

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2021-001149

RECEIVED

JAN 12 2022

SC Court of Appeals

Russell Mawyer, #139176,

Appellant,

v.

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

Respondent.

RECORD ON APPEAL

Russell Lee Mawyer

SCDC# 139176

Perry C.I., Q4A 221

430 Oaklawn Road

Pelzer, S.C. 29669

Matthew C. Buchanan,

Esquire

General Counsel, SCDPPPS

P.O. Box 207

Columbia, S.C. 29202

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APPELLANT'S DESIGNATION OF MATTER

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
Fax: (803) 734-9440
www.dppps.sc.gov

January 11, 2017

Mr. Russell Mawyer #00139176
McCormick Correctional Institution
386-Redemption Way
McCormick, SC 29899

RE: NOTICE OF REJECTION

Dear Mr. Mawyer:

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); (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, and (4) actuarial risk and needs assessment factors pursuant to Section 24-21-10 (F) (1) of the South Carolina Code of Laws. The Parole Board had determined that your 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

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Ray Patton, Jr." with a stylized flourish at the end.

Larry Ray Patton, Jr.
Director of Parole Board Support Services

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

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Columbia, South Carolina 29250
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www.dppps.sc.gov

March 21, 2019

Mr. Russell Mawyer #00139176
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Mawyer:

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); (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, and (4) actuarial risk and needs assessment factors pursuant to Section 24-21-10 (F) (1) of the South Carolina Code of Laws. The Parole Board had determined that your 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
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in cursive script that reads "Nettie C. Jacobs".

Nettie C. Jacobs
Board Support Services

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

293 Greystone Boulevard
Post Office Box 207
Columbia, South Carolina 29202
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www.dppps.sc.gov

April 15, 2021

Mr. Russell Mawyer #00139176
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Mawyer:

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); (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, and (4) actuarial risk and needs assessment factors pursuant to Section 24-21-10 (F) (1) of the South Carolina Code of Laws. The Parole Board had determined that your 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
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in cursive script that reads "Nettie C. Jacobs".

Nettie C. Jacobs
Board Support Services

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4/14/2021

PAROLE INFORMATION FOR

RUSSELL MAWYER

#00139176

APRIL 14, 2021

ELEANOR DUFFY CLEARY
Cleary Law LLC
Attorney For Mr. Mawyer

Post Office Box 40086
Columbia, SC 29240
(803) 376-0075
Ellen@Clearylawllc.com

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CERTICATES OF ACHIEVEMENT

DATE	DESCRIPTION	
02/28/2020	Facilitator In The Intensive Management Step-Down Program	Perry Correctional Institution
02/20/2020	Enneagram Course	Furman University
01/01/2020	Philosophy 101 Training	Perry Correctional Institution
12/09/2019	ENG 200: Creative Writing	Furman University
11/06/2019	Outstanding Leadership in Jumpstart Program	Jumpstart Program at Perry Correctional Institution
11/01/2019	Chaplain Clerk I 200 hours OTJ training	Palmetto Unified School District
08/28/2019	Inmate Companion Program	John Taylor, Ph.D., Chief of Psychology
07/19/2019	The Fire Bible – Bible Study Class	Perry CI Chaplain
07/11/2019	Coping with Violent Crime CBU TESA Instructor Lead	Program Director J. Smith
06/17/2019	Survey Research in Social Sciences	Furman Prison Educational Partnership
06/01/2019	Yoga	Perry CI Lifer's Program
06/01/2019	Class Facilitator for Stress Management	Perry CI Lifer's Program
06/01/2019	Class Facilitator for Thinking Differently	Perry CI Lifer's Program
04/26/2019	Coping with Rejection – Housing/Jobs – Interviewing/Resumes – Living with Purpose	Professor Carson
04/05/2019	Administrative Clerk On the Job Training. 200 hours	Palmetto Unified School District
03/21/2019	From Pain to Purpose “Encounter”	Gospel Express Ministries
03/28/2019	Teaching “Developing Insight”	Lifer's Program
03/15/2019	Facilitator Training, The 7 Habits on the Inside	FranklinCovey
03/15/2019	Facilitator, Intensive Management Step-Down Program	Perry CI
03/01/2019	Anger Management	SCDC Division of Behavioral/Mental Health & Substance Abuse Services
01/18/2019	The 7 Habits on the Inside	FranklinCovey
12/06/2018	CBU Instructor Development Course	Perry CI CBU Development Program
12/02/2016	Facilitator, Intensive Management Step-Down Program	McCormick CI
12/02/2016	Life Skills & Expressive Writing Class	McCormick CI Step-Down Program
12/02/2016	Step-Down Program Art Class	McCormick CI
12/02/2016	Prison Yoga Projects	SCDC Division of Behavioral/Mental Health & Substance Abuse Services
12/02/2016	Anxiety and Depression	Intensive Management Step-Down Program, McCormick CI
12/02/2016	Creative Writing	Intensive Management Step-Down Program, McCormick CI

DATE	DESCRIPTION	
08/15/2016	Outstanding Leadership in JumpStart Program	McCormick Correctional Institution
07/14/2016	Violence Prevention	Sexual Trauma Services of the Midlands
03/09/2015	Outstanding Leadership JumpStart Program	McCormick Correctional Institution
03/09/2015	Step-Down Program Facilitator	McCormick CI
03/09/2015	One Degree at a Time – Behavior Transformation System	Full Circle Refuge Ministry
04/28/2014	Certificate of Graduation SHAPE	McCormick CI
04/03/2014	Workkeys Summary	
02/19/2014	Bondage to Freedom Seminar	Gospel Express Evangelistic Team
12/02/2013	Jump Start Outstanding Leadership	McCormick CI
08/30/2013	Reaching Out to Younger Men Conference II	McCormick CI
01/01/2013	Discipleship Class	McCormick CI
12/03/2012	JumpStart Outstanding Leadership	McCormick CI
03/19/2012	Youth Mentor/Mentee Training	McCormick CI
02/16/2012	Bondage to Freedom Seminar	Gospel Express Evangelistic Team
02/06/2012	Jump Start Outstanding Leadership	McCormick CI
02/01/2012	Victim Impact (13 wks)	McCormick CI
10/24/2011	Certificate of Graduation Your Life Review	
09/01/2011	Celebrate Recovery	McCormick CI
06/01/2011	Victim Impact	McCormick CI
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01/10/2011	JumpStart Re-entry Program Leadership Folder	
04/15/2010	Anger Resolution Seminar	Institute in Basic Life Principles
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09/25/2009	Anger Resolution Seminar	Institute in Basic Life Principles
01/01/2009	IRC Chairman	McCormick CI
10/20/2008	START Re-entry Program	
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02/14/2008	Bondage to Freedom Seminar	Gospel Express Evangelistic Team
12/06/2007	Certificate of Appreciation McCormick IRC	McCormick CI
08/13/2007	START Re-entry Program	
02/15/2007	Bondage to Freedom Seminar	Gospel Express Evangelistic Team
11/30/1995	“How to Manage Your Life” Excellent Participation	SCDOC Social Work Services
07/12/1995	“Money Management”	SCDOC Social Work Services
03/08/1994	“Stress Reduction”	SCDOC Social Work Services
03/17/1992	High School Equivalency Diploma	SC Department of Education

PHOTOGRAPHS

INTRODUCTORY LETTER



POST OFFICE BOX 40086
COLUMBIA, SOUTH CAROLINA 29240
WWW.ELEANORCLEARYLAW.COM

CLEARY LAW
UNRAVELING YOUR LEGAL ISSUES

PHONE: (803) 376-0075
FAX: (803) 753-9988
ELLEN@CLEARYLAWLLC.COM

March 31, 2020

South Carolina Board of Pardons and Paroles
293 Greystone Blvd, Suite 100
Columbia, South Carolina 29210

Dear Members of the Board:

I am proud to represent Russell "Rusty" Mawyer (00139176), who I first met in August of 2019 at Perry Correctional Institution. At our first meeting, I knew he was someone special because of the deep insight he revealed when talking about his feelings about his crime. I knew this was a man who had truly come to realize the horrible consequences of his actions, to his family and the family of Todd Anderson. As a result, he had dedicated his life to helping other inmates and to making amends to those he hurt.

In January of 1987, Rusty pled guilty to the murder of Todd Anderson, burglary first degree, and assault with intent to kill his wife, Shanna Mawyer, in Pickens County. Judge Pyle sentenced him to life without eligibility for parole until the service of thirty years. He has been incarcerated since September 27, 1986, almost thirty-five years. He is now 54 years old.

He has been a model inmate, as evidenced by the letters from people who have worked with him in prison. He is a leader among men and has shown his dedication to helping other prisoners become better people. As part of his service, he forfeited the comfort and privileges of Medium Custody, to which he is entitled, and agreed to be tracked as "SF" custody so he could serve as a Facilitator in the Step-Down Program.

When I approached those who have known Rusty in prison about writing a letter in support, I was overwhelmed by the enthusiasm they showed. I have never met an inmate who is so respected and in whom so many people have a great deal of faith. Meeting with Rusty many times, both in person and through video conferencing, I understand why they strongly support his parole.

Rusty has accomplished so much in the Department of Corrections that it seems unnecessary to recount the circumstances that led to his crimes. Nonetheless, I feel some background may be needed, especially in light of the fact that he was only 20 years old when he committed these crimes. He had a traumatic upbringing. His natural father killed a man over jealousy, as did his grandfather. He lived with his natural father in California, where he hung out on the streets and did not attend school. When he was eight or nine years old, he went to live with

his mother, who he had not really known previously. His natural father disavowed him after that. His stepfather, even though he was emotionally cold, became a more reliable father to him. Nonetheless, Rusty's tumultuous childhood resulted in a trauma response of attachment disorder. Craving the love he needed, Rusty dropped out of high school to marry Shanna in May 1985 and they had two sons together, Justin and Adam. Rusty recognizes he was obsessed with her in a very unhealthy way and was consumed with jealousy. They separated in July 1986 and he was unable to accept it because of his obsession and insatiable need for love. When he saw Shanna with Todd Anderson, he acted in response to that trauma. Dr. Spurgeon Cole, the clinical psychologist who testified at his guilty plea hearing, testified Rusty was very sensitive to rejection. He stated that his personality profile was that of a passive dependent person for whom violence was not a normal reaction. Dr. Cole opined that his chances for rehabilitation were excellent.

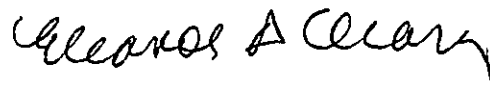
As predicted, Rusty has not demonstrated any violent tendencies in prison and has remained discipline free for many years. It is this demonstration of rehabilitation that has prompted personnel at SCDC to tap him for leadership roles during the many years that he has been there.

His family and community will provide solid support for him if he is paroled. His sister, Connie Mawyer, explained that the family had become healthier after years of trauma, including her own incarceration. His son, Justin, relayed to me that he has made a conscious effort to break the cycle started many generations ago. After many years, he has become convinced that his father has also broken that chain. Rusty has the strong support of his sons, as well as numerous other relatives, all of whom live in the upstate of South Carolina, near Pendleton, where Rusty will reside with his mother if paroled.

Rusty has been offered employment by J&C Seamless Gutters upon release, as indicated by the letter included with this packet. He will no longer be a burden upon the State and will, in fact, contribute greatly to society by continuing to work with programs that help people who are at risk of incarceration. As a born-again Christian, he is anxious to become part of a church family if he is released. Pastor Larry Epps at Perry Correctional Institution informed me that he had worked with Rusty for many years at living his Christian faith.

We appreciate the Board's willingness to review this packet prior to his parole hearing. Based on the information submitted, we respectfully ask that you grant Rusty parole.

Sincerely,



Eleanor Duffy Cleary
Attorney for Mr. Mawyer

LETTER FROM
RUSSELL MAWYER

DEAR Parole board member.

Hi my NAME is Russell MAWYER.

I'm writing you to request CONSIDERATION for my RELEASE AT my upcoming Parole HEARING. IN JANUARY of 1987 I pled guilty to MURDER, first degree BURGLARY, AND ASSAULT WITH THE INTENT TO KILL, for the death of Gregory Todd ANDERSON, AN ACQUAINTANCE of my wife AT THE TIME. I found the two TOGETHER AND ended up shooting him AND AT her in A FIT of ANGER AND JEALOUSY.

THIS WAS A TERRIBLE, TRAGIC CRIME. MR. ANDERSON WAS AN INNOCENT MAN AND DIDN'T DESERVE THIS, NOR did my wife or their FAMILIES. I ACTED RASHLY AND impulsively OUT of my ANGER AND PAIN, BUT THAT'S NO EXCUSE. I TAKE FULL RESPONSIBILITY FOR my ACTIONS. IN looking BACK ON those EVENTS, SOME THIRTY FOUR YEARS LATER, I STILL FEEL DEEP SADNESS AND REGRET FOR WHAT I DID.

I'VE BEEN INCARCERATED FOR OVER 34 YEARS NOW. OVER THAT LONG SPAN OF TIME, I'VE DONE ALOT OF THINKING AND GROWING. I'M NO LONGER THE SAME MAN I WAS WHEN I CAME TO PRISON. I'VE MATURED. I'M A MORE RESPONSIBLE, THOUGHTFUL, AND CARING PERSON.

IN STRIVING TO CHANGE WHO I WAS I SET MYSELF THE GOAL OF PURSUING EVERY CLASS, ACTIVITY, AND OTHER REHABILITATIVE PROGRAMS I COULD FIND. I GOT MY G.E.D., AN ANGER RESOLUTION COURSE, A VICTIM IMPACT COURSE, AND A COURSE ON SELF-IMPROVEMENT AND GOAL SETTING CALLED "THE SEVEN HABITS OF HIGHLY EFFECTIVE PEOPLE". I TOOK AND COMPLETED "JUMPSTART" IN ~~2007~~ 2007. ONCE I GRADUATED I BECAME AN INSIDE LEADER FOR "JUMPSTART" Helping Fellow INMATES complete the program. AND FOR

The last five years I've been a facilitator in the step-down program, helping mentor inmates released from long-term lockup to readjust to being back in the general population.

My family has stood by me during my years of incarceration, so I have a strong social support to help me upon my release. I will be living with my mother and sister in the home town I grew up in. I have a job

But I intend to return to school to further my automotive repair training and enter that field eventually. I plan to join Slabtown Baptist Church where my mother attends. It is my goal to get someone there to serve as a mentor in helping me along with my family transition back into society.

I also have a future goal of becoming involved in youth ministry aimed at helping troubled youths in the community avoid going down the same path I did and ending up in D.J.J. or prison.

Sincerely,
Quarrel L. Mays.

LETTERS
OF RECOMMENDATION

3/21/01

To Members of the Parole board,

My name is Anna Massingale and my son is Russell Mansyer 139176 I live at 1487 Mossy K Pendleton SC This is also where Russell will live when he is released. When he was sent to prison at the age of 19 just a kid and quiet to react as young people do with no thought of his actions would cause so much grief for so many people. He is now 55 years old. Nobody can change the past but he has changed to become a person who understands and lives with remorse for his actions. He has made it part of his life to help other people not to do things that cause so much pain especially for the victims and their family As for me I'm 73 years old so I beg you to please let him come home and be a productive person with the full support of his family. The entire family believes he is ready to return to society. Feel free to call me if you have any questions 864 209 9621

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Sincerely

Anna Massingale

Justin Mawyer
219 Rutledge Road
Greenville SC 29617
864-358-0816
Justinmrcs84@yahoo.com

March 10, 2021

RE: Russell Lee Mawyer #139176

To the South Carolina Parole Board Members,

I am the eldest son of Russell Lee Mawyer and Shanna Crouse. I would like to petition the parole board for leniency and consideration for my father's parole.

I would like to express the position I find myself in. My mother was a victim in the crime for which my father is incarcerated for. Over the last three decades, me and my family have been through tremendous trials and estranged relationships. This past summer, my mother Shanna Crouse, my younger brother Adam Mawyer and myself, came to terms with this crime. My mother at that time stated that she has no further plans to attend the parole hearings for my father Russell Lee Mawyer.

I am a survivor. I have established myself in my community, have attended the Forestville Baptist Church for over 7 years. Me and my wife own a small 38-acre ranch with livestock. I have been with the same woman for 21 years, and we have been married for 13 years. We have two children together.

I have been on the Board of Directors for the Foothills Youth Rodeo Association for 3 years. I have a full-time job at RCS Grading, I have been one of the Lead Mechanics for 9 years.

I have struggled to develop a relationship with my father over the years. We have however, grown, healed and have gone through the process of understanding what took place.

I would also like for this panel to know that my mother Shanna Crouse passed away this last November.

I would support my father's release, and would like to be able to give my family an opportunity to develop a relationship with him as well. I can show him how to work towards the future as I have learned how to do. This crime affected my entire family, there has been enough hurt. I truly believe it is time for this to come to an end. We can finally finish healing and move forward as a family.

Sincerely,

Justin Mawyer

March 21, 2021

To Members Of The Parole Board:

My name is Adam Warren Mawyer. I reside at 208 1st Ave., Starr, South Carolina, 29684. I am the youngest son of Russell Lee Mawyer and Shanna Crouse. This letter is in support of my father, Russell Lee Mawyer, 139176. I would like to petition the board for leniency and to grant release for my father. My mother, my brother Justin, and I talked about the events of my father's crime. We agreed it was time to move past all the pain and suffering. Our mother expressed to us at that time, she had no further plans of attending the parole hearing. My mother has since passed away.

I have been married to Brandi for 10 years. We have 3 children. I have been employed at BMW for the past 9 years. As a family, we support my father. We feel he is ready to re-enter society and rejoin his family. Not only will he be welcomed back into our family, he will be included in family events and supported in every way. We feel it is time for this separation to come to an end. My family will work toward developing a relationship with my father.

Thank you for your time.

Sincerely,

Adam Mawyer

Constance Mawyer
1407 Massey Rd.
Pendleton, SC 29670
864-353-8828
connie.mawyer@gmail.com

March 14, 2021

RE: Russell Lee Mawyer #139176

To the South Carolina Parole Board Members,

I am the younger sister of Russell Lee Mawyer. I would like to petition the parole board for consideration for my Brothers parole.

I would like to start by introducing myself to you. Russell will be coming home to live with me. I live here with our Mother. We own the home. I was released from Leath Correctional Institution, October 19, 2017. Russell and I have always written to each other throughout the years we were both incarcerated.

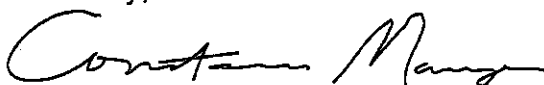
I have lived at the same residence since my release. I have had a great network of support in my transition, from family, work as well as the community. I started upon my release volunteering at the Humane Society of Greenwood. I graduated from volunteering into working for them as an Animal Care Technician January of 2018. I was asked to take on the Director of Operations position in September of 2019. We went through an organizational change. I created the new system, the protocols as well as developed the programs that we have put in place. As our Executive Director left in July of 2020, I stepped up and was named Interim Executive Director at that time. We were named Shelter of the Year, by the Charleston Animal Society, and No Kill SC, January of 2021.

