as
14 friendships and romantic relationships. I struggle at
15 times when life feels as if it is falling from my hands
16 and have passive thoughts. Sincerely, VICTIM

17 VICTIM .

18 Your Honor, the victim's mother did also prepare a
19 written victim statement that I'll read to the Court: The
20 actions of Christopher Quick have greatly affected me and
21 my family. Since he's committed this crime, I'm afraid
22 for my child VICTIM . We've had sleepless nights and a
23 lot of stressful days and a lot of lost school time and
24 work because of the mental trauma that this incident has
25 caused. I'm constantly afraid that my kids are going to

1 be hurt. What he has done to her was wrong. He took her
2 innocence and betrayed everyone's trust when he was her
3 uncle. He should never have done that. Having you take
4 the time is a blessing that I will not have to worry about
5 anybody else getting hurt like that by you.

6 Now that **VICTIM** and the family have closure,
7 hopefully we can recover from the trauma and somewhat live
8 with our lives. Even the PTSD will still be here a little
9 bit, but hopefully we can overcome the hardest obstacle of
10 our life and move on with what God has planned for us.
11 She does not know why a grown man has to do something like
12 this to a child.

13 And that's from the mother.

14 THE COURT: All right. Any prior record?

15 MR. McCOLLUM: Yes, Your Honor. There's an
16 out-of-state record from Missouri: 1997 burglary second
17 degree and stealing.

18 THE COURT: That's out of Missouri?

19 MR. McCOLLUM: Missouri. Yes, Your Honor.

20 THE COURT: All right. That's it?

21 MR. McCOLLUM: Yes, sir.

22 THE COURT: Is that it?

23 MR. McCOLLUM: Yes, sir.

24 THE COURT: When was that offense?

25 MR. McCOLLUM: 1997.

1 THE COURT: All right. Ms. Kepley?

2 MS. KEPLEY: Thank you, Your Honor. Would you like
3 Mr. Quick to acknowledge those facts?

4 THE COURT: Yeah. Thanks for reminding me.

5 Mr. Quick, you heard the facts as outlined by the
6 State. Do you agree with the State's rendition of the
7 facts?

8 DEFENDANT QUICK: Yes, sir.

9 THE COURT: All right. I'll go ahead and accept the
10 plea. Your plea is being freely and voluntarily entered.
11 You indicated on the record that you acknowledge the facts
12 as outlined by the State, and I'll accept your plea. And
13 you also indicated you were satisfied with the services of
14 your lawyer, Ms. Kepley.

15 Yes, ma'am.

16 MS. KEPLEY: Thank You, Your Honor. May it please
17 the Court. I would like to first give a brief kind of
18 procedural background in the hopes that the Court would
19 certainly not hold any of this delay in this case against
20 Mr. Quick.

21 This happened back in December of 2019 as you just
22 heard. It was placed on the trial docket very recently
23 for the first time for the trial docket for Monday in
24 Greenville, Your Honor. After it was placed on a trial
25 docket, as you heard, it was indicted for a new charge.

1 I will say that Mr. Quick, from my meetings with him,
2 has always wanted to plead, Your Honor. He has never
3 expressed a desire for a trial. He has, from day one in
4 my meetings with him, wanted to take responsibility and
5 wanted to plead, but fortunately [sic] we just haven't had
6 any sort of offer that would make that make sense. And he
7 has chosen to spend as much time with his family as he can
8 before pleading as he understands that this is certainly
9 the type of case that would get an active sentence, Your
10 Honor. I would ask the Court not to hold any of that
11 delay against Mr. Quick. He has certainly been ready,
12 willing and able to plead, Your Honor.

13 He's here today in Greenville -- or, excuse me -- in
14 Pickens waiving jurisdiction in Greenville. Not a lot of
15 clients would walk in here today with that sort of
16 recommendation on this sort of case. Despite that, he's
17 here of his own volition to take responsibility, and
18 that's what he wants to do here today, Your Honor.

19 As you heard, he hasn't had any sort of charge in the
20 last 20 years, more than 20 years. He's been on the GPS
21 monitor for close to four years, three and a half years.
22 Absolutely no violation of that GPS monitor, no violation
23 of bond, no new charges.

24 As you heard earlier, he is married. His wife,
25 April, wanted to be here today, but she was unable to due

1 to childcare issues.

2 They have three children together: a 9-year-old, a
3 4-year-old and a 2-year-old. They rely on him completely
4 for not just financial support, but emotional support of
5 those children. Two of those children are disabled.
6 They're on the autism spectrum, and they certainly require
7 his help with daily tasks with getting to and from
8 appointments. His absence will certainly be felt, Your
9 Honor.

10 I have a note from his wife. Although she wanted to
11 be here, she wanted me to pass up a letter if I can come
12 around.

13 THE COURT: Have you seen it?

14 MR. McCOLLUM: I have seen this letter, Your Honor.

15 THE COURT: Let me look at it.

16 (Pause in proceedings.)

17 MS. KEPLEY: And I will say, as part of this case,
18 Your Honor, DSS did investigate Mr. Quick and his wife
19 with regards to their children, their immediate family.
20 That case was unfounded. There was no findings of
21 neglect, abuse or anything like that. By all accounts
22 he's a very involved, very loving father.

23 What I'm going to ask the Court to consider doing is
24 sentencing him to five years active followed by five years
25 on probation with 20 years hanging over him.

1 I have discussed with Mr. Quick the conditions of the
2 sex offender probation, that it comes with counseling,
3 that it comes with monitoring of all his online activity,
4 of all his communications digitally, and that it will
5 require approval before he is allowed to live with his own
6 minor children. He certainly welcomes those conditions.
7 I think he and I think society at large would certainly
8 benefit from Mr. Quick having those additional conditions,
9 that additional layer of protection, Your Honor. I'm not
10 going to stand here ---

11 THE COURT: Say that again. I didn't hear you.

12 MS. KEPLEY: I said I think he ---

13 THE COURT: I mean say what you said before that.

14 MS. KEPLEY: I think the sex offender -- the
15 additional sex offender supervision conditions through
16 probation would provide just another layer of protection.
17 He's going to have the counseling. He's going to have the
18 monitoring of all his online activity. I think that would
19 certainly be a very good idea in this case, Your Honor. I
20 have told him that, if the Court were to agree to do that
21 and if he ever violated even a minor portion of those
22 conditions, to expect the full 20 years. And I think that
23 would be correct.

