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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Circuit Court Case Number 2017-CP-18-02001

Kaci May and Kaci May as guardian ad litem for A.R.M., J.H.M., J.T.M., C.B.M., J.R.M., and J.W.M., Appellants,

v.

Dorchester School District Two, South Carolina Department of Social Services, Michael Leach, and Jasmine Flemister. Respondents,

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RECORD ON APPEAL
VOLUME II

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The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully submitted,

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August 3, 2021

attempts.

Q. Like August 23rd you attempted, and then you saw C.B.M., A.R.M. A.R.M. and J.W.M. on September 19th; is that fair?

A. Yes, September 19th of 2018.

Q. And then on December 22nd, you saw -- was that J.T.M.?

A. Yes.

Q. And then like you said earlier on the 20th, you saw the three. And then on the 20th also you attempted to see J.T.M.; correct?

A. Correct.

Q. Tell the Court what happened when you went to see J.T.M. at Gregg Middle school?

A. I was just told by the receptionist that the children could not be seen without contacting their attorneys. And I just asked if he was seen by any mandated reporters at the school. And he was not present that day.

Q. And did you ask if there was a court order saying that you couldn't see him?

A. They stated that they had received -- that the school had received something. And they stated that I could not see him.

Q. Okay. In Exhibit 1, if you can go to

November 20th, 2017, under notes. I don't know if you're there yet.

A. For what date?

Q. November 20, 2017. There are two of them.

A. Uh-huh.

Q. One is really colorful with all the kids there and then the other one is not as colorful. And input is 9:55. And under notes it says CM, that means case manager?

A. Yes.

Q. The case manager attempted to make with J.T.M., that's J.T.M. Upon arrival, the case manager was told by the school that the parent stated that they need to contact the family's attorney before the child could be seen by anyone. The case manager asked if they had an assigned court order. Does that refresh your memory?

A. Yes.

Q. And you asked to see the guidance counselor?

A. I asked that the guidance counselor see the child.

Q. And then did you talk to the guidance counselor about the child afterwards?

A. I asked that she see them and she called me back. If I'm remembering correctly, when she called me back, she just stated that the child wasn't present at school.

Q. Now, once DSS file a lawsuit to take away the May's children, the children were assigned to a guardian ad litem?

A. Correct.

Q. And that guardian ad litem was supposed to visit with the children on a regular basis; correct?

A. Correct.

Q. So that guardian ad litem was able to find out whether the children were safe; right?

A. She was.

Q. All right. And did that guardian ad litem also have an attorney for court?

A. They do.

Q. When, in fact, when you couldn't see the children, did you go to the guardian ad litem and ask about her visits?

A. I spoke with the guardian ad litem on two occasions.

Q. Is that October 7th and November 29th of 2017?

A. Correct.

Q. Now, after you the Mays filed suit in this case, you stopped visiting the children in school?

A. I was advised to wait.

Q. You don't need to say anything that any attorney said.

A. That advice wasn't from my attorney. It was from my supervisor.

Q. Okay.

A. So the case was discussed. And I was advised to wait until I knew what was happening legally.

Q. And during December, was a new investigation initiated against Kaci May?

A. Based on the information, yes.

Q. And that was actually indicated against Kaci May?

A. That, I don't have knowledge of. I don't do investigations.

Q. So you wouldn't know why they never served that on Kaci May?

A. I would not.

Q. And were you involved at all with the dismissal of the case in June of 2018?

A. No. Can you elaborate as to what you mean?

Q. When DSS dismissed the case in family court in 2018 -- hold on.

I'm going to hand you 16. And I believe with 16 you recollect is this, the document?

A. Yes.

Q. Were you involved with that?

A. This was done by our attorney.

Q. And did you find out about it once it got filed?

A. I was notified in the month of June of 2018.

MR. BUTCHER: And, Your Honor, I would like to move in Number 16. That's the stipulation for voluntary dismissal.

THE COURT: Any objection?

MR. WOODINGTON: None, Your Honor.

(Exhibit No. 16 was entered without objection.)

BY MR. BUTCHER:

Q. And 8, that is DSS's case transfer and staffing form? Is that when the case was transferred to you?

A. Yes.

Q. Is that when you received the physical file or were briefed essentially about what the case was?

A. Yes.

MR. BUTCHER: Your Honor, I would like move Number 8 in.

THE COURT: And objection?

MR. WOODINGTON: No objection.

MR. BARLOW: No objection.

THE COURT: All right. It will be admitted.

(Exhibit No. 8 was entered without objection.)

MR. BUTCHER: I don't know if there's going to be an objection, but I would like to move number 5 in. But we may need to wait for Ms. May to confirm the emails in the beginning. It's just up to the Defense.

MR. WOODINGTON: We are going to have an objection.

MR. BARLOW: I think there's a lot over here saying that in that document that we are probably not all that comfortable with it, hearsay in that document that she is alleging. And we

really haven't had an opportunity to work through it yet.

MR. BUTCHER: Okay. Here's what I'd like to do then. May I approach the witness and get Number 5 back?

THE COURT: You may.

MR. BUTCHER: So I'm marking for identification Number 5A. And I'm going through the Bate stamped numbers. For the record, it's 4203, 4204, 4109, 4095, 4197, 4197 --

MS. FITIPALDI: I'm sorry, Your Honor. He's going way too fast for me. They're all out of order.

MR. BARLOW: I apologize. Do you want me to start over?

MS. FITIPALDI: Yes, please.

MR. BUTCHER: I'm sorry. 4203, 4204, 4196, 4195, 4197, 4194, 4198 -- I'm sorry. 4986, 4987, 4988, 4989, 4990, 4991.

No Bates stamp. It looks like it's just been missed. But 4993 is the one after the one with no Bates stamp.

MR. BARLOW: Can we assume that's 4992?

MR. BUTCHER: Yes.

So, Your Honor, I would like to move

that as 5A, Plaintiff's 5A.

THE COURT: So those are all the emails between this witness and your office, and then the scheduled times to visit with the children?

MR. BUTCHER: Mostly, Your Honor.

THE COURT: Any objection to those?

MR. BARLOW: I don't think we have any objection to that exhibit. It's the other parts of it.

THE COURT: Any objection from DSS on this?

MR. WOODINGTON: No, Your Honor, not for identification purposes.

(Exhibit 5A was marked for identification only.)

MR. BUTCHER: Just for housekeeping, I don't think I'm going to use 10. I don't think I'm going to need 10. I don't think I'm going to need 4.

BY MR. BUTCHER:

Q. So just to kind of wrap things up. On September 19th, 2017, after you interviewed the children, did you tell Ms. May that you had interviewed the children?

A. On what day?

Q. September 19th, 2017?

A. I do not recall. I do not recall and I do not have it in my dictation.

Q. On September 22nd, 2017, after you interviewed J.T.M., did you tell Ms. May that you had interviewed him?

A. I do not, no.

Q. And on November 20th, 2017, after you had interviewed C.B.M., A.R.M. .R.M., and J.W.M., did you tell Ms. May that you had interviewed?

A. I did not interview them on November 20th. I made attempts to talk to them. However, I was not allowed to talk to them.

Q. I would ask you to look at Exhibit 1, and November 20th. That's the first one. There are two November 20ths. And please review that and see if it refreshes your memory.

A. I met -- or I went to the school in an attempt to interview the children. When I first met with -- typically, when we get there they go and get all the children and we start interviewing all the children once they have arrived.

When A.R.M. .R.M. arrived I asked her how she was doing. She said that she was fine. When C.B.M. arrived, he stated that their mother told

them that they were not allowed to talk to me.

And they refused to speak at that point. I was in the process of explaining to the assistant principal that I would not meet with the children.

When Johnson arrived, I asked him how he was doing. He said fine and then he went back to class.

Q. Now, didn't Ms. Roper say that J.W.M. was coming and that you could interview him?

A. I just explained to her that I just needed to see him, to observe whether or not there were any marks or bruises.

THE COURT: Counsel, do you have a follow-up questions on that?

MR. BUTCHER: I'm just digesting. I'm not wearing my glasses as much and I'm having trouble.

BY MR. BUTCHER:

Q. And were there any circumstances that would have endangered the children, if you had told Ms. May that you had interviewed them, those kids on the 19th or the 22nd?

A. There are no circumstances. It was just very difficult to communicate with Ms. May.

As I stated before, in attempts to make contact with her, I was redirected to her attorneys, who it was also very difficult to communicate with.

Q. Did you send an email or any written correspondence regarding these meetings with the children?

A. I did not.

MR. BUTCHER: I don't have anything further.

THE COURT: Cross examination.

CROSS EXAMINATION

BY MR. DAVIDSON:

Q. I'm going to mess up your last name again.

A. Flemister.

Q. Ms. Flemister, you are in family preservation when this all took place, involving the May family?

A. Yes.

Q. What is family preservation?

A. Family preservation is the unit within Child Welfare Services or Child Protective Services that works with the family to maintain the family unit by providing resources and referrals to what resources for appropriate treatment.

We work with the family to develop treatment plans. And, like I said, locate or investigate appropriate services for the entire family.

Q. Is one of your job duties to actually go out and see the children that might be involved in the family preservation case on a regular basis?

A. Yes.

Q. What is that timeframe?

A. We are required to see them to make face-to-face, to make monthly contact with them.

Q. And what's the purpose of that face-to-face contact?

A. To assess safety and the wellbeing of the children.

Q. And that's what you were trying to do in this case?

A. Yes.

Q. And you said you got this case from Ms. Halstrung when, please, ma'am?

A. I received this case in June of 2017.

Q. And that's when you began your efforts to contact Ms. May --

A. Correct.

Q. -- and see the children?

A. Yes.

Q. When did you first see the children, or any of the children?

A. I actually saw the family in a community on June 17th. I saw them, but I believe that I spoke just in general, but made no contact because of the atmosphere we were in the community.

Q. And after that date -- and where was that contact made?

A. That was at a performance that I just happened to be at, and the Mays happened to be at the performance. I want to Fort Dorchester High School. And, like I said, I just happened to see them, but I didn't make any contact. And after that I attempted to make contact on July 5th.

Q. And from July 5th, when you attempted contact with Ms. May, when was the next time that you got to see the children?

A. I was not -- I wasn't able to see the children until August 23rd. I was able to make contact with the school on August -- actually, I didn't get to see them on August 23rd. I was able to make contact when she was making contact with another mandated reporter, just so that they can assess the safety and wellbeing.

And that's typically they see the children and they can say, we saw them, there's no marks and bruises, they appear fine.

Q. Now, would it be fair to say that you were having difficulty getting Ms. May to cooperate with your family preservation investigation?

A. Correct.

Q. Would it be also fair to say that Ms. May referred you to her lawyers, the Butchers?

A. Yes.

Q. Would it be fair to say that you had difficulty getting the Butcher Law Firm to coordinate a time for you to meet the children?

A. Yes.

Q. Now, I'm going to direct you to an email of August 28th, 2017. I believe it's in packet one, please, ma'am.

A. What's the date again?

Q. August 28th, 2017, almost three years ago.

A. Okay.

Q. And do you see under dictation, would you mind reading what you wrote on the 28th at 4:58 p.m. in the CAPs notes, please, ma'am.

A. It says, sent the family's attorney an

email discussing with scheduling a home visit. Ms. Butcher, I am contacting you for assistance in scheduling a time to meet with the minor children. I'm required to meet with the children monthly to assess a safety and wellbeing. I am available, Tuesday, August 29th; Wednesday, August 30th after 12:30, and Thursday, August 31st. Please let me know which of these days the children are available. Sincerely, and then my email signature.

Q. Did you see any of the children on any of these dates with Ms. Butcher?

A. I did not.

Q. If you don't mind looking at the next entry on 8/28/2017.

A. Okay.

Q. And I think it's p.m. 4:58. It says case manager sent to Ms. May. Do you see that one?

A. Yes.

Q. Would you mind publishing that one to the Court?

A. CM sent me an email requesting assistance of contacting a family attorney, as Ms. May has stated in the past emails that if a CM has difficulty contacting the attorney, to contact her for assistance.

Hello, Mrs. May, I have attempted to contact your attorney on several occasions this month to schedule a visit with the minor children. All of my attempts have been unsuccessful. I am requesting your assistance in this matter. I am also requesting that you bring the minor children to the Dorchester Department of Social Services building, so that I may be able to see the children.

I am available all week, except Wednesday from 8:30 a.m. until 12:30 p.m. Thank you in advance, and my email signature.

Q. Did Ms. May bring the children to the Dorchester County Department of Social Services?

A. She did not.

Q. Did the Butchers bring the children?

A. They did not.

Q. Where you saw the children was at the school; correct?

A. Yes.

Q. And you saw them how many times?

A. I saw them --

Q. Besides that first time when you were at the high school?

A. I saw them twice. Well, I saw and

contacted them once in September. And then I was able to see the smaller ones on the second attempt when they refused to talk. And I did not see J.T.M. in November.

Q. After November 2017, did you have any other occasion to go to the school and see any of the May children?

A. I did not.

Q. Now, there was some indication about the guardian ad litem being charged with seeing the children after DSS brought the non-emergent removal. Do you remember that?

A. Yes.

Q. The fact that the guardian ad litem may see the children, doesn't do away with your responsibility to see the children or to get updates about them, does it?

A. It does not.

Q. Would I also be correct, you had no involvement in the lawsuit that was brought by the Department of Social Services against the Mays for the non-emergent removal of all these children; did you?

A. I'm sorry.

Q. You didn't bring the suit?

A. I provided a court information sheet for intervention, for court intervention.

Q. And were you involved or were you aware that the Mays brought a counter-claim against the Department of Social Services?

A. I believe I was only aware that there was court -- our initial court was continued, and then we were scheduled for another court hearing in December, which was brought on by the Butchers.

Q. Were you involved in any the decisions to dismiss the complaint and the counter-claim by the Department and the Butchers?

A. Not -- no. The information that the Department was seeking, they were able to obtain, was my understanding, as to why our case was dismissed.

Q. All right. Now, when you met with the children, as a DSS worker, I'm seeing these lanyards y'all wear around your neck that says who you are, your name, and what you work for. Do you have one of those?

A. I do. I don't have it on currently.

Q. Do you wear it when you go in the schools?

A. Yes. We are required to.

Q. And when you go to meet with the children, do you have that lanyard with the identification tag on it?

A. Yes, we're required to.

Q. And do you know why you're required to?

A. Because that's the form of identification that the school requires in order for us to meet with the children as representatives of DSS.

Q. When you had met -- when you met with the May children, whether you talked to them, got to ask you questions or whether they came in and said they didn't want to talk, were you normally accompanied by school personnel?

A. Yes.

Q. When you met the children, did you introduce yourself and tell them where you worked?

A. Yes.

Q. Did you do that each time you saw them?

A. Well, I only interviewed them once, but yes.

Q. When they came in and C.B.M. said he didn't want to talk and he left, would you have said, or did you tell him that you were with DSS?

A. Non that occasion, he knew who I was.

When he came in and stated that they could not talk to DSS.

Q. So he already knew who you were?

A. Yes.

Q. When a family preservation -- plaintiff -- I'm going to use that term -- it may not be appropriate.

When a plaintiff is in effect, do you continue to see the children to ensure their safety and security?

A. Yes.

Q. Did at any time you or anyone with the School District threaten the May children that if they didn't talk to you, they would get in trouble?

A. Did you say me or the School District?

Q. Yes, ma'am. While you were in the room with the children?

A. No.

Q. And since November of '17, you've had no contact with the May family?

A. No.

MR. DAVIDSON: Thank you, Jasmine. I appreciate it.

THE COURT: Any other cross?

CROSS EXAMINATION

BY MS. FITIPALDI:

Q. Hi, Jasmine. I represent the School District in this lawsuit.

I just want to clarify. You met with some of the children at Sand Hill Elementary School in September 19th, 20 something?

A. September 18th, but yes.

Q. And that would have been A.R.M. .R.M. , C.B.M. , and is it J.W.M. ?

A. Yes.

Q. And it was only those three; correct?

A. Correct.

Q. When you got to the school, that was your first time going to Sand Hill to meet with the May children?

A. Yes.

Q. What process did you follow?

A. So when we arrive at the school we are required to give them our DSS badge. So they take a copy of our badge. And then typically we will write down the student's name that we want to see and give it to them, just in confidentiality. And we are in a lobby when we come into the school.

And so we will give them the names. And then they will -- some schools make us -- I

can't remember if Sand Hill makes us sign in with our actual ID. But after that, we're taken in the back while the school has someone get the children.

Q. And do you ask from someone from the school to sit in on your meetings with the children?

A. No. It's our understanding that that is a policy through the District. We typically meet with the principal, assistant principal, guidance counselors. And then if absolutely none of them are available, we are waiting.

Q. And on that day, who sat in from the school?

A. The assistant principal.

Q. Do you recall her name?

A. I believe her name was Roper.

Q. And did Ms. Roper just sit in and observe, or did she ask any questions of the children?

A. They just observed.

Q. Is that typical?

A. Yes.

Q. Can you recall you how long that initial meeting on September 18th was?

A. I would say maybe 15, 20 minutes.

Because it was three children, I would say 15, 20 minutes.

Q. And did any of the children exhibit any apparent upset behaviors? Were they crying? Were they scared to talk to you?

A. I don't recall. I can refer to my dictation. And noted here, one of the children appeared to be sleepy. But the children explained that the child had went to bed late that night before. But none of them appeared to be afraid.

Q. Did any of them tell you at that time that they either did not want to talk to you or that they were not allowed to talk to you?

A. No. I did observe that the oldest child, the younger ones, C.B.M., I think -- I observed, or I felt that after he might have understood more who I was, he appeared to not be so forthcoming with information. I didn't make him talk.

Q. And then you had one more visit to Sand Hill Elementary; is that right, November 20th?

A. Yes. Where I made attempts to visit with them.

Q. The same three children?

A. Yes.

Q. And that's the visit where Dr. Baird sat in; is that correct?

A. So, Dr. Baird, I felt like he came into the initial visit, which would have been in the September visit, but he wasn't in the visit with the children.

He came in -- because we met in his office. So he was in there, because I went into his office to meet with the children.

But this visit I -- the second visit in November was with the assistant principal. And then the teacher assistant for the smaller child.

Q. And at any point -- it sounds like it was a pretty brief meeting. How long did you stay in there with the children?

A. A couple of minutes. A.R.M. .R.M. came in. Like I say, we typically we would wait until all of the children to talk to them, and we're meeting with all of them together.

A.R.M. .R.M. came in. I asked her how she was doing. C.B.M. came in right after her and stated that they weren't allowed to speak with us or speak to me. And then J.W.M. was coming right up, as they were going out. And I asked him how he was doing, looked at him. And his teacher took

him.

Q. And were any of the children upset during that meeting with you?

A. No.

Q. And at this meeting in November 20th, you said the assistant principal sat in on this one?

A. Yes.

Q. Did she ask any questions of the children at that time?

A. No.

Q. Did she ask you why you were there or what the substance or the allegations were?

A. No. I just explained to her that I could not meet with them, because they stated that they weren't allowed to speak with me. And she asked me about the youngest child. And I just told her that I needed to lay eyes on him. And she just stood there as I -- the assistant teacher, I asked how he was doing. And then I left.

Q. And you haven't been back to Sand Hill Elementary to talk with the May children since that time; is that correct?

A. That's correct.

Q. Have you been to any other schools,

since November 2017, to speak with the May children?

A. No.

Q. And the reason you didn't go back is because you knew that the children wouldn't talk to you?

A. That. And, like I stated, I was advised by my supervisor after discussing the case -- because very shortly after this motion or restraining order came into play and I was advised to wait for to know what was happening legally, but that was by my supervisor.

Q. And is it your normal practice when you go to see children at school to disclose to school personnel the underlying allegations or the basis for DSS's involvement?

A. Not if it's school-related, like if it's truancy or something of that sort, we will maybe ask questions in relation to the school. I mean, unless it's a safety concern.

MS. FITIPALDI: Thank you so much for your time.

THE COURT: Any redirect?

MR. BUTCHER: Yes, Your Honor.

REDIRECT EXAMINATION

BY MR. BUTCHER:

Q. So a couple of things. There's no requirement for anybody to cooperate with DSS; correct? You don't have to?

A. I mean, I guess not.

Q. You don't have to let them in your home, you don't have to return phone calls, you don't have to return emails, you don't have to take your children to DSS?

A. I guess, unless they are court ordered to do so.

Q. In fact, if someone wanted to they could be mean and say horrible things to a DSS worker; right?

A. They can.

Q. It happens; right?

A. Yes, it does.

Q. It's like cursing at a police officer, you might do it at your own risk?

MR. WOODINGTON: Objection; Your Honor.

BY MR. BUTCHER:

Q. And I apologize. I take that back.

What I meant is, you know, it's not polite and you shouldn't be mean to people. But they can't do that; right?

A. The public can be mean to other people?
Q. Yes, ma'am.
A. Yes.
Q. And if you're innocent of the allegations of abuse and neglect, even if DSS makes a finding against you, if you're truly innocent, you shouldn't have to do a treatment plan; right?
MR. DAVIDSON: Object to the form. It's going beyond cross.
THE COURT: It has gone beyond cross. Stay in what was covered in cross examination.
MR. BUTCHER: I wrote that down when Mr. Davidson was going through about Ms. May's failure to bring the kids to meet with the caseworker and those types of things. That's why I wrote it down in reaction. That's my recollection, Your Honor.
THE COURT: Well, your question was quite a bit different from not showing up for the -- or not cooperating with an interview.
You can rephrase your question, please.
BY MR. BUTCHER:
Q. Should someone have to cooperate and show up earlier to see DSS or bring their kids to DSS, if they are truly innocent of the allegations?

A. I mean, I guess they don't have to. But we typically try to work with our families so that we can obtain the information that we need so that we can remove ourselves from people's lives.

Q. And earlier you were asked about the November 20th visit to the Sand Hill Elementary. And when you say you didn't, you didn't interview them. You did meet with the children and you did speak with them; correct?

A. I asked them how they were doing.

Q. And then afterwards there was a teacher's assistant there; correct, Ms. Richards?

A. Correct.

Q. And she stated that the child, C.B.M., stated they were not allowed to speak to you; correct?

A. Correct.

Q. And then in your dictation you wrote case manager explained that I worked for DSS and I need to check the safety and wellbeing of these children. And if they do not refuse to speak with me, then I have the right to speak to them; right?

A. I stated that to Ms. Richards.

Q. And DSS, the Chapter 7, and investigations family --

A. Preservation.

Q. I almost said plan.

Family preservation and even in foster care and adoptions, you're supposed to make monthly visits with the child; correct?

A. Correct.

Q. Face-to-face; right?

A. Correct.

Q. But that does not mean that a parent or someone else has to let you see the child; correct?

A. They don't have to allow us, but we are required to exhaust all efforts to see them.

Q. And that's much like my wife may require me to wash the dog, but that dog may not cooperate that day; right?

I mean, you can't control that?

A. No, I have no control over that.

Q. And when you wrote down in your papers that you had spoken with collaterals, that was your diligent efforts to try and do that; right?

A. Correct.

MR. BUTCHER: I don't have anything else.

THE COURT: You may step down.

Any objection to her being excused?

MS. FITIPALDI: No objection.

MR. BUTCHER: No objection.

THE COURT: How do you want to plan here?

MR. BUTCHER: No. We've already --

THE COURT: As far as Ms. May's testimony, how long do you anticipate that will take?

MS. BUTCHER: That could be a while. And across just as long.

THE COURT: Okay. I'm trying to think ahead here. The best way to handle this. I've got some status conferences I have to do on the phone at 4:30. So that might not give us enough time to do that.

Are y'all okay with we can stop for the day now and then do her testimony via WebEx tomorrow. I have court hearings in Calhoun County at like 2:00.

Or do you -- we can reconvene back here, if you want. Our court reporter, I know she's remoting in for the WebEx. If you want to be here, I'm happy to do it here.

MR. DAVIDSON: I'm old school. So I would rather do it in with the court reporter.

THE COURT: If we can't bring her in, do you have an objection to doing it via WebEx? She's remoting via WebEx in Calhoun County.

MR. DAVIDSON: Our court reporter?

THE COURT: Yes, sir.

So that's not a concern. I don't mind coming here and doing it. I'm more concerned about getting our court reporter here to do it.

MR. WOODINGTON: I've had pretty good luck with WebEx. If she's comfortable with that and she can take the testimony without a problem, then I'm okay with it. Because we would have backup; right?

THE COURT: Yes, sir, it's recorded.

MR. DAVIDSON: Yeah, I'm fine with that.

THE COURT: Would anybody else have an objection with that?

MS. FITIPALDI: I'm not sure I understand, Your Honor. We would all be here and the court reporter would be remote?

THE COURT: We don't have to be. If we do WebEx, we can do it from whether you want to. You can do it from your office, if you'd like. If everyone wanted to be here for live testimony, I

just have to make sure that she's available to come here. That's my only issue.

So if she's available to come here, I'm happy to do it here. If she's not, I'm asking for everyone to consent to doing it via WebEx.

MR. DAVIDSON: I've rather have the witness live in-person and a court reporter either here or WebEx.

MS. FITIPALDI: We're good. I just have a witness that has problems with the Internet. I think we can accommodate, however.

THE COURT: As long she can be somewhere with the Internet?

MS. FITIPALDI: Yes, ma'am.

THE COURT: So, Counsel, what you're telling me is you object to WebEx?

MR. DAVIDSON: I'll object. I would rather have them live and in the box.

THE COURT: All right. Well, if that's the case, what we'll do is -- I'll have to check and see if she's available to be here tomorrow. If she's not, then I'll have to contact Court Administration and see if they can make her come on Thursday.

If nothing else, we'll just have to

wait and see when we can get one. Unfortunately, we are very short on court reporters. And for some reason I was only assigned two different ones on two days.

MR. DAVIDSON: I heard they are short on court reporters.

THE COURT: So we'll be adjourned until further notice.

(The proceedings concluded for the day.)

State of South Carolina)
)
County of Dorchester)

I, Krista Nicole Carney, Official Court Reporter for the First Judicial Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete Transcript of Record in the Court of General Sessions for Charleston County, South Carolina, on the 11th day of August, 2020.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

March 8, 2021

Krista nicole carney

Krista Nicole Carney,
Official Stenographic Court Reporter

STATE OF SOUTH CAROLINA)
) IN THE COURT OF
COUNTY OF DORCHESTER) COMMON PLEAS

KACI MAY,)
Plaintiff,)
Vs.)CASE NO. 2017-CP-18-02001
DORCHESTER SCHOOL DISTRICT)
TWO, ET AL)
Defendants.)

AUGUST 12, 2020
DORCHESTER, SOUTH CAROLINA

HONORABLE MAITE MURPHY, JUDGE

A P P E A R A N C E S:

BY: ROBERT J. BUTCHER, ESQUIRE
DEBORAH J. BUTCHER, ESQUIRE
Attorneys for the Plaintiff

BY: WILLIAM H. DAVIDSON, II, ESQUIRE
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BY: THOMAS K. BARLOW, ESQUIRE
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KATHERINE A. SPIRES
REGISTERED PROFESSIONAL REPORTER

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THE COURT: Are the parties ready to proceed?

MR. BARLOW: We're ready.

MR. DAVIDSON: We're ready. Thank you, Your Honor.

MR. BUTCHER: And, Your Honor, could I just address a couple of housekeeping things?

THE COURT: Sure.

MR. BUTCHER: First, I believe Exhibit 2 -- well, Plaintiff's Exhibit 2 was marked as Defendant's DD --

MR. BUTCHER: Four. I've got 4 written down.

THE COURT: I've got 4 written down.

MR. BUTCHER: So I'd ask that the court reporter put a DD-4 -- I mean, DD-2 is the Defendant's and 4 is their exhibit number. It wasn't marked yesterday as a housekeeping matter.

THE COURT: Yes. I had it was admitted as Number 4 for Defendant District Two.

(WHEREUPON, Defendant's Exhibit Number 4 was entered)

MR. BUTCHER: All right. The second thing is there's a note -- and I don't know if it's from the clerk or the court reporter, but it essentially says that Plaintiff's Exhibit 5-A was marked for identification only. And I wanted to ask that that be moved into evidence.

MR. BARLOW: Can I see what 5-A is?

THE COURT: So, no objection to 5-A being admitted?

MR. BARLOW: No objection from us.

MR. DAVIDSON: No, Your Honor. I'm sorry.

THE COURT: All right.

(WHEREUPON, Plaintiff's Exhibit Number 5-A was entered)

MR. BUTCHER: That's it.

THE COURT: Okay. You may call your next witness.

MS. BUTCHER: Your Honor, I would call Ms. Kaci May.

THE CLERK: Please raise your right hand. State your full name for the record.

MS. MAY: Kaci Johnson May.

KACI MAY,

being first duly sworn, was examined and testified as follows:

THE CLERK: Thank you. Have a seat.

THE COURT: Your witness.

MS. BUTCHER: Thank you, Your Honor.

DIRECT EXAMINATION BY MS. BUTCHER:

Q Now, Ms. May, when did you adopt the children that you have in your custody?

A J.H.M. J.R.M., and L.C.M. were adopted June 5, 2015.

Q Okay. And those adopted out of DSS custody?

A They were. They were my foster children.

Q Okay. And when they came to your -- to live with you, did they have issues?

A Yes, ma'am.

Q Okay. And did you have to take precautions at your home to protect the three adopted children as well as your biological children?

A The longer that they lived with me, the greater the precautions that I learned that I needed.

Q Okay. And what precautions did you have to take?

A So DSS reported to me that J.H.M. needed to see a therapist and that the mother, the foster mother, needed to participate in therapy. So I called Dee Norton Low Country Children Center and tried to organize, schedule appointments. The lady never called me back, so I ended up researching the best treatment for children with significant trauma. So we ended up at MUSC National Crime Victim Center and J.H.M. completed their program while she was my foster child.

Q Okay.

A J.R.M. also was in therapy.

Q Okay. And just briefly, what were -- what's the nature of the issues that these children have when they came to you?

A It was disclosed to me that there was some sexual abuse history. So she was seeking treatment at MUSC for

sexual abuse.

Q Okay. And -- did you -- were you informed of the full range of issues these children had?

