

ARREST WARRANT

2023A1010201337

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Charleston

THE STATE

against

Derick Wayne Brooks

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED] Sex: M Race: [REDACTED] Height: 6 2 Weight: 245

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0100100

Prosecuting Agency: Charleston City Police Department

Prosecuting Officer: Nikolas Perez - S00719

Offense: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second

Offense Code: 0397

Code/Ordinance Sec: 16-03-0655(B)(2)

This warrant is CERTIFIED FOR SERVICE in the [] County/ [] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant Derick Wayne Brooks on 3-1-2023

[Signature] Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions Charleston County Judicial Center 100 Broad Street, Suite 106 Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Charleston

Personally appeared before me the affiant Nikolas Perez who being duly sworn deposes and says that defendant Derick Wayne Brooks did within this county and state on or about 1/1/2022 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:



ORIGINAL

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Charleston

Affiant's Address 180 Lockwood Blvd. Charleston, SC 29403-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/1/2022 defendant Derick Wayne Brooks

did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

on 3/1/2023

[Signature] Signature of Issuing Judge

Amanda Haselden

Judge Code: 7412

(L.S.)

Judge's Address 3831 Leeds Avenue, Suite 200

North Charleston, SC 29405-

Judge's Telephone (843)746-9822

Issuing Court: [X] Magistrate [] Municipal [] Circuit

ORIGINAL

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ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

AFFIDAVIT

MAR 1 11:29

OFFICER INITIALS

[Initials]

RECEIVED

Jan 25 2024

SC Court of Appeals

INITIALS TWA

BAIL set by

Judge Clerks
on 3/2/23
Type and Amount: DWY #
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



2023 MAR -6 PM 1:06
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

FILED

Personally appear before me, a magistrate of this county one, Det. N. Perez, who first being duly sworn deposed and says that, Derick Wayne Brooks, did within this county and state on the January 1, 2022 violate the criminal laws of the State of South Carolina in the following particular:

DESCRIPTION OF OFFENSE
**Criminal Sexual Conduct with Minor 2nd Degree
16-3-655 (B)**

OFFICER INITIALS
MP

The affiant states there is probable cause to believe that the defendant named did commit the crime set forth and that such probable cause is based on the following facts:

NCIC INITIALS *TWR*

That between January 1, 2022 and April 20, 2022 while at [REDACTED], which is located in the City and County of Charleston, SC 29455, the defendant, Derick Wayne Brooks, did knowingly, willingly, and unlawfully violate South Carolina Code of Law 16-3-655(B), Criminal Sexual Conduct with Minor in the 2nd Degree, to wit:

On January 20, 2023 at approximately 10:23 pm, CPD Officers responded to [REDACTED], which is located in the City and County of Charleston, SC 29455, in reference to a sexual assault that occurred in the past. Upon arrival, Officers spoke with the complainant (to be named by the court) who advised that she had gone through her daughter/victim's cell phone and discovered text message communications and sexually explicit images sent and received between the juvenile victim (DOB [REDACTED] to be named by the court) and the phone number [REDACTED]. On January 23, 2023, the victim was forensically interviewed at the Dee Norton Child Advocacy Center. During the interview, the victim disclosed that while working at [REDACTED], the defendant, a co-worker began "flirting" with her and communicating with her via phone calls and text messages. On and about late January of 2022 and early February of 2022, the victim was with the defendant near the outside dumpsters of the Blu Oyster. The defendant proceeded to unbutton the victim's pants and insert his fingers in her vagina.

The victim and the defendant continued to communicate via text messages and phone calls until January 17, 2023. Detectives reviewed the text message communications and observed numerous text messages discussing the sexual relationship. Furthermore, Detectives observed a text message of a photograph depicting an adults black male's penis sent from the phone number [REDACTED] to the victim on May 17, 2022. Also, Detectives observed a text message timestamped May 21, 2022 from the phone number [REDACTED] acknowledging that he knew her to be under 18 years of age and the importance of being "careful."

Continued on the Next Page

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 1 DAY OF March 2023

[Signature]

(L.S.)

SIGNATURE OF JUDGE

[Signature]

AFFIANT

180 Lockwood Blvd.
Charleston, SC 29403
843-577-7434

[Stamp] ORIGINAL

COMPLAINT # 23-01176
WARRANT # 2023A1010201337
INVESTIGATING OFFICER: Det. N. Perez

Charleston Police Department

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

AFFIDAVIT

PAGE 2 OF 2

MAR 1 11:29

The victim provided the defendant's name as Derrick Brooks and identified his phone number as [REDACTED]. A search of law enforcement data bases and a lawful search warrant served to T-Mobile confirmed the phone number to belong to Derick Brooks with a DOB of [REDACTED]. A search of SC DMV Online returned with a Derick Wayne Brooks (DOB: [REDACTED]). The victim was presented with a single photograph of the Derick Wayne Brooks (DOB: [REDACTED]) and she positively identified him as the defendant.

