



REPORT OF THE
JOINT LEGISLATIVE COMMITTEE
TO STUDY THE PROBLEMS OF
ALCOHOL AND DRUG ABUSE
1988 - 1989

JANUARY 1990

122424

122424

122424

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

~~South Carolina Jt. Legislative
Committee on Alcohol/Drug Abuse~~
to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

REPORT OF THE
JOINT LEGISLATIVE COMMITTEE
TO STUDY THE PROBLEMS OF
ALCOHOL AND DRUG ABUSE
1988 - 1989

JANUARY 1990

NCJRS

MAR 15 1990

ACQUISITIONS

To the Honorable Carroll A. Campbell, Jr., Governor of South Carolina and the Honorable Presiding Officers and members of the General Assembly.

The Committee to make a full and complete study of the illicit drug problems in South Carolina with a view to formulating and recommending appropriate legislative proposals for coping with the problem, was created by Concurrent Resolution S-771 of the General Assembly, approved April 24, 1970. The creating resolution authorized the establishment of a nine-member committee to consist of three members from the Senate, three members from the House and three members appointed by the Governor.

The Committee was formally organized on August 31, 1970, and was made a permanent committee on June 22, 1971.

Since the enactment of modernized drug legislation in 1971 and the creation of a permanent drug and narcotics study committee, the members have continuously worked to become knowledgeable and keep abreast of the activities in the areas of drug education, treatment, aftercare, rehabilitation and law enforcement, and in addition to discover for themselves how the interrelationship of these divisions contributes to an effective and meaningful drug program.

On June 14, 1977, legislation was ratified which changed the name of the Committee to The Joint Legislative Committee to Study the Problems of Alcohol and Drug Abuse. The membership was increased from nine members to twelve members, and the Committee has since given the same attention to alcohol and drug problems as it has previously given to drug problems alone.

Approved and Respectfully Submitted.

SENATE MEMBERS:

- /S/ Senator J. Verne Smith, Chm.
- /S/ Senator Peden B. McLeod
- /S/ Senator Nikki G. Setzler
- /S/ Senator Kay Patterson

HOUSE MEMBERS:

- Representative Joyce Hearn, (Resigned)
- /S/ Representative Robert W. Hayes, Jr.
- /S/ Representative Michael L. Fair
- /S/ Representative Jarvis R. Klapman

GOVERNOR'S APPOINTEES:

- Mr. Sterling Laney, (Resigned)
- Mr. Donny Wilder, (Resigned)
- /S/ Mrs. Leslie Harrison
- /S/ Dr. Gael Caution

The Committee has continuously stayed abreast of the activities of those agencies deeply involved in the alcohol and drug problem. In the following pages is a short synopsis of the activities of these agencies as they reported to the Committee.

JOINT LEGISLATIVE COMMITTEE TO STUDY THE PROBLEMS
OF ALCOHOL AND DRUG ABUSE

The 1988-89 legislative years have seen the Committee make notable advancement in legislation. The challenge of keeping abreast of the activities of various state divisions and their interrelationships was met enabling South Carolina to further its goals in relationship to meaningful alcohol and drug legislation and programs.

For 1988-89 the Committee emphasis has focused on a number of major alcohol and drug related issues and proposals. At the Annual Meeting the Committee heard presentations by representatives of various state divisions and state and community leaders on alcohol and drug abuse issues and proposals including 20% surtax on beer and wine,

mini-bottles, reclassification of Felony DUI as a violent crime, Administrative per se (Suspension/Revocation), infrared intoxilizers, removal of provisional driver's license for first DUI, watercraft DUI, increased penalties for reckless homicide, .00 BAC for under 21, prohibiting gasoline establishments from selling alcohol, mandatory testing of all drivers involved in fatal or serious injury crashes, increased penalties for leaving the scene, reduction in the number of detox days, language in Administrative Hearings and ABC regulations. Members were instrumental in the passage of a number of legislative proposals brought before them which will be addressed later in this report. The following information contains subcommittee reports and recommendations:

SPECIAL SUBCOMMITTEE TO STUDY SCCADA FUNDING: Chairman, Representative Michael Fair; Members: Senator Nikki Setzler, Representative Robert Hayes and Mr. Donny Wilder. Recommended no change in the Mini-Bottle System, Surtax on beer and wine: the subcommittee supports (with the exception of Senator Nikki Setzler, who submitted a minority report) an increase of 2 cents per can surtax on beer and 27.8 percent surtax on wine distribution which generates \$16.5 million in new revenues to be earmarked for 2 years as follows:

Alcoholic Beverage Control Commission	\$1,000,000
Department of Corrections	1,000,000
50 percent of balance to SCCADA	750,000
50 percent of balance to General Fund	750,000

As the result of this recommendation, Representatives Mike Fair and Robert Hayes introduced H.3732.

The subcommittee further recommends support of the following three issues: Mandatory testing of all drivers involved in fatal or serious injury crashes, Increase in penalties for Reckless Homicide from 5 to 10 years in order to close gap

on plea bargaining and increase in penalties for Leaving the Scene (H. 3721).

Senator Nikki Setzler submitted the following minority report:

Because I do not favor any general tax increase, I do not support increasing the surtax on beer and wine. Based on previous studies, I am also aware that an increase in taxes on beer and wine is regressive and has a much greater effect on blue collar, middle-class workers than on any other population. For these reasons, I cannot support an increase in the surtax on beer and wine.

I am in full support of all other recommendations of the subcommittee regarding the mini-bottle system, mandatory testing of drivers involved in fatal or serious injury crashes, and increase in penalties for reckless homicide, and an increase in penalties for persons who leave the scene of an accident.

CHAIRMAN, REPRESENTATIVE JOYCE HEARN; Members: Representative Robert W. Hayes and Mr. Donny Wilder: Recommended (1) Removal of Provisional drivers license privilege for 1st DUI offenders: a person convicted of a first offense DUI violation be allowed to obtain a provisional driver's license upon completion of ADSAP and that the documentation from this program necessary for the person to obtain a provisional license not be forwarded to the Department of Highways and Public Transportation until sixty days after his conviction. (H. 3446, Representatives Hearn, Hayes and Fair) and a Jt. Resolution directing SCCADA to conduct a special study to determine program effectiveness of ADSAP (H. 3444, Representatives Hearn, Hayes and Fair). (2) .00 BAC for under 21: To make it unlawful for persons under the age of 21 to operate a motor vehicle with a blood alcohol content of two one-hundredths of one percent or greater by weight of alcohol (H.3679 Hayes, Fair and Hearn).

CHAIRMAN, REPRESENTATIVE ROBERT HAYES; Members: Senator Peden McLeod and Dr. Gael Caution (1) Reclassify felony DUI to Violent Crime Status - Although this issue is still pending, H. 3951 was introduced by Representatives Hayes and Fair: To establish the offenses of felony DUI in the first degree if death results and felony DUI in the second degree if great bodily injury results. (2) Administrative Per Se: the subcommittee agreed to Review H.3652, introduced by Representative Beasley which includes Administrative Per Se. (3) Intoxilizers: the subcommittee supports SLED's budget request for intoxilizers. (4) Watercraft DUI: The subcommittee supports H. 3010 introduced by Representative Hayes: To establish the offense of boating under the influence of alcohol or drugs and provide a schedule of blood alcohol content that gives rise to presumptions and inferences of operating a watercraft under the influence.

Members of the Committee were instrumental in the passage of major legislative proposals and are as follows:

S.280 introduced by Senator J. Verne Smith, provides for reimbursement up to \$1,000 to Crimestoppers, Inc. for money provided for information that leads to the arrest of individuals in narcotics investigations. It was signed by the Governor on 5-10-89. ACT #71

Representative Michael Fair co-sponsored H.3160 along with Representatives Gregory and Short. This Bill relates to notices by the DHPT so as to provide that a notice concerning a person's driver's license must be mailed to the person's address contained in the driver's license records of the Department. Signed by the Governor 6-8-89. ACT #169

The Committee has continued to research and study the problems of alcohol and drug related issues with deliberate concern and effort. Interaction

with citizens' action groups and various state agencies was substantial and furthered the Committee's awareness of needed legislation.

In October of 1989, Charmy Reese, Committee staff, attended and completed DUI, DUS AND SPEEDING, A GUIDED TOUR THROUGH THE NEW STATUTORY PROVISIONS held at the University of South Carolina Law School and presented by the South Carolina Bar in conjunction with the U.S.C. School of Law.

The Study Committee continues to assign highest priority to exercising every opportunity to gain personal understanding of information revealing new and innovative efforts to reduce alcohol and drug abuse. The Committee accepts its responsibility to organize and develop this information to promote appropriate legislation aimed at controlling and reducing alcohol and drug abuse in South Carolina. The Committee shares the results of their research and information development by responding promptly to all requests for information by concerned citizenry. The Committee has provided, upon request, their Annual Report to the S.C. State Library, S.C. Archives and History, USC Library and the Caroliniana Library and to libraries in other states including Florida, Illinois, Kentucky, Wisconsin and Virginia.

The Committee anticipates two Committee meetings during the interim to hear issues and proposals prior to the 1990 legislative session.

