

**RECEIVED**

**Jan 02 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

BREANNA MARIE AUDETTE,

APPELLANT

APPELLATE CASE NO. 2023-001503

---

RECORD ON APPEAL

---

WANDA H. CARTER  
Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent  
Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

MARK R. FARTHING  
Senior Assistant Deputy Attorney General  
P.O. Box 11549  
Columbia, SC 29211  
(803) 734-6305

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

**INDEX**

INDEX ..... i

GUILTY PLEA TRANSCRIPT DATED APRIL 13, 2023 .....1

INDICTMENTS .....88

CERTIFICATE OF COUNSEL .....150



1 State of South Carolina ) In the Court Of General Sessions  
 2 County of Lexington )  
 3 State of South Carolina, )  
 4 Plaintiff, )  
 5 vs. ) Transcript of Proceedings  
 6 Breanna Marie Audette, )  
 7 Defendant. )  
 8 \_\_\_\_\_ )

9 Indictment Nos.: 2022-GS-32-01421A,  
 10 2022-GS-32-01426, 2022-GS-32-01427A, 2022-GS-32-01429,  
 11 2022-GS-32-01430A, 2022-GS-32-01434, 2022-GS-32-03179,  
 12 2022-GS-32-03180, 2022-GS-32-03181, 2022-GS-32-03182,  
 13 2022-GS-32-03183, 2022-GS-32-03184, 2022-GS-32-03185,  
 14 2022-GS-32-03186, 2022-GS-32-03187, 2022-GS-32-03188,  
 15 2022-GS-32-03189, 2022-GS-32-03190, 2022-GS-32-03191,  
 16 2022-GS-32-03192, 2022-GS-32-03197, 2022-GS-32-03198,  
 17 2022-GS-32-03199, 2022-GS-32-03200, 2022-GS-32-03201,  
 18 2022-GS-32-03203, 2022-GS-32-03204, 2022-GS-32-03205,  
 19 2022-GS-32-03207, 2023-GS-32-06012.

20 April 13, 2023  
 21 Lexington, South Carolina

22  
 23 BEFORE:  
 24 The Honorable Debra R. McCaslin, Judge.

25

1 APPEARANCES:

2

3 Ashley Wellman, Assistant State Solicitor  
4 Attorney for the State/Plaintiff

5

6 Megan Raymer, Assistant Attorney General

7

8 Elnora J. Dean, Esquire  
9 Attorney for the Defendant

10

11 ALSO PRESENT:

12 Breanna Marie Audette

13

14

15

INDEX

16

PAGE

17

GUILTY PLEA HEARING

3

18

19

Certificate of Reporter

87

20

21

EXHIBITS

22

NONE

23

24

25

26

1 Thereupon, the following proceedings were had,

2 BAILIFF: All rise. The Honorable Debra R. McCaslin  
3 presiding.

4 THE COURT: Thank you. Good morning. Please be  
5 seated. Do we have everybody?

6 MS. WELLMAN: Your Honor, I believe everyone is  
7 here. I know Ms. Dean has all of the sentencing sheets,  
8 that she needed to get one more signed by her client.

9 THE COURT: Okay. Do I have the AG's Office here?

10 MS. RAYMER: Good morning, Your Honor. Yes, ma'am.  
11 I'm stepping in for Ms. Weiss today.

12 THE COURT: Okay. I hope she's doing all right.

13 MS. RAYMER: She is. She's actually on spring break  
14 with her family for her daughter's last spring break  
15 before she graduates.

16 THE COURT: It is spring break this week. All  
17 right. We're waiting on the defendant and the  
18 defendant's attorney Ms. Dean and I might be a little  
19 early. Everybody ready?

20 MS. WELLMAN: Yes, Your Honor.

21 THE COURT: All right. I'm gonna get the clerk to  
22 call the case please.

23 THE CLERK: Your Honor, we have indictment  
24 2022-GS-32-01421A, 2022-GS-32-01426, 2022-GS-32-01427A,  
25 2022-GS-32-01429, 2022-GS-32-01430A, 2022-GS-32-01434,

1 2022-GS-32-03179, 2022-GS-32-03180, 2022-GS-32-03181,  
2 2022-GS-32-03182, 2022-GS-32-03183, 2022-GS-32-03184,  
3 2022-GS-32-03185, 2022-GS-32-03186, 2022-GS-32-03187,  
4 2022-GS-32-03188, 2022-GS-32-03189, 2022-GS-32-03190,  
5 2022-GS-32-03191, 2022-GS-32-03192, 2022-GS-32-03197,  
6 2022-GS-32-03198, 2022-GS-32-03199, 2022-GS-32-03200,  
7 2022-GS-32-03201, 2022-GS-32-03203, 2022-GS-32-03204,  
8 2022-GS-32-03205, 2022-GS-32-03207, and 2023-GS-32-06012,  
9 the State versus Breanna Marie Audette, indicted for  
10 unlawful conduct towards a child, pleading as charged.  
11 All indictments have been true billed and being  
12 represented by Ms. Dean.

13 Thereupon,

14 BREANNA MARIE AUDETTE

15 after having been first duly sworn, testified as follows,

16 THE COURT: All right. Ms. Wellman, you want to  
17 tell me about it.

18 MS. WELLMAN: Thank you, Your Honor. May it please  
19 the Court. The defendant has been indicted on a total of  
20 50 counts of unlawful conduct towards a child. One of  
21 those counts is being handled by the Attorney General's  
22 Office. They are present today. Their office is  
23 represented by Megan Raymer. The Eleventh Circuit  
24 Solicitor's Office is handling 49 of those cases. There  
25 are 29 victims in this case that are being handled by our

1 office and that represents the 29 counts that the  
2 defendant is facing today. Does the Court want me to go  
3 ahead and go into the factual basis presentation or --

4 THE COURT: I do.

5 MS. WELLMAN: Okay. As I stated, Your Honor, 29  
6 victims. Three year old Minor 2 , four year old  
7 Minor 5 , four year old Minor 1 , three year old  
8 Minor 4 , five year old Minor 17 , one year old  
9 Minor 13 , one year old Minor 11 , four year  
10 old Minor 6 , one year old Minor 12 , four  
11 year old Minor 18 , three year old Minor 24 , five  
12 year old Minor 15 , four year old Minor 23 ,  
13 three year old Minor 16 , five year old Minor 8 ,  
14 one year old Minor 20 , five year old Minor 26  
15 , four year old Minor 9 ,  
16 four year old Minor 7 , five year old Minor 10 ,  
17 four year old Minor 3 , four year old Minor 21 ,  
18 one year old Minor 19 , three year old Minor 25  
19 , one year old Minor 14 , one year old Minor 29  
20 , three year old Minor 28 , five year old Minor 27  
21 , and ten month old Minor 22 .

22 THE COURT: Let me ask you, Ms. Wellman, does this  
23 encompass the whole 29 indictments from the Solicitor's  
24 Office?

25 MS. WELLMAN: Yes, it does, Your Honor. It does not

1 include one year old Minor30 . That case is  
2 being handled by the Attorney General's Office and I will  
3 defer to her with regards to the facts of that case.

4 THE COURT: Okay. Well, before you all start on  
5 that now that I know all of the children involved, let me  
6 go ahead and take her plea. Ms. Audette, you understand  
7 that it is these children plus one child from the  
8 indictment from the Attorney General's Office that you're  
9 pleading to? Do you understand that?

10 BREANNA AUDETTE: Yes, ma'am.

11 THE COURT: All right let me ask you, Ms. Dean, have  
12 you been able to go over all of these charges with Ms.  
13 Audette, explain to her all of her jury trial rights  
14 concerning these charges.

15 MS. DEAN: I have, Your Honor.

16 THE COURT: And do you concur in her decision to  
17 plead guilty today?

18 MS. DEAN: Yes, ma'am.

19 THE COURT: All right. Ms. Audette, I've got some  
20 questions for you. Are you under the influence of any  
21 drugs or alcohol today?

22 BREANNA AUDETTE: No, ma'am.

23 THE COURT: Have you ever been treated for any type  
24 of mental illness? Now, I do have a report from Dr.  
25 McKee, but let me ask you, have you ever been treated for

1 any type of mental illness?

2 BREANNA AUDETTE: I currently take anti-depressants  
3 for depression.

4 THE COURT: Did you take any medication today?

5 BREANNA AUDETTE: Yes, ma'am.

6 THE COURT: Can you tell me what medication you're  
7 on?

8 BREANNA AUDETTE: Prozac.

9 THE COURT: And do you know what you're doing here  
10 today?

11 BREANNA AUDETTE: Yes, ma'am.

12 THE COURT: Got a clear head?

13 BREANNA AUDETTE: Yes, ma'am.

14 THE COURT: Because your pleading to 30 indictments.  
15 Do you understand?

16 BREANNA AUDETTE: Yes, ma'am.

17 THE COURT: Let me ask you, Ms. Dean, do you have  
18 any questions about her competency or her understanding  
19 any of the conversations that y'all have had?

20 MS. DEAN: I don't have any concerns about that.

21 THE COURT: Are you ready to go forward today, Ms.  
22 Audette?

23 BREANNA AUDETTE: Yes, ma'am.

24 THE COURT: All right. Now, you know that you have  
25 a right to a jury trial. In fact, you were my anchor

1 case this week that I would have tried this case, but you  
2 have a right to a jury trial. You could call witnesses  
3 on your behalf. You could present a defense if you have  
4 one. You could have your lawyer cross examine any of the  
5 State's witnesses against you, and you could have chose  
6 to testify or not to testify during your trial. If you  
7 chose not to testify, I'd tell the jury that they  
8 couldn't even consider that at all in their  
9 deliberations. Do you understand all your jury trial  
10 rights?

11 BREANNA AUDETTE: Yes, ma'am.

12 THE COURT: At this time are you willing to waive  
13 those rights and go forward with a plea of guilty?

14 BREANNA AUDETTE: Yes, ma'am.

15 THE COURT: All right. All of these charges are  
16 unlawful conduct towards a child, carries up to 10 years  
17 all 30 of them. All of these indictments have been true  
18 billed by the grand jury and on the board lists the names  
19 of each one that's in the indictment, but it states that  
20 on or about July 12th of 2021 being a person in charge of  
21 a child or a guardian or responsible for the welfare of  
22 the child, that you did unlawfully place these children,  
23 and that's all 29, and can you tell me from the Attorney  
24 General's Office what child that is?

25 MS. RAYMER: The thirtieth victim is Minor 30

1 Minor30 . She was one year old at the time.

2 THE COURT: And Miss Whitehead; that you did place  
3 these children at unreasonable risk of harm while at the,  
4 looks like the Harvest Church Child Daycare Facility.  
5 Let me ask you, as to Minor2 , are you pleading  
6 guilty or not guilty?

7 BREANNA AUDETTE: Guilty.

8 THE COURT: As to Minor5 , are you pleading  
9 guilty or not guilty?

10 BREANNA AUDETTE: Guilty.

11 THE COURT: As to Minor1 , are you pleading guilty  
12 or not guilty?

13 BREANNA AUDETTE: Guilty.

14 THE COURT: As to Minor4 , are you pleading  
15 guilty or not guilty?

16 BREANNA AUDETTE: Guilty.

17 THE COURT: As to Minor17 , guilty or not  
18 guilty?

19 BREANNA AUDETTE: Guilty.

20 THE COURT: Minor13 , guilty or not guilty?

21 BREANNA AUDETTE: Guilty.

22 THE COURT: Minor11 , guilty or not guilty?

23 BREANNA AUDETTE: Guilty.

24 THE COURT: Is it Minor6 , Minor6 .?

25 MS. WELLMAN: Minor6 .

1 THE COURT: Minor 6 , is it Minor 6 ?  
2 MS. DOUGHTY: Minor 6 .  
3 THE COURT: Minor 6 . Excuse me. Minor 6 ,  
4 are you pleading guilty or not guilty?  
5 BREANNA AUDETTE: Guilty.  
6 THE COURT: Minor 12 , guilty or not guilty?  
7 BREANNA AUDETTE: Guilty.  
8 THE COURT: <sup>Minor 18</sup>, is it Minor 18 ?  
9 MS. DEKONING: Minor 18 .  
10 THE COURT: Minor 18 . Guilty or not guilty.  
11 BREANNA AUDETTE: Guilty.  
12 THE COURT: Minor 15 , guilty or not guilty?  
13 BREANNA AUDETTE: Guilty.  
14 THE COURT: Minor 24 , guilty or not guilty?  
15 BREANNA AUDETTE: Guilty.  
16 THE COURT: Minor 23 , guilty or not guilty?  
17 BREANNA AUDETTE: Guilty.  
18 THE COURT: Minor 26 , guilty or not  
19 guilty?  
20 BREANNA AUDETTE: Guilty.  
21 THE COURT: Minor 9 , guilty or not guilty?  
22 BREANNA AUDETTE: Guilty.  
23 THE COURT: Is it Minor 7 or Minor 7 ?  
24 MS. LOS: Minor 7 .  
25 THE COURT: Minor 7 . Minor 7 , guilty or not

1 guilty.

2 BREANNA AUDETTE: Guilty.

3 THE COURT: Minor 10, is it Minor 10 ?

4 MS. STATHOS: Minor 10 .

5 THE COURT: If I pronounce these names wrong, just  
6 correct me and I apologize. Tell me that last name  
7 again.

8 MS. WELLMAN: Minor 10 .

9 THE COURT: Minor 10 . Minor 10 . Guilty or not  
10 guilty?

11 BREANNA AUDETTE: Guilty.

12 THE COURT: A Minor 3 , guilty or not  
13 guilty?

14 BREANNA AUDETTE: Guilty.

15 THE COURT: Minor 21 , guilty or not guilty?

16 BREANNA AUDETTE: Guilty.

17 THE COURT: Minor 16 , guilty or not guilty?

18 BREANNA AUDETTE: Guilty.

19 THE COURT: Minor 22 .

20 MR. PETRARCA: Minor 22 .

21 THE COURT: Minor 22 , guilty or not guilty?

22 BREANNA AUDETTE: Guilty.

23 THE COURT: Minor 19 , guilty or not guilty?

24 BREANNA AUDETTE: Guilty.

25 THE COURT: Minor 25 , guilty or not guilty?

1 BREANNA AUDETTE: Guilty.

2 THE COURT: Minor 8 , guilty or not guilty?

3 BREANNA AUDETTE: Guilty.

4 THE COURT: Minor 27 , guilty or not guilty?

5 BREANNA AUDETTE: Guilty.

6 THE COURT: Minor 14 , guilty or not guilty?

7 BREANNA AUDETTE: Guilty.

8 THE COURT: Minor 29 , guilty or not guilty?

9 BREANNA AUDETTE: Guilty.

10 THE COURT: Minor 28 , guilty or not guilty?

11 BREANNA AUDETTE: Guilty.

12 THE COURT: Minor 20 , guilty or not

13 guilty?

