

Hello Nikki,

9.22.15

Our people... your people... need your help. We have a hopeless situation and our people are suffering under the heavy burdens that are being put upon them.

My name is William Vana and I live in Fort Mill SC in York County. I have experienced our legal and judicial system in York County Family Court for almost 3 years now and I can no longer sit back and watch our people and state sink into a further state of darkness. I only get to live one life on this earth and I will not live it with regrets. I am speaking up now, *not just complaining, but offering a solution to a big problem that is rooted at the core of our social crisis of the day.*

Here is my story, about 3 years ago my wife left our marriage, moved out of our home and began living in Fort Mill, SC. I soon sold our house that we had in a nice community just north of Charlotte near the Concord Mills Mall to also live in Fort Mill, closer to her and our 2 young boys. In October of 2012 my wife took me into family court for the first time for child support during our separation. I was ordered to pay about \$1100 a month for our 2 boys plus \$500 in alimony plus 5% court fee for a total of about \$1700; a figure based upon an income I wasn't even making at the time. Of course I was unable to make the full payments and quickly fell behind. I have been back to court a number of times since then, being sentenced to prison twice, the most recent one a few weeks ago. I waited a few weeks since I was released to write to you because I didn't want this to come from "negative emotions", but from my heart. I care about our people Nikki, I really do, and I want to be part of a solution that will change the course of our state, our people, and their families.

I will keep my personal story brief, but share enough for you to see and understand what I am referring to.

In July of 2013 I went to family court because I was behind on my child support. I had always made regular payments but was falling behind because I was underemployed AND ordered to pay on income I was not even making at that time; I had made a job change in an effort to save my marriage and family and that didn't work out causing a domino effect of financial problems. When I went to court I was told I was one of the very first cases that was being heard by a new judge in the court system by the name of "Creech". Well, it wasn't going to be a good day for me. I was sentenced to 1 year in York County Prison for being behind on child support and in "willful contempt" of not paying. Even being

accused of possibly working with my employer to lower my pay so I didn't have to pay my child support. Please understand that I worked at the time for the largest privately owned car dealership in the country, the Rick Hendrick Automotive Group, a very reputable organization, based in Charlotte NC, and they ended up providing me with a corporate letter from their headquarters defending and denying any such allegations as ever taking place. The bailiff who had been working that day was shocked when he heard my sentence and told me, *"I've been here for over 7 years and I never heard of anyone getting one year for child support!"* When I was being booked in, the guard couldn't even put it in the computer system because nothing allows someone to be booked for that long a period of time for child support.

Fast forward to today... I had to go back into court because I was behind again on child support. **One of the biggest problems we have in our system is the fact that if a person paying child support doesn't have a change of income by 20% or more of their income as it's been allocated, then the judge won't even look at it to make a income reduction.** The problem with this is that when I was ordered to pay child support based off of about \$41,000 income and I go down 10%, 15%, 17%, 19%, thus having income in the mid \$30k range, the ability to even keep a roof over my head, the lights on, and food on the table, becomes literally impossible. But, if someone is making let's say \$80k and they go down 10% or 15%, then they would now be making about \$68-72k, which with some adjustments is enough for someone to survive and not lose everything. But not at \$41k down to mid \$30k's with a child support payment of over \$1000 per month, you will never make it. This part of our system needs to be looked at and different "tiers" of income need to be set for review so a person has a chance to survive and not lose everything.

So I am back in court on August 26th, 2015 and I go before Judge White and I end up getting 60 days in prison for "willful contempt" of child support... AGAIN!! I was practically begging Judge White, passionately telling him that I'm not a dead beat dad, that I love my boys and my family, I have always made regular payments; I also shared with Judge White how I was in the middle of trying to save my home from foreclosure through SCHelp and that I just heard from them the day before and that they were requesting a few more documents to review my case and see if they could help save my home for my family and 2 other families that are living with me.

This time when I went to the York County Prison and spoke to someone who works within the system and tell them what happened and they hear that I went in unrepresented by a lawyer, but my ex-wife did have a lawyer; well the only thing they said was, *"Stop right there, you don't have to tell me anymore, you didn't have a lawyer, but she did!!"* This person says to me, *"I have seen your child support payment history and I can't believe he sent you to jail?"*

The fact is I have always made payments to support my 2 boys Caleb and Jonathan, I just could never pay it all. I have worked 2 and 3 jobs, rented out 2 of my 3 bedrooms in my home, I don't even have a bed or bedroom, and when my boys are with me I sleep on the couch. I have used up my inheritance from my parents to help me get through this, I have been on medications for stress and depression, I have sold everything of any value, downsized homes and cars, sold any and all insurances and investments, and now at 51 years old I find myself searching for a way to re-build my life and make a future for myself. As well as try to make sense of this to my two young boys that have to grow up in this challenging world and system.

