

Law & Society



CHARLESTON
LAW REVIEW

8:45 – 9:00 AM WELCOME AND OPENING REMARKS

Larry Cunningham, JD

Dean and Professor of Law, Charleston School of Law

Donald Gordon, PhD {virtual}

Executive Director, The Riley Institute at Furman

Jessica Carroll

Symposium Editor Vol. XV, Charleston Law Review

9:00 – 9:40 AM KEYNOTE ADDRESS

The Emergence of Children’s Civil Rights

Presented by

Marci A. Hamilton, JD {virtual} - Professor, University of Pennsylvania; Founder & CEO, CHILD USA; SOL Reform Expert, and author of *Justice Denied* and *God vs. the Gavel*.

Not long ago, children were considered property, who belonged to their parents or guardians. They were owned labor and parental rights were unquestioned. Children have evolved into “persons” within the meaning of the Constitution. In her keynote address, Professor Hamilton will examine how the movement to end child sex abuse is further articulating the civil rights of children.

9:40 – 9:45 AM BREAK

9:45 – 10:30 AM CHANGING LAWS TO SUPPORT SURVIVORS

Bridie Farrell

CEO of America Loves Kids & Retired U.S. Speed skater and survivor-advocate whose efforts were instrumental in passing new child victim laws in NY, NJ, and AZ.

Noah Kroloff, JD

Principal & Co-Founder of Global Security Innovative Strategies (GSIS) and public service veteran, including four years as Chief of Staff of the US Department of Homeland Security

C.T. Wilson, JD {virtual}

State Delegate, Maryland House of Delegates, District 28

MODERATOR Marlon Kimpson, JD – South Carolina State Senator & Member Attorney at Motley Rice LLC

Farrell, Kroloff, and Wilson come together for an interactive discussion founded on survivorship and fortitude. These seasoned advocates and legislative veterans—including SC State Senator Marlon Kimpson as moderator—will examine the extreme grit necessary to take on deep-pocketed institutions through tales of their own experiences, and will lay the groundwork for how they were able to achieve legislative success to better support victims of sexual abuse.

10:30 – 10:35 AM BREAK

10:35 – 11:30 AM CARDINAL SINS: HOW THE CATHOLIC CLERGY ABUSE CRISIS HAS IMPACTED CIVIL LITIGATION, AND DIVERGENT PERSPECTIVES ON STATUTE OF LIMITATIONS REFORM

Patrick J. Wall, M.Div LLM {virtual}

Lead Researcher, Jeff Anderson and Associates

Former priest and world-renowned expert on the Catholic Clergy Abuse Crisis

Co-author of “Sex, Priests, and Secret Codes” published in 2006

Edward H. Lindsey Jr., JD

Partner at Dentons and former GA House Majority Whip

Daniel R. Lapinski, JD

Motley Rice LLC, Member Attorney representing victims of childhood sexual abuse.

MODERATOR William M. Janssen, JD - Professor of Law, Charleston School of Law

Revising statute of limitations provides an opportunity for survivors to pursue justice where they may have otherwise been precluded from doing so, and creates legislative guidelines more in line with the harms caused by abuse moving forward. Pat Wall, Ed Lindsey, and Dan Lapinski will discuss Statute of Limitations provisions as it relates specifically to the Catholic Church, the decades of covering up systemic abuse that not only intimidated victims from coming forward but facilitated the erosion of valuable evidence applicable to survivor claims. The Panel will also balance the victims’ interests in Statute of Limitations reform with the rights and protections afforded to Defendants by the Due Process Clause.

11:30 – 12:00 PM EXTENDED BREAK

12:00 – 12:40 PM DISTINGUISHED SPEAKER

Criminal Justice in the #MeToo Era: The Cosby Prosecution

Presented by

Kristen M. Gibbons Feden, JD {virtual}. Attorney with Saltz, Mongeluzzi & Bendesky; adjunct professor of Trial Advocacy in the Temple LLM program; Special Prosecutor in Bill Cosby’s Sexual Assault Retrial.

