

SCCVC Public Policy Recommendations 2009

All proposals are subject to revisions, additions, and assigned Bill numbers as they proceed through the legislative process. All proposals have been approved by the SCCVC.

Proposed **Children's Public Policy Committee Initiatives** submitted by Margaret Frierson:

- JESSICA'S LAW – ROMEO CLAUSE
Age of consent lowered to age 14 – Attorney General to establish a committee to address needed changes
- 2008 Bill– DSS CENTRAL REGISTRY ISSUES
Mandate any abuse (physical, sexual, or neglect) as reason to place offender on the Central Registry/ to be reintroduced in January
- 2008 H4377 by Representative Ted Pitts to be reintroduced in January – DSS to increase holding time of "Unfounded" reports of abuse or neglect.; amendment adds the requirement certain public entities to review registry before hiring & requires the cooperative involvement of law enforcement & DSS at the time of reporting
- 2008 H3548 - TERMINATION OF PARENTAL RIGHTS
Long-term incarceration as reason for TPR
To be reintroduced
- 2008 H3715 to be reintroduced– ENHANCED PENALTY FOR PERSONS AFFILIATED WITH SCHOOLS WHO COMMIT CERTAIN DELINEATED CRIMINAL SEXUAL CONDUCT, EXPLOIATION OF A MINOR, OR KIDNAPPING OFFENSES AGAINST A STUDENT
- CHILD ENDANGERMENT/FAILURE TO PROTECT- The Willful or Reckless Endangerment of a Child – 16-00-0000
Bill being written for introduction
- MANDATORY MINIMUM PENALTIES added to 16-3-95. Bill to be introduced by Senator Mike Fair.

Proposed **Juvenile Justice Public Policy Committee** Initiatives submitted by Bill Mathias, Chair:

2009 School Safety Act (language available upon request)

Proposed **Family Violence and Sexual Assault Initiatives** submitted by Vickie Bourus, Chair:

- A. H.4910- The Animal protection Bill- to be pre filed by Gilda Cobb- Hunter
- B. Dating Violence Bill- Drafted to include those 17 and older
- C. A bill prohibiting judges from dismissing cases of CDV when the victim fails to appear
- D. Compliance language required by VAWA in order for SC to be in Compliance (No Polygraphs, HIV payments, Notice of Federal gun laws to perp, etc)
- E. Add Strangulation as an aggravating circumstance to allow a CDVHAN (felony) charge. (Definitions and conditions)-Lourie
- F. Legislation to enforce the Federal Gun Ban of convicted CDV offenders- Lourie
- G. Legislation that would create a “permanent” restraining order in SC
- H. Reintroduction of S. 331- creates an offense for disabling or destroying a communication device. Knotts
- I. H.4390- Bill that requires DMV to include the DV & SA hotlines on the back of Driver’s license (Alan Clemmons)
- J. Civil no – contact orders – Murrell Smith
- K. A Bill that would require a change of venue for CDV cases when a law enforcement officer is the alleged perpetrator.

Proposed **General Law Public Policy Committee Issues** submitted by Laura Hudson, Chair:

1. No Parole & Middle Court Legislation/ AG
2. Age of Consent? Need large coalition of folks to include, Palmetto Council, AG, Bilton, Moore, SCCVC, Missing and Exploited, Darkness 2 Light, SCCADVASA, Seckinger, etc.
3. Change in Mandatory Courtesy Summons in Stalking, Assault, CDV, child issues, etc.
4. SORNA Compliance

SORNA COMPLIANCE

Legislative changes needed to be in compliance with SORNA:

1. Tier III = 90 day registration
2. Definition of “immediate” needs to be changed from 10 days to 3 days and 5 days to 3 days (23-3-450; 23-3-460)

3. Employment to include all types: paid; volunteer; intern, etc...(23-3-460)
4. Registerable sex offenses; we will need an opinion and possible addition of registerable offenses.
 - (18 USC 2251A)
 - (18 USC 2252B)
 - (18 USC 2252C)
 - (18 USC 2260)
 - (18 USC 2421)
 - (18 USC 2422)
 - (18 USC 2423)
 - (18 USC 2424)
 - (18 USC 2425)
 - Section II: State, Local, and Tribal offenses: False imprisonment of a minor
5. Review Juvenile adjudications.
6. Fingerprints and Palm prints (23-3-530).
7. Internet Identifiers (23-3-530).
8. Passport & Immigration documents (23-3-530).
9. Resident address will need to be changed to include addresses of additional residences such as girlfriend's, parents', etc. (23-3-450).
10. Include work vehicles (23-3-530).
11. Include aircraft (23-3-530).

12. Permanent or frequent location where all vehicles are kept (23-3-530).
13. Residency & employment jurisdiction (23-3-450; 23-3-460).
14. Change language to report any changes in address, employment, school affiliation to the primary county of registration.
15. Failure to Register 1st offense maximum term of imprisonment needs to be greater than one year.
16. In addition, South Carolina Sex Offender Registry would like to put in place procedures for Emergency Disaster Relocation.