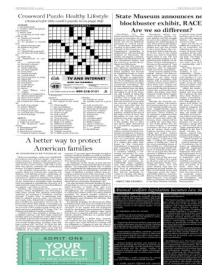


Title: **Animal welfare legislation becomes law in SC**

Author:

Size: 36.89 column inches

Batesburg-Leesville, SC Circulation: 3651



Animal welfare legislation becomes law in SC

COLUMBIA, SC- On June 15, 2016 the South Carolina Legislature overrode Governor Haley's veto of the Animal Welfare Bill S.980 introduced by Senators Sheheen and McElveen. The bill puts in place critical safeguards to protect pets and pet owners and ensures everyone will have access to the highest quality of care available.

Key highlights of the law include:

- Labeling of all prescription medication dispensed to animal owners be labeled in accordance with state and federal law
- Requiring all animal shelters operating and providing veterinary services in South Carolina be subjected to the regulation of the South Carolina Board of Veterinary Medical Examiners
- Veterinarians providing veterinary services in animal shelters prepare written or electronic records concerning the animals in their respective care and maintain these for a minimum of three years
- Animal shelters prepare and maintain records documenting the number of animals admitted to the facility and the method by which those animals exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge
- Establishes a study committee for animal care and welfare issues in South Carolina
- A mobile practice affiliated with, operated by, or supported by a public or private non-profit animal shelter is prohibited from operating

within eyesight of the nearest privately owned veterinarian practice.

The South Carolina Association of Veterinarians began advocating for these additions to the law because of the increased instances of negligent and inappropriate animal care from shelters and/or humane societies. According to Dr. Patricia Hill, former President of SCAV and current Legislative Committee Chair, "Often, veterinarians hearing these concerns filed complaints with the South Carolina Board of Veterinary Medical Examiners; however, this board had no jurisdiction of complaints against shelters. Interestingly enough, the veterinary practice act specifically exempted animal shelters from their jurisdiction and from maintaining medical records."

Contrary to a lot of misinformation that had been leveled against this needed legislation, the law will not close animal shelters, spays and neuters will not be limited, access to emergency care will not be limited, and vaccinations will not be prohibited.

Established in 1911, The South Carolina Association of Veterinarians is a non-profit association representing veterinarians. The SCAV are committed to advancing the science and art of veterinary medicine by providing opportunities for professional education and development and by enhancing the relationships between veterinarians, agriculture, pet owners, government and the public at large; and to protect the public health by promoting proper involvement in human and animal health care by the veterinary profession. The South Carolina Association of Veterinarians believe this bill is needed to protect pets' lives and ensure pet owners continue to have access to the best quality of care.

Title: **S.C. Gov. Haley campaigns for Missouri woman**
Author:
Size: 6.97 column inches
Myrtle Beach, SC Circulation: 61238



S.C. Gov. Haley campaigns for Missouri woman

COLUMBIA

South Carolina Gov. Nikki Haley is in Missouri campaigning for the lone female in that state's four-way Republican primary race for governor.

Haley spokesman Rob Godfrey posted a photo Monday on Twitter of Haley talking with Catherine Hanaway ahead of an event in Joplin, Missouri.

Hanaway's campaign says Haley will also join the Missouri House speaker at fundraisers in St. Louis and Carthage. It is Haley's second trip to Missouri to support Hanaway.

— FROM ASSOCIATED PRESS

Title: **Removing flag may have positive economic impact**
 Author: AVERY G. WILKS THE STATE
 Size: 32.39 column inches
 Greenville, SC Circulation: 113473



Removing flag may have positive economic impact

AVERY G. WILKS

THE STATE

COLUMBIA - Since the Confederate flag's removal from the State House grounds a year ago, boycotts of the state have been lifted, paving the way for a boost in tourism and the chance at high-profile sporting events.

The NAACP and NCAA last summer lifted their boycotts of South Carolina, put in place after the 2000 compromise that removed the flag from the State House dome to a nearby flagpole.

The state NAACP convention has returned to South Carolina after spending recent years in North Carolina and Georgia, said Dwight James, the South Carolina NAACP's executive director.

Last year the convention was held in Spartanburg. This September it's slated for Columbia.

"The word is slowly getting out that the flag has been removed from the State House grounds," James said.

The changes also opened the door for Columbia to work on

bringing an NCAA men's basketball tournament to the state's capital. A weekend-long tournament could bring \$10 to \$15 million to Columbia and the Midlands, according to Ron Morris, a former columnist for *The State* newspaper who has led the city's efforts.

Three collegiate conferences since January have announced they will hold post-season sports tournaments in the Palmetto State over the next few years. Whether those decisions were related to the flag's removal is unclear.

Gov. Nikki Haley, who called for the flag's removal last summer, had said during a 2014 gubernatorial debate that the flag was not hurting the state's efforts to draw industry — a conclusion for which she cited the lack of concerned chief executives calling her.

Since the flag was raised on a pole on the State House grounds, Boeing, Volvo, Amazon and other companies established or expanded

their operations in South Carolina.

But as cries mounted for the flag's removal last summer, business leaders coalesced behind the effort, saying the banner's furling would support investment and industry in the state and would help attract a diverse and talented workforce.

Tourism also should see an uptick, some say.

The state Chamber of Commerce has said that tourists have avoided the state for years because of the flag. Many would-be tourists wrote emails to Haley after the Charleston massacre saying they would not visit the Palmetto State while the flag was still flying.

Tourism numbers could get a bump from the return of many African-American family reunions, which will generate revenue for hotels, restaurants and gas stations, James said.

Staff writer Cassie Cope contributed to this story.

Title: **State officials, but not Haley at air show**

Author:

Size: 7.28 column inches

Greenville, SC Circulation: 113473

**State officials, but not Haley at air show**

Commerce Department officials are in London this week to market South Carolina at an international air show. Agency spokeswoman Adrienne Fairwell said Monday the 20 people in South Carolina's delegation include seven Commerce employees. Others are representative of private companies and local economic development groups. Fairwell says the Monday-through-Sunday trip is expected to cost taxpayers about \$50,000. Neither Gov. Nikki Haley nor Commerce Secretary Bobby Hitt is attending the event held every two years. Haley attended in 2012. At the time, Hitt called the Farnborough International Air Show the biggest marketing event of the year for his agency. He said the focus was on building relationships.

— AP

Title: **New call for cameras in group homes**
 Author: RICK BRUNDRETT RBRUNDRETT@GREENVILLENEWS.COM
 Size: 100.44 column inches
 Greenville, SC Circulation: 113473



New call for cameras in group homes

RICK BRUNDRETT

RBRUNDRETT@GREENVILLENEWS.COM

Two years after a state investigative agency recommended placing security cameras in common areas of group homes serving vulnerable adults, state officials have yet to implement the proposal designed to protect the safety of individuals.

State Rep. Chandra Dillard, D-Greenville, said Monday she plans to introduce or co-sponsor legislation requiring cameras in common areas of group homes after reading an investigative series in *The Greenville News* detailing the deaths of three young men in group homes in Mauldin and Charleston County during a recent three-year span.

Dillard said she spoke with Michelle McCarroll of Berea, the sister of Jamie Rosemond, a resident of a South Carolina

Mentor group home in Mauldin who died in 2012.

"I'm not opposed to having cameras where they need to be with vulnerable populations," Dillard told *The News*. "Given the great loss she (McCarroll) and her family has experienced, this is the least we could do."

Dillard, the community relations director at Furman University first elected to the House in 2008, said she plans to ask legislative staff this week to begin researching regulations for group homes serving individuals with intellectual or other developmental disabilities. The legislative session opens in January.

During its seven-month investigation, *The News* disclosed a troubling history of recent deaths and allegations of abuse

and neglect involving residents with intellectual or developmental disabilities living in group homes operated by South Carolina Mentor, a company under oversight of the S.C. Department of Disabilities and Special Needs.

The News reported its findings online and in a three-part series that began publishing on Sunday.