Now I just have a few very important questions to ask in this letter, one of them is this... How is it right that because I don't have a lawyer, but the other person does that I don't even have a chance in the courtroom??? And this is coming from a grown person I'd say at least 50 years old whose been working in and around the court system for many many years?!?! Everyone I speak to about my case and situation says the same thing and asks the same question, *"What sense does it make and what is going to profit to put me in prison?? What if I lose my job, my car, my house, what good is that?"* Doesn't the judge and court system have an accountability system? I believe the reality is this, if I don't have tens of thousands of dollars to file appeals and wait months or years for that to happen, then I really don't have anything I can do, how can this be right Nikki?? Every judge I have been in front of for the last 3 years, *Guyton, Creech, and White*, have heard my situation and have ruled against me every time... by a landslide, it's like my first lawyer said to me when we came out of the court and got slaughtered, she said, *"It's like he didn't listen to a single thing we said!"* It's like the judges don't have any ability to discern the truth of a matter and apply "common sense" knowledge to what is going on. They make statements and comments about people's lives with nothing to back it up!! They rule against people and lay out orders like they are ordering lunch off a menu. They haven't shown any empathy or understanding to my situation at any time in 3 years!! **And the very worst part of all this is they don't provide any leadership, direction, or hope to anybody!**

I have spoken to other prisoners and they are angry, bitter, frustrated and downcast. Where are the leaders of our community??... our state??... our county?? Please lead us Nikki and give us hope.

I am a licensed minister and I am asking to be part of a solution to help our people. I want to go back into to the prisons and speak with the men and offer them the help they so desperately need. The help I believe they want and are looking for. **Part of the answer to these problems is allowing men and women who have a true *father and mother heart* for those hurting, struggling, desperate, and in our prisons. I can elaborate more on this at a later time. Of the few men I spoke with and shared this with, they understood and knew what I was talking about, and I believe it gave them hope, I could see it on their faces and hear it in their voices. I know how to reach out to people and offer hope, I have learned through my personal trials and tribulations what it means to learn and grow and mature through them and mature to a place where I can now come alongside others and give them hope.**

I heard a terrible phrase quite a few years ago and this is what it said about dealing with people; *It's not personal... it's just business.* This is at the core of most of our problems, but we can change that and I will help change it. It has to be personal again, it has to be a heartfelt courageous effort because we really do love our fellow neighbors and our community.

In summary... #1) I want to know why the judge decided to sentence me to 60 days in prison and what did he think was going to be accomplished by me sitting in a prison for 60 days. **ESPECIALLY**, if I would have lost my 2 jobs, lost my home, lost my car, lost our family pets, **LOST MY VISITATION TO MY 2 SONS**, lost my ability to pay my child support; thus *possibly* coming out of prison 60 days later, homeless, broke, with absolutely nothing... where is the hope in that, where is the leadership??

#2) What happens next to all of us who go through these situations in our judicial and legal system? When and how are we going to help these less fortunate people? Never embracing what they did wrong as being acceptable, but providing a legitimate avenue of counsel, direction, training, and hope.

I want to end this letter by saying again that I truly care about my fellow citizens of this state and I have been placed here at this time to offer my service for the advancement of our people and their families. Now you know about the

problems we face and it is up to you to decide what happens next. Please don't ignore this or turn away, you must respond and be our leader and do everything you can to find other true leaders that will have the courage to be different, to make a difference, to change the way we have been doing things so true hope can return to our people. *Please don't brush this off or hand it off to someone else. I hope I am entitled to a response from you regarding my personal situation and a plan that will save our people from this dark, dark state of suffering. Let's be history makers and show everyone in our state and our country that we're not going to pass on a broken and hopeless system to our kids and grandkids.*

Let's get together and consider a little less love of the law... but follow the law of love, is this not the only way out of these challenges days we live in ??

Transparency and accountability are a priority for you... I do hope that will continue after reading this letter.

Truthfully,

A handwritten signature in black ink that reads "William J. Vana". The signature is written in a cursive, flowing style.

William Vana
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Fort Mill, SC
704.301.7651

PS: If anyone else is reading this as a representative of Nikki Haley, then it is your duty to get this letter into her hands. It is not addressed to you, you are not the leader of our state.

PSS: This letter has also been sent to the following, let's do this together.

CONGRESSMAN: Mick Mulvaney

SENATOR: Lindsey Graham and Tim Scott

MAYOR: Danny Funderburk

COUNCILMAN: Ronald Helms