I have carved out a career and a stable life. I am not in a relationship, nor do I have children. I am balancing my career with family. I believe this crime affected my entire family. We acknowledge that this was a terrible crime and there are many victims. We have worked with Russell's children, in rebuilding a family relationship. We have all come to terms with the past and are focused on moving forward and supporting each other. Russell has been out of society for more than 3 decades.

As I had to transition, I do understand some of the hurdles he will ultimately face as well. I hope you can see that my success in re-entry, has been a culmination of working on myself through the programs offered within the Department of Corrections, as well using those skills in my daily life. We have a positive home and will give Russell the support and understanding he'll need in getting started over. Making sure he meets his appointments, has the ability to get a job and transportation. I also know that he may need to utilize some of the re-entry programs like VocRehab.

I want to give him the opportunity my family afforded me in my release.
Thank you for your Consideration and Time.

Sincerely,



3/19

Edward Massingale
411 Mt. Airy Church Rd
Easley, SC 29642
864-933-8936

March 16, 2021

RE: Russell Lee Mawyer #139176

To the South Carolina Parole Board Members,

I am the younger brother of Russell Lee Mawyer. I would like to petition the parole board for consideration for my Brothers parole.

I have been close with Russell during his entire incarceration. I have not only visited him regularly over the years, but my wife and two children have also visited with him and they have a relationship. My home is a mere 10 minutes from the home he will be living in. I am committed to helping him transition. I know he has to fulfill obligations to being on parole If you do release him. I attended his last parole hearing, at that time I stated that I would help him with his reentry by making sure he gets his state ID, makes his appointments to his parole officer and his fines will be paid as well. He will need to learn to drive again, and he will be dependent on others until he can drive himself. My sister came home in 2017 after 28 years of being incarcerated. I understand the transition that must take place. As we worked through that process with her, we can do the same thing for Russell.

Thank you for your Consideration and Time.

Sincerely,
Edward Massingale

March 15, 2021

To Members of the SC Parole Board,

My name is Virginia Gayle Camak. I reside at 12230 Old White Horse Rd, Travelers Rest, SC 29690. I am writing in support of Russell Lee Mawyer #139176. Russell and I communicate by mail at least once a week. We have a friendship and a bond with cards, letters and phone calls. Praise God for the tablets the inmates have been provided. These tablets have allowed us time to pray in a quieter environment and reach out to God in private. I have found Russell to be a reliable prayer warrior and amazing prayer partner. Russell has expressed deep remorse for his crime as well as the pain and suffering he has caused. Many times Russell has expressed to me a desire to work with at-risk teens. He wants to help them see and understand how important strong decision making is and how these decisions affect the rest of their lives. He wants to encourage them to avoid a life of crime.

While I am the caregiver "nana" for Russell's grandchildren, I can say that his family and friends welcome him back into society. He will be included and welcomed at family gatherings, church or any social events.

Thank you for your time as you review my petition for leniency and grant release for Russell. I continue to pray for Russell and your decision.

Virginia Gayle Camak

Jessica D. Lecompte
Perry Correctional Institution
430 Oaklawn Road
Pelzer, South Carolina 29669
(864)243-4700

March 20, 2020

Letter of Reference for Parole: **Russell Mawyer #139176**

To whom it may concern:

My name is Jessica Lecompte and I currently manage the Step-Down Program for the South Carolina Department of Corrections located at Perry Correctional Institution. The Step-Down Program is an incentive-based offender management program that helps transition inmates out of long-term solitary confinement back into the general population within the prison system. Inmates coming into the program have spent up to 30 years in supermax or coming off death row when their sentences have been commuted. I have been with the agency for approximately 10 years. I have a master's degree in criminology from Florida State University and am working on my PhD in forensic psychology.

When SCDC first piloted the Step-Down Program at McCormick Correctional Institution in 2015, Warden Cartledge and Major Mursier handpicked five inmates within general population to become the first facilitators in the program. These five inmates had shown integrity, leadership, and character that were felt would be the best to mentor inmates coming out of long-term solitary confinement. Russell Mawyer was one of those inmates. He lived in the character-based program and sacrificed that comfort to move into the program housed then in the restrictive housing unit (lock-up) with the most violent inmates across our state. The program was such a success at McCormick Correctional Institution that the agency decided to open Step-Down Programs across the state. Myself, as well as security staff, and these five facilitators (which included Mr. Mawyer) traveled to each prison to help develop the foundation for each program. Mr. Mawyer was a part of a team that mentored other inmates on how to become facilitators and teach classes within this program.

He has been a facilitator in SDP for approximately 6 years now. During that time, he has helped mentor and teach inmates how to change their thinking and behavioral patterns through mentoring one-on-one and also teaching a number of classes. Since being in the program, Mr. Mawyer has become a certified facilitator to teach 7 Habits of Highly Effective People by Stephen Covey and teaches that class biweekly. He also facilitates our Life Skills and Expressive Writing Class and brings a perspective that many inmates can relate to. He has become a certified yoga instructor and assists new participants in the yoga and meditation class as well.

In 2018 Mr. Mawyer was approved by the Warden at Perry to become one of five inmates who go weekly to lock-up and teach I am Responsible and other curriculum to inmates in solitary confinement. He has completed numerous classes such as: Life Skills & Expressive Writing, Art Therapy, Creating Writing, Anxiety & Depression, Spanish Class, Overwhelmed, Violence Prevention, Max-Out Right, Impact of Crime, 7 Habits on the Inside, Developing Insight, 7-Habits Facilitator Training, Advanced Facilitator Training, and Anger Management. Mr. Mawyer also assists in the Lifer Program by teaching the following classes in that program: Handling Tough Times, Thinking Differently, and Stress Management.

Mr. Mawyer is in "SF" custody due to being assigned to the Step-Down Program as a Facilitator and the custody is for tracking purposes only. He currently scores out as MEDIUM custody.

s/ Jessica D. Lecompte

Woody Greene
420 Crowfields Dr.
Asheville, NC 28803

March 9, 2021

SC Department of Probation, Parole and Pardon Services
2221 Devine Street, Suite 600
PO Box 50666
Columbia, SC 29250

Dear Sir or Madam,

I am writing on behalf of Russell Mawyer and his upcoming parole hearing on April 14th. I first met Mr. Mawyer in McCormick Correctional Institute in April of 2010. On this visit, with members of JumpStart Prison Ministry, I was able to meet with a few of the JumpStart leaders in McCormick and one of those was Mr. Mawyer. Over the years I have made eight visits to McCormick where I was privileged to work with Mr. Mawyer who is clearly the leader for the JumpStart Program. Over the past six years, there have been 134 graduates from this program who have been paroled or have maxed-out. Of these 134 men, only 1 has returned to prison which is a 0.7% rate of recidivism. To me, and I hope to you, the tremendously successful performance of these men, speaks volumes about Mr. Mawyer and his leadership. If he can lead and train this many men who have been successful on the outside, it leaves no doubt that Mr. Mawyer knows what it takes and has the qualities required to be successful if the Board would see fit to grant his request for parole.

During the past two years, Mr. Mawyer has been housed in Perry Correctional but has traveled to two other Institutions (before Covid) to work with inmates in lockup. As you know, there men are some of the worst of those incarcerated. Mr. Mawyer has been highly successful helping these men understand a better way of conducting themselves and has been recognized for his work. As you know, such skills and results are unusual among those incarcerated in SCDC.

I work for a Greer, SC based company, Athena Assessment, Inc. and we sell an assessment known as the Athena Quotient (AQ). The AQ is a values profile that measures judgment. It was developed in the 1960's and 1970's by Dr. Robert Hartman and he was nominated for the Nobel Prize for this work. The AQ measures how someone values people, values work, values long-term thinking as well as forty other judgment abilities critical to success in our society. Over the past eight years more than 2800 inmates in the SCDC have been evaluated with this instrument (at no cost). We have very clear evidence that those inmates who have good judgment (i.e., great values) and are paroled or max-out, become successful, tax-paying, law-abiding citizens of South Carolina.

During my visits to McCormick I taught classes on how to interpret the Athena Quotient Assessment and Mr. Mawyer was the leader of the men in my class. He has taken the assessment several times and I am happy to report that his very first results, recorded on December 4, 2010, were very strong (a copy is attached). From the assessment, one can see that Mr. Mawyer values others, is an extremely hard worker, can solve problems and make sound decisions. As far as Mr. Mawyer as a person (Part 2), the assessment shows that he is very good at setting priorities, copes well with stress, has a very strong moral conscience, will be assertive in a positive manner and does a good job of taking care of himself. It is also worth noting that more recent assessments by Mr. Mawyer are even better.

I have met many men and women in the SCDC and can, without reservation, say that Mr. Mawyer is one of the best and I would recommend that you strongly consider his request for parole.

If for some reason you need to speak with me, I can be reached at 803.315.0565.

Sincerely,

Woody Greene

SUMMARY — ATHENA QUOTIENT®

Russell Mawyer

Fresh Start

12/4/10 21:39

PART 1 EXTERNAL / WORK-SIDE — (WHAT YOU DO)

MEASURE OF CAPABILITY FOR:			SCORE	JUDGMENT CAPABILITY						
				Strong						Weak
				0-10	11-20	21-30	31-40	41-50	51-60	61+
I	Intrinsic - People, Relational, Human Factor		12		✓					
E	Extrinsic - Work, Task, Process, Tactical	3 Global Indicators	9 *	✓						
S	Systemic - "Big Picture", Global View, Strategic		22			✓				
1	Decision Making Ability (Problem Solver - "Struggles")		13		✓					
2	Ability to Notice (Intuitive - "Clueless")		14		✓					
3	Dealing With Difficult Situations (Energetic - Drained)		26			✓				
4	Coping Skills (Copes Well - Feeling Stressed)		40 -				✓			
5	Focus and Concentration (Focused - Distracted)		18		✓					
6	Following Directions (Precise - Lax)		25 -			✓				
7	Consistency / Style (Decisive - "Knee Jerk")		45 -					✓		
8	Realistic versus Idealistic (Realistic - Idealistic)		50 -						Slight I	
9	Tolerance (Tolerant - "Closed Minded")		13		✓					
10	Compassion (Caring - "Disconnected")		16		✓					
11	Trainability (Trainable - "Slow" to Train)		11		✓					
12	Work Ethic (Reliable - Unreliable)		12		✓					
13	Understanding Strategies (Strategies Considered - Not)		24			✓				
14	Using Strategies (Strategies Used - Not Used)		20		✓					
15	Overall Part 1 Strength (Strong - Weak)		14		✓					

PART 2 PERSONAL / SELF-SIDE — (WHO YOU ARE)

MEASURE OF CAPACITY FOR:			SCORE	JUDGMENT CAPABILITY						
				Strong						Weak
				0-10	11-20	21-30	31-40	41-50	51-60	61+
I	Intrinsic - comfort with self as a unique individual		16 -		✓					
E	Extrinsic - see self in terms of role, i.e. parent, job, etc.		8 -	✓						
S	Systemic - understand self as interconnected to larger whole		13 -		✓					
1	Understanding Priorities (Strong Priorities - Unsure)		13		✓					
2	Self-Regard (Self Caring - Self Neglectful)		9 *	✓						
3	Self-Acceptance (Self Accepting - Self Critical)		32				✓			
4	Coping Skills (Copes Well - Feeling Stressed)		0 -	✓						
5	Assertiveness (Assertive - Conflict Avoidant)		10 *	✓						
6	Understanding "Right" from "Wrong" (Strong Moral Compass - Weak)		0 -	✓						
7	Consistency / Style (Decisive - "Knee Jerk")		23 -			✓				
8	Role Identity / Receptiveness to Change (Seeks Change - Fears Change)		29			✓				
9	Meaningfulness of Work (Fulfilled - Unfulfilled)		17 -		✓					
10	Morale (High Morale - Low Morale)		10 *	✓						
11	Organization (Organized - Unorganized)		13 -		✓					
12	Solving Personal Problems (Independent - Dependent)		18		✓					
13	Solving Practical Problems (Independent - Dependent)		12 *	✓						
14	Discipline (Personally Aware - Oblivious)		18 -		✓					
15	Overall Part 2 Strength (Strong - Weak)		12 -		✓					

PART 3 BALANCE OF JUDGMENT

MEASURING BALANCE FOR:			SCORE	Under Valued			Balanced	Over Valued		
			± 45	Problem	Issue	Minor		Minor	Issue	Problem
1	People	Work-Side	(Under Values People - Over)	-5			✓			
2	Work		(Under Values Work - Over)	2			✓			
3	Ideas		(Under Values Ideas - Over)	-5			✓			
4	Self-Confidence	Self-Side	(Insecure - Arrogant)	-2			✓			
5	Role Satisfaction		(Underemployed-Indispensable)	-5			✓			
6	Self-Motivation		(Lacks Motivation - Unrealistic)	7					✓	



25

Subject: (none)

Date: Saturday, March 20, 2021 at 1:22:06 PM Eastern Daylight Time

From: Gerald Haynes

To: ELEANOR CLEARY

To whom it may concern: I Pastor Gerald Haynes am honored to share with you my relationship with Russell Mawyer(Rusty) which span's more then ten years.

We've worked together for the past ten years with a prison ministry called, "JumpStart Ministries", founded by Tim Terry, who was once an inmate at McCormick Correctional Institue, in McCormick, Sc.

Rusty is a invaluable inside leader and challenges the men to search deep inside of themselves to determine the "Root Cause" of what lead them to the behavior, leading them to their incarceration troubles.

Rusty has so much more to offer to those on the outside as well. His life is the kind that can make a uge difference, because of his life changing transformation. That has been witnessed by those who have come in contact with him. Rusty has become the change, that he advocates to see happen in the lives of others. Thank you in advance for your releasing Russell Mawyer back into society to the productive citizen I know he wil be. Once again thank you.

Pastor Gerald Haynes

To the Honorable Members of the South Carolina Parole Board

I am honored to write this letter of support for Russell Mawyer. I am the lead volunteer for Jumpstart at Perry Correctional and I have spoken to you all with many other men going up for parole for the last 8-10 years. If not for COVID-19, I would be with Mr. Mawyer at his parole hearing in support of him being granted parole. Mr. Mawyer is one of the three Jumpstart leaders on the inside. As one of the leaders in Jumpstart, Mr. Mawyer was carefully and thoroughly vetted by the staff at Perry (the chaplain's office in particular) and this position of trust was granted to him with great confidence. He is one of the men that I trust to help run the inside portion of Jumpstart in a manner that conforms to the standards that are necessary to gain housing with Jumpstart and to be the foundation of success in the program. He supervises the 8-12 coaches that are used in the small group portion of the Jumpstart classes.

In the time that I have known Russell, he has shown me characteristics of a godly man. When not handling the duties of Jumpstart leadership, he mentors in the CBU (Character Based Unit) at Perry helping men who are trying to lead a better life. Not all men in the CBU are active in the mentoring process but Russell spends hours and hours with men needing help. He assists them with the classes that CBU offers, he does outreach to other dormitories and the Assisted Living Unit, and when there is conflict, he is one of the men called upon by the staff to help solve issues within the CBU. Russell is a leader but he is a servant leader that understands you have to lead by example. His life in prison since I have known him has been one of great respect for authority and great respect from fellow inmates. He is trusted by the staff at Perry and by the men within the CBU.

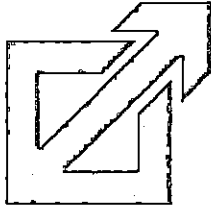
On a more personal level, Russell has done what is necessary to prepare himself for being paroled. Conversations with him revealed that he has addressed the issues that drove him to commit the crime that has placed him in prison. He understands the horror and sorrow that he has inflicted on his victims family and on his own family. He has steadfastly enrolled in classes that have helped him to understand the "why" he did what he did those many years ago. On more than one occasion he has expressed his remorse and shame for what took place. I think that his understanding of what he did and the consequences and rippled effect of that action is the impetus of his transformation while in prison. The transformation of a man who only wants to do what is right. A man who only wants to help his fellow man and encourage others.

While I do not know Russell's plan for housing if released, I know he has options, I feel confident that he would have a place at Jumpstart with so many other success stories that have gone through the Jumpstart program. Many of the men who have been successful in the outside portion of the ministry are successful due to the efforts of Mr. Mawyer.

I am happy to answer any questions but know that I wholeheartedly support the parole of Mr. Mawyer and would encourage the members of the board to see the man that sits before you during the hearing and not the man that committed a crime many years ago.



David L Johnson



FRESH START VISIONS

March 9, 2021

SC Department of Probation, Parole and Pardon Services
2221 Devine Street, Suite 600
PO Box 50666
Columbia, SC 29250

To whom it may concern,

I am writing on behalf of Russell Mawyer and his upcoming parole hearing on April 14th. I met Rusty back in 1985 while incarcerated at McCI. We used to do a lot things I am not proud of today, but can say with total confidence, that in April 1994 I went through a Kairos weekend and got radically changed by the Love, Grace and Forgiveness of God!

God did not get me out of prison, but my life began to change in such a way that I started seeing all the Hopelessness around and began to do what I could while still incarcerated. Rusty wanted to know what had happened to me so I began to tell him about Kairos and how God has saved and changed me. I invited Rusty to go through the same kind of weekend I did, well he accepted, reluctantly to start with, but then he began to open up and start dealing with his past and also asked Christ to come into his life. I began to see change in Rusty and over the course of the next 8 years I continued to try and help others see what could happen if they would just start doing what is right.

Well on Sept 2002 I went up for parole from Lee CI after being denied many times, You all finally gave me a shot at life and granted me Parole, and I am forever Thankful to this day. Not only have I been out 18 years starting reentry groups across SC, but have gotten my children back, the forgiveness of everyone I had hurt and continue to believe in paying it forward.

When I was able to start my first reentry program Jumpstart, McCI was the first place I began. I would see Rusty every week working outside at the front gate and he asked how he could get involved, so I told him to get his name on the list. Now this is when I really began to see a different man, because I had gotten shipped from McCI to Lee CI and had not seen Rusty in years. When he finished our 40-week JS class, he asked could he come back and teach others what changed him. He is still doing that today!

I truly pray you all would consider giving Rusty parole and without hesitation can confirm you will not be disappointed! Thank you all for your time.

Sincerely
Tim Terry

TA 28

March 20, 2021

Linda Mae Mawyer

24 Ray Road

Piedmont, SC 296733

Phone: 864-299-1348

Email: southpaw07@icloud.com

RE: Russell Lee Mawyer – 139176

To the South Carolina Parole Board Members,

My name is Linda Mae Mawyer and as a first cousin of Russell Lee Mawyer, I am writing this letter to petition the parole board for consideration for his parole and to confirm my support.

Russell has been incarcerated for 36 years and I have stayed in contact with him thru letters and cards. He has never failed to express remorse for his crime.

I assure the parole board that if Russell is granted parole, he has a strong support system. Along with the rest of his family, I will give him the support he needs to transition back into society.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Linda Mae Mawyer". The signature is written in a cursive, flowing style.