McCarroll told *The News* she believes state law needs to be changed to require cameras in common areas of group homes, and to ensure there are working alarms on doors and windows at those homes.

Her 25-year-old brother, diagnosed with autism and schizophrenia, was

See GROUP HOMES, Page 5A

Group homes

Continued from Page 1A

struck and killed by two motorists after wandering from his Mentor group home in Mauldin in December 2012. Police charged a former Mentor worker in connection with his death, though prosecutors later dismissed the case.

McCarroll, a preschool aide at Greenville County Schools' Riley Child Development Center, said she has begun circulating a paper petition locally to support the requirements and also launched an online petition.

"A lot of people don't believe them (people with intellectual or developmental disabilities)," she said.

A June 2014 audit by the Legislative Audit Council – the investigative arm of the S.C. General Assembly – recommended changing state law to "allow electronic monitoring of common areas of DDSN facilities serving consumers."

"Video cameras in common areas may help reduce ANE (abuse, neglect and exploitation) and would not be a violation of any individual's personal space," the audit concluded. "Cameras could be monitored or video tape could be recorded and reviewed, if an incident was reported or suspected."

The report, a follow-up to a 2008 audit critical of DDSN, noted that while having video cameras in residents' rooms

"may be a violation of an individual's personal liberties," there is no expectation of privacy in common areas, such as dining rooms, day program work rooms or hallways.

In the absence of a change in state law, the LAC recommended that DDSN should require its service providers to "install such monitoring equipment."

During the regular March DDSN Commission meeting, former commissioner Deborah McPherson of Columbia, whose term wasn't renewed by Gov. Nikki Haley in 2014, cited Mentor incidents investigated by *The News*. She called for electronic monitoring in long-term care homes.

"Technology is available to keep individuals safer when they elope," McPherson told the commission. "Technology can also assist in documenting incidents of abuse and neglect, as well as the prosecution of the abusers. I would support the use of technology, especially in cases of multiple incidents involving non-verbal consumers."

"Why not have cameras in places that have non-verbal patients?" Commissioner Eva Ravenel of Charleston asked during the meeting. "I don't say have them in their bedrooms, but definitely have them in the common areas."

DDSN Director Beverly Buscemi, however, expressed concerns about the

proposal.

"There is a significant potential risk as it relates to Medicaid funding and compliance," she said.

"It's one thing to do it in a home as a request of one individual family member," she said. "It is another thing to say, 'For this category of folks or this type of home or this individual provider across the board,' because CMS (the federal Centers for Medicare and Medicaid Services) has given that as a very specific example of at least something that would lend to an institutional setting."

Asked whether he supports video cameras in Mentor homes, Stan Butkus, the company's state director, told *The News* in a written response: "DDSN promotes a policy of privacy that is generally inconsistent with the use of video recording equipment inside the residences of individuals served. We respect and understand their point of view."

State Sen. Paul Thurmond, R-Charleston, introduced a bill three years ago that would have allowed residents of nursing homes, or their legal representatives, to have electronic monitoring equipment in their rooms.

Thurmond, who is not seeking re-election this year, told *The News* he would have supported amending his bill to cover group homes such as the ones operated by South Carolina Mentor, with priva-

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cy protections for residents.

"My desire was to discourage abuse and neglect," he said.

Thurmond's bill never made it out of committee.

Anna Maria Darwin, a Greenville attorney with Protection & Advocacy for People with Disabilities, a statewide non-profit legal-rights organization, told *The News* in a written response that the organization "supports the rights of family members/residents to install cameras at their own cost, with appropriate privacy protections."

Greenville County Solicitor Walt Wilkins, whose office declined to pursue charges against a former Mentor worker arrested in connection with Jamie Rosemond's death in 2012, told *The News* he supports having video cameras in common areas of group homes.

About the reporter

Rick Brundrett is an investigative reporter at *The Greenville News*, where he has worked since September 2015. He can be reached at (864) 478-5904 or by emailing rbrundrett@greenvillenews.com. Follow @RickBrundrett on Twitter.

About the company

South Carolina Mentor, founded in 1984 and headquartered in Columbia, is part of a 35-state network of operations, known as "The Mentor Network," according to company information. In South Carolina, Mentor has offices in Aiken, Charleston, Greenville, Murrells Inlet and Rock Hill, according to the company.

On its website, the South Carolina company says it has "distinguished itself as a quality provider of services to adults and children with intellectual and developmental disabilities, as well as youth and families with emotional, behavioral and medically complex challenges."

The company operates 74 homes throughout the state, serving approximately 200 individuals, according to its state director, Stan Butkus, a former director of the S.C. Department of Disabilities and Special Needs, which oversees Mentor and other service providers.

South Carolina Mentor is part of Civitas Solutions Inc., a publicly traded Boston-based company that bills itself in its annual report as the "leading national provider of home- and community-based health and human services to must-serve individuals with intellectual, developmental, physical or behavioral disabilities and other special needs."

As of Sept. 30, Civitas' approximately 22,300 full-time equivalent employees and 4800-plus, "independently-contracted host home caregivers" served about 12,400 clients in residential settings and more than 17,000 clients in non-residential settings nationwide, the report said. Civitas' total net revenues for fiscal 2015, which ended Sept. 30, were about \$1.37 billion, with about 89 percent of its revenue deriving from contracts with state and local governments, according to the report.

"It would make a huge difference for us if DDSN would require that in their contractual relationships so we could have at least some oversight inside their facilities," he said. "It would be extremely helpful, especially when you have these vulnerable individuals."

Mauldin Police Sgt. Ben Ford, who supervises his department's detective unit and was the lead investigator in the Rosemond case, told *The News* that video cameras in common areas would assist in abuse and neglect investigations.

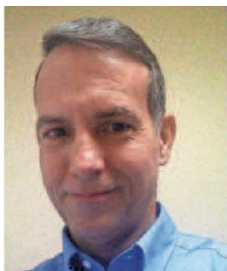
Contacted recently by *The News*, state Sen. John Scott said he believes the broader problem is a lack of accountability by the DDSN Commission and director for what he described as ongoing "safety issues" involving people with intellectual or developmental disabilities under the agency's oversight.

Scott, D-Richland, introduced a pair of state bills last year that he said would bring greater accountability to DDSN.

The bills, one of which was co-sponsored by Sen. Kevin Bryant, R-Anderson, would have made DDSN a division of the state Department of Health and Human Services, and given the governor the authority to appoint the DDSN director with Senate consent. Currently, the governor, with Senate consent, appoints the seven-member DDSN Commission, which hires a director.

The bills never made it out of committee.

In a written response to Scott's remarks, Buscemi told *The News*, "DDSN takes the health, safety and welfare of individuals very seriously, and works with providers to ensure the highest quality of care."



Title: **Williston school district should release evaluations**

Author:

Size: 50.06 column inches

Aiken, SC Circulation: 19635



Williston school district should release evaluations

It was June 2 when we sought access to public records from Williston School District 29. Today is July 12 and we're still waiting.

Now, six weeks after our initial request, we're calling on Williston school officials to follow the law and release the records.

Our request is one that should be of interest to not only parents with children in Williston public schools, but any taxpayer as well.

Shortly after the arrest of former Williston-Elko High School principal Joel Mitchell, the *Aiken Standard* requested through the S.C. Freedom of Information Act, or FOIA, copies of Mitchell's resignation letter, emails from his school district account and any evaluations and disciplinary records.

In May, the S.C. State Law Enforcement Division charged Mitchell with first degree assault and battery. An arrest warrant said the suspect exposed himself in December 2015.

The warrant said the suspect was charged because of "nonconsensual touching of the private parts, either under or above clothing, with lewd and lascivious intent against (the victim's) will."

Williston School District

29 responded to the *Aiken Standard's* request 13 business days later, two days shy of the statutory requirement of 15.

In a letter dated June 21, the district's superintendent requested a deposit of \$32.89 before proceeding with our request.

