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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Appellate Case No. 2023-000126

The Honorable G.D. Morgan Jr., Circuit Court Judge

State of South Carolina.....Respondent,

v.

Randy Lee Flower Appellant.

**RECORD ON APPEAL
VOLUME II OF III**

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1 is that enough? Is there enough evidence here? Or are
2 there reasons that cause me to pause, to think this is
3 overreach? And the sheer number would just make you
4 collapse and say something must have happened. I beg of
5 you not to do that. That is not what the law says. You
6 have to look through each and every element of this case.

7 And I think you will come back with all not guilty's
8 for Mr. Randy Flower.

9 Thank you.

10 THE COURT: All right. The State call their first
11 witness.

12 MS. OWEN: Thank you, Your Honor.

13 Your Honor, in conjunction with our prior
14 discussions, if there are any witnesses on the witness
15 list other than the victims, if they would step outside.

16 The State would call Lieutenant Melissa Woods.

17 THE CLERK: Please pause at the end of the bench.

18 WHEREUPON,

19 MELISSA WOODS,
20 after first having been duly sworn, testified as follows:

21 THE CLERK: Please state your name for the record.

22 THE WITNESS: Melissa Woods.

23 DIRECT EXAMINATION

24 BY MS. OWEN:

25 Q Good morning.

1 A Good morning.

2 Q Would you, please, tell the jury a little bit about
3 where you work and how long you've been in law
4 enforcement?

5 A I work for the Fountain Inn Police Department. I
6 have been in law enforcement since 1999 when I was
7 certified as a police officer.

8 During my career, I was assigned to a school. So I
9 worked as a resource officer investigating cases at the
10 school. Then I, also, managed many of our programs that
11 our police department hosts. And then in 2010, I was
12 removed from the school and went to the community patrol
13 division and the dispatch division. And then I worked
14 that for a while.

15 And then after that, I was switched to investigations
16 in 2017 where that role was mainly supervision, as well as
17 my prior role in community patrol. It was mainly
18 supervision. Then in 2019, I was the on-call investigator
19 that was called in for this case. My background in sexual
20 assaults is just a few.

21 Q And at law enforcement, do you do trainings and have
22 to keep up-to-date with certain certifications?

23 A Yes, ma'am.

24 Q Can you tell the jury a little bit about that?

25 A Every year, we have to do legal recerts and domestic

1 violence --

2 THE COURT: Ma'am, could you move that microphone
3 down just a little bit?

4 THE WITNESS: Sure.

5 THE COURT: Thank you.

6 THE WITNESS: Every year, we have to do legal recerts
7 and domestic violence recerts.

8 BY MS. OWEN:

9 Q You said you were the on-call investigator in 2019;
10 is that correct?

11 A Yes, ma'am.

12 Q Okay. When you first got the call, what did you do?

13 A I arrived at the police department and spoke with
14 Officer Austin.

15 Q And who was at the police department at that time?

16 A Karen Flower and [REDACTED].

17 Q And what did you do once you arrived?

18 A Once I arrived, Officer Austin and I took [REDACTED]
19 Flower into the interview room.

20 Q Was it audio and video recorded?

21 A Yes, ma'am, it was.

22 Q Was a written statement, also, obtained?

23 A Yes, ma'am.

24 Q What was [REDACTED] demeanor at that time?

25 A She was very calm, nervous, quiet.

1 Q Did she make any disclosures regarding inappropriate
2 contact with the Defendant in this case?

3 A Yes, ma'am.

4 Q And did you allow Karen to sit in that interview?

5 A I did, yes, ma'am.

6 Q Why?

7 A We did not have a victim's advocate at the time. And
8 Ms. [REDACTED] was very distressed. So her mother was in
9 there to provide comfort.

10 Q And what did you do next?

11 A Ms. Flower brought [REDACTED] to the police department.

12 Q And did you audio -- interview [REDACTED]?

13 A Yes, ma'am.

14 Q Was that audio and video recorded?

15 A Yes, ma'am, it was.

16 Q Was a written statement, also, obtained?

17 A Yes, ma'am.

18 Q Did [REDACTED] disclose sexual abuse to you?

19 A Yes, ma'am.

20 Q Did she disclose when it happened?

21 A From about the time she was two to seven.

22 Q Okay. And did she disclose where this happened?

23 A [REDACTED], Fountain Inn, South Carolina
24 in the County of Greenville.

25 Q Did she, also, make disclosures regarding alcohol and

1 porn involving her father?

2 A Yes, ma'am.

3 Q Did you allow Karen to sit in that interview?

4 A I did. [REDACTED] was very distressed. I allowed Karen
5 to sit in there because we didn't have a victim advocate
6 to provide comfort.

7 Q What did you do next?

8 A Then three days later, [REDACTED] came and I
9 interviewed her.

10 Q And was [REDACTED] interview audio and video
11 recorded?

12 A It was only audio, ma'am. We had our recording
13 system installed in 2011 at the Fountain Inn Police
14 Department. And at this time, we were having connection
15 issues with our cameras. So some interviews would be
16 audio and video, some would just be audio. [REDACTED] was
17 only audio.

18 Q Was anyone in the interview room with you and [REDACTED]?

19 A Not at first, no, ma'am, just [REDACTED] and I.

20 Q And did [REDACTED] disclose sexual abuse to you?

21 A Yes, ma'am.

22 Q When did she state that happened?

23 A From about the time she was three to 12.

24 Q And where did she state that that had happened?

25 A 404 North Main Street, Fountain Inn, South Carolina

1 in the County of Greenville.

2 Q Did she, also, disclose the use of alcohol and porn
3 with her and her father?

4 A Yes, ma'am.

5 Q What was her demeanor like at that point?

6 A She was calm. But she was distressed having to talk
7 about some of the events.

8 Q And had she, actually, come in three days prior and
9 given a written statement and this was a follow-up
10 interview?

11 A Yes, ma'am.

12 Q And after you obtained statements from all three
13 girls, were you contacted by an attorney for the Defendant
14 in this case?

15 A Yes, ma'am, I was.

16 Q Were you told not to speak to the Defendant?

17 A Yes, ma'am, I was.

18 Q And what did you do next in the case?

19 A I signed warrants on Mr. Flower.

20 Q Did [REDACTED] ever come in for a follow-up interview?

21 A Yes, ma'am, she did.

22 Q Okay. And was anyone in the room at that time?

23 A No, just her and I.

24 Q Was that audio and video recorded?

25 A Yes, ma'am.

1 Q Okay. And at that time, did she disclose sexual
2 abuse to you?

3 A Yes, ma'am.

4 Q Where did she state that abuse occurred?

5 A [REDACTED], Fountain Inn, South Carolina
6 in the County of Greenville.

7 Q When did she state that it had occurred?

8 A From the time she was two to five and a half.

9 Q Okay. And what was her demeanor like during that
10 interview?

11 A Calm, nervous, uncomfortable.

12 Q And did [REDACTED], also, come in for a follow-up
13 interview?

14 A Yes, ma'am, she did.

15 Q Was anyone in that interview?

16 A No, ma'am.

17 Q Was she able to verify some of her previous
18 statements to you?

19 A Yes, ma'am.

20 Q What was her demeanor like during that interview?

21 A She was calmer than she was in the initial interview,
22 but she was still nervous. She would often cry. We would
23 have to take breaks for her to finish talking about her
24 statement she had provided previously. She would fidget
25 when she was uncomfortable.

1 Q Did you, also, take photographs in this case?

2 A I did, yes, ma'am.

3 MS. OWEN: May I approach the witness, Your Honor?

4 THE COURT: Yeah.

5 And both of you, y'all don't need to ask me to
6 approach. Any time you want to approach, go ahead and do
7 that. You don't need to ask me.

8 MS. OWEN: Thank you.

9 BY MS. OWEN:

10 Q Sergeant Woods, would you, please, review those?

11 A (Witness complied.)

12 Q Do you recognize those photographs?

13 A Yes, ma'am.

14 Q What are they?

15 A They're photographs of the residence at 404 North
16 Main Street.

17 Q Did you take those photographs?

18 A Yes, ma'am, I did.

19 Q What year did you take those photographs?

20 A 2021.

21 Q Okay. And so the abuse allegations that you were
22 aware of at the time had ended sometime around 2012, 2013;
23 correct?

24 A Yes, ma'am.

25 Q So it had been several years?

1 A Yes, ma'am.

2 Q Things were not identical to what they were in the
3 home originally when the Defendant was there, would that
4 be a fair and accurate statement?

5 A Yes, ma'am.

6 MS. OWEN: Your Honor, at this point, we would ask to
7 move in these photographs into evidence. We've got
8 State's Exhibit Nos. 1 through -- I believe it's 61 -- 67,
9 Your Honor.

10 THE COURT: All right. Any objection from the
11 Defendant?

12 MR. KORNFELD: We objected to two of the photos,
13 which would be State's Exhibit Nos. 6 and 8.

14 MS. OWEN: Would you like to approach?

15 THE COURT: Yeah.

16 MR. KORNFELD: Yeah. That's fine.

17 (WHEREUPON, a bench conference was held.)

18 THE COURT: All right. The objection to those two is
19 overruled.

20 Other than those two, Mr. Kornfeld, any objections?

21 MR. KORNFELD: No, Your Honor.

22 THE COURT: All right. So objection -- I mean,
23 State's Exhibit Nos. 1 through 67 are admitted into
24 evidence. State's Exhibit Nos. 6 and 8 are admitted into
25 evidence over objection. The remaining are admitted into

1 evidence without objection.

2 (WHEREUPON, State's Exhibit Nos. 1, 2, 3, 4, 5, 6, 7,
3 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,
4 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,
5 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49,
6 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63,
7 64, 65, 66, and 67 were admitted into evidence.)

8 MS. OWEN: Thank you, Your Honor.

9 BY MS. OWEN:

10 Q Sergeant Woods, did this conclude your involvement in
11 this case?

12 A Yes, ma'am.

13 MS. OWEN: Thank you.

14 I have no further questions. Please answer any
15 questions Mr. Kornfeld may have.

16 THE COURT: All right. Cross.

17 CROSS-EXAMINATION

18 BY MR. KORNFELD:

19 Q Officer Woods, this case, you stated that you allowed
20 the mother to sit in during these interviews because you
21 didn't have a victim advocate at the time?

22 A Yes, sir, we did not.

23 Q All right. So do you understand the problem, and
24 concern, and issue with allowing a mother to be in an
25 interview of a case like this?

1 A At the time, the girls were distressed, the victims
2 were distressed and I thought it would assist them to be
3 able to talk.

4 Q I understand your concern. But my question is, do
5 you understand the issue and concern that this could cause
6 by allowing the mother of these children to sit in on the
7 interviews in this case?

8 A I didn't at the time, no, sir.

9 Q All right. But you, specifically, told them in the
10 interview, I usually don't do this?

11 A Yes, sir.

12 Q All right. But you did in this particular case?

13 A Yes, sir.

14 Q And the reason you usually don't do that is because
15 it can compromise the investigation; correct?

16 A Sometimes victims don't want to talk in front of
17 their parents. But, again, these girls had asked,
18 specifically, to have their mother in there.

19 Q Okay. Had you known any of these people prior to
20 this?

21 A No, sir.

22 Q All right. And did you know of any of the
23 allegations prior to meeting them?

24 A No, sir.

25 Q And you just testified up here that when [REDACTED]

1 came in, she was calm. But then the reason that you
2 allowed Karen Flower to be in the meeting was because she
3 was distressed. So which one is it?

4 A As we -- as she started relating her statement to me,
5 she became very upset.

6 Q All right. And you did not send [REDACTED] to the Julie
7 Valentine Center or even attempt to do so before you
8 talked to her; correct?

9 A No, sir, I did not.

10 Q All right. And you could have investigated and
11 possibly done that; correct?

12 A Yes, sir. But I was under the impression that Julie
13 Valentine -- the interviews for older children were not
14 admissible in court.

15 Q All right. But you understand that they have the
16 expertise in doing interviews with children; correct?

17 A I do, yes, sir.

18 Q All right. And in this case, did you ever review the
19 Family Court orders?

20 A No, sir.

21 Q All right. Did you ever review any other records?

22 A No, sir.

23 Q All right. Did you consider it -- did you consider
24 the inconsistencies in the statements from Karen
25 Flowers [sic] problematic?

1 A No, sir. Not at the time, no, sir.

2 Q Would you had with what she told you, you would have
3 known she agreed to a joint custody agreement with her
4 ex-husband?

5 A She did mention that she -- that they had -- that the
6 girls refused to go with their dad sometimes.

7 Q All right. But I'm asking, would that have been
8 relevant to you to know that these parties had joint
9 custody after this allegation was allegedly known?

10 A Yes, sir.

11 Q All right. And Karen Flower was, actually, the one
12 who called and set up the interviews; correct?

13 A I was not there for the original interview when they
14 first came in, sir. I was -- according to, I believe,
15 Officer Austin's report, she was.

16 Q And even after the first child -- the first -- I
17 guess it was a child at the time, but her first daughter
18 was interviewed, she -- you suggested that maybe Karen go
19 on home, it was getting late, stay with the other child.
20 And she refused, didn't she?

21 A I don't recall. I know she was concerned for her
22 children.

23 Q Okay. And in this case, the first thing that you
24 said to each of these children was -- one of the first
25 things you said to them was that you were commending them

1 for how brave they were for coming to you; correct?

2 A Yes, sir.

3 Q And that was before you knew of any of the
4 allegations at all?

5 A I could read the statement that they provided in the
6 interview room, yes, sir.

7 Q All right. So it's fair to say that you didn't have
8 any sort of skepticism at that time upon immediately
9 meeting them that anything further needed to be done to
10 believe them; correct?

11 A No, sir.

12 Q All right. And you would agree that you led them
13 several times in the -- in the interview; correct?

14 A I'm not sure what you're asking, sir.

15 Q Well, at one point, you stated, I'm just going to rip
16 the Band-Aid off. Did he ever penetrate you vaginally or
17 anally with his penis?

18 A Yes, sir. If that's what's in the transcription,
19 yes, I did.

20 Q And is that because you felt like you weren't getting
21 answers that you wanted to get? Why did you need to rip
22 the Band-Aid off?

23 A It's very difficult to talk to a stranger about
24 sexual issues, whether they involve abuse or not. And so
25 I wanted to make sure I was covering what I thought was

1 all the questions that needed to be asked during the
2 interview.

3 Q Okay. And do you remember questioning the alleged
4 victims about the wiping of the children?

5 A I know we discussed it, yes, sir.

6 Q And the -- none of the children stated that there was
7 any longstanding -- or any effects after the wiping;
8 correct?

9 A Do you mean medically?

10 Q Yes.

11 A Yes. I don't believe there was.

12 Q All right. And are you aware of the anatomy of a
13 child's --

14 MS. OWEN: Objection, Your Honor. I believe that's
15 outside the relevant scope of this testimony.

16 THE COURT: Overruled. I'll allow it for right now
17 and see where it goes.

18 BY MR. KORNFELD:

19 Q Are you aware of the anatomy of a child's rectum?

20 A No, sir, not intimately, no.

21 Q And in the statement, it states, From the time I was
22 two or three. Do you remember that?

23 A I believe so, yes, sir.

24 Q And you state, So when you were three. Do you
25 remember saying that? You don't say when you were two or

1 three. You say, So when you were three. Do you remember
2 that?

3 A No, sir, I don't.

4 THE COURT: If you'll scoot up just a little bit.

5 THE WITNESS: Oh, sorry.

6 BY MR. KORNFELD:

7 Q And during that interview, would you agree that many
8 of the responses to your questions were they did not know?

9 A I don't recall.

10 Q All right. And you even told [REDACTED] that you might
11 get her to add to her -- add to it. And I assume you
12 meant to her interview, that she was going to add to it.
13 Do you remember stating that?

14 A What's the context before?

15 Q You told [REDACTED] you might get her to add to her
16 statement. Do you remember saying that?

17 A If there was more needed, yes, sir.

18 Q And you did that because you felt it was lacking
19 enough for a charge. Or why did you need her to add to
20 it?

21 A No. Sometimes in investigations, you have to do some
22 follow-up.

23 Q All right. And -- so you went through -- any time
24 you -- you wrote a report in this case; correct?

25 A Yes, sir.

1 Q And your report is reviewed by another officer, I
2 assume; correct?

3 A Yes, sir.

4 Q And it's important for that report to be complete and
5 accurate; correct?

6 A Yes, sir.

7 Q So if something isn't in your report, it's because it
8 didn't happen; correct?

9 A If it's not in my report, I may have overlooked it.
10 It doesn't mean it didn't happen.

11 Q Okay. So did you -- did you ever reach out -- did
12 you know that the parties had an older brother?

13 A I did, yes, sir.

14 Q All right. Did you reach out to him?

15 A No, sir, I did not.

16 Q All right. And why did you not reach out to him?

17 A I believe Ms. Flower said Ian said nothing happened
18 with him.

19 Q All right. You stated that an attorney called you
20 and told you not to talk to Mr. Flower. That was not me,
21 was it?

22 A No, sir. It was, I believe, Carlyle Steele.

23 Q You, also, in -- in the interviews with the different
24 girls, you suggest statements. Specifically, you talk
25 about another interview where you were talking with

1 [REDACTED] -- you were talking to [REDACTED] and you say, She
2 talks about him masturbating in front of her. Did he ever
3 do that with you? Why would you do that? Why would you
4 make a suggestion about what happened -- allegedly
5 happened to one person to another?

6 A It was not intended to imply anything. It was just
7 to find out if that particular incident happened to her.

8 Q All right. Did you ever listen to the recordings of
9 the interviews after -- after they occurred? Did you ever
10 go back and listen to them?

11 A Yes, sir.

12 Q And, specifically, do you remember the July 9th, 2019
13 recording?

14 A With [REDACTED]?

15 Q Yes.

16 A Yes, sir.

17 Q And when you left, Karen Flower was in that interview
18 room, wasn't she?

19 A Yes, sir. I stepped out because Karen asked to speak
20 to her.

21 Q Uh-huh. And did -- were you able to hear what Karen
22 was telling [REDACTED] at that time?

23 A No, sir. I didn't go back to the room where the
24 video recording is live. I didn't go back there. I
25 probably went and got a cup of coffee.

1 Q No. That's not what I'm asking. What I'm asking is,
2 did you ever listen to that interview again?

3 A Not until later.

4 Q Okay. But you have listened to it?

5 A Yes, sir.

6 Q So did you -- were you able to hear what Karen Flower
7 was saying to [REDACTED]?

8 A Yes, sir.

9 Q And did that cause you concern?

10 MS. OWEN: Objection, Your Honor. Speculation.

11 THE COURT: Overruled.

12 THE WITNESS: I, originally, allowed her in there for
13 the very same reason, because [REDACTED] was disclosing some
14 traumatic events and to check on her daughter. I was not
15 aware that she was going to disclose anything about a
16 previous hearing they had that day. No, sir, she didn't
17 tell me that.

18 BY MR. KORNFIELD:

19 Q All right. And it's true that at that time, the --
20 the recordings -- the interview recordings; correct?

21 A Yes.

22 Q Do you remember those? 7/6 and 7/9?

23 A Uh-huh.

24 Q All right. And when you provided those to the
25 solicitor's office, were those doctored in any way?

1 A No, sir.

2 Q All right. And so they were -- they were a fair
3 depiction of what occurred?

4 A Yes, sir.

5 Q Ms. Woods, you, also, did an interview in August --
6 two interviews in August, August 6th of 2021; correct?

7 A Yes, sir.

8 Q And did you provide those recordings to the
9 solicitor's office?

10 A I believe I did, yes.

11 Q And were those doctored in any way?

12 A No, sir.

13 Q And were there any other interviews that you took of
14 the girls?

15 A No, sir.

16 Q All right. And after that July 6th and July 9th
17 interview, you arrested him; correct? You got out
18 warrants for Mr. Flower; correct?

19 A Yes, sir.

20 Q All right. Is there any other investigation that I'm
21 not following up on that we've already talked about that
22 occurred by you?

23 A No, sir.

24 MR. KORNFELD: All right. Just one moment.

25 (Pause.)

1 BY MR. KORNFELD:

2 Q So you didn't -- did you reach out to look at any
3 kind of medical records?

4 A No, sir, I did not.

5 Q What about school records?

6 A No, sir.

7 Q Did you talk to any possible corroborating witnesses?

8 A No, sir.

9 MR. KORNFELD: Thank you, Officer Woods.

10 No further questions.

11 THE COURT: Redirect?

12 MS. OWEN: Just briefly.

13 REDIRECT EXAMINATION

14 BY MS. OWEN:

15 Q You didn't go looking for this case, did you?

16 A No, ma'am.

17 Q These three girls came to the police station; is that
18 correct?

19 A Yes, ma'am.

20 Q They came to file a report?

21 A Yes, ma'am.

22 Q They came in voluntarily to give statements?

23 A Yes, ma'am.

24 Q And those statements, to the best of your knowledge,
25 were audio and video recorded to the best of the working

1 capabilities of the Fountain Inn Police Department?

2 A Yes, ma'am.

3 Q And based on their statements, you provided what
4 information you have about this case; correct?

5 A Yes, ma'am.

6 MS. OWEN: I have no further questions.

7 THE COURT: All right. Any recross?

8 MR. KORNFELD: No, Your Honor.

9 THE COURT: All right. Thank you, ma'am.

10 You may step down.

11 THE WITNESS: Thank you, sir.

12 MS. OWEN: Your Honor, I do believe Sergeant Woods
13 has to testify in another court at some point this week.
14 So if there is a recalling of her, we just --

15 Alex, can you and I approach?

16 MR. KORNFELD: Yes.

17 (WHEREUPON, a bench conference was held.)

18 MS. OWEN: Your Honor, the State would call [REDACTED]

19 [REDACTED] to the stand.

20 THE CLERK: Please pause at the end of the bench.

21 Place your left hand on the Bible and raise your
22 right hand.

23 WHEREUPON,

24 [REDACTED],

25 after first having been duly sworn, testified as follows:

1 THE CLERK: Thank you.

2 Please be seated.

3 And, please, state your name for the record.

4 THE WITNESS: My name is [REDACTED].

5 MS. OWEN: Your Honor, I do intend to use these
6 photographs, if we could go ahead and turn the system on.

7 THE COURT: All right.

8 DIRECT EXAMINATION

9 BY MS. OWEN:

10 Q Good morning, [REDACTED].

11 How are you?

12 A I'm okay.

13 How are you?

14 Q Would you tell the jury your name and a little bit
15 about yourself?

16 A My name is [REDACTED]. I live at 404 North Main
17 Street. I'm a realtor. And I'm 25 years old. I was born
18 in 1997.

19 Q What's your full birthday?

20 A July 24th, 1997.

21 Q Are you nervous about being here today?

22 A Extremely.

23 Q Have you ever done this before?

24 A No. I've never talked about this in front of
25 many [sic] before.

1 Q [REDACTED] you said you are currently a realtor; is that
2 correct?

3 A Yes, ma'am.

4 Q And do you currently still live at 404 North Main
5 Street?

6 A Yes, ma'am.

7 Q And that's in Fountain Inn?

8 A Yes.

9 Q Is that where you grew up?

10 A It is.

11 Q Can you describe your home a little bit?

12 A It's an arts and crafts house built in 1918. It's
13 got five bedrooms and three bathrooms.

14 Q Has it always looked the way it looks now?

15 A No. We've done a lot of work to it in the last
16 several years. It wasn't in good condition when I was
17 growing up. It was a fixer-upper.

18 Q Growing up, who lived in your home with you?

19 A I lived with my father, and my mother, and my older
20 brother, and my two younger sisters.

21 Q And is your father Randy Flower?

22 A Yes.

23 Q Can you tell us the names of your other family
24 members?

25 A My mother is Karen Flower. My brother is Ian Flower.

1 My sisters are [REDACTED].

2 Q Can you tell me a little bit about your school
3 growing up?

4 A I was home schooled until I went to a school in -- we
5 did co-ops when we were growing up. But I didn't go to a
6 private school until I was in sixth grade.

7 Q I didn't know what a co-op was originally. Could you
8 tell us a little bit about that?

9 A Co-ops are for home-schooled children who go to
10 school with other home-schooled children once a week and
11 just, you know, go over stuff. And then they get homework
12 and tasks for the rest of the week that they go over and
13 do every week.

14 Q So one day a week, you're with other kids?

15 A Yes.

16 Q But the other four, you were at home being home
17 schooled?

18 A Yes.

19 Q Who did the home schooling?

20 A My mom.

21 Q And you said you went to private school in sixth
22 grade; is that correct?

23 A Yes.

24 Q Where was that?

25 A Greenville Classical Academy.

1 Q How long did you attend Greenville Classical Academy?

2 A I attended it for one year. And then I went back to
3 co-ops until I went to high school at Brashier Middle
4 College in Simpsonville.

5 Q What year did you attend Brashier?

6 A My ninth grade year, which was 2010 -- I graduated in
7 2015, so four years before that.

8 Q And your mom was home schooling you all; is that
9 correct?

10 A Yes, ma'am.

11 Q And tell us a little bit about the education of you
12 and your siblings from what you recall.

13 A My brother and I did what was called Ace Paces. And
14 those were little booklets for Christian children growing
15 up. And then we did the co-ops and, you know, regular
16 stuff. But it was all the courses, math, and science, and
17 English, and literature, and social studies, and Bible
18 study.

19 Q So your brother was, also, home schooled in co-ops?

20 A Yes, and -- yes.

21 Q Your younger sisters, did they, also, do some home
22 schooling co-op stuff?

23 A For their early years. But I believe they both did
24 Fountain Inn Elementary for their elementary school.

25 Q And what about work? What do you recall about your

1 mother working?

2 A She didn't really work until I was older. Until I
3 was in middle school and high school, she worked a lot
4 more. But before then, she stayed at home, and raised us,
5 and taught us, and helped with my dad's piano lessons and
6 arranging those.

7 Q What about your dad, what do you recall about him
8 working?

9 A He worked at Woodruff Road as an organist and choir
10 person. He, also, did piano lessons at our home. And
11 when we got older, there were less and less piano
12 students. But -- and then he switched to a different
13 church, which was Aldersgate Methodist. And that was when
14 I was older.

15 Q I'm just going to back up on a couple things. Okay.

16 A Okay.

17 Q When you were little, little, your dad worked at
18 Woodruff Road; is that what you said?

19 A Yes.

20 Q Is that Woodruff Road Presbyterian Church?

21 A Yes.

22 Q And you said he was an organist and pianist there?

23 A Yes.

24 Q Would that mostly be on weekends?

25 A Yes, and Wednesdays.

1 Q And then he, also, did piano lessons in your home; is
2 that correct?

3 A Yes, ma'am.

4 Q And piano lessons, did those normally occur -- what
5 age group was he giving piano lessons to?

6 A All ages. Children as young as six, all the way up
7 to people going into college.

8 Q So would you say that the majority of piano lessons
9 occurred in the afternoon?

10 A Morning and afternoon.

11 Q Morning and afternoon. So you had people kind of
12 coming in and out during various times of the day; is that
13 correct?

14 A Yes.

15 Q And at some point, because you went to Greenville
16 Classical, did he, also, teach there?

17 A Yes.

18 Q Is that how y'all ended up there?

19 A Yes. He got a job there. And so we were able to go
20 to school there.

21 Q And how long was he a teacher there?

22 A Two to three years. The girls were there longer than
23 I was. I left after the first year.

24 Q But he was only there two or three years; correct?

25 A Yes.

1 Q And then at some point, did your father start
2 commuting to Columbia?

3 A Yes. He went and got his Master's Degree and his
4 Doctorate when he was -- after he left Woodruff Road
5 for -- he went down to USC to get his Master's.

6 Q And was he working at that point?

7 A Yes. But, also, you know, mainly, working on that.

8 Q On his Master's?

9 A Yes. He still taught piano students. And he still
10 worked at Aldersgate Methodist Church for choir and then
11 later -- or organ and then later choir.

12 Q Was his main focus getting his Master's at that
13 point?

14 A Yes.

15 Q And you said that when you got older, the lessons got
16 less and less; is that correct?

17 A Yes, ma'am.

18 Q Was he commuting back and forth or was he staying in
19 Columbia?

20 A He would commute.

21 Q Back and forth from Columbia to Fountain Inn?

22 A Yes, ma'am.

23 Q And did he need anything special while he was getting
24 his Master's Degree?

25 A He got a Mac computer and iPhone. And I think that

1 was about it.

2 Q Okay. Did your parents come from religious
3 backgrounds?

4 A Yes, both of them.

5 Q Growing up, was your family involved in church?

6 A Yes, ma'am.

7 Q Can you tell us about that?

8 A We were very involved in church. We would do Sunday
9 mornings, Sunday evenings, Wednesdays. We would do
10 after-church fellowships with our deacon, and families,
11 and everything. And, yeah, we were very religious growing
12 up.

13 Q What churches did you attend growing up?

14 A I was baptized at J. Adams Harrison Bridge Road
15 Church, but we moved to Woodruff Road. And I'm sorry.
16 What was --

17 Q What churches were you attending?

18 A Those two. And then after we left Woodruff Road,
19 after he no longer worked there, we -- my siblings and
20 mother and I went to Palmetto Hills Presbyterian while he
21 worked at Aldersgate.

22 Q Who would go to church in your family?

23 A We all did. Yeah, we didn't really miss unless we
24 were sick, or something.

25 Q And financially, how were things in your house

1 growing up?

2 A When I was younger, I thought we were fine. We, you
3 know, got toys, and clothes, and hand-me-downs from
4 people, but that was fun for me. But when we -- when
5 things -- when we were older, things got a little more
6 tight. And things were a little bit more difficult,
7 especially after 2008.

8 Q Can you tell us about that?

9 A Things were just really restricted. Like, we
10 would -- I mean, we would do, like, parties, and things.
11 But we didn't have a whole lot of food otherwise. And he
12 would do music theory classes when we were little when all
13 his piano students would come over a certain amount of
14 time. And we would have snacks for that, but not really
15 otherwise. And everything was like hand-me-downs. But I
16 know there was a lot of financial strain, like, their
17 fights, and things. But I thought it was pretty normal.

18 Q [REDACTED], you touched on this briefly, but was there
19 enough food in your house?

20 A Not when we were older.

21 Q What did that look like?

22 MR. KORNFELD: Objection. Relevance.

23 THE COURT: What's the relevance?

24 MS. OWEN: Your Honor, this is going to go to how
25 things were in the home and why -- essentially, the

1 testimony, I believe, is relevant as far as laying a
2 foundation for how things were in the home, why there were
3 concerns in the home that weren't shown outside the home,
4 what people viewed the home to be, and how others possibly
5 perceived the house.

6 THE COURT: I will allow you to ask her about the
7 home itself, the physical characteristics of the home.
8 But unless you can tie it in down the road, I'm going to
9 sustain it right now.

10 MS. OWEN: Thank you, Your Honor.

11 BY MS. OWEN:

12 Q [REDACTED], talk to us about the condition of the home.

13 A When we were little, we had an upstairs. But when we
14 were little, it wasn't finished. It didn't have carpet.
15 The bathroom upstairs didn't work. And there were two
16 bedrooms up there and, like, a school, homework room, but
17 it wasn't finished.

18 And our garage was in disrepair. By the time Randy
19 left the country, it was -- it needed to be completely
20 fixed. So we had to do that.

21 Q What about the conditions of the bathrooms?

22 A We didn't really have doors on our bathrooms. The
23 main bathroom where, like, the bedrooms were had a lock.
24 But you could access it from two Jack and Jill doors on
25 either side. So there weren't locks on those doors. And

1 the master bathroom where we all showered was -- had
2 curtains. And the only lock for that was the master
3 bedroom door lock.

4 Q Are you nervous?

5 A (There was no verbal response.)

6 Q Do you need some water?

7 A I'm okay.

8 Q What about heat, air, that kind of thing? Was that
9 working?

10 A They seemed to work. I know sometimes they would go
11 out. But from what I remember, they seemed to work.

12 Q What about the back porch?

13 A The back porch was falling down. We had people fall
14 off of it a few times. And it was it was just broken.

15 Q So there were lots of things in your home that needed
16 work?

17 A Yes.

18 Q And what do you recall as you got older, your
19 father's [inaudible]?

20 A Well, while he was doing his Master's and things, he
21 started spending more money on alcohol. When we were
22 younger, he would spend money, you know, like, on shoes
23 and hats, you know, like fancy clothes and things, and
24 cigars. He smoked a lot of cigars. He smoked a lot of
25 pipes. He drank a lot.

1 MR. KORNFELD: Your Honor, I object to relevancy
2 again.

3 MS. OWEN: Your Honor, this goes directly to some of
4 the indictments and allegations in this case.

5 THE COURT: I'll overrule right now. But make
6 sure -- let's tie it in.

7 MS. OWEN: Yes, Your Honor.

8 BY MS. OWEN:

9 Q [REDACTED], you mentioned this a second ago, but
10 growing up, did your dad drink a lot in the home?

11 A Yes, ma'am.

12 Q Can you describe for the jury what life was like
13 behind the walls of your home?

14 A It was not fun. There was a lot of fighting. There
15 was a lot of discipline, especially when I was younger.
16 We were spanked. And it was just -- like, my childhood, I
17 had, like, a lot of fun, you know. Like, I was home
18 schooled. So I had a lot of freedom based on, like, what
19 I did with my time. But, you know, there was a lot of
20 things that I look back on now that were not okay. And
21 when I was growing up, it just seemed to be normal.

22 Along with the spanking, there was a lot of just
23 physical pain we were put through. Like, he would always
24 pinch us with his hands on our shoulders. And he was a
25 pianist, he had really strong hands. And he wouldn't let

1 go until, like, we fell to our knees and apologized for
2 whatever. In the car, he would, like, grab our legs and,
3 you know, if we were making a noise or anything and pinch
4 until it hurt.

5 And, I mean, I was spanked black and blue often by
6 him. I mean, my mom spanked us, but it was kind of like a
7 joke. It didn't hurt and we just -- but with him, it was
8 different. There was a lot of black and blue. And he
9 would, also, pray with us afterwards. And he would
10 sexually molest me when he spanked me.

11 Do I need to go into that now?

12 Q I'll continue asking questions.

13 Thank you.

14 Is your dad a big guy?

15 A Yeah, six something, 6'1".

16 Q As a kid, did you think he was intimidating?

17 A Very much so. He would -- he would always stomp and
18 slam things and flail his arms about. And he was very
19 intimidating. He would get mad at us and chase us around
20 and -- very scary.

21 Q Did your mom step in at any point during these
22 incidents?

23 A I mean, sometimes. But then they would fight and
24 it -- it didn't seem to help when it [sic] did.

25 Q Were things worse when your dad was drinking?

1 A Very much so. He would get angry. He would get
2 violent.

3 Q Did people outside your house know this was going on?

4 A No.

5 Q Why not?

6 A We weren't ready to talk about it. I mean, you don't
7 talk about your family outside of the home. If you had
8 issues, you talk to the family, but you don't bring it to
9 other people. And that was for both sides.

10 We didn't talk about the spankings and stuff because
11 we didn't want to go to foster care and get taken by DSS,
12 and that kind of thing. So we knew not to talk about
13 that. And it was pretty normal at our church for people
14 to be spanked.

15 So my peers and my friends were spanked and used to
16 it. And it was known that outside of our church and
17 things, it was, you know, frowned upon and people didn't
18 like spanking. But we were like, we're fine with getting
19 spanked. We're fine. It's making us better.

20 Q That was the view from inside your home?

21 A Yes.

22 Q Would you agree that people did come to the house
23 regularly for piano, and other things?

24 A Yes.

25 Q Did they witness what was going on?

1 A No.

2 Q When people were there for piano, where were you and
3 your siblings?

4 A We would either be upstairs or we would be
5 downstairs. We couldn't go into the living room or dining
6 room. Those were closed off. Only sometimes we could
7 walk through quietly if we needed to get from one section
8 to the other.

9 Q And how were you supposed to present yourselves in
10 front of people?

11 A Very well behaved and very quiet.

12 Q Did you see your parents extended family often?

13 A We saw my mother's grandma -- or my mother's mom and
14 family once a year when we would go up to Minnesota. And
15 we would see his family when they would come back from
16 their missionary trips, or wherever they lived.

17 Q How often was that?

18 A Once every four years or so. And it would be
19 different people, so a couple years in between everybody.

20 Q So you didn't have a lot of contact with your
21 extended family on a daily, or even weekly, or monthly
22 basis?

23 A No.

24 Q And for the most part, you were home schooled?

25 A Yes.

1 Q You mentioned your dad did a lot of spankings; is
2 that correct?

3 A Yes.

4 Q Can you tell the jury why you said they were
5 different than from your mother?

6 A My mom's spankings weren't painful. They used the
7 same tool, which was a PVC pipe, but hers didn't hurt.
8 She didn't have a lot of strength.

9 But he would use that or he would use his hands. And
10 the ones with his hands were worse than the ones with the
11 rod. Because I could handle the pain. I could handle the
12 black and blue.

13 But he would, also, especially on Sundays after
14 church if I had done something, he would take, like, my
15 tights down and spank me bare and lift up my dress. And
16 then he would -- it -- it would get sexual. He would
17 grope me and he would stick his fingers inside me, either
18 anally or vaginally.

19 Q Would you like some water?

20 A (There was no verbal response.)

21 Q [REDACTED], do you recall approximately when this
22 started?

23 A It's -- the molestation started when I was three.
24 That's my earliest memory was my third birthday. And from
25 my memory, it seemed like it was a common thing, so I have

1 to infer it was earlier. But my earliest memory was when
2 I was three.

3 Q I'm going to go back to the spankings. Okay.

4 A Okay.

5 Q In regards to you saying you got spanked and that
6 they did turn sexual in nature, was there anything else
7 that happened during spankings that you can recall now?

8 A He wouldn't let me leave until I calmed down and he
9 prayed. And, like, I would hug him and act like -- I had
10 to hug him and act like I was -- like, forgive him for
11 spanking me, or something, you know. I had to be nice
12 until he let me leave. And then I could go. But he would
13 pray and he would make me pray and...

14 Q Did you observe any of your siblings get spanked?

15 A Yes, all of them often. Especially my older brother,
16 Ian, I would see him get spanked after Bible study. At
17 some point, I began taking his spankings because I could
18 handle them and he had so many more than I did. So I
19 began taking his spankings at one point.

20 But, you know, like, all four of us would get spanked
21 sometimes. So he would have us all end up in the room
22 together. But nothing like the molestation happened on
23 those times. It was only when it was one-on-one. But we
24 would have to hold down my youngest sister, [REDACTED],
25 sometimes with him because she would fight. So I had to

1 hold her down.

2 Q When there were one-on-one spankings, where would
3 they occur?

4 A Normally, they would occur in my mom -- in their
5 bedroom, the master bedroom.

6 Q Do you recall if the door was open or shut?

7 A It was always shut and locked.

8 Q Did you see any physical altercations between your
9 mom and your dad?

10 A I saw -- I saw regular fights. I saw him slamming
11 things around her and him screaming at her, and things.
12 But I never saw him do anything that he did -- I mean,
13 like, he would pinch her shoulders, and things. But he
14 didn't hit with his hands, like a fist, or anything.
15 He -- I don't think he wanted to break his hands.

16 Q [REDACTED], do you recall growing up seeing your father
17 naked?

18 A Yes, often.

19 Q Can you tell the jury about that?

20 A He would walk around in his underwear and his boxers
21 would be open often. And he would leave the door open
22 when he showered. He would leave the curtain wide open
23 when he showered. He would walk out of his bedroom naked.
24 At night, he would walk out in his underwear. And he
25 would walk out naked several times.

1 Q And did this occur your entire childhood or specific
2 times that you recall?

3 A All the time.

4 Q Up until he left?

5 A Yes.

6 Q And based on what you're telling me, was it normal
7 for him to be in the house in minimal clothing?

8 A Yes. He never owned pajamas.

9 Q Growing up, did you take showers, or baths, or both?

10 A Both.

11 Q What room did you shower in?

12 A I showered in the master bathroom. The tub was in
13 the main bathroom.

14 MS. OWEN: Your Honor, I would like to use the
15 photographs, and stuff.

16 BY MS. OWEN:

17 Q Just for a little context, [REDACTED], do you recognize
18 State's Exhibit No. 1?

19 A Yes. That's the front of my house.

20 Q This is 404 Main Street; is that correct?

21 A Yes, ma'am.

22 Q And this is the house you grew up in?

23 A Yes.

24 Q This is the house we were describing -- you're
25 describing today, everything we've heard?

1 A Yes.

2 Q I'm going to show you what's been pre-marked as
3 State's Exhibit No. 31, 32, 33, 34, 35, 36, 37, 38, 39,
4 40, 41, 42, 43, and 44. Can you review those for me?

5 A Yes.

6 Q I'm, also, going to give you State's Exhibit No. 45.
7 Do you recognize those?

8 A Yes.

9 Q What are they?

10 A They are pictures of my house -- my mom's house.

11 Q Specifically, what room in the house?

12 A The bedroom, the master bedroom and bathroom.

13 Q I'm going to show you what's been marked State's
14 Exhibit No. 32. What is that?

15 A That's my mother's bedroom, master bedroom. That's
16 the door that locked.

17 Q When you say "the door that locked," could you
18 explain that to the jury?

19 A That was the only locking door for the bedroom and
20 bathroom.

21 Q Is that door important?

22 A Yes.

23 Q Okay. And is that the entrance to the bathroom?

24 A No, no. That's the entrance to the hallway and the
25 rest of the house from the master bedroom.

1 Q So the only locking door would be to the bedroom;
2 correct?

3 A Yes.

4 Q And this is the room you say you got spanked in;
5 correct?

6 A Yes.

7 Q And that was the door that was locked?

8 A Yes.

9 Q Is the furniture different now than it was back then?

10 A Yes.

11 Q Is anything the same?

12 A No. We changed everything.

13 Q I'm going to show you what's been marked as State's
14 Exhibit No. 39. Can you tell the jury what that is?

15 A That's the bathroom that was updated when we were
16 growing up. And that's the master bathroom.

17 Q And for purposes of what we are discussing currently,
18 is this the way it looked back then?

19 A No, for some of them, but for some of them, yes. The
20 stuff we've talked about previously is -- it didn't look
21 like that.

22 Q Did this bathroom look the way it does now?

23 A Can -- I don't --

24 Q Sure. Have y'all updated this bathroom?

25 A Yes.

1 Q Did it look this way back then? From what you were
2 describing, did it look this way then?

3 A No. There wasn't that tub. That tub was added. The
4 layout was different. The shower was in the same place,
5 but the other things were in a different spot.

6 Q Thank you.

7 I'm going to show you what's been marked as State's
8 Exhibit No. 42. Is that the shower?

9 A Yes.

10 Q Okay. And that was in the same place; correct?

11 A Yes.

12 Q Can you explain to the jury -- I'm going to just show
13 State's Exhibit No. 44. Is this a doorway?

14 A Yes.

15 Q Where is that doorway?

16 A That's the door to the bathroom from the master
17 bedroom.

18 Q Okay. Was that door there when you were growing up?

19 A It was in the house, but it was not up on the hinges.
20 It was not ever used. There was a curtain and a rod
21 instead.

22 Q So from this entrance right here, there was no door;
23 correct?

24 A Correct.

25 Q There used to be a curtain with a rod?

1 A Yes.

2 Q And that was what separated the bathroom from the
3 bedroom?

4 A Yes, ma'am.

5 Q And then in this previous picture, there's another
6 door in the corner right here?

7 A Yes.

8 Q Can you, please, tell the jury what that is?

9 A That's the door to the closet for the master bedroom.
10 And that leads to a second doorway into the bedroom. So
11 it's a big circle.

12 Q Big circle. And was that a door?

13 A It was when they added -- it was when they updated
14 it. That door was added when it was updated.

15 Q And was there a lock on that door?

16 A Yes. But it pushes, it doesn't lock. You can push
17 it open.

18 Q So for all intents and purposes, the lock didn't work
19 very well?

20 A Right.

21 Q Let me go back to State's Exhibit No. 42, the shower.
22 Is this the room you were just talking about that you
23 showered in?

24 A Yes.

25 Q Okay. And you just described the setup of the

1 bathroom to the jury; correct?

2 A Yes.

3 Q Did anyone ever lock the doors in your home?

4 A No, not really.

5 Q What would happen if a door got locked?

6 A Especially when I was older, we couldn't really lock
7 the door when we showered because Randy was, also, having
8 to go somewhere. And he would always come in while we
9 were showering. He, also, had a reason, he always was
10 looking for something.

11 If you locked the door, he would bang on the door and
12 be angry and say, You can't lock my door. This is my
13 bedroom. I need to get in there. Don't lock the bedroom
14 ever. It's my bedroom.

15 Q And, [REDACTED], I think you gave some generalities,
16 but when do you recall, as you call him, Randy coming into
17 the bathroom?

18 A Often when I showered.

19 Q What age approximately did that begin?

20 A I mean, it started when I started showering. It led
21 up to -- it was always like for minutes, you know. It
22 was, oops, I forgot something, and he would come in. Or
23 just checking to make sure you didn't fall, or that kind
24 of thing when I was little. But when I was older, it was
25 always, you know, something he had to grab.

1 Q And when you first started showering, approximately,
2 how old were you?

3 A I don't recall how old I was. I -- it was before the
4 bathrooms changed. So I think I was -- it was after [REDACTED]
5 was born. So it was when I was five and on.

6 Q So you recall the bathroom being changed and [REDACTED]
7 being born, so you know you were five? It was prior to it
8 being changed?

9 A Yeah. Prior to it being changed. That happened
10 later.

11 Q So at approximately age five?

12 A Yes.

13 Q You started showering in this bathroom?

14 A Yes.

15 Q And did the upstairs bathroom work at that point?

16 A No.

17 Q And did you have to shower in this bathroom?

18 A There was no other shower.

19 Q And even as you got older, did you have to shower in
20 this bathroom?

21 A Yes. Up until high school when I stopped showering
22 downstairs and just refused until they -- they, being
23 Randy and my older brother, fixed the plumbing upstairs
24 and made that a working bathroom to where I could shower
25 up there.

1 Q So this went on from five, up until when?

2 A 14 or 15, 14.

3 Q And was the glass shower door there?

4 A It was when they updated it. I don't recall what the
5 shower door was like before. I think it was glass. I
6 think it was the marbly kind of glass, but I'm not sure.

7 Q So is it fair to say you showered naked?

8 A Yes.

9 Q And that the Defendant would walk in while you were
10 showering and there's a glass door?

11 A Yes.

12 Q And this continued well on past the time where you
13 needed help with your shower?

14 A Yes.

15 Q Did it make you uncomfortable?

16 A It did when I was older.

17 Q And would he say anything to you while he was in
18 there?

19 A He would always say he forgot something. He needed
20 to grab a hair brush. He need to grab something. He was
21 looking for something. Had I seen it? There was always a
22 reason. And, you know, when I was older, I would scream
23 at him to get out. But it was just normal. It had been
24 done all the time.

25 Q So it's safe to say based on what you just said that

1 this had become normal behavior in your house?

2 A Yes.

3 Q It made you uncomfortable?

4 A When I was older, yes.

5 Q But it was normal. I'm going to go back to something
6 you said a while ago. When you were little, who helped
7 you with potty training?

8 A My mom, mainly, and then sometimes my dad.

9 Q Was there a difference in how they did potty
10 training?

11 A Yes.

12 Q Can you describe that for the jury?

13 A With my mom, it was normal. And it stopped when I no
14 longer needed help. It all stopped when I no longer
15 needed help.

16 But with my dad, it was different. He would -- we
17 used wet wipes. And he would stick his hand through the
18 wet wipe inside my anus and wiggle it around and clean me.
19 And then he would remove the wet wipe and then he would
20 continue with his fingers. It would start with his pinkie
21 and it moved on from there. And he would just say he's
22 checking me, he's making sure -- I don't remember, but...

23 Q You don't remember, specifically, what he said?

24 A Right, what he said.

25 Q And what's your first earliest memory of this?

1 A My third birthday. I went to the bathroom. I asked
2 for help. He came. He used the wet wipe in that way and
3 then he used his finger.

4 And with my -- when he stuck it in my anus, I jumped
5 and he -- I had a head band and it fell into the toilet
6 and it got flushed. It was a little fabric headband. But
7 that was the only time I remember it, actually, hurting.
8 All the other times, it didn't hurt.

9 Q And you recall this because it was your third
10 birthday?

11 A Yes.

12 Q And is it safe to say that it's a vivid memory for
13 you?

14 A Very vivid. It's one of my most prominent earliest
15 memories.

16 Q And is that because it was painful?

17 A Yes.

18 Q Is it safe to say that this happened one time or more
19 than one time?

20 A Often, repeatedly throughout the whole time.

21 Q Throughout the time you needed help?

22 A Yes. And then that time, specifically, was in that
23 bathroom.

24 Q In your parents bathroom?

25 A Yes.

1 Q [REDACTED], I'm going to show you what's been marked as
2 State's Exhibit Nos. 19, 20, 21, and 22.

3 A Okay.

4 Q Can you tell me what those are?

5 A These are the pictures of the main bathroom, and a
6 picture of the bedroom alongside the main bathroom where I
7 slept when I was young.

8 Q [REDACTED], did these incidents that occurred when you
9 were getting help from your father potty training occur in
10 any other bathrooms in the house?

11 A Yes, that main bathroom.

12 Q I'm going to show you what's been marked as State's
13 Exhibit No. 19.

14 A And that's a -- I don't know if you can tell. It's a
15 weird picture. That's a cupboard.

16 Q And this is the doorway; correct?

17 A Yes. That's the door to the hallway.

18 THE COURT: Could you put that microphone --

19 THE WITNESS: Yes.

20 THE COURT: Talk as close as you can into that
21 microphone.

22 THE WITNESS: Okay.

23 BY MS. OWEN:

24 Q State's Exhibit No. 20, what is that?

25 A That's the bathtub.

1 Q That same bathroom?

2 A Yes.

3 Q And State's Exhibit No. 21?

4 A That's the other side of the bathroom and laundry
5 room.

6 Q And is that the doorway into the hall?

7 A Yes.

8 Q Okay. And what's State's Exhibit No. 22?

9 A That's my -- that was my bedroom when I was young.

10 Q And is this the bathroom connected to that bedroom?

11 A Yes.

12 Q And the incidents you just described with potty
13 training, they occurred in this bathroom as well; correct?

14 A Yes.

15 Q And is it safe to say that that occurred one time or
16 more than one time?

17 A More than one time.

18 Q And, approximately, how old were you when the potty
19 training incidents occurred?

20 A Three to four.

21 Q And you say this is the bedroom connected to the
22 bathroom; correct?

23 A Yes.

24 Q And that was your bedroom?

25 A Yes. And I shared it with my younger sister,

1 ██████████, and then my younger sister, ██████████, when she was
2 born.

3 Q Okay. I'm going to show you what's been marked as
4 State's Exhibit Nos. 23 and 24. Do you recognize those?

5 A Yes. These are, also, the bedroom.

6 Q Okay. Just to be clear, none of these rooms look the
7 same way they did back then; correct?

8 A Correct.

9 Q This is State's Exhibit No. 23. Can you tell the
10 jury what the layout of the room was back then?

11 A There were two -- there were two beds. And then when
12 ██████████ was born, there was a cradle on the other side of
13 that closet door.

14 Q I'm going to show you State's Exhibit No. 24.

15 A So where that shelf is, there was a crib and there
16 was a bed. At one point, we had an iron bed. And we,
17 also, had a baby bed, you know, twin beds.

18 Q And did anything inappropriate happen in this room
19 with your father?

20 A Yes.

21 Q Can you, please, tell the jury about that?

22 A I would often wake up and he would be standing in
23 that doorway. And he would be standing on the side where
24 the wall is of the closet.

25 Q There's a screen behind you, if you want to use it.

1 A Next to that shelf, he would stand there with his
2 hand down his pants. And then at some point, he would
3 come over to me and he would touch me. He would touch my
4 legs and caress me. And it would move on up to where he
5 would touch me vaginally and sometimes anally.

6 Q What time of day did that occur in this room?

7 A That happened in the middle of the night.

8 Q And when you say he would touch you vaginally and
9 anally, would that be with his fingers?

10 A Yes.

11 Q Digital penetration?

12 A Yes.

13 Q And that occurred in this room when you were
14 approximately what ages?

15 A Under five.

16 Q Because this is the room you stayed in?

17 A Yes.

18 Q [REDACTED], I'm going to ask you to be a little
19 graphic. But can you, please, describe to the jury how
20 that made you feel?

21 A It's really hard because at the time, I didn't mind
22 it, you know. I was -- it felt good. And I liked things
23 that felt good, so I didn't mind. I felt like it was
24 special. And I thought it was normal.

25 Q You say you shared this room with [REDACTED]; correct?

1 A Yes.

2 Q Was she ever awake during these incidents that you
3 recall?

4 A Not that I recall.

5 Q And at some point, ██████████ when she was little shared
6 this room with you as well?

7 A Yes.

8 Q How old would she have been?

9 A A baby, but maybe not a newborn. I don't remember
10 when she moved in with us, but it's when she was a baby
11 and she had a crib.

12 Q And, ██████████ is it safe to say that three to four
13 is a young age? Correct?

14 A Yes.

15 Q But you know these things happened to you?

16 A I do.

17 Q And you know they happened because they did happen to
18 you; correct?

19 A Yes.

20 Q And what you're telling us are things that, actually,
21 happened to you?

22 A Yes.

23 Q Did this happen one time or more than one time?

24 A More than one time.

25 Q I know that you were young, but could you give the

1 jury any insight into how frequently this happened?

2 A It felt like often. I have several memories of that
3 room and that specific age, over five. But it felt like
4 it happened all the time.

5 Q And when you say "over five," do you mean under five,
6 from three to four in that room or this happened again in
7 that room?

8 A I have five memories of that time in that room,
9 specifically.

10 Q Over ages three to four?

11 A Yes.

12 Q And the incident that you just described of him
13 standing in the doorway and coming over and inserting his
14 finger into you, were these incidents, typically, the same
15 or did they ever change?

16 A Some of them were different. Sometimes, he would
17 just sit there and he would touch me. Sometimes, he would
18 touch himself. And he'd have that bathroom door open in
19 the other picture where he would go through. And I never
20 saw what he was doing, but he would flush the toilet and
21 then go away.

22 But sometimes, he would just stay there and stay
23 touching me until he left. And I went back to sleep.

24 Q Did anyone wake up in your home at night when these
25 things were occurring?

1 A No.

2 Q Where did Ian sleep?

3 A Different places. He slept -- he had a bunk bed when
4 I was that age. He had a bunk bed that was in the room
5 that we called the TV room. And then he moved upstairs.

6 Q So he never shared a room with you all --

7 A No.

8 Q -- especially during this age?

9 And at this point, your mother and Randy had a room
10 in the main bedroom, which we've already discussed?

11 A Yes.

12 Q At any point in time, did you ever see your mom in
13 the middle of the night when these things happened?

14 A No.

15 Q And you recall this happening multiple times in this
16 room from age three to four?

17 A Yes.

18 Q Did you and your siblings, eventually, move upstairs?

19 A Yes.

20 MS. OWEN: Your Honor, may Mr. Kornfeld and I
21 approach for just a minute?

22 THE COURT: Yeah.

23 (WHEREUPON, a bench conference was held.)

