

Senate General Committee



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CHAIRMAN

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THE SENATE OF SOUTH CAROLINA
P. O. BOX 142
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March 25, 2014

RECEIVED

MAR 25 2014

03-30-2014

STATE DIRECTOR
J. MASON THOMAS
RESEARCH DIRECTOR

KATHIE MARSH
ADMINISTRATIVE ASSISTANT

Director Lillian B. Koller, Esquire
SC Department of Social Services
P.O. Box 1520
Columbia, SC 29202-1520

Re: DSS Oversight Subcommittee Request

Dear Director Koller:

We are writing to again request information related to an unfounded case concerning the minor child Amelia Messenger. While we understand that Section 63-7-940 limits the circumstances under which materials associated with unfounded cases may be released, it is our opinion that the request of this subcommittee for that information supersedes that statutory provision.

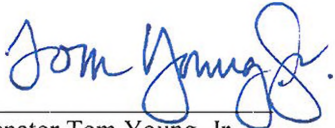
First, the General Assembly has the constitutional authority to conduct oversight hearings of executive agencies of state government. A statutory provision cannot limit or prohibit the General Assembly from fully executing its constitutional oversight authority. Additionally, the matter is of a nature that would allow for a private preliminary review to determine if any, or all of it, can be discussed at a public meeting.

Finally, the subcommittee is again requesting that you attend the meeting on Wednesday, April 16th. We have repeatedly asked that you appear before the subcommittee, and acknowledge that

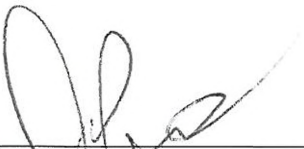
certain health conditions have been cited as the reason for which you have not yet to come speak on behalf of the agency. However, please understand that your testimony before the subcommittee is essential for the subcommittee to continue its work. If you do not attend the April 16th meeting of the subcommittee we will be left with no alternative but to exercise our subpoena powers to compel your attendance. That is a step that we have been reluctant to take but the time for exercising our authority in that regard is drawing very close.

We look forward to reviewing the materials that we have requested and also look forward to discussing these issues before the subcommittee.

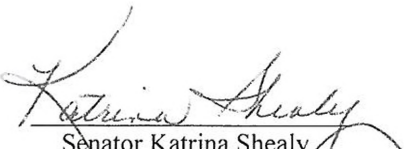
Sincerely,



Senator Tom Young, Jr.



Senator Joel Lourie



Senator Katrina Shealy

cc: Governor Nikki Haley
Senator William H. "Billy" O'Dell

TYjr./jmt