24 I'm not going to stand here, certainly, and ask for a
25 probationary sentence right now. He understands this is

1 the sort of case that active time is appropriate. And in
2 full candor, he was always willing to plead to active
3 time, Your Honor. He understands that. What we're asking
4 for is just a chance for him to, at some point later,
5 years from now, be involved in his children's lives.

6 I also consulted with Dr. Jeffrey McKee on this case.
7 I'll pass up a report he did as part of our case review.
8 I say "report." It's more of a summary.

9 I've highlighted the relevant portion of that for
10 Your Honor. I've also provided a copy to the State.

11 With the statistical tools that Dr. McKee applied, he
12 found that Mr. Quick is certainly in the lowest category
13 of recidivism risk and has a very high chance of success
14 on probation. I think that's a reflection both of his
15 support system, I think that's a reflection of his very
16 minimal record and on how well he's done on bond, Your
17 Honor.

18 These cases are tough, impossibly tough, but I think,
19 considering all that mitigation, we would ask the Court
20 respectfully for some mercy for Mr. Quick.

21 MR. McCOLLUM: Your Honor, if I may respond at the
22 appropriate time.

23 (Pause in proceedings.)

24 THE COURT: All right.

25 MR. McCOLLUM: Your Honor, I'll start first with the

1 report from Dr. McKee. If you'll note, about the third
2 paragraph down at Note 1, Mr. Quick never did attend the
3 scheduled appointment to participate in the evaluation
4 which in the note explains is an extended clinical
5 interview, extensive questions about personal and sexual
6 history and psychological testing.

7 Of note and important, I believe, with respect to
8 this report, is that the doctor states he is unable to
9 form opinions regarding his current or past psychological
10 psychiatric diagnosis or his mental state at the time of
11 the offenses for which he's currently charged. This
12 report summary was drafted purely based on records,
13 specifically his criminal record which is minimal.

14 So while the doctor states that there may be a
15 reduced risk of recidivism, that we cannot be clear. The
16 doctor never had a chance to conduct what would have been
17 an extensive evaluation to give a more informed report.

18 So with respect to that report, I believe it has
19 little or minimal effect on the determination of
20 sentencing today.

21 To respond to Ms. Kepley's point regarding procedural
22 posture and history, the offer in this case was 15 years.
23 This was the offer of the case when I inherited the case.
24 At that time Ms. Kepley and I had conversations about the
25 defendant wanting to plead. And to her credit she did

1 always say that the defendant did always want to plead
2 guilty. However, we stand here a week before he's
3 scheduled to go to trial at this time and then he decides
4 to come in and plead guilty and then would ask for a term
5 of years to undercut the offer. We do not believe that's
6 appropriate.

7 Additionally, at this time as I stated in my factual
8 summary, the abuse in this case started when the defendant
9 was 7 -- or excuse me -- started when the victim was
10 between 7 or 8 years old. If it had been charged at that
11 time, Your Honor, CSC first with a minor, which carries a
12 mandatory minimum 25 years up to life. As a part of these
13 plea negotiations, the State is, as has put on the record,
14 going to dismiss that direct presentment for CSC with a
15 minor first degree.

16 Given the facts of this case, which are truly
17 disturbing, we believe that 20 years is an appropriate
18 sentence in this case, and we would ask that you impose a
19 sentence of 20 years on the defendant regarding -- with
20 respect to these particular set of charges.

21 THE COURT: Anything else?

22 MS. KEPLEY: Well, I would just add some of that is
23 incorrect. Dr. McKee did not just review his record in
24 making those findings. He reviewed the CAC view. He
25 reviewed the entire case file. I had discussions with

1 Dr. McKee. Although he cannot make any findings of
2 diagnosis, he did an extensive review of this case, and I
3 think there is some real merit to those findings he made.
4 I would certainly ask the Court to consider that.

5 As to the procedural posture of the case, Your Honor,
6 I am concerned about these last minute indictments
7 happening right before someone chooses to exercise their
8 constitutional right to a trial. I would ask you just
9 respectfully to not hold that procedural posture against
10 Mr. Quick.

11 MR. MCCOLLUM: Your Honor -- I'm sorry. It wasn't
12 last minute. This was disclosed to the State in a meeting
13 with the victim. At that time we made a determination
14 just based on the evidence that it supported the
15 indictment. This was not a last-minute gotcha or an
16 attempt to bully Mr. Quick or Ms. Kepley into a plea.
17 This is not a case -- and I've had a conversation with
18 Ms. Kepley, but I just want that noted for the record in
19 this case when it was disclosed to us is when we contacted
20 Ms. Kepley and told her what was going to happen. But
21 again, as a part of this plea, we are dismissing that
22 indictment.

23 THE COURT: But I think to be candid, Counselor, this
24 was something that the two of you discussed with me on
25 last week, two weeks ago. I think you presented -- you

1 came up and indicated that you had just gotten that
2 information and this matter was set for trial and you had
3 just gotten that information and counsel objected moving
4 forward with it because the State had just gotten it, but
5 the State wanted to proceed on it. And I thought that was
6 -- I questioned that.

7 MR. McCOLLUM: Yes, sir. I understand.

8 THE COURT: I thought it was problematic. I thought
9 it was problematic then and I thought it was problematic
10 now. Not necessarily anything to do with the substance of
11 the offense, but the timing of when it was presented I
12 thought I had -- I had some questions about it.

