



# The News & Observer

TUESDAY, AUGUST 13, 2013

75 CENTS ■ RALEIGH, N.C.

newsobserver.com

FINAL EDITION

## Wrongly imprisoned men to get \$12M



N&O FILE PHOTO  
Greg Taylor spent 17 years behind bars before he was declared innocent. He'll get \$4.625 million.

### The SBI and its insurers settle cases with Floyd Brown and Greg Taylor

By JOSEPH NEFF AND MANDY LOCKE  
jneff@newsobserver.com  
mlocke@newsobserver.com

North Carolina's State Bureau of Investigation and its insurers have agreed to pay \$12.475 million to two innocent men who spent a total of 31 years behind bars.

The state agreed to pay \$7.85 million to settle the state lawsuit filed by Floyd Brown, a mentally disabled man locked up for 14 years in a psychiatric hospital based on what his lawyers said was a

false confession created out of whole cloth by an SBI agent. Brown has also reached a separate settlement with Anson County, whose sheriff's deputies helped investigate the case. A federal judge has sealed the Anson County settlement; North Carolina law requires that all such court settlements be public records.

The state also agreed to pay \$4.625 million to Greg Taylor, a Wake County man convicted in 1993 for the murder of a woman found beaten and abandoned in an East Raleigh cul-de-sac. Taylor spent 17 years behind bars before a three-judge panel declared him innocent in 2010, the first such exoneration by an independent innocence

### » Online

For more: See video of Floyd Brown's story at [nando.com/brownvideo](http://nando.com/brownvideo).

commission in the United States.

The settlements are not the first large payouts stemming from SBI misconduct.

In 2009, the SBI and its insurers agreed to pay \$3.9 million to Alan Gell, a former death row inmate who spent nine years behind bars for a murder he didn't commit.

The Brown, Taylor and Gell cases were the subject of extensive coverage in The News & Observer. In the Brown case, Special Agent Mark Isley is currently SBI, PAGE 6A



2010 N&O FILE PHOTO  
Floyd Brown was held at Dorothea Dix for 14 years for a murder he didn't commit. The state will pay \$7.85 million.

## GOP voting revisions now law

### Lawsuits follow McCrory's signature

By ROB CHRISTENSEN AND JIM MORRILL  
rchristensen@newsobserver.com  
jmorrill@charlotteobserver.com

RALEIGH Gov. Pat McCrory on Monday signed into law a bill requiring voters to produce a photo ID when they go to the polls, and it was immediately met with legal challenges in federal court questioning its constitutionality.

The new law brings sweeping changes to the state's election process by reducing the early-voting period by a week, abolishing same-day voter registration and ending straight-party voting.

"North Carolinians overwhelmingly support a common-sense law that requires voters to present photo identification in order to cast a ballot," McCrory said in a statement. "I am proud to sign this legislation into law. Common practices like boarding an airplane and purchasing Sudafed require photo ID, and we should expect nothing less for the protection of our right to vote."

North Carolina becomes one of 34 states with some form of voter ID law. The voter ID provision goes into effect for the 2016 election.

Now the fight moves from the political arena to the courts.

Just hours after McCrory signed the bill, two separate lawsuits challenging the law were filed in federal court in Greensboro. A third lawsuit is expected to be filed in state court Tuesday. Congressman G.K. Butterfield also asked U.S. Attorney General Eric Holder to "take swift and decisive action by using any legal

### » Online

Hear McCrory: Watch the governor explain why he signed the bill at [nando.com/votervideo](http://nando.com/votervideo).

Today's weather



90°/70°  
70% chance precip.

Detailed forecast on 10B

Index  
Television .....3D

Lotteries.....2A Life.....1D Sports.....1C  
Obituaries .....8B Comics.....4-5D Editorials.....8A

Vol. 2013, No. 225 7  
28027 00100 7

## Single-gender schools on move



Ninth-grader Tyler Etheridge, 13, works on his iPad at the Wake Young Men's Leadership Academy on Monday, based at the Thompson School, which opened in 1923 and closed in 1971. A \$3.5 million renovation outfitted the downtown Raleigh building for the boys academy.