24 THE COURT: All right. Ladies and gentlemen, we're
25 going to take a recess here. So I'm going to excuse you

1 to go back to your jury room. Please don't discuss the
2 case. And we'll resume after our break.

3 Thank you.

4 (WHEREUPON, the jury was excused from open court at
5 approximately 11:54 a.m.)

6 THE COURT: All right. We'll be in recess.

7 MS. OWEN: Your Honor, would you just -- ██████████ and
8 I have discussed this. But would you let her know the
9 rules about not talking to anyone, about --

10 THE COURT: Yes, ma'am.

11 You are on the witness stand right now. And so
12 because you're on the witness stand, you can't talk to
13 anybody. You can talk to them about anything but your
14 testimony. Okay.

15 THE WITNESS: Yes, sir.

16 THE COURT: All right.

17 (WHEREUPON, a break was taken.)

18 THE COURT: All right. Before we bring the jury back
19 in, it's come to my attention that one of the jurors
20 mentioned to Mr. Cofield that he saw Mr. Patel come in and
21 speak or have some sort of conversation. He just wanted
22 to let the Court know -- let Mr. Cofield know that he --
23 his children -- he is a doctor or --

24 THE BAILIFF: Pediatrician.

25 THE COURT: He is a pediatrician and that maybe

1 Mr. Patel's children go to this doctor; is that correct?

2 THE BAILIFF: (There was no verbal response.)

3 THE COURT: He just wanted to let the Court know
4 about that, that he did -- that Mr. Patel's children do go
5 to him. That's all. He wasn't saying anything one way or
6 the other. He just wanted to make sure that the Court
7 knew about that.

8 Is there anything required -- or that either party
9 wants me to do, based on that?

10 The State?

11 MS. OWEN: I just would like to confirm that he
12 doesn't have any personal or social relationship in
13 knowing Mr. Patel.

14 THE COURT: Mr. Kornfeld?

15 MR. KORNFELD: No.

16 THE COURT: What I'll do is I'll bring him in here
17 and just make sure that --

18 MR. KORNFELD: And at the beginning, I just want to
19 make sure -- my kids go to that practice. That's not
20 their doctor. I previously stated that.

21 THE COURT: Yeah. Your kids -- right.

22 MR. KORNFELD: But I don't know if he would -- it
23 sounds like he doesn't remember us. So that's fine.

24 THE COURT: But I think what he was talking about is
25 Mr. Patel.

1 THE BAILIFF: Yes. That's right.

2 MR. KORNFELD: That's right.

3 THE COURT: So maybe Mr. Patel's children go to him
4 as well?

5 MR. KORNFELD: Well, he has one child, so.

6 THE COURT: He has one child?

7 MR. KORNFELD: Yeah.

8 THE COURT: Let me just bring him in and -- just
9 clarify.

10 THE BAILIFF: Your Honor, would you like to bring him
11 in individually?

12 THE COURT: Yeah. Just bring him in individually.

13 (WHEREUPON, Juror #146, Roy Mages, entered the
14 courtroom.)

15 THE COURT: All right, sir. I just wanted to -- I
16 appreciate you bringing that up to Mr. Cofield. I just
17 wanted to -- as I understand, the gentleman that you saw
18 talking to Mr. Kornfeld, his children or child may go to
19 you; is that right?

20 JUROR #146, ROY MAGES: That's correct. I'm a
21 pediatrician. I've seen him maybe a handful of times.

22 THE COURT: Do you have any personal relationship,
23 social relationship?

24 JUROR #146, ROY MAGES: No, sir.

25 THE COURT: And the fact that you saw him and you may

1 have seen his child, does that have any effect with you
2 sitting on the jury? In other words, can you still be
3 fair and impartial, and base your decision solely on the
4 evidence?

5 JUROR #146, ROY MAGES: I can, yes, sir.

6 THE COURT: Thank you, sir. And thank you for
7 bringing that up. Thank you.

8 (WHEREUPON, Juror #146, Roy Mages, exited the
9 courtroom.)

10 THE COURT: What's his name? What number was that?

11 MR. KORNFEELD: That is --

12 THE COURT: I forgot to look and see what it was.

13 MS. OWEN: Is it Roy Mages, Your Honor?

14 THE COURT: Does that sound right, Mr. Kornfeld?

15 MR. KORNFEELD: That sounds right, yeah.

16 THE COURT: What juror number is that?

17 MS. OWEN: #146.

18 THE COURT: All right. Anything else on that issue
19 from the State?

20 MS. OWEN: No, Your Honor.

21 THE COURT: Anything from the Defense?

22 MR. KORNFEELD: No, Your Honor.

23 THE COURT: All right. Let's bring them back in.

24 (WHEREUPON, the jury came into open court at
25 approximately 12:29 p.m.)

1 THE COURT: All right. Ladies and gentlemen, one
2 thing I wanted -- I didn't introduce this gentleman who is
3 sitting up here. Y'all probably or may be wondering who
4 he is and why is he sitting up here. This is Robert
5 Barrow. He is my law clerk.

6 He's a recent law school graduate. He just passed
7 the bar, so he is now an attorney. He will work for me
8 for a year. He's been with me since August. He'll work
9 with me for a year and then go out into private practice
10 or government work.

11 I forgot to introduce him when we started. He's my
12 right-hand person. You will see me relying on him a lot
13 here. So I just wanted to introduce him to you. All
14 right.

15 MS. OWEN: Thank you, Your Honor

16 BY MS. OWEN:

17 Q [REDACTED], I'll resume questioning. Okay.

18 A Yes, ma'am.

19 Q The picture that's on the screen at the moment,
20 that's State's Exhibit No. 24. That was the room you
21 stated you shared with your sisters from ages three to
22 four; correct?

23 A Three to four and five.

24 Q Okay. And did you move upstairs at some point?

25 A Yes.

1 Q Okay. How old were you when you moved upstairs?

2 A That was in 2003 to 2004, so I was about six or
3 seven.

4 Q Okay. And when you moved upstairs, did you share a
5 room with anyone or did you stay in a room by yourself?

6 A I stayed in a room by myself.

7 Q What did you call that room?

8 A That was the front bedroom at the top of the stairs.

9 Q Is that the bedroom that you can see from the front
10 of the house?

11 A Yes.

12 Q Would you show the jury on State's Exhibit No. 1
13 where that would be? Is it kind of hidden behind here?

14 A Yes, ma'am.

15 Q I'm going to show you what's been marked as State's
16 Exhibit Nos. 58, 59, 60, and 61. Do you recognize those?

17 A Yes, ma'am.

18 Q What are they?

19 A That's the top bedroom and -- it's just the top
20 bedroom.

21 Q Is that what you would just call the front bedroom?

22 A Yes.

23 Q And is that what is reflected in the front of the
24 house?

25 A Yes.

1 Q Over the peak?

2 A Yes.

3 Q Is this the room that you moved into when you moved
4 upstairs?

5 A Yes.

6 Q This is State's Exhibit No. 58. Can you tell the
7 jury what we're looking at?

8 A That's the top of the stairs and entrance into the
9 top bedroom at the front of the house.

10 Q State's Exhibit No. 59, what about that?

11 A That's the side of that same bedroom and attic door
12 access.

13 Q State's Exhibit No. 60?

14 A That's the other side of the bedroom.

15 Q And State's Exhibit No. 61?

16 A The same side, just a different angle of the window.

17 Q Okay. And did the room -- was it set up this way
18 when you were younger?

19 A No. We -- I moved around furniture a lot. So when I
20 was staying there, it was in a different place.

21 Q Okay. Can you describe the layout of the room for
22 the jury when you were staying in that room at that age?

23 A When I was staying in the room at that age, the bed
24 was on the other -- diagonally other side of the room. So
25 it was here -- no.

1 Q Here?

2 A Right there where that desk is and pointed towards
3 the -- pointed towards that bed -- or, I'm sorry, pointed
4 towards that chair and attic door access. And then I
5 would move it from that side to the other side where it is
6 now, the bed.

7 Q There was a bed in there. Was there any other
8 furniture in there?

9 A I had a dresser and toys. And there was carpet in
10 there when we moved up there. So it was finished before
11 we moved up there.

12 Q And approximately how old were you when you moved
13 into this room?

14 A I believe seven or eight.

15 Q Okay. And so you were in the room downstairs from
16 ages three to four and five?

17 A And possibly up to six.

18 Q And then you moved into this room around seven or
19 eight years old?

20 A Yes.

21 Q Okay. And the instances that you have talked about
22 previously of the vaginal penetration, did those, also,
23 occur in the room?

24 A Yes.

25 Q Okay. Can you tell the jury about that?

1 A He would come up the stairs and he would stand in
2 that doorway. And he'd come in and he'd sit on my bed and
3 do the same things. He would touch me. And he would
4 stick his fingers inside of me. And up there, he would
5 have -- he taught me to touch him. So he taught me to put
6 my hand on his penis, and every -- everything. But he
7 would touch me as well and digitally penetrate my vagina
8 and anus.

9 Q And did this happen one time or more than one time?

10 A More than one time.

11 Q And in this room, specifically, did this happen
12 during the day or night?

13 A Mostly at night.

14 Q And can you describe a little bit about that to the
15 jury? Was anyone in your room?

16 A No, no one was in my room. It would be in the middle
17 of night when I would wake up and hear him coming through
18 the living room and up the stairs. And he would be there.

19 Q Do you recall if your door would be open or closed?

20 A There wasn't a door on that bedroom at that time.

21 Q Were there a lot of doors missing on rooms in your
22 house?

23 A Yes. The room across upstairs, also, didn't have
24 one. And then the alcove where I moved into later didn't
25 have a door either. It was just an opening. So the only

1 room upstairs that had a door was the bathroom that did
2 not work. And that door did not lock.

3 Q And you said this would happen in the middle of the
4 night?

5 A Yes.

6 Q Can you describe an instance for the jury that you
7 recall?

8 A I -- I just need a minute. I'm sorry. Ask -- can --

9 Q Do you need me to repeat the question?

10 A (There was no response.)

11 Q [REDACTED], obviously, you're having a hard time. Are
12 these things difficult to talk about?

13 A Yes.

14 Q In this room, specifically, when you moved up there
15 was around age seven?

16 A Yes.

17 Q Can you tell us, specifically, a memory you have of
18 this room where sexual abuse occurred?

19 A At that time, he came upstairs in the middle of the
20 night and did all I previously stated, the digital
21 penetrating me. That -- that happened multiple times.
22 But I have two really solid memories. And just -- it was
23 dark and I had -- I don't tie it to anything. I mean, I
24 don't know what else to describe besides what he did and
25 what happened.

1 Q I'll ask you a few follow-up questions. How about
2 that? So we know that you were age seven because that's
3 when you moved into this room. And when you lived in this
4 room, you say it was in the middle of the night. Do you
5 recall if you had on clothing?

6 A I wore pajamas. I was wearing pajamas.

7 Q What about the Defendant? You stated previously he
8 didn't wear pajamas?

9 A He didn't wear -- he had on his robe, which was this
10 big green fluffy thing, and, also, his underwear. And
11 that's all he wore when he came up. He didn't take his
12 penis out of his underwear. He just had me touch it from
13 outside. And then he touched me.

14 And then the other memory, he pulled it out and
15 taught me how to touch it and how to touch his testicles,
16 but, mainly, how to touch the head of his penis. And
17 those are my two memories.

18 Q When you say he taught you, is that a term that he
19 gave you or is that your description?

20 A That's my description of it. I mean, he held my hand
21 and he showed me the hand motions and...

22 Q Did he do that one time or more than one time?

23 A More than one time. And it progressed.

24 Q Did he say anything while he was doing that?

25 A He would just tell me to touch it. And he'd mutter

1 stuff under his breath and tell me I was doing really
2 good. And then he would touch me. And he was, like, Does
3 this feel good? And I'm just -- I wouldn't say
4 reciprocating, but it was just...

5 Q What you're describing, did this happen one time or
6 more than one time?

7 A More than one time.

8 Q And, specifically, more than one time when you were
9 seven?

10 A And eight, yes.

11 Q And how many years did you live in this room?

12 A I didn't live in that room terribly long. I think it
13 was only a couple of years. I lived there when I was 10
14 and up until -- we would switch rooms all the time. And
15 we had a middle room that's not there. And sometimes, I
16 would sleep there.

17 And, eventually, I moved into the room that was the
18 alcove that had the desk that we removed. And I made --
19 we had curtains made and made a makeshift door for that
20 and -- but then that was my room there. So I only stayed
21 in that front room until I think early middle school or
22 after that.

23 Q And from what you recall, this happened, at least,
24 one time in this room, this description of him digitally
25 anally penetrating you when you were seven years old?

1 A I gave two memories. They were two different times.

2 Q I apologize. At least, seven and eight.

3 A Yes.

4 Q And then you say you stayed in this room until you
5 were 10. So do you recall instances being nine and 10 in
6 this room as well?

7 A Yes.

8 Q Could you explain those for the jury?

9 A Instances of what happened?

10 Q Yeah.

11 A It progressed from just him touching me and me
12 touching him to him touching his penis on to -- not inside
13 of me, but on the top of my vagina. And through -- he --
14 he would put his penis under my underwear and rub himself
15 on me through my underwear.

16 And he, also, taught me how to give him blow jobs and
17 head. Those aren't the words he told me, but -- and that
18 all happened in that room, how he taught me and, also, up
19 in the middle room sometimes. I have memories of times
20 during the day, but it mainly happened at night in that
21 bedroom.

22 Q In the bedroom, we're talking about right here?

23 A Yes.

24 Q Okay. And, specifically, I'm going to back you up
25 just a little bit. Okay. When you say it progressed to

1 him rubbing his penis on your vagina, you were still
2 living in the room; correct?

3 A Yes.

4 Q And that would have been approximately what age?

5 A Eight, nine, 10. I have a hard time remembering my
6 ages, but.

7 Q You know based on you living in this room when it
8 started and finished that these are the ages it occurred;
9 is that correct?

10 A Yes.

11 MR. KORNFELD: Objection. Leading.

12 THE COURT: Sustained.

13 BY MS. OWEN:

14 Q [REDACTED], you, also, said he started to teach you
15 things in regards to -- I think the words you used was a
16 blow job. Can you tell the jury about that?

17 A That started out with him just laying the tip of his
18 penis on my open mouth, tongue. He'd have me stick my
19 tongue out and he would just lay it on there and he'd let
20 me taste it. It was pre-ejaculation.

21 And he would rub the tip of his penis on my tongue.
22 And then it progressed to giving him, like, hand jobs
23 while doing that and then licking his penis, you know, up
24 and down and, also, his testicles. And he taught me how
25 to lick and suck on those.

1 Q [REDACTED], do you recall when this started?

2 A Nine.

3 Q In this room?

4 A (There was no verbal response.)

5 Q And when this started in this room, did he talk to
6 you about what was happening or what he was asking you to
7 do?

8 A He said he was training me for when I was older.
9 Can I give context?

10 Q Sure.

11 A My mom was really sick at the time when my little
12 sisters were being born and after. And he would always
13 tell me that she was really sick and she was going to die.
14 And so when he would be teaching me these things, he would
15 be training me for later when I was older and when we were
16 together.

17 Q Did you believe your mother was dying?

18 A I thought she knew about all this. And I thought she
19 understood and knew my role. It was really warped. But I
20 thought that I was just doing what I was supposed to be
21 doing.

22 And when he touched me, I didn't mind it. I really,
23 you know, admired him. I thought he was really smart.
24 And I thought I was -- I really knew he was my dad. I
25 loved him and I was...

1 Q [REDACTED], these instances you're describing, the oral
2 sex in the room, did that happen one time or more than one
3 time?

4 A More than one time. It happened often because he was
5 showing me just a little bit at a time. So the first time
6 he started off with just the tip and then it progressed
7 multiple times.

8 Q And this went on until you moved out of this room; is
9 that correct?

10 A Yes.

11 Q [REDACTED], did this occur in other rooms of the home?

12 A Yes.

13 Q And when you stated that your mom knew and this was
14 normal, is that something someone told you or just
15 something that was insinuated from the environment you
16 were in?

17 A I just -- I don't think he told me. I mean, he told
18 me she was sick. But it just felt like what was
19 happening. He told me we would be together when I was
20 older. And I was always really scared of her dying.

21 Q I'm going to show you what's been pre-marked as
22 State's Exhibit Nos. 54, 55, 56, and 57. Okay. Do you
23 recognize those?

24 A Yes. They're pictures of the bathroom that has been
25 recently updated and what was originally part of the

1 middle room and part of the bathroom.

2 Q I'm going to show you those pictures. Okay. State's
3 Exhibit No. 54, can you describe for the jury what we're
4 looking at?

5 A That's a picture leading into the bathroom. And the
6 part to -- to explain where the mirror is and -- can I get
7 up?

8 Q Sure.

9 A This part right here is where the wall was to the
10 middle room. And so all that area past the bathroom and
11 then to the area where there's just open space, that was
12 the middle room. We had closets -- or not closets,
13 couches and a table. And that was kind of, like, our
14 upstairs hangout area.

15 Q Okay. I just put another picture up and you can see
16 it. State's Exhibit No. 56, is that the area that used to
17 be some free space?

18 A Yes.

19 Q So this has been added on to include the bathroom
20 now?

21 A Yes.

22 Q But it did not look like that back then?

23 A Yes.

24 Q State's Exhibit No. 55, was that really more what the
25 bathroom looked like?

1 A Yes. Where the edge of the counter is, where the
2 wall is and the wall separated. And the vanity in the
3 bathroom were on that wall.

4 Q Okay. So those didn't exist?

5 A Correct.

6 Q And this space would have been what you're referring
7 to as the middle room; is that correct?

8 A Yes.

9 Q [REDACTED], can you, please, tell the jury what you
10 recall happening in that space?

11 A On that couch, specifically, he would sit on the
12 couch and I would sit in between his legs. And then,
13 also, the reverse happened where I would sit on the couch
14 and he would put his mouth on me. And that happened
15 before middle school, so ages 10 to 11. But more so oral
16 and, also, digitally penetrating my vagina.

17 Q And, [REDACTED], you stated this room was kind of an
18 open room; correct?

19 A Yes.

20 Q So was anyone around when this took place?

21 A No. And there wasn't a door to the upstairs, you
22 know, blocking off the upstairs. It had a shelf, so you
23 could see into the middle room.

24 So it was at times when there was no one there. And
25 I have trouble recalling, like, when during the day. But

1 it was when there was no one else upstairs. When it was
2 just me up there, he would come up.

3 Q And during those ages, were you still being home
4 schooled?

5 A Yes.

6 Q And so would this happen -- I know you just said you
7 have a hard time recalling some periods of time of the
8 day. But did this happen various times of the day or more
9 during the day or night? Do you remember?

10 A The one memory I was thinking about happened during
11 the day in the afternoon, he came up once. But it was
12 more during the day. Because most of the other stuff
13 happened at night in my bedroom. He would come back --
14 during those ages, he would come into my bedroom at night
15 as well. But I only have two memories of the middle room.

16 Q And that was, specifically, ages 10 and 11 that you
17 recall; correct?

18 A Yes.

19 Q And I just want to make sure that was what you said,
20 oral sex in this space?

21 A Yes.

22 Q And, [REDACTED], did you move to another space
23 upstairs?

24 A Yes. I moved to that alcove room.

25 Q Let me show you that. I'm going to show you what's

1 been pre-marked as State's Exhibit Nos. 62, 63, and 64.

2 Do you recognize that?

3 A Yes. That's the room where I stayed.

4 Q When did you move into this room, ██████████?

5 A Middle school. And then I lived in it in high
6 school.

7 Q First, I want to show you State's Exhibit No. 63.

8 Can you tell the jury what they're looking at?

9 A That's the hallway of the upstairs. And that's the
10 alcove I've been describing. And when I moved in there, I
11 put my dresser to block the view. And then that top
12 triangle, we had a curtain made just for privacy. And
13 then there where the doorway is, we put a curtain streamed
14 between the top two so I had privacy from the other
15 bedroom.

16 Q State's Exhibit No. 54 there. Would you show the
17 jury what you're describing?

18 A The curtain or --

19 Q Yes.

20 A So the curtain was right there at that angle and then
21 there was one for the long area.

22 Q And there wasn't a door?

23 A No.

24 Q And this is State's Exhibit No. 62. Is that, also,
25 that same room?

1 A Yes.

2 Q Okay. Can you tell the jury a little bit about the
3 set up? Where was your bed?

4 A I had a twin bed at the time. And I would either put
5 it up against that wall where the couch is or I would put
6 it under the windows.

7 Q And I'm just going to take you back for just a minute
8 to something you had said previously. You said your dad
9 told you your mom would die or she may die?

10 A She was dying.

11 Q During those conversations, did he ever talk about
12 things that happened between him and your mother
13 intimately?

14 A Not at -- there was times -- really, just as -- just
15 as what, like, he would be doing to me, he would say this
16 is what we do together. This is -- he did say that it was
17 what women did for their men, not husband. He didn't say
18 husband. He never said he would be my husband. He just
19 said we would be together.

20 Q In this room that you've been calling the alcove, you
21 were in middle school when you moved in here?

22 A Yes.

23 Q Do you remember approximately how old you were?

24 A 11 or 12.

25 Q Okay. And can you describe for the jury what took

1 place in the room?

2 A At the beginning, he would come upstairs. He would
3 come up in the middle of the night and he would do all the
4 things we've talked about before. He would digitally
5 penetrate my vagina, not as much anally at that time.
6 Sometimes, he would just press up against -- his thumb up
7 against my anus, but he wouldn't break through.

8 And he -- in that room, especially, he was, you know,
9 like, upping the amount of fingers or the size of the
10 fingers. So he would use his index finger and it led up
11 to the middle finger next to him [sic]. And more of the
12 touching, rubbing his penis on my vagina through my
13 underwear. And he would, also, do -- have me do oral on
14 him in that room.

15 Q And you've already stated this was at night; correct?

16 A (There was no verbal response.)

17 Q Did anyone ever walk in?

18 A And when I was in that room, I had to be more quiet.
19 I couldn't make the noises I used to. He told me to be
20 quiet so I wouldn't wake anybody up.

21 Q No one ever walked in or anything; is that correct?

22 A That's correct.

23 Q And how long did you stay in this room?

24 A I stayed up -- I stayed in that room through high
25 school, so up until the time he left.

1 Q And how often did these things occur in this room?

2 A They occurred more often when I was in middle school.
3 And it slowed when I got older. But 13 and -- 13, I have
4 one memory where it happened. And then -- so before --
5 during middle school, it happened a few times.

6 Q During middle school, did this happen frequently or
7 infrequently?

8 A It was less frequent than it was when I was younger.
9 But it still happened frequently.

10 Q And was it, at least, once a year?

11 A More than that. Multiple times. There would be long
12 breaks in between so, like, a month, a month and a half
13 would go by in between. And that's when a lot of -- I
14 started puberty and gained weight. And I began to
15 attribute it to that. I thought it was my fault and I
16 was -- I wasn't pretty.

17 Q What happened during these long breaks when things
18 wouldn't happen?

19 A Life would be, you know, normal. There was a lot of,
20 you know, household anger. And he would be angry a lot
21 when he was home. But then the times when he wasn't home
22 and he was down at USC, it was, like, normal. And I'd go
23 to school. I'd study at home.

24 And it was only at night when he came home that
25 things would -- you know, things would be hard, things

1 would happen. And, you know, there were fights between
2 Ian and him, especially. And I wasn't spanked as much
3 then either. The spankings stopped when I was in middle
4 school sometime.

5 Q And during the long breaks, you say he would be
6 angry. And then what would happen prior to this starting
7 back up?

8 A He would take me places, like, on car rides, and
9 stuff. And we would do things together. We would -- I
10 remember one time -- well, that was in high school. He
11 would just try to make friends with me is the easy way to
12 put it. And he would treat me like I was special again
13 leading up to it.

14 And then it happened again and I felt like I fixed
15 it. And then time would go by and things would get worse
16 family-wise. And it was just such a weird...

17 Q And this happened repetitively?

18 A Repetitively.

19 Q And you stayed in this room through high school; is
20 that correct?

21 A Yes.

22 Q And approximately, how old were you when Randy moved
23 out?

24 A I was 15.

25 Q Okay. And did the things that you've described in

1 the room happen until he moved out or did they stop
2 before?

3 A They stopped a little bit before. When he would come
4 upstairs, I would -- when I was -- when he would come --
5 when he would come upstairs when I was 15, I would climb
6 out the window, that window that you see in the picture.
7 And I would get up on the roof on top of that and he
8 wouldn't follow me. He would just go back downstairs and
9 I would wait until he left.

10 Q Okay. So approximately, how -- what age do you
11 recall this stopping?

12 A All the upstairs stuff stopped happening in high
13 school, my first freshman year of high school. Because I
14 think it was more that I found -- was realizing what was
15 happening. And I pushed him away.

16 Q And you said "upstairs," did other things occur
17 downstairs?

18 A Yes.

19 Q Actually, ██████████ before I -- we leave the upstairs,
20 was there ever a time that something happened where you
21 witnessed your dad doing something in your room?

22 A Yes. And that was in the room when I was -- that
23 wasn't this room. That was the previous room.

24 Q Give me just a second.

25 A Okay.

1 Q State's Exhibit No. 58?

2 A Yes.

3 Q It was in this room?

4 A Yes. And so that was before middle school. And I
5 was playing upstairs with my Barbie's and my Polly
6 Pockets. And I heard him coming up the stairs. And for
7 some reason, I hid in the closet. And he didn't find me
8 up there. And he went into my room.

9 And I now know -- I didn't know what he did then, but
10 I heard him on his phone and he -- he would ejaculate on
11 my bed. And he would lay on my bed while he jacked off.
12 And I stayed in the closet until he went back downstairs.
13 And I heard the front door open right after and he did --
14 he let somebody in. So it was -- it was during the day
15 sometime.

16 Q And you witnessed this from your closet?

17 A (There was no verbal response.)

18 Q Did you ever say anything to anyone about it?

19 A (There was no verbal response.)

20 Q We're going to talk about some instances downstairs.
21 Okay.

22 A Okay.

23 Q I'm going to show you what's been pre-marked as
24 State's Exhibit Nos. 25 through 30.

25 THE BAILIFF: Excuse me. These two aren't on.

1 MS. OWEN: They're not on?

2 (Pause.)

3 THE WITNESS: That's downstairs.

4 BY MS. OWEN:

5 Q What room did you call that?

6 A We called that our TV room. That's where we had our
7 TV and our couch. And it was more private than the living
8 room where he had his work and his piano lessons.

9 Q Okay. I'll show you what's been pre-marked as
10 State's Exhibit No. 30. What is that?

11 A That's that room, the TV room.

12 Q What view is that? Is that from the hallway?

13 A That's from the hallway.

14 Q And State's Exhibit No. 27?

15 A That's inside the room and showing the back wall and
16 the fireplace.

17 Q State's Exhibit No. 25?

18 A Same from a different angle.

19 Q Same for State's Exhibit No. 28?

20 A It's the other side of the room. And when it was the
21 TV room, we had a big long couch that went between the two
22 windows. And then there was his seat that was where that
23 file -- wooden file cabinet with the printer on top is.
24 And he had his chair there. And that's -- he would either
25 sit and read there or he'd sit on the couch.

1 Q Okay. And where was the TV in the room?

2 A It was the opposite diagonal corner of that desk. So
3 that side of the room where that chair is.

4 THE COURT: Ms. Owen, hold on.

5 Both of y'all come up.

6 (WHEREUPON, a bench conference was held.)

7 THE COURT: All right. Ladies and gentlemen, we're
8 going to take our lunch break. So we'll resume back at
9 2:30. And if you would, maybe, try to get in just a
10 little before that. And we'll try to get back going at
11 2:30.

12 Again, please don't discuss the case. I hope
13 everybody has a good lunch. And I'll see you back here at
14 2:30.

15 (WHEREUPON, the jury was excused from open court at
16 approximately 1:09 p.m.)

17 THE COURT: All right. We'll be in recess. Anything
18 we need to take up before we go to lunch?

19 MS. OWEN: Nothing from the State.

20 THE COURT: From the Defense?

21 MR. KORNFELD: No, Your Honor.

22 THE COURT: All right. I'll see you all back at
23 2:30.

24 Just a reminder, Ms. Flower, you're still on the
25 stand. So you're not able to discuss anything about your

1 testimony. Okay.

2 THE WITNESS: Yes.

3 THE COURT: Thank you.

4 (WHEREUPON, a lunch break was taken.)

5 THE COURT: Anything before we bring the jury in?

6 MS. OWEN: Nothing from the State, Your Honor.

7 THE COURT: Anything from the Defendant?

8 MR. KORNFELD: Nothing, Judge.

9 THE COURT: All right. Bring the jury in.

10 (WHEREUPON, the jury came into open court at
11 approximately 2:35 p.m.)

12 THE COURT: All right. I hope everybody had a good
13 lunch. I know some of you did. I saw you at Groucho's.
14 All right. We're ready to proceed.

15 MS. OWEN: Thank you, Your Honor.

16 BY MS. OWEN:

17 Q [REDACTED], did anybody in your home ask for massages?

18 A Yes.

19 Q Would you tell us about that?

20 A Both my parents did. We would give the massages
21 during movies. When we would watch, you know, like,
22 family movie nights, and things. But Randy would, also,
23 ask for massages at other times.

24 Q [REDACTED], is there anything special about or different
25 about the way Randy had massages versus your mother?

1 A Privately, when my mom wasn't around -- well, I
2 should back up. We got this electric back massager. And
3 it was the kind that had the two knobs on it. And, you
4 know, I would always use it on them, but he would use it
5 on me. He would use it on me as a vibrator. And that
6 would be in his -- in the master bedroom.

7 Q Do you recall how old you were when that first
8 started?

9 A It was in middle school. It started while I was at
10 GCA and up until I was probably 13.

11 Q And in middle school, approximately, how old were
12 you?

13 A In middle school, I was 10, 11, 12, 13. So 11, 12,
14 13.

15 Q And, [REDACTED], did that happen one time in this
16 description of what you're saying happened or more than
17 one time?

18 A More than one time, very often.

19 Q And this was in your parents bedroom?

20 A Yes. And -- I'm sorry. It was one time,
21 specifically, but he taught me to use it that way. And
22 then I would use it by myself often.

23 Q And where was the massager kept?

24 A It was kept in my parents bedroom.

25 Q And so would you go get it sometimes?

1 A (There was no verbal response.)

2 Q Did Randy ever talk to you about using it?

3 A Yeah. When he would come up to my room, he would ask
4 me how often I've used it, and what happened, how I would
5 nearly pee myself using it. And he had me describe that
6 to him when he was having me touch him. And that happened
7 more than once.

8 Q Where you would have to describe it and touch him?

9 A (There was no verbal response.)

10 Q And when you say "touch him," what part of the body?

11 A He would have me touch his penis when he would have
12 me do that.

13 Q [REDACTED], I know we've talked a lot about things that
14 happened upstairs. But did you, also, spend time
15 downstairs?

16 A I did.

17 Q Did you do things like normal kids do where -- go
18 outside and play?

19 A Yes.

20 Q And -- I'm sorry. Go ahead.

21 A No. You're fine. I played a lot, especially when I
22 was little. Because I would get my school done early.
23 And I would be able to, you know, spend a lot of time
24 playing. And I had a very active imagination. And, you
25 know, I had a lot of fun. But -- and I read a lot. And I

1 would often read in the living room and in the TV room.

2 But to answer your question, yes, I would play.

3 Q Thank you.

4 And you said there was a computer in the home; is
5 that correct?

6 A Yes.

7 Q And you just said you read in the TV room, but this
8 is, also, where you watched TV; correct?

9 A Yes.

10 Q And we've already gone through some of these
11 pictures. I'm going to show you State's Exhibit Nos. 28
12 and 27, because I think they kind of the complete picture;
13 is that right?

14 A Yes. That's correct.

15 Q It's the downstairs TV room?

16 A Yes.

17 Q What you're referring to?

18 A Yes.

19 Q And in between those two windows, you said there was
20 a couch?

21 A And it was a long one, so it pushed past the space of
22 the windows. It wasn't the size of the one that's there
23 now.

24 Q And you, also, said there was a chair?

25 A Yes. And that was in the corner where the file

1 cabinet and printer is.

2 Q ████████, did anything inappropriate with Randy Flower
3 happen in this room?

4 A Yes.

5 Q Can you tell the jury about that?

6 A That would happen when I was in middle school, and
7 when I was older, and while he was at -- not while he was
8 at, but during the time he was at USC getting his Master's
9 and then later his Doctorate. We would watch TV in there
10 together.

11 And that was about the time my mom started working
12 more. She had little jobs, you know, like working at a
13 desk at an office mechanic -- or a mechanic. And then
14 she, also, did interior design. So she worked with
15 clients. And I would spend a lot of time, you know, at
16 home when I wasn't at school. And when I wasn't working
17 on school, I read and watched TV in that room.

18 And during the times when my mom was away and Randy
19 was there at home, there would be inappropriate touching
20 there. But it wasn't to the same degree as it was
21 upstairs and during the night. It was more over the
22 clothes and just groping and touching. And it was, you
23 know, my legs and my arms.

24 And -- and, you know, during middle school, I was --
25 I didn't mind. I was okay. But then after high school --

1 or when I started high school, I -- I'll get into that
2 later, I guess. But it happened some then, but not as
3 much.

4 And he would, also, watch porn in there. And on his
5 phone, he would show me the porn. Especially while we
6 were watching something on the TV, he would show me stuff
7 on his phone.

8 Q And in that room, did you only see porn on his phone
9 or was it ever on the TV as well?

10 A I consider it porn, but it was movies, like, rated R
11 movies, and that kind of thing. But he would turn it,
12 specifically, on or wait for a scene and that's when he
13 would, like, touch me and tell me about stuff. And there
14 were -- there was -- do you need me to describe the
15 movies, specifically?

16 Q Sure.

17 A On the TV, the main one that I can remember is I
18 think it was called the Wild Ones. It was -- it had
19 lesbian scenes in it. And then there was another movie
20 once that the intro started with a girl with a vibrator.
21 And her whole family proceeds to come in, but the -- he
22 would touch me. He touched me then. That was in high
23 school. That's one of the times I pushed away, that one
24 specific movie.

25 Q When you say he would touch you, could you, please,

1 be more specific for the jury so they understand what
2 you're trying to say?

3 A Yeah. That was more over the clothes groping and
4 fondling my body, but, also, you know, private parts over
5 the clothes.

6 Q Thank you.

7 And on his phone, were those just rated R movies or
8 was that more pornography?

9 A It was more, specifically, pornography. It -- it
10 started with less graphic things. It started with more
11 lesbians and, you know, girls making out and -- but then
12 it moved on pretty quickly to more of, like, stuff with
13 sound and then women by themselves.

14 And there was one specific one that I've had a lot of
15 issues mentally with. And it was of a woman and she was
16 pushing a bouncy ball out of her vagina and, like,
17 shooting it at the camera. And it was -- but it was -- it
18 got to pretty messed up stuff like that.

19 But a lot of it was just people having sex, and
20 sounds, and that kind of thing. And he would have it on
21 low and had the TV louder, so it wasn't -- if somebody
22 walked by, it wasn't noticeable.

23 Q And, ██████████, did this happen from your middle school
24 years into high school?

25 A Yes.

1 Q And did your dad ever give you alcohol?

2 A He did.

3 Q Can you tell us about that?

4 A It was often in that room and in the evenings. And,
5 you know, he gave us alcohol throughout our childhood.
6 But it -- we were Presbyterian and it was considered
7 normal, you know. He let us have beers. He let us have
8 it with dinner, and things.

9 But the instances are he would give me whiskey by --
10 when it was just me. And he would get me to the point
11 where I was dizzy. And then he would do more
12 over-the-clothes things there. And sometimes, he would go
13 put his hand under my underwear and touch me vaginally.
14 But it was after alcohol.

15 Q Did anything else happen in this room regarding
16 alcohol or pornography that you feel like the jury should
17 know about?

18 A There was one time he gave me more than he usually
19 did. And I -- I don't remember what happened because I
20 woke up in the bed the next morning. And I was in a lot
21 of pain. I've never been able to remember what happened.
22 It's just I had a lot of vaginal pain. I never -- I don't
23 know -- I never -- I don't want to talk about this.

24 THE COURT: Ms. Flower, do you need to take a break?

25 THE WITNESS: No.

1 THE COURT: Are you sure?

2 THE WITNESS: I just need a minute. I'm sorry.

3 THE COURT: Okay.

4 (Pause.)

5 BY MS. OWEN:

6 Q Are you okay?

7 A (There was no verbal response.)

8 Q [REDACTED], in the room, you said this happened more in
9 high school; is that correct?

10 A Middle school and high school.

11 Q Okay. So approximately, how old were you when this
12 started until when was the last time you recall it
13 happening?

14 A The instance I described was the last time it
15 happened. And that was when I was in high school when I
16 was 14. I think it was my freshman year. But it happened
17 before a few times.

18 Q And him showing you porn, was that frequent or
19 infrequent?

20 A That was frequent.

21 Q Approximately when did he first start showing you
22 porn?

23 A Well, the year I was at GCA. And I was -- I was
24 going through puberty and everything, it was then.

25 Q You were at GCA in sixth grade; is that correct?

1 A (There was no verbal response.)

2 Q So approximately 10 or 11?

3 A (There was no verbal response.)

4 Q Would anyone be around when this occurred?

5 A No.

6 Q Were there any specific times of day that this
7 occurred?

8 A It was usually the evenings. And I don't know where
9 everyone else was.

10 Q And would the door be open or closed?

11 A It would be open.

12 Q But no one else was around?

13 A The time I just referenced, that was the time I knew,
14 specifically, my mom was at one of her protein shake
15 meetings. She did a lot of that kind of -- like, I call
16 them pyramid schemes. She did a few of those when I was
17 in middle school and high school. And so she would be out
18 with people working on that and just trying to make extra
19 money.

20 Q So she wasn't around?

21 A She wasn't?

22 Q She was not around?

23 A No.

24 Q Is that what you're trying to say?

25 A Yes.

1 Q ██████████, do you recall seeing your dad watching porn
2 in any other rooms of the house?

3 A Yes, in the living room. Sometimes, when I would
4 walk through to go upstairs during piano lesson -- there's
5 two times, specifically, where he didn't put the phone
6 down when I was walking past. And he was watching porn
7 while he had his student playing the piano. He was
8 sitting on the high back couch that was away. So they
9 couldn't see, but he let me see while I walked past.

10 Q I'm going to show you what's been previously marked
11 as State's Exhibit Nos. 6, 7, 8, and 9. Do you recognize
12 those?

13 A Yes.

14 Q What are those?

15 A Pictures of the living room.

16 Q Just for some context, this is the living room?

17 A Yes.

18 Q Would you, please, describe where the piano was back
19 then?

20 A The piano was where that grandfather clock was
21 sitting and where the couch was. So it was facing the
22 way -- the camera -- it would be facing the camera, but it
23 would be on that wall.

24 Q Okay. And you said you walked through this room; is
25 that correct?

1 A Yes. We would do it to get upstairs or downstairs
2 while we were, you know, living there. It was normal to
3 walk through, but we just had to be quiet.

4 Q And is this the only way to get upstairs?

5 A Yes.

6 Q And is this where all the piano lessons were taught?

7 A Yes.

8 Q [REDACTED], could you tell the jury a little bit about
9 what the last few years of Randy living in your home was
10 like?

11 A When I was 14, I went to a publicish school. It was
12 Brashier Middle College. And I made friends. And all the
13 years before, I was -- I didn't think anybody liked me. I
14 thought I was weird. And I didn't know why. I had a hard
15 time -- I had friends, but I had a hard time making new
16 friends. But when I went into high school, I made
17 friends.

18 I began to realize that the stuff that had happened
19 to me is not normal for a parent/daughter relationship.
20 And I -- when I found out, I felt like I had just been
21 naked my entire life and, finally, realized that I wasn't.

22 And I -- I started to, you know, spiral out of
23 everything. I started cutting myself. And I would later
24 try to kill myself. And I had an eating disorder. And I
25 would -- I wouldn't eat. And I would throw up all the

1 time.

2 And, you know, I started raging at him, but in the
3 only ways I could. I would, like, take his stuff and hide
4 it. And he'd get angry because it was missing. I
5 would -- I would quietly threaten him. I was like -- I
6 started trying to take back some control. And it was the
7 hardest years that I -- at the home.

8 There were more fights with the family. There were
9 more fights between him and Ian that I would step into and
10 defend Ian and fight him just so I would have an excuse to
11 act out. And my mom would always take Randy's side. And
12 she would be like, you need to respect your father. And
13 it just totally ruined my relationship with her.

14 And I was so angry that I -- I just turned it all on
15 me and I blamed myself. I had so much shame I wouldn't --
16 I never wanted to tell anybody. I never wanted to tell
17 anybody because I didn't want them to think I was a
18 pervert. And I thought it was all my fault because I let
19 that happen and that I liked it.

20 I hated him so much when I found out. Any time I had
21 to spend time around him was hell. I would -- I felt like
22 I covered myself in barbwire. I started wearing black
23 clothes. I started listening to metal. I always listened
24 to music whenever I was around him because I wouldn't have
25 to talk to him. And even the times when Ian, my brother,

1 wouldn't drive me to school and he had to drive me, I
2 would -- I would cut myself before I had to sit in the car
3 with him for 12 minutes. Because I couldn't bear to sit
4 in the car with him.

5 I hated him so much for what he did to me. But I
6 hated myself so much more because I let it happen. I
7 wanted to die.

8 Q [REDACTED], do you still carry the scars of cutting?

9 A I still do. I do.

10 Q Where did you cut?

11 A I started cutting on my legs because I didn't want
12 anybody to see. But then by the time I was a sophomore,
13 and a junior, and senior, I didn't care. And I cut my
14 arms and...

15 Q Are your arms scarred from that?

16 A (There was no verbal response.)

17 Q [REDACTED], did any of your siblings know you were
18 cutting?

19 A Yes. There was one time, like, where I hit a vein
20 and I told -- I went to [REDACTED] because I needed help
21 super gluing it shut. But they all knew. And Randy found
22 out I was cutting myself in 2012. We were in a fight and
23 he started chasing me. I went upstairs and I went into my
24 room -- not my room, it was that little attic space in the
25 bathroom. And I hid in there and I was -- I was cutting

1 myself.

2 And he found me and he had -- I had to tell my mom
3 because -- I don't -- but I didn't tell her why. And she
4 took me to the doctor and he asked me why. And I wanted
5 to tell him. And he just told me to not do it anymore.
6 And I said, Okay. And -- but I kept doing it.

7 Q [REDACTED], those last couple of years you're referring
8 to, 2012 and 2013, what was the rest of the home life like
9 with everyone else?

10 A It was really hard. We didn't have a lot of money
11 because things were just -- we didn't have as many piano
12 students. And Randy would just work at Aldersgate. And
13 then he would -- he was working on getting his Doctorate.

14 And then in 2013, I think he was writing his thesis
15 paper. But he just spent the whole time in bed drinking.
16 And he always bought alcohol. And he gets -- that's the
17 time when he would always be so angry, and get angry, and
18 slam things and stomp around. And he would -- that's when
19 he would -- he would, you know, pinch us and push us down.
20 It was just really scary.

21 I didn't like to be at home. I would go with Ian
22 sometimes anywhere. He wouldn't let me hang out with his
23 friends. But he would let me go when he had a girlfriend
24 and hang out with them. But I just did anything I could
25 to not be at home. And when I was home, I was in my room.

1 And I did everything I could to stay away and try to
2 protect myself.

3 Q Who was Ian's girlfriend?

4 A Her name was Megan Torres.

5 Q Were you friends with her at that time?

6 A She was -- I'm still really good friends with her. I
7 am still really good friends with her.

8 Q How old were you when your parents separated,

9 [REDACTED]?

10 A I was 15 when he moved out of the house. And I was a
11 senior in high school. I was 17 when they, finally, got
12 divorced. And that was after I graduated.

13 Q Through these last couple of years and the
14 separation, how did your mom tell you to treat your dad?

15 A Always with respect. I mean, she didn't want to
16 color -- she didn't want her divorce to color how we felt
17 about him. And I was just -- I was so angry at her.

18 But --

19 What was the question?

20 Q Had you told her what was going on?

21 A No. I didn't -- I didn't want to tell her. I didn't
22 tell her until I was 18, 19. It was 2016, 2017, when we,
23 finally, told her. But before, I would rage at her. And
24 we would fight a lot, especially after he moved out and
25 she was working all the time. And I had to step up and

1 help take care of things. But I was just -- I mean, I was
2 just so angry. I took it out on everybody.

3 Q [REDACTED], when Randy moved out of your home, where
4 did he move to?

5 A He moved to his parents condo in Mauldin.

6 Q Would you ever go visit?

7 A No. Once he moved out of the house and the last time
8 I saw him when he came home one time, I fought him. And
9 I, like, physically -- that was the last time I saw him
10 until -- I didn't want to see him again once he moved out.
11 I would threaten to kill myself if I had to go to
12 visitation. And I would -- I just refused. I was old
13 enough that I didn't have to go.

14 Q And, eventually, you said your parents got divorced;
15 correct?

16 A Yes.

17 Q Where did your dad go when they got divorced?

18 A He moved to Spain afterwards. He left the country.

19 Q What was your house like after he moved out?

20 A It changed. Things were -- things weren't as bad. I
21 mean, I -- we all stepped up and did what we had to do to
22 keep functioning. And my mom worked. And I fed the girls
23 as, you know, best I could. I would take them to school
24 when I -- after -- well, I don't know. It was just
25 calmer. But, you know, I was still dealing with all this.

1 Q Was the house in disrepair when he left?

2 A Yes.

3 Q Did anyone help put it together?

4 A Yes. After he -- after they got divorced and he left
5 the country, our neighbors and people from the churches we
6 had gone to had set up this men's work day where they came
7 and worked on our house. And they got rid of the deck and
8 put in a new one. And they did all kind of, you know,
9 stuff that needed to be done. Ian renovated -- completely
10 fixed the garage. And it was just in a bad state.

11 Q After Randy left and moved out, how did you feel?

12 A A little bit like I could breathe again. I mean, I
13 didn't have to be scared being in my house. But, I mean,
14 there were times I was still scared and times I was so
15 angry at him.

16 Q Had you told anyone when he moved out what had been
17 going on to [sic] you?

18 A No. I had so much shame. I thought it -- I knew he
19 had done it to me, but I felt like it was my fault because
20 I let it happen. It --

21 Q I'm sorry. Go ahead.

22 A It made me react weird. I had always been, like,
23 really romantic, I guess, and, you know. But I was so
24 scared of, actually, dating people. And, you know, the
25 pressure I got, especially in, like, high school. It got

1 to the point where I would tell people that I had a
2 genital phobia.

3 Q Did you, eventually, tell somebody what had happened?

4 A After I had been in therapy for cutting, I, finally,
5 told my mom. Because we couldn't dance around the subject
6 anymore. I mean, I would always threaten, like, you don't
7 know what -- you didn't protect from. And she was like, I
8 protected you. I stopped him from, you know, like, the
9 shower instance, and things. And I separated from him
10 before things got too serious. Because she thought there
11 had been a dramatic change in his personality when he was
12 at USC. And I was, like, you don't even know. And she
13 would ask me what she didn't know. And I wouldn't -- I
14 was, like, that would be the end of it. But I just...

15 Q By the time you told your mom, had Randy Flower left
16 the country?

17 A Yes.

18 Q Why didn't anybody ever go file a police report at
19 that point?

20 A I mean, we couldn't even find him to serve him papers
21 for fleeing the country, leaving the country. It wouldn't
22 have done me any good. And I would have had to talk to
23 about. And I didn't want to tell anybody. This is the
24 worst thing that's ever happened to me. I didn't want to
25 talk about it.

1 Q [REDACTED], what made you decide to tell your mom in
2 2019?

3 A In 2019, he came back into the country. And I was so
4 scared. I was -- all the time before while he was out of
5 the country, I made a lot of really big steps. I stopped
6 starving myself and stopped throwing up. And, you know, I
7 did other stuff that wasn't good. But I tried to make
8 steps forward and move on.

9 And I was trying to, like, get myself to where I
10 could, you know, live by myself and work. And, you know,
11 I got my real estate license and I was working. And I
12 didn't go to college. I -- I just did what I could.

13 But when he came back, I felt like it was -- I knew
14 it -- I was just so scared, you know. It was facing me
15 again. And I only told, you know, like, my mom and
16 therapist barely because I couldn't talk about it.

17 It wasn't until after he had been arrested and I went
18 to the Julie Valentine Center that I could, finally, talk
19 about it. And I've been there for two years. And I've
20 gotten a lot better. But this is so hard.

21 Q [REDACTED], I just have a few more questions. Okay.
22 When you, initially, went to law enforcement that day, did
23 you tell them everything that happened?

24 A No. I told them what I could get out. And I'm
25 sorry. I didn't talk about while he was still in the

1 country and he would follow me -- us around and come to my
2 work, and things.

3 Q Were you scared of him while he was still in the
4 country?

5 A I was.

6 Q Is that part of why you were afraid of him?

7 A Yes. I was so scared. But I was, also, so angry.
8 I -- I found out what he did to my little sisters and I
9 was so angry. I was supposed to protect them. But I was
10 so angry.

11 I mean, he was teaching at a school. He had brought
12 over students. And, I mean, they were girls. We looked
13 at the pictures. They were, like, pretty girls. And I --
14 that just made me so angry because who knows what he had
15 been doing. And I didn't want it to happen to anybody
16 else. I didn't want it to happen anymore.

17 Q And, [REDACTED], when you went to the police, you didn't
18 tell them everything?

19 A No. I got out what I could get out. I mean, this is
20 the first time I had told anybody. And it was so hard,
21 and everything. And my brain is so, like, jumbled and --
22 especially then. I've done a lot of work since. And
23 I've -- I've -- I've gotten more memories and I've talked
24 about them today. But my full statement wasn't it all.
25 It was just the start.

1 Q And when you say you've "gotten more memories," do
2 you mean that you've been able to discuss more memories?

3 A Yes. And, you know, discuss them here.

4 Q And over the past few years, you've gotten a lot of
5 help?

6 A Yes.

7 Q And has therapy helped?

8 A It has.

9 Q Were you, eventually, able, like you have just done
10 today been able to share more of your story?

11 A Yes.

12 Q [REDACTED], has anybody told you what to say today?

13 A No.

14 Q Has anybody made you say this?

15 A No.

16 Q Has your mother put you up to this and told you to
17 make this up?

18 A No.

19 Q Has she said to you, these thing happened to you when
20 you were little and you need to go in there and say that?

21 A No.

22 Q All these things that you said here today, you took
23 an oath to tell the truth; correct?

24 A Yes.

25 Q And you are telling the truth?

1 A Wholeheartedly.

2 Q I think it's pretty apparent, but just so I'm clear,
3 do you still deal with the ramifications of what happened
4 to you?

5 A Yes. I don't feel like a real person. I don't feel
6 like a real human being. I mean, everybody tells me that
7 I've done so good being, you know, successful, and
8 everything. But I -- I'm too scared to, like, leave my
9 house. And I -- I mean, I haven't hardly done anything.
10 I don't feel like a real person. I have such a hard time
11 being around people. Because I feel like they can tell
12 that something is wrong with me, that I'm broken.

13 It's -- it's ruined my sleep. I can't sleep because
14 I dream about all this. And I have -- I'm so visual. I
15 see everything and I feel it. Like, I constantly feel
16 pain that -- especially, like vaginally and anally, like,
17 I feel pain. And it's just -- I do it so much. I don't
18 think I'm a real person. I'm a pervert.

19 He ruined me. And I can't use the most special parts
20 of myself because they're tainted. And I don't let myself
21 think, I can't.

22 MS. OWEN: Thank you, ██████████.

23 Your Honor, I have no further questions.

24 THE COURT: Why don't we take just a short break.

25 Ladies and gentlemen, I'm going to excuse you for a

1 few minutes. And we'll take a short break.

2 (WHEREUPON, the jury was excused from open court at
3 approximately 3:20 p.m.)

4 MS. OWEN: Your Honor, may Mr. Kornfeld and I
5 approach for just a minute?

6 THE COURT: Yeah.

7 (WHEREUPON, a bench conference was held.)

8 THE COURT: All right. We'll be in recess for a
9 little bit.

10 (WHEREUPON, a break was taken.)

11 THE COURT: Anything before we bring the jury back
12 in?

13 Anything from the State?

14 MS. OWEN: No, Your Honor.

15 THE COURT: Anything from the Defense?

16 MR. KORNFELD: No, Your Honor.

17 THE COURT: All right. Let's bring them back in.

18 (WHEREUPON, the jury came into open court at
19 approximately 3:52 p.m.)

20 THE COURT: Cross-examination.

21 MR. KORNFELD: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. KORNFELD:

24 Q Ms. Flower, do you remember writing this statement on
25 July 6th, 2019?

1 A Yes, I do.

2 Q Okay. And would you agree with me that in that
3 statement, you wrote that from the time I was an infant,
4 two to three years old, up until I was 13 or 14?

5 A Yes. I did write that.

6 Q All right. And so are you stating that you
7 remembered when you were an infant, two to three years of
8 age? Is that what you're saying?

9 A That wasn't what was intended. I meant infant as in
10 a three-year-old.

11 Q Okay. But you would agree that you did write two to
12 three years old?

13 A I did.

14 Q Okay. And you stated that you couldn't wipe
15 yourself, so your parents would do it; correct?

16 A Correct.

17 Q And you stated you thought he -- I assume you mean
18 your father, Mr. Flower -- used both fingers, but you
19 can't say if that's correct?

20 A Can you explain your meaning?

21 Q Can I explain what?

22 A Your meaning.

23 Q When -- you told Officer Woods you thought that he
24 used both fingers, but you can't say if that's correct.
25 Do you remember that?

1 A I do. If it's written there, then I said it. I
2 wrote it.

3 Q And today, do you remember stating that he used a
4 baby wipe and then he used his pinkie?

5 A He started with his pinkie, yes.

6 Q All right. So how -- how do you know that he used
7 his pinkie?

8 A Because it was the smallest of the fingers and it
9 didn't hurt.

10 Q All right. And --

11 A I knew the size of his fingers.

12 Q And you would agree that when you told Officer
13 Woods -- you told her that he used both fingers; correct?

14 A If I wrote that, then, yes.

15 Q You --

16 A I don't know if you're talking about when I was three
17 or if you're talking about later.

18 Q Well, you -- I'm talking about you said this occurred
19 until you could wipe yourself; correct?

20 A Yes.

21 Q All right. So I'm just trying to understand that you
22 previously stated that you thought he used both fingers.

23 But today, under oath, you stated that he used his pinkie?

24 A In that one memory where he wiped me when I was three
25 years old, he started with his pinkie, yes.

1 Q All right.

2 A And I wrote that because I was explaining.

3 Q Well, I don't see where you stated that he used his
4 pinkie. As a matter of fact, you say he used his fingers
5 in my anus and vagina?