14 BREANNA AUDETTE: Guilty.

15 THE COURT: And then the child's first name?

16 MS. RAYMER: Minor 30 .

17 THE COURT: Minor 30 , guilty or not guilty?

18 BREANNA AUDETTE: Guilty.

19 THE COURT: All right. Each one of these

20 indictments laid out the facts that I've just stated to

21 you earlier and each one of these is for unlawful conduct

22 towards a child. Again, all of them have been true

23 billed by the grand jury. Let me ask you, Ms. Audette,

24 has anyone promised you anything to get you to plead

25 guilty today?

1 BREANNA AUDETTE: No, ma'am.

2 THE COURT: Anybody force you, threaten you to get  
3 you to plead guilty today?

4 BREANNA AUDETTE: No, ma'am.

5 THE COURT: And are you pleading guilty freely and  
6 voluntarily?

7 BREANNA AUDETTE: Yes, ma'am.

8 THE COURT: Are you satisfied with the services of  
9 your attorney?

10 BREANNA AUDETTE: Yes, ma'am.

11 THE COURT: Is there anything else you want her to  
12 do concerning this case before we go forward?

13 BREANNA AUDETTE: No, ma'am.

14 THE COURT: All right. Now, I'm gonna turn to the  
15 Solicitor, also the Assistant Attorney General, they're  
16 gonna tell me about the facts of this case and I want you  
17 to listen because then I'm gonna turn back to you and  
18 we'll talk about it, okay?

19 BREANNA AUDETTE: Yes, ma'am.

20 MS. DEAN: Your Honor, you asked her was she  
21 promised anything. The only thing, there were some  
22 charges that were dismissed.

23 THE COURT: Okay. Other than -- All right. She's  
24 pleading to 30 -- Did you tell me there were 50 counts?

25 MS. DEAN: Yes, Your Honor.

1 THE COURT: So 20 are being dismissed?

2 MS. DEAN: No. I'm sorry. It was 49 counts. 19  
3 are being dismissed.

4 THE COURT: How many indictments are being  
5 dismissed?

6 MS. WELLMAN: Right. So I think there's a total of  
7 50. We are dismissing 20 from our office and then there  
8 is the one count with the AG's office so 20 are being  
9 dismissed.

10 THE COURT: Altogether?

11 MS. WELLMAN: Yeah.

12 THE COURT: Okay. You understand that, Ms. Audette?  
13 The rest, I'm assuming this is the rest of her charges in  
14 Lexington County and with the Attorney General's Office.  
15 This plea they're telling me afterwards they will dismiss  
16 those charges. Do you understand?

17 BREANNA AUDETTE: Yes, ma'am.

18 THE COURT: Okay. All right. Go ahead, Ms.  
19 Wellman. Whichever one of you want to go first.

20 MS. WELLMAN: Thank you, Your Honor. May it please  
21 the Court. As I mentioned a few moments ago, these are  
22 the names of the 29 victims handled by the Eleventh  
23 Circuit Solicitor's Office that the defendant assaulted  
24 between June 2nd of 2021 and July 12th of 2021, and  
25 again, there's the additional victim Minor30 being

1 handled by the Attorney General's Office. I will defer  
2 to her at the end of this presentation of the facts  
3 regarding that case.

4 THE COURT: Okay. Thank you.

5 MS. WELLMAN: Your Honor, these were babies. They  
6 were toddlers. They were just little kids. The  
7 defendant was a daycare provider at Harvest Church Child  
8 Daycare Center and therefore she is a person responsible  
9 for the welfare of a child under 63-7-20. This woman was  
10 trusted by all of the parents in this room with the  
11 safety and welfare of their child, their children while  
12 they went to work and she completely broke and abused  
13 that trust.

14 As we stated earlier, the defendant has been or is  
15 facing a total of 50 count, but we're looking at 29  
16 victims from the Solicitor's Office, 30 in total, but she  
17 didn't just assault these children one time on one day.  
18 This wasn't a one hour thing. It wasn't an accident.  
19 She didn't just have a bad day. This was over and over  
20 again over the course of a period of time which from  
21 reviewing the video footage what we can see, not  
22 surprising in cases of abuse, the abuse escalated and it  
23 got worse as time went on.

24 There were some children such as four year old  
25 Minor<sup>5</sup> or three year old Minor<sup>4</sup> , four year old Minor<sup>1</sup> that

1 appeared to be particular targets. Some of these  
2 children regressed back to bed wetting when they were  
3 being carried for by this defendant. But she did put  
4 them at an unreasonable risk of harm by multiple acts of  
5 violence, physical harm and excessive aggression.

6 As I previously stated, these children were between  
7 the ages of 10 months and five years of age. They were  
8 no match for her, Your Honor. They were incapable of  
9 defending themselves as she threw them across the room,  
10 slammed them into corners, or kicked them when they were  
11 wrapped in a blanket on the floor. They didn't know they  
12 could question her actions and many of them weren't even  
13 capable of speaking to go home and tell their parents  
14 what they were going through. However, on July 12th of  
15 2021 one brave little kid went home and said that this  
16 defendant had choked him while at school and that's what  
17 led to this investigation.

18 We can't show the Court every single video, every  
19 single clip. That is just impractical, but the State has  
20 selected several video clips and still shots that are  
21 truly representative of what these children went through  
22 everyday at the hand of the defendant. Watching these  
23 videos, I think what is particularly disturbing is that  
24 these kids were just being little kids. Some of them  
25 were crying, yes, but babies sometimes cry. Some of them

1 were playing, but yet kids play. They did nothing,  
2 nothing, Your Honor, to spark any aggression, especially  
3 at this level.

4 Additionally, there were some incidents where the  
5 defendant committed acts of aggression against these  
6 children while other daycare workers were around. That  
7 suggests that she knew or didn't think what she was doing  
8 was wrong even though she was completely capable of  
9 knowing right from wrong. Another point that I mentioned  
10 before is that her aggression just continued to escalate  
11 over the course of several weeks.

12 (Showing video clips.)

13 MS. WELLMAN: Your Honor, this is Minor29 .  
14 Again, one year old Minor29.

15 THE COURT: Do you have a --

16 MS. WELLMAN: There we go, Your Honor. Minor29 is up  
17 at the top, Your Honor.

18 THE COURT: Hold on just a second. The court  
19 reporter is fixing the microphone. Thank you. Go ahead.

20 MS. WELLMAN: It's clear, Your Honor. I think these  
21 videos do speak for themselves.

22 (Showing video clips.)

23 MS. WELLMAN: As the Court can see, he was just  
24 crying. She went and dragged him by his arm and then  
25 slammed his knee down. Five year old Minor8. As you can

1 see in this clip, Your Honor, her feet lift from the  
2 ground. Four year old Minor9 . Your Honor, here in this  
3 first photo we're looking at five year old Minor10. He was  
4 laying on the floor. She ripped him up from the floor  
5 after nap time. And then the next photo is Minor22. I  
6 believe she goes by Minor22. This is 10 month old Minor22.  
7 She was seated in that little walker and the defendant  
8 came up and just sort of ripped her out of there and  
9 almost got her horizontal with the amount of force that  
10 she used to rip her out.

11 This is one year old Minor11 . He is seated  
12 in the highchair and the defendant is trying to put a  
13 shoe on him and just as babies sometimes do, he pulled  
14 his foot away. Five year old Minor15 . He is the  
15 little boy in red down at the bottom. Four year old  
16 Minor18. Here, Your Honor, we have still shots from one  
17 year old Minor12, one year old Minor13. It's hard to tell,  
18 but she is literally dragging them by the arms across the  
19 room and their little bodies do come up off the ground.

20 One year old Minor19. This is one year old Minor20 .  
21 Four year old Minor21 . And, Your Honor, this is one year  
22 old Minor14. She is just throwing him around like a rag  
23 doll. And five year old Minor17, lifting him up off the  
24 ground for no apparent reason. Your Honor, this is four  
25 year old Minor23. That's Minor23.

1 THE COURT: That was Minor23?

2 MS. WELLMAN: The second child is Minor23. We will  
3 come back to the first child. Here we have three year  
4 old Minor25 . I think in that video we can see the amount  
5 of force that she used to put him against the wall.  
6 Again, Your Honor, we have three year old Minor24 just  
7 being drug around the room. You can see her hands around  
8 his neck, the back of his neck. And then there is three  
9 year old Minor16. From that video the defendant is  
10 actually pulling her hair. This is three year old  
11 Minor28, five year old Minor26, and five year old Minor27.  
12 This video highlights four year old Minor5 .

13 Your Honor, this video will show what happened to  
14 four year old Minor7 , four year old Minor3, four year  
15 old Minor6 , three old Minor2 , and three year old  
16 Minor4 . Minor2 , you can see her rubbing her arm.

17 Your Honor, this incident is from July 12th, the  
18 date that this was reported so we do have some photos of  
19 some injuries. That is the knee of little Minor4 and  
20 the under side of the arm of Minor2 . Your Honor, this is  
21 sort of a compilation of several clips within a very  
22 short time span on July 12th of the abuse suffered by  
23 Leah, four year old Leah.

24 Your Honor, in some of these clips there were some  
25 other children that were assaulted that I didn't actually

1 highlight, but we did show something from every child and  
2 I think all of these are representative of what they went  
3 through. At this time I will go ahead and defer to Ms.  
4 Raymer to talk about the 30th victim one year old  
5 Minor 30 .

6 MS. RAYMER: Thank you, Your Honor, and may it  
7 please the Court. If we had shown the video clip of  
8 Minor 30 , a one year old child at the time, that  
9 clip would have shown the defendant physically harming  
10 the child by grabbing her by the arm and pulling her like  
11 she did to so many of these other children and then the  
12 child rubbing her arm after the incident and that did  
13 occur on July 10th, 2021.

14 MS. WELLMAN: Thank you, Ms. Raymer.

15 MS. RAYMER: Thank you.

16 THE COURT: All right. Ms. Audette, you've heard  
17 the State and the Assistant Attorney General's Office  
18 statements of fact. This is what they would have shown  
19 at a jury trial. Do you agree with these actions, the  
20 videos that I've seen?

21 BREANNA AUDETTE: Yes, ma'am.

22 THE COURT: All right. I'm gonna accept your plea  
23 and find it to be freely, voluntarily, intelligently  
24 made. You've had the advice of excellent counsel so I'm  
25 gonna accept your plea. I've just got a few questions

1 myself.

2 MS. WELLMAN: Yes, Your Honor.

3 THE COURT: How long did Ms. Audette work at this  
4 daycare?

5 MS. WELLMAN: Your Honor --

6 MS. DEAN: She worked, I don't know the exact date  
7 in January of 2021, but from January of 2021 to July the  
8 12th when the incidents were reported.

9 THE COURT: And the video only goes back two months,  
10 am I correct?

11 MS. WELLMAN: Yes, Your Honor. We have no idea what  
12 was going on before then.

13 THE COURT: And all of these videos were taken on  
14 different days?

15 MS. WELLMAN: Yes, Your Honor.

16 THE COURT: Throughout those two months?

17 MS. WELLMAN: Correct, Your Honor. The defendant,  
18 her role at the daycare was almost like a floater, so she  
19 would go to different classrooms and relieve other  
20 teachers for breaks or lunch periods or something like  
21 that and that's why we're in so many different rooms, why  
22 she had access to so many different children of so many  
23 different ages. But yes, these incidents range from June  
24 2nd to July 12th.

25 THE COURT: All right. Let me ask you, did any of

1 these children have to seek any kind of medical  
2 attention?

3 MS. WELLMAN: I know some of the children were  
4 checked out by medical providers after this was reported,  
5 but there were no serious injuries. Yes, Your Honor,  
6 physically.

7 THE COURT: I got it. Well, let me ask you, I mean,  
8 other than this one child coming and telling their  
9 parents what had happened, nobody checked these videos --

10 MS. WELLMAN: Not that we're aware of.

11 THE COURT: -- at the daycare?

12 MS. WELLMAN: No, Your Honor.

13 THE COURT: What about the other daycare workers,  
14 nobody reported anything?

15 MS. WELLMAN: (Shaking head.)

16 THE COURT: All right. I know I have a list of  
17 victims that would like to speak. Let me go through  
18 them, Ms. Dean, and then I'll let you follow up.

19 MS. DEAN: Your Honor, may we sit while that --

20 THE COURT: Absolutely you may.

21 MS. WELLMAN: Just I would ask to be heard briefly  
22 at the end after all of the victims have had a chance to  
23 speak.

24 THE COURT: Sure. Tell me your name. Our court  
25 reporter takes down every word we say so I'm gonna need

1 to know your name and if you could spell your last name  
2 for the court reporter.

3 Jael Whitehead: Thank you, Your Honor. My name is  
4 Jael, J-a-e-l, Whitehead, W-h-i-t-e-h-e-a-d, and this is  
5 my husband Chris Whitehead. Our daughter was Minor 30

6 , the one that was being handled by the Attorney  
7 General's Office --

8 THE COURT: Right.

9 Jael Whitehead: -- and we appreciate their handling  
10 that for us. Your Honor, they didn't show a picture. If  
11 you're interested, I do have screen shots from the  
12 incident that I was able to take when we were shown the  
13 video. I don't know if that's something that you want to  
14 see but I do have it.

15 THE COURT: If you have it, I'd be more than happy  
16 to look at it. Have you seen it, Ms. Dean?

17 MS. DEAN: I have not.

18 THE COURT: If you could show it to Ms. Dean first  
19 please.

20 Jael Whitehead: (Proffering.)

21 THE COURT: Thank you.

22 Jael Whitehead: Thank you, Your Honor. Uhm, so  
23 it's a pretty surreal experience for me to be standing  
24 not in the courtroom at all but here in these shoes.  
25 I've played a number of different roles in a courtroom

1 but never this one before. The same with my husband. I  
2 don't think we ever expected this to be a situation we  
3 would be dealing with. You know, it can't compare though  
4 to the feeling of getting a phone call finding out that  
5 our daughter was a victim. We had heard there was an  
6 investigation. When I saw the mug shot of the person  
7 that it was, I had a sinking feeling because I  
8 at that point am recalling all the days that I would go  
9 to pick up my daughter and she was there oftentimes alone  
10 at the end of the day. I would be in court and, you  
11 know, be kind of at the end of the day getting there and  
12 sometimes it would be just my daughter and Ms. Audette  
13 and sometimes I believe she had a newborn and the newborn  
14 would be in there too. But I, you know, you kind of get  
15 this sinking feeling at that point.