### ALL-MALE ACADEMY RELOCATES TO LONG-VACANT SPACE; GIRLS' HOME EXPANDS

By T. KEUNG HUI  
khui@newsobserver.com

RALEIGH Ninety years after it became Raleigh's newest public school, the Thompson School reclaimed the distinction Monday as the new home for the Wake Young Men's Leadership Academy.

More than 230 middle and high school students at Wake's one boys-only school started the new school year at a campus that opened in 1923 but hadn't been used as a school in more than 40 years. It took a \$3.5 million renovation project to convert and outfit the downtown Raleigh building to modern standards while still

### » Online

Back to school: See more photos of the new crop of students at [nando.com/localpics](http://nando.com/localpics).

keeping some of the remaining historic features.

"It looks pretty good for a 90-year-old school," said Jerrick Darden, 15, a sophomore. "Everything looks pretty nice."

Monday also marked the first day of classes for the Wake Young Women's Leadership Academy, the district's one girls-only school. The 200 middle and high school students celebrated a \$4.7 million renovation project that expan-

ded the academy's space at the Governor Morehead School for the Blind in Raleigh.

The female students walked through a spirit tunnel surrounded by cheering parents. The sixth-grade students received yellow roses from the older students to welcome them into the fellowship of sisters they'd be joining for the next seven years.

Both Wake County single-gender schools opened for the first time last school year. The demand from parents and students has been strong.

Eventually offering sixth through 12th SEE SCHOOLS, PAGE 4A

» News flash See [newsobserver.com](http://newsobserver.com) for updates. Follow us at [facebook.com/newsandobserver](https://www.facebook.com/newsandobserver) and on [Twitter @newsobserver](https://twitter.com/newsobserver).

### Holder: Reduce prison sentences

Calling the high rates of incarceration in the U.S. "ineffective and unsustainable," Attorney General Eric Holder says mandatory minimum sentences for nonviolent drug offenses should be curtailed. 5A

### Long-serving Raleigh bishop dies

Bishop F. Joseph Gossman, who presided over the extensive growth of the Catholic Diocese of Raleigh during his 31-year tenure, dies at age 83 after a long illness. He served from 1975 to his retirement in 2006. 1B



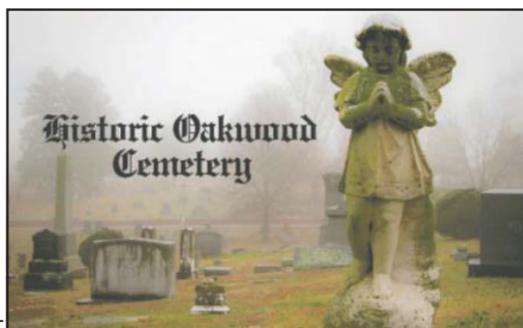
Bishop F. Joseph Gossman, left, prays during Mass at Saint Francis of Assisi Catholic Church in Raleigh in 2000.

### Labor supplier cut off from solar company

Strata Solar says it will no longer use the Raleigh-based National Youth Chamber of Commerce that is linked to a troubled Raleigh business incubator to provide installers for its solar farm construction projects. 3B

### Wake DA offers deal to capitol protesters

District Attorney Colon Willoughby's proposal would result in dismissal of cases against the 924 people arrested during the weekly "Moral Monday" demonstrations at the legislature if they do community service and pay \$180 in court costs. 3B



HISTORIC OAKWOOD CEMETERY TOUR  
RALEIGH

\$10 value \$20  
4 Tour Tickets

Not a coupon. Visit [triangle.dealsaver.com](http://triangle.dealsaver.com) to purchase deals. For assistance, call 919-829-4600.



newsobserver.com  
**dealsaver**  
[triangle.dealsaver.com](http://triangle.dealsaver.com)

# Guests recall narrow escape at sinkhole in Florida

By KYLE HIGHTOWER  
Associated Press

**CLERMONT, Fla.** It sounded like a thunderstorm as windows broke and the ground shook, but vacationers who were awakened from their rooms at a villa near Orlando, Fla., soon realized that the building was starting to collapse — parts of it swallowed by a 100-foot sinkhole that also endangered two neighboring resort buildings.

