



KERSHAW COUNTY SHERIFF'S OFFICE

Sheriff Jim Matthews 821 Ridgeway Road, Lugoff S.C. 29078

The Honorable Nikki Haley, Governor
The State of South Carolina

July 6, 2016

Dear Governor Haley,

On June 12, 1982 Phillip Ansel Brown shot and killed Thomas Edward Campbell who was 72 at time of the crime. Mr. Campbell owned Campbell's grocery store located on US1 in Elgin. Mr. Campbell was retired and on the night of the crime he was at the store and returned home. Myra Jackson, Dale Brown and Phillip Brown were waiting for him inside the home. They had removed his guns, cut his phone line and had been looking for valuables and money.

As Mr. Campbell entered his home through the garage door, Phillip Brown struck him in the face with a blunt object. Mr. Campbell fought back, but Phillip Brown shot him twice. Phillip Brown left the premises and returned to his home which was located nearby. Brown realized that he had forgotten his glasses in Mr. Campbell's home and returned to scene of the crime. He kicked in the front door and found that Mr. Campbell was still alive. Mr. Brown then shot Mr. Campbell for the third time, killing him.

Two days later Brown's co-defendants turned themselves in and a day later Brown was arrested at his father's home.

The Campbell family agreed not to seek the death penalty and did not oppose a guilty plea with the assurance by the presiding judge, that Phillip Brown would never be released from prison. Brown was sentenced to be confined "in the custody of the Board of Corrections of the State of South Carolina for a period of his natural life....." two counts

Kershaw County Sheriff's Office
821 Ridgeway Road
PO Box 70
Lugoff, SC 29078
(803) 425-1512 phone / (803) 425-6021 fax

to run consecutive for the murder and 25 years for the armed robbery to run concurrent. Life without parole was not in the law at that time.

In November 1983, Phillip Brown escaped from the Kirkland Correctional Institute and was captured four days later. Relative to that escape he was charged with 2 counts of unauthorized use of a motor vehicle, vehicle theft and escape for which he was given an additional sentence of 32 years.

In 2010 the Campbell family heard rumors that Phillip Brown was to be released from prison. Up to that time they had not once been notified of any parole hearings, nor had the Kershaw County Sheriff's Office. Vivian Gardner, Mr. Campbell's daughter, contacted then Governor Mark Sanford about this situation. Governor Sanford contacted Allen Gardner with the "parole board" who helped the Campbell family and attempted to determine why the Campbell family had never been notified that Phillip Brown was to be released.

Today Vivian Gardner, the family's spokesperson, is 80 years old. Vivian's husband, Harvey Gardner, is 86, but last year during the parole hearing he had a medical event and is now no longer able to attend these hearings. Vivian's brother, Thomas Campbell lives in Aiken, is 84 and it is increasingly difficult for him to attend the parole hearing. Vivian's sister in law, Hazel Campbell, is 82. She struggles to attend due to her age and accompanying health issues. Two of Vivian's brothers who initially attended parole hearings after 2010 have since passed away.

My question to you Governor Haley is, why after a judge sentenced Phillip Brown to be confined "for the period of his natural life" to be served consecutively with another life sentence and he has received additional time relative to his escape, do these good people have to re-live this horrible event every year. They get no relief. As they advance in age and pass away, the fear is that there will be no one left to be advocates for the Campbell family.

Vivian Gardner has told me that as long as she has the strength, she will attend these parole hearings. I have promised her that as long as I am

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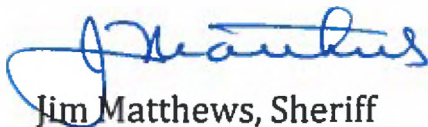
Sheriff of Kershaw County, I will also attend and oppose Phillip Campbell's release.

What does confinement for a period of your natural life mean? Two consecutive life sentences for murder, 25 years for armed robbery plus 32 years should be a guarantee that Phillip Brown would never be released. Something is wrong with our parole system when a man with Phillip Brown's record and life sentences is considered every year for a release. To add insult to injury, Thomas Campbell's family is forced to travel long distances to attend Phillip Brown's annual parole hearing to voice their opposition to his release.