6 A Yes.

7 Q And today, you said that he used his pinkie?

8 A Yes.

9 Q So my question is, how do you know that he used his
10 pinkie today when previously you stated that he used his
11 fingers?

12 A Because it started with his pinkie. And I --

13 Q I understand that's your statement, Ms. Flower.

14 A I don't understand.

15 Q What I'm trying to ask is -- before, you said, he
16 used his fingers. Today, you stated it started with his
17 pinkie. How do you know that he was using his pinkie,
18 other than you just stating because it started with his
19 pinkie? How do you know that's what he used?

20 A He would wipe me and then he would use his pinkie.
21 Fingers is plural.

22 Q Right. So --

23 A I don't --

24 Q -- if I understand this correctly, you're stating
25 that he wiped you with his fingers. Which fingers did he

1 wipe you with then?

2 A He wiped me with his hand.

3 Q All right. So the entire hand?

4 A I don't know.

5 Q All right.

6 A [Inaudible].

7 Q I'm sorry?

8 A I don't --

9 MS. OWEN: Your Honor, could I ask that Mr. Kornfeld
10 give her the statement so she can look at it while he's
11 asking her questions.

12 MR. KORNFELD: She can look at it for recollection,
13 sure, if she would like.

14 THE WITNESS: I just don't -- he would wipe me after
15 using the bathroom and he would insert his fingers.

16 BY MR. KORNFELD:

17 Q All right.

18 A And it felt like his pinkie because of the way his
19 hand was angled.

20 Q Because of the way that his hand --

21 A The way I was angled and the way he used his hand.

22 Q All right. So it's your --

23 A He didn't wipe me with his pinkie.

24 Q So it's your testimony that he put a wet wipe around
25 his pinkie and that's how he wiped you?

1 A I don't know if it was a pinkie when he would use the
2 wet wipe. But afterwards, he would use his pinkie.

3 Q All right. And did you -- did you see him using his
4 pinkie?

5 A No. I was bent over.

6 Q All right. And so he used his hand. I'm trying to
7 understand this correctly. But then he would use his
8 pinkie. Is that your statement?

9 A Yes. He would wipe me with a wet wipe with his hand.
10 He would use the wet wipe to stick -- he would use the wet
11 wipe inside of me to a certain -- I don't know -- like,
12 depth inside of me. And then he would insert his pinkie,
13 his hand.

14 Q All right. And you state this stopped happening
15 after you could wipe yourself; correct?

16 A Correct.

17 Q And you would agree that your father, Mr. Flower, has
18 larger hands than your mother; correct?

19 A Correct.

20 Q And you would agree that to wipe somebody that it's a
21 process to make sure that it's sanitary; correct?

22 A Correct.

23 Q All right. And when you arrived at the police
24 station, did your mom go with you?

25 A I don't recall.

1 Q Was your mom in the interview room with you?

2 A When I wrote my statement or when I was giving the --

3 Q When you were giving your statement to Officer Woods?

4 A She wasn't in the room except for a few minutes. She
5 came in after she had a meeting down at the courthouse.

6 And she came to check on me, and see how I was doing, and
7 to give me the verdict.

8 Q Okay. And when you say to give you "the verdict,"
9 that's concerning the --

10 A The domestic, civil, whatever charges.

11 Q And that was for failure to pay alimony and child
12 support; correct?

13 A Correct.

14 Q All right. And when you say that -- you understood
15 why your father was in the country; correct?

16 A Correct. He was at a wedding.

17 Q All right. And you knew that your father had
18 remarried a woman in Spain; correct?

19 A Correct.

20 Q All right. And is it true that you were on a group
21 chat message with all of your sisters and mom when you
22 went into the interview on July 9th, 2019?

23 A Correct.

24 Q All right. And you stated to Officer Woods, didn't
25 you, that you had a lot of memory issues; correct?

1 A Correct.

2 Q And that you didn't start putting this together until
3 you were a lot older; correct?

4 A Correct.

5 Q All right. And just to be clear, do you remember
6 when you stated Mr. Flower stopped wiping you?

7 A I said when I no longer needed it, I mean, three or
8 four.

9 Q Three or four?

10 A I don't know what age. I think it was around three
11 or four.

12 Q Okay. And your mother never took you to the doctor
13 for any tearing or anything of that nature; correct?

14 A No. We wouldn't go to the doctor very often,
15 especially after [REDACTED] was born and he no longer had his
16 health insurance.

17 Q And you had no bleeding; correct?

18 A Correct.

19 Q And no rashes from wiping; correct?

20 A Not that I know of. I don't think I had rashes. I
21 don't know.

22 Q And no redness that was apparent; correct?

23 A Correct.

24 Q All right. And you, specifically, told Officer Woods
25 that there was only pain during the wiping; correct?

1 A Yes. And that one memory when he stuck his fingers
2 inside me, that was when I felt the pain.

3 Q All right. And so is it your testimony that you only
4 have one memory of the wiping?

5 A I have my first memory that I've described. And then
6 I've stated that I have more memories of that.

7 Q All right. And when were the other memories of the
8 wiping?

9 A Same time, different bathroom. And I stated that
10 with Ms. Owen.

11 Q All right. So would it be fair to say that when you
12 say the same time, this was when you were the age of three
13 or four?

14 A Correct.

15 Q And is it true that you told Officer Woods that you
16 don't remember being wiped by your mother?

17 A I don't have any memories of being wiped by her, no.

18 Q All right. Do you, also, remember telling Officer
19 Woods that you had memories of showering and bathing with
20 your brothers -- with your brother when you were a baby?

21 A I don't understand.

22 Q Well --

23 A I remember that we would bathe together, but not when
24 I was a baby. I don't have memories when I was a baby.

25 Q Do you remember saying I remember when I was a baby,

1 I took baths with my brother, but that was when we were,
2 like, two, and nothing. Do you remember saying that?

3 A Yes.

4 Q All right. So is it fair to say -- how old -- how
5 much older is your brother than you?

6 A He's two years older than me.

7 Q So when you stated that, you didn't really mean that
8 you remembered taking a bath with your brother when you
9 were two, and nothing; correct?

10 A Correct.

11 Q Okay. So how did you know that you took a bath with
12 your brother when you were two, and nothing?

13 A I don't remember the two, or nothing. But I remember
14 when I was older. And I know I wrote two or nothing on
15 that statement. But that's not correct. I don't have
16 memories of when I was a baby.

17 Q Okay. So you would admit that you stated something
18 in the interview to Officer Woods on July 6th, 2019, about
19 taking a bath with your brother that was incorrect?

20 A I misspoke, correct.

21 Q All right. And do you remember in your interview you
22 said, I don't remember any porn -- the other porn he
23 watched, I've totally blocked it out?

24 A Correct.

25 Q All right. And earlier, you stated that he watched

1 what you call porn. But then you clarified today rated R
2 movies, one of which you referred to as the Wild Ones; is
3 that correct?

4 A Correct.

5 Q And that is, actually, a 1998 movie with Kevin Bacon,
6 Denise Richards, and Bill Murray, and Neve Campbell, is it
7 not?

8 A I'm not sure.

9 Q All right. Do you know if that movie was about a
10 counselor who was accused of rape by two female students?

11 A I'm not sure. I just remember the scene he had me
12 watch.

13 Q All right. And that was on your TV; correct?

14 A Correct.

15 Q And your mom knew about movies that you rented;
16 correct?

17 A It was on a DVR.

18 Q And in what year did you watch Wild Things?

19 A It was when I was in high school, but I don't recall
20 the month. It was my freshman year of high school.

21 Q Okay. Freshman year of high school. All right. And
22 you would agree that Wild Ones is not a pornographic
23 movie; correct?

24 A Correct.

25 Q Even though you previously stated that it was to

1 Officer Woods; correct?

2 A It had a pornographic scene in it.

3 Q All right. And when you state "pornographic," are
4 you stating that they -- that this was a scene with
5 nudity?

6 A Nudity and other things, yes --

7 Q All right.

8 A -- from what I recall.

9 Q All right. But you would agree this movie was rated
10 R; correct?

11 A Correct.

12 Q All right. You, also, told the officer that your
13 father would leave his computer up and porn was on it?

14 A Correct.

15 Q Where was your mother during all of this?

16 A I don't know. I mean, she was home sometimes.

17 Q All right. Does your mom -- you would agree your mom
18 was a stay-at-home mom; correct?

19 A For my earlier years, correct.

20 Q All right. And you would agree that you lived on
21 Main Street, Fountain Inn; correct?

22 A Correct.

23 Q And that you had neighbors?

24 A Correct. Elderly neighbors.

25 Q I'm sorry?

1 A Elderly neighbors.

2 Q Okay. And you would agree that you lived .2 miles
3 from the police station?

4 A Correct.

5 Q And you would agree that your father had several
6 piano lessons in the house during the week?

7 A Correct.

8 Q All right. And what type of computer do you remember
9 your father having?

10 A We had a family computer and then -- up until when he
11 got his -- began to go to school for his Master's, he got
12 himself a MacBook.

13 Q All right. And your testimony is that there weren't
14 individual log-ins for that -- for the different parties,
15 such as you would have a log-in?

16 A There was a family log-in, and then there was his
17 own. But we knew his own password.

18 Q All right. And what was that password?

19 A I don't recall.

20 Q Okay. And you stated that the pornography, that it
21 was a lot of times just auditory. Do you remember that?

22 A Correct.

23 Q Where was it coming from that it was auditory?

24 A When we would open up his computer, sometimes it
25 would be playing porn automatically. We wouldn't have

1 logged through anything, but the sound would come through
2 the computer. And we would hear the sounds.

3 Q Would you not have to log into a computer before it
4 would just start playing?

5 A I'm not sure.

6 Q All right. And you stated that you thought he left
7 his computer on accidentally when you spoke to Officer
8 Woods. Do you remember that?

9 A I was referring to the time when it was up in
10 Minnesota and the sound came through his computer, and
11 everybody heard it that time.

12 Q All right. But you didn't tell the officer that at
13 the time. You just said that you thought he left his
14 computer on accidentally?

15 A Yes.

16 Q And you, also, stated that he would watch porn in the
17 room next to your mom's master bedroom?

18 A Correct.

19 Q And you -- what year was the house built?

20 A 1918.

21 Q And hardwood floors are in it?

22 A Correct.

23 Q And don't those hardwood floors creak?

24 A We had lots of rugs down. But the doors were heavy.
25 And he wouldn't watch it when she was home.

1 Q All right. But you'd admit that there wasn't -- that
2 many of the rooms didn't have doors, including the master
3 bedroom and the rooms upstairs; correct?

4 A The master bedroom had a door.

5 Q Correct.

6 A The doors upstairs didn't have doors.

7 Q Okay.

8 A There wasn't a bathroom door in the master bedroom to
9 the bathroom.

10 Q So when you stated that he was in the room next to
11 your mom's bedroom, which I believe would be the master
12 bedroom, what room are you referring to?

13 A The TV room, the room next to the master bedroom.

14 Q And so you would agree that there are no doors on
15 that room; correct?

16 A No. There's a door on that room. It's in the
17 picture.

18 Q In the TV room?

19 A Correct. It's, technically, a bedroom, so it has a
20 door.

21 Q Okay. And are you alleging that he closed the door
22 to the TV room now?

23 A No.

24 Q So he left that door open?

25 A Correct.

1 Q All right. You, also, stated that you could not
2 remember if he ejaculated when he was watching porn. Do
3 you remember that?

4 A Correct.

5 Q All right. You talked about him walking around in
6 his underwear. You said, And it was just open?

7 A Yes.

8 Q Like, the boxers were open. So was Mr. Flower
9 walking around in his boxers and there was the flap that's
10 commonly on male boxers --

11 A Yes. And it was open and you could visibly see his
12 penis.

13 Q Okay. And did you ever tell him that you could see
14 that?

15 A No.

16 Q Okay. Do you know when your father got an iPhone?

17 A I don't remember the year.

18 Q All right.

19 A It was the year he got his Master's, I believe. But
20 I don't recall the year.

21 Q Okay. Do you know -- was that the first phone that
22 he had, or was that just the first Smartphone that he had?

23 A I think it was the first Smartphone he had. He had
24 an iPad previously. But when he got his iPhone, he gave
25 us the iPad -- or iPod touch.

1 Q Okay. So you talked about your father ejaculating on
2 a bed. And then you said that you hid in your closet and
3 he didn't know I was in the room; correct?

4 A Closet. So the closet is outside the room, so I
5 wasn't in the room.

6 Q Okay. But did you consider that my closet?
7 Previously you stated, "I hid in my closet."

8 A Correct.

9 Q So did those have your belongings in it?

10 A Correct.

11 Q But that closet -- how far away was that closet from
12 the interior of the room?

13 A It was just outside the door and it was where the
14 stairs were.

15 Q All right.

16 A At the top of the stairs.

17 Q And your testimony is he didn't know you were in
18 there?

19 A Correct.

20 Q And Officer Woods asked you where your mom was during
21 all this. You stated, My mom was working late. What jobs
22 did your mom have working late?

23 A She had evening meetings. I say working because it
24 was work for her. She had evening meetings for her
25 pyramid schemes.

1 Q How many pyramid schemes did she get involved in?

2 A Three.

3 Q Do you remember what they were?

4 A The last one was a protein shake. The one before was
5 man tech and that's like health food -- like, health
6 powders, and stuff. And then the one before it was a
7 Xango juice.

8 Q Okay. Was she able to be financially successful in
9 any of these pyramid schemes?

10 A I'm not sure, but I didn't think so personally.

11 Q So when you told Officer Woods that your mom got two
12 or three jobs, what you just testified to is what you were
13 talking about; is that correct?

14 A That job, the car mechanic, Mr. Green's that I stated
15 previously that they both worked. But she was the one who
16 would do it mostly, but that was in the afternoons, not
17 the evenings. And she, also, had interior design clients.

18 Q Okay. And you, specifically, told Officer Woods that
19 he, meaning your dad, wasn't making hardly any money at
20 that time. Do you remember that?

21 A Correct.

22 Q And you know that because your mother told you that;
23 correct?

24 A No. From the state of the house, the state of how we
25 ate.

1 Q All right.

2 A It didn't feel like we made very much money at all.

3 Q Would you agree that you went on a trip to Hilton
4 Head every year while your parents were married?

5 A Correct. And that was a --

6 Q And so --

7 A -- relationship my mother and father had with the
8 owner of that specific condo. And my mother would clean
9 while we were there for two weeks during the off seasons
10 every year. We would sometimes go twice a year.

11 Q And you stated that your mom, she was just working
12 constantly?

13 A In my later years, it felt like it, yes.

14 Q No. This was when --

15 A What's your context?

16 Q When you stated she was just working constantly, were
17 you not talking about the time when Mr. Flower, your
18 father, was still living in the home?

19 A I'm not sure.

20 Q Well --

21 A What was the sentence before? I'm not sure.

22 Q Did you state this, He did the piano lessons at our
23 house and the people were leaving. So people would just
24 keep not coming. So it got down to where there was just a
25 few people. And so my mom was, like, I got to get a job.

1 And she got two or three jobs. Is that what you said?

2 A Correct.

3 Q All right. And I'm trying to find out what two or
4 three jobs she was getting and when she was out of the
5 house.

6 A I was referring to the jobs of the pyramid schemes.

7 Q Okay.

8 A And I was referring to the job with Mr. Green and the
9 interior design clients.

10 Q How long did she work at Mr. Green's?

11 A I'm not sure. It was during my time in high school.

12 Q So your dad left when you were 15?

13 A My sophomore year, yes, sir.

14 Q Okay. And that's when she was working there and
15 you're not sure how long she worked there?

16 A It was before he had left the home. Because they
17 were both supposed to be taking turns working there.

18 Q All right. Did you get the feeling that your mom was
19 happy about having to go to work after not working for the
20 entire marriage?

21 A Yeah. She liked doing the interior design. I would
22 go with her to the fabric stores and we would spend hours.
23 I didn't like the pyramid schemes as much because those
24 were always social. And we'd have people come to our
25 house. We would go to people's house. It wasn't very fun.

1 Q Okay. And you were asked, Did your dad ever
2 penetrate you?

3 You stated, Not that I remember.

4 Do you remember that?

5 A Correct. Do you have a follow-up question or would
6 you like me to explain that one?

7 Q I have another question about your phobia of genitals
8 that you testified to. You didn't -- what do you mean by
9 that? And why would you tell people that you had a phobia
10 of genitals?

11 A I would tell my peers in high school that I had a
12 phobia of genitals. Because they would ask me why I
13 wasn't dating, and why I'm not having sex, and why I'm not
14 sleeping with people or doing any of the things they were
15 doing.

16 Q But you, also, came from a religious family; correct?

17 A Correct.

18 Q And you were likely taught abstinence before
19 marriage; correct?

20 A Correct.

21 Q And concerning the piano lessons --

22 A Actually, I'd like to revise that. I wasn't taught
23 anything about abstinence. When my school had sex ed, I
24 was given an out. Because of religious reasons, I didn't
25 have to sit there and listen to it. But they were taught

1 abstinence, I was not.

2 Q All right. And how many times was your dad,
3 according to you, watching porn during piano lessons?

4 A Two times that I remember myself.

5 Q All right. And you didn't tell anybody that you saw
6 this at the time?

7 A No.

8 Q All right. You previously stated that your dad would
9 take you out by yourself. You thought it was to try to
10 make you feel special. Were your siblings at home when
11 this was occurring?

12 A I'm not sure.

13 Q All right. And so you were home schooled until you
14 were in the sixth grade?

15 A Correct.

16 Q And so your mom primarily taught you; correct?

17 A Correct.

18 Q And she primarily stayed at the home; correct?

19 A Correct, during my years before middle school.

20 Q All right. So do you know what kind of whiskey you
21 say your dad gave you?

22 A It was either Jack Daniels or Evan Williams.

23 Q All right. And you stated this would make you dizzy;
24 correct?

25 A Correct.

1 Q How much did you drink? Previously, you stated you
2 did not remember. Do you remember how much you, actually,
3 had to drink of alcohol?

4 A Are you asking about a certain instance, or overall?

5 Q Well, any one of the instances that you're alleging,
6 I'll take that.

7 A The instance where I woke up in my own bed, it was
8 four ounces. And then the times before that, it was less
9 than that.

10 Q How do you know that it was four ounces?

11 A Because I know what that looks like in a glass and
12 the glasses we had.

13 Q All right.

14 A We still have them.

15 Q All right. And you stated that the year before he
16 left, your father just laid in bed and drank?

17 A Correct.

18 Q And he still had his job at Aldersgate; correct?

19 A Correct. He would work on Sundays and Wednesdays.

20 Q And he was going to school down at the University of
21 South Carolina in Columbia; correct?

22 A Not the last year. He was writing his thesis.

23 Q Okay. And he had some piano lessons in the house;
24 correct?

25 A A few, but less than 10 or five.

1 Q Okay. And then you, also, stated you don't really
2 remember a lot of beer in the house?

3 A That was incorrect. I didn't remember a lot of beer.
4 But he drank Heineken and he drank other kind of beers.

5 Q Do you remember previously you stated that he drank
6 Bud Light?

7 A I do. And he did drink it. I don't -- we had it in
8 the house sometimes at parties. So when I would see it, I
9 would take it.

10 Q Okay. And while you were drinking this whiskey on
11 ice, where was your mother?

12 A That's the time she wasn't home. Those were the
13 times no one was around.

14 Q All right. And these -- are these multi-level
15 marketing meetings?

16 A I believe so. I'm not sure where she was, but that's
17 where she was during those times.

18 Q Okay. And your mother, also, drank; correct?

19 A When I was younger I, believe so. But I don't really
20 remember.

21 Q And you told Officer Woods, I know people will not
22 drink at all when their parents are alcoholics. As in
23 plural, parents alcoholics. But I was one of those people
24 that didn't do that. I definitely soothed myself with
25 alcohol, and I was not 21.

1 A Correct.

2 Q And --

3 A I was speaking outside of myself.

4 Q All right. And did you ever throw up from drinking
5 alcohol?

6 A Not while he lived at home.

7 Q All right. You told the officer that you felt as
8 though that -- you felt that you were attention starved
9 with your dad?

10 A At times, correct.

11 Q So you still sought your father's attention. Is that
12 what I'm understanding?

13 A Correct.

14 Q All right. You state, specifically, that your father
15 would spank you on Sundays. Do you remember that?

16 A Correct.

17 Q Where was your mom while your father was spanking
18 you?

19 A He would lock the door and wouldn't let anyone in
20 when he was spanking.

21 Q All right. Do you remember previously when you told
22 Officer Woods, you said that he would spank with a hand or
23 they would get a shoe? Do you remember that?

24 A Correct.

25 Q But today here, you stated they used a PVC pipe?

1 A Correct. And I was -- those were two different
2 instances. The times on Sundays, he would use his hands
3 or his shoes. But on the times when he was spanking all
4 of us or spanking people -- where it wasn't just me, it
5 was a PVC pipe.

6 Q Okay. And --

7 A And that's where I got the bruising from.

8 Q And what did this PVC pipe look like?

9 A It was gray and it was about that big and about that
10 long.

11 Q And your testimony is that your mother knew about
12 this PVC pipe?

13 A Correct. And she used it.

14 Q And you state that you were black and blue?

15 A At times, correct.

16 Q And nobody knew about these spankings?

17 A They knew about the times I was black and blue. I
18 don't think that's what I said.

19 Q Who would know about it?

20 A They knew when I got spanked.

21 Q Who is "they"?

22 A They being my parents.

23 Q What about your siblings?

24 A They knew when I got spanked.

25 Q Did they know about the allegations that you're

1 making that you were black and blue?

2 A I'm sure.

3 Q All right.

4 A I know my brother was on multiple times.

5 Q Okay. And this was never reported to anybody outside
6 the family?

7 A Correct.

8 Q Let's talk about the massage -- the massager that was
9 by the bed. This was in plain view by your parents bed?

10 A Correct.

11 Q And this has two nodules on it; correct?

12 A Correct.

13 Q That are made to go on each side of somebody's neck
14 or shoulder; correct?

15 A Correct.

16 Q So to be used in another way, that would be quite
17 uncomfortable, would it not?

18 A Correct. But it was over the underwear always, so I
19 wouldn't get pinched. Because if you did it without
20 underwear, you would get pinched.

21 Q Okay. And you would go into your parents bedroom and
22 you would give them massages; correct?

23 A We would take it out and we would use it, you know,
24 whenever anybody had back pain. It was a normal tool in
25 our home, but it was, also, used differently.

1 Q Whenever you gave your dad a massage, he had a sheet
2 over him or he was clothed; correct?

3 A Correct.

4 Q When the officer asked you if there was ever a time
5 when you were masturbating together, you answered in the
6 negative; correct?

7 A I'm not aware. I'm not sure.

8 Q So Officer Woods: Was there ever a time when both of
9 you were kind of masturbating together?

10 Huh-uh.

11 Is that what you told her?

12 A Correct.

13 Q And you stated that concerning the food and not
14 eating correctly, you said that he would never say
15 anything, he just wouldn't make food. Do you remember
16 that?

17 A Correct. And that was about his later years, in the
18 last two years he was living at home. He wouldn't talk to
19 us. He would just go into his bedroom and drink and
20 wouldn't make food.

21 Q And would you agree that your father was a good cook?

22 A He was.

23 Q And could your mom not make food?

24 A She did.

25 Q So if your father refused to make food, it's possible

1 your mother could have made food; correct?

2 A Correct.

3 Q All right. So if you felt that you weren't getting
4 all the food you needed, your mother could have made you
5 food; correct?

6 A Correct. There wasn't a whole lot of money for food.
7 And at that time, I would go without eating. And I had an
8 eating disorder. And so I would either starve or he would
9 make food and I wouldn't eat, or she would make food.

10 Q All right. And as far as the shower goes, you stated
11 that it was foggy in the shower, so it was hard to see.
12 Do you remember that?

13 A Hard to see what he was doing, correct.

14 Q All right. So this is the master bedroom; correct,
15 where you stated that you took showers from time to time?

16 A Correct.

17 Q And so when you took showers, I assume, y'all had hot
18 water?

19 A Correct.

20 Q And when you took showers, that hot water would make
21 the shower door foggy, as you previously told Officer
22 Woods; correct?

23 A Partially. It was a big double door shower. And the
24 bathroom was always cold. So, you know, there wouldn't be
25 a whole lot of -- like, there would be steam some, but

1 not -- it was weird.

2 Q And you would agree that there were other bathrooms
3 in the house, other than the master bathroom; correct?

4 A Correct.

5 Q All right. And he didn't want you locking the door
6 to his master bedroom; is that right?

7 A Correct.

8 Q You call your dad "Randy." Why do you call him
9 Randy? Why don't you call him father?

10 A Because he's not my father anymore.

11 Q Okay. And the statements about taking a shower with
12 your older brother when he was two years old, remembering
13 things when you were two to three -- and you told the
14 officer that you remembered these. Is it possible that
15 your mother told you these stories?

16 A No. That's not possible.

17 Q All right. And so --

18 A I just misspoke about the ages.

19 Q Okay. So you misspoke about how old you were when
20 you were taking a shower with your brother?

21 A Correct.

22 Q And you misspoke --

23 A And it was a bath. It wasn't a shower.

24 Q And you misspoke about how old you were when you
25 remember wiping; correct?

1 A I don't know what you mean. Was it the --

2 Q Well, do you remember when you were two to three
3 years old, or do you not?

4 A I remember when I was three.

5 Q Okay.

6 A I don't have any memories previous.

7 Q All right. You previously stated that you did not
8 know when you would take showers. Do you remember that?

9 A I don't understand the context.

10 Q The officer asked you when you took showers and you
11 stated that you did not know exactly when you took
12 showers.

13 A I didn't know if I took them in the evening or the
14 morning.

15 Q Okay. You, also, said that Ian and Tim [sic] fixed
16 the bathroom upstairs and made it usable. Do you remember
17 that?

18 A Ian and him, yes.

19 Q And when did that occur?

20 A That occurred when I was in high school.

21 Q Okay. Before or after your father moved out of the
22 house?

23 A Before he moved out of the house, my freshman year.

24 Q So that would have been April of 2013; correct?

25 A That's when he moved out, but this was before that,

1 the year before. He moved out when I was a sophomore, so
2 this was about 2012.

3 Q All right. Your -- your testimony is that he moved
4 out in 2012?

5 A No. I'm saying they fixed the shower in 2012.

6 Q Okay. Thank you.

7 Your mother never caught Randy in the shower
8 molesting you in 2013 --

9 A He would never molest me in the shower. He would
10 only watch while we were showering.

11 Q Can I -- let me finish my question. Your mother
12 never caught your father while you were showering in the
13 shower in 2013 just before the parties separated; correct?

14 A I don't recall.

15 Q All right. And that's what -- that's what you told
16 Officer Woods in July of 2019; correct?

17 A Correct.

18 Q But you don't remember that?

19 A There wouldn't be anything for me to remember. I
20 mean, if I screamed for him to get out of the bathroom
21 while I was showering, that happened multiple times. She
22 never came into the room -- the bathroom while I was in
23 the shower. I couldn't see into the bedroom from the
24 shower.

25 Q Right. So your testimony would be that she never

1 caught Randy in the shower with you; correct?

2 A Correct. He never got in the shower with me.

3 Q All right. Do you remember when your mother told you
4 that she was horrifically abused?

5 A Yes.

6 Q And she -- you, specifically, told Officer Woods that
7 my sister and I talk. Which sister are you purporting to
8 there? Both of them? One of them?

9 A I was talking about [REDACTED].

10 Q All right. And you state this stuff happened to my
11 mom. What stuff?

12 A The same kind of things. From what I understand, she
13 was abused as well.

14 Q And you stated she was horrifically abused from age
15 eight to 22. And your dad got her out of there. Do you
16 remember that?

17 A Correct.

18 Q And then you thought that your dad may have targeted
19 her because she was already a victim. Do you remember
20 saying that?

21 A Correct.

22 Q All right.

23 A And it's still my personal opinion.

24 Q That he targeted your mother?

25 A Correct.

1 Q So that he could have foresight to abuse his
2 offspring at a later date, is that what you're --

3 A I don't know what his reasons were. But he got her
4 out of -- I don't know what he got her out of, but they
5 got married.

6 Q And did you know anything else about that?

7 A I only know the ages she was abused and by who.

8 Q And did she ever tell you if anybody was ever
9 charged?

10 A No, she didn't. She only told me after I told her.

11 Q Okay. And you knew that when Mr. Flower came to
12 South Carolina that he was here for a wedding and he was
13 here temporarily; correct?

14 A Correct.

15 Q And --

16 A I didn't know it was temporarily.

17 Q So you told her -- you told Officer Woods the reason
18 you did not report anything was because you thought he
19 would be in Spain for the rest of his life?

20 A He wasn't able to come back into the country without
21 getting arrested. And he did not come back for his
22 grandmother's funeral or her hundredth birthday. So I
23 didn't think he would ever come back to the country.

24 Q And why wouldn't he be able to come back into the
25 country without being arrested?

1 A Because he didn't pay child support, and that whole
2 Family Court situation.

3 Q Right. And were you aware that he was served with
4 paperwork in 2016 concerning not paying alimony?

5 A I'm not aware, no.

6 Q You're not aware that he was served with any
7 paperwork in 2016?

8 A No.

9 Q Are you aware that your father was on Facebook?

10 A He was on Facebook, yes.

11 Q And is that how you found out that your father
12 remarried?

13 A Yes.

14 Q And did your mother show you that?

15 A No. That was a different family member from his side
16 of the family who showed me.

17 Q All right. So you would agree that steps were made
18 to hold him in contempt for failure to pay child support
19 and alimony?

20 A Correct.

21 Q And you would agree that you knew if he came back
22 into the country, he would be arrested on a bench warrant
23 for failure to pay those; correct?

24 A Correct.

25 Q And do you remember telling Officer Woods, This is

1 our chance to get him. You can testify and no one else
2 will have to. We thought my testimony would be enough.
3 Because I was under the age of 11 when it happened, and
4 everything. So without my testimony, it wouldn't be
5 enough. But now -- we're thinking now if I could have to
6 testify and [REDACTED] has to.

7 Why wouldn't it be enough if you aren't under the age
8 of 11?

9 A I don't remember what the situation was at the time.

10 Q Well, you stated, We thought my testimony would be
11 enough because I was under the age of 11 --

12 MS. OWEN: Your Honor, I'm going to ask that
13 Mr. Kornfeld give her the context from the previous
14 discussion with the officer so she will know exactly what
15 context he's asking about.

16 THE COURT: If you would, Mr. Kornfeld, let her know
17 what you're referring to and what the statement was.

18 BY MR. KORNFELD:

19 Q I'm referring to the July 9th, 2019 interview with
20 Officer Woods in which you, specifically, stated to her --
21 you were talking to her about why you didn't report this
22 before.

23 A Okay.

24 Q And then you told her, This is our chance to get him.
25 Do you remember that?

1 A I don't -- I don't, no.

2 Q Well, I can try and refresh your memory if we need
3 to.

4 MS. OWEN: Mr. Kornfeld, did you take a written
5 transcript of what was said?

6 MR. KORNFELD: I have --

7 THE COURT: Let's address it up here -- or, I mean,
8 to me. Don't address him individually.

9 MS. OWEN: I apologize.

10 (WHEREUPON, a bench conference was held.)

11 BY MR. KORNFELD:

12 Q Ms. Flower, I'm going to try and give you some
13 context so you can remember this interview that you had
14 with Officer Woods on July 9th of 2019.

15 A Okay.

16 Q So I believe Officer Woods was asking you about
17 pressing charges and whether or not you were comfortable
18 with doing so. Because there would be a possibility that
19 you would have to testify.

20 A All right.

21 Q And that's when you told her, Yeah, when my mom told
22 me the other day, you know, this is our chance to get him.
23 You can testify and no one else would have to. We thought
24 my testimony would be enough because I was under the age
25 of 11. Do you remember that?

1 A Yes.

2 Q Why did it matter to you and, possibly, your mother
3 why -- if you were under the age of 11?

4 A Why did it matter to me?

5 Q Yes.

6 A Because I didn't want him to get out of jail.

7 Q What would the difference be between if you were 11
8 or another age?

9 A It's the age of -- I don't know. Are you asking me
10 what happens at that age of 11?

11 Q Well, you didn't just come up with that 11 on your
12 own, did you?

13 A No. That's the age of the first degree.

14 Q Okay. So you made yourself familiar with that law?

15 A I was told it when I was with the Solicitor -- not
16 the Solicitor, but the investigator.

17 Q All right. And so you wanted to make sure that your
18 testimony would be enough; correct?

19 A Enough so I didn't have to have my sisters testify
20 with me.

21 Q Okay.

22 A I believe that was the context that I didn't want
23 them to have to do this. But I don't know why it wasn't
24 enough. I don't remember that, but...

25 Q All right. You realize in your interview with

1 Officer Woods that you stated, I don't remember, at least,
2 37 times?

3 A Can you give me the context, please? What was her
4 question?

5 Q I said, do you realize that you said I don't
6 remember, at least, 37 times during your interview?

7 A Yes. But what was her question?

8 Q Well, one would be concerning the audio alleged porn.
9 And you said, I don't remember seeing a lot, like, male
10 and female.

11 A Okay.

12 Q And then when asked about how much whiskey and ice he
13 would put with it, you said I don't remember how much. Do
14 you remember that?

15 A Yes.

16 Q And then you said, I don't remember a lot of beer
17 being in the house?

18 A Correct.

19 Q And you said concerning oral sex, I don't remember
20 how many times. I think three maybe, but I don't
21 remember.

22 A I had three memories. But I didn't remember how many
23 more times it had happened.

24 Q Okay. And you said concerning Greenville Classical
25 Academy, he had a teaching job there. I don't remember

1 anything happening in the quiet room.

2 A There was a quiet room where he taught. And that's
3 where the English -- I don't remember.

4 Q Okay. And then you said concerning ejaculation. I
5 don't remember, I think it was late one night, maybe it
6 was at night and everyone was asleep. I don't know where
7 they were.

8 Do you remember saying that?

9 A Yes.

10 Q Concerning porn watching, you said, I don't remember
11 the days of the week, but it would have had to have been
12 after I was done with school?

13 A That's correct.

14 Q You, also, stated that you don't remember when I
15 would take showers?

16 A Correct. I don't know what time of day I took
17 showers.

18 Q Okay.

19 A It wasn't --

20 Q Concerning watching you in the shower, you said, I
21 don't remember it when I was little. I think I took baths
22 when I was little.

23 A I was referring to very little. I took baths when I
24 was little. But I don't -- I didn't take showers until I
25 could by myself.

1 Q Concerning a block out, you said, I don't remember
2 this, but my sister told me about it and I guess I blocked
3 it out.

4 A That was a specific instance of him when he came
5 through my window upstairs in my bedroom. And I've
6 explained that to Ms. Owen.

7 Q Okay. But you stated at the time in 2019 that you
8 guessed that you blocked it out; correct?

9 A Correct.

10 Q All right.

11 A I know what happened.

12 Q All right.

13 A I walked to -- he came through the window. I hid in
14 the bathroom.

15 Q And in this house on Main Street, how did he get
16 upstairs?

17 A He climbed through the roof. There's a spot on the
18 roof at the back door where you can jump onto the roof.
19 We would do it all the time as children. It wasn't hard.
20 And you could climb up to the windows of the second story.
21 And I didn't lock my windows.

22 Q And when was this? What year?

23 A That was after he had moved out.

24 Q All right. Do you remember what year it was?

25 A I believe it was 2013, 2014. But I don't know what

1 time of year.

2 Q All right. Concerning the word fellatio, you said, I
3 think he typed it in the computer once, but I don't
4 remember him saying it?

5 A Correct.

6 Q Concerning when your dad moved out, I don't remember
7 when he moved out?

8 A That had been a really stressful point. And I didn't
9 remember what time of year he moved out.

10 Q Okay.

11 A I know now.

12 Q When asked about how often he had you touch him, you
13 said, I don't remember how often I did that?

14 A It was so often I couldn't keep count.

15 Q Concerning the shower incident, you said, I don't
16 remember it being me. I don't remember that happening. I
17 would have heard.

18 A I would have heard if my mom came in screaming. I
19 don't remember. That's correct. I don't remember her --

20 Q Okay.

21 A -- that incident where she supposedly came in.

22 Q All right. Concerning the massager, I guess he
23 taught me how. But after that, I don't really remember
24 him being around?

25 A Not while I used it, no.

1 Q All right. You talked about the tub there and that a
2 tub was added. When was the tub added?

3 A When we remodeled the bathroom.

4 Q And when was that?

5 A I don't know the year.

6 Q And upstairs -- or when you shared the bedroom with
7 ██████████ and ██████████, was the bedroom downstairs? Do you
8 remember testifying to that?

9 A The bedroom downstairs, yes.

10 Q Yes. And your testimony was during these sexual
11 assaults and molestations that nobody woke up; correct?

12 A Correct.

13 Q The circular shower that was in some of the exhibits
14 in the pictures here, that shower had a curtain around it;
15 correct?

16 A I don't know what circular shower you're referring
17 to.

18 Q What's been marked as State's Exhibit No. 20, this
19 bathtub right here?

20 A Okay.

21 Q This had a curtain around it when Mr. Flower lived
22 there, did it not?

23 A I -- it might have. I don't -- it did. It was
24 jimky [phonetic].

25 Q Okay. Thank you.

1 And as I understand you correctly, the alleged --
2 some -- when you were five years old, these alleged sexual
3 assaults at the time, at least, your testimony is that
4 they felt good; is that correct?

5 A Correct.

6 Q Where were your siblings when these assaults were
7 occurring?

8 A Which assaults? The ones in the bedroom?

9 Q Any assault -- the one that happened upstairs that
10 you allege when you were 10 or 11. Where were your
11 sibling during that one?

12 A I had my own room. They either -- they were either
13 in bed or -- I don't know. Sometimes --

14 Q Was it not hot up there during the day?

15 A It was.

16 Q All right. Did you go up there during the day, even
17 though it was hot?

18 A Sometimes.

19 Q Did your father go up there during the day?

20 A Sometimes.

21 Q Did your mother go up there during the day?

22 A Sometimes. And that was only in the summertime it
23 would get hot.

24 Q Your father was never charged with DUI; correct?

25 A I'm not sure.

1 Q You don't know of any instance of when your father
2 was charged with a DUI, do you?

3 A I don't know.

4 Q All right. You never went to a doctor to express
5 pain or injury concerning any of the allegations that
6 you've made today; correct?

7 A Correct.

8 Q All right. Previously, you stated that your mom had
9 MS; is that correct?

10 A I don't know.

11 Q Well, you stated that to Officer Woods.

12 A She had the symptoms of MS, but she's better now. So
13 I don't know if it is MS or not.

14 Q Well, you told Officer Woods that she was cured? Do
15 you remember that?

16 A She thinks she was cured of MS. I don't know if she
17 was or not.

18 Q Do you know that she would be the first known person
19 to be cured of MS if that were the case?

20 A Yes. It's not curable, I know. That's why I say I
21 don't think it --

22 Q And you live with your mother now?

23 A Correct.

24 Q And you're a realtor; correct?

25 A Correct.

1 Q And your mother is a realtor; correct?

2 A Correct. We work together. We're on a team.

3 Q Uh-huh. And do you -- are you financially reliant on
4 your mother?

5 A No.

6 Q Does she pay -- does she pay -- or does she pay the
7 mortgage at the house?

8 A She pays the mortgage at the house, yes.

9 Q So do you not consider that, at least, a financial
10 benefit to you?

11 A Not when I help her.

12 Q Okay. When did you get your first phone, Ms. Flower?

13 A I got my first phone for a Christmas gift. Because
14 I, actually, got left a few times at places. So I got a
15 phone as a Christmas gift that year after -- I don't
16 recall the year.

17 Q Was it 2012, December?

18 A No. That's the year I got my first iPhone. I do
19 remember that, but I had a flip phone before then.

20 Q Okay. And you got your first iPhone when you were in
21 Minnesota; correct?

22 A Correct.

23 Q And you took that trip with your then father;
24 correct?

25 A Correct.

1 Q All right. And this is when you just testified that
2 everything was so bad. Yet, you went on a trip with him
3 to Minnesota alone; correct?

4 A Correct. My mom wanted me to be with my grandma for
5 Christmas. She thought it would help my mental health.

6 Q And do you remember -- the closet that you stated
7 that you were hiding in when your father masturbated in
8 the room that was close by --

9 A Correct.

10 Q -- was there a door on that closet?

11 A There was not.

12 Would you like me to explain how I hid?

13 Q No.

14 When you drank the whiskey that time, were you
15 living -- or was your room upstairs?

16 A Correct.

17 Q How did you get upstairs after drinking all that
18 whiskey?

19 A I don't know.

20 Q Did you previously tell Officer Woods that your dad
21 never carried you up the stairs?

22 A I don't recall.

23 Q Would you agree that the stairs in your 1916 house
24 are very narrow and treacherous?

25 A No.

1 Q Would you agree that they're narrow?

2 A No. We can get furniture up and down them all the
3 time.

4 Q Are these the stairs in State's Exhibit No. 46 in
5 your house?

6 A Correct.

7 Q And your testimony is that those are not narrow
8 stairs?

9 A I've seen narrower.

10 Q Are they as easy to get up as modern stairs?

11 A I think so.

12 Q Okay. But you don't recall how you got up the stairs
13 that night that you had all those -- that you had that
14 whiskey drink?

15 A No.

16 Q Who was your pediatrician?

17 A Dr. Bergman [phonetic].

18 Q All right. And did you go to Dr. Burglund, at least,
19 to get yearly physicals?

20 A I don't remember how much we would go to him. I
21 remember a few times, I went to him. But I don't know how
22 often I would go.

23 Q Okay. What -- you stated that this computer that
24 your father got was a Mac; correct?

25 A An Apple computer, yes.

1 Q Okay. Is that the only computer that you had in the
2 house?

3 A No, it wasn't.

4 Q What -- what other computers did you have in the
5 home?

6 A I believe we had a little computer at one time, but
7 that one broke. Before we had, you know, like, those big
8 clunky computers. But I don't remember when we got rid of
9 that.

10 Q Okay.

11 A There might have been a computer in between, like,
12 one of those Windows laptops. But I don't remember what
13 kind it was.

14 Q Do you remember on July the 9th, 2019, when your
15 mother was in the interview room with you and Officer
16 Woods left to go get a cup of coffee?

17 A Correct.

18 Q And do you remember that your mother started
19 whispering to you?

20 A Correct.

21 Q And do you remember that your mother told you what to
22 tell the officer?

23 A Can I explain?

24 Q I'm just asking -- yes, you can explain, but I'm
25 asking --

1 A Yes. I remember that.

2 Q Okay. Now, you can explain.

3 A She came in -- she came in to tell me about the --
4 whatever hearing they had had previously. And then she
5 wanted to remind me about all the times I had been scared
6 of him. And I said this to Ms. Owen, so I should say it
7 here.

8 A lot of the times, my mom will go in circles when
9 she talks. And my best strategy is to agree, yes, ma'am,
10 agree and let her continue talking until she's done. And
11 then I get on with what I need to do.

12 Q And then do you remember that she, specifically,
13 stated to you in a whisper, I'd say when he would come up
14 the stairs, I would hide under the bed?

15 A She was talking about [REDACTED]. And I was nodding. And
16 I said, That's not me, but okay.

17 Q And then she said, I didn't have my glasses and so
18 it's a little bit blurry when it's in the distance. I
19 don't have to burn it into my vision?

20 A I don't know what that means.

21 Q Do you -- I understand that. But do you remember her
22 saying that to you?

23 A My mother?

24 Q Yes.

25 A No. I don't think -- I don't know what that means.

1 MR. KORNFELD: Approach?

2 (WHEREUPON, a bench conference was held.)

3 BY MR. KORNFELD:

4 Q So if I understand you correctly, you do remember
5 your mother coming in and whispering, but you don't
6 remember what I just stated to you before we had the
7 sidebar?

8 A Yes. I don't understand the context of it.

9 Q Okay.

10 A If that's what she said, I don't remember what she
11 was saying.

12 Q All right. And when did you first become aware that
13 your father was no longer paying child support and
14 alimony?

15 A When we found out that he had left the country.

16 Q And was that on August 10th of 2015?

17 A I believe so, but I'm not sure of the date.

18 Q All right. And do you have any idea how much alimony
19 and/or child support your father was paying to your
20 mother?

21 A I don't.

22 MR. KORNFELD: Thank you, Ms. Flower.

23 No further questions.

24 THE COURT: All right. Any redirect?

25 MS. OWEN: Just one brief question, Your Honor.

1 REDIRECT EXAMINATION

2 BY MS. OWEN:

3 Q [REDACTED] is everything you told this jury today what
4 happened to you as a child?

5 A It is.

6 MS. OWEN: I have no further questions.

7 Thank you.

8 THE COURT: Any recross?

9 MR. KORNFELD: No, Your Honor.

10 THE COURT: All right. You may step down.

11 All right. Ladies and gentlemen, we're going to end
12 for the day. So I'm going to excuse you until tomorrow
13 morning until 9:30. And we'll get started back at 9:30.

14 As I have told you, please, don't discuss the case
15 until I give you the case at the end of the trial.

16 I hope everybody has a good night. And we'll see you
17 in the morning.

18 (WHEREUPON, the jury was excused from open court at
19 approximately 5:15 p.m.)

20 THE COURT: All right. Anything before we adjourn
21 today?

22 Just for scheduling purposes -- and I allow lawyers
23 to try their cases as much as they want. So I'm not
24 asking this for any reason other than just to kind of get
25 an idea. Does it look like maybe Friday -- it will go

1 into Friday.

2 MS. OWEN: Your Honor, I anticipate -- I'll be
3 honest, I didn't anticipate this long for today. But I do
4 anticipate we'll be finishing up either tomorrow afternoon
5 or, most likely, Thursday morning.

6 THE COURT: Okay. Any -- yes, sir.

7 MR. KORNFELD: I think it's going to go into Friday
8 morning, to be honest with you, Judge.

9 THE COURT: The testimony will go into Friday?

10 MR. KORNFELD: I think so. And I think that I would
11 like for, obviously, the jury to get this at noon or
12 around there on Friday. Otherwise, it's not going to be
13 great. But that's what I think, Your Honor.

14 THE COURT: All right. I maybe should have had them
15 come in at 9:00 tomorrow, but all right. Well, let's
16 start then right off the bat at 9:30.

17 THE BAILIFF: Your Honor, they haven't left yet.

18 THE COURT: Is 9:00 all right with y'all?

19 MS. OWEN: Sure.

20 MR. KORNFELD: 9:00 is fine. That way we can get it
21 going.

22 THE COURT: Yeah. See if you can bring them back on
23 out.

24 (Pause.)

25 THE BAILIFF: Yes, sir. That's good.

1 THE COURT: Okay. 9:00.

2 (WHEREUPON, the proceedings were concluded at
3 approximately 5:17 p.m., to be reconvened on
4 Wednesday, January 11, 2023.)
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1 WEDNESDAY, JANUARY 11, 2023

2 THE COURT: Anything before we bring the jury in?

3 MS. OWEN: No, Your Honor.

4 MR. KORNFELD: No, Judge.

5 THE COURT: All right. Let's bring them in.

6 (WHEREUPON, the jury came into open court at
7 approximately 9:27 a.m.)

8 THE COURT: Good morning.

9 I apologize. As they say, the best laid plans often
10 go awry. My intentions to get us going at 9:00 -- we had
11 a logistical issue that came up. And so that prevented us
12 from starting. So everything has now been resolved and
13 we're ready to proceed.

14 So I hope all of you had a good night.

15 All right. Ms. Owen.

16 MS. OWEN: Thank you, Your Honor.

17 The State would call [REDACTED] to the stand.

18 THE CLERK: Please pause at the end of the bench.

19 Raise your right hand.

20 WHEREUPON,

21 [REDACTED],
22 after first having been duly sworn, testified as follows:

23 THE CLERK: Thank you.

24 Please be seated.

25 Please state your name for the record.

1 THE WITNESS: [REDACTED].

2 THE COURT: Ms. Flower, if you'll pull that
3 microphone up and make sure you talk into it.

4 Okay. Thank you.

5 THE WITNESS: Thank you.

6 DIRECT EXAMINATION

7 BY MS. OWEN:

8 Q Good morning, [REDACTED].

9 How are you?

10 A I'm -- I'm nervous.

11 Q Understandably so.

12 Can you, please, tell the jury a little bit about
13 yourself? How old you are. What you're doing currently.

14 A So I'm 22 years old. And I'm a mechanical engineer
15 student at Clemson. This semester is my -- my first
16 semester doing a co-op study with a company that's close
17 to Clemson. And I'm working there as a manufacturing
18 engineer.

19 Q How is that going so far?

20 A It was good. I had my first three days last week.
21 And I'm really enjoying it so far.

22 Q And you'll graduate with what degree?

23 A A Bachelor's in Science of Mechanical Engineering.

24 Q From Clemson?

25 A Huh?

1 Q From Clemson?

2 A From Clemson.

3 Q Obviously, you're in college now. Where did you grow
4 up?

5 A I grew up in Fountain Inn, South Carolina.

6 Q Who lived at your home?

7 A My -- my mom and dad, my older brother, Ian, and my
8 sisters, [REDACTED] and [REDACTED].

9 Q And what's the age difference between you and your
10 siblings?

11 A My brother is five years older than me. And my older
12 sister is about two and a half years older. And my little
13 sister is about two years younger.

14 Q What was the address of the house you grew up in?

15 A It's 404 North Main Street, Fountain Inn.

16 Q And can you tell the jury a little bit about growing
17 up, what you did for schooling?

18 A So up until -- through my second year of school, I
19 was home schooled by my mom. And we would go to a home
20 schooling co-op called Classical Conversations. And --
21 but during those years, my mom would -- she would be
22 teaching us.

23 And then my third and fourth grade, I went to a
24 private Christian school called Greenville Classical
25 Academy. And then from then on, fifth grade, I went into

1 my local public schools.

2 Q Okay. And, [REDACTED], did your parents come from
3 religious backgrounds?

4 A They do.

5 Q And did you go to church growing up?

6 A I did.

7 Q What churches did you attend growing up?

8 A Up until I was eight, I went to Woodruff Road
9 Presbyterian Church. And after that, my -- my dad started
10 playing the organ at a different church, at Aldersgate.
11 And my mom took me and my siblings to Palmetto Hills
12 Presbyterian.

13 Q Did your parents work when you were growing up?

14 A Yes.

15 Q What do you recall about your mom working?

16 A I remember my mom used her interior design that she
17 got in her undergrad. And she had design jobs where she
18 would redecorate people's homes. And she would take me
19 along to some of her jobs. So I got to see what she did
20 sometimes.

21 Q And what about your dad? Do you recall him working
22 some?

23 A He -- he played the organ at Woodruff Road
24 Presbyterian and Aldersgate. And he, also, taught piano
25 lessons to kids my age and older. This was -- we had a

1 grand piano. So the lessons were taught in our home.

2 Q And at some point, did your dad quit working and go
3 to school?

4 A In 2008, he started -- he started going down to
5 Columbia to the University of South Carolina and -- to get
6 his doctorate.

7 Q Okay. And he did that for several years; is that
8 correct?

9 A Yes. He was doing that for three years. And then
10 the last year, it was to write his dissertation in 2012.

11 Q And financially, how were things at your home growing
12 up?

13 A Things were very hard. I remember most of my clothes
14 were handed down from my older sister, ██████████. And I
15 usually handed those down to my little sister, ██████████. And
16 I remember my -- my shoes wouldn't fit. And I -- sorry.

17 I remember we -- we didn't have a lot of things that
18 weren't necessary. Like, I -- I rarely had anything that
19 was new. Like, the toys I got when I was little, they
20 were usually given to us from friends or family.

21 Q Those things aren't necessarily indications of a poor
22 family; correct?

23 MR. KORNFELD: Your Honor, objection. What's her
24 relevance in this?

25 THE COURT: What's the relevance, Counsel?

1 MS. OWEN: Your Honor, what I was going to ask next
2 was the condition of the home and the way the home was.

3 THE COURT: I'll allow you to ask her about the
4 condition of the home, the description of the home. But
5 I'll sustain the objection to the other testimony.

6 MS. OWEN: Thank you, Your Honor.

7 BY MS. OWEN:

8 Q [REDACTED], could you describe the condition of the
9 home a little bit?

10 A I -- I remember vividly how run down our detached
11 garage was. There was an upstairs loft area where it
12 wasn't safe for us to go up there. The flooring and,
13 also, the staircase, and the siding of the garage was
14 rotting.

15 The upstairs bathroom that -- it was not -- it was
16 not functioning. We weren't allowed to use it. And there
17 were, also, things like our bedroom doors -- or our
18 upstairs bedrooms not having doors.

19 Q And, [REDACTED], what do you recall about there being
20 rules in your home?

21 A There were a lot of -- a lot of rules we had to
22 follow. A few of them revolved around my dad's working
23 from home. When there were piano lessons going on, we
24 were supposed to either stay upstairs and be quiet or be
25 outside playing. And we weren't allowed to go through the

1 living room, which is where the staircase was. But there
2 were...

3 Q What was life like inside your home?

4 MR. KORNFELD: Your Honor, again, I'm going to object
5 to relevancy.

6 THE COURT: I'm going to allow -- I'm going to see
7 where it goes. I'm going to allow you to lay some
8 foundation. I'm going to overrule right now and see where
9 it goes.

10 MS. OWEN: Thank you, Your Honor.

11 THE WITNESS: Things were scary and confusing for me
12 at home. I -- I felt safest when I was with my mom or my
13 siblings. And so we sort of -- we all stayed together
14 during the day, especially when we were all being home
15 schooled.

16 And things were hard, too, because it was very
17 turbulent. Like, my mom, she was sick a lot. And it was
18 just all a confusing process. So I, a lot of times,
19 didn't know what was going on in the home.

20 BY MS. OWEN:

21 Q And when you said you felt safest with your mom and
22 siblings, why is that?

23 A I felt safest because they wouldn't hurt me. And I
24 trust them.

25 Q Growing up, did you receive any type of punishment?

1 A Yes. I would -- the punishment in my house growing
2 up was to get spanked. When my mom did it, she was very
3 weak and it didn't hurt. But when my dad did it, it hurt
4 a lot. And I don't remember -- I don't remember it
5 leaving me bruises, but I remember my sisters were
6 bruised.

7 And so I -- I would keep track of how many times
8 everybody was getting punished. And I wanted to make sure
9 nobody was, you know, getting too many. And I -- I would
10 take the fall for my siblings. I would take the blame and
11 take their punishment so they didn't have to.

12 Q And, [REDACTED], in regards to the spankings, were
13 there other factors in the home that made you scared?

14 A Can you repeat the question?

15 Q Sure. Other than spankings, were there other factors
16 in the home that made you scared?

17 MR. KORNFELD: Your Honor, I'm going to object.
18 Again, relevancy.

19 THE COURT: I'll allow it right now. Overruled.

20 THE WITNESS: When I was younger before I started
21 school, I -- I was scared of being alone with my dad
22 behind a closed door.