By early Monday, nearly a third of the structure at Summer Bay Resort had collapsed. All 105 guests staying in the villa were evacuated, as were those in the neighboring buildings. No injuries were reported. The villa, with 24 three-story units, was reported as a total loss.

Inspectors remained on the scene Monday afternoon to determine whether the other two buildings near the sinkhole — a common occurrence in Florida — would be safe to re-enter.

The first sign of trouble came about 10:30 p.m. Sunday. Security guard Richard Shanley had just started his shift, and he heard what sounded like shouting from a building.

A guest flagged him down to report that a window had blown out. Shanley reported it to management, and another window popped. The resort's staff decided



RED HUBER - ORLANDO SENTINEL/MCT

to evacuate the villa.

Shanley said the building seemed to sink by 10 to 20 inches and banisters began to fall off the building as he ran up and down three floors trying to wake up guests. One couple with a baby on the third floor couldn't get their door open and had to break a window to get out, he said.

"It's a scary situation," Shanley said, and guests credited him with saving lives by knocking on doors to awaken them. Inside, they heard

what sounded like thunder and then the storm of water, as if it were a storm. Evacuation took about 10 to 15 minutes, according to staff and witnesses.

Amy Jedele heard screams coming from one of the adjacent buildings around 10:30 p.m., and several minutes later, the sounds of sirens. She and her fiancé, Darren Gade, went outside. "That's when you could hear the pops and the metal, the concrete and the glass breaking," she said.

Buildings collapse into a sinkhole at the Summer Bay Resort on U.S. 192 in Clermont, Fla., on Monday. Guests had only 10 to 15 minutes to escape the collapsing buildings, located about 7 miles east of Walt Disney World resort, before a large sinkhole, about 60 feet in diameter and 15 feet deep, opened in the earth late Sunday.

The first portions of the building to sink were the walkways and the elevator shaft, Gade said.

"You could see the ground falling away from the building where the building started leaning," Gade said. "People were in shock to see a structure of that size just sink into the ground slowly. ... You could see the stress fractures up the side of the structure getting wider."

In one of the adjacent buildings, firefighters and police officers knock-

ing on doors woke up Maggie Moreno of San Antonio. She couldn't fully open the door to her unit.

"It sounded like popcorn," said Moreno. "The building was just snapping."

Over the next five hours, sections of the building sank into the ground. Paul Caldwell, the development's president, said the resort gave all affected guests other rooms. Some visitors — many of whom had to leave their wallets, purses and other belongings behind in the quick evacuation — were given cash advances by Summer Bay.

The Red Cross also distributed food, clothing and medicines to vacationers who had lost their belongings in their resort rooms.

Problems with sinkholes are ongoing in Florida. They cause millions of dollars in damage in the state annually. On March 1, a sinkhole underneath a house in Seffner, about 60 miles southwest of the Summer Bay Resort, swallowed a man who was in his bed. His body was never recovered.

But such fatalities and injuries are rare, and most sinkholes are small. They are caused by Florida's geology — the state sits on limestone, a porous rock that easily dissolves in water, with a layer of clay on top.

ALMA RODRIGUEZ CONTRIBUTED.

## VOTING

CONTINUED FROM PAGE 1A

mechanisms" to protect North Carolina's voting rights.

"With one stroke of the pen, McCrory has effectively reversed 30 years of progress and reinstated practices similar to the discriminatory 'Southern Strategy' adopted by the Republican Party in the '60s and '70s," said Butterfield, a former N.C. Supreme Court justice. "Without question, today is a shameful day for Republicans in North Carolina."

In a speech last month, Holder said his office was going to challenge a Texas voter identification law and made it clear his office would not stop with Texas.

"Even as Congress considers updates to the Voting Rights Act in light of the court's ruling, we plan ... to fully utilize the law's remaining sections to ensure that the voting rights of all American citizens are protected," he said.

### Brings state 'in line'

McCrory's decision to sign the bill was no surprise. He voiced strong support for voter ID during his campaign for governor last year.

