

2020
SOUTH CAROLINA
CHILDREN'S JUSTICE ACT TASK FORCE

REPORT

UNIVERSITY OF SOUTH CAROLINA
CHILDREN'S LAW CENTER



UNIVERSITY OF
SOUTH CAROLINA
School of Law

Prepared by Mandy Bowden,
Children's Justice Act Coordinator

I. CJA Task Force Membership and Function

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. They were most recently revised on February 13, 2020 to include the newly established State Child Advocate as a designated member of the Task Force. 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. Officers are limited to serving one three-year term. It is possible to elect someone to serve a second term in the same position, but not consecutively. This by-law 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 2019 - May 2020

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 2019 – May 2020.

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 the 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 in some cases. Child death training for coroners, attorney trainings on Best Legal Practices, and attorney training on child testimony are trainings that have occurred that are undergoing these longer term post-evaluations or subject to do so.

Linkage with CFSP: 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. In addition, Department of Social Services (DSS) staff have kept the Task Force apprised of Program Improvement Plan progress, especially as it pertained to safety and assessment. Task Force members have been invited to, and have participated in, stakeholder information sharing and feedback sessions hosted by DSS.

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. A training for child welfare professionals is planned for August so that school resource officers could also be available to attend. The one-day training will have sessions with topical experts on IDEA and ADA/IEP and 504 planning; autism; speech impairments and intellectual disabilities; sight impairments; hearing impairments; and trauma-induced communication limitations. The topical experts will also be placed on a resource contact list for consultation purposes.

The Task Force had requested that the SC Network of Children's Advocacy Centers (SCNCAC) consider collecting this information when they updated their data collection system for CACs. This past year, when their new statewide data collection system, Collaborate, was rolled out, fields were added to indicate if there was a disability or language barrier.

- **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 were to provide training to attorneys involved in family court child abuse and neglect cases. Trainings were conducted and were mandatory for DSS, GAL, and SC Office of Indigent Defense (OID) attorneys. The five regional trainings were developed by the CIP staff at the Children's Law Center and were 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 was involved with planning the evaluation process. The evaluation process thus far has included the interviewing of 16 court liaisons five months, on average, after the BLP training in their area, to ask about their observations on the most and least implemented and improved court practices by the three groups of attorneys. The evaluation process also included a survey sent to family court judges to inquire about their observations on specific court practices. (see Attachment 5) Recommendations as a result of this data and information are still pending.

These findings will be shared with the Task Force, as well as with DSS, the GAL programs, and the OID program. It will be helpful for each of the programs to see how practices have improved since the BLP trainings and identify the least implemented practices so that they can more effectively organize internal trainings. These findings will help the Children's Law Center decide on which areas to focus for future trainings for these groups.

- **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 discovered that the number of child victims testifying in South Carolina courts was not known. The prevalence of the use of closed-circuit testimony across the state was also unknown. The Task Force has worked closely with the court improvement program (CIP) and requested that new data be collected through the family court liaisons. The family court liaisons have started documenting on the court information sheet whether the child testifies, if it is through live testimony or by other means, and the age of the child testifying. The data collected between May of 2018 through December of 2019 indicates that 74 children testified in SC family courts. Of those children, 47% were ages 15-18, 38% were ages 10-14, 14% were ages 7-9, and one was 6 year olds. Richland County had the most children (13) testify during this time period and Greenwood County had the second most (10). Only one of the children that testified did so via closed circuit TV. This case was in Cherokee County. Children's Law Center staff traveled to Cherokee County to meet with the two DSS attorneys who handled that case to learn the specifics of how the CCTV testimony was successfully used and to consider as a possible case study for training.

The court liaisons were previously polled as to whether the courthouses in their circuits had the capability and/or equipment to accommodate closed-circuit testimony. The majority of counties appeared to lack the necessary equipment.

Subsequently, the CJA Coordinator contacted the clerk of court in each of the 46 counties in the state to inquire about the availability of CCTV in their courthouse. Only eight of the counties reported having the equipment available for child testimony. Three additional counties did report that they were working on getting the equipment or that it was pending.