13 MR. McCOLLUM: I understand, Judge.

14 THE COURT: And I shared that with you as well as
15 with her.

16 MR. McCOLLUM: Yes, sir.

17 THE COURT: Is that the same -- do you recall my
18 conversation?

19 MR. McCOLLUM: Yes, sir. I recall that conversation.

20 THE COURT: Okay. All right. Anything else from
21 anybody?

22 MS. KEPLEY: Nothing from the defense, Your Honor.

23 THE COURT: Mr. Quick, anything you want to say?

24 DEFENDANT QUICK: I sincerely want to say I'm sorry
25 to the family for what happened. That's -- that's all.

1 THE COURT: All right. On indictment ending in
2 04140, State vs. Christopher Stephen Quick, the sentence
3 of the Court is that you be committed to the South
4 Carolina Department of Corrections for a period of
5 20 years, provided upon the service of 10 years, you're
6 placed on probation for five years. Special condition of
7 probation is that you register as a sex offender and you
8 participate in the sex offender counseling while on
9 probation. No victim contact. Okay.

10 MS. KEPLEY: Thank you, Your Honor.

11 THE COURT: All right. There you go. And I gave him
12 credit for the 992 days.

13 (WHEREUPON, proceedings concluded at 1:58 PM.)

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, CHERYL A. SMITH, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 7th day of August, 2023.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

November 7, 2023

Cheryl A. Smith
Cheryl A. Smith, CVR-M
Court Reporter

STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE)	2020-GS-23-04140
)	
)	
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)	
STATE OF SOUTH CAROLINA,)	
)	
vs.)	TRANSCRIPT OF RECORD
)	
CHRISTOPHER STEPHEN QUICK,)	
DEFENDANT.)	
_____)	

September 1, 2023
Greenville, South Carolina

B E F O R E:

THE HONORABLE ALEX KINLAW, JR., JUDGE.

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

ANTHONY J. MCCOLLUM, JR., ESQ.
Assistant Solicitor

RACHEL A. KEPLEY, ESQ.
Attorney for the Defendant

HOLLIE M. JENKINS
Circuit Court Reporter

I N D E X

(There were no witnesses called.)

E X H I B I T S

(There were no exhibits introduced.)

P R O C E E D I N G S

1
2 THE COURT: This is in the interest of Christopher
3 Quick. This is a motion to reconsider.

4 MR. MCCOLLUM: It's filed by the State, Your Honor.
5 It's my motion to reconsider.

6 THE COURT: All right.

7 MR. MCCOLLUM: May it please the Court.

8 THE COURT: Uh-huh.

9 MR. MCCOLLUM: This matter was before you for a
10 guilty plea on August 7th, 2023, in Pickens County. This
11 was a CSC with a minor second case.

12 At that plea hearing, you sentenced this Defendant to
13 20 years, suspended to 10 years active, followed by five
14 years probation, sex offender counseling.

15 At that time, both myself and Ms. Kepley did let you
16 know that the Defendant was on GSP monitoring for a total
17 of 992 days.

18 THE COURT: Right.

19 MR. MCCOLLUM: When you convicted this -- or when you
20 sentenced this Defendant, you did give him credit for that
21 992 days spent of GPS monitoring. However, it is -- it is
22 the State's position that GPS monitoring as construed
23 under the sentence does not qualify for monitored house
24 arrest. And, thus, this Defendant should not have been
25 granted 992 days credit -- or for the time spent on GPS

1 monitoring.

2 And I do have several things that I would like to
3 enter into as Court's Exhibits. First, I have the form
4 from the Sentinel program that lists out their programs.
5 And it defines what they define as what kind of
6 monitoring -- what they define as GPS monitoring, and the
7 other programs that follow under their jurisdiction.

8 If you'll notice on that form that the third
9 paragraph up from the bottom where it says "GPS only," it
10 is electronic monitoring that provides accurate and --
11 along with geographic tracking of the participant's
12 location. This participant may leave the residence
13 without approval. However, time and capabilities are
14 still documented.

15 And I would like you to compare that with GPS with
16 HIP where it is electronic monitoring that provides
17 accurate and reliable geographic tracking of participant's
18 location. However, that Defendant will only be permitted
19 to leave the residence with an approved schedule, work,
20 school, church, medical, or lawyer.

21 In this instance, this Defendant when he was granted
22 bond for this charge was instructed that he was to be
23 placed on a GPS monitor with exclusionary zones around the
24 victim's residence with no contact with the victim
25 directly or indirectly. And I do have a copy of that

1 defendant's -- this Defendant's bail motion -- or bail
2 proceeding form, which I can pass up to the Court.

3 If you'll notice on the second paragraph towards the
4 bottom, it indicates what type of monitoring he was on at
5 the time.

6 Your Honor, in my motion to reconsider, I did allude
7 to the State vs. Leopard case. I have a copy of that case
8 in relevant portion. It is -- it states that it's well
9 establish that interpreting a statute, the Court's primary
10 function is to ascertain the intention of the legislature.
11 When the terms of the statute are clear and unambiguous,
12 the Court must apply them according to the literal
13 meaning. Furthermore, in construing a statute, words must
14 be given their plain and ordinary meaning without resort
15 to subtle or forced construction to limit or expand the
16 statutes operation.

17 I do have a copy of that statute, Your Honor. And
18 I've highlighted the relevant portions of the statute,
19 Your Honor.

20 THE COURT: All right.

21 MR. MCCOLLUM: It's Section 24-13-40. And if you'll
22 note to the highlighted portions, it states that in every
23 case computing the time served by a prisoner, full credit
24 for the sentence must be given for time served prior to
25 trial and sentencing and may be given for any time spent

1 under -- under monitored house arrest.

2 In this instance, the Defendant was not on monitored
3 house arrest both by the definition of the program as
4 defined by Sentinel Monitoring Company, which is who he
5 would have been monitored under at the time that he was
6 granted bail on this charge, and by the plain language of
7 the dictionary statute -- plain language of the dictionary
8 definitions, Your Honor, which I believe I have defined
9 out in the motion.

10 At this time, Your Honor, the State believes it is
11 appropriate that this Defendant does not -- should not be
12 granted the 992 days credit for the time he spent on GPS
13 monitoring. Because it is in contravention with the
14 statute, which at this time is not appropriate with the
15 law. And the State's position is that the law is clear on
16 what may or may not be given as credit for any pre-trial
17 detention. And GPS monitoring is not appropriate in --
18 this time to be given to this Defendant.

