2019
SOUTH CAROLINA
CHILDREN’S JUSTICE ACT TASK FORCE
REPORT

UNIVERSITY OF SOUTH CAROLINA
CHILDREN’S LAW CENTER

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I. 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 follows:

- 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 Task Force is governed by bylaws which were adopted in 1998 and most recently revised on July 28, 2017. 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. All members are assigned to a committee. The Task Force conducted a review and assessment of the state’s systems that respond to abused and neglected children in February 2018, leading to the formulation of recommendations for the 2018-2021 CJA cycle. As a result of priority topics identified through information gathered prior to the assessment work day, three corresponding committees for the 2018-2021 period were established:

A. Assessment and Safety Committee
B. Collaboration Committee
C. Courts and Special Populations Committee

The Task Force is self-perpetuating through an election process held every three years. The membership period is three calendar years so that it overlaps accordingly with the CJA three-year cycle. This allows new members to be involved in the three-year assessment process and formulation of recommendations. Current members propose new members when necessary and prepare a slate of nominees, ensuring multidisciplinary and diverse membership. New members are elected for three-year terms by a majority vote of the Task Force. The Chairperson appoints members to fill vacancies that occur between general elections. Officers include a Chair and Vice-Chair who are also elected by the Task Force. The terms of the officers are limited to one three-year term. It is possible to elect for a second term to the same position, but not consecutively. This was instituted to allow fresh leadership for every three-year cycle. Members for the 2018-2021 period were elected in October 2017. The Task Force currently has 30 members, reflecting all required disciplines.

The Children’s Law Center provides staff support to the Task Force, including logistical arrangements for meetings and research activities. In addition to the CJA Coordinator who
assists with implementation of recommendations, an additional staff person is assigned to each committee to facilitate the meetings and act as a liaison between the Task Force groups and the CJA Coordinator. The Children's Law Center also carries out training recommendations of the Task Force.

Attachment 1 includes a list of Task Force members with their titles, professional categories, and brief profiles. Attachment 2 contains minutes of the four meetings held during the past year, current recommendations are in Attachment 3, and Attachment 4 includes the Task Force bylaws.

II. Annual Performance Report: May 2018 - May 2019

The South Carolina Department of Social Services is the state's designated grantee for Children's Justice Act funds. In accordance with one of the Task Force's recommendations, the Department of Social Services contracted with the University of South Carolina's Children's Law Center to provide staff support for meetings and assist the Task Force in implementing its recommendations. This performance report covers Task Force activities from May 2018 – May 2019.

**Evaluation efforts:** With input from the Task Force, the Children's Law Center has been making strides to implement innovative ways to evaluate and measure training objectives. In an effort to enhance and track the effectiveness of trainings provided by and hosted by the Children's Law Center, a Research Scientist joined the staff. She is tasked with implementing periodic and longitudinal evaluations and developing and adjusting curriculum accordingly. She serves as a resource to the trainers on curriculum development, presentation methods, and adult learning principles. The evaluation process of Children's Law Center's training programs will include the assessment of impact on the knowledge, skills, and practices of training participants. Every training evaluation collects prior knowledge and post knowledge of the learning objectives; ratings of presenter dynamics and engagement; ratings of visuals and handouts; and solicited recommendations for improvement. The Research Scientist is providing guidance on how to analyze training evaluations in order to utilize findings which will improve instructional design and delivery. Evaluation summaries are available upon request for all noted training programs. Follow-up surveys/interviews of training attendees three to six months following trainings to assess on-the-job utilization may be used. Child death training for coroners and attorney trainings on Best Legal Practices are trainings occurring in 2019 that will be subject to these longer term post-evaluations.

**Linkage with CFSR:** As part of the Task Force's assessment process in 2018, South Carolina's Child and Family Services Plan (CFSP) was a major component of aligning recommendations and statewide efforts. During the assessment, the Department of Social Services was asked to share their priorities/initiatives so that the Task Force could consider alignment with these initiatives in forming CJA recommendations. The improvement plan focus areas that were given, as identified from the Child and Families
Service Review, were: safety improvement, improvement of child and family assessment and family engagement, timely permanency, improvement of well-being, staff development, and improvement of CQI. The Task Force identified safety and assessment as the focus areas that most align with the mission of CJA and therefore incorporated these items into the recommendations for the 2018-2021 period.

