

C O D A

A DOMESTIC VIOLENCE RESOURCE CENTER

McMASTER COMMITTED TO CONVICTIONS

APRIL 30, 2006

Attorney General Henry McMaster has proposed allocating funds to place solicitors dedicated to prosecuting domestic violence cases in every county.

He is confident this action will boost the conviction rate of those charged with criminal domestic violence. In January, new laws went into effect that increased penalties for first, second and third time offenses.

However domestic violence cases are currently heard in Magistrate's Courts, where the arresting officer usually serves as "prosecutor". Not surprisingly the conviction rate is low as experienced defense attorneys face overworked officers. If victims cannot be present, cases are frequently dismissed.

Strengthened penalties for second and third offenses become irrelevant if there are no first convictions.



Attorney General Henry McMaster speaks at CODA's Candlelight Vigil in Bluffton, October 24, 2005.

Low conviction rates of first offenders trigger multiple ramifications. Of most concern is the

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SPECIAL EVENTS SUPPLEMENT:
Candlelight Vigils
Cabaret Night
20th Anniversary

IN MEMORIAM

In the last six months, four women in CODA's service area have been violently murdered. They are not statistics - they are real women who once loved and laughed.

JESSYE MERIDA LOPEZ

Jessye Lopez, 25, was murdered in her Hardeeville home, September 22, 2005. Her throat was slashed in front of her four year old son. Her husband, Jose Lopez is currently awaiting trial for her murder. Her body was flown back to her family home in Mexico. Little press coverage attended her murder.

PATSY RILEY GRANT

Patsy Grant, 50, took in her daughter, Charlene Lovette, when Charlene fled from her abusive husband. On February 22, 2006, Leonard Lovette went to Grant's residence, killed her with a shotgun blast and viciously beat his wife, Charlene, reportedly leaving her with irreversible brain damage. Patsy leaves her husband, 4 daughters and 11 grandchildren. Lovette is in jail awaiting trial for murder and battery.

ELLEN ANNA MCCORMICK

Ellen McCormick, 50, was shot and bludgeoned to death in her home in Bluffton on January 1, 2006. Firefighters discovered her body in her burning home. Charles McCormick, her estranged husband, has been charged with murder and awaits trial in jail. Ellen leaves two sons, Keith and Kevin.

YVETTE MONIK MOORER

Yvette Moorer, 21, was shot in the head while driving on Trask Parkway in Beaufort, March 5, 2006. Her unborn son was also killed. Former boyfriend, Cedric Saunders has been charged with her murder. Yvette leaves a daughter as well as parents, grandparents, sisters and brothers.





Agnes Washington, CODA case manager, admires CODA's newest resident, born September 2005.

(Continued from page one)

reality that batterers are back on the street, free to continue their often intensifying violence.

(The killer of Patsy Riley Grant, whose death is remembered on page one, fits this pattern. Between 1991 and the February murder of his mother-in-law and bludgeoning of his wife, he had been arrested nineteen times in Beaufort County and charged with seven counts of assault or domestic violence. At the time of the murder, he was free on \$75,000 bond which had been set when he was arrested for criminal domestic violence of a high and aggravated nature stemming from a December attack on his wife.)

Almost without exception, victims are terrified to report their abuse for fear of violent retaliation. Without successful prosecutions, they lose confidence that the justice system can protect them and are less likely to report future offenses. Regardless of the outcome, the presence of a prosecutor in the courtroom signifies to the victim that the state takes her claim of assault seriously. Furthermore, the abuser can direct his anger toward the prosecutor rather than the victim.

Current law allows judges to waive fines and jail time for convicted first offenders who attend batterers' education programs. Without convictions, abusers whose behavior might be ameliorated by these programs lose this opportunity for change.

McMaster's proposal is a simple one - to ensure a solicitor is available in each county to prosecute cases of domestic violence. In a test program initiated in 2004, solicitors in three counties served pro bono as domestic violence prosecutors. Conviction rates rose to over 75%. (Prior records of conviction rates were not kept in magistrates courts. However, nationally, conventional wisdom is that without a prosecutor, conviction rates of domestic violence cases are about 33%.)

The House Ways and Means Committee has approved the appropriation of funds and the Senate is now considering McMaster's proposal.

DAY TO DAY AT CODA...

Most lowcountry residents familiar with CODA know it operates a shelter to house women and children fleeing life-threatening situations. But, many are unaware of the other opportunities CODA offers its clients. These are the services that keep our staff busy and motivated. To better inform you, this newsletter will explore the many aspects of CODA activities.

Recent changes in the domestic violence laws coupled with the attorney general's proposal referred to in our cover story prompted this issue's look into CODA's legal department.



Chris Varg and Denise Collins
March 2006

CODA's Legal Ladies Team up for the Victim

Two energetic and extremely competent women comprise CODA's legal team. Attorney, Denise Collins, and legal advocate, Christine Varg, balance a myriad of duties in their attempts to ensure domestic violence victims are protected from their abusers and not re-victimized by the system itself.