The measure turned into a politically explosive issue when thousands descended on the legislature as part of the "Moral Monday" protests and many black lawmakers began comparing the bill to efforts to bring back the old Jim Crow race laws.

Emotions were made even more raw after the legislature dumped a bill passed by the House after extensive public hearings, for the more hard-line measure pushed through by Senate conservatives in the final days of the session with little public airing.

McCrory held no public signing ceremony as he has done with other legislation. Instead, he put out written and video news releases extolling the measure.

"While some will try to make this seem to be controversial, the simple reality is that requiring voters to provide a photo ID when they vote is a common-sense idea," McCrory said. "This new law brings our state in line with a majority of other states throughout the country."

The push for such voter ID laws began in the mid-1990s and have been passed by Republican majorities over the strong opposition of Democrats.

The idea of requiring identification to vote has since become popular with the public, and McCrory

## What the voting law does

The state's new election law changes when people can vote and how they can vote. It also changes campaign financing and disclosure laws. Here are some of the major provisions and when they begin.

### Starting in September:

- Students younger than 18 can no longer pre-register to vote.

### Starting Oct. 1:

Lobbyists cannot pass along any contribution to a candidate. Current law only prohibits the delivering of "bundled" contributions, that is, donations from multiple people or clients.

### Starting with the 2014 elections:

- The early voting period will be one week shorter. County election boards, however, are required to provide the same number of hours for early voting, so expect longer hours and more voting sites.

- You'll no longer be able to vote a straight ticket, and candidates will appear on the ballot in alphabetical order by party — beginning with the party whose nominee for governor received the most votes in the most recent election.

- You'll no longer be able to register and vote on the same day.

- You'll no longer have your vote count if you vote at a precinct that isn't yours. In the past, such votes would be counted as provisional ballots.

- There will be more people watching. Currently the chairs of county political parties can designate two observers at each precinct or voting place. The law allows them to name 10 additional at-large observers who can go anywhere in a county.

- Judicial elections for state Supreme Court and the Court of Appeals will no longer be funded by the public financing system started in 2002 as an effort to prevent judges from conflicts of interest with campaign donors. The money came from voluntary tax checkoffs and a \$50 annual surcharge on fees attorneys paid to the state bar.

- When you vote in the primary and general elections between May 1, 2014, and Jan. 1, 2016, you'll be told that a photo ID will be needed in 2016 and asked whether you have one of the forms of identification accepted. If you say you don't, you'll be asked to sign an acknowledgment of the photo ID requirement and be given information on how to get one. The list of names will be a public record.

- Candidates will no longer have to stand by their ads. The law repeals a 1999 law that requires political candidates, parties or political action committees to identify themselves on the air as the sponsors of an ad.

### Starting with 2016 elections:

- You'll have to show one of eight authorized photo IDs: an N.C. driver's license that has not expired, a special ID card for non-drivers, a driver's license issued by another state but only within 90 days of the voter's registration, a U.S. passport, a military ID card, a veteran's ID card issued by the U.S. Department of Veterans Affairs, a tribal enrollment card issued by the federal government, or a tribal ID card recognized by the state. Not included: student IDs.

If you don't have a valid ID, you'll be allowed to cast a provisional ballot. But to have it count you must go to the elections board within six days (nine in presidential elections) and show a valid ID.

- North Carolina pays for two primary elections. If South Carolina holds its presidential primary before March 15, North Carolina would hold its presidential primary the next Tuesday. The primary for state and local candidates would continue to take place in May.

### Campaign finance changes

- Ads and mailers by outside groups or parties will no longer have to list their five largest donors over the previous six months.

- Groups will be allowed to spend unlimited amounts of money during summer months — after the May primary through Sept. 6 — without disclosing the source or amount. They would have to disclose money spent only after Sept. 7 and only in even-numbered years.

- Raises the maximum contribution limit from \$4,000 to \$5,000 starting with contributions made on or after Jan. 1, 2014. Also ties future limits to the Consumer Price Index, raising it in odd-numbered years beginning in 2015.

cited several public opinion polls showing 67 percent to 75 percent of North Carolinians favoring voter ID. But he did not mention other

polls that show other provisions in the bill — such as shortening the early voting period — are quite unpopular with Tar Heel voters.

