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May 13, 2014

via fax # (803) 734-5167

Governor Nikki R. Haley
Office of the Governor
P.O. Box 12267
Columbia, S.C. 29211

Re: Your Department or Social Services

Dear Governor Haley:

A WLTX investigative report found Richland County DSS listed at least three "phantom caseworkers" on their Office Summary of caseload assignments. Fifty days before a five month old baby died in Richland County, a medical professional called DSS warning DSS that this baby was at risk. Since DSS failed to act, another child has needlessly died under your watch. Sheriff Leon Lott and Coroner Gary Watts have both publicly confirmed that your agency waited seven weeks before contacting the medical professional who provided the tip to DSS that the now-dead 5 month old was in danger. That lengthy delay by DSS clearly contributed to this child's death. DSS never contacted the Sheriff's Office to ask for assistance to find this child. How many other counties have DSS "phantom caseworkers" on their office rolls? How many children are affected?

Your cabinet appointee at the Department of Social Services, Lillian Koller, has now admitted that her agency failed to follow several provisions of South Carolina law. These violations of law have been established through your appointee's own testimony and from public records from SLED and the Child Fatality Advisory Committee.

Specifically:

1. DSS failed to see more than 46% of child victims of abuse or neglect within 24 hours after receiving a report as required by law (Ms. Koller admitted in her testimony before the bi-partisan Senate Investigative Committee that her agency failed to follow established protocol involving the death of a 4 year old Richland County boy who was beaten to death in his home in July of 2013);
2. DSS under-reported child fatality cases where children have some tie to DSS (in 2009 it was 32.7% but by 2013 the number had grown to 41.3% according to the Child Fatality Advisory Committee);
3. DSS failed to conduct quality reviews of every county's child protective services, foster care programs and adoption services every five years as required by law (at least seven counties have had no published quality control reviews).

These systematic failures continue to undermine public confidence in your ability to lead. Elected officials from both parties have asked you repeatedly to take action. Your failure to act continues to put our most vulnerable children at great risk of bodily harm and, in some tragic cases, death. For the sake of our children, please fire Ms. Koller.

Tom Ervin

