

CITY OF CONOVER
RESOLUTION 8-14
Supporting "Burt's Law"

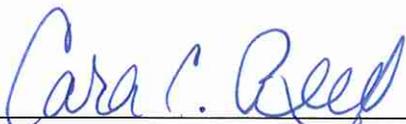
WHEREAS, North Carolina has a mandatory reporting law for suspected/known physical, sexual and/or emotional abuses of children, special needs adults and elderly whose care providers be family, private, county or state facilities; and

WHEREAS, the emotional/sexual abuse of Burt Powell has been documented and his story of what did and continues to happen when caretaker authority figures prey on those entrusted into their care by threats and manipulation; and

WHEREAS, persons who report fear for their own jobs/safety when the know/suspected perpetrator faces no consequences for said immoral acts and agencies wish not to risk loss of state/federal or private funding due to "scandal".

NOW, THEREFORE, BE IT RESOLVED that the Conover City Council does hereby support Laurie Powell in her quest for North Carolina Legislation to enhance mandatory reporting laws by establishing set punishments for said convicted perpetrators and further resolves encouragement and support for Laurie Powell in the pursuit of "Burt's Law".

Adopted this the 5th day of May, 2014.



Cara C. (Chris) Reed, City Clerk



Lee E. Moritz, Jr., Mayor



RECEIVED APR 01 2014

I hope you will take a
minute to read my
son, Burt's, story. He
was in a CVBH group
home in Conover where
he & others were raped
by the group home
manager. Although CVBH
was aware for years, they
did nothing. I am
going before the General
Assembly to get
"Burt's Law" passed.
After you read his story,
you'll see why.
I am



Burt's Story

Burt's Story

Many of you have met my son Burt. Burt is now 36 and has been with us since he was 7 days old, first as a foster child and later as our adopted son. Burt is a special needs adult who functions as a 8 year old in many areas.

In 2005, Burt expressed a desire to live more independently in a group home among his friends. Burt's case management was under the care of Catawba Behavioral Health Care (CVBH.) CVBH highly recommended one of their group homes in Conover. The group home manager, Bob, was someone Burt knew from his day program. You've heard the term " helicopter mom," well I am a drone mom on steroids. I asked numerous times about the home, the training, and if back ground checks were done on all staff. I asked numerous questions about Bob, each time being reassured he was the " best of the best."

Burt came home almost every weekend and we talked daily. After several months, Burt's behavior began to turn hostile, angry and uncooperative with the staff and residents. On several weekend visits Burt began to have nightmares, often screaming in his sleep "get off me, get off me," at which point he would wake up in a cold sweat, panting and afraid. He also began bed wetting, something he had not done since he was a toddler. Other times, Burt paced in his room all night to avoid sleep. I asked Burt if anyone was coming into his room at night and he said no. I showed him how to lock his bedroom door at the group home and explained to him it was within his client rights to do so.

As Burt continued to live at the group home, his behavior became worse, cursing, screaming, making threats to other residents. He also no longer cared about his personal hygiene. I had discussed his behavior and my concerns with Bob and was told it was because he saw me to often, that it was harmful to allow Burt to talk to me daily and for us to bring him home most weekends. I disagreed and became so concerned I had Burt admitted to Frye South in July 2006. Burt was at Frye South for 2 weeks and under went medication changes. It was reported to me that he slept well, no pacing, no bed wetting, was polite and well mannered.

Burt returned to the group home and for a couple of months his behavior was back to normal. However, once again, by the end of December 2006, I was having Burt admitted to Frye South. At this time, we terminated his housing with the group home. Never before nor after his stay at the group home had Burt ever need to be hospitalized for mental health issues.

me the reason why nothing was ever done about the reports was because they didn't think any victim would ever come forward. The ones who came forward before Bob had made out to be liars. This case manager also told me who his first victims were and that they had gotten to old and he liked them younger. Both of those residents were still at that group home when Burt left.

In July 2012, out of the blue, Burt told me " Bob had sex with me at the group home. He hurt me." " I told him to get off me but he wouldn't." I knew not to ask my son questions so I let him tell his story, his way. When Burt left for the workshop the next day, I did make a police report with the Conover police. Over the next days, weeks and months, Burt told me more details, details that were extremely graphic. He also told me he had been made to watch Bob have sex with other residents. He told me he was made to have sex with others while Bob watched. I am left to wonder if there are pictures of my son & others floating around on the internet on some sick pedophilia site. These are the least of the shocking details he provided, I will spare you the rest. Each new piece of information was provided to the police.

Burt did his forensic interview at the Children's Advocacy Center in January 2013. The police investigator observed from another room and a CD of the interview was made. Both the interviewer and the investigator told us Burt did reveal and they believed him 100%. All of the details he had provided me with 6 months before remained the same. What Burt didn't know was that Bob died a few days before he had that interview. After his interview, the police investigator & interviewer told Burt Bob had passed away. We asked Burt how that made him feel and he said " angry & sad." Burt would never get to face this man in court nor watch him go to prison. Burt expressed he wanted to see Bob in court and tell him how he hurt him, how it was wrong to make him have sex.