The following is a Legislative Status Report of Bills introduced during the 1989 Legislative Session. Those Bills that have passed are indicated by an ACT number. Legislation not enacted will be pending in the 1990 session.

1989 Legislative Session Status Report
of Alcohol and Drug Legislation

HOUSE PRE-FILED BILLS (before the 1989 Session)

1. H.3002 (GA Brown) A House Resolution to adopt a new rule to ban the serving of alcoholic beverages at a reception or dinner whose primary purpose is to entertain or honor the members of the General Assembly. Referred to Committee on Rules 12-06-88

2. H.3010 (RW Hayes) A Bill to amend the Code of Laws of SC, 1976, by adding Sections 50-21-112 through 50-21-116 so as to establish the offense of boating under the influence . . . Referred to House Judiciary. Favorable with amendment. Point of order. Objections Gregory, McLeod, Blanding and G. Bailey

3. H.3011 (RW Hayes) A Bill to amend Sec. 61-5-190 relating to regulation of retail beer, wine or alcoholic beverage locations by the ABC Commission, so as to provide that the Commission shall give full recognition to a lawful county or municipality zoning ordinance which prohibits the location of beer, wine, or alcoholic beverage establishments, in a specific area, if the Commission finds that the ordinance is reasonable and not arbitrary. Referred to House Judiciary 12-08-88

4. H.3028 (JV Gregory) A Bill to amend Sect. 56-1-1090, relating to nonissuance of license and restriction of driving privileges to habitual offenders, so as to provide that no petition or court order is required for the restoration of driving privileges after the expiration of the five-year waiting period and all financial responsibility requirements have been fulfilled. Referred to Ed. and Public Works. Fav. Report, Rec'd 2nd, debate adjourned until 2-7-89, Rec'd 3rd and sent to Senate

5. H.3050 (H.Kirsh) A Bill to amend Sects. 2-3-30, 2-3-60, 2-3-100, 2-3-170, 10-1-40, 51-1-75, 59-20-50, as amended, 59-63-720, and 59-65-210 relating toReferred to House Ways and Means

6. H.3055 (Kirsh, RW Hayes) A Bill to amend 56-5-2950, as amended, Code of Laws of SC, 1976, relating to the implied consent to a chemical test to determine the alcoholic content of the blood of a person who operates a motor vehicle upon the public roads of this State, so as to decrease the percentages of alcohol in a person's blood used to create presumptions which must be used in determining the guilt of persons violating the provisions of Sect. 56-5-2930; and to provide a transition period for the reduction of the percentage. Referred to House Judiciary. Tabled

7. H.3069 (Kirsh) Tax rates on tobacco products. Referred to House Ways and Means

8. H.3075 (JH Hodges) A Bill to amend Sec. 56-5-2950, as amended, Code of Laws of SC, 1976, relating to implied consent to a chemical test to determine the alcoholic content of blood and the procedure related to it, so as to add provisions establishing a chain of custody or control of evidence in a criminal prosecution under the provisions of this Section or of Sects. 56-5-2930 and 56-5-2945. Referred to House Judiciary Fav. report, rec. 2nd & ordered to 3rd on 1-20-89. Sen. ref. to Judiciary

INTRODUCTIONS OF BILLS

January 10, 1989

9. H.3111 (Sheheen & Wilkins) SEE S.20 A Bill to ratify an amendment to Sect. 22, Article V of the Constitution of S.C., 1895, relating to Grand and Petit Juries, so as to authorize the General Assembly to establish a State Grand Jury by General Law; and to ratify an amendment to Section 11, Article 1 of the Constitution, relating to the

requirement that no person may be held to answer for any crime where the punishment exceeds a fine of two hundred dollars or imprisonment for 30 days, unless on a presentment or indictment of a Grand Jury of the county where the crime has been committed, with certain exceptions, so as to provide that nothing contained in the constitution is deemed to limit or prohibit the establishment by the General Assembly of a State Grand Jury with the authority to return indictments and with that other authority, including procedure, as the General Assembly may provide. Placed on the calendar without reference. Rec'd 2nd and ordered to 3rd. Rec'd 3rd and sent to the Senate. Senate referred to Judiciary, Fav. Report, Rec'd 2nd & 3rd. (R9) ACT #5

10. H.3135 (P.Harris, J.Harris & Carnell) SEE S.130 A Bill to amend Sect. 44-52-110, as amended, Code of Laws of SC, 1976, relating to Emergency Commitment to Alcohol and Drug Abuse Facilities, so as to provide that the Court, upon request, may order a petitioner for the Emergency Commitment, if a family member, to cooperate with and participate in the treatment process. Referred to House Judiciary. Favorable. Debate adjourned until 2-8-89 and 2-14-89. Debate adjourned until the end of the uncontested calendar. TABLED

11. H.3136 (P.Harris, J.Harris & Carnell) SEE S.129 A Bill to amend Sect. 44-52-60, Code of Laws of SC, 1976, relating to Emergency Commitment to Alcohol and Drug Facilities, so as to provide for an examination of reports to the Court of findings and for the detention or release of the person by the Court. Referred to House Judiciary. Favorable with amendment, amended and rec'd 2nd, & 3rd and sent to Senate. Senate referred to Judiciary. Favorable report with amendment. Rec'd 2nd and ordered to 3rd with notice. Sen. Moore desires to be present. Rec'd 3rd and returned to the House with amendment. House concurred in Senate amendment. Ordered Enrolled. (R66) ACT #38

12. H.3142 (Davenport) A Bill to amend the Code of Laws of SC, 1976, by adding Section 61-3-415 so as to provide that all powers in Chapter 3, Title 61, conferred upon the Alcoholic Beverage Control Commission regarding the issuance of licenses are devolved upon the governing body of each county and require that all licenses issued in a county must be issued by the governing body of that county. Referred to House Judiciary

13. H.3151 (Sheheen & Wilkins) SEE S.185 A Bill to amend the Code of Laws of SC, 1976, by adding Sect. 14-7-1615 so as to define the term Attorney General or his designee for purposes of the State Grand Jury of SC; by adding Sect. 14-7-1820 so as to give retroactive jurisdiction to the State Grand Jury; to amend Sect. 14-7-1630, relating to the jurisdiction and impaneling of the State Grand Jury, so as to clarify the duties of the Chief Administrative Judge; to amend Sect. 14-7-1660, relating to the selection of Grand Jurors, so as to provide that the Presiding Judge rather than the Clerk of the Grand Jury shall determine the qualifications of the jurors; to amend Sect. 14-7-1700, relating to records of the Grand Jury, so as to require the recording of Grand Jury proceedings exclusive of voting and deliberation and to clarify the access of defendants to review transcripts of Grand Jury proceedings; to amend Sect. 14-7-1720, relating to Grand Jury Secrecy, so as to extend the secrecy rules to governmental personnel and to provide for the release of records so that defendants may review transcripts of Grand Jury proceedings; to amend Sect. 14-7-1750, relating to indictments, so as to provide that the presiding judge shall return an indictment to the appropriate county by order; and to amend Sect. 14-7-1780, as amended, relating to space and funding for the Grand Jury, so as to provide that Grand Jury expenses must be paid from funds appropriated to the State Budget and Control Board. Referred to House Judiciary. Favorable with amendment. Adjourn debate until 1-31-89; 2-7-89. TABLED on 2-7-89

14. H.3154 (Huff and Wilkins) A Bill to amend Chapter 1, Title 56, Code of Laws of SC, 1976, relating to the motor vehicle driver's license, by adding Article 11 so as to require the SCDHPT to suspend the driver's license of persons convicted of violating the provisions of Sect. 61-9-50, giving false information as to age to purchase beer or wine, Sect. 61-9-60, buying beer or wine on licensed premises to give it to a person who cannot lawfully consume it on the premises, Sect. 61-9-61, transferring or giving beer or wine to a person under age 21, Sect. 20-7-370, under age possession of beer or wine, and Sect. 20-7-380, under age possession of alcoholic liquors, to provide that the suspension is for a period of 90 days for a first offense, 6 months for a second offense, and one year for a third or subsequent offense, to provide that a violation of any of the enumerated offenses within ten years following conviction of any of the other enumerated offenses is considered a prior offense, and to amend the 1976 Code by adding Sect. 61-13-837 so as to require convictions of the enumerated offenses to be reported to the SCDHPT. Referred to House Judiciary. Favorable with amendment. Adjourn debate until 2-22-89, 2-23-89. Objections Felder, Faber, McBride, Blanding and Cole

15. H.3160 (Gregory, Fair and Short) A Bill to amend Sect. 56-1-360, Code of Laws of SC, 1976, relating to notices by the DHPT so as to provide that a notice concerning a person's driver's license must be mailed to the person's address contained in the driver's license records of the Department. Referred to House Ed. and Public Works. Favorable report. Rec'd 2nd and 3rd and sent to Senate. Ref. to Transportation. Fav. report, rec'd 2nd & 3rd and enrolled. (R258)

16. S.20 (Williams) SEE H.3111 A Bill to ratify an amendment to Section 22, Article V of the Constitution of SC. Referred to Sen. Judiciary

17. S.127 (Bryan) SEE H.3180. Patients' Rights. Referred to Medical Affairs

18. S.129 (Bryan, Peeler & Hayes) SEE H.3136
Amend 44-52-60 relating to Emergency Commitment. .
. Referred to Sen. Judiciary

19. S.130 (Bryan, Peeler & Hayes) SEE H.3135
Amend 44-52-110 relating to Emergency Commitment. .
. Referred to Sen. Judiciary. Rec'd favorable
report, rec'd 2nd and 3rd and sent to House. House
referred to 3M. Recalled 2-2-89. Rec'd 2nd, 3rd
and ordered enrolled. (R22) ACT 15

20. S.157 (Shealy, HC Smith & Martschink) A
Concurrent Resolution to create a committee to
study the accumulated information concerning the
use of electronic surveillance in connection with
probation, work release, court-ordered release, and
alternative sentencing regarding nonviolent
crimes. Referred to Corrections and Penology.
Tabled in Comm.