23 BY MS. OWEN:

24 Q Why is that?

25 A Because he would molest me.

1 Q Can you, please, tell the jury about that?

2 A He would -- he would molest me when -- when I needed
3 help wiping in the bathroom and at night when -- at night
4 when I was sleeping.

5 Q I want to go to the bathroom comment you just made.
6 Can you, please, explain to the jury a little bit about
7 what you are saying?

8 A I remember multiple times, he would -- when I called
9 for some -- one of my parents to help me, he would come in
10 and he would close the door, which usually the doors were
11 supposed to stay open. And he had me bend over all the
12 way so that my chest was touching my knees. And he would
13 put one hand on my back and he would stick his fingers in
14 my vagina.

15 Q And this was when you needed help going to the
16 bathroom -- or cleaning up in the bathroom? Was there a
17 particular bathroom this happened in or more than one?

18 A It happened in the main bathroom in between the TV
19 room and the room that my sisters had shared during the
20 time.

21 Q I'm going to show you what's been pre-marked as
22 State's Exhibit Nos. 19, 20, 21, and 22. Could you review
23 those for me?

24 A Yes.

25 Q What are those?

1 A These are photographs of that main bathroom.

2 Q Okay. I'm going to put these up on the screen.

3 A Okay.

4 Q And there's a screen there and a TV behind you.

5 Is this the bathroom you were just describing,

6 [REDACTED]?

7 A Yes.

8 Q Okay. [REDACTED], this is State's Exhibit No. 19. Can
9 you see that?

10 A I can.

11 Q Is that the door you're describing --

12 A Yes.

13 Q -- that would be closed?

14 And then this is State's Exhibit No. 20. It's not,
15 obviously, the best photograph. But I'm going to put
16 State's Exhibit Nos. 20 and 21 beside each other. Is this
17 kind of the layout of the bathroom?

18 A Yes.

19 Q Okay. And I know it's hard to see, but could you
20 point out where the toilet is in this photograph on
21 State's Exhibit No. 20?

22 A It's right there.

23 Q In the corner?

24 A In the corner.

25 Q And this is, also, State's Exhibit No. 22. It's a

1 more far away picture, but is that the bathroom?

2 A Yes. That's -- the photograph is taken in what was
3 our childhood bedroom, the room that me and my sisters
4 shared looking into the bathroom.

5 Q Okay. And in this bathroom, you said this is where
6 you would go to the bathroom when you were younger?

7 A Yes.

8 Q And you needed help sometimes?

9 A Yes.

10 Q Approximately, how old were you when this started?

11 A Two years old.

12 Q You think you were two years old?

13 A (There was no verbal response.)

14 Q Two would seem young to have this kind of memory.
15 Can you explain to the jury why you have this?

16 A Why I have this memory?

17 Q Yes.

18 A I don't understand the question.

19 Q What circumstances around this would make it so
20 memorable to you that you would be able to tell people
21 about this today?

22 A (There was no response.)

23 Q Let me rephrase. Do you recall your mother potty
24 training you like this?

25 A No.

1 Q Is there a reason these memories stick out to you?

2 A It -- there are times where -- there are times where
3 I'll have flashbacks back to it. And it's like my
4 environment is all around me. And I go back to that time.
5 And I can feel everything.

6 Q And, [REDACTED], you needed help potty training
7 starting around age two. How long did this last? I know
8 you said you remember this happened several times. How
9 long did that last?

10 A Until I was around four.

11 Q Is that when you stopped being helped with potty
12 training?

13 A Yeah, I stopped asking.

14 Q And, [REDACTED], did anything further happen, other
15 than the potty training instances with your father?

16 A In this bedroom at night, it would, also, happen.

17 Q I'm going to show you what's been pre-marked as
18 State's Exhibit Nos. 24 and 23.

19 A Okay.

20 Q Do you recognize those?

21 A I do.

22 Q Does this look the way it did when you were young?

23 A No.

24 Q But it is the same room?

25 A It is.

1 Q This is State's Exhibit No. 23. Is this the room
2 you're referring to?

3 A It is.

4 Q And State's Exhibit No. 24 is just another angle; is
5 that correct?

6 A Yes.

7 Q Can you tell the jury a little bit about how this
8 bedroom was laid out when you were young?

9 A Yes. So we had two twin beds for my older sister,
10 [REDACTED], and I. And then a toddler bed for my little
11 sister, [REDACTED]. My bed in this room was positioned the
12 same way that bed currently is against the wall on the
13 right. And my older sister's bed was positioned on the
14 wall to the left where the vanity is. And then my little
15 sister's bed was against the wall in between the two
16 windows.

17 Q How long were you in this room?

18 A We stayed in this room until [REDACTED] was able to climb
19 up and down the stairs. So we moved up when -- when I was
20 about four or I had just turned five.

21 Q Did anything happen in this room?

22 A It did.

23 Q Can you, please, tell the jury what happened in this
24 room?

25 A At night, I would wake up to seeing my dad standing

1 in the doorway of the bedroom. And he walked over to my
2 bed and pulled over my covers and pulled down my pajama
3 pants. And he would stick his fingers in my vagina.

4 Q [REDACTED] how old were you when this happened?

5 A I was between two and four. It would happen multiple
6 times.

7 Q And was this always at night?

8 A It was.

9 Q Did anyone ever wake up?

10 A I -- I never looked over at my sisters to see if they
11 were awake. I tried to stay quiet so I wouldn't wake
12 them.

13 Q When this was occurring, did he say anything to you?

14 A I don't remember him ever saying anything to me.

15 Q Did you ever say anything?

16 A No.

17 Q [REDACTED], did this occur one time or more than one
18 time?

19 A More than one time.

20 Q And did it always occur in this bedroom?

21 A Yes.

22 Q And you stayed in this bedroom until you were four or
23 five; is that correct?

24 A Yes.

25 Q And did this go on until you moved out of that

1 bedroom?

2 A Yes.

3 Q [REDACTED], I'm going to ask you about some other rooms
4 in the house. Okay.

5 A Okay.

6 Q When you were growing up, did your parents drink
7 alcohol?

8 A My dad did.

9 Q Can you tell the jury about that?

10 A There would be the normal wine glasses at dinner.
11 And I remember starting around 2008, he started drinking
12 more regularly, liquor, and stuff like that, to the point
13 where it was an almost every night thing.

14 Q What was your dad like when he was drinking?

15 A He wasn't as predictable. Sometimes, I remember him
16 being calm, composed. And sometimes, he was loud and
17 scary.

18 Q Is there a particular room in the house that y'all
19 called the TV room?

20 A There is.

21 Q Would you spend time with your dad in there?

22 A I did.

23 Q I'm going to show you what's been premarked as
24 State's Exhibit Nos. 25 through 30. Do you recognize
25 those?

1 A I do.

2 Q What is that?

3 A That is the -- what we call the TV room.

4 Q State's Exhibit No. 30, is this the entrance to the
5 TV room?

6 A That is.

7 Q Does this room look anything like it did when you
8 were growing up, like, the same furniture?

9 A No.

10 Q This is State's Exhibit Nos. 25 and 27 put together
11 to make a little more of the same room. This might,
12 actually, be an easier one, State's Exhibit Nos. 27 and
13 28. What did this room used to be using those
14 photographs?

15 A Where the orange bench is, there was an eight-foot
16 sofa. And in the photograph on the right edge of it,
17 there is a door to the bathroom that we don't use and we
18 didn't use at the time. But there was a small blue
19 armchair there. And to the right of that blue armchair
20 was a large desk. To the right of the door on the inside,
21 we had the TV.

22 Q I'll show you State's Exhibit No. 26, is that where
23 the TV would have been?

24 A Yes, where the chair is.

25 Q Okay. Did anything in this -- happen in this room

1 that made you feel uncomfortable with your dad?

2 A Yes.

3 Q Can you tell the jury about that?

4 A I would sit with him while watching TV, usually,
5 Seinfeld or the Big Bang Theory. And he wanted me to sit
6 close next to him. But he would have his arm wrapped
7 around me. And he would rub my thigh, my upper thigh.

8 Q Did this happen one time or more than one time?

9 A More than one time.

10 Q How long did that last? Through what ages? I'm
11 sorry.

12 A Up until -- up until he left the house in 2013.

13 Q Do you recall how old you were when he left?

14 A I was a month away from turning 13.

15 Q Did your dad sit in here and drink alcohol sometimes?

16 A He did.

17 Q Did he ever give you alcohol?

18 A He did.

19 Q And, [REDACTED], your parents bedroom is on this floor,
20 the first floor; correct?

21 A Correct.

22 Q And was their room close to this room?

23 A It was.

24 Q I'm going to show you what's been pre-marked as
25 State's Exhibit Nos. 31 through 45. Do you recognize

1 those?

2 A I do.

3 Q What are they?

4 A That is the master bedroom and bathroom that my
5 parents shared.

6 Q I'm going to show you State's Exhibit No. 31. Is
7 that the entrance to the bedroom from the hallway?

8 A It is.

9 Q And what's that room behind it right here?

10 A Through the second door?

11 Q Yeah.

12 A That is the closet.

13 Q Okay. And then this is State's Exhibit No. 32, also,
14 the bedroom?

15 A It is.

16 Q Is that an entrance to the closet or the bathroom?

17 A That's the entrance to the hallway.

18 Q I'm sorry, the hallway. And State's Exhibit No. 33,
19 is that the entrance to the bathroom that you see in the
20 second doorway?

21 A It is.

22 Q [REDACTED], when you were growing up, was there a room
23 that you had to shower in more frequently or bathe in more
24 than others?

25 A Yes.

1 Q Can you tell the jury about that?

2 A The shower upstairs didn't work, so we had the claw
3 foot tub in the main bathroom and my parents shower to
4 use.

5 Q And did you, initially, bathe in the bathtub?

6 A I did when I was younger.

7 Q And then, eventually, did you have to start
8 showering -- or did you start showering?

9 A I did.

10 Q Where did you shower?

11 A I showered in my parents shower.

12 Q I'm going to show you what's been marked as State's
13 Exhibit No. 42. What is that?

14 A That is my parents shower.

15 Q And the bathroom, is the layout the same as it used
16 to be growing up?

17 A It is.

18 Q Have things changed a little bit?

19 A They remodeled it when I was young. And I didn't
20 really go in there before they remodeled it. So I really
21 only remember it looking like that.

22 Q Okay. And this is the shower you showered in growing
23 up?

24 A It is.

25 Q Can you describe for the jury any inappropriate

1 things happening in that bathroom?

2 A The only door to my parents bedroom and bathroom was
3 the main door to the hallway. It had a lock on it.
4 The -- the doorway between the bedroom and bathroom and
5 bedroom and closet were just curtains. And I wasn't
6 allowed to lock the door to the bathroom when I showered.

7 Often when I was showering, my dad would come into
8 the bathroom and say he needed to grab something. And he
9 would look at me through the mirror in front of the sink
10 or he would sit on the side of the tub and watch me
11 shower.

12 Q [REDACTED], State's Exhibit No. 39, is that the mirror
13 that you're referring to?

14 A It is.

15 Q State's Exhibit No. 40 is the bathtub?

16 A It is.

17 Q And this is a blurry photo, but State's Exhibit
18 No. 41 is the bathtub in the left bottom corner?

19 A It is.

20 Q And the shower?

21 A Yes.

22 Q [REDACTED], approximately, how old were you when this
23 started?

24 A I started showering when I was seven or eight. And
25 that is when I remember it starting.

1 Q How often did this happen?

2 A Very often. Almost every time I showered.

3 Q How often did this go on for?

4 A Until he moved out in 2013.

5 Q Did you do anything to try to prevent him from seeing
6 you in the shower?

7 A The towel -- towel hooks on the glass shower, I would
8 hang a towel over it and duck down and wait for him to
9 leave. Or I would stand in the right corner of the shower
10 and try to hide behind the wall until he left.

11 Q And you said you weren't allowed to lock the bedroom
12 door; is that correct?

13 A Yes.

14 Q What would happen if you did?

15 A I would get yelled at. It was very scary.

16 Q [REDACTED], in your father's bedroom -- did he have a
17 massager?

18 A He did.

19 Q Did anyone in the house get massages?

20 A Yes.

21 Q Tell the jury about that.

22 A My dad would ask me for massages in the evenings when
23 I was a little older. And he would lay on his stomach in
24 his bed with no clothes on and just -- just a top sheet
25 over him. And I would have to sit on his back and massage

1 him with my hands or the massager.

2 Q And he had no clothes on under the sheet?

3 A No.

4 Q And you used the back massager occasionally?

5 A I did.

6 Q Approximately, how old were you when this -- these
7 events occurred?

8 A I remember it started when I was around -- around
9 seven. And it went on until I was 11 or 12, when I told
10 him I didn't want to do it anymore.

11 Q And, [REDACTED], you said that your dad was under the
12 sheet with no clothing on. Was it normal for you to -- to
13 see your dad with either no clothing or minimal
14 clothing?

15 A Yes.

16 Q Can you tell the jury a little bit about that?

17 A He would -- he would walk around in the evenings with
18 no clothes on. And it would be around, like, his bedroom
19 or the whole suite and the door would be open. So if I
20 went in there, I would see him naked.

21 Q And when you refer to the "suite," you mean their
22 bedroom?

23 A Yes. My parents bedroom and the closet.

24 Q So you're not alleging he was walking around the
25 whole house naked, just in his room sometimes?

1 A I don't remember him ever walking around the house
2 naked.

3 Q Just in his bedroom is what you're referring to?

4 A Yes.

5 Q And, ██████████, you said later on, like, 2008, your
6 dad went to school; is that correct?

7 A Yes.

8 Q And did he have a special computer for school?

9 A He had a MacBook.

10 Q Were you all allowed to use it sometimes?

11 A Yes, when he wasn't using it.

12 Q Can you tell us about that?

13 A So he would leave it at the end of the table in the
14 dining room. And that's, also, where he would work on it.
15 But when it was just left there, we were -- we were
16 allowed to use it.

17 Q Did you ever see anything inappropriate on that
18 computer?

19 A I did. If I went on to his web browser, there would
20 be tabs open of porn and images of naked women.

21 Q He didn't ever show that to you, but that would be on
22 the computer; is that correct?

23 A Correct.

24 MR. KORNFELD: Objection. Leading.

25 THE COURT: Sustained.

1 BY MS. OWEN:

2 Q [REDACTED], the last few years -- I'm sorry. You
3 moved, you said previously, from the downstairs bedroom to
4 upstairs; is that correct?

5 A Correct.

6 Q And did you share a room with anyone upstairs?

7 A Yes. My little sister and I, we shared a bedroom.

8 Q And how old were you when you moved upstairs?

9 A I was about four, maybe I had just turned five.

10 Q And when you were in that room, did you ever notice
11 anything unusual in your room?

12 A I had a twin bed up there with a pink comforter with
13 hearts embroidered on it. And there were times where I
14 would go up in my room after being away playing outside
15 with my siblings and I would find a wet spot on my
16 comforter. I didn't know what it was at the time, but it
17 was white and sticky. I know now that that's semen.

18 Q You didn't know that back then, did you?

19 A I didn't.

20 Q And you never saw anything happen to your comforter,
21 this is just what you recall now?

22 A Yes.

23 Q And, [REDACTED], the last few years that you lived --
24 or that Randy was living in your home, your dad, what was
25 it like living there?

1 A The last few years?

2 Q Yes.

3 A I felt like a burden on my parents financially. And
4 I tried my hardest to stay out of the way and to be as
5 perfect of a child as I could be. And...

6 Q [REDACTED], did you have friends over very often?

7 A Yes. My -- my sister -- my little sister, [REDACTED], we
8 were good friends with Mary Elise, who lived down the
9 street.

10 Q And Mary Elise, she would come over sometimes?

11 A Yes.

12 Q Did she ever witness anything at the home?

13 MR. KORNFELD: Objection. Hearsay.

14 MS. OWEN: I'm sorry, Your Honor. Let me --

15 THE COURT: Sustained.

16 MS. OWEN: I'll rephrase.

17 BY MS. OWEN:

18 Q Was she there with you and [REDACTED] playing sometimes?

19 A Yes.

20 Q Was there ever a time when the Defendant came home
21 and scared all of you --

22 MR. KORNFELD: Objection. Hearsay.

23 BY MS. OWEN:

24 Q -- scared you, [REDACTED]?

25 THE COURT: Overruled.

1 THE WITNESS: There was a time where Mary had been
2 over for a few hours and my dad had been gone all day.
3 And his yellow Volkswagon bug pulled in the driveway. And
4 I kind of panicked. But my little sister, she -- she hid
5 Mary Elise in the TV room under the desk behind the door.

6 And when my dad came in the house, he was very loud
7 and very angry. It was so scary. And I was embarrassed
8 that Mary was seeing him. I didn't want anything to
9 happen to her.

10 BY MS. OWEN:

11 Q [REDACTED], do you recall approximately what age you
12 were when your dad moved out of the home?

13 A I was about a month away from turning 13.

14 Q What do you recall about [REDACTED] in those years? What
15 were your observations of what she was like?

16 A I really worried about her. I -- I remember I
17 dedicated one of my notebooks to being a therapist for her
18 and my other siblings. I thought I wanted to go into
19 psychology, because I wanted to -- I wanted to help her.

20 Q Now, you say this, did you know anything was going on
21 or just based on what you were observing?

22 A Just from how I saw she changed in the last couple of
23 years.

24 Q When you say she changed, what kind of changes were
25 you observing?

1 A She started playing screamer music at night when I
2 was asleep. And she kind of stopped hanging out with me.
3 And she -- she started cutting. And there were times
4 where -- that happened after. But she -- she started
5 being just hostile to everybody in the family. She would
6 sharpen her nails to a point. And I was just scared I was
7 losing my sister.

8 Q But you never had a conversation about what was going
9 on, these were just your observations; is that correct?

10 A I didn't want to push on her. I didn't feel like --
11 I didn't feel like -- like she'd be willing to talk to me
12 if I -- if I asked her what was going on.

13 Q And what about [REDACTED] during those years, do you
14 recall what she was like?

15 A [REDACTED] started really getting in trouble at school.
16 When I was about 10 years old in fifth grade, I moved out
17 of our shared room upstairs. I moved downstairs into what
18 was, originally, our shared bedroom.

19 And so we sort of grew apart, too. But I remember
20 she -- in the fifth grade, she got in trouble --

21 MR. KORNFELD: Objection. This would be hearsay.

22 THE COURT: Sustained.

23 BY MS. OWEN:

24 Q [REDACTED], at some point -- and we don't need to go
25 into a lot of details, but was there a weekend where [REDACTED]

1 had to leave your home?

2 A There was.

3 Q Do you know where she went?

4 A I remember she went to Mary's house.

5 Q Mary Elise?

6 A Mary Elise.

7 Q And you said you were just shy of 13 when your
8 parents separated; is that right?

9 A Yes.

10 Q Did you know your dad had moved out?

11 A I -- it was almost a full week before I started
12 asking around the house where he had gone. And they
13 all -- they all laughed at me because they said he had
14 gone that previous week --

15 MR. KORNFELD: Objection. Hearsay.

16 THE COURT: Sustained.

17 BY MS. OWEN:

18 Q [REDACTED], do you know where he went? Where did he
19 move to?

20 A He moved to his parents condo.

21 Q And did you go visit him at his parents condo?

22 A Yes, me and my little sister.

23 Q [REDACTED]

24 A [REDACTED].

25 Q Were you the only two that went to visit?

1 A Yes. I was -- I was old enough that I could chose
2 not to go, but I didn't want ██████ going alone.

3 Q And did you over the years and going to visitation
4 ride with your dad in the car?

5 A I did.

6 Q Did anything inappropriate happen that made -- or did
7 anything happen that made you feel uncomfortable in the
8 car?

9 A Yes. We -- he would touch my thigh with his hands
10 and caress it.

11 Q And did that happen one time or more than one time?

12 A More than one time.

13 Q And was that through a time you did visitation?

14 A It was.

15 Q Eventually, did your parents get divorced?

16 A Yes.

17 Q What happened after they officially got divorced?
18 Did you see your dad again?

19 A No.

20 Q Do you know where he went?

21 A He went to Spain.

22 Q Did you have much contact with him?

23 A No.

24 Q Would you say that your relationship with your dad
25 was different than that of what you observed with him and

1 your siblings?

2 A Yes.

3 Q What was your home like after he moved out?

4 A Could you repeat the question?

5 Q Sure. What was your house like after he moved out?

6 A It was really peaceful. And it was quiet because
7 there wasn't fighting like there used to be.

8 Q What about the actual condition of the house when he
9 left?

10 MR. KORNFELD: Objection. Relevance.

11 THE COURT: Sustained.

12 MS. OWEN: Thank you, Your Honor.

13 BY MS. OWEN:

14 Q [REDACTED], after he left, how did you feel personally?

15 A After he left in 2013?

16 Q Yes.

17 A I stopped hiding in my closet in the afternoons. And
18 I wasn't scared to walk around the house. My -- my older
19 sister started talking to me more.

20 Q [REDACTED], had you told anyone, at that time, about
21 what had happened to you when you were younger with your
22 dad?

23 A No.

24 Q Had you told anybody the things he had done through
25 the years that made you feel uncomfortable?

1 A I told Mary a few things. We would take walks around
2 town a lot together. And that's when we talked a lot.
3 And I told her -- I remember telling her about how he
4 would -- how he would touch my thigh a lot.

5 Q And, [REDACTED], you didn't, actually, tell her
6 anything about the penetration; correct?

7 A No.

8 Q You hadn't told anybody that?

9 A I didn't.

10 Q Why didn't you tell your mom?

11 A I thought dad's were allowed to do that. And I
12 didn't have the words for it.

13 Q What made you decide to come forward?

14 A Since 2015 to 2019, I feel like those are the
15 years -- I feel like those are the only years of my life
16 that I knew he was -- I really felt safe. When I found
17 out he came back into the country, I was terrified.

18 Q [REDACTED], when you, initially, went to the police
19 station, did you tell them everything you've just told
20 this jury today?

21 A No.

22 Q Can you explain to them why not?

23 A Because I had never -- I had never told anyone about
24 it, not my siblings and not my mom. And there was just no
25 way for me to get the words out.

1 Q Were there things you said to them like not that I
2 remember, instead of no?

3 A Yes.

4 Q Can you explain why you did that?

5 A I said not that I can remember, instead of no
6 because -- I said I don't remember, instead of no because
7 I didn't want to -- I felt like I'd be lying to myself.

8 Q [REDACTED], I think we can all observe that it takes
9 you some time to get some of these answers out. Can you
10 explain to the jury why that is?

11 A Sometimes, it takes me a while to answer because
12 I've -- I've spent my whole life not talking about this
13 and keeping it shut. And it's like it feels like my words
14 have to pass through a filter. And I have to -- I have to
15 fight with those filters to get the words out.

16 Q [REDACTED], has anyone told you what to say today?

17 A No.

18 Q Has anyone put you up to this?

19 A No.

20 Q Has anyone given you an idea that you need to be
21 making things up?

22 A No.

23 Q You swore an oath to tell the truth; correct?

24 A Correct.

25 Q Is everything you just told this jury the truth?

1 A Yes.

2 MS. OWEN: I have no further questions.

3 THE COURT: All right. Cross.

4 CROSS-EXAMINATION

5 BY MR. KORNFELD:

6 Q Ms. Flower, did you stay at the home of your mother
7 last night?

8 A I did.

9 Q And were both of your sisters there last night?

10 A Yes.

11 Q And was your mother there last night?

12 A Yes.

13 Q And are you, and your mother, and your two sisters on
14 a text chain thread together?

15 A Yes.

16 Q And do y'all talk about this case with them?

17 A No.

18 Q You don't talk about this case at all?

19 A We don't talk about what happens in this courtroom.

20 Q Okay. Before that, did you talk about this case?

21 A Can you be more specific?

22 Q On the text thread that you have with your mother and
23 two sisters, did you ever talk about the allegations of
24 molestation that you're alleging here today?

25 A I'm not sure. I don't remember.

1 Q Well, do you remember that when you went to the
2 police station on July 6, 2019, that you were on a text
3 message with your mother and two sisters?

4 A Yes.

5 Q All right. And at that time, did you talk with your
6 mother and sisters through text about the sexual
7 allegations?

8 A I don't remember.

9 Q You don't remember?

10 A I don't remember what texts we sent that day.

11 Q All right. And you don't remember if you've ever,
12 actually, talked to them about this allegation through
13 text messages?

14 A Correct.

15 Q All right. And the Fountain Inn Police Station on
16 July 6, 2019, your mother scheduled that appointment with
17 the Fountain Inn Police Department; correct?

18 A I believe so.

19 Q And she brought all three of you girls up there;
20 correct?

21 A Correct.

22 Q And you wrote a statement that day; correct?

23 A Correct.

24 Q And is this your statement that you wrote that day?

25 A Yes.

1 Q And is that your signature at the bottom?

2 A It is.

3 Q All right. And you, also, gave a statement in an
4 interview at that time; correct?

5 A I did.

6 Q And in that statement that day, you stated, I cannot
7 recall any memories from before the age of five?

8 A Correct.

9 Q But here in front of this jury today, you told them
10 you remember things from the age of two?

11 A Correct.

12 Q Do you truly believe that you remember what happened
13 when you were two years old?

14 A Yes.

15 Q And you don't believe anybody told you what happened
16 when you were two years old?

17 A Could you repeat that?

18 Q And you don't believe that anybody told you what
19 happened to you when you were two years old?

20 A Nobody told me what happened to me when I was two
21 years old.

22 Q All right. Would you agree that it's a miracle that
23 you could remember what happened when you were two years
24 old?

25 A A miracle?

1 Q Yes. It is extremely uncommon that you would
2 remember anything from when you were two years old?

3 A It's uncommon I have another memory from when I was
4 two unrelated to the case.

5 Q All right. And do you know anybody else that has any
6 memories from the age of two years old?

7 A I'm not sure.

8 Q Okay.

9 A I don't ask people about that.

10 Q Okay. And you testified to some things here that you
11 didn't state on your interviews with Officer Woods;
12 correct?

13 A Could you say that again?

14 Q You testified to things here today that you did not
15 tell Officer Woods when she interviewed you; correct?

16 A Are you saying, specifically, in the first interview,
17 or both?

18 Q Both.

19 A I'm not sure.

20 Q All right. Well, when asked if Mr. Flower, your
21 father, ever went below your clothes, you said, Not that I
22 recall. Do you remember that?

23 A In the first interview?

24 Q Yes.

25 A Yes.

1 Q And then when asked if he ever touched your vaginal
2 area, you said, Never. Do you remember that?

3 A I do.

4 Q And do you remember that when asked about oral sex,
5 you said, No?

6 A Correct.

7 Q And do you remember when you were asked if he ever
8 talked about sexual encounters with others in front of
9 you, you said, No?

10 A Correct.

11 Q But here today, you're now saying that you remember
12 when you were two. You've never said that before;
13 correct?

14 A In the --

15 Q In any interviews you've had, you've never said that;
16 isn't that true?

17 A In both interviews?

18 Q In both interviews.

19 A Could you repeat that?

20 Q I can repeat it.

21 A Okay.

22 Q You've never said in either of the interviews with
23 Officer Woods you've had that you remember from the time
24 you were two -- as a matter of fact, you said you didn't
25 remember anything before the age of five?

1 A I said that in the first interview.

2 Q So you're saying that this is the first time that
3 you're stating that you remember anything from the age of
4 two; is that correct?

5 MS. OWEN: Objection, Your Honor. Permission to
6 approach?

7 (WHEREUPON, a bench conference was held.)

8 THE COURT: What's the basis of your objection,
9 Ms. Owen?

10 MS. OWEN: Your Honor, I believe that there is some
11 misleading.

12 THE COURT: All right. Your objection is overruled.
13 BY MR. KORNFELD:

14 Q In your interview on July 6th, you told Officer Woods
15 that you didn't have any memories from before the age of
16 five; correct?

17 A Correct.

18 Q All right. And now, your testimony is that you do
19 have memories from the time you were two; correct?

20 A Correct.

21 Q All right. And you already said your parents
22 separated in 2023 [sic] --

23 A No.

24 Q -- and then your mother and father divorced. Do you
25 remember what year they divorced?

1 A They separated in April 2013. And they got divorced
2 in the spring of 2015, I believe.

3 Q All right. And do you remember that your mom was
4 excited about the fact that Randy was arrested for failure
5 to pay child support and alimony?

6 A Are you talking about --

7 Q On July 6th.

8 A In 2019?

9 Q Yes.

10 A I think we were all relieved.

11 Q All right. And you learned of that through your
12 mother; correct?

13 A Correct.

14 Q All right. And did you know how much money your
15 father was paying in alimony and child support to your
16 mother?

17 A No.

18 Q All right. And how much money was your mother making
19 in 2013?

20 A I don't remember.

21 Q How much money was your mother making in 2015 when
22 your parents divorced?

23 A I don't remember.

24 Q Was it more than \$200 a month?

25 MS. OWEN: Objection. I don't know how she'd know

1 that. Speculation.

2 THE COURT: Yeah. I'll sustain, unless you lay some
3 foundation.

4 MR. KORNFELD: Okay.

5 BY MR. KORNFELD:

6 Q What did your mother do for a living after she and
7 your father separated?

8 A She met a realtor, who was blind and needed help,
9 needed somebody to drive her to showings. And my mom
10 became friends with her. And this woman helped my mom get
11 into real estate. And they -- they worked together.

12 Q And when did this start?

13 A They -- I don't know the exact date that my mom
14 was -- started real estate.

15 Q Do you know if it was in 2013?

16 A I'm not sure.

17 Q Okay. When do you recall the first time that your
18 mother got a job after she and your father separated?

19 A My mom was working before they separated.

20 Q All right. And what was she doing before they
21 separated for a job?

22 A I don't remember all the -- I don't remember all the
23 work that she did. I remember there was a time where she
24 was working as sort of a front desk or secretary for a --
25 a car repair place.

1 Q Okay. How often did she work there?

2 A I'm not sure. I remember I would spend afternoons
3 there after school in middle school.

4 Q Okay. Did she ever work nights there?

5 A I don't remember how late she would stay.

6 Q Okay. What other jobs did she have?

7 A I remember she still had a few jobs with the interior
8 design.

9 Q Okay.

10 A And I remember there -- selling supplements, or
11 something.

12 Q Okay. How many odd jobs did she have doing interior
13 design? Do you remember that?

14 A I don't remember how many, the numbers.

15 Q Was she gone every day of the week, Monday through
16 Friday?

17 A When, specifically, are you talking?

18 Q I'm talking about when your parents separated in 2013
19 to --

20 A So after my dad left?

21 Q Yes.

22 A I had been talking about before when they were still
23 together.

24 Q Okay. We can talk about that, too, if you'd like,
25 before that time. Do you remember?

1 A I just wasn't sure what you were talking about.
2 During those years, I was -- I wasn't very connected with
3 the family. And I wasn't keeping up with what everybody
4 was doing.

5 Q But you did all live in the same house on Fountain
6 Inn -- Main Street?

7 A We did.

8 Q And your house was fairly modest; correct?

9 A Correct.

10 Q And you would see everyone in the family every day
11 when you were living together; correct?

12 A Most of the time --

13 Q So do you not remember how much your mom was working?

14 A No. I spent most of my time in my room with my door
15 closed.

16 Q Okay.

17 A My -- my house had a lot of -- a lot of separate
18 small rooms and doorways. And it's -- it was easy to not
19 see people for hours.

20 Q All right. And when questioned about when -- you
21 stated that your dad rubbed your thigh, you stated this
22 was on top of your clothes; correct?

23 A Correct.

24 Q All right. You took a shower -- you talked about
25 taking showers in the master bedroom. And that shower had

1 a shower pane; correct?

2 A A glass shower pane?

3 Q Yes.

4 A Correct.

5 Q And did you have hot water in your house?

6 A Yes.

7 Q And did you take showers and turn the hot water on?

8 A (There was no verbal response.)

9 Q Did you take hot showers, warm showers, cold showers?

10 A Warmish to coldish. I can't handle a lot of heat.

11 Q And would that cause the shower pane to fog up when
12 you took a shower?

13 A I remember one of the panes fogs up and then the
14 other one didn't as much.

15 Q Okay. And so when it fogged up, you wouldn't be able
16 to see through the shower pane; correct?

17 A I can see him.

18 Q All right. And when asked about whether or not your
19 dad ever touched you while you were showering on July 6th,
20 you denied that; correct?

21 A I'm sorry. Can you repeat the question?

22 Q When you were asked about whether your dad touched
23 you while you were showering in the interview on July 6th,
24 you denied that; correct?

25 A Correct.

1 Q And you stated previously that you would give your
2 dad back rubs up until the age of eight. Randy would have
3 me rub his back. Do you remember saying that?

4 A In one of the interviews?

5 Q Well, in your statement and your interview, but, yes.
6 Do you remember writing that?

7 We'll go this way. You wrote, Up until the age of
8 eight, Randy had me rub his back. Do you remember that?

9 A If it's in my statement, then --

10 Q Well, I'll show it to you. This is your statement.
11 Is this what you wrote?

12 A It is what I wrote.

13 Q And did you give both of your parents back rubs?

14 A I know I was feeling sick.

15 Q So the answer is, yes, you did?

16 A Yes, sir.

17 May I clarify?

18 Q Go ahead.

19 A Thank you.

20 It would -- I remember it would either be me sitting
21 criss cross in front of her with her sitting in front of
22 me and me rubbing her shoulders, or she would sit on a
23 pillow on the floor and I would sit on the couch with my
24 legs criss cross in front of her shoulders.

25 Q And when you gave your dad these back rubs in his

1 room, isn't it true that your mom was sometimes present?

2 A I'm not sure. I don't remember.

3 Q You can't remember if she was in there or not, that's
4 your testimony?

5 A Yes.

6 Q Okay. And -- but you do remember that there was
7 always a sheet covering him when you gave him back rubs?

8 A Yes.

9 Q And you stated he would be naked?

10 A Yes.

11 Q How do you know he was naked if he had a sheet on top
12 of him?

13 A Because I watched him climb into the bed.

14 Q Okay. And when you say he was naked, did he have
15 boxers on when he got in or not?

16 A Not.

17 Q No boxers. So he would get in naked and then put a
18 sheet over and you would give him a massage is your
19 statement?

20 A Yes.

21 Q All right. Isn't it true that your mom and dad
22 usually slept in the same bed?

23 A Yes.

24 Q And usually when your dad would get up from sleeping,
25 your mom was, also, there; correct?

1 A I believe so. Are you saying, like, when they were
2 asleep in --

3 Q Yes. That's correct.

4 A I would be in my own bed.

5 Q All right. And I thought you stated that you gave
6 him massages in the evenings?

7 A Correct.

8 Q So in the evenings, would your dad go to bed before
9 you did or would you go to bed before your dad did?

10 A I was -- I was -- I would usually go to bed before my
11 dad did.

12 Q All right. So he would get in the bed, have you give
13 him a massage while he was in the bed, and then you would
14 go to bed and then later on, he would go to bed?

15 A Could you repeat all that?

16 Q Yes.

17 A Thank you.

18 Q You stated previously that you went to bed before
19 your dad; correct?

20 A Correct.

21 Q But you, also, stated that you gave your dad back
22 rubs at night; correct?

23 A Correct.

24 Q And you stated that these would happen in he and your
25 mother's bed; correct?

1 A Correct.

2 Q So I'm just trying to clarify. After you would give
3 him back rubs in his bed, you would go to bed before he,
4 actually, went to sleep; is that correct?

5 A Correct.

6 Q All right. And you stated that this -- now, you
7 stated that the computer was a Mac. Do you remember in
8 your first interview, you stated this was a Dell computer?
9 Do you remember that?

10 A Before 2008, we had a Dell desktop.

11 Q All right. Did you have your own computer log-in for
12 that?

13 A I don't remember. I think -- I don't remember using
14 that computer very often. I was pretty young to be using
15 the computer then.

16 Q Did you tell Officer Woods that you all had your own
17 computer log-in and password?

18 A Is that in my statement?

19 Q It is. But I'm asking if you remember it.

20 A I don't remember saying that, but if that's in my
21 statement...

22 Q Okay. When you are not attending school, do you
23 still reside at the 404 North Main Street home?

24 A Before I went to Clemson?

25 Q Yes.

1 A Correct.

2 Q Do you go there on -- when you have breaks from
3 school, do you come home?

4 A I do.

5 Q Okay. And you agree that your mom was primarily a
6 stay-at-home mom during your parents marriage; correct?

7 A I don't remember how many -- how many design jobs she
8 had, but she was stay-at-home raising children.

9 Q All right. And you told Officer Woods that if you
10 got on the computer that you would only get in trouble if
11 you touched some of the tabs on the computer. Do you
12 remember saying that?

13 A Are you talking about the MacBook?

14 Q Yes.

15 A Yes. I wasn't supposed to touch his tabs.

16 Q All right. And you described this as porn -- were
17 these porn photos, porn videos, what kind of -- what
18 medium was this? You haven't said before, I don't
19 believe.

20 A Sometimes, it was a video that was paused. And
21 sometimes, it was in the form of, like, Google images
22 where it was multiple different photos of naked women.

23 Q Okay. And let me ask you about the Family Court
24 action. Are you aware that your parents came to a joint
25 custody agreement concerning you on June the 7th of 2013?

1 A I am aware.

2 Q Okay. And are you aware that your father, also, had
3 joint decisionmaking concerning child care for you?

4 A I am -- I'm aware.

5 Q All right. And he had joint decisionmaking
6 concerning extracurriculars and agreed to regular
7 visitation. Are you aware of that?

8 A Yes.

9 Q All right. And do you know that that was never
10 modified, the custody arrangement was never modified?

11 A Yes.

12 Q All right. And --

13 A Can I clarify?

14 Q Are you aware that your father quit paying alimony
15 when he left the country in 2015?

16 A Yes, I'm aware.

17 Q And you became aware of that shortly after he left
18 the country; correct?

19 A Yes.

20 Q And you became aware that your dad was in Spain;
21 correct?

22 A Correct.

23 Q And that he remarried; correct?

24 A Correct.

25 Q All right. So you didn't make any of these

1 allegations until after all of those things, you would
2 agree with that; correct?

3 A Correct.

4 Q All right. And the fact that your dad wasn't paying
5 support to your mom or paying child support, how did that
6 make you feel?

7 A I was worried about how we were going to not lose our
8 house.

9 Q You were angry at him for not paying child support
10 and alimony, weren't you?

11 A I wasn't angry about that.

12 Q Okay. Were you upset with him for leaving the
13 country?

14 A No.

15 Q Were you worried about how your mom was going to
16 financially make it with all of you kids with her income?

17 A Yes. There was a lot of different emotions --

18 Q All right.

19 A -- that contradicted each other, I felt.

20 Q All right. And after your father left the country,
21 isn't it true that you and he communicated after that
22 time?

23 A Yes.

24 Q And that occurred in about May of 2016, did it not?

25 A It did.

1 Q And you, actually, had a nice conversation with him,
2 did you not?

3 A I did.

4 Q As a matter of fact, you reached out to him in May of
5 2016, and you said, Hey, I just want to say happy
6 birthday; correct?

7 A Correct.

8 Q And you, also, told him that you were going to
9 Anita's, and then Friday, my friends and I are going to
10 the zoo after school?

11 A Correct.

12 Q And then he told you, I'm very proud of the young
13 lady you are becoming.

14 And you said, Thank you so much. Also, look, I just
15 made a mask of my face; correct?

16 A Correct.

17 Q And this is a man that you just stated on direct that
18 you were just completely afraid of; correct?

19 A Correct.

20 Q And a man that you went to visitation on because you
21 said you knew you didn't have to go, but you didn't want
22 your younger sister to have to go by herself, so you went
23 with her?

24 A Correct.

25 Q And you reached out to him on Facebook to talk to him

1 because -- even though you were afraid of him; correct?

2 A Correct.

3 Q And you, also, talked, about school and said, I'm
4 going to second period, so I have to go.

5 And then he told you that he was just thinking about
6 you. I love you. I hope your 16th birthday is wonderful.

7 And you responded, Thanks. Thank you. I miss you,
8 too.

9 Isn't that what you told your father?

10 A It is.

11 May I clarify?

12 Q You can clarify on redirect. Right now, I'm going to
13 ask you questions about this.

14 A Yes, sir.

15 Q He then says, Please know you can call or text me any
16 time.

17 And you said, Of course. I've missed talking to you.

18 I want to hear all about how your life is going. I'm
19 so glad we connected.

20 To which you responded, Me too. Well, I'm doing
21 pretty good and so are my grades. I'm taking two college
22 classes and two honors courses next year, which is
23 exciting, I guess.

24 He responded to you on June 11th, 2016. That's
25 fantastic. I'm so proud of you for working hard through

1 these difficult few years.

2 Isn't that what he said?

3 A It is.

4 Q That's true. I just hope I won't be overworked next
5 year because that is a lot of work.

6 And then he said, I'm sure it is. I'm sure it's
7 tough academically.

8 And then you, also, told him, I'm watching Mulfinger
9 Studio for him downtown. You told him where you were at
10 the time that day; correct?

11 A Correct.

12 MS. OWEN: Your Honor, at this point, I'm just going
13 to object. She has not denied making any of these
14 statements. If there is some point that Mr. Kornfeld is
15 making --

16 MR. KORNFELD: She's not --

17 THE COURT: What's the basis of your objection?

18 MS. OWEN: Your Honor, I think that she has
19 already -- she's acknowledged that she's made these
20 statements.

21 THE COURT: Okay. But what's the basis?

22 MS. OWEN: Your Honor, I'm just going to object that
23 this is putting in a witness's prior testimony that -- her
24 prior statement that she's acknowledged making. I don't
25 know that he needs to continue reading the conversation.

1 THE COURT: I'll overrule.

2 BY MR. KORNFELD:

3 Q So you told him where you were that day. I'm
4 watching Mulfinger -- Mulfinger's Studio for him downtown;
5 correct?

6 A Correct.

7 Q And your father knew where Mulfinger's Studio was,
8 didn't he?

9 A I'm -- I'm not -- I don't know if he knew where it
10 was.

11 Q You knew that he knew who Mulfinger was, didn't he?

12 A Yeah. They were friends. That's how I knew him.

13 Q Okay. And you told him all of these things even
14 though you were scared to death of him?

15 A Correct.

16 Q You then said, also, I recognize this from my
17 childhood.

18 He says, It's one of your mentors. He responds, Yes,
19 that was Mr. Morton, my piano teacher in college. Also,
20 taught my dad and uncle.

21 Do you remember that?

22 A Yes.

23 Q Do you know that after your father left in 2015, that
24 in 2016, your mother served your father with contempt
25 papers? Do you know about that? It was for failure to

1 pay child support and alimony.

2 A I don't remember that, specifically, happening.

3 Q You would agree that after this, you didn't try and
4 talk with him anymore, did you?

5 A I did not.

6 Q And that's because your mom found out that you were
7 trying to talk with your father; isn't that true?

8 A I told her that he offered to take me to Spain for a
9 summer.

10 Q And she was against it, wasn't she?

11 A Yes.

12 Q And she didn't want you to have any contact with your
13 father, did she?

14 A She didn't want me to go to Spain.

15 Q And she didn't want you to have any contact with him
16 at all, did she?

17 A She didn't want me -- she didn't -- she didn't care
18 that I was talking to him. She didn't want me to go to
19 Spain with him.

20 Q All right.

21 A I told her why I was talking to him.

22 Q And you said she didn't want you to go to Spain.
23 That would lead me to believe that you did want to go to
24 Spain; is that correct?

25 A No.

1 Q No, you didn't want to go to Spain?

2 A I didn't.

3 Q Well, why -- why did that come up that she didn't
4 want you to go to Spain? What does that have to do with
5 anything?

6 A He was -- he offered to take me to Spain for the next
7 summer. And...

8 Q Your father had lived in Spain previous. As he was a
9 missionary family, he had lived there before; correct?

10 A That is correct.

11 Q He knew a lot about Spain; correct?

12 A Correct.

13 Q And was it your understanding that the offer to go to
14 Spain was to immerse yourself in that culture for a
15 summer?

16 A I imagine it was to see him.

17 Q Okay.

18 A But I -- I was --

19 Q So -- go ahead. I didn't mean to cut you off there
20 if you had something to say. Go ahead.

21 A I thought about seeing him again. It had been a long
22 time, I think a year maybe since I had last seen him when
23 I was talking to him.

24 Q Wait a minute. Wait a minute. Hold on. You said
25 you were so happy when he left, that things were so good

1 at the house. But you wanted to see this monster; right?
2 You wanted to see him; is that right? This man that you
3 just told this jury was so bad, you wanted to see him;
4 right? You wanted to see him again?

5 A I wanted to have a dad.

6 Q And you had one here, didn't you?

7 A My friends who had gotten divorced -- whose parents
8 had gotten divorced, they still had good relationships
9 with both of their parents. And they're --

10 Q You thought your dad may have betrayed you, didn't
11 you?

12 A Betrayed me?

13 Q Betrayed you. Abandoned you. You thought he might
14 have abandoned you when he moved to Spain with his new
15 wife; isn't that right?

16 A I felt cheated out of having --

17 Q You felt cheated. And by 2019, when he came back to
18 go to that wedding, you were going to make sure that you
19 weren't cheated anymore, weren't you?

20 A I didn't go to Spain because I was scared to see him
21 again. And that's why I blocked him on Facebook.

22 Q Not because of any conversations you had with your
23 mother?

24 A No. I told her about it.

25 Q Did you feel as though that your mother was jealous

1 of your dad's new wife?

2 MS. OWEN: Objection. Speculation.

3 THE COURT: Sustained.

4 BY MR. KORNFELD:

5 Q Was your -- let's talk about -- you stated that your
6 dad had quit working -- all but quit working around the
7 time of separation in 2013. Is that what your testimony
8 was?

9 A I remember over the years, there were fewer and fewer
10 piano students. Probably because everybody was going
11 through hard financial times. And he stopped doing that.
12 But are you talking about --

13 Q I'm talking about just before he left around 2012,
14 2013.

15 A His work at Aldersgate?

16 Q I'm talking about the fact you said he all but quit
17 working. So in 2013 when he was leaving -- let me ask you
18 this way, was he still working at Aldersgate?

19 A In 2013?

20 Q Yes.

21 A I'm not sure.

22 Q Do you know if he was teaching some classes at
23 Greenville Tech at the time?

24 A Yes.

25 Q All right. You didn't mention that before, did you,

1 about his classes at Greenville Tech that he was teaching?

2 A I had forgotten about it.

3 Q All right. And you stated you weren't allowed to go
4 through the piano room when your father was giving piano
5 lessons; correct?

6 A Correct.

7 Q But isn't it true you were allowed to go through
8 there as long as you were quiet and you didn't talk
9 through there, you could go through. You just couldn't
10 interrupt the piano lesson; isn't that true?

11 A I'm not sure. I just remember --

12 Q All right. And you stated your father had spanked
13 you. Did he spank you with his hand?

14 A It was different. Sometimes, he used his hand.
15 Sometimes, he used this about one-inch in diameter PVC
16 pipe.

17 Q Okay. And did your mom know about this PVC pipe
18 you're talking about?

19 A She did.

20 Q All right. Did she use the PVC pipe?

21 A Yes.

22 Q Okay.

23 A But it didn't -- it didn't hurt.

24 Q All right. You stated it didn't hurt. And that's
25 why you would try and take the blame for the others

1 because you felt that the spankings hurt others, but did
2 not hurt you; is that correct?

3 A When my dad was spanking me, it didn't leave bruises
4 on me.

5 Q Okay.

6 A But it left bruises on my siblings.

7 Q And you saw those bruises?

8 A I did.

9 Q And you never told anybody about those bruises?

10 A Other adults?

11 Q Anybody. I'm asking if you ever told anybody about
12 those bruises?

13 A I don't remember telling anybody.

14 Q Okay. Did you have a pediatrician at the time?

15 A Yes, I believe so. I don't remember his name.

16 Q Okay. Did y'all go to yearly checkups at the
17 pediatrician?

18 A I don't remember. I don't know if we went yearly.

19 Q All right. You would admit that the bathtub in the
20 upstairs had a curtain around it; correct?

21 A There was no bathtub upstairs.

22 Q Let me show which bathtub I'm talking about. Sorry.
23 The lower bathroom, which is State's Exhibit No. 20. This
24 bathtub right here.

25 A The claw foot tub.

1 Q It had a curtain around it when your father lived in
2 the home; correct?

3 A I remember I took my first shower in that claw foot
4 tub, so there was a curtain. But every other shower I
5 took was in the other one. And I believe they took it
6 down during that time.

7 Q All right. And you stated on direct that almost
8 every time you showered, your father watched; correct?

9 A Correct.

10 Q How was he able to be there every time you were
11 showering while he had all these other jobs?

12 MS. OWEN: Your Honor, I'm going to, also, object to
13 that. Speculation. I don't believe she can say where he
14 was.

15 THE COURT: I'll just ask you to rephrase the
16 question. I'll sustain that.

17 MR. KORNFELD: Okay.

18 BY MR. KORNFELD:

19 Q When you were taking these showers, you stated that
20 your father was there almost every time. So why did
21 you -- why did you -- so I can assume that you only took
22 showers when your father was at home; is that correct?

23 A I tried taking as few showers as possible.

24 Q Okay. But --

25 A I had go --

1 Q But you pretty much only took showers when your
2 father was home; is that correct?

3 A No.

4 Q All right. So you took showers when he wasn't home?

5 A Correct.

6 Q Did you take more showers when your father was home
7 or more when he wasn't?

8 A I couldn't be sure. There were six of us using one
9 shower. So I used it when I could.

10 Q All right.

11 A There were times where --

12 Q So if I hear you correctly, you're saying that you're
13 not sure if he watched you almost every time you took a
14 shower. Is that a fair assessment?

15 A It wasn't every time.

16 Q I know it wasn't every time, but I thought previously
17 you said almost every time. I'm trying to find out if it
18 was almost every time or only some of the time.

19 A What is your question?

20 Q I'm trying to find out -- previously on direct
21 testimony, you testified it was almost every time your dad
22 watched when you showered?

23 A Most of the time.

24 Q Now, you're saying you, also, showered when your
25 father was not around; correct?

1 A Correct.

2 Q And it sounded like you were unsure about the amount
3 of showers you took when he was there and when he wasn't;
4 correct?

5 A I'm sorry. I'm having trouble following this. Yeah,
6 there were times when he wasn't home when I was showering.

7 Q Okay.

8 A But I had three siblings and my mom, also, using that
9 shower. And we were away at school and there --

10 Q But then the other shower in your home became usable;
11 correct?

12 A I don't remember when, but correct.

13 Q So you had, at least, two showers that were
14 available; correct?

15 A Correct.

16 Q And you had a bathtub; correct?

17 A Correct.

18 Q All right. And you did not have a family showering
19 schedule, did you?

20 A No.

21 Q All right. So you could take a shower when you
22 deemed it appropriate for yourself when you were, at
23 least, eight years old; correct?

24 A Not always. There were lots of times where my sister
25 and I would come home from school and race to the bathroom

1 to see who could -- like, there was competition for
2 showering.

3 Q All right.

4 A So it wasn't always when I wanted to shower.

5 Q All right. And you said there would be wine glasses
6 at dinner. And that's because your mom drank wine;
7 correct?

8 A I'm not sure.

9 Q You can't remember if your mom drank wine?

10 A I know she had a lot of health issues, so she had to
11 stay away from a lot of things.

12 Q Okay.

13 A I don't remember her drinking very much.

14 Q Was one of her health issues MS?

15 A I was very young at the time. But from -- from what
16 I've been told later on, the symptoms showed like MS. But
17 she recovered from it. So it couldn't have been MS.

18 Q All right. So now, she -- so you don't think she had
19 MS?

20 A I mean, it couldn't have been.

21 Q All right. Do you know what she did have?

22 A When I was -- when she was sick with the symptoms?

23 Q Yes.

24 A No.

25 Q So as far as you know, they just stopped occurring?

1 A I remember she would go to a doctor in Florida and
2 she'd be better when she came back. And she would take
3 long trips multiple times.

4 Q And that doctor, was he, actually, a medical doctor?

5 MS. OWEN: Objection. Speculation.

6 MR. KORNFELD: I'm asking if she knows. She --

7 THE COURT: Overruled.

8 MR. KORNFELD: She may know, she may not.

9 THE WITNESS: I don't remember the doctor's name. I
10 don't know who he was.

11 BY MR. KORNFELD:

12 Q Did your mom ever take silver water?

13 A Do you mean if the water was silver?

14 Q Yes.

15 A Yes.

16 Q And do you know why she took silver water?

17 A No. I don't know what it does.

18 Q All right. Have you ever taken the silver water?

19 A Yes. It doesn't taste like anything. It's water.

20 Q Why did you take it?

21 A It could have -- like, when I had a cold or something
22 maybe. I don't remember.

23 Q Okay. Did you take it on your own? Did your mom
24 give it to you? How did you get the silver water?

25 A She would give it to me.

1 Q Okay. You'd agree that you only had one TV in the
2 entire home; correct?

3 A During what time?

4 Q The entire time that Mr. Flower -- Randy Flower lived
5 there; correct?

6 A No. That's not correct.

7 Q All right. When did you -- when did you get another
8 TV?

9 A We had this tiny little -- I don't know what they're,
10 actually, called, but they're -- the box TVs. It was
11 probably like an eight-inch screen that was upstairs. I
12 think we got it from maybe a family friend. I don't
13 remember where we got it, but --

14 Q Okay.

15 A But that -- it wasn't connected to cable, or
16 anything. So we couldn't watch, like, PBS and Judge Judy
17 on it.

18 THE COURT: Mr. Kornfeld, hold on just a --
19 Counsel, let me see you.

20 (WHEREUPON, a bench conference was held.)

21 THE COURT: All right. Ladies and gentlemen, we're
22 going to take a recess here. So I'm going to excuse you
23 back to your jury room. And, please, don't discuss the
24 case.

25 Thank you.

1 (WHEREUPON, the jury was excused from open court at
2 approximately 11:45 a.m.)

3 THE COURT: All right. We'll be in recess.

4 Ms. Flower, you're on the stand. So you're not
5 allowed to talk with anybody about your testimony.

6 We'll be in recess.

7 (WHEREUPON, a break was taken.)

8 THE COURT: Anything before we bring the jury back
9 in?

10 MS. OWEN: Just briefly, Your Honor. I would like to
11 address this before they come in so we wouldn't have to
12 take another break. In Mr. Kornfeld's cross of [REDACTED],
13 he's telling her that this is the first she's ever
14 mentioned this. And we approached. And I do have a copy
15 of the interview. And I have it pulled up if somebody --
16 if you want to review it. It's about two seconds where
17 she says, I must have been between two and four.

18 I know you said I could go into that on
19 recross [sic]. But is that going to be allowed on the
20 video since he has made it appear that this is the first
21 time she's ever said this in front of this jury.

