

Michelle H. v. Haley names 11 children as plaintiffs to represent the nearly 3,400 abused and neglected kids in South Carolina foster care. The named plaintiffs range in age from 2 to 17, and collectively have lived in foster homes and institutions throughout the state.

Michelle H., 16

Despite having severe hearing loss in one ear when she entered care at 8 years old, the state has yet to provide Michelle with medical treatment for her condition. She has been moved through at least 12 placements, and has lived in restrictive group care facilities and abusive foster homes. One foster mother beat Michelle with a belt on her arms, legs, back and buttocks and encouraged a foster sibling to be physically aggressive toward her, saying Michelle “needed it.” Michelle disclosed that another foster mother choked her, but DSS failed to properly investigate her allegations. Michelle wants to live with a family, but instead she is languishing in a restrictive group facility because, as her caseworker told her, DSS does not have enough foster homes. She is placed in solitary confinement if she misbehaves.

Ava R., 15

Ava was placed in a group facility where food was often expired or moldy, girls were denied basic hygiene products, and conditions were unsanitary and in disrepair – feces remained on the shower floor for over a month during her placement. Despite the state’s knowledge that Ava needed mental health treatment, she did not receive a single therapy session until 10 months after she entered foster care. While at the group facility, staff denied Ava her depression medication as punishment, and when she finally got her medication back, they laughed and told her not to “overdose” on it. No action was taken when Ava reported this to the president of the facility or her caseworker. Likewise, nobody acted when Ava reported that a maintenance worker asked her for a nude picture of herself – he continued to work at the facility.

Zahara L., 9

At just 5 years old, DSS placed Zahara in a secure institutional facility designed for children with severe mental health needs. While there, she was put on powerful psychotropic medications and waited months for visits from her grandparents and brother. She threatened to commit suicide while at the facility, and described the some six months that she spent there as the “worst time in [her] life.” Zahara’s four years in DSS care have been marked by instability – she has been moved through 13 placements and had at least six caseworkers.

Sammy V., 13

Since entering foster care at 12, DSS has shuffled Sammy between group care facilities located hours away from his biological family – and despite his goal to reunify with them, he has had limited visits with his parents and has yet to see his siblings. On two occasions, Sammy spent time in a detention center where he was placed in the equivalent of solitary confinement without treatment or contact with peers, and only phone access to a caseworker. DSS recommended he remain in the center because there was no appropriate placement for him. During his time at a group facility, staff verbally and physically abused him – grabbing him by the arms, slamming him on the ground and dragging him across the floor. Sammy is currently housed at a juvenile justice facility where he again waits for a DSS foster care placement to become available.

Andrew R., 16

Andrew, who entered care at 14, has been in a series of placements hours away from his biological family. Despite a goal to reunify with his family, he has only seen his mother once since entering care. He spent his first two months in DSS custody in a group facility, where he was prescribed powerful

psychotropic medications – for the first time in his life – without receiving a mental health assessment. During one 3-month period, when DSS moved Andrew between four placements, he reported feeling like unwanted “trash.” Andrew has had at least four caseworkers since entering care.

Marcus B., 10, Annie B., 8, Cameron B., 5, Sara B., 3 and Roger B., 2

Upon entering foster care in late 2014, the siblings were separated and put in different placements across the state, due to the shortage of foster homes. They did not have a caseworker for a week, or any family contact for three weeks, and their initial visit with each other was cut short when several siblings were late due to the long distances they had to travel. DSS placed Marcus and Annie in group facilities where they were maltreated – a roommate assaulted Annie and someone put feces on Marcus’ toothbrush. There is no indication that DSS even assessed Annie or Marcus to determine if their needs could be addressed in regular foster homes.

Kyle S., 17

Kyle has grown up in foster care, moving between 28 placements since entering care at age 3. After each disrupted placement, DSS failed to assess Kyle’s need for more supportive services. Kyle suffered abuse in care – one foster parent choked him. In addition, DSS has allowed him to languish in a detention facility due to a lack of placement options. Kyle is at risk of aging out at 18, without support services, a family or a permanent home.

###