Linda Mae Mawyer

March 21, 2021

Mae Dean Mawyer

24 Ray Road

Piedmont, SC 296733

Phone: 864-277-8053

RE: Russell Lee Mawyer – 139176

To the South Carolina Parole Board Members,

I am an aunt of Russell Lee Mawyer, I would like to petition the parole board for leniency and consideration for my nephew's parole. After 36 years of incarceration, I believe Russell deserves an opportunity to prove he can be a positive asset to society.

Over the years, Russell has shown remorse for his crime. During his incarceration, Russell and I have stayed in contact thru phone calls, letters, and cards.

If Russell is granted parole, I am committed to helping him transition back into society.

Thank you for your time and consideration.

Sincerely,

Mae Dean Mawyer

Mae Dean Mawyer

February 20, 2021

To the members of the parole board,

This is regarding Russel Mawyer 139176. I am so happy that he is hopefully on his way home to his family. We have all been waiting to get to see him back with us as his time has been served.

Rusty is an exceedingly kind person, one that will benefit his community in the best ways he can possibly find. I met him a few years ago. He is my cousin, but over time has become someone that I look up to and a very dear friend. He and I have been sharing our lives with each other both accomplishments and failures for many years now. I can not wait to have one of my absolute best friends back in person.

I am aware of what sent him to prison, as it was never hidden from me. The way he behaved during that time was something he confided, there would be no big secrets between us like that. However, the man that was sent away is not who I met. If I had not been told who he once was, I probably would have struggled to believe he had done what he did.

Rusty is an exceedingly kind man that has shared a lot about how faith has changed his life with me in our letters and phone calls. He is a true believer and does his best to express that in how he views the world and how he treats people. Every day he wakes up he tries to take a positive outlook on life, to see that he is alive as well as has the ability to spread the good word and good works. On more than one occasion I've heard him say that today is a blessed day. Hearing that always sends a spark of positivity into my days even when they haven't been the best.

Rusty has taken this positive attitude and wants to do as much as possible to help people. He's spent a great deal of time learning how to give and grade personality tests; and other tests like them to help other people learn what kinds of habits and personality traits they may meet criteria for. He's told me a lot about these things and he was so excited. He was even able to tell me what kind of loyalty I have and how I keep my circle of loved ones very close. Once he mentioned that these tests were so important because they help to see what patterns people may be prone to falling into; therefore, it's a way for them to try harder to not repeat the things that brought them into prison in the first place. We also talked about how the skills he was picking up could help those who battled addictions with substances like drugs and alcohol. He's very adamant about helping people find their way away from anger and negative outlooks to see that there is something more. That when they are released they should see it as a chance to start over, not just repeat the same mistakes.

Then there was a day he was speaking to a really young man and it became something more than what he'd even already been thinking before. He told me talking to this young man made him want to reach out to others who may be thinking of going down a path similar to that mans. This was around the first time since I'd met him that he was coming before the parole board. He told me that when he was out he wanted to do what he could for people. If allowed, he would like to go to schools and talk to young people about jail and where many decisions could take them. Rusty wants to do this so that maybe these children that are sitting will look around and see that a bad choice isn't worth it. He also has thought a lot about talking to them about other paths that they can take, someone like him is needed in the community that we live in. Someone who cares so much about others and that doesn't

want to see kids or even other adults making choices that could get them hurt or land them in a place they don't want to spend the rest of their lives.

A little about how he has helped me over the years could turn into a novel, but I will do my best to just give insight on the kind of man he has become. When I first started to talk to Rusty, I was going through a very difficult time in my life. I was heavily depressed, and most days all I could do was keep searching for a reason to keep going. I had isolated myself to a point even family in my own home barely saw me. And even when I could not bring myself to answer, Rusty kept writing to me whether he received a response or not. He wrote about what he was doing, working on, and how he was gaining more skills. Each and every letter would start with him singing of the blessings he had about being able to do those things and for having me in his life. For a girl that was just trying to hold on with all her might at the time, those letters meant everything to me. Even when others couldn't get me to say a word and would often just leave me to myself no knowing how to help or what to say, Rusty just kept talking. Over and over again I wondered why he kept trying so hard. I don't know if he remembers this now, of how I just fell off and he kept talking to me, but he saved my life more than once just by not giving up. Eventually I gained the courage to answer him again, and to pursue things again, because he kept encouraging me to do so. I would send him drawings, poetry, and short stories that I had been writing, and he took it all in and told me to just keep going. He shared openly his bad days with me and in those moments just knowing I was not alone in having bad days helped me in more ways than I think I've ever told him. This is the kind of person that Rusty has become.

That is why when he told me about reaching out to the youth and others of the community whether it was through trying to help them get on the right path, or just give them a nonjudgmental shoulder to lean on that I knew he would make a difference. When I say that, I don't just mean within his own family and circle, but for others too. He radiates love and understanding because he has seen so much and been through so much in his own.

Rusty has served his time. He has done so with integrity and by trying to help whoever he could along the way, even if just by being himself. It is time to send him home. It's time to give him a chance to make the difference that he wants to make in the world. I genuinely believe that he can make a real difference, and personally I am ready to see him be able to be with his family again. There is so much more that I could say; however, at the end of all of this keeping him locked away is taking someone that the world needs out of it. Please, send him home to us soon.

Christy Lynn Pace

820 Joe Black Road

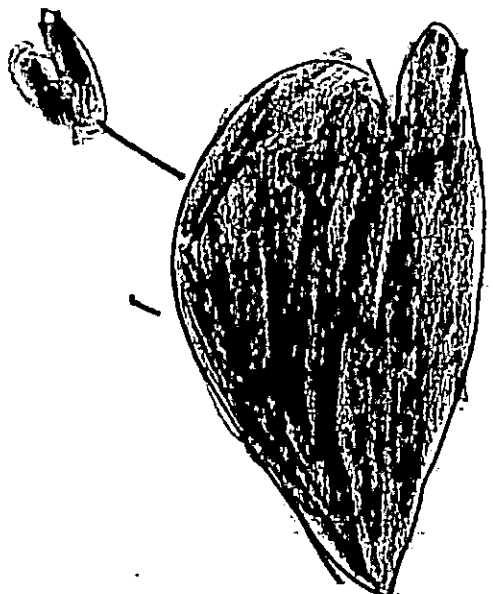
Pelzer, South Carolina 29697

8647525505

Dear Rusty,

3-12-2021

Thank you for your letter.
Rodeo is about to start.
I will have to practice
a lot when we start. When
are you coming to spend the
night? I would like for
you to come. I will be
glad when you can go to
the rodeo with us, so you
can see me ride. I love
you very much. You will
like our new house.
we have a new horse. It is
a paint horse. we take
care of it for someone
else. hurry and come see
us. You will love Stetson!



I love you!

Love you
always

Cheremur!

VERIFICATION OF EMPLOYMENT

J & C Seamless Gutters and Services
35 Saint Marys Way
Marietta SC 29661

March 18, 2021

TO THE MEMBERS OF THE SOUTH CAROLINA PAROLE BOARD:

My name is Charles E. Bartley Jr. I am the owner of J & C Seamless Gutters and Services Inc. DBA JCGutters.com. I have been in business for 10+ years. I'm located at This address doubles as my business and residential address. I'm very interested in Rusty Mawyer coming to work for me in the event he is paroled. His job detail would include the fabrication of gutters and downspouts for residential and commercial properties.

Please contact me with any questions or concerns.

LETTER TO
VICTIM'S SISTER

7-17-2020

STEFANIE

Hi my NAME is RUSTY MAWYER. I AM WRITING TO YOU TO APOLOGIZE FOR TAKING YOUR BROTHER TODD'S LIFE AND CHANGING YOUR LIFE AND YOUR FAMILY'S LIVES FOREVER.

I ADMIT I AM 100% WRONG FOR TAKING TODD'S LIFE. HE WAS AN INNOCENT YOUNG MAN. I REGRET MY DECISIONS AND ACTIONS THAT NIGHT AND I AM REMORSEFUL FOR THE AFFECTS THAT IT HAS HAD ON YOU AND YOUR FAMILY.

TAKING A HUMAN LIFE IS ONE OF THE WORSE THINGS A PERSON CAN DO. THAT IS SOMETHING THAT I LIVE WITH AND WILL LIVE WITH FOR THE REST OF MY LIFE. IF I COULD TAKE IT BACK I WOULD. I WANT TO SAY THAT I AM SORRY. ANOTHER THING THAT I REGRET AND AM SORRY FOR IS NOT APOLOGIZING TO YOUR PARENTS AND THAT IS SOMETHING I LIVE WITH.

I WAS HOPING TO APOLOGIZE TO YOU AND YOUR FAMILY FACE TO FACE. I BELIEVE Y'ALL DESERVE TO BE ABLE TO LOOK AT ME AS I APOLOGIZE TO Y'ALL FOR WHAT I DID AND BE ABLE TO TELL ME WHATEVER IS ON YOUR HEART AND ASK ME ANY QUESTIONS THAT YOU MAY WANT ANSWERS TO. I OWE THAT TO YOU AND YOUR FAMILY.

STEFANIE I DO APPRECIATE YOU TAKING THE TIME TO FILL OUT THAT VISITATION FORM TO VISIT. IF YOU STILL WISH TO MEET WITH ME TO DISCUSS THIS MATTER YOU CAN CALL KARIN HO AT VICTIM SERVICES AT 803-896-1733.

I DO REALIZE AND LIVE WITH THE FACT THAT I TOOK ALOT OF OPPORTUNITIES AWAY FROM TODD AND YOUR ENTIRE FAMILY. TODD WASN'T ABLE TO

have children and watch them grow up as he was a father to them. Your parents were not able to be the proud grandparents to his children as they so desired to be. You were not able to be an aunt to his children, all because of my selfish ways.

After my parole hearing in Jan. 2017 I listened to the C.D. of my hearing. As I listened to you speak about what I did on Sept. 27, 1986, how old you were at the time (14 years old), and how it caused your father and the Anderson men to drink more to deal with what I did. I got so emotional I broke down and cried which I have done many times since. I know that with alcohol comes verbal and emotional abuse along with violence. I can only imagine what it must have been like to be 14 years old to be woke up to be told that devastating news about your brother Todd. Then to hear that Todd served in the military protecting our country. Knowing how his life ended is heartbreaking. I know in my heart he was only trying to protect Shanua and Sharon. I am ashamed for what I did.

Stefanie I am wrong and I do accept responsibility for my senseless decisions and actions. If there is anything that I can do to make things better to help the healing process please let me know. I am willing.

38
I have grown up and matured in prison. I don't ever want another family to have to suffer the loss of a loved one due to violence. So I talk to guys about what I did and the affects that it caused your family and the other families involved.

IF I CAN STOP SOMEONE ELSE FROM HARMING
ANOTHER PERSON BY TALKING TO THEM ABOUT VIOLENCE
AND CRIMINAL DOMESTIC VIOLENCE I WILL CONTINUE TO
DO SO, TO KEEP ANOTHER INNOCENT PERSON FROM
BEING KILLED.

STEFANIE I WOULD LIKE TO ASK FOR YOUR
AND YOUR FAMILY'S FORGIVENESS.

Sincerely
Justy Mauer.

CERTIFICATES OF ACHIEVEMENT

FACILITATOR IN THE
INTENSIVE MANAGEMENT
STEP-DOWN PROGRAM

CERTIFICATE OF APPRECIATION IS AWARDED TO

Russell Manwyer

FOR BEING A FACILITATOR IN THE INTENSIVE MANAGEMENT STEP-DOWN PROGRAM
AT PERRY CORRECTIONAL INSTITUTION

GIVEN THIS 28th DAY OF February, 2020

Capt. Brown

JADRIAN BROWN, SDP UNIT MANAGER

Jessica LeCompte

JESSICA LECOMPTE, SDP COORDINATOR



Susan Duffy

SUSAN DUFFY, ASSOCIATE WARDEN

Charles Williams

CHARLES WILLIAMS, WARDEN

CERTIFICATE *of* RECOGNITION

THIS CERTIFICATE OF RECOGNITION IS PRESENTED TO

RUSSELL LEE MAWYER

HAVING SUCCESSFULLY COMPLETED PART 1 AND PART 2 OF THE ENNEAGRAM COURSE
WITH

FURMAN UNIVERSITY.

FEBRUARY 20, 2020


Reynold D. Rollins
FACILITATOR

[Signature]
FACILITATOR

This Certificate is to confirm that
Russell Mawyer

Has Successfully Completed Philosophy 101 Training at Perry Correctional Institute

This course investigated philosophical views of ethics and different approaches to the meanings of life. Successful completion required attendance in at least seven of the ten classes offered in the course.



Todd May, Course
Instructor



Jessica Lecompte,
Step-Down Coordinator


Conducted at Perry Correctional Institution in Pelzer, South Carolina

43

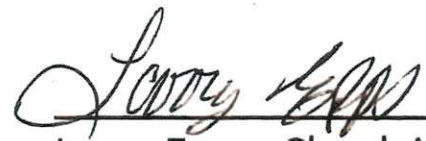
This Certificate is to confirm that
Russell Mawyer

Has Successfully Completed Philosophy 102 Training at Perry Correctional Institute

This course investigated philosophical views of justice and current debates in the philosophy of justice. Successful completion required attendance in at least seven of the ten classes offered in the course.



Todd May, Course
Instructor



Larry Epps, Chaplain

Conducted at Perry Correctional Institution in Pelzer, South Carolina

44
34

Furman University



FURMAN UNIVERSITY IS PLEASED TO ACKNOWLEDGE THAT
RUSSELL LEE MAWYER

SUCCESSFULLY COMPLETED

ENG-200: INTRODUCTION TO CREATIVE WRITING

ON DECEMBER 9, 2019

A handwritten signature in black ink, appearing to read 'L. Morris'.

DR. LAURA LEIGH MORRIS
CO-DIRECTOR, FURMAN PRISON EDUCATION
PARTNERSHIP

A handwritten signature in black ink, appearing to read 'Sally Morris Cote'.

DR. SALLY MORRIS COTE
CO-DIRECTOR, FURMAN PRISON EDUCATION
PARTNERSHIP

Certificate of Appreciation

this is to certify that


Russell Mawyer

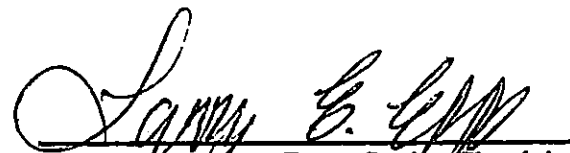
*is recognized for his outstanding leadership in the
JUMPSTART Program at Perry Correctional Institution*

JUMPSTART[®]

Transforming the lives of prisoners from the inside out

November 6, 2019


David Johnson, Inside Coordinator


Larry Epps, Senior Chaplain

46

47

PALMETTO UNIFIED SCHOOL DISTRICT

PRESENTS

TO

RUSSELL LEE MAWYER

IN RECOGNITION OF THE SATISFACTORY
COMPLETION OF 200 HOURS OF
ON-THE-JOB TRAINING
CHAPLAIN CLERK I

Given on this 01 day of November, 2019

Chaplain J. Lipp

Supervisor / Instructor

Lynda Davis

Division Director / School Leader

[Signature]

Vocational Director

[Signature]

Superintendent

47

CERTIFICATE *of* ACHIEVEMENT

THIS ACKNOWLEDGES THAT

Russell Mawyer

HAS SUCCESSFULLY COMPLETED THE

CA *LD*
Inmate Companion Program

AUGUST 28
2019

[Signature]
JOHN TAYLOR, Ph.D., Chief of Psychology



48



CERTIFICATE OF COMPLETION

THIS ACKNOWLEDGES THAT

RUSSELL LEE MAWYER

HAS SUCCESSFULLY COMPLETED
THE *FIRE BIBLE* - BIBLE STUDY CLASS

Chaplain Larry Epps
Chaplain Larry Epps

Chaplain David Petre
Chaplain David Petre

July 19, 2019
Date

02
49

CERTIFICATE OF COMPLETION

This certificate is awarded to

RUSTY MAWYER

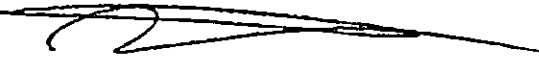
In recognition of active participation in
COPING WITH VIOLENT CRIME

CBU TESA Instructor Lead


A/W S. Duffy

7/11/19

Date



7/11/19

Date

Program Director J. Smith

05
43

Certificate of Achievement



THIS CERTIFICATE ACKNOWLEDGES THAT

Russell L. Mawyer

HAS SUCCESSFULLY COMPLETED

Survey Research in the Social Sciences

through the Furman Prison Education Partnership

Sally Morris Cote

Dr. Sally Morris Cote
INSTRUCTOR

6/17/19
DATE

L. Morris

Dr. Laura Leigh Morris
CO DIRECTOR, FURMAN PRISON EDUCATION PARTNERSHIP

Sally Morris Cote

Dr. Sally Morris Cote
CO-DIRECTOR, FURMAN PRISON EDUCATION PARTNERSHIP

51

PERRY CORRECTIONAL INSTITUTION
LIFER'S PROGRAM


RUSSELL MAWYER


HAS SUCCESSFULLY COMPLETED **YOGA**.
HIS EFFORTS ARE REFLECTIVE OF THE VALUES, ATTITUDES, AND DILIGENCE
WHICH ARE INDICATIVE OF A MODEL INMATE WITHIN THE LIFER'S PROGRAM.

Awarded for the Second Quarter of 2019


Program Coordinator




S. Duffy, Associate Warden of Programs

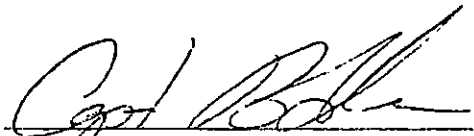

S. Lewis, Warden

57

PERRY CORRECTIONAL INSTITUTION
LIFER'S PROGRAM
RUSSELL MAWYER


HAS SUCCESSFULLY SERVED AS
CLASS FACILITATOR FOR STRESS MANAGEMENT.
HIS EFFORTS ARE REFLECTIVE OF THE VALUES, ATTITUDES, AND DILIGENCE
WHICH ARE INDICATIVE OF A MODEL INMATE WITHIN THE LIFER'S PROGRAM.

Awarded for the Second Quarter of 2019


Program Coordinator




S. Duffy, Associate Warden of Programs


S. Lewis, Warden

PERRY CORRECTIONAL INSTITUTION
LIFER'S PROGRAM


RUSSELL MAWYER


HAS SUCCESSFULLY SERVED AS
CLASS FACILITATOR FOR THINKING DIFFERENTLY.
HIS EFFORTS ARE REFLECTIVE OF THE VALUES, ATTITUDES, AND DILIGENCE
WHICH ARE INDICATIVE OF A MODEL INMATE WITHIN THE LIFER'S PROGRAM.

