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October 7, 2014

The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

Dear The Honorable Nikki R. Haley:

I hereby make a formal complaint for my rights being violated and the rights of my children being violated against the Department of Social Services (DSS) in Greenville County, namely, Brent Catz, Frank Shock, Keith Frazier, Pat Agudelo, Michael Jaquins, Elizabeth Lindman, Rosemerry Commander, and Solathia Wakefield.

The following is a summary version of the events that have led to me making this complaint. I will give a detailed narrative after the first couple of paragraphs as it is a long story that covers over two (2) years of time and two (2) DSS offices.

Background and Prior Action: In 2012 and 2013, I was investigated by Pickens County DSS for allegations of sexual abuse regarding my former step-daughter, Nichollette Sloan. Nichollette was subjected to two (2) forensic interviews, both of which were unfounded. In a 2013 DSS action, the charges against me were dropped and I was given custody of my five (5) children.

New Investigation into Same Allegations: Apparently, without my knowledge, in November 2013 Greenville County DSS initiated an investigation against me for the same allegations. I was not made aware of the investigation until March 2014, which I promptly appealed. In DSS's response in April 2014, they stated, simply that "I have conducted an interim review of your case and have concluded that the decision to indicate your case is supported by the evidence."

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My attorney raised the fact that Greenville County DSS was investigating the same allegations to Greenville DSS in March 2014, in August 2014, in September 2014, and in October 2014. Thus, the DSS claim was barred by res judicata.

Greenville County DSS was single-minded and did not listen to the fact that the claim was barred. Greenville County DSS went so far as to interrupt my children's school days by interviewing them at school. They also would visit the children while at the mothers for their weekend visitations. But, Greenville DSS would not ever speak to me regarding this case.

The Complete Summary of Events

The beginning of this nightmare began in March of 2012 when I arrived home at work and found that my step-daughter, Noel, had broken a necklace of my then wife. When I showed my wife the necklace she lost her temper and threw a toy at Noel leaving a cut over her eye. At that time I had had enough of her anger. On March 14, 2012 Pickens DSS investigator arrived at our home and started the investigation. For the first safety plan I was implemented as the protector of all the children. At the time there were a total of 6 kids in our home, 5 were mine and the wife's biological and the Noel.

On April 6, 2012 we had our first family meeting at Pickens DSS offices. Both of our families were involved with this meeting. At this meeting the children were placed with alternative caregivers while the investigation was going on. This meeting is also where the first allegation of sexual abuse by me against Noel was made. Contact at this time with all children was to be supervised at the DSS offices. Our first visit was April 19, 2012 and DSS noted how Noel responded and interacted with me as it being a normal father daughter relationship. It was also noted that the children did not interact with their mother.

On April 20, 2012 Pickens DSS issued their determination of fact sheet for this case, the first one, It was indicated for threat of harm by myself and for physical neglect by their mother. It also noted the investigation of sexual abuse to Noel was still ongoing awaiting forensic interviews.

On May 15, 2012 Pickens DSS issued a new safety plan giving me unsupervised contact with my biological children and supervised with Noel. On July 2, 2012 Pickens DSS wrote a new safety plan again reiterating unsupervised contact to the biological children but asking for no contact with Noel until after forensic interviews were completed. The first forensic interview did not occur until July 31, 2012. This is almost 4 months after the first allegation. A second forensic interview was performed in Oct of 2012.

We will now jump ahead a few months, as no new allegations nor was any movement in the case made by Pickens DSS, to Feb 9, 2012. On this date my wife took my oldest biological child to the emergency room at the Village at Pelham and had them look at her because she, my wife, stated that I had abused the child sexually. The doctor's report stated that the child said nothing happened and also showed that nothing had happened. Even with this she call DSS and the Pickens Sheriff's office and filed reports of sexual abuse. DSS showed up for this report on Feb 14, 2013. They had no knowledge of the ongoing investigation nor had they obtained the doctors reports. This were given to Pickens DSS.

On March 26, 2013 Pickens DSS sent a determination of fact sheet regarding the ongoing sexual abuse allegation of Noel and the oldest biological child. The sheet stated that the allegation was UNFOUNDED. In the following 3 months we had 3 court hearings with Pickens DSS in Pickens and custody of my biological children was given to me. Pickens DSS noted mental injury to the children by their mother and that the mother could not provide a stable home for them.