MODERATOR Debra J. Gammons, JD - Director of the Office of Diversity Initiatives and Distinguished Visiting Professor of Law, Charleston School of Law

Distinguished Speaker, Kristen M. Gibbons Feden, JD, will speak on her involvement in the first high-profile sexual assault prosecution in the #MeToo era which spanned more than three years from the re-opening of the investigation to sentencing including two trials, scores of motions and hearings, and nearly two dozen defense attorneys on the other side. Ms. Feden's case study will focus on some of the most impactful decisions made in the Cosby case and its challenges. Her examination of this complex prosecution has special meaning in a world where powerful men are finally being held to account for what is often years or decades of sexual abuse. This case study will draw parallels between similar cases involving disgraced movie mogul Harvey Weinstein and music artist R. Kelly, and will give the audience an understanding of what to expect and how traditional roadblocks in such cases may be avoided. The case study will be dynamic and interactive, and encourage listener engagement throughout.

12:45 – 1:35 PM PROTECTING CHILDREN: APPROACHES TO SEXUAL ABUSE PREVENTION

Patricia Dailey Lewis, JD {virtual}

Executive Director of the Beau Biden Foundation & former Deputy Attorney General and director of the Family Division with the Delaware Dept. of Justice

Katelyn Brewer {virtual}

CEO, Darkness to Light

Ryan T. Shields, MS, PhD {virtual}

Professor of Criminology and Justice Studies at UMass Lowell

MODERATOR Annie Kouba, JD, MSW – Attorney at Motley Rice LLC

Patricia Dailey Lewis, Esq., Katelyn Brewer, and Ryan T. Shields, M.S., Ph.D. will discuss the missions of the Beau Biden Foundation and Darkness to Light and their approaches to preventing the sexual abuse of children. This panel will include case studies as well as discussions of the proactive social behavior change approach to prevention of abuse, the public health approach to child sexual abuse prevention, and the basic conceptual framework, current and emerging programs aimed at preventing child sexual abuse, and recommendations for future prevention efforts.

1:35 – 1:40 PM BREAK

1:40 – 2:10 PM DISTINGUISHED SPEAKER

Juvenile Registration is a Failed Policy that Must Go

Presented by

Elizabeth J. Letourneau, PhD

Professor and Director at Johns Hopkins' Moore Center for the Prevention of Child Sexual Abuse; Past President of the Assoc. for the Treatment of Sexual Abusers.

MODERATOR TBD

Throughout her more than 30 years of research and scholarship, Dr. Elizabeth Letourneau has developed, evaluated, and implemented policies and practices that aim to prevent the onset of sexual offending, establishing an empirical basis for perpetration prevention efforts that work. Here, Dr. Letourneau will focus on her research on juvenile sex offender registration which established the inefficacy and harmfulness of such policies, and was influential in several U.S. state supreme court cases and in U.S. state legislatures that revised their registration policies. For this work, Dr. Letourneau was awarded the inaugural Faculty Practice Award in 2017 by Johns Hopkins Bloomberg School of Public Health.

2:10 – 3:00 PM RESOLVING PROCEDURAL & LOGISTICAL COMPLEXITIES INHERENT IN SEXUAL ABUSE / ASSAULT CASES

Rachael Garrett, LMSW {virtual}

Director of Community Programs, Dee Norton Child Advocacy Center

Emma Hetherington, JD {virtual}

Professor, and Director of the Wilbanks CEASE Clinic at the Univ. of GA School of Law

Jennifer G. Long, MGA, JD {virtual}

CEO and Co-founder of AEquitas

MODERATOR Allyson Haynes Stuart, JD - Professor of Law, Charleston School of Law

In 1985, the nation's first Child Advocacy Center was created by a district attorney who observed that the social service and criminal justice systems often failed to coordinate their responses to child maltreatment cases, leaving victims in want of basic services and forced to repeat stressful and emotionally painful interactions with system officials. Rachel Garrett, LMSW, Emma Hetherington, Esq., and Jennifer G. Long, MGA, JD will discuss the role of Child Advocacy Centers today as well as the revolutionary work being done at Aequitas and the Wilbanks C.E.A.S.E. Clinic at University of Georgia School of Law, to train prosecutors' offices around the nation and to prepare future attorneys to advocate for survivors in a variety of civil and criminal legal proceedings.

