

To: The chief Administrative Judge
of the Supreme Court

November 15, 2016

Good day to you Sir or Mam, I hope this letter has reached you at no inconvenience, however I was compelled to write you a letter to prevent a few details of some facts that are currently affecting a surmountable number of citizens and inmates within this state.

The basis of my concerns regards the DOC and the SCPPPS's, more than likely misinterpretation of statute 44-53-370-375, pertaining to 3rd offenses and PWID priors. Indeed any argument of law is misplaced here, nonetheless I recently submitted an amended brief stating this argument and it's prejudice in a current appeal that I have in this court, for reference the case # is 2015-002479. The heart of the matter is the cause and effects of both of these Agencies and their inaction of both. It is common information that both of these Agencies and possibly more have unconstitutionally re-arrested released inmates based on this misinterpretation of the law. What's disturbing is all this is being done according to the ORDER of their general counsel staff, and the general counsel staff here within the DOC received their clarifications from the solicitors and former solicitors of inmates on this concern, and not from the court of Appeal, who just ruled on "no-parole" offenses / drug-offense in *Bolin vs. SCDC*.

In my case, inmates have been denied release, because the DOC strictly relied on the solicitor's opinions as legal basis of extending incarceration. Furthermore, the DOC is not giving any accurate and consistent legal basis as to why and how they are detaining us, or what brought about their conclusion; meaning some inmates do not know that their solicitors were contacted. In fact, a staff member informed me that a classification meeting was held in Nov 2016, stating that the DOC actions were and are possibly in error. However, they have not alleviated the error in any way, well not to my knowledge. They have informed all the affected parties that they now have filed this matter in the Supreme Court and are awaiting a decision. My assessment from thorough questioning is they are not being very forthcoming about this; meaning they are making it appear as if they have directly sought an interpretation from this court themselves and that is simply not the truth.

For example, they can not and will not provide the case name or number they filed this under. It seems the DOC is conveniently sweeping the possibly error under the rug, for someone else to clean up. What I have discovered is that the DOC is actually relying on the amended brief I submitted to the court on this issue on or about Nov 1, 2016. To reiterate a classification member informed me they attended a mandatory meeting and general counsel informed them they are awaiting a Supreme Court decision, and didn't give much details, just that there could be possible constitutional errors. (Meeting was approx 11 days ago)

My concern is how the Dept actually contacted the court and informed them of the circumstances surrounding this matter, or are they allowing so many people to wait around in the dark while they make no effort to correct or properly clarify a potential error, if so the Dept of Corrections is not a suitable name for engaging in conduct that can potential separate more families unjustly. Consequently, as I've stated previously, I was compelled to share the totality of this matter, where the DOC and SCPPPS, would rather remain silent. I do apologize if I may seem a bit assertive, however I intended to convey the facts as they are, and they are unpleasant if a closer look is taken. Thank you for your time this day and honorable services.

P.S. I've also included a quote from this court regarding circumstances of the DOC

Respectfully,

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CHIEF JUSTICE

"We also recognize that errors and omission whether caused by bureaucratic oversight, a misunderstanding of the law or an intentional act, are likely to occur in a system that closely controls the lives of some 21,500 inmates on any given day. While we are confident the Department will properly resolve most matters without the need for either ALC or judicial review, that review must be available. We believe our decision today will further the fair and prompt resolution of administrative matters in the prison system." ← either McNeil vs. SCDC or Al-shabazz vs. state

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