

**Lawsuits filed against the SC Department of Juvenile Justice, 2005 to Present**

This information was compiled and provided pursuant to the request of the Law Enforcement and Criminal Justice Subcommittee of the Legislative Oversight Committee of the South Carolina House of Representatives. DJJ reports information concerning pending and resolved litigation to the Comptroller General's Office on a yearly basis as part of the Litigation Closing Packet. Unless otherwise indicated, all settlement/judgment amounts and costs associated with the defense of these lawsuits were paid by the Department's insurance carrier, the Insurance Reserve Fund.

**2005** - There was one lawsuit filed against DJJ.

<b>Case Name</b>	<b>Date Filed</b>	<b>Description</b>	<b>Status</b>
<u>Calvin Jerome Rogers v. DJJ, 2005-CP-40-2931</u>	July 20, 2005	SCDC inmate claimed he was illegally committed to DJJ for evaluation due to being younger than the minimum commitment age.	Dismissed 1/28/09

**2006** – There were four lawsuits filed against DJJ.

<b>Case Name</b>	<b>Date Filed</b>	<b>Description</b>	<b>Status</b>
<u>Russell Cooke v. DJJ and Melvin Matthews, 2006-CP-38-613</u>	May 30, 2006	Former DJJ detainee alleged that JCO Matthews performed oral sex on him at the Juvenile Detention Center.	Settled for \$38,000 on January 3, 2008
<u>Thomas Matthew Caldwell v. DJJ and Atkean Anderson, 2006-CP-40-2006</u>	June 19, 2006	Former DJJ inmate was physically assaulted by another juvenile, resulting in a broken jaw.	Settled for \$25,000 in November 2007
<u>Debbie Lancaster v. DJJ, 2006-CP-23-5302</u>	July 2006	Temporary employee (white) claimed race discrimination when she was denied permanent employment with DJJ.	Settled for \$2,500 on January 22, 2007
<u>Thomas Turner v. Thomas Simms and DJJ, 2006-CP-40-5332</u>	September 14, 2006	Former DJJ inmate alleged another juvenile punched him in the mouth at the request of a DJJ staff member.	Settled for \$36,400 in November 2006

2007 – No lawsuits were filed against DJJ.

2008 – There were three lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
<u>Tyrone Aiken (aka Tyrone Craig) v. DJJ</u> , 2008-CP-40-5481	July 30, 2008	Former DJJ inmate was assaulted by several juveniles, resulting in cuts and scratches to his face and his front tooth being knocked out.	Settled for \$20,000 on March 16, 2009
<u>Kareem Thompson v. DJJ</u> , 2008-CP-40-7718	October 24, 2008	Former DJJ inmate suffered a broken arm while being restrained by a JCO after Thompson threw milk and a cup at another JCO. He later reinjured his arm after a physical altercation with another juvenile.	Settled for \$12,000 on January 17, 2012
<u>James Berlin v. DJJ</u> , 2008-CP-40-7952	December 2008	Automobile accident on I-26 involving a DJJ Police Officer speeding and illegally stopping on the roadway.	Settled for \$9,256 on March 16, 2009

2009 – There were two lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
<u>John Doe v. DJJ and DMH</u> , 2009-CP-40-2896	April 20, 2009	Former DJJ inmate, who was transferred to a DMH facility, alleged that he was sexually assaulted by another youth who was placed in the same DMH facility.	DJJ dismissed as a party on February 27, 2012
<u>Carol Seawright v. DJJ</u> , 3:09-CV-01197-CMC	May 2009	DJJ's former Finance Director claimed that her separation from DJJ after saying "I quit" and the agency's refusal to allow her to return to work amounted to a constructive discharge.	Summary Judgment granted and case dismissed November 29, 2010

2010 – There were two lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
<u>Patrick Booker v. DJJ and Michael Peterson</u> , 2010-CP-23-7158	September 1, 2010	SCDC inmate claims he was physically assaulted by JCO Peterson in 2000 while at DJJ.	Summary Judgment granted and case dismissed September 14, 2011
<u>Cherby Adams v. DJJ</u> , 2010-CP-40-8270	November 24, 2010	Former DJJ inmate's arm was injured when a JCO used allegedly unnecessary and excessive force on him in an attempt to prevent him from fighting with another juvenile.	Settled for \$42,000 on January 26, 2012