In conjunction with the Task Force, the Children's Law Center created a one-day training curriculum for DSS and GAL attorneys on child testimony in family court. In addition to presenting the statewide testifying and CCTV data that was collected, the training includes pretrial motion procedures, including the use of closed circuit television or presentation of child hearsay through S.C. Code of Laws § 19-1-180, and the process of effective child witness preparation. The training provides techniques and strategies focused on reducing the stress and trauma endured by children having to appear in the courtroom setting and on reducing the risk of possible recantation. The training was planned to be held regionally four times in March of 2020 so that attorneys would have easier access to the training. DSS made this training mandatory for all of their attorneys, and GAL programs were also sending their attorneys. The first training was held in Greenville as planned on March 6, 2020, but the subsequent three trainings have been postponed due to the COVID-19 directives. (see Attachment 6)

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)

This recommendation 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. The Children's Law Center secured Southern Regional Children's Advocacy Center trainer, Jerri Sites to present on the MDT response to recantation at an annual child sexual assault investigations and prosecutions training in June 2019. Approximately 75 prosecutors and DSS attorneys were in attendance. An advanced forensic interviewing course, which was also conducted by the Children's Law Center in September 2019 incorporated a recantation aspect as well. One of the sessions addressed recantation interviews and was followed by a child abuse dynamics expert testimony session which included a discussion of the expert addressing recantations. This training was attended by 28 professionals employed with SC CACs who conduct forensic interviews.

- **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 10,690 children in calendar year 2019, which is an approximate 12% increase over 2018. Currently, there are 17 primary CACs and 10 satellite CACs providing services to children in all 46 South Carolina counties. There are 3 additional satellite CACs in development, including a mobile unit. As a result of the 5-year development plan project, a full-time CAC/MDT Development Coordinator was hired to oversee development and provide support for new satellite CACs and MDT development in underserved areas of SC. In addition, a part-time General Counsel position was added at SCNCAC to assist member CACs with subpoena and other records issues. In 2019, the SCNCAC focused on removing barriers to services for children and MDT partners, improving collaboration, and increasing training opportunities for CAC and MDT professionals.

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 2019, work began to fully implement the recommendations in the SCNCAC 2018 CAC Development Plan. The plan provides an overview of the CAC coverage in South Carolina in 2018 and uses information on population, partner agencies, tribal organizations, inter-county collaborations, per capita personal income, driving distances, projected caseloads, and CAC capacity to ensure critical growth and development through recommendations. The five-year project includes: the creation of two new fully accredited regional CACs and expansion of coverage areas for six of the current member regional CACs into rural and economically disadvantaged areas; the creation of nine new satellite CACs operated and developed by current member CACs; creation of multidisciplinary teams in all counties where they do not currently exist; and creation of one mobile CAC initiative to provide services to four counties in the Pee Dee region who currently have limited CAC services.

Statewide CAC Database: In 2019, SCNCAC launched a statewide CAC database to help prevent duplication of services; better allocate mental health, medical, and

other resources; and provide necessary data to monitor the implementation of recommendations in the CAC Development Plan.

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, discuss the importance of 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. Due to the COVID-19 crisis, these sessions were developed to occur on-line with the first online forensic interview peer review sessions scheduled for May of 2020.

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. The victim advocate training program includes multiple regional sessions and one statewide session in Columbia. In 2019, the SCNCAC finalized the initial Victim Service Provider (VSP) curriculum which is a blended learning course for CAC/MDT victim advocates in South Carolina. The program has been approved for core VSP certification in SC and meets training requirements for victim advocates in the National Children's Alliance CAC accreditation standards. The first training was held March 9-11, 2020 and included 24 hours of instruction over the three days.

SCNCAC Ongoing Training: Other training initiatives that are available upon request include the "Building Resiliency in CACs & MDTs" training and the "Board Member Boot Camp." The SCNCAC will be increasing the on-line training opportunities for CAC/MDT staff during the COVID-19 crisis.

- **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 21st annual Children’s Law Conference was held on November 15, 2019 with a theme of “*Improving Outcomes for Children Dually Involved in the Child Welfare & Juvenile Justice Systems*”. Approximately 150 professionals attended the conference in Columbia, SC. The Honorable Sheri Capes Roberts presented the keynote address on “Dual Status Work Implementation” describing her progress from the bench in Georgia juvenile courts. Other presentation topics included educational advocacy, problematic sexual behaviors in youth, implicit bias and microaggressions, and recommended court practices from a panel of SC family court judges.

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. This past year, improvements and updates were made to the online training portal for mandated reporters which is offered to anyone at no cost. In response to the COVID-19 crisis, information materials related to child abuse reporting during the crisis were created and accessible through the homepage of the website. The website address is <http://childlaw.sc.edu>.

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 2019 and January of 2020, with 54 total students trained. In addition, an advanced forensic interviewing course was held in September 2019 with 28 participants.

Child Death Investigation Training:

The Children’s Law Center hired a new law enforcement trainer in January of 2020. She will be providing one-day trainings on investigating child deaths to law enforcement and child welfare investigators.