21. S.183 (Bryan) To amend by adding Article V to
Chap 3., Title 44 so as to provide that members and
representatives of Local Alcohol and Drug Abuse
Boards and Commissions, whose membership is chosen
by local elections, must be elected through
countywide elections and not through townships,
wards, or other similar entities. Ref. to Sen.
Judiciary

22. S.185 (Williams) SEE H.3151 A Bill to amend
by adding Sect. 14-7-1615. . . . and further
provide for the disclosure of indictment returns.
Referred to Sen. Judiciary, rec'd favorable
report. Rec'd 2nd and 3rd and sent to House.
House placed on the calendar without reference.
Amended and rec'd 2nd and 3rd and returned to the
Senate with amendment. Senate concurred.
Enrolled. (R5) Act #2

23. S.186 (Bryan) A Bill to amend Sec. 56-1-460,
as amended, Code of Laws of SC, 1976, relating to
penalties for driving while a driver's license has
been cancelled, suspended, or revoked, so as to
delete the authority of the DHPT to

suspend a license of a person for an additional time if he is convicted under the provisions of this section after the original period of suspension has expired and to provide that a person must not be convicted under the provisions of this section if the original period of suspension has expired. Ref. to Sen. Transportation

24. H.3180 (P.Harris) SEE S.127 Patients' Rights. Ref. to House Judiciary

25. H.3285 (McGinnis, P Harris, Klapman, Phillips, Farr, Wells, Simpson and N.Brown) A Bill to amend Sec. 61-3-440, Code of Laws of SC, 1976, relating to prohibition against liquor or beverage license being granted if a place of business is within certain distances of churches, schools or playgrounds, so as to provide that this prohibition also applies to the issuance of beer or wine permits, and to provide certain exceptions for current beer and wine permits or locations. Ref. to House Judiciary

26. H.3286 (Hodges) SEE S.281 Amend Chpt. 53, Title 44 by adding Article 14 to provide for the definition of "Anabolic Steroid". . . Referred to House 3M. Favorable with amendment. Amended and interrupted debate. Rec'd 2nd and 3rd and sent to the Senate. Ref. to Med. Affairs

27. S.246 (Judiciary Committee) A Joint Resolution proposing an amendment to Sect. 22, Art. V of the Constitution of SC, 1895, relating to Grand Juries, Petit Juries, and the State Grand Jury and to Sect. 11, Art. 1 of the Constitution relating to indictments by County Grand Juries and State Grand Juries so as to restrict the jurisdiction of the State Grand Jury to crimes involving narcotics, dangerous drugs, or controlled substances and crimes involving obscenity or any attempt, solicitation, or conspiracy to commit any of these crimes if the crimes are of a multi-county nature or have transpired, are transpiring, or have significance in more than one county of this

State. Placed on the calendar without reference, rec'd 2nd with notice on 3rd. Carried over. Objection Sen. Shealy. Rec'd 3rd and passed and sent to the House. Ref. to H.Judiciary, rec'd favorable report. POR Rec'd 2nd.& 3rd, ENROLLED. (R40)

28. S.280 (JV Smith) SEE H.3485 A Bill to amend by adding 44-53-583, so as to provide for reimbursement up to \$1,000 to Crimestoppers, Inc. for money provided for information that leads to the arrest of individuals and subsequent confiscation and forfeiture or monies in narcotics investigations. Ref.to S. Judiciary. Fav. with amendment. Amended, rec'd 2nd and ordered to 3rd with notice. Sen. Long desires to be present. Carried over. Rec'd 3rd and sent to House. Ref. to H.Jud. Rec'd favorable report, rec'd 2nd & 3rd, ordered enrolled (R117) Signed by Governor 5-10-89. ACT #71

29. S.281 (Giese, Thomas, Bryan, Lourie, Lindsay & Passilaigue) SEE H.3286 Amend Chap. 53, Title 44, by adding Article 14 so as to provide for the definition of "Anabolic Steroid". . . Referred to Medical Affairs. Rec'd favorable report, rec'd 2nd, 3rd and sent to the House. House referred to 3M. Fav. with amendments. Amended, rec'd 2nd,3rd & returned to Sen. with amendment. Sen. concurred. Ordered enrolled. (R177)

30. S.330 (Lourie & Leventis) A Bill to amend by adding Sect. 56-1-745 so as to provide for the suspension and delay of the issuance of a driver's license of a person convicted of violating certain crimes. Referred to Senate Transportation. Tabled in Committee

31. H.3332 (Wofford and others) Relating to definition of violent crime, so as to include additional crimes. Referred to House Judiciary. Fav. with amendment. Rec'd 2nd & 3rd. Sent to Senate and ref. to Jud. Fav. report with

amendment. Senators Long & Fielding desire to be present.

32. H.3335 (Baker & Davenport) A Bill to amend by adding Sect. 12-21-1035 so as to increase taxes on Beer, Sec. 12-21-1315 so as to increase taxes on wine and Sect. 12-33-245 so as to increase taxes on alcoholic liquors and Sect. 38-77-625 so as to provide that proceeds of these additional taxes must be used to offset current and future losses of the SC Reinsurance Facility, and to require the reduction of facility recoupment charges on a Pro Rata Basis for any year by an amount equal to what this Chief Ins. Commissioner determines to have been rec'd from the above taxes during the previous year. Referred to House Ways and Means

33. H.3364 (Short, Burch, Cole, Nettles, R.Brown, Gentry, Tucker, Keesley, Hodges & Wilder) A Bill to amend by adding Sect. 56-5-2951. . . Videotape of conduct. . . Referred to Judiciary

34. H.3379 (Limehouse & Wofford) A Bill to amend 22-3-550, relating to Magistrate's Criminal Jurisdiction, so as to increase the jurisdiction to include offenses subject to a fine or forfeiture not exceeding \$1,000 instead of \$200 and subject to imprisonment not exceeding 45 instead of 30 days and Sect. 44-53-370, as amended, relating to the penalties for certain drug offenses, Sect. 56-5-2940, as amended, relating to penalties for DUI of alcohol and drugs and Sect. 56-5-2945, as amended, relating to the penalties for injuring or killing a person while driving under the influence of alcohol and drugs, so as to provide for \$500 to be added to a fine imposed under these sections and provide for the use of the additional fine. Referred to House Judiciary

35. H.3382 (McBride & Faber) Amend 44-53-445 relating to destruction of controlled substance. . . Referred to H.Judiciary. Tabled in Comm.

36. H.3416 (Faber & McBride) A Bill to provide for a community-based therapeutic center in each Judicial Circuit. . . Referred to 3M

37. S.351 (Leatherman) A Bill to amend Chapt. 1, Title 56 by adding Article 11 so as to require Hwy. Dept. to suspend driver's license of persons convicted of violating 61-9-50, 61-9-60, 61-13-287, 20-7-370, 20-7-380. . . Referred to Transp. Fav./amendment. Sen. Land minority unfavorable. On calendar for 2nd. Sen. Land desires to be present

38. H.3444 (Hearn, Hayes, Fair) A Concurrent Resolution to request SCCADA to conduct special study to determine the program effectiveness of ADSAP. Referred to Committee on Invitations and Memorial Resolutions. Fav. report. House adopted and sent to Senate. Ref. to Medical Affairs

39. H.3446 (Hearn, Hayes, Fair) A Bill to amend 56-1-1320 relating to a person convicted of a 1st offense DUI violation being allowed to obtain a Provisional Driver's License upon completion of an Alcohol and Drug Safety Action Program, so as to provide that the documentation from this Program necessary for the person to obtain a PDL must not be forwarded to the DHPT until 60 days after his conviction. Referred to Ed. & Public Works

40. S.378 (Giese, Passilaigue, McGill, Waddell, Bryan, Setzler, Shealy, Hinson, Thomas, Gilbert, Wilson, Courson & Lindsay) A Bill to amend by adding 40-43-425 so as to provide for the regulation of a pharmacy located outside this State which ships, mails, or delivers a controlled substance or dangerous drug or device into this State pursuant to a prescription if this service is its primary business. Referred to Medical Affairs

41. H.3485 (Wilkins, Vaughn and Clyborne) SEE S.280 A Bill to amend by adding 44-53-583 so as to provide for reimbursement, up to \$1,000 to

