

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Stephen Beckham, #236548,

Docket No. 25-ALJ-15-0034-AP

Appellant,

v.

FINAL ORDER

South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

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Jun 22 2026

SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to Notice of Appeal filed on December 20, 2025, by Stephen Beckham (Appellant), an inmate in the custody of the South Carolina Department of Corrections (SCDC). On November 19, 2025, the South Carolina Department of Probation, Parole and Pardon Services (Department or Respondent) notified the Appellant of the South Carolina Parole Board's (Parole Board) unanimous decision to deny the Appellant parole.

On December 30, 2025, the Department notified the Appellant that a careful review of the entire record before the Parole Board revealed nothing to indicate the Parole Board may have relied upon materially erroneous or incomplete information of a substantial nature. Therefore, the Appellant's request for reconsideration by the Parole Board was denied. The Appellant appeals the Parole Board's denial of parole because his minimal due process rights were violated under *Compton v. S.C. Dep't of Prob., Parole & Pardon Servs.*, 385 S.C. 476, 685 S.E.2d 175 (2009) and because his parole file contained inaccurate and misleading information on several material points. After careful consideration of the parties' brief and the applicable statutes, the Department's decision is affirmed.

BACKGROUND

On June 12, 1994, a Newberry County Sheriff's deputy responded to a fatal single-vehicle wreck in Little Mountain. The deputy noticed that the victim's injuries were not consistent with the traffic accident and began investigating. After a one (1) year investigation, authorities arrested Richard George Anderson. Mr. Anderson cooperated and informed the investigators that he had

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been hired by the victim's estranged husband, the Appellant, to assist with the murder. Mr. Anderson told investigators that the Appellant had brought his badly beaten wife to an arranged location where they killed her and staged the accident to cover up the murder. Based on Mr. Anderson's confession, the Appellant was arrested.

October 4, 1996, the Appellant was convicted of murder, kidnapping, and conspiracy and was sentenced to life in prison. Due to aggravated factors, the Appellant would not be parole eligible for thirty (30) years. On November 19, 2025, the Appellant had his first appearance before the Parole Board. The Parole Board unanimously denied the Appellant parole due to the nature and seriousness of the current offense and indication of violence in this or previous offense.

STANDARD OF REVIEW

The court's jurisdiction to review this matter is derived from the South Carolina Supreme Court decisions in *Al-Shabazz* and *Furtick*. See *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000) (establishing an administrative review process for inmate appeals); see also *Furtick v. S.C. Dep't of Prob., Parole & Pardon Servs.*, 352 S.C. 594, 576 S.E.2d 146 (2003) (incorporating final decisions of the Department into that review process). As explained by the *Al-Shabazz* Court, "procedural due process is guaranteed when an inmate is deprived of an interest encompassed by the Fourteenth Amendment's protection of liberty and property." *Wicker v. S.C. Dep't of Corrs.*, 360 S.C. 421, 424, 602 S.E.2d 56, 58 (2004) (citation omitted).

Since parole is a privilege, not a right, the routine denial of parole does not constitute such a liberty interest. See *Cooper v. S.C. Dep't of Prob., Parole & Pardon Servs.*, 377 S.C. 489, 495-96, 661 S.E.2d 106, 109-10 (2008) (citation omitted). If, however, the Board "deviates from or renders its decision without consideration of the appropriate [statutory] criteria, . . . it essentially abrogates an inmate's right to parole eligibility and, thus, infringes on a state-created liberty interest." *Id.* at 499, 661 S.E.2d at 111. Thus, this court may review decisions from the Department for violations of statutory procedure or procedural due process only but may not review the Board's substantive decision to deny an appellant parole.

In reviewing such matters, the court sits in its appellate capacity. See *id.* at 497, 661 S.E.2d at 110 (citation omitted); *Al-Shabazz*, 338 S.C. at 377, 527 S.E.2d at 754 (citation omitted). Under the Administrative Procedures Act, the court's review in appellate matters is confined to the record. S.C. Code Ann. § 1-23-380(4). The court may modify or reverse the decision of the agency when substantial rights of the appellant have been prejudiced. S.C. Code Ann. § 1-23-

380(5). Substantial rights of the appellant are prejudiced when the agency's findings, inferences, conclusions, or decisions are: (a) in violation of constitutional or statutory provisions; (b) in excess of the statutory authority of the agency; (c) made upon unlawful procedure; (d) affected by other error of law; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. *Id.*

DISCUSSION

The Appellant argues that the Department violated his due process rights by providing the Parole Board with an unreliable and materially incomplete parole file and excluding known victims from the Parole Board's normal investigative process. Specifically, the Appellant asserts that on the day of his parole hearing, he reviewed his parole file and identified several material inaccuracies, including the misidentification of the sentencing judge, an unsubstantiated reference to an alleged confession, and an unverified third-party allegation indicating that the Appellant participated in a plot to escape from prison. Although, the Appellant marked the inaccuracies, requested correction and attempted to clarify the errors during the hearing, the Parole Board voted unanimously to deny him parole. Further, the Appellant's parole file was materially incomplete with respect to victim input and this selective development of his parole file is prejudicial. Specifically, the Appellant contends that two (2) of his children were not afforded the opportunity to provide a confidential written victim statement for the Appellant's parole file.