I have attended every one of these parole hearings for Phillip Brown over the past 5 years. Another one is coming up on July 20, 2016 and the word is that Brown's attorney is pulling out all stops to gain his release. I have personally seen the strain this places on this family repeatedly as they have to re-live this event at each parole hearing. This is wrong and should not be allowed to go on indefinitely. This is not justice.

If there is anything in your power that you can do to address this situation, I know that the Campbell family would be eternally grateful, as would I. I have included copies of several documents that you might find useful in your consideration of this matter. And, thank you for taking the time in your busy schedule to read this letter.

Sincerely,



Jim Matthews, Sheriff
Kershaw County Sheriff's Office

Kershaw County Sheriff's Office
821 Ridgeway Road
PO Box 70
Lugoff, SC 29078
(803) 425-1512 phone / (803) 425-6021 fax

3881
3882
3880

82-28-153

The Prisoner, Phillip Ansel Brown
is put to the bar and arraigned and up
arraignment pleads Guilty as charged to
ATTEST: and [signature]

John R. Tipton Phillip An
Clerk of Court
6-23-83

Witnesses

Windell Rabon, Jr.
Kershaw Co. Sheriff's Dept.

The State of South Carolina

County of KERSHAW

COURT OF GENERAL SESSIONS

AUGUST Term, 19 82

THE STATE

VS.

DALE BROWN mw 7/6/60
251-15-5770

PHILLIP ANSEL BROWN

MYRA JACKSON FW 5/12/60
249-31-1788

INDICTMENT FOR

Accessory To Felony (Before the Fact-16-1-40)
(After the Fact -17-25-20)

MURDER - 16-3-20
ARMED ROBBERY - 16-11-330
BURGLARY - 16-11-310

True bill

Henry C. Thomas
Foreman of Grand Jury

Foreman

McCAW PRINTERS.

COLUMBIA, S. C. 29205

The sentence of
prisoner, Phillip O
shall be confined in the
Corrections of the State
period of his Nat
and the Board of Correct
place of confinement whe
be served.

Count urges
of psychical
for the Def.

Presiding

Columbia, S. C.

June 23

State: Andrew Greer
Def: G. Fairley^(A), S. Parise^(R) & J. Ehr
Rep: Dee Platt

Verdict

711720 167, 167, 116
628246; A 711721 139. 039

82-28-153

The State of South Carolina

County of KERSHAW

COURT OF GENERAL SESSIONS

AUGUST Term, 19 82

THE STATE

VS.

DALE BROWN mw 7/6/60
251-15-5770

PHILLIP ANSEL BROWN FW 5/12/60

MYRA JACKSON 249-31-1788

Charged Name to R. Howard
11-15-82

INDICTMENT FOR

Accessory To Felony (Before the Fact-16-1-40)
(After the Fact -17-25-20)

MURDER - 16-3-20
ARMED ROBBERY - 16-11-330
BURGLARY - 16-11-310

True bill

Henry C. Thorne
Foreman of Grand Jury

McCAW PRINTERS.

COLUMBIA, S. C. 29205

The Prisoner, Phillip Ansel Brown
is put to the bar and arraigned and upon his
arraignment pleads Guilty as charged to Murder, Armed Robbery
ATTEST: and Burglary

John R. Taylor Phillip Ansel Brown
Clerk of Court
6-23-83

As to Murder
The sentence of the Court is that the
prisoner, Phillip Ansel Brown
shall be confined in the custody of the Board of
Corrections of the State of South Carolina for a
period of his natural life
and the Board of Corrections shall designate a
place of confinement where this sentence shall
be served.

Can't ever consider
of psychiatric counsel
for the Defendant.

John R. Taylor
Presiding Judge
Columbia, S. C.

June 23, 1983

A TRUE COPY
John R. Taylor
C. C. P. & G. B.

State: Andrew Grace
Def: G. Fairley, S. Parise & J. Charleston
Rep: Dee Platt

I FIND THAT THE IMPOSITION OF THE
ASSESSMENT FOR THE COMMUNITY COR-
RECTIONS PROGRAM WILL PLACE SEVERE
FINANCIAL BURDEN ON DEFENDANT OR
HIS FAMILY.