Dr. Missoura Ashe said in her letter that pending receipt of the deposit, which we paid Monday, the district

would release the emails and resignation letter. Ashe, however, won't release the principal's evaluations.

Ashe's response letter initially said, "there are no public records pertaining to this request."

In a telephone interview, she clarified, saying she wouldn't release the evaluations, citing concerns about confidentiality.

"We do not provide the evaluations of the principal. That's just the rule," Ashe said. "We never have. It's based on FOIA handbooks. We do not provide evaluations. It's confidential."

Ashe added she would need time to review and redact potentially sensitive information from the emails. Meantime, the district's lawyers, who she said were on vacation last week, would review other aspects of our

request.

Never mind for a moment there's no confidentiality exemption within FOIA or presumption of privacy when it relates to public officials in the performance of their official duties.

The mere length of time that has lapsed since we sought the records has been unacceptable. If lawyers need time to review the records, what were school district officials doing for the 13 business days that lapsed between June 2 and June 21?

As for the principal's evaluations, Williston school officials have fallen into a far too common trap of claiming fictitious FOIA exemptions.

FOIA does allow public bodies to withhold "information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy," according to state law.

Public officials who read the law further will find that it narrowly defines what is considered personal in nature. Examples stated in the law include gross receipts in business license applications or solicitation of persons facing physical challenges.

"This provision must not be interpreted to restrict ac-

cess by the public and press to information contained in public records," the statute says.

The issue of personnel evaluations has already been litigated. In 2004, the S.C. Court of Appeals ruled that the personnel files of deputies in York County were public information, and ordered their release.

Gov. Haley even says evaluations are public information.

On May 27, Haley vetoed H. 3849, a bill that would have limited public disclosure of records relating to teacher evaluations.

"As drafted, the language would allow school districts to exempt any record related to an educator's evaluation solely because that record contained personally identifiable information," Haley wrote.

"Accordingly, this exemption could extend to disciplinary records documenting teacher misconduct — records that should not be withheld from the public," the governor continued.

We provided a copy of this veto message to Williston school officials. Hopefully they read it more carefully than they've read state law, and realize there's no legitimate reason for withholding principal evaluations.

Title: **Why the Confederate flag is still in a box**
 Author: BY CASSIE COPE ccope@thestate.com
 Size: 91.29 column inches
 Hilton Head Island, SC Circulation: 20015



SOUTH CAROLINA

Why the Confederate flag is still in a box

S.C. legislators did not approve spending any money to display the Confederate flag

Instead, lawmakers unsuccessfully proposed moving flag, museum to Charleston from Columbia

Lawmakers hope to approve display plan next year

BY CASSIE COPE
ccope@thestate.com

COLUMBIA

The last Confederate battle flag to fly at the S.C. Statehouse sits today in storage at Columbia's S.C. Confederate Relic Room and Military Museum.

That is not the honorable display flag advocates were promised last summer as lawmakers heatedly debated furling the flag in the wake of the slaying of nine African-American parishioners at a Charleston church.

Ultimately, legislators voted to remove the flag from the Statehouse grounds and display it at the Relic Room, a little attended museum located off Columbia's Gervais Street. The details and cost of that display, they said, would be worked out when they returned to Columbia in January.

But lawmakers left Columbia this year without acting on the flag, largely forgotten.

Deciding the flag's future display next year will require several decisions — including the cost, its location and how to display it.

Some want the flag and the Relic Room moved to Charleston, a proposal that some African-American lawmakers from the Midlands might welcome. But does Charleston — the birthplace of the Civil War but also the home of the Emanuel AME Church massacre — want the flag?

How the flag will be displayed also is undecided.

A state House Democrat warns there will be opposition to flying the flag again if that's proposed as part of that display.

Earlier this year, a proposal emerged to spend \$3.6 million to enlarge and renovate parts of the Relic Room to include a flag display, but legislators did not consider that plan.

Instead, lawmakers approved studying a move of the Relic Room to Charleston. But Gov. Nikki Haley vetoed that plan, saying moving the museum never was discussed as part of the deal to furl the flag.

"It's not that much of a surprise to me at all that it's still in storage," said Relic Room director Allen Roberson, citing other more-pressing legislative priorities this year, including paying for road repairs. He also said it could take time to get an appropriate display correct.

Lawmakers hope to decide how to display the flag as soon as next year.

"We're going to resolve it, and it's going to be handled in a way I think the vast majority of South Carolinians would feel comfortable with," said state Rep. Rick Quinn, R-Lexington, a central figure in the House vote last year that brought the

flag down.

PROMISES MADE

On July 10, 2015, S.C. troopers handed the furled flag to museum director Roberson after bringing the banner down in front of a crowd of thousands.

Roberson, who was then to carry the flag off the grounds, remembers he focused on not tripping. He also said his wife, who attended the event with his children, was concerned for his safety.

"She was worried that somebody could be up in a building ... and I could get shot."

After the ceremony, Roberson and another museum staffer climbed into an armored police car and delivered the controversial flag to the Relic Room, several blocks away.

Roberson transferred the 100 percent nylon flag to an acid-free textile box

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lined with acid-free paper, an environment designed to ensure the banner, which cost \$52, did not deteriorate.

A year later, the flag remains in that box.

Even though they had more than \$1 billion in new money to spend this year, legislators decided not to spend any money on the flag. Instead, they spent that money on other priorities, including about \$200 million in added money on road repairs and more than \$300 million in additional funding for S.C. schools.

Part of the reluctance to address the flag issue again was cost.

The first proposal given legislators — calling for expanding the Relic Room and renovating parts of the

museum to display the flag — came with an estimated price tag of \$5.3 million. After some lawmakers balked at that cost, a second proposal came in at \$3.6 million.

Lawmakers recoiled in “a little bit of sticker shock” at those price tags, Quinn said.

But, the Lexington Republican added, “There were promises made (during the House flag debate) to deal with it in an honorable way.”

And, Quinn added, those promises — that the flag would be honored appropriately at another location — were important to some legislators, who see the flag as a symbol of heritage. The promises convinced flag supporters in the House to vote to remove

the flag, Quinn said.

RESOLUTION NEXT YEAR?

State Sen. John Courson, R-Richland, expects lawmakers to decide on a flag display when they return to Columbia in January. He also wants displayed the flag that flew on the Statehouse dome until 2000, when the banner was moved to the Confederate monument on the grounds.

But state Rep. James Smith, D-Richland, said there will be opposition to any proposal that would involve flying — as opposed to displaying — the Confederate flag.

It offends the service of Confederate soldiers when people continue to fly the flag because its meaning gets misused and abducted

by other organizations, Smith said.

The Relic Room issued a news release earlier this month saying the museum currently does not have the space or funding to construct a separate, permanent display for the flag. The release also noted the museum is due for re-accreditation next year.

“We want to make sure the final Statehouse battle flag exhibit is done as expeditiously, professionally, and accurately as possible.”

Smith wants to see resolution to displaying the flag next year. “I don’t see any reason to not move forward on what would be an appropriate display of a historic artifact.”

Cassie Cope: 803-771-8657,
@cassielcope



GERRY MELENDEZ gmelendez@thestate.com

Rachel Cockrell, registrar at the South Carolina Confederate Relic Room and Military Museum, holds up the Confederate flag that was taken down from the Statehouse a year ago.

