

State of South Carolina  
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY  
Governor



JERRY B. ADGER  
Director

2221 DEVINE STREET, SUITE 600  
POST OFFICE BOX 50666  
COLUMBIA, SOUTH CAROLINA 29250  
Telephone: (803) 734-9220  
Facsimile: (803) 734-9440  
[www.dppps.sc.gov/](http://www.dppps.sc.gov/)

November 19, 2015

Mr. Basil W. Akbar #065498 F-6, B  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, South Carolina 29010

**RE: S.C. Code Ann. §24-21-10(F)(1)**

Dear Mr. Akbar:

I have been instructed by our Director Mr. Jerry B. Adger to respond to your letter dated November 2. Within your letter you are inquiring about the above referenced statute, which requires a risk and needs assessment be completed by the Department prior to your parole hearing.

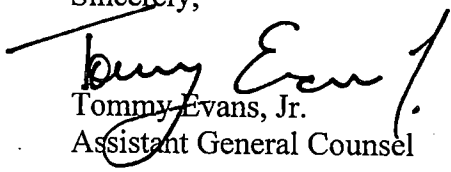
Pursuant to South Carolina law, the Department must develop a plan that includes, "a process for adopting a validated actuarial risk and needs assessment tool consistent with evidence-based practices and factors that contribute to criminal behavior, which the Parole Board shall use in making parole decisions." The risk and needs assessment used by the Department is called, the Correctional Offender Management Profiling for Alternative Sanctions or COMPAS. This assessment is completed by the Parole examiner through the process of questions asked to you and your family. Once completed, the information is place in a computer which will generate a report which assess your risk and needs if released on parole. This report is provided to the Board, which considers the results prior to a parole determination. This report is confidential and cannot be released pursuant to South Carolina law.

This is just an assessment, it does not affect parole if released, it is considered but will not make it more difficult to be granted parole, it does not change your parole status, and it does not involve a test being taken by yourself, nor is the final result is in a form of a guess.

As for your exhibit, that is a page from our old policy handbook which determines when you will be allowed to appear after being denied parole. This is the only page that in existence. This was preserved due to the fact it applies to all individuals convicted prior to 1981, which allows a two year wait before they can reappear before the board upon denial.

I hope this has answered any inquiries you may have regarding these matters. Good luck in all of your future endeavors. With kind regards I remain,

Sincerely,

  
Tommy Evans, Jr.  
Assistant General Counsel

TE:te

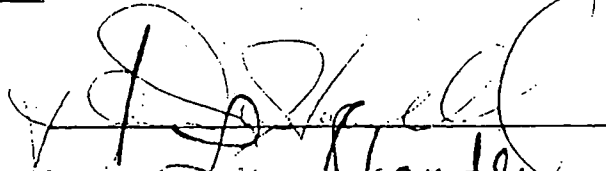

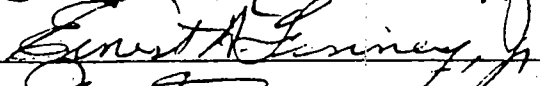
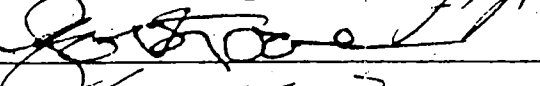
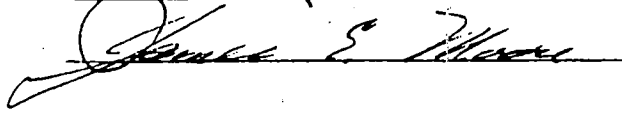


R 10 914

ERWIN v. STATE

on this Court's opinion in Gunter v. State<sup>1</sup> in denying petitioner relief. This Court recently overruled Gunter and held that the change in the frequency of consideration for parole did constitute an ex post facto violation. Griffin v. State, Op. No. 23909 (S.C. Sup. Ct. filed July 19, 1993)(Davis Adv. Sh. No. 20 at 22). Accordingly, the PCR judge's finding that petitioner was not suffering an ex post facto violation is reversed.