16 We hadn't been told initially that our daughter was  
17 a victim. It was a little frustrating when we contacted  
18 the daycare and they just said we're cooperating. And I  
19 said, well, you know, the classrooms that we were told  
20 are under investigation are not my daughter's but I know  
21 she's been in there. They wouldn't give us any  
22 information. I contacted the detective. Same thing.  
23 Just said, you know, they're cooperating. Finally,  
24 fortunately, and I have to give praise to Deputy  
25 Solicitor Suzanne Mayes who was handling the case, that

1 as thorough as she is she had them review video from  
2 other classrooms and that's how others were identified  
3 including our daughter so we appreciate that they did  
4 that.

5 But nothing can compare to getting that phone call  
6 finding out that your one year old, she couldn't tell us,  
7 she knew some words but she couldn't, didn't have the  
8 ability to come home and say, mommy, I've been, you know,  
9 assaulted by one of my teachers. Mommy, I've been hurt.  
10 You know, she couldn't tell us anything about it. So  
11 until we saw the video, we had no idea what had happened  
12 and as you can see in the picture essentially what she  
13 does is grabs her up by the, under her arm and kind of  
14 flings her back like some others have said like a rag  
15 doll. In the video you can't even see whether she lands  
16 standing up or lands falling down because of the way the  
17 camera angle was. It goes out of view of the camera and  
18 we were told that, you know, that's just sort of a, that  
19 was problem with the way the camera angles were there is  
20 that they don't really know what happens off those  
21 cameras so we don't know if this is the only time.

22 My daughter had only just started daycare due to the  
23 pandemic and wait list and things like that and we had  
24 just started daycare there in March. So, you know, this  
25 is our first child so it's hard enough to entrust your

1 child, at that time only child, our first born child to  
2 complete strangers and then less than four months later  
3 you're finding out that these people that, you know,  
4 you've done all this research trying to find a daycare  
5 that more than anything else in this world would keep  
6 your child safe when you can't be the one watching after  
7 her and less than four months later we find out we made a  
8 terrible mistake. So nothing can really compare to that  
9 feeling.

10 You know, my daughter is strong and she's resilient.  
11 It took us about a year to get her in, we had her on wait  
12 list as soon as this happened, but we couldn't quit our  
13 jobs so she actually had to stay in that daycare for  
14 about a year before we got her in somewhere else and that  
15 was tough. We knew she wasn't there anymore but, you  
16 know, like you were mentioning earlier, you know, was  
17 no one watching these cameras? Was no one else paying  
18 attention? And, you know, that was a really tough year,  
19 again, knowing she's gone but knowing is no one there  
20 watching my child? You know, are they not watching these  
21 videos?

22 Anyway, we eventually did get her in another one and  
23 she just, she has come into her own. She is outgoing and  
24 happy and, you know, doesn't know a stranger and just  
25 since she's been there, I mean, she has, it's been a big

1 difference and, you know, it was hard to know at her age  
2 whether this had affected her or how much, but seeing the  
3 difference just within a few weeks of being somewhere  
4 else, you know, I think that it did. Again, I can't tell  
5 you because she was only one. But I can tell you that it  
6 affected me. It affected us.

7 You know, my daughter was young enough and she  
8 didn't have, we did have her checked out. She didn't  
9 have any, you know, severe injuries or anything  
10 fortunately and she's doing, she's doing well now so I do  
11 think that this is something that is not gonna be a  
12 permanent lifetime, you know. Again, she's strong.  
13 She's resilient. She's gonna be fine. The bigger impact  
14 I think is on us, that it sort of stole our sense of  
15 security. You know, I have a hard time not carrying my  
16 phone at my side all the time for fear that, you know,  
17 I'm gonna get a call, something's happened and not because  
18 of the daycare we're at. They're great, but it's just  
19 sort of this constant feeling that like, you know, I  
20 don't know, you know, and it makes it a lot harder to  
21 drop my kids off at daycare everyday.

22 But, you know, I will say this: I am a very strong  
23 believer in rehabilitation. That's part of the purpose  
24 of the system is not just punishment but rehabilitation.  
25 I know that she has kids of her own. I just noticed

1 that, it looks like there might be another one on the way  
2 from what I've been told and, you know, I believe that  
3 the most important thing at this point is to try to make  
4 sure that this doesn't happen again to her kids or  
5 anybody else's and so, you know, I would - don't get me  
6 wrong, I'm not asking that punishment not be part of  
7 this, but I am asking the Court to consider that some  
8 sort of rehabilitative measures whether counseling or  
9 whatever she might need. I know that she had just had a  
10 baby and having gone through postpartum depression  
11 myself, I know that that can really mess with your head.  
12 I don't know if that was part of it but that would be my  
13 guess is that that might have been part of it because I  
14 know she had a very young baby.

15 So I would just ask the Court to consider that  
16 whatever sentence you decide to impose, that that  
17 includes some sort of rehabilitative measures, counseling  
18 or something along those lines to help make sure that  
19 this doesn't happen again because prison time is  
20 punishment, but won't make sure that it never happens  
21 again so we would just ask the Court to take that into  
22 consideration and we appreciate you hearing the case. We  
23 appreciate the Attorney General's Office and all their  
24 help and, of course, again to Deputy Solicitor Mayes for  
25 being so thorough and making sure that as many incidents

1 were found as could be identified so...

2 THE COURT: Thank you, Ms. Whitehead. Thank you for  
3 coming.

4 Jael Whitehead: Thank you.

5 JESSICA HOOD: Good morning, Your Honor. Sorry.  
6 I'm a little emotional.

7 THE COURT: No. That's okay. Just make sure you  
8 state your name and spell your last name for the court  
9 reporter please.

10 JESSICA HOOD: My name is Jessica Hood. Last name  
11 is spelled H-o-o-d. Thank you for the opportunity to  
12 speak and advocate on behalf of my son Minor5 . He  
13 was only four years old when Breanna Audette chose to  
14 repeatedly assault him over a period of more than a  
15 month. She handled him and other vulnerable children in  
16 an aggressive manner that was inappropriate and a  
17 physically violent manner. As she mentioned early, he  
18 was unfortunately a target in multiple days of incidents  
19 by Ms. Audette. I can only imagine the pain and terror  
20 he must have endured. How confused he must have been to  
21 have a person trusted to provide his daily care violate  
22 him in such a way.

23 It was utterly heart breaking as a mother to watch  
24 the video footage of my child being repeatedly kicked,  
25 thrown, hit, shoved and grabbed by the neck and to watch

1 my child forced into a corner for over an hour  
2 uncontrollably sobbing while his caregiver continually  
3 assaulted him. I have no doubt in my mind that had it  
4 not been for a young child's self reporting this abuse,  
5 Ms. Audette would continue to terrorize Minor5 and  
6 countless others. I also believe that Ms. Audette was  
7 fully cognizant of her behavior, it's heinous nature and  
8 the potential repercussions if it was brought to light.

9 During conversations with my son after the abuse was  
10 discovered, it became apparent that he had been coached  
11 by Ms. Audette not to tell anyone. He informed me  
12 through tears that he did not tell me or his father of  
13 the abuse because doing so would have made Miss Bree sad.  
14 This ordeal has caused my son mental and emotional  
15 distress which manifested in behavioral changes and  
16 nightmares. Minor5 became fearful and anxious. He  
17 preemptively and profusely apologized for simple  
18 accidents, things he didn't even do or upon hearing  
19 physical cues of frustration such as a sigh from someone  
20 near him. Minor5 began experiencing dreams in which he  
21 would cry out and repeatedly apologize. I had to wake  
22 him from these dreams and comfort him before he could get  
23 back to sleep.

24 These incidents of assault perpetrated by Ms.  
25 Audette had a drastic detrimental impact on the mental

1 and emotional health of my son. Months after changing  
2 daycare, Minor5 told me that he loved his new daycare  
3 because Ms. Audette was not there and his new teachers  
4 loved him. How sad that his world has been impacted in  
5 such a way that this is now the lens through which he  
6 views it.

7 Ms. Audette's actions will have long term impacts on  
8 my son and myself. The fear of failing to protect him  
9 again will be ever present with me. Given the nature of  
10 her crimes, her conscious choice to repeat them for an  
11 extended period of time and the egregious impact on so  
12 many I respectfully ask that Ms. Audette be sentenced to  
13 a minimum of 10 years and be ineligible for parole until  
14 completion of at least five years active time. Thank you  
15 for your time.

16 THE COURT: Thank you.

17 MR. MONGILLO: Good morning, Your Honor. My name is  
18 Scott Mongillo. I'm an attorney with the Bland Richter  
19 Law Firm and we represent the Till family, and as you've  
20 heard, Minor4 is one of the particular targets and  
21 we represent them against the Harvest Daycare.

22 THE COURT: All right. Thank you for coming. I'll  
23 be glad to hear from you, Ms. Till.

24 HANNAH TILL: Good morning. My name is Hannah Till  
25 and this is my husband Martin. We're the parents of two

1 separate victims Minor17 and Minor4 , and I'm here  
2 today to speak to you about the impact on our lives  
3 following the direct actions of Ms. Audette.

4 The morning of Tuesday, July 12th is a day that will  
5 forever be burned into our memory as it is the day that  
6 severely altered the course of our children's lives. But  
7 before I address that horrific day I want to tell you  
8 what occurred leading up to it.

9 To truly understand the effect that occurred from  
10 the direct actions of Breanna you must first understand  
11 who my children were prior to her entering their lives.  
12 Both boys have always had very social and outgoing  
13 personalities. Much to our fear, they have never met a  
14 stranger and were the life of every situation. They  
15 spoke to everyone they met including the lady behind us  
16 in the grocery line or would ask the man at the library  
17 if he had any pets. Everyone was a friend.

18 In spring of 2021 we noticed a change in their  
19 behavior, mostly in our youngest Minor4 . Both boys who  
20 were previously toilet trained for both day and night  
21 began having consistent accidents. So severely that they  
22 both needed wear pull-ups again. Then Minor4 began  
23 acting out. He started becoming very violent not only  
24 with us but with his brother and with other friends and  
25 adults. There was a moment in the time of summer of

1           2021, shortly before the abuse made known to us, that he  
2           began hurting small frogs and worms that he found in the  
3           backyard. Please keep in mind that this is the same  
4           young toddler who weeks prior would stay outside and  
5           build them little homes so they wouldn't get wet or get  
6           too hot. He became so violent at one point that we put  
7           in a call to our pediatrician to speak to the nurse about  
8           his sudden change in behavior.

9           It was also during this time that both of our boys  
10          Minor17 and Minor4 became terrified of sleeping alone.  
11          Every night was filled with nightmares and ended with us  
12          moving them into our bed and promising that they were  
13          safe and no one was gonna hurt them.

14          Then we got the call. No one truly prepares you for  
15          the call that your child may have been abused. It's just  
16          not something you can plan for.

17          That first call was played down by the director at  
18          the time to the point that my concerns were made to feel  
19          silly. But I knew something was up and on the day of I  
20          immediately rushed my children into the pedestrian for an  
21          evaluation. It was the following day that I received a  
22          call from the detective letting me know that it was truly  
23          abuse that had occurred. It was a call that is seared  
24          into my memory forever.

25          To be completely honest the next two weeks are a

1 blur. We started the court process when we learned about  
2 what happened. We learned that not only had she tossed  
3 Minor4 across the room, but that she laid her hands  
4 around Minor4 : 's neck and attempted to choke him. We  
5 tried to process this all and we immediately switched our  
6 boys to a new daycare but that did not last long. I was  
7 leaving work every day before lunchtime to come pick up  
8 Minor4 because he was having panic attacks in the room.  
9 He would run away from his teachers and hide under tables  
10 begging them not to hurt him.

11 We only lasted a few weeks in the new center before  
12 I decided I could no longer put him through that torture.  
13 Previously Minor4 could care less about us leaving for  
14 work for the day, but everyday it turned into a vice-grip  
15 on me. I cried every morning heading to work. With the  
16 advice of his therapist we decided that he needed to be  
17 in a safe space at home so at that time a had to quit my  
18 full-time job as a speech and language pathologist and  
19 stepped away from a directorship I had just been awarded  
20 and spent the last eight years working towards so that I  
21 could stay home with him and take care of him and make  
22 him feel safe. Shortly after this is when we found out  
23 that our oldest son was also abused. My husband was able  
24 to sit and watch the videos of those but I was not.

25 Not only were our children physically abuse but they

1 had to spend hours, days and weeks watching a trusted  
2 adult lay hands on other children. The psychological  
3 ramifications of that are unmeasurable.

4 We've spent the last two years walking on eggshells  
5 and therapy has been a godsend, but I know that this is a  
6 trauma that we will carry for the rest of our lives. I  
7 can no longer drive down 378 or pass Whiteford Way  
8 without both of my children commenting that is where Ms.  
9 Bree hurt me. That is where Ms. Bree put her hands on my  
10 neck. That's where Ms. Bree choked me. Mom, will you  
11 choke me? They asked us if other adults will hurt them  
12 or if we will hurt them. Why did she hurt me? Will she  
13 go to jail so she won't hurt other kids.

14 Thankfully we have moved from daily statements to  
15 now weekly, but each time they bring it up, it feels like  
16 a knife to the heart. Both of my boys went from outgoing  
17 little boys to boys who are terrified of strangers. They  
18 went from wanting to play outside with their neighbors to  
19 wanting to stay inside where they felt safe. To give you  
20 an idea of how intent and long lasting this has been,  
21 just this January 2023 almost two years after the abuse  
22 we were just now able to start taking Minor4 back to a  
23 three hour, four day a week daycare to try to  
24 re-introduce him to a school setting to prepare for five  
25 K next year.

1           Thankfully the center let me stay with him for the  
2 first two weeks to help him adjust. On the first day he  
3 opened up his lunch box and saw an ice pack. He looked  
4 at his teachers and then at me and he said, mom, is this  
5 for when they hurt me? He is still too scared to sit on  
6 the circle mat because he said if he steps out of his  
7 spot, he's gonna get hurt. He can't "play wrestle"  
8 because if you touch near his neck, he thinks you're  
9 going to choke him.