A Absolutely not. Before I adopted the children, it was disclosed to me in therapy, J.H.M. had to create a trauma narrative. So she had to write out her feelings and thoughts. And the full message of what had happened to J.H.M. came from J.H.M. She drew a picture of a big penis and her dad hurt her with that big penis. That was the story that was given to me and no more information was provided.

Q Okay. And since these children have come to you and you've had -- the children have had therapy, what did you come to realize their issues were? And just briefly, I know that could take a long time.

A Okay. J.H.M. now, she's been with me since 2013, over the years I have learned that she has significant maladaptive sexual behaviors. There is a sliding scale from one to four, J.H.M. is a number four. She's the most extreme case of victim perpetrator.

J.R.M. he is diagnosed with reactive attachment disorder. There's a lot of debate about what to call it. Developmental trauma disorder, conduct disorder, oppositionally (verbatim) defiant disorder. Those are all synonyms for his types of behaviors.

They show themselves in our community. Lying, cheating, stealing, manipulating people, killing animals. And also he has threatened many people's lives repeatedly.

Q Okay.

A And he has sexual -- I'm sorry. And he has sexual behavior problems. I didn't know about that until he was placed in residential treatment facility and that's where we've learned that he has significant sexual behavior problems at well.

Q Okay. And have you had to take precautions within your own home to protect your children?

A Yes, ma'am. So we are all hypervigilant and over the years we have learned the need for open communication constantly. Strategy called, "Name it to tame it." So we identify behaviors exactly as they are. The purpose and functions of the behaviors. Everybody in the home has to practice that.

We have extensive rules about who can be where and when they can be there and what they can be doing. And they're signed by everybody in the house, posted all over the doors. We have alarms on almost every single door in our house. We have cameras inside our house, outside our house. We have motion detectors. I've slept on the floor outside of J.H.M.'s door many, many

nights or just sat there because I couldn't sleep so I sat all night outside of her door.

L.C.M. and J.W.M. are our two youngest children. And they've spent most of their lives sleeping in our bedroom for their protection.

Q Okay. And have you engaged in making sure services are in place for your children?

A I have begged and begged and begged for help from everybody. I did not -- so I was a school teacher in Title I schools and I thought that I was trained and equipped to deal with any kind of behavior. My classroom always ran wonderfully.

I ended up teaching at Florence Crittenton as a home and school for pregnant teenagers. I worked there for 12 years. I thought I was equipped. I sat on the treatment team meetings and worked with a whole team of therapists, doctors, to manage children with maladaptive behaviors, and then I became a foster parent and went through the training and took in any information I could. Please ask your question again.

Q And what I was asking is, what services have you ensured that these children were engaged in?

A Okay. So they've -- all of my children have been in therapy almost the entire time since they were foster children -- while they were foster children. My

biological children engaged in therapy later. They were healthy, normal, functioning children until we introduced this trauma to our home that we can never undo. Their life has been forever changed.

So the majority of my children do psychotherapy. They have done network neurology, so brain training through neurofeedback. We've had Continuum of Care that I know the guy yesterday mentioned that. It is a wonderful organization. It's a wraparound services. They come in, they attend meetings with you and advocate for the best interest of your children. I have hired educational advocates, attorneys. I quit my job to be ever present for my children and to advocate. Because it's every day, all day that my children require care.

Q And a lot of these services come through DSS referrals with your post-adoption?

A Oh, no, ma'am. Post-adoption has not helped us at all. They asked us what do you want me to do. And when I present them any sort of information, they've never helped me. The only -- so Continuum of Care is the only service, I think, that is DSS affiliated -- state affiliated service that we've received. And we got that because after DSS threatened to take away our seven children, I reached out to them. I knew what they were because of my job. Reached out to them and begged them

to help me because I really didn't want to place my children in residential care. I just wanted services. I wanted somebody to help me provide behavior modification so that my children could change their behaviors and grow to live a functional healthy life.

Q Okay. And with -- has DSS since they've -- well, okay. In 2016 there was an incident where DSS was involved. And was that founded or unfounded?

A Okay. So I think in 2016, I think there were two incidents in 2016. Which one are you referring to?

Q I'm talking about the one that kept coming up in court about J.H.M. throwing an object.

A Okay. So, yes. So in 2016, November, after Thanksgiving --

THE COURT: Hold on, there's an objection. Yes, sir.

MR. DAVIDSON: Your Honor, with all do respect, and I understand some background is needed, but we're talking about the events that occurred in 2017. And the investigation that was started as a result of March 27, 2017 meeting at the school and not '16 and what services were or were not provided and things like that.

That's not part of this suit. This suit solely involves whether or not the Department followed proper state law and proper procedures in interviewing the

children at the school which has been identified by the children themselves, as well as Ms. Flemister or Flymister, I can't ever say it. But that's what we're dealing with today. Not past sins, past problems, past events, whatever.

MS. BUTCHER: Your Honor, if I may.

THE COURT: Ms. Butcher?

MS. BUTCHER: I 100 percent agree. These were brought up by them on cross. I do think it's important for the Court to understand the things they were trying to show. They've tried to show that my client had no services, refused services which is, I agree. I don't think it's really relevant to why we're here today. That's why I was trying to go over it briefly because it was brought up and I did not want the Court to be confused with that. And I could actually lead her through this very quickly just to cover those things and then get on with it, if needed.

THE COURT: Let's just do -- I get that there was an incident, it's in the notes of things that have been discussed, but let's try to stick to what's actually relevant before the Court and the issues that are relevant before the Court for this particular lawsuit. I understand there was a history. That's been brought up, but I don't think we need to rehash that.

(Ms. Butcher is speaking with Mr. Butcher)

MS. BUTCHER: That is true, Your Honor. One of the elements in this suit is the likelihood for this to occur again. So I think it is important with the 2016 which has been brought up to --

THE COURT: I will allow it.

MS. BUTCHER: -- briefly go through.

THE COURT: Sure. Let's just go through --

MS. BUTCHER: I'll try to shorten it. Thank you.

Q Now, Ms. May, the 2016 incident, just briefly tell me what DSS alleged and the outcome of that allegation.

A J.H.M. reported that I -- something to the lines of I threw a toy and it hit her. She went to school, she looked sad or whatever, and ultimately she didn't sleep the night before, so she looked exhausted. Her teacher said, what's wrong J.H.M.? Why do you look that way? And she explained that her mom threw a toy and it hit her and they reported that. And I believe at that point Dr. Baird did call me and give me warning that the guidance counselor and the teacher -- it was filed -- a report was filed.

What came of that? SAFY was sent out to interview me and talk to me. And I refused services at that point because they had nothing to offer that we didn't already have in place.

Q And was it ultimately unfounded? The allegation of you throwing something at J.H.M.?

A Well, I think that they're supposed to send me a report of what happens after, you know, if I deny services or whatever. Nothing's come of it. I don't know what happened after that.

Q DSS has never taken you to court?

A Oh, no. No. No.

Q And that was four years ago?

A Right. I don't know anything beyond that.

Q And that's fine. That's fine. Okay. So when your daughter J.H.M. is sent to school, were you concerned about her abusing other children at the school?

A So, yes. J.H.M. had a history of sexual behavior problems inside the school, on the school bus, in the community. Her adoption paperwork said that she had sexually violated another foster child before coming to our house. She had a pattern of behavior and we couldn't get anybody to take it seriously.

So she violated the child on the school bus while she was a foster child still and she completed the National Crime Victim's Center treatment and they said, you know, come back the next time you need help. And then beyond that she ended up testifying at her father's criminal trial and as we know that's just more trauma on

trauma on trauma. And I told the school that I was very fearful of an increase in sexual behaviors or inappropriate behaviors and I needed them to be on the lookout for it.

And even at that time, I didn't necessarily know how to identify a sexual behavior other than a sexual act. But nonetheless, her second grade teacher had e-mailed me at some point saying she observed J.H.M. being sexually inappropriate masturbating --

MR. BARLOW: Objection. Hearsay.

THE COURT: Sustained.

A Then -- so because I had a history of -- I knew that J.H.M. had a history of sexual misbehaviors, I approached Sand Hill because it was at that point that we change schools and informed them that I was very concerned that she could be inappropriate.

Q Okay. Now, you heard Dr. Baird say that the only reports he ever had of J.H.M. acting out sexually and inappropriately came from you; correct?

A Yes.

Q Okay. And then he also talked about an e-mail that he had received from a teacher talking about J.H.M.'s sexual acting out; correct?

A Was that the school bus, the second grade, or was it -- there was a bathroom incident. Do you have it?

Q There was a -- the e-mail he spoke of that he got from, I think, a third grade teacher.

A Okay.

Q Now, was there ever a time where you received a report from Dr. Baird that came from him, an e-mail, telling you about where J.H.M. acted out sexually at school?

A So, yes. J.H.M. acted out sexually on a Friday. And then on Monday, Dr. Baird, myself, and an educational advocate because by that time I had to hire an educational advocate for anyone to listen to me and to take me seriously and take the children's safety seriously. We all attended a meeting. And then Dr. Baird then recorded details from that meeting.

Q Okay. Do you remember roughly the date of that?

A February of '19, maybe.

Q Okay. Okay. And do you remember exactly what J.H.M. said or anything?

A No, ma'am.

Q Okay. And if I may, something to refresh your memory.

MR. BARLOW: Can I see it?

MS. BUTCHER: Yeah, I'll give you a copy.

Q Would you look over that?

MR. DAVIDSON: Your Honor, can we take a matter up

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with the Court?

THE COURT: Certainly.

MR. DAVIDSON: Without the witness present. I don't want a clue of where I'm heading on some of this.

THE COURT: All right. Madam bailiff, will you just escort her to the hallway?

BAILIFF: Yes, ma'am.

(WHEREUPON, the witness left the courtroom)

MR. DAVIDSON: The problem is, it's dated February '19 -- February 2019. And I don't believe I've ever seen the document. I may be wrong.

MR. BARLOW: It doesn't have a date on it.

MR. DAVIDSON: It doesn't have a date somewhere on it. I'm not sure it's ever been produced. It doesn't look like it's come from the school system. When I say "system" like e-mail system. It's just --

THE COURT: What is it?

MR. DAVIDSON: It's like an e-mail supposedly of something that Dr. Baird reported to her. And it says -- I can't remember how it starts. How does it start?

MR. BUTCHER: You want to just hand it up to the Court?

MS. BUTCHER: Yeah. I mean, you can hand it up.

MR. BARLOW: Well, she is the trier of fact as well.

MR. DAVIDSON: It says, "In order to record the

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conversation, I have included the notes from this mornings meeting." And it's dated February of 2019 at 8:07 a.m. I've just got some concerns about her refreshing her memory with a document that, number one, isn't related to the time period that we've been talking about which is primarily 2017. And it's just --

MS. BUTCHER: Your Honor, she can --

MR. DAVIDSON: I'll let you look at it. It's just odd. I've just got real concerns whether or not it's what it purports to be. It wasn't produced, Your Honor. I understand you can use something to refresh a witness's testimony, but I've got some real concerns about that.

MR. BUTCHER: Your Honor, may I respond to this?

THE COURT: Certainly.

MR. BUTCHER: So a couple of things. That's, one, we asked our client to send us a copy of the child's IEP -- the children's IEP last night. And that came in -- or yesterday we asked that. That came in an e-mail at 7 p.m., but I didn't open it until 9:49 this morning.

Two, it's an e-mail from the School District and we similarly asked that they produce the e-mails, all the e-mails related to this child -- the children. And --

THE COURT: The concern I have, Mr. Butcher, is representatives from the School District have been here

in trial in order to authenticate that it came from them, they should have been asked that question. Obviously, discovery has been ongoing. Your client should have provided this to you before today or last night.

MR. BUTCHER: Yes, Your Honor. And I would have appreciated having it a long time ago. But the other thing is, is she's using that e-mail to refresh her memory on the conversations, the meetings that she had. And we do have to show once again the element that it's -- that it is likely to happen again that there will be more -- that there's a very good chance that this family will encounter more DSS investigations in the future.

THE COURT: Well, that's kind of a crystal ball kind of situation. Certainly, you have children that have been sexually abused and, obviously, they'll have to deal with that issue for their entire life. And if something happens in the future, certainly, I'm sure DSS will be involved. So I think the parties will probably even stipulate to that fact. And I think that if an allegation of abuse comes up in the future, I pretty much guarantee you they're not going to say that they're not going to investigate.

MR. BUTCHER: Well, they actually put up a witness -- and I know he hasn't seen the children in a couple of

years, but -- or over a year, and he testified that they're not likely to have DSS investigation in the future. And I may be misquoting him, but it was --

MR. BARLOW: You are.

MR. BUTCHER: -- somewhere along that line.

THE COURT: He said that there was nothing current and he didn't know about anything. But -- and correct me if I'm wrong, but the testimony I heard was if there's an allegation of abuse, we have a duty to investigate.

MR. BUTCHER: And I'm looking at that as the likelihood to happen again. Not as to whether -- not as to whether or not they have a responsibility. I don't think we've said that they didn't have a duty to report.

THE COURT: Your position basically is that your client's child is likely to reoffend and do something wrong is what you're telling me.

MR. BUTCHER: Um, yes.

THE COURT: Okay.

MR. BUTCHER: Among that.

THE COURT: All right. So I don't think they would have a problem stipulating to that. If they know they have a duty to investigate that. We have no crystal ball. I mean, I think science shows that maybe that's a likelihood or a possibility. But you've brought no

expert testimony to that effect. But if it happens, this is -- this courtroom here, this bench has no crystal ball for that.

I think everybody can make that argument or maybe it's an assumption, I don't know. But the purpose of this late disclosure, I don't see how it's really relevant in late disclosure and didn't turn it over, your client has a duty to comply with discovery request and that she had this in her possession and she didn't turn it over then she can't use it.

MR. BUTCHER: Okay.

THE COURT: All right. So let's move on. All right. Let's bring her back in.

(WHEREUPON, the witness came back in)

THE COURT: Thank you, Ms. May, for your patience. You may proceed with your witness.

MS. BUTCHER: Thank you, Your Honor.

CONTINUED DIRECT EXAMINATION BY MS. BUTCHER:

Q In that meeting that we were talking about, what did you learn that the school was informing you of about J.H.M.'s inappropriate sexual behavior at school?

A J.H.M. did engage in sexual misbehavior. And J.H.M. told the principal that she was happy or excited by the opportunity to engage sexually. So we adjusted her IEP again. Just that letter or what happened? Are

you asking what happened?

Q What actually happened? What was the event you were informed of that J.H.M. --

A Well, I was informed that J.H.M. was swinging on the bathroom stall. And then on Monday when we went to the meeting, the principal outlined J.H.M.'s confession of what took place. And I asked J.H.M., what was your goal, something to the effect of what was your goal and how did it make you feel and what can we do to prevent the possibility of you engaging in that type of sexual behavior again.

So her IEP at the time had said J.H.M. should use the nurses restroom or her one-on-one. She had an adult that was with her all day. Had to clear out the bathroom and then J.H.M. could use the bathroom alone. But because of that incident, J.H.M. believed somebody else was in the bathroom with her. And so it was decided that it's best just in case that ever did happen for J.H.M. to only use the nurses restroom which is a single stall. Four wall, one door bathroom. So that was the result was we tweaked the IEP.

Q What was J.H.M. actually doing that you were informed of?

A J.H.M. had hoped to see somebody else's vagina in the other stall. She heard something and so she climbed

up on the bathroom stall, looked over, and thought that she would hope to see somebody's private parts.

Q Okay. So all along you had told the school about your fears about J.H.M.'s issues and the need to protect the other children; correct?

A Yes, ma'am.

Q Did you feel the school was listening to you?

A Oh, absolutely not.

Q Okay. All right. We have spent a lot of time in this court going over the fact of, you know, DSS being involved, that the school made a report, some allegations against you, and Dr. Baird was a mandatory reporter. Is any of that why you filed this lawsuit and why we're here today?

A No. If anyone -- if anyone believes that my children are being abused, they should report that to DSS. If DSS believes that it is a credible report then they should absolutely investigate it.

Q So you have no problem with DSS investigating reports that they believe are credible?

A If they believe it's credible. Yes.

Q All right. So tell me this, why did you bring this lawsuit?

A DSS knew before they put those children in my house that they were sexually, not only sexual victims --

MR. DAVIDSON: Your Honor?

A -- they were sexual perpetrators. J.H.M. and J.R.M. .

THE COURT: Hold on. There's an objection.

MR. DAVIDSON: Objection, number one, relevance. And she's going to get into a litany of her complaints against DSS. Some of which were dealt with in the family court for a period of time until it was dismissed. And there was a federal case that was brought that was ultimately dismissed. It dealt with similar issues. So we are not trying those cases.

We are only trying the case involving whether or not DSS had the right to interview these children at the school during the period of time that DSS was either doing a CPS investigation or family -- I'm sorry. Or Family Preservation services provided recording these children. That's the issue in this case.

And the ultimate question will be whether or not the Court's going to enjoin the Department of Social Services from interviewing children in these type cases without a warrant or without probable cause. I think that's the nut of the case.

Prior since, prior problems of what were done, what were not done, the fact that DSS knew, didn't know what the background of these children were when they went to

her house as a foster parent is not relevant at this point.

THE COURT: Ms. Butcher?

MS. BUTCHER: Thank you, Your Honor. And the case, the federal case, was dismissed without prejudice. It was not just dismissed, Your Honor.

MR. DAVIDSON: I don't deny that. I didn't say it was dismissed with prejudice.

THE COURT: How about this, I'll give you a little latitude. I understand she's got problems with DSS. However, let's focus the --

MS. BUTCHER: And, Your Honor, if I may --

Q Kaci, keep it to what's relevant.

MS. BUTCHER: And a lot of this in court has, I believe, been stuff that's not really relevant. I think that's kind of sparking a bit of with this. So --

THE COURT: So, Ms. May, when you're asked a question, I understand you may want to expound, but just keep it to just the question that was asked, okay?

MS. MAY: I will do my best. That's all I can promise.

THE COURT: All right.

Q And, again, my question was, why did you bring this lawsuit today?

A My children's rights were violated.

Q How is that?

A My children, first of all, J.H.M., J.R.M., unfortunately now L.C.M. too, engage in criminal behavior. So they have a right to remain silent. I want their rights protected. DSS involvement at all because of foster history, because of bogus allegations, because of being at PRTF, DSS causes trauma to my children. They have a significant trauma history that DSS is involved in and it's just ongoing. It compounds their issues that we can never fix. It's an ingrain feeling of terror. My children, my adopted children, and unfortunately, my biological children have learned that DSS does not protect all children.

And so when DSS is involved in a case and it just keeps going and keeps going and keeps going, unfortunately, especially with my adopted children, it causes a further attachment issue where my children do not have safe -- my adopted children, do not have safe attachments and we work so hard to build that. And when this agency who is -- their purpose is to supervise and fix broken families comes in and never goes away, that tells my children that there's something wrong with their family. That's what they feel. These are children. That's their prospective. And I can't fix that. I can't change that. Because -- I can go on and

on.

Q Is this part of -- and these children are diagnosed with PTSD; correct?

A Yes, ma'am.

Q Okay. And is that part of the trauma that is retriggering old trauma?

MR. DAVIDSON: Your Honor, we're leading the witness now --

A Absolutely.

MR. DAVIDSON: -- and we're getting into diagnoses.

THE COURT: Yes, ma'am. If you'd please not lead the witness.

MS. BUTCHER: Your Honor, she's talked about the damages and how it affects her children.

Q What have you observed with your own eyes of how this affects your children when DSS would continue to interview these children?

A My children have significant trust issues with a lot of people. My biological children do. My adopted children waiver between trust issues and full on trust of anybody and everybody. You know, my -- J.H.M. and J.R.M., especially J.R.M., he would be happy to go home with the judge and call her mommy. That's part of his trauma is that he has learned to just go with anybody and to attach himself to anyone and that is a safety

concern. I have to teach him and reiterate and hold his hand in a parking lot at age 11 so that he does not wonder off aimlessly and attach to any ole stranger that he thinks is okay.

J.H.M. is terribly fearful of people. Unfortunately, she's been -- she has been in a part of several investigations. So has J.R.M. while they have been in PRTF, psychiatric residential treatment facility while they've been in placement. And J.H.M. always asks for her mom. When she is in trouble and she is caught doing something inappropriate, she always asks for me. And that is healthy that she's asking for me. She needs to know that I will always show up for her.

And sometimes, you know, DSS or the police or whoever call me, other times they don't. And that jeopardizes her forever ability to trust many different peoples and many different agencies and entities. J.H.M., I have seen her when strangers, you know, police -- my brother was in a car accident one time so a police came to the house to check on my brother and J.H.M. ran and hid under her bed.

When the Karen Holstrom came to my house, J.H.M. ran in the house and said, the lady who interviewed me at, you know, the school, she's here and she hid. I had to go pull her from her bed. She was afraid that they

would come into our house and remove her.

I can go on and on with each child how they've been impacted by the foster care experience, the adoption experience, the repeat investigations, the hospitalizations of J.H.M., J.R.M. and L.C.M.

Q And as a matter of fact, where is J.H.M. today?

A J.H.M. -- J.H.M. lives in right now Fayetteville, Arkansas. It is a facility that specializes in the treatment of juvenile, female, very young offenders. It is one of two in the United States.

Q Okay. And when do you expect her to come home?

A Their treatment plan, it's a four level system. Their treatment plan typically lasts 12 months, 9 to 12 months. 12 months. Medicaid funds it and medicaid makes approval every 30 days. And medicaid's approval determines how long J.H.M. gets to stay there. So J.H.M. was placed there January 15th, so the hope would be that she comes home January 15th of next year.

Unfortunately, J.H.M. is still at level one. It's nowhere close to going to level two. She is sexually inappropriate inside the facility. Because Warren died, I had to fight and get ugly with the facility because of COVID and stuff to bring her home for the funeral.

Q And who is Warren?

A Warren is my husband. I had to bring her home for

the funeral and she was sexually inappropriate in the three days that she was with me.

Q Do you expect her to come home at some point though?

A Oh, yes, ma'am.

Q Okay. And L.C.M., was she recently put in a facility?

A So -- yes, ma'am. L.C.M. has taken -- so maybe for since J.R.M. was at Summerville -- Palmetto Summerville, I can't remember the dates, 2018. Since 2018, 2019, L.C.M. has been on many different psychiatric medications. She is on adult dosages for a very young child. She's very small, very petite. Anyway's, long story short, just can't get it right. Nobody can get it right. She is not healthy.

And so, yes, in May -- so Warren died April, in May she -- we had to take her to the emergency room. I took her to the pediatrician and the pediatrician says, is this what you've been talking about all along? I said, yes, you finally see it. And she, yep, you have to go straight to the emergency room. And we went to the emergency room and typically children stay at MUSC. I had to pay for seven to ten days. L.C.M. stayed there for 13 days.

Q And L.C.M. is how old right now?

ROA 000316

A L.C.M. is seven.
Q Okay. So she's school age?
A She is school age.
Q Okay. And what about your rights?
A Are my rights being violated?
Q Yes.
A Absolutely. These are my children. I -- Warren and I took -- take parenting very seriously. We thought that we were great parents and our children are great children. We have a wonderful time out and about playing and managing and whatever. I have a right to protect my children. I have a right to build a safe, you know, hub for my children, to choose the people who are around my children. To protect them. And that right was taken away from me.

If I am unfit, then somebody should get a judge or a doctor to say that I am unfit to take that right from me.

Q Okay. During -- there was a time during the incidents from March of 2017 on where a guardian was appointed; correct?
A Yes.
Q And did that guardian -- do you have any issues with that guardian talking to you and your children?

MR. DAVIDSON: Your Honor --

ROA 000316

A I absolutely don't like a guardian talking to me because I'm a guardian --

THE COURT: Hang on, there's an objection.

MS. BUTCHER: Your Honor, I believe it's very relevant to the fact that --

THE COURT: Let me hear what his objection is first.

MS. BUTCHER: I'm sorry. I apologize.

MR. DAVIDSON: Number one, I'm not sure she can testify about what the guardian -- I apologize. Can testify about what the guardian may or may not have said or implied or whatever because that would truly be hearsay.

Number two, DSS isn't the guardian. The guardian's appointed by the family court. If there's a problem with the family -- a problem with the guardian, it should have been handled through the jurisdiction of the family court which had the right and the ability since they appoint the guardian to deal with the guardian issues. And that's our objection.

MS. BUTCHER: Thank you, Your Honor, if I may address that. One, that my question wasn't anything about what the guardian said. The DSS dictation references the guardian twice. The guardian is appointed to speak for the children, to be there for the children because they are incompetent. And that's what

I'm getting at.

There was a guardian, yet DSS themselves kept coming without even telling the guardian to the school to talk to these children. That's what I'm getting at. We're not talking about what the guardian said. I think DSS --

THE COURT: I think the history of the visits has already been established. And I think she's going outside on the scope of what the guardian said or what --

MS. BUTCHER: Wasn't going to ask it, Your Honor.

THE COURT: Okay. Let's kind of move on from that. Y'all have established how many visits there were and where they were, what contact there was, what e-mails there were. So unless there's something different that you're getting at, we've covered that.

MS. BUTCHER: It's a little bit different, Your Honor. It's just that she didn't have an issue with the guardian talking to the children.

THE COURT: Okay.

MS. BUTCHER: Her issue was DSS, not the guardian.

THE COURT: Well, then let's keep it to that then.

MS. BUTCHER: That's what I was trying to do, Your Honor.

Q So, again, my question was, did you have any issues

with the guardian talking to your children?

A The guardian had full rights and responsibilities to see my children, visit them at both home, school and facilities and she did and she was wonderful.

Q Okay. Thank you for that. And -- okay. Now, to your knowledge, the investigation, do you remember the exact date it ended?

A Investigation -- before the end of the school year, maybe.

THE COURT: If you don't recall you can say you don't recall.

MS. BUTCHER: And if I may, Your Honor, just hand her this to refresh her memory?

THE COURT: Yes, ma'am.

MR. BARLOW: Which exhibit?

THE COURT: What number is it?

MS. BUTCHER: Number is 7.

A So when we were indicated, to me that means that's the end of the investigation, they decided that we were guilty was May 12, 2017.

Q Okay. Thank you.

MR. BUTCHER: You want to put that in?

MS. BUTCHER: Thank you. It's Number 7.

MR. DAVIDSON: We had an objection to that one, Your Honor.

MS. BUTCHER: I haven't moved to put it in, Your Honor, at this point.

MR. DAVIDSON: Whenever you move it in I'll have an objection.

MS. BUTCHER: That's fine.

Q Okay. And DSS continued to interrogate your children or interview your children beyond the end of the investigation; correct?

A Yes, ma'am.

Q Okay. And you had told them not to?

A I told everybody who had ears to stop speaking to my children. I wanted everybody to do -- follow the law.

Q Did DSS ever tell you after they interviewed your children?

A No, ma'am. Other than the one day that the Karen came to my house after the week in March, she interviewed -- somebody, DSS interviewed my children throughout the week that Karen came to my house on the Friday and said, did somebody tell you your children were interviewed? Yes, my children told me. They were the only ones that told me.

Q Okay. So was there a time where you set up an appointment with Karen Holstrom from DSS to allow her to meet with you and your children?

ROA 000321

A I know that we had a lot of e-mails back and forth and I know that there was a time that Karen was supposed to come to my house. For some reason, she didn't.

Q Okay. And do you remember when that was?

A It was early on. April.

Q Okay. This is Plaintiff's 5-B, if I may give you this to refresh your memory.

A Yes, ma'am.

Q Do you remember the dates of those?

A May. The e-mail from Karen was May.

Q Okay. And did y'all set up a time for her to come out and talk to y'all?

A I'm sorry. This reminded me of a lot of other stuff. "You notified me Wednesday after common working hours a difference in time and date. Which per timestamp is less than 48 hours there. At this point, again, I request you have your attorney please contact us back at the earliest convenience so that we can schedule a meeting. I will not be coming to your home." That's the part. "I will not be coming to your home at this time due to allegations you are bringing towards me causing the children nightmares when I come to your home."

Q Okay. But when did she tell you she wasn't going to make that meeting she set up with you?

ROA 000321

ROA 000322

A I don't know if it says it in this e-mail or not, but I think it was after the time. She told me later that she didn't show up.

Q Okay.

MS. BUTCHER: And, Your Honor, I'd like to move this into evidence.

THE COURT: What number is that?

MS. BUTCHER: 5-B. And you don't have a copy, so I'm going to give you one.

THE COURT: Any objection, Counsel?

MR. DAVIDSON: None, Your Honor.

MR. BARLOW: None from us.

(WHEREUPON, Plaintiff's Exhibit Number 5-B was entered)

MS. BUTCHER: The Court's indulgence.

Q Now, once the -- you received a letter saying that DSS had indicated a case against you, you appealed that; correct?

A Yes, ma'am.

Q Okay. And did you learn also that DSS planned to take you to court?

A In September when they threatened to take my son and children.

Q Okay. And let me hand you this. Can you tell me what that is?

ROA 000322

ROA 000323

A Yes, ma'am.

Q What is that?

A So this is the appeal. This is after we hired y'all and appealed their indicated decision. And so there's also the determination of fact sheet in here. Where Dorchester County Department of Social Services responded to a report that, "The children have been brutally raped by JHM. Allegations that the children are not safe in the home. Concerns for the parents supervising the children properly."

So this is the appeal notice. And -- well, this is the notice of the right to appeal from the agency is here for both me and Warren.

Q Okay. So DSS was aware that you were appealing?

A Oh, yes.

Q And you -- were you under any court order to take any family preservation services or anything?

A No, ma'am. I've never talked to a judge.

MS. BUTCHER: Your Honor, I'd like to move this into evidence as Plaintiff's 7.

THE COURT: Any objection?

MR. DAVIDSON: None, Your Honor.

MR. BARLOW: No, Your Honor.

MR. DAVIDSON: Hang on a minute. What exhibit number is it?

ROA 000323

MS. BUTCHER: Seven.

MR. DAVIDSON: That's the letter. We got an objection as to the letter, Your Honor.