The Department asserts that pursuant to *Cooper*, if the notice of rejection clearly states that the Parole Board carefully considered the factors published in Department Form 1212, the factors outlined in S.C. Code Ann § 24-24-640 and 24-21-10(F)(1), and consideration of the actuarial needs assessment, then the decision will constitute a routine denial of parole and summary dismissal is appropriate. Furthermore, the Department argues that the Appellant was given the opportunity to review his parole file and inform the Parole Board of inaccuracies in his parole file, thus satisfying the requirements of *Kelsey v. S.C. Dept. of Probation, Parole and Pardon Services*, 441 S.C. 373, 893 S.E.2d 588 (Ct. App. 2023) (cert. denied March 5, 2024).

As stated *supra*, parole is not a right, but a privilege. *State v. Dingle*, 376 S.C. 643, 649, 659 S.E.2d 101, 104 (2008) (citing *Sullivan v. S.C. Dep't of Corrs.*, 355 S.C. 437, 443, 586 S.E.2d 124, 127 n.4 (2003)). The discretion to grant parole lies solely with the Parole Board. *Id.* at 649, 659 S.E.2d at 104-05 (citing *State v. McKay*, 300 S.C. 113, 115, 386 S.E.2d 623, 623-24 (1989)).

If, in denying parole, the Parole Board follows proper procedure, then its decision will constitute a routine denial of parole and summary dismissal of the case would be appropriate. *See Cooper*, 377 S.C. at 500, 661 S.E.2d at 112; *see also Compton v. S.C. Dep't of Prob., Parole & Pardon Servs.*, 385 S.C. 476, 479, 685 S.E.2d 175, 177 (2009).

The proper procedure for the Parole Board to follow includes considering the factors outlined in Section 24-21-640 of the South Carolina Code, as well as those listed in the Department's parole form. *Cooper*, 377 S.C. at 500, 661 S.E.2d at 112; *Compton*, 385 S.C. at 479, 685 S.E.2d at 177; *see also* S.C. Code Ann. § 24-21-640 (Supp. 2019) (setting forth the statutory factors warranting parole). Additionally, the Parole Board must utilize an actuarial risk and needs assessment factors, in making its parole determinations. *See* S.C. Code Ann. § 24-21-10(F)(1) (Supp. 2019). If the Parole Board fails to follow proper procedure, giving due consideration to the specified factors, an appellant is denied his liberty interest in parole eligibility. *Cooper*, 377 S.C. at 499, 661 S.E.2d at 111. If, however, the Parole Board adheres to procedure and considers all the requisite factors, the appellant's liberty interest is protected, and the Parole Board has the discretion to deny parole based on any of the factors found in Section 24-21-640 or its own criteria. *See id.* at 499, 661 S.E.2d at 111-12.

Here, the Parole Board's order plainly reflects that it considered all the appropriate factors – including those set forth in Section 24-21-640, the Department's own criteria for parole consideration, and an actuarial risk and needs assessment pursuant to Section 24-21-10(F)(1) – before making its decision to deny the Appellant parole. Thus, as a routine denial of parole, the court's ability to further review this matter is limited:

[T]he Parole Board may avoid [reversal of its parole determinations] if it clearly states in its order denying parole that it considered the factors outlined in section 24-21-640 and the fifteen factors published in its parole form. If the Board complies with this procedure, the decision will constitute a routine denial of parole and the ALC would have limited authority to review the decision to determine whether the Board followed proper procedure. Under that scenario, the ALC can summarily dismiss the inmate's appeal.

Cooper, 377 S.C. at 500, 661 S.E.2d at 112; *see Compton*, 385 S.C. at 479, 685 S.E.2d at 177. Consequently, because the record reflects that the Parole Board routinely denied the Appellant parole after complying with the necessary procedure, the court may not interfere with the Department's determination. Therefore, based on the foregoing,

IT IS HEREBY ORDERED that the Department's decision is **AFFIRMED**.
AND IT IS SO ORDERED.

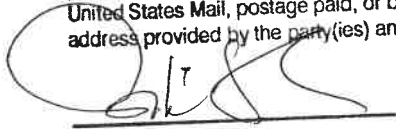


S. Phillip Lenski
Administrative Law Judge

May 22, 2026
Columbia, South Carolina

CERTIFICATE OF SERVICE

This is to certify that on this date the undersigned has served this notice/order in the above entitled-action upon all parties to this case by depositing a copy hereof in the United States Mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Name

22 May 2026

Date