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SC Front Pages – Tues day, October 25, 2016

The Post and Courier

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Tuesday, October 25, 2016

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Courtroom openness sought in Slager case

Attorney for The Post and Courier petitions judge to keep legal filings, hearings public

BY ANDREW KNAPP
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Hoping to preserve the public's right to access in the trial of the former policeman who shot Walter Scott, an attorney for The Post and Courier on Monday asked a judge to vacate two orders that closed part of a hearing and sealed future motions.

Circuit Judge Clifton Newman on Friday

ejected most members of the public from a courtroom where prosecutors, including an elected solicitor, were set to testify about whether state agents used deception to obtain an interview with the officer, Michael Slager. A newspaper representative objected, but the judge refused to hear any argument or to give reasons for his order.

"Vacate the courtroom," he said. After 9th Circuit Solicitor Scarlett Wilson

testified and the public portion of the hearing resumed, Newman also did not explain why he ordered attorneys to file all motions under seal.

Jay Bender of Columbia, the newspaper's lawyer, said both rulings violated established legal precedent and procedural rules for South Carolina courts. In a motion and an accompanying memorandum sent to Newman on Monday afternoon, Bender

said the judge should vacate the orders and make a transcript of the closed-door testimony available.

To grant the requests, the judge must first allow the newspaper to "intervene" in the case.

The Post and Courier, along with anyone else interested in openness, should have

Please see **SLAGER**, Page A4



Newman

'Looking beautiful'

Hurricane Matthew's rain and river flooding bring biggest shrimp of the season to Lowcountry waters



Dorris Conyers heads shrimp Monday at the Geechie Dock on Shem Creek in Mount Pleasant.

GRACE BEAHM/STAFF

BY BO PETERSEN
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In the midst of fallen trees and other debris, Hurricane Matthew left a sweet little calling card: shrimp, big ones.

The storm's rain and river flooding evidently washed large white shrimp out to the commercial grounds offshore, at least in spots, and some commercial boats are reporting some of the biggest shrimp of the season, hoisting their optimism in a year that's had its ups and downs. The current cold snap evidently slowed down the catch somewhat. But shrimpers expect it to come back and are looking forward to another big run before frigid winter weather sets in.

Inside

Matthew cost Charleston hotels nearly \$10 million in revenue loss. **B1**

Shem Creek shrimper Tommy Edwards didn't net much offshore on Monday, after pulling in hundreds of pounds per day on recent trips. But he expected that to change mid-week, and "the big white shrimp are looking beautiful right now," he said.

"Oh yeah, they're gorgeous," Tina Toomer of the Bluffton Oyster Co., said about the catch her husband, Larry Toomer, has been bringing in.

Please see **SHRIMP**, Page A5

Edisto residents still recovering

BY PRENTISS FINDLAY
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EDISTO BEACH —The town continued its cleanup on Monday after the devastating effects of Hurricane Matthew, as residents and property owners gathered to ask state insurance commissioner Ray Farmer questions about what's next.

Please see **EDISTO**, Page A5

Board nixes part of sex ed

Birth control, games proposed for middle school curriculum

BY DEANNA PAN
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The Charleston County School Board shot down a proposal Monday night that would have allowed seventh and eighth graders to learn pregnancy prevention techniques, including various birth control methods and effective condom use, as long as they had their parents' permission.

Board members unanimously approved middle schools' use of a revised edition of "Making a Difference," an abstinence-based sex education program that district schools have been using for years. But they nixed an appendix from the curriculum that includes role-playing games on AIDS, HIV and abstinence; describes several types of contraceptives; and mentions bisexuality and a lesbian relationship.

Board member Tom Ducker called the material in the appendix "offensive."

"This is not 'games.' This is serious stuff that we should be teaching our kids about," Ducker said. "I believe when we do that, in order to gain or keep their interest, you're also increasing their interest in sex. And I don't think most middle schoolers are even thinking about sex."

