

Wilkins says more resources needed to tackle growing load of child sex cases

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By **DAVID DYKES, Staff writer**

She was four months old when her biological father sexually assaulted her, prosecutors and criminal investigators allege, representing what they said was a horrifying example amid a growing number of child sexual abuse cases in the Upstate.

The child's father, 25, was charged with first-degree criminal sexual conduct with a minor under age 11.

Investigators said the infant was found unresponsive and declared dead at a local hospital. The father hasn't been charged in her death, which is still under investigation to determine the cause, authorities said.

The case is one of a dismaying 250 involving criminal sexual conduct with children that 13th Circuit Solicitor Walt Wilkins confronts at any time.

That is up about 30 percent from several years ago, said Wilkins, whose office covers Greenville and Pickens counties.

Since cases involving allegations of sexual abuse of children are more likely to go to trial, it taxes available legal resources, Wilkins said.

The trauma of childhood sexual abuse also is straining resources of children's advocacy centers, officials say, and it has prompted calls for a statewide effort to bolster South Carolina's child-protection system.

Lawmakers have promised reforms, but not necessarily additional funding sought by Wilkins and others.

Wilkins said he needs more prosecutors and possibly a dedicated court to handle cases involving criminal sexual conduct with children. Wilkins also urged more education and prevention efforts, additional child-advocacy centers and training.

"We're on the back end — the prevention and education that doesn't work," he said.

"We're in court a lot more than we used to be," said Shauna Galloway-Williams, executive director of the Greenville-based Julie Valentine Center, board president of the South Carolina Network of Children's Advocacy Centers and a member of a task force that made recommendations to improve the state's response to child sexual abuse.

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Walt Wilkins
13th Circuit Solicitor



13th Circuit Solicitor Walt Wilkins and assistant Solicitor Kris Hodge in court as Travis Abercrombie stands accused of criminal sexual conduct with a young girl. It's one of a growing number of child-rape cases being dealt with by the Solicitors office. / KEN OSBURN / Staff

is happening and not know that it's happening at such a high rate," Galloway-Williams said. They also "would not want to know that it's happening in their own backyards, in their own churches."

"This is a real problem. It's a real problem in Greenville," she said. "There are no boundaries to it. It can impact anyone, all walks of life."

The advocacy centers work to help minimize the trauma and create safety for children and their families while navigating the child-protection system. The centers work with social services officials, law enforcement, prosecutors and others to provide forensic interviews, medical exams, case management and counseling.

The task force's report, titled Silent Tears, challenged South Carolina officials to apply the multidisciplinary team approach across the state, Galloway-Williams said.

Wilkins and other experts say most cases of child sexual abuse involve family members or other trusted sources such as day care workers, school employees or religious leaders.

The report said parents can play an important role in improving the mandated reporting system by insisting that day care facilities, schools and churches have adequate child-protection policies and workers at those institutions are trained adequately to recognize abuse.

The seven attorneys in his sex-crimes unit prosecute two or three child sexual abuse cases every month, Wilkins said. It takes about 16 to 18 months to resolve a case, he said.

"These are more likely to go to trial than a murder case," Wilkins said. "That lends to my argument that these types of cases need to be segregated from the pool of cases that we have because they involve children."

To those who would argue that cases of children killed by drunk drivers or women killed by their husbands should receive the same attention, Wilkins said, "They're all very important. But they don't involve individuals who had no ability to protect themselves."

Last month, Gov. Nikki Haley recounted how she was physically abused as a girl by a child-care provider. It offered a rare, personal disclosure that she said was meant to underscore the challenge any city or town faces in protecting its children.

"It doesn't matter your background, it doesn't matter your education, it doesn't matter the wealth of your family," Haley said. "Every child is subject to child abuse."

The privately funded Silent Tears report suggested the governor appoint a bi-partisan commission of legislators, court administrators, appellate and trial judges, solicitors, defense attorneys, medical and mental health professionals and — most importantly — child abuse survivors or their families affected by lengthy court delays.

Haley, a Republican, said such a commission might not be needed since most of those entities already are involved.

House Majority Leader Bruce Bannister said he and Sen. Mike Fair intend to file legislation that will address many of the concerns raised in the Silent Tears report, the result of a comprehensive review by the National Child Protection Training Center.

"I suspect this kind of issue is one that gets both parties' attention, gets a lot of support on both sides of the aisle, and I would expect not a lot of legislative resistance in the General Assembly," said Bannister, who, like Fair, is a Greenville Republican.

He also said he has discussed with Jean Toal, chief justice of the South Carolina Supreme Court, including the report's findings in an annual conference for judges.

The hope is, Bannister said, "we'll start the education process of the court system and how they deal with these issues, what the effect is on the children that are abused, the victims, and how the process moving along in an orderly fashion makes a lot more sense."

The Silent Tears study was funded with \$250,000 from local businessman and GOP donor Bob Castellani and his wife, Lisa.

It said that in many respects, the child-protection system in South Carolina is among the best in the nation.

The report found, however, that most of those in the state directly involved in handling child sexual abuse cases have no undergraduate or graduate training dealing directly with those kinds of cases.

That finding wasn't unique to South Carolina, the report's authors said. Other organizations and agencies, including the U.S. Department of Justice, have urged movement in that direction, they said.



(L-R) Mark Moyer, Chris Hodge, Walt Wilkins, Wanda Adams and Christy Sustakovitch. KEN OSBURN

The report recommended colleges and universities in the state be encouraged to improve their instruction on "child maltreatment" and set a 21-credit minor offered at USC Upstate called Child Advocacy Studies as a minimum bar for college-level training.

Further, it urged speeding up the resolution of child sexual abuse cases. Some can take two years or longer to bring to trial, and Silent Tears suggested a goal of six months or less to resolve all child sexual abuse cases.

In those cases, gathering evidence is a challenge, as is deciding whether a child will have to testify — and recount the alleged abuse — sometimes years afterward, Wilkins said.

"When you take all that into proving it beyond a reasonable doubt, the dynamic is quite complicated," he said. "You have emotional issues from the victim. You have evidentiary issues because you really have one person saying something happened and, potentially, the person who did it saying it didn't happen."

"Having to put all that and present that to 12 jurors under our set of laws is a unique dynamic as well."

About 70 percent of child sex cases go to trial, Wilkins said. That compares to a general plea-negotiation rate of about 94 percent, he said.

"The first thing that tells you as a manager is resources," Wilkins said. "Resources from attorneys, resources in investigators, law enforcement resources and court time to actually try these cases."

It is something "that the resources require, but the children demand," Wilkins said. "We're going to give them that avenue to seek justice and retribution against the person who committed this most horrific crime."

"Ideally, we would never want it to happen in the first place," Wilkins said. "Education and prevention is obviously the most preferred mechanism. However, reality is that these occur."