**Category A. Activities undertaken to improve the investigative, administrative, and judicial handling of cases of child abuse and neglect:**

- **Provide training to Multidisciplinary Teams (MDT) on assessing children with limited communication skills and identify qualified resource professionals available for consultation.** (Recommendation 1.A)

  In an effort to decrease the barriers to assessing children with communication limitations, the Task Force first identified a list of causes of limited communication to be targeted for training and resources: speech impairment, physical disability affecting speech, Autism Spectrum Disorder, intellectual disabilities, sight impairment, hearing impairment, and trauma-induced impairment. Training topics were obtained from a well-regarded training program that a local sheriff's department provides for their school resource officers. Topics for consideration include: disability identification, disability crisis prevention, Autism, deaf sensitivity, trauma-informed care, and adverse childhood experiences (ACEs). The search for current data collected on this population of children who receive forensic interviews or testify in court revealed the lack of such data. The Task Force did request that the SC Network of Children’s Advocacy Centers consider collecting this information when they update their data collection system for CACs.

- **Incorporate Best Legal Practices (BLP) into ongoing trainings for GAL, OID & DSS attorneys.** (Recommendation 2.A)

  The Best Legal Practices (BLP) guide serves as a reference for professionals involved in child welfare proceedings and is intended to promote uniformity in processing child abuse and neglect cases statewide. An administrative order issued by the Chief Justice of South Carolina on May 31, 2018 recommends its use. In accordance with training requirements outlined in the guide, the Children’s Law Center and the Department of Social Services are providing training to attorneys involved in family court child abuse and neglect cases. Five trainings have been scheduled and are mandatory for DSS, GAL, and SC Office of Indigent Defense (OID) attorneys. The regional trainings were developed by the CIP staff at the Children’s Law Center and will be held in Edgefield, Florence, Greenville, Lancaster, and Walterboro between April and December of 2019. Although CIP funding was used for these trainings, the Task Force was apprised of this process and will continue to follow up with outcomes of the training initiative.
• Provide training with DSS & GAL attorneys on recognizing signs of stress on children who must testify and prioritizing the scheduling of those cases accordingly. (Recommendation 3.A)

The Task Force has discovered that the number of child victims testifying in South Carolina courts is not known. The prevalence of the use of closed-circuit testimony across the state is also unknown. The Task Force requested that new data be collected through the court improvement program by the family court liaisons. The family court liaisons have started documenting on the court information sheets whether the child testifies, if it is through live testimony or by other means, the age of the child testifying, and whether the child’s recorded forensic interview was entered into evidence. The liaisons were also polled as to whether the courthouses in their circuits had the capability and/or equipment to accommodate closed-circuit testimony. The majority of counties appear to lack the necessary equipment. One year of the collected testifying data revealed that approximately 45 children testified in family court abuse and neglect merits hearings and none of the testimony was given by closed-circuit. The Task Force has made other inquiries regarding how cases are being scheduled for court and any other alternative testifying methods that may be utilized. This information will help with training initiatives and methods for prioritizing cases on the court docket.

Category B. Steps taken to establish experimental, model, or demonstration programs:

• Develop an experimental model of a “Level 2 MDT” to provide intervention and support up to court for high risk victims for recantation. (Recommendation 4.B)

The Task Force further discussed this recommendation to confirm that it is essentially about having MDTs trained to understand the risk factors for recantation by child victims so that it can be reduced, and to respond appropriately when it does happen. Independently, several CACs in the state have sought out specialized training on MDT response to recantation cases by Southern Regional Children’s Advocacy Center trainer, Jerri Sites. The Task Force is following up with the trained MDTs to explore recantation data collection options. The Task Force viewed Ms. Site’s recantation webinar at their October 2018 meeting. The Children’s Law Center has also secured Ms. Sites to present on the MDT response to recantation at an annual child sexual assault investigations and prosecutions training in June 2019. The advanced forensic interviewing course, ChildFirst, which will be held in September 2019 will also be incorporating a recantation aspect.