JVR
PRESIDING JUDGE

Witnesses

The State of South Carolina

County of _____

COURT OF GENERAL SESSIONS

Term, 19____

THE STATE

VS.

Verdict

INDICTMENT FOR

Burglary and Larceny

Foreman

James Bell

Henry C. Thomas
Foreman of Grand Jury

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The sentence of the C
prisoner, Phillip Arce
shall be confined in the custody
Corrections of the State of South
period of his natural
and the Board of Corrections sh
place of confinement where this
be served.

Sentence to be
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Sentence of for


Presiding Judge

Columbia, S. C.

June 23, 1983

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FINANCIA
HIS FAMI

PRESIDIN

ie State of South Carolina

nty of _____

COURT OF GENERAL SESSIONS

_____Term, 19____

THE STATE

VS.

INDICTMENT FOR

Burglary and Larceny

James Bell

Henry C. Thomas
Foreman of Grand Jury

Cost to Burlington

The sentence of the Court is that the
prisoner, *Phillip Angel Brown*
shall be confined in the custody of the Board of
Corrections of the State of South Carolina for a
period of *his natural life*
and the Board of Corrections shall designate a
place of confinement where this sentence shall
be served.

Sentence to run
consecutive to the
sentence of for Murder.

[Signature]
Presiding Judge

Columbia, S. C.

June 23, 19*83*

TESTED
A TRUE COPY
[Signature]
C. C. P. & G.

I FIND THAT THE IMPOSITION OF THE
ASSESSMENT FOR THE COMMUNITY COR-
RECTIONS PROGRAM WILL PLACE SEVERE
FINANCIAL HARDSHIP ON DEFENDANT OR
HIS FAMILY.

[Signature]
PRESIDING JUDGE

Witnesses

The State of South Carolina

County of _____

COURT OF GENERAL SESSIONS

Term, 19__

THE STATE

VS.

INDICTMENT FOR

Armed Robbery,

Robbery and Grand Larceny

John H. H.

Henry C. Thomas

Foreman of Grand Jury

McCAW PRINTERS, 2610 DEVINE ST., COLUMBIA, S. C. 29205

Verdict

Foreman

As to Armed Robbe
The sentence of the Court is that 11
prisoner, *Phillip Ansel Brown*
shall be confined in the custody of the Board
Corrections of the State of South Carolina for
period of *25 years*
and the Board of Corrections shall designate
place of confinement where this sentence sha.
be served.

*sentence to run
concurrent*

[Signature]
Presiding Judge

Columbia, S. C.

June 23, 19*33*

I FIND
AGREES
SECTION
FINANC
HIS FA

PRESIDI

The State of South Carolina

County of _____

COURT OF GENERAL SESSIONS

Term, 19____

THE STATE

VS.

INDICTMENT FOR

Armed Robbery,
Robbery and Grand Larceny

James Bell

Henry C. Thomas

Foreman of Grand Jury

SCAW PRINTERS, 2610 DEVINE ST., COLUMBIA, S. C. 29205

As to Armed Robbery

The sentence of the Court is that the
prisoner, Phillip Ansel Brown
shall be confined in the custody of the Board of
Corrections of the State of South Carolina for a

period of 25 years
and the Board of Corrections shall designate a
place of confinement where this sentence shall
be served.

Sentence to run
concurrent

[Signature]
Presiding Judge

Columbia, S. C.

June 23, 1933

TESTED
& TRUE COPY
[Signature]
S. C. C. P. & G. S.

I FIND THAT THE IMPOSITION OF THE
ASSESSMENT FOR THE COMMUNITY COR-
RECTIONS PROGRAM WILL PLACE SEVERE
FINANCIAL HARDSHIP ON DEFENDANT OR
HIS FAMILY.

[Signature]
PRESIDING JUDGE

July, 22, 2010

Mr. Allen Gardner

Ref: Phillip Brown
SCDC # 00118100

Dear Mr. Gardner,

We are three (3) of the surviving children of Thomas Edward Campbell who was brutally murdered on June 12, 1982.