Title: **Confederate flag's removal could drive tourism, sports to S.C.**
 Author: BY AVERY G. WILKS The (Columbia) State
 Size: 50.06 column inches
 Rock Hill, SC Circulation: 34688



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The (Columbia) State

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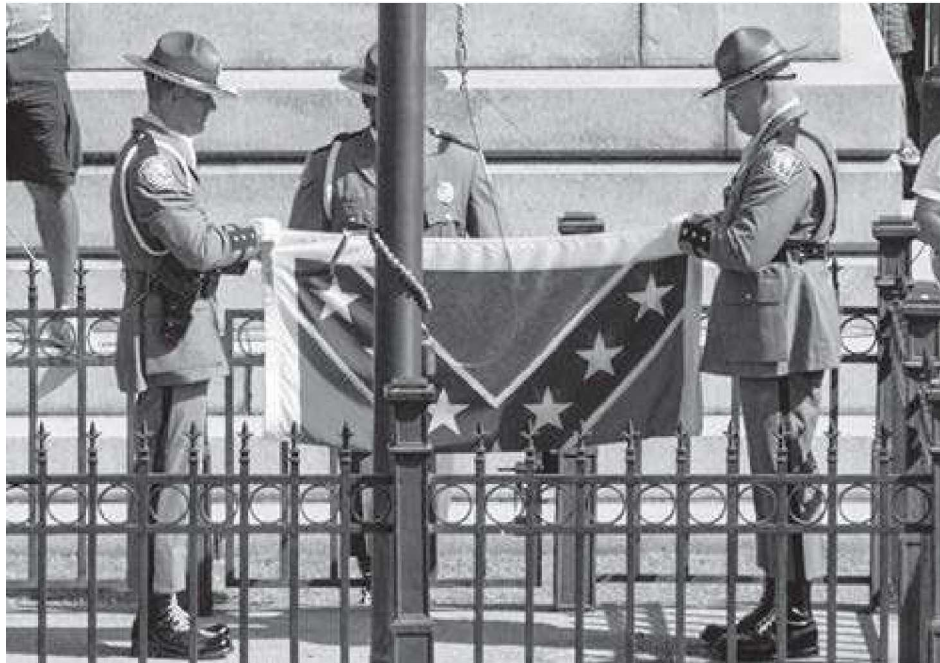
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TIM DOMINICK tdominick@thestate.com

A large crowd gathered to watch the South Carolina Highway Patrol Honor Guard remove the Confederate Flag from the Statehouse grounds on July 10, 2015.

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ONE YEAR LATER

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SEE CONFEDERATE, 8A

➔ MORE INSIDE

- Confederate flag flies again - for the day - at the S.C. Statehouse. **3A**
- Flag's removal paves the way for economic boost. **4A**

CONFEDERATE

FROM PAGE 1A

central figure in the House vote last year that brought the flag down.

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County: York

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shot.”

After the ceremony, Roberson and another museum staffer climbed into an armored police car and delivered the controversial flag to the Relic Room, several blocks away.

Roberson transferred the 100 percent nylon flag to an acid-free textile box lined with acid-free paper, an environment designed to ensure the banner, which cost \$52, did not deteriorate.

A year later, the flag remains in that box.

Even though they had more than \$1 billion in new money to spend this year, legislators decided not to spend any money on the flag. Instead, they spent that money on other priorities, including about \$200 million in added money on road repairs and more than \$300 million in additional funding for S.C. schools.

Part of the reluctance to address the flag issue again was cost.

The first proposal given legislators – calling for expanding the Relic Room and renovating parts of the museum to display the flag – came with an estimated price tag of \$5.3 million. After some lawmakers balked at that cost, a second proposal came in at \$3.6 million.

Lawmakers recoiled in “a little bit of sticker shock” at those price tags, Quinn said.

But, the Lexington Republican added, “There were promises made (during the House flag debate) to deal with it in an honorable way.”

And, Quinn added, those promises – that the flag would be honored

appropriately at another location – were important to some legislators, who see the flag as a symbol of heritage. The promises convinced flag supporters in the House to vote to remove the flag, Quinn said.

MOVE THE RELIC ROOM TO CHARLESTON?

What time legislators spent on the flag issue this year centered on a proposal by state Rep. Chip Limehouse, R-Charleston, to study moving the Relic Room to Charleston.

In Columbia, the Relic Room draws few visitors – only 24,700 last year, about one-third of them children who enter the museum for free.

That compares with the State Museum’s approximately 181,000 visitors.

Ticket sales for the Relic Room generated about \$100,000 of the military museum’s \$826,000 budget last year. Taxpayers picked up the rest.

In Charleston, which draws more tourists, the museum would attract more admission-paying visitors, Limehouse said.

Ultimately, legislators approved Limehouse’s study as part of the state budget, deferring any action on displaying the flag.

However, Haley vetoed that budget proposal, saying it was important to legislators, who she worked with to bring down the flag, “to develop a proper, respectful place for” the banner at the current Relic Room location.

“Never in any of those conversations ... did they talk about moving it to Charleston,” Haley said last month. The proposal

arose because a couple of legislators or former legislators want the museum moved to Charleston, she said. “We talked about Columbia – never did we talk about Charleston – and I have to stay true to my word on that.”

House members sustained the governor’s veto.

Even though Limehouse, who retired from the S.C. House this year, pushed to look at the move, not all in Charleston would welcome the flag.

State Sen. Marlon Kimpson, D-Charleston, said it would send the wrong message to relocate the flag to the city where the shooting took place.

“This city has been through tremendous tragedy,” Kimpson said. “It is time to close the chapter on allowing that symbol to polarize this state.”

There has not been a discussion at all in the Senate about displaying the flag, Kimpson said. “People are ready, quite frankly to move on.”

Charleston County Council Chairman Elliott Summey said he would be absolutely against moving the flag and Relic Room to Charleston.

There is “no sense in opening old wounds,” he said, especially because of what the community has been through during the past 18 months.

State Sen. John Courson, R-Richland, also opposes moving the Relic Room.

“That’s just not going to happen,” Courson said. It and the State Museum, both housed in the same building, feed off each other for attendance, he

said.

The military museum is an important archive of the state’s history, said state Rep. James Smith, D-Richland. “I’m for keeping the Relic Room in Columbia.”

However, others wouldn’t mind if the Relic Room – and the flag – went somewhere else.

“(It) wouldn’t hurt my feelings, as someone who lives in Columbia, to have it be out of Columbia,” said state Sen. Darrell Jackson, D-Richland. “I wouldn’t feel either joyful or sad if it moved.”

Jackson noted Charleston is where the Civil War began.

But others say the Relic Room – which chronicles the state’s entire military history, not just the Civil War – has important ties to the Midlands.

While its military collection has a statewide focus, the Relic Room has a big Midlands component, including flags from most of the Civil War companies formed around Lexington, Saluda and Edgefield, museum director Roberson said.

“We have a purpose here,” he said.

RESOLUTION NEXT YEAR?

Jackson said he has been involved with Confederate flag discussions since he was a freshman senator.

After last year’s emotional debate, Jackson said there was not much appetite this year to debate again where the flag should go. “It was not a conversation.”

However, Courson expects lawmakers to decide on a flag display when

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they return to Columbia in January. He also wants displayed the flag that flew on the State House dome until 2000, when the banner was moved to the Confederate monument on the grounds.

But Smith said there will be opposition to any proposal that would involve flying – as opposed to displaying – the Confederate flag.

The division the symbol causes and its historic meaning are both reasons the flag should be displayed, not flown, in a museum, Richland Rep.

Smith said.

Flying the Confederate flag by a government entity would violate the terms of surrender by the Confederate soldiers, Smith said.

If people want to fly the Confederate flag on their own lawns and homes, that's one thing, Smith said. But that is different from the state and government entities flying the flag.

Smith quoted a speech by Confederate Gen. Wade Hampton: "When you furl it forever you pledged your soldierly honor to observe inviolate

the terms on which you surrendered."

It offends the service of Confederate soldiers when people continue to fly the flag because its meaning gets misused and abducted by other organizations, Smith said.

"To place it in the context of history is to put it in a case in a museum, not flying it," Smith said.

The Relic Room issued a news release earlier this month saying the museum currently does not have the space or funding to construct a separate, permanent display for the

flag. The release also noted the museum is due for re-accreditation next year. "We want to make sure the final State House battle flag exhibit is done as expediently, professionally, and accurately as possible."

Smith wants to see resolution to displaying the flag next year.

"I don't see any reason to not move forward on what would be an appropriate display of a historic artifact."

Cassie Cope: 803-771-8657, @cassielcope

“

THERE WERE PROMISES MADE (DURING THE HOUSE FLAG DEBATE) TO DEAL WITH IT IN AN HONORABLE WAY.