On March 6, 2014, I received a certified letter from Greenville County DSS. Inside the letter is a determination of fact sheet that states that an investigation has been ongoing regarding sexual abuse allegations against me in regards to Noel. First, this is the same allegation that Pickens DSS has unfounded. Second I had no knowledge of this investigation until I received the letter. In the letter it stated that the investigation was from Nov 27, 2013 to Jan 10, 2014. So it took Greenville DSS 99 days to inform me that they had started an investigation. On March 17, 2014 my attorney sent our appeal of this finding, a copy of which will be attached to this letter, stating our position with the investigation. On April 14, 2014 I received a letter rejecting our appeal from Mr. Keith Frazier, County Director for Greenville DSS. This letter was the only communication that I had with Greenville DSS on this case until it finally went to court on August 26. We filed a motion to dismiss and it was heard on Oct. 1. On Oct 3 the judge ruled, granting our motion to dismiss based on the fact that Pickens DSS had already investigated the same allegations.

While the above items were happening, Greenville DSS showed up at my children's school, in Pickens County. They also showed up at my home on March 7, which is also in Pickens County. Upon their arrival I did inform them that I would only speak to them with my attorney present due to the notion that I feared they would not listen to me as they had just performed an investigation on me without my knowledge. This investigation turned out to be one that involved possible abuse by me to the children that I have custody of. After being told to contact my attorney for a meeting time, Greenville DSS never again tried to contact me on this investigation. On April 18 they indicated a case for substantial risk of sexual abuse only due to the fact that they had indicated the previous case against me. Then on June 6, I received a letter

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from Dena Greene at Greenville DSS that's this finding was not supported by the evidence and therefore the ruling was overturned.

On Sept 19, Elizabeth Lindman with Greenville DSS contacted my attorney and then me in regards to concerns that DSS now had about the children visiting their mother on their mothers' weekends. This particular weekend was her weekend and DSS did not want the children to go to her. Legally I cannot withhold the children from going to her, but DSS implied that they wanted me to do this. Instead they send DSS representatives out at numerous times to her home during the weekend visit. For the two weeks following this visit I emailed Mrs. Lindman on multiple occasions to find out what if anything DSS was planning to do regarding the 5 children I have custody of. Greenville DSS representative, Solathia Wakefield, showed up at my child's school on Tuesday Sept 30 and pulled him out of class to talk to him. So after no updates for two weeks I emailed one last time on Friday Oct 3 and the response that I received from Frank Shock, supervisor at Greenville DSS, was nothing less than rude. He stated that my children were currently not under any investigation and that I had no business asking about the case. I find this appalling that they claim they are not investigation these children but still pull them from class to speak to them. Also on Oct 6 Greenville DSS called my phone and upon answering it they hung right up. So even after having the case dismissed, and after being told that Greenville DSS has no open investigations on me or my children. The Greenville DSS is still harassing me and my family.

I am sorry for the length of this letter and realize that the events are hard to follow as a lot of things have happened. I thank you truly for any and all help that you can provide in regards to these issues. I hope that this investigation can help this department grow as I know there are families out there that need the services the department provides. I also hope that changes can be made that will not allow something like this to happen in the future.

Sincerely,

Brian Robinson

Attachment: Appeal letter to DSS

Cc: The Honorable Nikki Haley, SC Inspector General, Senator Tom Young, Rep. Phil Owens, Senator Vincent Shaheen, Senator Larry Martin

Monday, March 17, 2014

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

South Carolina Department of Social Services
Office of Administrative Appeals
P.O. Box 1520
Columbia, SC 29202

Re: *Brian Robinson, 116 Lake Forest Circle, Easley, SC 29642*
Attached: Notice of Right to Appeal the Agency's Decision

Dear Sir or Madam:

Please allow this to serve as the appeal of Brian Robinson concerning the attached Notice of Right to Appeal the Agency's Decision.

First, I point out that, without notice to Mr. Robinson of this specific investigation by Greenville County DSS, DSS apparently indicated this case on January 10, 2014. Mr. Robinson was not served with the notice until March 5, 2014. Moreover, a supervisor did not review the Determination Fact Sheet until February 26, 2014.

Second, pursuant to S.C. Code of Laws §63-7-920, a finding must be made no later than 45 days from receipt of the report. A single extension of no more than 15 days may be granted by the Director. There is ample evidence that DSS took greater than the time allowed making a finding.

Third, DSS in Pickens County has already investigated these allegations on two (2) occasions during a pending divorce case and exonerated Mr. Robinson. In fact, this exoneration was stated on the record by the DSS attorney, Patti Brady, on April 8, 2013, according to my notes. Copies of pertinent orders are attached.

Fourth, this amounts to the third investigation by DSS into the same facts with Mr. Robinson being exonerated each time.

Fifth, Mr. Robinson does not reside in Greenville County.

[Signature on Succeeding Page]