

DOMESTIC VIOLENCE ADVISORY COMMITTEE MEETING MINUTES

11 a.m., Monday, Oct. 7, 2019

Blatt Building * Room 112 * 1105 Pendleton St. * Columbia, SC 29202

Members present: Chairman Duffie Stone, 14th Circuit Solicitor; Vice Chairwoman Sara Barber, SCADVASA; Heather Weiss, S.C. Attorney General's Office; Kristy Quattrone, S.C. Governor's Office; Kelly Cordell, S.C. Department of Social Services; Linda Macon, 6th Circuit Solicitor's Office victim advocate; Jay Johnson, 6th Circuit Solicitor's Office prosecutor; Jerome Kurent, Medical University of South Carolina.

Also attending: Karla Hawkins, S.C. Department of Education; Jeff Kidd, 14th Circuit Solicitor's Office; Lauree Richardson, 15th Circuit Solicitor's Office prosecutor; Sherri Smith, Horry County Sheriff's Office; Alma D. Seerra, Georgetown County Sheriff's Office; Andrea Sanch-Baker, S.C. Commission on Prosecution Coordination; Scott Beard, S.C. Attorney General Department of Crime Victim Compensation; Patricia Kurent, Tri-County Domestic Violence Coordinating Committee; Chris Ross, North Charleston Police Department; Brandi Bradley, S.C. Department of Social Services; Bryan Stirling, S.C. Department of Corrections; Burke Fitzpatrick, S.C. Attorney General Department of Crime Victim Services; Tara Martin, S.C. Attorney General Crime Victim Services; Veronica Swain Kunz, S.C. Attorney General crime victims ombudsman; Kim Hamm, S.C. Attorney General Crime Victim Services training; B.J. Nelson, S.C. Attorney General grants department; Natalie Maier, S.C. Attorney General extern; Megan Raymer, S.C. Attorney General VAWA AAG; Monique Garvin, S.C. Attorney General VAWA program coordinator; Gianna M. Williams, S.C. Law Enforcement Division; Susan L. Jackson, DHEC SCVDRS, Marlene Al-Barwani, DHEC SCVDRS, Brittney White, DHEC SCVDRS, Macaulay Momon, JCCCC; Christi Metcalfe, University of South Carolina Department of Criminology and Criminal Justice; Ashley Manic, University of South Carolina Department of Criminology and Criminal Justice; Kaitlin Boyle, University of South Carolina Department of Criminology and Criminal Justice.

- **CALL TO ORDER**, Duffie Stone, committee chair, Fourteenth Circuit Solicitor, 11:08 a.m.
- **RECOGNITION OF QUORUM**
- **APPROVAL OF MEETING MINUTES FROM JULY 1, 2019, MEETING**, Duffie Stone.
Sara Barber noted two name misspellings in the minutes. Nicole Howland and Neil Sondov's names should be corrected. Also, her name should be added to those present.
Motion to approve with amendments by Heather Weiss; Sara Barber second. Passed in unanimous voice vote.
- **PRESENTATION BY BRITTNEY WHITE, SC DHEC**, S.C. Violent Death Reporting System: Intimate Partner Module of the Violent Death Reporting System. (PowerPoint included)

White described DHEC's participation in the National Violent Death Reporting System (NVDRS), which provides data that can help state and local health departments develop evidence-based strategies for reducing violent deaths. The module, properly and fulsomely used, can result in a database with numerous datapoints that can tell us more about the circumstances and people involved in violent deaths, including those that result from domestic violence.

Intimate Partner Violence incidents, if IPV, are defined as incidents involving at least one death, in which violence is threatened or committed by one person against his or her current or former intimate partner. Most typically, it includes the killing of an intimate partner by the aggressor, however, it can also include murder-suicides or incidents in which a third party is killed as the result of a dispute between intimate partners – for instance, the child or friend of a victim. Among the parameters that can be captured by the module are notations regarding whether an argument precipitated the event, if one or both participants had a mental-health problem, whether a weapon was involved and, if so, what kind.

Once used in full, it can put a wealth of information at the user's fingertips and include data from police reports, court or prosecutor records, restraining order information, etc. However, this is only the case if the module is used and used to its fullest extent. Currently, for example, agencies such as county sheriff's departments can participate but are not compelled to do so. There also is a lack of uniformity in the protocols for entry, sometimes resulting in missing or incomplete information. Restraining order variables, for example, are a common problem.

Based on the data obtained so far, though, a few patterns emerge:

Most common weapon in incidents involving one=firearm

Most common place of injury/death=home/residence

Most common circumstances=argument/jealousy

We also know 92% of female homicide victims murdered by someone they knew. More than half were killed by a current or former intimate partner.