State Rep. Rick Quinn, R-Lexington



TIM DOMINICK tdominick@thestate.com

Gov. Nikki Haley signed the bill July 9, 2015, to remove the Confederate Flag from the Statehouse grounds.

Title: **3 YOUNG LIVES CUT TOO SHORT**

Author: PROFILES BY RICK BRUNDRETT RBRUNDRETT@GREENVILLENEWS.COM

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3 YOUNG LIVES CUT TOO SHORT

■ PROFILES BY RICK BRUNDRETT RBRUNDRETT@GREENVILLENEWS.COM

Three young men, all in their early to mid-20s, lived in community residential group homes in the state. The three homes — one in Mauldin and two in Charleston County — are run by a private company contracted by the state to look after the well-being of some of South Carolina's most vulnerable adults. In the span of three years, all three would die.

Despite earlier wanderings, he left one last time

■ In 2008 and again in 2012, Jamie Rosemond walked away from the Mauldin group home where he was living, including once when he was found walking along a nearby road, records show.

In December 2012, the 25-year-old diagnosed with autism and schizophrenia, broke out a window in his bedroom at the home on Flanders Court run by a company called South Carolina Mentor, according to court records.

Two days later, Rosemond wandered off for the last time.

He was struck by two motorists and killed while walking

See **ROSEMOND**, Page 6A

Rosemond

Continued from Page 1A

about half a mile away along Ashmore Bridge Road around 6:25 p.m. on Dec. 17, 2012, according to police records.

Mauldin police arrested Roderick Carlton Grove, the Mentor staff member on duty that night, and charged him with neglect of a vulnerable adult resulting in death, according to police records. Grove denied wrongdoing, and prosecutors later dismissed the charge for lack of evidence, court documents show.

Grove could not be reached for comment.

Ernie Hamilton of Greenville, his attorney, said Grove was filling in for another worker and didn't know that an alarm system on the window in Rosemond's bedroom wasn't working when Rosemond escaped. "He did not commit any crime," Hamilton said.

"He was relying on his senses — to his detriment — but he was operating under the assumption that everything was working properly," Hamilton said.

Grove, who lost his job with Mentor shortly after his arrest, filed suit against his former employer. In it, Grove alleged Rosemond had "intellectual and other developmental disabilities that required regular medication and dependence upon his caregivers," as well as a "known and recorded history of eloping from the Flanders Court home at which he was a resident."

Grove alleged in his lawsuit that the home was "understaffed and, because of the broken window and disabled alarm

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system, was not properly equipped to properly monitor Jamie or to prevent elopement," court records show.

Rosemond's sister, Michelle McCarroll of Berea, says she has a lot of questions about the care her brother received from South Carolina Mentor, a private company under contract with the S.C. Department of Disabilities and Special Needs to provide services to people with intellectual or other developmental disabilities.

Attempts to contact Rosemond's mother, Cynthia Rosemond, were unsuccessful. McCarroll said her mother declined to be interviewed.

"My brother was a human being," McCarroll, 40, a preschool aide at Greenville County Schools' Riley Child Development Center, told *The Greenville News*.

Rosemond was diagnosed with autism when he was 7 or 8, and was in special education classes during his school years, McCarroll said. He also was schizophrenic and diabetic, she said.

Rosemond had a history of "physical aggression, verbal aggression/outbursts, property destruction, AWOL, non-compliance and psychotic behaviors," according to a copy of the Greenville County Coroner's report McCarroll provided to *The News*.

Rosemond lived for several years at the Whitten Center run by DDSN, McCarroll said. He lived at the facility in Clinton at the time he graduated from Clinton High and moved to the Flanders Court home in Mauldin in late 2006 or early 2007, she said.

McCarroll said the Mauldin home run by Mentor was about 15 miles from their

mother's house, and she wanted him to be closer.

"He had his quiet days; he had his upbeat days," McCarroll recalled. "He was a people pleaser, but he was quick to let you know when you offended him. He didn't like anyone to be mad at him."

She said she and her brother "had this unique bond; we were really, really close."

Besides the incidents in January 2008 and August 2012, Mauldin police investigated another incident at the home in May 2010, according to police records provided to *The News* under the S.C. Freedom of Information Act. Rosemond told a paramedic that a Mentor staff worker struck him on the head twice with a walking cane and pushed him, causing him to strike his head on a kitchen

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en cabinet, records show.

He was taken to Hillcrest Memorial Hospital where he received 14 stitches to his head – seven to the right portion, four to the left portion and three to the front center, according to a police report.

A Mentor worker told police Rosemond grabbed her after demanding his medication, and that he fell on top of her and hit his head on a corner of the kitchen counter, according to a police report.

A paramedic told police that “according to the injuries of what he observed on Rosemond, it didn’t make sense of what was reported to him by the social worker,” the report said.

As a matter of routine the State Law Enforcement Division assisted in the investigation, but no charges were filed, records show.

A July 2011 report by Mauldin Detective Christopher Beeco noted that “all potential and existing leads have been exhausted.” Pending new evidence, Beeco wrote, “the case is administratively closed.”

McCarroll told *The News* her family didn’t learn of her brother’s head injury until they saw him during a scheduled visit a short time later. She said her family later learned from a Mentor staff member that the female employee “no longer works there.”

McCarroll said that on the night her brother died, their mother, Cynthia Rosemond, called the Flanders Court home about 7 p.m. to speak with her son. She planned to watch the television game show “Family Feud” with him while on the phone, McCarroll said.

Grove, the only Mentor staff member on duty that night, told her that Rosemond had lost his phone privileges for unexplained reasons and was in his room asleep, McCarroll said.

In a written response to *The News*, Stan Butkus, director of South Carolina Mentor, said that as a practice the company does not limit the phone privileges of individuals it serves.

Rosemond’s mother called back about 15 minutes later hoping to get another Mentor worker, but Grove answered the phone again and gave her the same answer, McCarroll said.

She said that based on those conversations, her mother didn’t think anything was wrong when she saw a news report later that night about an unidentified pedestrian who was struck and killed on a nearby road.

Rosemond was killed when he was hit

at about 6:25 p.m. by two motorists – who were not charged – while walking along Ashmore Bridge Road about a half mile from his group home, according to a police accident report.

In court papers, Grove said Rosemond escaped out his bedroom window but did not trigger an alarm because Rosemond had broken the window two days earlier.

Grove’s attorney, Hamilton, told *The News* that Rosemond didn’t escape the day the window was broken but had the opportunity to do so two days later because the window alarm wasn’t working. Hamilton said the alarm couldn’t be reset because the window hadn’t been fixed.

McCarroll speculated that her brother might have become agitated and walked away from the home if he wasn’t fed or hadn’t received his scheduled medications.

“Toxicology results were negative for all tested substances,” according to the Greenville County Coroner’s report.

Greenville County Coroner Parks Evans told *The News* that his office typically has a “blanket (test) panel that covers just about everything – aspirin, stuff like that.”

“Anything that could cause death, we check for,” he said, noting the tested substances include therapeutic drugs.

Grove defends himself

Just hours after Rosemond’s death, Mauldin police arrested Grove, then 55, on a charge of neglect of a vulnerable adult resulting in death, records show.

Under state law, willful abuse or neglect of a vulnerable adult resulting in death is a felony that carries a maximum 30-year prison sentence. The maximum sentence is 15 years for abuse or neglect cases involving great bodily injury.

“He’s classified as a vulnerable adult,” Mauldin Police Sgt. Ben Ford told Grove during a video-recorded interrogation viewed by *The News* under the state Freedom of Information Act. “It’s not intentional abuse. It’s neglect. It’s failure to take care of what you had to take care of, and he’s ended up dead.”

Ford, who supervises the detective unit, questioned Grove as to why he didn’t perform visual checks of Rosemond every 15 minutes that evening as Mentor required for Rosemond. Time logs filed by staff indicated Rosemond was in his bedroom at 6:30 p.m. and at 6:45 p.m. – “which is impossible because he was dead in the roadway at that time,”

according to a report by Ford.

