

# South Carolina Children’s Justice Act Task Force

## Three-Year Report May 2012 – April 2015

<b>I.</b>	<b>Introduction</b>	
	A. CJA Background.....	2
	B. Overview of SC CJA Task Force .....	3
	C. 2012 Assessment .....	4
<b>II.</b>	<b>Review of Recommendations and Accomplishments</b>	
	A. Category I. Activities undertaken to improve the investigative, administrative, and judicial handling of cases of child abuse and neglect.....	5
	B. Category II. Steps taken to establish experimental, model, or demonstration programs to improve the prompt and successful resolution of court proceedings.....	11
	C. Category III. Activities undertaken to reform State laws, ordinances, regulations, protocols, or procedures.....	19
<b>III.</b>	<b>Attachments</b>	
	A. Task Force Members .....	24
	B. Bylaws .....	26

## I. Introduction

### A. CJA Background<sup>1</sup>

The Children's Justice Act (CJA) provides grants to states to improve the investigation, prosecution, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. This also includes the handling of child fatality cases in which child abuse or neglect is suspected and some cases of children with disabilities and serious health problems who also are victims of abuse and neglect.

Since Fiscal Year 2000, \$17 million in CJA funds have been made available annually for distribution to states and territories. States must apply for the funds and meet certain eligibility requirements, including receipt of the Child Abuse Prevention and Treatment Act (CAPTA) State Grant and establishment of a CJA Task Force as outlined in the legislation. Funds are allocated in the amount of \$50,000 per state, plus an additional amount based on the population of children under 18 years of age in the applicant's jurisdiction. Funding comes from the Crime Victims' Fund, which collects fines and fees charged to persons convicted of federal crimes. The Fund is administered by the U.S. Department of Justice, Office of Victims of Crime, and the grants are awarded by the Administration on Children, Youth, and Families, U.S. Department of Health and Human Services, as outlined in Section 107 of CAPTA, as amended by the Keeping Children and Families Safe Act of 2003.

To be eligible for CJA funds, states must be eligible for the CAPTA basic state grant and are required to establish and maintain a multidisciplinary task force on children's justice. The task force is to be comprised of representatives from selected disciplines involved in handling child abuse and neglect cases. The task force makes policy and training recommendations regarding methods to better handle these cases, with the expectation that it will result in reduced trauma to the child victim and the victim's family, while ensuring fairness to the accused.

Every three years after the initial award, the state task force is required by legislation to conduct a comprehensive evaluation of the state's systems related to the investigative, administrative, and judicial handling of child abuse, neglect, and exploitation cases and child maltreatment -related fatalities, and make recommendations for improvements to those systems.

The governor in each state designates the agency to administer CJA funds. In South Carolina, the Department of Social Services has been designated the state's grantee.

---

<sup>1</sup> The following information was taken from the website of the U.S. Department of Health and Human Services, Administration for Children & Families, <http://www.acf.hhs.gov/programs/cb/resource/childrens-justice-act>

## **B. Overview of SC CJA Task Force**

South Carolina has maintained an active Children's Justice Act Task Force since 1994. The purpose and activities of the Task Force, as defined by its bylaws and federal statute, are as follow:

- To conduct an assessment of the state's systems responding to abused and neglected children at three-year intervals;
- To adopt recommendations in each of the CJA categories;
- To work towards implementation of these recommendations;
- To recommend to the state's grantee (S.C. Department of Social Services) projects to be supported by the CJA grant funds; and
- To express positions on legislation or state policy issues, consistent with its mission and recommendations.

The CJA Task Force is governed by bylaws, which were adopted in 1998 and revised on April 15, 2011. In accordance with the bylaws, the Task Force meets at least quarterly. Standing committees are formed every three years to coincide with adoption of recommendations. Each committee meets at least quarterly, and as needed, to follow through with implementation of the recommendations adopted by the Task Force. Nearly all members serve on a committee.

The Task Force is self-perpetuating through an election process held every three years. Current members propose new members to the Nominating Committee, which prepares a slate of nominees, ensuring multi-disciplinary and diverse membership. New members are elected for three-year terms by a majority vote of the Task Force. Officers include a Chair and Vice-Chair who are also elected by the Task Force.

The election of members for the 2012-2015 period was completed in October 2011. The Task Force has thirty-four members, reflecting all required disciplines.

Pamela Robinson, an attorney for children and a volunteer guardian ad litem, is the elected Task Force Chairperson, and Elizabeth Ralston, a mental health professional, is the Vice-Chair. There are four standing committees: (1) Child Protection/ Family Court; (2) Prosecution; (3) Children with Disabilities; and (4) Child Law and Legislative Committee. The chairperson of the Children with Disabilities Committee is Erik Norton, an attorney in private practice who has experience working with children with disabilities. Kim Hamm, Executive Director of the SC Network of Children's Advocacy Centers, is chair of the Child Protection Committee. Candice Lively, Senior Resource Attorney at the Children's Law Center and a former prosecutor, is chair of the Prosecution Committee. Taron Davis, a staff attorney at the SC Department of Social Services, is chair of the Child Law and Legislative Committee.

As directed by the Task Force, the Department of Social Services established a contract with the Children's Law Center, School of Law, University of South Carolina, to

implement the CJA grant. The Children's Law Center provided staff support to the Task Force, including logistical arrangements for meetings and research activities. The Children's Law Center carried out the training recommendations of the Task Force and assigned a staff person to each committee to assist with implementation of policy recommendations.

### **C. 2012 Assessment**

In February 2012, the Task Force initiated a review and assessment of the state's systems that respond to abused and neglected children. A work session was held on February 17, 2012. The following reports pertaining to CJA topics were reviewed and studied:

- CJA purpose statement
- 2006-2009 Summary of Recommendations
- Court Administration Implementation of Mediation
- Citizens Review Panel Report
- DSS Response to Citizens Review Panel Report
- Legal Case Management System Sample
- Citizens Review Panel Child Fatality Recommendations
- Rapid Response Team
- Mandatory Reporting
- Joint Citizens and Legislative Committee on Children

CJA Task Force members and guests gave presentations on these reports from the corresponding agencies.

Following the presentations, Task Force members divided into three work groups to discuss issues and begin formulating recommendations for the upcoming three year period. Each group was designated to focus on one of the following areas: (1) Child protection investigation and family court handling; (2) Criminal investigation, prosecution, and criminal court handling; and (3) Handling of cases of children with disabilities who are also victims of abuse or neglect. After the discussion period, each group presented proposed recommendations to the membership. Tentative recommendations were distributed, prior to finalization at the April meeting. It was decided at first that each committee would select someone to track legislation pertinent to the interest of the recommendations of that committee. Legislation was tracked by the CJA as a whole until it was later decided to add a fourth committee whose focus was to track legislation starting in October of 2014.

After additional discussion and modification, the Task Force adopted recommendations for the 2012-2015 three year period in April 2012. Progress on the implementation of each of these recommendations is described in Section II.

## **II. Review of Recommendations and Accomplishments**

This section reviews all of the recommendations that the Task Force adopted in 2012, noting accomplishments or progress toward implementation.