DHEC has some info from using only its own system (these are the 2017 incidents shown on its own slide in the included PowerPoint. These numbers include no input from other sources.)

Sara Barber asked about whether DHEC numbers are available to use in the committee's annual report to the legislature. White and her colleagues in attendance, Susan L. Jackson and Marlene Al-Barwani, indicated that should be possible but noted there is a two-year lag time in the reporting data – in other words, the 2019 report would be based upon data collected in 2017.

Heather Weiss asked how transgender suspects are classified; Al-Barwani stated that the reported gender corresponds to whatever appears on coroner or law-enforcement reports, which typically corresponds to the biological sex. She added that she cannot say this for certain, though because to this point, this issue hasn't arisen. Weiss said she is familiar with a 2018 case that presumably will be included in DHEC's numbers for 2020 in which this will be an issue.

Stone asked how confident DHEC is that the data it presents is accurate and complete. Al-Barwani said one of their challenges is getting circumstances documented by law-enforcement. DHEC can report back what's available. They've had good cooperation from coroners at this point, for example, but there is still some unevenness in the consistency and accuracy of the reporting. Coroners are not required to report to system, so participation good but not uniform. Also, criminal histories of those involved include only official interventions/diversionary programs.

Stone asks what explains the 30% “unknown” relationship in homicides involving a male victim, reported on one of the presentation slides. White and Al-Barwani said sometimes the relationship between victim and suspect is not discernable, as when, for example, a jealous boyfriend kills someone he believes to be having an affair.

Stone notes that expungement through diversion might not be reflected in numbers either and that a change to state law allowing DHEC to capture this information might be in order.

Jackson and Al-Barwani added that there is no funding in place from the state to make use of this module uniform; funding currently available comes from federal sources. Sara asks about a remedy. Is funding provided by other states? Jackson and Al-Barwani indicate that, anecdotally, at least, they believe it is available in some other states using the module.

- **PRESENTATION BY SCOTT BEARD, DEPARTMENT OF CRIME VICTIM COMPENSATION DIRECTOR,**
Coordinated Community Response Teams (PowerPoint included)

Sara Barber introduced Scott Beard, the S.C. Attorney General’s Office Crime Victim Compensation Director, who also experienced with DV coordinating committees and wanted to speak on his experiences there. Beard noted that he worked with 9th Circuit Solicitor Scarlett Wilson to create precursor of coordinating council back in 2010-2012, thanks to grant funding. Even though a similar multidisciplinary team is now mandated by law in every circuit statewide, it’s not happening or not having enough impact, Beard said. Some exceptions include earliest examples – Spartanburg formed one with an Office of Violence Against Women grant in 2001, and Charleston had a similar organization in 2007. Both yielded partnerships that brought change, Beard said. That change could be new and more sophisticated law-enforcement protocols – the North Charleston Police Department, for example, changed the way it responded to domestic-violence calls.

Beard said circuits need to perform regular, substantive fatality assessment programs, which are proven to reduce homicides in communities that use them. In Maryland, where he is from, for example, fatalities have been reduced wherever law-enforcement officers follow prescribed protocols whenever they see tell-tale signs of domestic violence. The same has been true in South Carolina cities, such as North Charleston, Charleston and Spartanburg.

Among the useful services of the Tri-County Coordinating Council are meetings with family court judges to demonstrate to them the harm in mutual orders of protection – and to demonstrate that even judges who think they never use them actually issue them with regularity. Moreover, whenever you can take judges through training that puts them in a victim’s shoes and walks them through the process victims go through to leave a potentially lethal situation, from beginning to end, the trainees are astonished.

Beard went to a meeting in the spring of an unnamed coordinating council, at which everyone introduced themselves, but there was no discussion of how to improve/change system and there’s been no meeting announcement since. He thinks we need a statewide initiative. A statewide initiative to get the councils working toward more productive ends could work, though he acknowledges that the most successful ones have a few good leaders and “a lot of Indians.”

Beard yielded to Patricia Kurent, director of the Tri-County Domestic Violence Coordinating Council and wife of Dr. Jerome Kurent, a sitting member of the S.C. Domestic Violence Advisory Committee. She said that when the grant used to start the council ended, Zonta, and other local groups formed the Tri-County Coordinating Council on the old group's foundation. The group currently sports about 250 members. The organization's initial goal was educating and raising awareness of domestic violence. In 2009, it was difficult to attract media attention to the topic of Domestic Violence until representatives from the Charleston Post and Courier began attending Charleston Tri-County DVCC meetings. This ultimately helped inspire Pulitzer Prize-winning investigation, "Until Death do us Part," an examination of the domestic-violence problem in South Carolina.