Grove told Ford that after feeding Rosemond and the other two residents and giving them their medications around 5 p.m., Rosemond went to his bedroom and closed the door.

Grove, who told Ford he worked as a full-time state correctional officer, said he could hear Rosemond talking and playing a video game. He said he discovered Rosemond missing at 7 p.m. when he went to give him his scheduled medication, according to Ford’s report.

“I didn’t commit no crime,” Grove told Ford, adding later in the interview, “I didn’t mean any harm to the guy. I was always checking on him.”

Grove was indicted on the neglect charge in March 2013, but prosecutors dismissed the case in November 2013, court records show.

In a recent interview with *The News*, 13th Circuit Solicitor Walt Wilkins said he and other prosecutors in his office didn’t believe there was enough evidence to “prove beyond a reasonable doubt a reckless disregard for human life.”

“We all agreed that this did not rise to criminal liability of reckless disregard of Mr. Rosemond’s life,” Wilkins said.

Specifically, Wilkins explained, Grove’s statements to investigators that he assumed Rosemond was in his bedroom because he heard video games being played behind the closed bedroom door didn’t meet the reckless-disregard standard.

As for dismissing the case after obtaining an indictment, Wilkins said his office routinely pushes cases to the county grand jury for indictment, which is based on a probable-cause standard, to meet a statutory deadline.

Grove’s attorney, Hamilton, told *The News* that Grove lost his jobs with Mentor and the S.C. Department of Corrections after his arrest but was later reinstated to his prison position.

Butkus said Grove is no longer employed by Mentor.

“I felt like he (Grove) could have done more,” McCarroll said. “If he would have taken that 15 minutes to check, then 15 minutes could have been the difference between him (her brother) being here and him not being here.”

Cynthia Rosemond, who was represented by Charleston attorney Curtis Bostic, filed a wrongful death lawsuit against South Carolina Mentor and

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Grove, which was settled in June 2014 for \$750,000, Greenville County Circuit Court records show. Mentor in court papers denied the allegations.

Grove sued South Carolina Mentor on several grounds, including negligent hiring, retention or supervision of two Mentor workers named as defendants; and "intentional infliction of emotional distress/outrage," according to court documents.

Grove dropped the suit after the company settled the other case, Hamilton said.

McCarroll said her family paid to have a small memorial sign honoring her brother installed along Ashmore Bridge Road.

At the time of his death, she said, her brother was carrying his wallet containing \$7 in cash and a Christmas list of items to be purchased for his mother, McCarroll and her two teenage children.

JAMIE ROSEMOND TIMELINE

LATE 2006/EARLY 2007

ROSEMOND MOVES TO A SOUTH CAROLINA MENTOR GROUP HOME ON FLANDERS COURT IN MAULDIN.

NEW YEAR'S DAY, 2008

ROSEMOND WALKS AWAY FROM THE GROUP HOME; RETURNS UNHARMED.

MAY 10, 2010

ROSEMOND SUFFERS HEAD INJURY REQUIRING STITCHES

WHILE IN THE GROUP HOME.

AUG. 20, 2012

ROSEMOND LEAVES THE GROUP HOME THROUGH A WINDOW AND IS FOUND WALKING DOWN A NEARBY ROAD.

DEC. 15, 2012

ROSEMOND BREAKS OUT HIS BEDROOM WINDOW AT THE GROUP HOME BUT DOESN'T LEAVE.

DEC. 17, 2012, 6:25 P.M.

ROSEMOND DIES AFTER BEING STRUCK BY TWO MOTORISTS WHILE WALKING ON ASHMORE BRIDGE ROAD, ABOUT A HALF MILE FROM THE GROUP HOME. MENTOR LOGS INDICATE HE WAS IN HIS ROOM AT 6:30 P.M. AND 6:45 P.M.

DEC. 17, 2012, 7 P.M.

ROSEMOND'S MOTHER CALLS THE GROUP HOME ASKING TO SPEAK WITH HER SON BUT IS NOT ALLOWED TO BY THEN-MENTOR WORKER RODERICK CARLTON GROVE.

DEC. 17, 2012, 7:15 P.M.

ROSEMOND'S MOTHER CALLS THE GROUP HOME AGAIN BUT GETS THE SAME ANSWER

FROM GROVE.

DEC. 17, 2012, LATER

MAULDIN POLICE ARREST GROVE ON A CHARGE OF NEGLECT OF A VULNERABLE ADULT RESULTING IN DEATH IN CONNECTION WITH ROSEMOND'S DEATH.

JULY 2013

CYNTHIA ROSEMOND FILES A WRONGFUL DEATH LAWSUIT IN GREENVILLE COUNTY CIRCUIT COURT AGAINST SOUTH CAROLINA MENTOR AND GROVE.

NOVEMBER 2013

THE GREENVILLE COUNTY SOLICITOR'S OFFICE DISMISSES THE CRIMINAL CASE AGAINST GROVE.

JUNE 2014

CYNTHIA ROSEMOND SETTLES HER SUIT AGAINST MENTOR FOR \$750,000. GROVE SUES MENTOR BUT DROPS HIS SUIT AFTER THE ROSEMOND SUIT IS SETTLED.

SOURCES: MICHELLE MCCARROLL (ROSEMOND'S SISTER), MAULDIN POLICE REPORTS, GREENVILLE COUNTY CIRCUIT COURT RECORDS, ERNIE HAMILTON (ATTORNEY FOR RODERICK CARLTON GROVE).

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Investigators say group home's logs modified

■ Less than three weeks before Christmas 2013, Forrest Carlton was killed by a hit-and-run driver after wandering from the Charleston County group home where he lived.

A Charleston County Sheriff's Office report reviewed by *The Greenville News* said Mentor's time logs for four residents of the group home on Church Creek Drive had been "pre-filled out" to indicate that Carlton was home at

the time of the hit-and-run accident and afterward.

According to the report, investigators determined the logs were

See CARLTON, Page 7A

Carlton

Continued from Page 1A

modified later to reflect only three of the four residents were present at 3 a.m., 4 a.m., 5 a.m., 5:30 a.m. and 6 a.m. that day.

A female Mentor worker told deputies she discovered Carlton missing just before 3 a.m.

It wasn't the first time the 22-year-old left the home run by South Carolina Mentor, according to a lawsuit filed by Carlton's father.

The lawsuit contended that Mentor allowed him to "elope on numerous occasions, despite knowing that he was an elopement risk," according to court documents.

The Charleston County Sheriff's Office report said Carlton, who was severely autistic with an IQ "below 70," was "not supposed to have been outside his residence at the time he was fatally struck."

Carlton, according to the investigation report, was "supposed to have been visually checked by the staff member on duty at the residence every fifteen (15) minutes."

"All residents are required to be monitored regardless of level of care," according to Mentor's "accountability" time logs for Carlton, which were included with the sheriff's file reviewed by *The News*.

Except for dining and bathing, according to the Mentor logs, Carlton was to be "out of sight for only 15 min(utes)" when in the home, records show.

Lois Park Mole, spokeswoman for the S.C. Department of Disabilities and Special Needs (DDSN), told *The News* that the company's 15-minute check requirement is not a state regulation.

She said group home staff are "responsible for providing appropriate su-

pervision for people receiving services," and that each person's "accountability level may be different."

Stan Butkus, South Carolina Mentor's director, said in a written response to *The News* that company policy "does not specifically require 15-minute checks, but rather sets guidelines for determining the appropriate and specific level of supervision."

"Supervision requirements are determined based on the needs of each individual in consultation with his or her third-party case manager as part of the development of an individual service plan (ISP)," he said. "In general, a small percentage of the individuals we serve require visual supervision every 15 minutes during waking hours. Of those, it is a minority who also require the same level of supervision overnight."

Clad in his underwear and a shirt, Carlton was struck by a car that fled the scene on Ashley River Road near the home about 3 a.m. on Dec. 8, 2013, according to a police report. He was taken to the Medical University of South Carolina and died later that day of his injuries.