19 THE COURT: Ms. Kepley.

20 MS. KEPLEY: Thank you, Your Honor.

21 May it please the Court.

22 First, I'm going to ask you to consider dismissing
23 this motion. I didn't see anything in the motion that
24 would bring any new facts to light or any change of
25 circumstances. On that alone, I'd ask you to dismiss this

1 motion.

2 But I do dispute the premise that Mr. Quick was not
3 under monitored house arrest. I would emphasize to the
4 Court that he absolutely was under monitored house arrest.
5 And that the Court did have discretion to give that to
6 him.

7 I'm, also, going to be passing some things up that I
8 would like to talk about, Your Honor. I'm going to pass
9 up one of the statutes that Mr. McCollum referenced and
10 some other statutes I'd like to talk about. I'm, also,
11 going to be passing up the actual contract that Mr. Quick
12 signed with the electronic monitoring program.

13 MR. MCCOLLUM: I'd like to see them.

14 MS. KEPLEY: I have a copy for you.

15 MR. MCCOLLUM: Thank you.

16 MS. KEPLEY: Your Honor, if we look at the -- I've
17 highlighted the statute -- the portions of the statute
18 that I'm going to be talking about. If we look at
19 24-13-1510, that defines home detention for us. It does
20 not use the words HIP. It does not use the words GPS.

21 What it does say is that these regulations must
22 require that the participant remain in the interior
23 premises or within the property boundaries of his
24 residence at all times during the hours designated by the
25 department. That means when they put any sort of curfews

1 or regulations on the monitoring program that they are
2 transforming that program into home detention. That's the
3 plain meaning of that statute.

4 If -- if we go into the statute that Mr. McCollum
5 referenced, 24-13-40, computation of time served by
6 prisoners, it says it may be given for any time spent
7 under monitored house arrest. It does not use HIP. It
8 does not use GPS. It doesn't use those words at all. It
9 says house arrest, meaning that if Sentinel or Greenville
10 County says there are periods of time where you have to be
11 inside of your home, that is what house arrest is.

12 I'm going to reference the contract between Mr. Quick
13 and Sentinel that he signed. You'll notice that he has
14 initialled every single line of these regulations.

15 I am starting on Page 1 of that contract with the
16 third regulation there. It says, You may be scheduled to
17 be out of your home for work, counseling, drug or alcohol
18 treatment, or additional activities only with prior GCDC
19 approval.

20 If we go to Page 2, it says that you will have an
21 initial curt [phonetic] two schedule. It says that any
22 failure to comply with these rules will result in a
23 violation, meaning you go to jail, Your Honor. You will
24 remain within the walls of your residence while under
25 curfew.

1 So he is being confined to his home under the plain
2 meaning of that statute by the contract that Sentinel has
3 with Mr. Quick. If you should willfully fail to return to
4 your residence by a prescribed time or leave at an
5 unscheduled time, you will be in violation of that
6 program.

7 Your Honor, I can, certainly, get into more of those
8 regulations. But when we talk about GPS monitoring, I
9 think the common definition we would think of is that you
10 have an ankle monitor and you're allowed to go wherever
11 you please. But that's not the contract Mr. Quick signed.
12 Those are not the regulations he was under.

13 He was under terms that required him to be in his
14 residence, terms that required a curfew, terms that did
15 not allow him to leave his home without permission. And
16 when Sentinel put those regulations on him, they
17 transformed what would normally be GPS into a home
18 detention program.

19 I think he is absolutely entitled to that credit
20 under the statute. And I think the Court absolutely had
21 discretion to give it to him. And I think that was the
22 proper thing to do considering he was on that program with
23 no violations for a number of years, Your Honor.

24 MR. MCCOLLUM: Your Honor, if I may respond.

25 THE COURT: Yeah.

1 MR. MCCOLLUM: In reviewing this contract, this
2 appears to be a standard Sentinel contract. As you know,
3 Sentinel is the program that oversees all electronic
4 monitoring programs to include home incarceration, to
5 include GPS with HIP, GPS without HIP, SCRAM, and the
6 other additional programs as referenced on that sheet that
7 I passed up to you. It appears this is a standard
8 contract.

9 And to speak to Ms. Kepley's point, when you look at
10 paragraph three, in the first sentence, it says, While you
11 may be on the electronic monitoring/GPS program, meaning
12 that you could be on either one. In this case, we know
13 that this Defendant was on the GPS monitoring program as a
14 condition of his bond. Then it will be -- you may be
15 scheduled through your case manager.

16 In this instance in that sheet that I gave up to you
17 from Sentinel, when it says GPS with no HIP, the Defendant
18 is free to leave, come and go. There is no absolute
19 restriction on his ability to come and go from his home.

20 On the bail proceeding form, it says, GPS monitoring,
21 red zones, and exclusionary zones around the victim's
22 premises. If the Defendant were sentenced to -- or
23 ordered to be a part of HIP as a condition of their bond,
24 it would state on that bail proceeding form that they
25 should be on HIP.

1 It's the State's contention that this is a standard
2 contract that does not delineate between electronic
3 monitoring and GPS monitoring. But if we need to look at
4 the -- any paperwork to make a decision with respect to
5 what the Defendant was on, we can look at the bail
6 proceeding form that he was given at the time that he was
7 granted bail in this case. And it shows that this
8 Defendant was on GPS monitoring.

9 And as you can see from the form from Sentinel
10 themselves, GPS monitoring is different from GPS with HIP
11 in that the Defendant is allowed to move freely about,
12 unless they enter into exclusionary zones and have to
13 report and keep it monitored. And that goes in
14 contravention with the statute.

15 The statute here says, Monitored house arrest. There
16 is no question about the legislative intent in that
17 statute. This Defendant was not on monitored house
18 arrest. He was simply on GPS monitoring. And it's not
19 appropriate that this Defendant be given credit for the
20 992 days he spent on GPS monitoring.