Crimestoppers, Inc. for money provided for information that leads to the arrest of individuals and subsequent confiscation and forfeiture of monies in narcotics investigations. Referred to Ways and Means

42. H.3490 (Hearn, Hayes, Fair and Wells) A Bill to amend by adding 56-1-745 so as to provide for the suspension or delay of the issuance of a driver's license to a person under the age of 21 convicted of violating certain crimes relating to unlawful purchase, consumption, or possession of beer, wine or alcoholic liquor. Referred to Ed. & Public Works

43. S.408 (Bryan) A Bill to amend Sec. 56-1-510, as amended, relating to unlawful use of and fraudulent applications for a motor vehicle driver's license or personal ID card, so as to make it unlawful for a person knowingly to allow his personal ID documents to be used by another for the purpose of fraudulently obtaining a driver's license or personal ID card; and to amend the 1976 Code by adding Sect. 56-1-512, so as to require the driver's license of a person convicted of violating Sect. 56-1-510 to be suspended for 6 months and to require convictions to be reported to the SCDHPT. Referred to Senate Transportation

44. S.409 (Leventis, Lourie & Giese) A Bill to amend by adding Sect. 56-5-2995 so as to suspend the driver's license of a person under 21 until his 21st birthday who is convicted of DUI of alcohol or drugs or who is convicted of a narcotics or controlled substance offense and to make the suspension cumulative to others required by law; and to amend the 1976 Code by adding Sect. 44-53-670 so as to require clerks of court to report the conviction of any person under 21 years of age of narcotics and controlled substance violations to the SCDHPT. Referred to Senate Transportation. Tabled in Committee

45. H.3564 (Short, Burch and Gregory) A Bill to amend by adding 61-5-175 so as to provide that any person or organization authorized to serve beer, wine, or alcoholic liquor from bottles larger than two ounces, to guests or invitees without the necessity of obtaining a license or permit from the ABC Commission is immune from liability resulting from a guest or invitee becoming intoxicated absent recklessness, and to provide that the person or organization is considered not to have acted in a reckless manner if bartenders employed or engaged by it to serve invitees or guests or engaged by it to serve invitees or guests are instructed not to serve intoxicated individuals or persons under the legal drinking age. Ref to Judiciary. Tabled 5-9-89

46. H.3592 (MD Burriss, Rama & P.Harris) To enact "Zero Tolerance Student Drug Abuse Act of 1989" by adding Section 59-101-196. . . Referred to Education and Public Works

47. H.3605 (Huff) Amend 17-7-80 . . . relating to duties of a coroner concerning motor vehicle, swimming or boating accident deaths. . . Ref. to 3M. Recommitted to subcommittee by full committee 5-9-89

48. H.3626 (Wilkins) Amend 24-3-30 relating to designation of places of confinement by the Board of Corrections, so as to limit weekend sentencing to those persons sentenced under the provisions of Sects. 56-1-460 and 56-5-2930 for violations of Driving under Cancellation, Suspension, or Revocation of License for DUI of drugs or alcohol. Referred to 3M. Fav. with amendment. Amendment adopted. Objections Kirsh, McAbee, Hodges, Klapman, Sharpe & Smith. Last 4 removed name. Amended, rec'd 2nd & 3rd & sent to Senate. Ref. to Corrections & Penology

49. H.3630 (Fair, Hayes & Hearn) Amend by adding Sect. 61-13-297 so as to provide for

additional penalties for unlawful sale of beer, wine or alcoholic liquors or beverages to a person under legal age. Referred to Judiciary

50. H.3631 (Fair, Hayes, Hearn) Amend by adding 56-1-735 so as to provide for the suspension and delay of the issuance of a driver's license of a person at least 13 and under 21 convicted of DUI and define DUI. Referred to Judiciary

51. H.3652 (Beasley & others) Highway Package. Referred to Judiciary

52. H.3678 (Hayes, Fair, Hearn & Kirsh) Amend 56-1-460 to increase penalties for DUS and extend period for computing prior violations. Referred to H. Judiciary

53. H.3679 (Hayes, Fair & Hearn) Amend by adding 56-5-2952 so as to make it unlawful for persons under the age of 21 to operate a motor vehicle with a BAC of .02. Referred to Education & Public Works

54. H.3715 (McAbee) Amend 56-1-1320 relating to Provisional Driver's License, so as to provide that they may be issued to persons whose driver's license have expired during a suspension period. Referred to Ed. & Public Works

55. H.3721 (Fair & Hayes) Amend 56-5-1210 relating to unlawfully leaving the scene of a motor vehicle accident. Referred to H. Judiciary

56. H.3732 (Fair & Hayes) Amend by adding Sect. 12-21-1045 so as to provide for a twenty-seven & eight-tenths percent surtax on beer and wine taxes and for its distribution. Referred to Ways and Means

57. H.3780 (Corbett & others) Amend 56-1-510 relating to unlawful use of and fraudulent applications for a motor vehicle driver's license

or personal ID card, so as to make it unlawful for a person knowingly to allow his personal ID documents to be used by another for the purpose of fraudulently obtaining a driver's license or personal ID card. . . Referred to Education and Public Works

58. H.3797 (Tucker & others) To amend Sect. 44-53-480, relating to the enforcement of laws pertaining to illicit traffic in controlled and counterfeit substances, so as to provide for uniform procedures for forfeited substances and property to be used by law enforcement officers of the State and its political subdivisions. Referred to H. Judiciary. Fav. report. Rec'd 2nd & 3rd, sent to Senate and ref. to Sen. Judiciary

59. H.3822 (Hodges, Boan, Fair & Haskins) Amend by adding 12-21-2723 to provide for susp. of permit or license issued by ABC Com. Ref. to Jud.

60. S.459 (Moore) Add Sect. 59-67-155 so as to require the State Brd. of Ed. to implement a program for alcohol & drug testing. Ref. Ed. Com

61. H.3848 (Ed. & Public Works) Highway Package. Without reference. The Bill was referred to Judiciary on motion by Rep. Beasley retaining its place on the calendar.

62. H.3863 (Corning) Amend Title 61 by adding Chp. 10 relating to alcohol and alcoholic bev., to provide for establishment, operation & lic. of Brewpubs, promulgation of regs., including fees & penalties. Ref. to LCI

63. S.661 (Martschink & others) Amend Title 59 by adding Chp. 40 to provide for establishment of Educational Alternative Programs in school districts. Ref. to Education

64. S.667 (Martschink & others) Amend by adding 56-5-70 so as to provide for issuance of

decal to indicate person in control of a motor vehicle consents to its search for illegal drugs and provide for the search. Ref. Transportation, rec'd fav. report, Sen. Long desires to be present.

65. H.3894 (Wright) Amend by adding 44-17-565. Inv./Comm. Hearings referred to 3M

66. H.3932 (Altman) Amend Chp. 1, Title 56 by adding Art. 13 so as to enact the SC Commercial Dr. Lic. Act. Ref. to Ed. & PW. Favorable with amendment. Amended, rec'd 2nd, 3rd and sent to Sen. Ref. to Transp. Fav. objection Sen Holland. Rec'd 2nd & ordered to 3rd. Rec'd 3rd & ordered enrolled. (R230)

67. S.686 (Rose) Concurrent Resolution to congratulate Dorchester Co. A/D Comm. for being named "Outstanding Program of the Year for 1988". . . Sen. intro. & adopted. Sent to House. House intro. and adopted and returned to the Senate with concurrence.

68. H.3944 (Burriss & Cork) Amend 61-9-90 relating to sale of beer & wine, so as to provide for such sales at sporting events of nonprofit entities upon consent of their respective governing bodies. Ref. LCI

69. H.3947 (Rudnick & others) Amend 56-1-365 relating to procedure for surrender of a dr. lic. so as to extend time Mag. or Clerk of Court has to forward to Hwy. Dept. Ref. to Judiciary

70. H. 3949 (Fant, Barfield, Davenport & Fair) Mandatory testing of school teachers. Ref. to Ed. & PW

71. H.3951 (Hayes & Fair) Amend 56-5-2945 - Felony DUI - 1st & 2nd degree. Ref. to Judiciary

72. S.703 (Mitchell & 45 others) Con. Res. memorializing President and to declare war

on illicit drug trafficking. Adopted & sent to House. Ref. Inv. & Mem. Fav. report. House adopted & returned to Senate

73. H.3963 (Hayes & others) Amend 24-21-940, relating to the definition of "Pardon", so as to provide that a pardon of a conviction does not preclude the conviction record from being considered as a prior offense under a statute increasing the penalty for a subsequent offense. Ref. to 3M

74. S.716 (Peeler & Lee) SEE H.3963. Ref. to Judiciary

75. S.733 (Holland) Jt. Resolution to test video cameras by Hwy. Dept. for violation of Sect. 56-5-2930. Ref. to Transp. Fav. report, rec'd 2nd & ordered to receive 3rd on 5-17-89. Rec'd 3rd & sent to House. Ref. to Judiciary

76. H.3998 (T.Rogers & others) Amend by adding Article 7 to Chp. 3, Title 23 so as to enact the SC Contraband Forfeiture Act of 1989. Ref. to Judiciary