The Sheriff's Office drafted an arrest warrant for the Mentor worker but didn't process it after being advised by Charleston County prosecutors that investigators couldn't say with "100% certainty" that the employee did not "check in or care for the residents in her care to include Forrest Carlton," according to the sheriff's report.

"Do we have the green light to proceed with the charge 'Neglect to a Vulnerable Adult' or do we stand down?" Sheriff's Capt. Donald Martin, then-commander of the Criminal Investigations Division, wrote in an August 2014 email to Chief Deputy John Clark and sheriff's investigators.

"Looks like we stand down," Clark

responded. "I am told we don't have enough to charge."

In a written response to *The News*, 9th Circuit Solicitor Scarlett Wilson said the Sheriff's Office was "not able to produce evidence of negligence which resulted in Carlton's death."

In an email response, sheriff's spokesman Maj. Eric Watson said Detective Matt Downing "believed that he had probable cause to draft (an arrest warrant) affidavit for review."

"After a review of the case in its entirety by Detective Downing's entire chain of command, which is common in these types of cases, there were concerns about the case lacking sufficient probable cause to be bound over to General Sessions Court, and if bound over, the probability of the State receiving a conviction," Watson said.

Carlton's family did not respond to requests by *The News* for comment.

Carlton's father, Donald Carlton, brought a wrongful death lawsuit naming South Carolina Mentor, its parent company and others. Mentor, in court papers, denied the allegations.

Mentor settled the case in December 2014, according to an order by Circuit Judge R. Markley Dennis. The order did not detail terms of the settlement.

"All I can say is that the matter has been resolved," said Mt. Pleasant attorney Nathan Hughey, who is representing Carlton's family, when contacted by *The News*. Hughey said he was bound by a confidentiality agreement.

Butkus declined to comment on the suit. But he issued a prepared statement to *The News* about Carlton's death.

"Everyone at South Carolina Mentor was devastated by the unexpected death of an individual in our Charleston program in 2013 at the hands of an underage drunk driver," Butkus said in

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the statement. "South Carolina Mentor is committed to delivering high-quality services and continuously reviews our programming to ensure that we are meeting the needs of those entrusted to our care."

DDSN, which was named as a defendant in that suit, paid \$75,000 in losses and approximately \$32,000 in legal expenses through its liability insurer, the state Insurance Reserve Fund, records show.

FORREST CARLTON TIMELINE

DEC. 8, 2013, 3 A.M.

FORREST CARLTON IS FATALLY INJURED WHEN HE IS STRUCK BY A HIT-AND-RUN DRIVER AFTER WANDERING AWAY FROM HIS SOUTH CAROLINA MENTOR GROUP HOME ON CHURCH CREEK DRIVE IN CHARLESTON COUNTY. TIME

LOGS FOR FOUR RESIDENTS AT THE HOME WERE "PRE-FILLED OUT" INDICATING CARLTON WAS HOME AT THE TIME OF THE TRAFFIC ACCIDENT AND AFTERWARD, ACCORDING TO A POLICE REPORT.

FEB. 2014

CARLTON'S FATHER, DONALD CARLTON, FILES A WRONGFUL DEATH LAWSUIT IN CHARLESTON COUNTY CIRCUIT COURT AGAINST MENTOR, THE S.C. DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND OTHER DEFENDANTS.

MAY 2014

DONALD CARLTON FILES A WRONGFUL DEATH LAWSUIT IN CHARLESTON COUNTY CIRCUIT COURT AGAINST THE OWNERS

OF A BUFFALO WILD WINGS RESTAURANT ALLEGING ALCOHOL WAS SERVED TO THE UNDERAGE DRIVER CHARGED IN CARLTON'S DEATH.

DECEMBER 2014

THE LAWSUIT AGAINST MENTOR IS SETTLED FOR AN UNDISCLOSED AMOUNT. DDSN PAYS \$75,000 IN LOSSES AND NEARLY \$32,000 IN LEGAL EXPENSES TO SETTLE CLAIMS AGAINST THE AGENCY.

APRIL 2016

THE BUFFALO WILD WINGS LAWSUIT IS SETTLED FOR AN UNDISCLOSED AMOUNT.

SOURCES: CHARLESTON COUNTY SHERIFF'S REPORTS, CHARLESTON COUNTY CIRCUIT COURT RECORDS, STATE INSURANCE RESERVE FUND RECORDS.

Final years of Noland's life marked by pain

■ The death of Charles William Noland last year marked the end of a long road of abuse allegations and hospitalizations for the severely autistic 23-year-old who lived the final years of his life in a

Charleston County group home. Little has been publicly revealed about the circumstances of the life of Noland, whose parents live in Taylors.

Even the cause of his death remained shrouded in mystery for

seven months after he died in the intensive care unit of Bon Secours St. Francis Hospital in Charleston, where records show he was

See NOLAND, Page 6A

Noland

Continued from Page 1A

rushed after he choked on a snack of crackers and water at the South Carolina Mentor group home where he lived.

About a week before he died, Noland was hospitalized for three days with pneumonia. He died Sept. 5, 2015, of "acute bronchopneumonia," according to a report by Charleston County Deputy Coroner Dottie Lindsay. The Coroner's Office released the report on April 8 af-

ter two S.C. Freedom of Information Act requests by *The Greenville News*.

Bronchopneumonia is a type of pneumonia, affecting both lungs and the bronchi. It can be mild or severe, according to online medical information.

Lindsay listed the manner of death as "natural," though questions remain over whether Noland should have been given the crackers following his recent bout with pneumonia.

Deborah McPherson of Columbia, a

former state Department of Disabilities and Special Needs commissioner, publicly raised questions about Noland's death at a DDSN Commission meeting in March, three weeks before the coroner's report was released.

"I was told by a reliable source that upon discharge from the hospital after his initial hospitalization for pneumonia, the consumer was fed peanut butter on a cracker by the Mentor staff, which caused choking, and he later died,"

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McPherson told the commission during a public meeting.

"More than likely, this individual's death will be ruled as from natural causes, pneumonia," McPherson said at the meeting. "What were the other contributing factors? Could the death of this 23-year-old been prevented with appropriate care?"

In a prepared statement to *The News*, Gov. Nikki Haley's office said it had "a series of meetings and phone calls with DDSN Commissioners, executive management, and law enforcement regarding the death of Charles Noland at the SC Mentor home in Charleston."

"We have been briefed on efforts by

DDSN to ensure the quality of SC Mentor homes generally and specific to the Charleston home where Mr. Noland lived," the Governor's Office said.

In a written statement to *The News*, Stan Butkus, director of South Carolina Mentor, said Noland's "passing was determined to be due to natural causes."

"We are limited in what we can comment on due to privacy and confidentiality," he said.

The State Law Enforcement Division investigated Noland's death. No charges have come of it. Agency spokesman Thom Berry said the matter is now closed. Berry declined to discuss specifics of SLED's investigation, citing a state

law that keeps secret the records of the Vulnerable Adult Investigations Unit.

Berry said SLED referred three non-fatal reports involving Noland – two of which were for alleged neglect or the "Standard of Care" violation – to the state Long-Term Care Ombudsman Program in 2012, 2013 and 2015. He said two additional reports of alleged physical abuse of Noland in 2015 were referred to the Charleston County Sheriff's Office. He did not provide details.

Mark Plowden, chief of staff for Lt. Gov. Henry McMaster, who oversees the ombudsman program, told *The News* he

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Noland

Continued from Page 6A

is banned under federal law from publicly discussing specifics on referrals to the program.

A March 2012 ombudsman's report obtained by *The News* detailed eight areas of concern involving Noland, who was living then at the Chancellory Lane group home operated by Carolina Autism Supported Living Services (CASLS). Mentor acquired the assets of Carolina Autism in November 2012, according to company records.