### **S.C. Children's Justice Act Task Force Recommendations May 2012- April 2015**

**Category I. Investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner that reduces the additional trauma to the child victim and the victim's family and also ensures procedural fairness to the accused.**

#### **A. Training Recommendations**

**I.A.1. Provide training for solicitors on the investigation and prosecution of cases involving abusive head trauma. Topics will include the importance of coordinated investigative efforts, medical-legal issues, evidentiary issues, trial strategies, and anticipating defenses.**

The Task Force recommended training for solicitors on the investigation and prosecution of fatal child maltreatment cases, particularly homicides caused by abusive head trauma. The Children's Law Center and the CJA Task Force Prosecution Committee collaborated with the Commission on Prosecution Coordination to develop a training curriculum and identify potential trainers for a full-day training event. The Child Fatality Seminar was held on June 14, 2013. The training focused on investigating child fatalities, particularly abusive head trauma. There were eighty-five in attendance from the legal and law enforcement arena. Presenters included a neuro-radiologist, a law enforcement investigator, and a prosecutor. This training event substantiated the need for regional trainings across the state to provide access to more agencies. Trainers for this event agreed to continue to be available for these trainings.

The Children's Law Center, in conjunction with the Child Protection Committee, held a second Child Fatality Seminar in the Pee Dee area on April 11, 2014. There were sixty-three attendees from the law enforcement, legal, medical, and social work arenas. This seminar was designed to provide practical information to professionals who are involved in assessing,

recognizing, investigating, and prosecuting fatal child maltreatment, specifically abusive head trauma cases. Due to the level of interest in this subject matter, there are plans underway to schedule an additional seminar in the same area. Another Child Fatality Seminar in the ongoing series: “Child Fatalities – Abusive Head Trauma: a Case in Point” was held on May 30, 2014 in Greenville, SC. The training focused on investigating child fatalities, particularly abusive head trauma. There were 122 in attendance from the legal, medical, social work, and law enforcement arenas. Presenters included a forensic evaluator, a medical expert, a law enforcement investigator, and a prosecutor. This seminar was designed to provide practical information to professionals who are involved in assessing, recognizing, investigating, and prosecuting fatal child maltreatment, specifically abusive head trauma cases.

The Children’s Law Center, in conjunction with the Task Force, hired an experienced Child Death Investigations Trainer in 2014 to teach in the field of child homicide investigations. Trainings topics include an overview of child death investigations, abusive head trauma, Munchausen Syndrome by Proxy, SIDS and SIDS vs. Suffocation, battered child syndrome, child physical abuse and neglect, child abuse and neglect in the special needs population, failure to thrive vs. criminal neglect, and child death crime scene investigations. The Children’s Law Center collaborated with Greenville Children’s Hospital to present a seminar entitled “The Unexpected Child Death – SIDS, Unsafe Sleep or Homicide?” This full day event held in Greenville, SC on August 25, 2014 educated 140 multidisciplinary professionals including solicitors’ office staff. A total of eight child death investigation trainings were held by the Children’s Law Center during this reporting period.

**I.A.2 Provide training in coordination with the Children’s Law Center for mandated reporters of child abuse and neglect. This recommendation may be accomplished in phases and may include changes in the mandated reporter statute that may be implemented during the three year cycle of the Task Force.**

The Children’s Law Center, in collaboration with Task Force members, is providing extensive training to professionals statutorily required to report child abuse or neglect. Training topics include indicators of maltreatment, legal requirements related to reporting, the handling of reports, interface with SCDSS intake, documentation, brief summaries of the child protection and criminal justice systems, and reasons professionals may fail to report. Specialized sessions are offered to law enforcement officers and address their responsibilities as mandated reporters, emergency protective custody procedures, and investigation of physical abuse.

The Children’s Law Center offers mandated reporter training as an in-service training to school districts, medical facilities, and other groups of mandated

reporters. Training is also offered to USC students who work with children in internships or are in a field of study rendering them likely to become mandated reporters. One hundred and forty-six sessions, attended by 4,922 participants, were conducted during this three-year reporting period.

The Children's Law Center coordinated with the Task Force to provide a mandated reporter training for child protection workers. The training covered the basics of investigating physical abuse reports and addressed indicators of abuse, distinguishing between inflicted and accidental injuries, working with law enforcement, preserving evidence, and documenting investigative findings. Photographic images of various injuries and accidents were presented and discussed. This training, presented by a Children's Law Center trainer with extensive law enforcement experience, is frequently offered as a joint DSS/law enforcement training. Three regional mandated reporter training sessions specifically designed for DSS staff who are mandated reporters, such as economic services or child support enforcement workers, were conducted per year.

**I.A.3. Provide training for law enforcement officers and child abuse investigators involving children with a disability, including physical abuse and sexual abuse, in a multidisciplinary team context. Topics will include: initial interviews of child victims; identification of need for forensic interview of child victims; referral of children for forensic interviews; collaboration of forensic interview results through evidence collection; and coordination of investigative efforts through participation in multidisciplinary teams, including children's advocacy centers.**

The Children's Law Center, in collaboration with the Task Force, provided local and regional training for frontline law enforcement officers on their statutory obligations related to abused or neglected children, including guidelines for exercising emergency protective custody, an explanation of court proceedings, and the officer's role in providing testimony. The Disabilities Committee conferred with the Children's Law Center to update and improve the training for law enforcement on investigating child abuse cases involving children with disabilities.

The Children's Law Center collaborated with the Children with Disabilities Committee and the SC Department of Disabilities and Special Needs (DDSN) to develop curriculum to address child abuse and neglect investigations involving the special needs population. A training titled "Investigation of Child Abuse and Neglect in the Special Needs Population" was held June 5, 2014 in Rock Hill, SC. This training addressed the various types of abuse and neglect, the difference between accidental and non-accidental injuries, appropriate questions for caretakers, developmental and intellectual disabilities, and the importance of collaboration between law enforcement and DDSN. The need for this is training

was identified by the Task Force as critical, as special needs children are so vulnerable and their untimely deaths are too often disregarded due to their disability.

**I.A.4. Provide training or materials to child abuse prosecutors and victim advocates employed by solicitors' offices on handling cases involving children with disabilities. Consider providing mini-trainings in conjunction with local Children's Advocacy Centers and/or Multidisciplinary Team meetings.**

The Mandated Reporter trainings conducted by the Children's Law Center have been updated with components addressing the special needs children population.

The Children's Law Center, in conjunction with the Task Force, hired an experienced Child Death Investigations Trainer in 2014 to teach in the field of child homicide investigations. Among other specialty topics, she also presents on child abuse and neglect in the special needs population.

**I.A.5. Provide training to DSS casework staff and attorneys on recognizing disabilities in children, modifications in assessment techniques, treatment planning, and procedures for court handling. This training should be offered periodically on an ongoing basis.**

The Children's Law Center hosted a training event on May 16, 2013 for mandated reporters who specialize in children with disabilities. Forty-seven mandated reporters, including educators, DDSN staff, child protection workers, and group home staff, attended this event. In addition to the statutory requirements, the training focused on the risk factors specifically relevant to children with disabilities; special issues related to children with communication difficulties; indicators of maltreatment and distinguishing these indicators from effects of disabilities; and the role and responsibilities of mandated reporters.

