

From: Patel, Swati <SwatiPatel@gov.sc.gov>
To: Pitts, Ted <TedPitts@gov.sc.gov>
Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Date: 3/25/2014 3:36:23 PM
Subject: FW: DSS Oversight Subcommittee Request--privileged and confidential
Attachments: Letter from Senators Tom Young, Joel Lourie, and Katrina Shealy 3-25-14.pdf

Let's discuss.

I think DSS should give the file to staff and discuss with them areas that DSS believes could make them liable for disclosure. If the Committee chooses to disclose the information publicly then DSS needs to clearly explain that, while they want to cooperate and have gone so far as to propose legislation to allow them to communicate about this case, they could lose a lawsuit.

From: Williamson, Virginia [mailto:Virginia.Williamson@dss.sc.gov]
Sent: Tuesday, March 25, 2014 3:31 PM
To: Patel, Swati
Cc: lillian.b.koller@gmail.com
Subject: FW: DSS Oversight Subcommittee Request--privileged and confidential

Swati: The letter from the DSS Oversight Subcommittee requesting (1) information from the Messenger case, and (2) her attendance at the meeting on April 16, 2014.

They propose that they conduct a "private preliminary review" of the Messenger case "to determine if any, or all of it, can be discussed in a public meeting."

I want to be sure that we take guidance from your folks on the next step. Should we contact Mason Thomas about arrangements for them to review the file? Or should that come from Katherine?

To fulfill DSS' duty to maintain confidentiality under the law, should we go to the level of asking for assurances from them about what they will do to maintain confidentiality of the record? That would be perceived as a defiant posture; it is not intended that way. I know all the reasons why the lawsuit would be unreasonable, and maybe unsuccessful, but I am worried that Ellen Babb's clients will sue DSS. Originally, the staff talked about an executive session of the Subcommittee. Their approach seems different now.

Ginny

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From: Stillinger, Linda
Sent: Tuesday, March 25, 2014 3:03 PM
To: Williamson, Virginia
Subject: DSS Oversight Subcommittee Request

Ginny,

Ms. Koller said that you were waiting on this request.

Thanks,

Linda