Awarded for the Second Quarter of 2019


Program Coordinator




S. Duffy, Associate Warden of Programs


S. Lewis, Warden

54

CERTIFICATE

Of

PARTICIPATION

Russell Mawyer #139176

For attendance in four workshops

COPING WITH REJECTION – HOUSING/JOBS- INTERVIEWING/RESUMES-
LIVING WITH PURPOSE



PRESENTED BY:

Professor Carson

ON THIS DAY:

April 26, 2019

SS 2P

PALMETTO UNIFIED SCHOOL DISTRICT

PRESENTS

TO

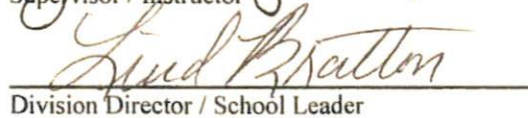
RUSSELL LEE MAWYER

IN RECOGNITION OF THE SATISFACTORY
COMPLETION OF 200 HOURS OF
ON-THE-JOB TRAINING
ADMINISTRATIVE CLERK I

Given on this 05 day of April, 2019



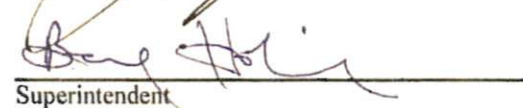
Supervisor / Instructor



Division Director / School Leader



Vocational Director



Superintendent

95 22



from **PAIN to Purpose**
of Gospel Express Ministries

Certificate of Achievement

This certifies that Russell Mawyer
has successfully completed the

From Pain to Purpose "Encounter"

Overcoming Life's Greatest Challenges

Granted 3 / 21 / 2019

Chaplain J. Lynn

Chaplain

[Signature]

Instructor

82
57



Certificate of Appreciation
FOR TEACHING "DEVELOPING INSIGHT"

awarded to

Russell Mawyer



*in recognition of
your dedication, passion, and hard work
in the Lifer's Program*


Rachel Saltsburg, LFP Coordinator

3-28-19
DATE

85 2019

THE **7** HABITS
on the Inside

CERTIFICATE of COMPLETION

FranklinCovey is pleased to present

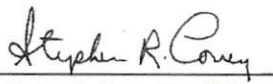
Russell Mawyer

this certificate for successfully completing

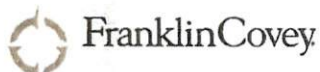
The 7 Habits on the Inside

Facilitator Training

Issued March 15, 2019


Stephen R. Covey, Vice-Chairman


Beth D. Reynolds, Ph.D.,
Facilitator



FACILITATOR IN THE
INTENSIVE MANAGEMENT
STEP-DOWN PROGRAM

CERTIFICATE OF APPRECIATION IS AWARDED TO

RUSSELL MAWYER


FOR BEING A FACILITATOR IN THE INTENSIVE MANAGEMENT STEP-DOWN PROGRAM AT
PERRY CORRECTIONAL INSTITUTION


GIVEN THIS 15 DAY OF March, 2019


BRIAN MITCHELL, SDP UNIT MANAGER

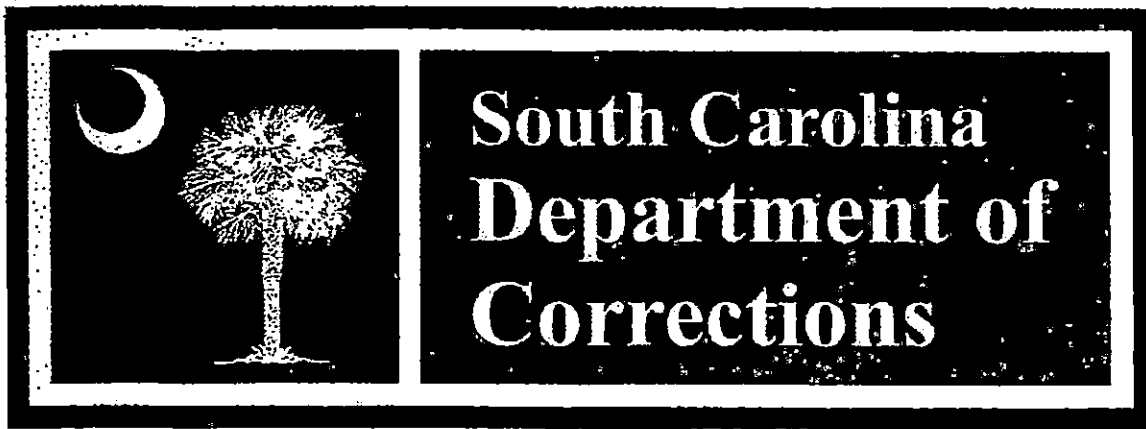

JESSICA LECOMPTE, SDP COORDINATOR




SUSAN DUFFY, ASSOCIATE WARDEN


SCOTT LEWIS, WARDEN

09
21



**DIVISION OF BEHAVIORAL/MENTAL HEALTH
&
SUBSTANCE ABUSE SERVICES**

**THIS CERTIFICATE OF PARTICIPATION
IS AWARDED TO**

RUSSELL MAWYER #139176

FOR PARTICIPATING IN

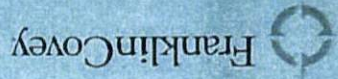
ANGER MANAGEMENT

THIS 1st DAY OF March, 2019


INSTRUCTOR- J. Smith

Perry Correctional Institution
INSTITUTION

62



Stephen R. Covey
Stephen R. Covey, Vice-Chairman

Colby, Ph.D.
Facilitator

Issued January 18, 2019

The 7 Habits on the Inside
this certificate for successfully completing

Russell Mawyer

FranklinCovey is pleased to present

Certificate of Completion

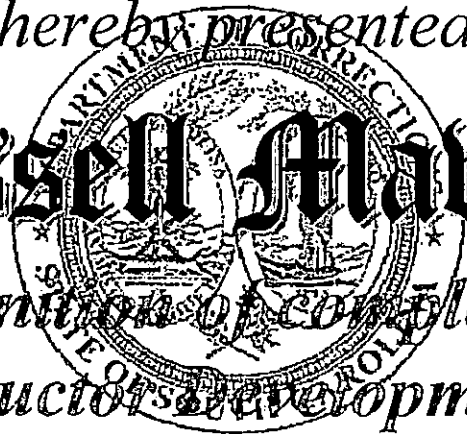
THE 7 HABITS
on the Inside

Certificate of Completion

Is hereby presented to

Russell Maloy

in recognition of completing the
CBU Instructors Development course



63

Kevin Patterson
Course Instructor



Rachel Saltburg
Perry Program Coordinator

Presented this
6th Day of December 2018

FACILITATOR IN THE
INTENSIVE MANAGEMENT
STEP-DOWN PROGRAM

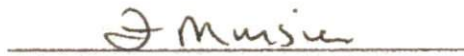
CERTIFICATE OF APPRECIATION IS AWARDED TO

RUSSELL MAWYER

FOR BEING A FACILITATOR IN THE INTENSIVE MANAGEMENT STEP-DOWN PROGRAM AT
MCCORMICK CORRECTIONAL INSTITUTION

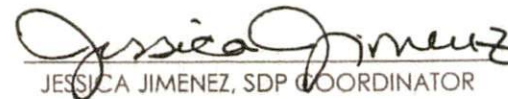
GIVEN THIS 2 DAY OF December, 2016


MAMIE THOMAS, SDP LIEUTENANT


FRANK MURSIER, ASSOCIATE WARDEN




LEROY CARTLEDGE, WARDEN


JESSICA JIMENEZ, SDP COORDINATOR

64

INTENSIVE MANAGEMENT STEP-DOWN PROGRAM
MCCORMICK CORRECTIONAL INSTITUTION

LIFE SKILLS & EXPRESSIVE WRITING CLASS

IS AWARDED TO

Russell Mawyer

DECEMBER 2, 2016

Leroy Cartledge
LEROY CARTLEDGE
WARDEN

Frank Mursier
FRANK MURSIER
ASSOCIATE WARDEN

Jessica Jimenez
JESSICA JIMENEZ
SDP COORDINATOR

65

CERTIFICATE of ACHIEVEMENT

THIS ACKNOWLEDGES THAT

Russell Mawyer

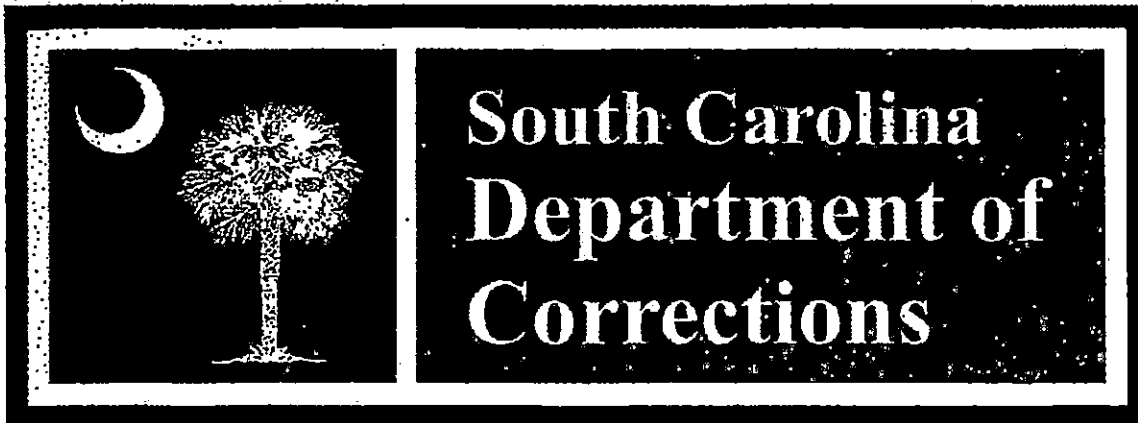
HAS SUCCESSFULLY COMPLETED THE

STEP-DOWN PROGRAM ART CLASS

DECEMBER 2
2016

Jessica Jimenez
Jessica Jimenez, SDP Coordinator





**DIVISION OF BEHAVIORAL/MENTAL HEALTH
&
SUBSTANCE ABUSE SERVICES**

**THIS CERTIFICATE OF PARTICIPATION
IS AWARDED TO
RUSSELL MAWYER**

**FOR PARTICIPATING IN
PRISON YOGA PROJECT**

THIS _____ **2ND** _____ **DAY OF** _____ **DECEMBER** _____, **2016** _____

Maddox, QMHP

INSTRUCTOR

McCormick Correctional Institution _____
INSTITUTION

INTENSIVE MANAGEMENT STEP-DOWN PROGRAM
MCCORMICK CORRECTIONAL INSTITUTION

CREATIVE WRITING

IS AWARDED TO

Russell Mawyer

DECEMBER 2, 2016

Leroy Cartledge
LEROY CARTLEDGE
WARDEN

Frank Mursier
FRANK MURSIER
ASSOCIATE WARDEN

Jessica Jimenez
JESSICA JIMENEZ
SDP COORDINATOR

69

Certificate of Appreciation

this is to certify that

Russell Mawyer


*is recognized for his outstanding leadership in the
JumpStart Program at McCormick CI*

JUMPSTART[®]

Faith-Based Prison Rehabilitation

August 15, 2016


Deroy Cartledge, Warden


Cary Sanders, Inside Director


Allyson Glidewell, Associate Warden


Reverend N. Barber, Senior Chaplain

06 90

CERTIFICATE OF ACHIEVEMENT

This certificate is awarded to

RUSSELL MAWYER

in recognition of valuable contributions to and completion of the



violence prevention©
a curriculum created by
Sexual Trauma Services of the Midlands

[Handwritten Signature]
Signature

71416
Date

12/15

Certificate of Appreciation

this is to certify that

Russell Mawyer

*is recognized for his outstanding leadership in the
JumpStart Program at McCormick CI*

JUMPSTART[®]

Faith-Based Prison Rehabilitation

March 9, 2015

Leroy Cartledge, Warden

Leroy Cartledge, Warden

Tim Terry

Tim Terry, Inside Director and Founder

James Parker

James Parker, Associate Warden

Reverend N. Barber

Reverend N. Barber, Senior Chaplain

12

4773

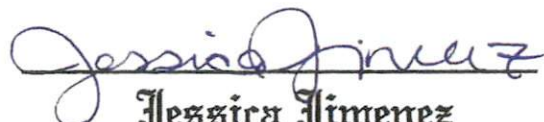
Certificate of Appreciation

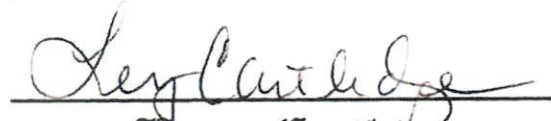
Russell Matoyer

has been awarded for being a

Step Down Program Facilitator

For your hard work and dedication to helping others.


Jessica Jimenez
Program Coordinator


Leroy Cartledge
Warden

Certificate of Completion

This certificate of completion is awarded to

For completion of:

RUSTY MAWYER

One Degree at a Time- Behavior Transformation System

20 hours

“Change The Way You Think & Act”

Presented by: Full Circle Refuge

Devon Harris - Facilitator



139176
F1-244

E0471921-418126-7

WorkKeys®
Summary

Report for: RUSSELL MAWYER
Test Site: SCDOC

Silver

Test Date: 04/2014
Report Date: 04/03/2014

Applied Mathematics (Levels range from 3 to 7) Level: 5 Scale Score: 80

This person scored at Level 5. Individuals with Level 5 skills can set up and solve problems involving multiple-step calculations on a mixture of whole numbers, fractions, decimals, or percentages, when the information is presented in a logical order.

Locating Information (Levels range from 3 to 6) Level: 4 Scale Score: 76

This person scored at Level 4. Individuals with Level 4 skills can correctly use straightforward workplace graphics, such as basic order forms, line graphs, standard tables, and basic diagrams, to find several related pieces of information, compare trends and main points, and/or summarize information within a single graphic or across more than one graphic representing related information.

Reading for Information (Levels range from 3 to 7) Level: 5 Scale Score: 81

This person scored at Level 5. Individuals with Level 5 skills can apply information from reading materials to situations that are similar to those described in the materials. They can correctly understand written materials containing a moderate amount of detail about a topic, such as a memo describing a company's benefit package, directions for new office procedures, or instructions for estimating prices. They can also understand words and phrases having specialized or multiple meanings.

We hope you find this WorkKeys information useful. If you have questions about these scores or about the WorkKeys system or skills, please contact WorkKeys (96), ACT, 2201 North Dodge Street, P. O. Box 168, Iowa City, IA 52243.

LS=Level Scores:

Use for selection, promotion, or other individual high-stakes purposes. For more information on Level Scores go to: <http://www.act.org/workkeys/pdf/forms/interp.pdf>

SS=Scale Scores:

Use to show growth over time and provide group comparisons in outcome measurement. Not intended for selection and hiring. Scale Score range: 50-90. For more information on Scale Scores go to: http://www.act.org/workkeys/pdf/scale_score_interp_guide.pdf

Certificate of Graduation

S.H.A.P.E

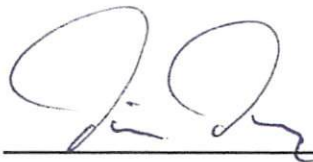
(Spiritual Gifts, Heart, Abilities, Personality, Experience)

This certificate is awarded to

Russell Mawyer

For his successful completion of the S.H.A.P.E. class at McCormick CI

Instructor



Date

4/28/14

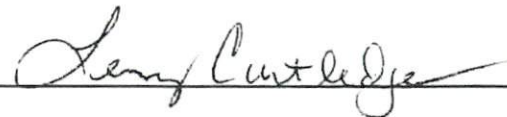
Chaplain

Reverend M. Barber

Date

12/18/13

Warden



Date

3/18/14

Assoc. Warden



Date

12/30/13



S.H.A.P.E.



FOR THE
GOOD

96.52

Gospel Express Evangelistic Team
CERTIFICATE

This is to certify that Rusty Mawyer
has successfully completed the

Bondage to Freedom Seminar

Granted 2, 19, 2014

*"Study to show thyself approved unto
God, a workman that needeth not to be
ashamed, rightly dividing the word of
truth." II Tim. 2:15*

Glen M. Horn
Seminar Instructor

Certificate of Appreciation

this is to certify that

Russell Mawyer

*is recognized for his outstanding leadership in the
JumpStart Program at McCormick CI*

JUMPSTART[®]

Faith-Based Prison Rehabilitation

December 2, 2013



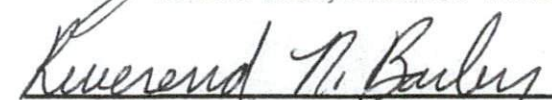
Leroy Cartledge, Warden



Tim Terry, Executive Director and Founder



James Parker, Associate Warden



Reverend N. Barber, Senior Chaplain

18

Certificate of Participation

Is Awarded To

Russell Mawyer

For

*Attending and Participating In The
Reaching Out to Younger Men Conference II*

*Awarded this 30th day of August, 2013
McCormick Correctional Institution*



SI *Reverend N. Barber*
Reverend N. Barber, Senior Chaplain

SI *James Parker*
James Parker, Associate Warden

SI *Leroy Cartledge*
Leroy Cartledge, Warden

08
79

Certificate of Attendance

This Certifies that

Russell Mawyer

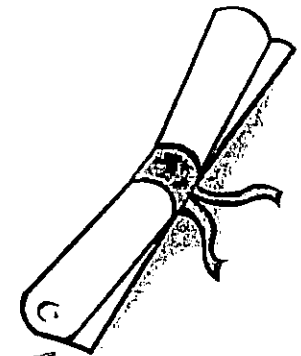
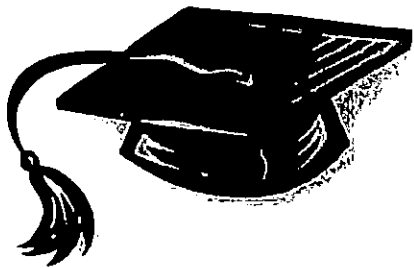
Has Completed

Discipleship Class

*As Instructed by Inmate Mark McDonald
at*

McCormick Correctional Institution

Awarded January, 2013



Reverend N. Barber

Reverend N. Barber
Senior Chaplain

James Parker

James Parker
Associate Warden of Programs

Leroy Cartledge

Leroy Cartledge
Warden

08
19

Certificate of Appreciation

this is to certify that

Russell Mawyer

*is recognized for his outstanding leadership in the
JumpStart Program at McCormick CI*

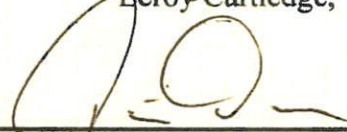
JUMPSTART[®]

Faith-Based Prison Rehabilitation

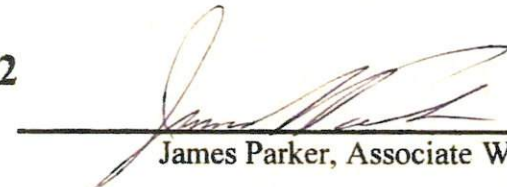
December 3, 2012



Leroy Cartledge, Warden



Tim Terry, Executive Director and Founder



James Parker, Associate Warden



Nedenia Parker-Barber, Senior Chaplain

18

82

CERTIFICATE OF

© PARTICIPATION ©

This Certifies That

Russell Mawyer

is awarded this Certificate for participating in the
McCormick Correctional Institution

Youth Mentor/Mentee Training

Leroy Carledge
Leroy Carledge, Warden

James Parker
James Parker, Associate Warden

Awarded at
McCormick Correctional Institution
on March 9, 2012

Reverend N. Barber
Reverend N. Barber, Senior Chaplain

Tamir Muttakabir
Muttakabir Tamir, Instructor

82

Gospel Express Evangelistic Team
CERTIFICATE

This is to certify that *Rusty Mawyer*
has successfully completed the

Bondage to Freedom Seminar

Granted *2/16/2012*

*"Study to show thyself approved unto
God, a workman that needeth not to be
ashamed, rightly dividing the word of
truth." II Tim. 2:15*