22 THE COURT: Go back and -- was it in the interview
23 what was stated?

24 MS. OWEN: It's in the interview. It's an audio and
25 video recorded interview.

1 THE COURT: And refresh my memory on Mr. Kornfeld's
2 cross.

3 MS. OWEN: Mr. Kornfeld was asking her, Isn't this
4 the first time you've ever stated this happened when you
5 were two years old? And he asked her multiple times. And
6 she says that she believed she had said that before, but
7 she was unsure. And I objected because I said it was
8 misleading.

9 And when I go back through and look at the interview,
10 at minute 16 and 48 seconds on this interview after she
11 has discussed with the investigator about the digital
12 penetration in the bedroom, she -- she says, How old were
13 you?

14 She says, I was very young. I must have been between
15 two and four.

16 THE COURT: All right. Is that not something,
17 though, on redirect that you can say, Mr. Kornfeld was
18 questioning you about whether you said between two and
19 four. Let me show you on the interview here, do you not
20 say between two and four?

21 Can you do it that way?

22 MS. OWEN: Yes. I'm asking. I wanted to put this
23 out here so we don't have to -- the jury doesn't have to
24 leave.

25 THE COURT: You're, certainly, entitled to -- on

1 redirect with her to correct any misconception you had
2 with Mr. Kornfeld's -- you know, if you say it was
3 misleading, you can, certainly, correct that with that
4 identification of that statement or interview.

5 MS. OWEN: Thank you, Your Honor.

6 I just wanted to address it so they don't have to
7 keep coming back and forth.

8 THE COURT: All right. Anything else?

9 MS. OWEN: Not from the State, Your Honor.

10 THE COURT: From the Defense?

11 MR. KORNFELD: No, Your Honor.

12 THE COURT: All right. Bring them back in.

13 (WHEREUPON, the jury came into open court at
14 approximately 12:27 p.m.)

15 THE COURT: Mr. Kornfeld.

16 MR. KORNFELD: Thank you, Your Honor.

17 BY MR. KORNFELD:

18 Q Ms. Flower, you would agree that this house you lived
19 in on North Main Street in Fountain Inn is an old house;
20 correct?

21 A Correct.

22 Q And you would agree that in the house, there were
23 primarily hardwood floors; correct?

24 A Correct.

25 Q And you would agree that they -- when you walk on

1 floors that the floors creak to some extent; correct?

2 A Correct.

3 Q All right. And so when you testified on direct
4 earlier that your father would be in your doorway of your
5 bedroom, do you remember that?

6 A Yes.

7 Q And in your bedroom at that time, your older sister,
8 [REDACTED], was in the -- shared a bedroom with you;
9 correct?

10 A Correct.

11 Q And was [REDACTED] in the bedroom at that time?

12 A Yes.

13 Q Okay. And during this time, you would say that you
14 would wake up and he would see you -- or you would wake up
15 and see him in the doorway; correct?

16 A Correct.

17 Q And to your -- to the best of your knowledge, was
18 anybody else awake at that time?

19 A I don't know if anybody was awake.

20 Q All right. And I believe you said that he didn't say
21 anything to you to get you to wake up; correct?

22 A Correct. I don't remember him --

23 THE COURT: Counsel, hold on just a minute. Please
24 approach.

25 (WHEREUPON, a bench conference was held.)

1 BY MR. KORNFELD:

2 Q All right. I was asking you -- and how -- do you
3 know why you awoke?

4 A No.

5 Q Okay. And how big was this room that you and your
6 two sisters shared?

7 A I don't remember how big the room was. But it was
8 wide enough for the two twin beds and the length of the
9 toddler.

10 Q Was there ever a time when Mr. Flower lived in the
11 home when the main bathroom shower wasn't working
12 correctly?

13 A You said was there a time when he lived in the house
14 when the main shower didn't work?

15 Q Correct.

16 A That is true.

17 Q So at that time, you would have taken showers in
18 other rooms; correct?

19 A Correct, in my parents bathroom.

20 Q All right. When you stated that your father was in
21 his room -- he would be in his room and he wouldn't have
22 clothes on, where would your mother be?

23 A I don't know.

24 Q Did you ever state to your mother that your father
25 did not have clothes on in his room?

1 A Not that I can remember.

2 Q All right. And do you happen to remember on the Dell
3 with the different log-ins if you had your own log-in and
4 all your siblings had their own log-in, or if there was
5 just a child log-in?

6 A I -- I don't remember.

7 Q Okay. And the bed that you're talking about where
8 you stated that there was a wet spot on your bed that you
9 later came to know as I believe -- and if I'm stating it
10 wrong, you tell me -- but that this would have been
11 ejaculation; is that correct?

12 A That's correct.

13 Q And this was on your bed?

14 A Yes.

15 Q And when you would get in the bed, would this be
16 still of a wet manner, or what would be the consistency of
17 it?

18 A I don't remember getting into bed. I remember I sat
19 down and it was on my covers. But I just remember that it
20 was a weird texture and consistency that I had never seen
21 before.

22 Q Okay. And can you describe that texture and
23 consistency?

24 A It was thick and slightly sticky.

25 Q Okay. And so was it more of a liquid or a solid at

1 the time you discovered it?

2 A It wasn't solid. It was like residue on my hands.

3 Q Okay. So you touched it?

4 A I did.

5 Q And what did you do after you touched it?

6 A I -- at the time, I thought I must have spilled
7 something and forgotten about it, or my siblings spilled
8 something. And so I just wiped my hand off on my
9 comforter and forgot about it.

10 Q Okay.

11 A And I just went on.

12 Q And did your mom wash your sheets and comforters
13 primarily when your parents were together?

14 A I don't remember. I'm not sure who did the laundry.

15 Q Okay.

16 A I remember that we all had chores to do. But I don't
17 remember who was in charge of laundry. Like, I was in
18 charge of cleaning the floors.

19 Q Okay. And you don't remember -- okay. You talked
20 about that you felt like you were a financial burden on
21 your parents. What -- why did you feel as though -- that
22 way?

23 A Because children are expensive. I had clothes I
24 needed. And I needed to be fed. And if -- you know,
25 accidents happen, like, my brother breaking his arm.

1 That's hospital bills that are really expensive.

2 Q Okay. You stated that you had a notebook when you
3 were a child. Where is that notebook now?

4 A It's gone. I didn't use more than one or two pages
5 of it. Because I realized I was in over my head.

6 Q Okay. So you talked about your sister -- your older
7 sister, [REDACTED], listening to different types of music
8 when she became a teenager. Do you remember that?

9 A I do.

10 Q Did you ever branch out and listen to other types of
11 music when you were a teenager?

12 A I listened in middle school to more of pop punk, I
13 guess you would describe it. And then in high school, I
14 listened to, like, mainstream stuff.

15 Q As far as educationally and grade-wise, you and your
16 siblings did fairly well; correct?

17 A Correct.

18 Q And concerning [REDACTED] getting in trouble, she never
19 received a referral or anything of like that from school
20 that you know about; correct?

21 A I'm not sure how everything ended up with [REDACTED].

22 Q Okay.

23 A I just know she would get in trouble.

24 Q Okay. So when you were talking about going on
25 visitations with your father and younger sister, you

1 stated that you went along with her, but you could have
2 chosen not to go; correct?

3 A That's my understanding.

4 Q All right. And would you agree that when your mother
5 and father separated that y'all had some counseling at
6 that time to deal with the separation?

7 A Yes.

8 Q And you would agree you had time with that counselor
9 without your parents; correct?

10 A Correct.

11 Q And you would agree that you never made any
12 allegations against your father at that time; correct?

13 A Correct.

14 Q And now, did your mother ever discuss any sexual
15 assault that she underwent herself with you?

16 A She did.

17 Q And when did she first do that?

18 A I don't remember how old I was when she told me. But
19 before she told me any specifics, she just told me that
20 her -- like, other -- her biological father and
21 stepfather, they weren't good people.

22 Q But did she give you -- when she said they're not
23 good people, she didn't make any sexual allegations? Is
24 that what you're saying?

25 A Yeah. Like, I don't remember when she told me about

1 everything.

2 Q So she did tell you?

3 A She did, but...

4 Q Against both her biological father and her
5 stepfather; is that correct?

6 MS. OWEN: Your Honor, I'm going to object at this
7 point as to relevance.

8 THE COURT: As to relevance?

9 MS. OWEN: Yes, Your Honor.

10 THE COURT: Overruled.

11 THE WITNESS: I don't remember her saying anything
12 about her biological father, but her stepfather.

13 BY MR. KORNFELD:

14 Q Okay. And you don't remember when she told you that
15 is your testimony; correct?

16 A I don't remember how old I was.

17 Q Did you ever discuss before you went to the police
18 station on July 6th the penalties and possible range of
19 penalties for voyeurism, criminal sexual conduct -- or
20 criminal sexual conduct of a minor?

21 A Do you mean did I speak with my family about, like,
22 what they -- what the sentencing is for?

23 Q Yes.

24 A A guilty charge?

25 Q Yes. That's correct.

1 A I don't remember if we ever talked about that.

2 Q Okay. Would you agree that your mom was heavily
3 financially relying on your father?

4 A When are you speaking of?

5 Q When the parties separated in 2013. When your
6 parents separated in 2013, was your mom relying heavily
7 financially on your father?

8 MS. OWEN: Your Honor, I'm going to object. I feel
9 like this has been asked and answered several times.

10 THE COURT: Overruled.

11 THE WITNESS: She was needing the money. I know some
12 of it was used on repairs on the house.

13 BY MR. KORNFELD:

14 Q Okay. And at that time, do you know if your -- well,
15 you already stated you didn't know when your mom became a
16 realtor.

17 I want to go over a couple other things. When asked
18 whether or not he touched you on the vaginal areas, you
19 said -- when asked did he ever go below the clothes in
20 your first interview, you said, Not that I can recall;
21 correct.

22 A Correct.

23 Q And did he ever touch your vaginal area, you
24 responded, I don't think so; correct?

25 A Correct.

1 Q All right. And do you ever recall your dad calling
2 to talk to you or -- or, I guess, calling after -- calling
3 on the phone after your mother and he separated?

4 A After they separated, not that I can remember. I
5 didn't have a cell phone.

6 Q Did your mother -- did your mother have a cell phone?

7 A She did.

8 Q Okay. Do you ever remember if your father called
9 that cell phone?

10 A I don't.

11 Q Were you allowed to talk to your father if he called
12 you -- called your mother to talk to y'all?

13 A I'm sorry. I don't remember anything regarding phone
14 calls. I just remember in-person visitation during that
15 time.

16 Q I'm sorry. I really --

17 A I don't remember any -- I don't remember information
18 about phone calls during that time. I only remember stuff
19 about visitation when I saw him in person.

20 Q Okay. And you previously stated before you went to
21 the police station on July 6th, 2019, that you hadn't told
22 anybody about this; correct?

23 A That I hadn't told about the -- I'm sorry. Can you
24 repeat that?

25 Q Yes. I believe you previously stated that before you

1 went to the police office in Fountain Inn on July 6th,
2 2019, that you hadn't told anybody about what you say
3 happened; correct?

4 A That is correct.

5 Q All right. So how did your mother know to take you
6 to the Fountain Inn police office?

7 A I told her that I needed to go and make a statement
8 with the police.

9 Q Okay. You then went back to the Fountain Inn Police
10 Station on or about August 6th, 2021, almost two years
11 later from your first interview; correct?

12 A That is correct.

13 Q And in that interview, you brought note cards with
14 you; correct?

15 A That is correct.

16 Q And when did you write those note cards?

17 A Some of them I wrote after a flashback.

18 Q Okay. Do you remember what month that may have been
19 that you wrote them? Was that in August 2021?

20 A I believe I wrote -- I wrote one of them in July and
21 the others a few days before I went to give my statement.

22 Q All right. And who did you show those cards to prior
23 to meeting with Officer Woods?

24 A Who did I show them to?

25 Q Correct.

1 A I brought the one I wrote in July to my mom. And
2 that one was about stuff in the bathroom. But I don't
3 remember if I showed her any of the others that were
4 leading up to it.

5 Q Did you ever receive -- do you remember receiving
6 presents from your dad after your parents separated?

7 A Yes.

8 Q And did your dad give those presents to you directly?

9 A Yes.

10 Q Okay. And do you recall when that was, what year
11 that was?

12 A I remember it was the last time I saw him, December
13 of 2014.

14 Q Okay.

15 A We -- we met in a gas station parking lot and he gave
16 them to us there. But we hadn't been doing visitation for
17 a little while before that.

18 Q All right. Were they Christmas gifts?

19 A Yes.

20 Q Okay. And to clarify, I earlier asked you about --
21 your first statement was -- you said memories before five.
22 But in your statement in August of 2021, you did then say
23 between two and four; is that correct?

24 A That is correct.

25 Q All right. And today, you testified that you

1 remember things, specifically, from when you were two?

2 A That is correct.

3 MR. KORNFELD: All right. No further questions.

4 THE COURT: All right. Redirect.

5 MS. OWEN: Thank you, Your Honor.

6 REDIRECT EXAMINATION

7 BY MS. OWEN:

8 Q [REDACTED], I just have a few follow-up questions I
9 want to ask. Is it hard to come in here and get all this
10 out?

11 A It is.

12 Q Is it difficult to reprocess and go through these
13 memories?

14 A It is.

15 Q So in trying to discuss them, you have to think back
16 on things; is that correct?

17 A I have to relive everything.

18 Q How old are you now?

19 A I am 22 years old.

20 Q And all this happened before you were 14?

21 MR. KORNFELD: Objection. Leading.

22 THE COURT: Sustained.

23 BY MS. OWEN:

24 Q I just want to touch on a few things. Mr. Kornfeld
25 just clarified that -- when you had your interview in

1 August of 2021, did you tell law enforcement you were
2 between two and four years old?

3 A I did.

4 Q You told her about the sexual abuse at that time?

5 A In 2021, yes.

6 Q [REDACTED], did you see anybody get abused in your home
7 sexually?

8 A No.

9 Q Did anyone see what happened to you?

10 A Not that I'm aware of.

11 Q Have you ever told anybody that your dad touched you
12 when you were in the shower, or just that he saw you in
13 the shower?

14 A I don't remember telling anybody about that.

15 Q And your dad taught piano lessons in your home; is
16 that correct?

17 A That's correct.

18 Q That's what he did for a full-time job for a number
19 of years?

20 A Correct.

21 Q [REDACTED], when you said there were mixed feelings,
22 can you explain to the jury what that means?

23 A For my entire childhood, the dad I grew up with, he
24 loved me and he hurt me. And I loved him and I was scared
25 of him. And I hated him, but I wanted to have a father.

1 And I wish he was a good father to me all of the
2 time, not just some of the time. My friends at college,
3 they just casually talk about their dad and --

4 MR. KORNFELD: Objection. Hearsay.

5 THE COURT: Sustained.

6 BY MS. OWEN:

7 Q [REDACTED], the Facebook conversation Mr. Kornfeld read
8 into the record, do you recall that?

9 A I'm sorry. Can you repeat that?

10 Q Sure. The Facebook messages Mr. Kornfeld read into
11 the record, do you remember that conversation with your
12 dad?

13 A I do.

14 Q And you stated on the witness stand the last time you
15 saw your dad was in December of 2014; is that right?

16 A I believe so.

17 Q In 2015, he moved to Spain?

18 A Correct.

19 Q Did he ever come back to see anybody?

20 A Not that I'm aware of.

21 Q Other than that Facebook conversation, did he try to
22 have contact with you?

23 A Not that I can remember.

24 Q When you were talking to him that day, you knew he
25 was living in Spain; correct?

1 A Yes.

2 Q I don't know how many miles away that is, but I can
3 venture to guess you knew he was thousands of miles away
4 across the Atlantic ocean?

5 A Correct.

6 Q My final question for you, has your mom told you to
7 say this and make this up?

8 A No.

9 MS. OWEN: Thank you.

10 THE COURT: Any recross?

11 RECROSS-EXAMINATION

12 BY MR. KORNFELD:

13 Q You stated that -- let's talk about these Facebook
14 messages. You, actually, reached out to your father;
15 correct?

16 A I can't be sure. I don't remember exactly how the
17 conversation went.

18 Q Okay. Well, when you first talked to him, didn't you
19 say, Hey, I just wanted to say happy birthday to him?
20 There weren't any messages you sent to him prior to that;
21 correct?

22 A Not that I can remember, no.

23 Q All right. And the messages between you and your
24 father tend to be like a normal father/son -- or
25 father/daughter communications. Would you agree with

1 that?

2 A Yes.

3 Q All right. And then out of the blue, in 2016, you
4 stated that you blocked him; correct?

5 A I did.

6 Q And what was your reason for blocking him at that
7 time?

8 A Because he had just offered to take me to Spain. And
9 I thought about it. I thought about seeing him again.

10 Q Okay.

11 A And I remembered how intimidating he was at home.

12 Q All right. So I'm going to show you these messages.
13 I don't see anything in here about offering to go Spain in
14 these messages. Do you remember when that occurred?

15 A I remember it was when I was talking -- I was still
16 at Mulfinger's Art Studio.

17 Q Okay.

18 A Because I remember going next door to the lady who's
19 got a studio beside and I was telling her about this. And
20 I remember her saying, you know, You should go see your --

21 Q You can't say what other people say. It's probably
22 harmless, but --

23 A I told that lady about it.

24 Q And your mother, after this, she -- she -- after your
25 parents separated, she has dated other men; correct?

1 A My mom?

2 Q Yes.

3 A That is correct.

4 Q Okay. And --

5 MS. OWEN: Objection, Your Honor. I didn't go into
6 anything like this on recross -- or redirect.

7 THE COURT: Sustained.

8 MR. KORNFELD: Your Honor, can I -- she talked about
9 wanting to have a father figure.

10 THE COURT: Yeah. I'll allow a little bit on it.

11 MR. KORNFELD: Yeah. I was just going to ask her --
12 BY MR. KORNFELD:

13 Q So did you ever try and make a connection with any of
14 them?

15 A Yes.

16 Q Okay. However -- can you tell me when you tried to
17 make a connection?

18 A I don't think I understand your question.

19 Q I asked if you ever tried to make a connection with
20 any man that your mother may have dated after the
21 separation. Do you remember when you tried to make any
22 sort of connection?

23 A I'm sorry. I don't know of anybody.
24 As in forming a relationship there?

25 Q That's what I'm asking, correct.

1 A When they were -- they were dating, like, he just,
2 like, spent -- spent time around.

3 MR. KORNFELD: Okay. No further questions.

4 THE COURT: Anything else from the State?

5 MS. OWEN: No, Your Honor.

6 THE COURT: All right. You are excused.

7 Thank you.

8 THE WITNESS: Thank you.

9 THE COURT: All right. Ladies and gentlemen, we're
10 going to take our lunch break. Let's be in recess. We'll
11 be back to start at 2:30.

12 And let -- I want to ask you this, if you would
13 discuss among yourselves -- I'm going to leave it up to
14 you. If there would be any problem going past 5:00, maybe
15 up until 5:30 or 6:00 in an effort to get through our case
16 this week. And so I just want to let y'all discuss it.
17 And I will leave that up to y'all. Some of you may have
18 conflicts and can't do it. I, certainly, understand that.
19 So I just wanted to give you that option. So when we come
20 back after lunch, just let me know, if you would.

21 So enjoy your lunch. And I'll see you back at 2:30.

22 (WHEREUPON, the jury was excused from open court at
23 approximately 1:09 p.m.)

24 THE COURT: All right. Anything I need to take up
25 before lunch?

1 Anything from the State?

2 MS. OWEN: Nothing from the State, Your Honor.

3 THE COURT: Anything from the Defendant?

4 MR. KORNFELD: No, Your Honor.

5 THE COURT: All right. We'll be back at 2:30.

6 (WHEREUPON, a lunch break was taken.)

7 THE COURT: In response to my inquiry of the jury, I
8 believe they are keenly aware of the possibility that the
9 case could go into next week. And so not only were they
10 okay with going to 6:00, they proposed and suggested they
11 would be willing to go to 7:00. So -- and I'm not saying
12 that's what we'll do. But I just wanted to let y'all
13 know.

14 What does the State say?

15 What does the Defense say?

16 What do y'all -- what are your thoughts?

17 MS. OWEN: Well, Your Honor, I can just tell you what
18 we are intending to do this afternoon is call the lay
19 witnesses in this case and our blind expert. And then
20 we'll call our last victim first thing in the morning to
21 kind of just break up what has been the past two days.

22 And we've got some witnesses here from out of town
23 that need to get on the road and, also, not stay until the
24 end of the week.

25 THE COURT: So this afternoon, some lay witnesses and

1 Julie Valentine --

2 MS. OWEN: Yes.

3 THE COURT: -- your blind witness?

4 MS. OWEN: Yes.

5 THE COURT: I mean, blind expert.

6 MS. OWEN: Yes, Your Honor.

7 MR. KORNFELD: And, Your Honor, we probably need to
8 take it up not in the presence of the jury, but I have
9 some objections to several of these lay witnesses as to
10 relevance. I know the Solicitor states that there's no
11 exculpatory evidence there. But I have no idea what they
12 would testify to, other than what Ms. Owen has told me.

13 THE COURT: All right. Which ones are you talking
14 about?

15 MR. KORNFELD: Well, I would go from witness eight
16 through witness 12, Melanie Clement, Alex Clement, Mary
17 Elise Clement, Megan Torres, Mary Ann Carpenter, Karen
18 O'Neal.

19 THE COURT: All right. Ms. Owen.

20 MS. OWEN: Well, Your Honor, just to be clear, I gave
21 this witness list to Mr. Kornfeld in March of 2022. So
22 these are not new surprises. It's almost a year later. I
23 don't think there's any surprise here.

24 I wouldn't disagree that law enforcement didn't
25 interview them. But he's, certainly, been aware of them

1 for almost a year that I intended to call them. And after
2 he brought that to my attention on Monday, that he wanted
3 to know what they were going to testify about, I talked to
4 him briefly and offered to go back to my office and talk.
5 And we just had a little conference right here about what
6 they intend to say.

7 Alex Clement is a family friend. They lived down the
8 street. And he can give context to what he observed and
9 some observations about the girls.

10 Megan Torres, she was Ian's girlfriend at the time.
11 She was around the house. She can give some observations
12 about what she observed.

13 Mary Elise Clement. She, also, lived down the
14 street, friends with the girls. She's going to give some
15 just testimony about what she observed in the home.

16 Melanie Clement, she lived down the street. She is
17 the mother of Alex and Mary Elise. She's, also, going to
18 give some testimony about what she observed.

19 And Mary Ann Carpenter was a family friend from years
20 prior. And she's just going to testify about what she
21 observed of these children.

22 MR. KORNFELD: And, Your Honor, it's my understanding
23 that none of these witnesses are going to testify that
24 they saw any sort of --

25 THE COURT: Well, that was going to be my question.

1 When you say "observed," they're not going to testify they
2 observed the Defendant doing anything to any of the
3 victims; correct?

4 MS. OWEN: No. They all say that that happened when
5 no one was around. Their observations are strictly
6 demeanor, how they changed, what they looked like, what
7 their -- you know, evidence that goes to show outside of
8 what happened in this home the only people that can give
9 some context to what was going on.

10 I think that is wholly within our rights, as the
11 State, to put up some information, other than -- these
12 cases are hard without corroboration in the first place.

13 THE COURT: What about that, Mr. Kornfeld?

14 MR. KORNFELD: Well, Your Honor, I would disagree.
15 One, we don't know -- I just don't think this is
16 necessarily relevant --

17 THE COURT: Let me ask you this, what's your
18 objection? They provided --

19 MR. KORNFELD: My --

20 THE COURT: You're not arguing there's a lack of any
21 disclosure, or anything like that. They turned it over to
22 you back in March.

23 MR. KORNFELD: I guess they're saying that they put
24 these -- but I have -- I just found out this week what
25 they are allegedly going to testify to. And my objection

1 is -- is to the relevancy of their statements to the jury
2 or to the Court even about what they're going to say.

3 I think one of them would testify to the condition of
4 the home. How is that relevant to whether or not the
5 client -- the Defendant in this case is -- is guilty or
6 not?

7 THE COURT: Let me ask you that, Ms. Owen. Because
8 I've sustained a couple of objections on that. What's the
9 relevance of the condition of the home?

10 MS. OWEN: Your Honor, I think where I'm going with
11 it -- and, you know, certainly, Mr. Kornfeld has asked
12 both of the victims multiple times about finances, and how
13 much mom worked, and how much money they had. So I think
14 anything to do with finances at this point is fair game.
15 Because he has, certainly, opened that door and asked both
16 witnesses about that.

17 But in regards to the condition of the home,
18 specifically, is that, you know, there are these
19 allegations about what was going on, what was happening in
20 the home, that they were living in this very bizarre
21 strange environment. And even the house -- the conditions
22 of the house itself show things were not well.

23 THE COURT: Well, what is the relevance -- how does
24 that -- what's the probative value on relevance as to
25 whether or not the garage was in disrepair? One of the

1 witnesses testified the garage was in disrepair. What's
2 the probative value and relevancy of that?

3 MS. OWEN: Your Honor, the probative value at this
4 point, I believe, is Mr. Kornfeld's contention towards
5 these girls is that they're just out to get money and that
6 this is all about money. And so I think the testimony
7 regarding how he left the home, how he left the condition
8 of the home, how he left them in this dire straight,
9 essentially, is very relevant, especially when he's over
10 here saying, well, this is only about money. And he's
11 asking all these questions about child support and
12 alimony.

13 And I do think it's completely relevant to paint the
14 picture -- the accurate picture to the jury about how he
15 did leave his family, and the condition of the home he
16 left them in, and --

17 THE COURT: But how -- the way he left his family,
18 whether that's a good thing or bad thing --

19 MS. OWEN: Sure.

20 THE COURT: -- let's assume for argument purposes, he
21 left them in bad shape.

22 MS. OWEN: Sure.

23 THE COURT: What relevance, though, to whether --
24 what relevance does that have as to whether or not he
25 sexually abused them?

1 MS. OWEN: Your Honor, I don't think it goes directly
2 to the sexual abuse. I think it goes to how he treated
3 them and just was so disdainful of them as people.

4 THE COURT: How does the condition of the house have
5 to do with how he treats somebody with disdain? There are
6 millions of people today with houses that are in bad shape
7 because they can't afford it.

8 MS. OWEN: Sure.

9 THE COURT: I mean, one argument could be even if the
10 house was left in disrepair, doesn't that show he did not
11 have the money and that's why he didn't pay the alimony
12 and the child support? I mean, it can kind of cut both
13 ways, can it not?

14 MS. OWEN: Sure, Your Honor.

15 THE COURT: I just -- I don't see the relevance of
16 the condition -- the physical condition of the home. And,
17 again, one of the witnesses even testified about the
18 condition of the garage. And I kept thinking, well, maybe
19 the garage is in bad shape where you could see what was
20 going on inside the garage. But nothing ever even
21 happened in the garage. This happened in the bedroom,
22 this happened in the bathroom, and the TV room.

23 MS. OWEN: Yes, Your Honor.

24 THE COURT: So I'm not going to allow any testimony
25 about the physical condition of the home. I just don't

1 think it has any probative value or relevance. Even if it
2 did have some probative value, I think it would be
3 unduly -- or unfairly prejudicial and substantially
4 outweigh the probative value. I think this case is
5 whether or not he sexually abused these children.

6 MS. OWEN: Yes, Your Honor.

7 THE COURT: And that's it. And whether he had a home
8 in disrepair or a garage that didn't work, I just think
9 that's irrelevant. And I would -- I don't think it's
10 relevant and probative. And even if it is, I would keep
11 it out under 403.

12 MS. OWEN: Your Honor, may I just step outside and
13 let them know that we will stay away from that topic?

14 THE COURT: Anything else? I want to make sure we
15 take care of everything before we bring them back in.

16 Now, Mr. Kornfeld, your objection as far as the
17 observations, that is relevant, their physical, mental
18 observation. You say "observations," I don't know what
19 you're talking about. I assume that's what you're talking
20 about.

21 MS. OWEN: Yes, Your Honor.

22 THE COURT: How would -- Mr. Kornfeld, would that not
23 be relevant to be -- at least, it provides some evidence
24 as to their mental and/or physical condition about the
25 time when these things were going on and subsequent to

1 that. What is your position?

2 Because what I'm hearing from you is that you're
3 objecting, one, on the condition of the home. And I agree
4 with you there. So I'm not going to allow that.

5 But what about the other testimony regarding their
6 observations? And, obviously, they cannot -- they cannot
7 testify to anything other than that or any corroboration,
8 but I don't hear that. And we know corroboration under
9 801 is only as to time and place.

10 MR. KORNFELD: I just don't know how this is going to
11 corroborate any of the allegations in the case.

12 THE COURT: I don't think she's offering it for
13 corroboration, necessarily, as far as the girls telling
14 any of these witnesses under 801 as to location -- time
15 and place. I don't hear --

16 Is that right, Ms. Owen?

17 MS. OWEN: That's correct, Your Honor.

18 MR. KORNFELD: I don't believe there was any
19 disclosure to any of these people. That's been my
20 understanding.

21 So they're just going to testify to the -- their
22 observations of these girls?

23 MS. OWEN: Yes. They're going to testify about the
24 observations and interactions they had with them when they
25 were at their house. These witnesses went to the Flower

1 home. And they can describe what -- when they went there,
2 what it was like.

3 THE COURT: Now, I will say -- and, of course, I
4 don't know what they're going to say. I don't know what
5 they're going to testify to. But I do want to caution
6 you, if you are trying to get in some testimony of these
7 witnesses of their observations of Mr. Flower and if that
8 would lead some implication to the jury that, oh, he
9 looked creepy or he -- I'm not saying Mr. Flower is
10 creepy. I'm just using this as an example --

11 MS. OWEN: Sure.

12 THE COURT: -- if that's what the State is trying to
13 get -- or if the jury could take that and say, oh, this
14 witness is testifying he's creepy, or he kind of did this,
15 or he was looking at me, you know. I'm not going to allow
16 that.

17 MS. OWEN: Sure.

18 THE COURT: I'll only allow these witnesses to
19 testify as to their observations of the victims, and
20 assuming it's an appropriate time as well.

21 But any testimony they may give as to any
22 observations as to Mr. Flower, I'm not going to allow
23 that.

24 MS. OWEN: Yes, Your Honor.

25 MR. KORNFELD: Okay. So that's the -- they can

1 testify to the observation of the girls, not to
2 Mr. Flower; is that right?

3 THE COURT: That's correct.

4 MR. KORNFELD: All right. Thank you, Your Honor.

5 THE COURT: Anything else?

6 MS. OWEN: And, Your Honor, I just will put on the
7 record, I believe that there was a disclosure to Melanie
8 Clement at some point after months -- or years later after
9 Randy Flower had left the home and to Mary Elise years
10 later. But I was not going to intend to offer that as
11 time or place.

12 THE COURT: Okay.

13 MR. KORNFELD: Okay.

14 THE COURT: Anything else before we bring them in?

15 MS. OWEN: I just want to step outside and make sure
16 I tell them what we --

17 THE COURT: What about the time, going to 7:00, or
18 earlier?

19 MS. OWEN: So my guess at this point would be the lay
20 witnesses and the blind expert, we will wrap up, I
21 believe, around 5:30.

22 THE COURT: Okay.

23 MS. OWEN: I don't foresee it going late this
24 evening, at least, what I intend to offer the Court and
25 ask should not be.

1 THE COURT: Because I want to make sure from
2 everybody -- and I know the two ladies that are sitting in
3 front of me, also -- and I cannot see, but probably have
4 some expressions of, you know, I'm not sure about going
5 late tonight, we may have some plans kind of thing. So I
6 wanted to make sure. If you can wrap up at 5:30 or so
7 and, hopefully, we can get it in.

8 MS. OWEN: And, Your Honor, I'll call the last victim
9 tomorrow morning. And if you want to start early, that's
10 totally fine. Obviously, the jail will have to be on
11 board. And we'll just have to make sure that --

12 THE COURT: Yeah. I'm going to start early tomorrow.
13 And let's make sure they're -- over there, if they --

14 THE COURTROOM DEPUTY: I will let them know, Your
15 Honor. They said it most likely wouldn't be until 9:15.
16 But I can talk to them again down in transport. But I
17 told them at lunch that there's a chance that we might
18 need him early.

19 THE COURT: Okay.

20 THE COURTROOM DEPUTY: They said the earliest may be
21 9:15.

22 THE COURT: 9:15 is the earliest?

23 THE COURTROOM DEPUTY: Yes, Your Honor.

24 THE COURT: All right. Well, it is what it is.
25 We'll get -- we'll get him here at 9:15, then we'll start

1 at 9:15. Because I want to get this thing going.

2 And now, 3:00 to 4:00 is your time limit?

3 MS. OWEN: 4:00 would be great.

4 THE COURT: 4:00. Well, just remind me and make sure
5 I don't forget.

6 MS. OWEN: Sure.

7 Thank you.

8 I'm going to step outside.

9 THE COURT: I'll give you time, yeah.

10 (Pause.)

11 MS. OWEN: We're ready, Your Honor.

12 THE COURT: All right. Bring them in.

13 (WHEREUPON, the jury came into open court at
14 approximately 2:53 p.m.)

15 THE COURT: All right. Good afternoon. I hope
16 everybody had a good lunch.

17 And I got word from you in response to my question
18 that not only would you be willing to go to 6:00, you'd be
19 willing to go later than that. First of all, I want to
20 thank you for being willing to do that. That doesn't
21 happen often.

22 As a result of my inquiry, there is -- I think we may
23 be able to get through some things here, so we may not
24 need to go that late tonight. So I think things may be on
25 track. And I attribute that to y'all's response.

1 So thank you very much.

2 I appreciate your offer to do that. And we're going
3 to go as long as we can here today, and then kind of keep
4 it going. So I surely appreciate it.

5 Next witness.

6 MS. OWEN: Thank you, Your Honor.

7 The State would call Megan Torres.

8 THE CLERK: Please pause at the end of the bench.

9 Place your left hand on the Bible and raise your
10 right hand.

11 WHEREUPON,

12 MEGAN TORRES,

13 after first having been duly sworn, testified as follows:

14 THE CLERK: Thank you.

15 Please be seated.

16 Please state your name for the record.

17 THE WITNESS: Megan Torres.

18 THE CLERK: Thank you.

19 DIRECT EXAMINATION

20 BY MS. OWEN:

21 Q Hey, Megan.

22 How are you?

23 A I'm good.

24 How are you doing?

25 Q How old are you?

1 A 28.

2 Q Can you tell the jury what you do?

3 A I'm a dog trainer.

4 Q Where are you from?

5 A Greenville, South Carolina.

6 Q Do you know the Flower family?

7 A I do.

8 Q How long have you known them?

9 A Since 2011.

10 Q How do you know the Flower family?

11 A I went to high school with [REDACTED] and Ian. And I was
12 his girlfriend for a couple of years in high school.

13 Q Ian's girlfriend?

14 A Yes.

15 Q Did you spend a lot of time at the Flower house?

16 A I did.

17 Q Other than Ian, were you close with anyone in the
18 house?

19 A All the girls.

20 Q How well did you know [REDACTED]?

21 A I knew her very well. I was probably closest with
22 [REDACTED]. Because at the time, we were close in age.

23 Q And what do you recall about [REDACTED] from that time?

24 A She was pretty shy, pretty quiet, you know, just
25 she -- whenever we would hang out, you know, she was fun,

1 and stuff. But she was pretty shy and quiet.

2 Q Did you know the younger girls?

3 A I did.

4 Q Did you know them as well as you knew [REDACTED]

5 A Not as well, but I was definitely very friendly with
6 them whenever we saw each other.

7 Q During high school, did you ever notice or observe a
8 change in [REDACTED]?

9 A Maybe not outright, like, just a very noticeable
10 change, but she -- not necessarily. She was pretty quiet.
11 Like, I knew her fairly well. But she, I feel like, was
12 more quiet with, like, any sort of stuff she was going
13 through. So I might not have outright noticed any sort of
14 change in behavior.

15 Q Did you ever observe anything on [REDACTED] that was
16 unusual?

17 A Yes.

18 Q Could you expound on that?

19 A She had some cuts on her arm.

20 Q What do you recall about that?

21 A I recall that it was a self-inflicted injury.

22 Q And those were noticeable through high school?

23 A Not like in your face noticeable, but I was close
24 enough with her that I would notice them.

25 Q If there was ever any discussion around anything --

1 MS. OWEN: I withdraw that, Your Honor.

2 BY MS. OWEN:

3 Q Other than being quiet and reserved, did [REDACTED] have a
4 lot of friends, or was it a smaller group?

5 A She had a fairly small group.

6 Q And you were in that small group; correct?

7 A Yes, ma'am.

8 MS. OWEN: I don't have any further questions for
9 this witness, Your Honor.

10 THE COURT: All right. Cross.

11 MR. KORNFELD: No questions, Your Honor.

12 THE COURT: Thank you.

13 You may step down.

14 Thank you, ma'am.

15 THE WITNESS: Yes, sir.

16 THE COURT: Next witness.

17 MS. OWEN: Thank you, Your Honor.

18 The State would call Mary Elise Clement.

19 THE CLERK: Please pause at the end of the bench.

20 Raise your right hand.

21 WHEREUPON,

22 MARY ELISE CLEMENT,

23 after first having been duly sworn, testified as follows:

24 THE CLERK: Thank you.

25 Please be seated.

1 Please state your name for the record.

2 THE WITNESS: My name is Mary Elise Clement.

3 DIRECT EXAMINATION

4 BY MS. OWEN:

5 Q How are you doing today, Mary Elise?

6 A I'm doing good.

7 Q How old are you?

8 A I am 21.

9 Q What are you doing currently?

10 A What am I doing currently? I am in school at
11 Anderson University.

12 Q Okay. And when are you going to graduate?

13 A I'm going to graduate next year in 2024.

14 Q And what are you getting your degree in?

15 A I'm getting a degree in environmental science.

16 Q How is school going so far?

17 A Pretty good, as best it can.

18 Q Where are you from?

19 A I'm from Fountain Inn, South Carolina.

20 Q Do you know the Flower family?

21 A I do.

22 Q How long have you known the Flower family?

23 A Since I was really little, like, five or six.

24 Q And do you live close to them?

25 A I do. I lived a street over from them.

1 Q Okay. Growing up, did you go to the Flower home?

2 A All the time.

3 Q Who was usually around when you were there?

4 A Generally, it was Karen and the girls. Ian was
5 normally with Alex off doing something else. Sometimes,
6 Randy was there, sometimes he wasn't.

7 Q I'm sorry. You just mentioned Alex. Who is that?

8 A Oh, that is my brother.

9 Q Mary Elise, when you went to their house, was
10 Mr. Flower there sometimes?

11 A Yes.

12 MS. OWEN: May we approach for just a moment, Your
13 Honor?

14 (WHEREUPON, a bench conference was held.)

15 BY MS. OWEN:

16 Q Mary Elise, what do you recall about -- were you
17 close with [REDACTED]?

18 A A little bit, not too terribly. I was mainly friends
19 with [REDACTED]. And [REDACTED] was just kind of
20 around.

21 Q Okay. And what do you recall about your observations
22 when you saw [REDACTED]?

23 A She wore a lot of dark clothes. She was kind of in a
24 Goth phase. And I noticed that a lot of the time, she
25 had, like, cut marks on her upper arms and lower thighs.

1 If she was wearing anything short, you could see that.

2 Q And you said you were friends with [REDACTED]
3 growing up?

4 A Yes.

5 Q What do you recall about [REDACTED] during that time
6 frame?

7 A During middle school or elementary school?

8 Q Either -- or starting in elementary.

9 A In elementary school, she was always a really sweet
10 child. She was really kind. She was a little naive,
11 didn't know a lot that was going on, but was very happy.

12 But then, sometimes, it was like a switch flipped and
13 she looked distant, like, not some -- like, she wasn't
14 necessarily there. Like, her body was there, but she was
15 kind of in the back, kind of auto pilot, kind of like
16 that.

17 Q And what about [REDACTED], what do you recall about her
18 during elementary and middle school?

19 A Elementary school, she was, also, kind of similar,
20 like, sometimes, she would be there and good and other
21 times, it was very distant. Both [REDACTED] in
22 middle school, like, they both kind of got a little more
23 on the darker side, kind of, following in [REDACTED]
24 footsteps, wore a lot of black, seemed very depressed. It
25 was -- they were having a hard time. It looked like they

1 were struggling through a lot.

2 MS. OWEN: Thank you, Mary Elise.

3 I have no further questions.

4 THE COURT: All right. Cross.

5 CROSS-EXAMINATION

6 BY MR. KORNFELD:

7 Q Mary Elise, who first reached out to you about
8 testifying here?

9 A I believe that was Megan -- or the Solicitor.

10 Q Okay. So this lady right here?

11 A I believe so, yes.

12 Q Did anybody else ever talk to you about testifying
13 prior to Megan Owen?

14 A No. I don't think so, no.

15 MR. KORNFELD: Okay. Thank you.

16 No further questions.

17 THE COURT: Any redirect?

18 MS. OWEN: No, Your Honor.

19 THE COURT: Thank you, ma'am.

20 You may step down.

21 MS. OWEN: Your Honor, may these witnesses be
22 excused?

23 MR. KORNFELD: No objection.

24 THE COURT: All right. You are excused.

25 All right. Next witness.

1 MS. OWEN: Your Honor, the State would call Melanie
2 Clement.

3 THE CLERK: Please pause at the end of the bench.
4 Place your left hand on the Bible and raise your
5 right hand.

6 WHEREUPON,

7 MELANIE HATFIELD CLEMENT,
8 after first having been duly sworn, testified as follows:

9 THE CLERK: Thank you.

10 Please be seated.

11 Please state your name for the record.

12 THE WITNESS: My name is Melanie Hatfield Clement.

13 DIRECT EXAMINATION

14 BY MS. OWEN:

15 Q How are you, Ms. Clement?

16 A Fine.

17 Q Can you tell the jury -- where do you live now?

18 A I live in Melbourne, Florida.

19 Q Where did you previously reside?

20 A At 303 Quillen Avenue in Fountain Inn.

21 Q And how long did you live there?

22 A 17 years.

23 Q Who is in your family?

24 A My husband, Bob, my oldest son, Andrew Clement, my
25 daughter, Olivia Clement, and her husband, Jeremy, and

1 their two children, Alex Clement and Mary Elise Clement.

2 Q And did you live close to the Flower family?

3 A Yes.

4 Q How long have you known them?

5 A I first met Karen and Randy when I was their labor
6 and delivery nurse.

7 Q For who?

8 A I believe it was [REDACTED].

9 Q So 24 years?

10 A Uh-huh.

11 Q Did you know them any other way?

12 A We, also, went to the same church for a period of
13 time. Actually, we went to two different churches for a
14 period of time.

15 Q And are your kids friends?

16 A Alex and Ian, I would consider them best friends.
17 And Mary Elise and [REDACTED] are very close friends.

18 Q And when the Flower children were younger, were they
19 home schooled?

20 A Yes.

21 Q And do you recall if Karen worked?

22 A When she was home schooling them, I believe she did
23 not work.

24 Q And did Randy work?

25 A Yes.

1 Q And with Alex and Ian being friends and your girls
2 being friends with the Flower girls, did you have an
3 occasion for them to be at your home?

4 A Yes.

5 Q What do you recall about -- what do you recall about
6 your observations of [REDACTED] when she was growing up?

7 A She's a very sweet, kind, young lady, quiet, very
8 quiet. And then as she got older, towards middle school,
9 she got into being what I would call Goth. And she was
10 cutting her arms. And she seemed very depressed to me.

11 Q And what about [REDACTED] What were your observations of
12 [REDACTED] when she was growing up?

13 A When she was younger, she seemed pretty good, like
14 the other kids. Once again, a fairly quiet child. She
15 would come down and swim in our little swimming pool and
16 play with the kids and be fine.

17 And then as she got towards middle school, she did
18 pretty much the same thing that [REDACTED] did. She started
19 getting pretty dark, appeared to be fairly depressed,
20 withdrawn. She dressed dark, dark fingernail polish. She
21 had her hair dark.

22 Q And what about [REDACTED]? What are your observations
23 about [REDACTED]?

24 A [REDACTED] didn't seem to do quite the same thing. She
25 still kind of followed that same path the other girls did,

1 but it didn't seem to be as significant as the other two.

2 Q You had plenty of time to spend around these
3 children. Would you say they were rule followers?

4 A Oh, yes.

5 MS. OWEN: Melanie, I think that's all the questions
6 I have for you.

7 Please answer any questions that Mr. Kornfeld may
8 have.

9 THE COURT: All right. Any cross?

10 MR. KORNFELD: No cross, Your Honor.

11 THE COURT: All right. Thank you, ma'am.

12 You may step down.

13 MS. OWEN: Your Honor, may this witness be excused?

14 THE COURT: Yes -- or any objection?

15 MR. KORNFELD: No objection.

16 THE COURT: You are excused.

17 Next witness.

18 MS. OWEN: Thank you, Your Honor.

19 The State would call Mary Ann Carpenter.

20 THE CLERK: Please pause at the end of the bench.

21 Please place your left hand on the Bible and raise
22 your right hand.

23 WHEREUPON,

24 MARY ANN CARPENTER,

25 after first having been duly sworn, testified as follows:

1 THE CLERK: Thank you.

2 Please be seated.

3 Please state your name for the record.

4 THE WITNESS: My name is Mary Ann Carpenter.

5 DIRECT EXAMINATION

6 BY MS. OWEN:

7 Q How are you today, Ms. Carpenter?

8 A I'm well.

9 Thank you.

10 Q Where are you from?

11 A I'm from Greenville, South Carolina. Originally from
12 Indiana, a transplant.

13 Q How long have you lived in Greenville?

14 A 40 years.

15 Q And do you know the Flower family?

16 A I do.

17 Q How do you know the Flower family?

18 A I know them through church. We started -- my husband
19 and I started a church and the Flower family came.

20 Q And who were you close with in the Flower family?

21 A I would say both of them, Karen and Randy.

22 Q Are you the godmother to some of the children?

23 A Yes, I am.

24 Q Mary Ann, being the godmother, did you have time to
25 come and observe the children and spend time in their

1 home?

2 A I did several times.

3 Q Approximately, how old were the kids when you were
4 going over there?

5 A Well, we were with the family since they were born,
6 from birth on.

7 Q Did you spend more time with them at one point in
8 their lives than others?

9 A No, I wouldn't say that. It was periodically.

10 Q Okay. And what do you recall the children being like
11 when they were growing up?

12 A They were typical children. They were happy.

13 Q Were they home schooled?

14 A They were home schooled, yes, they were.

15 Q Do you recall who did the home schooling?

16 A The mother did.

17 Q And do you recall Randy working?

18 A Off and on, he did.

19 Q What do you recall about that?

20 A He was an excellent musician. And he gave piano
21 lessons. That's what I remember about that.

22 Q Okay. Specifically, as the children got older, did
23 you observe any changes in any of them?

24 A I did. I noticed changes in their dress. And they
25 went from being happy to kind of solemn, and stuff like

1 that.

2 Q Would that be one of them, or all of them?

3 A It would depend when I -- which one did it. Of
4 course, as they aged up -- they weren't changing
5 altogether as a group. But I could see from the oldest
6 one down when things would change.

7 Q And these were noticeable observations?

8 A To me, they were, yes, ma'am.

9 MS. OWEN: May Mr. Kornfeld and I approach one more
10 time, Your Honor?

11 THE COURT: Yes.

12 (WHEREUPON, a bench conference was held.)

13 MS. OWEN: Ms. Carpenter, I don't have any further
14 questions.

15 Please answer anything Mr. Kornfeld may have.

16 THE COURT: Cross.

17 MR. KORNFELD: No, Your Honor. No questions.

18 THE COURT: All right. Ma'am, you are excused.

19 Thank you.

20 All right. Next witness.

21 MS. OWEN: Your Honor, may we just take up a matter
22 outside of the jury for just a moment?

23 THE COURT: Yes.

24 All right. Ladies and gentlemen, I need to take up a
25 matter with the lawyers. I'm going to excuse you for a

1 little bit.

2 (WHEREUPON, the jury was excused from open court at
3 approximately 3:16 p.m.)

4 THE COURT: Yes, ma'am.

5 MS. OWEN: Your Honor, I had asked Ms. Galloway-Williams
6 to be here at 3:30. I anticipated the lay witnesses taking
7 a little longer, based on the prior ruling. We're checking
8 to see if she's here, but she is my next witness. Depending
9 on how quickly that goes, we talked about putting the last
10 victim up this afternoon, but I just think that will be
11 lengthy.

12 THE COURT: All right. Well, I will work with you in
13 any way I can figuring that out. I will work with lawyers
14 in their trials. Getting witnesses is always a difficult
15 thing. So you just let me know and I'll work with you.
16 And we'll just go from there.

17 MS. OWEN: And she may be here, but I told her
18 approximately 3:30.

19 THE COURT: Do you want to check and see, or take a
20 break?

21 MS. OWEN: I just sent Julie out to see if she's
22 here.

23 UNIDENTIFIED FEMALE: She's not here.

24 MS. OWEN: And if I can turn my phone on and just
25 step outside and call her, if we can just take a little

1 break, and see how far away she is.

2 THE COURT: And let me -- come up here.

3 (WHEREUPON, a bench conference was held.)

4 THE COURT: We're going to be in recess until the
5 witness gets here. And then we'll be back.

6 (WHEREUPON, a break was taken.)

7 THE COURT: Anything before we bring them in?

8 MS. OWEN: No, Your Honor. Just that we'll be
9 calling Shauna Galloway-Williams. And she is here.

10 THE COURT: Anything from the Defense?

11 MR. KORNFELD: Your Honor, I'm going to be objecting
12 to her testimony. I'll just let you know that now.

13 THE COURT: What's your grounds?

14 MR. KORNFELD: That it's not going to aid the jury.
15 Looking at State vs. Jones, they're -- I assume she's
16 going to testify that the testimony was delayed. We're
17 not arguing this allegation.

18 The only reason that I think this testimony is being
19 offered is because the obvious counter to this is that the
20 testimony isn't reliable because of the time it took them
21 to tell. And if this expert is here to do that concerning
22 the reliability of the story, then that is simply
23 bolstering. And it has been struck down by our Supreme
24 Court.

25 THE COURT: She's a blind expert; correct?

1 MS. OWEN: Correct, Your Honor.

2 THE COURT: If she's a blind expert, doesn't that
3 argument kind of go out the window?

4 MR. KORNFELD: Well, I think --

5 THE COURT: I mean, she -- obviously, if she treated
6 any of the victims, she can't testify as to a treating and
7 a blind expert.

8 MR. KORNFELD: Well, in this particular case -- I
9 know that the last witness -- the last alleged victim has
10 not testified yet. But I believe the analysis in Jones is
11 that we have to decide if this will assist the trier of
12 fact. And they've all testified as to why they were
13 delayed in disclosing this -- these allegations.

14 THE COURT: All right. Ms. Owen.

15 MS. OWEN: Thank you, Your Honor.

16 I believe you are well versed on case law. I'm not
17 usually always well read on the case law, Your Honor. So
18 I'm sure you've read State vs. White, and State vs. Jones,
19 State vs. Brown, and, most recently, State vs. Acker from
20 last January. They all give a detailed explanation of why
21 child sex abuse dynamics are an important aspect for the
22 jury to be educated on. Because it is outside of these
23 lay witnesses or layperson's knowledge.

24 I think even Mr. Kornfeld's cross of Ms. Flower, the
25 last witness we had, goes to show to the jury why this

1 would be so important for an expert to explain why she was
2 even talking to her dad. He kept highlighting that. And
3 I think we, certainly, need a blind expert to go into
4 child abuse dynamics to explain what the ordinary person
5 does not know, Your Honor.

6 All the cases I've just cited do discuss why this is
7 so relevant and important, because it is outside of a
8 layperson's knowledge. And that is simply the basis for
9 the rule as far as experts go, that they can give a
10 certain knowledge or further educate the jury.

11 THE COURT: Mr. Kornfeld, don't you -- you would
12 agree this would be outside the jury's knowledge, wouldn't
13 you?

14 I mean, as a common layperson, I don't know the --
15 the opinions, the basis, the -- not the science, but the
16 medicine, or the medical, and the psychological, and all
17 kind of things. I don't know that as a layperson.

18 Would it not under 702 assist the trier of fact and
19 be more -- under 702, if it's beyond the normal
20 comprehension or normal knowledge of the jury, wouldn't
21 that meet the standard under 702?

22 Obviously, one, they've got to be qualified. And,
23 two, it's got to assist the trier of fact.

24 MR. KORNFELD: Right.

25 THE COURT: And the testimony has got to be reliable

1 under 702. So wouldn't that fit all of those?

2 MR. KORNFELD: Well, assuming that the research that
3 she relies on is reliable and you find that it is, I could
4 see how you might be able to say that. But I assume in
5 this case that this blind witness is going to testify as
6 to why there was a delayed disclosure. I believe that
7 they've testified to that. So they've given that reason.

8 THE COURT: But I think you've got -- the link that
9 you've got to have to make that argument is that blind
10 witness has to, also, have been the treating witness for
11 one of these victims. And just because the testimony has
12 been elicited that they didn't disclose and why they
13 didn't disclose, as long as the blind expert can testify
14 as to the general background as to why that occurred and
15 it is beyond common knowledge of the jury, I think that it
16 would be admissible.

17 Now, if she were to -- he or she, as in blind expert,
18 gets into any kind of testimony about these particular
19 victims or anything along those lines, then that's where
20 you get into bolstering. But I think a blind expert is
21 able to testify on this area. I mean, I clearly -- do you
22 have any argument that it's not beyond the common
23 knowledge of the jury?

24 MR. KORNFELD: Well --

25 THE COURT: It's beyond my knowledge. I'm not

1 saying -- I may be the dumbest person in this courtroom,
2 so I can't make that argument. I know the jurors are a
3 lot smarter than I am. But it would be beyond my
4 knowledge.

5 MR. KORNFELD: I understand your ruling. I just
6 wanted to note my objection. And I am concerned about
7 bolstering. I'm concerned that her testimony may be taken
8 to make the stories of the victims seem to be more
9 reliable because an expert testified to those. But --

10 THE COURT: And I agree with your -- your reasoning.
11 If that, in fact, does occur -- and if it does occur, then
12 that is a problem. But I assume Ms. Owen will not get
13 into that. But if she does, then you, certainly, can
14 object. And if it is getting into that area, I will,
15 certainly, most likely sustain that.

16 MR. KORNFELD: Okay.

17 THE COURT: But I think we've got the framework of
18 our case law on what is required and what is not allowed.
19 And we'll just have to as the testimony goes along and
20 there are issues that potentially arise along that --
21 along those lines, then you, certainly can object. And I
22 will rule accordingly.

23 MR. KORNFELD: Thank you, Your Honor.

24 THE COURT: All right. Anything else?

25 MS. OWEN: No, Your Honor.

1 THE COURT: All right. Yes, sir.

2 (WHEREUPON, the jury came into open court at
3 approximately 4:01 p.m.)