Before the Tri-County DVCC, the Charleston area had numerous DV organizations that interacted to a limited extent if at all. Patricia Kurent said. Now, everyone affiliated with this problem talks, collaborates and networks. Communication is no longer a problem and simply needs to be maintained. The focus now is on more action – prosecution and law-enforcement needs support. DV Courts were dropped because they developed a backlog of 200 or so cases, Kurent said. But in the grand scheme, pushing those case back onto the general docket only slowed their disposal.

It needs to be socially unacceptable to be a perpetrator, Kurent said, and currently, it is not. Ideally, mom/victim and the children don't leave the house; the aggressor does. There is also a need for education from pre-school and later regarding healthy relationships, according to the presenters.

Dr. Kurent noted that meetings usually are attended by 30 to 40 people and that subjects of talks vary from meeting to meeting. They are multidisciplinary in nature.

North Charleston Police Chief Chris Ross, who accompanied Kurent and Beard to the meeting, said he is happy to go elsewhere to help people start their own group.

- **FATALITY REVIEW BOARD PRESENTATION, Lauree Richardson, 15th Circuit Solicitor's Office; ; Sherri Smith, Horry County Sheriff's Office; Alma D. Seerra, Georgetown County Sheriff's Office.**
- **Lauree Richardson, 15th Circuit Solicitor's Office (30 minutes)**

Chairman Stone asked for a motion to enter executive session so as to keep private any personal details would be kept among committee members. Heather Weiss made a motion, and Sara Barber seconded. The committee entered executive session upon a unanimous voice vote.

This case was reviewed in 2018. Richardson provided factual details via email in advance of the committee. They are included here but have been stripped of identifiers that might have been discussed during executive session, so as to maintain compliance with statutory and medical privacy laws.

In May of 2004, the defendant showed up at the bus stop where the victim, a girl about six years younger than him who he had recently dated, met the bus in the morning. He talked her into getting into the car with him. He was promising to buy her rings and shoes if she would get back with him. She wasn't being ugly, but it was clear she was no longer interested in relationship. The defendant dropped off the victim at off for school at Carolina Forest High School in Horry County. As the victim exited his vehicle, the defendant stabbed her repeatedly, following her and continuing to stab her even as she attempted to

flee. She suffered at least 15 wounds with a hunting knife. The attack took place in front of several witnesses, some of whom tried to assist the victim but many of whom were simply in shock that such a brutal attack was taking place before their eyes. The defendant was able to make it back to his vehicle, which he had left in the school's drop-off line. Though he managed to drive away, he was apprehended about an hour later.

The victim was 18 years old and was a senior at Carolina Forest High School. She had moved to South Carolina from the West Coast about a year earlier with her aunt, who cared for her. She was well-liked and seemed to be adjusting, as well as expected, according to school counselors and others. The girl's mother had died of cancer when she was about 5, and her father, a foreign national, was possibly unaware he had a daughter until notified of her death. The victim's aunt said the girl's mom didn't tell her dad about her because she was afraid that he would take her back to his country once she passed away, and she did not want that. Instead, she took her in. When they lived out West, neither of the girl, nor her aunt had a job. They lived with friends and men who could provide for them.

The victim and her aunt had moved to South Carolina about a year before the incident. The aunt told Fatality Review Board members that her niece wanted to attend Coastal Carolina. Others, however, indicated the girl's true interest was in the fashion industry and that she hoped to eventually move to New York. Although the victim had little apparent income, she seemed to have high-dollar, name-brand clothes. She had a reputation for dressing provocatively. Some speculated that she was involved in prostitution and that the aunt might have been trafficking her niece.

When Natalia and her Aunt moved to Myrtle Beach, they lived with one of her aunt's friends (who was married with two kids). The committee was able to speak with one of the victim's friends, who said that their host kicked them out because they were not contributing to the bills, and she had noticed some behavior issues that she didn't want around her children. The victim and her aunt moved into a hotel that was well-known to law-enforcement for prostitution.

Shortly after moving to the hotel, the victim apparently met the defendant on a dating website. Edwin said that he was a real estate broker and had just sold a lot of land. In fact, he was unemployed and living off disability checks. However, he would buy her nice gifts and promise her the world. At first, it seemed that she was smitten and had possibly found an answer to her money problems; however, things quickly went awry. She was starting to notice that her new boyfriend wasn't all he claimed to be. He was also possessive. He wanted to know where she was. He would call her often and would randomly show up when she was out with her friends. As she tried to break up with him, he would show up where she was; they would fight, and he would then smooth things over with a gift. That said, there was no apparent history of physical violence between them. The victim had confided to friends that her main fear, in terms of the break-up, was that he would hurt himself and had threatened to do so. She did not seem to fear for her own safety.