Under the 1988 Comprehensive Health Education Act, public schools in South Carolina are required to teach sexual and reproductive health education. The curriculum must

Please see **BOARD**, Page A4

Inside



Mother: Fatal DUI crash



Da'Veona Hamilton (left) and her



USC FOOTBALL
Win or lose, quarterback Perry Orth a remarkable story, 1B

CLEMSON FOOTBALL
RB Gallman expects to return from 'dirty' hit to play FSU, 1B



TUESDAY OCTOBER 25 2016

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TODAY: SUNNY 10-72 LO 45
YESTERDAY: HI 52 LO 48 PRECIP. (as of 5 pm) 0.00"
FORECAST, 8C

The State

SPRING VALLEY HIGH

Deputy vs. teen: Violence on video, a year later

■ Officials work on new rules for in-school law enforcement officers a year after a former deputy flipped an unruly student in her chair and dragged her across the room.

BY JOHN MONK
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Former Richland County deputy Ben Fields is keeping a low profile as state and local officials work on new rules for in-school law enforcement officers a year after he flipped an unruly Spring Valley High student in her chair and dragged her across the room.



Fields

"He's doing his best to move forward," said Scott Hayes, Fields' lawyer.

Although 5th Circuit Solicitor Dan Johnson determined last month that no criminal charges would be brought against Fields, the U.S. Department of Justice is reviewing the case for possible federal civil rights violations but has made no decision yet.

Fields' "reputation has been immeasurably impacted as a result of the fallout and until that cloud has lifted and the DOJ has completed its investigation and made the results public, I don't know what kind of options Ben will have," Hayes said. Fields is not giving interviews, Hayes said.

The incident was caught on student cellphone cameras, with the videos going viral across the nation within hours. The confrontation had

SEE FIELDS, 7A

2016 ELECTIONS: THE \$1.9 MILLION SENATE RACE

Running for SC Senate? It can be a costly race

■ Cost of advertising on TV or radio, mailings, campaign signs, social media, campaign events and even the cost of fundraising — spending money to make money — adds up.

BY CASSEI COPE
ccope@thestate.com

The price of running in a contentious S.C. Senate race is going up and easily can run into the six figures.

Both candidates for a Northeast Richland state Senate seat, for example, have raised more than \$100,000, according to state ethics filings. That sum — in excess of \$250,000 in total for both candidates — does not include additional money spent on behalf of the candidates by

the state Democratic and Republican parties.

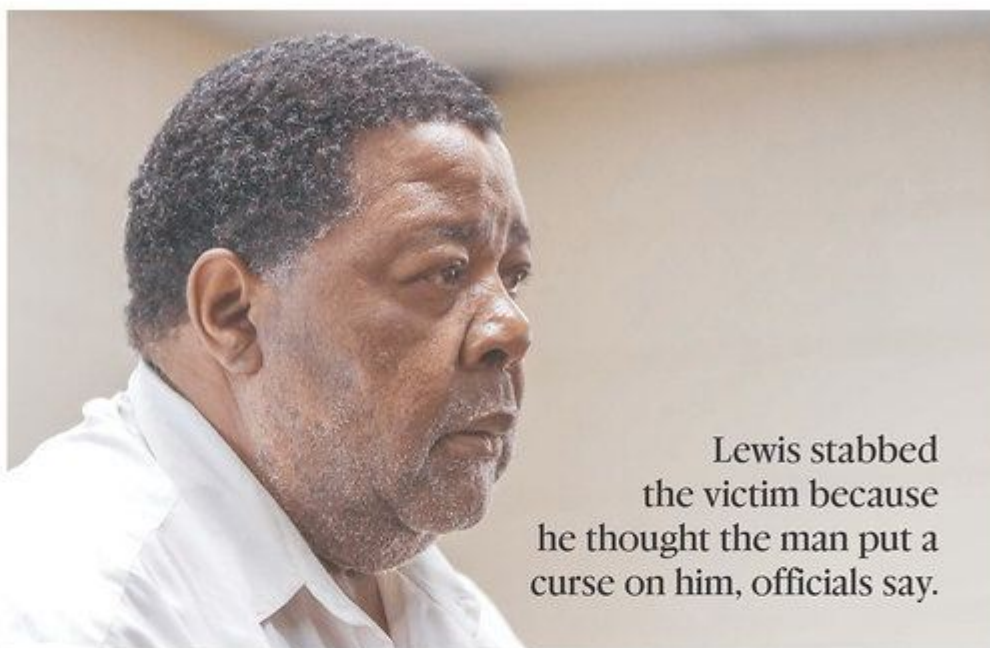
An embattled incumbent, trying to retain his or her Senate seat, can spend even more.

