

## S.C. HOUSE BILL 3532: SOUTH CAROLINA REDNECKS SEEK TO PERPETUATE MASS INCARCERATION

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If you thought South Carolina was hard on the poor and people of color before, wait until you see the effects of House Bill 3532.

When a person commits a crime -- they get arrested - and they get a bond hearing. The law already had it so that if they are on bond from a previous charge, the judge can deny the new bond under S.C. Code Section 17-15-55(c), and the solicitor/prosecutor is tasked with quoting this law, to refuse bond for any possible repeat offenders. But, alas, that requires them to do their job. Which apparently, in years past, they have not been doing, and they have been releasing violent, repeat offenders upon the public; and blaming everyone else, even the law, instead of taking admitting to their own negligence. Instead, they created House Bill 3532.

In South Carolina, a charge will carry a *minimum* and a *maximum* sentence as defined by antiquated sentencing guidelines from the 1980s and '90s. With the South Carolina state constitution, and Constitution of the United States, preventing judges from assigning arbitrary numbers of years for sentences based on personal wants (or opinions) outside of what's allowed. Or so that's how it's intended to be. Unfortunately, the system is a couple of decades past due for an update and reformation, and the same old rednecks are still in positions all badged up in blue waving the their go-to flag of disinformation along the media channels that have been fooling voters for decades. Continuously creating laws that subvert the Constitution to allow them to compile extra prison time on top of the mandatory sentences in place.

They need voters to think that it's *not* their fault, it's the law. They tell you the laws aren't hard enough on crime, and that there is some rising criminal element that's out to get you, and the only way to combat it is to make more and more laws and get "tougher on crime". When in fact, all they need to do is their jobs as assigned and practice the law as written and intended. SC House Bill 3532, was a complete waste of ink, because SC already has a law that addresses the issue of a repeat offender, but apparently the solicitors and judges involved were too stupid or lazy or both, to use the laws made for them to use when dealing with a repeat offender. It's called:

S.C. Code Section 17-15-55(c), and it states that if a defendant commits a violent crime while out on bail for a previous violent crime, judges can't let that defendant out on bail again unless they find that the conditions they put on them "will ensure that the person is unlikely to flee or pose a danger to any other person or the community and the person will abide by the terms of release on bond."

Bail is not mandatory. S.C. law simply states that judges "shall consider bond".

Hmm. Let's think about that.

If there are repeat offenders getting out after charges and charges, with bonds violated and stacked against them - why were judges still giving them bonds? And then, crying about them violating those 3<sup>rd</sup>, 4<sup>th</sup>, or 5<sup>th</sup>, consecutive bond releases? And, furthermore, why were solicitors/prosecutors not quoting S.C. Code Section 17-14-55(c) during bond hearing for defendants that had violated a current bond? A law that is in plain language and addresses the issue! If you are someone who was a victim of a crime, or had a relative victimized by an assailant who was on bond, then you have a viable lawsuit against the state, the county, the judge, and solicitor, who let that defendant get a second, third, or fifth bond. You can sue them for not applying S.C. Code Section 17-15-55(c), because if they had applied it as written. You or your family member would not have experience the victimization. Don't fall for their BS about House Bill 3532, because S.C. Code Section 17-15-55(c) was already in place. You can obtain court records and transcripts of the bond hearing to see if it was even discussed.

Enough is enough. We don't need more laws, we need new judges and solicitors. Term limits at all levels of law, would remedy everything. If two 4 year terms is enough for a President, it's more than enough for a governor, sheriff, prison director, Solicitor /Prosecutor, Senator, Congressman, Judge, or anyone voted into office or appointed by a person voted into a position. In offices without term limits, we find all sorts of ethical questions and violations, if not full on corruption -- at the least ... biases -- that have developed over the many years or even decades between the person in office and the offices and ranks around them. They elevate themselves above those they serve and forget their place. They deny that every random person on the street who so much as buys a fucking piece of chewing gum, is paying their salary.

Serve and protect, does not mean to police and rule.

They cannot justify budget increases, and pay raises, without a good influx of new prisoners with rejection of parole eligibility for existing prisoners.

Without "criminals" there would be no jobs for law enforcement; without prisoners, there would be no need for prisons or jails; without prisoners "rebellious" within the system, there would be no need for additional money for security staff. Crime and

criminals are big business for law enforcement, lawmakers, jails, and prisons, so it's understandable that like any big money making syndicate, they would want to expand. In growing the list of what constitutes crimes, creating more laws to arrest people with, and tagging additional years on top of maximum sentences, refusing parole eligibility, and denying that rehabilitation is the purpose of prisons instead of warehousing for profit: law enforcement, prison officials, and law makers all expand their wallets and job security. They increase the influx of prisoners, and stop anyone from reintegration into society, thus padding their prisoner rosters for tax grabs, with little to none of the money received going towards actual rehabilitation.

The cotton fields are gone, so get over it.

Let's vote in some people from the current century.

There's nothing the state government hates more than our Constitution, and they're always seeking to pass bills to try to circumvent it when possible - despite laws in place *supposedly* preventing that. With SC House Bill 3532, which passed March 8, 2023, a defendant convicted of a crime while on bond, would face an additional mandatory sentence of five years in prison, unconstitutionally added on top of any punishment for the crime. It passed on a 92-20 vote, and now of course overseer McMasters will rubber stamp his approval, continuing the attack on poor defendants and defendants of color, or anyone outside the SC redneck agenda. Their bill becoming a law is a win for the red SC secret communist party who currently wave the Republican flag, fooling South Carolinians into creating a police state.