2011 – There were two lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
<u>Harold Kashner, as Parent and Legal Guardian of Jesse Kashner v. DJJ</u> , 2011-CP-26-7032	January 2011	Former DJJ Inmate was physically assaulted by another juvenile when a JCO fell asleep at his post.	Settled for \$10,000 on September 6, 2011
<u>Rose Powell v. Loris Healthcare Systems, et al.</u> (including DJJ), 2011-CP-26-2550	April 29, 2011	Plaintiff was physically assaulted by 3 teenagers in hospital parking lot. She claimed that DJJ was negligently supervising one of the youth on probation at the time of the incident.	Settled for \$14,000 on December 4, 2012

2012 – There was one lawsuit filed against DJJ.

Case Name	Date Filed	Description	Status
<u>A.L. v. DJJ, Jeffrey Carnes, et al.</u> , 2012-CP-40-6882, 3:12-3617-JFA-PJG	September 20, 2012	Former DJJ detainee (who was being held at the DJJ Detention Center on adult charges of murder and attempted murder) claimed that he was physically assaulted by	Dismissed February 6, 2014

		another detainee and that DJJ was negligent in not preventing the assault.	
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2013 – There were four lawsuits filed against DJJ.

Case Name	Date Filed	Description	Status
<u>Patrick Booker v. DJJ and Juvenile Parole Board</u> , 2013-CP-23-1782	March 13, 2013	SCDC Inmate claimed that DJJ and the Parole Board were negligent in releasing him home on parole rather than sending him to a group setting upon his release from DJJ, causing him commit adult crimes and be sentenced to SCDC.	Summary Judgment granted and case dismissed January 8, 2014
<u>Leigh D. Hicks v. DJJ</u> , 3:13-CV-1170	April 30, 2013	Former DJJ employee (social worker) claimed she was discriminated against, retaliated against, and defamed because of her race when DJJ denied her promotions and did not allow her to perform certain duties she wanted to perform.	Settled for \$7,500 on August 16, 2013
<u>Bobby Houston v. Avalonia Group Homes, Inc. and DJJ</u> , 2013-CP-23-5668	October 22, 2013	Juvenile claimed, following an altercation with another juvenile, he was physically disciplined by Avalonia staff and that DJJ was negligent in failing to supervise the provision of services at Avalonia.	Settled for \$10,000 in December 2014
<u>Craig Way v. AMIKids Sand Hills, Inc and DJJ</u> , 2013-CP-13-740	December 23, 2013	Juvenile alleges that he was kissed and inappropriately touched while at Camp Sand Hills “by an employee or volunteer known as Mr. John” and that DJJ was	Pending

		negligent in failing to supervise or inspect Sand Hills.	
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**2014** – There were three lawsuits filed against DJJ.

<b>Case Name</b>	<b>Date Filed</b>	<b>Description</b>	<b>Status</b>
<u>Dessa Brown-Hearns v. DJJ</u> , 3:14-CV-01807-MBS-PJG	May 5, 2014	Employee (JCO) claimed she was discriminated against based on her gender when another employee (male) received a promotion rather than her.	Settled for salary increase and \$7,500 on October 3, 2014
<u>Rebecca Veney v. DJJ</u> , 3:14-cv-03798-JFA-PJG	September 27, 2014	Employee (HR) claims race and age discrimination, retaliation, defamation, intentional infliction of emotional distress, and negligent retention.	Pending
<u>Dwight Decker v. DJJ, et al.</u> , 2:14-cv-04363-DCN-MGB	November 11, 2014	Former employee (ISO) who was terminated during probationary period asserts various claims, including discrimination, retaliation, whistleblower action, and defamation.	Pending

**2015** – As of March 11, 2015, there have been no lawsuits filed and served on DJJ.