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JUSTICE COALITION'S VICTIMS' ADVOCATE

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Can You Kidnap Your Own Child?

By Atty. Jay C. Howell



The South Florida kidnapping in question began when the defendant went to the home of his in-laws where his wife and year-old son were also staying. At the time, the defendant was subject to a domestic violence order which precluded him from contact with his wife, and which gave her custody of the 1-year-old son. In the course of a confrontation with his wife over the child, he accosted his mother-in-law with a handgun and, after the wife and mother-in-law fled the home, took the blind father-in-law and his 1-year-old son hostage.

An eight-hour standoff followed. Eventually, after he had threatened to shoot his father-in-law and to kill both his wife and the baby if she did not go back to him, negotiations with the police SWAT team ended with his releasing the father-in-law, and, although he had said that the baby was his "ace in the hole," he released the child, as well.

He was convicted of several crimes, including armed burglary, the armed kidnapping of the father-in-law and his son, and aggravated assault on the father and mother-in-law.

On appeal the defendant challenged his conviction on the count where he was charged with the armed kidnapping of his son, citing the Florida kidnapping statute which contains a provision that states that the confinement of a child under the age of 13 is against his will if such confinement is **without** the consent of his parent or legal guardian. The defendant argued that this language meant it was impossible for him to be convicted of kidnapping his own son.

Previous appellate courts have ruled that one cannot be criminally liable simply for confining or taking possession of one's child. In this case, the appellate court disagreed with the statutory language and previous ap-

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Teen's plans for future didn't include murder

Tiphne Hollis wanted to be an entrepreneur

By Shirley Shaw

Shanda and Tim Hollis always know the whereabouts of their three teens. The kids know to come straight home from wherever they, with permission, have spent the past few hours. Saturday, March 20, was no exception. Their two daughters, Tiphne, 16, and Tiambar, 15, had gone shopping at the Avenues Mall with their cousins and another family member. Timothy, Jr., stayed at home that day with his parents.

About the time the Westside parents expected their girls to come home, they received a frantic phone call from one of the cousins. "Tiphne's been shot, she's not talking! You have to come!"

When they could finally learn the

girls' location, they sped to the scene, but were kept from going to their daughter by officers and rescue personnel. When Tiphne was transported to the hospital, Shanda followed the ambulance, and finally at the hospital was given the worst possible news a parent could receive: her precious daughter was dead.

When she was finally allowed to see Tiphne, the hospital staff permitted Shanda to touch only the sheet covering her body; she couldn't even kiss her face. A tube protruded from her mouth, and her eyes stared blindly through partly closed lids. It's the picture Shanda sees in her mind every night as she strives to sleep.

It's been two months since



Tiphne Hollis

Tiphne's death, and the family remains heartbroken. The parents like

FUTURE... CONTINUED ON PAGE 5

Summertime Crime Prevention Tips

By Sheriff John Rutherford



The weather is warming up, the school year is coming to a close, and NOW is a perfect time to review some important Summertime tips to prevent CRIMES OF OPPORTUNITY:

• **Garaging** - It's a beautiful day and you've decided to get some lawn and garden work done...maybe clear out the garage and get ready for a yard sale. Halfway through the project you go in the house for a cold drink and to rest awhile...and you've left the garage door wide open for "just a few minutes." THIS is a perfect opportunity for thieves to grab those garden tools and that edger and mower, and before you can put your empty lemonade glass in the sink they've got your stuff and are taking off to go sell it - or even go into "business" using your lawn equipment! That's what is being called "garaging." Opportunity knocks for

a thief cruising a neighborhood who notices an open garage door and no one in sight. What is just as dangerous? Leaving the door from the garage into the house unlocked...where even more valuables are kept. These home burglaries can also occur when you "run out for just a few minutes" and leave a window or door to the house or apartment open/unlocked.

• **Auto Burglaries** - During the summer months we're more inclined to leave a sunroof or car window open to help keep the vehicle cool. In a flash, the opportunistic crook has your CDs, navigation device, access to the trunk and, if they check out the glove compartment, probably some documents with your home address or, even worse, your bank account. Keep the vehicle closed and locked, even when parked in your own driveway.

• **Vehicles and Pets** - are a very dangerous combination in the summer. It takes only a few minutes for temperatures to exceed 110 degrees inside a car on a day that's not even really hot. That can be deadly for animals and humans alike. Don't leave

ANY valuables in an unattended car.

• **Social Networking** on the Internet - As summer heats up so do kids' activities. They are texting friends, or communicating via social networking sites such as Twitter, My Space, Face Book, etc. Please remind your children about the "rules" for safe Internet use: NO chatrooms that the parents haven't approved. No releasing of personal information. Absolutely NO information should be posted on the Internet that tells where you live, the family's vacation plans, new purchases for the home, such as a flat screen television, etc.

This and much more information can be located on our website at www.jaxsheriff.org - and lots of free brochures and pamphlets, all in a printable format, are available for you to download. And you can follow the Jacksonville Sheriff's Office on Face Book and Twitter (JSOPIO) for news and information about noteworthy arrests, crime alerts and other important information.

Finally, summer is a PERFECT

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