The Children's Law Center hosted a training event on October 17, 2014 titled "Recognizing and Responding to Children with Disabilities in Foster Care." Twenty stakeholders attended this event. The training focused on an overview of special education, Department of Disabilities and Special Needs and Medicaid services, and serving children with disabilities.

**I.A.6. Develop online training for the professionals who work with children with disabilities who are abused or neglected, including attorneys, guardians ad litem, child protection staff, Children's Advocacy Center staff, and law enforcement officers. The training could include an introductory module**



**that provides an overview of disabilities, and additional modules on specialized topics related to the professionals' needs.**

The Children's Law Center, in collaboration with the Disabilities Committee, developed the training module "Mandatory Reporting of Child Abuse and Neglect When the Child Has Special Needs." In addition to general indicators and reporting responsibilities, this module includes information on issues affecting children with disabilities that may increase the risk of maltreatment and reduce the likelihood of disclosure. The online training module was active for most of this reporting period on the Children's Law Center website. The Children's Law Center will continue to update the current training module to address changes in policy and special needs language.

**I.A.7. Provide training or information to family court judges on disabilities in children, including their participation in court and information that should be included in treatment plans.**

The Disabilities committee was able to draft and apply an update to the Best Legal Practices by adding questions that judges should ask that address the needs of children with disabilities. Asking appropriate questions in these cases increases the likelihood of more appropriate treatment planning options and language.

**I.A.8. Recommend that training provided to parents' attorneys by the S.C. Bar and the Court Improvement Program address the representation of parents with cognitive, emotional, or other disabilities and how to ensure that they fully understand the process and the meaning of any agreement.**

The Children's Law Center has developed an online training which will improve the quality of representation of parents. The effective representation of all parties in child protection proceedings leads to better outcomes for children. This training module has been active on the website for some time. It currently has been removed for updates and the plan is to add sections addressing persons with disabilities to this training and to other trainings as well.

**I.A.9. Provide training to family court judges and attorneys (DSS, private or both) on the Indian Child Welfare Act.**

The Child Protection Committee, in coordination with the Children's Law Center, held a statewide training titled "Special Issues on Child Welfare Proceedings" on December 7, 2012 for judges, DSS lawyers, and private lawyers involved in DSS cases. Forty-nine attorneys attended this one-day event. The training seminar was designed to heighten the awareness of the possible impact of the Indian

Child Welfare Act on a child in the child protective system. There was time allotted on the agenda for a group discussion on the recent Indian Child Welfare Act case in South Carolina - Adoptive Couple v Baby Girl, Birth Father, and the Cherokee Nation. In addition, the seminar featured other topics related to the child welfare system including the Interstate Compact on the Placement of Children, the Responsible Father's Registry, and Daniel's Law.

The Children's Law Center collaborated with the Task Force to host a full-day legal training event that was held at the Catawba Indian Nation in Rock Hill, SC on June 27, 2014. This was a very unique training as it was held on the grounds of an Indian Nation with cultural components woven throughout the day. The Indian Chief greeted participants as they arrived for the training and there was an Indian dance performance during lunch. This training was available to South Carolina and North Carolina attorneys and family court judges and had 85 attendees. Topics included an overview of ICWA and its application in child welfare cases; working with ICWA and the impact of compliance/non-compliance; representation in an ICWA case; and tribal services in child welfare cases. Evaluation components of this training were rated between above average and excellent. One participant said that it was "very informative- I think it will be helpful in the future and I thoroughly enjoyed the cultural experience – excellent!"

**I.A.10. Provide training for judges handling cases involving children with disabilities.**

The Disabilities committee was able to draft and apply an update to the Best Legal Practices by adding questions that judges should ask that address the needs of children with disabilities. The Children's Law Center, in conjunction with the Disabilities Committee was able to address family court judges during a Bench Bar meeting as well as a New Judges School. During these presentations about the Best Legal Practices document, the newly added language addressing cases involving children with disabilities was brought to the judges' attention.

**I.A.11. Provide training for juvenile defenders who represent children with disabilities when those children are also involved as victims in the child protection system.**

The Children's Law Center hosted a training event on October 17, 2014 titled "Recognizing and Responding to Children with Disabilities in Foster Care." Twenty stakeholders attended this event. The training focused on an overview of special education, Department of Disabilities and Special Needs and Medicaid services, and serving children with disabilities. Juvenile defenders were offered this training opportunity and will continue to be offered future training opportunities.

## **B. Recommendations for Resource Development**

### **I.B.1. Develop statewide peer review system for child forensic interviewers involved in the investigation of abused children. This recommendation will be accomplished in phases including research and assessment of peer review programs used in other states, assessment of professional standards, and development of resources including, but not limited to, a peer review protocol.**

A peer review program for forensic interviewers allows interviewers at Children's Advocacy Centers to share their video recorded interviews with other forensic interviewers for critique and feedback and allows for professional skill improvement and networking. In June 2013, the South Carolina Network of Children's Advocacy Centers (SCNCAC) was awarded \$134,000.00 over the course of three years to implement a forensic interview peer review program. In October 2013, SCNCAC hired a Project Coordinator to oversee this program. The program was developed to be sustainable beyond the grant cycle and easily accessible to Children's Advocacy Centers through regional trainings hosted at local Children's Advocacy Centers to reduce travel costs and time away from the office. The program also offers one statewide training event per year. The 17 Children's Advocacy Centers are separated into five regions with each Center having an opportunity to host a peer review session at their facility at least annually. During the first three quarters of the year, the peer review sessions will be held regionally, and during the fourth quarter, all five regions will assemble for a statewide peer review training session.

The program was launched in February 2014. SCNCAC facilitated sessions in each of the five regions in the first quarter of 2014. The second quarter sessions were held on May 7 & 8, 2014. Subsequent sessions were held in August and November 2014. The purpose of this training was to introduce and teach the updated ChildFirst protocol. This was a two-day intensive training on the new protocol which addresses the research and peer review support for the adopted changes. An additional component of the training was a legal update and opportunity to discuss issues of concern in court testimony by a forensic interviewer. Scott Modell, PhD, a trainer/consultant, was contracted to present on interviewing children with disabilities. According to participant evaluations, 97.1% of participants were "extremely satisfied" or "very satisfied" with the peer review program at the end of the first year (November 2014). One interviewer participant evaluated that this was "the most helpful training I have attended in the past five years," while another said, "I did like that we were able to ask different CACs how they do their interviews and compare methods."

During each session, all participants are asked to provide a copy of their video recorded forensic interviews to be reviewed and discussed with their peers. A topic is selected during each quarter (e.g., interviewing young children, children with disabilities, etc.). Interviewers come prepared with a recorded interview

relevant to the specified topic and show a segment on which they would like feedback and peer review. Participants view and provide feedback for each interview and then discuss how the interviewer could have improved their performance. Prior to each session, SCNCAC sends out relevant research articles and literature to supplement the peer review process.

Forensic interview peer review sessions continue to be conducted quarterly at local Children's Advocacy Centers throughout South Carolina.