• Continue to support the SC Network of Children’s Advocacy Centers including organizational capacity and infrastructural resources. (Recommendation 5.B)

The Task Force promotes growth of children’s advocacy centers in South Carolina by supporting the South Carolina Network of Children’s Advocacy Centers (SCNCAC), 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 staff. The Network’s Executive Director, an active participant on the Task Force, is appointed by the Network’s Board of Directors. Children’s advocacy centers (CACs) are identified in South Carolina law (S.C. Code § 63-11-310). The CAC model is widely believed to significantly improve the investigative handling of child abuse cases and is considered best practice in the response to child abuse cases. The Task Force continues to provide assistance and support as CACs and their programs continue to progress. South Carolina’s 17 CACs served over 9,558 children in calendar year 2018 which is an approximate 12% increase over 2017. Currently, there are 15 CACs which are fully accredited through the National Children’s Alliance. In addition, there is one associate/developing and one affiliate CAC in South Carolina. In 2019, a new full time Administrative Coordinator was added the SCNCAC staff to ensure the smooth and effective functioning of all programs/events and office operations.

Children’s Advocacy Center Day: The South Carolina Attorney General, Silent Tears, and Children’s Trust of South Carolina partnered with the Network to sponsor the 8th Annual Children’s Advocacy Center Day held on April 2, 2019 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 SC State House with the Attorney General, 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 in attendance.

Outcomes Measurement System (OMS) Report for CACs in South Carolina: This report is an analysis of yearly OMS data collected by all CACs in South Carolina. South Carolina CACs participate in the OMS to help them to evaluate their programs, to increase the quality of services provided to children and families, and to improve the collaborative efforts of multidisciplinary team (MDT) members. Through OMS, CACs ask caregivers of children served by CACs and their MDT members standard survey questions to measure how well they are providing healing, justice, and trust to children and families in South Carolina:

CAC Development Plan: In 2018, SCNCAC conducted a feasibility study and needs assessment to guide the growth and development of Children’s Advocacy Centers in South Carolina. The majority of the research on the project occurred in the 3rd quarter of 2018 with completion in October 2018. The SCNCAC CAC development plan provides an overview of the current state of Children’s Advocacy Center (CAC) coverage in South Carolina and makes recommendations on how CAC growth should occur so that all children will have equal access to CAC services regardless of where they reside in the state. SCNCAC will be working in 2019 to implement the recommendations in the development plan that will remove barriers to services for children in rural and economically disadvantaged areas of South Carolina.

Statewide CAC Database: In 2018 SCNCAC formed a database design team and selected a vendor to develop a statewide database system for CACs in the state. The database will link all CACs in South Carolina to help prevent duplication of services;
help to better allocate mental health, medical, and other resources; and help prevent child abuse cases from falling through the cracks. Work on this project should be completed in the fall of 2019.

**Forensic Interview Peer Review Program:** The South Carolina Network of Children's Advocacy Center's (SCNCAC) statewide forensic interview peer review program is designed to provide forensic interviewers with an opportunity to review forensic interviews, discuss specific interview techniques, provide feedback regarding the quality of the interview, documentation, and review relevant research. SCNCAC facilitates a number of regional forensic interview peer review sessions each year across South Carolina and one statewide session with training in Columbia.

**Building Resiliency in CACs & MDTs:** The Building Resiliency in CACs & MDTs training curriculum was adapted by the South Carolina Network of Children's Advocacy Centers from the "Building Resiliency in Child Abuse Organizations" curriculum developed by the Office for Victims of Crime. The purpose of this training is to strengthen the capacity of South Carolina’s Children's Advocacy Centers (CACs) by educating CAC staff and multi-disciplinary team (MDT) members on the impact of working in this field and by promoting resilience-building on a team level. This training also assists CACs in meeting resiliency training requirements in the National Children’s Alliance accreditation standards. The training is intended for all Children’s Advocacy Center staff members, Multidisciplinary Team members who work with Children’s Advocacy Centers, or other groups who work with Children’s Advocacy Center teams. The training is facilitated by SCNCAC staff on site at the requesting CAC or a training location in the CACs community. In 2019, SCNCAC will expand the resiliency training program by offering an online component for new MDT/CAC staff who are hired after the initial training at their CAC.