Wayne Sensenig
Seminar Instructor

Certificate of Appreciation

this is to certify that

Russell Mawyer

*is recognized for his outstanding leadership in the
JumpStart Program at McCormick CI*

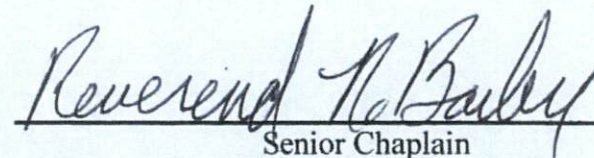
JUMPSTART[®]

Faith-Based Prison Rehabilitation

February 6, 2012



Tim Terry, Executive Director and Founder



Senior Chaplain

84

Certificate of Attendance

This Certifies that

Russell Mawyer

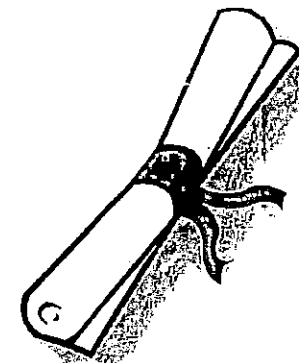
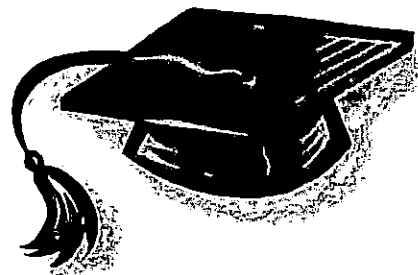
Has Completed Thirteen Weeks of

Victim Impact

at

McCormick Correctional Institution

Awarded February, 2012



Reverend N. Barber

Reverend N. Barber
Senior Chaplain

Robert Everett

Robert Everett
Volunteer/Instructor

James Parker

James Parker
Associate Warden of Programs

Leroy Cartledge

Leroy Cartledge
Warden

85

Certificate of Graduation

This certificate is awarded to

Rusty Mawyer

**For his successful leadership
of the Your Life Review class**



Signature

Rusty Mawyer

Date

10/24/11

Signature

Kenneth H. Barker

Date

10/31/11

Your Life Review



Certificate of Attendance

This Certifies that

Russell Mawyer

Has Completed Thirteen Weeks of

Celebrate Recovery

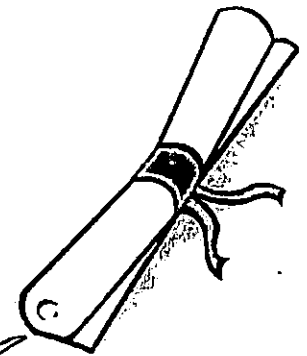
at

McCormick Correctional Institution

Instructed by

Inmate Charles Phillips

Awarded September, 2011



Reverend N. Barber

Reverend N. Barber
Senior Chaplain

Leroy Cartledge

Leroy Cartledge
Warden

87

88

Certificate of Attendance

This Certifies that

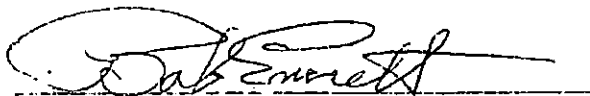
Russell Mawyer

Has Completed

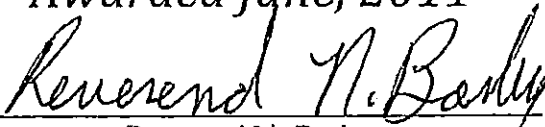
Victim Impact

McCormick Correctional Institution

Awarded June, 2011



Rob Everett
Volunteer Instructor



Reverend N. Barber
Senior Chaplain



Leroy Cartledge
Warden

88

Certificate of Graduation

This certificate is awarded to

Russell Mawyer

For his successful completion
of the Your Life Review class



Signature

[Handwritten Signature]

Date

3/3/11

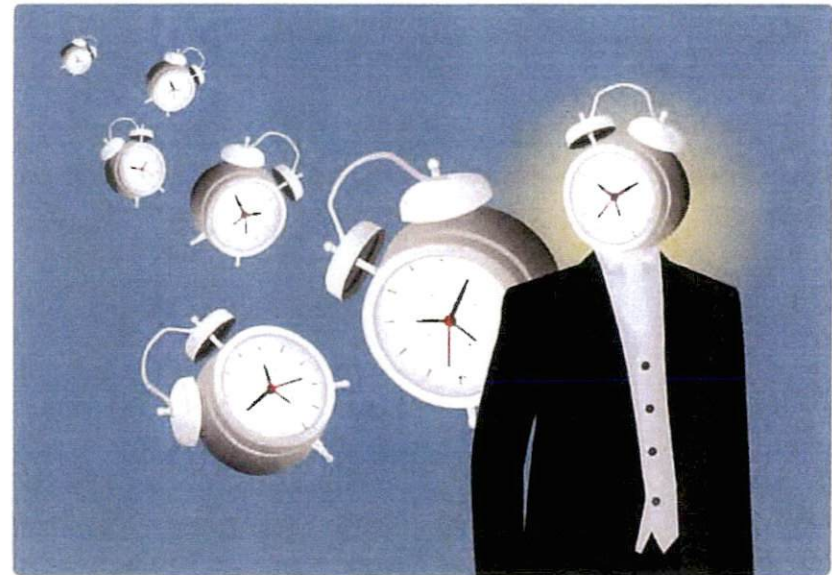
Signature

Reverend N. Barber

Date

5/9/11

Your Life Review



68 01

**J.U.M.P. S.T.A.R.T.
Re-entry
Program
Leadership Folder**



Signature/Director

01/10/2011

Signature/Chaplain

01/10/2011

90
34

**Certificate of
Appreciation**

This certificate is awarded to

Russell Mawyer

**For his outstanding *leadership* of the
Jump Start Re-entry Program**

Institute in Basic Life Principles

Certificate of Achievement

This certifies that

Russell Lee Mlawyer

has successfully completed the

Anger Resolution Seminar

*A course focusing on identifying the causes of anger
and how to successfully resolve them*

April 15, 2010

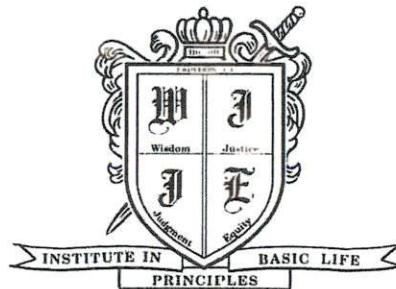
Date



Seminar Facilitator



William Gotthard, President





Warden



Chaplain

J.U.M.P. S.T.A.R.T.

Re-entry Program



Signature/Director

Jim Deery

Date

1/11/2010

Signature/Chaplain

Rev. M. Barber

Date

1/11/2010

92

Certificate of Graduation

This certificate is awarded to

Russell Mawyer

For his *successful* completion of the
Jump Start Re-entry Program

Institute in Basic Life Principles

Certificate of Achievement

This certifies that

RUSSELL LEE MAWYER

has successfully completed the

Anger Resolution Seminar

A course focusing on identifying the causes of anger
and how to successfully resolve them

9/25/09

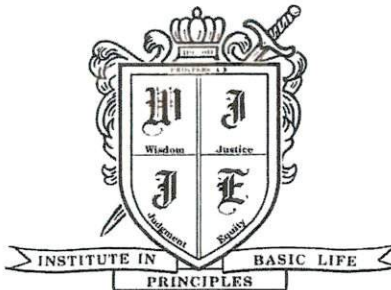
Date

Matthew Overholt

Seminar Facilitator

William Gothard

William Gothard, President



[Signature]

Warden

Rev. Aderia Barber

Chaplain

93

**McCormick Correctional Institute
Certificate of Participation**

Is Award To

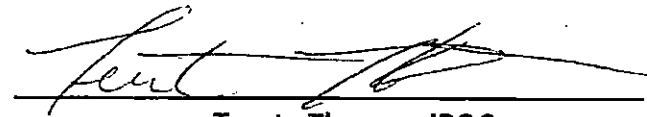
Russell Mawyer

**For Serving as IRC Chairman of the
Inmate Representative Committee**

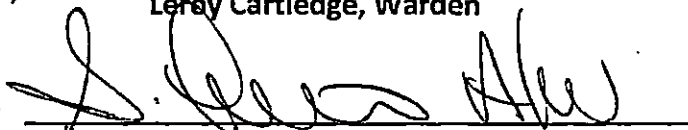
For the Year 2008 -2009



Leroy Cartledge, Warden



Tereta Thomas, IRC Sponsor



Scott Lewis, Associate Warden/IRC Sponsor

95



S.T.A.R.T. Re-entry Program



Signature/Director *Jim Frey*

Date *10/20/08*

Signature/Chaplain *Rev. M. Barber*

Date *10/13/08*

Certificate of Graduation

This certificate is awarded to

Russell Mawyer

For his *successful* completion of the **START
Re-entry Program (PDL)**

Institute in Basic Life Principles

Certificate of Achievement

This certifies that

Russell Mawyer

has successfully completed the

Anger Resolution Seminar

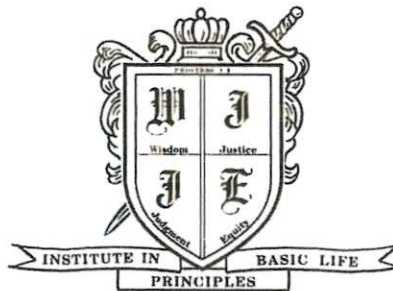
*A course focusing on identifying the causes of anger
and how to successfully resolve them*

June 5, 2008

Date

James F. Bushkoven
Seminar Facilitator

William Gotthard
William Gotthard, President



Leroy Cartledge
Warden

Reverend N. Barker
Chaplain

Gospel Express Evangelistic Team
CERTIFICATE

This is to certify that Rusty Mawyer
has successfully completed the

Bondage to Freedom Seminar

Granted Feb 1 14 12008

*"Study to show thyself approved unto
God, a workman that needeth not to be
ashamed, rightly dividing the word of
truth." II Tim. 2:15*

Lloyd R. Sigmond
Seminar Instructor

Certificate of Appreciation

This certificate is awarded to

Russell Mawyer

In recognition of valuable contributions to

The McCormick IRC




Leroy Cartledge, Warden

12/6/07
Date


Tereta Thomas, IRC Sponsor

12-6-07
Date

86
170

S.T.A.R.T. Re-entry Program



Signature/Director *Tim Terry*

Date *8/13/07*

Signature/Chaplain *Reverend W. Barker*

Date *8/13/07*

bb 100
99

Certificate of Graduation

This certificate is awarded to

Russell Mawyer

For his *successful* completion of the START
Re-entry Program (PDL)

Gospel Express Evangelistic Team
CERTIFICATE

This is to certify that Russell Mawyer
has successfully completed the

Bondage to Freedom Seminar

Granted Feb 1 15 07

*"Study to show thyself approved unto
God, a workman that needeth not to be
ashamed, rightly dividing the word of
truth." II Tim. 2:15*

Loyd A. Lingrieh
Seminar Instructor

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Social Work Services

STATEMENT OF PARTICIPATION

THIS IS TO ACKNOWLEDGE THAT RUSSELL MAWYER SCDC #139176
HAS PARTICIPATED IN SIX SESSIONS
OF "HOW TO MANAGE YOUR LIFE"

LEVEL OF PARTICIPATION

POOR _____ AVERAGE _____ GOOD _____ EXCELLENT X

THIS IS NOT TO BE INTERPRETED AS A STATEMENT OF PROGRESS. PROGRESS REPORTS ARE AVAILABLE UPON REQUEST BY APPROPRIATE OFFICIALS.

DATE: NOVEMBER 30, 1995



D. Seaborn
DUANE SEABORN, MHC III

SOCIAL WORKER
MCCORMICK CORRECTIONAL INST.

INSTITUTION

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Social Work Services

STATEMENT OF PARTICIPATION

THIS IS TO ACKNOWLEDGE THAT RUSSELL MAWYER SCDC #139176
HAS PARTICIPATED IN SIX SESSIONS
OF "MONEY MANAGEMENT"

LEVEL OF PARTICIPATION

POOR _____ AVERAGE _____ GOOD _____ EXCELLENT X

THIS IS NOT TO BE INTERPRETED AS A STATEMENT OF PROGRESS. PROGRESS
REPORTS ARE AVAILABLE UPON REQUEST BY APPROPRIATE OFFICIALS.

DATE: JULY 12, 1995



D. Seaborn
DUANE SEABORN, MHC III
SOCIAL WORKER

MCCORMICK CORRECTIONAL INST.
INSTITUTION

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Social Work Services

STATEMENT OF PARTICIPATION

THIS IS TO ACKNOWLEDGE THAT RUSSELL MAWYER SCDC #139176
HAS PARTICIPATED IN SIX SESSIONS
OF "STRESS REDUCTION"

LEVEL OF PARTICIPATION

POOR _____ AVERAGE _____ GOOD _____ EXCELLENT X

THIS IS NOT TO BE INTERPRETED AS A STATEMENT OF PROGRESS. PROGRESS REPORTS ARE AVAILABLE UPON REQUEST BY APPROPRIATE OFFICIALS.

DATE: MARCH 3, 1994



D. Seaborn
DUANE SEABORN, MHC III
SOCIAL WORKER
McCORMICK CORRECTIONAL INST.
INSTITUTION

SOUTH CAROLINA



HIGH SCHOOL EQUIVALENCY DIPLOMA

Be it known that **MAWYER, RUSSELL LEE** has satisfactorily completed the tests of General Educational Development and upon the recommendation of the State GED Administrator of the State Department of Education, the State Board of Education awards this certificate, which is regarded to be equivalent to the high school diploma.

Given at Columbia, South Carolina,

MARCH 17, 1992

Barbara L. Nielsen
State Superintendent of Education

Donald G. Campbell Jr.
Governor of South Carolina

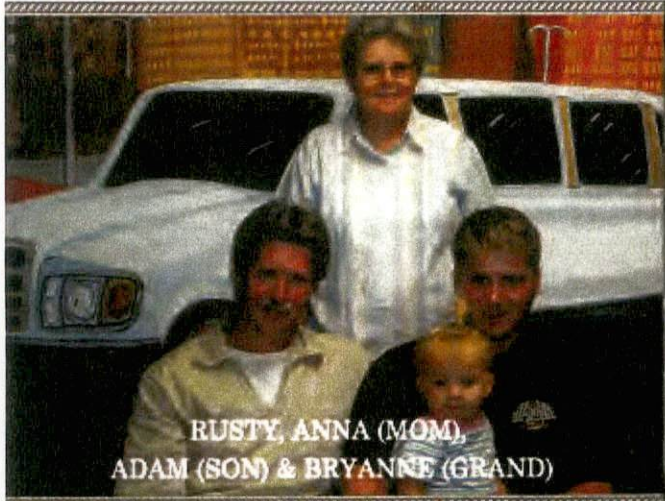
Michael M. James
State GED Administrator

Stuart W. Anderson
Chair, State Board of Education

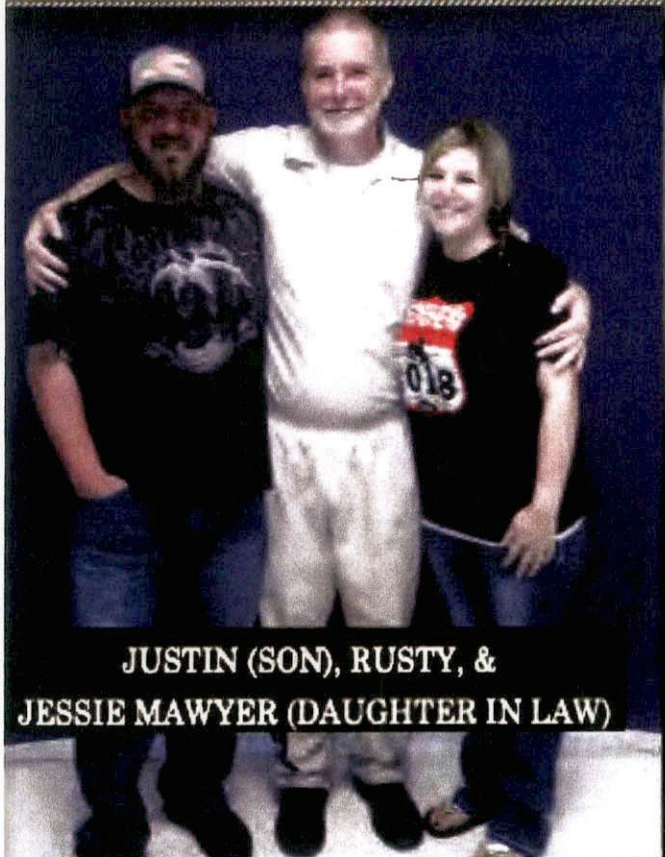
SA 10A

PHOTOGRAPHS

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105



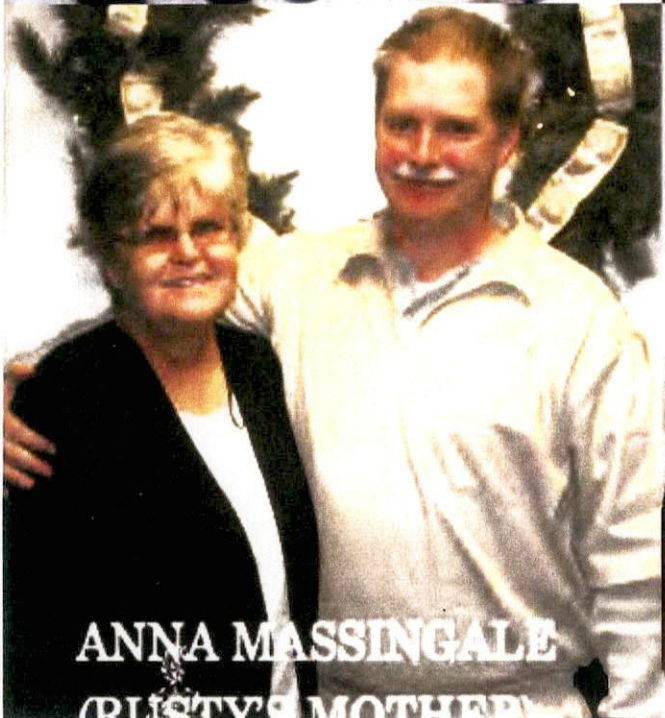
RUSTY, ANNA (MOM),
ADAM (SON) & BRYANNE (GRAND)