**I.B.2. Develop and publicize availability of a list of expert witnesses who can testify or provide consultation related to the effects of disabilities on children.**

The Prosecution Committee did extensive consultation with state prosecutors and other professionals across the state to identify successfully used experts in this field. Two experts in the field of child development and disabilities who can provide consultation and testimony related to the effects of disabilities on children have been identified and given permission to disperse their information. The contact information for these experts who have agreed to be available for testifying is available from the Children's Law Center as a service to attorneys and other professionals in need of expert testimony or consultation.

**Category II. Experimental, model and demonstration programs for testing innovative approaches and techniques that may improve the prompt and successful resolution of civil and criminal court proceedings, ensure procedural fairness to the accused or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children.**

**II.1. Support the South Carolina Immigrant Victims Assistance Network by attending network meetings and activities, coordinating with the network on activities involving child crime victims, providing written resources and training for professionals serving immigrant children who are victims of violent crime, including but not limited to, sexual assault, child abuse or neglect, abandonment, and human trafficking. Resources and training will include pathways to legalization for abused, undocumented children.**

The Task Force recommended assistance be provided to the South Carolina Victims Assistance Network (SCVAN) in developing and expanding their Immigrant Victim Network (IVN). The Task Force assisted IVN in providing written resources and training for professionals serving immigrant children who

are victims of violent crime, including child abuse. The goal was to improve the state's response to immigrant children who are abused. The Immigrant Victims Network has been established at SCVAN and has since been re-branded as the Immigrant Victim Program. The program's priority is serving immigrant children in foster care.

A Children's Law Center Resource Attorney has participated in meetings of the Immigrant Victims Assistance Coalition, a multidisciplinary team of professionals. Their working group on child abuse identified the need for information on Special Immigrant Juvenile Status. The Children's Law Center, in collaboration with Task Force members, prepared a Guide to Special Immigrant Juvenile Status, which has been provided to various professional groups and is available online on the Children's Law Center website.

The Children's Law Center, in collaboration with the Child Protection Committee, the SC Victim Assistance Network, and SC Appleseed Legal Justice Center, developed a full-day advanced continuing legal training. The training, titled "Advanced Legal Training Series I: Immigration 101 Training," is designed for DSS case managers and supervisors, DSS attorneys, family court judges, guardians ad litem, attorneys for guardians ad litem, and attorneys who represent parents in child and abuse proceedings. The training provides advanced legal information on DSS policies and procedures in handling abuse and neglect cases involving immigrant families and legal statuses available to undocumented youth. It also includes a question and answer session with case scenarios. The first regional training was held in May, 2014 with a total of five trainings held this reporting period training 162 participants in Columbia, Spartanburg, Florence, Lancaster and Charleston.

## **II.2. Monitor and support the use of court coordination protocol in General Sessions and Family Court.**

The Child Law and Legislative Committee decided to reignite the awareness of the court coordination protocol by having discussions with DSS attorneys regarding overcoming barriers. Court coordination protocol was inserted into the Best Legal Practices document which was shared with all solicitors. The court coordination protocol also has been widely disseminated through the SC Supreme court in the form of an administrative order. The Order is published on Court Administration's website, is included in SCDSS "Best Legal Practices" library for agency attorneys, and is included in the SC GAL Program's "Best Legal Practices."

## **II.3. Support growth of the Children's Advocacy Centers in South Carolina by providing assistance to the South Carolina Network of Children's Advocacy Centers.**

The Task Force promotes growth of children's advocacy centers in South Carolina by supporting the SC Network of Children's Advocacy Centers, the accredited state chapter of the National Children's Alliance. CJA funds are used in part to provide office space, equipment, supplies, and limited administrative support to the Network's Director. The Network's Director, an active participant on the Task Force, is appointed by the Network's Board Chairperson.

Children's Advocacy Centers (CACs) are endorsed by South Carolina law (§ 63-11-310). The approach utilized by CACs is widely believed to significantly improve the investigative handling of child abuse cases. The assistance and support provided by the Task Force is having the desired results as CACs and their programs continue to progress. South Carolina's 17 CACs serves over 7,000 children per year. Currently, there are 13 CACs which are fully accredited through the National Children's Alliance.

The South Carolina Attorney General and Silent Tears partnered with the Network to sponsor the fourth annual Children's Advocacy Day held on April 28, 2015 at the South Carolina State House. This annual event takes place in April to coincide with Child Abuse Prevention month. A press conference was held at the State House with Attorney General Alan Wilson and representatives from Children's Advocacy Centers, partner agencies, key members from the General Assembly and the Joint Citizens and Legislative Committee on Children were present.

In July 2014, a three-year grant through the Duke Endowment was awarded to the National Children's Alliance in collaboration with the South Carolina Network of Children's Advocacy Centers, Yale Child Study Center, and Children's Advocacy Centers of North Carolina to train CAC staff in both NC and SC on the evidence-based treatment modality Child and Family Traumatic Stress Intervention (CFTSI), Five CACs in South Carolina and 3 CACs in North Carolina were selected to participate in this training. The first learning session was conducted in Charlotte, NC on March 23-24, 2015.

In November 2014, the Network co-sponsored a team training with the Children's Law Center. This one day training for multidisciplinary professionals focused on interviewing suspects and legal updates as they pertain to Children's Advocacy Centers.

The Children's Law Center and the SC Network of Children's Advocacy Centers, in conjunction with the Task Force, conducts a yearly training and consultation program for county child abuse investigative teams. Jerry Sites, a training consultant, addresses roles and responsibilities, development of investigation protocols, team functioning, exchange of information, and conflict resolution. It was agreed that Ms. Sites would work with 4-6 counties selected through an application process. Team members included child protection staff, DSS county attorneys, law enforcement, a medical professional, a prosecutor, a children's

advocacy center interviewer, and other community professionals. This program involved four phases: (1) a pre-assessment completed by each team; (2) a two-day centralized training on the investigation process and protocol development; (3) completion of team assignments; and (4) follow-up consultation in each community. Team members representing 4 -5 counties participated in the centralized training sessions each of the three years. This two day training led by Ms. Sites involved a discussion of the need for MDTs, and the need for any improvements or changes. A list of goals was also established for each county.

Jerri Sites conducted follow-up site visits six months after the initial training. The purpose of these visits was to ensure that each MDT had met their goals established at the earlier meeting and they were functioning as active MDTs with all necessary disciplines. Another MDT training session is scheduled for May 7-8, 2015 with Ms. Sites returning to lead the training for 5 more teams.

CJA funds are used to assist with the delivery of ChildFirst, a comprehensive training program on forensic interviewing of children. This is an intensive five-day course in which students learn the necessary skills to conduct an investigative interview—also known as a forensic interview—of a suspected child abuse victim. This interactive course combines lectures and demonstrations supplemented with homework assignments and a written examination at the end of the course. Participants also must conduct a 30-minute interview of a professional actor playing the role of a sexually abused child after which the interviewer is critiqued by a professional forensic interviewer and a group of fellow students. End of course and follow-up evaluations, along with feedback from prosecutors, indicate this training is significantly improving the quality of forensic interviews. There are 3-4 ChildFirst trainings held per year in addition to yearly ChildFirst advanced training events which address an advanced topic for seasoned interviewers.