4 THE COURT: All right. Ladies and gentlemen, we
5 accomplished a couple of things. I know you were back
6 there a little bit longer than what you believed, but we
7 had our break. So we got that done. And then we had some
8 issues and matters I had to take up. And part of those --
9 it kind of will enable us to go forward a little bit,
10 instead of having to take you back out when any kind of
11 potential testimony comes up. We've already kind of dealt
12 with it pre-testimony. So, hopefully, that will make it
13 go.

14 So I apologize, but that's what we've been doing.
15 We've been in here working.

16 All right. Ms. Owen.

17 MS. OWEN: The State would call Shauna Galloway-Williams
18 to the stand.

19 THE CLERK: Please pause at the end of the bench.

20 Place your left hand on the Bible and raise your
21 right hand.

22 WHEREUPON,

23 SHAUNA GALLOWAY-WILLIAMS,

24 after first having been duly sworn, testified as follows:

25 THE CLERK: Thank you.

1 Please be seated.

2 Please state your name for the record.

3 THE WITNESS: Shauna Galloway-Williams.

4 DIRECT EXAMINATION

5 BY MS. OWEN:

6 Q Good afternoon.

7 How are you?

8 A Good.

9 Thank you.

10 Q Could you, please, tell the jury a little bit about
11 what you do and where you work?

12 A Sure. I am the CEO of the Julie Valentine Center,
13 which is the child abuse and sexual assault recovery
14 center that serves Greenville and Pickens County. We
15 provide prevention education, crisis intervention therapy,
16 as well as education and prevention services.

17 Q Can you, please, tell the jury a little bit about
18 your education and background?

19 A I have a Bachelor's Degree in Psychology from
20 Winthrop University, a Master's Degree in Counseling from
21 Clemson University. I'm licensed as a professional
22 counselor. And I, also, serve as an adjunct faculty
23 member at USC Upstate in their child advocacy studies
24 program.

25 Q What did you do prior to working at the Julie

1 Valentine Center?

2 A Prior to working at the Julie Valentine Center, I
3 worked for the Department of Mental Health in multiple
4 counties, Greenville, Anderson, Pickens County working in
5 the child and adolescent unit and, also, working in adult
6 rehabilitation.

7 Q Ms. Shauna Galloway-Williams, are you familiar with
8 current research in the field of child sex abuse dynamics?

9 A Yes.

10 Q Have you ever taught or led courses or forums on
11 child sex abuse?

12 A Yes. As I stated, I'm an adjunct faculty member at
13 USC Upstate. I've been on faculty there since 2013
14 teaching the child advocacies study program, which is a
15 program directly related to systems and dynamics related
16 to child maltreatment. I teach a three-hour undergraduate
17 course on child maltreatment.

18 I, also, teach a three-hour undergraduate course on
19 child systems, systems that impact children and families
20 that are impacted by child abuse, as well as a course on
21 gender violence in society. In addition to that, I do
22 training locally, statewide, and nationally on a variety
23 of topics.

24 Q Thank you.

25 Have you ever counseled children who have experienced

1 abuse or trauma yourself?

2 A Yes.

3 Q About how many children have you counseled in your
4 career?

5 A I don't have an exact number, but I'd say, you know,
6 over 1,500, or more.

7 Q And the methods that you rely on in teaching and
8 counseling, are those methods uniformly accepted and
9 recognized within your field?

10 A Yes.

11 Q Are those methods peer reviewed?

12 A Yes.

13 Q How long have these methods been used?

14 A Well, the dynamics that I teach about and that I'm
15 here to speak about today have been well researched in our
16 field for over 30 years, or more.

17 Q And can you find those methods in peer reviewed
18 journals, or articles, or textbooks?

19 A Yes.

20 Q As part of your duties as the executive director of
21 the Julie Valentine Center, do you have to stay current on
22 issues that affect children who have been sexually abused?

23 A Yes.

24 Q And, finally, have you ever been qualified in General
25 Sessions court as a child abuse dynamics expert?

1 A I have.

2 Q Approximately how many times?

3 A Over 50 times.

4 MS. OWEN: Your Honor, at this time, I would move to
5 qualify Ms. Shauna Galloway-Williams as an expert in child
6 abuse dynamics.

7 THE COURT: Any objection or voir dire from the
8 Defendant?

9 MR. KORNFELD: Same objection as before, Your Honor,
10 that's on the record.

11 VOIR DIRE EXAMINATION

12 BY MR. KORNFELD:

13 Q As far as the peer review, can you tell this jury
14 here today what you consider to be peer reviewed?

15 A In terms of peer reviewed article or participation in
16 peer review?

17 Q The -- the -- the --

18 A I can speak to both.

19 Q The article -- well, we'll go like this. The
20 articles that you stated that are peer reviewed that you
21 rely on, what do you -- what is a definition of peer
22 review to you?

23 A All right. So a peer reviewed article would be an
24 article that's written by a professional in a particular
25 field that's then researched, and evaluated, and edited,

1 and commented on by others in that field. So that would
2 be the peer review process for an article.

3 Q And the evidence that you're relying on, who has that
4 been peer reviewed by?

5 A I'm not here to testify about any specific evidence.

6 Q Okay. Well --

7 A Maybe I'm misunderstanding your question. Can you
8 restate that for me?

9 Q The Solicitor just asked you if what you base your
10 studies on is peer reviewed; is that correct?

11 A So the -- my testimony is based on my education,
12 based on my research in the field of child maltreatment,
13 child abuse dynamics, as well as my experience --

14 Q Okay.

15 A -- in the field.

16 Q The child abuse dynamics, who is that peer reviewed
17 by?

18 A I mean, it would depend on what the article is or
19 what type of research. I mean, there's not -- there's not
20 any particular article or a particular book that my
21 testimony is based on. It's based on dynamics that have
22 been well researched in the field of child abuse dynamics,
23 like I said, for well over 30 years.

24 Q Okay. So what I'm hearing from you is you can't,
25 specifically, state that it's peer reviewed. But you're

1 telling us that it is peer reviewed?

2 A I am not here to testify about a specific peer
3 reviewed article. I'm here to provide testimony that's
4 based on my more than 20 years of experience in the field
5 of child abuse and sexual assault, my education, my
6 Bachelor's Degree, Master's Degree, as well as continuing
7 education in that same field, as well as -- and that
8 includes reading articles and books. But that's not
9 exclusively what my testimony or what the field of child
10 abuse dynamics is based on.

11 Q All right. And have you -- have you been a part of
12 any peer review?

13 A I participate in what we call peer review for
14 interviewers who interview children. And what that looks
15 like is I meet with other professionals in my field. We
16 provide videotaped copies of our work and critique those
17 with each other.

18 Q Okay.

19 A So you're getting feedback from your peers, who,
20 also, have been trained in that profession and --

21 Q Where are these peers from?

22 A I'm sorry?

23 Q Where are these peers from?

24 A So in -- for the standard peer reviews, those peers
25 are from other child advocacy centers, other centers where

1 they are involved in the same type of work.

2 Q Okay.

3 A So they're providing the same assessments and
4 interviews. We're all sharing. We've all had similar
5 training and experience. And we're providing feedback,
6 positive, negative, constructive about the work you're
7 presenting.

8 Q And you'd agree that there is no possible way to have
9 a control group in this line of work; correct?

10 A There's no way that we would set up a test that would
11 scientifically test conditions around abuse in the sense
12 that we wouldn't expose a child to abuse and then have
13 another group where we're not exposing them to abuse and
14 looking at the different outcomes.

15 Q Right.

16 A Instead, most of this research may take place around
17 a particular issue, or the research may be based on actual
18 founded cases of abuse, looking at similarities,
19 differences. Some research involves anecdotal
20 information.

21 Q When you say "founded cases of abuse," are you saying
22 where people were -- or a person was convicted of abuse?

23 A In some of the research studies, they -- yeah, they
24 might reference cases where someone was, actually,
25 convicted. They might be cases where you had an offender

1 who pled. They might be cases where they -- they were
2 founded cases through child protective services. So there
3 was an indication of abuse in that respect. Some of the
4 research may be based on cases that -- some of the
5 research may be based solely on the information that
6 survivors provide.

7 Q Okay. And so you would, at least, agree in all those
8 instances, there's still no control group? And sometimes,
9 there's going to be convictions of which an alleged
10 offender, who would now be convicted, would still deny it
11 in some instances; correct?

12 A Let me make sure I understand your question. You're
13 asking me if -- if there are cases where someone is
14 convicted and, yet, they still deny their guilt?

15 Q Yes. But one step further in that you are stating in
16 those cases -- it sounded like to me you were saying in
17 those cases that you -- because they were found guilty
18 that it was determined, at least, for this study that they
19 were, in fact, guilty because they were found guilty?

20 A No. You misunderstood me.

21 Q Okay.

22 A My area of expertise is not in the area of offenders,
23 guilty or not. My area of expertise is in victims and
24 survivors. So the research that I rely on and my
25 experience is based on those experiences.

1 So what I mean by that when I was talking about those
2 particular studies is you may have a group of cases and,
3 let's just say, we draw a group of cases from child
4 protective studies or maybe we get information from the
5 criminal justice system that shows those cases. And then
6 you might look at the survivors in those cases and compare
7 their experiences. We're not looking at the information
8 about the offenders necessarily. We're looking at -- I'm
9 using examples --

10 Q I understand.

11 A -- generic hypotheticals of those 500 survivors in
12 those case and how many of those are reporting that they
13 delayed their disclosure.

14 Q Okay.

15 A Of the 500 in those cases, how many are reporting
16 indicators of grooming? Of the 500 in those cases, how
17 many of them are identifying a particular symptom that
18 they experienced before or after that abuse?

19 And so my area of expertise is not, again, in
20 offenders pre or post-conviction. It's really,
21 specifically, related to child abuse dynamics and in the
22 area of sexual assault, specifically.

23 Q And you stated that you don't -- in your area of
24 expertise, you don't look at the alleged perpetrator at
25 all. You look at the victims; correct?

1 A Yeah. My only experience -- the only time that I
2 would be assessing or working with someone who might be
3 considered an offender might be in a juvenile case where a
4 child might be referred to our office who's both a
5 suspected victim, as well as a suspected offender. Or in
6 a case where, you know, maybe it's a case of parental
7 neglect or abuse where the caregiver may be in that role.
8 But I don't do those evaluations of offenders. And,
9 again, my area of expertise is not in that area.

10 MR. KORNFELD: Okay. Thank you.

11 THE COURT: All right. Any objection to the
12 qualification of the expert?

13 MR. KORNFELD: Your Honor, just as noted previously.
14 But that's it.

15 THE COURT: All right. I find that the expert is
16 qualified in the field of child abuse dynamics.

17 All right. Ladies and gentlemen, just a brief -- as
18 you've heard so far in this trial, all of the witnesses
19 have been fact witnesses. And in our system, fact
20 witnesses cannot give an opinion on anything. They can
21 only testify as to what they know, see -- or what they saw
22 and observed as fact witnesses.

23 Under our rules, a witness can give an opinion if
24 they have been qualified as an expert. And I have
25 qualified this witness as an expert. So this is an

1 exception to where a witness can give an opinion.

2 Now, having said that, the testimony of this witness,
3 as with all witnesses is subject to your -- your
4 determination on the credibility of the witnesses. Just
5 because the witness is an expert does not mean it gets any
6 greater weight. You give the weight to this witness as
7 you do to other witnesses. But this witness is simply
8 allowed under our rules of evidence to testify in the form
9 of an opinion.

10 All right. Ms. Owen.

11 MS. OWEN: Thank you, Your Honor.

12 CONTINUED DIRECT EXAMINATION

13 BY MS. OWEN:

14 Q Before we begin, have you met the victims in this
15 case?

16 A No, I have not.

17 Q Do you even know their names?

18 A I don't.

19 Q Have you read any incident reports?

20 A I have not.

21 Q Have you spoken to anyone about any facts in this
22 case?

23 A No.

24 Q Have you seen evidence related to this case?

25 A No.

1 Q Aside from the conversation you've had with me, have
2 you had any involvement in this case?

3 A No.

4 Q Can you tell the jury what you understand your
5 purpose for testifying here today is?

6 A To provide education and information around the child
7 abuse dynamics, specifically, child sexual abuse dynamics.

8 Q Thank you.

9 Can you explain what the term delayed disclosure
10 means?

11 A Sure. First of all, disclosure in our work would be,
12 you know, when a child tells, when they share information
13 about an abuse incident that may have happened to them.

14 Delayed disclosure is what we refer to when they
15 don't tell right away. And that not telling right away
16 can be days, weeks, years. And for many, they may never
17 tell anyone. And that delay really is a delay between the
18 time the incident occurred or has occurred and the time
19 that there were any opportunities to tell a safe person or
20 to tell someone.

21 So, again, like I said, that delay can be -- there's
22 not a real specific time frame around what the delay would
23 be.

24 Q In your experience, is it common or uncommon for a
25 child to delay reporting?

1 A It's very common for children to delay reporting
2 abuse.

3 Q Could you give some reasons why a child may delay
4 reporting?

5 A One of the main reasons that children delay reporting
6 is fear. They're afraid of what's going to happen to
7 themselves. They're afraid of what's going to happen to
8 the person that may have done this to them. They may be
9 afraid of what's going to happen to their family.

10 Most times, children are abused by someone that they
11 know, they love, and they trust. And that relationship in
12 and of itself makes it very difficult for children to
13 tell. Because this can be someone that they both love --
14 someone that they love that is, also, harming them. That
15 can be really confusing for a child.

16 So just because they're experiencing that abuse does
17 not deny the fact that they have a loving and close
18 relationship to this person. Like I said, it may be
19 someone that's known, loved, and trusted to their
20 caregivers, known, loved, and trusted to the community.
21 And that may make them fearful as well, you know. Who's
22 going to believe me if I tell? Because everyone knows
23 them and trusts this person.

24 Children sometimes don't tell because they,
25 literally, don't have the words to describe what's

1 happened to them. This is more often with younger
2 children where they really don't have sexual language.
3 They may not have the context to understand that. And so
4 they, quite literally, may not have the words.

5 There is a lot of guilt and shame associated with
6 sexual abuse. And so for many victims, many people who
7 may have been impacted by child abuse, that keeps them
8 from telling. It's something that might be embarrassing.
9 They don't want to talk about it. It might be something
10 that's shameful.

11 If their bodies responded to the abuse -- even if
12 they didn't like it, if their bodies betrayed them in some
13 way, they may feel responsible for the abuse as well. And
14 sometimes, those who may be offending children may point
15 that out. And the children, again, may be afraid they'll
16 get in trouble, afraid that they have been in some way
17 responsible for what happened.

18 Q Is it possible that the act of disclosing abuse
19 itself is traumatic?

20 A It can be. You know, when children disclose abuse,
21 particularly, if they're disclosing abuse that leads to an
22 investigation, that may lead to having to change homes,
23 having to separate from friends, and caregivers, and
24 schools, having to, you know, go through the process of an
25 investigation, having to tell their story over and over

1 again, not being believed. Those types of things can be
2 very traumatic and, in some cases, may lead children to
3 not tell or to take their stories back.

4 Q And could you explain what a piecemeal disclosure is?

5 A So disclosure is, actually, a process. It's not a
6 one-time event. And what we mean by that is we don't
7 expect that a child who has been sexually abused is going
8 to tell every single detail about what's happened to them
9 the first time they tell. They may not tell every single
10 detail the second time or the third time. They may share
11 bits and pieces of information over time.

12 And there's a couple of different reasons -- or
13 there's multiple different reasons why that may be.
14 First, they may be sharing information just to kind of
15 test the waters and see how the adults around them are
16 going to respond. So they may share a piece of
17 information to see can these adults in my life handle
18 this? Are they going to respond appropriately? And
19 sometimes, that may shut a child down if they see that
20 they're not being believed. So that may be one reason
21 we're just seeing this in pieces.

22 The other thing we may see is that it really depends
23 on who's asking them the questions once they disclose. So
24 once a child starts talking about it, depending on who's
25 asking the questions may depend on what kind of

1 information they share.

2 So, for instance, the questions a mom may ask a child
3 may be very different from the questions that an
4 interviewer or law enforcement may ask. And children
5 often -- they're very egocentric. So they tend to think
6 that we already know, even though we don't know the
7 answers. So they're not always going to give us
8 information that we don't, specifically, ask for. All
9 right. So they may not give us all those details that are
10 there unless we ask for them.

11 Q And because we're on the discussion of disclosure,
12 what is an accidental or a purposeful disclosure?

13 A So a purposeful disclosure is when a child makes the
14 intentional decision to tell someone about what's
15 happened, you know. They decided that for whatever
16 reason, they're ready to tell someone about an incident or
17 incidents that have occurred.

18 An accidental disclosure is when the child is not
19 necessarily intending to tell. Examples of that might be,
20 you know, a child demonstrating behavior -- sexual
21 behavior that's concerning. Maybe they're interacting
22 with a peer or a sibling and someone sees this or hears
23 this. It may be something that the child just says that
24 sounds concerning or unusual and adults start asking
25 questions.

1 It could look, like, finding a journal, or a letter,
2 or a text message that the child didn't intend for anyone
3 to find, but they see that. Or it could be, you know, the
4 child has told a peer or someone else, asked them to keep
5 that a secret and then that person, you know, shares that
6 information. So the accidental part of it is not
7 intentionally planning to tell what happened.

8 Q And if a child observed things unrelated to sexual
9 abuse within the home, for example, fighting or verbal
10 abuse, or something along those lines, how would that
11 affect their willingness to make a disclosure?

12 A So if the abuse that they are witnessing, or the
13 violence, or aggressiveness that they're witnessing is
14 being committed by the same person that may be harming
15 them sexually, they may internalize that if I tell, that's
16 going to happen to me. Or if I tell, this may be worse
17 for whoever is on the receiving end of that violence. So
18 that's another reason why children don't tell.

19 They may internalize, again, that fear. If they're
20 seeing someone who they know is physically aggressive or
21 has been abusive, even if they're not directly abusive to
22 them in that way, physically abusive, they may internalize
23 that that abuse may become physical towards them.

24 It's sort of -- not sort of, it's what we would
25 consider an indirect threat. The person is not saying if

1 you tell, then I'm going to do this. Instead, the child
2 is seeing this behavior and internalizing that this may
3 happen to me.

4 Q Could you, also, explain what the term grooming means
5 in your field?

6 A So grooming involves developing a trusting
7 relationship with a child in order to potentially gain
8 access to them for sexual abuse, or other types of abuse,
9 or maltreatment. And this can look very different. It
10 can happen different ways.

11 Grooming sometimes looks like giving special
12 attention to a child, giving special affection. It might
13 be giving children special gifts, maybe giving them toys,
14 money, cell phones, clothes. It may look like giving them
15 extra time on the Xbox or giving them extra time watching
16 TV.

17 What it can, also, be is getting children more
18 normalized with sexual behavior or introducing them to
19 sexual behavior in such a way that it almost feels normal
20 or expected. So that may be, you know, sharing sexual
21 jokes with a child, sharing sexual material, whether that
22 be printed material, or videos, or -- or other types of
23 media. And then slowly -- again, developing that trusting
24 relationship with the child, engaging them in those
25 behaviors so that, again, they're developing that trusting

1 relationship.

2 But what that, also, does is, like I said, it creates
3 this sort of responsibility that the victim feels in that.
4 So, for instance, if this person is giving me these things
5 and doing these things and then they abuse me, then I, in
6 some way, have participated in this by receiving those
7 things.

8 So it enhances or, in some ways, makes that
9 disclosure even harder because the child has not only that
10 trusting relationship with this person, but, also, they
11 have received these things in exchange as part of that
12 relationship.

13 Q In your experience, is it common or uncommon for
14 children to be abused by people in positions of authority?

15 A Yeah. It's more -- you know, when we're talking
16 about children, if they're abused by an adult -- adults
17 always have more power and control over the relationship.

18 So, yes, when children are abused, they're abused by
19 someone who has power and authority over them if they're
20 abused by an adult. Again, that can be someone that's
21 known, loved, and trusted by the child and the family.

22 And this person may have a position of power in some
23 way that, again, makes it very difficult for the child to
24 tell. They may be fearful about the consequences to them,
25 again, to the family, to the community. It's a lot of

1 responsibility on a child's shoulders.

2 Q And what does the term non-offending caregiver mean?

3 A So a non-offending caregiver is a caregiver that's
4 caring for the child that is not committing abusive acts
5 against them. So if there is an investigation of child
6 sexual abuse and that's involving caregivers, this would
7 be the caregiver that is not committing that alleged act.

8 Q And what are some typical responses of a
9 non-offending caregiver?

10 A Well, it can look very different. Some non-offending
11 caregivers respond by supporting, appropriately. They
12 believe their child. They report the abuse. They do all
13 the things that -- that would be expected of someone in
14 that situation in terms of the investigation and getting
15 them appropriate treatment, all those things.

16 Sometimes, that doesn't happen. Sometimes, you have
17 a non-offending caregiver, who themselves may be in some
18 type of abusive situation, who themselves may be in what I
19 would call an impossible situation, meaning that they in
20 some way have some type of dependency or needs that are,
21 also, being met by the offender, or maybe that they have
22 been abused by this person themselves.

23 So they may not respond appropriately, initially.
24 They may not make the report. They may continue to have a
25 relationship with this person, you know, in spite of the

1 fact that their child may have disclosed to them this
2 person was harming them. So it can look really
3 incongruent from how we would think a parent would
4 respond.

5 Q And if the abuse spans a long period of time, is it
6 normal that a child would recall every single detail about
7 the abuse that occurred?

8 A You know, we wouldn't expect that a child would be
9 able to give us every single detail of every abuse
10 incident that's occurred with them, even if it were a
11 one-time incident. But even more so if they've
12 experienced multiple incidents of abuse.

13 It's really -- to give an example, if any one of us
14 were asked to report every single sexual experience --
15 consensual sexual experience that we had had and we were
16 asked to describe who that was with, where we were when
17 that happened, what time that happened, what clothes we
18 were wearing, who took whose clothes off, who touched who
19 where, what parts of our body were used in those
20 particular incidents, I think we would all find it
21 difficult to identify all of those specific details.

22 What color were the walls? What color were the
23 sheets? Was it on the couch? Was it on the bed? And
24 those are the kind of questions we're asking children, you
25 know, to explain or to share with us about their

1 nonconsensual experiences. And so for those reasons, you
2 know, we wouldn't expect that.

3 We, also, you know, for many -- for the other reason,
4 we may not be paying attention to all those details when
5 they're happening. Children may not be paying attention
6 to all of those details when this is happening to them
7 either. There may be certain things they're focused on,
8 rather than others.

9 They may be disassociating. They may be, actually,
10 feeling like they're not even in their body and, you know,
11 putting themselves somewhere else. They may be focussing
12 exclusively on the color of the walls.

13 So they may not remember every single detail of every
14 event. But what we tend to see is that there are four
15 details of experiences that we remember. And a lot of
16 those are related to our senses, the sensory experience,
17 you know, what did we see, what did we feel, what did we
18 hear during these experiences that we may have had.

19 Q And if victims are in a stage of not disclosing
20 because they're trying to suppress detection, could that
21 contribute to their inability to recall memories later on?

22 A So I'm going to answer this related to trauma because
23 that's what we're referring to. Child sex abuse is a
24 traumatic event. So the way that we retain and the way
25 that we recall information from our memory when we've been

1 traumatized is different from when we are not in a
2 traumatic situation.

3 So, for instance, if you are in a situation where
4 you're not experiencing a traumatic event, maybe it's a
5 celebratory event, maybe it's your wedding or the birth of
6 your child, you might remember these events that happen in
7 the order that they happen. We arrived at the hospital.
8 We went to our room, you know. All of theses things
9 happened.

10 When you're experiencing a traumatic event, time kind
11 of goes out of whack. So you may not remember things in
12 the exact sequence that they happen. You may not
13 remember, like I said, all of those specific details. You
14 may only remember things in terms of some flash bulb
15 moments. You remember some things more strongly than
16 others.

17 And you may spend a lot of time trying not to
18 remember those things. And so, you know, you're sort of
19 pushing those memories or those feelings away, again, to
20 alleviate the symptoms or the -- related to that trauma.

21 Q Thank you.

22 You've just described what trauma is. Do all
23 children experience and respond to trauma in the same way?

24 A No.

25 Q Can you tell us a little bit about that?

1 A So we all respond -- children, in particular, respond
2 to traumatic events in different ways. You might have a
3 child who's experienced sexual abuse that -- that may show
4 no outward symptoms of that, meaning that they're -- you
5 don't know that anything has happened. Their mood is the
6 same. Their behavior is the same. They continue to make
7 good grades in school.

8 One extreme of that, you might have a child whose
9 grades drop. They go from being an A student to a failing
10 student. They are depressed and anxious. They may become
11 suicidal, self-harming. They may even run away. There's
12 a wide range of symptoms that can be happening. Some
13 victims internalize that. So we don't see anything on the
14 outside. And some we see as behavior problems. And there
15 can be anything in between.

16 Q Is a possible symptom trouble sleeping?

17 A Yes.

18 Q Is a possible symptom cutting?

19 A Yes.

20 Q Is a possible symptom an eating disorder?

21 A Yes.

22 Q Is a possible symptom bed wetting?

23 A Yes.

24 Q Could all of these things, also, occur without sexual
25 abuse?

1 A Yes.

2 Q What are some positive ways that people can deal with
3 trauma and heal from sexual abuse?

4 A One of the most positive ways is to seek counseling
5 by someone who's a professional in that particular field.
6 So it would be someone who specializes in the area of
7 trauma and specializes in the area of child sexual abuse.

8 Aside from that, one of the most powerful things that
9 someone can do is to have supportive -- a supportive
10 environment, whether that is family, friends, their faith,
11 community, someone that validates them, supports them and
12 cannot necessarily -- don't necessarily have to understand
13 what's happened, but to be empathetic to what's happened.

14 MS. OWEN: Thank you.

15 I have no further questions. Please answer anything
16 Mr. Kornfeld may have.

17 THE COURT: Cross-examination.

18 MR. KORNFELD: Thank you.

19 CROSS-EXAMINATION

20 BY MR. KORNFELD:

21 Q Ms. Galloway-Williams, you're primarily focused on
22 advocacy for children; correct?

23 A I'm not sure I understand your question.

24 Q You work at the Julie Valentine Center; correct?

25 A That's correct.

1 Q And you are primarily focused on advocating for
2 children first; correct?

3 A So our goal there is to provide services to anyone
4 who's been impacted by child abuse or sexual assault. So
5 in some instances, that does involve advocacy. And that
6 can look different in different ways, but, yes.

7 Q All right. And would you agree that the National
8 Child Advocacy Center would not recommend giving
9 information about what happened or had been reported by
10 another alleged victim at their interview? Would you
11 agree with that?

12 A Can you repeat what you're saying?

13 Q Yes. Would you agree that the National Child
14 Advocacy Center would not recommend giving information to
15 an alleged victim about what had been reported by another
16 alleged victim?

17 A In what context are you referring to that? Are you
18 referring to that --

19 Q Sure.

20 A -- in a forensic interview or --

21 Q A forensic interview or just maybe another interview,
22 any interview. But let's go with the forensic interview.

23 A And I'm not exactly sure. I've been trained in CAC
24 forensic interviewing years ago -- probably back in 2003,
25 as well as their extended forensic interview protocol.

1 I've since been trained in Child First and I'm trained in
2 that. But I'm not exactly sure what NCAC's
3 recommendations are related to that.

4 In my own practice and protocol with Child First, it
5 would not be recommended that we would, you know, bring
6 that information in the interview with another child
7 unless that child brought it up first.

8 Q Sure.

9 A You know, the other child brought up that my sibling,
10 or my cousin, or my friend said this happened to them.
11 Then we would explore that with them.

12 Q And in an interview, you would, also, not recommend
13 that a parent sit in during that forensic interview;
14 correct?

15 A As part of our protocol, if we're conducting a
16 forensic interview, parents are not in the interview room
17 during the forensic interview. And they're, also, not
18 observing the forensic interview if it's a forensic
19 interview --

20 Q All right.

21 A -- which is different from an interview.

22 Q Okay. And what is the reason that you wouldn't have
23 a parent in the interview room?

24 MS. OWEN: Your Honor, I'm just going to object on
25 the record that I don't think we covered any of this on

1 direct. And I don't know that she's --

2 THE COURT: It's cross-examination. I'll allow it.
3 Overruled.

4 THE WITNESS: Are we talking about forensic
5 interviewing?

6 BY MR. KORNFELD:

7 Q Yes.

8 A I know I'm not supposed to ask questions, but I just
9 want to be sure that I am following --

10 Q Yes. That's what we're talking about.

11 A Okay. And so you're asking me about forensic
12 interview protocol. Can you rephrase your question or
13 restate the question before the objection?

14 Q Certainly. In a forensic interview, I believe you
15 testified that you did not have the parents in the
16 interview, that was not your policy at the Julie Valentine
17 Center; correct?

18 A It's not only not my policy -- not my -- it's not
19 only not our policy at the Julie Valentine Center, it's
20 not common practice during a forensic interview to have a
21 mom in the interview room during the interview. Because
22 it's a forensic interview.

23 Q Okay. Thank you.

24 A So in Child First protocol, which I'm an instructor
25 in, in NCAC, which, like I said, I'm trained in that as

1 well, I'm really not sure of a protocol that would
2 encourage or say you should have a caregiver in the
3 interview room during the recorded interview.

4 Q Okay. And what kind of child would report
5 psychological or sexual abuse that didn't happen?

6 A I don't know.

7 Q Okay. And so in the empirical literature that you've
8 reviewed, you would agree that none of it discusses any
9 occurrences that didn't happen?

10 A So in the -- I mean, we, certainly, are aware that
11 there are times when there are false reports of abuse.
12 There are false denials of abuse when a child -- you know,
13 we have some type of evidence to show that a child was
14 abused and, yet, the child is still denying it.

15 In the research, we show that there's high incidents
16 of children taking their statements back. So they might
17 make a statement and then take their statement back, or
18 recant that statement because of outside influences, or
19 because of the trauma they may have experienced after they
20 disclosed.

21 So, no. Our work in the field of child abuse
22 dynamics, we do look at reasons why a child might not
23 report, reasons why a caregiver might, you know, influence
24 reporting or not reporting, and those types of things.
25 I'm not sure if that answered your question or not.

1 Q All right. Well, have you reviewed any empirical
2 data as it relates to forms of psychological maltreatment,
3 also, known as parental alienation?

4 A Yes.

5 Q All right. And do you know about any of the effects
6 that that could have in an allegation of a child sexual
7 conduct case?

8 A Can you rephrase your question?

9 Q Yes. Are you aware of any cases of which there has
10 been psychological maltreatment, also, known as parental
11 alienation in which that could affect what a child may say
12 in a CSC investigation?

13 A Yes. So I am aware of parental alienation. And I am
14 aware of cases where there have been indications of
15 parental alienation.

16 Q Okay. And would it be important if you're aware of
17 that to look into possible litigation, Family Court
18 litigation, or those sorts of things, or would it not be
19 relevant to you?

20 A In what context? I mean, I'm here as an expert
21 witness not having evaluated evidence. Are you talking
22 about in this particular situation?

23 Q I'm just talking about when you state -- I think you
24 said before -- and you're maybe going to have to correct
25 me, because I don't want to put words in your mouth. But

1 you stated that you didn't -- that you studied and -- the
2 alleged victims, I think you called them survivors, those
3 sorts of things; correct?

4 A My area of expertise is in child abuse and sexual
5 assault.

6 Q All right.

7 A In terms of the clients that I've worked with,
8 they've primarily been victims and survivors, not
9 offenders, unless they've been juvenile offenders or
10 caregivers who might have been considered offenders in
11 terms of not being protective caregivers.

12 Q And my question is, would it be relevant to consider
13 other possibilities and variables in an investigation such
14 as parental alienation?

15 A Yeah. So when we are looking at cases of child
16 maltreatment, we are looking at alternative hypotheses.
17 When we are -- you know, from the investigation and
18 initial assessment of the case, we're not going in with
19 only one hypothesis about what's happened. We're looking
20 at other possible hypotheses. So we are looking at as
21 much information as we can gather.

22 Q Okay.

23 A We're not strictly taking the information from one
24 source. We're trying to gather as many sources as we can.
25 So, certainly, if that information were available in the

1 initial assessment before I meet with the family, I might
2 review that information before or after.

3 Q Okay. And isn't it true that there's no way to tell
4 if -- if it's consistent with abuse if it was told
5 immediately, as opposed to being delayed?

6 A So delayed disclosure is not a way that we determine
7 whether abuse has occurred. It is a dynamic of child
8 sexual abuse. It's a dynamic that, generally, is
9 misunderstood, you know. The assumption is if someone is
10 harming you or hurting you, particularly, a child, that
11 they're going to seek help and seek treatment immediately.
12 They're going to tell someone. But that's not what
13 happens most of the time in child sexual abuse cases.
14 They don't tell right away.

15 Q Okay. And you stated that these people that abuse
16 children, sometimes they give them cell phones, clothes,
17 toys in the grooming factor. You would, also, agree that
18 people that don't abuse their children, also, give their
19 children gifts; correct?

20 A Certainly. People -- you know, I give my children
21 gifts. But I don't do that with the intention of
22 receiving something in return or developing --
23 specifically, developing a trusting relationship with
24 them.

25 Q Understood.

1 A Grooming is not just giving someone a gift.

2 Q Right.

3 A Grooming is giving someone a gift with the intent and
4 purpose of creating that trusting relationship and the
5 expectation there might be something in return.

6 Q Thank you.

7 And just so that I understand this, you stated the
8 trauma, there may be no outward signs. Sometimes, they
9 can show signs, sometimes they might not. Sometimes, they
10 may disclose early, sometimes they don't. Sometimes,
11 there would be cutting, sometimes there wouldn't. And
12 would you, also, agree that every case would be different?

13 A Yes. The -- the way that a victim responds to their
14 own trauma and the outcome is different every time.
15 However, there are some dynamics that we tend to see -- or
16 that we see that are consistent across cases. But in
17 terms of those behaviors or symptoms that we see, again,
18 those are not diagnostic of sexual abuse.

19 So what I mean by that is because a child is cutting,
20 or because a child is bed wetting, or having nightmares
21 doesn't mean they've been sexually abused. But if a child
22 has disclosed they've before been sexually abused and
23 they're, also, bed wetting, and cutting, and having
24 nightmares, that, potentially, could be related to each
25 other.

1 Q Right. But you can't tell what did or didn't happen
2 by looking at a certain criteria?

3 A That's exactly what -- that was my point. It's not
4 diagnostic.

5 Q Yes.

6 A Those symptoms are not diagnostic, meaning that we
7 don't diagnose that someone has been sexually abused
8 because they're demonstrating or not demonstrating
9 symptoms.

10 MR. KORNFELD: Right. Okay.

11 Just one second.

12 (Pause.)

13 MR. KORNFELD: Okay. Thank you.

14 No further questions.

15 THE COURT: Any redirect?

16 MS. OWEN: Nothing, Your Honor.

17 THE COURT: You may step down.

18 Thank you.

19 MS. OWEN: May this witness be excused?

20 THE COURT: Any objection?

21 MR. KORNFELD: No objection.

22 THE COURT: All right. You are excused.

23 Next witness.

24 MS. OWEN: Your Honor, may we approach for just a
25 moment?

1 THE COURT: Yeah.

2 (WHEREUPON, a bench conference was held.)

3 MS. OWEN: Your Honor, the next witness is [REDACTED]

4 [REDACTED].

5 THE CLERK: Please pause at the end of the bench.

6 Raise your right hand and place your left hand on the
7 Bible.

8 WHEREUPON,

9 [REDACTED],

10 after first having been duly sworn, testified as follows:

11 THE CLERK: Please take a seat.

12 Please state your name for the record.

13 THE WITNESS: [REDACTED].

14 DIRECT EXAMINATION

15 BY MS. OWEN:

16 Q How are you today, [REDACTED]?

17 A I'm good.

18 How are you?

19 Q Good.

20 [REDACTED], could you, please, tell the jury a little bit
21 about yourself, your name -- you've already stated your
22 name, but, like, how old you are and what you're doing
23 currently?

24 A I'm 20 years old. I go to Anderson University. And
25 I'm a senior. I graduate in May. My major will be

1 English and marketing. And my future plans are to -- I'm
2 studying for the LSAT. So I want to go to law school.

3 Q And, [REDACTED], obviously, you're in college now. Where
4 did you grow up?

5 A I grew up at [REDACTED], Fountain Inn,
6 South Carolina.

7 Q And who lived in your house growing up?

8 A My mom, Randy, Ian, [REDACTED], [REDACTED], and myself.

9 Q And growing up, can you tell the jury a little bit
10 about what you did for school?

11 A We home schooled for the beginning. I co-oped and
12 did the co-op thing. And then when I was in first grade,
13 then I went to GCA, which was Greenville Classical
14 Academy. And then in third grade, I went to Fountain Inn
15 Elementary until fifth grade. And then in sixth grade, I
16 went to Langston Charter Middle School. And then for high
17 school, I went to Brashier Charter Middle School. And
18 then I switched to SC Whitmore Charter. My junior year, I
19 started there.

20 Q And when you were growing up, did your parents work?

21 A Yes.

22 Q What do you recall about your mom working?

23 A She would do, like, design jobs. She had her degree
24 in real estate -- or interior design. And Randy had piano
25 lessons and would play the piano at the church.

1 Q And did he, also, teach at Greenville Classical? Is
2 that how y'all ended up there for a couple of years?

3 A Uh-huh.

4 Q And at some point, did your dad stop working
5 full-time and attend school?

6 A Yes, ma'am.

7 Q Do you recall what he was doing at that time?

8 A Trying to get his doctorate. And so, yeah.

9 Q Do you recall where that was?

10 A At USC.

11 Q In Columbia?

12 A Yes, ma'am.

13 Q Did he commute back and forth from Columbia?

14 A Yes, ma'am.

15 Q How old were you, approximately, when he started
16 going to Columbia?

17 A Eight years old.

18 Q And, [REDACTED], was your family involved with church when
19 you were growing up?

20 A Yes.

21 Q What churches did you attend?

22 A For my -- I started at Woodruff Road Presbyterian
23 Church. And I went there until we went to Palmetto Hills,
24 just my mom and my siblings.

25 Q When you say just your mom and your siblings, did

1 your dad go to church somewhere else?

2 A Yes. He went to Aldersgate and played the organ
3 there.

4 Q Okay. And were you guys involved at church?

5 A Yes, ma'am.

6 Q Did your parents come from religious backgrounds?

7 A Yes, ma'am. My --

8 Q And -- I'm sorry. Go ahead.

9 A I guess my -- Randy's family is Baptist. And my
10 family is Lutheran and Presbyterian.

11 Q And at home, would you say your home was an
12 affectionate, loving home?

13 A From my mom, yeah.

14 Q What about from Randy?

15 A I was scared of him.

16 Q Why was that?

17 A Because he would get really angry. And I would have
18 to deal with that. And he would yell at us. And it was
19 just hard.

20 Q What kind of -- did your dad give you affectionate
21 touches?

22 A He didn't pick me up, but he touched me.

23 Q [REDACTED], I know you're trying to describe a little bit
24 about what -- you just said you were scared. But could
25 you give the jury some more insight into what life was

1 like at home?

2 A I wanted to be really perfect for him so I wouldn't
3 get in trouble. And so I would clean. And it wouldn't
4 help. He would still yell about things anyway. It was
5 scary at night when he had been drinking. And just when
6 things were wrong, it was hard.

7 Like, when financial things were going on, like,
8 everyone would hear. And it would be on everyone. And he
9 would say things like he shouldn't have to be taking care
10 of us.

11 Q And growing up, who did the punishments in your
12 house?

13 A Randy.

14 Q Can you tell the jury about that?

15 A Sometimes, we got punished on our own. And
16 sometimes, I just got punished by myself. And he would
17 use, you know, a belt, a shoe, PVC pipe, his hand. And he
18 would, like -- he took my clothes off and had me bend over
19 in the bathroom for a spanking bare bottomed because I was
20 in trouble. And then I got in the shower after.

21 So the spankings were not always just a punishment.
22 And then, you know, you say you're sorry and then
23 forgiveness.

24 Q When you say "forgiveness," what do you mean by that?

25 A Like, I wouldn't be treated badly anymore after,

1 like, I had still done something wrong.

2 Q Did you have any friends over often?

3 A Mary Elise.

4 Q And was she around when everybody was home, or just
5 when you girls were home?

6 A Mostly, just when we were home, yeah. We would go on
7 bike rides and come to our house. And when nobody was at
8 our house, we'd stay there for a little bit.

9 Q And you stated that things would be worse at night if
10 your dad was drinking; is that correct?

11 A (There was no verbal response.)

12 Q Did he drink often?

13 A Yes, ma'am.

14 Q Could you tell the jury a little about that?

15 A He would sit in the TV room right next to his bedroom
16 and drink beer. And then he always had some kind of dark
17 liquor, like, scotch or whiskey on the side of his bed to
18 drink. And he would have, like, Grey Goose in the freezer
19 and have us, you know, make him margaritas -- not
20 margaritas, but -- I don't know what it's called,
21 whatever. He would have us make him drinks from the Grey
22 Goose.

23 Q And did he always drink a lot, or did that occur
24 later on?

25 A From what I remember, he always drank.

1 Q And, ██████, you said when he was drinking, things
2 would be worse; is that correct?

3 A Yes, ma'am.

4 Q When you got spanked, did you see your other siblings
5 get spanked?

6 A Yes, ma'am.

7 Q Who did you observe get spanked?

8 A All of my siblings, Ian, ██████, ██████.

9 Q And you said sometimes these things happened in the
10 bathroom; correct?

11 A (There was no verbal response.)

12 Q Growing up when you were little, did you take showers
13 or baths?

14 A I started in the bath. And then I started taking
15 showers.

16 Q What room did you take showers in?

17 A My parents back bathroom.

18 Q I'm going to show you State's Exhibit Nos. 39 through
19 45. Okay. Do you recognize these?

20 A Yes, ma'am.

21 Q What are they?

22 A The back bathroom, the main bathroom -- or Randy and
23 my mom's back bathroom.

24 Q This is the shower that you took showers in when you
25 were little?

1 THE COURT: It's still off. It's not on yet. Give
2 it a little bit.

3 MS. OWEN: Okay.

4 THE BAILIFF: It's coming up.

5 THE COURT: Coming up. Okay.

6 (Pause.)

7 THE COURT: Is it on?

8 THE BAILIFF: Yes.

9 MS. OWEN: Thank you.

10 BY MS. OWEN:

11 Q State's Exhibit No. 42, is this the shower you would
12 take showers in when you were younger?

13 A Yes, ma'am.

14 Q Can you describe for the jury what -- what the
15 condition of this bathroom was? Were you able to lock the
16 door, not lock the door?

17 A So right next to the shower, there's a door right
18 here. And that's where you come in from the bedroom. And
19 so there was just curtain there. And then --

20 Q [REDACTED], I'm going to show you what's been marked as
21 State's Exhibit No. 44.

22 A So where the door is, there used to be a curtain.
23 And then on the other side --

24 Q This is State's Exhibit No. 39.

25 A That door didn't have a handle, so it was just a hole.

1 Q And is this the closet door or another door to the
2 hallway?

3 A That's the door to the closet.

4 Q And does the closet connect to the bedroom?

5 A Yes, ma'am.

6 Q So you can enter the bathroom through the closet or
7 the bedroom; correct?

8 A Yes, ma'am.

9 Q What do you recall about showering in the bathroom
10 when you were younger?

11 A Randy would come in and he would, you know, knock and
12 say, I have to come in for my hair brush. And he would
13 look in the mirror from the closet. So he'd come in
14 through the closet door and look in the mirror while he
15 was getting his hair brush and then back into the shower.

16 Q I just put up State's Exhibit Nos. 43 and 39. He'd
17 come in this closet door?

18 A Yes, ma'am.

19 Q And look in this mirror?

20 A Yes, ma'am.

21 Q And then he could see into the shower in State's
22 Exhibit No. 41. Is that what you're saying?

23 A Yes, ma'am.

24 Q When did that start?

25 A When I started showering when I was four.

1 Q And how often did this happen?

2 A Pretty regularly, almost every time I showered, that
3 I took my shower.

4 Q And he always said he was coming in to get something;
5 is that right?

6 A Yes, ma'am.

7 Q And how long did this go on, that he would walk in on
8 the shower while you were showering?

9 A Like, years. Because he would just walk in and sit
10 on that -- that tub bannister thing and just stare into
11 the shower.

12 Q Did anyone else ever come into the bathroom when this
13 was occurring?

14 A No, ma'am.

15 Q How long did this go on? Approximately, what age?

16 A Until I was, like, nine.

17 Q And, [REDACTED], did you ever say anything to anyone about
18 this?

19 A No.

20 Q Why did you shower in this bathroom?

21 A Well, there was just a claw foot tub in the main
22 bathroom. And the upstairs bathroom didn't work.

23 Q Eventually, did it get fixed?

24 A To a point where you could shower there. But you
25 still couldn't really get the door shut really good. And

1 the plumbing was bad. And there was a bad smell.

2 Q So there were reasons that you showered in this
3 shower?

4 A Yes, ma'am.

5 Q And for years, this was the only available shower?

6 A Yes, ma'am.

7 Q And, [REDACTED], obviously, this is in your dad's and
8 mom's bedroom; correct?

9 A Yes, ma'am.

10 Q Was it normal for him to be around the house -- or,
11 I'm sorry, in his room in minimal clothing?

12 A Yes, ma'am.

13 Q Can you tell the jury about that?

14 A We have a long hallway. And at the end of the
15 hallway is Randy's bedroom. And there's a door that goes
16 into the living room. So if I'm coming down the stairs
17 and look, then he can -- look down the hallway, then he
18 just has his door open and he's naked. And he doesn't
19 care to cover himself, or anything like that. And he's
20 just walking around in his bedroom naked, and just wearing
21 a robe after he showers, and things like that.

22 Q And this just occurred in his bedroom, though; right?
23 And you could see him as you're explaining from the end of
24 the hall and that was in his room?

25 A Uh-huh.

1 Q But it was normal to see him unclothed in his room?

2 A (There was no verbal response.)

3 Q [REDACTED], did the Defendant in this case ever touch you
4 on the outside of your clothes?

5 A Yes, ma'am.

6 Q Can you tell the jury about that?

7 A Just, you know, all the time being a little girl, he
8 would grab us. If I was sitting next to him, he would,
9 you know, grab and squeeze my thigh. And he would squeeze
10 our arms, too. Just how he'd, like, pinch me and push me
11 to the ground.

12 And what was the question again, please?

13 Q I asked if he would ever touch you on the outside of
14 your clothing. And you're describing some of those
15 touchings; correct?

16 A And, you know, just touching our thighs in the car.

17 Q And those previous touches you described, and
18 pinching you, and grabbing your arm, were those
19 affectionate, or were they aggressive?

20 A Aggressive. It's just like a hug would be grab
21 around your arms and squeeze. And it would hurt.

22 Q [REDACTED], you discussed your dad drinking in the TV
23 room; is that correct?

24 A Yes, ma'am.

25 Q I'm going to show you what's been pre-marked as

1 State's Exhibit Nos. 25 through 30. Do you recognize
2 that?

3 A Yes, ma'am.

4 Q What is it?

5 A The TV room.

6 Q Does it look anything today like it did back then
7 furniture-wise?

8 A No, ma'am.

9 Q This is State's Exhibit No. 30. What is that?

10 A That's the TV room.

11 Q I'm going to show you State's Exhibit Nos. 28 and 27
12 put together. What used to be in place of the furniture?

13 A There was a long couch that went across the windows.
14 And there was a TV on this far corner. And then my mom's
15 long desk on the other corner.

16 Q Okay. Did you ever spend time in the room?

17 A Yes, ma'am.

18 Q And, [REDACTED], was the TV -- I'm going to show you
19 State's Exhibit No. 26 -- somewhere in this picture in
20 this room?

21 A Yes, ma'am. The TV was right where the orange chair
22 is.

23 Q And, [REDACTED], in this room, did your dad ever show you
24 anything inappropriate?

25 A Yes, ma'am. He would play movies on TV.

1 Q What kind of movies?

2 A Just like regular TV movies, but they would be bad
3 and they'd be scary. And they'd have sex scenes in them.

4 Q And other than showing you -- it sounds like you're
5 describing rated R movies. Would that be correct?

6 A Yes, ma'am.

7 Q Did he show you any other explicit material?

8 A He showed me porn.

9 Q What did he show you porn on?

10 A His iPod, his computer, Apple computer, and his Apple
11 iPhone.

12 Q Can you tell the jury a little about that?

13 A He always had everything for his school. He taught
14 piano students. And then he taught at the college at USC
15 while he was doing --

16 THE COURT: Ms. Flower, can you do me a favor? If
17 you could speak up a little bit. And that microphone will
18 help you right there. The court reporter needs to get
19 everything down. If you'll talk a little bit louder.

20 Thank you.

21 THE WITNESS: Where was I? I'm sorry.

22 BY MS. OWEN:

23 Q That's okay. Could you tell the jury about when your
24 dad would show you pornography?

25 A He'd be drinking beer, or sometimes whiskey, or

1 whatever. And he would serve it to me and show porn on
2 his devices.

3 Q Approximately how old were you when this started,
4 when he first started showing you pornography?

5 A About five.

6 Q And what did he show it to you on, initially?

7 A His computer.

8 Q Did he say anything about it?

9 A Not that I remember.

10 Q And how frequently would he show this to you?

11 A Over the years, a lot.

12 Q You said it started -- he started showing it to you
13 around age five. Do you recall approximately the last
14 time he showed it to you?

15 A When I was nine.

16 Q And, [REDACTED], you said he showed it to you on his
17 computer. Was that in a certain room in the house?

18 A In the living room.

19 Q That's not the TV room; correct?

20 A Yes, ma'am.

21 Q I'm going to show you what's been marked as State's
22 Exhibit Nos. 6, 7, 8, and 9. What are those?

23 A That's the living room.

24 Q Does the furniture represent what it looked like back
25 then, or has the furniture changed?

1 A The furniture has changed.

2 Q I'll give you a minute to get some water.

3 This is State's Exhibit No. 9. What is this?

4 A This is, I guess, from the perspective of our dining
5 room into the living room.

6 Q This is State's Exhibit No. 6. What is that?

7 A So --

8 Q If you need to get up, you can use that screen, if
9 that would be easier.

10 A Okay. So on the right side is the door. And then
11 that's the left side of the living room.

12 Q Okay. And how was the room set up back then? What
13 furniture was there?

14 A That white couch, it would sit there. But there were
15 couches like it, but the arms curved up way high like that
16 and had pillows. There was the piano and another chair
17 like that. Because we would push them together.

18 Q Okay. Specifically, where were the couches, the
19 piano, and the chair?

20 A The piano would stick out where the clock is and the
21 couch is. And then the brown couch was right there in the
22 front.

23 Q I'm sorry. Could I ask you to get up and point out
24 on the screen where these things were?

25 A The piano was here. Here is where the piano was.

1 And further forward is where the brown couch was, out of
2 the picture.

3 Q And you said the brown couch had a high back and high
4 arms?

5 A Yes, ma'am.

6 Q Is that what you were describing?

7 A Yes, ma'am.

8 Q And is it in this room that you're describing as it
9 was back then?

10 A Yes, ma'am.

11 Q And this room, is this the room where he showed you
12 pornography on his computer?

13 A Yes, ma'am.

14 Q Could you, please, tell the jury about that?

15 A Yes, ma'am. So he --

16 THE COURT: Ms. Flower, speak into to the microphone
17 right there so the court reporter can hear you.

18 THE WITNESS: He showed me porn on his computer. It
19 was a man and a woman. And they were giving each other
20 oral sex, like, at the same time. And he was touching me
21 outside of my clothes. And then he turned it off. And he
22 needed me to help him. And so he unbuckled his pants.
23 And he had me lick on the back of his penis and on the
24 top. And he had me put my hand under his balls.

25 And he would reach behind me and, you know, take my

1 pants down and slide his fingers inside me and -- inside
2 my anus and my vagina. And he had me keep performing oral
3 sex and touching him on his -- until he ejaculated. And
4 he just got up and left and got me a paper towel and went
5 to his room.

6 BY MS. OWEN:

7 Q [REDACTED], this started when you were approximately five
8 years old. Is that what you stated?

9 A Yes, ma'am.

10 Q This happened one time or more than one time until
11 you were age nine?

12 A It happened more than one time.

13 Q Did it happen frequently?

14 A Sometimes with porn, sometimes not, but frequently,
15 yeah.

16 Q And he showed you pornography until you were nine?

17 A Yes, ma'am.

18 Q [REDACTED], was anyone else around when this happened?

19 A No, ma'am.

20 Q Did anyone ever walk in?

21 A No, ma'am.

22 Q Did you ever tell anybody that this was happening at
23 this age?

24 A No, ma'am.

25 Q I'm going to back you up a little bit. I kind of

1 jumped ahead. When you were younger, who did the potty
2 training in your house?

3 A Both my mom and my dad.

4 Q And who helped you, or did they both help you?

5 A They both helped.

6 Q And I want to show you what's been pre-marked as
7 State's Exhibit Nos. 19, 20, 21, 22. Do you recognize
8 those?

9 A Yes, ma'am.

10 Q What is that?

11 A The main bathroom.

12 Q When you say the "main bathroom," what floor is that
13 on?

14 A The first floor. It's in the hallway.

15 Q Speaking about the hallway, you had mentioned earlier
16 that there's a long hallway -- this is State's Exhibit
17 No. 18 -- where the doors were. Is this a description of
18 what you were describing?

19 A (There was no response.)

20 Q Would you look at the screen?

21 A Yes, ma'am. So that door would be open. And if
22 you're coming downstairs from upstairs and then walking
23 through to the kitchen, you could look down the hallway
24 and he would be naked.

25 Q And you just stated that the bathroom you're

1 describing, the door is off this main hallway, too; is
2 that correct?

3 A Yes, ma'am.

4 Q And, [REDACTED], I showed you those pictures. Could you
5 tell the jury about where you -- like, where you learned
6 to potty train? Who was helping you? What bathrooms were
7 you in?

8 A Well, I was potty trained, but I was using a baby
9 toilet at three years old. But the door on the bathroom
10 didn't just close when you closed it. And there's a lock
11 up high. And, of course, I couldn't reach it. And after
12 three years old, I still needed help wiping after I had
13 gone to the bathroom.

14 And so I'd go to the bathroom with the door open and
15 say, Mom, can you wipe me? And sometimes, my mom would
16 come. And when he would come, he would wipe me and he
17 would stick his fingers inside my anus and move his
18 finger.

19 Q You said you were approximately three years old when
20 this started?

21 A Yes, ma'am.

22 Q And when you're talking about a door not closing on a
23 bathroom, what door is that you're talking about not being
24 able to close all the way?

25 A The main bathroom.

1 Q This is State's Exhibit No. 21. Is this the door
2 you're referring to?

3 A Yes, ma'am. Now, it has a knob on it and it closes.

4 Q And is this the bathroom that you're referring to
5 where this happened?

6 A Yes, ma'am.

7 Q Did it happen in any other bathroom in the home?

8 A No, ma'am. That's where I went to the bathroom.

9 Q And, [REDACTED], why do you recall this -- these memories
10 from this age?

11 A Because I didn't know why he would come if he was
12 angry. Because my mom would come and just wipe me. And
13 he would hurt me.