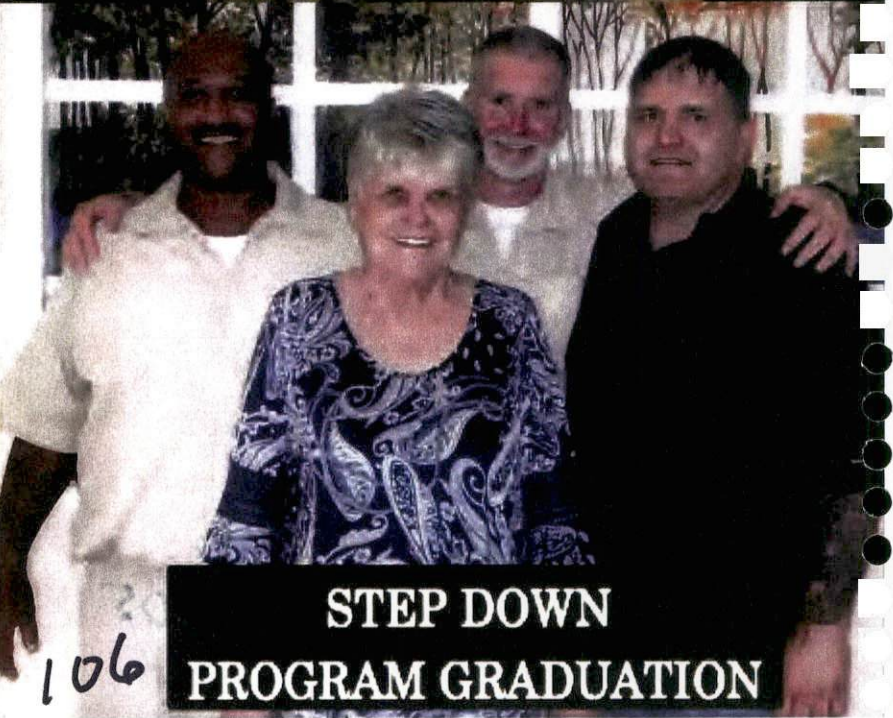
JUSTIN (SON), RUSTY, &
JESSIE MAWYER (DAUGHTER IN LAW)



RUSSELL "RUSTY" MAWYER



ANNA MASSINGALE
(RUSTY'S MOTHER)

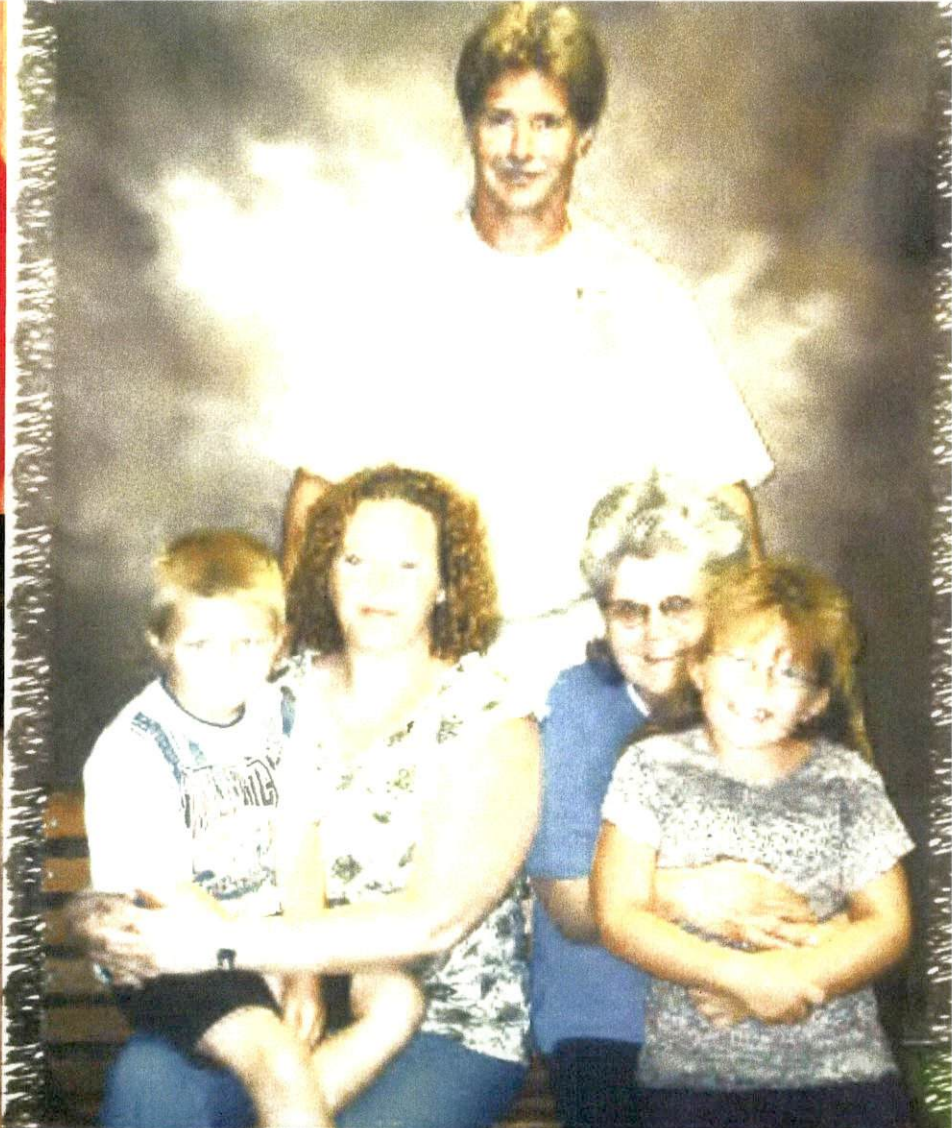


STEP DOWN
PROGRAM GRADUATION

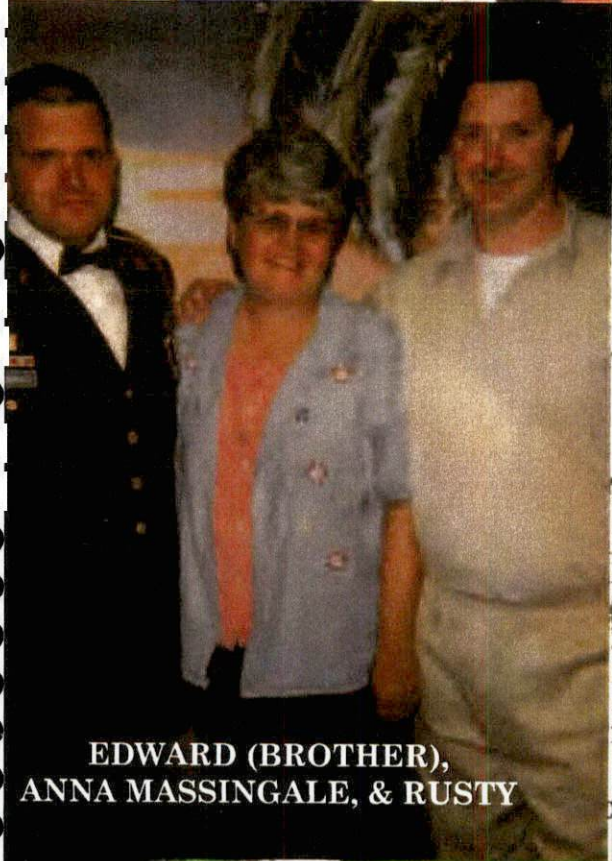
106



RUSTY, ANNA, BRUCE
MASSINGALE



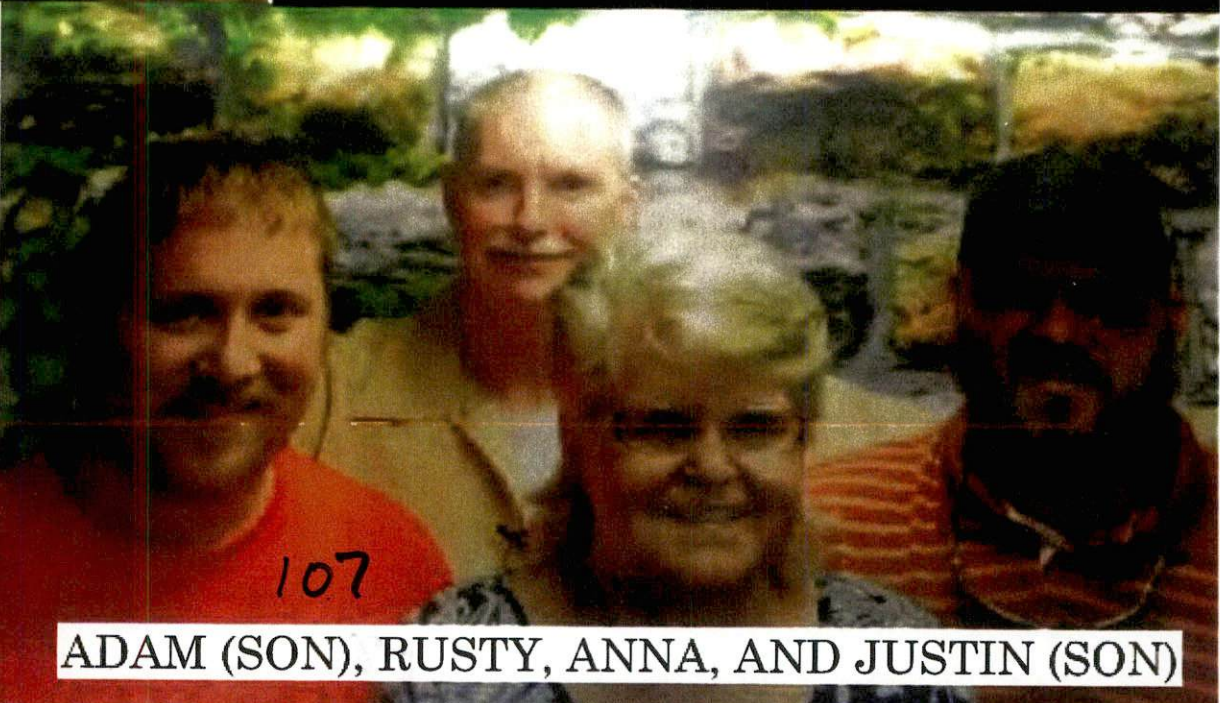
RUSTY WITH MOM & SISTER-IN-LAW
CHRISTY MASSINGALE
AND HER CHILDREN, WILLIAM &
BROOKLYN



EDWARD (BROTHER),
ANNA MASSINGALE, & RUSTY

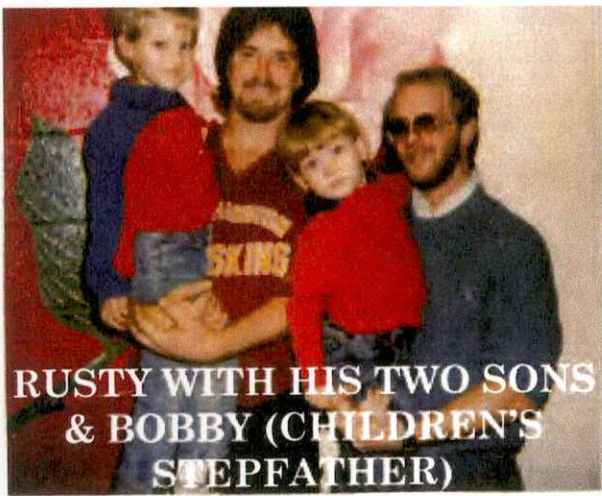


RUSTY & MOM

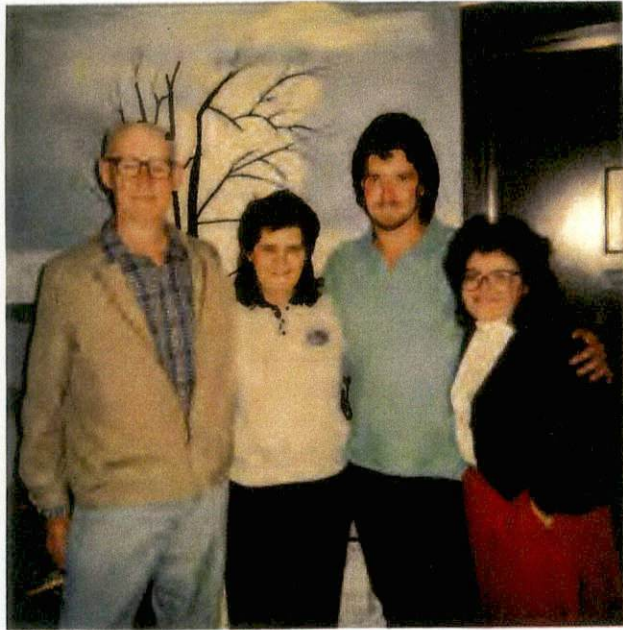


ADAM (SON), RUSTY, ANNA, AND JUSTIN (SON)

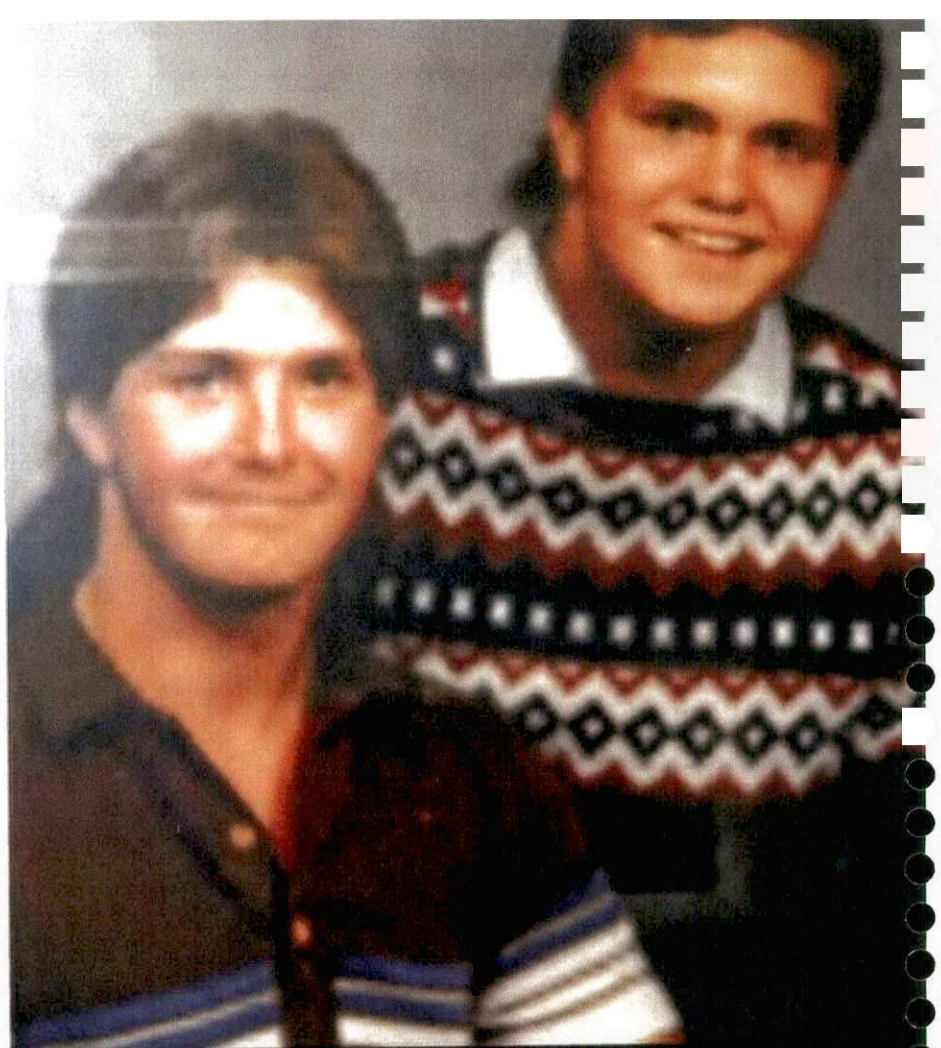
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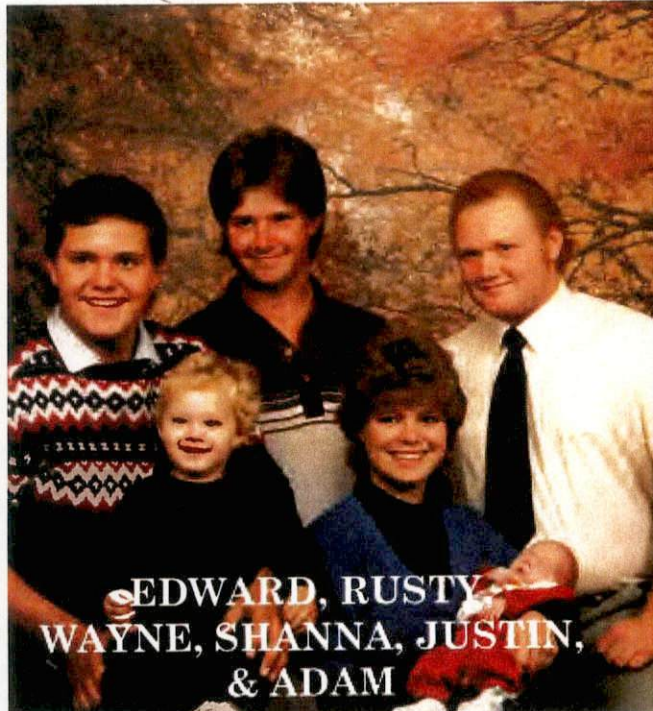
RUSTY WITH HIS TWO SONS
& BOBBY (CHILDREN'S
STEPFATHER)



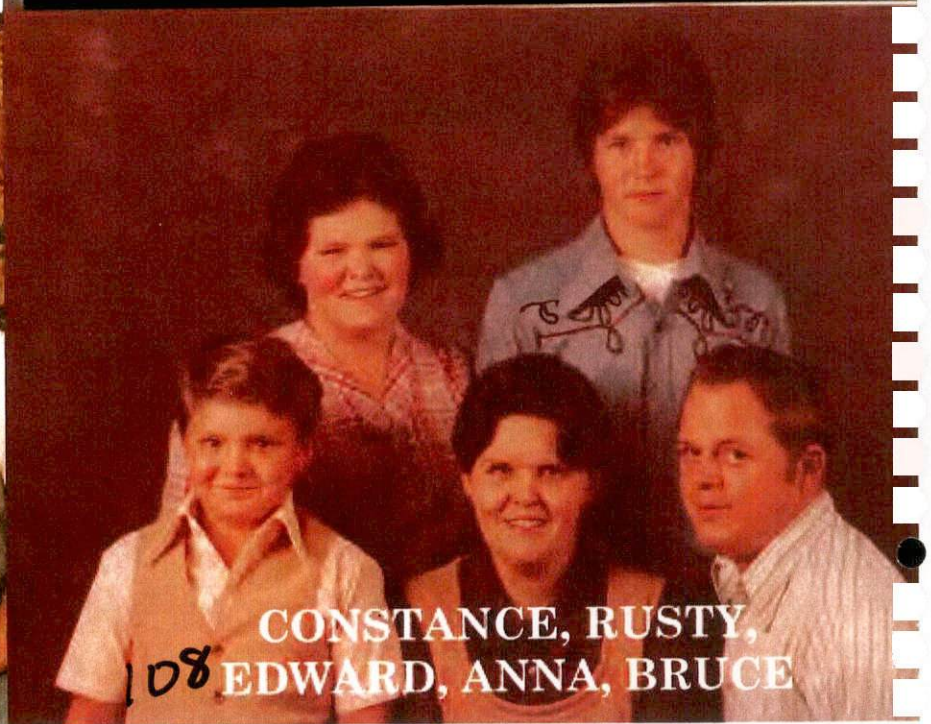
*Rusty Sonja Grandpa
& Irene*



RUSTY & BROTHER
EDWARD
MASSINGALE



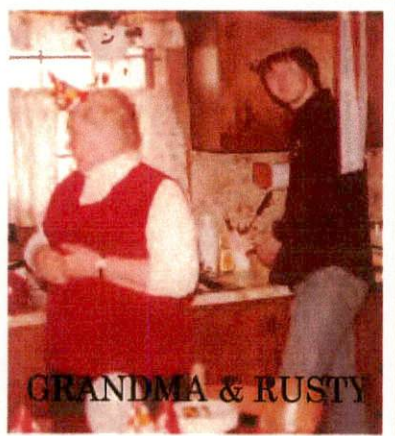
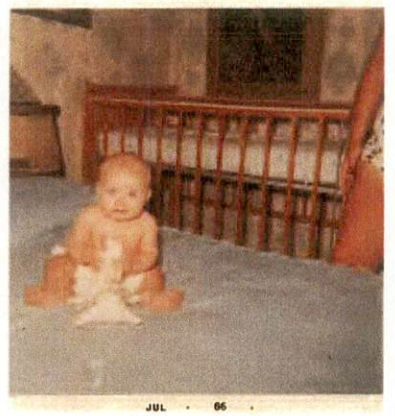
EDWARD, RUSTY,
WAYNE, SHANNA, JUSTIN,
& ADAM