#### **II.4. Monitor and report on the number of volunteer GAL programs. Make future policy or programmatic recommendations as appropriate.**

The SC Guardian ad Litem Program kicked off its statewide “I am for the child” campaign. The Campaign focuses on public awareness of child abuse and neglect, recruitment of volunteers, encouragement of local program support, public policy, and resource development. In keeping with the objectives of the GAL Program, “I am for the child” is part of a marketing plan to address demographics disparities, improve volunteer training opportunities by offering a flexible, in addition to traditional, training schedules, increase staff competency, and volunteer retention.

South Carolina is one of 12 states that serve on the National Court Appointed Special Advocates Association (NCASA) state steering committee. On a national level, the Committee focuses on public policy and government relations, needs

assessments, national landscape, and identification of criteria for strategic states. Also, the National Court Appointed Special Advocates Association plans to identify the characteristics of a “Highly Effective” state organization. The Steering Committee actively supports 951 CASA/GAL programs nationwide, and their commitment to effectively advocating for children and awareness of abuse and neglect. National CASA currently assesses resource development, public policy, public awareness, local program needs and support, training, grant management, quality assurance processes, and governance.

**II.5. Operate the Children’s Law Center, training and information resource center for professionals involved in child maltreatment proceedings. The Children’s Law Center is responsible for implementing the training recommendations in collaboration with the Task Force, and for providing research and logistical support to the Task Force.**

Task Force Recommendation II.5. calls for the operation of the Children’s Law Center, a training and information resource center for professionals involved in child maltreatment proceedings. The Children’s Law Center was established upon the recommendation of the Task Force and continues to function as its staff support and training arm. The University of South Carolina School of Law administers the Children’s Law Center as a model program to enhance the knowledge and skills of all professionals involved in child abuse and neglect proceedings, leading to better outcomes for children. The mission and functions of the Children’s Law Center reflect the CJA goals of improving investigative and judicial handling of child abuse and neglect cases and enhancing the effectiveness of court-appointed attorneys and guardians ad litem. The Children’s Law Center is able to access other funding sources to complement CJA funds, thus providing a comprehensive array of services. The Children’s Law Center offers a variety of training programs on child maltreatment to child protection caseworkers, family court staff, guardian ad litem, law enforcement officers, prosecutors, and other child-serving professionals. The Children’s Law Center also trains professionals who are mandated by law to report suspected child abuse and neglect.

**Annual conference and website:** The Children’s Law Center holds an annual one day conference in the fall for child abuse professionals. 150-200 professionals are typically in attendance. In addition to a keynote speaker, participants select from a variety of workshop topics. The Children’s Law Center maintains a website containing online publications, training information, additional resources, and links to related organizations. Hits to the website continually increase. The Children’s Law Center also responds to individual requests for information and technical assistance from professionals in the field. The website is: [www.childlaw.sc.edu](http://www.childlaw.sc.edu).



**Resource materials:** The Children's Law Center prepares and distributes resource materials on child protection and prosecution. A publication on several areas of the law affecting young people in South Carolina was updated. The Kid's Law Companion was developed by the Children's Law Center as a resource book to assist those teaching Kid's Law to young people. It contains all the materials found in the Kid's Law publication, along with additional notes and the applicable South Carolina statutes for quick reference and further discussion. The Children's Law Center also developed an online Kid's Law tutorial that has two parts, one addresses general laws affecting youth and one addresses juvenile justice issues. It is available for Juvenile Justice Probation and Residential Staff, Juvenile Arbitration Programs, School Resource Officers, Juvenile Detention Centers, Schools, and others to use as a tool when working with children and is posted on the CLC website under online trainings.

**Law Enforcement Trainer:** Another experienced trainer in the field of law enforcement has been recruited and has begun trainings this year teaching child sexual assault investigations, drug endangered children, and human trafficking. These training initiatives are new this year for the Children's Law Center. The Children's Law Center is also partnering with the Columbia and Greenville Schools of Medicine to train medical school residents on recognizing physical abuse in children. The Children's Law Center, in conjunction with the Task Force, has also developed multiple trainings for law enforcement and DSS staff on the investigation of physical abuse and neglect. The topics to be covered include criminal vs. non-criminal investigations, accidental injury vs. abuse, interview and investigation tips, collection of evidence, injury, and identification.

**Drug Endangered Children (DEC):** The Children's Law Center, in conjunction with the Task Force, initiated a meeting of the South Carolina Drug Endangered Children Committee for the purpose of updating and implementing the 2005 SCDEC protocol. The meeting was held at the SC Sheriff's Association to discuss current data and policy updates with the 14 various agency representatives present at this meeting. These professionals included law enforcement, social service specialists, prosecutors, physicians, firemen, and child advocates. This meeting was a result of a June 12, 2013 letter mailed to the agencies who had previously endorsed the 2005 SCDEC protocol asking them to get involved in updating and expanding the protocol. SCDEC contacted the Assistant U.S. Attorney who advised there was a new, more expansive federal protocol drafted two years earlier. It was agreed SCDEC would be allowed to use the federal protocol as a template, and the U.S. Attorney Office would be involved in the multi-agency committee. Numerous agency meetings followed before the updated SCDEC guidelines were completed in February 2014 and were endorsed by agency heads. On May 8, 2014, a SCDEC press conference was held in Columbia, SC. with U.S. Attorney Bill Nettles announcing an alliance had been established with 22 federal, state, and local leaders to identify and protect drug endangered children in South Carolina. A press conference was held on May 27, 2014 in Greenville to announce the start of the local Greenville

County alliance for DEC and to celebrate the implementation of the SCDEC guidelines and best practices. Training initiatives for law enforcement agencies have ensued and five training events on this topic have taken place during this reporting period. Seminars have focused on updating participants on the newly adopted DEC guidelines, statutes pertaining to these guidelines, and responding to children found in drug environments.

**II. 6. Develop a specialized Law Enforcement (LE) child abuse investigation team pilot program within one judicial circuit or county for investigation of criminal child abuse and neglect. This recommendation will be accomplished in the following phases: identify a circuit or county, assemble and train team members; implement the LE team within identified judicial circuit or county; develop an information-gathering process for the program and analyze information collected during the conduct of the program; and make recommendations for implementing specialized law enforcement child abuse investigation teams in other judicial circuits or counties.**

The Task Force recommended the development and implementation of a rapid response team pilot program within one judicial circuit for rapid and coordinated response to incidents of serious child physical abuse and sexual abuse.

The Prosecution Committee identified Greenville County Sheriff's Office as the pilot site. The team consisted of five trained investigators who handle only child abuse cases. The team investigators participated in the Child Fatality training held on June 14, 2013 at the Department of Corrections. The Prosecution Committee developed guidelines for different types of abuse investigations. A member of the Prosecution Committee, board certified in child abuse pediatrics, suggested developing guidelines for burn cases, sexual abuse cases, and physical abuse cases to assist law enforcement officers on the scene with identifying important forensic evidence.

The Prosecution Committee and multi-disciplinary teams began monthly meetings with the Greenville County Sheriff's Office in October 2013 to discuss best practices and objectives for child abuse investigation teams. Discussions followed with input from local medical response teams on child abuse cases in conjunction with local law enforcement agencies. A meeting was held in January 2014 to finalize training agendas and materials. The Children's Law Center is now using lesson plans for training based on the information gathered during the pilot program development in Greenville.