One of the complaints said Noland, then a special education student at West Ashley High School, "repeatedly arrives at school with swelling and bruising on his body." School records showed he had "11 documented and photographed incidents of injuries of an unknown origin this school year alone," according to the report.

CASLS staff said they were instructed by their supervisors to remove Noland's clothing from his bedroom and place it in a locked cabinet in a garage "due to him constantly changing clothes," according to the report by Brandy Paige, an investigator in the Ombudsman's Office. The staff said other residents would physically attack Noland when he "steals their clothes and wears them," the report said.

The report concluded that the group home staff "violated Mr. Noland's right to own and possess personal property," adding he was "not causing hurt, harm or danger to himself, other consumers or staff by changing clothes multiple times a day."

In February 2015, the Charleston County Sheriff's Office investigated a re-

ferral of a complaint from SLED's Vulnerable Adult Investigations Unit that Noland and another adult resident of the Chancellory Lane group home had been physically abused, according to a sheriff's report.

No charges were filed in that case. Three Mentor workers said Noland and the other alleged male victim are "self-abusers and have a documented history of inflicting injury on themselves," the sheriff's report said.

"Without the aid of security cameras at the facility, no witnesses of the alleged violation(s), and two victims that are non-verbal but also have a history of self-abuse, I am unable to confirm at this time that any criminal act has occurred," Deputy Timothy McCauley said in the report.

In May of last year – about four months before Noland's death – the Sheriff's Office investigated another incident at the Chancellory Lane home in which Noland was hospitalized. Noland was brought to Bon Secours St. Francis Hospital in Charleston with "severe bruising and swelling in the lower torso, groin and scrotal areas," according to a sheriff's report.

A hospital case manager told police she believed Noland was "being abused" at the home, the report said.

A sexual assault exam was performed at the hospital, though the report didn't specify the test results. The report noted that when deputies tried to obtain Noland's underwear as evidence, a Mentor worker said the garments already had been washed.

No charges were filed in that case. In a recent written response to *The News*, 9th Circuit Solicitor Scarlett Wilson said the

matter is "a question for law enforcement."

"To my knowledge, this case has not been reviewed by my office," Wilson said.

Charleston County Coroner Rae Wooten said in an email to *The News* that her office was "aware of the May 2015 incident" and "considered that incident in our investigation."

About a week before his death, Noland was admitted to Bon Secours St. Francis Hospital in Charleston with pneumonia and discharged three days later with a scheduled follow-up visit with his primary-care doctor in a week, according to Deputy Coroner Lindsay's report, citing an interview with his caregiver at the group home.

"According to the caregiver, Mr. Noland seemed to be doing well," the report said.

On the day of his death, the caregiver said Noland began to choke and cough after being given a snack of crackers and some water at the Chancellory Lane home. He was brought to the Bon Secours St. Francis Hospital emergency room about 11 a.m. after becoming unresponsive and died about 6 p.m. in the intensive care unit "where he was considered brain-dead," according to the report.

The choking incident was not listed as a contributing factor in the death, and the report made no mention of toxicology results or any prior incidents of alleged physical abuse.

Wooten told *The News* that her office was "unable to demonstrate that the reported choking incident contributed to Mr. Noland's death," and that toxicology results show that medications "prescribed for Mr. Noland were present."

Title: **3 YOUNG LIVES CUT TOO SHORT**

Author: PROFILES BY RICK BRUNDRETT RBRUNDRETT@GREENVILLENEWS.COM

Size: 425.78 column inches

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Mt. Pleasant attorney Nathan Hughey, the lawyer for Noland's family, declined to say whether Noland's family was planning legal action. No lawsuit has been filed, court records show.

Hughey, interviewed by *The News* the day the coroner's report was released, said he was baffled by the coroner's findings. "That's how my experts feel about it – it's baffling," Hughey said in April.

Noland's father, Doug Noland, declined comment when contacted by *The News*. He referred questions to Hughey.

Luis Riquelme, chairman of the American Board of Swallowing and Swallowing Disorders and an associate professor at New York Medical College, said it's possible that Noland's diet following his hospitalization for pneumonia might have allowed crackers, noting other factors could have contributed to his choking.

"Sometimes adults with intellectual disabilities will eat too fast or put too much food in their mouth, so it puts them at risk for choking," he said.

Said Butkus, "We continue to mourn his loss and again express our deepest sympathies to his family and those who loved him."

CHARLES NOLAND TIMELINE

MARCH 2012

AN OMBUDSMAN INVESTIGATOR IN THE S.C. LT. GOVERNOR'S OFFICE REPORTS THAT NOLAND, THEN A SPECIAL EDUCATION STUDENT AT WEST

ASHLEY HIGH SCHOOL, "REPEATEDLY ARRIVES AT SCHOOL WITH SWELLING AND BRUISING ON HIS BODY." NOLAND WAS LIVING THEN IN A CHARLESTON COUNTY GROUP HOME OPERATED BY CAROLINA AUTISM SUPPORTED LIVING SERVICES.

FEBRUARY 2015

CHARLESTON COUNTY SHERIFF'S OFFICE INVESTIGATES A REPORT THAT NOLAND AND ANOTHER MALE RESIDENT AT A SOUTH CAROLINA MENTOR GROUP HOME ON CHANCELLORY LANE WERE PHYSICALLY ABUSED. NO ARRESTS ARE MADE.

MAY 2015

NOLAND IS ADMITTED TO BON SECOURS ST. FRANCIS HOSPITAL IN CHARLESTON WITH SEVERE BRUISING AND SWELLING TO HIS LOWER TORSO. CHARLESTON COUNTY SHERIFF'S DEPUTIES INVESTIGATE THE CASE. NO ARRESTS ARE MADE.

AUG. 28, 2015

NOLAND IS ADMITTED TO BON

SECOURS ST. FRANCIS FOR CONGESTION; DIAGNOSED AS PNEUMONIA. HE IS RELEASED FROM THE HOSPITAL ON AUG. 31 AND RETURNED TO THE MENTOR GROUP HOME ON CHANCELLORY LANE.

SEPT. 5, 2015, 10:50 A.M.

NOLAND IS RUSHED TO BON SECOURS ST. FRANCIS AFTER CHOKING ON SOME CRACKERS AT THE GROUP HOME AND BECOMING UNRESPONSIVE. HE IS DETERMINED TO BE BRAIN-DEAD AT 5:58 P.M. THAT DAY.

APRIL 8, 2016

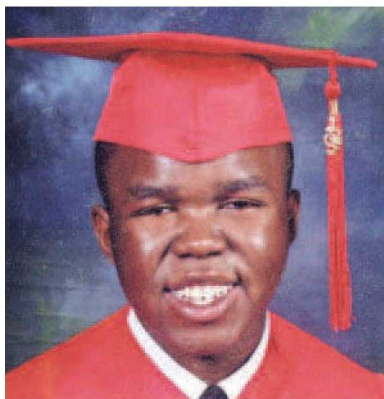
AFTER TWO S.C. FREEDOM OF INFORMATION ACT REQUESTS, CHARLESTON COUNTY CORONER'S OFFICE RELEASES A CORONER'S REPORT ON NOLAND TO THE GREENVILLE NEWS. THE CAUSE OF DEATH IS RULED AS "ACUTE BRONCHOPNEUMONIA." THE CHOKING INCIDENT ISN'T LISTED AS A CONTRIBUTING FACTOR.

SOURCES: LT. GOVERNOR'S OFFICE OMBUDSMAN REPORT, CHARLESTON COUNTY SHERIFF'S OFFICE REPORTS, CHARLESTON COUNTY CORONER'S OFFICE REPORT.

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JAMIE ROSEMOND

ROSEMOND FAMILY PHOTO

FORREST CARLTON

ABCNEWS 4

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CHARLES NOLAND

NOLAND FAMILY PHOTO

EXCLUSIVE INVESTIGATIVE REPORT

LAUREN PETRACCA/STAFF

Michelle McCarroll flips through a photo album and looks at pictures of her brother, Jamie Rosemond, in her home earlier this year.