77. H.3552 (Huff & others) Amend 8-21-310 relating to fees paid to Clerks of Court, to increase certain fees. . . And to amend Section 44-53-580, relating to the disposition of fines generated from narcotics and controlled substance offenses, so as to provide that one-fourth of the fines must be remitted to the County Treasurer of the county where the violation occurred. Ref. to Judiciary. Fav. with amendment. Amended, rec'd 2nd, rec'd 3rd and sent to Senate. Ref. to Judiciary

78. H.4004 (Fant & others) Amend by adding Art. 3 to Chp. 1 of Title 23 so as to establish the SC Public Assistance Drug Act. Ref. to Ed. & PW

80. S.775 (Wilson & Rose) SEE H.4036 Amend by adding 56-1-41 dr. lic. applicant to take and pass drug test. Ref. to Transp.
81. H.4036 (Sharpe) SEE S.775 Ref. to Ed. & PW
82. H.4099 (Washington & others) Drug Awareness Day. Agreed to and sent to Senate. Adopted and returned to House
83. H.4103 (Wright) Concurrent Resolution - Just Say No. House adopted. Senate adopted
84. H.4111 (Davenport) Amend by adding Sect. 16-17-760 so as to prohibit the sale and use of cigarette or tobacco paper. Ref. to LCI
85. S.807 (Passilaigue & Rose) Amend by adding Sect. 56-1-755 to provide for suspension and delay of the issuance of a dr. lic. for narcotics and controlled substances conviction. Ref. to Transp.
86. H.4133 (Sharpe) Amend 56-5-2940 relating to the penalty for DUI of A/D, so as to provide that the presiding judge when setting the minimum imprisonment terms or public service periods in increments may allow the defendant to serve these terms or periods only on weekday nights and not weekends. Ref. to Judiciary
87. S.847 (Passilaigue & Rose) Amend by adding Art. 24 to Chp. 5, Title 56 to provide for Ignition Interlock for 2nd offense DUI. . . Ref. to Transp.

BILLS PREFILED BEFORE THE 1990 SESSION

88. S.884 (Mullinax): A Bill to amend by adding Section 56-1-462 to provide for issuance of provisional license for convicted DUS and to exclude a person whose license is suspended for DUI. . .Ref. to Trans.

89. S.890 (Rose) A Bill to amend by adding 61-9-150 so as to make it unlawful to sell beer or wine displayed in a container of ice located within 20 feet of a cash register or an entrance or exit of a building. . . Ref. to Judiciary

90. S.938 (Bryan, Hayes, Peeler, Fielding & Giese) A Bill to amend by adding Section 44-52-165 so as to provide for offenses involving the use of alcoholic beverages, controlled substances, firearms and dangerous weapons by a patient receiving inpatient services ... Referred to Judiciary

91. S. 939 (Bryan, Hayes, Peeler & Fielding) A Bill to repeal section 44-9-130 relating to the use of a tax on alcoholic liquors for alcohol and drug addict treatment facilities... Referred to Judiciary

92. S. 953 -- (Giese) A Bill to amend Section 61-9-40, relating to the unlawful sale of beer or wine to a person under twenty-one and Section 61-13-290, relating to the unlawful sale of alcoholic liquor to a person under twenty-one, to provide that a person authorized to sell these products is not considered to have violated the provisions if the purchaser knowingly misrepresents his age by producing false identification; Section 61-9-70, relating to the penalties for the violation of certain provisions of law relating to the unlawful purchase of beer or wine and Section 20-7-380, relating to unlawful purchase of alcoholic liquor, to require the suspension for a period of ninety days of the person's South Carolina driver's license or the permanent revocation of his nonresident operator's permit where false information as to the purchaser's age was presented...Referred to Judiciary

93. S. 975 (Rose and Wilson) A Bill to amend Chapter 53, Title 44, relating to poisons, drugs, and other controlled substances, by adding

Article 15 so as to enact the "DRUG-FREE SCHOOLS ACT"; to provide that within one hundred twenty days of the effective date of this act, the State Department of Education, in consultation with the State Drug-Free Schools Advisory Committee, shall issue administrative guidelines and procedures for The Drug-Free Schools Program; and to require the submission of a complete and final draft of the Guidelines and procedures, within ninety days of the effective date of this act, to the Chairmen of the Judiciary Committees of the Senate and the House of Representatives...Referred to Education

94. S. 976 (Rose and Wilson) A Bill to amend Section 44-53-445, relating to the distribution of a controlled substance within a radius of one-half mile of a school, so as to expand the territorial area in which a violation is possible, to provide for additional criminal offenses and penalties, to bar certain defenses, to provide that adjudication of guilt or imposition of sentence may not be suspended, deferred, or withheld for violations under this section, and to provide for ineligibility for parole until the prescribed mandatory term of imprisonment, or the entire term of imprisonment imposed, has been served...Referred to Judiciary.

95. S. 977 (Rose and Wilson) A Bill to amend by adding Sections 44-53-397 and 44-53-399 so as to provide for an additional penalty for a violation relating to controlled substances...Referred to Medical Affairs

96. S. 978 (Rose and Wilson) A Bill to amend by adding Section 44-53-595 so as to provide for the mandatory suspension and delay of the issuance of a driver's license of a person convicted of or adjudicated delinquent for offenses relating to narcotics and controlled substances... Referred to Transportation

97. S. 980 (Rose and Wilson) A Bill to amend by adding Chapter 54 to Title 44 so as to provide for the Drug Treatment Facility Accountability Act...Referred to Medical Affairs

98. S. 981 (Rose and Wilson) A Bill to amend Title 44, relating to health, by adding Chapter 107 so as to enact The Drug-Free Workplace Act...Referred to Medical Affairs

99. H. 4183 (TC Alexander) A Bill to amend Section 20-7-1510, relating to the disposition of fines, forfeitures and other revenues, so as to provide that if an arrest for driving under the influence occurs in a municipality and the arrest results in a conviction for driving under the influence for a second offense, one-half of the amount due a county from the fine imposed must be distributed to the municipality where the arrest occurred...Referred to Education and Public Works

100. H. 4196 (Hodges) A Bill to amend Section 44-53-1530(4) relating to penalties for possessing anabolic steroids without a prescription, so as to make a technical correction...Referred to 3M

101. H. 4235 (P. Harris, J. Harris, Mattos and Carnell) A Bill to repeal Section 44-9-130, relating to the use of a tax on alcoholic liquors for alcohol and drug addict treatment facilities, Section 44-9-140, relating to the exemption for certain facilities from the Department of Mental health code provisions, Section 44-9-150, relating to the inapplicability of the department of mental health code provisions to a licensed general hospital, Section 44-11-50, relating to state training schools for mental health, Section 44-11-100, relating to financial benefits for an officer or employee of the Department of Mental Health or a mental health facility from a contract or purchase by a facility, Article 3, Chapter 15, Title 44, relating to the Coastal Empire Mental Health Board, Article 5, Chapter 15, Title 44,

relating to the Mental Health Center for Darlington and Florence Counties, Section 44-17-830, relating to the discharge and rights of a person discharged by the Department of Mental Health, and Article 7, Chapter 23, Title 44, relating to the hospitalization of a person acquitted by a jury on the ground of insanity... Referred to 3M

102. H. 4340 (P. Harris, J. Harris, Mattos and Carnell) SEE S. 938 A Bill to amend by adding Section 44-52-165 so as to provide for offenses involving the use of alcoholic beverages, controlled substances, firearms, and dangerous weapons by a patient receiving inpatient services from the Division of Alcohol and Drug Addiction Services of the Department of Mental Health and to provide penalties; and to amend Section 16-1-10, as amended relating to crimes classified as felonies, so as to include the felony offenses provided for in this act...Referred to Judiciary

SOUTH CAROLINA COMMISSION ON ALCOHOL AND DRUG ABUSE

Alcohol and other drug abuse affects every community in South Carolina and creates a tremendous burden on our society each year. Not only does it adversely affect the health of South Carolinians, it also negatively impacts the social and economic conditions of the State. The magnitude of the problem is reflected by the most current estimate that more than 500,000 South Carolinians are suffering from alcohol and other drug-related problems or are at high risk of developing them.

Alcohol related arrests (DUI, alcohol law violations and public drunkenness) account for about 35 percent of all arrests made in South Carolina. Arrests for other drugs (cocaine, marijuana, etc.) account for another 7 percent of all arrests. Thus, alcohol and other drug arrests account for at least 42 percent of all arrests made in this State. A large percentage of the remaining arrests are for crimes committed while under the

influence of alcohol and/or other drugs. Almost two-thirds of all burglaries and more than one-half of all murders and rapes are committed while under the influence of alcohol or other drugs.

Almost 50 percent of the inmates in the South Carolina Department of Corrections system were under the influence of alcohol or other drugs when they committed their particular offense and almost 40 percent admit to having serious problems with alcohol or other drugs.

According to police officer judgments, about 35 percent of all fatal traffic accidents in South Carolina are due to alcohol or other drug use. Coroners' data suggest that the extent of alcohol or other drug involvement in traffic deaths may actually be as high as 77 percent.