10           And Minor 17 has made statements such as, "it wasn't so  
11 bad, mom. She only liked to put scratches on my arms if  
12 I didn't listen."

13           We have not only lost our safety and security in  
14 others but having to quit my job we lost the financial  
15 security that my family and I have spent years working  
16 towards. It took lots of therapy before we were able to  
17 allow anyone else to watch our children. We had to  
18 cancel multiple upcoming trips in order to save money and  
19 my children have missed out on countless adventures  
20 because of what Ms. Breanna Audette did. Our faith in  
21 others has been tested to a point that I can't really  
22 explain in words.

23           In short, our lives have been and will be  
24 continually impacted by the direct actions of Ms.  
25 Audette. She has irrevocably changed the course of our

1 lives and not for the better.

2 Her actions were not a moment in time but a  
3 continuous cycle of events that occurred for weeks on end  
4 because of this continued and conscious choice that she  
5 made to harm innocent children and how severely she has  
6 altered so many innocent lives. I do not feel as though  
7 she should be given leniency in her sentencing. These  
8 are innocent toddlers and baby's that were attacked. Our  
9 boys were only three and five at the time. Due to this  
10 we ask that you provide the maximum sentence allowable by  
11 law to keep others safe from her hands. Thank you.

12 THE COURT: Thank you.

13 ANDREW DOUGHTY: Andrew Doughty, D-o-u-g-h-t-y. I'm  
14 up here speaking today on behalf of my six year old  
15 daughter Minor6 who was four when these incidents  
16 took place. After the incidents that took place at  
17 Harvest involving Ms. Audette, our daughter had  
18 nightmares, separation anxiety and a sudden fearfulness  
19 of other adults. My wife and I made some attempts to  
20 combat some of those effects with play therapy. I'll say  
21 this too. You know, I wasn't aware that the videos were  
22 gonna be shown today, but if you watch those videos, you  
23 can see your own child's mannerisms and after watching it  
24 several times, the thing that I would always see any  
25 daughter's reaction to her interactions with Ms. Audette

1 was a sense of not understanding what was going on and  
2 it's always a very hard thing to watch because it meant  
3 to me that my daughter couldn't process why somebody in  
4 that position was doing that. She knew it was wrong and  
5 just had a hard time comprehending it.

6 As far as what I believe should happen to Ms.  
7 Audette as a result of her actions, I believe that the  
8 punishment should take into account the number of  
9 incidents that we know took place. I believe it should  
10 take into consideration that this was not an isolated  
11 incident or a bad day with a mistake. She willingly went  
12 into that daycare every day and made the same decision to  
13 torment and abuse helpless young children.

14 I appreciate the Solicitor's Office by making sure  
15 as they've worked through this that every victim is  
16 spoken for and I think that a punishment should have the  
17 same effect, that punishment should be put together in a  
18 way that every victim sees that. Appreciate your time.

19 THE COURT: Thank you. Thank you for coming. Yes,  
20 ma'am.

21 ASHLEY VOGELSON: My name is Ashley Vogelsson. I'm  
22 here to advocate for my daughter Minor12 . She  
23 started at the daycare when she was 12 months old. This  
24 incident happened when she was 15 months old.

25 The day I received the phone call from the detective

1 to let me know that my 15 month old daughter was involved  
2 in a child abuse victim case will forever be one of the  
3 worst days of my life. In that moment one of my worst  
4 fears as a mother came true. As a mother it's naturally  
5 difficult to entrust anyone else to take care of your  
6 child in place of yourself, but when I had to return to  
7 work, I diligently searched for a daycare that I thought  
8 could adequately care for my child. I was leaving my  
9 daughter for the first time with anyone outside of my  
10 family. I was entrusting this facility and their  
11 employees to provide appropriate care, love and attention  
12 for my child.

13 As a facility that prided themselves on Christian  
14 values I believed that my child would be taken care of by  
15 their employees of high moral ground but now I sit here  
16 today filled with guilt, fear, shame and constant anxiety  
17 because of the horrific events that all of these families  
18 unfortunately now can say that they have in common. It's  
19 appalling to me that just one person could have caused so  
20 much harm by making the choice to physically and  
21 emotionally hurt all of our children. My child was  
22 specifically only one year old at the time. She was just  
23 a baby. She was full of innocence whose only need was to  
24 be nurtured and loved.

25 As a teacher myself I know the responsibility that I

1 committed to when I'm taking other people's children  
2 under my care and I expected the same out of the  
3 employees at the daycare, but the defendant's choice to  
4 repeatedly abuse children with no remorse shows the  
5 person that she truly is. This is not a one time  
6 mistake. It was repetitive and it was an intentional  
7 choice to harm innocent children. She has brought trauma  
8 and a break of trust into our families that will stay  
9 with us forever. I'll never fully be able to trust  
10 anyone with my child again. I'm full of fear and anxiety  
11 everyday that I have to leave my child in the care of  
12 someone else and as a single mother I have no choice but  
13 to go to work to provide for my daughter and myself and  
14 because of her everyday I have to do that I am filled  
15 with guilt and fear for what could happen to my child.

16 If she was able to treat other people's children in  
17 this way, it terrifies me to know that she has her own  
18 children, and if she could hurt not only our families,  
19 she's probably hurt her own. I pray that her kids are  
20 finding love and support through someone else who is  
21 capable of providing appropriate care because it's very  
22 evident that she is not capable of these things as a  
23 mother, an educator or a child care provider and I know  
24 she probably won't ever recognize my daughter's face or  
25 remember her name because to her she's just one of many,

1 but for me her name will be a reminder of a monstrous  
2 person that I will unfortunately never be able to forget.

3 She has made something that should have been a  
4 parent's nightmare into a reality for me. I would like  
5 to ask you to consider all the repeated horrific acts  
6 that were inflicted on our children and the long term  
7 negative lasting effects it has had and will continue to  
8 have on our families and with those considerations move  
9 forward in giving the defendant the maximum sentence for  
10 her choices.

11 THE COURT: Thank you.

12 JESSICA KENNEDY: Your Honor, my name is Jessica  
13 Kennedy, K-e-n-n-e-d-y. My son is Minor 15 . He was  
14 the little boy in the red shirt. I'll try to stay on  
15 script. Your Honor, thank you for the opportunity to  
16 address the Court. I'm speaking today because I want the  
17 defendant to understand that because of her many, many  
18 actions of violence against vulnerable young children she  
19 must be subjected to a significant punishment.

20 Since 2011 I've entrusted that daycare with the care  
21 of my three children from as young as three months old  
22 all the way up until they went to middle school. That  
23 trust was shattered when on Monday, August 2nd, we were a  
24 part of the second wave of calls. August 2nd, 2021 I  
25 received a phone call from the Lexington County Sheriff's

1 Office and learned that my youngest son who was five at  
2 the time was one of the many children who suffered acts  
3 of cruel violence at the hands of their caregiver, the  
4 defendant.

5 Despite my heavy heart, I opted to view the footage  
6 of her assaulting him. I had to know what he went  
7 through. I watched as he cried out, his little face  
8 twisting up in pain as she grabbed his neck and squeezed  
9 so hard that he was trying to wrench himself free of her  
10 grip and yet another video she jerked his arm so hard  
11 that he was violently pulled off the floor dangling from  
12 his wrist and kicking his feet. In every video my baby  
13 boy was sobbing and trying to remove himself from her  
14 grip there were multiple incidents of her inflicting pain  
15 on my son, one of many young ones she was specifically  
16 there to care for and protect. In addition to the  
17 horrible videos of his obvious pain, as a parent viewing  
18 this footage of what she did and yet being completely  
19 helpless to jump through the screen and help my scared  
20 and hurting baby was its own form of torture.

21 Words cannot express how terrifying it is to know  
22 that somebody is harming my child in this place I trusted  
23 and I had no idea. He never said a word. It keeps me  
24 awake at night knowing that I along with many other  
25 parents had no idea that our babies were in danger. It

1 strips you of security a parent should have when  
2 entrusting the care of his or her children to a so-called  
3 care provider and it strips the ability of the children  
4 to know if they are safe when we assure them that they  
5 are as we drop them off. This feeling is compounded a  
6 thousand times over as I am a single mom who depends on  
7 daycare and after school care just so I can provide for  
8 my family.

9 Your Honor, I think we can all agree that the  
10 defendant not only failed as a teacher but as a basic  
11 human being arguably even more so being a mother herself.  
12 She did not once consider the impact of her actions  
13 against these children. In fact, she calculatingly  
14 waited until other teachers left the room, turned their  
15 back, watching as the door clicked shut and then went to  
16 her business of abuse. She obviously knew it was wrong.

17 I one hundred percent agree with the detective that  
18 the only reason that there are only 50 charges is because  
19 there was only so much video to see. Had there been more  
20 to review, I'd be willing to bet money that we would have  
21 seen a lot more violence against a lot more children  
22 including more acts of violence against the same children  
23 who appeared on the dozens of warrants. I struggle with  
24 what I think an appropriate sentence would be. I  
25 respectfully request the Court for active time, for the

1 full maximum sentence available.

2 I also want to thank the Sheriff's Department for  
3 their swift response. They had to view and edit hundreds  
4 of videos to show each family and watch them over and  
5 over again and I know it affected them too as parents.  
6 Thank you for the ability to share our pain and  
7 experiences today and I truly hope that the defendant can  
8 learn and grow, but I have no doubt that she is capable  
9 of these acts of violence and that she deserves to be  
10 incarcerated, monitored and maybe even hopefully receive  
11 the therapy and help she obviously needs. Thank you for  
12 your time.

13 THE COURT: Thank you.

14 GEORGE KINSLER BELLINGER, III: Good morning, Your  
15 Honor.

16 THE COURT: Good morning.

17 GEORGE KINSLER BELLINGER, III: My name is George  
18 Bellinger the Third. B-e-l-l-i-n-g-e-r. My son is  
19 Minor 26 , the four year old child  
20 which you saw in his pajamas slung from the table to a  
21 mat. This thing has felt like I've been let down.  
22 Multiple times I've questioned myself as a father. Did  
23 we miss something on the tour? Was there something we  
24 didn't see? The question the hardest, cameras are not  
25 supposed to be reactive. Cameras are there to be

1 proactive and they don't do any good if nobody watches  
2 them. I feel like I've been let down by the Judge who  
3 let her out on bond because she got sick in jail. You  
4 get free medical coverage in jail and you don't have to  
5 worry.

6 I'm asking for help today. I was raised in a  
7 society where I believe we are here to protect our most  
8 vulnerable, the elderly and in this case the children who  
9 cannot speak or protect themselves. This is not the way  
10 I want to handle it, but this is the way I have to handle  
11 it right now. My son still fails to go to sleep at night  
12 by himself. He has to have someone in there with him.  
13 Many nights he comes crawling into my wife's bed because  
14 he doesn't want to be alone because he has bad dreams.

15 This all started from, as we saw, the reports that  
16 day. We pulled in and I wanted to ask my son before he  
17 saw the cameras outside in the parking lot, Were you  
18 around Miss Bree? No, sir. As we got in the car we  
19 discussed what was going on. Well, one time she did  
20 squeeze my arm. And then you get the report of what  
21 happened and then you see it on video and everything  
22 becomes real. The emotion, the only emotion I've seen in  
23 this courtroom today are from the victims. I have not  
24 seen a bit of emotion from the defendant as she sits over  
25 there, so there is no, I see no remorse. I see a sorry.

1 I got caught. Luckily they had at least 45 days or my  
2 son would not be one that was here today. He was in the  
3 second wave.

4 I ask that you give her the maximum amount of time  
5 that you are allowed to. There needs to be a witness.  
6 Yes, there should be stipulations for some sort of  
7 counseling. If not available inside the penitentiary,  
8 outside as a condition of parole or probation upon  
9 release from prison. What I would ideally like to see is  
10 her slung around like my kid was slung around but I can't  
11 do that in the courtroom. I would love for her to spend  
12 her time with people that would do the same. I know  
13 those people that harm children are frowned upon in  
14 prison, and that's my vote for justice here today. Thank  
15 you for your time.

16 THE COURT: Thank you, Mr. Bellinger.

17 KRISTIN GRIGGS: My name is Kristin, K-r-i-s-t-i-n,  
18 Griggs, G-r-i-g-g-s. This is my husband Zach, Z-a-c-h.  
19 We're the parents of Minor 2 .

20 My son Minor 2 is a sweet boy who loved everyone he  
21 meets. He does not meet a stranger. To him everyone is  
22 good. On July 12th, 2021 Ms. Audette betrayed my son's  
23 trust and innocence. We dropped our three year old son  
24 off at the Harvest Daycare just like any other day. That  
25 evening while bathing Minor 2 I noticed a huge bruise on

1 the back of his arm. I showed it to my husband out of  
2 concern, but we had no idea at the time where it came  
3 from. Little did I know I would receive a horrific phone  
4 call the following day while at work. The daycare was  
5 informing me that my son had been, they just said  
6 inappropriately handled by Ms. Audette on the previous  
7 day. I demanded more information. It was then that I  
8 was told that she forcefully grabbed my child by his arm  
9 and tossed him across the room. I immediately felt sick  
10 to my stomach as I then knew exactly where the bruise on  
11 Minor2 's arm had come from.

12 I had the daycare review the footage and confirm my  
13 fear. The bruise on Minor2 's arm was exactly where Ms.  
14 Audette aggressively laid her hands on my child. I was  
15 shocked. Crying and panicking I had to abruptly leave my  
16 job because I was at work when I got that phone call and  
17 rushed across town to pick up my son. I needed him safe  
18 with me and out of that daycare.

19 The following day consisted of a trip to the  
20 pediatrician's office, a trip to the police department  
21 and a lot of tears. I spent the next several weeks  
22 crying all day. I tried hard to put on a brave face for  
23 Minor2 but my world was shattered. My husband and I were  
24 forced to take time off from work. The guilt was eating  
25 me alive. It is my job as Minor2 's mom to keep him safe

1 and Ms. Audette robbed me of that.

2 I was eventually able to watch the video of happened  
3 to Minor2 . It was at this time that I learned she had  
4 also grabbed Minor2 by the back of his neck and squeezed  
5 it. I cannot put into words how it feels to watch a  
6 video of your son being abused by his teacher. When I  
7 asked Minor2 if his teacher caused harm to any of his  
8 friends, these are his words. He said, "yes, mommy. She  
9 threw them against the wall." I asked him if they cried  
10 and he said, "yes, because they wanted their mommy."