14 Q [REDACTED], did this happen one time or more than one
15 time?

16 A More than one time.

17 Q How long did this go on?

18 A When I stopped, you know, calling, so not very long.

19 Q And, [REDACTED], what room did you sleep in when you were
20 younger? Very little, I'm sorry. Let me rephrase that --

21 A My two sisters and I shared a bedroom right next to
22 that bathroom.

23 Q What room did you move to when you moved upstairs
24 with your sisters?

25 A The room at the end of the hall upstairs.

1 Q Did you share a room with anybody -- I'm sorry. Go
2 ahead.

3 A I just meant the big room upstairs is -- I shared
4 with [REDACTED] when we moved up there.

5 Q Did you share -- you shared it with [REDACTED]?

6 A Yes, ma'am.

7 Q I'm going to show you what's been pre-marked as
8 State's Exhibit Nos. 48, 49, 50, 51, 52, and 53.

9 A Yes, ma'am. This is the bedroom.

10 Q This is the bedroom you stayed in?

11 A Yes, ma'am.

12 Q With [REDACTED]?

13 A Uh-huh.

14 Q Approximately how old were you when you moved into
15 this room?

16 A Three years old.

17 Q Does the furniture look the same today as it did back
18 then?

19 A No, ma'am.

20 Q Is it set up the same?

21 A No, ma'am -- set up how?

22 Q Is it just -- was it set up the same way as it is
23 today?

24 A (There was no response.)

25 Q Let's start with State's Exhibit No. 50. What are we

1 looking at here?

2 A The entrance to the bedroom I shared with [REDACTED].

3 Q And State's Exhibit No. 53?

4 A That's a little alcove that I had that was my little
5 space in the bedroom. And so I had -- I'm describing the
6 room?

7 Q As it was back then, yes.

8 A So I had my toddler bed with pink sides. And it was
9 right up against this far wall. And then just an
10 igloo-type thing to hold our toys in.

11 Q And I'm going to show you State's Exhibit No. 49.

12 A Over there, we had a play table.

13 Q State's Exhibit No. 51.

14 A It was -- we might have had a dresser there. But
15 that was -- then [REDACTED] bed is right over to the other
16 side.

17 Q Over here? This is State's Exhibit No. 48.

18 A No. We had a dresser on -- we had a dresser on that
19 wall. And then [REDACTED] bed was on the far side.

20 Q Okay. And was there anything on this wall in State's
21 Exhibit No. 52?

22 A No, ma'am.

23 Q Let's go back to this, State's Exhibit No. 53, this
24 little alcove. This is where your bed was; correct?

25 A Yes, ma'am.

1 Q And you moved into this room when you were
2 approximately three years old?

3 A Yes, ma'am.

4 Q How long did you stay in that room?

5 A I was in there when I was ages three and four. When
6 I was five, I moved into the bedroom down the hall with
7 [REDACTED].

8 Q [REDACTED], did anything inappropriate happen in this room
9 with your father?

10 A Yes, ma'am.

11 Q Can you, please, tell the jury about that?

12 A Well, I'd wake up and he'd be standing over me and,
13 you know, he would have my pants pulled down and he would
14 have his fingers inside me. Then it would be painful
15 because he would use his finger a lot, you know, jangling
16 his hand.

17 Q [REDACTED], do you recall what kind of bed you had or what
18 kind of comforter you had?

19 A I had a hot pink blanket and [REDACTED] had a dark
20 purple.

21 Q And you say this happened at night; correct?

22 A Yes, ma'am.

23 Q Did this happen one time or more than one time?

24 A More than one time.

25 Q In this room?

1 A Yes, ma'am, and in other rooms when I was other ages.

2 Q And you shared this room with [REDACTED]; is that
3 correct?

4 A Yes, ma'am.

5 Q Did she ever wake up at any point in time when you
6 were in this room?

7 A No, ma'am.

8 Q [REDACTED], do you recall anything else happening in this
9 room with Randy?

10 A Yes, ma'am.

11 Q Can you tell the jury about that?

12 A He came -- he, actually, woke me up. I would get out
13 of bed and walk over to the little play table that was
14 beside [REDACTED] bed. And he sat down on it and undid
15 his pants and had me suck on the top of his penis and use
16 my hand to massage his penis with my hand. And then he
17 got up and laid me back on the play table and -- and took
18 my pants off and put his fingers inside of me and inside
19 of my vagina. And he put his mouth on my vaginal area.

20 Q [REDACTED], did he say anything to you when this would
21 occur?

22 A Just that it was a training.

23 Q Did he ever tell you what training it was for?

24 A No, ma'am.

25 Q Was that the term he used, "training"?

1 A Yes, ma'am.

2 Q Did this happen one time or more than one time in
3 this room?

4 A More than one time.

5 Q Did other things happen in other rooms upstairs?

6 A Yes.

7 Q [REDACTED] you said you moved into another room with
8 [REDACTED]; is that correct?

9 A Yes, ma'am.

10 Q Let me show you what's been pre-marked as State's
11 Exhibit Nos. 58 through 61.

12 A Yes, ma'am. These are that bedroom we moved into.

13 Q I'm going to show you what's been premarked as
14 State's Exhibit No. 58. What is that?

15 A The entrance to the bedroom [REDACTED] and I shared.

16 Q And State's Exhibit No. 59?

17 A Do you want me to describe the room, how it was?

18 Q Yes, please.

19 A [REDACTED] and I had matching beds on either side of
20 the pink, so.

21 Q I'm going to show you State's Exhibit No. 61. You
22 can't see it very well. Would this be the pink in the top
23 left corner?

24 A Yes, ma'am. And we had matching comforters.

25 Q What did those comforters look like?

1 A Pink and gray polka dots.

2 Q How big were your beds?

3 A We both had twins.

4 Q And you moved into this room when you were
5 approximately how old?

6 A Five years old.

7 Q Did anything happen in this room?

8 A Yes, ma'am.

9 Q How long did you stay in the room?

10 A Until I moved downstairs to the TV room to be next to
11 my mom's room.

12 Q How old were you when you moved downstairs?

13 A I was in middle school.

14 Q You stayed in this room a while?

15 A (There was no verbal response.)

16 Q Can you tell the jury what you recall happening in
17 the room?

18 A Randy would come upstairs when I was in there and I
19 would hide under the bed. And he would lay on top of it
20 and masturbate. And I would hide and just stay under
21 there.

22 Q [REDACTED], when you were in this room -- you stayed in
23 this room a long time from age five until middle school.
24 Did Randy ever touch you inappropriately in this room?

25 A Yes, ma'am.

1 Q Can you describe that for the jury?

2 A It wasn't my room. It was Ian's room.

3 Q Before you moved in there at age five?

4 A Uh-huh. It was Ian's room. I was in there playing
5 with Ian's toys. And Randy came up and told Ian to leave
6 and go mow. And he sat down on Ian's bed. And I just
7 didn't look up. And he called for me to come over to him.

8 And so I got up. And he was leaning back with his
9 knees up. And he made me -- he made me hold onto his
10 knees and he took down my pants and unbuckled his pants
11 and had me touch his penis until it got hard. And he had
12 me licking and rubbing him and touching under his balls.

13 And then he had me stand up and put my feet on either
14 side of him and sit down. And he rubbed my vagina with
15 his penis and pushed his penis in my vagina.

16 Q [REDACTED], how did that feel?

17 A It hurt.

18 Q And you're describing this as it happened prior to
19 you moving into this bedroom; correct?

20 A Yes, ma'am.

21 Q [REDACTED], did things like this happen one time or more
22 than one time?

23 A More than one time.

24 Q Is there a room you used to call the middle room?

25 A Yes, ma'am.

1 Q Does that room exist anymore?

2 A No, ma'am, we remodeled.

3 Q I'm going to show you what's been pre-marked as
4 State's Exhibit Nos. 54, 55, 56, and 57.

5 A That's where the middle room was, but half of it was
6 still the bathroom.

7 Q Let me show you what's been pre-marked as State's
8 Exhibit No. 56. What half of that room -- or was this the
9 half of the room that was previously the middle room?

10 A Yes, ma'am.

11 Q And what was in this area of the house?

12 A There were two red striped couches that faced each
13 other.

14 Q Did y'all spend time up there?

15 A Yes, ma'am. It was our little play area.

16 Q And did you play up there often?

17 A Yes, ma'am.

18 Q Do you recall anything happening in that area of the
19 house inappropriately with Randy?

20 A Yes, ma'am.

21 Q Will you, please, tell the jury about that?

22 A Yes, ma'am. I was in the middle room playing Polly
23 Pockets. And he came up and sat down on the red chair
24 that was against the bathroom wall and motioned for me to
25 come over to him.

1 He -- Randy took -- pulled his pants down and had me
2 start licking the back of his penis and the top and had me
3 rub the back of his penis with my finger. And he made me
4 do all of that for a while. And then he reached down and
5 pulled up his balls and had me lick under his balls.

6 Q [REDACTED], did he ever say anything to you?

7 A I don't remember that time.

8 Q And did this happen one time or more than one time in
9 this area of the house?

10 A In the middle room?

11 Q Yes.

12 A I believe a few times.

13 Q Approximately how old were you when this started in
14 this room?

15 A Five.

16 Q How long did this occur that you recall in this room
17 over the years -- those several times over the years?

18 A Until I was nine.

19 Q Until you were nine. [REDACTED], did anyone ever walk in
20 when this happened?

21 A No, ma'am.

22 Q Did anyone ever see this happen?

23 A No, ma'am.

24 MS. OWEN: Your Honor, may we approach?

25 THE COURT: Yeah.

1 (WHEREUPON, a bench conference was held.)

2 THE COURT: All right. Ladies and gentlemen, we are
3 going to break for the day. And we're going to start back
4 up at 9:15 in the morning.

5 We made some progress today, I just want to let you
6 know. So I feel pretty good. And I think we are kind of
7 back on schedule a little bit. So I think we'll be good.

8 And I know we have one -- somebody that's got some
9 plans. And so we're looking out for you. So I think
10 we'll be all right.

11 All right. I hope all of you have a good night. And
12 just my reminder, please, don't Google anything. I told
13 you that you can Google me. Don't Google me either. Wait
14 until after this is over before you Google me, too.

15 So I hope all of you have a good night. And I'll see
16 you tomorrow morning at 9:15. Mr. Cofield is going to
17 have you here at 9:00.

18 THE BAILIFF: Yes, sir.

19 (WHEREUPON, the jury was excused from open court at
20 approximately 6:05 p.m.)

21 THE COURT: Ms. Flower, you may step down. Let me
22 tell you, you're still on the witness stand. You're not
23 allowed to talk to anybody about this case. That includes
24 your sisters, your mother, not anybody. You're not to
25 speak one word about it to anyone.

1 Do you understand?

2 THE WITNESS: Yes, sir.

3 THE COURT: All right. Thank you.

4 THE WITNESS: Thank you.

5 THE COURT: All right. 9:15 in the morning.

6 And let's have them have him here at 9:00. Just tell
7 them to have him here at 9:00.

8 THE COURTROOM DEPUTY: Yes. I can do that, Your
9 Honor.

10 THE COURT: All right. We'll be adjourned until in
11 the morning.

12 (WHEREUPON, the proceedings were concluded at
13 approximately 6:07 p.m., to be reconvened on
14 Thursday, January 12, 2023.)
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1 THURSDAY, JANUARY 12, 2023

2 THE COURT: Anything we need to take up before we
3 bring them in? Anything from the State or the Defendant.

4 MS. OWEN: No, Your Honor.

5 MR. KORNFELD: No, Your Honor.

6 THE COURT: All right. Let's bring them in.

7 MS. OWEN: Your Honor, would you like --

8 THE COURT: Yes.

9 Come on up if you would, Ms. Flower.

10 (WHEREUPON, the jury came into open court at
11 approximately 9:28 a.m.)

12 THE COURT: All right. Good morning, ladies and
13 gentlemen.

14 I hope everybody had a good night.

15 We are ready to proceed.

16 MS. OWEN: Thank you, Your Honor.

17 CONTINUED DIRECT EXAMINATION

18 BY MS. OWEN:

19 Q Good morning, [REDACTED].

20 How are you?

21 A I'm good.

22 How are you?

23 Q Thank you.

24 [REDACTED], I want to ask something I didn't ask you
25 yesterday. Did you have any pets?

1 A I did.

2 Q Who were they -- what were they?

3 A Two dogs, Poppy and Roscoe.

4 Q What kind of dogs were that?

5 A Poppy was a Chihuahua mix terrier. And Roscoe was a
6 Rottweiler mixed with a hound.

7 Q And how long did you have those dogs?

8 A I got Poppy in -- when I was seven and Roscoe a year
9 later.

10 Q Do you still have those dogs?

11 A No. They both passed away my first semester at
12 school.

13 Q [REDACTED], we ended yesterday when we were talking about
14 some things that happened upstairs in your home. So
15 today, I'm going to ask you about some things that
16 happened downstairs in your home. Okay.

17 A Yes, ma'am.

18 Q I'm going to show you what's been pre-marked as
19 State's Exhibit Nos. 31 through 38.

20 A It's my mom and Randy's bedroom.

21 Q Their bedroom?

22 A Yes, ma'am.

23 Q Did you spend a lot of time in this room?

24 A Sometimes, yes.

25 Q And we're just going to dive right in today because

1 we ended yesterday on this same topic. Did anything --
2 I'm going to show you State's Exhibit No. 38 just so you
3 can identify. This is your parents room. Is this what it
4 looked like back then, the same furniture?

5 A No, ma'am.

6 Q Just to clarify, none of the furniture in any of
7 these photos is the same; correct?

8 A Yes, ma'am.

9 Q This is the room that was your parents?

10 A Yes, ma'am.

11 Q And, [REDACTED] did anything inappropriate happen in this
12 room with your dad?

13 A Yes, ma'am.

14 Q Can you, please, tell the jury about that?

15 A When my mom was in the hospital, he had me stay in
16 his room with him. And he had me give him a back massage.
17 So he laid down in his bed face down and had me sit on top
18 of him. And he had me get naked. And I gave him back
19 massages. And then he turned over and had me lay on his
20 chest. And he was touching my vagina and put his penis up
21 to my vagina. And he was doing, like, sex movements.

22 And -- and he -- it was, like, me over him. And he
23 put his fingers inside of me, inside of my vagina and put
24 his mouth on me. And then he had me keep rubbing his
25 back, and stuff. And then, like, he did it again. He did

1 the sex act.

2 Q [REDACTED], do you recall him saying anything before this
3 incident?

4 A Can you repeat the question?

5 Q Sure. Do you recall Randy Flower saying anything to
6 you before this incident?

7 A Just the back rub and the neck rub. And he took me
8 in his room.

9 Q And in this incident you're describing, you said your
10 mother was in the hospital; is that correct?

11 A Yes, ma'am.

12 Q Do you know why she was in the hospital?

13 A She had pancreatitis.

14 Q Did you know that at the time?

15 A No. She had gone in for stomach pain.

16 Q And when you said he had you repeat the sex act, is
17 that after the initial incident?

18 A I'd rub his back for a while, and then do it again.

19 Q What were you thinking during that time?

20 A I just wanted to die.

21 Q Do you recall approximately how old you were when
22 this happened?

23 A Eight.

24 Q [REDACTED], did you say anything to him?

25 A No, ma'am.

1 Q Did you spend the night in that bed?

2 A Yes, ma'am. Well, I told him to -- I cried.

3 Q What happened when you cried?

4 A He stopped pressing in so hard into my vagina.

5 Q Do you recall if he had any clothes on?

6 A He didn't have clothes on.

7 Q Did you have any clothes on?

8 A I didn't have any clothes on.

9 Q Why didn't you have any clothes on?

10 A Because he wanted me to sleep naked with him.

11 Q Did your mom ever say anything to you about your dad
12 being sick?

13 A No, ma'am.

14 Q [REDACTED], do you recall any other instances on the first
15 floor of the home where your dad touched you
16 inappropriately -- I'm sorry. I'm going to ask you
17 another question.

18 I'm going to ask that that question be withdrawn.

19 [REDACTED], the incident you just described, did that
20 happen one time or more than one time?

21 A It happened more than one time.

22 Q Yesterday, you described an incident upstairs and
23 this one is downstairs. And yesterday, I believe you said
24 that incident in the middle room is when you were four to
25 five. Am I recalling that correctly?

1 A Yes, ma'am.

2 Q And this happened when you were eight in the bedroom
3 that we're describing here?

4 A Yes, ma'am.

5 Q Were there times it happened in between those?

6 A Yes, ma'am.

7 Q [REDACTED], were there any times downstairs where you
8 recall being sick and staying downstairs?

9 A Yes, ma'am.

10 Q Can you, please, tell the jury about that?

11 A I had the flu and so did my sister, [REDACTED]. And we
12 slept at the end of the hallway so we wouldn't be all the
13 way upstairs. And that door was closed when we were
14 sleeping there, the door to the hallway and the living
15 room. And we had our mattresses on the floor. And he
16 came in and he put his fingers inside of me, inside my
17 vagina.

18 Q Was this at night?

19 A Yes, ma'am.

20 Q This is while you were sleeping?

21 A Yes, ma'am.

22 Q Do you know approximately how old you were when that
23 happened?

24 A I don't know right now.

25 Q [REDACTED], we've already talked about State's Exhibit

1 Nos. 25 through 30. I'm going to show those to you again
2 to refresh your memory.

3 A It's the TV room.

4 Q This is State's Exhibit No. 30. What room is that?

5 A That's the TV room.

6 Q I believe yesterday you said your dad drank alcohol;
7 is that correct?

8 A Yes, ma'am.

9 Q Did he give you alcohol?

10 A Yes, ma'am.

11 Q Can you tell the jury about that?

12 A He gave me beer that he was drinking when he was
13 watching TV. And he would have me drink it. And then he
14 would touch me. And then by his bed, there was liquor.
15 And he would make me drink that and do the same things.

16 And he had a vibrator back massager by his bed that
17 he would use on me when he gave me alcohol.

18 Q I'm going to ask you a few follow-up questions.
19 Okay. Were there times that he gave you so much alcohol
20 that you don't remember what happened?

21 A Yeah.

22 Q Will you tell the jury about that?

23 A He had me back in his bed. And I'd have pain and
24 want to go to the bathroom. I wanted to urinate. And I
25 felt sick to my stomach.

1 Q [REDACTED], approximately how old were you the first time
2 this happened?

3 A Five.

4 Q And did this happen in the TV room or somewhere else?

5 A It happened in the TV room and his bedroom.

6 Q [REDACTED], you mentioned your dad had a massager. Did he
7 ask you for massages?

8 A Yes.

9 Q And you said he had a back massager; is that correct?

10 A Yes.

11 Q Can you tell the jury about what he did with that
12 back massager?

13 A It was the gray one with the long handle. And it's
14 got two balls on it that are the massagers. And he would
15 have me lay down on my back in the bed and he would put
16 it -- he would put it on my vagina and my anus.

17 Q [REDACTED], would you have clothes on when this happened?

18 A I didn't have my pants on. Sometimes I had my shirt
19 on.

20 Q How did that feel?

21 A Intense. And I wanted to scream.

22 Q [REDACTED], how old were you when that started?

23 A Six.

24 Q How long did that go on?

25 A Until I was nine.

1 Q Did anyone ever see this happen?

2 A No, ma'am.

3 Q [REDACTED] these incidents that you've described for us,
4 were these the only times that these things happened to you?

5 A No, ma'am. There were other times.

6 Q Did your dad ever threaten you with anything?

7 A My dog. Because Poppy was one [phonetic]. And he
8 would say that he would break his neck. And he was just
9 so mean to the dogs that I thought he would.

10 Q [REDACTED] the last few years your dad lived in the home,
11 what was life like at your house?

12 A When he was, you know, at USC, he was gone. But I
13 didn't want to be there. I wanted to go to Mary's or --
14 and he would yell and -- we don't have any -- you're
15 scared because you're trying to protect yourself and your
16 siblings, too. So you want to be gone, but then you don't
17 know, you know.

18 Q [REDACTED] what do you recall about [REDACTED] during those
19 last few years, her appearance?

20 A She had straight black hair and bangs and had cuts
21 all over her. And she would keep her nails sharp so she
22 could dig her nails into her. And she wore all black and
23 wore black makeup.

24 Q [REDACTED] eventually, did your parents get separated?

25 A Yes, ma'am.

1 Q How old were you when they got separated?

2 A Like, I was 10 or 11.

3 Q And where did he move to when y'all -- they got
4 separated?

5 A His parents condo.

6 Q Did you go visit him there occasionally?

7 A Yes, ma'am.

8 Q And did your parents, eventually, get divorced?

9 A Yes, ma'am.

10 Q What happened after they divorced?

11 A We had to do visitation, [REDACTED] and I.

12 Q After they got divorced?

13 A Uh-huh.

14 Q Do you recall your dad moving somewhere else?

15 A He stayed at the condo and then he moved to Spain.

16 Q What was your house like after he moved out?

17 A It was just calmer. And I could be there and
18 everyone could just be -- function and go to school.

19 Q How did you feel after he moved out?

20 A Safe. But I was still scared.

21 Q And, [REDACTED] what was life like for you in middle
22 school and high school?

23 A Starting in middle school, I got -- have -- I just
24 started where I, you know, wouldn't eat all day at school
25 and then come home and eat and then throw that up. And

1 then I wouldn't eat for the rest of the night. And I
2 would take laxatives. And I was mean to my teachers.
3 Male teachers, I was really mean to them. And I just
4 hated authority.

5 Q [REDACTED] what made you decide to go to the police
6 station in 2019?

7 A Because I knew I needed to tell them. And he was
8 back in the country and I was scared.

9 Q Had you told your whole story to anyone before that day?

10 A Not everything, no.

11 Q When you got there, did you tell them everything that
12 happened that day?

13 A No.

14 Q Why not?

15 A I didn't know how everyone would take it. And, you
16 know, I had, like, 20 minutes to think about it. So it's,
17 like, I don't just -- it's hard to say it to anybody.

18 Q Did you go back and give a follow-up interview?

19 A Yes, ma'am.

20 Q Were you able to give her more information at that
21 time?

22 A Yes, ma'am.

23 Q Were there times that you said things like, I don't
24 remember?

25 A Yes, ma'am.

1 Q Why would you say that?

2 A Because it's so hard to keep everything in your mind
3 at once. And it's so prolonged. And I was trying to
4 process everything. It's hard to think.

5 Q Do you want to be here today?

6 A No, ma'am.

7 Q Is this a fun experience?

8 A It's my first week of school.

9 Q [REDACTED] has anyone told you what to say today?

10 A No, ma'am.

11 Q Are you making this up?

12 A No, ma'am.

13 Q Are you doing this on somebody's behalf?

14 A No, ma'am.

15 Q Did you tell this jury the truth?

16 A Yes, ma'am.

17 MS. OWEN: Thank you.

18 I have no further questions.

19 THE COURT: All right. Cross.

20 MR. KORNFELD: Thank you, Your Honor.

21 THE COURT: There's some more questions, Ms. Flower.

22 CROSS-EXAMINATION

23 BY MR. KORNFELD:

24 Q [REDACTED] did you stay at your mother's house last night
25 with your sisters?

1 A Yes, sir.

2 Q And did you talk with anybody about your case last
3 night?

4 A No, sir.

5 Q All right. And when you first went in to the police
6 station on July 6th, 2019, isn't it true that Officer
7 Woods told you that you were super brave for coming in
8 before even hearing one word that you said? Isn't that
9 true?

10 A Yes, sir.

11 Q And isn't it true that that put some pressure on you
12 to sound convincing?

13 A No. She had her statement in front -- or she had my
14 statement in front of her.

15 Q All right. And --

16 A So that's how I knew she had read it.

17 Q Okay. And you stated -- you had never met Officer
18 Woods before that date; correct?

19 A Correct.

20 Q All right. And you stated that you took showers in
21 your parents bedroom. And that your father would come in
22 and get a hairbrush and then look in the mirror in the
23 reflection so he could see you; correct?

24 A That's how it started, correct.

25 Q And you'd agree that when you would take showers that

1 those window panes on the shower would fog up, would they
2 not?

3 A They would not fog up.

4 Q They didn't fog up at all, that's your testimony?

5 A Yes, sir. You could see through.

6 Q Okay. And then when --

7 A They were --

8 Q -- Mr. Flower was brushing his hair, is it unusual
9 for people to brush their hair looking in a mirror?

10 A He wasn't brushing his hair. He was staring into the
11 mirror.

12 Q Earlier today, you testified he got a hair brush and
13 would pretend he would be brushing his hair. Are you now
14 saying that --

15 A Because he would just go in there and pretend to get
16 his hairbrush.

17 Q But now, you're saying he never brushed his hair. He
18 would just hold the brush. Is that what I'm hearing?

19 A I didn't stare at him the whole time.

20 Q And you would agree that the main bathroom wasn't
21 even finished until 2006; correct?

22 A The main bathroom?

23 Q Correct. The main -- the master bathroom wasn't even
24 finished until 2006; correct?

25 A I have no idea.

1 Q All right. And at that time, you would have been
2 four years old in 2006; agreed?

3 A Yeah.

4 Q I'm sorry. I can't hear you.

5 A Yes, sir.

6 Q Okay. And you, also, told the officer that you
7 didn't know he was doing the same thing to each other in
8 reference to taking showers. Do you remember that?

9 A What do you mean?

10 Q You stated to Officer Woods, We didn't know he was
11 doing the same thing to each other.

12 A Oh --

13 Q In reference to taking showers?

14 A The context of that is not showers.

15 Q Okay. And what was the context of that then?

16 A That we didn't -- that my sisters and I didn't know
17 he was doing all of these acts.

18 Q Okay. But you would agree and you testified that you
19 and your sister did take showers together; correct?

20 A Uh-huh.

21 Q And your testimony is that when you and [REDACTED] were
22 taking showers together that this would be one of the
23 times that he would be trying to look at y'all while y'all
24 were taking showers; correct?

25 A Yes, sir.

1 Q And y'all never talked to each other or anybody about
2 that; correct, until way later?

3 A Correct.

4 Q And so you -- you'd, also, agree that your father
5 never touched you in the shower; correct?

6 A Correct.

7 Q All right. And there was never a door to the master
8 bedroom when -- or master bathroom in your parents bedroom
9 when your dad lived there; correct?

10 A Can you repeat the question?

11 Q You told Officer Woods that there was never a door to
12 your parents master bedroom [sic] when your dad lived
13 there; correct?

14 A Correct. I just -- there was a -- there is a
15 physical door on the closet side. But there's just a
16 curtain on the other door. Because there was two doors in
17 that bathroom.

18 Q And then there was another door that didn't have a
19 lock or handle; correct?

20 A Yes, sir.

21 Q All right. And -- and you told Officer Woods that he
22 got a brush and you saw him looking at the mirror. And
23 this was when you were four years old; correct?

24 A Yes, sir.

25 Q And when you took showers -- when you, originally,

1 took showers in the tub that had a shower, there was a
2 curtain around that shower, otherwise, water would get
3 out; correct?

4 A I don't remember a curtain being around the tub.

5 Q All right. Well, let me show it to you.

6 A I remember the frame. It had a frame.

7 Q [REDACTED], what I'm talking about is a claw foot tub that
8 had -- here it is, State's Exhibit No. 20. State's
9 Exhibit No. 20, when your father lived there, that tub had
10 a curtain around it, did it not?

11 A It still had the metal ring, but the curtain was
12 never pulled around it.

13 Q So you never pulled the curtain around it when you
14 took baths or showers, is that your testimony?

15 A Not that I can remember, no, sir.

16 Q All right. If you would have done that, you would
17 have had more privacy, would you not?

18 A Perhaps.

19 Q All right. And you, also, stated that -- to Officer
20 Woods that when your dad would come into the bathroom, he
21 would only be in there for a moment. Do you remember
22 that?

23 A That's when it started.

24 Q All right. But you would agree that you said that he
25 would only be in the bathroom for a moment; correct?

1 A Yes, sir.

2 Q All right.

3 A On the initial times he started doing that.

4 Q All right. And you told the police that the upstairs
5 was unfinished. Do you remember that?

6 A Yes.

7 Q All right. And when you stated that your dad would
8 just walk around naked, are you saying that he walked
9 around with boxers on or completely naked?

10 A Sometimes, he would just be completely naked.
11 Sometimes, he would have just his boxers on. At night,
12 sometimes, he would have a robe open and completely naked
13 under.

14 Q Okay. And when he was -- when he was completely
15 naked -- was he walking through the house when he was
16 completely naked?

17 A He'd go down the hallway.

18 Q And he was completely naked?

19 A When he was in his robe and he was naked, he'd go
20 down the hallway.

21 Q When he had his robe on, did it cover his body or did
22 he have it open?

23 A He had it open.

24 Q All right. So he would walk around and he did not
25 close his robe is your testimony; is that correct?

1 A That's correct.

2 Q All right. And where was your mom at this time? I
3 guess she didn't see any of this; correct?

4 A Correct.

5 Q All right. And you don't -- and none of your
6 siblings saw him doing this either; is that right?

7 A I don't know if they saw it.

8 Q Okay. And you stated that he would wipe -- when he
9 would wipe you, he would -- he would put his fingers in
10 you when he was wiping you. Do you really believe that
11 you remember that?

12 A Yes.

13 Q All right.

14 A Because -- I'll explain, if I can.

15 Q What's that?

16 A I'll explain, if I can.

17 Q Well, your age was around two to four when that
18 happened; is that correct?

19 A Yes, sir.

20 Q And your -- your testimony is that you remember when
21 you were two that he was doing that; correct?

22 A Yes, sir.

23 Q And before, you said you were -- his fingers -- are
24 you saying that he was using his index finger, his -- his
25 middle finger, both fingers?

1 A I don't know which finger it was. I was bent over
2 with my head to my knees.

3 Q All right. And isn't that -- isn't it common for
4 parents to wipe their children?

5 A Very common.

6 Q And your mom, also, would wipe you; correct?

7 A Correct.

8 Q And did you -- you ended up -- your potty training
9 ended. And when your potty training ended, this -- this,
10 also, ended; correct? There was no more --

11 A That incident, yes.

12 Q Okay. And you'd agree that your father has larger
13 hands than your mother; correct?

14 A Yes.

15 Q Specifically, you said, When I stopped needing help,
16 he didn't do it after. Do you remember that?

17 A Can you ask the question again?

18 Q Concerning the wiping, you told the officer, When I
19 stopped needing help, he didn't do it after. Do you
20 remember that?

21 A Yes. Because I stopped asking for help. Because
22 what would happen is I couldn't close the main bathroom
23 door. And so after I defecated, I needed someone to wipe
24 me. So I would call my mom, Can you wipe me? And usually
25 my mom would come. But sometimes, he would come. And it

1 happened enough times that I stopped calling and I learned
2 to do it myself.

3 Q Right. And that's when you learned how to wipe
4 yourself. That's why you stated, When I stopped needing
5 help, he didn't do it after; correct?

6 A Uh-huh.

7 Q All right.

8 A Yes, sir.

9 Q And you stated that -- that this wiping was painful;
10 correct?

11 A Yes, sir.

12 Q All right. But you're not alleging that you ever
13 bled as a result of this; correct?

14 A (There was no response.)

15 Q You never alleged that before; is that correct?

16 A That's correct.

17 Q All right. And did you ever notice any apparent
18 signs on your body that would show that you were wiped too
19 hard?

20 A It wasn't the wiping. He would wipe me and then put
21 his finger into my anus and wiggle his finger around.

22 Q Okay. And concerning the pornography videos, your
23 testimony is that concerning the TV room, the only thing
24 that was played on there -- the worst rating was a rated R
25 movie; is that correct?

1 A I don't -- I didn't -- can you ask the question
2 again?

3 Q Yes. Concerning the movies in the TV room, isn't it
4 true that the worse thing that was played in there were
5 rated R movies on the TV?

6 A I never saw the ratings for the movies.

7 Q And was your mom around at that time?

8 A Not when he showed me the movies.

9 Q All right. So -- and your father got these movies
10 from the local movie store, did he not? He rented them?

11 A I don't know where he got them.

12 Q All right. And did -- your mother would, also, rent
13 movies from time to time, wouldn't she?

14 A I don't remember about renting movies.

15 Q All right. And concerning your allegations of
16 pornography, you stated that you could have looked away or
17 whatever in reference to porn. Could you have looked
18 away?

19 A He wanted me to watch it.

20 Q All right. And what medium of porn was it that you
21 state that you saw?

22 A What do you mean "medium"?

23 Q Were they pictures? Are you saying that you saw
24 pictures?

25 A Sometimes, it was picture. Sometimes, it was videos.

1 Q All right. And in 2019, you did not tell the officer
2 where Mr. Flowers [sic], allegedly showed you this
3 pornography, did you?

4 A I didn't?

5 Q That's what I'm asking, did you or did you not in
6 2019? You didn't, did you?

7 A No, sir.

8 Q But in August of 2021, you brought note cards to the
9 meeting with Officer Woods; correct?

10 A Correct.

11 Q And your mom looked at those note cards before you
12 came to see Officer Woods; correct?

13 A That's not correct.

14 Q All right. You showed them to --

15 A She didn't hear my testimony.

16 Q I didn't ask if she heard your testimony. I said
17 that you showed her those note cards before you came to
18 the police station?

19 A No.

20 Q Who did you show your note cards to?

21 A Just Officer Woods.

22 Q And your testimony is you didn't show them to anybody
23 else?

24 A Yes.

25 Q All right. You, and your mother, and your two

1 sisters are on a text chain; correct?

2 A Yes.

3 Q And you were the day of July 6th, 2019; correct?

4 A Yes.

5 Q And you discussed with them that you would be going
6 up there to make a statement against your father; correct?

7 A I'm sure, yes.

8 Q All right. And you talked in those text messages
9 about what you would say; correct?

10 A I don't think I did.

11 Q Okay. And you didn't tell the officer the name of
12 the video that you allege was pornographic in 2019;
13 correct?

14 A Correct.

15 Q All right. And you then, in 2021, after you had your
16 note cards, told the officer that your father took his
17 penis out while watching the video and had you perform
18 oral sex; correct?

19 A Correct.

20 Q And in 2019, you didn't tell her that; correct?

21 A Correct.

22 Q And your testimony to this is, at least, one time
23 this happened in your bedroom when you saw a figure in the
24 doorway; correct?

25 A Correct.

1 Q All right. And ██████████ shared a bedroom with you;
2 correct?

3 A Correct.

4 Q And she did not wake up during this time; correct?

5 A Correct.

6 Q And so how did you know that it was your turn to wake
7 up at this time?

8 A I didn't know it was my turn. I just woke up.

9 Q All right.

10 A You could hear him coming up the stairs.

11 Q And your baby sister, ██████████ -- or your other sister,
12 ██████████, y'all shared a room at one point; correct?

13 A Correct. But I don't have any memory of when we
14 shared a room.

15 Q Okay. And when he took his belt off, nobody heard
16 that; correct?

17 A [Inaudible].

18 Q I'm sorry. I can't hear you.

19 A No.

20 Q And when he unzipped his pants, nobody heard that;
21 correct?

22 A Correct.

23 Q And when he got you off of the bed onto the white
24 play table, nobody heard that; correct?

25 A Correct.

1 Q And that table was made for children; correct?

2 A Correct.

3 Q And, I assume, when he kneeled down and you stated he
4 molested you, nobody heard that?

5 A Correct.

6 Q Okay. And you, also, told the officer that the house
7 didn't have blinds when your dad lived there and that you
8 thought that all the curtains you did have were all open;
9 correct?

10 A Correct.

11 Q And you lived on Main Street, Fountain Inn; correct?

12 A Correct.

13 Q And you can see the sidewalk and the road from your
14 home; correct?

15 A Correct.

16 Q And when you're on your sidewalk in front of your
17 house, you can see the windows; correct?

18 A Correct.

19 Q And --

20 A I can see the windows, but I can't see inside the
21 windows when it's day.

22 Q What about that you can when it's nighttime; correct?

23 A Correct.

24 Q All right. And if you were -- if you look hard or
25 you're walking by, you can see inside of your house even

1 though it's during the daytime; correct?

2 A I don't think so. You can't see inside.

3 Q All right. Well, you would agree that there's
4 several trees around to block any kind of sun; correct?

5 A Correct.

6 Q And you would agree that in State's Exhibit No. 3
7 that you can see the light here in this bay window;
8 correct?

9 A Correct. But we're on the other side.

10 Q Excuse me. I'm sorry? I'm on the other side?

11 A What you're referring to in the living room during
12 the day, we're on the other side of the living room.

13 Q Okay. I'm just asking if you can see that light in
14 that window?

15 A Okay. Yes, sir.

16 Q And was that light there when your father lived
17 there?

18 A Yes, sir.

19 Q All right. And you lived .2 miles from the police
20 station; correct?

21 A Yes, sir.

22 Q And you lived very close to the public library;
23 correct?

24 A Yes, sir.

25 Q And you would visit that public library several

1 times; correct?

2 A Yes, sir.

3 Q And as you got older, you could even go there without
4 your parents; correct?

5 A If I had my older siblings with me, yes.

6 Q All right. And in your first interview, you,
7 specifically, stated he never penetrated me vaginally or
8 anally with his penis; is that correct?

9 A That's correct.

10 Q And you, also, stated that at that time, He spanked
11 me with his hand. And he spanked only your butt; correct?

12 A Correct.

13 Q You, also, stated in that same interview, He never
14 penetrated me with anything other than his fingers;
15 correct?

16 A Correct.

17 Q And you told the officer that Mr. Flower climaxed,
18 but you never told the officer how that occurred; correct?

19 A Correct. I didn't get out every single detail.

20 Q And you never stated if he used any sort of lubricant
21 or anything of that nature. So, I assume, he didn't use
22 any sort of lubricant, such as Vaseline; correct?

23 A He would have me spit.

24 Q Excuse me. I can't hear you.

25 A He would have me spit.

1 Q Okay. So you're now testifying that he would have
2 you spit. And you must have had to do that very quietly
3 to make sure that you didn't wake anybody up; correct?

4 A Correct.

5 Q And I thought he didn't say anything to you, so how
6 did you know to spit?

7 A It's hard for me to remember the things he said,
8 but --

9 Q Okay.

10 A -- I can visualize what happened.

11 Q All right. And when you gave -- you, actually, gave
12 both of your parents back rubs; correct?

13 A Correct.

14 Q And sometimes, you would give back rubs to your mom
15 when your dad was around; correct?

16 A Correct.

17 Q And sometimes, you would give your dad back rubs when
18 your mom was around; correct?

19 A Correct. But he would have clothes on.

20 Q All right. And --

21 A That's why I thought it was normal.

22 Q And you stated when you were sharing a room with
23 [REDACTED] when some of these assaults happened that he
24 asked you to make noises; is that correct?

25 A That's correct.

1 Q And this occurred when you were three or four; right?

2 A Yes.

3 Q And if -- did your siblings -- are they extremely
4 heavy sleepers that y'all just don't wake up easily at
5 all?

6 MS. OWEN: Objection. Speculation, Your Honor.

7 BY MR. KORNFELD:

8 Q Are you --

9 THE COURT: Sustained.

10 BY MR. KORNFELD:

11 Q You're a heavy sleeper?

12 A No.

13 Q So you're not a heavy sleeper. Did you ever wake up
14 in the night and see where [REDACTED] was awake ever?

15 A No.

16 Q All right. And -- and you allege that the time that
17 you were asked to make noises that you had the flu at that
18 time; correct?

19 A He asked me to make noises a lot.

20 Q I --

21 A Yes. He asked me to make noises a lot.

22 Q And when you spoke with Officer Woods the second
23 time, you'd agree that you were reading these cards that
24 you brought, for the most part; correct?

25 A Yes. Because it's easier to just deliver it, instead

1 of visualize and tell her.

2 Q Okay. And you told the officer that he would pray
3 sometimes. But you didn't tell her a single prayer that
4 he stated; correct?

5 A Correct.

6 Q All right. And when asked what kind of beer your
7 father drank, you said that you didn't know; correct?

8 A Correct.

9 Q And you would agree that your mother was in that
10 interview with you and she prompted you right after that;
11 correct?

12 A To tell what kind of beer it was?

13 Q Correct.

14 MS. OWEN: Objection, Your Honor. Hearsay.

15 THE COURT: Sustained.

16 MR. KORNFELD: I'm not trying to admit it for the
17 truth of the matter asserted. I'm trying to admit it for
18 the influence that it had.

19 THE COURT: I'll overrule that. I'll allow that.

20 MS. OWEN: My objection is he's asking her to state
21 what mom said.

22 MR. KORNFELD: It is hearsay. But there's an
23 exception to the rule is my position. I'm not asking it
24 for the truth of the matter asserted of what the mother
25 said. I'm asking what influence it had on her.

1 THE COURT: Yeah. And it's -- that's not considered
2 hearsay if it's not offered for the truth.

3 So I'll overrule it.

4 BY MR. KORNFELD:

5 Q And when you were asked what kind of beer your father
6 drank in the first interview, you said you didn't know;
7 correct?

8 A Correct.

9 Q And immediately after that, your mother prompted you
10 of what type of beer it was; correct?

11 A Correct.

12 Q And in 2021, you said that there was beer and Grey
13 Goose, and that you didn't know any of the other alcohols;
14 correct?

15 A Correct. I don't know what kind of -- what the
16 liquors are.

17 Q All right. And then you stated that -- that your
18 father would have y'all make drinks, such as Martinis with
19 the Grey Goose. But Grey Goose is vodka; correct?

20 A Uh-huh.

21 Q And so you can't remember what kind of drinks that
22 you had to make with the Grey Goose; correct?

23 A Can you repeat the question?

24 Q You can't remember what type of drinks you had to
25 make with the Grey Goose; correct?

1 A I remember, I just don't remember the name.

2 Q And you can't remember what it -- what the Grey Goose
3 was mixed with?

4 A No. I just remember the Grey Goose -- Grey Goose in
5 the freezer always, and then...

6 Q Okay. And when asked about how you would feel about
7 waking up in the morning after drinking alcohol, you would
8 say it was really random; correct?

9 A Because different times, I'd feel different things.

10 Q And if I understand you correctly, you were drinking
11 this alcohol at the age of five years old; is that
12 correct?

13 A That's correct.

14 Q All right. And where -- and your mother wasn't
15 anywhere around while you were drinking alcohol; correct?

16 A Correct.

17 Q And your house had two bedrooms downstairs; correct?

18 A Correct.

19 Q And you stayed down there at one point; correct?

20 A Yes, sir.

21 Q All right. And then it had two bedrooms upstairs,
22 and then the nook that y'all had that y'all made into a
23 bedroom up there; correct?

24 A Correct.

25 Q And would you say that your -- do you know how many

1 square feet your house is?

2 A I don't.

3 Q Okay. And you didn't testify that you threw up from
4 drinking any alcohol; correct?

5 A I never threw up.

6 Q And you did say that for the alcohol part that
7 your -- when asked about the drinking, you said, My mom
8 wasn't around. But when asked about whether your sisters
9 were around, you stated, Yes; correct?

10 A Yes.

11 Q All right. So --

12 A Sometimes, they were around. Sometimes, they
13 weren't.

14 Q So they, at least, knew that you -- that you were
15 drinking alcohol at that time when you were five years
16 old; correct?

17 A Not correct. Because we would sit in the living --
18 in the TV room on the couch where the TV was. And he
19 would have his beer. And he would hand it to me. And
20 sometimes, the girls would be there and sometimes, they
21 wouldn't.

22 Q Okay. And so sometimes, they would, sometimes, they
23 wouldn't. That's my point. Sometimes, they would see you
24 drinking beer; correct?

25 A I don't know if they saw me drinking it.

1 Q I thought you said sometimes, they would and
2 sometimes, they wouldn't?

3 A But we were all watching TV.

4 Q So in this TV room that you're in, that's in the
5 middle of the house; correct?

6 A Correct.

7 Q And there's a stairway right by there; correct?

8 A Not correct.

9 Q Or, sorry. The stairway is in the piano room, but
10 it's in the middle of the house. And your sisters would
11 be in there sometimes; correct?

12 A Correct.

13 Q And your brother would be in there sometimes;
14 correct?

15 A Yes.

16 Q All right. And so you would, at least, admit that
17 they were around in the same room; correct?

18 A Correct.

19 Q Was your mom in the room?

20 A No, sir.

21 Q Where was she?

22 A I don't know. She was sick a lot. She would take
23 baths for a long time.

24 Q And as a matter of fact, she -- the entire time that
25 your parents were married after you were born, she only

1 went to the hospital one time, didn't she, for the
2 pancreatitis; correct?

3 A [Inaudible] --

4 Q I'm sorry. I can't hear you.

5 THE COURT REPORTER: Judge, I just can't hear her.

6 THE COURT: Ma'am, if you would, please, pull that
7 microphone --

8 THE WITNESS: I know about the pancreatitis. But I
9 don't know any other times she went to the hospital.

10 BY MR. KORNFELD:

11 Q Right. And when she was in the hospital for that,
12 she was in there less than a week, wasn't she?

13 A Yeah.

14 Q I'm sorry. I didn't hear you.

15 A Yes.

16 THE COURT: Ms. Flower, I'm going to need you to do
17 me a big favor.

18 THE WITNESS: Yes, sir.

19 THE COURT: If you would speak up -- when you answer,
20 if you would speak loud and into that microphone.

21 BY MR. KORNFELD:

22 Q And during that time that she was in the hospital for
23 less than a week, you had people come to the house and
24 drop off food for you guys, didn't you?

25 A Yes.

1 Q All right. And the alcohol intake, you never
2 testified to having a hangover; correct?

3 A I just don't know what a hangover -- you know, I
4 would feel pain in my stomach.

5 Q Okay. So your testimony is that you had pain in your
6 stomach from -- and you believed that was from drinking
7 alcohol. Is that what I'm hearing?

8 A Yes, sir.

9 Q Okay. And sometimes, after you would drink this
10 alcohol, you would walk up the stairs to a bedroom;
11 correct?

12 A Yes.

13 Q And you were able to successfully walk up those
14 stairs; right?

15 A He walked me up.

16 Q I'm sorry. I didn't hear you.

17 A He would walk me up.

18 Q Your father would walk you up?

19 A Yeah. Or sometimes, I'd, you know, just wake up in
20 bed. And I had been downstairs before.

21 Q All right. Is that the first time that you've told
22 anybody that your father would walk you up?

23 A Yes, sir.

24 Q Okay. And during some of these allegations, you
25 stated that your mom was working; correct?

1 A Yes, sir.

2 Q Where did your mom work while your parents were
3 married?

4 A I remember her doing interior design jobs.

5 Q Okay. How often did she do interior design jobs?
6 Did she work for anybody else or just herself?

7 A Herself. So she would just get clients every once in
8 a while.

9 Q Okay. Did she work anywhere else?

10 A She did our home schooling and would take us to CCS,
11 Classical Conversations school.

12 Q And when you say she did the home schooling -- this
13 may sound like a silly question, but that home schooling
14 happened at your home on Main Street in Fountain Inn;
15 correct?

16 A Correct. And then we would go on Mondays to school.
17 And she would teach a class.

18 Q And you would agree that your mom didn't have set
19 working hours on any job or venture that she had while
20 your parents were married; correct?

21 A Correct. She was sick a lot.

22 Q All right. And -- and there was only one TV in the
23 house and that was in the living room; correct?

24 A Not correct. It was in the TV room.

25 Q In the TV room; is that correct?

1 A Correct.

2 Q All right. And you spent most of your time while you
3 were in home school at the home; correct?

4 A Correct. And I'd play with my friend, Sophia, and my
5 friend, Mary. And I'd go to church on Wednesdays all day.

6 Q And your mom was teaching you at those home school
7 times; correct?

8 A Correct.

9 Q And y'all made sure that you -- or you had home
10 school five days a week; correct?

11 A Correct.

12 Q And your mom taught -- there were no other teachers,
13 other than when you went on Monday to the CCS place;
14 correct?

15 A What was the question?

16 Q There were no other teachers at your home school
17 other than your mother at the house; correct?

18 A Correct.

19 Q All right. When the officer asked if you -- if your
20 father exposed his penis concerning ejaculation, you said
21 you do not remember if he did; is that correct?

22 A That's correct.

23 Q All right. So -- you, also, told the officer that
24 one time he was spanking you so hard that he got hard;
25 isn't that right? How do you know that? If he was

1 spanking you -- he was spanking you with his hand;
2 correct?

3 A (There was no verbal response.)

4 Q But you told this officer he got hard; correct?

5 A Correct.

6 Q And I assume you're stating that because you saw that
7 it was -- that your father was hard. Is that what your
8 testimony is?

9 A He spanked me and I was crying.

10 Q Okay.

11 A He was touching himself.

12 Q All right. I thought when y'all were spanked -- you
13 did not look at your father when y'all were being spanked
14 was my understanding; is that correct?

15 A I didn't look him in the face.

16 Q Right. Because when your father or mother gave you a
17 spanking, they spanked from behind; correct?

18 A Uh-huh.

19 Q All right.

20 A It was after the spanking that he was touching.

21 Q And concerning piano lessons, you were able to walk
22 through the piano room, as long as you were quiet if your
23 father was giving lessons; correct?

24 A Correct.

25 Q And when asked whether or not your father ever

1 penetrated you, you said, Not that I remember; correct?

2 A Correct.

3 Q And another time, you stated that your dad usually
4 drinks Jack Daniels, or Evan, or gin; correct?

5 A I don't remember saying that.

6 Q All right. Did you ever -- you never testified to
7 any bleeding that occurred as a result of this abuse;
8 correct?

9 A I didn't get into that, no.

10 Q And you never testified to -- you never went to go
11 see a doctor about any of these things; correct?

12 A That's correct.

13 Q And you never stated anything about any infections;
14 correct?

15 A I didn't disclose anything about infections.

16 Q All right. And --

17 A Just the pain.

18 Q You, also, told Officer Woods that memories are
19 scarce in my mind; correct?

20 A Correct.

21 Q But you, also, stated that you remember when you were
22 two years old; correct?

23 A Correct.

24 Q And you didn't tell Officer Woods when you stopped
25 potty training or if you had any trouble potty training;

1 correct?

2 A Can you repeat the question, please?

3 Q And you, also, couldn't tell Officer Woods when you
4 stopped potty training, or if you had any trouble potty
5 training; correct?

6 A I believe we discussed it.

7 Q Did you have any trouble potty training?

8 A Just when --

9 Q I'm sorry. I did not --

10 THE COURT: Ms. Flower, I need you to do me a favor.
11 The court reporter has got to take down everything you
12 say. Okay.

13 THE WITNESS: Yes. Because -- just --

14 BY MR. KORNFELD:

15 Q Okay.

16 A -- waking up and having wet my bed.

17 Q All right.

18 A Or the couch, if I had slept on the couch.

19 Q And you, also, told the officer that your mom had MS
20 and she got rid of it herself; correct?

21 A Or was misdiagnosed. They had said she had MS. I
22 don't know.

23 Q But you told the officer, My mom had MS and she got
24 rid of it herself; correct?

25 A Correct. But what I mean is that --

1 Q All right.

2 A -- she didn't -- you know.

3 Q Concerning the punishments, you would agree that both
4 of your parents spanked you; correct?

5 A Correct.

6 Q All right. And you would agree that your father had
7 approximately 35 piano lessons a week; correct?

8 MS. OWEN: Objection. Speculation.

9 MR. KORNFELD: She can --

10 THE COURT: Overruled.

11 THE WITNESS: Well, I remember piano lessons, but not
12 quite that many.

13 BY MR. KORNFELD:

14 Q Do you remember that there were piano lessons almost
15 every day of the week?

16 A Yes, sir.

17 Q All right. And earlier, you stated as far as going
18 into the bathroom -- in the master bathroom that your dad
19 would knock. I thought there was no door there. What was
20 he knocking on?

21 A He would come in from the closet where there is a
22 door, but it doesn't have a door handle. There's a hole.
23 Now, it has a handle. And he would knock and say, I'm
24 just coming in to get my hair brush. And that's when
25 [REDACTED] and I were showering.

1 Q All right.

2 A And he would look in the mirror. And later on, he
3 would just come in himself and sit and watch me when it
4 was just me showering.

5 Q And during these showers, I want to make it clear, no
6 one ever came in during these things; correct?

7 A Correct.

8 Q Is today the first time you told anybody about --
9 told the officer or -- you didn't tell the officer about
10 Poppy and Roscoe, did you?

11 A Which time?

12 Q Either time. Any of the times. You never told
13 Officer Woods about Poppy and Roscoe, your dogs; correct?

14 A Correct. I just thought she wanted the --

15 Q And those dogs barked, did they not?

16 A Of course. That's why he beat them.

17 Q All right. And sometimes, those dogs would be up in
18 the night; correct?

19 A Poppy slept in a crate. And Roscoe would sleep on
20 the couch.

21 Q All right. And sometimes, they would bark if people
22 came to the door; correct?

23 A Correct.

24 Q All right. Now, this massager that you're talking
25 about, the massager, it has a triangular head; correct?

1 A Uh-huh.

2 Q And is that triangular head approximately this size?

3 A It's one of those big ones.

4 Q Okay. So I believe you're saying that that's about
5 10 inches in width; is that fair to say?

6 A (There was no verbal response.)

7 Q And you said it had two little things on it,
8 massagers; correct? And how big were the two massagers?

9 A About that big.

10 Q Okay. So that's about two inches in width in
11 diameter. Would you agree with that?

12 A (There was no verbal response.)

13 Q And you'd agree that this massager was by your
14 parents bed; correct?

15 A On Randy's side, yes.

16 Q And that your mother used it; correct?

17 A Yes.

18 Q All right.

19 A On her back.

20 Q Your father used it; correct?

21 A He would have used it on his back, yes.

22 Q All right. And you just testified moments ago that
23 he would put this in your anus; correct?

24 A He would have me lay on my back and would have it
25 turned sideways so each ball is on me and would put it --

1 like, move it back and forth over my vagina and anus. And
2 he would press it down. And the balls would pinch my
3 skin.

4 Q And this is when you had no pants or underwear on; is
5 that right?

6 A Correct.

7 Q And so that would be excruciatingly painful, would it
8 not?

9 A Correct.

10 Q And it would cause you to scream if that would occur;
11 correct?

12 A I wanted to scream.

13 Q I'm sorry. I didn't hear --

14 A I wanted to scream.

15 Q Okay. But your testimony is you never screamed?

16 A (There was no verbal response.)

17 Q All right. And you, also, stated that you wanted --
18 when he started going to USC, you wanted to protect your
19 siblings; correct?

20 A Correct.

21 Q All right. You previously testified that you thought
22 you were the only one that this was happening to; correct?

23 A Correct.

24 Q So why did you -- so there would be no need for you
25 to protect your siblings; right?

1 A I was referring to the spankings, and beatings, and
2 getting in trouble.

3 Q All right. And so -- and you never tried to attempt
4 to catch your father doing anything inappropriately with
5 any of your other siblings; correct?