MR. BUTCHER: Your Honor, if I may. We would stipulate that any of the argument in the letter is not relevant. The purpose for the Court is for the Court to know, you know, the timeline so they can see that the investigation was over and an appeal happened. And during that time period what happened and compare it and the fact that the appeal got dismissed because DSS was going to take him to court. And then the -- and then the questioning still continued at the school. So it's --

THE COURT: Then there's really no reason to put the letter in. We could note the dates of whatever judicial events took place. And I think that's a matter of public record anyway.

MS. BUTCHER: And, Your Honor, I just wanted the Court to be aware that DSS was well aware she didn't agree with the finding. She appealed it.

THE COURT: Yes, ma'am.

MR. DAVIDSON: We're not denying that. We're also not denying that we ended up taking them to family court. We're also not denying the fact they counterclaimed.

THE COURT: And I think that's already been established in previous testimony and arguments.

MR. DAVIDSON: And we're going to ask the Court at the appropriate time to take judicial notice of the family court record.

THE COURT: Any objection to that?

MR. BUTCHER: No objection. And we could -- because of the administrative on -- it's an administrative procedure, we could also take a judicial notice on the record of the dates of when things were done if that's okay.

MR. DAVIDSON: I don't have a problem with the fact determination sheet, the notification of right to appeal if y'all provide the date that y'all appealed it because the letter doesn't say.

MR. BUTCHER: Actually the second one does. About four pages in. June 7th.

MR. DAVIDSON: We'll stipulate they appealed it on June 7, 2017, Your Honor.

THE COURT: Taking notice of that then.

MR. BUTCHER: And then the -- would you all accept that on June 15th, the county agency did an interim review and upheld and said that the case was supported by the evidence?

MR. BARLOW: I think you should direct that to DSS.

MR. DAVIDSON: That could come into evidence, Your Honor. It's a correspondence from the county director where he reviewed the matter and upheld the determination by the Department. And then next step was they brought the lawsuit.

THE COURT: So there's no objection to that. So everybody is on the same page with that.

MR. BUTCHER: Okay. And then the June 23rd administrative order dismissing the case based on DSS's representation that they were going to go to family court; is that okay?

MR. DAVIDSON: That is fine. And they did.

MR. WOODINGTON: It's Exhibit 7 starting with DSS correspondence.

MR. DAVIDSON: None of y'all's letters just the DSS documents.

MR. BUTCHER: So the last three pages?

MR. DAVIDSON: Yeah.

MR. BUTCHER: You want to remark that -- or have the court reporter remark that?

MS. BUTCHER: Yeah, if she would. That's 7.

MR. DAVIDSON: Determination fact sheet. Notice right to appeal.

MR. WOODINGTON: And leave out the letter.

MR. BUTCHER: Just no letter.

ROA 000327

MR. DAVIDSON: None of your letters.

MR. WOODINGTON: Just no letters.

MS. BUTCHER: We could actually put in the determination.

MR. DAVIDSON: I don't have a problem with that. It is what it is.

(WHEREUPON, Plaintiff's Exhibit Number 7 was marked and entered)

Q So, Kaci, the investigation ended May 12th?

A Yes, ma'am.

Q Okay. And DSS continued to interview your children?

A For a very long time afterwards. Yes, ma'am.

Q Okay. And from your observations of the children, what did you see of how -- the effects it had on them?

A So the way that I knew that they were being interviewed was when the children would come home and report that they were being interviewed. But I did also observe behavioral changes especially with J.H.M..

J.H.M. would stay up all night long and go into a state of mania where she would just -- she would masturbate compulsively. She would harm herself masturbating. She would just pace her room all night long. She would talk to herself in the mirror. She would become extremely defiant and violent and

ROA 000327

destructive of house property. She would become very clingy on the other hand. Need extra reassurance that everything's fine. I'm still mom. I'm your parent. I'm your protector. And I've never failed you. You know, these are conversations that we would have to have over and over and over again to build that attachment, build the trust, and to remind her that she was safe in our home.

Q What about the other children?

A J.R.M. -- so J.R.M. would kill animals. And we would have dead birds in the yard. We would have like birds from bird nests in our yard. We had a lot of chickens and he would accidentally break their backs.

Q And just to stay on point, are you talking about like after the interviews?

A Oh, yes.

Q Just wanted to be clear. This was an ongoing problem?

A It was ongoing, but definitely the frequency and the timing was absolutely connected to the interviews. His lying. The manipulative lying. That most people don't even recognize as being manipulative. You know, if you don't have the full context. Like he would tell people like I need to save some money so I can buy an umbrella because my mom makes me walk in the rain to the

bus stop. Well, he wouldn't say, but I have a raincoat. He would just -- we call it -- it's called, "thinking errors." It's like the number of thinking errors would definitely present more frequently with the adopted children.

My biological children were -- became hypervigilant. And C.B.M., oh god, bless his heart, he's -- I didn't think he did a great job in testifying yesterday to the extent, I took A.R.M. A.R.M., J.W.M., and L.C.M. -- no, not L.C.M.. She was not in public school at that time. I took A.R.M. A.R.M. and J.W.M. out of public school because C.B.M. would come home and say, I was so afraid that they would take my siblings. You know, when I got on the bus in the afternoon after they had interviewed me, I was relieved that -- to see the children got on the school bus.

And after I removed those children from public school and started doing the home school, by that time, I resigned my position. I was a school teacher and I resigned my position from a job I love in order to protect my children from this ongoing interrogations. Because that's what they became. They didn't start off as interrogations, but they eventually became interrogations.

Last night --

MR. DAVIDSON: Your Honor?

A -- C.B.M. felt like he was --

MR. DAVIDSON: Your Honor, I move to object and move to strike all that about and "became interrogations." She wasn't there. She doesn't know.

THE COURT: Sustained.

A Last night C.B.M. --

THE COURT: Ma'am, just answer the question. You can't --

MR. BARLOW: And I'm going to object on hearsay grounds --

MS. BUTCHER: To what? I mean --

MR. BARLOW: To C.B.M. is telling her.

THE COURT: Hold on. And, Ms. May, you need to just answer the question. There was an objection and then you started off on a different topic.

MS. MAY: I'm sorry, I didn't hear. You need to speak up.

THE COURT: Just answer the direct question, yes, no, and then you can explain if you need to. But you can't just go on a narrative that goes beyond the question.

MS. MAY: I will try my best.

MS. BUTCHER: Additionally, Your Honor, too, the objection hearsay. One, I think it's a present sense

impression when C.B.M. is saying it. But also it's not -- it's to the fact of not what he said, but the reason she took the children out of school.

THE COURT: Well, she can testify as to the reason. But you haven't established a proper foundation for present sense and impression. I mean, not simultaneous any of the requirements under the rule. So that's sustained.

Q Okay. Just don't say exactly what he said. What as a result you can say what you did. And what you observed from your own eyes, observations you saw them doing. Continue.

A C.B.M. was very frustrated last night because of the manner in which he was asked questions. Did they beat you? No. They spanked me. C.B.M. is very aware of language like that and it causes him great stress. I see it with him. He is a very active person. He goes out, he's practiced martial arts for years. And he goes out in the yard and does his forms and things like that to relieve that type of energy. The pacing, we live in the woods, he'll go in the woods and climb trees for hours by himself following investigations or interviews or conferences, whatever. That's his way of blowing off steam.

A.R.M. A.R.M., she's -- she handles her stress

ROA 000332

differently. She gets really quite, reserved. Curls up in her bedroom with a book which is not awful, but she distances herself. And then she's also presents as angry at J.H.M., J.R.M. because we've been a part of their ongoing lives and we feel like -- they explain we feel like that other people aren't listening to these things that we know are lies and mischaracterize our family.

So they seem very frustrated by their siblings being allowed to get away with mischaracterizing what's going on. They're aware of that. J.T.M. is 14 now and he's very aware of the fallout, the observations in our house, the destruction of property, the killing of our animals as a result of the interviews. So it causes family tension. It causes the siblings to, you know, have harsh feelings towards one another.

Q Do you recognize these two documents? And this is Plaintiff's 11.

A Are these -- Dorchester County transfer. So, yes, ma'am. This is when I withdrew J.H.M. and J.R.M. from traditional public school.

Q Okay.

A September.

Q What was your --

MS. BUTCHER: And, Your Honor, I'd like to move this

ROA 000332

into evidence.

THE COURT: Any objection?

MR. BARLOW: Which number?

MS. BUTCHER: Plaintiff's 11. It's just where she removed those two children.

MR. BARLOW: Oh, that's fine. No objection.

THE COURT: Any from DSS?

MR. DAVIDSON: No, ma'am.

THE COURT: It's in.

(WHEREUPON, Plaintiff's Exhibit Number 11 was marked and entered)

Q And what was the reason you removed those children?

A For the safety of our family. My children were still being interviewed. Sometimes my biological children were in interviews with the adopted children and their prospective's of what was going on. Usually did not align. J.R.M. would report whatever and it would cause the siblings to be upset because it was a mischaracterization of reality. And the reports would just cause more reports. It would never -- it never ends. My children engage in awful behaviors that we're treating and begging for help to change --

Q Okay.

A -- and I wouldn't get help.

Q And do you -- would you like to put these children

back in the public school system?

A J.H.M. and J.R.M. -- J.R.M. currently attends public school since all of this. We have been able to get an IEP. And the IEP is heavily weighted with behavior protections for behavior safety or behavior improvement plan and safety precautions. So, yes, J.R.M.'s in school.

J.H.M., when she returns from the facility, she will need to attend public school because she requires line of sight 24 hours a day for the safety of people. So she will need to attend public school.

A.R.M. A.R.M., she would absolutely like to return to public school. And I am willing to do so as long as she feels safe and I feel like our family is safe. I don't feel that way right now.

J.W.M. would like to attend public school. Because the school has repeatedly failed to adequately enforce even the IEP and J.R.M. has had numerous incidents of misbehavior. An example, he threatened -- the last day of school before the COVID we were dismissed, he threatened to break a child's arm. I had -- his behavior log said that. And that was it.

I had to hire an educational advocate to address the school. And have the school to identify that behavior as inappropriate. And so our advocate

addressed -- it's a level three infraction. And it wasn't until our advocate addressed the school and threatened to go to the superintendent that the school accepted that behavior as inappropriate especially from a child who kills animals.

Q And you heard Dr. Baird say there was no court order. Okay.

A That there was no court order to investigate my children either.

THE COURT: Let her finish asking the question, please.

Q Are you wanting to put your children back in public school? There's a court order protecting them from these continued interviews that are outside the statute which allows DSS to interview children.

A I believe that the law does protect them --

MR. DAVIDSON: Objection, Your Honor.

A -- but nobody's enforcing the law.

THE COURT: Ms. Butcher, please don't lead your client.

MS. BUTCHER: I'm sorry.

A I believe that there are laws in place that should protect my children already, but they are not being enforced. I would like for my children to attend public school, but they cannot attend safely until people

enforce the Constitution. I think it's the First Amendment, Fourth Amendment, Fifth Amendment, I believe those are the three amendments that are being violated.

Q Okay. Do you feel like there are benefits in the public school that children would -- that would not get at home being home schooled continuously?

A Absolutely. Especially now that my husband is dead.

Q Okay. Now, there was a lot of to do about the terms you used about J.H.M. being raped or J.H.M. raping your babies. Why did you use those terms?

A Shock. How many times do I have to say, she put her fingers in a child's vagina on the school bus. And if you don't believe me, you can ask that man right there. And he didn't do it.

Q Okay. Did anyone from DSS during -- from when they started their investigation in March and on until it was -- the allegations were brought -- finally brought to family court in September, I think, and then ultimately DSS dismissed them and took away the finding that they had done with this case. Did anyone ever ask you to submit the children for a forensic interview?

A No, ma'am.

Q Did anyone ever ask you to sign HIPAA releases for the children?

A No, ma'am.
Q Did anyone ever ask you to provide the children's medical or therapy records from DSS?
A No, ma'am. Although I do believe that I sent the list of services that we were engaged in. I sort of thought that was giving them permission.
Q Okay. Additionally, DSS spoke about a second case that they indicated against you in, I think, December of that year, 2019. Did you ever receive -- when did you learn about that?
A I knew nothing about that until you shared it with me on Monday evening. This Monday evening.
Q Okay. And so you never received any paperwork or anything?
A Oh, no, ma'am. And my children -- J.H.M. and J.R.M. were in residential treatment at that time.
Q Okay.
A Which was difficult.
Q Okay. And during all this too, did DSS ever send you a proposed treatment plan or anything?
A No, ma'am.
Q Okay. Now, you filed this case not only against DSS for the temporary restraining order, you also filed it against the school. What part do you feel the school played in this? Why did you file it against the school

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--

A I believe that everybody should stay in their professional lane. And I believe that the school is a place for my children to receive an education based on the standards put through the Department of Education. The school should not be a place where my children are investigated or I'm being investigated. If you don't believe that my children are in imminent danger. So anytime if a child -- if you think a child is going to be, you know, hurt by going home or something, by all means, investigate at school.

But that was not the case and, therefore, my children should not be continued to be interviewed while at school. My children did not feel comfortable with that. They wanted to be just another child. They wanted to trust the people in the school building. I wanted to trust the people in the school building and there was no trust.

Q Okay. And, again, you had no problem with the fact that the school reported you to DSS; correct?

A That is not a problem.

Q Okay. And no problem that DSS investigated a report; correct?

A That is not a problem.

Q Now, you let the school know that you did not --

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that you wanted to be told if DSS interviewed your children?

A Yes, ma'am.

Q Did they ever tell you?

A No, ma'am.

Q Okay. You also let them know that you wanted to be present or your attorney present; is that correct? If the children were interviewed.

A I told them that. I feel confident that I probably e-mailed it. My husband wrote it on the blue cards at the beginning of the school year. He wrote at the bottom that he expected that I be contacted or my children's attorneys to be contacted for anybody interviewing our children outside of the school role and responsibility.

Q Okay. And you also let DSS know that; correct?

A Oh, yes, ma'am.

Q Okay. Are you asking this Court to permanently restrain DSS from interrogating or interviewing your children without a court order or warrant or exigent circumstances?

MR. DAVIDSON: Objection, Your Honor.

A So, I'm not sure --

THE COURT: What's the nature of your objection, Counsel?

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MR. DAVIDSON: Trying to get the Plaintiff to enter into conclusions, opinions about legal matters the Court will have to decide, Your Honor.

THE COURT: I think she's just asked what is it you're asking the Court to do.

MR. DAVIDSON: Oh, okay. I thought she was trying to get into the opinions of why.

THE COURT: Didn't you ask her what she --

MS. BUTCHER: No, Your Honor. I asked her simply just what you're asking the Court to do.

THE COURT: Correct. You may proceed.

MR. DAVIDSON: That's fine.

A I want the Court today to hold that outside of an investigation, if anyone is to interview any child, whether it's DSS or anybody else, our case specifically is DSS, and the school allowing it, observing it, to protect my children's right from being searched, from being seized, from being questioned. I want my children's right to remain silent to be protected. Especially my children who engage in criminal behaviors. I want my children's -- I want my children to be safe. That's what I want.

Q Okay. And it's your understanding that that's what the statute allows for when the statute talks about children being interviewed at school?

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MR. DAVIDSON: Your Honor, objection.

A Yes, ma'am.

MR. DAVIDSON: Trying to interpret the statute, that is your province.

THE COURT: Sustained.

MS. BUTCHER: Your Honor, that's just her understanding.

THE COURT: Sustained.

MS. BUTCHER: Thank you, Your Honor.

Q Okay. Are you asking for the school to be permanently restrained from facilitating the interviews of your children by DSS without a court order, warrant or exigent circumstances?

A Outside of an investigation, I want the school to have a warrant, to be presented with a warrant, signed by a judge in order for my children to be questioned.

Q And are you asking for the Defendants to pay your attorney fees and cost in this matter?

A Yes, ma'am.

Q Okay.

MS. BUTCHER: Court's indulgence.

Q Kaci May, can you tell me what this is? Plaintiff's 13.

A Yes, ma'am. This is the information sheet that -- on J.H.M. when she resided at Three Rivers Midlands.

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Q Okay. When was the date of that, she was admitted?
A The day after her birthday, October 13, 2017. And J.R.M.'s is the second page. And he was also October 13, 2017.
MS. BUTCHER: And I'd like to move this into evidence.
THE COURT: Any objection?
MR. BARLOW: No objections.
MR. DAVIDSON: None.
THE COURT: All right.
(WHEREUPON, Plaintiff's Exhibit Number 13 was marked and entered)
Q And, Kaci, obviously, you don't have a crystal ball to know the future. And while I'm sure it's your hope that these children's issues go away. Do you have any indication that they're going to go away over the next few years or in the future?
A There is no indication that any of my three adopted children's mental illness and subsequent behaviors are going to go away.
Q Thank you.
MS. BUTCHER: No further questions, Your Honor.
THE COURT: Cross examination?
MR. DAVIDSON: Can we take about a five minute break?

THE COURT: Sure. Let me know when y'all are ready to proceed.

(There was a short break taken)

THE COURT: All right. Cross examination.

MR. DAVIDSON: Thank you, Your Honor.

CROSS EXAMINATION BY MR. DAVIDSON:

Q Ms. May, we've heard a good bit about the children, but I kind of want to get a little bit better understanding. You have seven; correct?

A Yes, sir.

Q And my understanding is three of those are adopted?

A Yes, sir.

Q And four are your what I call biological children?

A Yes, sir.

Q The three adopted children are J.H.M.?

A Yes, sir.

Q J.R.M.?

A Yes, sir.

Q And J J.T.M.?

A No, sir.

Q Okay.

A L.C.M.

Q L.C.M. is adopted. L.C.M., is she the baby?

A She is.

Q Okay. Now, the four that are your and Warren's

children, biological children, can you give me their names?

A J.T.M., C.B.M., A.R.M. J.W.M.

Q Okay. Now, can you tell me in 2017 --

A Okay.

Q -- when DSS got the report from the school, the age of the three adopted children.

A Can I tell you what grade they were in?

Q Try age, please, ma'am.

A All right. March 2017, L.C.M. would have been three -- no. Holly crap. 2017 minus 2012, she would have been four. She wasn't five yet.

All right. J.H.M., he -- born in 2009, April. So 12 -- or 17 minus nine is eight, but he wasn't -- it wasn't his birthday yet, so he was still seven.

J.R.M. was born in 2007. 2017, but yet she wasn't ten yet, she would have been nine.

Q Now --

A Good test.

Q -- biological children. Tell me how old they were in '17. If you miss one or two that's all right, you only get a B.

A Okay. J.W.M., he was born in 2012. 2017, he would have been four, not five yet. Because it wasn't his birthday month.

A.R.M. A.R.M. was born in 2009. But it wasn't her birthday month yet, so she would have been seven.

C.B.M. was born in 2007. He's the same age as J.H.M., so what did I say?

Q Ten, nine, somewhere along in there.

A Okay. And J.T.M. was born in 2006 and it wasn't his birthday yet, so he would have been ten.

Q Now, as a teacher, you said you were teaching recently where?

A The last place that I was a school teacher was at Florence Crittenton.

Q All right. And that is for pregnant teenage girls?

A Yes, sir.

Q To continue on with their education, but also deal with their pregnancy?

A Group home.

Q All right. You as a teacher have been trained as a mandated reporter?

A Yes, sir.

Q You understand that allegations of abuse and neglect are serious allegations because you're dealing with the potential injury to a child; correct? They're serious? The allegations --

A They are serious if they're believable.

Q Okay. Well, when you're a mandated reporter, if it

comes to you that somebody may have abused a child or neglected a child, you don't make the decision if it's credible or not credibility, do you? Don't you just report it?

A You're asking me --

MS. BUTCHER: Objection, Your Honor. This is true, he is interpreting the law and making her make basically a decision on when a mandated reporter has to --

THE COURT: She testified that she was trained and she was a mandated reporter and he's asking her if an allegation is made to her then what was the rest of the question?

MR. DAVIDSON: If the allegations are made -- if somebody comes to you and gives you an allegation of abuse and neglect --

MS. BUTCHER: Your Honor --

MR. DAVIDSON: Your Honor, I appreciate them arguing between --

THE COURT: I ask them to please finish the question -- allow him to please finish the question and then I can rule on the objection. But please don't interrupt while he's trying to finish his question.

MS. BUTCHER: Yes, Your Honor.

MR. DAVIDSON: I'm going to have to think a minute.

THE COURT: That was their strategy. (Laughter) I'm

kidding.

MR. DAVIDSON: And I'm not as young as I used to be, so it takes me a moment to rethink. (Laughter)

Q Ms. May, as a mandated reporter, when somebody reports to you that there is suspicion of abuse and neglect or you see what you consider to be potential physical evidence of abuse and neglect, bruising, maybe a handprint around somebody's neck, you don't make the decision whether it's credible or not. As a mandated reporter, you have to report it to the Department of Social Services?

MS. BUTCHER: Objection. Your Honor, before Ms. May tries to answer. My objection is, he's misquoting what the statute is.

Q So you make the decision --

THE COURT: Hold on. Just rephrase it a little bit. She testified she was a mandated reporter. She knows what her duties are. She can answer if it's appropriate what her duties are based upon the question.

MR. DAVIDSON: And I'll ask it another way.

Q So are you -- what you're telling me, Ms. May, is that you as a mandated reporter can make the decision to report something or not?

A So what I was taught as a mandated reporter is not in alignment with what the law actually says. And we

were able to get to the bottom of that following the allegations in the reports. And we've actually -- the School District and our team of professionals, educational advocate, myself, my husband, other special ed people we know, we were able to get to language that we agree upon. So can I look through the IEP and tell you what mandated reporters or what the School District agreed to? It's in the IEP.

MR. DAVIDSON: I'm not asking --

THE COURT: Let's move on, Counsel.

MR. DAVIDSON: Okay. I'll move on.

Q If it's reported and DSS determines that it needs to be investigated, I think I heard you say, you are not opposed to DSS interviewing the children that may be subject to a report of abuse and neglect; correct?

A I agree. Yes.

Q Now, would you agree with me that in this case, in March of 2017 -- March 27, 2017, you made the statement that J.H.M. had raped your babies?

A Yes, sir.

Q Okay. Now, the babies in that instance are, I believe, L.C.M.?

A Yes, sir.

Q And J.T.M.?

A Yes, sir.

Q Both of which were around four years of age?
A Yes, sir.
Q And I think we've heard testimony, and I think there's actually some evidence in the record, you kind of described what had happened about L.C.M. and J.T.M. being pulled out of bed, clothes ripped off, dragged across the floor, trying to stop what was going on, and J.H.M. brutally raping both of those children?
A So during deposition, I was able to go through that statement by statement. And I shared that it was out of context that some of those statements were not an accurate description of how I presented.
Q So you telling me what you told the School District in that meeting because you relayed that information to the School District; correct?
A What I'm telling you is what was reported was not --
Q Ms. May, listen to my question.
MS. BUTCHER: Your Honor, I would ask that she be allowed to finish her answer prior to being interrupted.
Q Ms. May, listen to my question. What I recited to you about the children being -- L.C.M. and J.T.M. being pulled out of bed, clothes ripped off, and brutally raped was what you reported to the School District?
A No, sir.

Q Okay. What did you tell the School District then about this raping your babies?

A J.H.M. raped my baby. She waited for my brother to go to sleep. My brother was supervising them. And she lurid them into her bedroom with candy. And then she prevented them from leaving her bedroom while she put paddles in their buttholes. She put her mouth on their private parts. And put their mouths on her private parts.

Q Okay. Now, would you agree with me that that is concerning behavior?

A Absolutely.

Q Would you agree with me that that type information being reported in a IEP or 504 meeting, as in this case, could result in that being reported to DSS; correct?

A Yes.

Q Okay. And you had no problem with DSS interviewing the children as a result of that incident?

A I do have a -- I don't want to split hairs.

Q Well, let me back up and let's split a hair or two.

A Okay.

Q You don't have a problem if they come out and interview your children one time; right?

A This incident was reported to DSS previously. Our pediatrician had reported it. Our pastor had reported

it. I reported it myself.

MR. DAVIDSON: Your Honor?

A I had sought services for it.

THE COURT: Ms. May, he asked you, do you have a problem with them interviewing your children one time? Yes --

A On this incident --

THE COURT: Hold on. On the question he's asking about, answer the specific question. You can say, yes, no, I don't know, and then you can explain your answer. But you can't just go off on something completely different.

MR. DAVIDSON: And plus, Your Honor, I'm not sure she can testify about who reported what, when, and how since all of that would be hearsay. But that's a whole other matter we can take up.

THE COURT: So just answer the specific question and then you can explain yourself.

Q Do you have a problem with DSS coming out and interviewing the children one time?

A No.

Q Do you have a problem if they came out and interviewed them 30 days later to see how things were going?

A If they are still in the investigation period, I do

not object.

Q When Ms., I think, Flemister, I say it wrong every time. Jasmine, the social worker, was assigned this case, you directed that any contact with you and the children should go through your lawyers; right?

A She became a part of the case after investigation was over and, yes, I did.

Q After the case was indicated?

A Yes, sir. Thank you. Yes.

Q You heard Ms. -- the social worker Ms. Jasmine --

A Yes.

Q -- testify that during the period of time it's in family preservation, they're still investigating the case?

A No, sir.

Q You didn't hear that?

A No, sir, they're not investigating.

Q My question is, did you hear her say that?

A I'm not sure.

Q Okay. Would you agree with me that J.R.M. is dangerous?

A J.R.M. is dangerous. My son J.R.M. is dangerous, yes, sir.

Q And I think the indication or the investigation or the report was founded regarding or indicated for

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neglect; correct?

A Yes, sir.

Q It wasn't abuse by you or your husband or your brother on any of the children; correct?

A Correct.

Q It was just somebody had neglected the situation and had allowed the sexual assault to occur?

A That we allowed it, yes, sir.

Q And I think you said you and your husband -- and I'm sorry to hear about your husband. Actually went out to supper that night and let your brother come over and keep the kids?

A We were out-of-town. My brother lived with me during that time and we had gone out-of-town for a day.

Q So y'all left him for a day --

A Twenty-four hours.

Q Okay. I'm also correct that you told the children when, I think you said they advised you when DSS talked with them, they came home and told you?

A Yes, sir.

Q You advised them that they did haven't to talk to DSS; correct?

A Correct.

Q That they could ask for you?

A Correct.

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Q Or they could ask for their lawyer?
A We didn't have an attorney during that -- during that initial investigation that first week, I said you do not have to speak to them, you can ask for me. It was later that the attorneys got added.
Q Okay. But at some point you told all the kids you don't have to talk to them?
A You have a right to remain silent.
Q Okay. Even though DSS is trying to find out if there's anything going on the home that might indicate abuse and neglect; correct?
A Yes, sir, I would love to explain that. May I?
Q Is that true? What I just asked you?
A Yes, sir. May I explain that?
THE COURT: You may.
Q Yeah.
A Okay. My children had been violated by DSS repeatedly. When my children were foster children, I actually had to hire an attorney so that they would move forward with the termination of parental rights. They did not disclose a lot of information to us. They would show up and take my children for depositions for TPR and different things like that and I always advocated to be present in order to show that I could protect them. I'm there. I'm the rock. I'm the mother that you never

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had. And DSS did not allow me to do that.

And so my J.H.M. especially felt very frightened and violated by that. My biological children are very intelligent. My adopted children are very intelligent also. But my biological children are very intelligent, intuitive, and they observed all of this. And they did not trust DSS.

We had caught them in numerous misrepresentation of information when the children were foster children and then after the children were adopted. And then we finally learned that -- it took me a long time to realize that my son was killing animals. But, you know, as all of this stuff came to light, my children felt violated. Like that was information that could have been shared with us to protect our family.

Q Ms. May --

A So they had a right to be protected from that. They had a right to remain silent. And at that point, my children were engaging in criminal activity. My adopted children. And I was addressing it and I wanted their rights to be protected. So J.R.M. has been investigated for sexually assaulting somebody at the residential treatment facility.

Q That's after all this; right?

A Right. But this is just more and more that piles

on that they're untrustworthy and my children's rights need to be protected.

Q I appreciate that. I appreciate that. Your daughter was actually a witness at the criminal trial regarding her father, wasn't she?

A She was the primary witness.

Q Okay. And you were there?

A I did. Yes, I attended the whole time.

Q Okay. So you heard all the gory details of what her father did to her?

A I heard a lot of gory details of what her father did to her.

Q And DSS actually had removed those children and placed them in foster care and you ended up becoming the foster parent?

A They removed them more than one time and placed them back in the home. And then ultimately I was the final placement.

Q Okay. And there were always matters that you took up with DSS because you became a foster parent; right?

A And I was given half of the information always. Yes.

Q You sat through the whole criminal trial; right?

A The criminal trial was after --

MS. BUTCHER: Objection. Relevance, Your Honor.

And argumentive.

THE COURT: I think it is relevant. I will allow it.

Q You sat through the whole criminal trial?

A It was after adoption. Yes.

Q When did you adopt the children?

A 2015.

Q 2015.

A June of 2015.

Q June 2015.

A Criminal trial was September/October of 2017.

MR. DAVIDSON: With the Court's indulgence.

A '15, sorry. Please forgive me, '15. 2015.

Q You adopted the kids when?

A June 5, 2015.

Q Trial was September of '15; correct?

A Yes, sir. Thank you. Yes.

Q They were meeting with the solicitor who was prosecuting the case, were you not?

A I was not.

Q Did you go with your daughter when she met with them?

A I was never in the room.

Q Did you ever talk with the solicitor about what the allegations were and what the charges were?

A I was a foster parent, no, sir. Up until the end.

MS. BUTCHER: I would object to the relevance of this. It seems like they're just trying to get a deposition in for the civil case.

THE COURT: No, ma'am. I think it's relevant. It's part of her reason for being upset with DSS that she testified on direct --

MS. BUTCHER: I guess I'm just talking about what she knew at the time of foster care that came out of the criminal trial.

THE COURT: I think it's fair game considering all the substance that was brought out on direct. So I will allow it.

MS. BUTCHER: Okay. Thank you.

Q Now, would you agree with me also that J.H.M. and J.R.M. were removed from the school in September of '17?

A J.H.M. and J.R.M. were --

Q J.R.M.

A -- brought home to be home schooled.

Q And they were not interviewed by DSS once they came home; correct?