Our request has been and still is, that we are asking that the Parole Board rescind their decision to release the above inmate from prison, or allow this family to be heard before the Parole Board. (Per our attorney, Robert J. Sheheen)

Mr. Campbell's children have never been contacted about any parole hearings that have been held.

We learned about Brown's possible release through a "community grapevine" source. We were never notified.

We have been told that we were never put on a list to be notified. That was not our responsibility. We feel your system failed us.

When Brown escaped from prison, we were notified. But, we have never been notified of any Parole hearings.

Our Family was told by the Solicitor and the Judge when we agreed to let him plead guilty, he would never get out of prison.

He received:

- 2 Consecutive Life Sentences
- 25 Years - Armed Robbery
- 2 Years - Escape
- (* See Attached)

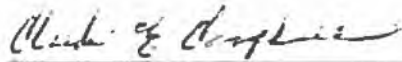
We had no reason to check on Brown ever being released from prison.

Brown's 2 consecutive life sentences were to be served for his natural life. What is your natural life?

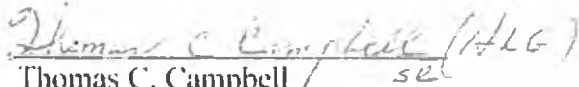
We would love to have the same opportunity that Brown has had for the last 10 years. We are victims of your system.

Our family will never recover from the murder of our Father.

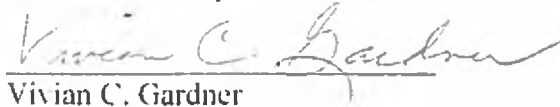
The Campbell family feels that they should be granted the opportunity to speak before the Parole Board as well as Brown was allowed.



Claude E. Campbell



Thomas C. Campbell



Vivian C. Gardner

Attachments to: Allen Gardner
Karen Walto

Cc: Karen Walto
Governor Mark Sanford
Robert J. Sheheen
Steve McCaskill

The State of South Carolina

W. Barney Giese
Solicitor

SOLICITOR
Fifth Judicial Circuit
Post Office Box 192
1701 Main Street
Columbia, South Carolina 29202

Phone
(803) 576-1800

Fax (803) 576-1718

John P. Meadors
Deputy Solicitor

August 30, 2010

Director Samuel B. Glover
SC Department of Probation, Pardon, and Parole Services
2221 Devine Street, Suite 600
P. O. Box 50666
Columbia, South Carolina 29250

Re: Phillip Ansel Brown (SCDC #: 00118100)

Dear Director Glover,

I have received your letter regarding the parole hearing for Brown on September 8 and would like to thank you and your staff for the time and effort spent ensuring Ed Campbell's family will be heard. I and/or another of my Assistant Solicitors will attend Brown's hearing to oppose his release.

After reviewing your letter and attachments, and after a conversation with Vivian Gardner (the spokesperson for Campbell's family), there is an issue I would like to address prior to Brown's parole hearing. In 1983 Brown received a life sentence for Murder, a life sentence for Burglary to run consecutive to the murder sentence, a 25 year concurrent sentence for Armed Robbery, and two consecutive years for Escape. However, based on the letter I received and a conversation I am told Ms. Gardner had with a member of your office, it appears Brown's life sentences are being treated as running concurrently rather than consecutively.

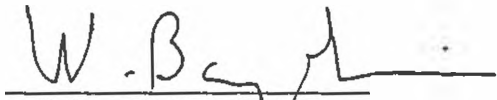
In 1982, a defendant receiving a life sentence was eligible for parole after 17.5 years. In Brown's case, adding the two consecutive years for Escape to one life sentence (or two concurrent life sentences) brings the total years before parole eligibility to 19.5. Brown began receiving parole hearings in 2001, approximately 19.5 years after he murdered Ed Campbell. While I cannot claim to be an expert on the vagaries of parole eligibility in South Carolina, it appears to me that Brown should not be considered eligible for parole based on his two consecutive life sentences. If, however, Brown receives a parole hearing for his murder charge and is paroled, I believe he is required to serve the second life sentence before being released.