Earlier this year, state Senate President Pro Tempore Hugh Leatherman, R-Florence, waged the state's most expensive Senate campaign. Leatherman reported spending almost \$2 million, including a \$750,000 loan that he repaid, to fight off two GOP primary challengers and the political

SEN. HUGH LEATHERMAN, R-FLORENCE, REPORTED SPENDING ALMOST \$2 MILLION TO FIGHT OFF TWO GOP PRIMARY CHALLENGERS.



SEE MONEY, 7A



Lewis stabbed the victim because he thought the man put a curse on him, officials say.

Billy Lewis is denied bond during a hearing at the Sumter-Lee Regional Detention Center.

TRACY GLANTZ tgantz@thestate.com

ONLINE

THESTATE.COM: Video of former Richland County Deputy Ben Fields removing a student from her desk

Man accused in church stabbing



SPORTS, 1C GALLMAN'S STATUS FUZZY AFTER HIT



LIFESTYLE, 1D St. Francis brings in ER docs

The Greenville News

PART OF THE USA TODAY NETWORK

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OCTOBER 25, 2016
GREENVILLEONLINE.COM

USA TODAY

PRIVATE SECTOR HELPS FIGHT AGAINST ZIKA PAGE 1B

Complaints raised about public access

School board meetings held at unusual times

RON BARNETT

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Two Pickens County School Board members and a charter school applicant are crying foul at the board chairman's decision to cancel the board's regular monthly meeting Monday night and hold it instead last Friday morning, with no opportunity for public input.

Chairman Judy Edwards said she rescheduled the meeting because she planned to be out of town this week, according to trustee Alex Saitta, one of the

two board members who are complaining that holding meetings at unusual times has become a pattern this year which they suspect is aimed at limiting public access.

"Either there is a purposeful desire to have meetings when the public is unlikely to attend or there is a disregard for the public's schedule and when they could attend," Saitta said. "It is not about the personal schedule of any one board member."

Henry Wilson, vice chairman of the board, said he was unable to attend the Friday morning meeting because of his work schedule and wasn't given adequate notice to make arrangements to be there. He said he also wasn't asked if he could

preside over the regular monthly meeting Monday in the chairman's absence.

Edwards couldn't be reached for comment.

Since the beginning of the year, the School Board has held four Saturday meetings and five meetings that started at 7 a.m. or before.

Three of those Saturday meetings—at 6:30 a.m., 7 a.m. and 7:30 a.m., involved discussions of closing schools in the district.

Anna Gaaney, a member of the group attempting to start a charter school in Easley called Clearview Collegiate Academy, said she was upset when she learned that Monday's meeting would be canceled because she had intended to speak

in support of its application during the public session.

Friday's 9 a.m. meeting didn't include a public session, and the first item on the agenda was cancellation of the Oct. 24 meeting.

The motion passed, 3-1, with Saitta opposing, and Wilson unable to attend the meeting.

"Just like everybody else, I've got a job and I've got a schedule that's a week or two out in advance," Wilson told *The News*. "The last two times I've missed these meetings, it's because they're basically only letting me know two days beforehand."

See BOARD, Page 5A



Political science professor Danielle Vinson moderates a forum between U.S. Representative Trey Gowdy, Democratic challenger Chris Fedalei, U.S. Senator Tim Scott and Democratic challenger Thomas Dixon at Furman University on Monday.

LAUREN PETRACCA/STAFF

Jabs fly at forum for Congressional candidates

Event was titled 'An Experiment in Civility and Substance'

AMANDA COYNE
THE GREENVILLE NEWS

Sparks flew between candidates for the U.S. Senate and House of Representatives on Monday night when Sen. Tim Scott, Democratic challenger Thomas Dixon, Rep. Trey Gowdy and Democratic challenger Chris Fedalei met at Furman University for a forum-style discussion.

The event, titled "A Conversation with South Carolina Congressional Candidates: An Experiment in Civility and Substance," featured each set of candidates one-on-one, followed by all four in discussion. Gowdy and Fedalei, facing off in the elec-

and substance have been in short supply in this campaign," Vinson said, referencing the tenor of the presidential campaign. "We've got to be able to have the conversations that are in the national interest, not just in our own interest."