A They moved to residential treatment very shortly after. Thirty days.

Q My question is, while they went home in September

of 2017, they were not interviewed by DSS?

A They were not interviewed in my home.

Q Okay.

A In September.

Q The last time they were interviewed was, I believe, in May of '17; correct? Is that right?

A I don't know. You have the records.

Q That's fine. If you don't know, you just say you don't know.

A They came to the school so that's just as bad.

Q Well, my question is though, you don't know when specifically any of the children were interviewed because you weren't there at the school; correct?

A I knew when they came home.

Q Okay. Well, can you tell me here today that the last time either J.R.M. or J.H.M. were interviewed was in May 2017?

A You are welcome to show me the document and I can read the dates. But I do know that anytime one child is interviewed it's like interviewing all of them. The trauma is systemic.

Q Did you -- when you were telling the children they had a right to be quite, not say anything, right to remain silent, did you try to tell them what DSS was trying to check on? Did you try to tell the children

that DSS was coming to the school to interview them to talk with them to make sure they were safe and okay? Did you ever tell them that? Or did you just tell them keep your mouth shut?

MS. BUTCHER: Your Honor --

A I don't know.

MS. BUTCHER: -- I'd object to the relevance.

THE COURT: It's absolutely relevant. The children testified to those circumstances and there was testimony on direct about that.

Q From -- I assume you heard the testimony. Last time there were any interviews of the children or any attempt to interview the children was in November of 2017. Do you remember that testimony?

A I know that date. I don't remember who said it or if I read it.

Q Since that date, okay, no one from Dorchester DSS has come to your home or written you or requested to interview the children about anything that took place in 2017; correct?

A To be honest, I'm not sure. Because there have been several investigations. Like I said, my daughter did sexually violate somebody in PRTF, Three Rivers Midlands. J.R.M. had a sexual violation at Palmetto. And I don't have the dates in front of me, but they were

interviewed. Palmetto is in Dorchester County --

Q That's a new report?

A Yes.

Q Okay. But from the 2017, the March 27, 2017 report, where it was reported that you had said that J.H.M. -- J.H.M. had raped the two babies in the home?

A I had also said that she sexually violated numerous people in the school.

Q I understand that.

A And that was ignored.

Q That's fine. I understand that.

A It's not okay --

THE COURT: Ms. May --

Q Listen to my question.

THE COURT: Ms. May, you're hear to answer questions, not to just make general statements. So please listen to the question and answer the question.

Q It will make it a lot easier. As a result of the March 27, 2017 report, which came as a result of you telling the school personnel that J.H.M. had brutally raped the two babies, L.C.M. and J.T.M., and they were four years old and she was nine. No one after November 2017 has come to investigate, talk with the children, involve you in any further investigation of that incident; correct?

A Nobody from Dorchester DSS; correct.

MR. DAVIDSON: Beg the Court's indulgence. I don't have anything further. Thank you.

THE COURT: Cross examination?

CROSS EXAMINATION BY MR. BARLOW:

Q Ms. May, good afternoon?

A Hi.

Q The other attorneys have asked you a lot of questions, so I don't think I have much. I've tried to pare this down as much as I could, so I'm not going to be all that long here.

I believe you testified that you currently have three kids in Dorchester Two?

A I have to go through the list. J.T.M., C.B.M., and J.R.M., yes.

Q Okay. And you've never seen J.H.M. act out sexually at school yourself?

A I have seen her misbehave sexually at school.

Q What would that have involved?

A Walking down the hallway without other people. Rubbing herself. Touching herself. Sitting in a seat. Wiggling around. Squirming.

Q Wiggling and squirming in a seat?

A Yes, sir. I would love to explain. So it has taken me years, but we work with a therapist with the

association for the treatment of sexual abusers and we have identified numerous behaviors which are sexual behaviors for children like J.H.M. who has such an extreme behavior -- sexual behavior problem. Grooming is something that often happens right in front of people's eyes and they cannot recognize it as a grooming behavior because especially since you don't expect it from a small child. Many of those behaviors have been listed in her IEP. And J.H.M. IEP.

Q All right. You would agree that the teacher spent a lot more time with J.H.M. at school than you?

A Absolutely.

Q All right. And you would agree also that no other parent ever complained about J.H.M.'s behavior toward their child at school?

A I have taken names and telephone numbers of parents who have seen my daughter walking the hallways alone unsupervised.

Q You gave a deposition in this case recently, didn't you?

A Yes, sir.

Q All right.

MR. BARLOW: Here is what I will do. I will take a picture of the page of this and hand her this. May I approach?

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THE COURT: Yes, sir.

MR. BARLOW: Let me get the mask on.

A I don't mind.

Q All right. You gave this deposition July 29th, I believe?

A Last week or the week before.

Q Okay. And I'm going to read page 57, starting at, looks like line 12.

"Q Did you ever get -- did you ever get a complaint from any other parent or family about JHM" -- that would be J.H.M.; right?

A Yes.

Q -- "behavior toward their child?" What's your answer?

A My answer is, no.

Q Okay.

A And I stick with that answer. But that does not include the full picture.

Q I just asked you if that was your answer.

MS. BUTCHER: Your Honor, I'd ask that she be allowed to explain her answer.

MR. BARLOW: Why does she have to explain what the deposition is?

THE COURT: Was it yes or it was no?

A It was, no.

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THE COURT: Let's go on to the next question.

Q All right. Now, the bus referral that you talked about, that happened in 2014, didn't it?

A Probably. Yes.

Q Okay. That was before you adopted the kids as well?

A It was.

Q All right. Now, you agree based on the report that DSS should have checked into the kids in March 2017?

A I do not object to DSS investigating the children after Dorchester reported them -- us.

Q Okay. And you don't dispute the substance of what Dr. Baird talked about yesterday about what was reported to him in that meeting on March 27th?

A No. Not the gist. I do have issues with some of the details, but --

Q The gist of it, the substance of it?

A Yes.

Q Yes. You have a good relationship with Dr. Baird?

A We did the best we could to be nice and to work together. I was very frustrated by his refusal to implement safety procedures to protect my children and other children. Very frustrated.

Q Now, you refused entry to DSS in your home in March 2017; does that sound right?

A So the day that the lady came to my house the first time, she said that she failed to interview J.R.M. But the truth is she failed to interview J.T.M., so I offered for her to talk to J.T.M. at my picnic table. Did not want her in my house. I wanted my house to remain our sanctuary and she chose not to do that. And then I also, she tried to schedule that meeting and she didn't show up.

Q Okay. And by May '17 -- or May 2017, you told the kids not to talk to DSS unless they wanted to?

A I told the children they have a right to remain silent and they are welcome to tell them they don't choose to talk to them.

Q Okay. Do you agree that DSS has a certain job to do and that it's important for the agency to see children at school away from potential abusers?

A I believe that professionals should do their job and should do it well. Has that been my experience with DSS? No.

Q But you do -- do you agree with the statement that DSS has a certain job to do and that it's important for the agency to see children at school away from potential abusers?

A If they believe that the children are at harm from the parents, then, yes. During the investigation period

without a court order. After that, they need a court order. Parents have a right to tell their children don't talk to other people. That is my job is to protect the safety, security, health and welfare of my children. DSS chose me to do that for my three adopted children.

Q Sure. Now, in an affidavit you submitted to the court in December of 2017, you said that the teachers and administrators at Sand Hill Elementary School were lazy and ignorant, didn't you?

A They are lazy and ignorant, yes.

Q All right. Now, the 2017 case is over; correct? DSS's 2017 case is over? The investigation is over?

A It is over.

Q All right. So you agree that any new DSS interview at school would be for an entirely new case and report?

A Yes.

Q All right. That's all I have. Thanks.

THE COURT: Any redirect?

MS. BUTCHER: Yes, Your Honor.

REDIRECT EXAMINATION BY MS. BUTCHER:

Q Now, Mr. Davidson was asking you and you stated that you sat through the court proceedings where J.H.M. had to testify against her father; correct?

A Yes, ma'am, I did set.

Q Did DSS ever tell you prior to adopting these children about J.H.M.'s sexually -- sexual reactive behavior where she was having sex with other children?

A No, ma'am.

Q Did that come out in that court proceeding with the father?

A It did not come out in that court proceeding that J.H.M. was sexually reactive with other children. The gist of that -- well, you know, it was the first time I heard all of this history, so I was shocked. It was a lot to hear.

Q And that was about --

A I heard that my daughter was the victim of all five legal definitions of rape. And that is what hangs with me. I know there was some discussion about her and her siblings being sexually inappropriate. I don't know when and where that discussion happened.

Q Okay. But prior to your adoption, you didn't know the full story on J.H.M.'s actions?

A Oh, no, ma'am.

Q Okay. Now, Mr. Davidson also asked you about the interviews at school stopping in November of 2017; correct?

A He did ask me that.

Q Okay. You filed this lawsuit in December, the next

month of 2017; correct?

A I did.

Q Okay. And once you filed this lawsuit --

A No more investigation.

Q Thank you.

A No more interviews.

Q Okay. And Mr. Barlow referred to page 57 of your deposition. He was referring to the question you were asked in the deposition, "Did you ever get a -- did you ever get a complaint from any other parent or family about J.H.M. 's behavior towards their child?" You responded, "No." You also were talking about that was being taken out of context. Could you please explain?

A Yes, I can explain. Grooming behaviors are not easily identified. That's the reason why we have so many sexual abuse victims. It took me many, many years to observe sexual behaviors and then to be able to identify specific behaviors as sexual behaviors.

So teachers would report that J.H.M. was quite, wiggly. She would not keep her hands on the desk. J.H.M. has many -- present -- she would keep a log and she would present her log to me where she was masturbating under the desk. The teacher saw her with her hands under the desk. They just wanted her hands on top of the desk. They didn't know what trained -- they

didn't believe possible that my very young daughter was actually masturbating beneath the desk.

J.H.M. would do things like share food with other people. Share candy. That is a grooming behavior. And she would be called down for these behaviors. But it's taken me many years working with this specialized therapist to know that for J.H.M. specifically for J.H.M. those are grooming sexual behaviors that J.H.M. is not allowed to engage.

So I did not receive reports that those were the behaviors. But I did receive many reports of in hindsight I know those were sexual behaviors. And I want to change J.H.M.'s behavior. And in order to do that, J.H.M.'s hands had to stay on the desk. J.H.M. couldn't share food. J.H.M. had to be supervised at all times. Should never be left with just one other child. Adults should not walk the hallway alone with J.H.M.. J.H.M. should be in a bathroom by herself.

Q Now, was candy -- to your knowledge, was candy used by J.H.M.'s father in any way?

A Yes. So it is reported many times and J.H.M. and J.R.M. have shared with me that they would be violated and a bag of candy would be their gift from their biological family.

Q Now, would you have known or did you know whether

or not the school told other parents when J.H.M. was sexually inappropriate? Such as you mentioned, her masturbating in the classroom if the other child -- another child had witnessed it, would you have been in -- did the school ever report to you that they had told another parent that that had happened?

A It is my --

MR. BARLOW: I'm going to object to that on the grounds that it's a very difficult complicated compound question and calls for hearsay.

MS. BUTCHER: Your Honor, I can break it down.

THE COURT: All right. Let's break it down without hearsay.

MS. BUTCHER: Okay.

Q Now, were you ever informed by the school that they let other parents know when their child was either a witness to J.H.M. being inappropriate or J.H.M. conducting an inappropriate activity on their child?

MR. BARLOW: I don't think that solves the hearsay problem.

MS. BUTCHER: Your Honor --

THE COURT: If she --

A They didn't tell me.

THE COURT: Right. She did or she didn't receive a report. I think that's a fair question.

MR. BARLOW: Okay.

THE COURT: You can answer it.

A They did not inform me when J.H.M. was sexually inappropriate by herself or with stranger children. They also did not inform me when J.H.M. would be with her siblings in inappropriate situations. So if J.H.M. and A.R.M. would be walking somewhere together or J.H.M. and J.W.M. would be somewhere together, they never informed me of those behaviors.

Q Okay. So fair to say that the other parents didn't know about J.H.M.'s sexual inappropriate behavior towards their children they wouldn't have reported it to you?

A They would not have reported it.

Q Okay.

MS. BUTCHER: Court's indulgence. No further questions.

THE COURT: You may step down, ma'am. Thank you. Any other witnesses, Counsel?

MR. BUTCHER: No other witnesses, Your Honor. But I talked with opposing counsel and, you know, since normally with request to admit you would publish them, they're fine with the submission of them. But Mr. Woodington has a --

MR. WOODINGTON: One slight reservation.

THE COURT: Yes, sir.

MR. WOODINGTON: His request of a lot of them say admit that on such and such a date and on such and such a time, DSS interviewed such and such a child by initials and there are a lot of those. I mean, really not that much in toto. But time was running out and I needed to get him an answer, so basically what I did was admit basically only the time and place. The other part of it wasn't of a seizure and we didn't admit that.

But the whole idea is that if there's a conflict between the actual facts of record about the date and time and the way he put it in the request for admission that we will stipulate that the actual record is governing and not the -- if he's got the day or the person off by a little bit and with the actual record governs and it does not go toward admission. Is that fair?

MR. BUTCHER: And that is completely fair. And I'll give you for instance. Sometimes case workers they go back and type in their, you know, the date and time something happened. Well, we know the school was taking a photo copy when they hand dated the visits. So we've generally gone with the school. And so, you know, yes, if we're off by a day, I'm not going to hit them on that. But part of it they're -- some -- so, yes, we're

fine with that.

And so what I would like to do is submit the School District's and DSS's request to admit. Should we mark them as a Court exhibit or how do you want to do that?

THE COURT: Any objection to it being marked as a Court's exhibit?

MR. BARLOW: No objection.

MR. WOODINGTON: Their is one objection to the relevance. Part of it is admit the authenticity of certain statistics. We've talked about this a few times. I'm not sure he's ever offered it. But in so far as that -- in so far as the request to admit the authenticity of statistics, we would object to the admission of the statistics themselves on the ground of relevance.

MR. BUTCHER: You know, and that's fine. You know, looking under Rule 65, obviously, we could only obtain injunctive relief for our client and it's not filed as a class. So I don't think it's as important for the Court to see the frequency of stuff like that.

THE COURT: I agree that it's not relevant.

MR. WOODINGTON: In that case, can we amend the request and just take those pages off or something and put the other ones on?

THE COURT: Sure, you can redact it. I mean, I know

not to look at it. But if you don't want it a part of the court record, that's fine.

MR. WOODINGTON: No, that's all right. Let's just go ahead and let it stay.

MR. DAVIDSON: We'll trust you.

THE COURT: Thank you.

MR. BUTCHER: So, Your Honor, the Plaintiff rests and I'm sure the Defendants will have some motions and we'll have a motion also.

THE COURT: All right. Who would like to go first?

MR. WOODINGTON: Your Honor, we do have a motion for a directed verdict. This is -- it's a nonjury case, obviously. It's an equity case and I don't know how to cut the line between arguing the whole case at this point and merely arguing that they didn't present sufficient evidence. So I'd like to just start with the bare minimum of the sufficient evidence -- sufficiency of the evidence argument and then talk as much or as little as you'd like to hear from there on out.

It would, you know, you have to have a heart of stone not to sympathize with the Plaintiff, the May family. There are obviously some issues going on in the family and some difficulties that they've encountered. But, and I hope nobody thinks that the Defense counsel in this case had that heart of stone.

The trouble is we're not -- we're really here on a very, very narrow legal issue and that's Paragraph C of the Complaint in the case of my people and that is whether this should occur. That is the entry of a final and permanent order restraining DSS from interrogating or interviewing the Plaintiff's children unless there's a court order or a new allegation of abuse and neglect.

There's been an awful lot of talk about the 2017 series of events. But in reality, we're all used to reviewing and talking about whether the prior set of circumstances was correct or valid or okay or not. And the Court is not really being asked to issue a declaratory judgement on whether that was right. Whether what they did was right in 2017. And, you know, there's not a damage case. There's not a declaratory judgement case. That's sort of just an example. They're trying to use that as an example of what might happen in the future. And Your Honor's crystal ball phrase is quite accurate about where this case is.

And so there's no objection. You've heard there's no objection if there's another allegation of abuse and neglect that's dually reported by a mandated reporter, Ms. May doesn't have an objection to their being a conversation or an interview in the school. But there hasn't been one since 2017. There was something that

happened in early 2018. The record's not very well developed in it. But the last time that there was actually an investigation that led to an indication, as far as we know, was 2017. That's over three years ago.

They haven't produced any evidence, we would submit that shows that this is likely to recur. In fact, what they have produced is just the opposite. That we've heard that there are problems in the family and the people are getting help. That they're in contact with mandated reporters all the time and yet there haven't been any reports to DSS that DSS has felt the need to investigate. Not since March of 2017.

And even if you include that one that's not very well developed in the record from early 2018, it's still two and a half years, it just hasn't happened. And until it happens, to go a little further down the chain, if there's an allegation of abuse and neglect and there's an interview in the school which -- and they don't have a problem with that interview, and then it's indicated, another court proceeding occurs, that's when their problem occurs.

But a lot of things have to happen and they haven't shown any evidence that that's likely to happen. Again, I'll repeat, a lot of problems going on, a lot of exposure to mandated reporters, no reports. I know

Ms. May and the children have feelings and new subjective feelings that if it happened once they're always afraid it might happen again. But feelings unfortunate are not facts unfortunately for them. And the fact of the matter is it just hasn't happened.

So they don't have any facts to indicate that DSS acted outside of its own policies even if you take the area they're complaining about. It acted within it's policies. We've cited policy 701 something in our Brief that says, "When there is a case active, an open case file, they should make face-to-face contact every 30 days." And they did. Sometimes talking to the children, sometimes not.

You know, we heard that J.H.M. was very upset about being talked to over and over again. But we also heard that she was only talked to twice, March and May of 2017 and never again. So she wasn't talked to very much.

Even though -- I mention just a minute ago in the request for admissions, it takes time to sort out who was interviewed when and where and what time. There really weren't all that many. There was a March set. There was a May set. There was another short May set. And then there was a September set and a November set where nobody said much of anything. So really not all that many interviews.

And considering that they've had a 30 day -- every 30 days to make a face-to-face thing after the case was brought, a couple of those were satisfied just by visual seeing of the children, you know, as you've heard some testimony about that.

They haven't shown that there were -- there was an allegation in the Brief that a statement that DSS maintains the right to interview children for any reason or any cause or anything they want to with a reason or no reason, it's not the case. Dr. James denied it and there are no facts indicating that they have interviewed outside of an allegation or an open case.

Now, I can go on and say why that failure of evidence to show recurrence and that failure of evidence to show any violation by DSS of its policies should fail as a matter of law. But just for the present purposes, I would just argue that they haven't shown any evidence of either one of those things. That also indicates why and maybe this isn't the right place to argue that there's no subject matter of jurisdiction in this court.

This was a family court proceeding. It starts -- if it starts up, the only court it's going to go to is a family court. And we've made the argument in the Brief that this is not within the subject matter of jurisdiction of this court.

But more importantly than anything else it's just that they haven't shown that it's likely to recur. We don't have a crystal ball. We don't know whether it will happen again. If it does happen again then, I'll paint the scenario one more time, there's an allegation of abuse and neglect. They talked to the children in school. They find that it's indicated. None of which has happened in three years now. And they -- and they -- as I said, they find it's indicated. Of course, that's a term of art for meaning an administrative proceeding starts up. And then following policy, DSS would then go to the school and interview the children.

That's the time when this case would be right for another look. Stated differently, maybe and I'm not faulting them for not showing that it hasn't recurred because under these facts it just hasn't happened. If DSS came out every 30 days or came up with a new allegation every 30 days and came out to interview the children and filed a new lawsuit every 30 days, there might be something. But there's just a total silence for three years now.

So for those reasons, we would submit that the evidence -- there has been no evidence and there's a -- and a verdict should be directed on behalf of the Defendant DSS in this matter. And if Mr. Barlow has

anything else to say -- wait a minute. Just bear with me just a minute.

Well, I use the term case or controversy, but the 2017 case is muted. It's dead, gone, over with and long gone. Okay.

THE COURT: Thank you, Counsel.

MR. BARLOW: And I would join counsel in everything that he said to this point. And I think for purposes of the School District as well. You know, I think the Statute 63-7-920(c) is dispositive of the School District -- the claim against the School District for injunctive relief in this case.

You know, it allows DSS to come to the school. There was no testimony at all here that the school participated in these interviews at all. They set them up. They sat with the child. To the extent they want to allege a Constitutional argument, there's just no search, seizure or anything else by Dorchester Two employees other than making children available for the interviews by DSS. Which the statute contemplates and is what happened.

Now, as far as irreparable harm, I would just add that the children know that they don't have to talk to DSS. And that would be an additional point. I think that shows that if this happens again, that, you know,

if we had the crystal ball and we could decide or predict if this is going to happen again. And that was sort of Mr. Butcher's objection to my question to Dr. Baird was it's completely subjective. How would he know if they're ever going to come back again. And that's exactly the point here.

Injunctions don't issue on subjective things that might happen at some time in the future. It's not based on hypothetical things. It's based on ongoing problems for which there is no adequate remedy at law. You know, I would submit that if they come back in, you know, three years, four years, and violate the statute, violate the Constitution with what they're doing with these kids, there's an adequate remedy at law for that. And there's no reason to think otherwise as far as this point based on any evidence that's been put forth here.

So I think, you know, the three elements for an injunction are irreparable harm, success on the merits, and the absence of an adequate remedy at law. And I don't believe any of the evidence satisfies any of those elements. Particularly with regard to the School District, you know, which wasn't doing the searching, the seizing, the investigating, or anything else other than making the children available for DSS to interview at school in accordance with the statute 63-7-920. And

that would be our directed verdict motion.

THE COURT: Thank you, Counsel.

MR. WOODINGTON: Your Honor, could I add one thing real quick?

THE COURT: Sure.

MR. WOODINGTON: Like I said, I was trying to split the argument up not get everything in and maybe you don't even want to hear closing arguments when we're through, I don't know. But I would rely on the Brief on the probable cause and seizure issues. And also I just want -- left out one thing that I wanted to say and I'd incorporate his argument by reference on the injunction point.

But also, whatever happens in the future, it probably won't be the same facts as this. That's another reason why it's speculative and conjectural. Something might happen. Some report might come in. But you can't -- you just can't adjudicate whether the interview was right or wrong or the post indication interview was right or wrong until you know what the facts are. We don't have any facts because it's hypothetical. We know what happened then, but we don't know what would happen in the future.

THE COURT: Thank you, Counsel. Mr. Butcher?

MR. BUTCHER: First regarding the fact that this

should be in family court. My first argument is that's been ruled on under the Motion to Dismiss. No facts have changed. There's no new evidence regarding anything related to that.

And so when this court respectfully denied their Motion to Dismiss based on the fact that it should be properly handled in family court. Then I would say that's the law of the case that this court has made. There's nothing to renew that motion before the court.

The reason why we did not file a damages case is because we wanted the court, we were hoping that opposing counsel also would focus on the fact that the injury is a Constitutional injury, Your Honor. It is not necessarily something where you're looking at damages that can be equated by someone looking at an x-ray and medical bills and a life care planner.

But, these are the same Constitutional rights. The right to be free from unlawful search and seizure without some form of probable cause or a warrant. You know, so when we talk about, for instance, it's easier for me to equate First Amendment issues. The injury is the Constitutional injury of not being allowed to say what you're allowed to say in a public form. And so that is the injury. And these Constitutional rights are extraordinarily important that I took and oath to

protect those when I was in the military. The law enforcement officers downstairs took oaths to protect them. You have to take an oath to protect that. So it's not just something that the kids can get over, Your Honor. Because it's something that should never happen to begin with. And unless there is some type of probable cause, the State has no business violating these rights.

Now, on the other hand, we do have a public policy that we want to get rid of the discourage of child abuse in our society and child neglect. We understand that failing to remedy these situations has a harmful effect on our society as a whole. The big thing is, in something that we have done in South Carolina is we have given DSS rampant control since the agency's inception of our schools. And nobody has bothered to stand up and say this. And I'm sure some sex offender has probably complained about his kids getting interviewed at school or stuff, but, you know, that's really not necessarily the best form to argue that. And there is no case law in South Carolina regarding this, Your Honor.

And so that's the reason why we chose to ask for injunctive relief and have this issue addressed head-on. And this is a great case. Because what it does is you've got that initial complaint and you have a mandate

by -- in our code to say, you know, immediate contact the children.

So from there is, you know, the 2 to 24 hours is 48 hours, is that reasonable for -- is that reasonable for our state to say, your Fourth Amendment rights can be abrogated and your parental First Amendment rights can be abrogated for the agency to go ahead and do -- and seize the child and interview them and ask them questions.

But then you go two weeks later and they're -- or a month later and they're still interrogating or interviewing the children, you know. Then you have, you know, six weeks later they're doing it. How about six months later and then -- or four months and six months later. When does it stop or eight months later, when does it does stop where the state is just interrogating and it's a Constitutional violation.

I would also, you know, we had two causes of action or action essentially. One was under 42 U.S.C. 1983 which is their Fourth Amendment. And then also the other was under the state Constitution and I can't remember if it's -- it's Article 1, Section, it's either 10 or 12. But the authors of the South Carolina Constitution valued the Fourth Amendment protections and something much more important, the right to privacy.

That's something our state has put into our Constitution is that there is a right to privacy from the state and it talks about the same requirements, meaning probable cause or a warrant.

So from that prospective, I believe that that injunctive relief should be granted. And, you know, the state's or, I'm sorry, DSS's and the School District's reliance on 620(c)(1), I believe is facially unconstitutional. Because, you know, as applied, DSS -- well, as they apply it, DSS can come in anytime they want even if there is no investigation. School District doesn't ask. And as applied, you know, DSS believes they can go in anytime they want.

The other thing though is as -- if you read it strictly, they're only allowed to do it during an investigation. And the investigation is clearly delineated in Paragraph A of 920. Which is the same actual statute. It's A, B, and C of 920.

So even if you don't believe that the statute's unconstitutional, then DSS and the School District are limited under -- under the confines of what A says in defining what an investigation is and the time periods for the investigation.

The fact that this may happened again. One, I would ask the Court, other federal -- well, federal -- some

federal courts have found that the fact that someone has a child may mean that they can have or they can be investigated in the future and that's enough for a court to provide injunctive relief regarding interrogations in DSS situations. And it's either *Mann verses County of San Diego* or *Capp verses County of San Diego* and those are in the federal -- in the F.3d.

But one of the reasons why we went into some of the details regarding the children is, we have three children with severe, severe mental health issues. And one of the things that we have with these mental health issues is, you will have reports of abuse and neglect. Sometimes it's due to their own behaviors and sometimes there may be concerns of supervision.

But just from the fact that we have these very sick children, there's a much more likely chance that we will have an encounter with DSS. And one of the things that Ms. May testified about was the fact that when these children have been at psychiatric residential treatment facilities, these places where they're professionals paid to take care of sick children, DSS and the Arkansas Department of Children and Families have investigated conduct that those children were involved in. So they have -- there have been subsequent investigations.

And, you know, if you look at Exhibit 1 and it's in

chronological order and it's toward the end, in January and February, DSS actually indicated a case against Kaci May. We didn't learn about it until, you know, this weekend. But, you know, so she has been investigated subsequent to this.

Now, obviously, they didn't serve the indicated case on Kaci May. We aren't aware of it, so -- I mean, I don't know what happened there. But nonetheless, you know, it's not -- there's a very real chance that before our youngest child L.C.M. gets out of high school, that we are going to have some type of investigation with DSS.

Ms. May has worked very hard with these kids to make sure they get the proper treatment. Our goal is to make sure that they are protected. And we were very specific in our Complaint. If there is probable cause, if there's a court order, if there's a warrant, then, yes, DSS and our state -- our community has an obligation to meet with those children and investigate. We're not asking about that. We're asking for DSS to be prohibited from essentially taking these children.

And let's talk about seizure, Your Honor. These children were not free to go. They were told to go and now Mr. Baird testified that the children wouldn't be given a referral for refusing to sit -- or to go in with DSS, but they would be given a referral for refusing to

follow instructions. Which is a very odd splitting of hairs. It's the same consequence for the same action. I mean, it's, you know, it's double speak essentially. And that kid, the only thing he will know is he got punished and he will be punished for not sitting down with DSS.

And if you're told to go into a room with DSS, you're pulled from your class by a state official and you're sat down -- you've sat down with them, then you have been seized by the state for -- it's an interrogation. Because they are there asking questions about legal things.

I know I didn't argue about that during trial whether it's interview or interrogation. But, Your Honor, they're in there and they're asking those kids things. And that's one of the reasons why I asked Mr. James was, you know, they're taught to, you know, to not intimidate or they're taught how to question the children and not get them upset. But bottom line, they're pulling things from these kids in the way they're taught how to question the kids.

So, one, it's very odd that -- I mean, that you wouldn't give in that it is a seizure. Because, I mean, by all definitions in the majority of the federal courts that have viewed this is those are seizures of children.

And that they are interrogations of children when they're questioned about their family and what's going on in the house. So I don't know. Anyway's, I think it's obvious as to what it is.

One second. And I think another overriding issue is that the school has said they will continue to allow these children to be interrogated by DSS unless there is a court order. And, Your Honor, they said, I think essentially what we got from the school was, we don't want to be in the position to try and evaluate whether or not DSS has cause. One hundred percent of the way -- one hundred percent they do need to evaluate anytime someone comes and see if -- if they have a reason or cause to do it. And, you know, DSS can present paperwork.

Now, you know, DSS has a I think they think they're going to win, so that haven't raised any concerns or arguments about, you know, it would be inconvenient to have to get a warrant or a court order. DSS knows how to do it. It's in their policies and procedures. And the family courts have the procedures for issuing warrants.

I think that's everything on that. And then I've got a brief motion. The Defendants have -- the School District Defendants claim qualified immunity. There's

no such thing as qualified immunity in cases where you're asking for equitable relief. Qualified immunity is a defense from lawsuits for damages -- damages types of lawsuits. So it doesn't exists. I mean, it's not a doctrine for injunctive relief.

THE COURT: Thank you, Counsel. Any response from either side?