21 THE COURT: All right. Let me tell you what I'm
22 going to do. I'm going to -- I'm going to tell you what
23 I'm going to do. I'm going to take this under advisement.
24 And I'm going to give you a decision within 20 days.

25 But I'm, also, going to add this caveat, too,

1 counsel, is that I've sat up here and I've had counsel
2 from the State, as well as the Defendant on many, many
3 occasions. When -- when asked how much time should this
4 Defendant be given credit for, I can't tell you how many
5 people from the solicitor's office stood right where you
6 are and the GPS monitoring is exactly what you're saying.
7 And they were saying, Your Honor, it's within your
8 discretion.

9 I'm not -- I'm not saying you.

10 MR. MCCOLLUM: Yes, Your Honor.

11 THE COURT: But I'm just saying, you come in here and
12 you argue a policy. And it needs to be a policy
13 consistent with everybody that comes in here and do [sic]
14 it.

15 I mean, folks from your office -- I'm not talking
16 about -- your office that stood where you stood -- where
17 you stand right now. And when the Court asked, well, what
18 are we considering, gentleman? They'll say, the Defendant
19 was on GPS monitoring just like you're arguing, and, also,
20 a certain amount of time in the jail. And the State on
21 numerous occasions has agreed that the Defendant in those
22 cases should be given credit.

23 So I'm going to read this. Because I think I'm --
24 I'm going to look at it. And I'll give you a decision.
25 But I'm just saying that when you come in here, you've got

1 to have a consistent policy throughout. You just can't
2 come in here and say, well, it's okay in your case, but --
3 but anyway, that's what I'm going to do. I'm going to
4 take it under advisement and let you know something within
5 20 days.

6 *****END OF TRANSCRIPT OF RECORD*****

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

I, HOLLIE JENKINS, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and the evidence introduced in the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 1st day of September, 2023.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

December 6, 2023

Hollie M. Jenkins, Court Reporter

STATE OF SOUTH CAROLINA

COUNTY OF Greenville

STATE

VS.

Christopher Stephen Quick

AKA:

Race: WHITE Sex: M Age: 48

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL#: [REDACTED] SID#: [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2020 - GS - 23 - 04140

A/W#: 2019A2310100558

Date of Offense: 11/29/2019

S.C. Code § 16-03-0655(B)

CDR Code #: 0396

2020 NOV 27 PM 03:11
BRUCE GRIFFIN/COURT CLERK

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Sex / Criminal sexual conduct with minor, or Attempt - victim 11 to 14 yrs of age inclusive - Second deg.

in violation of § 16-03-0655(B) of the S.C. Code of Laws, bearing CDR Code # 0396

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature] 103761
McCollum, Anthony SC Bar #

[Signature]
Christopher Quick
Defendant

[Signature] 101957
KEPLEY, RACHEL
Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Correction, County Detention Center,

for a determinate term of 20 days/months/years Time Served Youthful Offender Act not to exceed ___ years
and/or to pay a fine of \$ _____; provided that upon the service of 10 days/months/years/Time Served and or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for 5

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 792 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
 Attend Voc. Rehab. or Job Corp No Contact with Victim Domestic Violence Intervention Program

Mental Health Counseling May serve W/E beginning: _____

Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours

Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Other: Sex offender voluntarily placed on
probation; NO Victim Contact

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

	\$	Beginning	\$
Fine may be pd. in equal, consecutive weekly/monthly pmts. of			
§14-1-206 (Assessments 107.5 %)			\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100		\$ 100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100		\$
§56-5-2995 (DUI Assessment)	\$12		\$
§56-1-286 (DUI Breath Test)	\$25		\$
§14-1-212 (Law Enforce. Funding)	\$25		\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150		\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41		\$
§50-21-114(BUI Breath Test Fee)	\$50		\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea		\$
3% to County (if paid in installments)	TBD		\$ 18.75
<input checked="" type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500		\$ 500.00
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$
TOTAL			\$ 118.75

Clerk of Court/ Deputy Clerk:
 Court Reporter:

Harold P. Welham
Chemp Smith

Presiding Judge:
 Judge Code:
 Sentence Date:

[Signature]
2763
8/7/23

108514541

Electronic Monitoring Program

CLIENT ORIENTATION

<u>NAME:</u>	QUICK, CHRISTOPHER STEPHEN-	<u>AGENCY / JUDGE:</u>	Pyle, C. Victor, Jr.
<u>INMATE/CASE NUMBER:</u>	2019A2310100558.1	<u>COURT:</u>	Greenville Circuit Court 13
<u>OFFENSE:</u>	UNKNOWN	<u>DIV/DEPARTMENT:</u>	
<u>ENROLLMENT DATE:</u>	12/18/2019	<u>X NUMBER:</u>	97171898
<u>EXP. COMPLETION DATE:</u>		<u>AREA OFFICE:</u>	
<u>COMPLETION DATE:</u>		<u>OFFICER / PO:</u>	TBD, TBD
<u>NO OF DAYS ORDERED:</u>	0	<u>Other EM Numbers and Cases (if any):</u>	2019A2310100558.1 108514541

<input type="checkbox"/> VERIFIED DEFENDANT BASE RECORD (DBR)	<input type="checkbox"/> COLLECTED ENROLLMENT FEES
<input type="checkbox"/> REVIEWED PROGRAM GUIDELINES	<input type="checkbox"/> COLLECTED PROGRAM FEES
<input type="checkbox"/> CONTRACT SIGNED BY CLIENT AND CASE WORKER	<input type="checkbox"/> PREPARED ENROLLMENT NOTICE
<input type="checkbox"/> ARRANGED EQUIPMENT INSTALLATION	<input type="checkbox"/> ARRANGED NEXT APPOINTMENT DATE

COMMENTS

The defendant reported to the Sentinel Greenville Office on 12/18/19 to enroll in the Home Incarceration Program. The Greenville County Detention Center staff has found the defendant to be a Suitable Risk Offender for the program. Defendant will have a Standard Supervision Level and will meet with case manager weekly for compliance appointments. The defendant is unemployed at the time of enrollment. The defendant will provide a bill to verify address. Client is on GPS ONLY Monitoring. The defendant was financially assessed at \$8.40 per day. Program rules and regulations were reviewed. The defendant signed and received a copy of the Sentinel contract with the case manager as witness. The defendant was informed on how to properly charge one's GPS device. The required charging time is for 2 solid hours everyday at the same time daily. The next scheduled appointment is 12/26/19 at 2:00 pm with Case Manager Ms Duncan. No payment was made today. A payment of \$120.00 will be due at the next compliance meeting. Client will pay 58.80 weekly or \$117.60 bi weekly thereafter.