**Category III. Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children**

**from abuse, particularly sexual abuse and exploitation, while ensuring fairness to all affected persons.**

**III.1 Study and assess the need to pursue legislation directed toward the investigation and prosecution of child abuse including, but not limited to, the statutes identified below. Study and assessment includes consideration of specific legislative proposals, research of those proposals and recommendation to the task force as to endorsement of those proposals. The committee has identified several statutes and/or areas of concern including:**

- a) Amend S.C. Code § 17-5-530 (notification to coroner certain deaths) to require law enforcement control of crime scene.
- b) Amend S.C. Code § 16-3-740 (requiring HIV testing and release of information) and related statutes to facilitate sexually transmitted disease (STD) testing of suspects and release of STD information on suspects to law enforcement and victims of crimes.
- c) Amend S.C. Code § 17-23-175 (child hearsay in criminal court) to include additional offenses.
- d) Amend S.C. Code § 16-3-85 (Homicide by Child Abuse) as follows:  
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "BRIANNA'S LAW"; TO AMEND SECTION 16-3-85, RELATING TO THE OFFENSE OF HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE PENALTY TO LIFE WITHOUT PAROLE OR DEATH IF THE STATE SEEKS THE DEATH PENALTY FOR MURDER.
- e) Amend current A & B statutes and statutes addressing bodily injuries to children.
- f) Amend S.C. Code § 63-7-310: (mandated reporter statute) to include additional reporter requirements.
- g) Establish statutory immunity for forensic interviewers when conducting child forensic interviews as part of a multidisciplinary team investigating child abuse and neglect.
- h) Pursue legislation establishing pay and benefits for coroners as fulltime officials.
- i) Consider amending the sex offender registry statute: 1) to allow family court judges to exercise discretion in ordering registration for children under 14 adjudicated delinquent for CSC offenses; and 2) to allow a person to petition for removal from the registry when the person was placed on the registry before the reaching the age of 17, when the person has been on the registry for a specified period of time; and the person has met conditions for removal from the registry.

Legislative action was taken and is still in progress on three of these issues: Regarding Mandated Reporters (f): The current version adds the following professions to the list of mandated reporters: firefighters, camp counselors, scout leaders, school and college administrators, coaches, and any other person who supervises children. This bill would also require volunteers to report abuse or neglect and clarifies that anyone who reports abuse or neglect to a supervisor is not relieved of the individual duty to report. This bill made it to the House floor, but due to dissent, was recommitted to the Judiciary Committee in March, and has not had another hearing.

Regarding sex offender registry reform (i): Two juvenile registry bills were tabled during a subcommittee meeting to give concerned groups the opportunity to work together on language that accomplishes the goal of giving judges discretion whether to require registration for a juvenile adjudicated delinquent for a sex offense, while allowing SC to stay compliant with SORNA. In response to concerns, the subcommittee discussed adding language that gives judge guidance when determining whether to require a juvenile to be registered. The subcommittee that tabled these bills has not revisited them.

Regarding pay and benefits for coroners as fulltime officials (h): The senate read and introduced a bill in January of 2015 and referred to Judiciary Committee. This bill continues to be addressed for further progress. The remaining legislation proposals are still in progress and the Task Force will continue to work on language that addresses or improves amendments.

**III.2. Ensure that treatment plans involving children with disabilities are appropriate and complete. Parents should be required to participate in IEP, IFSP, or 504 plan meetings. If Babynet has recommended services, these should be reflected in the treatment plan.**

The Disabilities committee did a review of the DSS intake model/assessment protocol. They wanted to determine that there was an adequate tool to identify areas of concern for children with disabilities so that could be formulated properly into treatment recommendations. The Disabilities committee also attempted to educate judges on updated Best Legal Practices that provides questions that judges should ask that address the needs of children with disabilities. Asking appropriate questions in these cases increases the likelihood of more appropriate treatment planning options and language.

**III.3. Monitor all South Carolina legislation related to child abuse and neglect. The Task Force may endorse legislation that will improve the state's response to abused and neglected children.**

South Carolina passed an updated law on Human Trafficking in June 2012 and became effective in December 2012. New additions to include state grand jury jurisdiction and mandatory posting of hotline posters were added just recently in 2015. This topic has been included in new recommendations for the Task Force for the next three years.

S.C. Code Ann. §§ 16-3-2010 through 2090:

(A) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to **sex trafficking, forced labor or services, involuntary servitude or debt bondage** through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons.

(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes of **sex trafficking, forced labor or services, involuntary servitude** or **debt bondage** through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.

**III.4. Monitor and support the “Silent Tears” project, a comprehensive assessment of South Carolina’s child maltreatment response system to be conducted by the National Child Protection Training Center in partnership with USC Upstate and the Julie Valentine Children’s Advocacy Center. The Task Force may modify or adopt additional recommendations based on the outcome of this year-long assessment process.**

Several members of the Task Force participated in various phases of the statewide needs assessment specifically addressing the issues of child sexual abuse in South Carolina. Task Force members attended stakeholders meetings, interviewed DSS child protection workers with staff from the National Child Protection Training Center, and assisted in the statewide survey of child welfare professionals. Preliminary findings were reported to the Task Force at the April 26, 2013 meeting by Shauna Galloway-Williams, Director of the Julie Valentine Center. The executive summary and full report with the detailed, statewide recommendations were released on May 28, 2013 at a press conference in Greenville, South Carolina. The press conference was attended by US Senator Tim Scott; US Representative Trey Gowdy; SC Attorney General Alan Wilson; Director of the National Child Protection Training Center, Victor Vieth; members of the SC General Assembly; and various statewide stakeholders including members of the CJA Task Force. The following are recommendations from the Silent Tears Report:

1. Improve training at the undergraduate and graduate level
2. Improve training for frontline staff
3. Improve the collection of evidence in child sexual abuse cases
4. Improve the court system for child sexual abuse cases
5. Improve the Appropriate Response/ Community Based Prevention Service systems
6. Develop partnerships with the faith based community
7. Improve mandated reporting system
8. Expand prevention initiatives
9. Improve juvenile sex offender registry
10. Reduce vicarious trauma among professionals working in the field of child sexual abuse

A Silent Tears Task Force was created and duties related to the recommendations were disseminated to the members. Several CJA Task Force

members participate and serve on this task force which meets on a quarterly basis. The following initiatives have been addressed in this reporting period as a result of the recommendations from the Silent Tears Report released in May 2013:

**Education: Improving Training at the Undergraduate and Graduate Level**

- A Certificate in Child Advocacy Studies has been added to the existing Child Advocacy Studies Minor at USC Upstate. Professionals in the field are taking advantage of this continuing education opportunity specifically addressing child abuse and child advocacy.
- USC School of Medicine, Greenville now requires first year students to participate in training to recognize, report, and respond to child abuse in the health care setting. The curriculum has been updated and now has a course on mandated reporters.

**Improve Training in the Field**

- USC Upstate has developed new Child Protection Training facilities to provide experiential training for child abuse professionals on each of their campuses. The mock trial courtroom and house will open for training by the fall of 2015.
- The Children’s Law Center has developed online Child Protection Training for Child Protection Professionals.