MR. BARLOW: I would just briefly respond that the individual Defendants from the School District have already been dismissed from the case by prior order. So that's why the qualified immunity was probably asserted. So that's not pertinent here at this point. Thanks.

THE COURT: Anything from --

MR. WOODINGTON: Very little, Your Honor. But something -- first of all, again, I don't think there's any evidence that there was an actual indication in 2018. We've looked at that record, that part of Exhibit 1 that's in there and there just is no indication -- no indication that there was an indication. It wasn't served. There were no papers or anything in the files. And we haven't said -- I haven't said all that much about whether it was a seizure or not and probable cause because it's an interesting question if it ever comes up in a case where it's ripe and active and a real controversy.

But I will say this and it's cited in our Brief, but the Fourth Circuit said, "That because the state's interest in examining the neglected children outweighed any attenuated privacy interest of Wildauer," who is the Plaintiff. They quote another case and said, "We cannot say that the Constitution requires that a visual inspection of the body of a child which is more intrusive than just interviewing them. We can't say that the Constitution requires that that kind of inspection can only be undertaken when the standards of probable cause or a warrant are met." That's *Wildauer v. Frederick County*, 1993 in the Fourth Circuit.

There's not that much law on it and that's the closest thing we've been able to find in the Fourth Circuit for South Carolina. But they say, you know, as intrusive as a physical examination can be, they said that the probable cause and warrant requirements are not required under that situation. But, again, we don't have a real situation I will submit to Your Honor about that and they haven't offered much in terms of saying why there was any reasonable likelihood it would recur. So that's it.

THE COURT: Thank you, Counsel.

MR. BUTCHER: And what was the name of that case?

MR. BARLOW: *Wildauer, W-I-L-D-A-U-E-R verses*

ROA 000394

Frederick County. It's in the Brief.

MR. BUTCHER: Okay. And if I could just briefly respond. To the best of my reconciliation of that case, that woman, they went into her house and essentially it turned into, essentially, a knock and talk into a forced entry. This woman had either a bunch of foster children or a bunch of disabled children that she was receiving money from the state for. So a part of the court's reasoning there was, you know, they had the right to go in that home. Also because she had, I want to say she was a foster parent. So from that prospective, they had -- those kids, you know, it's a completely set of different set of circumstances.

Ms. May was never a foster parent during any of this. And I would say if DSS -- if she was a foster parent then the circumstances as to whether or not DSS could see the children and interview the children, they would have owned the children, so they could have done anything they wanted with them.

And I think also that there were some circumstances in that Fourth Circuit case that required law enforcement to go in as -- because there were issues of the immediate safety and wellbeing of the children and some of the disabled adults in the home.

THE COURT: All right. Thank you, Counsel. I think

ROA 000394

ROA 000395

Mr. Woodington certainly hit the nail on the head regarding this case as far as certainly it's tragic, Ms. May. I empathize with you. I feel for you and for your family and for your children considering what they've been through and what they're likely to go through in the future.

I'm glad that you're getting them the care that they need. And you certainly seem to be a very strong advocate for their needs and I applaud that. And I hope that you're successful in that. And I hope that they come around and get the treatment and become successful adults that contribute to society and you don't have the problems that you're thinking that you are going to have.

However, in order for me to grant the injunctive relief that you're seeking, of course, I've got to meet -- you have got to meet the three prongs as the law would require. And I'll just -- I'll address the first one. I don't know if you -- you don't even get past the first one as far as irreparable harm.

The children testified that during the interview, they basically didn't remember much of the interview. They testified they were not upset after the interview. The thing that bothered them about the interview was that they were pulled out of class. There was no

ROA 000395

ROA 000396

evidence presented that they suffered in their grades, that they somehow were upset as far as to the point where they needed medical treatment or were harmed to the point that it would override the state's interest in conducting an interview to see if they were potentially harmed or abused or neglected.

That testimony was just not there. The evidence is not satisfied that there has been irreparable harm to these children because of the state following a protocol when there is an allegation of an alleged abuse or neglect.

I understand that your testimony is that they were upset and it's affected them. Your testimony also is very clear that most of their life situations have contributed to that. It's not pointing directly at either DSS in this instance in this investigation or the School District that they did anything wrong with those interviews that would cause your children irreparable harm in the future. So you don't get past that prong.

I also don't believe that you would get past the prong that there is no adequate remedy at law. Because if this were to happen in the future, you would have an adequate remedy at law.

I disagree with Mr. Butcher's assessment that these interviews are a seizure. You instructed your children

ROA 000396

that they didn't have to talk to them. Your children exercised that right. So they knew they weren't seized that they were free to go back.

Dr. Baird's assessment as to whether or not a child would be reprimanded for not participating or not being interviewed. He -- my reconciliation of his testimony was it depended on their attitude basically how they responded to that. Whether they were disrespectful. Whether they caused a scene. Something to that effect. Not that they exercised their right to remain silent. His testimony was certainly that they respected that right and if they exercised that right they were free to go back into the classroom at anytime.

So your motion for a directed verdict for both Defendants is granted. If you'd each submit a detailed order, I would be happy to sign it.

MR. WOODINGTON: Thank you, Your Honor, we'll do that.

MR. BUTCHER: Thank you, Your Honor.

MS. BUTCHER: Thank you, Your Honor.

THE COURT: Have a good day.

(WHEREUPON, Court's Exhibit Numbers 2 and 3 were marked and entered)

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)

COUNTY OF DORCHESTER)

I, KATHERINE A. SPIRES, Registered Professional Reporter for the First Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Dorchester County, South Carolina, on the 12th of August, 2020.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

November 15, 2020

S/Katherine A. Spires

Katherine A. Spires

Registered Professional Reporter

Common Pleas

Clerk : Cheryl Graham
5200 E. Jim Bilton Blvd.
St. George, SC 29477
Phone:(843) 563-0108 Fax:(843) 832-0178

Received From: Camden Law Firm

Date : 9/15/2020

RECEIPT # 103437

Clerk: c18rsteven

Paying for: Camden Law Firm,

Payment Type:	Check	$144.70	Reference #:	6301
Total Paid		144.70	Comment:	EXHIBITS 2017-2001
			Non-Refundable	



Case No: 2017-CP-18-02001

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

EXHIBITS

Plaintiff(s): Kaci May ~~v. DDZ, et al.~~

vs

Defendant(s): DDZ, et al.

PLAINTIFF'S EXHIBITS	DEFENDANT'S EXHIBITS	COURT'S EXHIBITS
1	1	1
2	2	2 Responses
3	3	3 Responses
4	4 Sign in documents	4
5 ~~ID only~~ 5-B DSS	5	5
6	6	6
7 fact sheet	7	7
8	8	8
9	9	9
10	10	10
11 School District	11	11
12	12	12
13 Patient Demographic	13	13
14	14	14
15	15	15
16	16	16
17	17	17
18	18	18
19	19	~~19~~ Court's 1
20	20	20

Court Reporter: Krista Nicely Carney / Katherine Spinelo 8-12-20

Clerk of Court: B. A. Stevens

Date: 8/11/2020

Actions:

Education Contact
Field Visit
Initial Face to Face With Child/Client
Referred to Law Enforcement

Recipients:

0001921541 - J.R.M. J.R.M. J.R.M.
0001734593 - C.B.M. C.B.M. C.B.M.
0001921540 - J.H.M. J.H.M. J.H.M.

Action Date:	3/29/2017	**Action Time:**	11:15 AM	**Time Spent:**	1.00
Input Date:	4/3/2017	**Input Time:**	12:33 PM	**Worker:**	HULLSTRUNG, KERRYN

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
Support Service ID:

Dictation:

PM 12:33:12 4/3/2017

CM Hullstrung and CM Smalls went to Sandhill Elementary to make initial contact with the minor children J.H.M. C.B.M. and J.R.M. Deputy Pryor met with CM Pryor and gave CM quotes from Kaci from the school meeting the other day. Deputy Pryor stated that Det. Blanchard spoke to J.H.M. on Tuesday. Dept Pryor stated that Kaci is making the child J.H.M. appear to be a child predator. Dept. Pryor explained they wanted to do an EPC but there are no grounds. Dept Pryor stated that all of the children have 504 plans and Kaci is trying to get them to have IEPs. Dept. Pryor stated that J.H.M. and J.R.M. are painted by Kaci as bad guys and that the school does not see the grounds for it. Dept. Pryor stated that he has only two reports on file from Kaci and one is from Novemember. Dept. Pryor stated that there is a clear separation between the adopted children and the biological ones.

CM met with C.B.M. first. C.B.M. stated that he is in third grade. C.B.M. for fun likes do Karate where he is a blue belt. C.B.M. stated that he is happy, safe, and healthy. C.B.M. stated that he is safe by being taken care of and by not being hurt. C.B.M. stated that he is healthy and his mom takes him to the doctor when he is ill or injured. C.B.M. stated that his favorite thing to do is to hang out with his friends and his favorite school topic is math where he is learning about fractions. C.B.M. listed all the people and animals living in his home. C.B.M. stated that his favorite thing at home is playing outside and climbing trees explaining he has a big backyard. C.B.M. stated he likes to play tag or hide and seek with his siblings. C.B.M. stated that he likes to go places with his parents such as walks and to the park. C.B.M. stated that his mom and dad take care of him. C.B.M. explained taking care means: "they let us take showers", they wash our clothes have warm places to sleep. C.B.M. stated that when in trouble he gets sent to his room, carry a rock for how old you are. C.B.M. stated that they babies have a littel rock. C.B.M. stated that he also has to do push ups or the electric chair (explained as wall squats), or that they get spankings on their bottom with a paddle for the babies and a belt for the older kids. C.B.M. stated the spankings make their skin red for less than a day. C.B.M. stated that drugs are bad because they hurt your body. C.B.M. gave examples of alcohol, weed, pot, and cocaine. C.B.M. stated that people on the cop shows do drugs but he does not know anyone who uses in real life. C.B.M. stated that there is no forms of violence in the home. C.B.M. stated that good touch is arms, hugging someone, or a pat on the head. C.B.M. stated that bad touch is privates described as groin, bottom, and a girls chest. C.B.M. stated his home always has water and electricity. C.B.M. stated his home always has food and he has never gone to bed hungry. C.B.M. stated that he has no scares or worries.

PLAINTIFF'S EXHIBIT 1 8/11/20 e

Actions:

Education Contact
Field Visit
Initial Face to Face With Child/Client
Referred to Law Enforcement

Recipients:

0001921541 - J.R.M. J.R.M. J.R.M.
0001734593 - C.B.M. C.B.M. C.B.M.
0001921540 - J.H.M. J.H.M. J.H.M.

Action Date:	3/29/2017	**Action Time:**	11:15 AM	**Time Spent:**	1.00
Input Date:	4/3/2017	**Input Time:**	12:33 PM	**Worker:**	HULLSTRUNG, KERRYN

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
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Dictation:

PM 12:33:12 4/3/2017

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CM met with J.H.M. next. J.H.M. had a difficult time completing interview because she was unable to remain focused and was annoyed about case managers presence in the room. Dept. Pryor stated that J.H.M. asked for her mom to be present prior to meeting with CM. J.H.M. stated that she is happy, safe, but that she is not healthy. J.H.M. defined being safe as having a healthy home and a safe family. J.H.M. stated she was not healthy because Candace (biomom) drank alcohol while she was in the womb and it got into her system. J.H.M. stated that she was born small explaining she was only 5 lbs. J.H.M. stated that her mom always takes her to the doctor when needed. J.H.M. told CM about the people residing in the home. J.H.M. stated that her mom, dad, and uncle Bubba take care of her. J.H.M. described taking care as giving a bed, food, all she needs, and having a playground or backyard. J.H.M. stated that she always has enough to meet. J.H.M. stated that she knows drugs and alcohol are bad for your lungs but could not expand. J.H.M. stated when in trouble she gets sent to her room as do her siblings. J.H.M. staed that good touch is on the head, shoulders, arms, and legs, feet, and belly. J.H.M. showed bad touch was pointing to chest but would not label that area. J.H.M. stated that she does not want to talk about bad touch and began to get angry. J.H.M. staetd "if you want to talk about this I need my mom here". CM changed the subject to what J.H.M. likes about school which she said was PE, lunch, recess, and playing outside. J.H.M. did not want to talk further.

CM met with J.R.M.. J.R.M. stated that he is happy, safe, and healthy. J.R.M. stated that being safe is that he is watched by his uncle and parents at all times. J.R.M. stated there are hunters nearby they have to be careful of. J.R.M. stated that he is always taken to the doctor but that he is always healthy because he eats a lot of apples. J.R.M. explained he is taken care of by his dad, mom, uncle, grampy,and granny. J.R.M. stated that his favorite thing to do is hula hoop. J.R.M. stated that he likes science and learning about light. J.R.M. stated that when he is in trouble he gets a whipping from mom. J.R.M. explained a whooping as where mom uses a wooden spoon where ever she wants on his body and it makes his skin red for about two hours. J.R.M. stated that his mom also whips them with horse whips and that him and his siblings skin is black and blue really bad for about three hours. J.R.M. stated that there is no violence in the home. J.R.M. stated that his mom yells and cries at his dad. J.R.M. stated that this happened because J.H.M. got a knife and tried to stab L.C.M. J.R.M. stated J.H.M. tried to stab L.C.M. because L.C.M. stold candy from J.H.M. , J.H.M. had stolen Jolly Ranchers from their moms room. J.R.M. stated that this was either three or four years ago, or last year. J.R.M. stated that there are no scares or worries in the home.

Actions:

Collateral Contact

Education Contact

Face to Face with child/client

Recipients:

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

Action Date:	3/29/2017	**Action Time:**	1:00 PM	**Time Spent:**	1.00
Input Date:	3/30/2017	**Input Time:**	5:07 PM	**Worker:**	Geathers, MELISSA

Service ID: 0001694548

Program Service Type: Investigations

Authorization:

Support Service ID:

10326-C-009

Dictation:

PM 5:07:55 3/30/2017

C/M Geathers met with A.R.M. A.R A.R.M. in the office of Bailey Peters, (Title Facilitator/Literacy Coach) at Sand Hill Elementary School. J.H.M. J.H.M. J.T.M. J.T.M. and J.R.M. J.R.M. were not present at the time. A.R.M A.R.M. shared that she is a 7 year old in the first grade that likes to draw. A.R.M A.R.M. likes going to school because her cousin is in her class.The minor child stated that she knows what DSS is and that DSS came to her home when her sister, "J.H.M. told a lie and threw a toy at her. J.H.M. did not have a bruise." When asked who lives in the home, the minor child said my brothers and sisters, Dad, Mom and sometimes my uncle Devaughn visits. At home they have fun by playing in the chicken coop. C/M Geathers asked the minor child has she ever felt afraid in the home, the minor child shared that she has bad dreams of a lion biting her but it is her stuffed animal. When asked does her brother and sisters ever feel afraid, A.R.M A.R.M. responded, "J.H.M. lies and has moved to our house because someone was trying to do drugs on her. Mommy is afraid that we would be like her someday. Mommy tries to teach her a lesson and asks her questions about what she does."

AM 9:32:58 3/31/2017

According to A.R.M A.R.M., J.H.M. has not done anything to make anyone scared and the only time J.H.M. was afraid is when she was living with Candis (J.H.M.'s biological mom). The minor child stated that when really bad things happen in the home, she is not apart of those fights. C/M Geathers asked, about the fights, and the minor child stated, "Mom asks her very loudly to stop doing what she's doing, but no police came." C/M Geathers asked about drugs and alcohol in the home. A.R.M A.R.M. said, "No but I heard Mom talking to Jasmine about it, it can hurt your body." The minor child disclosed that no one has touched any of her private areas and stated. "My mom wakes up and see J.H.M. doing it to herself and J.H.M. lies about it."

According to Ms. Bailey Peters, Mom came to a 504/Eligibility Meeting and appeared to be," mentally unstable." School psychologist Bobbie Marous was also present. The father of the children is in the Navy Reserves and will deploy in September. Ms. Peters shared that Mom had hatred in her vioce as she called her adpotive children liars, cheaters, and thieves. Mom reported to school officials that J.H.M. mastaurbates all day long and because of this, she is never to be alone. School officials also shared that Mom reported J.H.M. puts anything in her vagina but Mom provides vaseline for comfort. During this meeting, Mom brought, Denise K. Crockett, Ph. D, a therapist from Greenville, to school who specializes in trauma.

School officials shared that in the eligibility meeting, Mom shared that she is worried about J.H.M. crossing path with her biological children next school year. Mom also expressed to them that once dad leaves for deployment, her brother Devaun Walker will be there to help her with the children.

10326-C-010

ROA 000405
FCA Bates No. 004151

Actions:

Collateral Contact
Education Contact
Initial Face to Face With Child/Client

Recipients:

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.

Action Date:	3/29/2017	**Action Time:**	1:00 PM	**Time Spent:**	1.00
Input Date:	4/4/2017	**Input Time:**	4:31 PM	**Worker:**	GEATHERS, MELISSA

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
Support Service ID:

Dictation:

PM 4:31:16 4/4/2017

C/M Geathers met with A A.R.M. A.R.M. in the office of Bailey Peters, (Title Facilitator/Literacy Coach) at Sand Hill Elementary School. J.H.M. J.H.M. J.T.M. J.T.M. and J.R.M. J.R.M. were not present at the time. A.R.M. A.R.M. shared that she is a 7 year old in the first grade that likes to draw. A.R.M. A.R.M. likes going to school because her cousin is in her class.The minor child stated that she knows what DSS is and that DSS came to her home when her sister, "J J.H.M. told a lie and threw a toy at her. J J.H.M. did not have a bruise."
When asked who lives in the home, the minor child said my brothers and sisters, Dad, Mom and sometimes my uncle Devaughn visits. At home they have fun by playing in the chicken coop. C/M Geathers asked the minor child has she ever felt afraid in the home, the minor child shared that she has bad dreams of a lion biting her but it is her stuffed animal. When asked does her brother and sisters ever feel afraid, A.R.M. A.R.M. responded, "J J.H.M. lies and has moved to our house because someone was trying to do drugs on her. Mommy

May v. SCDSS
FCA Bates No. 004152

is afraid that we would be like her someday. Mommy tries to teach her a lesson and asks her questions about what she does."

See dictation from 3/29/2017

ROA 000405

HRC690-R01 | South Carolina Department of Social Services | 5/22/2017 13:11

Case Dictation

Case ID - 0001215553

Actions:

Brochure Given
Face to Face with child/client
Field Visit
Home/Facility Visit
Initial Face to Face With Child/Client

Recipients:

0001734590 - May, Kaci [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.

Action Date:	3/31/2017	**Action Time:**	3:00 PM	**Time Spent:**	0.50
Input Date:	3/31/2017	**Input Time:**	5:19 PM	**Worker:**	HULLSTRUNG, KERRYN

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
Support Service ID:

Dictation:

PM 5:19:20 3/31/2017

CM Hullstrung and CM Cummings went to the residence to make initial contact with Kaci, L.C.M. J.R.M. ,and J. J.W.M. . CM read allegations and Kaci explained the allegations are from when J. J.H.M. was in foster care and that nothing like that is occurring now. Kaci stated that she has an attorney and CM needs to speak with her. CM observed the children but was not authorized to interview them. CM was not authorized to be in the home. Kaci expressed her dislike for DSS and stated it was our fault. CM asked if Kaci needed help getting J. J.H.M. services which caused her to be upset. CM observed Kaci's behaviors to be very erratic.

ROA 000407

FCA Bates No. 004147

Actions:

Guided Supervision Staffing
Staffing With Supervisor

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734591 - May, Warren - [redacted]

Action Date: 4/5/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 4/5/2017 **Input Time:** 5:00 PM **Worker:** RAY III, Elliott

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
Support Service ID:

Dictation:

PM 5:00:02 4/5/2017

Guided Supervision Staffing Tool // 7 Day Staffing

Date of Staffing: 04/05/17

FCA Bates No. 004148

Persons Present for Guided Supervision Staffing:
- Case Manager Kerryn Hullstrung
- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J.T.M., J.R.M., and mostly J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health.

Harm Statement: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: Mental abuse- Munchausen syndrome

What is working well: CM has met all the minor children.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney.

Scaling: 5

Recommendations from Guided Supervisory Staffing:
1. CW to meet with DSS Legal [redacted]
2. CW to re-staff as needed prior to 30 day staffing

ROA 000407

HRC690-R01 South Carolina Department of Social Services 5/22/2017 13:11

Case Dictation

Case ID - 0001215553

Actions:

Guided Supervision Staffing

Staffing With Supervisor

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.

0001734591 - May, Warren - [redacted]

Action Date: 4/24/2017 **Action Time:** **Time Spent:** 0.25

Input Date: 4/24/2017 **Input Time:** 4:59 PM **Worker:** RAY III, Elliott

Service ID: 0001694548

Program Service Type: Child Protective Services Assessment

Authorization:

Support Service ID:

Dictation:

PM 4:59:51 4/24/2017

Guided Supervision Staffing Tool // 30 Day Staffing

Date of Staffing: 4/24/17

Persons Present for Guided Supervision Staffing:
- Case Manager Kerryn Hullstrung
- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J.T.M., J.R.M., and mostly J J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health. CM has staffed the case with legal to attempt to get a meeting with the attorney. Kaci has reportedly quit her job and withdrawn the children so that she is able to homeschool them.

Harm Statement: It is reported that the children have been "brutally" raped by J J.H.M., age 9 yrs. R/S that J J.H.M. "sucked J J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J J.H.M. and that J J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: Mental abuse- Munchausen syndrome

What is working well: CM has met all the minor children. CM has staffed with law enforcement. CM has staffed with legal.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney.

Scaling: 5

Recommendations from Guided Supervisory Staffing:
1. CW to await meeting schedule with client and attorney
2. CW to complete Inspection Warrant
2. CW to re-staff within 14 days

Actions:

Staffing With Supervisor
Staffing

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734591 - May, Warren - [redacted]

Action Date: 5/12/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 5/12/2017 **Input Time:** 12:06 PM **Worker:** RAY III, Elliott

Service ID: 0001694548
Program Service Type: Child Protective Services Assessment
Authorization:
Support Service ID:

Dictation:

PM 12:06:29 5/12/2017

Guided Supervision Staffing Tool // 45 Day Staffing

Date of Staffing: 5/12/17

Persons Present for Guided Supervision Staffing:
- Case Manager Kerryn Hullstrung
- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J J.H.M., age 9 yrs. R/S that J J.H.M. "sucked J J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J J.H.M. and that J J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J J.T.M., J.R.M., and mostly J J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health. CM has staffed the case with legal to attempt to get a meeting with the attorney but have not heard a response at this time. The school has another meeting with Mrs. May next week. No updates from Law enforcement.

Harm Statement: It is reported that the children have been "brutally" raped by J J.H.M., age 9 yrs. R/S that J J.H.M. "sucked J J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: Mental abuse- Munchausen syndrome

What is working well: CM has met all the minor children. CM has staffed with law enforcement. CM has staffed with legal.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney. Prepare paperwork as requested by legal.

Scaling: 5

Recommendations from Guided Supervisory Staffing:
1. CW to Indicate case against mom & dad for Physical Neglect
2. CW to send 3070 & 3089 within 5 business days

3. CW to complete Investigative Summary & Child Safety
4. CW to prepare CIS for court intervention
5. CW to prepare file for transfer to Family Preservation Unit

HRC690-R01 | South Carolina Department of Social Services | 5/22/2017 13:11

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Education Contact

Face to Face with child/client

Recipients:

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. 09

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

Action Date: 5/12/2017 **Action Time:** 9:12 AM **Time Spent:** 0.25

Input Date: 5/12/2017 **Input Time:** 10:16 AM **Worker:** HULLSTRUNG, KERRYN

Service ID: 0001694548

Program Service Type: Child Protective Services Assessment

Authorization:

Support Service ID:

Dictation:

AM 10:16:04 5/12/2017

CM went to SandHill Elementary for follow up face to face contact with the minor children. J.T.M. was testing so CM could not meet with him. C.B.M. was absent.
CM spoke to all the children at once with Mrs. Brown (guidance) present. CM spoke to the children about how testing was going. J.H.M. stated she is the only one testing because J.R.M. and A.R.I A.R.M. are only in first grade. CM talked with the children about their summer plans. The children talked about going to the beach and going to their aunts to play in the pool.

CM observed J.H.M. to have shoes on that have holes in them. J.H.M.'s was also wearing a mismatched outfit. J.R.M. and A.R.I A.R.M. appeared put together with no holes and clothes that fit them and appeared to be clean.

Actions:

Education Contact

Face to Face with child/client

Field Visit

Recipients:

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

Action Date:	5/25/2017	**Action Time:**	10:10 AM	**Time Spent:**	0.50
Input Date:	5/25/2017	**Input Time:**	12:24 PM	**Worker:**	Hullstrung, KERRYN

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 12:24:20 5/25/2017

CM went to Sandhill elementary for follow up face to face with C.B.M. and J. J.T.M.. CM spoke to each child individually with Mrs. Brown (guidance) present.

C.B.M. talked about the activities he has had at school recently. C.B.M. explained water day, his school dance, and the cookout. C.B.M. talked about his plans for the summer. C.B.M.'s plans include going to his aunts to watch movies, going to his grandfathers in bonough, and going to summer camp for a week. C.B.M. has no worries or concerns at home.

J J.T.M. talked with CM about his end of school activities. C.B.M. talked about the school picnic he was heading to. C.B.M. showed CM his art portfolio. C.B.M. talked about his summer plans of going swimming and going to camp with church for a week. CM observed J J.T.M. to be covered in bug bites from head to toe.

Mrs. Brown informed CM that the school had a meeting with Mrs. May last week and that the children are being evaluated for an IEP. Mrs. Brown stated that Mrs. May's requested to have J J.H.M. escorted at all times was denied.

HRC690-R01 South Carolina Department of Social Services 6/23/2017 10:53

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Face to Face with Mother
Face to Face with child/client
Field Visit

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 6/17/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 6/23/2017 **Input Time:** 10:52 AM **Worker:** FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 10:52:57 6/23/2017
ACTION DATE: 6.17.17

F2F contact with Kaci May, L.C.M. L.C.M. , J.R.M. J.R.M. , J.W.M. J.W.M. , C.B.M. C.B.M. , A.R.M. A.R.I A.R.M. , J.H.M. J.H.M. J.H.M. and J.T.M. J.T.M. at Fort Dorchester HS

NAME: Kaci May

NOTES: CM made face to face contact with the May family at Fort Dorchester HS following a performance. CM spoke to the family and observed all the children. All the children stated they were fine. CM observed the children all dressed appropriately and free of marks and bruises. CM did not engage in full conversation due to the nature of the contact. CM will follow up with a home visit.

ROA 000415

Actions:

Diligent Efforts
Face to Face with Adult Attempted (To Review Treatment Plan)
Face to Face with child/client Attempted

FCA Bates No. 004140

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

~~Action Date: 7/5/2017 Action Time: 10:00 AM Time Spent: 0.25~~

Input Date: 7/26/2017 **Input Time:** 2:28 PM **Worker:** FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 2:28:55 7/26/2017

CM attempted to make contact with the family. CM arrived at the address and no one answered the door. CM observed a van in the yard but no noise from the inside of the home.

ROA 000415

ROA 000416
May v. SCDSS
FCA Bates No. 004140

HRC690-R01 | South Carolina Department of Social Services | 7/26/2017 15:42

Case Dictation

Case ID - 0001215553

PM 2:37:17 7/26/2017

Action time correction 10:00am

Actions:

Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date: 7/14/2017 **Action Time:** 10:58 AM **Time Spent:** 0.25

Input Date: 7/26/2017 **Input Time:** 2:36 PM **Worker:** FLEMISTER, JASMINE

Service ID: 0001701478

Program Service Type: Child Protective Services Treatment

Authorization:

Support Service ID:

Dictation:

PM 2:36:42 7/26/2017

CM received an email from Kaci May in regards to scheduling a meeting with the family.

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
Good morning Jasmine,
It us my understanding you are at my home now. I want to make it clear again, agree speaking with you a moment ago, that any visit to our home, we want scheduled through our attorney Ms Deborah Butcher. If you are having trouble contacting her, please let me know.
Best regards,
Kaci May
Sent from Yahoo Mail on Android

ROA 000416

Actions:

Face to Face with Adult Attempted (To Review Treatment Plan)
Face to Face with child/client Attempted
Telephone Contact

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date:	7/14/2017	**Action Time:**	12:00 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	2:33 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 2:33:43 7/26/2017

CM attempted to make contact with the family at their home residence. Upon arrival CM observed a van in the yard. CM contacted Mrs. May's attorney's office while in the yard to obtain information for the family. The secretary at the office took my information and stated I would receive a call back. CM was able to obtain a number for Kaci May from a previous case in which she adopted children. CM made contact with Kaci May via telephone and informed her who she was and that she was at their home. Mrs. May stated that the CM was not to be at her home and that she needed to schedule any home visits with her family through her attorney. CM left the May residence.

CM will follow up with legal and contact her attorney for a visit.

HRC690-R01 South Carolina Department of Social Services 7/26/2017 15:42
Case Dictation
Case ID - 0001215553

PM 2:37:17 7/26/2017
Action time correction 10:00am

ROA 000418
May v. SCDSS
FCA Bates No. 004138

HRC690-R01 | South Carolina Department of Social Services | 7/26/2017 15:42

Case Dictation

Case ID - 0001215553

Actions:

Collateral Contact

Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/14/2017	**Action Time:**	4:00 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	2:40 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478

Program Service Type: Child Protective Services Treatment

Authorization:

Support Service ID:

Dictation:

PM 2:40:32 7/26/2017

CM sent an email to the office of Deborah Butcher attorney for Kaci May

Hello my name is Jasmine Flemister and I am a Family Preservation caseworker on the Kaci May case in Dorchester County. I reached out to Mrs. May to visit the children and she requested I schedule all visits through your office. I need to make face to face contact with the family as soon as possible. Can you please provide me a couple of dates you are available.