11 My heart shatters all over again whenever I think  
12 about the fear these children must have felt. As a  
13 result of the incident Minor2 required weekly therapy  
14 sessions for awhile. We were also forced to find a new  
15 daycare for Minor2 and his little sister. The first day  
16 I dropped him off at the new daycare, I sat in the  
17 parking lot and cried. How was I supposed to trust  
18 another teacher with my children. The transition to the  
19 new daycare was challenging. Minor2 , who was fully potty  
20 trained started regressing. The therapist said the  
21 accidents he started having were due to anxiety.

22 My daughter's world was also flipped upside down as  
23 we had to force her to adjust to a whole new daycare. I  
24 was angry that the actions of Ms. Audette were now  
25 negatively impacting my daughter as well. As their mom I

1 have never felt so helpless. I thought Minor2 was doing  
2 better, but then five months after the incident at the  
3 daycare we went on a trip to the mountains. Minor2 was  
4 staring out the window as we were driving down the road  
5 and randomly mentioned that he loves his new school  
6 because it is not scary like my old school was. I was so  
7 sad that this was what my son was thinking about while we  
8 were trying to have a fun Christmas vacation in the  
9 mountains.

10 To this day I have not allowed anyone to babysit my  
11 children other than grandparents. Because of Ms.  
12 Audette's actions, how am I supposed to trust anyone with  
13 my children? This is very unfair yet it is just another  
14 example of how Ms. Audette's actions have negatively  
15 impacted our lives. What Ms. Audette did to the children  
16 at the Harvest Daycare was despicable. She terrorized  
17 and abused my son, and my son had to watch her terrorize  
18 and abuse his friends. These children cried out to their  
19 mommies, yet she did not stop.

20 Your Honor, my husband and I are requesting the  
21 maximum sentence allowable by law. Please allow justice  
22 to be served today for the sake of my son Minor2 and all  
23 of his friends. Thank you.

24 THE COURT: Thank you for coming.

25 ANDREW PETRARCA: My name is Andrew Petrarca.

1 That's spelled A-n-d-r-e-w P-e-t-r-a-r-c-a. I would like  
2 to start off by thanking you, Your Honor, for allowing me  
3 to speak on behalf of my children. Like I said, my name  
4 is Andrew. I'm the father of two beautiful young girls,  
5 Natalie and Minor22. Minor22 is know as Minor22 to her  
6 family and friends. She is also the youngest victim in  
7 this case. At only 10 months old --

8 THE COURT: And I have the letter from you that I  
9 have read.

10 ANDREW PETRARCA: Yes. As you can see at the bottom  
11 there, that's a picture of her around the time of the  
12 incident.

13 THE COURT: I have read that. Thank you.

14 ANDREW PETRARCA: You're welcome. At only 10 months  
15 old the defendant picked Minor22 up out of her chair and  
16 then forcefully pushed her to the ground. My wife and I  
17 actually arrived shortly after the assault to pick up our  
18 children. Minor22 was inconsolable. We had never seen her  
19 this visibly upset. We asked the defendant what happened  
20 and she lied to us and concealed the fact that she had  
21 just assaulted our 10 month old child.

22 When we informed by law enforcement of what truly  
23 happened, our hearts sank. We observed the video  
24 ourselves and saw what happened on the day the defendant  
25 lied to us. We immediately withdrew our children from

1 the daycare. Throughout the next several months we were  
2 required to move Natalie and Minor22 between several  
3 different schools and child care centers. It was  
4 difficult for us to find one that we trusted. I find it  
5 hard to describe the stress, anxiety, anger and  
6 frustration our family experienced during that time. I'm  
7 hoping that today will bring some level of closure for  
8 these parents.

9 As the Court knows, Minor22 is only one of 29 other  
10 children that were hurt by the defendant. These children  
11 were hurt across the span of two months which  
12 unfortunately was the maximum duration of the footage  
13 that could be retrieved. It's my understanding that the  
14 defendant was observed hurting children on day two of the  
15 footage. I find it very hard to believe that that was  
16 the first instance of abuse and I wonder how many unknown  
17 victims are out there that were abused by the defendant.

18 I ask the Court to consider the fact that Minor22 and  
19 most of the defendant's other victims cannot speak today  
20 about the trauma they endured at her hands, just like  
21 none of the victims were able to defend themselves  
22 against the defendant's repeated aggression. Due to the  
23 nature of these incidents and the number of known  
24 victims, I hope that the Court imposes the maximum  
25 possible sentence for the defendant so that she has time

1 to reflect on her actions and the serious harm they have  
2 caused everyone involved. Thank you, Your Honor.

3 THE COURT: Thank you.

4 PAM NESTER: Hi, Your Honor. My name is Pam Nester,  
5 N-e-s-t-e-r and I'm the grandmother of Teddy Scott. My  
6 daughter couldn't be here today. She couldn't handle it  
7 emotionally. Teddy was one years old when the actions  
8 happened. He was the little one in the highchair and I  
9 just wanted to read for you from the police report, and I  
10 know you have a lot of information, but there's a little  
11 excerpt from it that I guess is what I'm using as my  
12 basis for my reasoning for asking for the max amount.  
13 This is just a short paragraph.

14 THE COURT: Go ahead.

15 PAM NESTER: "RO observed the subject grab victim  
16 Scott's leg while he was seated in a highchair. The  
17 subject grabbed the child's leg in an aggressive manner  
18 and pulls on it causing the highchair to move. The  
19 subject continues to grab the victim's leg with force  
20 where the victim begins to cry. The subject is seen on  
21 surveillance video roughly five minutes later returning  
22 to the victim and checking his leg as if to check for  
23 marks she may have left behind."

24 And that to me just shows a very sinister person,  
25 sadistic and I think that is really my request that she

1 have the max amount. I believe she is the reason that we  
2 have penitentiaries is to get people out of that, out of  
3 the general population and I really, I want Lexington  
4 County to send a very loud message and South Carolina  
5 that child abuse is not gonna be tolerated. It will have  
6 very severe consequences, that each one of these  
7 children's pain hurts and the pain will be justified  
8 through justice and that, I just feel that if another  
9 child is hurt by her, that that should be on the Court.  
10 That it needs to stop now. And I would appreciate you  
11 leaning in that direction. Thank you.

12 THE COURT: Thank you.

13 LINDSAY BOWERS: My name is Lindsay Bowers,  
14 L-i-n-d-s-a-y B-o-w-e-r-s and I'm here to advocate for my  
15 daughter Minor16 . I trusted the Harvest with all  
16 three of my kids for nine years. I had a lot of trust in  
17 them. They've had a lot of great teachers there that,  
18 you know, I really trusted with their care and that's why  
19 we stayed there so long. Unfortunately, after covid  
20 things changed dramatically, and that's when they hired  
21 her. You know, the biggest impact for Minor16 I feel like  
22 was the psychological thing to where she now questions  
23 the trust for whoever is taking care of her.

24 After the incidents where she pulled her hair, we  
25 immediately got her out of the school and luckily I

1 already had her on a waiting list at our church and they  
2 called me the next week and we were able to get her in.  
3 That was just something that really just fell in our  
4 laps. But going to the new school, if anyone touches her  
5 arm, she questions that. She'll come home and she'll say  
6 that they touched my arm and I know that that happens  
7 because of what happened with her and not just with what  
8 happened with <sup>Minor 16</sup> but what she saw and so I believe  
9 that a lot of it is just emotional, just the things that  
10 she saw everyday and didn't tell us about.

11 I think back to a conversation that we had one night  
12 whenever I was getting her ready for bed and she told me  
13 that night that her teacher pulled her hair. And I said,  
14 well, surely your teacher wouldn't pull your hair, you  
15 know, and she had a lot of teachers that would, uhm, they  
16 would play with hair and they would put their hair up.  
17 So I was thinking, well, maybe she was brushing her hair  
18 and there was a tangle and, you know, it just pulled it.  
19 You know, in my mind I'm reasoning, you know, why that  
20 would have happened to my daughter because I trusted  
21 Harvest so much. And so after I saw the video footage  
22 and I saw her pull her hair, it all, you know, it  
23 confirmed what <sup>Minor 16</sup> was trying to tell me, you know, and  
24 I reasoned away and it's really hard to have that trust  
25 broken.

1           And after we met her teachers for kindergarten year,  
2           that night we went to my son's middle school. We were  
3           viewing their school and we were talking to a friend and  
4           she looked at her and she said, you know, my teacher  
5           pulled my hair one time. And so all day, you know, it  
6           wasn't the fact that she was excited about going to  
7           elementary school and kindergarten, that's what she was  
8           thinking about. That's what came to her mind as she was  
9           nearing kindergarten, the fact that that could happen to  
10          her again and she could not have the trust for a brand  
11          new teacher who is wonderful, you know, and luckily she's  
12          able to feel like she is safe in that classroom. But  
13          that's the lasting impact that this has had on her.

14           And I'm requesting that this be a maximum sentence  
15          because not only has this happened in the Harvest  
16          Daycare, but it's happened in another one in Lexington  
17          and it does need to be a message that this isn't gonna be  
18          tolerated, that these children aren't gonna be abused  
19          this way and have psychological damage from other people  
20          when we as parents try to give them a loving home and all  
21          the support and care that they could ever ask for and we  
22          send them to somewhere where we trust them and it's  
23          broken. These children shouldn't have to endure that. I  
24          also ask that she gets some anger management because I  
25          don't feel like just depression is gonna cause something

1 like this. It's something deep inside. Something deep  
2 inside that needs to be fixed. Thank you.

3 THE COURT: Thank you.

4 DORIS FORD: Your Honor, my name is Doris Ford and  
5 my son is Minor1 , Minor1 . On July 12th, 2021 at  
6 approximately 5:50 p.m. I received a call that I hope to  
7 never endure again. I was told that a teacher had laid  
8 hands on Minor1. At the time I was in a state of shock and  
9 I said I would never return again. It was not until the  
10 next day at the police station that I learned some of the  
11 extent of what it meant when she said a teacher had laid  
12 hands on Minor1. I was seven months pregnant at the time  
13 with our third child and Officer Voravudhi shattered my  
14 world with one sentence. Minor1 was Ms. Audette's favorite  
15 based on the footage of the day.

16 She described to me the incident that happened on  
17 that day. I have learned that I got the downgraded  
18 description. My three year old son looked in my eyes  
19 tearing up and said, mommy, don't worry. I was brave. I  
20 didn't cry. Mean while Officer Voravudhi motioned that  
21 he was not and he cried out from her abuse. I have yet  
22 to see any footage until today based on several  
23 recommendations from my officers, from the lawyer, and my  
24 husband. I am supposed to stand here and tell you all  
25 the ways she has changed our lives, and not just Minor1s.

1           While I'll give you a glimpse of how her repeated  
2 actions has affected *Minor 1*, you can imagine how we have  
3 all suffered at her hands as well. I can also stand here  
4 and say that our lives will always be tainted by Ms.  
5 Audette's actions and abuse. We are still discovering  
6 the triggers that *Minor 1* suppresses or struggles to  
7 communicate to his loved ones.

8           Since the abuse started, *Minor 1*'s behavior changed.  
9 *Minor 1* was innocent, energetic, loving, and as he said to  
10 me a great boy. Ms. Audette on multiple accounts  
11 physically and emotionally abused *Minor 1*. From this  
12 innocence - or from *Minor 1*'s innocence was replaced by  
13 recidivism, his loving replaced by intimacy, his energy  
14 replaced with morbidity, and his bravery replaced with  
15 fear. We are still discovering triggers for *Minor 1* over  
16 time. We cannot even turn on the lamp in his room  
17 because this is associated with time under her care.

18           You may or may not know the feeling of your child  
19 saying, You don't love me. No one loved me. I hate  
20 myself, or, I want to die. Even more so discovering that  
21 your child hurts himself when he is upset or sad because  
22 of her abuse. The long lasting effects of abuse that was  
23 delivered to him has changed what was this innocent child  
24 and carefree child and us as a family as we continue to  
25 provide him the assurance that he is safe and okay.

1           That day did not just affect *Minor 1* but it affected us  
2 all as a family. I personally have taken a step back in  
3 my career to be more accessible to *Minor 1*. That day that I  
4 got the phone call, we were at Menchie's, once a place of  
5 happiness. I cannot drive by or much less walk into  
6 Menchie's without thinking about that phone call. My  
7 heart drops every time we drive by or drive down  
8 Whiteford Way with our kids in our car in case it spawns  
9 memories. Because there was a time that we drive by  
10 Whiteford Way and *Minor 1* would say we couldn't go back  
11 there because the teacher did this to me as he brought  
12 both hands to his throat. We still do not know all of  
13 *Minor 1*'s triggers, and we may never know all of them just  
14 as we may never know all the abuse Ms. Audette initiated  
15 on the children at Harvest Daycare, but the triggers are  
16 still there for *Minor 1*. Memories of her abuse are still  
17 there for *Minor 1* as he brings up the bad teacher that hurt  
18 him.

19           The abuse has affected *Minor 1* the most, but we as a  
20 family have been affected and continue to suffer and shed  
21 tears for *Minor 1*. Because of Ms. Audette's actions that  
22 were caught we hope that you deliver the maximum  
23 allowable sentencing and do not provide her credit for  
24 any house arrest as time served. Furthermore, each  
25 charge, each hand or foot that she touched a child should

1 be counted separately. Minor<sup>1</sup> is still receiving therapy  
2 because of the emotional scars Ms. Audette has left him.  
3 At his last session he told his therapist that she got  
4 away and she was not punished. I hope one day soon I can  
5 go back to Minor<sup>1</sup> and let him know that she is not free,  
6 that justice was served and she was punished for her  
7 repeated actions on not just Minor<sup>1</sup> but on his friends as  
8 well. Thank you.

9 THE COURT: Thank you.

10 MS. WELLMAN: Your Honor, this is the last statement  
11 for the Court.

12 THE COURT: Okay.

13 WINSTON HAMMOND: Hello, Your Honor. My name is  
14 Winston Hammond. I'm Minor<sup>13</sup> 's father. Uh, I  
15 don't have anything prepared. I'm speaking off the cuff  
16 today. When we got this call, first of all, it took us a  
17 while to even decide to put our son into daycare. He's  
18 our first child, currently he's our only child. We chose  
19 the Harvest because it was a Christian based background.  
20 Just the sheer development that some of the kids that we  
21 do know that have gone there was leaps and bounds above  
22 some other places around and that's why we chose it.  
23 That entire reputation is now tarnished because of Ms.  
24 Audette.