- **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 had worked on and established a model medicolegal child death investigation curriculum for coroners during previous CJA work. Collaboration continued with the state’s coroners to ensure that the planned training would best suit their needs. The “Medicolegal Infant Death Investigations Training for Coroners” course was three days and was approved by the S.C. Criminal Justice Academy for 17.25 of continuing education hours and was approved by ABMDI. The training curriculum included statistics, causes, and risk factors of unexpected infant deaths; the multi-disciplinary response and protocol; child maltreatment red flags and indicators; burns; abusive head trauma; blunt trauma fatalities; SUID, overlay, and homicidal asphyxiation; infant death scene documentation and processing; forensic toxicology; conducting parent interviews; anatomical dolls and scene reenactment; courtroom testimony; and case studies. These topics were presented by experts from the Children’s Law Center, coroners’ offices, SLED, and the SC Children’s Advocacy Medical Response System, as well as forensic pathologists.

The first three-day training was held September 25-27, 2019. All 46 county coroners and their deputies were invited and encouraged to attend. To assist with any financial hardships, the training was held at the Criminal Justice Academy where free lodging was offered in their dorms and lunch was provided in their cafeteria. Although designed for and targeted to coroners, the course was ultimately opened up to law enforcement investigators as well. The attendees included 21 coroners and 24 investigators. A USB drive was prepared and given to every attendee with resource information and forms. L-scale injury rulers were also purchased for and provided to each attendee. Evaluation results had very positive findings. Each attendee was asked to complete a pre and post evaluation of each session where they *self-rated* mastery of training objectives. All of the sessions over the three days showed an increase of participants’ mastery of training objectives after the training sessions. The increases ranged from 12% to 73% with an average of 44% of training participants indicating that they agreed or strongly agreed on the mastery of the objectives as a result of the training sessions. When asked to evaluate the overall training, 96% of attendees who completed the evaluation agreed or strongly agreed that the training was well designed, topics were addressed thoroughly, presentations were organized in a logical order, the training was useful to their work, and they would recommend this training to others. The Research Scientist at the Children’s Law Center provided an evaluation analysis which can be found in Attachment 7. Please see this attachment for a compiled spreadsheet of all

the objectives with the increases. Some of the evaluation comments are as follows:

- *"The medical portion of this course is unbelievably informative and has changed my perspective entirely. I'm amazed that people are charged with investigating child deaths and not having this type training before hand, I'm disappointed that I have investigated child deaths without this training. This is an amazing course and well prepared."*
- *"I can more confidently work crimes involving infants to include abuse and homicide. I felt this course was excellent."*
- *"I have gained more confidence in conducting child death investigations."*
- *"We will review our scene investigation protocols, re-enactment techniques, and child death rapid review protocols and make adjustments."*

A long-term evaluation was conducted to measure changes in investigation techniques since attending the training. Training attendees received a post survey seven months after the training asking if they have had opportunity to investigate a child death since attending the training. If so, they were asked about the utilization of techniques such as doll reenactments that were presented at the training. Of the 15 respondents to the survey, 10 indicated that they had an opportunity to investigate a child death since attending the training. Nine of those 10 indicated they were able to use some of the tools or resources provided at the training to assist with their investigation. One participant said that they now video the reenactments and hold rapid death review weekly. Another participant said "everything about the training changed the way I conducted this investigation." More follow-up can be completed when more time has passed, allowing more opportunities for child death investigations to occur.

The Children's Law Center was made aware of a free training on "Responding to an Unexplained Child Death" offered by the National Criminal Justice Training Center of Fox Valley Technical College. The course was secured to provide training in the Lowcountry rural area of the state for coroners, DSS investigators, and law enforcement on April 2, 2020. The course was at registration capacity of 60 people with a waiting list. The course was cancelled due to COVID-19 travel restrictions and will need to be rescheduled for a later date.

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's Safety and Assessment Committee has been working with staff from DSS's Safety Workgroup. The workgroup presented draft policy for input that addresses safety plans. The policy has been condensed but now has accompanying work aids and assessments. These supplements have been

requested and provided for review by the Task Force. Committee members are continuing to examine ways that they may support DSS in achieving its safety outcomes as outlined in the Child and Family Services Review (CFSR). Two new members to the Task Force are from the Office of Safety Management at DSS. The Task Force looks forward to this new addition to its membership for streamlined communication and feedback regarding safety and assessment.