Attached you will find a certified copy from the Kershaw County Clerk of Court of the sentencing documents relating to Brown's 1983 conviction.

I am confident the Parole Board will do what is in the best interest of the State of South Carolina in this case. I look forward to appearing at this hearing, if necessary.

Thank you again for the time already dedicated to this matter.

With Regards, I am,



Solicitor W. Barney Glese
Fifth Judicial Circuit of South Carolina

CC: Vivian Gardner, Chairman Karen Walto, Director Jon Ozmint

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

2221 Devine Street, Suite 300
Post Office Box 50666
Columbia, South Carolina 29250
Telephone: (803) 734-9367
Fax: (803) 734-8822
www.dppps.sc.gov

Convictions For: Brown, Phillip Ansel

SCDC#: 00118100

SID#: 00107517

The following chart shows the offenses for which the inmate is serving time. The column labeled "V" reflects whether the offense is, by statute, violent or non violent. The column labeled "Indictment" reflects the indictment number on which the inmate was convicted. The convictions are listed next with the date the sentence will be completed, labeled "Max Out".

<u>Sentenced/Time</u>								
V	Date	Yrs	Mos	Day	County	Indictment	Current Convictions Offense	Max Out
N	6/15/1982	999	99	999	RICHLAND	82GS280153	Burglary (Committed before	NONE
N	2/9/1984	20	0	0	RICHLAND	84GS400179	HB & GL, dwelling in daytim	NONE
N	2/9/1984	2	0	0	RICHLAND	84GS400179	Escape, recapture in state	NONE
Y	6/15/1982	999	99	999	RICHLAND	82GS280153	Murder	NONE
Y	6/15/1982	25	0	0	RICHLAND	82GS28153	ARMED ROBBERY	2/16/1997
Y	2/9/1984	10	0	0	RICHLAND	84GS40179	UNAUTHORIZED USE-VEHICLE	10/9/1989
Y	2/9/1984	10	0	0	RICHLAND	84GS40179	UNAUTHORIZED USE-VEHICLE	10/9/1989
Y	2/9/1984	10	0	0	RICHLAND	84GS40179	VEHICLE THEFT	10/9/1989

7/20/2016



ALAN WILSON
ATTORNEY GENERAL

December 3, 2015

Ms. Vivian Gardner
P. O. Box 246
Elgin, SC 29045

Re: Post-Conviction Relief Appeal
Phillip Ansel Brown SCDC Number: 118100

Dear Ms. Gardner:

The Office of the South Carolina Attorney General, Victim Services Division, notifies victims of crime when an offender files for an appeal and when the Court makes a decision in the case. Our Office previously sent you notification regarding a Post-Conviction Relief (PCR) appeal filed by the above offender. I am pleased to advise the offender has lost this appeal.

The South Carolina Supreme Court denied the offender's petition to appeal the Post-Conviction Relief decision, otherwise known as the Petition for Writ of Certiorari. This decision means the June 23, 1983 murder, burglary and armed robbery convictions are upheld and the sentence ordered stands.

Please remember to keep your address and telephone information updated with our Office (800) 213-5652, the Department of Corrections (800) 835-0304, and if applicable, the Department of Probation, Parole and Pardon Services (888)551-4118. This information is used to notify you of the inmate's status.

If you have any questions or concerns regarding this appeal, please call our Office toll-free at (800) 213-5652.

Sincerely,

Marie Higgins
Victim Services Coordinator

MH mh

The State of South Carolina

W. Barney Giese
Solicitor

SOLICITOR
Fifth Judicial Circuit
Post Office Box 192
1701 Main Street
Columbia, South Carolina 29202

Phone
(803) 576-1800

John P. Meadors
Deputy Solicitor

Fax (803) 576-1718

July 2, 2010

VIA HAND DELIVERY ONLY

Director Samuel B. Glover
SC Department of Probation, Pardon, and Parole Services
2221 Devine Street
Columbia, South Carolina
803-734-9220

Re: Phillip Ansel Brown (SCDC #: 00118100)

Dear Director Glover,

I am writing to you after speaking with one of my constituents, Vivian Gardner, regarding the impending parole of Phillip Ansel Brown. I am writing with the hope that Ms. Gardner and her family will not be victimized by the system the way Vivian's father was victimized by Brown and his accomplices.