During FY89, the South Carolina Commission on Alcohol and Drug Abuse (SCCADA) through its statewide system of county alcohol and drug abuse authorities maintained ongoing prevention, intervention and treatment programs to address these and other problems, and at the same time, looked for new ways to reach previously underserved populations. During the year, this system coordinated and/or conducted 7,903 different prevention activities impacting 416,773 individuals, a 7 percent increase since in FY88. In addition, it provided intervention and/or treatment services to 51,841 individuals, or approximately 1.5 percent of the state's total population.

Alcohol continued to be the number one drug of abuse in the State, accounting for more than 75 percent of these admissions. Of drugs other than alcohol, cocaine was the number one drug for which South Carolinians sought treatment, surpassing marijuana for the first time in 1987. Admissions for treatment of alcohol-related problems have increased more than 40 percent since 1980. Admissions for treatment of cocaine problems have increased more than 40-fold since that time. Treatment admissions for other drugs (marijuana,

sedatives, tranquilizers, stimulants, hallucinogens, etc.) have declined by as much as 73 percent.

In its continuing effort to respond to the increasing needs of the public, the SCCADA negotiated a contract with the state Health and Human Services Finance Commission to provide alcohol and other drug abuse rehabilitative services to Medicaid recipients as part of their medical benefits package. Effective July 1, 1988, these rehabilitative services were offered in 18 locations of the State. Plans are underway to expand these services to 22 locations by January 1, 1990.

Many significant Bills have been passed by the Legislature in recent years to address the problem of alcohol and other drug abuse in South Carolina. These include: the "Highway Safety Act"; a Bill to increase penalties for the transfer of alcoholic beverages to minors; the "Happy Hour Act"; and an amendment to increase fines and penalties for drug trafficking. Another Bill that has had a tremendous impact in South Carolina, particularly among youth, raised the legal drinking age required for the purchase of alcoholic beverages. Since the purchase age was raised to 21 in 1983, alcohol-related traffic deaths among 18- to 20-year olds have decreased 41 percent, while deaths among the general licensed driving population have decreased only 14 percent.

Despite these significant gains, a report compiled by Allstate Insurance Company has revealed that South Carolina ranks next to last on a list of all 50 states in terms of DUI countermeasures. This list includes such countermeasures as illegal per se blood alcohol concentration (BAC) legislation; mandatory jail terms for persons convicted of driving under suspension; dram shop statutes; and immediate license suspension for persons who fail or refuse to take a BAC test.

During the upcoming year, the SCCADA will continue its role in shaping, influencing and supporting alcohol and other drug abuse legislation to promote health, safety and wellness within our

society. Several new legislative initiatives pending in the 108th General Assembly and supported by the agency include: lowering the BAC levels for drivers; increasing penalties for boating under the influence; suspending driver's licenses of underage persons who violate certain alcoholic beverage control laws; suspending driver's licenses of persons who violate drug laws; implementing administrative per se license revocation; and increasing the surtax on beer and wine.

Although the State collects each year approximately \$155 million in fees and taxes on alcoholic beverages, a portion of which goes to fund alcohol and other drug abuse prevention, intervention and treatment programs, the costs associated with alcohol abuse greatly outweigh the benefits derived from these revenues. For every dollar collected in tax revenues from alcohol sales in South Carolina, the State loses nearly \$12 as a result of alcohol abuse. Further increasing the alcohol problem in South Carolina is the fact that taxes on alcohol have not kept in pace with inflation. This, in turn, means that the prices of beer, wine and distilled spirits have not kept pace with the price increases of goods and services in general, all of which make alcoholic beverages relative bargains. This is particularly significant when considering the fact that the price of a six-pack of certain brands of beer in South Carolina is less than the price of a six-pack of Coke. Increased taxes on alcohol in South Carolina, with the tax rates indexed for inflation, will go a long way toward reducing the problems associated with alcohol abuse in the State.

While South Carolina has one of the best and most comprehensive state/community alcohol and other drug abuse service/delivery systems, it is among the poorer funded systems in the nation. South Carolina is below the 50-state average in-state funding per capita and in-state funding per client. North Carolina, for example, spends twice as much per alcohol or other drug abuse client as does South Carolina.

Nevertheless, in working toward the ultimate goal to prevent and control problems related to the use of alcohol and other drugs in South Carolina, the SCCADA will continue the search for new ways to meet the increasing demands on its service-delivery system, and at the same time, ensure its efficiency and effectiveness. Continued emphasis will be placed on prevention, intervention and treatment programs designed to reduce both the supply and the demand for alcohol and other drugs.

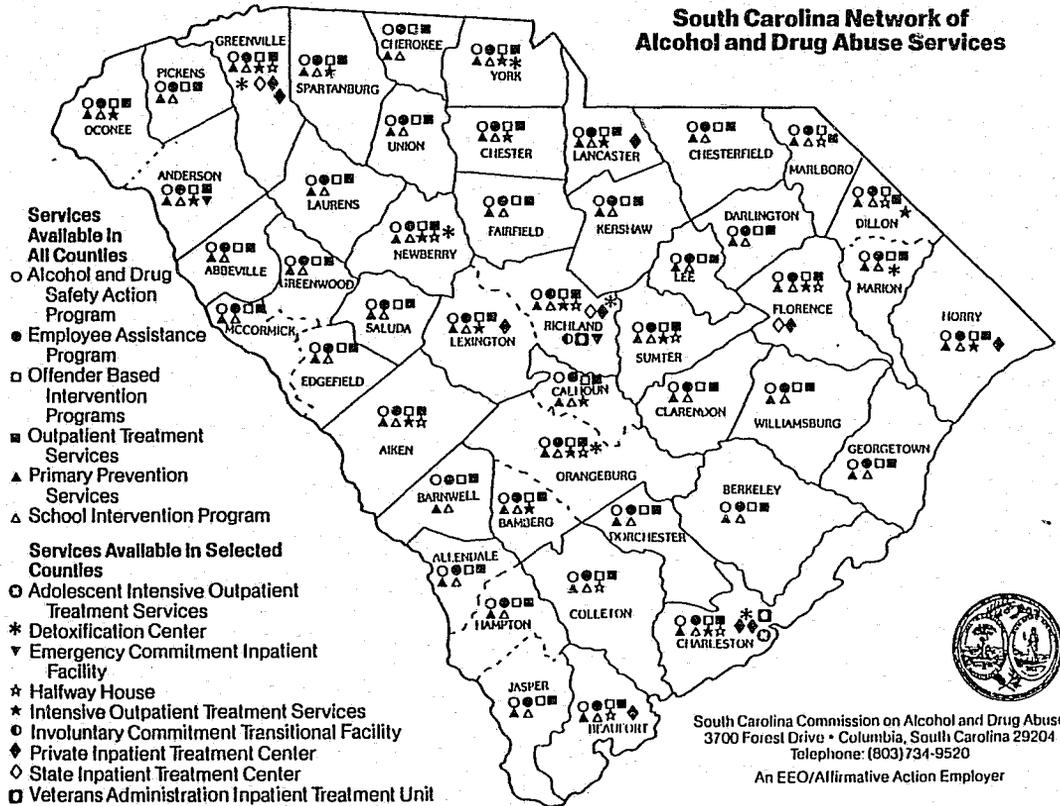
CLIENTS SERVED AND SERVICES PROVIDED BY COUNTY
ALCOHOL AND DRUG ABUSE AUTHORITIES
FY1988 VERSUS FY1989

	<u>ADSAP</u>	<u>ScIP</u>	<u>OBI</u>	<u>EAP</u>	<u>Other Intervention</u>	<u>Voluntary Clients</u>	<u>Total</u>
Number of Clients Served							
FY88	17,964	7,232	4,907	2,028	251	17,860	50,242
FY89	18,303	7,642	4,772	2,343	241	18,540	51,841
% Difference	1.9	5.7	-2.8	15.5	-4.0	3.8	3.2
Outpatient Hours							
FY88	244,228	70,401	47,656	17,183	1,628	232,081	613,408*
FY89	262,259	73,379	43,459	20,720	2,357	222,963	625,539*
% Difference	7.4	4.2	-8.8	20.6	44.8	-3.9	2.0
Residential Days							
FY88	657	0	753	223	8	34,498	36,146*
FY89	369	34	490	1,054	30	36,770	38,759*
% Difference	-43.8	N/A	-34.9	372.6	275.0	6.6	7.2
Detox Days							
FY88	219	32	150	42	6	26,755	27,252*
FY89	176	36	122	158	19	26,623	27,169*
% Difference	-19.6	12.5	-18.7	276.2	216.7	-0.5	-0.3
Average Hours Outpatient Services Per Client							
FY88	13.60	9.73	9.71	8.47	6.49	12.99	12.21
FY89	14.33	9.60	9.11	8.84	9.78	12.03	12.07
% Difference	5.4	-1.4	-6.2	4.4	50.8	-7.5	-1.2

ADSAP — ALCOHOL AND DRUG SAFETY ACTION PROGRAM
 ScIP — SCHOOL INTERVENTION PROGRAM
 OBI — OFFENDER BASED INTERVENTION PROGRAMS
 EAP — EMPLOYEE ASSISTANCE PROGRAM

*THE DISCREPANCIES BETWEEN THE INDIVIDUAL PROGRAM DAYS AND HOURS AND THE TOTAL DAYS AND HOURS REFLECT CLIENTS WHO ENTERED THE SYSTEM THROUGH OTHER REFERRAL SOURCES.