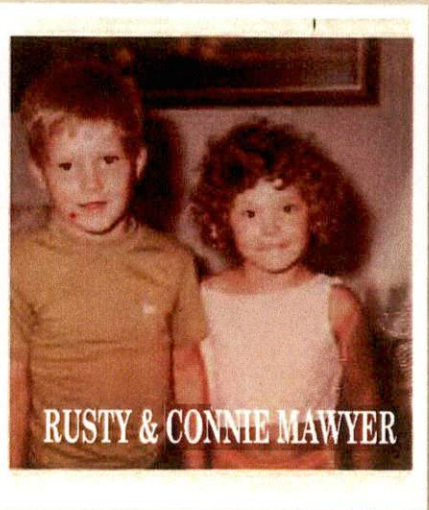
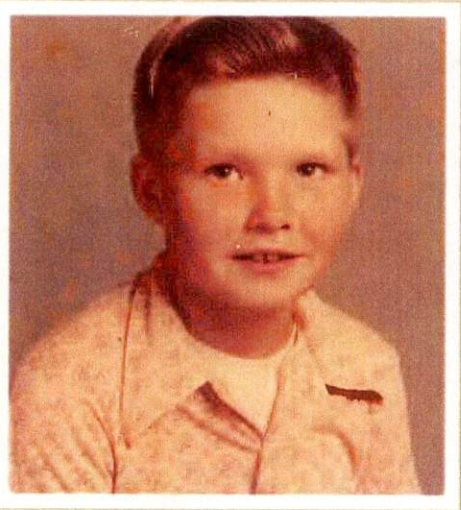
108 CONSTANCE, RUSTY,
EDWARD, ANNA, BRUCE



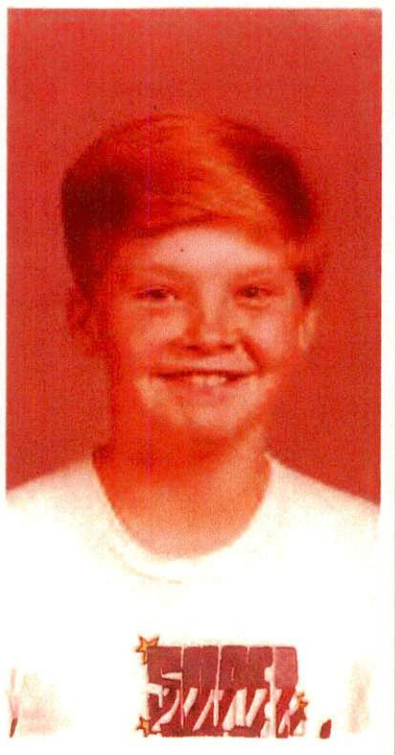
RUSTY'S GRADUATION



GRANDMA & RUSTY

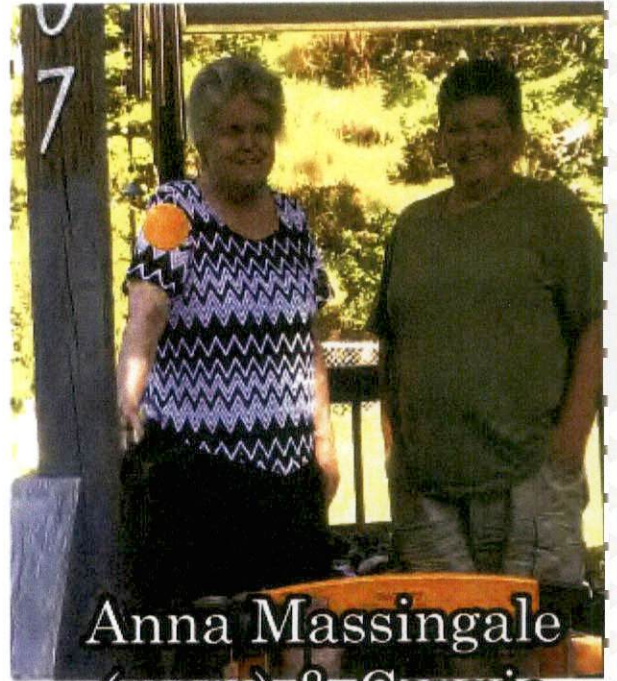


RUSTY & CONNIE MAWYER





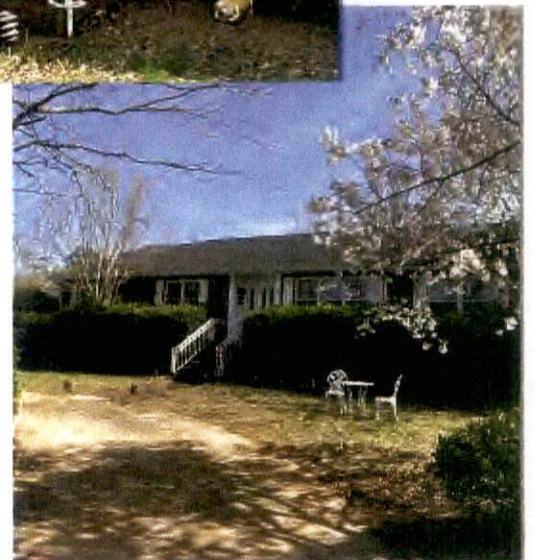
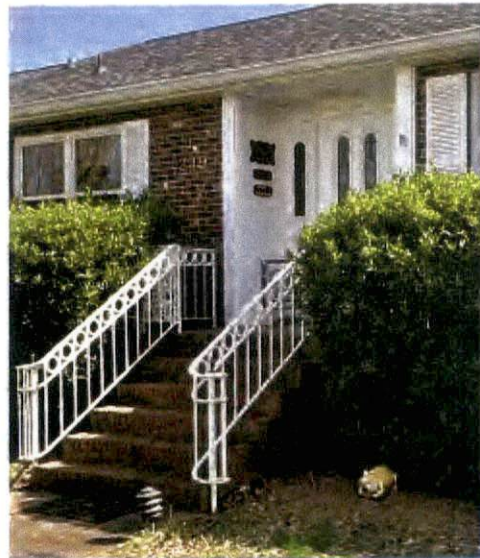
Anna Massingale's house
where Rusty will live if
paroled



Anna Massingale
(mom) & Connie
Mawyer (sister)



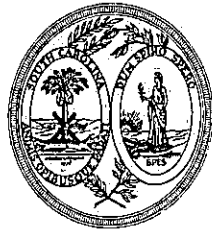
Cheyenne, Jessie, Stetson,
and Justin Mawyer, Gale
Carmak



Son Justin Mawyer's home
in Greenville

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

293 GREYSTONE BLVD
POST OFFICE BOX 207
COLUMBIA, SOUTH CAROLINA 29202
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.state.sc.us/ppp

August 24, 2021

The Honorable H. W. Funderburk, Jr.
Judge, Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, S.C. 29201

RE: Russell Mawyer, #139176 v. S.C. Department of Probation, Parole and Pardon Services

Dear Judge Funderburk:

Please find enclosed for filing the *Brief* dated August 24, 2021, along with proof of service in the above referenced case.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Matthew C. Buchanan".

Matthew C. Buchanan
General Counsel

MCB:dn

Enclosures

cc: Russell Mawyer, #139176



STATE OF SOUTH CAROLINA
In The Administrative Law Court
Docket Number 21-ALJ-15-0010

APPEAL OF FINAL DECISION
Department of Probation, Parole, and Pardon Services

MAWYER, RUSSELL, #139176APPELLANT

v.

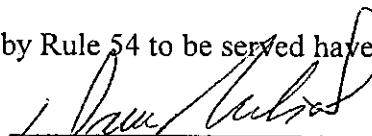
S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,RESPONDENT

CERTIFICATE OF SERVICE

I, Dawn K. Nichols, Executive Assistant to counsel for Respondent, certify that I have served the within *Brief*, dated August 24, 2021, on Appellant by depositing a copy of the same in the United States mail, postage prepaid, the 24th day of August, 2021, addressed to:

Russell Mawyer, #139176
Perry Correctional Institution
430 Oaklawn Road
Pelzer, S.C. 29669

I further certify that all parties required by Rule 54 to be served have been served.



Dawn Nichols
Executive Assistant
South Carolina Department of Probation,
Parole, and Pardon Services
P. O. Box 207
Columbia, South Carolina 29202

STATE OF SOUTH CAROLINA
In The Administrative Law Court
Docket Number 21-ALJ-15-0010

APPEAL OF FINAL DECISION
Department of Probation, Parole and Pardon Services

RUSSELL MAWYER, #139176.....APPELLANT

v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,.....RESPONDENT

BRIEF OF RESPONDENT

Matthew C. Buchanan
General Counsel

**South Carolina Department of Probation,
Parole and Pardon Services**
P.O. Box 207
Columbia, South Carolina 29202
(803) 734-9220

ATTORNEY FOR RESPONDENT

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Cooper v. S.C. Dept. of Probation, Parole and Pardon Services, 377 S.C. 489, 661 S.E.2d 106 (2008).....1, 2, 3, 4

Compton v. S.C. Dept. of Probation, Parole and Pardon Services, 385 S.C. 476, 685 S.E.2d 175 (2009).....4

STATUTES

S.C. Code Ann. §24-21-640 (2010).....2,3,4

S.C. Code Ann. §24-21-10 (2012).....3

STATEMENT OF THE ISSUES ON APPEAL

1. Did the Board properly considered all of the mandatory criteria as set forth in Cooper thereby making Appellant's denial of parole routine?

STATEMENT OF THE CASE

On September 27, 1986, in Easley, S.C., Appellant entered without consent the dwelling of Victim 1, his wife, and Victim 2 while armed with a shotgun. While inside, Appellant shot and killed Victim 3, and shot at Victim 1 but missed. Appellant was later charged and arrested for Murder, Burglary 1st Degree, and Assault with Intent to Kill. On January 19, 1987, Appellant entered a plea of guilty before the Honorable Victor C. Pyle Jr., who sentenced him to life imprisonment for the murder and burglary charges, and ten years for the assault. Because of the aggravating factor of burglary, the Appellant was required to serve thirty years before becoming parole eligible.

Appellant became parole eligible in September, 2016. Since that time, Appellant has appeared before the Board three times with Appellant's most recent review being held April 14, 2021. Following Appellant's most recent appearance, the Board voted unanimously to deny Appellant's parole based on the nature and seriousness of Appellant's offense, use of a deadly weapon, and an indication of violence.

Upon being informed of his denial of parole, Appellant submitted a request for a rehearing to the Board, which was denied on April 29, 2021. Subsequently, he filed a notice of appeal before the Administrative Law Court (ALC). In his appeal, Appellant alleges the Board abused its discretion in denying Appellant parole a third time using the same grounds for denial as his previous denials. The Respondent would argue that the Board followed the requirements of Cooper when it declined to award parole to the inmate, making it a routine denial of parole. This brief follows.

ARGUMENT

The Board properly considered the criteria set forth in Cooper in reaching their unanimous decision, thereby making this a routine denial of parole.

Appellant argues the Board failed to comply with state law in evaluating his request for parole. Appellant further argues the Board abused its discretion by basing its denial of Appellant's parole request on the same grounds that used to deny parole in his previous appearances before the Board, thereby making the Board's denial of parole arbitrary and capricious. He then alleges that the Board's use of the same criteria, which are in the past and cannot be changed, amounts to effectively denying him parole permanently.

The Respondent respectfully submits the procedures followed by the Board, and the criteria considered by the Board, were proper and conformed with the South Carolina Supreme Court's holding in Cooper v. S.C. Dept. of Probation, Parole and Pardon Services, 377 S.C. 489, 661 S.E.2d 106 (2008). As such, the Board's decision to deny Appellant parole should be affirmed.

In Cooper, the Board denied Cooper's parole based on the following three reasons: "1) the nature and seriousness of the current offense; 2) an indication of violence in this or previous offense; and 3) the use of a deadly weapon in this or a previous offense." Cooper, 377 S.C. at 499, 661 S.E.2d at 111. The Court found the Board, "failed to consider the requisite statutory criteria in rendering its decision" and "only considered the nature of Cooper's crime when it rejected his request based on three limited reasons." Id. at 500, 661 S.E.2d at 112. However, the Court went on to state:

We emphasize that in future parole review hearings the Parole Board may avoid the result in the instant case 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.

Id.

Here, on April 15, 2021, the Board issued a rejection letter enumerating the following factors it carefully considered in arriving at their unanimous decision to deny Appellant parole: 1) the characteristics of your current offense(s), prior offenses(s), prior supervision history, prison disciplinary record, and/or criminal record, as described in the findings of facts below; 2) the factors published in Department Form 1212 (Criteria for Parole Consideration); 3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws; and 4) actuarial risk and needs assessment factors pursuant to Section 24-21-10(F)(1) of the South Carolina Code of Laws.

In the letter, the Board also identified the nature and seriousness of Appellant's current offense, the use of a deadly weapon, and the indication of violence as the findings of fact that led to the rejection of Appellant's parole. Appellant argues the Board's findings operate as a permanent denial of parole because they cannot be changed. However, the Board is always authorized to grant parole each time Appellant appears before it; a denial at one parole hearing does not operate to deny parole at a future hearing.

Appellant also alleges that the Board denied his parole "in rote fashion."¹ However, this is in direct contradiction to the Board's statement – and the requirement of Cooper – that the Board carefully considered all of the mandatory criteria, including the factors in Form 1212 (Criteria for Parole Consideration), those found in Section 24-21-640, and the actuarial risk and needs assessment. As Cooper held, the information in the parole rejection letter is all that must be provided for this Court to affirm the decision of the Board. Since the Board's order clearly states

¹ Appellant's Brief, P. 4.

a lawful reason for denial, the criteria within the statute, and that mandatory policies were considered prior to the denial, no further action by the ALC is necessary.²

Further, the Board reviews all of the information presented to make a determination as to whether an inmate will be granted parole. The Board's decision to deny parole based on the nature and seriousness of the offense, indication of violence, and use of a deadly weapon is not unlawful, nor does it preclude Appellant from successfully obtaining parole in the future as that is only one factor among many other issues considered by the Board in their evaluation. The Board citing the circumstances surrounding Appellant's offense as justification, in part, for denying Appellant parole, is proper and cannot be considered an error of law; especially since the Board considered all the factors as set forth in Cooper in reaching their unanimous decision.

The South Carolina Supreme Court in Cooper held, "... if [the Parole Board] 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... the decision will constitute a routine denial of parole and the ALC will have limited authority to review the decision to determine whether the Board followed proper procedure." Cooper, 377 S.C. at 500, 661 S.E.2d at 112. The ALC may not substitute its judgment for that of the Board. As the Board properly considered all of the mandatory criteria in reaching their decision, respectfully, this Court may not overturn that decision for any reason. As the Court in Cooper emphasized, this Court can only review Appellant's case to determine if the Board followed proper procedure. Id. Since Appellant has failed to establish the Board did not follow the proper procedure in denying his parole, this Court should affirm the Board's decision to deny Appellant parole.

² The Parole Board stated in its notice of rejection that it considered the statutory criteria and the criteria set forth in Department Form 1212 which is sufficient under Cooper. Compton v. S.C. Dept. of Probation, Parole and Pardon Services, 385 S.C. 476, 685 S.E.2d 175 (2009).

CONCLUSION

Based on the above arguments, the Department respectfully requests Appellant's appeal be dismissed and the final decision of the Board be affirmed.

Respectfully submitted,



Matthew C. Buchanan
General Counsel

South Carolina Department of Probation,
Parole and Pardon Services
P.O. Box 207
Columbia, South Carolina 29202
(803) 734-9220

Columbia, South Carolina
August 24, 2021

106 (2008). He also argues against *Compton v. Dep't Prob., Parole and Pardon Servs.*, 385 S.C. 476, 685 S.E.2d 175 (2009) asserting that the State Supreme Court

did not intend for the parole board [sic] to use this [statement in its decision] as a means to abuse its discretion, by simply stating it considered these factors, but deny parole again and again using only 'three statutorily enumerated factors, each of which was fixed as of the date of the inmate's offense and could not be affected by the inmate's actions while incarcerated . . .' in a rote fashion, 'without even addressing any of the other enumerated factors' or even stating any of them in their FINDING OF FACT [sic] as reasons for the denial of parole.

Appellant's Brief, 5.

CONCLUSION OF LAW: JURISDICTION

The jurisdiction and authority of the ALC to hear appeals from the South Carolina Department of Probation, Parole, and Pardon (Department) is limited. The legislature created the ALC as an executive branch court. As such, the jurisdiction of the ALC is limited to that granted to it by statute. See S.C. Code Ann. § 1-23-600 (Supp. 2020) and *S.C. Dep't of Consumer Affairs v. Foreclosure Specialists, Inc.*, 390 S.C. 182, 186-87, 700 S.E.2d 468,470 (Ct. App. 2010). (The ALC has no "authority to exceed [its] statutorily granted powers.")

The State Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (1999) held that an inmate is entitled to review by the ALC of a decision depriving an inmate of protected liberty interests represented by the potential loss of sentence-related credits (good time credits). Subsequently, in an appeal from the Board, the Supreme Court discussed two ways these issues could arise:

- (1) when an inmate is disciplined and punishment is imposed and
- (2) when an inmate believes prison officials have erroneously calculated his sentence, sentence-related credits, or custody status.

Furtick, 352 S.C. at 598, 576 S.E.2d at 148-49 (quoting *Al-Shabazz*, 338 S.C. at 369, 527 S.E. 2d at 750).