Sent 7.14.2017 at 4:00pm

ROA 000418

Actions:

Collateral Contact
Diligent Efforts
Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/24/2017	**Action Time:**	4:20 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	2:44 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 2:44:52 7/26/2017
CM contacted legal [redacted]

Actions:

Diligent Efforts

Other (requires text)

ROA 000420

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/25/2017	**Action Time:**	6:50 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	2:56 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478

Program Service Type: Child Protective Services Treatment

Authorization:

Support Service ID:

Dictation:

PM 2:56:37 7/26/2017

CM emailed Kaci May in reference to her attorney since Mrs. May stated that if CM has trouble contacting the attorney to contact her and she would provide assistance.

Hello Mrs. May,

I have not been able to contact your attorney and need to meet with your family. You stated in your previous email that if I experienced trouble contacting her to let you know. I need to schedule this meeting as soon as possible.

Thank you,

Jasmine Flemister

Sent from my Verizon Wireless 4G LTE DROID

ROA 000420

HRC690-R01 South Carolina Department of Social Services 7/26/2017 15:42

Case Dictation

Case ID - 0001215553

Actions:

Collateral Contact
Diligent Efforts
Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/25/2017	**Action Time:**	6:53 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	2:58 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 2:58:20 7/26/2017

CM sent an email to Deborah Butcher attorney for Kaci May

Hello my name is Jasmine Flemister and I am the family preservation caseworker for the Kaci May case. I am contacting your office again to discuss scheduling a visit with the family. I need to schedule this visit as soon as possible. Please send dates that you are available to meet.

Thank you,

Jasmine Flemister

Sent from my Verizon Wireless 4G LTE DROID

Diligent Efforts
Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/25/2017	**Action Time:**	10:50 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	3:00 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 3:00:17 7/26/2017

CM received an email from Deborah Butcher

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
A woman named Deanne Gray called my office - I have attempted to return her call and I have left a message. I will be in my office tomorrow afternoon. Please contact me at that time. If I am not available - please leave a message with my secretary and I will call you back. Thank you.
Deborah J. Butcher
Foster Care Abuse Law Firm, Pa.
Camden Law Firm, Pa.
P. O. Box 486
Manning, SC 29102
Phone: 803.432.7599
Fax: 803.432.7466

ROA 000423
May v. SCDSS
FCA Bates No. 004134

HRC690-R01 | South Carolina Department of Social Services | 7/26/2017 15:42

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Collateral Contact
Diligent Efforts
Other (requires text)
Telephone Contact

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	7/26/2017	**Action Time:**	12:35 PM	**Time Spent:**	0.25
Input Date:	7/26/2017	**Input Time:**	3:41 PM	**Worker:**	FLEMISTER, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 3:41:51 7/26/2017

CM received a voicemail from Deborah Butcher at 12:35

CM received an email from Deborah Butcher at 12:37

I have left several voice messages as well as emails with both you and Deanne Gray concerning the Mays. Please contact me with a time that you will be available to discuss this matter. Thank you.
Deborah J. Butcher
Foster Care Abuse Law Firm, Pa.
Camden Law Firm, Pa.
P. O. Box 486
Manning, SC 29102
Phone: 803.432.7599
Fax: 803.432.7466

CM returned the call to Deborah Butcher at 12:59pm

CM talked to Ms. Butcher about scheduling an appointment with the May family. Ms. Butcher asked for an explanation of family preservation and stated that she needs to be present at the time of the meeting. CM informed her that she needed to meet with the family soon and Ms. Butcher stated that she would check her calendar and get back with the CM with a date.

ROA 000423

Actions:

Diligent Efforts

Face to Face with Adult Attempted (To Review Treatment Plan)

Face to Face with child/client Attempted

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

0001734591 - May, Warren - [redacted]

Action Date: 7/31/2017 **Action Time:** 1:15 PM **Time Spent:** 0.25

Input Date: 7/31/2017 **Input Time:** 5:20 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 5:20:47 7/31/2017

CM contacted Dorchester County Sherriffs office to assist in a face to face with the May family. CM met with Ofc. Clemmens at Givhans Alternative school to brief him on the situation and provide him the family information. CM informed the officer that the family will not allow DSS to meet with the children or come to the residence without the attorney and provided the officer with the allegations of abuse. CM provided the officer with the address 151 Kaci May Way and names of the children in the home. Ofc Clemmens went to the home. Ofc Clemmens stated that the house is not being occupied. He stated there are no trespassing signs and there is nothing in the home. CM asked about the dog in the yard and the officer stated there was no dogs on the premises.

CM will follow up with the family's attorney

Actions:

Guided Supervision Staffing

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

Action Date:	7/31/2017	**Action Time:**		**Time Spent:**	0.50
Input Date:	8/7/2017	**Input Time:**	2:04 PM	**Worker:**	Bryant, Juanita

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 2:04:28 8/7/2017

Case: Kaci May
CAPSS: 0001215553
Purpose: To assess for risk/safety and review for possible case closure.
Participants: Juanita Bryant (Performance Coach) Jasmine Flemister (case manager)
WHAT ARE WE WORRIED ABOUT?

Harm Statement: Adoptive mom reported to the school that one of her adopted children are sexually abusing her own biological child. Children in the home are being brutally raped by this adoptive child. All children were sexually abused by J J.R.M. and J.H.M. (adoptive children). Mom saying kids are doing this behavior at home, but their school is not seeing any of this sexual behavior. Mom said DSS traumatized her children and she will not allow the agency access to her home. Mom does not want to talk to the agency either. She is requesting that the CM call her attorney in order to speak with her or her children. CM was only able to meet with the children by going to their school. She says J.H.M. masturbates all night long with anything she can. Her vagina is so raw that she has to give her Vaseline to walk. J J.R.M. and J.H.M. are killing her fish and breaking the chicken's back. Children were interviewed once at school and they made no disclosures of abuse. Mom is trying to get the children placed on and IEP/504 plan, but the school sees no need for this.

Danger Statement: DSS is concerned about adoptive mom's mental health status. She has gone great lengths trying to get the school to put these children on 504 plans. She even wrote a lengthy report of the children's behaviors and presented it to the school when they asked her for medical documentation of the children's diagnosis. She is making allegations to the school of things that are going on in the home that are not substantiated by the children's behavior outside of the home. She is not allowing DSS access to her home to assess the claims she is making. If in fact all of these things are going on in the home, the children's safety and wellbeing may be at risk. Dad is deployed in the military and may not be aware of all of this going on in the home. The school notices that mom treats her biological children better than her adoptive children.

Complicating Factor: Mom is not allowing DSS to have access to her home. CM went to home on 7th and no one was there. Went back to the home on the 14th no access given.

WHAT IS WORKING WELL?

Existing Safety:
-CM contacted law enforcement to do a wellness check. . Officer went to the home and he stated that the house is not being occupied. He stated there are no trespassing signs and there is nothing in the home. CM asked about the dog in the yard and the officer stated there were no dogs on the premises. CM is not sure if the officer went to the correct home.

Safety Goal: The children need to be in a home that is free of sexual abuse. They need to be cared for by caregivers that are mentally capable and who do no belittle them or show favoritism.

WHAT NEEDS TO HAPPEN NEXT?

Next Steps:
CM needs to contact the father through military to hear his side of what goes on in his household from his knowledge.

-Contact law enforcement to do a wellness check again. This time go with them to the home to be sure they have the right location.

-Send a letter to mom and her attorney stating that we have been trying to reach her to set up a visit, to see if post office will provide a forwarding address if in fact she has moved.

-Make call to Region 3 Adoptions worker to see what background information she can tell you about the family.

-Continue to make diligent efforts to locate the family and correspond with mom's attorney and dad.

-Request authorization to obtain the children's therapy records and school behavior records to thoroughly assess the behavior problems parent is alleging.

ROA 000426

Actions:

Diligent Efforts

Staffing

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M. L.C.M. L.C.M. 2

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. 2

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M. 7

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. 6

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. 2009

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. 7

0001734591 - May, Warren [redacted]

Action Date: 8/2/2017 **Action Time:** **Time Spent:** 0.25

Input Date: 8/28/2017 **Input Time:** 4:51 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Child Protective Services Treatment

Authorization:

Support Service ID:

Dictation:

PM 4:51:22 8/28/2017

CM staffed case with [redacted]

Ms. Butcher,

I apologize for my delay in responding to your voicemail. I was contacting you to see if I could assist Ms. Flemister in scheduling a time to meet with the minor children. Ms. Flemister is not seeking to speak to your client regarding any allegations of abuse and neglect, but is required to see the children monthly to assess for safety and wellbeing. If you could assist her in scheduling a time with your client to meet with the children, I would appreciate it. Ms. Flemister is available Monday, August 7th, the morning of Thursday, August 10th and Friday, August 11th. Please let us know which of these days the children will be available.

Sincerely,

Deanne M. Gray
Dorchester County Managing Attorney
216 Orangeburg Road
Summerville, SC 29483
deanne.gray@dss.sc.gov
843-486-1863 phone

ROA 000428
May v. SCDSS
FCA Bates No. 004132

HRC690-R01 | South Carolina Department of Social Services | 8/28/2017 17:07

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. 009
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date: 8/16/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 8/28/2017 **Input Time:** 4:54 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 4:54:32 8/28/2017

CM sent an email to the family's attorney requesting assistance with scheduling a home visit and the attorney has advised the family to not talk to the CM without her present.

Ms. Butcher,

I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Wednesday Aug 23rd, Thursday Aug 24th and Friday Aug 25th before 12pm on Friday. Please let me know which of these days the children are available.

Sincerely,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895

ROA 000428

HRC690-R01 | South Carolina Department of Social Services | 8/23/2017 16:53

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Collateral Contact
Face to Face with Father
Face to Face with Mother
Face to Face with child/client

Recipients:

0001734590 - May, Kaci - [redacted]
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. 06
0001734591 - May, Warren - [redacted]

Action Date: 8/23/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 8/23/2017 **Input Time:** 4:52 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 4:52:57 8/23/2017

CM Flemister contacted Gregg Middle School in reference to the minor child J J.T.M. . CM talked to Ms. Spafford the 6th grade principal who stated that she saw the minor child today and his parents during a meeting. She stated the child was fine and there were no concerns. CM explained the current situation regarding the family and asked for her assistance if needed. She stated she would be willing to see if the child if needed and would be in contact with the CM.

Actions:

Collateral Contact

Face to Face with child/client

Recipients:

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date:	8/24/2017	**Action Time:**	11:30 AM	**Time Spent:**	0.25
Input Date:	8/24/2017	**Input Time:**	2:39 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 2:39:08 8/24/2017

CM received information from Dr. Baird at Sand Hill elementary that he made face to face contact with the minor children and they are well. He stated there in nothing to report.

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.2

Action Date:	8/28/2017	**Action Time:**	11:45 AM	**Time Spent:**	0.25
Input Date:	8/28/2017	**Input Time:**	5:02 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 5:02:25 8/28/2017

CM requested a LE escort to the home of Kaci May to see the minor child L.C.M. CM was met by Ofc. P. Owens to assist with the welfare check. Ofc. Owens followed the CM to the home to conduct the welfare check. CM observed no cars in the yard at the home. Ofc. Owens knocked on the door but there was no answer and he did not observe any movement in the home.

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date:	8/28/2017	**Action Time:**	1:37 PM	**Time Spent:**	0.25
Input Date:	8/28/2017	**Input Time:**	4:56 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Family Preservation Services
Authorization:
Support Service ID:

Dictation:

PM 4:56:22 8/28/2017

CM sent the family's attorney an email requesting assistance with scheduling a home visit.

Ms. Butcher,

I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Tuesday Aug 29th, Wednesday Aug 30th after 1230 and Thursday Aug 31st. Please let me know which of these days the children are available.

Sincerely,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895

ROA 000432

HRC690-R01 South Carolina Department of Social Services 8/28/2017 17:08

Case Dictation

Case ID - 0001215553

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M. 2
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. 2
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M. 7
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. 6
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. 2009
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date: 8/28/2017 **Action Time:** 4:10 PM **Time Spent:** 0.25
Input Date: 8/28/2017 **Input Time:** 4:58 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 4:58:35 8/28/2017

CM sent Mrs. May an email requesting assistance with contacting their family attorney as Mrs. May has stated in a past email that if the CM has difficulty contacting the attorney to contact her for assistance,

Hello Mrs. May,

I have attempted to contact your attorney on several occasions this month to schedule a visit with the minor children. All of the attempts have been unsuccessful. I am requesting your assistance in this matter. I am also requesting that you bring the minor children to the Dorchester County Department of Social Services building so that I may be able to see the children. I am available all week except Wednesday from 830 am until 1230 pm.

Thank you in advance,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	8/28/2017	**Action Time:**	4:20 PM	**Time Spent:**	0.25
Input Date:	8/28/2017	**Input Time:**	5:06 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Child Protective Services Treatment

Authorization:

Support Service ID:

Dictation:

PM 5:06:41 8/28/2017

CM received an email from the family's attorney.

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
I am in court today and tomorrow and may be in a trial the rest of the week. I will respond to you asap
Deborah Butcher
Foster Care Abuse Law Firm
The Camden Law Firm
P.O. Box 486
Manning S.C. 29102
Cell: 803.900.0809
Office: 803.432.7599
Fax: 803.432.7466

Sent from my iPhone

ROA 000435
May v. SCDSS
FCA Bates No. 004126

HRC690-R01 | South Carolina Department of Social Services | 8/28/2017 17:08

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Diligent Efforts

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	8/28/2017	**Action Time:**	4:24 PM	**Time Spent:**	0.25
Input Date:	8/28/2017	**Input Time:**	5:04 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 5:04:39 8/28/2017

CM received a response email from Kaci May. CM forwarded the email to the legal dept.

From: Kaci May [mailto:kaci_may2000@yahoo.com]
Sent: Monday, August 28, 2017 4:24 PM
To: Flemister, Jasmine <Jasmine.Flemister@dss.sc.gov>
Cc: Warren May <whmay3@gmail.com>; Deborah Butcher <dbutcher@camdensc-law.com>; Denise Crockett <drcrockett12@gmail.com>; Spotail2 <spotail2@aol.com>
Subject: Re: Monthly home visit

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
Good afternoon Jasmine,
Our attorney, Deborah Butcher, has advised us not to speak with you without her.
Best regards,
Kaci May
Sent from Yahoo Mail on Android

ROA 000435

Actions:

Collateral Contact

Education Contact

Face to Face with Mother

Face to Face with child/client

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M. L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

Action Date:	9/13/2017	**Action Time:**		**Time Spent:**	0.50
Input Date:	9/26/2017	**Input Time:**	4:10 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 4:10:18 9/26/2017

Principal Baird made face to face contact with Kaci May, L.C.M. L.C.M. and J.R.M. J.R.M. on 9/13 and Kaci, L.C.M. J.R.M. and J.H.M. on 9/14. Kaci came to the school to withdraw the children from the school. The children were observed to be free of marks and bruises.

CM made contact with the principal for collateral contact with the family. Kaci will not allow DSS access to the home.

ROA 000437
May v. SCDSS
FCA Bates No. 004124

HRC690-R01 | South Carolina Department of Social Services | 9/21/2017 08:42

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Education Contact
Face to Face with child/client
Field Visit

Recipients:

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 9/18/2017 **Action Time:** **Time Spent:** 0.50
Input Date: 9/21/2017 **Input Time:** 8:42 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 8:42:28 9/21/2017

ACTION DATE: 9.18.17

F2F contact made with C.B.M. C.B.M., A.R.M. A.R.M. A.R.M., J.W.M. J.W.M. and Ms. Roper (Asst. principal at Sand Hill elem

NAME: Kaci May

ALLEGATIONS: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

NOTES: CM met with the children in the principal's office with the assistant principal. CM talked to the children together. C.B.M. arrived first and CM introduced herself. A.R.M. A.R.M. arrived and CM introduced herself. CM talked to C.B.M. and A.R.M A.R.M. about what grade they were in and how they were doing. C.B.M. talked about his Dad and stated that he would be going to Iraq for a year. CM asked when he would be leaving and he stated on Sunday. He stated they had to pick their Dad up in Charleston to spend time with him before he leaves. J.W J.W.M. arrived late to the office. CM introduced herself to J.W J.W.M. who was very quiet. CM explained that her job is to come and see children to make sure they are safe. A.R.M. A.R.M. stated that she knew exactly why the CM was there. CM inquired what she meant and she stated that I was there checking on them because of her sister J.H.M. and her twin brother J.R.M.. She explained that J.R.M. is not really her twin because he is adopted but that they are the same age so they are twins. CM asked where J.H.M. and J.R.M.

ROA 000437

are and she said they don't come to school anymore. A.R.M A.R.M. stated that J J.H.M. walks around the house at night even though some people say she doesn't but she does. She said we have motion sensors in the house now because she walks around at night. A.R.M A.R.M. stated that her brother J. J.R.M. threatens people she said he has threaten to hit her with a rock but her parents stopped him. CM asked if when J. J.R.M. says those things, do her parents make sure she is safe and she stated yes. CM asked the children if they feel safe at home and they stated they do. CM asked if they have food at home, lights and running water and they stated they do. CM asked who gives them baths at night and C.B.M. said he takes his own shower and sometimes J.W J.W.M. gets in with him. A.R.M A.R.M. stated that she takes a bath with L.C.M. and sometimes J.W J.W.M. takes a bath with them. A.R.M A.R.M. said the little kids sometimes take a bath with the big kids. CM asked if they feel safe in their home and they stated they did. CM asked if they had any questions for her and they stated they did not. CM observed the children to be dressed appropriately with no visible marks or bruises.

CM noticed C.B.M. was forthcoming with information until CM explained who she was and what her job was. J.W J.W.M. appeared to be very sleepy. CM asked if he went to bed late and A.R.M A.R.M. stated that L.C.M. was up late crying because she got a spanking because she drew all over herself with markers.

TREATMENT PLAN OBJECTIVES: Kaci and Warren May need to ensure the children complete forensic interviews and follow all recommendations. Kaci and Warren May need to successfully complete parenting. Kaci and Warren May complete a mental health assessment and follow recommendations.

BEHAVIOR CHANGES: Kaci and Warren May have not allowed the department in their home. No assessments have been made for this family. The May's have not been in direct contact with the department. The family's attorney is not responding to emails to schedule visits.

MEDICAL: The children need to complete forensic interviews.

EDUCATION: L.C.M. is years old and not in school. J J.H.M. and J.R.M. J.R.M. were withdrawn from school on Sept 13th and 14th and are now being homeschooled. J J.T.M., C.B.M., A.R.M A.R.M. and J.W J.W.M. are enrolled in school.

SAFETY RISK: The department is concerned about the allegations and the inability to get in the home. The department is unable to properly assess for the safety and wellbeing of the minor children.

ENGAGEMENT OF FATHER: Warren May is the biological father of J J.T.M., C.B.M. A.R.M A.R.M. and J.W J.W.M. He is involved in their lives. The father of J J.H.M., J.R.M. and L.C.M L.C.M. lost parental rights to the children in a previous DSS case. J J.H.M., J.R.M. and L.C.M. were adopted by the May family.

LEGAL CASE/ SOS CONDUCTED: This is a legal case. The merits hearing is scheduled for October 12th.

NEXT STEPS: CM will continue to monitor the family. CM will continue to make diligent efforts to make contact with the children withdrawn from school and the child who doesn't attend school.

ROA 000439
May v. SCDSS
FCA Bates No. 004122

HRC690-R01 | South Carolina Department of Social Services | 9/22/2017 15:33

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Education Contact
Face to Face with child/client
Field Visit

Recipients:

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

Action Date:	9/22/2017	**Action Time:**	10:50 AM	**Time Spent:**	0.25
Input Date:	9/22/2017	**Input Time:**	3:32 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 3:32:49 9/22/2017
ACTION DATE: 9.22.17

F2F conducted with J.T.M. J.T.M. and 6th GC Ms. Smith at Gregg Middle School

NAME: Kaci May

ALLEGATIONS: It is reported that the children have been "brutally" raped by J. J.H.M., age 9 yrs. R/S that J. J.H.M. "sucked J. J.T.M.'s penis" R/S the children are not safe in the home. R/S J. J.R.M. and J. J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J. J.R.M. and J. J.H.M. and that J. J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

NOTES: CM met with J. J.T.M. with Ms. Smith. CM talked to J. J.T.M. about school and he said he likes middle school. CM asked what his favorite subject was and he stated it was social studies. CM talked to J. J.T.M. about what the CM's job was and explained I was only there to check on his safety. He stated he understood. CM asked J. J.T.M. if he is playing any sports and he stated he was not. He stated he was going to but his dad would be deploying. CM asked where he would be going and he stated Afghanistan. CM asked how long he would be gone and he stated until the end of the school year. J. J.T.M. mentioned his siblings. CM asked how many siblings he had and he stated 3 brother and 3 sisters. He stated they go to Sand Hill elem. CM asked if he likes going to school alone and he stated he did. CM asked how things are at home and he stated they are fine. CM asked how his mother was doing. He stated she was fine. He stated that she took him to the neurologist to have a MRI. He said the Dr is training his brain to focus. He explained that he watches a video and when he stops paying attention the video stops. CM asked if he likes going there and he stated he does because it helps him focus in and out of school. CM asked if he takes any medications and he stated he does not. He stated that he went to his regular doctor today and got a shot. CM asked if he plays any instruments and he stated he does the trumpet. CM asked if they have enough food and he stated they do. He stated they had tacos for dinner. CM

SCDSS v. May, 2017-DR-18-01334 SCDSS File Pg. No. 000009

ROA 000439

explained again what her job is and explained that if he has any issues in school or at home that he can come talk to Ms. Smith. CM asked if he had any questions for her and he stated he did not. CM observed the child to be dressed appropriately free of marks and bruises. CM ended the visit.

TREATMENT PLAN OBJECTIVES: Kaci and Warren May need to ensure the children complete forensic interviews and follow all recommendations. Kaci and Warren May need to successfully complete parenting. Kaci and Warren May complete a mental health assessment and follow recommendations.

BEHAVIOR CHANGES: Kaci and Warren May have not allowed the department in their home. No assessments have been made for this family. The May's have not been in direct contact with the department. The family's attorney is not responding to emails to schedule visits.

MEDICAL: The children need to complete forensic interviews.

EDUCATION: L.C.M. is years old and not in school. J J.H.M. and J.R.M. J.R.M. were withdrawn from school on Sept 13th and 14th and are now being homeschooled. J J.T.M., C.B.M., A.R.M A.R.M. and J.W J.W.M. are enrolled in school.

SAFETY RISK: The department is concerned about the allegations and the inability to get in the home. The department is unable to properly assess for the safety and wellbeing of the minor children.

ENGAGEMENT OF FATHER: Warren May is the biological father of J J.T.M., C.B.M. A.R.M A.R.M. and J.W J.W.M. He is involved in their lives. The father of J J.H.M., J.R.M. and L.C.M L.C.M. lost parental rights to the children in a previous DSS case. J J.H.M., J J.R.M. and L.C.M. were adopted by the May family.

LEGAL CASE/ SOS CONDUCTED: This is a legal case. The merits hearing is scheduled for October 12th.

NEXT STEPS: CM will continue to monitor the family. CM will continue to make diligent efforts to make contact with the children withdrawn from school and the child who doesn't attend school.

HRC690-R01 | South Carolina Department of Social Services | 12/6/2017 12:12

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Collateral Contact
Diligent Efforts
Face to Face with child/client Attempted

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

Action Date: 9/25/2017 **Action Time:** 7:00 PM **Time Spent:** 0.25
Input Date: 9/26/2017 **Input Time:** 10:37 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 10:37:43 9/26/2017
ACTION DATE: 9.25.17

Welfare check by Dep. Clemmons completed for J.R.M. J.R.M. J.H.M. J.H.M. and L.C.M. L.C.M. at 151 Kaci May Way

NAME: Kaci May

ALLEGATIONS: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

NOTES: CM requested a welfare check by Dorchester County Sheriffs Dept on 9.25.17 at 6:30pm. CM received a call from the officer at 6:45pm to get clarification on the welfare check and to verify the address with a description of the home. CM provided details on the home being a red 2 story home on an off rock road behind mobile homes. CM received a call from Dep. Clemmons at 7:04pm stating that there was no answer at the home. He stated that he did not observe movement or noise in home. He stated that the home has several surveillance cameras outside of the home. He stated there was a Toyota Tacoma in the driveway.

NEXT STEPS: CM will continue to make diligent efforts to make contact with the family.

HRC690-R01 | South Carolina Department of Social Services | 12/6/2017 12:12

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Collateral Contact
Face to Face with Mother
Face to Face with child/client
Guardian Ad Litem Appointed
Home/Facility Visit

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 10/7/2017 **Action Time:** **Time Spent:** 0.50
Input Date: 10/23/2017 **Input Time:** 11:14 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 11:14:15 10/23/2017

CM spoke with GAL Mevelyn Williams who stated that she met with Kaci May and the children at their home on 10.7.17. Ms. Williams stated that she was granted access to her the family's home and was able to meet with the children and mother. Ms. Williams stated that at the time of the visit she did not have any concerns but she has not reviewed the case file. She stated that she will come to review the case. CM explained that she has not been granted access to the home.

CM will follow up with legal. CM will continue to monitor the family.

HRC690-R01 | South Carolina Department of Social Services | 12/6/2017 12:12

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Court

Recipients:

0001734590 - May, Kaci [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. 09
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren [redacted]

Action Date: 10/12/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 10/23/2017 **Input Time:** 11:06 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 11:06:07 10/23/2017
May family was scheduled for court intervention on 10.12.17. Court was continued.

Actions:

Court

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date: 10/18/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 10/23/2017 **Input Time:** 11:23 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Family Preservation Services
Authorization:
Support Service ID:

Dictation:

AM 11:23:29 10/23/2017
CM followed up with legal [redacted]

HRC690-R01 | South Carolina Department of Social Services | 12/6/2017 12:11

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Education Contact
Face to Face with child/client
Field Visit

Recipients:

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 11/20/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 11/21/2017 **Input Time:** 9:54 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 9:54:51 11/21/2017
ACTION DATE: 11.21.17

F2F with C.B.M. C.B.M. A.R.M A.R A.R.M. and J.W.M. J.W.M. at Sandhill Elem.

NAME: Kaci May

ALLEGATIONS: It is reported that the children have been "brutally" raped by J.H.M. , age 9 yrs. R/S that J.H.M. : "sucked J J.T.M. s penis" R/S the children are not safe in the home. R/S J.R.M. and J J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

NOTES: CM met with the children in a conference room at the school. When the children arrived CM spoke to A.R. A.R.M. who arrived first. A.R. A.R.M. stated she was fine but would not say anymore. When C.B.M. arrived he stated that their mother told them they are not allowed to talk to Ms. Jasmine. A.R. A.R.M. refused to speak at that point. CM explained that she would not make them talk to her or keep them any longer. CM explained she was there to see how they were doing. CM retrieved the Assistant principal Roper to explain what the children stated and explained she I would not make them talk and that the children could go back to class. Principal Roper asked if I would like to still see the youngest child. CM stated I did need to put eyes on him if possible. J J.W.M. arrived later as the other children were going back to class. CM asked how he was doing and he stated he was fine. CM asked what he was doing in class and he stated he was going to the playground. CM asked what his favorite thing was on the playground. He stated swinging and the slide. CM sent the child back to his assistant teacher Ms. Richards who was standing outside the conference room. Ms. Richards stated that the child C.B.M. stated they were not allowed to speak to me. CM explained that I work for DSS and I need to check the safety and wellbeing of these children and if they do not refuse to speak to me then I have the right to speak to them. CM ended the visit. CM observed the children to be dressed appropriately for the weather and free of visible marks and bruises.

HRC690-R01 South Carolina Department of Social Services 12/6/2017 12:10

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Education Contact
Face to Face with child/client Attempted
Field Visit

Recipients:

0001734592 - A.R.M. A.R.M. A.R.M. A.R.M.

Action Date: 11/20/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 11/21/2017 **Input Time:** 9:55 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

AM 9:55:56 11/21/2017
ACTION DATE: 11.20.17

F2F attempted with J.T.M. J.T.M. at Gregg Middle

NAME: Kaci May

ALLEGATIONS: It is reported that the children have been "brutally" raped by Ja J.H.M. age 9 yrs. R/S that J J.H.M. "sucked J J.T.M. 's penis" R/S the children are not safe in the home. R/S J J.R.M. and J J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and Ja J.H.M. and that J J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

NOTES: CM attempted to make contact with J.T.M. J.T.M. Upon arrival CM was told by the school that the parent has stated they need to contact with family's attorney before the child can be seen by anyone. CM asked if they have a signed court order, they did not have an order. CM requested the guidance counselor see the child as a collateral.

CM received a call from the guidance counselor that stated the child was not present at school and the child's absences are in double digits. The guidance counselor stated she would attempt contact again on 11.21.17

CM will retrieve attendance records on 11.21.17.

HRC690-R01 | South Carolina Department of Social Services | 12/6/2017 12:09

Case Dictation

Case ID - 0001215553

Case ID: 0001215553

Actions:

Collateral Contact
Face to Face with Mother
Face to Face with child/client
Home/Facility Visit

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M.

Action Date: 11/29/2017 **Action Time:** **Time Spent:** 0.25
Input Date: 11/29/2017 **Input Time:** 4:30 PM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Child Protective Services Treatment
Authorization:
Support Service ID:

Dictation:

PM 4:30:43 11/29/2017

CM made face to face contact with the GAL assigned to the case Mevelyn Williams. There were no concerns at the time of the visit per the GAL. CM has still not be granted access to the home. Case is scheduled for a contested hearing on Dec 7, 2017.

Actions:

Court

Recipients:

0001734590 - May, Kaci - [redacted]

Action Date:	12/7/2017	**Action Time:**		**Time Spent:**	0.25
Input Date:	12/13/2017	**Input Time:**	8:42 AM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Family Preservation Services
Authorization:
Support Service ID:

Dictation:

AM 8:42:32 12/13/2017

Court was held on 12.7; it was a motion to strike filed by the client's attorney seeking to strike information from being submitted to the courts regarding the open DSS case.