Drug Test: Not ordered
 Alcohol Testing: Not Ordered

Drafted by: R Littlejohn

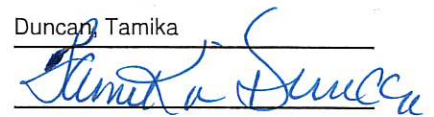
SUBMITTED BY:

Greenville
 600 East Washington Street: Suite 600
 Greenville, SC 29601-
 Phone: (864) 233-5111
 Fax: (864) 233-5222

CLIENT SIGNATURE:



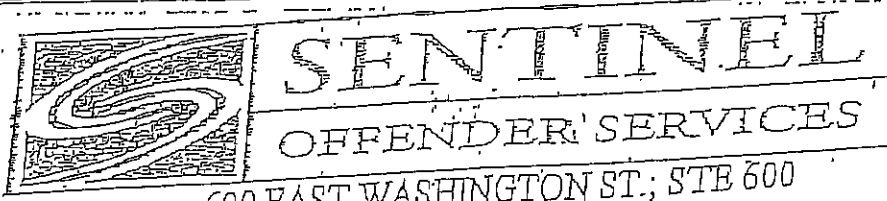
CASE MANAGER: Duncan, Tamika



DATE: 12/19/2019 2:21:17F PST

108514541

ORIENTATION



600 EAST WASHINGTON ST.; STE 600
GREENVILLE, SC 29601

Monday - Friday 8:30 am to 5:00 pm

864.233.5111 OFFICE

864.233.5222 FAX

800.551.4911 EMERGENCY/AFTER HOURS

Client Name: Christopher Quick
Appl. Date:
Time: 12:00
Case Manager:

ITEMS TO BRING TO 1ST REPORT

1. PICTURE ID
2. \$120.00 MONEY ORDER/DEBIT OR CREDIT CARD
3. PHONE BILL AND/OR UTILITY BILL
4. LETTER OF EMPLOYMENT (IF EMPLOYED)
5. SCHOOL/WORK SCHEDULE

BRING TO EVERY REPORT

1. PAY CHECK STUB
2. WORK SCHEDULE (IF EMPLOYED)
3. JOB APPLICATIONS/BUSINESS CARDS (IF UNEMPLOYED)
4. RECEIPTS
5. OTHER DOCUMENTATION (i.e. HOSPITAL DOCUMENTATION, COURT DOCUMENTS, ETC. AS PROOF OF WHEREABOUTS)

NOTICE

OPEN RANGE and VONAGE PHONE SERVICE CANNOT BE
USED WITH ELECTRONIC MONITORING

South Carolina Code 16-13-420. Failure to return rented objects;
fraudulent appropriation of such

(A) A person having any motor vehicle, trailer, appliance, *equipment*, tool, clothing, or formal wear in his possession or under his control by virtue of a lease or rental agreement is guilty of larceny if he:

(1) willfully and fraudulently fails to return the motor vehicle, trailer, appliance, *equipment*, tool, clothing, or formal wear within seventy-two hours after the lease or rental agreement has expired;

(2) fraudulently secretes or appropriates the property to any use or purpose not within the due and lawful execution of his lease or rental agreement.

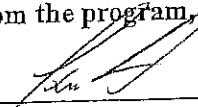
(B) A person who violates the provisions of this section is guilty of a:

(1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the value of the rented or leased item is five thousand dollars or more;

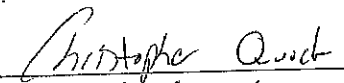
(2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the value of the rented or leased item is more than one thousand dollars but less than five thousand dollars;

(3) misdemeanor triable in magistrate's court if the value of the rented or leased item is one thousand dollars or less. Upon conviction, the person must be fined or imprisoned not more than is permitted by law without presentment or indictment by the grand jury.

I, the undersigned, have read and understand that if I fail to return all equipment given to me by Sentinel Offender Services within a two week period upon completion or termination from the program, that I may be prosecuted under the above statute.


signature

12-19-19
date


printed name

- Home Monitoring Unit (HMU)	\$1000.00
- Global Positioning System (GPS)	\$850.00
- Breath Alcohol Device	\$1800.00
- Ankle Transmitter	\$650.00
- SCRAM Base Station	\$700.00

- Ankle Strap	\$20.00
- Cellular Receiver	\$2000.00
- Charging Cords	\$30.00
- SCRAM Bracelet	\$1400.00



ELECTRONIC MONITORING PROGRAM

PARTICIPANT CONTRACT PROGRAM RULES AND REGULATIONS

CSK

Initial

You have been placed on the Sentinel Offender Services, LLC, Electronic Monitoring/GPS Program in lieu of incarceration. Electronic monitoring (EM) and GPS are technologies used to ensure that you do not leave your home except as specifically allowed by the Greenville County Detention Center (GCDC) and to track your movements while away from your residence. Your daily schedule will be strictly enforced. Any variations in your schedule must be pre-approved by your Sentinel Case Manager. Any failures to comply with program rules will result in a violation notice being forwarded to the GCDC.

CSK

Initial

On the day that your monitoring is to begin, a transmitter will be fitted to your ankle and a reporting unit may be installed in your residence. This equipment enables us to monitor your presence at home during your assigned curfew hours and while you are away from your home. The equipment can only be removed by Sentinel Offender Services or the GCDC when your monitoring period is complete.

