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**SCARLETT A. WILSON**

*Solicitor, Ninth Judicial Circuit*

For Immediate Release

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## **Solicitor Wilson Announces Motions Filed to Prosecute Juviles as Adults for Downtown Charleston Crime Spree**

**Charleston, SC**– Solicitor Scarlett A. Wilson announced her intention to try three defendants charged with a July 17, 2020 crime spree, which included a murder on King Street, in General Sessions Court. Solicitor Wilson stated, “Our review of the facts and evidence in these cases, to include the histories of these defendants, supports our belief that the safety of our community is best served by trying them as adults.”

After investigating three incidents, the Charleston Police Department alleges that in the early morning hours of July 17, 2020, the defendants were in a recently stolen car when they drove from North Charleston to downtown Charleston. At approximately 5:45AM, the co-defendant driver remained in the car while the other two co-defendants approached a 74-year-old female on Archdale Street. The victim was held at gunpoint while the co-defendants demanded her money. Fleeing the scene on foot, the two were picked-up by the driver a short distance away. At approximately 6:08AM, the driver dropped off the same two co-defendants who, at the corner of Calhoun and St. Philip, robbed a 20-year-old male construction worker at gunpoint as he was walking to work. Again, the co-defendant driver picked up his two co-defendants when they fled from the scene. At 6:15AM, at the corner of King and Clifford Street, the same two co-defendants approached a couple out for a morning walk. The victims, ages 67 and 63, were held at gunpoint while the co-defendants demanded their money. During the course of the robbery the 63-year-old male victim was fatally shot. The two co-defendants fled on foot to the waiting stolen car which then left the area.

As required by statute, the juveniles were each initially charged in the family court with: Juvenile 1: Murder, Armed Robbery, Attempted Armed Robbery (3 counts), Possession of Weapon During Commission of Violent Crime (2 counts) and Possession of Stolen Motor Vehicle; Juveniles 2 and 3: Murder, Armed Robbery, Attempted Armed Robbery (3 counts) and Possession of Stolen Motor Vehicle.



The law allows 30 days for the Solicitor to seek a transfer of jurisdiction from the Family Court to the General Sessions Court. “It takes time for law enforcement to get us their investigative file but we now have enough to make our decision. The 30-day time frame would have ended on Wednesday, August 19. Today, we filed the necessary paperwork to notify the Court and the Defense that we are seeking to try the juvenile defendants as adults,” Solicitor Wilson said. These defendants remain innocent until proven guilty in a court of law.

The next step in the process is the pre-waiver evaluation that will be conducted by the Department of Juvenile Justice (DJJ). The evaluation includes a social history of each juvenile as well as a psychological evaluation. The report is likely to consider each juvenile’s sophistication, maturity, and susceptibility to rehabilitation. Other issues to be addressed are adequate protection of the public as well as services and facilities currently available through DJJ which could benefit the juvenile.

After the DJJ evaluation, the Family Court will conduct waiver hearings addressing two issues: (1) probable cause to believe the juvenile committed the crimes charged; and (2) factors-relating to the juvenile’s amenability to rehabilitation. These eight factors are:

1. The seriousness of the alleged offense to the community and whether the protection of the community requires waiver;
2. Whether the alleged offense was committed in an aggressive, violent, premeditated or willful manner;
3. Whether the alleged offense was against persons or against property, greater weight being given to offenses against persons, especially if injury resulted;
4. The merit of prosecuting the complaint, i.e., whether there is evidence upon which a grand jury may be expected to return an indictment;
5. The desirability of trial and disposition of the entire offense in one court when the child’s co-defendants are adults;
6. The sophistication and maturity of the child as determined by consideration of his home, environmental situation, emotional attitude and living pattern;
7. The child’s prior record and involvement with the juvenile justice system; and
8. The prospects for adequate protection of the public and the likelihood of reasonable rehabilitation of the child by the use of procedures, services and facilities currently available to the family court.

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