The Supreme Court concluded that *Furtick* raised an issue arising in the second manner. Specifically, the Board determined that the inmate was not eligible to be considered for parole. However, the Supreme Court decided that "the *permanent* denial of parole *eligibility* implicates a liberty interest sufficient to require at least minimal due process." *Id.* at 598, 576 S.E.2d at 149. If

the Department determined that an applicant was ineligible for parole, the applicant would have “the same right to review as the inmate in *Al-Shabazz*.” *Id.* at 599, 576 S.E.2d at 149.

In *Cooper*, the Supreme Court appeared to expand the scope of review available. To clarify what it perceived as a misinterpretation, the court, in *Compton*, held that the Board need only state,

in its order denying parole that it considered the factors outlined in Section 24-21-640 and the fifteen factors published in Form 1212,² and that if the Parole Board complies with this procedure, the decision will constitute a routine denial of parole and the ALC will have limited authority to review the decision.

In the instant case, the Parole Board clearly stated in its notice of rejection that it considered the statutory criteria and the criteria set forth in Form 1212, which is sufficient under *Cooper*.

Compton, 385 S.C. at 479, 685 S.E.2d at 177 (2009).

As an executive branch court created by the General Assembly, the ALC’s jurisdiction is statutorily limited. Moreover, in its consideration of an appeal from a Parole Board decision, the ALC is specifically limited by S.C. Code Ann. § 1-23-600(D) which provides that an

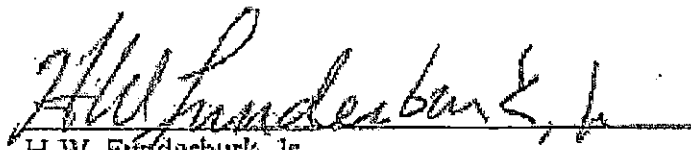
administrative law judge shall not hear an appeal from an inmate in the custody of the Department of Corrections . . . involving the denial of parole to a potentially eligible inmate by the Department of Probation, Parole and Pardon Services.³

The decisions in *Furtick* and *Compton*, read in combination with the amended statute, make it clear that the ALC has no authority to review or reverse a “routine” decision denying parole to a potentially eligible inmate.

Since this is a case in which Appellant has been considered for parole and, barring something unforeseen, will be considered again, this Court has no jurisdiction to entertain this appeal. The appeal is, therefore, **DISMISSED**.

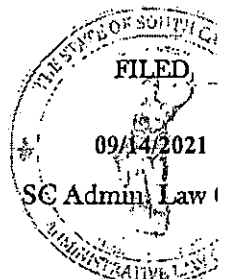
AND IT IS SO ORDERED.

September 14, 2021
Columbia, South Carolina


H.W. Funderburk, Jr.
Administrative Law Judge

² Form 1212 contains sixteen (16) factors if the offense occurred on or after January 1, 2011.

³ This subsection was amended to add this provision by Act 334, which went into effect June 16, 2008.



CERTIFICATE OF SERVICE

I, Elizabeth A. Perkins, hereby certify that I have this date served this **Order of Dismissal** 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).

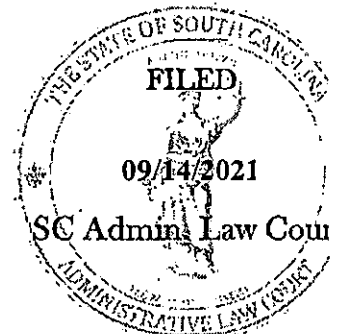
Russell Mawyer
Inmate No. 139176
Perry Correctional Institution
Pelzer, SC 29669
Pro Se Appellant

Matthew Buchanan, Esquire
S.C. Dep't of Probation, Parole & Pardon Services
P.O. Box 207
Columbia, SC 29202
Counsel for Respondent

September 14, 2021
Columbia, South Carolina

Elizabeth A. Perkins

Elizabeth A. Perkins
Judicial Law Clerk



RESPONDENT'S DESIGNATION OF MATTER

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

293 GREYSTONE BLVD
POST OFFICE BOX 207
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Facsimile: (803) 734-9440
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June 16, 2021

The Honorable H. W. Funderburk, Jr.
Judge, Administrative Law Court
1205 Pendleton Street, Suite 224
Columbia, S.C. 29201

RE: Russell Mawyer, #139176 v. S.C. Department of Probation, Parole and Pardon Services

Dear Judge Funderburk:

Please find enclosed for filing the *Record on Appeal* dated June 16, 2021, along with proof of service in the above referenced case.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Buchanan", with a long horizontal line extending to the right.

Matthew C. Buchanan
General Counsel

MCB:dn

Enclosures

cc: Russell Mawyer, #139176

APPEAL OF FINAL DECISION
Department of Probation, Parole, and Pardon Services

MAWYER, RUSSELL, #139176.....APPELLANT

v.

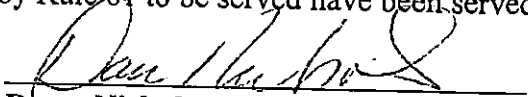
S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,RESPONDENT

CERTIFICATE OF SERVICE

I, Dawn K. Nichols, Executive Assistant to counsel for Respondent, certify that I have served the within *Record on Appeal*, dated June 16, 2021, on Appellant by depositing a copy of the same in the United States mail, postage prepaid, the 16th day of June, 2021, addressed to:

Russell Mawyer, #139176
Perry Correctional Institution
430 Oaklawn Road
Pelzer, S.C. 29669

I further certify that all parties required by Rule 61 to be served have been served.


Dawn Nichols
Executive Assistant
South Carolina Department of Probation,
Parole, and Pardon Services
P. O. Box 207
Columbia, South Carolina 29202

STATE OF SOUTH CAROLINA
In The Administrative Law Court
Docket Number 21-ALJ-15-0010

APPEAL OF FINAL DECISION
Department of Probation, Parole, and Pardon Services

MAWYER, RUSSELL, #139176.....APPELLANT

v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,RESPONDENT

RECORD ON APPEAL

**Matthew C. Buchanan
General Counsel**

**South Carolina Department of Probation,
Parole and Pardon Services
P. O. Box 207
Columbia, South Carolina 29202
(803) 734-9220**

ATTORNEY FOR RESPONDENT

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South Carolina Department of Probation, Parole and Pardon Services

Criteria for Parole Consideration

Inmate Name MAWYER, RUSSELL L.	SCDC# 00139176
-----------------------------------	-------------------

SC Board of Probation, Parole and Pardon Services P.O. Box 207 Columbia, SC 29202

Criteria for Parole Consideration

The South Carolina parole law creates no right to be released on parole. Parole in South Carolina is strictly a matter of privilege or grace. The South Carolina Board of Probation, Parole and Pardon Services has absolute discretion to grant or deny parole. As such, the publication of these parole criteria in no way creates an expectancy of release; nor does it bind the Parole Board in any way to favorable parole decision or establish any presumptions of entitlement to parole.

In deciding whether or not to grant parole, the Parole Board considers, among other things, the inmate's record before incarceration as well as during incarceration. The record itself is prepared through investigations conducted for the Parole Board, and it becomes a part of the inmate's parole file. The files are maintained by the Department of Probation, Parole and Pardon Services and are, by the statute, privileged and confidential. The confidentiality of the parole file is far reaching; inmates themselves have no right to inspect the contents of their files. If the inmate thinks his/her file is somehow incomplete or contains some errors or other inaccuracy, he/she must notify the Board of the specific error or inaccuracy. The Board will investigate the inquiry and notify the inmate of the action taken.

Inmates do, however, enjoy certain rights in the parole process. The inmate has the right to appear at his parole hearing. If the inmate fails to appear, the Board may decide his/her case in absence. The inmate has the right to be represented by an attorney; however, he/she has no right to have an attorney appointed if he/she cannot afford one. At the hearing, the inmate has the right to present witnesses and evidence on his/her own behalf, but an inmate does not have a right to confront witnesses.

In deciding whether or not an inmate should be granted parole, the Board or Panel of the Board exercises its absolute discretion to the limits allowed by state and federal law. The discretion of the Board or panel aims at protecting the best interest of both society and the inmate being considered for parole. In its concern for the protection of society's and the inmate's best interests, the Board or Panel deliberates upon the "reasonable probability" that an inmate will not again violate the law, if parole is granted. When deliberating that an inmate will not again violate the law, the Board or Panel weighs the factors listed below. The Board or Panel, in its absolute discretion, also considers any other factors not listed below which it considers relevant in a particular case.

1. The risk the inmate poses to the community;
2. The nature and seriousness of the inmate's offense, the circumstances surrounding the offense, and the inmate's attitude toward it;
3. The inmate's prior criminal records and his/her adjustment under any previous programs or supervision;
4. The inmate's attitude toward his/her family, the victim, and authority in general;
5. The inmate's adjustment while in confinement, including his/her progress in counseling, therapy, and other similar programs designed to encourage the inmate to improve himself/herself;
6. The inmate's employment history, including his/her job training and skills and his/her stability in the work place;
7. The inmate's physical, mental and emotional health;
8. The inmate's understanding of the cause of his/her past criminal conduct;
9. The inmate's efforts to solve his/her problems such as seeking treatment for substance abuse, enrolling in academic and vocational education courses, and in general using whatever resources the Department of corrections has made available to inmates to help with their problems;
10. The adequacy of the inmate's overall parole plan. This includes inmate living arrangements, where he/she will live and who he will live with; the character of those with whom the inmate plans to associate in both his/her working hours and his/her off-work hours; the inmate's plans for gainful employment;
11. The willingness of the community into which the inmate will be released to receive the inmate;
12. The willingness of the inmate's family to allow his/her to return to the family circle;
13. The attitudes of the sentencing judge, the solicitor, and local law enforcement officers respecting the inmate's parole;
14. The feelings of the victim's family, and any witnesses to the crime about the release of the inmate
15. The actuarial risk and needs assessment outlined in section 24-21-10 (F)(1) of the S.C. Code of laws; which evaluates based on Criminal Involvement, Relationships/Lifestyle, Personality/Attitudes, Family, Social Exclusion and Mental Health.
16. Other factors considered relevant in a particular case by the Board.

Reservation of Discretionary Power of the Parole Board

These criteria in no way limit the absolute discretion of the Parole Board or Panel to make parole decisions on a case-by case basis and to grant or deny parole as it determines to be in the best interest of society and the inmate under review.


In some cases, the Board may decide that the inmate should be granted parole if the inmate completes one or more stated conditions. When this is the case, the Board may grant a parole that becomes effective when the inmate completes one or more stated conditions. Should the inmate fail to complete any one of these conditions or disobey any rule or regulation of the South Carolina Department of Corrections before satisfying the stated conditions to make his parole effective, the Board may rescind the inmate's parole and treat the case as though parole had been rejected. In other cases, the Board may feel it needs more time to form its decision. In such cases, the Board may simply take the parole consideration under advisement and reschedule it at a later date. Similarly, the Board may postpone a parole hearing in order to dispose of detainers or pending charges. If the Board rejects an inmate for parole, the inmate will be given written notice of rejection stating the reasons for rejection. Decisions of the Board have no precedential effect whatever and in no way limit the Board's absolute discretion at later parole hearings.

After rejection for parole, the procedure of scheduling of rehearing is as follows:

1. An individual serving time for a violent offense defined in §16-1-60 of the South Carolina Code of Laws 1976 will be reheard for parole two years following the date of parole rejections. Applicable legal exceptions may allow for a one year hearing.
2. An individual serving time for a nonviolent offense defined in §16-1-70 of the South Carolina Code of Laws 1976 will be reheard for parole one year following the date of parole rejections.

I certify that the above material has been explained to me, and I have received a copy.

Inmate's Signature: ***No signature required due to COVID-19 Pandemic***	Date: 1/1/0001
--	----------------

Witness Signature: 	Date: 1/27/2021
---	-----------------

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

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www.dppps.sc.gov

April 15, 2021

Mr. Russell Mawyer #00139176
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

RE: NOTICE OF REJECTION

Dear Mr. Mawyer:

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); (3) the factors outlined in Section 24-21-640 of the South Carolina Code of Laws, and (4) actuarial risk and needs assessment factors pursuant to Section 24-21-10 (F) (1) of the South Carolina Code of Laws. The Parole Board had determined that your 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
Vote Count: Unanimous To Reject

Sincerely,

A handwritten signature in cursive script that reads "Nettie C. Jacobs".

Nettie C. Jacobs
Board Support Services

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4/14/2021

NETTIE C. JACOBS

April 23, 2021

Director of Parole Board Support Services

293 Graystone Blvd.

P.O. Box 207

Columbia, S.C. 29202

RECEIVED

APR 28 2021

Board Support Services

RE: REQUEST FOR RE-CONSIDERATION HEARING

DEAR Ms. NETTIE C. JACOBS

ON April 23, 2021 I RECEIVED THE DECISION OF THE PAROLE BOARD, DATED April 15, 2021, DENYING MY RELEASE FOR PAROLE. I AM REQUESTING A RE-CONSIDERATION HEARING BASED ON THE FOLLOWING TWO IMPORTANT ISSUES:

1) ERRONEOUS INFORMATION RELIED ON BY THE PAROLE BOARD IN MAKING ITS DECISION:
UNDER THE NEW S.C.D.C. CLASSIFICATION SYSTEM I SCORED OUT FOR MEDIUM CUSTODY (ACTUALLY, I SCORED OUT FOR MINIMUM CUSTODY BASED ON MY EXCELLENT 34 YEAR INSTITUTIONAL RECORD, HOWEVER THE NEW SYSTEM REQUIRES AN OVER-RIDE TO MEDIUM CUSTODY FOR INDIVIDUALS LIKE MYSELF WHO ARE ELIGIBLE FOR PAROLE BUT HAVE NO MAX-OUT DATE.)

THE PROBLEM IS THAT I JUST DISCOVERED THAT S.C.D.C.'S RECORDS, WHICH ARE RELIED ON BY THE PAROLE BOARD IN MAKING ITS DECISIONS, ERRONEOUSLY SHOW ME AS BEING IN CLOSED CUSTODY STATUS RATHER THAN MEDIUM CUSTODY. CLOSED CUSTODY IS THE WORST OF ALL CLASSIFICATION LEVELS, RESERVED ONLY FOR INMATES WITH SERIOUS SECURITY CONCERNS AND BAD INSTITUTIONAL RECORDS.

THIS ERRONEOUS CLASSIFICATION INFORMATION IN

my records occurred because I AM A VOLUNTEER FACILITATOR IN S.C.D.C.'S STEP-DOWN PROGRAM FOR TROUBLED INMATES, AND TO BE HOUSED IN THE SAME UNIT WITH THESE INDIVIDUALS, VOLUNTEER FACILITATORS ARE CATEGORIZED AS CLOSED CUSTODY FOR ADMINISTRATIVE PURPOSES ONLY. MY TRUE CLASSIFICATION STATUS IS MEDIUM CUSTODY AND THIS INFORMATION SHOULD HAVE BEEN INCLUDED IN THE RECORDS THAT S.C.D.C. PROVIDED THE PAROLE BOARD IN MY CASE.

THE CLASSIFICATION STATUS ASSIGNED TO INMATES BY THE DEPARTMENT OF CORRECTIONS REFLECTS THAT AGENCY'S BROAD JUDGEMENT OF THE LEVEL OF REFORM THESE INDIVIDUALS HAVE ACHIEVED AND THE THREAT THEY MAY, OR MAY NO LONGER, POSE TO SOCIETY. DOUBTLESS THIS IS A CRITICAL PIECE OF INFORMATION FOR THE PAROLE BOARD IN MAKING ITS PAROLE DECISION. BECAUSE THE RECORDS USED BY THE PAROLE BOARD IN MY RECENT HEARING ERRONEOUSLY LISTED ME AS BEING IN CLOSED CUSTODY - THE WORST CLASSIFICATION STATUS - RATHER THAN IN MEDIUM CUSTODY, WHICH IS MY CORRECT CURRENT CLASSIFICATION STATUS, I REQUEST THAT I BE GRANTED A RE-HEARING BEFORE THE BOARD. (SEE ATTACHED S.C.D.C. CLASSIFICATION DOCUMENT)

2) IMPORTANT POST-PAROLE-PLAN INFORMATION THAT WAS NOT GIVEN TO THE PAROLE BOARD DURING THE HEARING OF APRIL 17TH 2021.

THE POST-PAROLE-PLAN I DESCRIBED TO THE PAROLE BOARD AT MY HEARING INCLUDED MY PLAN TO STAY WITH MY MOTHER AND SISTER UPON RELEASE. AT SOME POINT LATER IN THE INTERVIEW THE PAROLE BOARD

CHAIRMAN brought up this issue AGAIN AND inquired further about the CIRCUMSTANCES of where I would be living. He seemed to have some CONCERN about it, however he did NOT CELEBRATE on his CONCERNS. IN RESPONSE I simply STATED that I had other support besides family.

AFTER the hearing AND the decision to deny my release, I pondered those questions AND realized that I'd completely forgotten to inform the PAROLE BOARD that I had multiple ADDITIONAL options for where I could RESIDE during my TRANSITION back into SOCIETY. ONE is with a close family friend, Gayle CAMAK. Two others include the JUMPSTART AND FRESHSTART TRANSITIONAL HOUSING.

The founder of these two re-entry programs, Tim Terry, is a strong supporter AND is ready to welcome me there.

I ask that I be granted a re-hearing so I can provide the additional information for the PAROLE BOARD'S CONSIDERATION.

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

HENRY McMASTER
Governor



JERRY B. ADGER
Director

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COLUMBIA, SOUTH CAROLINA 29202


April 29, 2021

Mr. Russell Lee Mawyer 00139176
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Dear Mr. Mawyer:

Our office is in receipt of your letter requesting an appeal of your recent parole denial dated April 23, 2021. Per your request, your file has been reviewed. There is not sufficient evidence for a rehearing. Your request for a rehearing is denied.

Sincerely,


Nettie C. Jacobs
Board Support Services



"Nation's First Probation Agency accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA)."



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JAN 12 2022

SC Court of Appeals

APPEAL OF FINAL DECISION
Department of Probation, Parole, and Pardon Services

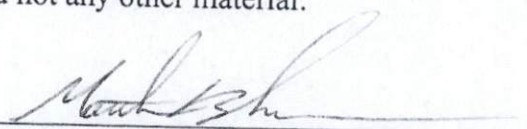
MAWYER, RUSSELL, #139176APPELLANT

v.

S.C. DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES,RESPONDENT

CERTIFICATE OF COUNSEL

The undersigned certifies that this Record on Appeal complies with Rule 61 of the Rules of Procedure for the Administrative Law Court and contains all material proposed to be included in the Record on Appeal by all of the parties and not any other material.



Matthew C. Buchanan
General Counsel

South Carolina Department of
Probation, Parole and Pardon Services
P. O. Box 207
Columbia, South Carolina 29202
(803) 734-9220

June 16, 2021

RECEIVED

JAN 12 2022

SC Court of Appeals

CERTIFICATE OF COUNSEL

The undersigned Appellant hereby certify that the Record on Appeal contains all materials proposed to be included by Appellant and the Respondent in their Designation of Matter, and no other materials.

JAN. 10th 2022
DATE

Russell Lee Mawyer
Russell Lee Mawyer
SCDC# 139176
Perry C.I., Q4A 221
430 Oaklawn Road
Pelzer, S.C. 29669
Appellant

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