Actions:

Collateral Contact

Paperwork

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 12/8/2017 **Action Time:** **Time Spent:** 0.25

Input Date: 12/12/2017 **Input Time:** 11:40 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

AM 11:40:50 12/12/2017

CM was served at home address a restraining order, restraining CM from making any contact with the May family. [redacted]

Actions:

Initial Contact Via Third Party
Initial Face to Face With Child/Client
Telephone Contact

Recipients:

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

Action Date:	12/21/2017	**Action Time:**	3:20 PM	**Time Spent:**	0.25
Input Date:	12/21/2017	**Input Time:**	3:38 PM	**Worker:**	King, PRISCILLA

Service ID: 0001739749
Program Service Type: Investigations
Authorization:
Support Service ID:

Dictation:

PM 3:38:51 12/21/2017

CM called Anna Moak the nurse practioner and therapist, Deborah Bailey at Three Rivers Midlands to request 3rd party contact with the minor children.

Actions:

Guided Supervision Staffing
Staffing With Supervisor

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001734595 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734594 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734593 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734592 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

10326-C-018

Action Date: 1/19/2018 **Action Time:** **Time Spent:** 0.25
Input Date: 1/19/2018 **Input Time:** 10:27 AM **Worker:** Ray, Elliott

10326-C-019

Service ID: 0001739749
Program Service Type: Investigations
Authorization:
Support Service ID:

Dictation:

AM 10:27:01 1/19/2018
Date of Staffing: 1/19/18

Persons Present for Guided Supervision Staffing:
Priscilla King- Case Manager
Elliott Ray- Supervisor

Initial Contact/Attempted Date: 12/21/17 via 3rd party

Allegations: Allegations that the minor children, J.H.M J.H.M. is mentally and emotionally abused by her adoptive mother Kaci may. It's reported that the mother is verbally abusive, aggressive and brutal towards the child and makes allegations of behavior issues against the child that have not been observed by anyone else.

Current situation: Legal [redacted]

Harm Statement Allegations that the minor children, J.H.M J.H.M. is mentally and emotionally abused by her adoptive mother Kaci may. It's reported that the mother is verbally abusive, aggressive and brutal towards the child and makes allegations of behavior issues against the child that have not been observed by anyone else.

Danger Statement: It was reported that Kaci May has made false accusations about the minor child and is verbally abusive which could lead to mental anguish.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: The agency is concerned that the family has previous involvement with the agency in which Kaci May has not been cooperative. The agency is concerned that the mother treats the J.H.M. and J.R.M. differently than she does her biological children.

10326-C-020

What is working well: Mom continues to take J[redacted] and J[redacted] to medical providers in hopes of addressing her concerns, so it is beneficial that other agencies are involved.

What needs to happen for case progress: Follow up with DSS Legal representative and Family Preservation case manager.

Scaling: On a scale of 0 to 10, 0 meaning the child/ren need to be removed from the home right now; 10 is the child is safe enough to close the case, 4 due to age and ability of minor children.

Safety Goal: The agency will be able to close the case when mom has fully cooperated with the agency and a safety network of family or friends is established to ensure the minor children's safety and well-being. The agency will need to see this safety plan in place and working for a period of 12 months or until services reach completion and are no longer needed.

Recommendations from Guided Supervisory Staffing:
1. [redacted]
2. CW to restaff within 14 days

10326-C-020

Actions:

Court

Other (requires text)

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date:	1/25/2018	**Action Time:**		**Time Spent:**	0.25
Input Date:	1/25/2018	**Input Time:**	4:23 PM	**Worker:**	Flemister, JASMINE

Service ID: 0001701478

Program Service Type: Family Preservation Services

Authorization:

Support Service ID:

Dictation:

PM 4:23:32 1/25/2018

Awaiting a court date for restraining order

ROA 000453

Actions:

Staffing

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001734595 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734594 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734593 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734592 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 1/30/2018 **Action Time:** **Time Spent:** 0.25
Input Date: 1/31/2018 **Input Time:** 6:45 PM **Worker:** King, PRISCILLA

Service ID: 0001739749
Program Service Type: Investigations
Authorization:
Support Service ID:

Dictation:

PM 6:45:10 1/31/2018
Legal staffing held to [redacted]
PM 3:51:40 2/2/2018
case given 15 day extension by County Director, John Dunne. 10326-C-018

Actions:

Staffing

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001734595 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734594 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734593 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734592 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date: 2/13/2018 **Action Time:** **Time Spent:** 0.50
Input Date: 2/13/2018 **Input Time:** 8:08 PM **Worker:** King, PRISCILLA

Service ID: 0001739749
Program Service Type: Investigations
Authorization:
Support Service ID:

Dictation:

PM 8:08:20 2/13/2018

Legal staffing was held on this day at 3pm, [redacted]

[redacted]-C-017

Actions:

Guided Supervision Staffing

Staffing With Supervisor (Case Decision)

Recipients:

0001734590 - May, Kaci - [redacted]

0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.

0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.

0001921540 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.

0001734595 - J.H.M. J.H.M. J.H.M. J.H.M.

0001734594 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.

0001734593 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.

0001734592 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.

Action Date:	2/16/2018	**Action Time:**		**Time Spent:**	0.25
Input Date:	2/18/2018	**Input Time:**	3:36 PM	**Worker:**	Ray, Elliott

Service ID: 0001739749

Program Service Type: Investigations

Authorization:

Support Service ID:

10326-C-015

Dictation:

PM 3:36:46 2/18/2018

Date of Staffing: 2/16/18

Persons Present for Guided Supervision Staffing:
Priscilla King- Case Manager
Elliott Ray- Supervisor

Initial Contact/Attempted Date: 12/21/17 via 3rd party

Allegations: Allegations that the minor children, J.H.M. J.H.M. is mentally and emotionally abused by her adoptive mother Kaci may. It's reported that the mother is verbally abusive, aggressive and brutal towards the child and makes allegations of behavior issues against the child that have not been observed by anyone else.

Current situation: [redacted]

Harm Statement Allegations that the minor children, J.H.M. J.H.M. is mentally and emotionally abused by her adoptive mother Kaci may. It's reported that the mother is verbally abusive, aggressive and brutal towards the child and makes allegations of behavior issues against the child that have not been observed by anyone else.

Danger Statement: It was reported that Kaci May has made false accusations about the minor child and is verbally abusive which could lead to mental anguish.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: The agency is concerned that the family has previous involvement with the agency in which Kaci May has not been cooperative. The agency is concerned that the mother treats the J J.H.M. and J J.R.M. differently than she does her biological children.

10326-C-016

What is working well: Mom continues to take J.R.M. and J J.H.M. to medical providers in hopes of addressing her concerns, so it is beneficial that other agencies are involved.

What needs to happen for case progress: CW to indicate case against mom

Scaling: On a scale of 0 to 10, 0 meaning the child/ren need to be removed from the home right now; 10 is the child is safe enough to close the case, 4 due to age and ability of minor children.

Safety Goal: The agency will be able to close the case when mom has fully cooperated with the agency and a safety network of family or friends is established to ensure the minor children's safety and well-being. The agency will need to see this safety plan in place and working for a period of 12 months or until services reach completion and are no longer needed.

Recommendations from Guided Supervisory Staffing:
1. CW to Indicate case against mom for Neglect
2. CW to send 3070 and 3089 within 5 business days
3. CW to complete Investigative Summary & Child Safety
4. CW to close Investigative assessment line due to family already having an open Family Preservation Case

PM 3:43:05 2/18/2018

Case Indicated for Mental Injury against mom, Kaci May//er

Actions:

Other (requires text)
Supervisory Review
Staffing With Supervisor
Staffing

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001734595 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001921540 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734592 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734594 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734593 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date: 4/4/2018 **Action Time:** 9:00 AM **Time Spent:** 0.50
Input Date: 4/11/2018 **Input Time:** 11:35 AM **Worker:** Flemister, JASMINE

Service ID: 0001701478
Program Service Type: Family Preservation Services
Authorization:
Support Service ID:

Dictation:

AM 11:35:56 4/11/2018

CM Flemister met with the supervisory team and legal departmen[redacted]

[redacted]

[redacted]

10326-C-024

Case ID: 0001215553

Actions:

Court

Recipients:

0001734590 - May, Kaci - [redacted]
0001921545 - L.C.M. L.C.M L.C.M. L.C.M. L.C.M.
0001921541 - J.R.M. J.R.M. J.R.M. J.R.M. J.R.M.
0001921540 - J.W.M. J.W.M. J.W.M. J.W.M. J.W.M.
0001734595 - J.H.M. J.H.M. J.H.M. J.H.M.
0001734594 - J.T.M. J.T.M. J.T.M. J.T.M. J.T.M.
0001734593 - A.R.M. A.R.M. A.R.M. A.R.M. A.R.M.
0001734592 - C.B.M. C.B.M. C.B.M. C.B.M. C.B.M.
0001734591 - May, Warren - [redacted]

Action Date: 6/21/2018 **Action Time:** **Time Spent:** 0.25
Input Date: 6/29/2018 **Input Time:** 4:21 PM **Worker:** Flemister, JASMINE

Service ID: 0001772105
Program Service Type: Other Child Welfare Services
Authorization:
Support Service ID:

Dictation:

PM 4:21:59 6/29/2018

CM received an email from DC DSS attorney [redacted]

[redacted]

[redacted]

[redacted]

10326-C-064



SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

Melissa Gaethers
Employee's Name
Melissa Gaethers
Employee's Signature



SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

Vanessa Smalls
Employee's Name
Employee's Signature



SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

Employee's Name
Employee's Signature

J.H.M. May absent
3.29.17
12:58 pm
odom 3C

J.T.M. May 5D absent
Gomes

saw- A.R.M. McCloud
3/29/17 1:13 pm.
in Ms. Bailey Peters office

DEFENDANT'S EXHIBIT #4 K5 8-12-20
PENGAD 800-631-6989

PLAINTIFF'S EXHIBIT 2 8 14 20
tabbies

DEF DISTRICT 0001

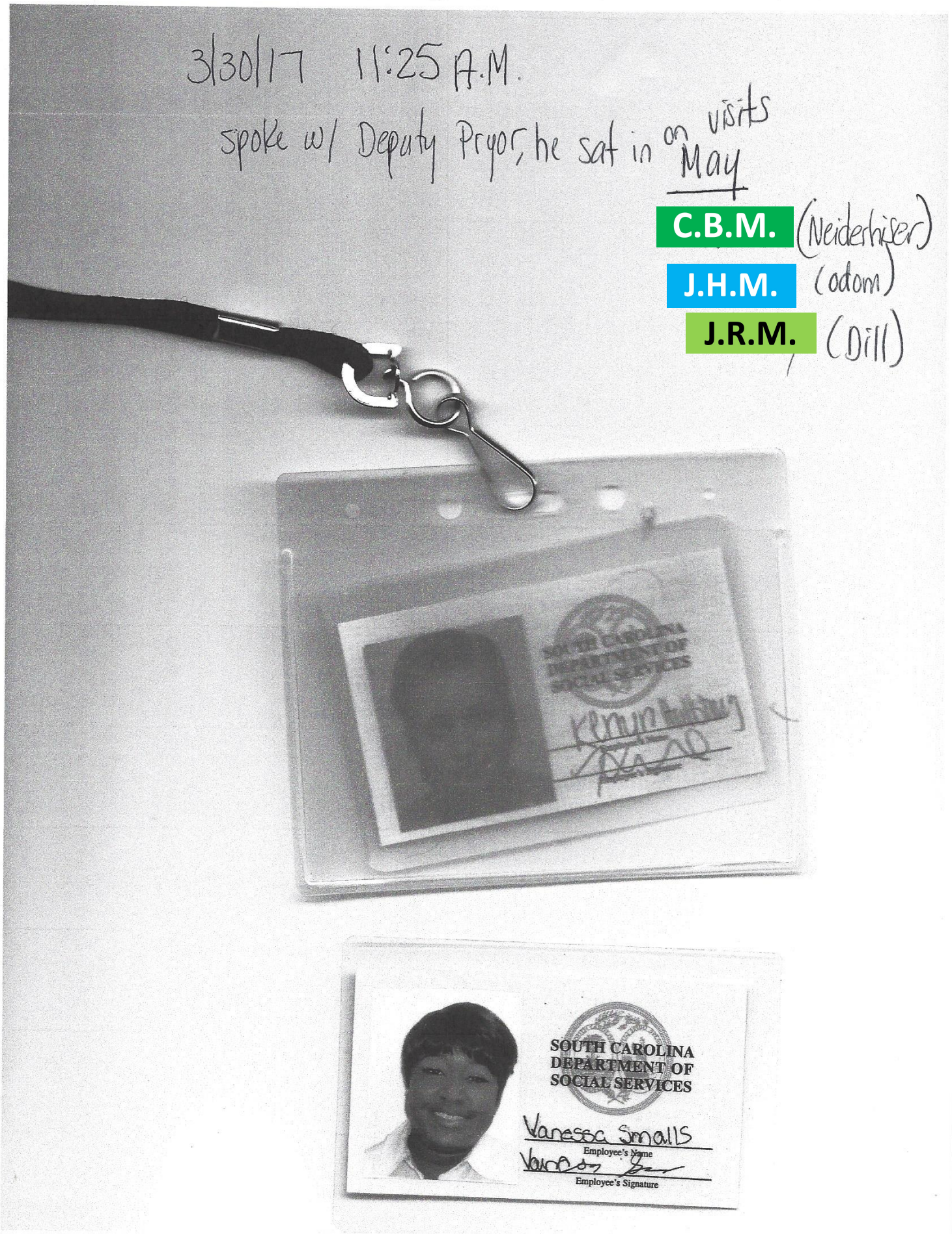
3/30/17 11:25 A.M.

spoke w/ Deputy Pryor, he sat in on visits May

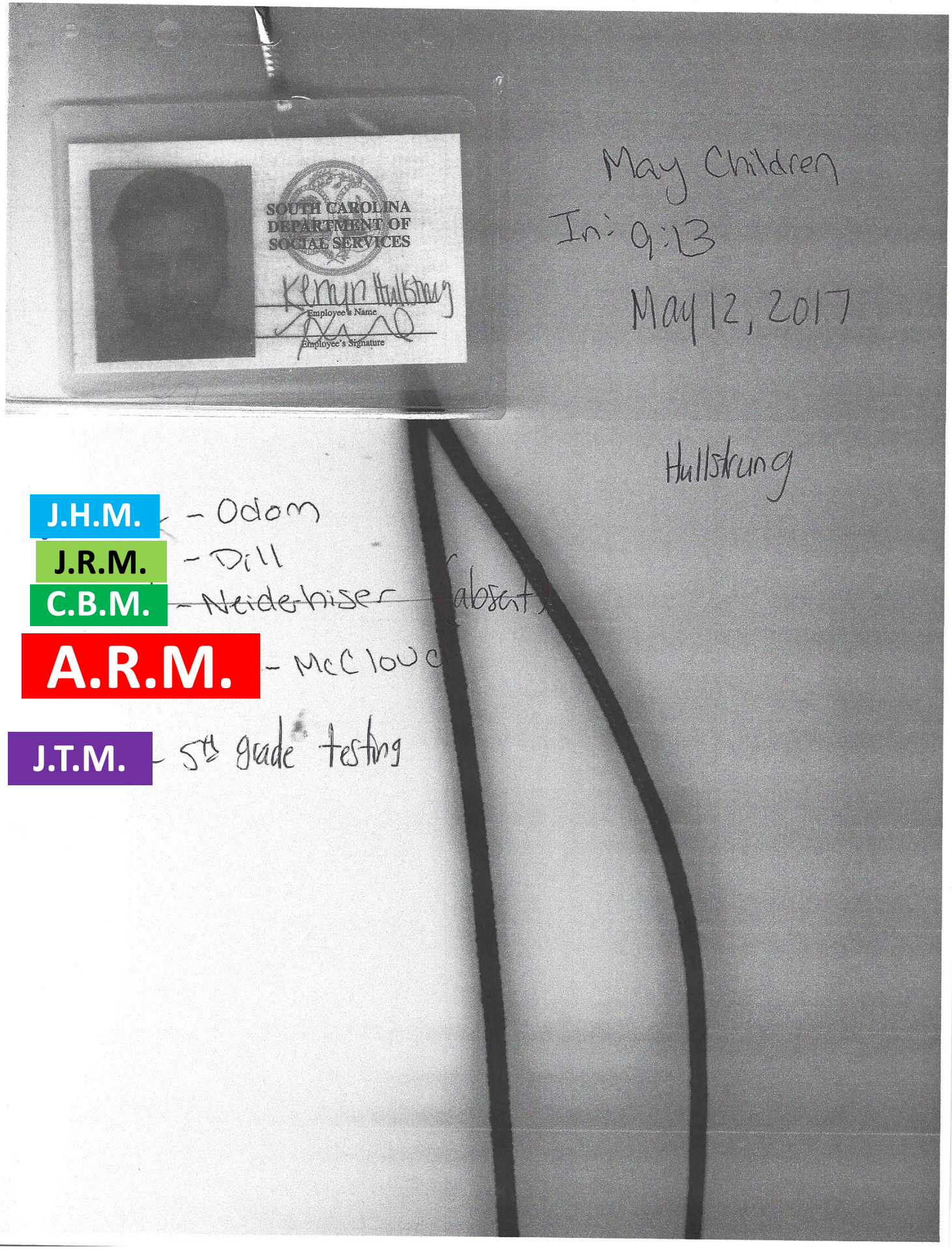
C.B.M. (Neiderhiser)

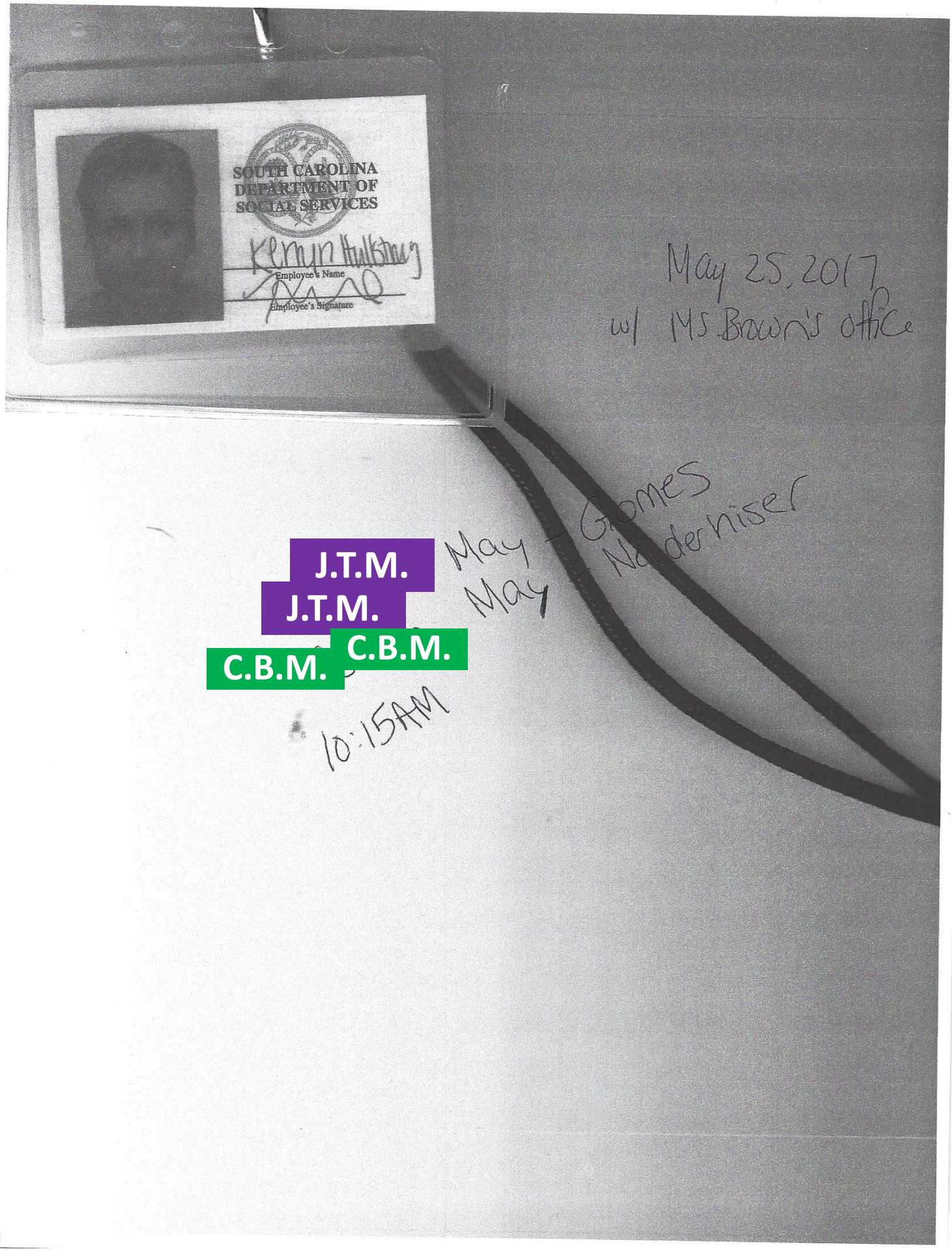
J.H.M. (adom)

J.R.M. (Dill)



DEF DISTRICT 0002


SOUTH CAROLINA
DEPARTMENT OF
SOCIAL SERVICES
Employee's Name
Employee's Signature
May Children
In: 9:13
May 12, 2017
Hullstrung
J.H.M. - Odom
J.R.M. - Dill
C.B.M. - Neidehiser (absent)
A.R.M. - McCloud
J.T.M. - 5th grade testing


SOUTH CAROLINA
DEPARTMENT OF
SOCIAL SERVICES
Employee's Name
Employee's Signature
May 25, 2017
w/ Ms. Brown's office
J.T.M.
J.T.M.
C.B.M.
C.B.M.
10:15AM

A.R.M.

C.B.M.

J.W.M.

2 Jenkins

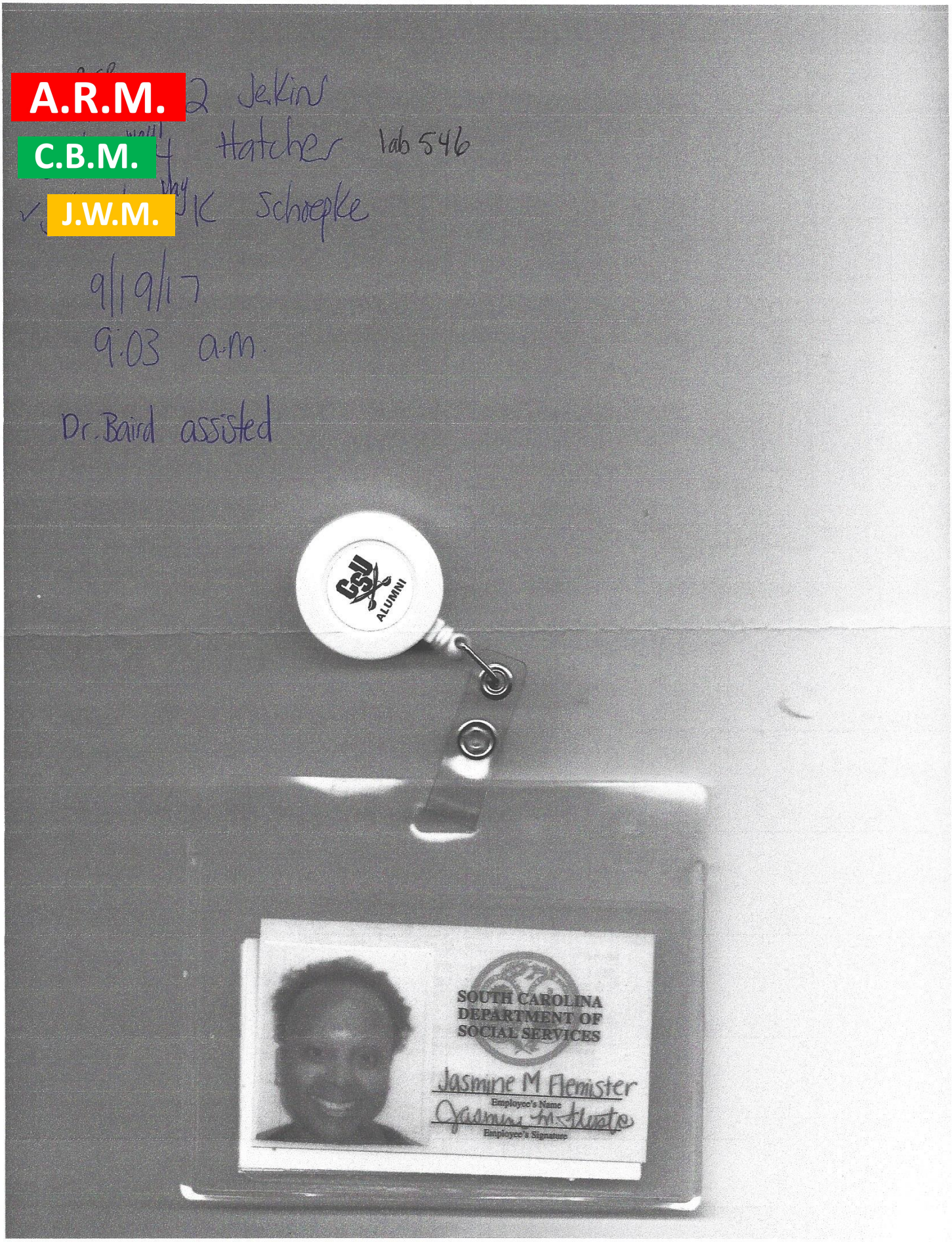
4 Hatcher lab 546

JK Schoepke

9/19/17

9:03 a.m.

Dr. Baird assisted



DEF DISTRICT 0006



A.R.M. Jenkins

C.B.M. Hatcher

J.W.M. May Schoepke

Nov. 20, 2017
10:11 am

* met with students in front conference room
left @ 10:23 a.m.

ROA 000465

ROA 000466

HRI580-R01 South Carolina Department of Social Services 3/28/2017 16:30

Intake Summary

Intake ID: 0001629548 **Intake Name:** May, Kaci

Nate 6/28 Hullstrung

Section (A) - Intake Decision

Intake Date:	03/28/2017	**Intake Time:**	02:52:00 PM	**Intake Worker:**	Tindall Susan
Intake Decision:	Accepted/Approved			**Intake Reason:**	CPS Investigative Assessment Needed
Decision Date:	03/28/2017	**Decision Time:**	04:20:00 PM	**Assigned Supervisor:**	GAINEY, CARISSA L
Response Time:	2-24 Hours	**Initial Contact Due By:**	03/29/2017 at 4:20:00PM		
Case ID:		**Case Name:**			
Referred to Law Enforcement:				**Collateral Contact:**	Officer Pryor/SRO; Detective Blanchard,

Assessment Options:

System Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Worker Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Adoptive parents may not be supervising children and are aware of child's sexual behaviors. See collateral contact information

Supervisor Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Intake merits CPS assessment due to allegations of ongoing child on child sexual abuse which parents are aware of. It is noted that the family had a CBPS referral which they refused in regards to sexual behaviors in November. CPS assessment is needed to assess the safety of the children in the home,

Section (B) - Address

Type: Household

Address: 151 Kaci May Way,
Ridgeville, SC 29472

Directions to Address:

Telephone Numbers

Type: Cell Phone 1

Number: ([redacted] ext:

Section (C) - Persons Involved

PLAINTIFF'S EXHIBIT 3 8/11/20

ROA 000466

HRI580-R01 South Carolina Department of Social Services 3/28/2017 16:30

Intake Summary

Intake ID: 0001629548 Intake Name: May, Kaci

Nates 3/28 Hullstrung

Section (A) - Intake Decision

Intake Date:	03/28/2017	**Intake Time:**	02:52:00 PM	**Intake Worker:**	Tindall Susan
Intake Decision:	Accepted/Approved			**Intake Reason:**	CPS Investigative Assessment Needed
Decision Date:	03/28/2017	**Decision Time:**	04:20:00 PM	**Assigned Supervisor:**	GAINEY, CARISSA L
Response Time:	2-24 Hours	**Initial Contact Due By:**	03/29/2017 at 4:20:00PM		
Case ID:		**Case Name:**			
Referred to Law Enforcement:				**Collateral Contact:**	Officer Pryor/SRO; Detective Blanchard,

Assessment Options:

System Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Worker Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Adoptive parents may not be supervising children and are aware of child's sexual behaviors. See collateral contact information

Supervisor Assessment: **Refer to Child Protective Services for Investigation (CPS)**

Intake merits CPS assessment due to allegations of ongoing child on child sexual abuse which parents are aware of. It is noted that the family had a CBPS referral which they refused in regards to sexual behaviors in November. CPS assessment is needed to assess the safety of the children in the home,

Section (B) - Address

Type: Household

Address: 151 Kaci May Way,
Ridgeville, SC 29472

Directions to Address:

Telephone Numbers

Type: Cell Phone 1

Number: ([redacted] ext:

Section (C) - Persons Involved

PLAINTIFF'S EXHIBIT 3 8/11/20 tabbies

ROA 000468

State Benefits: No

Collateral Contacts: Yes

History Of In Utero Drug Use: No

Referral from the State Child Fatality Advisory Committee (SCFAC): No

Emergency Protective Custody (EPC): No

Intake History

Person ID: 0001921545 -L.C.M.L.C.M. (1)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001921541 - J.R.M. J.R.M. J.R.M.

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001921540 - J.H.M. J.H.M. J.H.M.

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001734595 - J.A.M. J.A.M. J.A.M.)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001403591	Kaci May 8/9/2012 1:00:00 PM	8/13/2012 1:00:00 PM	Accepted (Adoptive Home Assessment)
0001435641	Warren May 7/19/2013 10:30:00 AM	7/19/2013 10:30:00 AM	Void - Created in Error
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001734594 - A.R.M. A.R.M. A.R.M.)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001403591	Kaci May 8/9/2012 1:00:00 PM	8/13/2012 1:00:00 PM	Accepted (Adoptive Home Assessment)
0001435641	Warren May 7/19/2013 10:30:00 AM	7/19/2013 10:30:00 AM	Void - Created in Error
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

ROA 000468

Person ID: 0001734593 - C.B.M. C.B.M. C.B.M.

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001403591	Kaci May 8/9/2012 1:00:00 PM	8/13/2012 1:00:00 PM	Accepted (Adoptive Home Assessment)
0001435641	Warren May 7/19/2013 10:30:00 AM	7/19/2013 10:30:00 AM	Void - Created in Error
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001734592 - J.T.M. J.T.M. J.T.M.