Their tools may be finely-crafted legal motions or arranging to get a woman's locks changed. Whatever works is the method of choice for this pragmatic pair.

A normal day finds Chris and Denise splitting their time between bond hearings and other court appearances, counseling CODA clients, drawing up appropriate paperwork, working with law enforcement's victim advocates and juggling a multitude of other tasks.

Chris has been CODA's Legal Advocate for over three years. Prior to that she worked for four years providing legal assistance at a domestic violence shelter in Maine. She often thinks she's "heard it all". However, exposure to the worst abusers can offer has not resulted in weary cynicism but rather a dogged determination to do all she can to protect the rights of victims and their children.

Her compassion is leavened with a heavy dollop of wry wit and serves to put her often confused and frightened clients at ease as she elicits their stories in her clear, logical manner.

Are stricter laws the key to stemming the tide of domestic violence in South Carolina?

According to Denise and Chris, controlling domestic violence necessitates properly and vigorously enforcing current laws rather than enacting new ones. Unless there is proper training for police and courts, the conviction rate for first offenses will continue to be low. Tougher penalties for successive offenses become meaningless without first convictions.

Denise, CODA's staff attorney since August, appears to move at warp speed - harnessing her seemingly limitless energy into righting all the injustices the system can throw at her. Although a recent graduate of the University of SC School of Law where she first became interested in women's and children's issues, her enthusiasm is not that of a starry-eyed neophyte but a woman committed to concrete change. When justice hangs in the balance, eight hour days mean little to Denise who is often the last to leave the CODA offices.

Although their appearances are disparate - Chris tops Denise's five feet by ten inches - their working styles mesh perfectly. Both are verbal and effusive. It is not unusual to hear groans and/or cheers emanating from their facing offices as they weather another rollercoaster day grappling with the vagaries of the justice system.

What Makes Chris and Denise Throw up their Hands in Frustration?

- When a judge dismisses a criminal domestic violence case because the police have not shown up to prosecute it.
- When a judge dismisses a case because the victim is not present.
- When a judge dismisses a case because the abuser is going to counseling.
- When a case is continued and continued until finally dismissed.
- When law enforcement or courts misinform victims about their rights.
- When law enforcement neglects to pass out the bilingual CODA information cards provided every police and sheriff's department.

C O D A

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CODA is published by Citizens Opposed to Domestic Abuse as a public service in addressing the issues and consequences of domestic violence. CODA serves four SC counties: Beaufort, Colleton, Hampton and Jasper. CODA operates a shelter for abused women and their children and a 24-hour crisis line. CODA offers in-house and out-reach counseling for women and children, legal counseling/court accompaniment and bilingual services.

Order of Protection or No Contact Order?

Orders of Protection are extremely important tools to help secure a person's safety. Issued by Family Court judges to people who have been assaulted or threatened with violence and believe that the threat may be carried out, an Order of Protection dictates that the abuser have no contact with the victim and stay away from the victim's home, workplace, etc.

The judge may also award temporary child custody, support, and/or possession of the family home to the victim. Orders of Protection are usually in force from six months to one year.

No Contact Orders are issued in Magistrate's or Municipal courts and remain in effect only between the bond hearing and the criminal domestic violence hearing.

Violation of either type of order can result in immediate arrest.

Why Victims Need CODA's Legal Team:

Despite new laws requiring tougher sentences for domestic violence perpetrators, the onus of securing justice still rests squarely on victims. Without the help of a committed advocate, they may inadvertently ignore actions essential to protecting themselves and securing a conviction of the abuser. For example:



Denise on the job - April 2006

Victims may not know that: When a criminal domestic violence arrest is made, a bond hearing is held within 24 hours. Although technically the burden of exercising justice now rests with the state not the victim, magistrates who do not see the victim at a bond hearing often release the offender on his own recognition.

Victims may not realize that:

If they attend the bond hearing, they can speak private-

ly to the magistrate prior to the hearing and request that he issue a No Contact Order that will stand until the arraignment.

Victims may not be aware that:

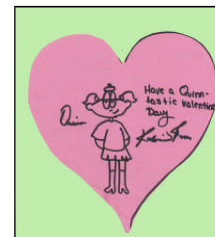
If police were called but no arrest was made, they can still ask a magistrate to issue an arrest warrant and a No Contact Order.

Victims may not know that:

CODA will accompany them to all court proceedings and prepare necessary documentation for Orders of Protection, No Contact Orders or other procedures.



Each day's legal challenges are different! Above, Chris helps out with the daughter of a client, while the mom confers with Denise March 2006



"Quinn," the creation of a 12-year-old CODA resident, wishes everyone a "Quinntastic Valentine's Day". February 2006

RUGALA JOINS BOARD

Eugene Rugala has recently joined CODA's Board of Directors. Domestic violence and its implications have long been of special interest to Rugala. He is currently Senior Violent Crime Consultant with Academy Group, Inc., a logical evolution from his noteworthy career with the Federal Bureau of Investigation (FBI).