REVERSED.

	C.J.
	A.J.
	A.J.
	A.J.
	A.J.

<sup>1</sup>298 S.C. 113, 378 S.E.2d 443 (1989).

State of South Carolina  
Department of Probation, Parole and Pardon Services

MARK SANFORD  
Governor



STEPHEN G. BIRNIE  
Interim Director

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www.state.sc.us/ppp

March 11, 2003

Mr. Basil Wali Akbar #00065498  
Evans Correctional Institution  
P.O. Box 2951202  
Bennettsville, SC 295125202

Re: NOTICE OF REJECTION

Dear Mr. Akbar:

It is my responsibility to inform you of the action of the South Carolina Board of Parole and Pardons relative to your recent parole hearing. After careful consideration of your record before and after imprisonment, the Parole Board has rejected you for parole.

You will be notified 30 days prior to your next scheduled parole reconsideration date.

The reason(s) for rejection are:

- Nature And Seriousness Of Current Offense
- Indication Of Violence In This Or Previous Offense
- Use Of Deadly Weapon In This Or Previous Offense
- Prior Criminal Record Indicates Poor Community Adjustment
- Failure To Successfully Complete A Community Supervision Program

Sincerely,

Handwritten signature of Gwendolyn A. Bright in cursive script.

Gwendolyn A. Bright  
Director of Parole Board Support Services

State of South Carolina  
Department of Probation, Parole and Pardon Services

MARK SANFORD  
Governor



SAMUEL B. GLOVER  
Director

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www.state.sc.us/ppp

March 21, 2007

Mr. Basil Wali Akbar #00065498  
Lee Correctional Institution  
990 Wisaky Hwy.  
Bishopville, SC 29010

Re: NOTICE OF REJECTION

Dear Mr. Akbar:

It is my responsibility to inform you of the action of the South Carolina Board of Parole and Pardons relative to your recent parole hearing. After careful consideration of your record before and after imprisonment, the Parole Board has rejected you for parole.

You will be notified 30 days prior to your next scheduled parole reconsideration date.

The reason(s) for rejection are:

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- Failure To Successfully Complete A Community Supervision Program

Sincerely,

Handwritten signature of Gwendolyn A. Bright in cursive script.

Gwendolyn A. Bright  
Director of Parole Board Support Services

State of South Carolina  
Department of Probation, Parole and Pardon Services

MARK SANFORD  
Governor



SAMUEL B. GLOVER  
Director

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Post Office Box 50666  
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May 20, 2009

Mr. Basil Akbar #00065498  
Lee Correctional Institution  
990 Wisaky Hwy.  
Bishopville, SC 29010

RE: NOTICE OF REJECTION

Dear Mr. Akbar:

It is my responsibility to inform you, on behalf of the South Carolina Parole Board, that the Board has reached a decision regarding your parole hearing. The Board hereby makes the following CONCLUSION OF LAW:

After careful consideration of: (1) the characteristics of your current offense(s), prior offense(s), prior supervision history, prison disciplinary record, and/or prior criminal record, as described in the findings of fact below; (2) the factors published in Department Form 1212 (Criteria for Parole Consideration); and (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, the Parole Board concludes that parole must be denied.

You will be notified 30 days prior to your next scheduled parole consideration date.

FINDINGS OF FACT:

- Nature And Seriousness Of Current Offense
- Indication Of Violence In This Or Previous Offense
- Use Of Deadly Weapon In This Or Previous Offense
- Prior Criminal Record Indicates Poor Community Adjustment
- Failure To Successfully Complete A Community Supervision Program

Sincerely,

Gwendolyn A. Bright  
Director of Parole Board Support Services

State of South Carolina  
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY  
Governor



KELA E. THOMAS  
Director

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Post Office Box 50666  
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July 14, 2011

Mr. Basil Akbar #00065498  
Lee Correctional Institution  
990 Wisaky Hwy.  
Bishopville, SC 29010

RE: NOTICE OF REJECTION

Dear Mr. Akbar:

It is my responsibility to inform you, on behalf of the South Carolina Parole Board, that the Board has reached a decision regarding your parole hearing. The Board hereby makes the following CONCLUSION OF LAW:

After careful consideration of: (1) the characteristics of your current offense(s), prior offense(s), prior supervision history, prison disciplinary record, and/or prior criminal record, as described in the findings of fact below; (2) the factors published in Department Form 1212 (Criteria for Parole Consideration); and (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, the Parole Board concludes that parole must be denied.