25 When we got this call, we immediately set up an

1 appointment to come watch videos. My son Row never, he  
2 goes by Row, it was a still photo of his incident. There  
3 were actually two that we actually saw. One was her  
4 grabbing him by his head and twisting him over to direct  
5 him somewhere else and him falling. Another one was  
6 about 10 seconds later of the one, the still life of him  
7 being picked up with his feet off the ground and then him  
8 falling on his backside.

9 Rage is what I feel. Rage is what my wife feels,  
10 and he didn't get as bad as some of these other kids did,  
11 minuscule, tiny compared to what some of these other  
12 children experienced at her hands. And sentencing, it's  
13 all left up to the Court. I understand that, but I hope  
14 I never, my wife, my son, anybody in this courtroom,  
15 never has to see her face ever again. Thank you.

16 THE COURT: Thank you.

17 MS. WELLMAN: Your Honor, there is nothing that I  
18 can say that I don't think the Court has already heard.  
19 With regards to sentencing, the State has made no  
20 negotiations in this case. That is in your discretion,  
21 but with that being said we are asking this Court to do  
22 justice, justice not only for these innocent vulnerable  
23 children, but as the Court can see from this courtroom  
24 today, the defendant's crimes, her egregious crimes have  
25 hurt so many in this community. Every parent who has to

1 take their child to daycare has been affected by this.

2 In light of the fact that April is child abuse  
3 prevention month, I'm gonna go try again when we're done  
4 to put those pinwheels out in the courtyard. The ground  
5 was a little hard yesterday. But we are asking for a  
6 sentence that prevents and deters this conduct in the  
7 future. We are asking for a sentence that sends a very  
8 strong message to these parents and to the community that  
9 this is not okay; that this is not tolerated; that there  
10 is no excuse.

11 These aren't the most severe injuries that we have  
12 seen in this courtroom, but it could have been. Your  
13 Honor saw how she threw these kids across the room. This  
14 could have been awful. Much more so than it was. But  
15 the hurt is still there and we are asking this Court to  
16 do justice. Corporal Voravudhi from the Town of  
17 Lexington Police Department, she has sat here all morning  
18 and she echoes the State's sympathy.

19 MS. RAYMER: Thank you, Your Honor. The State would  
20 just recommend a concurrent sentence as to our one count  
21 and that a PRO be issued for the victim in our case.  
22 Thank you.

23 THE COURT: Okay. Thank you. We've been at it for  
24 an hour and 45 minutes. Does anybody need to take a  
25 break before I let the defense do their mitigation or are

1 you ready to go forward?

2 MS. DEAN: We would like a brief break, Your Honor,  
3 just so my client --

4 THE COURT: Let me just give a brief break. I mean,  
5 we've been at it an hour and 45 minutes. Let's take 15  
6 minutes. Let me tell everybody, there's restrooms out in  
7 the hall. If you need something to drink, I know we've  
8 got a machine on the first floor. Help yourself, but be  
9 back in here in 15 minutes because I'm gonna be ready to  
10 start back. Thank you.

11 (Short break.)

12 BAILIFF: All rise. The Honorable Debra R. McCaslin  
13 presiding.

14 THE COURT: Please be seated. All right. Did we  
15 get everybody back? All right. Ms. Dean, I'll be glad  
16 to hear from you.

17 MS. DEAN: Thank you, Your Honor. May it please the  
18 Court.

19 Your Honor, Ms. Audette is here today obviously  
20 accepting responsibility for her behavior that led to  
21 these charges, and I'm sure the Court knows this but just  
22 for the record, nothing that I say is offered as an  
23 excuse for her behavior, but there are reasons things  
24 happen and that's what we want to relay to the Court as  
25 well as other mitigation.

1           I know the victims are angry. It's understandable.  
2           I understand. I have two children. You know, my  
3           children are 22 and 24 and if someone bothered them today  
4           even with my laid back personality I'd probably be ready  
5           to fight. I mean, that's just, that's how we are with  
6           our children, nieces, nephews, grandchildren. I get it.  
7           My client gets it. I understand it so I know they're  
8           angry and that's probably the reasons why victims don't  
9           lay down judgment in court because everybody would get  
10          the maximum penalty for whatever crime it was. I  
11          understand that. I mean, I've been a victim of a couple  
12          of things. Someone broke in my house. I mean, I get it.  
13          So we understand that.

14          My client is not sitting here without emotion. You  
15          know, I've talked to her many times. She's apologetic.  
16          She's seen the same videos several times and she knows  
17          her behavior was inappropriate. She knows she mishandled  
18          these children. She knows she was too aggressive with  
19          these children. She knows that. That's why she's here.  
20          She didn't go through a trial and put everybody through  
21          that. She took responsibility. You know, you can see by  
22          the charges, the State didn't offer her a great deal.  
23          They didn't offer her a particular sentence. She's  
24          coming in here straight up on 30 indictments, pleading  
25          with the Court in this case.

1           As I indicated before, Ms. Audette worked at this  
2 particular daycare from sometime in January of 2021 until  
3 July 12th when that one parent reported that a child had  
4 been abused except for about four and a half weeks that  
5 she was on maternity leave during that time period. She  
6 had a baby early. The baby was born a few weeks early.

7           BREANNA AUDETTE: Eight weeks early.

8           MS. DEAN: Eight weeks early back in March of 2021.  
9 She came back about -- The baby was born on March the  
10 13th. She came back about four and a half weeks later.  
11 The baby was in NICU, that kind of thing so she had a  
12 c-section. She came back to work and things kind of went  
13 down hill for her a little bit after that. She was a  
14 floater. I think Ms. Wellman indicated that. She went  
15 from class - she went wherever they told her to go in the  
16 daycare. She didn't have a particular class that was  
17 hers. She went from place to place.

18           The unfortunate thing is Ms. Audette had never  
19 worked in a daycare before. She had a child at the time  
20 she started. She had never worked in a daycare before  
21 and unfortunately she didn't receive any training when  
22 she started working there. I mean, none. Absolutely no  
23 training. I think that's been brought out in the 17  
24 civil suits that have been filed against her and the  
25 daycare. There's been depositions done. There was no

1 training provided to Ms. Audette. It's one thing to have  
2 one child at your home. It's another thing to be  
3 responsible for multiple children in a classroom at a  
4 time, especially small children. And as you can see from  
5 the videos and I believe in every one of those videos  
6 there were multiple kids in there, she was never just  
7 with one child and that requires training which she did  
8 not get.

9 There was no target. I heard that said a couple  
10 times, but there were several kids, obviously 30 kids  
11 that were affected by this, but it's not like Ms. Audette  
12 set out one day and said I'm gonna hurt this child today.  
13 I'm gonna hurt that child. That's not what happened.  
14 There was no child intentionally on her radar. I mean,  
15 she was dealing with the situation at the time when she  
16 was there. She wasn't targeting any particular child.  
17 She didn't know the parents or she wasn't targeting any  
18 particular parent. She shouldn't have been alone with  
19 that many children at any particular time. I don't know  
20 if anybody needs to be alone with that many children at  
21 one particular time.

22 THE COURT: Well, in some of those videos she wasn't  
23 alone. I saw other teachers in there.

24 MS. DEAN: That's right. There were.

25 THE COURT: That causes me concern.

1 MS. DEAN: There were a couple. You know, she came  
2 back to work four and a half weeks after having a  
3 c-section. She indicated to me that she had mobility  
4 issues, plus she was having some depressive symptoms.  
5 She was suffering from postpartum depression which, you  
6 know, is actually a part of the civil lawsuits. I mean,  
7 I have copies of about four or five of them where they  
8 have in their petitions that the daycare knew she was  
9 suffering from postpartum depression and still left her  
10 alone with the kids. They didn't assist her in dealing  
11 with the postpartum depression. I'm reading that  
12 straight from the civil lawsuits so that is something  
13 that is known that at this time that she was suffering  
14 from postpartum depression.

15 She brought it to the attention of the daycare  
16 director not that she had postpartum depression because  
17 she didn't even know what it was. She knew she was just  
18 having some issues. Irritability, those type things.  
19 She brought it to her attention plus she was having  
20 issues with the mobility from the c-section. She asked  
21 to have more time off once she got back and realized she  
22 couldn't, wasn't doing a great job at moving and she was  
23 having some mental health issues and the director  
24 basically told her if she didn't come back, if she took  
25 time off, she'd be fired and today we know she should

1 have just quit. She should have just quit the job. She  
2 should have quit and we wouldn't be here today, but she  
3 came back to work and she, I mean, and we're here today.

4 There's a lot of hours of video that was provided in  
5 discovery. The Court saw the incidents of, you know, bad  
6 behavior, the incidents of assault. That's what the  
7 Court saw. But that wasn't the case all the time. I  
8 mean, and I'm not gonna insult anybody by saying, okay,  
9 she was good sometime but not all the time, but what I'm  
10 saying is there's video for two months, they pulled out  
11 all the incidents, several of them were on the same day,  
12 several of them were in the same time period like a 30  
13 minute time frame or somewhere around that way, but there  
14 were times when she was very appropriate with the  
15 children. Many times when she was very appropriate with  
16 the children in how she handled them. Unfortunately, she  
17 wasn't very appropriate every time and she knows she  
18 caused harm to these kids.

19 They interviewed Ohan (phonetic), interviewed like I  
20 think five of her co-workers who they asked about seeing  
21 physically aggressive behavior toward the children and  
22 none of them indicated that they had witnessed that even  
23 though we saw a couple videos when somebody might have  
24 been in there with their back turned. So I don't believe  
25 it was something that was happening 24 hours a day, 60

1 days that we saw on the videos. That's indicative of the  
2 fact that there wasn't charges everyday that she was at  
3 work or even all day, but she knows that she harmed the  
4 children and she's here taking responsibility for that.

5 Ms. Audette, you know, we talk about punishment.  
6 You know, I've been doing this for 26 years. I don't  
7 know too many victims who don't want the maximum penalty.  
8 I mean, that's just what I've witnessed most of my career  
9 is that they want the maximum penalty. But I'm asking  
10 the Court to consider factors other than just the crime  
11 itself because I think that's what the Court does.

12 As far as, it's not like she hasn't had any  
13 punishment to date. She hasn't been sitting in a prison  
14 cell the whole time, but she doesn't have any prior  
15 record. She's 25 years old. She just turned 25 in  
16 March. I think I indicated before she was 24, but she  
17 had a birthday in [REDACTED]. She's 25 years old. She was  
18 23, I believe, when the incidents took place.

19 You know, she's from the Midlands. She went to high  
20 school, Dutch Fork High School. Her face was all over  
21 the news channels obviously. It was a case on the news,  
22 so everybody who knows her knows that this took place.  
23 She was detained in the Lexington County Detention Center  
24 for 39 days. She's been on house arrest with electronic  
25 monitoring for 580 days which is a total of 619 days and,

1           you know, she hasn't been out there having fun, having a  
2           ball. She couldn't go anywhere. She went to work. She  
3           went to see her doctor. She went to see me. She went to  
4           court. I mean, that's pretty much it.

5                     And she has 30 felony convictions on her record now.  
6           That's punishment. I mean, there's no question about it.  
7           At the age of 25 having 30 felony convictions on your  
8           record it's gonna limit her for the rest of her life  
9           obviously. There's jobs she can't get, things she can't  
10          do and she's also, like I said, she has 17 civil lawsuits  
11          filed against her which in those lawsuits judgments can  
12          be issued against her. She doesn't have any money right  
13          now, but if there's a judgment, if she ever does work or  
14          own anything, you know, that can go to the victims as  
15          well, the ones that have filed civil lawsuits.

16                    So, it's not like she's been, you know, having a  
17          good time since July the 12th and I know that - and I'm  
18          not - that doesn't take anything away from the victims.  
19          They've described what's been going on in their lives.  
20          I'm talking about Ms. Audette right now. I mean, she was  
21          on the GPS monitor. We filed a motion to amend her bond  
22          in, well, I don't remember when we filed it, but we went  
23          to court February the 9th or 10th of last year. The  
24          victims who appeared all but one were very opposed to  
25          removing the GPS monitor and the reason we asked for it

1 to be removed is because she suffers from diabetes. Her  
2 doctor wrote a letter, it's in the file, that indicated  
3 that the friction from the GPS monitor was causing open  
4 sores on her ankles which obviously are not good for a  
5 diabetic.

6 But I think it was Judge Curtis, she kept it on  
7 because of the opposition to it giving the victims the  
8 sense of, you know, there was something going on,  
9 punishment being rendered against Ms. Audette so she  
10 dealt with it.

11 I mean, basically what happened was periodically the  
12 monitoring people would move it from one ankle to the  
13 other so she wouldn't, you know, become very ill because  
14 of the open sores and the damage that it could cause.  
15 So, I don't want anybody to think that there hasn't been  
16 any punishment, and then she's here today and whatever  
17 the Court imposes today will also obviously be  
18 punishment.

19 Ms. Audette has two children, two daughters age two  
20 and three. The three year old will be four in June.  
21 She's pregnant right now. She's due for a c-section on  
22 May the 25th, one is scheduled May the 25th of this year  
23 for a c-section because of the fact that she has diabetes  
24 so that makes her a little bit higher risk. She's had  
25 the same boyfriend for about three years, a little under

1 three years. She's been working since this incident,  
2 since she was arrested. She's been at the same place  
3 since November of 2022.

4 She's had no violations reported to me on house  
5 arrest. I strongly believe if she had violated house  
6 arrest, we would have been back in this courtroom and  
7 she's had no violations of her house arrest. As a matter  
8 of fact, her bondsman indicated that she stayed in  
9 constant contact with him and she also stayed in regular  
10 contact with me.

11 Ms. Audette has been in counseling since November of  
12 2021 to address the issues with the postpartum depression  
13 and other issues. She's had some family issues. I  
14 passed up to the court a report from Dr. McKee who did a  
15 psychological evaluation and I just ask the Court to take  
16 that into consideration.

17 THE COURT: I have that report and I'm gonna tell  
18 you, Ms. Dean, I'm gonna make that part of the record.

19 MS. DEAN: Yes, ma'am. And he indicated that, I  
20 mean, basically she was a good probationary candidate.  
21 She's never been in trouble before. She understands what  
22 she's facing. She understands what she did. She's  
23 intelligent. She was actually a AP student at Dutch Fork  
24 High School, but she had to drop out when she was 16  
25 because of family conflict. She's been emancipated since

1 16, so she's basically been responsible for herself for a  
2 long time and wasn't able to get a high school diploma  
3 because of things that had nothing to do with her, that  
4 had to do with her parents, but she did go back on her  
5 own and got her GED.