While the conversations were mostly civil, they were not without jabs or barbs. Fedalei repeatedly pointed to the House of Representatives as an ineffective institution, questioning why Gowdy had not gotten an immigration reform bill passed during his time as chairman of the House subcommittee on Immigration and Border Security. Gowdy said that the most effective

gress all you want," Gowdy said. "[Border security] is a question of political will, not a question of resources."

Gowdy and Fedalei agreed that reform to mandatory minimum sentencing laws for drug-related offenses needed to be enacted, but Fedalei again questioned why nothing had been passed on the issue in the House of Representatives. Gowdy, a former federal prosecutor, said that he had been openly opposed to the existing mandatory minimum laws since 1997 and is currently working on the issue with Sen. Cory Booker and Rep. Hakeem Jeffries, both Democrats.

Watchdogs put Kinder Morgan on notice

MIKE EADS

MICHAEL.EADS@INDEPENDENTMAIL.COM

A trio of environmental watchdogs wants Kinder Morgan to finish cleaning up its huge gasoline spill near Belton, or else.

Upstate Forever, Savannah Riverkeeper and the Southern Environmental Law Center said Monday that they gave Kinder Morgan 60 days notice to clean up more than 300,000 gallons of fuel that reportedly spilled from its Plantation Pipe Line in December 2014.

The notice is a required precursor to using the federal Clean Water Act to sue the Houston-based pipeline operator over ecological damage from the spill, which happened a few miles northwest of Belton near the Cheddar community.

"Kinder Morgan is responsible for one of the largest pipeline spills in South Carolina history; yet thousands of gallons of gasoline have not been cleaned up," said Frank Holleman, a senior attorney at SELC. "A year and a half after the spill, petroleum is polluting this waterway that flows through Anderson County, and the stream banks reek of gasoline. This pollution must stop, and Kinder Morgan must take responsibility for its pollution of South Carolina."

Kinder Morgan hired the North Carolina-based firm CH2M to create several retention wells and trenches at the site along Lewis Drive near its intersection with Calhoun Road. The contractors have removed more than 200,000 gallons of groundwater mixed with gasoline from the site and make regular progress reports to the South Carolina Department of Health and Environmental Control.

The environmental groups estimate that about 160,500 gallons of gasoline continue to contaminate the soil, groundwater and vegetation. CH2M reported to the health department on Sept. 21 that "vegetation along the bank at a seep where groundwater impacts Brown's Creek shows signs of distress; none are noted anywhere else."



TERRIERS AREN'T GIVING UP ON PLAYOFFS

SPORTS, B1



CUBS, INDIANS START FALL CLASSIC TONIGHT

SPORTS, B1

Herald-Journal

SPARTANBURG, SOUTH CAROLINA

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Complete forecast, B6

HEALTH CARE

Medicaid's fate unclear

Future of program depends on stormy election

By Ricardo Alonso-Zaldívar
The Associated Press

WASHINGTON — Medicaid, often stigmatized among government health care programs, is finally coming into its own.

The federal-state program for low-income people has

been scarcely debated in the turbulent presidential election, but it faces real consequences depending on who wins the White House in the Nov. 8 vote.

Under President Barack Obama, Medicaid has expanded to cover more than 70 million people and shed much of the social disapproval from its earlier years as a welfare program. Two big industries — insurers and hospitals — have a declared stake in the future of

the program, which costs more than \$530 billion a year. Insurers are leading a new "Modern Medicaid Alliance" to educate lawmakers about how the program has moved closer to private coverage.

Medicaid has become "one of the primary mainstream health care programs," says former Rep. Henry Waxman, D-Calif., who for decades worked to expand benefits and coverage.

Democratic presidential

nominee Hillary Clinton would keep that going, trying to persuade 19 holdout states to accept the Medicaid expansion in Obama's health law. The expansion has added millions of low-income adults to the program, including many workers whose jobs don't offer health insurance. Clinton would have to address concerns among state lawmakers about growing costs.