CSK

Initial

While on the Electronic Monitoring/GPS Program you may be scheduled to be out of your home for work, counseling, drug and alcohol treatment, and additional activities *only* with prior GCDC approval. Schedule changes must be communicated to your Case Manager 24 hours in advance. Throughout the term of your monitoring period, you will be required to report in person to a Sentinel office for regularly scheduled compliance meetings. The office is equipped with cameras which will record your interactions with Sentinel personnel as well as the lobby environment. At these meetings, you will be required to submit documentation to verify your whereabouts and submit program fees. If the required documentation is not provided, a NON COMPLIANCE REPORT will be sent to the GCDC and you may be terminated from the program, and revocation pursued.

While on the program, you may be required to undergo random and/or scheduled drug tests and alcohol tests. During your time on the program, HIP may require you to be tested for drugs and/or alcohol when visiting the Sentinel office. The drug testing requirement is used to validate your compliance with program regulations to abstain from the use of illegal drugs. If you are asked to undergo a drug test, your Case Manager and/or the Branch Manager will make you aware. If you are unable to submit a urine sample when called, you will have a 2-hour wait period to do so. This wait period must occur inside the Sentinel facility. You will be escorted into the participant restroom and observed by a same-sex Sentinel employee while you submit this urine sample. The purpose of the observed screen during this urine specimen collection is to ensure there is no tampering or adulteration of the urine specimen. Once a specimen is obtained, you will close the lid on the cup and hand it back to the Sentinel employee. You will be asked to remain the bullpen in the center of the office while your results are populating. Once a result is received, you will be asked to review it and sign off on the results. All results will be logged in your file and a positive test will be communicated to the HIP office. If you have any prescriptions that would have caused you to test positive, you will be required to produce them.

If, after 2 hours, you are not able to submit a urine sample, this will be reported as a technical violation to the County and you will be required to report directly to the HIP office to provide a sample to HIP personnel.

A positive drug test and/or a refusal to submit a drug test may result in your termination from this program.

CSG
Initial

It is important that you carefully read and clearly understand the following program requirements before you are placed on the Electronic Monitoring/GPS Program. **IF DURING THE COURSE OF YOUR PROGRAM YOU DO NOT UNDERSTAND OR CANNOT COMPLY WITH THESE RULES, YOU MUST CALL US IMMEDIATELY AT (864) 233.5111.**

PROGRAM REQUIREMENTS

CSG
Initial

1. Upon enrollment, your Case Manager will establish your initial curfew schedule. Any variations in your schedule must be pre-approved by your Case Manager. Any failure to comply with program rules will result in a violation notice being forwarded to the GCDC. It is your responsibility to plan your activities in advance so that last minute schedule changes do not occur. **IT IS ABSOLUTELY CRITICAL THAT YOU COMPLY WITH YOUR SCHEDULE.**

CSG
Initial

2. You will remain within the walls of your residence while under curfew.

CSG
Initial

3. If you should willfully fail to return to your residence by the prescribed time, or leave at an unscheduled time, you will be in violation of the program rules and regulations. All non-compliances will be reported to the GCDC.

CSG
Initial

4. If you've been so ordered, you must have a working telephone in your residence. The telephone cannot have call waiting, call forwarding, answering machines. It cannot be a cordless telephone or have any other electronic device attached during the time of your sentence. If the residence of record has one or more of these features on the telephone service, you will have (3) business days from the date of enrollment to remove these services. **You must provide a copy of your most recent telephone bill (verifying the features have been removed) to your Case Manager.**

CSG
Initial

5. You must have electricity in your home. Generators or battery powered devices are not acceptable and may be grounds for termination from the program.

CSG
Initial

6. You agree to make timely payments at least (7) days in advance.

CSG
Initial

7. You agree to admit any person or agent designated by Sentinel or GCDC personnel into your residence at any time for purposes of verifying compliance with conditions of this program.

CSG
Initial

8. You understand that at any time while on the Electronic Monitoring Program, you may immediately be terminated from the program for the following reasons:

- a. Failure to follow program rules and/or regulations (including any requested documentation)
 - b. Refusing to pay agreed upon program fees
 - c. Refusing to submit to a drug test
 - d. Tampering with the equipment, which results in the inability to monitor you effectively
 - e. Any negative behavior which causes you not to complete the program successfully
9. Non-Compliance reports will be sent to the GCDC for any program violations which include, but are not limited to:
- Leaving the range of your monitoring equipment when you are scheduled to be at home.
 - Returning home later than your schedule allows.
 - Leaving home earlier than your schedule allows.
 - Refusing to pay for program fees.
 - Failing to make yourself available for telephone calls.
 - Failing to maintain electrical/telephone service for any reason.
 - Failing to remove all optional telephone features from your telephone line, such as call waiting, call forwarding, answering machine, voice mail, etc.
 - Tampering with or attempting to remove the ankle transmitter.
 - Tampering with or damaging any part of the electronic monitoring equipment.
 - Using alcohol or illegal drugs or possession of any weapon while on the program.

PROGRAM FEES

Bl
Initial

10. Payment must be made by credit card, certified check or money order made out to Sentinel Offender Services, LLC. **YOU CANNOT PAY BY CASH.** Your daily rate will be determined by an established method approved by the GCDC.

Gl
Initial

11. If placed on the Electronic Monitoring Program, you may be required to pay a (one time) enrollment fee and monitoring fees to cover your first week in the program. **REFUSAL TO PAY PROGRAM FEES MAY RESULT IN TERMINATION FROM THE ELECTRONIC MONITORING PROGRAM.**

Gk
Initial

12. If at any time during the program you are approved by the GCDC to move your residence, you may be charged a moving fee, and you must provide verification to your program administrator within 24 hours.

Ch
Initial

13. Calculation of program fees:

- Enrollment Fee (one-time charge): \$ _____
- Ankle bracelet / Radio Frequency (RF) charge: \$ _____ per day
- Alcohol testing charge: \$ _____ per day
- Random Drug Testing: \$ _____ per test
- Drug Test Confirmation: \$ _____ per drug
-

Global Positioning System (GPS) charge: \$_____ per day

Weekly Payment: \$_____ BI-weekly Payment: \$_____

14. I also understand that the GCDC will be notified if I fail to pay and that I may be terminated if I refuse to pay my fees as agreed.
15. If for any reason you are terminated, you forfeit all rights to any program fees, including those fees paid in advance.