6 I indicated earlier that she suffers from diabetes.  
7 She has since she's been a little over one year old. She  
8 uses an insulin pump that she administers herself. I  
9 also passed up a printout from Prisma Health when she  
10 informed them that, you know, she was coming to court and  
11 facing jail time as well as when she was in detention. I  
12 think they also submitted something to the detention  
13 center basically trying to explain to them this is what  
14 she would need to happen to treat her diabetes to keep  
15 her from basically from dying, to keep her from getting  
16 very ill, and that is something that they submitted more  
17 recently with the same thing.

18 I mean, she uses the insulin pump daily and she has  
19 to eat snacks and things to keep her blood sugar where  
20 it's supposed to be so she has some health problems.  
21 Also, that if you notice in the report from Dr. McKee,  
22 also affects her mood and everything else and he gave her  
23 a diagnosis related to how her physical condition with  
24 the diabetes has affected her overall state of mind as  
25 well. So, I would ask the Court to take all of that into

1 consideration in determining what sentence to impose.

2 We're asking the Court to place Ms. Audette on  
3 probation. She's never been on probation. The State, I  
4 mean, stated to the Court that although the children were  
5 harmed and we can see it, we saw what happened, the  
6 children were harmed, she was too aggressive with the  
7 children to be their age and to be in the daycare  
8 setting, but there's no chance that Ms. Audette would be  
9 able to do anything like that again. Like I said, she  
10 has 30 felony convictions on her record right now. She's  
11 not gonna work in anybody's daycare. They run a  
12 background check. There's no way she'll work in a  
13 daycare.

14 She wouldn't be in a position to harm the victims  
15 again because she's not working in a daycare. That's how  
16 she knew them. She don't know them. She doesn't know  
17 the parents. She wouldn't even know who they were if  
18 she, you know, saw them. And that's just because of how  
19 she knew them. She knew them from working at the  
20 daycare. It's been almost two years. I'm sure the  
21 children have changed a little bit and she didn't know  
22 most of the parents anyway and because of the time period  
23 she wouldn't recognize them most likely. It's easier for  
24 them to recognize her because she's, you know, she's the  
25 person that has been on the news and her face has been in

1 paperwork and those type things, but there's no chance  
2 that she's gonna be able to repeat what has happened.

3 She has support from friends and family members,  
4 people that have known her for a long time and she has  
5 strong motivation to stay out of trouble. She's not on  
6 drugs or alcohol which we know those things greatly  
7 affect the likelihood of people coming back to court for  
8 criminal charges. That's not a part of her life. She's  
9 not on drugs or uses alcohol.

10 She wants to be able to take care of her children.  
11 I know that the victims may not care about the fact that  
12 she has children too, but she does and they're young.  
13 Like I said, she has one on the way, and DSS did do an  
14 investigation after this took place obviously and I  
15 think, I believe they took the children for a short  
16 period of time, did an investigation and they returned  
17 them to her so she's had her children in her care for  
18 most of this time that these charges have been pending.

19 And we would just ask the Court not to rule on what  
20 could have happened because we don't know. I mean, we  
21 saw the videos. There was some, like I said, some  
22 aggressive behavior towards the children and in handling  
23 them in the daycare, but we don't know. I just ask the  
24 Court not to rule based on what could have happened or  
25 what could have happened earlier than the 60 days, I

1 mean, because we just don't know and I would just ask the  
2 Court not to rule on things that we don't know but just  
3 stick to the things that we do know.

4 Your Honor, while on probation the Court can impose  
5 any conditions it wanted, she could still be on house  
6 arrest for a period of time. She's already in  
7 counseling. I know a couple people talked about her  
8 being in counseling. I mean, she's in counseling.  
9 She will stay in counseling, you know, to address the  
10 issues. This would allow her to continue to be treated  
11 by her doctor for her diabetes. Like I said, she's never  
12 been in trouble before and the likelihood of something  
13 like this happening again. She's not somebody running  
14 around the streets, you know, looking for children to  
15 harm or anything like that. That's not her situation and  
16 so it's not likely that she will be back again.

17 Your Honor, I think there was one request from the  
18 AG's Office for the permanent restraining order. We  
19 don't have any just opposition to staying away from the  
20 Whitehead family. Like I said, my client doesn't really  
21 know them, but we would just ask that the period of time  
22 maybe not be, I think they asked for like 60 years. My  
23 concern about that is my client just doesn't know them so  
24 if she ran into them, I don't know - they would know her  
25 and be able to call the police, but she wouldn't even

1 know if she ran into them so that's the only concern I  
2 have about the extended time period.

3 She has no animosity toward these victims, the  
4 children, or the parents and she has no intention on  
5 contacting them. She has not contacted them. She hasn't  
6 attempted to contact them the whole time she's been on  
7 bond. Nobody has reported anything. She just doesn't.  
8 She has not tried to harm them at all and she has no  
9 desire to do so. So I would just ask the Court to take  
10 that into consideration as well.

11 Ms. Audette has a few people here in support of her.  
12 They're sitting over here on the right side. There are a  
13 few that wanted to speak if the Court would allow them.

14 THE COURT: I would love to hear from them.

15 MS. DEAN: Your Honor, the first one is Ms. Missy  
16 Mundy. If you want them to come up here?

17 THE COURT: Yes. They need to get near the mic so  
18 the court reporter can hear them please. Get right by  
19 the mic. Go ahead.

20 MISSY MUNDY: Good morning, Your Honor.

21 THE COURT: Good morning.

22 MISSY MUNDY: Forgive me. I didn't think to write  
23 it down what I was gonna say today. I've known Bree  
24 since around 2011. My ex-husband married her mom so she  
25 was in my life after that. We shared custody of my son

1 and so I would see her when I would drop him off and pick  
2 him up. Bree was always kind, fun, very respectful. I  
3 never had any issues with Bree as a person. I didn't  
4 spend a whole lot of time with her, but when I saw or  
5 heard about the charges, that was completely out of  
6 character for her. I would never expect anything like  
7 that. I couldn't even imagine that.

8 Today is the first day I've seen the videos. I  
9 mean, I can't say, you know, I didn't see it, but I know  
10 that she's had struggles in her life with her health,  
11 with family issues. I won't speak to them because most  
12 of it was second hand through my son and things that he  
13 would tell me. But I do know there are times in life  
14 where we push things down and push things down and a  
15 perfect storm could cause you to do things that are not  
16 in your character.

17 I just know that what I saw today is not the sum  
18 total of who she is and whatever it is that would have  
19 caused these actions, I know that it's fixable, that she  
20 can be rehabilitated if she got the opportunity to do  
21 that. So I know you will have a fair decision in this  
22 case, but I hope that you'll consider that as part of it  
23 to help address those issues. That's it.

24 THE COURT: Thank you.

25 MS. DEAN: Your Honor, Noah Goff.

1           NOAH GOFF: Good morning. Uhm, Bree is my sister.  
2           Uhm, I actually have some experience on the being handled  
3           as a child, not like -- I was raised by her basically  
4           because my parents weren't there. They weren't  
5           interested. Well, my did wasn't interested in being  
6           there so she raised me in his place more or less because  
7           her mom wasn't interested in doing it either. Uhm, and  
8           throughout that time nothing like this ever happened and  
9           I don't say that to take away from what did happen, but I  
10          say that to say that it's not inherent to her. It's the  
11          result of the stress and postpartum depression and  
12          everything she had going on just building up and breaking  
13          something in her mind, but that also means that it can be  
14          fixed and I hope that whatever sentence you decide to  
15          give her will reflect that. Thank you.

16          THE COURT: Thank you.

17          MS. DEAN: John Carter.

18          JOHN CARTER: I'm John Carter. I'm her grandfather.  
19          I get emotional. She's my kid. I understand that those  
20          are their kids, but this one's mine. At two years old we  
21          found out she had diabetes and you can say what you want  
22          or believe what you want but diabetes is what happened  
23          here when this happened. I've gone in her room to wake  
24          her up in the morning on numerous occasions and she comes  
25          up fighting, just fighting. She gets her sugar right and

1 don't even remember it. She's just - in my heart that's  
2 the only aggression I've ever seen is when her sugar gets  
3 out of balance and since the last two years she's been on  
4 this pump, I haven't seen anything. That's my opinion.  
5 I'm not a doctor but...

6 THE COURT: Thank you.

7 JOHN CARTER: I don't want to see her go to jail.

8 MS. DEAN: And, Your Honor, lastly Chelsey Hardin.

9 CHELSEY HARDIN: Good morning, Your Honor. I've  
10 known her basically her whole life. We've been friends  
11 since seventh grade and she's always been a very caring,  
12 a very respectable and very loyal friend to me. We both  
13 have diabetes so I can understand, you know, some of the  
14 things that she's gone through. It's really hard,  
15 especially when you're born with it, you can't really  
16 handle certain things and like having to deal with  
17 medication and it's a lot of stress to deal with at a  
18 young age.

19 I don't - this is the first time I'm seeing these  
20 videos but even when the Post made online and seeing that  
21 mug shot, like I couldn't believe it. It just doesn't  
22 reflect the person that I grew up with. She's gone  
23 through a lot in her life so I just don't believe that,  
24 you know, that should reflect everything that she's been  
25 through. She's developed a lot as a person. I will say

1           that when we were younger, you know, she was a little bit  
2           more reluctant, maybe a little bit more hard headed, but  
3           she's grown a lot and has made a lot of changes both  
4           mentally, physically and just doing the best that she can  
5           for her children and I think that, you know, when we have  
6           a lot of stress going on in our lives, that we don't  
7           always make the right decision and obviously we wouldn't  
8           be here if that was the case, but I don't think that she  
9           should get the maximum punishment for that.

10           I think that she should go into counseling and have  
11           the right help that she needs to better herself as a  
12           person and for her kids and her family and everybody else  
13           around her that loves her. We're only gonna be here to  
14           support her no matter what the ruling is. I just would  
15           like for her to have that chance to show that she can  
16           like better herself and better her, you know, skills  
17           going forward handling these kind of things for her kids  
18           and to show that she can make that change and I hope that  
19           the ruling is fair for that today.

20           THE COURT: Thank you.

21           MS. DEAN: Your Honor, I would just make a note that  
22           she's had the same boyfriend for almost three years.  
23           He's here but indicated when we had the break that he was  
24           very emotional --

25           RYAN SPANN: I would actually like to speak.

1 THE COURT: He's here.

2 MS. DEAN: Oh, okay. I'm sorry.

3 RYAN SPANN: Hi, Your Honor. My name is Ryan Spann.  
4 Bree and I met a few months before all this happened so  
5 it definitely took me by surprise, but I stayed because I  
6 saw the moral character in her. She's the most honest,  
7 sweetest person I've ever met and she deserves a second  
8 chance and I believe that we deserve to be able to keep  
9 our family together and it's just not a good account for  
10 her character. She's grown a lot over these past few  
11 years or these two years as we've been waiting and I  
12 think she's put in the work. She's remorseful. She's -  
13 I just don't see anything like this happening again.  
14 Thank you.

15 THE COURT: Thank you.

16 MS. DEAN: Your Honor, again, I would just like to  
17 ask the Court to consider a probationary sentence just  
18 based on all the factors that the Court would consider in  
19 any other case primarily being the fact that she has no  
20 prior record and that rehabilitation is obviously  
21 something that is possible, greatly possible, highly  
22 possible in her situation and considering her health as  
23 well. Thank you.

24 THE COURT: Thank you. Ms. Audette, anything you  
25 would like to say?

1 BREANNA AUDETTE: Yes, Your Honor. Uhm, as Ms. Dean  
2 stated before, while I was working in the daycare I was  
3 suffering with postpartum depression. I did give birth  
4 prematurely at 32 weeks gestation and I watched my infant  
5 child die in front of me twice, and I went to work before  
6 my original due date. I went back to work April 19th of  
7 2021. My baby was due May 13th of 2021, and I gave birth  
8 to her [REDACTED] of 2021.

9 And during that time I had given birth and I had let  
10 my boss know that I gave birth and immediately was  
11 responded with, well, when do you plan on coming back to  
12 work? And I feel the parents truly do need to know this,  
13 that I did not just go in and become a monster overnight  
14 and I did speak up about my mental health, and I was  
15 threatened with my job and I was told if I did not come  
16 back, they would find someone to replace me and at the  
17 time I was a single mother. I did not have any help.

18 As my brother stated before our parents were not in  
19 the situation. I had no help and I had to provide for  
20 two little girls, one of which was a preemie and then I  
21 had to provide for myself with having type one diabetes,  
22 affording insulin which is incredibly expensive to begin  
23 with and I went back to work and after being there for  
24 about two months, I opened up to my boss and said I feel  
25 as if I'm going through postpartum depression. I'm not

1           sure if that's what it is but I would like to seek  
2           counseling and I was responded with I cannot give you  
3           time off Monday through Fridays six a.m. to six p.m.  
4           because I have no one else to cover your shift. I was  
5           explicitly told that I was a warm body, that DSS needed  
6           me to work and I guess one teacher is better than no  
7           teacher at all.

8           And I do want the parents to know that I did speak  
9           up, and I had to make a choice that I regret to this day  
10          not quitting when I had the chance. I should have walked  
11          away. I do apologize for everything that's happened.

12          THE COURT: All right. Thank you, Ms. Audette.  
13          Anything else?

14          MS. DEAN: Nothing further, Your Honor.

15          THE COURT: Anything from the State?

16          MS. WELLMAN: No, Your Honor.

17          THE COURT: All right. This Court is charged with  
18          the responsibility of imposing a sentence which is  
19          sufficient but not greater than necessary to reflect the  
20          seriousness of the offense charged, to promote respect  
21          for the law, to provide punishment, and to afford  
22          adequate deterrents to criminal conduct, and also to  
23          protect the citizens of Lexington County.

24          To the families of the victims, I'm so sorry this  
25          happened to you and your children, but I want to thank

1 you for having the courage to come to court and see this  
2 case through. Most victims don't.

3 You know, I know as a parent myself, I'm a  
4 grandparent also that, you know, decisions about work and  
5 child care are probably one of the most difficult choices  
6 for a parent to make. It's emotional for a parent to  
7 drop their child off at daycare and have to work. They  
8 want to feel confident, you know, about the person who's  
9 caring for their child, is taking care of their child.

10 I'm gonna tell you, it is concerning to this Court  
11 that this happened over a two month period and no one was  
12 monitoring these videos or the daycare workers. I saw  
13 other daycare workers in these videos. It took a five  
14 year old child to complain to his parents for someone to  
15 look at these videos and I'm gonna tell you right now  
16 it's unacceptable. It is unacceptable, period.