SEE MEDICAID, A6

UPSTATE



New purpose for Cleveland Hall property

A Spartanburg-based project management group is eyeing the Cleveland Hall property near downtown with the intention of repurposing the 111-year-old building into nine apartments. **C1**

Pay increases for police, firefighters

Several police officers and firefighters are getting a salary bump after Spartanburg City Council on Monday gave final approval to pay increases. **C1**

NEWS DIGEST

Lawyers: Jury should visit site of shooting

CHARLESTON — Attorneys for a white former South Carolina police officer charged in the shooting death of an unarmed black motorist want the jury to visit the scene of the shooting and not be sequestered during the trial.

The requests are among a flurry of motions attorneys for Michael Slager have filed in recent days. Jury selection begins next Monday in Slager's murder trial.

Slager, who turns 35 next month, faces 30 years to life in prison if convicted in the April 2015 death of 50-year-old Walter Scott. Scott was shot in North Charleston as he ran from a traffic stop in an incident captured on a dramatic cellphone video.

State senator apologizes for 'sloppy bookkeeping'

CAMPAIGN 2016

Election officials working under 'heightened security'



Hundreds of Spartanburg County residents have voted absentee ahead of Election Day. ALEX HICKS JR./SPARTANBURG HERALD-JOURNAL

By Zach Fox
zach.fox@shj.com

agencies to make sure the process of voting and tabulating

commission isn't aware of any specific threats to voting in

a spokesman for the election commission.



ROAD WOES

Dabo Swinney hasn't won in Tallahassee since taking over at Clemson.
Orange and White



Independent Mail

TUESDAY, OCTOBER 25, 2016

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Containment booms float Monday in Brown's Creek near the site of the 2014 gas pipeline spill off Lewis Drive near Belton.

KATIE MCLEAN/INDEPENDENT MAIL

KINDER MORGAN PUT ON NOTICE

Watchdogs want 2014 gas spill near Belton cleaned up

MIKE EADS

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Spill Update

Three environmental watchdog groups — Upstate Forever, Savannah Riverkeeper and the Southern Environmental Law Center — allege that Kinder Morgan hasn't sufficiently cleaned up its 2014 Plantation Pipe Line spill near Belton. Their charges, which cite documents filed with the South Carolina Department of Environmental Control, include:

- The 26-inch Plantation line spilled 369,000 gallons of gasoline and petroleum by the time the spill was reported in early December of that year, and 160,500 gallons remain unaccounted for since cleanup work began;
- The subsurface petroleum product was reportedly more than 14 feet thick in places immediately after the spill;
- Benzene levels more than 2,000 times accepted environment standards in one of the retention wells as late as June of this year;
- Insufficient sampling and monitoring of Brown's Creek, and a persistent petroleum odor at the site; and,
- Insufficient maintenance of the 3,100-mile Plantation Pipe Line due, in part, to prioritizing profits for investors over infrastructure needs.

gasoline spill near Belton, updated the company and state regulators in September on remediation work at the site, including:

- Installation of 98 monitoring wells, 20 product recovery sumps, 15 product recovery wells, a series of product recovery trenches to protect Brown's Creek, a network of 7 hard impermeable booms and 10 soft absorbent booms in the creek to minimize downstream impact;
- 15 wells and sumps showing a thickness of 6 inches or more of fuel present, with one showing a fuel layer of nearly 3 feet;
- Hazardous chemicals benzene, toluene and naphthalene all present in surface water seeping into Brown's Creek, which is a tributary of Broadway Creek and Broadway Lake;
- 209,085 gallons (4,978 barrels) of gasoline mixed with groundwater

★ ELECTION 2016

Experts: Trump's math bad for state

Positions on immigration, trade not economically sound, they contend

JEFF WILKINSON
THE STATE

Donald Trump, the Republican Party's nominee for president, might be leading in the polls in South Carolina, but his economic positions on immigration and foreign trade would hurt the Palmetto State's economy, experts say.

However, Sen. Hillary Clinton, the Democratic nominee, has softened her support for a major free trade deal as the campaign has progressed, they say. And free trade is perhaps the most important economic issue for South Carolina workers because the state is manufacturing-heavy, depends on exports and imports, and has one of the nation's leading ports.

Like the majority of the America public, economists and business leaders interviewed are not overly enamored with either candidate.

But the majority of those interviewed feel Clinton's proposed economic policies, particularly her call for comprehensive immigration reform, are more in line with South Carolina's economic goals.