South Carolina Network of Alcohol and Drug Abuse Services



South Carolina Commission on Alcohol and Drug Abuse
 3700 Forest Drive • Columbia, South Carolina 29204
 Telephone: (803) 734-9520

An EEO/Affirmative Action Employer

State Department of Education
Alcohol and Drug Abuse Education

The State Department of Education was the recipient of 1.9 million dollars, from the U.S. Department of Education as the result of the passage of the "Drug-free Schools and Communities Act of 1986." Ninety percent of the 1.9 million dollars was provided directly to all 91 school districts at a rate of \$2.55 per individual who are ages 5-17.

A one-day conference was conducted for superintendents and substance abuse coordinators to brief them on the "Drug-Free Schools and Communities Act of 1986", the application procedure and funding process.

The State Department of Education Drug Education Consultants assisted the Southeast Regional Center for Drug-Free Schools and Communities to identify six school community teams from South Carolina to receive 4 days of training to ensure that drug-free efforts are integrated with community activities to prevent drug and alcohol use among young people. A one-day follow-up conference was held for the six school/community teams trained in June 1988.

The Department sponsored four regional two-day workshops for junior and high schools using The New Model Me, a National Diffusion Network approved prevention program. Additionally, one-day regional meetings were conducted to train local educators in the implementation of Strategies, a drug education program for grades K-12, which includes a parent component.

An agreement between the State Department of Education and the South Carolina Commission of Alcohol and Drug Abuse (SCCADA) continued and was the basis to plan jointly and conduct cooperative ventures, such as the Third Annual Coaches' Workshop attended by 255 coaches and athletes. The unit personnel worked closely with the Council on Child Abuse and Neglect and the Primary Prevention

Council in order to improve substance abuse and education for the public schools in South Carolina.

Also ten graduate courses were conducted during the spring semester and summer sessions of 1989. Drug-Free schools funds were used to provide tuition, materials and textbooks for guidance counselors, administrators, and teachers at Clemson University, University of South Carolina, University of South Carolina at Spartanburg, Winthrop College, Francis Marion College, College of Charleston, Lander College and Furman University.

Dr. Charlie G. Williams awarded \$15,000.00 each to Dillon School District Three and Sumter School Districts Two/Seventeen to implement the Superintendent's Student Initiated Substance Abuse program. The major objective of the program was to encourage youth to become leaders in seeking viable solutions to alcohol and drug abuse problems of the school-aged population.

Project D.A.R.E. (Drug Abuse Resistance Education) began in February 1989. Twenty-three law enforcement officers received the two weeks training and later taught D.A.R.E. during the spring semester in their local school districts. Plans are completed for continuing to train new law enforcement officers to implement the program in additional school districts.

The student alcohol and drug use survey was pilot tested in three school districts during the spring semester of 1989. A statewide survey is planned for 1989-90 fall semester.

South Carolina Law Enforcement Division Narcotics Department

The Narcotics Department was formed in 1971 with the advent of legislation charging SLED with enforcement of laws pertaining to the illicit traffic in narcotics and dangerous drugs (Section 44-53-480, South Carolina Code of Laws). The Department is given the responsibility for providing investigative assistance to local

enforcement agencies and for initiating overt and covert investigations into major narcotic and dangerous drug traffickers operating interstate and intrastate.

The Narcotics Department maintains a close liaison with other state and federal agencies in coordinating investigations against illicit drug traffic and provides intelligence information to these agencies regarding such traffic activity.

There are 23 agents and a supervisor assigned to the Department at this time.

On June 3, 1988, Governor Carroll Campbell announced the formulation of a Strike Force known as the RAID Team (Retaliation Against Illegal Drugs) made up of members from the South Carolina Highway Patrol, Alcoholic Beverage Control Commission, South Carolina Wildlife and Marine Resources and SLED. This gave a total of 60 personnel to combat the drug problem in the State.

The statistics relative to this unit will be included in these figures as that unit has been fully integrated into the operation of the Narcotics Department since its formulation.

During the Fiscal Year 1988-89, the Narcotics Department received and processed 721 requests for investigations from federal, state and local agencies. These requests for investigations generated 1112 investigations by the section.

TOTAL VALUE OF DRUGS	
PURCHASED OR SEIZED	\$111,548,814.00
CASH SEIZED	1,115,754.00
32 CONVEYANCES SEIZED	
10 PARCELS OF LAND TO INCLUDE 5 HOUSES	
43 WEAPONS SEIZED	

36,060 Marijuana Plants were seized in the 1988-89 Fiscal Year which resulted in 137 arrests and 15 weapons seized. This was a drastic increase in total numbers of arrests in these cases compared to previous years.

STATE TOTALS

<u>Sale/Manufacturing</u>	<u>July-Dec. 88</u>	<u>Jan.-April 89</u>
Cocaine/Heroin/Opium	1763	1169
Marijuana	994	620
Synthetic Narcotics	4	0
Other Drugs	39	45

<u>POSSESSION</u>	<u>July-Dec. 88</u>	<u>Jan.-April 89</u>
Cocaine/Heroin/Opium	916	811
Marijuana	3374	2351
Synthetic Narcotics	3	1
Other Drugs	211	161

May and June totals not available at this time. The above figures are taken from reports submitted to the UCR program by participating police agencies throughout the State.

South Carolina Department of Mental Health

Introduction

The Involuntary Commitment Act continues to be successful in achieving two primary legislative goals; 1) a decrease in the number of persons in psychiatric facilities with a diagnosis of alcohol and drug addiction, and 2) the placement of persons committed under alcohol and drug abuse proceedings to appropriate settings.

The Involuntary Commitment Act has also markedly increased the demand for services to chemically dependant citizens at the Department of Mental Health. The Act has created much stress on Community Mental Health Centers for emergency services in screening as well as creating stress at

Morris Village by increasing admissions and changing the characteristic patient population. Because of the demand on the Department for services to this population, there continues to be quality of care issues that are being addressed. The Department continues to operate treatment programs for involuntarily committed patients in its inpatient facilities at Harris Psychiatric Hospital, Byrnes Medical Center and Morris Village.

Needed community treatment programs to offset the demand for services at the Department of Mental Health are still not in place. Primary community needs continue to be detox/emergency stabilization capability, and halfway house/housing. Some of the intensive outpatient programs at the community level also have insufficient capacity to meet the demand for those services. The following report summarizes our experience to date of the impact of this legislation on the Department of Mental Health on both the Community Mental Health Centers and Inpatient facilities.

Inpatient

- I. Admissions to psychiatric hospitals for 1988 represented 12% of the total A&D admissions to the Department of Mental Health. This continues to show a steady decrease in the numbers of patients with alcohol and drug diagnosis being committed to psychiatric hospitals.
- II. Alcohol and drug involuntary commitments to the Department of Mental Health have increased 43% since 1987. There were a total of 2,218 admissions under this law for the calendar year 1988.
- III. Voluntary admissions to Morris Village represented only 17% of the total alcohol and drug admissions for the Department of Mental Health.

- IV. Our psychiatric hospitals alcohol and drug admissions represented 15% of the total alcohol and drug admissions to the Department.
- V. An analysis of first admissions versus re-admissions for the involuntary alcohol and drug population results show that 51% were first admissions and 49% re-admissions to the Department of Mental Health. This has been the pattern since implementation of the Involuntary Commitment Law.
- VI. Alcohol and drug admissions represent 34% of total Department of Mental Health inpatient admissions.

Community Mental Health Centers

- I. For FY88, Community Mental Health Centers serviced approximately 7,934 A&D clients. This figure represents an estimated increase of 59% over FY87.
- II. Centers representing the highest alcohol and drug admissions rates per population are: Spartanburg; Columbia Area; Tri-County; Beckman; and Lexington Mental Health Center.
- III. Mental health centers continue to struggle with understaffing and the increased burden of alcohol and drug clients. However, some centers are addressing alcohol and drug client needs programmatically through group therapy, case management, or structured living skills programs.
- IV. Most centers report needs of detox/crisis stabilization capacity, increased center staffing, and halfway houses/group homes.

Priorities for future direction

The Department's first priority for programs in our inpatient facilities should be to provide treatment programs which are effective yet congruent with the Department of Mental Health's mission to the extent that resources allow. We should correlate quantity of services provided with funding to assure safe and effective treatment programs.

Proposed legislative changes in the Involuntary Commitment Act should allow for several positive changes of the impact of this Act on the Department of Mental Health. Such changes would be shorter length of stay for emergency commitments coupled with a better triage system of those patients whom we feel we can be effective in treating. Hopefully, these changes will allow for more effective use of our inpatient resources.

Another priority for future directions would be a systematic approach to effectively deal with the dual diagnosed patient who is both mentally ill and also has an addictive disorder. These patients often get lost in the shuffle between psychiatric programs and alcohol and drug services without effective treatment for both disorders.