**Board Member Boot Camp Training:** The Board Member Boot Camp training curriculum was adapted by the South Carolina Network of Children's Advocacy Centers from a curriculum developed by MAP for Nonprofits in St. Paul Minnesota. SCNCAC staff received training on the curriculum which was facilitated by the Midwest Regional Children's Advocacy Center. The purpose of this training is to strengthen the capacity of South Carolina's Children's Advocacy Centers by promoting excellence in nonprofit board governance.

**Victim Advocate Training Program:** The South Carolina Network of Children's Advocacy Center's (SCNCAC) statewide victim & family advocate training program is designed for victim and family advocates who are working with children and families within a South Carolina Children's Advocacy Center. SCNCAC has expanded the victim advocate training program in 2018 to include multiple regional sessions and one statewide session in Columbia. SCNCAC is working on development of a CAC Victim Service Provider (VSP) initial training curriculum that will meet state requirements for VSP training and meet National Children's Alliance accreditation standards. SCNCAC hopes to receive approval from SC for this curriculum in 2019.
Continue to support the operation of the Children’s Law Center which is a training and information resource center for professionals involved in child maltreatment proceedings. Operations include implementing the training recommendations in collaboration with the Task Force and providing research and logistical support to the Task Force. (Recommendation 6.B)

Task Force Recommendation 6.B 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 originally 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, guardians 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: The 20th annual Children’s Law Conference was held on November 2, 2018 with a theme of older youth. Approximately 200 professionals attended the conference in Columbia, SC. Dr. Monique Mitchell presented the morning keynote address on Experiences of Foster Care Transitions. A legislative update was given by a panel that included experts on human trafficking and local child fatality teams. Participants attended workshops on a variety of topics including secondary trauma for child-serving professionals, permanency planning, youth in transition, and pregnant and parenting youth.

Website and resource materials: The Children’s Law Center maintains a website containing online publications, training information, additional resources, and links to related organizations. Staff develop and distribute resource materials on child protection and prosecution of child abuse and neglect. The Children’s Law Center also responds to individual requests for information and technical assistance from professionals in the field. The website address is http://childlaw.sc.edu. The website underwent an extensive update and converted its website to the University’s new content management system. The new site went live in July 2018 and a new online training registration system was incorporated in April 2019.

ChildFirst Training: 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 and is 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 were four ChildFirst trainings held during this reporting period, in May, July, and October of 2018 and January of 2019, with 66 total students trained. In addition, an advanced forensic interviewing course was held in August 2018 with 37 participants.

**Child Death Investigation Training:**
The Children’s Law Center employs a veteran law enforcement trainer who provides one-day and intensive three-day trainings on investigating child deaths. Participants include law enforcement officers, DSS staff, prosecutors, coroners, victim advocates, and medical professionals. The one-day training addresses investigative procedures, crime scene documentation and processing, forensics, scene re-enactments, interviewing parents and suspects, preparation for court, and collaborative case management. The interactive three-day course is for investigators tasked with the responsibilities of investigating and documenting child death/homicide investigations. The training includes the investigation and documentation of Sudden Infant Death Syndrome versus suffocation, abusive head trauma, neglect/ failure to thrive, Battered Child Syndrome, and other types of child deaths. The course is designed to help participants identify the complexity of child death investigations to include crime scene documentation and corroboration of statements, the importance of timelines, comparison of caretaker’s statements to medical and forensic evidence, interview techniques, checklist for investigators, and the importance of court preparation. There were seven child death investigation trainings during this reporting period with 286 participants.

- **Coordinate and provide yearly intensive training for SC Coroners on child death investigations.** (Recommendation 7.B)  
The Task Force and the Children’s Law Center have established a model medicolegal child death investigation curriculum for coroners during previous CJA work. Collaboration has continued with the state’s coroners to ensure that the planned training will best suit their needs. The first annual three-day training is scheduled for September 2019.
Category C: Activities undertaken to reform state laws, ordinances, regulations, protocols, or procedures:

- **Conduct a comprehensive review of safety plan protocol and implementation and support legislation and policy revision to address requirements and limitations for the duration of those plans.** (Recommendation 8.C)
  The Task Force has requested, obtained, and reviewed the Department of Social Services’ currently used safety plan document and policy. Committee members are continuing to examine any tools that may support DSS in achieving its safety outcomes as outlined in the Child and Family Services Review (CFSR).