"Both candidates appear to be less focused on free trade relative to Obama, Bush — both W. and H.W. — Bill Clinton and Reagan," said Mark Witte, College of Charleston economist and director of the school's Master of Business Administration program. "And given that so much of South Carolina's trade relations are with Europe, free trade is a big, big deal for workers here."

Witte added that Trump's opposition to free trade deals that he deems poor might play well in the unionized rust belt, but don't apply or are counterproductive to the growing manufacturing base in South Carolina.

"We don't have the same problem as other states" in the Midwest and Northeast, he said. "We're not shipping jobs off to Mexico. Europe is shipping jobs here."

'Economic pillars'

The three pillars of South Carolina's economy are manufacturing, tourism and agribusiness. All three would be negatively impacted by Trump's positions on either free trade or immigration, economists say.

"Tourism and agriculture are the top two industries in the state," said Joseph Von Nessen, an economist with the Uni-

See TRUMP, Page 7A

See NOTICE, Page 5A

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Morning News

TUESDAY OCTOBER 25, 2016

TODAY'S
WEATHER

Mostly sunny
and pleasant.
High 72, low 42.
DETAILS 2A

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The Voice of the Pee Dee

75 cents

Allison King cheers on her daughter Evelyn, 8, who threw the baseball to third base during the Miracle League of Florence County's season finale Monday night at the Savannah Grove Complex. A medals ceremony and trunk or treating followed the game.



JOE PERRY/MORNING NEWS

Miracle League

Season ends with Halloween fun

BY JOE PERRY
Morning News
jperry@florencenews.com

FLORENCE — There were big smiles on the baseball field followed by a medals ceremony and some trunk or treating as the Miracle League of Florence County closed its season Mon-

day night at the Savannah Grove Complex.

With eight teams fielding 105 athletes, league president Kevin Elliott said he's pleased how Pee Dee residents have responded to supporting the efforts of players with development disabilities and how Florence-Darlington Technical College's baseball

team has also helped.

As a West Florence High School baseball coach, Elliott has the chance to guide his son Matthew, 20, around the diamond. On the cusp of his 21st birthday, he's coping with partial paralysis as the result of epilepsy since

See **MIRACLE**, Page 4A

HURRICANE MATTHEW RECOVERY

FEMA

Centers opening in Lake City, Florence

From staff reports

EFFINGHAM — To aid Hurricane Matthew victims, the Federal Emergency Management Agency (FEMA) has Disaster Survivor Assistance teams in Florence, and it will open a Disaster Recovery Center today in Lake City.

The center in Lake City will open at 1 p.m. at the ROB Building, located at 245 S. Church St. After today, it will be open from 9 a.m. to 7 p.m. Mondays through Fridays and from 10 a.m. to 6 p.m. on Saturdays. It will be closed on Sundays.

For the next two weeks, the Disaster Survivor Assistance teams will be available from 9 a.m. through 5:30 p.m. Monday through Saturday at the Drs. Bruce & Lee Foundation Library, located at 509 S. Dargan St.

See **FEMA**, Page 3A

Duke Energy rises to meet its challenge

BY JESSICA IMBIBO
Morning News
jimbib@florencenews.com

FLORENCE — Mindy Taylor, district manager of government and community relations at Duke Energy, addressed members of the Rotary Club of Florence during their meeting on Monday to discuss their restoration processes both during and after Hurri-

The town that lost everything



PHOTOS BY JOSHUA LLOYD/MORNING NEWS

S.C. House Speaker Jay Lucas (center) talks Monday to Nichols Mayor Lawson Battle and Town Administrator Sandy Rogers in the town's damaged pharmacy. Hurricane Matthew all but destroyed Nichols, a rural farming community in Marion County.

House Speaker Jay Lucas checks out the damage in Nichols

BY JOSHUA LLOYD
Morning News
jlloyd@florencenews.com



NICHOLS — Some parts of Nichols are still under water and no businesses are open after massive flooding, spurred by Hurricane Matthew, devastated the small, rural Pee Dee town this month.

South Carolina House Speaker Jay Lucas toured the town Monday with Mayor Lawson Battle to see the destruction firsthand.

Of the town's 260 homes, 236 either were completely destroyed or severely damaged in addition to nearly 300 vehicles and more than 20 businesses.

"It's shocking," Lucas said. "It's not

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