A new survey by Public Policy Polling, a Democratic-leaning firm in Raleigh, found that only 33 percent of voters support reducing early voting by a week, while 59 percent opposed it. Only 21 percent of voters support eliminating straight-party voting, while 68 percent oppose it.

McCrory did not campaign on reducing early voting, and remained largely silent about the legislature's proposal to do so. But on Monday, McCrory noted that while the new law cuts the early voting period from 17 days to 10, it still requires local county boards of elections to provide "the same amount of early voting hours" as during the 2012 election.

The governor portrayed the changes as well within the norm of other states. He said a majority of states do not allow straight-ticket voting, and that North Carolina will now be one of 37 states that do not allow a person to register and vote on the same day.

### An Election Day 'mess'

Republican lawmakers hailed the measure.

"I think it's going to have a huge dividend for the state of North Carolina as far as restoring a level of confidence in government by making the electoral process secure," said Sen. Bob Rucho of Matthews. "To say we are extreme is nothing more than liberal rhetoric, inflammatory rhetoric."

He predicted the voting changes would withstand any legal challenges.

But his Democratic colleague, Sen. Malcolm Graham of Charlotte, had a different take.

"It's another step backwards for the state of North Carolina and a blow for those who are interested in fair and open elections," Graham said. "What this does is set forth artificial barriers for those who have constitutional rights to vote. There is no voter fraud in North Carolina. The only fraud is what the GOP is presenting to the citizens."

In Greensboro on Monday, the American Civil Liberties Union, the ACLU of North Carolina Foundation and the Southern Coalition for Social Justice filed a suit targeting the elimination of the week of early voting, the end of same-day registration, and the prohibition of out-of-precinct voting. It seeks to stop North Carolina from enacting those provisions, arguing it would unduly burden the right to vote and discriminate against African-American voters in violation of the U.S.

Constitution's equal protection clause and the Voting Rights Act of 1965.

"This law is a disaster," said Dale Ho, director of the ACLU's Union's Voting Rights Project. "Eliminating a huge part of early voting will cut off voting opportunities for hundreds of thousands of citizens. It will turn Election Day into a mess, shoving more voters into even longer lines."

When Florida reduced its early voting period in 2012, Ho said, it resulted in people waiting in lines for hours, and hundreds of thousands of people giving up in frustration.

During the 2012 election, 2.5 million ballots were cast during the early-voting period, or more than half of North Carolina's total electorate. More than 70 percent of African-Americans used early voting during the 2008 and 2012 general elections, compared to 52 percent of white voters.

The lawsuit was filed on behalf of the League of Women Voters of North Carolina, the Philip Randolph Institute, N.C. Common Cause, and Unifour Onestop Collaborative.

The same group is expected to file a suit in state court on Tuesday challenging the voter ID provision, alleging that under Article 6, Section 1 of the N.C. Constitution, the legislature doesn't have power to set new voter qualifications.

Also on Monday, the N.C. NAACP and the Advancement Project filed their own suit, alleging that the law violates Section 2 of the Voting Rights Act, which bans voting procedures that discriminate on the basis of race, color, or membership in one of the language minority groups.

The groups also allege that it violates the 14th and 15th amendments because it "imposes unjustified and discriminatory electoral burdens on large segments of the state's population and will cause the denial, dilution, and abridgment of African-American voters fundamental right to vote."

"Each of the law's changes, on their own, would be harmful to the voting rights of North Carolinians," said Penda Hair, co-director of the Advancement Project. "Taken together, this is the worst voter suppression law in the country. It viciously targets nearly every aspect of the voting process."

STAFF WRITER ANN BLYTHE CONTRIBUTED TO THIS REPORT.

Christensen: 919-829-4532

## SBI

CONTINUED FROM PAGE 1A

rently employed as a supervisor at the SBI earning \$86,215.