3:00 – 3:05 PM BREAK

3:05 – 3:55 PM SEX TRAFFICKING: ADVOCACY, DECRIMINALIZING SEX WORK, AND CIVIL LITIGATION EFFORTS

Jamie Rosseland

Anti-Trafficking Consultant and Advocate

Melissa Sontag Broudo, JD, MPH {virtual}

Legal Director, Decriminalize Sex Work & Co-Director, SOAR Institute.

Jodi Westbrook Flowers, JD {virtual}

Motley Rice LLC, Member Attorney and Lead of the Antiterrorism and Human Rights Practice Group.

MODERATOR Dylan Malagrino, JD - Professor of Law, Charleston School of Law

What would happen if America decriminalized prostitution? It is difficult to answer this question definitively, but by now there has been a lot of empirical research on how decriminalization has worked in other countries and some places in the US. Additionally, why are so few civil cases being pursued despite the enhanced protections afforded to sex trafficking victims under modern State and Federal laws? Melissa Sontag Broudo, Esq., Jodi Westbrook Flowers, Esq., and Jamie Rosseland will explore these questions including their assessment of why both of these large fringe efforts aimed at undermining the prevalence of sex trafficking —decriminalizing prostitution and civil litigation—remain largely stalled.

3:55 – 4:00 PM BREAK

4:00 – 4:45 PM SEX TRAFFICKING IN SOUTH CAROLINA

Kathryn Moorehead, Ed.M.

Director of VAWA and Human Trafficking, SC Human Trafficking Task Force, South Carolina Office of the Attorney General

Brooke Burris, JD {virtual}

Founder & Chair, Tri-County Human Trafficking Task Force

The Honorable Michèle Patrão Forsythe, JD

Family Court Judge for the Ninth Judicial Circuit in South Carolina

MODERATOR

Pamela Larson, JD - Staff Attorney with Charleston Pro Bono Legal Services focusing on helping survivors of human trafficking and victim rights. Pamela is also a U.S. Army veteran and Purple Heart recipient.

Kathryn A Moorehead, M.Ed., Brooke Burris, Esq., Judge Michèle Forsythe, and moderator Pamela Larson, Esq. will discuss efforts being taken by the Human Trafficking Taskforce at the State Attorney General's office, the Tri-county Human Trafficking Taskforce, and the South Carolina Judiciary towards prevention, early identification of potential victims of exploitation, prosecuting offenders, and support for survivors.

4:45 – 4:50 PM BREAK

4:50 – 5:30 PM LOCAL INSIGHTS: CASES & TRENDS IN SEX TRAFFICKING

Jamie Lea Schoen, JD

Assistant U.S. Attorney (A.U.S.A.) for the District of South Carolina

Marshall (Matt) T. Austin, JD

Attorney with Nelson Mullins, Former A.U.S.A for the District of South Carolina

Detective Charlie Benton Jr.

North Charleston Police Department; ATF Task Force Officer

MODERATOR

Miller Shealy, JD - Professor of Law, Charleston School of Law

Veterans in bringing perpetrators of trafficking to Justice in South Carolina, Detective Charlie Benton and attorneys Matt Austin and Jamie Schoen will provide case studies and trends they have observed in their efforts at the local and Federal level to combat the trafficking industry, prosecute offenders, and rescue and support victims of the trafficking industry.