The defendant was 24 years old and had a history of mental-health problems. He had been kicked out of school at a young age, sent to an alternative school, and eventually dropped out. He had been in mental health counseling on and off his whole life. At his plea, his attorney talked about the man's childhood pointing to sexual abuse by a babysitter, drug use, and mental illness. He had several prior run-ins with the police. In 1997 – when he was 15 – he killed his grandmother's cat and left it on her doorsteps

because he didn't want to go to school. In 2000, he was charged with kidnapping and grand larceny involving a girlfriend, who was the victim but did not want to press charges, which were dropped. The committee approached the girlfriend, but she declined to talk about her history with the defendant. In 2003, he was charged with voluntary manslaughter when he killed his mother's boyfriend during a domestic dispute. That charge was dropped, however, because he seemed to have a legitimate claim to defending his mother. None of the defendant's family participated in the review of the case.

In 2006, the defendant pled guilty to murdering the victim and was sentenced to life in prison.

Richardson said the aunt seemed to treat her niece more like a friend than her charge and that she might have been using her to get financial support from men. Assistance payment she got as a result of her mom's death, which she thought would be available for her to go to school, was expiring, according to her school counselor at Carolina Forest. The school seemed to do a good job of reaching out to new student in senior year. They also met with the Fatality Review Committee to give details.

Committee members were able to interview the aunt, a friend they lived with, that friend's son, a school guidance counselor, a school resource officer at Carolina Forest and a music teacher at the school who had a close relationship with the victim.

- Take-aways from the Fatality Review Committee presentation and the Domestic Violence Advisory Committee discussion that followed:
- A see-something, say-something text line, much like those to report bullying, might have been useful. Friends clearly noticed the victim's living arrangement, nice clothes and relationship with an older man. But they probably don't consider that an immediate threat, like a robbery in progress or a structure fire – in other words, it's not something they would call 911 to address. That said, if it's difficult to get information about a hotline into the hands of victims, it's probably even harder to make witnesses aware of it.
- The victim probably didn't realize relationship she was in was abusive. Nothing criminal had taken place and it probably didn't occur to her to call police. Friends said the victim would have liked help but didn't know where to turn.
- An education program that teaches what a healthy relationship is might have given the victim ideas about where to turn or at least helped her realize the dysfunction in her relationship with the defendant. This education could be incorporated into sex education or other coming-of-age instruction in the public schools.
- Educators are part of children's lives. They can intervene and identify high-risk kids, but they need to be trained to see the warning signs and what to do about them. A "teach-the-teachers" approach might prove more effective than developing a curriculum for students. The One Circle Foundation – which promotes resiliency in children and youth, families, adults, and communities – offers training along this model. A lot of their programs and training is aimed at those who have access to adolescents, not just the adolescents themselves.
- It seems likely the defendant, who had bipolar disorder, might have been off his medication. A defendant-focused mental health unit could have addressed the problem – instead of locking the defendant up in the detention center, he possibly could have been kept in a facility offering him access to mental-health counselors and a structure that kept him on his medications. Such an approach isn't unheard of in South Carolina. Charleston often gets the Medical University of

South Carolina involved; instead of taking to jail cell or hospital, taken to a treatment center and put on mental-health caseload instead of a criminal caseload. This approach has helped reduce the jail population with benefit to the patient and no apparent threat to public safety.

At the end of the discussion, Sara Barber moved to exit executive session. Heather Weiss seconded. The motion passed on a unanimous voice vote.

- **NEW BUSINESS**

Sara Barber made available to the group informational handouts on reproductive coercion, hurdles black women face in services; prevention of intimate-partner violence. She also noted that SCAADVASA is launching an awareness campaign using geofencing technology at college football games. The belief is that this will do a better job of reaching males than other marketing channels.

Heather Weiss asked that Monique Garvin, the S.C. Attorney General VAWA program coordinator, be allowed to give information about the Silent Witness program at the next meeting. Chairman Stone said he would see that it is added to the agenda.

The next meeting was set for 11 a.m. on Monday, Jan. 13. The Commission on Prosecution Coordination will attempt to reserve the Governor's Conference Room for that meeting.

- **CHAIRMAN STONE ADJOURNS THE MEETING AT 1:09 P.M.**