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001403591	Kaci May 8/9/2012 1:00:00 PM	8/13/2012 1:00:00 PM	Accepted (Adoptive Home Assessment)
0001435641	Warren May 7/19/2013 10:30:00 AM	7/19/2013 10:30:00 AM	Void - Created in Error
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001734591 - May, Warren (3)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001564331	Kaci May 2/26/2016 4:00:00 PM	2/26/2016 4:42:00 PM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Person ID: 0001734590 - May, Kaci (3)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001564331	Kaci May 2/26/2016 4:00:00 PM	2/26/2016 4:42:00 PM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001629548	Kaci May 3/28/2017 2:52:00 PM	3/28/2017 4:20:00 PM	Accepted (CPS Investigative Assessment Needed)

Aggregate (5)

Intake ID	Intake Name Intake Date	Decision Date	Intake Decision
0001403591	Kaci May 8/9/2012 1:00:00 PM	8/13/2012 1:00:00 PM	Accepted (Adoptive Home Assessment)
0001435641	Warren May 7/19/2013 10:30:00 AM	7/19/2013 10:30:00 AM	Void - Created in Error
0001564331	Kaci May 2/26/2016 4:00:00 PM	2/26/2016 4:42:00 PM	Accepted (Referred to Community-Based Prevention Services (CBPS))
0001608619	Kaci May 11/29/2016 8:24:00 AM	11/29/2016 11:53:00 AM	Accepted (Referred to Community-Based Prevention Services (CBPS))

Kaci May
0001629548 3/28/2017 2:52:00 PM 3/28/2017 4:20:00 PM Accepted (CPS Investigative Assessment Needed)

Narrative:

It is reported that the children have been"brutally" raped by J[redacted], age 9 yrs. R/S that J[redacted] "sucked J[redacted]'s penis" R/S the chidlren are not safe in the home. R/S J[redacted] and J[redacted] need supervision at all times.R/S that all the children in the home were sexually abused by J[redacted] and J[redacted] and that J[redacted] could be doing this with other children. R/S concerns that parents are not supervising children properly.

Family Members:

A.R.M. A.R.M. A.R.M.	[redacted]	0001734594	Alleged Victim
C.B.M. C.B.M.		0001734593	Alleged Victim
J.T.M. J.T.M.		0001734592	Alleged Victim
J.H.M. J.H.M.		0001921540	Alleged Victim
J.R.M. J.R.M.		0001921541	Alleged Victim
J.W.M. J.W.M.		0001734595	Alleged Victim
May, Kaci		0001734590	Alleged Perpetrator
L.C.M. L.C.M.		0001921545	Alleged Victim
May, Warren		0001734591	Alleged Perpetrator

Sufficiency:

1. Is there sufficient information available to locate the family? Yes

2. Is the alleged maltreater the parent/caregiver of the child? Yes

Maltreatment:

3. Is there an allegation of behavior that meets the legal definition of maltreatment? Yes

(c) fails to supply the child with adequate food, clothing, shelter, education or supervision and the failure has caused physical or mental injury

Concerns that J[redacted] and J[redacted] are acting out sexually in the adoptive home and the parents are not addressing it appropriately. Concerns of a lack of supervision resulting in the incidents.

Safety:

4. Do safety factors exist that place the child at risk of substantial and imminent harm? Yes

2. Parent/caregiver has not, will not, or cannot provide sufficient supervision to protect the child from present or impending danger.
9. Parent/caregiver has not or is unable to meet the child's immediate needs for food, clothing, shelter, or medical care where the absence of these necessities is creating present or impending danger to the child.
12. Child is vulnerable due to lack of self-protection skills or the presence of special needs that parent/caregivers are unwilling to meet, and these are presenting the threat of present or impending danger.

5. This allegation refers to Physical Abuse or Sexual Abuse.

Intake Risk Assessment Reference Table: Results

No Results

ROA 000471

Section (F) - Children's School Information

Last Name. First MI	School ID	Grade	SchoolName	Address

Section (G) - Victims Unique Attributes

Person ID	Last Name, First	Sex	In Imminent Danger	Need Medical Treatment	Need Medical Evaluation
0001734592	J.T.M. J.T.M.	Male			
0001734593	C.B.M. C.B.M.	Male			
0001734594	A.R.M. A.R.M. A.R.M.	Female			
0001734595	J.W.M. J.W.M.	Male			
0001921540	J.H.M. J.H.M.	Female			
0001921541	J.R.M. J.R.M.	Male			
0001921545	L.C.M.L.C.M.	Female			

Section (H) - Alleged Perpertrators unique Attributes

Person ID	Last Name, First	Sex	Degree of Dangers to Workers
0001734590	May, Kaci	Female	
0001734591	May, Warren	Male	

Section (I) - Report Risk Factors

Client Characteristics

4 of the children are biological. J.H.M., J.R.M. and L.C.M. are adopted. J.H.M. was victim of sexual abuse-children formally in foster care for abuse/neglect in their bio-home.

Environmental Factors

Caretaker Characteristics

Ms. May is difficult to work with according to the schools.

Social/Economic Factors

Facility Operating Practices

Additional Risk Factors

Section (J) - This Section not used by CPS

Section (K) - This Section not used by CPS

Section (L) - Services History

Section (L-1) - Intake History

Intake ID	Program	Date	Worker	Intake Name	Decision	Risk Rating
0001629548	Child Protective Services	3/28/2017	Tindall Susan	May, Kaci	Accepted/Approved	High
0001608619	Child Protective Services	11/29/2016	Tindall Susan	May, Kaci	Accepted/Approved	Low
0001564331	Child Protective Services	2/26/2016	Tindall Susan	May, Kaci	Accepted/Approved	Low
0001435641	Provider	7/19/2013	Edwards Ann	May, Warren	Void - Created in Error	

ROA 000471

ROA 000472

0001403591 Provider	8/9/201[illegible]	Carr Tongela	May, Kaci	Accepted/Approved

Service (L-2) - Case History

7

ROA 000472

Guided Supervision Staffing Tool // 7 Day Staffing

Date of Staffing: 04/05/17

Persons Present for Guided Supervision Staffing:

- Case Manager Kerryn Hullstrung

- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M. 's penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J.T.M., J.R.M. and mostly J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health.

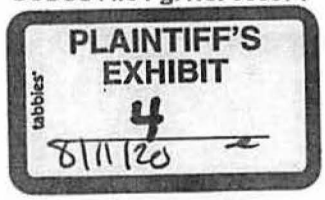
Harm Statement: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M. 's penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

What are we worried about: Mental abuse- Munchausen syndrome

RJ 04/



ROA 000474

What is working well: CM has met all the minor children.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney.

Scaling: 5

Recommendations from Guided Supervisory Staffing:

1. CW to meet with DSS Legal to have attorney meet with mom's attorney
2. CW to re-staff as needed prior to 30 day staffing

ROA 000474

Guided Supervision Staffing Tool // 30 Day Staffing

Date of Staffing: 4/24/17

Persons Present for Guided Supervision Staffing:

- Case Manager Kerryn Hullstrung

- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J.T.M., J.R.M. and mostly J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health. CM has staffed the case with legal to attempt to get a meeting with the attorney. Kaci has reportedly quit her job and withdrawn the children so that she is able to homeschool them.

Harm Statement: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M.'s penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

RY
04/24/17

3

What are we worried about: Mental abuse- Munchausen syndrome

What is working well: CM has met all the minor children. CM has staffed with law enforcement. CM has staffed with legal.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney.

Scaling: 5

Recommendations from Guided Supervisory Staffing:

1. **CW to await meeting schedule with client and attorney**
2. **CW to complete Inspection Warrant**
2. **CW to re-staff within 14 days**

Guided Supervision Staffing Tool // 45 Day Staffing

Date of Staffing: 5/12/17

Persons Present for Guided Supervision Staffing:

- Case Manager Kerryn Hullstrung
- Supervisor Elliott Ray

Initial Contact/Attempted Date: 3/29/17

Allegations: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M. 's penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Current situation: Kaci May claims she has an attorney and request CM only contacts the attorney. CM addressed concerns with the school and with Dorchester County Law Enforcement where they feel that Kaci May is mentally abusing the minor children by making (J.T.M., J.R.M. and mostly J.H.M.) them to seem as though they are sexually predators. There are concerns for Kaci May's behaviors and mental health. CM has staffed the case with legal to attempt to get a meeting with the attorney but have not heard a response at this time. The school has another meeting with Mrs. May next week. No updates from Law enforcement.

Harm Statement: It is reported that the children have been "brutally" raped by J.H.M., age 9 yrs. R/S that J.H.M. "sucked J.T.M. 's penis" R/S the children are not safe in the home. R/S J.R.M. and J.H.M. need supervision at all times. R/S that all the children in the home were sexually abused by J.R.M. and J.H.M. and that J.H.M. could be doing this with other children. R/S concerns that parents are not supervising children properly.

Danger Statement: The agency has concerns for the safety and well-being of the minor child.

STAFFING SPECIFIC INFORMATION - (incorporate SOS tools/language):

RJ
05/12/17

5

What are we worried about: Mental abuse- Munchausen syndrome

What is working well: CM has met all the minor children. CM has staffed with law enforcement. CM has staffed with legal.

What needs to happen for case progress: meet with dad. Schedule a meeting with attorney. Prepare paperwork as requested by legal.

Scaling: 5

Recommendations from Guided Supervisory Staffing:

1. **CW to Indicate case against mom & dad for Physical Neglect**
2. **CW to send 3070 & 3089 within 5 business days**
3. **CW to complete Investigative Summary & Child Safety**
4. **CW to prepare CIS for court intervention**
5. **CW to prepare file for transfer to Family Preservation Unit**

Flemister, Jasmine

From: Kaci May <kaci_may2000@yahoo.com>
Sent: Thursday, June 15, 2017 8:46 AM
To: Flemister, Jasmine
Subject: Re: Hello

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
Good morning,
I contacted my attorney last evening and asked if she had communicated with you yet. She said she has not received a response yet. I just want to make sure you have her contact information. Her contact information is just below.
Deborah J. Butcher
Foster Care Abuse Law Firm, Pa.
Camden Law Firm, Pa.
P. O. Box 486
Manning, SC 29102
Phone: 803.432.7599
Fax: 803.432.7466
Warm regards,
Kaci May

Sent from Yahoo Mail on Android

On Mon, Jun 5, 2017 at 10:14 AM, Flemister, Jasmine <Jasmine.Flemister@dss.sc.gov> wrote:

Hello my name is Jasmine Flemister and I am your new assigned caseworker. I work in family preservation which is also referred to as treatment. I would like to speak with you regarding your case. If you would please contact me at your earliest convenience, all of my contact information is listed below.

Thank you kindly,

Jasmine Flemister

Human Services Specialist II

Child Protective Service

Dorchester County DSS

216 Orangeburg Road

PLAINTIFF'S EXHIBIT 5A
PENGAD 800-631-6989

Summerville, SC 29483

(office) 843-486-1895

(cell) 843-209-8752

(fax) 843-875-8528

Email: Jasmine.flemister@dss.sc.gov

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the recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited and violations of applicable federal and/or state law may subject you to civil and/or criminal penalties.

Flemister, Jasmine

From: Flemister, Jasmine
Sent: Friday, July 14, 2017 3:42 PM
To: 'dbutcher@camdensc-law.com'
Subject: Scheduled Meeting

Hello my name is Jasmine Flemister and I am a Family Preservation caseworker on the Kaci May case in Dorchester County. I reached out to Mrs. May to visit the children and she requested I schedule all visits through your office. I need to make face to face contact with the family as soon as possible. Can you please provide me a couple of dates you are available.

Thank you

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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Flemister, Jasmine

From: Flemister, Jasmine
Sent: Monday, July 24, 2017 4:00 PM
To: Gray, Deanne M
Subject: FW: Scheduled Meeting

I sent this email and have received no response, can you please help me? I need to see these children.

From: Flemister, Jasmine
Sent: Friday, July 14, 2017 3:42 PM
To: 'dbutcher@camdensc-law.com' <dbutcher@camdensc-law.com>
Subject: Scheduled Meeting

Hello my name is Jasmine Flemister and I am a Family Preservation caseworker on the Kaci May case in Dorchester County. I reached out to Mrs. May to visit the children and she requested I schedule all visits through your office. I need to make face to face contact with the family as soon as possible. Can you please provide me a couple of dates you are available.

Thank you

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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the recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited and violations of applicable federal and/or state law may subject you to civil and/or criminal penalties.

Flemister, Jasmine

From: Deborah Butcher <dbutcher@camdensc-law.com>
Sent: Tuesday, July 25, 2017 10:50 PM
To: Flemister, Jasmine
Subject: RE: Scheduled meeting with the May family

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
A woman named Deanne Gray called my office - I have attempted to return her call and I have left a message. I will be in my office tomorrow afternoon. Please contact me at that time. If I am not available - please leave a message with my secretary and I will call you back. Thank you.

Deborah J. Butcher
Foster Care Abuse Law Firm, Pa.
Camden Law Firm, Pa.
P. O. Box 486
Manning, SC 29102
Phone: 803.432.7599
Fax: 803.432.7466

From: Flemister, Jasmine
Sent: Tuesday, July 25, 2017 6:52:53 PM
To: Deborah Butcher
Subject: Scheduled meeting with the May family

Hello my name is Jasmine Flemister and I am the family preservation caseworker for the Kaci May case. I am contacting your office again to discuss scheduling a visit with the family. I need to schedule this visit as soon as possible. Please send dates that you are available to meet.

Thank you,

Jasmine Flemister

Sent from my Verizon Wireless 4G LTE DROID

Flemister, Jasmine

From: Kaci May <kaci_may2000@yahoo.com>
Sent: Tuesday, July 25, 2017 10:00 PM
To: Deborah Butcher; Flemister, Jasmine
Cc: Warren May
Subject: Fw: DSS Visits

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
Ms. Butcher,
Can you contact Ms. Flemister? 843-209-8752 this is the number from which she called me.
Thanks.
Kaci May

Sent from Yahoo Mail on Android

On Tue, Jul 25, 2017 at 6:49 PM, Flemister, Jasmine <Jasmine.Flemister@dss.sc.gov> wrote:

Hello Mrs. May,

I have not been able to contact your attorney and need to meet with your family. You stated in your previous email that if I experienced trouble contacting her to let you know. I need to schedule this meeting as soon as possible.

Thank you,

Jasmine Flemister

Sent from my Verizon Wireless 4G LTE DROID
On Jul 14, 2017 10:57 AM, Kaci May <kaci_may2000@yahoo.com> wrote:
*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
Good morning Jasmine,
It us my understanding you are at my home now. I want to make it clear again, agree speaking with you a moment ago, that any visit to our home, we want scheduled through our attorney Ms Deborah Butcher. If you are having trouble contacting her, please let me know.
Best regards,
Kaci May

Sent from Yahoo Mail on Android

Flemister, Jasmine

From: Deborah Butcher <dbutcher@camdensc-law.com>
Sent: Wednesday, July 26, 2017 12:37 PM
To: Flemister, Jasmine
Subject: RE: Scheduled meeting with the May family

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
I have left several voice messages as well as emails with both you and Deanne Gray concerning the Mays. Please contact me with a time that you will be available to discuss this matter. Thank you.

Deborah J. Butcher
Foster Care Abuse Law Firm, Pa.
Camden Law Firm, Pa.
P. O. Box 486
Manning, SC 29102
Phone: 803.432.7599
Fax: 803.432.7466

From: Flemister, Jasmine
Sent: Tuesday, July 25, 2017 6:52:53 PM
To: Deborah Butcher
Subject: Scheduled meeting with the May family

Hello my name is Jasmine Flemister and I am the family preservation caseworker for the Kaci May case. I am contacting your office again to discuss scheduling a visit with the family. I need to schedule this visit as soon as possible. Please send dates that you are available to meet.

Thank you,

Jasmine Flemister

Sent from my Verizon Wireless 4G LTE DROID

Subject: Scheduled meeting with the May Family
Date: Wednesday, August 16, 2017 at 9:17:29 AM Eastern Daylight Time
From: Flemister, Jasmine
To: Deborah Butcher
CC: Gray, Deanne M

Ms. Butcher,

I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Wednesday Aug 23rd, Thursday Aug 24th and Friday Aug 25th before 12pm on Friday. Please let me know which of these days the children are available.

Sincerely,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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Subject: Scheduled meeting with the May Family
Date: Friday, August 25, 2017 at 9:52:42 AM Eastern Daylight Time
From: Flemister, Jasmine
To: Deborah Butcher
CC: Gray, Deanne M, Waiters, Senora

Ms. Butcher,

I am contacting you again requesting assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Monday Aug 28th, Tuesday Aug 29th, and Wednesday Aug 30th. Please let me know which of these days the children are available.

Sincerely,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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Subject: Re: Scheduled meeting with the May family
Date: Monday, August 28, 2017 at 4:19:33 PM Eastern Daylight Time
From: Deborah Butcher
To: Flemister, Jasmine
CC: Gray, Deanne M

I am in court today and tomorrow and may be in a trial the rest of the week. I will respond to you asap

Deborah Butcher
Foster Care Abuse Law Firm
The Camden Law Firm
P.O. Box 486
Manning S.C. 29102
Cell: 803.900.0809
Office: 803.432.7599
Fax: 803.432.7466

Sent from my iPhone

On Aug 28, 2017, at 1:36 PM, Flemister, Jasmine <Jasmine.Flemister@dss.sc.gov> wrote:

> Ms. Butcher,
>
> I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Tuesday Aug 29th, Wednesday Aug 30th after 1230 and Thursday Aug 31st. Please let me know which of these days the children are available.
>
> Sincerely,
>
> ***Jasmine Flemister***
> Human Services Specialist II
> Child Protective Service
> Dorchester County DSS
> 216 Orangeburg Road
> Summerville, SC 29483
> (office) 843-486-1895
> (cell) 843-209-8752
> (fax) 843-875-8528
> Email: Jasmine.flemister@dss.sc.gov
>
> ***Disclaimer: Please do not use this e-mail address to report child or adult abuse and neglect. The abuse/neglect hotline number for your county is located on the SCDSS home web page at www.dss.sc.gov. For emergencies, please contact your local law enforcement office.***
>
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the recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited and violations of applicable federal and/or state law may subject you to civil and/or criminal penalties.

Subject: Scheduled meeting with the May family
Date: Monday, August 28, 2017 at 1:36:54 PM Eastern Daylight Time
From: Flemister, Jasmine
To: Deborah Butcher
CC: Gray, Deanne M

Ms. Butcher,

I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Tuesday Aug 29th, Wednesday Aug 30th after 1230 and Thursday Aug 31st. Please let me know which of these days the children are available.

Sincerely,

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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Subject: Scheduled meeting with the May family
Date: Wednesday, September 13, 2017 at 2:31:50 PM Eastern Daylight Time
From: Flemister, Jasmine
To: Deborah Butcher
CC: Gray, Deanne M

Ms. Butcher,

I am contacting you for assistance in scheduling a time to meet with the minor children. I am required to meet with the children monthly to assess for safety and wellbeing. I am available Friday Sept 15th, Tuesday Sept 19th and Friday Sept 22nd. I am also available the entire week of Sept 25th. Please let me know which of these days the children are available.

Sincerely

Jasmine Flemister
Human Services Specialist II
Child Protective Service
Dorchester County DSS
216 Orangeburg Road
Summerville, SC 29483
(office) 843-486-1895
(cell) 843-209-8752
(fax) 843-875-8528
Email: Jasmine.flemister@dss.sc.gov

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Saturday, August 8, 2020 at 12:32:43 Eastern Daylight Time

Subject: Re: SCDSS v. May
Date: Tuesday, December 5, 2017 at 10:17:14 AM Eastern Standard Time
From: Robert Butcher
To: Gray, Deanne M, 'Mary Lee Briggs'
CC: Deborah Butcher
Attachments: image001.png

Robert J. Butcher

221 Glenwood Drive
Manning, South Carolina 29102

Post Office Box 486
Manning, South Carolina 29102

Phone: (803) 432-7599
Facsimile: (803) 432-7466
E-mail: rbutcher@camdensc-law.com
Website: www.camdensc-law.com

From: "Gray, Deanne M" <Deanne.Gray@dss.sc.gov>
Date: Monday, December 4, 2017 at 9:29 PM
To: Robert Butcher <rbutcher@camdensc-law.com>, 'Mary Lee Briggs' <MaryLee@briggsandinglese.com>
Subject: SCDSS v. May

Dear Mr. Butcher and Ms. Briggs,

This matter is on this week's docket. It is my understanding that the only motion before the Court this week is Defendants' motion to strike and restrain my client from submitting future Court Information Sheets. In addition, the Department has had difficulty in visiting with the minor children for monthly visits to assess safety and wellbeing of the minor children. Two of the children were reportedly at a treatment facility but that facility responded to a documents request by stating that they have no patients by that name. Can you confirm the location of all the minor children and assist the case manager in scheduling a monthly visit for this month?

Sincerely,

rney

DSS SOUTH CAROLINA
DEPARTMENT of SOCIAL SERVICES

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If you have received this message in error, please notify the sender immediately by reply e-mail and delete this message and any attachments.

Hullstrung, Kerryn



From: Hullstrung, Kerryn
Sent: Wednesday, May 3, 2017 3:06 PM
To: 'kaci_may2000@yahoo.com'
Subject: RE: Follow up visit

I responded to your email in the order in which I received it. Again I will tell you I have nothing to do with your past DSS involvements. Also as far as telling you whether or not I am coming typically it is uncommon for investigators to notify families of when we will be making a visit, we do what is called pop ups. Based on your history I tried to show courtesy which is why I emailed you requesting to scheduled. You notified me Wednesday after common working hours a difference in time and date, which per time stamp is less than 48 hours there. At this point again I request you have your attorney please contact us back at their earliest convenience so that we can schedule a meeting. I will not be coming to the home at this time due to allegations you are bringing towards me causing the children nightmares when I come to your home.

Very Respectfully,

Kerryn Hullstrung, MS
Human Services Specialist II
Dorchester County DSS
216 Orangeburg Rd. Summerville, SC 29483
843-486-1884, 843-619-1293

DSS
Serving Children and Families

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From: Kaci May [mailto:kaci_may2000@yahoo.com]
Sent: Wednesday, May 3, 2017 2:51 PM
To: Hullstrung, Kerryn <Kerryn.Hullstrung@dss.sc.gov>
Cc: Deborah Butcher <dbutcher@camdensc-law.com>
Subject: Fw: Follow up visit

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)
That has never stopped DSS before, never. In fact, I begged DeAnn Gray to allow me to attend pretrial TPR with [redacted] to reduce trauma, but was denied because our parenting was so effective. I may be able to find

Deanne's response to my request t[illegible]rent my daughter when she was a wa[illegible] the state, but I was denied the privilege to protect her.

Now we are sitting here waiting for you. and you are going to not show up? Why did you wait 48 hours to tell me you choose not to come?

We are available. My children are expecting you.
Kaci May

Sent from Yahoo Mail on Android

On Wed, May 3, 2017 at 2:01 PM, Hullstrung, Kerryn <Kerryn.Hullstrung@dss.sc.gov> wrote:

Ok. Well I will continue to wait to hear back from your attorney then. If you can please see if they could contact me or the DSS attorney Deanne Gray ASAP that would be wonderful. I am not going to come to the home since it causes the children to have nightmares if I come to the home.

Very Respectfully,

Kerryn Hullstrung, MS

Human Services Specialist II

Dorchester County DSS

216 Orangeburg Rd. Summerville, SC 29483

843-486-1884, 843-619-1293

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Serving Children and Families

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From: Kaci May [mailto:kaci_may2000@yahoo.com]
Sent: Monday, May 1, 2017 7:30 PM
To: Hullstrung, Kerryn <Kerryn.Hullstrung@dss.se.gov>
Subject: RE: Follow up visit

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)

We can be available this Wednesday @ 3. I was trying to stick to a weekend because our children had nightmares last time you visited our home. It takes a while, especially for our adopted children, to recover after DSS visits.

I could send photos from our newly installed indoor cameras. Unfortunately, I haven't been able to afford installation of outdoor cameras yet. I was hoping you were coming bearing news of resources to help me install those. ☹

Let me know if Wednesday works.

Kaci

Sent from Yahoo Mail on Android

On Mon, May 1, 2017 at 12:03 PM, Hullstrung, Kerryn

<Kerryn.Hullstrung@dss.se.gov> wrote:

I am unavailable at that time. I just need to lay eyes on the children

Very Respectfully,

Kerryn Hullstrung, MS

Human Services Specialist II

Dorchester County DSS

216 Orangeburg Rd. Summerville, SC 29483

843-486-1884, 843-619-1293

DSS

Serving Children and Families

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From: Kaci May [mailto:kaci_may2000@yahoo.com]
Sent: Monday, May 1, 2017 11:29 AM
To: Hullstrung, Kerryn <Kerryn.Hullstrung@dss.sc.gov>
Subject: Re: Follow up visit

*** THIS IS AN EXTERNAL E-MAIL. Use CAUTION when clicking on links as they could open malicious websites. *** (DLP2)

Friday May 5th at 4 o'clock we are available. At that time will you bring any documentation that you are allowed to share? Out of curiosity, what does the follow-up visit entail?

Sent from Yahoo Mail on Android

On Mon, May 1, 2017 at 8:53 AM, Hullstrung, Kerryn

<Kerryn.Hullstrung@dss.sc.gov> wrote:

> May I please schedule a visit to meet with you and the children.
>
> Sent from my iPhone

South Carolina Department of Social Services

DETERMINATION FACT SHEET

Case Name: May, Kaci Case Number: 0001215553

Address: Mr. May

151 Kaci May Way

Ridgeville SC 29472

As of 5/12/17 (Case Determination Date), it is the decision of the department that the investigation/assessment initiated on 3/28/17 (Intake Date) has been Indicated (Case Determination) for the following forms of maltreatment: Physical Neglect (Maltreatment) as supported by the facts and observations recorded below and in the county investigative/assessment file.

Facts/Observations	Supporting Documentation/Evidence
The Dorchester County Department of Social Services responded	Education contact was made at Sandhill Elementary
to a report that the children have been brutually raped by [redacted]	Home visit/ safety inspected attempted
Allegations that the children are not safe in the home.	Law enforcement contacted
Concerns that parents are not supervising the children properly.	
case staffed:5/12/17	case indicated:5/12/17

For indicated investigations/assessments, check all that apply:

- ☑ You have been identified as the person responsible for harm to a child. (See attached DSS Form 3089.)
- ☐ A child with whom you are involved has been identified as being abused and/or neglected by state statute. You have not been identified as being responsible for the maltreatment. This information is being provided to you solely because of your legal relationship to the child.
- ☐ A child for whom you are the caretaker has been determined to be abused and/or neglected.
  - ☐ **Day Care Facility:** The matter will be referred to your employer and the DSS Division of Child Day Care Licensing and Regulatory Services for action. (See attached DSS Ltr. 3081.)
  - ☐ **Foster Homes, Group Homes and Residential Facilities:** See the attached letter for additional information regarding appeal of this decision. (See attached DSS Ltr. 3081.)
- ☐ A child has been determined to have been harmed while at your child care facility. The DSS Division of Child Day Care Licensing and Regulatory Services will contact you regarding a corrective action plan and/or any other actions needed to insure the safety of children.

For unfounded investigations/assessments:

- ☐ See attached DSS Form 3085.

[signature] 5/12/17
Worker's Signature Date

Elbert Ray 05/22/17
Supervisor's Signature Date

DSS Form 3070 (FEB 10) Edition of JAN 03 is obsolete.

PLAINTIFF'S EXHIBIT #7 KS 8-12-20

South Carolina Department of Social Services
Child Protective Services

NOTICE OF RIGHT TO APPEAL THE AGENCY'S DECISION

Date: 5/12/17

To: Warren May

Address: 151 Kaci May Way
Ridgeville SC 29472

With this notice you have received a Determination Fact Sheet regarding the investigation initiated on 3/28/17 and indicated on 5/12/17. The Determination Fact Sheet contains a summary of the facts found in the DSS child protective services investigation involving you. The department has determined that you were involved in harm that came to the child(ren), or that you placed the child(ren) at significant risk of being harmed.

Please read this entire letter. It provides important information about your case. The section checked below applies to your situation today.

☐ DSS has filed or plans to file action to take your case before Family Court. You will be served with court papers that will explain what DSS will ask the Family Court Judge to do. This hearing will also provide an opportunity for you to challenge the agency's case decision. You should pay careful attention to the court papers you will receive. The court papers will tell you how you can get a court-appointed attorney, if you cannot afford one. Be sure to give the court papers, this letter and the Determination Fact Sheet to your attorney.

☑ DSS has recorded the investigation and the case decision in the confidential DSS case record. DSS did not place your name on the Central Registry of Child Abuse and Neglect. If you disagree with the case decision, you have the right to appeal the decision through an administrative hearing process. The law that applies to the appeal is SC Code Section 63-7-1410 through Section 63-7-1440.

The purpose of the appeal is to determine whether DSS can prove by a preponderance of evidence that you harmed the child(ren), or allowed someone else to harm the child(ren), or placed the child(ren) at significant risk of harm. If you wish to appeal, you must notify the Department in writing within 30 days of receiving this notice. If you do not notify the Department within 30 days, the case decision will become final. Your letter asking for an appeal must be sent to the following address:

South Carolina Department of Social Services
Office of Administrative Appeals
P.O. Box 1520
Columbia, South Carolina 29202

As of the date of this notice, DSS has not filed a case in Family Court. DSS may go to Family Court at any time to make sure that the child is protected and that services are provided. If DSS takes your case to Family Court, you may challenge the case decision at the Family Court hearing. If your case is decided in Family Court, there will not be an administrative hearing and the administrative appeal will end.

If you have any questions, please contact the county caseworker or supervisor identified below during working hours.

Kerryn Hullstrung	Elliott Ray	843-486-1884
Caseworker	Supervisor	Telephone

DSS Form 3089 (FEB 10) Replaces forms 3040 and 30200.