- **Improve coordination with schools following a report by school staff by clarifying confidentiality requirements and ensuring timely sharing of safety plans.** (Recommendation 10.C)
  In an effort to achieve a smoother transition of abuse reporting and safety plan sharing between DSS and schools, the Task Force conferred with DSS regarding what information can and cannot be shared with schools. State laws addressing confidentiality and information that can be shared with the reporter was reviewed and discussed by a committee. It was determined that school personnel may have expectations of receiving information that is not permitted by law or policy. Therefore, the Task Force decided one way to address this was to create an information sharing sheet for school personnel with input from the Department of Education and DSS. After approval, the publication “Information Sharing with School Personnel: Understanding what and when information can be shared by the SC Department of Social Services” (see Appendix 5) was added to the mandated reporter resources at the Children’s Law Center. It was added to the Children’s Law Center website and copies were printed for distribution to school personnel at mandated reporter presentations.

- **Establish a statewide collaborative protocol for the response to child abuse and neglect cases utilizing the CACs and the multidisciplinary team approach.** (Recommendation 11.C)
  In conjunction with the South Carolina Network for Children’s Advocacy Centers (SCNCAC), the Task Force assembled a statewide stakeholder advisory group involving child serving agencies to collaborate on a response protocol. The advisory group includes representation from: Children’s Advocacy Centers, law enforcement, prosecutors, DSS, medical providers, legislative liaisons, guardians ad litem, educators, and parents with lived experience. The advisory group is chaired by the director of the SC Network of Children’s Advocacy Centers who is also a Task Force member, and it is staffed by the CJA Coordinator. Several other participants on the advisory group are Task Force members. The Task Force is briefed on the progress of the protocol at every meeting. The protocol advisory group started meeting in August 2018 and has met nine times for three-hour meetings. Protocols from other states were used as a template and each discipline then completed their segment for
group review. The final draft protocol is almost complete and, upon completion, will be distributed to stakeholder agencies and the Task Force for review and feedback.

- **Provide support for any child abuse legislation that the Task Force deems will improve the state’s response to abused and neglected children including NAS babies.** (Recommendation 14.C)

  The Task Force tracked the following bills during the course of the year that were related to CJA topics. Members provided input about such legislation when appropriate. This is the first year of a two-year legislative session, so bills that do not pass will be carried over without having to be reintroduced.

**Child Marriage** S 196 / H3369
Repeals law that allows issuance of a marriage license for an unmarried female and male under 18 years old when the female is pregnant or has a child. It effectively creates a minimum age of marriage at 16.

**Child Torture** S 189
Defines child torture as a pattern of assaults, psychological mistreatment or ignoring care that causes severe physical, mental or emotional pain to a child over a period of time. The bill also allows DSS to forego reasonable efforts to reunify a family in the case of torture, adds child torture as a grounds for termination of parental rights, and establishes penalties for torturing a child.

**Background Checks for Childcare Facilities** S 595
Prohibits sex offenders and individuals registered on the child abuse registry from working in childcare facilities. Allows the FBI and SLED the ability to store these records and provide background checks.

**Increased penalties for sex buyers** S 194
Increases penalties for solicitation and facilitation of prostitution. It emphasizes minors can't be charged with prostitution and specifies an "affirmative defense" to protect such minors.

**Children’s Trust Data** S 498
Provides that the Children’s Trust Fund shall have access to records, reports, materials, and electronic information systems maintained by DSS in certain circumstances and that DSS be allowed to provide all records.

**FGM** H 3973
Prohibits genital mutilation of females under age 18 and creates the offense of female genital mutilation of a minor; adds female genital mutilation of a minor to the definition of child abuse or neglect.

**Access to Abuse and Neglect Reports** S 211
Authorizes the release of information about child fatalities or near fatalities in certain situations and provides a definition of "near fatality."
**Safe Haven** H 3294  
Extends the age limit that a child can be surrendered to a safe haven to 1 year old. Daniel’s Law currently allows parents to anonymously surrender an unharmed infant, up to 60 days old, to the care of an employee or staff member of a safe haven (hospital, law enforcement agency, church, fire station, ems station) without fear of prosecution.

**Drug-Exposed Infants** S 447 / H 3823  
Mandates that health professionals report when a child, aged birth to one year, is medically affected by exposure to a controlled or illegal substance.