**Judicial: Improving the Collection of Evidence**

- Launching a statewide pilot program to address investigating child abuse reports.

**Legislation submitted to support:**

- A bill to improve in the mandated reporter statute is pending.- pending legislation
- A bill addressing the admissibility of out of court statements made by children to employees or agents of a Children’s Advocacy Center is pending.- pending legislation
- Law passed in 2014 that develops and supports the South Carolina Children’s Advocacy Center Medical Response System.

**Private/ Public Partnerships:**

- Continue developing partnerships between faith and child protection communities. DSS is involving chaplains to help with foster families.
- Silent Tears has partnered with Gunderson National Child Protection Training Center to pilot the Chaplains for Children program in South Carolina and trainings have been conducted.

**III.5. Assess and make recommendations for the statewide DSS intake screening process used to determine trauma history in an effort to become**

**a “trauma informed system” by ensuring effective screening and appropriate referrals for evidence supported treatment for victims of child abuse and neglect.**

The SC Department of Social Services released its’ five year plan in January of 2015. The State of SC 2015-2019 Child and Family Services Plan identifies four major strategic goals. One of these goals is to improve the quality of risk assessment and safety management for children in child protective services, family preservation, and foster care cases. Effective screening will also be enhanced by the implementation of regional intake hubs. Another goal addresses the statewide implementation of a trauma-informed practice and utilizing evidence-based trauma screening. The content of the five year plan was the result of collaboration of many stakeholder agencies and individuals who were CJA members.

**III.6. Explore child serving agencies’ confidentiality policies regarding the exchange of information between child serving agencies and other professionals; and make recommendations accordingly.**

The Child Protection Committee explored the confidentiality policies of local hospitals and various school systems. The Committee then joined the efforts of the South Carolina Citizen Review Panel recommending DSS develop policy and procedures for sharing and exchanging confidential information with collaborating agencies, such as hospitals, schools, health facilities, and the Department of Juvenile Justice, in an effort to promote cooperation and safety plans for at-risk children.

Other than that, investigation and conversations with all other relevant factions revealed that confidentiality agreements were not a barrier to exchanging information and as such this recommendation was complete and did not require further action.

**III.7. Evaluate and reassess the current educational systems’ practices in addressing suspected child abuse and neglect; and make recommendations accordingly.**

It was determined that this recommendation will be carried over to the next three year cycle, especially where the area of mandatory reporters and school policies intersect. The idea of a possible research project by a law student using DSS data and school district policies was explored.

## Attachment A

### CJA Task Force Members 2012-2015

<b>Anne S. Abel, MD,</b> Professor and Program Director, Medical University of South Carolina	HEALTH PROFESSIONAL
<b>Amanda Adler,</b> <i>Attorney</i> Appleseed Legal Justice Center	AT-LARGE MEMBER
<b>Margaret Fent Bodman,</b> <i>Assistant Solicitor</i> Fifth Judicial Circuit	PROSECUTING ATTORNEY
<b>Carl Brown,</b> <i>Executive Director</i> SC Foster Parent Association	PARENT GROUP REPRESENTATIVE
<b>Jarrod M. Bruder,</b> <i>Executive Director</i> SC Sheriff's Association	LAW ENFORCEMENT
<b>Taron Brown Davis,</b> <i>Staff Attorney</i> AGENCY SC Department of Social Services	CHILD PROTECTIVE SERVICE
<b>Rosalyn Frierson,</b> <i>Director</i> MEMBER SC Court Administration	COURT ADMINISTRATION REP/AT-LARGE
<b>Blondean Funderburk</b> <i>Director, South Carolina Guardian ad Litem Program</i>	COURT APPOINTED SPECIAL ADVOCATE REPRESENTATIVE
<b>Vicky Gaskins,</b> <i>Lieutenant</i> <i>Lieutenant, Juvenile Division, Aiken County Sheriff's Office</i>	LAW ENFORCEMENT
<b>Ellen Hamilton,</b> <i>Director</i> Pee Dee Coalition Against domestic & Sexual Assault	AT-LARGE MEMBER
<b>Kim Hamm, MSW,</b> <i>Executive Director</i> S.C. Network of Children's Advocacy Centers	SCNCAC REP/AT-LARGE MEMBER
<b>Jessica Hanak-Coulter, CAC, LMSW</b> Deputy State Director of Human Services, SC Department of Social Services	CHILD PROTECTIVE SERVICE AGENCY
<b>The Honorable Michelle Hurley,</b> <i>Family Court Judge</i> Fifth Judicial Circuit, Richland County	CIVIL COURT JUDGE
<b>Gayle P. Lofgren,</b> <i>Executive Director</i> Child Advocacy Center of Aiken County	AT-LARGE MEMBER



<b>The Honorable Daniel E. Martin, Jr.</b> , <i>Family Court Judge</i> Ninth Judicial Circuit, Charleston County	CIVIL COURT JUDGE
<b>Suzanne Mayes</b> , <i>Assistant Solicitor</i> Eleventh Judicial Circuit, Lexington County	PROSECUTING ATTORNEY
<b>Nancy McCormick</b> , <i>Attorney</i> Protection and Advocacy	EXPERIENCED WITH CHILDREN WITH DISABILITIES
<b>Melissa Muse, Ph.D.</b> , <i>Therapist</i> Family Bridges Therapeutic Associates LLC	MENTAL HEALTH PROFESSIONAL
<b>Brenda J. Myers</b> Children's Law Center	EXPERIENCED IN WORKING WITH HOMELESS CHILDREN
<b>Kimaka Nichols-Graham</b> , <i>Attorney</i> South Carolina Legal Services	CHILD ADVOCATE/ATTORNEY FOR CHILDREN
<b>Erik Norton</b> , <i>Attorney</i> Nelson, Mullins, Riley & Scarborough	EXPERIENCED WITH CHILDREN WITH DISABILITIES
<b>Margarita Ortiz</b> , <i>Hispanic Outreach Volunteer</i>	AT-LARGE MEMBER
<b>Robin Page</b> , <i>Attorney</i> SC Guardian Ad Litem Attorney	CHILD ADVOCATE/ATTORNEY FOR CHILDREN
<b>Lisa Potts-Kirchner</b> , <i>Executive Director</i> Parents Anonymous of SC	PARENT GROUP REPRESENTATIVE
<b>Dr. M. Elizabeth Ralston</b> Founding Director, Dee Norton Lowcountry Children's Center	MENTAL HEALTH PROFESSIONAL
<b>Pamela D. Robinson</b> <i>Volunteer Guardian ad Litem</i> Director, Pro Bono Program, USC Law School	COURT APPOINTED SPECIAL ADVOCATE REPRESENTATIVE
<b>Olga C. Rosa</b> , <i>Director</i> SC Children's Advocacy Medical Response System Project USC School of Medicine	HEALTH PROFESSIONAL
<b>Heather V. Scalzo</b> , <i>Assistant Public Defender</i> Greenville County Public Defender's Office	DEFENSE ATTORNEY
<b>The Honorable Caroline Streater</b> , <i>Magistrate Judge</i> Richland County Government	CRIMINAL COURT JUDGE
<b>Naomi Torfin</b> , <i>Executive Director</i> SC Children Come First	ADULT FORMER VICTIM OF CHILD ABUSE