You will be notified 30 days prior to your next scheduled parole consideration date.

FINDINGS OF FACT:

- Nature And Seriousness Of Current Offense
- Indication Of Violence In This Or Previous Offense
- Use Of Deadly Weapon In This Or Previous Offense
- Prior Criminal Record Indicates Poor Community Adjustment
- Failure To Successfully Complete A Community Supervision Program

Sincerely,

Heyward A. Hinton  
Director of Hearings & Parole Board Support

State of South Carolina  
Department of Probation, Parole and Pardon Services

MARK SANFORD  
Governor



SAMUEL B. GLOVER  
Director

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www.state.sc.us/ppp

May 24, 2007

Basil Akbar, #65498  
Lee Correctional Institution  
990 Wisacky Highway, Richland C-119  
Bishopville, South Carolina 29010

Dear Mr. Akbar:

I am responding to your Freedom of Information request dated May 18, 2007, in which you are requested the names of the Board members present at your March 21, 2007, hearing and how they voted. The Board members present on this date were J.P. Hodges, John McCarroll, James Williams, Orton Bellamy, Karen Walto and Jim Gordon. According to the record, all Board members present at your hearing voted to reject you for parole except for Mr. Williams.

Thank you for your inquiry.

Sincerely,

Handwritten signature of J. Benjamin Aplin in black ink.

J. Benjamin Aplin  
Assistant Chief Legal Counsel

JBA:dn

State of South Carolina  
Department of Probation, Parole and Pardon Services

MARK SANFORD  
Governor



SAMUEL B. GLOVER  
Director

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[www.state.sc.us/ppp](http://www.state.sc.us/ppp)

May 26, 2009

Basil Akbar, #65498  
Lee Correctional Institution  
990 Wisacky Highway, Richland C-119  
Bishopville, South Carolina 29010

Dear Mr. Akbar:

I am responding to your letter of May 22, 2009, in which you have requested the names of the Parole Board members in attendance at your hearing on May 20, 2009, and how each member voted. Please find this information below.

Jim Gordon-	Reject
Dwayne Green-	Reject
Karen Walto-	Reject
David Baxter-	Reject
James Williams-	Reject
Orton Bellamy-	Parole
J.P. Hodges -	Reject

Thank you for your inquiry.

Sincerely,

Handwritten signature of J. Benjamin Aplin.

J. Benjamin Aplin  
Assistant Chief Legal Counsel

JBA:dkn

State of South Carolina  
Department of Probation, Parole and Pardon Services

**Nikki R. Haley**  
Governor



**Kela E. Thomas**  
Director

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**Basil W. Akbar 065498**  
**Lee Correctional Institution**  
**99 Wisacky Highway**  
**Bishopville, SC 29010**

**July 22, 2011**

**Dear Mr. Akbar:**

**I am responding to your letter dated July 19, 2011 regarding your parole hearing on July 13, 2011. Your case was unanimously denied by the seven member Parole Board. Your case will be reconsidered in 2013. The members of the Parole Board are listed below.**

**Honorable Karen Walto**  
**Honorable C. David Baxter**  
**Honorable Orton Bellamy**  
**Honorable Beverly McAdams**  
**Honorable Marvin Stevenson**  
**Honorable Alan Gardner**  
**Honorable Norris Ashford**

**If you have any additional questions, please feel free to contact me.**

Sincerely,

  
**Gwendolyn A. Bright**  
**Parole Board Liaison**

State of South Carolina  
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY  
Governor



KELA E. THOMAS  
Director

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September 20, 2013

Basil Akbar, #065498  
Lee Correctional Institution  
990 Wisacky Highway-Flo-2213-S  
Bishopville, South Carolina 29010

Dear Mr. Akbar:

I am responding to your letter of September 9, 2013, in which you have asked the names of the Parole Board members and how they voted at your hearing on September 4, 2013. They were Norris Ashford, Marvin Stevenson, Karen Walto, Orton Bellamy, Henry Eldridge and David Baxter. All members present voted to reject you for parole.