Duane Deaver, the SBI agent whose misconduct was central to Taylor's exoneration, has been fired for his actions in other cases.

Dwight Ransome, the agent in the Gell case, retired shortly after the settlement.

Attorney General Roy Cooper characterized the Brown and Taylor settlements as an opportunity to move on, but did not admit any wrongdoing by the agency he supervises.

"The SBI and other law enforcement agencies now have better interrogation methods and lab reporting practices than were used in the 1990s when the incidents at issue in these lawsuits occurred," Cooper said in a statement Monday. "It was in the best interest of the state to settle these cases."

But Brown's lawyer, David Rudolf, said the settlements revealed deeper problems at the SBI. Rudolf, who handled Gell's settlement and is familiar with Taylor's case, said the

methods and practices were sound; the problem, Rudolf said, was that agents ignored the policies because they had the mentality that the ends justified the means.

"In each case, agents decided who was guilty and filled in the blanks to get a conviction," Rudolf said Monday. "We need an agency from the top down that believes it is just as important to follow the constitution as it is to solve cases."

Brown was charged with killing Katherine Lynch, a retired schoolteacher beaten to death in her Anson County home in 1993. Anson County sheriff's detectives and agents with the SBI settled on Brown as a suspect soon after her death.

### Wheel turns for Floyd Brown

None of the evidence tested at the SBI crime lab linked Brown to the crime scene. Subsequently, Anson sheriff's deputies lost virtually all of the physical evidence.

The only piece of evidence against Brown was a six-page confession that Isley said he wrote down verbatim during a 1993 interrogation. Brown's attorneys and doctors have

called the confession fiction, saying its elaborate details were far too advanced for Brown, a grown man with an IQ of 50 and the mental capacity of a 7 year old.

Brown, 49, was held as a prisoner at Dorothea Dix Hospital in Raleigh for 14 years.

Durham County Superior Court Judge Orlando Hudson freed him in 2007 after determining that Brown had been unlawfully held and that the confession wasn't enough to prove he had committed murder. Brown was never brought to trial because he did not have the mental competency necessary to stand trial.

Brown subsequently sued Isley and other SBI personnel. Throughout the two-plus years of litigation, Isley has denied wrongdoing and has insisted that he had no idea Brown is mentally disabled, Rudolf said.

Brown is now living full time with a caretaker, learning life skills at programs for the mentally disabled and dealing with health problems. Brown, who is fond of Burger King and cleaning house, has asked for only one thing, Rudolf said: to ride

in a BMW.

His caretaker is now driving him around in a used but nice BMW 525.

Brown, who cannot drive, is fond of sitting behind the wheel of the parked car.

"You should see the picture of him smiling," Rudolf said.

### Family life for Greg Taylor

In the three years since his exoneration, Greg Taylor has tried to settle into a normal routine as a freed man. He goes to the gym, baby sits his grandsons and celebrates family birthdays with dinners at restaurants.

An offer to settle his civil case brought a bittersweet satisfaction to Taylor.

"It's time to look back on some of this instead of looking ahead to it," Taylor said by phone Monday evening. "I'm glad to have this chapter behind me."

Taylor was the first North Carolina inmate freed by the North Carolina Innocence Inquiry Commission, a state agency established to examine claims of innocence. In February 2010, three judges voted unanimously that Taylor was innocent of

the murder of Jacquetta Thomas. Some of the most compelling evidence leading to his exoneration dealt with an SBI lab report that suggested a substance found on Taylor's truck was blood. It was the only physical evidence linking Taylor to the scene of the murder.

In fact, Deaver never reported the results of a subsequent confirmatory test that gave a negative result for the presence of human blood.

"Those three judges said all they needed to say when they exonerated me," Taylor said.

Taylor said the state agreeing to settle his claim is further indication that he'd been wronged.

"The fact that they settled speaks for itself," he said.

Taylor said he will use the money to live on, invest some and provide a safety net for the daughter he didn't get to raise while imprisoned.

Even as Taylor enjoyed the end to his civil claim, he was reminded of the sorrow of another family.

With his exoneration, the murder of Thomas remains unsolved.

Neff: 919-829-4516