**Kali C. Turner**, *Government Affairs Director*  
SC Bar

AT-LARGE MEMBER

**Tana G. Vanderbilt** EXPERIENCED WITH CHILDREN WITH DISABILITIES  
*General Counsel*, SC Department of Disabilities and Special Needs

**Teresa L. Vassar** EXPERIENCED WITH CHILDREN WITH DISABILITIES  
*Executive Director*, Willowglen Academy

**Honorable Gary Watts**, *Coroner* LAW ENFORCEMENT COMMUNITY  
Richland County, SC

## **ATTACHMENT B**

### ***Bylaws of the***

### ***South Carolina Children's Justice Act Task Force***

#### *Article I Name*

*Section 1. The name of this organization shall be the South Carolina Children's Justice Act Task Force, hereinafter referred to as the Task Force.*

#### *Article II Statutory Basis*

*Section 1. The Task Force is established in accordance with the Child Abuse Prevention and Treatment Act (codified at 42 USC 5106c) which authorizes grants to states to develop, establish, and operate programs designed to improve: (A) the handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim; (B) the handling of cases of suspected child abuse or neglect related fatalities; (C) the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and (D) the handling of cases of children with disabilities and/or serious health problems who also are victims of abuse and neglect.*

*Section 2. Children's Justice Act grants shall be used to implement Task Force recommendations in the following three categories: (A) investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and*

*exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused; (B) Experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and (C) Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring fairness to all affected persons.*

### *Article III Purpose and Activities*

*Section 1. At three-year intervals, the Task Force shall conduct an assessment of the state's systems responding to abused and neglected children. In this process, the Task Force may consider information obtained through a variety of sources, such as formal assessments, questionnaires, opinions of experts, and the professional experiences and judgment of Task Force members.*

*Section 2. Based on its three-year assessment, the Task Force shall adopt recommendations in each of the categories described in Article II, Section 2, and shall work towards their implementation.*

*Section 3. The Task Force shall recommend to the state's grantee (the South Carolina Department of Social Services) projects to be supported by Children's Justice Act grant funds.*

*Section 4. The Task Force may support legislation consistent with its mission or recommendations, or take positions on other state policy issues. In order to take an advocacy position on a legislative or policy issue, the matter must be presented to and approved by the Task Force as a whole. Individual committees cannot establish positions on behalf of the Task Force.*

*Section 5. Notwithstanding Section 4, the officers and committee chairpersons can function as an executive committee to establish a position on legislative issues when timely action is necessary, provided that all Task Force members have been notified of the possible action by electronic or other means and afforded an opportunity to comment.*

### *Article IV Membership*

*Section 1. General election of members shall be held every three years, in the last quarter of the final year in each three-year period. Membership shall commence on the first day of the first year in the next three year cycle.*

*Section 2. Current members may present proposed new members to the Nominating Committee for consideration. The Nominating Committee will prepare a slate to reflect the appropriate composition of the Task Force, obtain the consent of nominees, and provide biographical summaries. Members are elected by majority vote of Task Force members present and voting at a duly announced meeting. Nominations must be distributed to members at least ten (10) days in advance.*

*Section 3. Membership must be multi-disciplinary, in accordance with federal statutory requirements. General membership must comprise at least one slot for each of the following disciplines: law enforcement community, criminal court judge, family court judge, prosecuting attorney, defense attorney, child advocate (attorney for children), Court Appointed Special Advocate/volunteer guardian ad litem (including a representative of the state guardian ad litem program), health professional, mental health professional, child protective service agency, individual experienced in working with children with disabilities, parent and representative of parent group, adult former victim of child abuse and/or neglect, and individuals experienced in working with homeless children and youths. Up to six at-large members may be added to maintain appropriate diversity on the Task Force. Designated agency members shall include an appointee of the Director of Court Administration and an appointee of the President of the S.C. Children's Advocacy Center Network. The designated CJA Coordinator of the S.C. Department of Social Services shall be a non-voting ex officio member of the Task Force.*

*Section 4. Members are elected for a period of three years, and may be reelected. Members must attend at least fifty percent of regularly scheduled meetings each calendar year to retain their membership. This requirement may be waived by the Chair for members who notify the Chair that they cannot attend due to extenuating circumstances but are otherwise participating.*

*Section 5. Membership on the Task Force lies with the individual, provided the individual remains in a capacity to represent the designated discipline.*

*Section 6. Total membership shall not exceed forty (40).*

#### *Article V Resignations and Filling Unexpired Terms*

*Section 1. Noncompliance with attendance requirements constitutes a vacancy.*

*Section 2. Vacancies which occur between general elections shall be filled if necessary to maintain representation on the Task Force by appointment of the Chair with approval*

*by majority vote of members present and voting. Members appointed to fill a vacancy shall fill the remainder of the term, at which time they may be elected to a full term if eligible.*

#### *Article VI Officers*

*Section 1. Officers of the Task Force shall consist of a Chair and Vice-Chair.*

*Section 2. Officers are elected for a three-year period upon majority vote of Task Force members present and voting, and may be re-elected for a second three-year term.*

#### *Article VII Committees*

*Section 1. Standing committees shall be formed at three-year intervals to coincide with adoption of Task Force recommendations. The Chair and Vice-Chair shall determine the number of committees needed and the focus of each.*

*Section 2. Each standing committee shall elect its own chairperson and all Task Force members are expected to serve on committees as needed.*

*Section 3. Standing committees will work to operationalize designated Task Force recommendations, undertaking the specific tasks necessary and making contacts with other organizations as needed to accomplish recommendations.*

*Section 4. Standing committees may make recommendations regarding legislative positions or other policy considerations for vote of the Task Force as a whole.*

*Section 5. Standing committees shall meet quarterly, or more frequently if necessary.*

*Section 6. Committee chairpersons and two at-large members appointed by the chair shall serve as a nominating committee to propose a slate of officers and new members for election.*

#### *Article VIII Meetings*

*Section 1. The Task Force shall meet quarterly, with additional meetings called by the Chair if necessary.*

*Section 2. The Task Force may adopt a position, plan action, or amend a recommendation upon a majority vote of members present at a duly announced meeting, provided that a written agenda has been distributed to all members at least a week in advance. Although additional items may arise for discussion at a meeting, no final action shall be taken without written notice to all members.*

*Section 3. A majority of Task Force members present at a meeting shall constitute a quorum.*

*Section 4. Members must be present to vote on matters under consideration by the Task Force. Only duly elected Task Force members are permitted to vote.*

*Section 5. Task Force meetings shall be conducted in accordance with Robert's Rules of Order unless otherwise specified by these bylaws.*

*Article IX  
Staff Support*

*Section 1. A recipient of Children's Justice Act grant funds shall be designated to provide staff support necessary to the work of the Task Force.*

*Article X  
Amendments*

*Section 1. These bylaws may be amended upon majority vote of the membership at a duly announced meeting, provided that proposed amendments are distributed to members at least ten days in advance.*

*Adopted October 30, 1998  
Revised September 13, 2002  
Revised December 2, 2005  
Revised January 19, 2007  
Revised April 15, 2011*