In 1982, Solicitor Jim Anders and I filed for the Death Penalty against Brown for the brutal murder, armed robbery, and burglary of Mr. Edward Campbell. At the time, it was considered by some to be one of the worst cases in Kershaw County history. On the eve of trial, a plea was reached between the State and defense counsel, W. Gaston Fairey, and Phillip Brown pled guilty to the charges of Murder, Armed Robbery, and Burglary. On June 23, 1983, the Honorable Walter T. Cox sentenced Brown to two consecutive life sentences for the charges of Murder and Burglary, and to a concurrent 25 years for Armed Robbery. According to Ms. Gardner, Judge Cox spoke directly to Ed Campbell's family and stated, "this man will die in prison."

In 1983, Brown was able to escape from prison and elude capture for approximately four days. Mr. Campbell's next of kin was contacted, and the family was given 24-hour a day protection during Brown's flight from justice. Upon capture and conviction, Brown was sentenced to two additional years, to run consecutive to the aforementioned sentence.

It now appears Brown was conditionally approved for parole at his last parole hearing, to begin in approximately four to six months. Mr. Campbell's family has never been contacted by anyone from the SC Department of Corrections or from the SC Department of Probation, Pardon, and Parole Services regarding their right to be present at any of his hearings. Vivian Gardner and her family learned of the impending release of their father's murderer "through the grape vine."

In Vivian's attempt to give her family a voice, she has been told by Victim's Services of Probation, Pardon, and Parole that Mr. Campbell's family's contact information was never forwarded by my office, or any other department. In the face of questions as to how and why the family was able to be contacted in 1983 but not in 2010, Vivian was told, in fact, an attempt was made to contact the next of kin notified in 1983 but that the next of kin moved without giving Probation, Pardon, and Parole the new address. Ms. Gardner emphatically states NO ONE in her family has moved since 1983. She further says that only one member of the family has died in that time, but that the deceased's widow still resides in their marital home. To date, the only notification they have received or been told they will receive is in the form of a certificate of release from the Department of Corrections.

On May 17, 2010, Mr. Campbell's family's attorney, former Speaker of the House, Robert J. Sheheen, wrote to Carol Woodard to ascertain why Mr. Campbell's family was denied an opportunity to be heard and seeking remedy for this horrible error (*see attached*). He asked the Board to reconsider their decision and grant the family an opportunity to be heard. His efforts were rebuked, as Speaker Sheheen was told the case had been "reconsidered" and the decision to grant conditional parole "reaffirmed." This reconsideration and reaffirmation was done, again, without notifying Vivian or her family.


On Monday, June 28, my office was contacted by James Irby, Director of Victim Services in the Governor's Office. After speaking with Ms. Gardner, and before calling my Office, Mr. Irby placed Vivian on the Governor's calendar for an in-person meeting with Governor Sanford. Additionally, Mr. Irby indicated that during his investigation of this situation he was given both versions, mentioned above, as to why the family received no notifications. He was told there had never been a reconsideration given this case by the Board, nor would there ever be.

The lengthy background I have outlined in this letter is a preface to asking two simple requests of you. The first request is to grant another parole hearing for Phillip Brown, one in which the family of the man Brown so savagely attacked is allowed to speak for their lost loved one. In short, they know that their presence and words would have little, if any, change in the Board's decision. But that is not a legitimate reason to foreclose their efforts. Brown's release without any further consideration given to Mr. Campbell's family is wrong.

My second request is before you reach any decision in this matter. I, along with Speaker Sheheen, would like to meet with you to discuss Phillip Brown and the family of Mr. Brown, in person.

Thank you in advance for your time and consideration in this matter.

With Regards, I am,

A handwritten signature in dark ink, appearing to read 'W. B. Giese', with a stylized flourish at the end.

Solicitor W. Barney Giese
Fifth Judicial Circuit of South Carolina

Cc: Vivian Gardner, Robert J. Sheheen