Sincerely,

  
Tommy Evans, Jr.  
Assistant General Counsel

TE:dn

Basil W. Akbar, 065498  
Lee County Institution  
990 Wisacky Highway, F6B  
Bishopville, SC 29010

TO: Jerry B. Adger, Director of Dept. PPS  
Larry R. Patton, Director of Support Services

May 23, 2016

Dear Sir:

I, Basil W. Akbar, Petitioner hereby certify request that he be given access to his parole file prior to his hearing or review so that he may correct, rebut, or explain any adverse information in file. Therefore, stipulates that the parole file contains such things as the present report; psychological report; information concerning any previous periods spent on parole or probation while under the supervision of the Board; prison disciplinary reports; and list of previous arrests. Also, stipulate that the parole file may contain comments and/or information submitted by law enforcement officials; sentencing judge; grievances; complaints; institutional classification reports; or by anyone else who wishes to send their comments or material to the Board, or newspaper articles pertaining to an inmate's trial or conviction may also be maintained in parole file.

It is obvious from the above list that my files more likely than not contains erroneous or misleading information which could or may have previously flawed the parole decision process, and may in the future if left unverified and unrebutted. The decision following review is based solely on the information in the file without input from myself as parole candidate.

I understand that exceptions may be made to excluded from portions of the file, any information deem to be legitimate privacy interests of such person(s) under the Privacy Act of 1974. If the exception is invoked, then the file may contain a summary of the basic contents of the material to be withheld.

Thank you in advance for your time and effort, and I look forward to hearing from you in the very near future.

Respectfully submitted,

  
Basil W. Akbar

RE: Request that ERRONEOUS information be expunged from file.

cc: Courts

State of South Carolina  
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY  
Governor



JERRY B. ADGER  
Director

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November 17, 2015

Basil Akbar, #65498  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, S.C. 29010

Dear Mr. Akbar:

I am responding to your Request for Reconsideration from your recent parole denial. Please be advised that there is no appeal process for the routine denial of parole. Also, keep in mind that the Board is an independent body and makes its decisions in its absolute discretion. However, in an effort to assist you, I am forwarding your letter to our office of Board Support Services to be placed in your parole file for review by the Board at any future hearings.

Thank you for your letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Buchanan".

Matthew C. Buchanan  
General Counsel

MCB:dn

cc: Larry Barton, Director of Board Support Services

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER**

TO: NAME: MR. Dubose	TITLE: CASE WORKER	DATE: May 25, 2005
INMATE'S NAME: Basil W. Akbar		SCDC #: 65498
INSTITUTION: Lee County		LIVING QUARTERS: Sumter 2111

SIR:


How am I technically classified with regards to my 1971 MURDER conviction?

1. 2 felony conviction
2. 2N OFFENDER
3. Non-Violent
4. Violent
5. Neither Non-Violent, nor Violent

Initially, when my crime occurred, I was classified as an FELON, and subsequently I was classified as an OFFENDER, so which of the above am I currently classified as?

**DISPOSITION BY STAFF MEMBER:**

You are classified by SCDC as non-violent, statute wise this offense is unclassified

DATE: 5/25/05	SIGNATURE: 
------------------	---

Basil W. Akbar, #065498, F-6B, 2213

Lee County Institution

990 Wiscoy Highway

Bishopville, S.C. 29010

INTER-DEPARTMENTAL MAIL SYSTEM

THE HONORABLE JENNY ABBOTT KITCHINGS, CLERK  
THE SOUTH CAROLINA COURT OF APPEALS  
1220 SENATE STREET  
COLUMBIA, S.C. 29201