17 And I'm gonna tell you, Ms. Audette, the first time  
18 I've ever seen the videos were today. These are serious  
19 charges. These parents trusted you to care for and  
20 protect their kids, you and the daycare. These children  
21 were between the ages I've got noted here 10 months and  
22 five years old. Some could walk, some could talk, some  
23 couldn't. These are the most vulnerable victims that we  
24 have. They can't speak for themselves. I heard one  
25 parent say and I agree with him, you know, just the look

1 on his child's face, it was, you know, evident to him his  
2 child couldn't figure out what in the world was going on.  
3 Why was he being treated that way.

4 I mean, they are truly victims with no voice. And  
5 I'm gonna tell you, I am disturbed about the number of  
6 victims that I see in a two month period. I'm sitting  
7 here with 30 charges in front of me, not to mention the  
8 indictments that were dismissed, but I'm not even gonna  
9 consider those in my sentencing today.

10 These children were defenseless and, in fact, I  
11 couldn't see where they were acting up. They were acting  
12 like kids. Just like kids. And I believe that your  
13 actions show a callous disregard for humanity. I do.  
14 It's every parent's nightmare to find out their child has  
15 been abused by someone they trusted to care for their  
16 child or children. I have no doubt.

17 What bothers the Court also is this wasn't an  
18 isolated incident by no means. This was repetitive for  
19 sure and I think the videos spoke clearly to that. I'm  
20 gonna tell you, you are very fortunate that none of these  
21 children were seriously hurt. I'm thankful for it. I  
22 know these parents are thankful for it, but this case  
23 could have turned out totally different and I'm sure that  
24 your lawyer has told you that.

25 You know, I've taken into consideration your age,

1 you have no prior record, your health conditions, but I'm  
2 gonna tell you, Ms. Audette, I think your actions were  
3 horrendous. I do.

4 Now, let me tell the families, by law she is  
5 entitled to the credit that she's served. In this case  
6 it's 619 days. The law requires it. I just want y'all  
7 to know that. But I'm gonna tell you, Ms. Audette, I  
8 think my sentence provides just punishment, also  
9 accountability for your actions. I think it's an  
10 adequate deterrent. It protects the citizens of  
11 Lexington. I'm gonna tell you, Lexington doesn't deserve  
12 to put up with this at all, at all.

13 So the sentence of the Court, and I'm just gonna do  
14 these indictments. The 2023 that ends in 6012, the  
15 sentence of the Court is 10 years. Same sentence on  
16 indictment 2022-3181, 10 years, on 2022-3182, 83, 84, 85,  
17 86, 87, 88, 89, 90, 91, 92, 97, 98 and 99, 200, 201, 203,  
18 204, 205, 207, all of those are 10 years a piece. On  
19 indictment 2022-1426, 1427A, 1429, 1430A, 1434, 3179,  
20 1412A, is all 10 years. All of those will run concurrent  
21 and I'll give her her credit for 619 days.

22 However, on indictment 2022-GS-32-03180 the sentence  
23 of the Court is six years, that will run consecutive for  
24 a total of 16 years. Court's adjourned.

25 WHEREUPON, THE HEARING WAS CONCLUDED.

## 1 CERTIFICATE OF REPORTER

2 (STATE OF SOUTH CAROLINA)

3 (COUNTY OF LEXINGTON )

4

5 I, THE UNDERSIGNED, Steven E. LeBlanc, Sr., R.P.R.,  
6 and Official Circuit Court Reporter for the Eleventh Judicial  
7 Circuit in and for the State of South Carolina, do hereby  
8 certify that I reported the proceedings in the before  
9 captioned case in the Court of General Sessions in and for the  
10 State of South Carolina on the 13th day of April, 2023.

11 I FURTHER CERTIFY that the forgoing 86 pages  
12 constitute a true and accurate record of said proceedings.

13 I FURTHER CERTIFY that I am neither related, counsel  
14 to, nor of interest to any party hereto.

15 IN WITNESS WHEREOF, I have hereunto set my hand at  
16 Lexington County, this 22nd day of April, 2023.

17

18

By:s/Steven E. LeBlanc

19

Steven E. LeBlanc, Sr., R.P.R.  
Eleventh Circuit Court Reporter  
State of South Carolina.

20

21

22

23

24

25

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500572 et al

ACTION OF GRAND JURY

TRUE BILL

*Kimberly Christmas*

Foreperson of Grand Jury  
Date:

9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201421A

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS  
AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act or acts of physical harm, aggression, or assault against one Minor 1 , DOB [REDACTED] 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500577

ACTION OF GRAND JURY

**TRUE BILL**

Foreperson of Grand Jury  
Date: *8.8.22*

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201426

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, at approximately 11:48 am through 11:54 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 2 , DOB [REDACTED] 17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

*Suzanne Mayes*  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500578

ACTION OF GRAND JURY

**TRUE BILL**

Foreperson of Grand Jury  
Date:

*JSH*  
8.8.22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201427

**The State of South Carolina**  
**County of Lexington**

COURT OF GENERAL SESSIONS  
AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, at approximately 11:48 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 3 , DOB [REDACTED] 17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500578, et al

ACTION OF GRAND JURY

TRUE BILL

Ruby Christmas

Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201427A

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act or acts of physical harm, aggression, or assault against one Minor 3 , DOB [REDACTED] 17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500580

ACTION OF GRAND JURY

**TRUE BILL**

Foreperson of Grand Jury  
Date:

*J. J. H.*  
*E. B. J.*

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201429

**The State of South Carolina**  
**County of Lexington**

COURT OF GENERAL SESSIONS

AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, at approximately 11:53 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 4 , DOB [REDACTED]17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

*Suzanne Mayes*  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500581

ACTION OF GRAND JURY

**TRUE BILL**

Foreperson of Grand Jury

Date:

*J. D. R.*  
8.8.22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3201430

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, at approximately 11:53:49 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 5 , DOB [REDACTED]-17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

*Suzanne Mayes*  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500585

ACTION OF GRAND JURY

**TRUE BILL**

Foreperson of Grand Jury  
Date: *Jsh*  
*B.8.22*

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3201434

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

AUGUST TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on August 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, at approximately 11:48 am through 11:54 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 6 ;  
DOB [REDACTED] 16, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

*Suzanne Mayes*  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003011

LSM

ARREST WARRANT NUMBER

2021A3220500584

ACTION OF GRAND JURY

TRUE BILL

*Rimby Omas*

Foreperson of Grand Jury  
Date:

9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203179

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 12, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 7 , DOB -17, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003265

LSM

ARREST WARRANT NUMBER

2021A3220500636

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury  
Date:

*Randy Christmas*  
9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203180

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 2, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 8 l, DOB [REDACTED] 2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003266

LSM

ARREST WARRANT NUMBER

2021A3220500637

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*

Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203181

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 3, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 9 , DOB [REDACTED], 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003267

LSM

ARREST WARRANT NUMBER

2021A3220500638

ACTION OF GRAND JURY

TRUE BILL

*Randy Chalmers*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203182

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 4, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 10 , DOB [REDACTED]-2018, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003268

LSM

ARREST WARRANT NUMBER

2021A3220500639

ACTION OF GRAND JURY

TRUE BILL

*Rimbelly Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203183

The State of South Carolina  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 10, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 11 DOB [REDACTED] 2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003268

LSM

ARREST WARRANT NUMBER

2021A3220500640

ACTION OF GRAND JURY

TRUE BILL

*Randy G. Thomas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203184

The State of South Carolina  
County of Lexington

COURT OF GENERAL SESSIONS  
SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawfu conduct towards a Child

§ 63-05-0070

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawfu conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 10, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 12

, DOB [REDACTED]-2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003268

LSM

ARREST WARRANT NUMBER

2021A3220500641

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203185

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 10, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 13

, DOB [REDACTED] 2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003269

LSM

ARREST WARRANT NUMBER

2021A3220500643

ACTION OF GRAND JURY

TRUE BILL

*Ruby Chalmers*  
9-12-22

Foreperson of Grand Jury  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203186

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 14, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 14

, DOB [REDACTED]-2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003270

LSM

ARREST WARRANT NUMBER

2021A3220500645

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*

Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203187

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 16, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 15 ; DOB [REDACTED]-2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003270

LSM

ARREST WARRANT NUMBER

2021A3220500646

ACTION OF GRAND JURY

TRUE BILL

*Rimby Thomas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203188

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 16, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 16 , DOB [REDACTED] 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003270

LSM

ARREST WARRANT NUMBER

2021A3220500647

ACTION OF GRAND JURY

TRUE BILL

*Ruby Anderson*

Foreperson of Grand Jury  
Date:

9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203189

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 16, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 171, DOB [REDACTED]-2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003270

LSM

ARREST WARRANT NUMBER

2021A3220500648

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*

Foreperson of Grand Jury  
Date:

9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203190

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 16, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 18 , DOB [REDACTED]-2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003271

LSM

ARREST WARRANT NUMBER

2021A3220500649

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*

Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203191

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 21, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 19 , DOB [REDACTED]-2019, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003271

LSM

ARREST WARRANT NUMBER

2021A3220500650

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203192

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 21, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 20

; DOB [REDACTED]-2019, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003273

LSM

ARREST WARRANT NUMBER

2021A3220500657

ACTION OF GRAND JURY

TRUE BILL

*[Signature]*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203197

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about June 29, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 21 , DOB [REDACTED], 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003275

LSM

ARREST WARRANT NUMBER

2021A3220500659

ACTION OF GRAND JURY

TRUE BILL

*Emily Christmas*  
Foreperson of Grand Jury  
Date: 9-18-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203198

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 7, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 22

i, DOB [REDACTED] 2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003275

LSM

ARREST WARRANT NUMBER

2021A3220500660

ACTION OF GRAND JURY

TRUE BILL

*Randy Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203199

**The State of South Carolina**  
**County of Lexington**

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

**Breanna Marie Audette**

CDR #: 2481

Indictment for

Unlawful Conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful Conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 7, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 23 .

, DOB [REDACTED]-2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003275

LSM

ARREST WARRANT NUMBER

2021A3220500661

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203200

**The State of South Carolina**

**County of Lexington**

**COURT OF GENERAL SESSIONS**

**SEPTEMBER TERM 2022**

**THE STATE**

vs.

**Breanna Marie Audette**

**CDR #: 2481**

**Indictment for**

**Unlawful conduct towards a Child**

**§ 63-05-0070**

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 7, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 24 , DOB [REDACTED], 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003276

LSM

ARREST WARRANT NUMBER

2021A3220500664

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*  
Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203201

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

**Breanna Marie Audette**

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 8, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 25

, DOB [REDACTED] 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003277

LSM

ARREST WARRANT NUMBER

2021A3220500666

ACTION OF GRAND JURY

TRUE BILL

*Ruby Christmas*

Foreperson of Grand Jury

Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203203

**The State of South Carolina**

**County of Lexington**

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 9, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 26, DOB [REDACTED] 2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003277

LSM

ARREST WARRANT NUMBER

2021A3220500667

ACTION OF GRAND JURY

TRUE BILL

*Ruby Onstmas*

Foreperson of Grand Jury  
Date: 9-12-22

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203204

**The State of South Carolina**  
**County of Lexington**

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 9, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 27 , DOB [REDACTED], 2016, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Voravudhi

Law Enforcement Case #: 21003277

LSM

ARREST WARRANT NUMBER

2021A3220500668

ACTION OF GRAND JURY

TRUE BILL

*[Handwritten Signature]*

Foreperson of Grand Jury

Date: 9-12-22

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2022GS3203205

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 9 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 28 ; DOB [REDACTED] 2017, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Lexington Police Department

Caitlin V Veravudhi

Law Enforcement Case #: 21003277

LSM

ARREST WARRANT NUMBER

2021A3220500670

ACTION OF GRAND JURY

TRUE BILL

*Randy Thomas*  
Foreperson of Grand Jury  
Date: 9-12-20

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3203207

**The State of South Carolina**  
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2022

THE STATE

vs.

Breanna Marie Audette

CDR #: 2481

Indictment for

Unlawful conduct towards a Child

§ 63-05-0070

**S.R. Hubbard III, SOLICITOR**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Unlawful conduct towards a Child  
  
§ 63-05-0070

At a Court of General Sessions, convened on September 2022, the Grand Jurors of Lexington County present upon their oath:

That Breanna Audette, did in Lexington County, South Carolina, on or about July 9, 2021, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 29 , DOB [REDACTED]-2019, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
DEPUTY SOLICITOR

WITNESSES

Caitlin V Voravudhi – Lexington Police  
Department

ARREST WARRANT NUMBER  
2021A3220500642

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

Docket Number 2023-GS-32- 0012

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

Feb 2023 Term

THE STATE

vs.

Breanna Marie Audette

DEFENDANT

Indictment for  
UNLAWFUL CONDUCT  
TOWARDS A CHILD

SC Code: 63-5-0070

CDR Code: 2481

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury

Defendant

I, \_\_\_\_\_  
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. Pls. And G.S.

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF LEXINGTON                ) IN THE COURT OF GENERAL SESSIONS

INDICTMENT

At a Court of General Sessions, convened on February the Grand Jurors of Lexington County present upon their oath:

UNLAWFUL CONDUCT TOWARDS A CHILD

That Breanna Audette, did in Lexington County, South Carolina, on or about July 10, 2021, at approximately 11:05 am, being a person who had charge or custody of a child, or being the parent or guardian of a child, or being responsible for the welfare of a child as defined in Section 63-7-20, did unlawfully place a child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety, to wit: while serving as a daycare provider, did carry out an act of physical harm, aggression, or assault against one Minor 30 , DOB [REDACTED]/2020, at the Harvest Church Child Daycare Facility, as recorded by video surveillance at the indicated location, in violation of Section 63-5-70 South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
ALAN WILSON (HSW)  
SOUTH CAROLINA ATTORNEY GENERAL

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Wanda H. Carter  
Deputy Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

**RECEIVED**

**Jan 02 2024**

**SC Court of Appeals**

This 2nd day of January, 2024.

**RECEIVED**

**Jan 02 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

BREANNA MARIE AUDETTE,

APPELLANT

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), and on Breanna Marie Audette, 390731, at Graham Correctional Institution, 4450 Broad River Road, Columbia, SC, 29210, this 2nd day of January, 2024.



\_\_\_\_\_  
Wanda H. Carter  
Deputy Chief Appellate Defender