Once Burt had his interview we were all able to enter counseling at the Rape Crisis Center. Burt revealed to us that the reason he hadn't told us earlier was because Bob told him " we don't tell our mothers about our sex life." Bob also told Burt he would kill him, me and his sister by blowing our brains out. Still having nightmares about Bob raping him or killing us, we took Burt to see Bobs grave to impress upon him this evil man could no longer harm him or others. Although he still has nightmares from time to time, through counseling and much prayer he is better. Burt is healing but nothing will erase the horrors of being raped over and over and over by someone in the position of trust. This man was a predator who had no right to take my son's innocence. The residents may have been in adult

bodies but all had the minds of children. This man preyed on the mentally handicapped for years and the agency sat back and allowed it to happen, hiding it's dirt. I don't know if Burt will ever trust again. At 36, he clings to me as if he were a toddler. I am 60, my husband 61, so we must help Burt get to the point where he feels safe in another supervised living situation, however, at this point in his life he will not spend the night away from us, even at his sisters. Unless he is at his day program or with his respite worker for a few hours, I must be in his sight.

In counseling we expressed outrage at all the professionally licensed, both inside and outside of CVBH that knew for years what was happening but did not report any incident to the police or adult social services. I was asked by a counselor if any charges could be brought against those at CVBH. Imagine my surprise when an attorney told me North Carolina was one of only a few states that have no punishment under the NC mandated reporting law. Yes, we have mandated reporting laws but it's okay to ignore them because nothing will be done. Other states have penalties either written into the mandated reporting law or as a separate law. Punishment ranges from 30 days in jail to 5 years in prison, fines of \$300.00 to \$50,000 levied against the agency. In addition some states notify appropriate licensing authorities. Everything that transpired began to make sense. Why on earth would CVBH do the moral or ethical thing? I am sure in their eyes making such a report would only serve to create headlines, bring in scores of investigators and probably tie up funding. Why open up that can of worms? After all, who is going to believe "those guys." They knew most had no guardians, no family, few who cared. In many cases, the agency or case manager was the guardian. It was much easier to sweep it all under the rug. It is apparent, relying on those we have trusted with our special needs population have no incentive to do the right thing. It is my hope that FEAR OF PROSECUTION will be that incentive. Sadly, this happens all too often in our group homes. It is not and should not be acceptable for any mandated reporter to decide to protect their own best interest over the rights and needs of the clients. It is past time for North Carolina to put forth legislation that creates a tough penalty for those who choose to ignore the mandated reporting law. For me, there is no punishment harsh enough. Remember, my son had the intellect of an 8 year old.

As much as I wish I could undo the life long harm that has been done to Burt and others, I can not. But, with your help and support we can make "Burt's Law" a reality, sending the message North Carolina will protect those who can not protect themselves.

I have been blessed to have met so many wonderful people, people who care, who have listened or given me a shoulder to cry on when I needed to. This is a very personal and painful journey, but I hope through the hurt will come good, and "Burt's Law" will be his legacy. I have always taught my children and grandchildren that one voice does make a difference, to follow their hearts, pray for guidance and to speak up for those who can not. Please support "Burt's Law" by creating a harsh penalty, one that can not be ignored, for all mandated reporters. Let Burt know the pain of his rape and the fear his family would be murdered was not in vain and that the good people in North Carolina stand united to make it right. Stand up for "Burt's Law."

Laurie Powell
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Hickory, NC 27802

grandmalou@hotmail.com

Burt's Law - The Petition Site
www.thepetitionsite.com

828 781 6506

To advocate for special needs populations (r
and cognitively impaired elderly...

** while the names of the Case Managers, Group Home workers or Management staff at CVBH has not been named in this article, all those names have been provided to law enforcement. **

A handwritten signature in cursive script that reads "Laurie Powell". The signature is written in black ink and is positioned in the lower half of the page.

Resolution

Whereas North Carolina has a mandatory reporting law for suspected/known physical, sexual and or emotional abuses of children, special needs adults and the elderly whose care providers be family, private, county or state facilities; whereas the emotional/sexual abuse of Burt Powell has been documented and his story of what did and continues to happen when caretaker authority figures prey on those entrusted into their care by threatening and manipulating and whereas persons who report fear for their own jobs/safety when the known/suspected perpetrator faces no consequences for said immoral acts and agencies wish not to risk loss of state/federal or private funding due to "scandal"; therefore, be it resolved that the Catawba County League of Republican Women do support Laurie Powell in her quest for North Carolina Legislation to enhance mandatory reporting laws by establishing set punishments for said convicted perpetrators and further resolved that the -Catawba County League of Republican Women do encourage and support Laurie Powell in the pursuit of "Burt's Law".

March 18, 2014

Brenda Rembert, President

Joan Jackson, Secretary