There is a significant need for expanded services to the alcohol and drug population in communities. Specific services for the dually diagnosed population in particular need to be expanded for both case management and group outpatient services. Additional funding would be required to increase services.

SC Governor's Office of Highway Safety

The Governor's Office of Highway Safety is concerned with alarming statistics that indicate that nearly 50% of all traffic fatalities in South Carolina are alcohol- or drug-related. This Office has coordinated several statewide and local Traffic Safety Administration (NHTSA) funds. Approximately

half a million dollars were obligated to alcohol countermeasure programs in 1988-89.

The statewide Drunk and Drugged Driving Awareness (3-D) Week was held in December 1988 to raise local community awareness of the dangers of drugged and drunk drivers during the holiday season as well as throughout the year. An award luncheon was held to honor citizens who contributed significantly to reducing intoxicated driving. Governor Campbell signed a proclamation for 3-D Week. Activities on the local level included increased traffic enforcement, designated driver programs, drunk driving PSA's, and MADD's candlelight vigil and red ribbon campaign. High schools participated in "Ghost-Out" which demonstrates in a dramatic way statistics that indicate that a young person is killed every 20 minutes in an alcohol-related crash.

The Governor's Office of Highway Safety funded several alcohol countermeasure highway safety grants in 1988-89. Youth programs were a major focus due to the high incidence of alcohol related traffic fatalities among young people ages 15 to 24.

One such project is the Youth Highway Safety Program, in which a statewide youth coordinator worked with local high schools to increase safety belt usage rate and heighten the awareness of the dangers of drinking and driving. Training for the implementation of "Operation: Prom/Graduation" was also provided in which technical assistance was given to schools planning alcohol-free prom and graduation activities.

Projects were funded at Clemson University, College of Charleston and Aiken Technical College. Innovative activities such as mock-tail parties, designated driver programs, media PSA's and general alcohol education programs were implemented.

National Highway Traffic Safety Administration funds were also used for an additional Solicitor in Charleston and Lexington Counties. The Special Prosecutor worked strictly with traffic-related

offenses to develop improvements in the court system and to decrease the backlog of DUI offenses.

South Carolina Department of Corrections

During fiscal year 1988-89, the South Carolina Department of Corrections continued to provide a range of human services to the inmate population. Services provided in the area of addition include: (1) initial reception and evaluation screening and evaluation to identify inmates with alcohol and drug problems; (2) individual and group therapy to resolve personal, social, family, adjustment, emotional, or addictions problems; (3) Alcohol Anonymous Groups; (4) Narcotics Anonymous Groups; (5) placements at the Earle E. Morris Alcohol and Drug Abuse Center for intensive alcohol or drug rehabilitation treatment during the last 28 days of the inmate's incarceration; and (6) placements at the new Residential Addictions Treatment Unit.

The South Carolina Department of Corrections received and assessed 10,651 new inmates during fiscal year 1988-89. The following information represents a summary of inmate self-reports about their substance abuse histories:

- A. How was the current offense related to substance abuse?
- | | |
|--|-------|
| 1. Offense committed while under influence of both alcohol and drugs | 7.7% |
| 2. Offense committed under influence of drugs only | 6.9% |
| 3. Offense committed under influence of alcohol only | 23.9% |
| 4. DUI Offense | 2.9% |
| 5. Offense instrumental to obtaining drug | 1.5% |

- 6. Offense involved drug dealing 7.6%
- 7. Possession at crime 7.9%
- 8. Not applicable 41.5%

B. Percentage of inmates acknowledging convictions in the following categories:

<u>CONVICTIONS</u>	<u>DUI</u>	<u>PUBLIC DRUNK</u>	<u>DRUG OFFENSE</u>
0	71.7	79.1	75.8
1	13.0	9.0	17.4
2	7.6	3.8	4.7
3	4.6	2.1	1.3
4	1.8	0.9	0.5
5+	1.2	1.1	0.3

C. Inmates acknowledge a substance abuse problem?

- Yes 32.8%
- No 67.2%

Through the Department's Institutional Social Work Services program consisting of 95 Social Workers, the following services and the number of inmates participating are as follows:

<u>SERVICE</u>	<u>NO. OF INMATES PARTICIPATING</u>
1. Alcohol/Drug Education Course	3,724
2. Alcohol/Drug Group Therapy	1,208
3. Alcohol/Drug Individual Therapy	97
4. Alcoholics Anonymous Groups	2,642
5. Narcotics Anonymous Groups	1,392

There are Alcoholics Anonymous Groups in 27 correctional institutions and Narcotics Anonymous Groups in 22 correctional institutions. Community volunteer sponsors conduct such groups.

The Department has recently opened a 48-bed Residential Addictions Treatment Unit located at Watkins Pre-Release Center in Columbia. Thirty-six (36) inmates began the treatment program on August 21, 1989.

South Carolina Vocational Rehabilitation Department

An integral part of the Department's rehabilitation response to the needs of persons with vocationally handicapping substance abuse problems in Palmetto Center in Florence and Holmesview Center in Greenville. These two residential alcohol treatment centers, operated by Vocational Rehabilitation, provide clients with a comprehensive program of group and individual therapy; vocational assessment; personal and social adjustment training; psychological evaluation; recreational, family, nutritional, and media therapy; plus religious and A.A. activities. The length of treatment is either 25 or 32 days, depending on the needs of the particular client, and admission is on a voluntary basis.

Additionally, both centers conduct extensive outpatient services in the form of weekly group therapy sessions for family members of current and past residents and after-care therapy groups as follow-up for residents who have completed their inpatient treatment. The services of the centers' programs also include training as part of the curriculum in nursing education programs by community treatment and rehabilitation individuals, employers, and other interested groups.

Referrals to the centers come from human service agencies and interested individuals all over South Carolina. These referrals are coordinated through the local Vocational Rehabilitation counselor in the referral's home community to provide initial assessment and establish a service relationship with the referral prior to admission to treatment so that follow-up services leading to successful

job placement, continued sobriety, and participation in some form of after-care therapy can occur with more effective results. This continuous service relationship provides a unique approach to the successful rehabilitation of this significantly vocationally impaired client population.

In FY 1989, Palmetto Center in Florence provided residential treatment services to 602 clients, whose average length of stay was 25.6 days, with total client service days of 13,808. Also, 1,195 treatment hours of group therapy were rendered in the Family and Ex-Resident Programs.

During this same year, Holmesview Center in Greenville served 346 clients whose average stay was 32 days, totaling 9,726 total client days of service. Also, 1,195 treatment hours of therapy were provided to families and ex-residents in the Non-Resident Program.

In addition, the South Carolina Vocational Rehabilitation Department continues to operate a program in cooperation with the South Carolina Mental Health Department at the Earle E. Morris Jr., Alcohol and Drug Addiction Center. This program provides vocational assessment, adjustment training, counseling, and referral to local Vocational Rehabilitation counselors for job placement and follow-up services. During FY 1989, Vocational Rehabilitation services were provided to 807 Morris Village residents with 231 referred for follow-up services by Vocational Rehabilitation offices throughout the State and 125 were provided follow-up services after discharge by the Morris Village Vocational Rehabilitation staff.

In addition to this network of specialized facilities and programs, Vocational Rehabilitation has, functioning in the majority of its local areas, counselors who specialize in Vocational Rehabilitation services to substance abuse clients. These specialty counselors provide services as well as provide liaison with other agencies, such as substance abuse commissions for coordinated service efforts to this population. In

some areas, these specialty counselors even operate ongoing group counseling sessions for substance abusers, in order to help them either gain or maintain gainful employment.

For the South Carolina Vocational Rehabilitation Department, 1989 has been a year of continued increase in treatment and vocational rehabilitation services to substance abuse clients. Through its two residential alcohol treatment centers, the Department continued to provide significant rehabilitation services to abusers to enable them to remain in or return to gainful employment as taxpayers rather than tax recipients.

In order to better serve the private and public sectors, the South Carolina Vocational Rehabilitation Department has implemented employee intervention programs, statewide. These programs address individual needs of those troubled employees meeting Vocational Rehabilitation eligibility guidelines before they have to be separated from their present employment due to alcohol and substance abuse.

The needs of persons with substance abuse problems are complex, and place considerable demands on South Carolina's treatment network. Whether these persons are unemployed or in danger of losing their employment due to their inability to function without abuse of alcohol and/or drugs, their rehabilitation needs are increasingly being met by the South Carolina Vocational Rehabilitation Department as is indicated in the following comparison table.

<u>FY</u>	<u>Disability</u>	<u>New Referrals</u>	<u>Clients Receiving Services</u>	<u>Clients Rehabilitated</u>
85	Drug			
	Addiction/Abuse	595	1,136	252
	Alcoholism	2,144	4,251	1,027
86	Drug			
	Addiction/Abuse	579	1,148	281
	Alcoholism	2,020	4,064	1,040
87	Drug			
	Addiction/Abuse	914	1,554	324
	Alcoholism	2,220	4,361	1,007
88	Drug			
	Addiction/Abuse	1,323	2,081	467
	Alcoholism	2,190	4,072	1,142
89	Drug			
	Addiction/Abuse	1,487	2,462	574
	Alcoholism	2,091	3,839	1,001