Prior to his retirement from the FBI, Rugala's positions included Supervisory Special Agent assigned to the National Center for the Analysis of Violent Crime as well as Unit Chief of Behavioral Analysis - Threat Assessment and Counter Terrorism.

His research has included crimes such as stalking behaviors, serial rape, workplace violence and school violence. Congressional committees, international corporations and even the British Royal Family have tapped Rugala's expertise.

Rugala is already involved in CODA's mission, helping to plan a joint conference for next fall which will investigate the interactions of domestic violence, mental health and alcoholism.



Gene Rugala - March 2006



Flickering candles quietly commemorating lives lost to domestic violence. Bobbing balloons gaily celebrating lives transformed.

These seemingly disparate symbols blended seamlessly at five candlelight vigils sponsored by CODA to observe October's designation as National Domestic Violence Awareness month.

Supporters gathered in Walterboro, Ridgeland, Hampton, Beaufort and Bluffton to realistically acknowledge the work remaining to be accomplished while celebrating the successes of families who have broken the cycle of violence and begun to forge new lives.

Many of the citizens in attendance were well-known in their respective communities and beyond. Of those, some sat silently, their presence alone communicating their abhorrence of domestic abuse in our midst.

Others enthusiastically lent the weight of their notoriety to speak out on the abysmal prevalence of domestic violence in South Carolina.

Some were present for reasons known only to themselves - their eyes intent as they hung on the words of lawmakers, CODA speakers and former victims.

CODA's mission is to not only provide assistance to families in crisis, but also change attitudes toward abuse. At every vigil, children were present - enjoying the embracing atmosphere of the community gathering as well as learning at an early age that abuse is not tolerable.

Especially heartening was the presence of past CODA residents and their children. A survivor named Kelly gave eloquent testimony to her journey, "Over a year ago, I went to the CODA shelter, broken, battered and bruised...Today thanks to my strong faith in God and the amazing staff at CODA, I stand before you, a survivor. I am a survivor and you can be too."

As her words of encouragement hung in the river's soft breezes, one could only hope a listener would find the courage to begin her own journey.

Look for more photos of the 5 vigils at the CODA website, www.codabft.com



Ann Weston of the SC Department of Social Services joined the Bay Street march after her speech at Beaufort's vigil.



Attorney General Henry McMaster lights a candle with Laura Bush of Beaufort County's Department of Social Services. Both spoke at the Bluffton vigil.



The Beaufort Vigil culminated in a march down Bay Street led by CODA staffers.



State Representative Catherine Ceips speaks at Beaufort Vigil.



The "T-shirt Project" with its anti-abuse messages created by CODA victims and their children drew onlookers at every vigil. The Beaufort vigil shown above.

Cabaret Night 2006



This year's Cabaret was a great success thanks to the many friends of CODA who donated their talents, culinary skills, auction items and countless hours of hard work. The efforts were rewarded by a record attendance - wonderful guests who ensured the evening's success by their presence and their generous auction bids.

The Stardust Orchestra and Masters of Ceremonies, "JP" McGowan and Lily Joplin, furnished the evening's delightful ambience and reflected the caliber of talent and hard work exemplified by all the evening's volunteers.

For more photos, go to CODA's website, www.codabft.com!



Masters of Ceremony Lily Joplin and J. P. McGowan



Board Member Doug Landon



Cabaret Co-Chairman/Board Member Fran Moore (right) and Zonta Club volunteer Liz Cartwright



Executive Director Bonnie Lawrance



Cabaret Co-Chairman Sally Haskell (right) and volunteer Peggy Pignato



Board Member Ramona Gaither



The Stardust Orchestra



Staff Volunteers: Bottom row from left: Maxine Hayes, Agnes Washington, Michelle Grayson. Top row from left: Christine Varg, Jenifer Lilly

C O D A T U R N S 2 0 !

New director of CODA says family ties are important



November, 1986 clipping from the "Beaufort Gazette" announcing the appointment of Louise Blanchard as the first director of CODA. Blanchard currently serves on CODA's Board of Directors.

In 1985, the Women's Network - a group of Beaufort women whose work or affiliations brought them into contact with troubled families - devoted themselves to the establishment of a shelter for battered women. At that time, "My Sisters House" in Charleston was the closest shelter to Beaufort and turned away approximately one third of its applicants.

According to one founder, the group worked "indefatigably - thousands of hours - getting this organization organized!" By the following spring, the group had renamed itself "Citizens Opposed to Domestic Abuse", rented a shelter facility dubbed the "Haven" and stated its goal as "reducing domestic violence in Beaufort County."

Twenty years later, CODA staff and board members continue the legacy of this pioneering group. Watch for the next newsletter to learn about CODA anniversary celebrations!

If you have old photographs or stories to share about CODA's beginnings, please contact Martha Lawrence at 770-1074 x225.



Construction of the new addition to the CODA shelter, spring 1998