- **Improve coordination with schools following a report by school staff by clarifying confidentiality requirements and ensuring timely sharing of safety plans.** (Recommendation 10.C)

The Task Force's publication, *"Information Sharing with School Personnel: Understanding what and when information can be shared by the SC Department of Social Services,"* which was previously added to the mandated reporter resources at the Children's Law Center, continues to be distributed 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 statewide child abuse response protocol. The protocol is a written document outlining in detail the procedures to be used in investigating and prosecuting cases arising from alleged child abuse and the methods to be used in coordinating services. The purpose of the protocol is to ensure a multidisciplinary response to child abuse and neglect that utilizes Children's Advocacy Centers and multidisciplinary teams. The draft protocol was completed in June of 2019 and subsequently distributed to stakeholder agencies and the Task Force for review and feedback. The Executive Director of SCNCAC and the CJA Coordinator met with key stakeholders, including the DSS Director, the S.C. Attorney General, the State Child Advocate, GAL/CASA directors, directors of law enforcement associations, and Prosecution Commission staff. The purpose of the protocol, as well as the intent to seek legislation that would require its use, was explained. After incorporating input, the final draft protocol was redistributed as a live link on the SCNCAC website in September of 2019. The protocol can be viewed and downloaded at www.cac-sc.org/protocol. As part of the protocol drafting process, the content of the minimal facts interview cards that are produced by the SCNCAC was updated and included in the protocol. Subsequently, new minimal facts cards were printed for statewide distribution. The new cards can also be seen on the website. **Review and reform the CAC statute 63-11-310 to support the collaborative response to child abuse and neglect.** (Recommendation 13.C)

In conjunction with recommendation 11.C which establishes a statewide protocol, the next step was to seek legislation that would require its use as a statewide minimum standard. The Joint Citizens and Legislative Committee on Children

(JCLCC) holds four public hearings every fall to solicit testimony regarding children's issues for their legislative consideration. Members of the protocol advisory committee and other stakeholders presented information in support of protocol legislation. The JCLCC did choose this topic for their agenda and drafted legislation which resulted in a bill being pre-filed in December of 2019 and then introduced in the Senate in January 2020. The bill, known as the "SC Child Abuse Response Protocol Act," requires the use of the protocol which is to be developed by the SCNCAC and the Children's Justice Act Task Force. These groups are also tasked with developing and providing training on the protocol and keeping it updated. The bill requires the protocol to be publically available and reviewed annually by a Governor appointed advisory committee. The bill was passed in the Senate (S. 892) on March 10, 2020 and introduced in the House (H. 4799). The latter portion of the bill amends the current CAC statute to strike language that states: "Nothing in this section requires the exclusive use of a Children's Advocacy Center." It also adds the requirement for CACs to be fully accredited with the National Children's Alliance (NCA) or to be an associate/developing or affiliate member of the SCNCAC and be actively pursuing full accreditation with the NCA within the next two years. Progress on this bill came to a halt mid-March due to the COVID-19 situation.

There have been multiple opportunities throughout this process to educate legislators on the Children's Justice Act Task Force and Children's Advocacy Centers, and what they do.

- **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.

The following bills were enacted and passed during the 2019-2020 session:

Child Marriage S. 196

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.

Background Checks for Childcare Facilities S. 595

Requires all individuals working in a childcare setting be background checked, and provides the type of background checks required and their frequency.

FGM of Minors H. 3973

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

The following bills have crossed over but are pending:

Background Checks for Residential Facilities S. 601

Changes the age of the state sex offender registry from 12 to 8, adds background checks for employees at residential facilities, and defines residential facility.

SC Child Abuse Response Protocol S. 892

Requires multidisciplinary teams to collaborate in child abuse investigations and prosecutions and establishes an advisory committee to review and update the protocol.

DSS Legal Counsel Obligations H. 3915

Gives sole discretion to DSS legal counsel in filing abuse and neglect petitions in family court.

Safe Haven H. 3294

Extends the age limit that a child can be surrendered to a safe haven from 60 days to 1 year. 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.

Child Abuse and Neglect Exception S. 79

Provides an exception to the definition of child abuse and neglect to exclude when parents allow a child to play away from the home in public without supervision, so long as the child has his or her basic needs met, is of sufficient age and maturity to participate in independent activities, and is capable of making emergency arrangements.

Children's Trust Data S. 498

Requires DSS and Children's Trust to enter into and maintain a contract for data access and sharing for research on child abuse and neglect and requires a report to be provided to the General Assembly by January 1.

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."

Increased penalties for sex buyers S. 194

Increases penalties for solicitation and facilitation of prostitution. It emphasizes minors cannot be charged with prostitution and specifies an "affirmative defense" to protect such minors.

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.

Fictive Kin/Kinship Foster Care Program S. 189

Defines fictive kin and includes fictive kin in the Kinship Foster Care Program, and provides eligibility for board payments and other benefits during licensure process.