There are currently somewhere close to 10,000 South Carolinians on bond right now, who have to wait an average of 12 months or longer (sometimes 3 years!) before seeing a courtroom and closing of that case. This essentially just put them all on parole with a 5 year mandatory prison sentence hanging over their head, for a crime that may have only given probation, or a fine, that they haven't even been proven guilty of. It's a huge clusterfuck.

I personally know of one situation, where the guy has been on bond for over 16 years! The warrant being a testament to police stupidity, had absolutely no evidence backing the allegations of the warrant, and has never seen the inside of a courtroom other than the bond hearing, and another hearing in which the judge gave the state a "continuance" that has since long been forgotten. At this point, a solicitor/prosecutor cannot proceed with that charge, yet the "bond" is still technically in existence.

The new law, isn't retroactive, so it isn't applicable to preexisting bonds given before the date the state overseer McMasters signs it. Which, I assume has already occurred. I imagine he was waiting giddily in the hallway as the bill was being voted on.

Jails and prisons are *already* overcrowded.

Prison cells are designed for one prisoner, but the South Carolina Department of Corrections has double and even *triple* bunks throughout its prisons. Forcing prisoners together like sardines without rehabilitation or parole eligibility -- and then they wonder why people act like they have nothing to lose. When a riot happens,

they will blame everything on contraband; but, that's not always true. Most times antiquated prison policies, administrative negligence, employee corruption, and mistreatment of prisoners, are at the root of prison violence. The bottom line is that SC prisons are dead end roads. Prisoners are merely housed, and not rehabilitated.

If you want to fix things, then fix them. You combat crime by following common sense akin to that suggested by the Defund Police movement: reallocate funds police and prisons misuse and don't really need, to help grow communities. Instead of allowing the local sheriff to buy military equipment like an armored vehicle or as one SC sheriff recently asked for: two Apache helicopters. Use those available funds instead to build more and better community centers, YMCA, basketball courts, baseball fields, schools and colleges, and offer youthful offenders free vocational training and school. It's already proven that you can reduce crime by reducing poverty, so do it.

SC lost 3.5 billion plus dollars (recently) by scamming and corrupt politicians, still somehow has hundreds of millions to just toss around -- despite the fact that South Carolinians are in total economic crisis -- politicians and administrators have been giving themselves raises in pay, consistently every few months. Law enforcement and prison officials have been making leaps and bounds in yearly salary: how about you use that fake money you got printed to actually do some good instead of padding your own pockets?

South Carolinians are being scammed by lawmakers.

Their news, erroneously covered the new "bill" by showing a recent violent crime committed by a person that was on bond for already committing not one, but multiple previous violent acts. This, was a failure by the judge who granted bond to that person for not using S.C. Code Section 17-15-55(c); and a failure by the media who neglected to explain the existing law already in place that the judges and solicitors/prosecutors neglected to use in such cases. But, SC lawmakers wanted more time any way they could get it, so they manipulated the public into thinking House Bill 3532 somehow filled a void -- that didn't actually exist.

Subverting maximum sentencing isn't new in SC.

SC is a two strike state, using a "second most serious offense" law that allows the prosecutor to request the judge upgrade the defendant's sentence to "life without parole" regardless of the crime's maximum sentence. It's used a lot, and most South Carolinians don't even know that it exists until they face it being used against them in a court room, allowing a judge to sentence life without parole to a defendant facing a charge that may only carry a maximum sentence of, say 10 years. But, that won't matter, because the judge can still give life without parole. SC copied it from California and their 3 strike laws from the 1980s that have been since done away with because such laws are deemed unconstitutional.

That's apparently not enough reason for change in SC, because what the ex-prosecutor/solicitor/attorney minded current SC governor wanted pushed through was a bill to help provide inventory for the state prisons. By applying 5 years to tens of thousands of sentences

over the years to come, a lot of South Carolinians will be caught up in the effects of this state's bumper sticker politics, waiting for solicitor(s)/prosecutor(s) in charge of their case to actually produce evidence to a court and follow through with proving any allegation(s) that have the un-convicted (innocent until proven guilty?) "defendant" on a bond. Waiting months or even years.

By right, people are to be given a "fast and speedy trial" meaning that the courts are to try a defendant *within 12 months*. What's happening, is the state has effectively turned a bond, into a form of probation and/or parole, forcing what they refer to as "roll call" when those on bond are forced to show up for a mock trial in which the "solicitor"/ prosecutor repeatedly will request (every 30 days) for a *continuance* because the state has no case with evidence enough for a trial and isn't ready. It's a dance they do outside of public eye, because no one cares enough to look into it or ask questions. If anyone were to look, it's just downplayed to a resource problem, when the truth is that they are dragging the defendant for months on end in the *hope* that they will take a plea to free themselves from the prosecution's dog and pony show.

House Bill 3532 is another step towards becoming a police state, giving the state an ability to negate more Constitutional rights, and assign additional prison time on top of the crime's maximum sentence already set in place; made possible by their own failure to get the defendant before a judge for trial within a timely manner. Maximum sentences, were put in place for a reason, because it was decided upon by the government and the people that it was the most time a person should be given for a particular legal violation.

If the people decided that no one should be given any more than 5 years for stealing a candy bar, then there should be no other law subverting it to allow the state to upgrade it to 10 years, or life without parole. For the state to seek to bypass laws it doesn't agree with, simply for the fact of increasing incarceration, is just another example of communism growing within SC courts of law. We need to toss out the whole Republican/Democrat ideologies and practice common sense, along with strict term limits; and, like I said, the cotton fields are gone, so let's vote in some people from this century, or at least close to it. Currently, our so called leaders -- from our sheriffs, judges, governors, and even our President -- are from the middle of the previous century. We need new people *without* the biases of a forgotten era.

A lot of corruption can be solved, with term limits!