OFFICER INITIALS *MP*

Based on the aforementioned facts and circumstances, it is probable that the defendant violated SC Code of law, Criminal Sexual Conduct with a Minor 2nd Degree, 16-3-655(B), when the defendant engaged in sexual battery (penetration of the victim's vagina with his fingers) with the victim. The victim was 15 years of age during the assault and the defendant was approximately 50 years of age.

NCIC INITIALS *TWR*

The above is true and believable based on the statements provided by the victim, the text messages, and the investigation of the City of Charleston Police Department.

 ORIGINAL



AFFIANT
180 Lockwood Blvd.
Charleston, SC 29403
843-577-7434

THIS 1 DAY OF March 2023

 (L.S.)

SIGNATURE OF JUDGE

COMPLAINT # 23-01176
WARRANT # 2023A1010201 337
INVESTIGATING OFFICER: Det. N. Perez

LBM/0398897
WITNESSES

Charleston City Police Department



AGENCY CASE NUMBER
2023-01176

ARREST WARRANT NUMBER
2023A1010201337

DATE OF ARREST
03/01/2023

ACTION OF GRAND JURY
TRUE BILL

Martha Woodward NOV 06 2023
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2023-GS-10-05286

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
NOVEMBER TERM 2023

THE STATE

VS.

DERICK WAYNE BROOKS
DOB: [REDACTED]

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, SECOND DEGREE

SC Code: § 16-03-0655(B)(2)
CDR Code: 0397

FILED

11/28/2023 9:15:08 AM
JULIE J. ARMSTRONG
CLERK OF COURT

RECEIVED
Jan 25 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

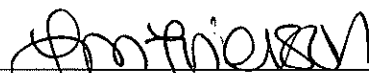
INDICTMENT

At a Court of General Sessions, convened November 2023, the Grand Jurors of Charleston County present upon their oath:

Criminal Sexual Conduct With A Minor, Second Degree

That in Charleston County, South Carolina, between February 1, 2022 and on or about January 31, 2023, the defendant, Derick Wayne Brooks, did commit, or assaulted with the intent to commit, a sexual battery upon a minor, Lillian Kane-Eames, who was at least fourteen (14) years of age but less than sixteen (16) years of age and the defendant was in a position of familial, custodial, or official authority to coerce the minor victim to submit or was older than the minor victim. That in addition, if the defendant was eighteen (18) years of age or less said sexual conduct or attempted sexual conduct was non-consensual; all in violation of Sections 16-3-655(B)(2) and 16-3-656 of the 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.



LAUREN M. FRIERSON
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE

INDICTMENT/CASE#: 2023-GS-10-05286

VS.

DERICK WAYNE BROOKS

AKA: Derrick Wayen Brooks, Lumpsy Brooks
Race: [REDACTED] Sex: [REDACTED] Age: 52

A/W#: 2023A1010201337
Date of Offense: 01/01/2022
S.C. Code §: 16-03-0655(B)(2)

DOB: [REDACTED] SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]

CDR Code #: 0397

DL#* [REDACTED] SID# [REDACTED]

*CDL Yes No CMV Yes No Hazmat Yes No

RECEIVED
SENTENCE SHEET
Jan 25 2024
SC Court of Appeals

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Criminal Sexual Conduct With A Minor, Second Degree

In violation of § 16-03-0655(B)(2) of the S.C. Code of Laws, bearing CDR Code # 0397

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Lauren M. Frierson 77023 Derrick Brooks 73776
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 8 days/months/years/Time Served Youthful Offender Act not to exceed years

and/or to pay a fine of \$, provided that upon the service of days/months/years/Time Served and or payment of \$, plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

STATE DERICK WAYNE
VS. BROOKS

INDICTMENT/CASE#: 2023-GS-10-05286

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program

Mental Health Counseling May serve W/E beginning: _____

Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours

Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Other: _____

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:		\$	_____
Fine may be pd. in equal consecutive weekly/monthly prmts. of	\$	_____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$	_____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	<u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	_____
§56-5-2995 (DUI Assessment)	\$12	\$	_____
§56-1-286 (DUI Breath Test)	\$25	\$	_____
§14-1-212 (Law Enforce. Funding)	\$25	\$	<u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$	_____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$	_____
§50-21-114 (BUI Breath Test Fee)	\$50	\$	_____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	_____
3% to County (if paid in installments)	TBD	\$	<u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel; Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$	_____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$	_____
TOTAL		\$	<u>128.75</u>

Clerk of Court/Deputy Clerk: Cheralee Gray
Court Reporter: Jamie Bickett

Presiding Judge: [Signature]
Judge Code: 2128
Sentence Date: 1/16/2024