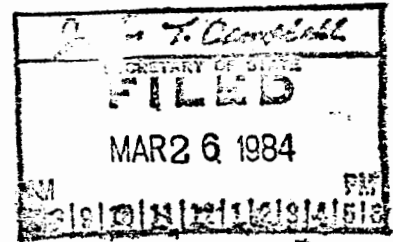


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84-14 [2]

STATE OF SOUTH CAROLINA

EXECUTIVE OFFICE

COLUMBIA



EXECUTIVE ORDER NO. 84-14

WHEREAS, the General Assembly of the State of South Carolina amended Chapter 3 of Title 24 of the South Carolina Code of Laws (1976) by adding the article known as the Prison Overcrowding Powers Act; and

WHEREAS, the purpose of this Act is to provide a means, in extreme circumstances, for prisoner overcrowding of the prisons of the State of South Carolina to be alleviated, in order to insure humane conditions of confinement, security of the prisons, and proper operation of the prisons as provided by law; and

WHEREAS, the South Carolina Board of Corrections reported to me under the provisions of Section 24-3-1190, Code of Laws of South Carolina (1976) that the prison system population continues to exceed the established safe and reasonable capacity of Seven Thousand Eight Hundred and Eighty (7,880) inmates; and, therefore, has requested that the release dates of all inmates be conditionally advanced ninety (90) days, which shall be cumulative to the previous advancement resulting from my Executive Order No. 83-43 dated September 2, 1983; and

WHEREAS, the South Carolina Board of Corrections has reported that there has been full and appropriate utilization by the Department of Corrections of powers, the exercise of which tends to either reduce prison system population or expand operating capacity; and

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WHEREAS, the South Carolina Board of Parole and Community Corrections reported to me as required by Section 24-3-1190, Code of Laws of South Carolina (1976), that there are sufficient supervising agents and resources to provide intensive supervision of prisoners released pursuant to the Prison Overcrowding Powers Act and Section 24-13-720, Code of Laws of South Carolina (1976), regarding the Supervised Furlough Program; and

WHEREAS, the South Carolina Board of Parole and Community Corrections has reported that there has been full and appropriate utilization by the Department of Parole and Community Corrections of powers, the exercise of which tends to either reduce prison system population or expand operating capacity; and

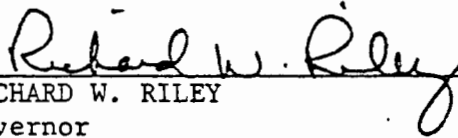
WHEREAS, since the prison system population continues to exceed the established safe and reasonable capacity, it becomes necessary to invoke extraordinary measures due to the extreme overcrowding of prisons in order to insure humane conditions of confinement, security of the prisons and proper operations of the prisons as provided by law;

NOW, THEREFORE, pursuant to the powers conferred upon me as Governor by Section 24-3-2000 Code of Laws of South Carolina (1976), I hereby determine that the reports of the South Carolina Board of Corrections and the South Carolina Board of Parole and Community Corrections establish the continuing existence of the conditions for a second declaration of a prison system overcrowding State of Emergency, and I hereby declare that a prison system overcrowding State of Emergency exists and direct that the release dates of inmates be advanced ninety (90) days, effective March 26, 1984, and that this advancement be cumulative with the advancement of release dates ordered on

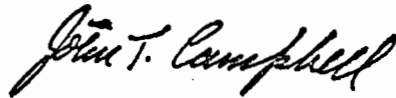
September 2, 1983; and I further declare and direct that the South Carolina Department of Corrections and the South Carolina Department of Parole and Community Corrections shall begin releasing qualified inmates pursuant to this Executive Order as expeditiously as possible.

I declare that the prison overcrowding State of Emergency and advancement of release dates ordered on September 2, 1983, and on today's date shall be terminated when the Commissioner of the South Carolina Department of Corrections certifies to me that the prisons have not exceeded the established operating capacity of Seven Thousand Eight Hundred and Eighty (7,880) inmates for a period of seven consecutive days, or as otherwise provided for in the Prison Overcrowding Powers Act.

Given under my hand and the Great Seal of the State of South Carolina at Columbia, South Carolina, this 26th day of March, 1984.

  
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RICHARD W. RILEY  
Governor

ATTEST:



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JOHN T. CAMPBELL  
Secretary of State