CX
Initial

PROGRAM EQUIPMENT

16. The transmitter fitted to your ankle, in-home monitor attached to your telephone line and other equipment given to you by Sentinel Offender Services is your responsibility. If they are damaged, lost, or destroyed you will be required to pay the following amounts:

CX
Initial

- Home Monitoring Unit (HMU)	\$1000.00	- Charging Cords	\$ 30.00
- Global Positioning System (GPS)	\$ 850.00	- BART Alcohol Device	\$ 800.00
- Cellular Receiver	\$2000.00	- SCRAM Bracelet	\$1400.00
- Ankle Transmitter	\$ 650.00	-SCRAM Base Station	\$ 700.00
- Ankle Strap	\$ 20.00		

17. If the monitoring units are not returned to Sentinel Offender Services, you will be charged with Failure to Return Rental Property, which is a felony per SC State statute 16-13-420. The ankle strap and transmitter are water-resistant and lightweight. It can be worn under your sock, which will not interfere with your normal activities. The in-home unit will be installed on the phone line in your residence when you are enrolled. If you unplug either the power cord or the phone line, a Non-Compliance Report will be sent to the GCDC. Upon completion of your monitoring period, you must return all equipment to our office. Only then will we notify the GCDC that your period of electronic monitoring has been completed successfully.

CX
Initial

18. In the event of a medical emergency, it is your responsibility to notify our office of the situation. You will be responsible for providing written proof of your emergency to your Case Manager the following morning or you will remain in violation of the program rules. You may be subject to immediate termination from the program.

CX
Initial

19. I have read or have had read to me, and received a copy of the aforementioned rules and regulations and agree to comply with the terms and conditions of the Electronic Monitoring/GPS Program.

CX
Initial

20. I understand that if I have a grievance, I can contact the HIP office.

CX
Initial

EM PROGRAMS

RF (Ankle Bracelet)

CSE

Initial

- On the day that your monitoring is to begin, a transmitter will be fitted to your ankle and a reporting unit will be installed on your telephone. This equipment enables us to monitor your presence at home during your assigned curfew hours. The equipment can only be removed when your monitoring period is complete. I understand and agree to comply with all verbal instructions given by Monitoring Center Operators.

GPS (Global Positioning System)

CSE

Initial

You are being placed on Global Positioning Satellite (GPS) electronic monitoring equipment. GPS monitoring is a technology used to locate your position at all times.

- **One-Piece GPS**
- While outside of your residence, you must monitor the battery charge of the GPS tracking unit. Allowing the GPS tracking unit to become fully discharged may cause immediate termination from the program.
- Your Case Manager may advise you of specific geographic areas that you **MUST** either remain within (Inclusionary Zone) or stay clear of (Exclusionary Zone). Curfews may apply to Inclusion Zones.
- Charge your GPS device for one hour twice a day for a total of two hours.

Alcohol – In Home Monitoring via BART

CJP

Initial

- I understand that I will be subject to random calls, and that it is my responsibility to respond to those calls by submitting to a breath alcohol test.
- I understand that while on the program, I will not consume alcohol.
- I understand and agree that I am ultimately responsible for everything I consume.
- I shall be responsible for reading labels to determine any possible alcohol content. (i.e. cold remedies, Primatene Mist, cough syrup, NyQuil, toothpaste, mouthwash, non-alcohol beverages etc.)
- I understand and agree to rinse my mouth with water before each Breath Alcohol Test.
- I understand and agree that if I do not successfully complete the testing procedure; presumption of alcohol consumption will result.

Alcohol – SCRAM (Secure Continuous Remote Alcohol Monitoring)

CJP

Initial

- On the day that your monitoring is to begin, a SCRAM bracelet will be fitted to your ankle and a reporting unit will be installed on your telephone if you have a landline phone. This equipment enables us to monitor your alcohol consumption as the monitor will read the SCRAM bracelet at a specified time when you are at home. If you do not have a landline phone, you will be required to report to the local Sentinel Office three times per week (Monday,

Wednesday, and Friday). The equipment can only be removed when your monitoring period is complete. I understand and agree to comply with all verbal instructions given by my Case Manager.

- I understand that while on the program, I will not consume alcohol.
- I understand and agree that I am ultimately responsible for everything I consume.
- I shall be responsible for reading labels to determine any possible alcohol content. (i.e. cold remedies, Primatene Mist, cough syrup, NyQuil, toothpaste, mouthwash, non-alcohol beverages etc.)
- I understand and agree that if alcohol consumption is detected by the SCRAM bracelet, a non compliance report will be sent to the Home Incarceration Program Office, and that I will be subject to termination from the program.

General Rules While at the Sentinel Office

- No cellular phones and/or recording devices may be used beyond the lobby
- No children are permitted to be left unattended in the lobby and no children are permitted to accompany you inside the office beyond the lobby
- No bags (backpacks, duffle bags etc) permitted beyond the lobby without inspection
- No baggy or "sagging" pants, exposed midriffs, or offensive clothing.

Christopher Quick

Print Participant's Name

[Signature]

Participant's Signature

12-19-19

Date

Rodney Littlejohn

Authorized Sentinel Personnel Name

[Signature]

Authorized Sentinel Personnel Signature

12/19/19

Date

RECEIVED

Jul 05 2024

SC Court of Appeals

CERTIFICATE OF COUNSEL

Counsel for Appellant certifies this Record on Appeal contains all material proposed to be included by the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

ALAN WILSON
Attorney General

ANDREW D. POWELL
Assistant Attorney General

W. WALTER WILKINS
Solicitor, Thirteenth Judicial Circuit


ANDREW D. POWELL
Bar # 106415

ATTORNEYS FOR APPELLANT

July 5, 2024