6 A Correct.

7 Q And you talk about going to visitation when your
8 father had moved into the condo; correct?

9 A Correct.

10 Q But you don't make any allegations that anything --
11 any molestation occurred at that condo; right?

12 A Just the regular touching of us in the car, [REDACTED]
13 and I.

14 Q You don't make any allegations that anything
15 nefarious happened at the condo; correct?

16 A Correct.

17 Q And concerning your eating disorder, I'm assuming
18 that your mother didn't know anything about this either;
19 correct?

20 A She was working in real estate.

21 Q All right. And so the answer would be, no, she
22 didn't know anything about your eating disorder at the
23 time; correct?

24 A Correct.

25 Q All right. And you, I assume, were getting the

1 laxatives -- the money for the laxatives from your mother;
2 correct?

3 A No.

4 Q How were you getting the laxatives?

5 A I would go down to my friend Mary's house and her
6 mom's a nurse, and she had laxatives. And they were pink
7 pills and I would take them.

8 Q Okay. And you were down at Mary -- the nurse's house
9 quite a bit; correct?

10 A Yes.

11 Q All right. And you -- you, also, for a little bit of
12 time followed in the footsteps of your big sister in a
13 Goth trend; correct?

14 A Correct.

15 Q All right. And so I understand correctly, after --
16 and you're testifying that you were afraid of your father
17 after he left; correct?

18 A Correct.

19 Q And when he came back in the country for a wedding,
20 you were afraid of him then; correct?

21 A Correct.

22 Q But you reached out to your father via Facebook in
23 2016, did you not?

24 A I did.

25 Q And that was around March 5th of 2016; correct?

1 A Correct.

2 Q And you asked your father, How are you? How's your
3 life?

4 MS. OWEN: Your Honor, I'm just going to object. I
5 think she needs to refresh her memory. And, obviously, I
6 think Mr. Kornfeld needs to lay a foundation.

7 THE COURT: Lay a foundation. You can ask that
8 question, but you've got to lay the foundation first.

9 BY MR. KORNFELD:

10 Q So you remember the Facebook messages. I can show
11 you these Facebook messages. You stated you remembered
12 them, but I'll show them to you.

13 A I don't remember them --

14 MR. KORNFELD: I can't hear what she's saying.

15 THE COURT: Ma'am, if you would, please --

16 THE WITNESS: I just don't remember them detail by
17 detail.

18 BY MR. KORNFELD:

19 Q Well, please, review them.

20 A Not everything is here.

21 Q What are you alleging is missing?

22 A Hi. How are you? Never mind.

23 Q All right. So you do remember these; correct?

24 A Uh-huh.

25 Q And these are Facebook messages between you and

1 Mr. Randy Flower, your father; correct?

2 A Correct.

3 Q And you reached out to him; correct?

4 A Correct.

5 Q And you were asking -- telling him that you went to
6 Langston; correct?

7 A Correct.

8 Q And is that the school that you attended?

9 A Correct.

10 Q And --

11 A He already knew I was going there before he left the
12 country.

13 Q And you told him, I don't think you understand how
14 hard it is to live a normal life. The person who's
15 supposed to protect you completely rejects you; correct?

16 A Uh-huh.

17 Q And he responded to you, Sweetheart, I'm sorry you
18 feel rejected. That was never my intention; correct?

19 A That was about how I didn't feel treated like I was
20 his child.

21 Q All right. And --

22 MS. OWEN: Objection, Your Honor. He is reading this
23 into the record. I think if he's going to do that, it
24 needs to be put into evidence.

25 MR. KORNFELD: I'm asking her --

1 (WHEREUPON, a bench conference was held.)

2 THE COURT: All right. Ladies and gentlemen, let's
3 take our morning break here. And we'll resume after that.
4 Thank you.

5 (WHEREUPON, the jury was excused from open court at
6 approximately 11:00 a.m.)

7 THE COURT: All right. Just for the record, the
8 objection was raised on counsel just reading Facebook
9 posts. As we said at the bench trial -- I mean, bench
10 conference, the questioning -- you can question her about
11 the Facebook, but you have to have some foundational
12 questions.

13 And you can ask her, did you not say on this date
14 such and such? If the witness then says, no, I didn't,
15 you can impeach her. If she says, I don't recall, then
16 you can refresh her recollection. So you can use 613 to
17 impeach her. You can use 612 to refresh her recollection.

18 If you are going to read from a document, then the
19 document needs to be put into evidence. So you just can't
20 read. You can, certainly, ask her about them as you're
21 doing. But you've got to do it the right way, under 613
22 or 612.

23 MR. KORNFELD: Thank you, Your Honor.

24 THE COURT: All right. Yes, ma'am.

25 MS. OWEN: May we approach for just a minute?

1 THE COURT: Yeah.

2 (WHEREUPON, a bench conference was held.)

3 THE COURT: All right. As I say, we are taking a
4 break.

5 And, Ms. Flower, you are still on the stand. So
6 you're not allowed to talk to anybody about it.

7 Do you understand?

8 THE WITNESS: Yes, sir.

9 THE COURT: Okay. We'll be in recess.

10 (WHEREUPON, a break was taken.)

11 THE COURT: Anything before we bring the jury back?

12 MR. JOHNSON: Nothing from the State.

13 THE COURT: Anything from the Defendant?

14 MR. KORNFELD: Nothing, Your Honor.

15 THE COURT: All right. Bring them back in.

16 (WHEREUPON, the jury came into open court at
17 approximately 11:48 a.m.)

18 THE COURT: All right. Mr. Kornfeld.

19 MR. KORNFELD: Thank you.

20 BY MR. KORNFELD:

21 Q Ms. [REDACTED], before the break, we were talking
22 about some Facebook messages between your father and you
23 that you initiated in 2016; correct?

24 A Correct.

25 Q And you reviewed those messages; correct?

1 A Correct.

2 Q And you stated you remembered them; correct?

3 A Correct.

4 MR. KORNFELD: At this time, I'd like to enter these
5 as Defendant's Exhibit No. 1.

6 THE COURT: All right. Any objection from the State?

7 MS. OWEN: Your Honor, I'm not sure what the
8 relevancy is, but I'm sure he'll be laying the foundation.
9 I would object at this time.

10 THE COURT: And the basis is what?

11 MS. OWEN: I'm not sure what the relevancy is.

12 THE COURT: Oh, relevancy. Overruled.

13 Defendant's Exhibit No. 1 is admitted into evidence
14 at this time.

15 (WHEREUPON, Defendant's Exhibit No. 1 was marked for
16 identification and admitted into evidence.)

17 MS. OWEN: Your Honor, may I have a moment to look at
18 it?

19 MR. KORNFELD: Sure.

20 (Pause.)

21 MS. OWEN: Thank you.

22 MR. KORNFELD: Thank you.

23 BY MR. KORNFELD:

24 Q Now, [REDACTED], you first reached out to your father via
25 Facebook on or about March 5th of 2016; correct?

1 A Correct.

2 Q And you labeled your father and gave him a nickname
3 as rejector. Do you remember that?

4 A Yes.

5 Q All right. And you have your name on here as George;
6 correct?

7 A Yes.

8 Q And that was so that you can try and hide this
9 conversation from your mother, wasn't it?

10 A No. At the time, I had the Facebook in my name. But
11 sometime after when I was in high school, I decided I
12 didn't want Facebook. And I didn't know how to delete it.
13 So I just changed the profile.

14 Q Okay. And in this message on March the 5th, 2016,
15 you tell your dad that him leaving, you took that really
16 hard; correct?

17 A Yes.

18 Q All right. And then on the same date, you state to
19 him that you felt like you were rejected; correct?

20 A Correct.

21 Q And then your father explains the reason that he left
22 the country was because he wasn't able to make alimony and
23 support payments; correct?

24 A The reason he left the country?

25 Q Was because he wasn't able to make alimony and

1 support payments?

2 A I'm not sure the reason why he left the country.

3 Q Well, in this statement on the second page, you ask
4 your father, Why would you have gone to jail?

5 A Okay.

6 Q But --

7 A I remember that now.

8 Q Okay. And he responded, If I wasn't able to make the
9 alimony and support payments. I didn't have enough money
10 to live on; correct?

11 A Correct.

12 Q All right. On that same date, did you respond, What
13 are we supposed to do -- so what are we supposed to do?
14 You're supposed to take care of us.

15 A Correct.

16 Q All right. And on the same day, you're telling him
17 about your school work; correct?

18 A Correct.

19 Q You tell him about what type of music you're into at
20 this time, which was Indian alternative; correct?

21 A Correct.

22 Q And then you tell them -- you tell your dad that
23 [REDACTED], which I assume is [REDACTED], is no longer at
24 Greenville Tech; is that correct?

25 A Correct.

1 Q All right. And then on March the 8th of 2016, your
2 father reaches out to you and says he hopes you have a
3 good day. And you respond, Yes, thank you; correct?

4 A Correct.

5 Q And you reach out to him on your own on March 27th of
6 2016. He responds on the same date. You say, Hi -- he
7 responds, Hi. Good to hear from you; correct?

8 A Correct.

9 Q And you tell him about your Spanish teacher and about
10 how she really makes things fun; correct?

11 A Correct.

12 Q And then you, also, tell your dad that you're at the
13 beach with Mary; correct?

14 A Correct.

15 Q And that's your friend, Mary Clement?

16 A Correct.

17 Q And he -- your father tells you that he's so glad you
18 got to go; correct?

19 A Correct.

20 Q All right. Basically, would you agree that you're
21 making small talk with your father throughout the text
22 message -- or Facebook interchange with your father?

23 A Yeah. I agree with that.

24 Q All right. Then you have another conversation on
25 April 10th of which your father sends you an image and

1 says, Saw this and thought of you.

2 And you respond, Cute; is that correct?

3 A Yes.

4 Q But then on November 30th of 2016, your father
5 reaches out to you saying that he hopes you have a
6 wonderful day. He's been thinking a lot about you lately,
7 wondering how your new semester is going. And you
8 respond, You don't know me. I'm not your kid?

9 A Correct.

10 Q All right. And he tells you, Know that I always love
11 you and I always will. What happened was between me and
12 mother; correct?

13 A Correct.

14 Q Now, your mother told you about an assault that
15 she --

16 MS. OWEN: Objection, Your Honor. Hearsay.

17 THE COURT: Sustained.

18 MR. KORNFELD: It goes --

19 THE COURT: What's your basis -- I mean, what's your
20 way to get it in?

21 MR. KORNFELD: Well, my basis is there's been other
22 testimony that the girl stated that --

23 MS. OWEN: May we approach, Your Honor?

24 (WHEREUPON, a bench conference was held.)

25 THE COURT: Ladies and gentlemen, I'm just going to

1 excuse you for a few minutes. I need to take a matter up
2 with the lawyers.

3 (WHEREUPON, the jury was excused from open court at
4 approximately 11:58 a.m.)

5 THE COURT: All right. Mr. Kornfeld, I've got an
6 objection on hearsay. And you say it's not hearsay. I'll
7 hear from you.

8 MR. KORNFELD: I think it is hearsay. But there's an
9 exception to the hearsay in this particular case. I'm not
10 offering this for the truth of the matter asserted --

11 THE COURT: Well, actually, that's not an exception.
12 If it's not offered for the truth of the matter asserted,
13 then it's not hearsay under 801.

14 MR. KORNFELD: Right.

15 THE COURT: So it's not an exception.

16 MR. KORNFELD: Okay. Sorry, Your Honor.

17 So I'm offering this because the allegations the
18 mother made against her stepfather and Ms. Nestberg, which
19 is a court of record that she sued them civilly. The
20 allegations are very similar as to what these girls stated
21 happened to them by their own father.

22 And there in the statement with the officer, [REDACTED]
23 says that their mother told us that she was sexually
24 assaulted by her own father -- stepfather from the ages of
25 eight to 22. And so I'm asking her what information her

1 mother gave her about those sexual assaults and when.

2 THE COURT: And how is that not hearsay?

3 MR. KORNFELD: Because it goes to how it influenced
4 these children's minds as to what was said. It was -- I
5 think what would be said here is that the stepfather gave
6 the children -- her mother alcohol, made her watch
7 pornography movies, made her lick on the tip of his penis,
8 all those things, Your Honor.

9 THE COURT: All right. Ms. Owen.

10 MS. OWEN: Your Honor, I absolutely believe he's
11 trying to offer it for the truth of the matter asserted.
12 He's trying to back door in information that he wants to
13 get in. I truly think this is completely irrelevant to
14 this case at hand.

15 This case is about these three girls. Karen Flower
16 is not on trial. It's not about Karen Flower. It's not
17 about any prior sexual assault with Karen Flower. And I
18 absolutely think that anything related to that is wholly
19 irrelevant.

20 When [REDACTED] testified she had said that to law
21 enforcement, that her mother had told her, that was in her
22 statement. This is not in [REDACTED] statement. I don't
23 think that there is any reason for her to be able -- or
24 him to be able to ask her about something her mother told
25 her. That is exactly what hearsay is.

1 And as far as what the mother's allegations are, I
2 don't even know what they are. Mr. Kornfeld and I have
3 both tried to get the court documents. They don't exist.
4 So I don't even know how we even know what the allegations
5 from the mother are.

6 So I don't know how he can say that without any
7 actual proof that there -- what the allegations are. So I
8 absolutely think it's completely irrelevant. And I don't
9 think she has any knowledge or should be allowed to
10 testify about something her mother told her, if she even
11 told her.

12 THE COURT: All right. So we've got relevance and
13 hearsay, Mr. Kornfeld.

14 MR. KORNFELD: Well, [REDACTED] in her statement -- and
15 if I need to quote from it, specifically, she stated that
16 her and her sisters -- that the mother told her and her
17 sisters that her stepfather abused her in the same way
18 when she was eight to 22. And that she believed that her
19 father scoped out Karen Flower so that he could then -- to
20 do this to his own children. Okay. So she didn't say
21 just one, she said to our sisters. And I can quote that.

22 The other issue is, you're right, there is no record.
23 I don't know where that court record went. But Kathleen
24 Phillips in the civil court has looked several times and
25 it's not there.

1 However, Janet Flower can, also, corroborate that
2 Ms. Flower told her these same things. Paul Nestberg,
3 I've got him under subpoena. He can testify that these
4 allegations were made against him. It's, also -- I think
5 that's relevant.

6 THE COURT: How is that relevant through this
7 witness? Or how is it relevant at all? How is it
8 relevant for this particular questioning of this witness
9 at this point?

10 MR. KORNFELD: Well, why don't you let me ask her
11 in-camera and see what she says. And if she says her mom
12 told her, then it will become relevant. And if it
13 doesn't -- she says, I don't know anything about that,
14 then it wouldn't be.

15 THE COURT: So that's the relevance. What about the
16 hearsay? Let's assume for purposes of this part of the
17 objection, hearsay. How is it not hearsay?

18 MR. KORNFELD: It's not hearsay because it's offered
19 to show that it influenced these children. What their
20 mother told them influenced them. And it was such a
21 common scheme -- it was so similar in nature. And it --
22 it puts in the credibility of the -- what she says she
23 remembers when she was two years old. The mother was
24 there with them when they were -- went to the police
25 office in the interviews.

1 THE COURT: How does that -- how is it not hearsay?

2 How --

3 MR. KORNFELD: Because I'm --

4 THE COURT: You're trying to prove that her mother
5 had the same allegation -- made the same allegation or was
6 abused.

7 MR. KORNFELD: Because I'm not offering it to say
8 that she was abused. I'm offering it to show that she was
9 influenced by what her mother told her.

10 THE COURT: How do you get to that -- how do you make
11 that connection, though, from that to showing how they
12 were influenced?

13 MR. KORNFELD: Well, because the allegations are so
14 very similar and so distinct. You don't have a -- he made
15 me watch pornography movies. He made me drink alcohol.
16 He made me lick on the end of his penis. These are very
17 specific and distinct allegations that are not common that
18 they are all now alleging.

19 THE COURT: Ms. Owen, what about the fact that he's
20 not trying to prove -- he's trying to prove the influence
21 on the victims, in particular, for this purpose of
22 Ms. Flower here on the witness stand right now?

23 MS. OWEN: Well, Your Honor, I just think it's a
24 complete back door attempt to get in the information he
25 wants to provide for his defense. And I don't think that

1 that is appropriate as far as the hearsay rules go.

2 I do not think even if she had been told by her
3 mother that she was abused that that's relevant in any
4 way, shape, or form. And I do think it is hearsay for the
5 truth of the matter asserted because that is their
6 defense. And I think that's what he's trying to prove is
7 she told them something, so this must be true.

8 MR. KORNFELD: It -- it wouldn't be relevant had
9 these not been so similar in allegations. The allegations
10 are so similar in nature. That's why it's relevant.

11 MS. OWEN: Your Honor, we don't know what the
12 allegations are from Ms. Karen Flower because there's no
13 documentation.

14 MR. KORNFELD: Well, we know what she -- Janet
15 Flower will testify to what --

16 MS. OWEN: She can't testify to what she told her
17 either.

18 THE COURT: I mean, is that not hearsay again,
19 Mr. Kornfeld?

20 MR. KORNFELD: Well, I can, obviously, impeach her
21 maybe at that point. But, yes, that would be hearsay.

22 THE COURT: But, again, how does it -- all right.
23 Here's what I'm going to do, I'm going to let you --
24 in-camera here, I'm going to let you ask her the
25 questions. And I'm going to see what her testimony is first.

1 MR. KORNFELD: Okay.

2 THE COURT: Then I'll readdress --

3 MS. OWEN: Your Honor, I'd, also, like to put on the
4 record, I do think it's more prejudicial than probative
5 for our case. I think this is highly prejudicial at this
6 point because they are trying to back door.

7 MR. KORNFELD: I'm not trying to back door. The
8 whole defense through the whole case is what we've been
9 provided, what we've asked in the alienation of these
10 children.

11 THE COURT: All right. Well, I've got to make a
12 determination on relevance, hearsay, and whether it's a
13 403 issue. So I'll let you question her. And let's see
14 what the testimony is.

15 MR. KORNFELD: Okay.

16 CROSS-EXAMINATION

17 BY MR. KORNFELD:

18 Q Ms. [REDACTED], your mom told you that she was
19 molested by her stepfather; correct?

20 A Correct.

21 Q And she told you that her father -- her stepfather
22 made her watch pornography movies; correct?

23 A That's not correct.

24 Q Okay. Did she tell you that her stepfather made her
25 perform oral sex on -- on him?

1 A She did not tell me that.

2 Q All right. So is your testimony she didn't tell you
3 the specifics concerning the abuse?

4 A Yes.

5 Q Did she tell you anything about the abuse?

6 A Just that she was sexually abused.

7 Q And nothing else?

8 A Yes.

9 MR. KORNFELD: All right. Well, that's it then.

10 THE COURT: I just -- your argument about it being a
11 common scheme or plan, which is not necessarily relevant
12 to the hearsay analysis. But, I mean, the witness has
13 testified. It doesn't sound like it was that similar.
14 The fact that she was abused --

15 MR. KORNFELD: Yeah. I'm withdrawing. That's not
16 what I thought she was going to testify to, Your Honor.

17 THE COURT: All right. Well, you're withdrawing that
18 testimony?

19 MR. KORNFELD: That's right.

20 THE COURT: And, therefore, we won't need it.

21 All right. Anything else?

22 (WHEREUPON, there was no response.)

23 THE COURT: All right. Let's bring them back in.

24 (WHEREUPON, the jury came into open court at
25 approximately 12:09 p.m.)

1 THE COURT: Mr. Kornfeld.

2 MR. KORNFELD: Thank you, Your Honor.

3 No further questions, Your Honor.

4 THE COURT: All right. Any redirect?

5 MS. OWEN: Very briefly.

6 REDIRECT EXAMINATION

7 BY MS. OWEN:

8 Q [REDACTED], are there certain memories that stick out to
9 you more than others regarding the sexual abuse by your
10 father?

11 A Yes, ma'am.

12 Q Why is that?

13 A I just remember some more and they're more painful.
14 And then some memories, I just won't let myself think
15 about.

16 Q You told the jury the truth today?

17 A Yes, ma'am.

18 MS. OWEN: I have no further questions.

19 THE COURT: All right. Any recross?

20 MR. KORNFELD: No, Your Honor.

21 THE COURT: All right. Thank you, Ms. Flower.

22 You may step down.

23 THE WITNESS: Thank you.

24 THE COURT: Next witness.

25 MS. OWEN: Your Honor, at this time, the State rests.

1 THE COURT: All right. Ladies and gentlemen, the
2 State has rested. They've put in their evidence.

3 So I'm going to excuse you for a little bit. I'm
4 going to -- I have some matters I've got to take up. And,
5 also, I'm going to figure out on lunch. I may go ahead
6 and excuse you for lunch. We may take an early lunch.
7 That's what I'm inclined to do. But let me talk with the
8 lawyers and think about it myself. And I may just let
9 Mr. Cofield know that y'all can go to lunch, or if he
10 tells you to come back in, you'll come back in. So we'll
11 do that.

12 (WHEREUPON, the jury was excused from open court at
13 approximately 12:11 p.m.)

14 THE COURT: I know we have some matters to take up.

15 From a lunch standpoint, I'm inclined to excuse them
16 for lunch and come back at 1:30.

17 Any response from either one of you?

18 MS. OWEN: No, Your Honor.

19 MR. KORNFELD: Well, Your Honor, my expert will be
20 here at 1:30. So I just want to let you know that. I
21 know the State had an objection to that, but I have her
22 ready to come here at 1:30. So I don't know if you wanted
23 to have them here or not. But that's the information.

24 THE COURT: Yeah. I want -- let's do this then.
25 Let's -- I'm going to excuse the jury until 1:30. I'm

1 going to have y'all back here at 1:15 just to
2 preliminarily discuss the issues that's going to arise
3 with your expert. It may take more than 15 minutes. But
4 if she gets here at 1:30 -- he? She?

5 MR. KORNFELD: It's a she.

6 THE COURT: If she gets here at 1:30, I may need to
7 hear some testimony as well. But we'll just go from
8 there. I'm going to excuse them -- I'm going to excuse
9 them until 1:30.

10 So, Mr. Bailiff, if you will tell them to go to lunch
11 and to be back whenever you tell them to be back.

12 THE BAILIFF: Yes, sir.

13 THE COURT: All right. Now, the State has rested.
14 Any motions?

15 MOTIONS

16 MR. KORNFELD: Yes, Your Honor. I make a directed
17 verdict motion on several of these cases -- several of
18 these indictments. I've never had 69 to go through quite
19 like this. But I believe during the testimony, even in a
20 CSC with a minor case like this, there has to be some
21 evidence that what is alleged occurred for each
22 indictment. And I believe the assistant solicitor's
23 questions were, Did this happen one time or more than one
24 time? Which the answer was always yes.

25 However, I don't think that that distinctly falls

1 within each of the indictments that were made.
2 Specifically, sometimes, the Solicitor stated, this
3 happened in 2008?

4 Yes.

5 More than one time?

6 Yes. It happened more than one time.

7 But there's other years of which were not,
8 specifically, stated or even had any evidence that this
9 happened in this year at this time.

10 So with that, I would make a motion for directed
11 verdict, Your Honor.

12 THE COURT: So your motion is directed to all of the
13 indictments?

14 MR. KORNFELD: Well, I will have to go through --
15 there was some evidence for some of them, but there was
16 not evidence for each and every indictment. And if I'm
17 going to go through -- I'll have to go through each one of
18 the indictments, Your Honor.

19 THE COURT: Let me hear from Ms. Owen first.

20 Ms. Owen.

21 MS. OWEN: Thank you, Your Honor.

22 You're well versed on the law. I believe that we
23 have met the statutory requirements for each indictment.

24 With regard to the broad generalization that
25 Mr. Kornfeld is alleging, I believe we went through each

1 witness and went through the sexual batteries as it
2 pertains to these indictments. That when asked did this
3 happen one time or more than one time, the statement was
4 more than one time. And there was clarification on what
5 ages it began and what ages it ended. And it happened
6 over those time frames.

7 Now, I know that it's difficult for victims to be
8 able to remember, specifically, what age they are every
9 single time. And based on the prior history in this case
10 and the prior rulings we had on making the time frame
11 smaller, I did the best I could to make them as narrow and
12 specific as I could. But I do believe we met the
13 indictments in regards to them stating when they started,
14 when they ended, and that they happened over those years
15 as to those specific acts, Your Honor.

16 So I do believe that we have met the threshold for
17 directed verdict as to the evidence. And, obviously, you
18 know it is in the light most favorable to the State and if
19 there is any evidence, not the weight of the evidence.

20 THE COURT: Mr. Kornfeld, what about that? With each
21 of the three victims, the State put up evidence as to the
22 age when it occurred. And they laid a foundation,
23 initially, just how old are you. So then that -- and you
24 can go back as to when those events occurred.

25 What about that argument from Ms. Owen that the

1 indictments are -- or the allegations in the indictments
2 are met and complied with?

3 MR. KORNFELD: For those indictments which she stated
4 this happened in 2005, this happened more than one time,
5 or less, I would agree for those indictments for that
6 year. I disagree that it has been met for the subsequent
7 years, except with, I believe, [REDACTED] that it was a 2005
8 to 2009 range. I believe that was qualified there.

9 But I don't think you meet the requirements when you
10 just say did this happen one time or more than one time,
11 and then you don't go into the other years. So,
12 otherwise, you can't just say, well, this happened more
13 than one time. Here's all the -- here are all the
14 indictments, you know. You figure it out.

15 The State, actually, has to lay the foundation and
16 have some evidence for each and every one of those
17 indictments. And that is my objection to that -- I didn't
18 hear for each and every one of those indictments.

19 Now, I understand that there were 69 indictments.
20 However, that doesn't change the fact that you have to
21 have some evidence for each and every one of those to --
22 to get over a directed verdict motion.

23 THE COURT: All right. What about that, Ms. Owen?
24 Does there have to be -- does there not have to be
25 evidence as to each indictment?

1 And according to Mr. Kornfeld, the evidence has not
2 been presented for each indictment or, at least, evidence
3 to support each indictment.

4 MS. OWEN: Your Honor, I believe the victims
5 testified that these things happened starting at a certain
6 age and were continuous and repetitive over the years up
7 until the ending age. So I don't know that they have to,
8 specifically, say -- or if I'm even allowed to say, did
9 this happen when you were five, and six, and seven, and
10 eight when we are, specifically, asking was this a
11 continuous chronic abuse situation when they say it
12 started at age three or four and it went on until I was
13 nine. This happened more than one time in multiple rooms
14 of the house and it happened frequently.

15 I think that we have laid the proper foundation for
16 each of those indictments. And it is now going to be up
17 to the jury to determine whether they -- what weight they
18 give that credibility. But, Your Honor, I believe that we
19 have met each of those indictments.

20 Now, if there's one in specific that Mr. Kornfeld
21 wants to point out, I'm happy to talk about a specific
22 one.

23 MR. KORNFELD: Well, the other way we can do this is
24 I can try and go through my notes and then I can bring out
25 specific ones. And the State can give evidence that they

1 think was laid to those -- to each indictment that we
2 object to.

3 THE COURT: Well, I think that's what has to be done.
4 Regardless, if you are objecting to the indictment, I
5 think you've got to pinpoint the indictments you are
6 objecting to, as opposed to a broad, I don't think they
7 met all the time limits in the 69 indictments.

8 MR. KORNFELD: Yeah.

9 THE COURT: It, certainly, is an issue with this many
10 indictments. But I think, as opposed to a broad motion
11 for directed verdict, that the indictments -- if the
12 evidence doesn't meet the indictments, I think you've got
13 to identify to the Court what indictments you are talking
14 about.

15 MR. KORNFELD: Yes, Your Honor. That's probably the
16 appropriate way to do it. I'm going to need a minute to
17 try to get these out.

18 THE COURT: Well, I think -- what we can do -- and I
19 will give you that opportunity. And this may be -- this
20 is the time we're taking a lunch break anyway. And we
21 will reconvene to complete the motion.

22 All right. Other than that motion -- and I'll give
23 you the opportunity to look at those. Are there any other
24 motions?

25 MR. KORNFELD: No, Your Honor.

1 THE COURT: All right. So what I'm going to do is
2 we're going to take our lunch break. And during that time
3 period, I will give Mr. Kornfeld an opportunity to
4 identify what particular indictments that he is claiming
5 that the State's not met the burden. I don't think just a
6 general motion for directed verdict as to the indictments
7 don't comply is good enough. So I'm going to require that
8 to take place.

9 MR. KORNFELD: Sure.

10 THE COURT: So we'll take our lunch break. And we'll
11 be back here in an hour. And, also, we will take up
12 the -- well, depending on my ruling, we'll take up the
13 expert issue.

14 Anything else before we adjourn?

15 MS. OWEN: No, Your Honor.

16 THE COURT: Anything from the Defendant?

17 MR. KORNFELD: No, Your Honor.

18 (WHEREUPON, a lunch break was taken.)

19 THE COURT: Are you all ready to continue on?

20 MR. KORNFELD: Yes, Your Honor.

21 THE COURT: I'll hear from you.

22 MR. KORNFELD: All right. Your Honor, may it please
23 the Court.

24 I tried to narrow down my directed verdict motions.
25 The first motion I would have concerns the indictment that

1 starts with 2022 and ends 2803.

2 MS. OWEN: I'm sorry. I don't mean to interrupt.

3 Can you just tell us which victim?

4 MR. KORNFELD: Okay. And this is [REDACTED]

5 MS. OWEN: And it ends in what numbers?

6 MR. KORNFELD: It ends in numbers 2803.

7 THE COURT: And which charge? I've got mine
8 organized by charges. Is it CSC one?

9 MR. KORNFELD: This is contributing to the
10 delinquency of a minor.

11 THE COURT: Okay.

12 MR. KORNFELD: Between July 24th of 2007, and the
13 23rd day of July, 2008.

14 THE COURT: Okay. So 2022-GS-23-02803A, is that the
15 one?

16 MR. KORNFELD: That's correct, Your Honor.

17 THE COURT: Okay.

18 MR. KORNFELD: And my motion for directed verdict on
19 this, I don't believe nor do my notes reflect that there
20 was any evidence, specifically, between July 24th, 2007,
21 and the 23rd day of July, 2008, concerning contributing to
22 the delinquency of a minor as it relates to IF.

23 THE COURT: All right. What about that, Ms. Owen?

24 MS. OWEN: Your Honor, I'm just going through the
25 notes. I don't want to say anything improper.

1 Your Honor, she, I believe, would have been between
2 10 and 11 at that point. And I believe she did disclose
3 during that time that she -- the Defendant used the
4 massager on her in an inappropriate way, taught her how to
5 use the massager in an inappropriate way.

6 I think she, also, testified during those years that
7 he gave her alcohol and showed her pornography. So I'm
8 not sure that I would agree with that indictment. There
9 are several that I would be happy to discuss. But in
10 regards to that one, that one was not on my list.

11 THE COURT: That was not on your list as to what?

12 MS. OWEN: We have, also, gone through and looked at
13 some that we agree -- I think we can move forward on them.
14 But to streamline this process, I think --

15 THE COURT: Is that one of them you can agree?

16 MS. OWEN: That was not one on my list. But I'll be
17 happy to review those if you'll give me just a second.

18 THE COURT: Okay.

19 MS. OWEN: Your Honor, I had left -- as far as the
20 contributing charge, that one and the indictment ending in
21 2804 as to [REDACTED] for those two years, it is a
22 voluminous number. I do believe as far as the State goes
23 and what testimony that was provided that we covered the
24 record on the indictments. But I do believe we need to
25 streamline them.

1 THE COURT: So you agree that 2803A should be
2 dismissed?

3 MS. OWEN: Your Honor, in my dismissals, I think as
4 far as contributing, I have pulled out 2800 and 2801.

5 THE COURT: All right. So 2800 and 2801, those you
6 have pulled out. But you do contest Mr. Kornfeld's motion
7 as to 2803; is that correct?

8 MS. OWEN: Yes.

9 THE COURT: And, Mr. Kornfeld, as I understand, your
10 motion is addressed to the massages and using the
11 massager; is that right?

12 MR. KORNFELD: That's what it sounds like. She's
13 stating --

14 MS. OWEN: I'm articulating the massager, the porn,
15 the alcohol, those things that were testified to during
16 this time frame.

17 MR. KORNFELD: And, Your Honor, I just want to make
18 sure that I'm clear on this and, also, that I don't upset
19 the Court. My issue is not that those weren't necessarily
20 testified to. My issue is that they weren't testified
21 to -- or, at least, I don't have a recollection that they
22 were testified to as of how the indictment is written from
23 July 24th, 2007, and the 23rd day of July, 2008,
24 concerning IF as it relates to the indictment.

25 MS. OWEN: Your Honor, I believe that the testimony

1 provided was that he had given her alcohol, shown her
2 pornography, taught her to use the massager. And you know
3 what, Your Honor, maybe I have it backwards. Maybe these
4 were the two I pulled and I wasn't looking at -- I'm
5 sorry. There are so many. And I realize there are many
6 based on the hearing we had on Baker, which is the reason
7 we had to redo the indictments.

8 Yes, I will concede on 2804 and 2803. But I was
9 going to argue about 2800 and 2801. I apologize.

10 THE COURT: The motion as to 2803 and 2804 is
11 granted.

12 The State does contest as to 00 -- let's see 0001 --
13 or 00 and 01?

14 MS. OWEN: 2800 --

15 THE COURT: 2800 and 2801?

16 MS. OWEN: Yes, Your Honor.

17 THE COURT: So 2803 and 2804, that motion is granted.

18 All right. 2800, let me hear from you on that.

19 MR. KORNFELD: 2800 is one of my --

20 MS. OWEN: And, Your Honor, Mr. Kornfeld and I did
21 not have a minute to talk for a minute to see if there was
22 some we could agree on.

23 THE COURT: Do you want to chat right now?

24 MS. OWEN: Yes. That might streamline.

25 THE COURT: Okay.

1 (Pause.)

2 MS. OWEN: Your Honor, we might need a minute.

3 THE COURT: All right.

4 (Pause.)

5 THE COURT: Are you all ready?

6 MS. OWEN: Yes.

7 THE COURT: All right. I'll hear from you.

8 MS. OWEN: I just wanted to put on the record we have
9 been able to agree. And there were some that Mr. Kornfeld
10 did not even ask for that the State is going to concede to
11 just because in going through these indictments, like I
12 said, I do believe there's testimony that adequately
13 covers them and they're sufficient for the State for
14 directed verdict.

15 But in reviewing them ourselves, it is voluminous.
16 And I think the jury is going to have a hard time with
17 that. So I would like to propose we eliminate some
18 indictments to streamline.

19 THE COURT: I'll hear that. And I want to hear which
20 ones you have proposed.

21 MS. OWEN: The ones we've agreed to, Your Honor?

22 THE COURT: Yes.

23 MS. OWEN: Okay. And, Mr. Kornfeld, please correct
24 me if I'm wrong.

25 Okay. We have agreed to 2022-GS-23-2820, which is

1 criminal sexual conduct first degree.

2 Is that what you would like to know?

3 THE COURT: Yeah. The ones that y'all have agreed
4 will be dismissed.

5 MS. OWEN: And then we've already gone over those two
6 contributings, Your Honor.

7 THE COURT: And that's 2803 and 2804; correct?

8 MR. KORNFELD: Correct.

9 MS. OWEN: Yes.

10 THE COURT: Okay.

11 MS. OWEN: And then 2022-GS-23-2798, that is a CSC
12 first degree indictment.

13 THE COURT: All right.

14 MS. OWEN: 2022-GS-23-2807, that is a CSC first
15 indictment.

16 THE COURT: Okay.

17 MS. OWEN: 2022-GS-23-2834, that is a CSC first
18 indictment.

19 THE COURT: All right.

20 MS. OWEN: 2022-GS-23-2813, that is a CSC first
21 indictment.

22 THE COURT: All right.

23 MS. OWEN: 2022-GS-23-2797, that is a CSC first
24 indictment.

25 THE COURT: Okay.

1 MS. OWEN: 2022-GS-23-2829, that is, also, a CSC
2 first indictment.

3 THE COURT: All right.

4 MS. OWEN: 2022-GS-23-2828.

5 THE COURT: What is that one?

6 MS. OWEN: CSC first, Your Honor.

7 THE COURT: All right.

8 MS. OWEN: And in regards from the State, we will not
9 elect to move forward on 2021-GS-23-7848. And that is a
10 lewd act.

11 THE COURT: All right.

12 MS. OWEN: 2021-GS-23-7847, that's, also, a lewd act.

13 THE COURT: Okay.

14 MS. OWEN: Your Honor, I just want to make sure I'm
15 giving you the correct ones.

16 THE COURT: No. Take your time. I commend both of
17 you for going through and resolving these. Because I do
18 think it will be much more efficient for the jury, for
19 sure.

20 And while we're continuing to work, do either of you
21 have any objection if I let Mr. Cofield go in there and
22 tell the jury that we're out here handling some issues and
23 that's why there's a delay? And, also, to ask them if
24 they're okay going late today? Does anybody have any
25 objection to that?

1 MR. KORNFELD: Not at all, Your Honor.

2 MS. OWEN: No, Your Honor.

3 THE COURT: All right.

4 MS. OWEN: Your Honor, can we argue this one that
5 Mr. Kornfeld wants to discuss? That may help me narrow
6 down what --

7 THE COURT: I think that will be a little bit more
8 efficient.

9 MR. KORNFELD: Your Honor, I did have a couple others
10 here I thought we agreed to. I just wanted to make sure.
11 Maybe they were read out and I didn't hear them. But
12 2807, I thought was agreed to.

13 THE COURT: Yeah. That was read out.

14 MR. KORNFELD: And then 2820, 2022-2820.

15 THE COURT: 2820 was read out.

16 MR. KORNFELD: Thank you.

17 And then the last one was 2021-7849.

18 THE COURT: I've got 7847 and 7848.

19 MR. KORNFELD: Right. I have those, but I didn't
20 have this one.

21 MS. OWEN: Yes, Your Honor.

22 THE COURT: So that's 2021-GS-23-7847?

23 MS. OWEN: 49.

24 THE COURT: I mean, 49.

25 MR. KORNFELD: Yes, sir.

1 THE COURT: All right.

2 MR. KORNFELD: Okay. The ones that I believe we
3 don't agree on are -- let me get back to my notes here.

4 Okay. 2022-2845, this one has to do with alleged
5 victim KF.

6 THE COURT: Okay.

7 MR. KORNFELD: From August 31st, 2008, through August
8 31st of 2012. The charge is contributing to the
9 delinquency of minor.

10 THE COURT: Why don't we do this, just list which
11 ones and then we'll go back. List which ones you have --

12 MR. KORNFELD: Okay. Thank you, Your Honor.

13 THE COURT: -- motions addressed to.

14 MR. KORNFELD: The next one I have is 2022-2837.

15 THE COURT: Okay.

16 MR. KORNFELD: 2022-2832.

17 MS. OWEN: Could you tell me who they're in relation
18 to?

19 MR. KORNFELD: Yes. Sorry.

20 So 2837 is in relation to KF.

21 MS. OWEN: And what's the charge?

22 MR. KORNFELD: The charge is CSC first.

23 MS. OWEN: Okay.

24 MR. KORNFELD: 2022-2832 relates to KF, CSC first.

25 2022-2806 relates to KF, CSC with a minor first.

1 2022-2812 relates to KF, CSC with a minor first.

2 2022-2749 -- or 2794, KF, CSC first. 2022-2795, KF, CSC
3 with a minor first. 2022-2799, KF, CSC with a minor
4 first. And 2022-2819, IF, CSC with a minor first.

5 THE COURT: All right. So let's then go back. The
6 first one is 2022-GS-23-2845 relating to KF?

7 MR. KORNFELD: Correct. This is between the dates of
8 August 31st, 2008, and August 31st, 2012, concerning
9 contributing to the delinquency of a minor. I don't know
10 if I heard anything of that -- any facts at all concerning
11 that time frame with KF. So that is what my motion is
12 based on. And I move for a directed verdict on that.

13 THE COURT: Ms. Owen.

14 MS. OWEN: Thank you, Your Honor.

15 I believe that there was testimony she would have
16 been between eight and 12 during that time period -- or,
17 I'm sorry.

18 MR. KORNFELD: She was six.

19 MS. OWEN: I'm sorry. She would have been six, yes.
20 And -- six to 10. And I believe based on the notes that
21 I'm reviewing, she did discuss that he started giving her
22 alcohol about age five up until age nine. That they would
23 watch pornography during that time frame. And she talks
24 about watching inappropriate movies and seeing porn on his
25 phone and computer.

1 And I'm going to look and see what age the disclosure
2 was during testimony regarding his use of the massager.

3 She, also, talked about that being from ages six to nine.

4 THE COURT: All right. As far as the porn, I've got
5 the testimony beginning at the age of five and over the
6 years to age of nine. Alcohol -- he gave her alcohol and
7 used the massager when she was five -- or -- yeah, five
8 and, also, from ages six to nine.

9 And so looking at the indictment from August 31st,
10 2008, through August 12th, 2012 --

11 How old was [REDACTED] --

12 MR. KORNFELD: She was six.

13 THE COURT: She's 20?

14 MS. OWEN: She's born in 2002, Your Honor.

15 MR. KORNFELD: She would be six.

16 THE COURT: So --

17 MS. OWEN: And I believe the indictment would read
18 between the dates. So I don't believe there's a
19 specific -- it's a range, a broad range. Because she's
20 given different dates when these things occurred.

21 THE COURT: Mr. Kornfeld, doesn't that present some
22 rational testimony that relates to the time frame set out
23 in the indictment?

24 And I think -- there has to be some rational
25 testimony. And I believe based on the testimony that I've

1 looked at through my notes and what the State says, that
2 it does -- there is some rational testimony that -- within
3 those time frames, 2008, 2012.

4 MR. KORNFELD: Yeah, Your Honor. Again, this is very
5 difficult to do while trying the case. And I know that's
6 no excuse. But I just heard she stated when I was five.
7 And then that this happened more than one time. I just
8 make the motion. I understand your ruling. Okay.

9 THE COURT: All right. So I do find there is
10 testimony to support that indictment. All right.

11 MR. KORNFELD: The next one is 2837, that's
12 2022-2837. This has to do with between August 31st, 2010,
13 and August 30th of 2011. Digital vaginal penetration of
14 KF. This would be CSC first.

15 THE COURT: Okay. Let me find it first.

16 I've got it. So the allegations in the indictment
17 are, again, August 31st of 2010, to August 30th, 2011.
18 This is regarding [REDACTED].

19 All right. Ms. Owen.

20 MS. OWEN: Thank you, Your Honor.

21 In regards to the testimony given -- I'm reviewing my
22 notes. And I have here that she discussed -- and I just
23 want to make sure I'm clear that we're talking about 2837;
24 correct?

25 THE COURT: Yeah. 2022-GS-23-2837, which is a CSC

1 first in that regard -- is regarding KF, which is [REDACTED].

2 MS. OWEN: Thank you, Your Honor.

3 I know that there has been testimony regarding the
4 starting from age three to four up until she was
5 approximately nine. And I believe this indictment covers
6 that time frame for eight to nine with regards to digital
7 and vaginal penetration.

8 THE COURT: In reviewing my notes, I had some
9 testimony that he is alleged to have put fingers in her
10 vagina and she was eight years old. This took place at
11 night. Neither had clothes on. He did it more than one
12 time.

13 MR. KORNFELD: Thank you, Your Honor.

14 I thought she said she did not remember how old she
15 was. But I understand your ruling.

16 THE COURT: All right. So I'll -- I do believe
17 there's rational testimony to support that indictment. So
18 I deny the motion on that.

19 MR. KORNFELD: The next motion has to do with
20 2022-2832. This is a CSC with a minor first concerning
21 KF.

22 MS. OWEN: This is digital vaginal penetration;
23 correct?

24 MR. KORNFELD: Correct.

25 MS. OWEN: And this would be when she was between

1 five and six years old?

2 MR. KORNFELD: Correct, yes.

3 MS. OWEN: Okay. I have that she discussed similar
4 allegations regarding this, that he had put his fingers
5 inside of her. She, specifically, talked about they moved
6 down the hall at age five. And she woke up with him
7 standing over her, pants down, fingers inside of her. And
8 maybe I miswrote that or I'm reading incorrectly, but that
9 is what I have.

10 MR. KORNFELD: I do remember testimony of that.

11 THE COURT: Let me get -- hold on.

12 All right. So the time frame of August 31st, 2007,
13 to August 30th, 2008. That's, again, digital and vaginal
14 penetration of KF.

15 MR. KORNFELD: And my recollection, Your Honor, and
16 notes reflect that she did testify to this. But she,
17 also, testified that she does not remember how old she
18 was.

19 THE COURT: Ms. Owen, what did you say?

20 MS. OWEN: Your Honor, reviewing my notes, I thought
21 that we had some testimony regarding this, her being age
22 five when she had moved to this back room. And that she
23 had woke up with the Defendant standing over her with his
24 pants down and his fingers inside of her. It was painful.

25 THE COURT: Yeah. The testimony I had is she was in

1 the alcove from three to four and then moved down the hall
2 to -- with [REDACTED]. And she would wake up and he was
3 standing over her. And he put his fingers inside of her.
4 This happened at night more than once. She said she moved
5 in with [REDACTED] when she was five.

6 MR. KORNFELD: That's my recollection as well, Your
7 Honor. My only objection is that when asked does she
8 remember how old she was, I believe her testimony was that
9 she did not.

10 THE COURT: My recollection is from my -- my
11 recollection of the testimony is she moved in or down the
12 hall with [REDACTED] when she was five years old. And the
13 digital penetration occurred then in addition to other
14 sexual acts.

15 So I believe that -- I believe there is testimony to
16 support that indictment.

17 MR. KORNFELD: All right. The next --

18 THE COURT: So I deny that motion.

19 MR. KORNFELD: Thank you, Your Honor.

20 The next one I have is 2022-2806. This concerns KF,
21 CSC with a minor first. This is a penile penetration.

22 THE COURT: All right. The testimony I've got --
23 Ms. Owen.

24 MS. OWEN: Thank you, Your Honor.

25 I have that she testified that there was penile

1 vaginal penetration between her and the Defendant starting
2 at age eight going through age nine -- well, she,
3 initially, said that it started occurring around five, but
4 that she discloses that it goes up through nine. And she
5 did, specifically, give us an example on the stand from
6 when she was eight. And then I believe her initial
7 disclosure regarding that was around age four to five.

8 THE COURT: All right. Mr. Kornfeld, what do you say
9 to that?

10 MR. KORNFELD: I said that I don't have any evidence
11 that she, specifically, stated that this happened around
12 eight or that it falls within this particular indictment.
13 But if she -- Ms. Owen may remember the specific incident.

14 THE COURT: So how old would she be in August of 2008
15 and 2009?

16 MR. KORNFELD: She would be eight.

17 THE COURT: Eight.

18 MR. KORNFELD: In 2010, she would be six.

19 THE COURT: So she would be six to seven in that
20 area?

21 MR. KORNFELD: Yes.

22 THE COURT: All right. She moved down the hall with
23 [REDACTED] when she was five. He would come up and lay on
24 the bed. That's when she would hide from him. Also, in
25 Ian's room, she said that he made her put her knees up,

1 took down her pants. He unbuckled his pants. He made her
2 perform oral sex and penetrated her vagina on more than
3 one occasion.

4 MR. KORNFELD: Did she give -- I'm sorry. Did she
5 give a date?

6 THE COURT: She did not give a specific date, but she
7 moved in when she was five.

8 MR. KORNFELD: Okay.

9 THE COURT: Ms. Owen, I've got that she moved down
10 into the room with [REDACTED] at five. I have her testimony
11 as to what occurred and as to Ian's room. Because I have
12 the testimony that -- from my understanding of the
13 testimony that the penetration of her vagina was in Ian's
14 room.

15 MS. OWEN: She disclosed it in Ian's room. And then
16 she, also, said it happened in her parents room, Your
17 Honor.

18 THE COURT: All right. I see that.

19 MS. OWEN: When her mom was sick.

20 MR. KORNFELD: There's no testimony that I heard as
21 to when the mom was sick.

22 MS. OWEN: She said she was eight.

23 THE COURT: Okay. Eight years old and mom was sick.
24 So that would put it in --

25 MR. KORNFELD: I thought she stated she was sick a

1 lot. But, again, that's why it's so hard, Your Honor. I
2 just don't know.

3 THE COURT: Yeah. I've got when she was eight --
4 I've got testimony that when she was eight, he put his
5 fingers in her vagina.

6 MS. OWEN: Yes, Your Honor. And then she said he
7 touched his penis to her vagina. There were sex
8 movements. And then he put his fingers in her vagina
9 after he put his penis --

10 THE COURT: Yeah. That's what I've got. But -- am I
11 reading the wrong one?

12 Which one is it?

13 MR. KORNFELD: Which one?

14 MS. OWEN: 2806, the penile vaginal. And, Your
15 Honor, I would agree based on the notes we are reviewing,
16 she did say that he touched his penis to her vagina. But
17 I don't have a note that says it went in. She does
18 discuss the sex movements.

19 THE COURT: That's the testimony I have. I don't
20 have her testifying that he -- during those instances that
21 he penetrated her. He did -- he touched her, but did not
22 penetrate her.

23 MR. KORNFELD: Right.

24 THE COURT: That's the testimony I've got.

25 Do you have anything to counter that, Ms. Owen?

1 MS. OWEN: No, Your Honor.

2 THE COURT: All right. I'll grant the motion as to
3 that indictment.

4 MS. OWEN: Thank you, Your Honor.

5 MR. KORNFELD: And that is 2806, Your Honor?

6 THE COURT: 2806.

7 MR. KORNFELD: Thank you.

8 The next motion we have has to do with 2022-2812.
9 And this has to do with KF. This is, also, a CSC with a
10 minor first degree.

11 THE COURT: All right. That indictment alleges oral
12 sex with KF, performed oral sex between August 31st, 2010,
13 and August 30th, 2011.

14 MS. OWEN: Yes, Your Honor.

15 I believe she stated that this first started
16 occurring when she was five and ended when she was
17 approximately eight or nine. And that is the basis of
18 that indictment. And I'm reviewing my notes.

19 MR. KORNFELD: This would be when KF was between the
20 ages of eight and nine. I believe if that was stated, I
21 just missed it.

22 THE COURT: All right. I had some testimony that he
23 was -- she was playing Polly Pockets and he came down
24 there in the room, sat on the red chair, had her perform
25 oral sex. She was five. And it happened until she was

1 nine --

2 MS. OWEN: Your Honor --

3 THE COURT: Yes, ma'am.

4 MS. OWEN: I'm sorry. Go ahead.

5 THE COURT: Go ahead.

6 MS. OWEN: I'm sorry. If I would have had a little
7 more time at lunch, I could have probably streamlined this
8 some more. But in reviewing these, I just want to propose
9 the ones that we would like to go forward on, and see if
10 it's amenable to both parties.

11 THE COURT: Is that good with you, Mr. Kornfeld?

12 MR. KORNFELD: That's fine. I only have three more.
13 But, yes, Your Honor, that's fine.

14 THE COURT: So you're going to list the ones you're
15 willing to go forward on?

16 MS. OWEN: Yes, Your Honor. I thought this other way
17 would be a little quicker, but --

18 THE COURT: That's all right. We tried.

19 MS. OWEN: Thank you, Your Honor.

20 I'd like to propose -- the State would like to go
21 forward on 2022-GS-23-2836, the CSC first with a minor
22 regarding KF; 2022-GS-23-2796, CSC first with a minor;
23 2022-GS-23-2814, CSC with a minor; 2022-GS-23-2809, CSC
24 first with a minor; 2022-GS-23-2794, CSC first with a
25 minor; 2022-GS-23-2832, CSC first with a minor.

1 And then the other three we were proposing to go
2 forward on in the eight to nine timeframe, I think
3 Mr. Kornfeld will object to, but 2022-GS-23 -- and we were
4 just talking about 2812.

5 THE COURT: You said 2812?

6 MS. OWEN: Yes.

7 MR. KORNFELD: What is that charge?

8 MS. OWEN: Oral sex, CSC first with a minor.

9 MR. KORNFELD: Okay.

10 MS. OWEN: 2022-GS-23-2799, CSC first with a minor.
11 And then we've already discussed 2022-GS-23-2837. And
12 then 2019-GS-23-8061A for dissemination.

13 THE COURT: What number was that again? I'm sorry.

14 MS. OWEN: That's okay. 2019-GS-23-8061A,
15 dissemination.

16 THE COURT: All right.

17 MS. OWEN: And 2019-GS-23-8051, that's voyeurism.
18 And 2021-GS-23-7850, CSC first; 2019-GS-23-0844A for
19 voyeurism; 2019-GS-23-08064A.

20 THE COURT: 08 what?

21 MS. OWEN: 064A.

22 THE COURT: And what is that?

23 MS. OWEN: Contributing. And then 2022-2835, CSC
24 first; 2022-2817, CSC first; 2022-2833, CSC first;
25 2022-2823, CSC first; 2022-2815, CSC first; 2022-2819, CSC

1 first; 2022-2822, CSC first; 2019-8049A, CSC first;
2 2022-7843, CSC second -- I'm sorry, 2021-7843; 2019-8053.

3 THE COURT: What is that one?

4 MS. OWEN: CSC second, Your Honor.

5 THE COURT: All right.

6 MS. OWEN: 2019-8048, lewd act; 2021-6839A, lewd act;
7 and 2019-8052, voyeurism; and then 2019-8062A.

8 THE COURT: 80 what?

9 MS. OWEN: 62A.

10 And the two contributing we've already discussed
11 previously, 2022-2804 and 2022-2803.

12 THE COURT: All right. So those that you just
13 listed, you are going forward with; correct?

14 MS. OWEN: Yes.

15 THE COURT: All right. 2803 and 2804, the
16 contributing to the delinquency of a minor, those --
17 you're not going forward with those; correct?

18 MS. OWEN: Sorry. Yes, not those.

19 THE COURT: But you did say on the delinquency 2800
20 and 2801; is that correct?

21 MS. OWEN: Correct. I'm sorry.

22 THE COURT: All right. Mr. Kornfeld, so let's see
23 what overlaps. So we've already talked about 2845. Now,
24 I --

25 Is that included, Ms. Owen?

1 Because I denied the motion as to 2845, 2837, 2832.
2 And then I granted it as to 2806.

3 MS. OWEN: I'm sorry, Your Honor. Would you repeat
4 that? I was trying to cross things off as we were going.

5 THE COURT: All right. So the list you just gave is
6 the ones the State is going to proceed on?

7 MS. OWEN: Correct.

8 THE COURT: We had already argued before that,
9 2022-GS-23-2845, 2837, and 2832, which I denied. So those
10 three would go forward as well.

11 Are you in agreement or are you withdrawing those,
12 too?

13 MS. OWEN: No. I was including those.

14 THE COURT: You're leaving those?

15 MS. OWEN: Yes.

16 THE COURT: And then I granted 2806?

17 MS. OWEN: Correct.

18 THE COURT: So we've got the list that you just went
19 through that the State is proceeding on, in addition to
20 the three. And I have already denied the motion.

21 So -- so the next one was -- Mr. Kornfeld made a
22 motion on was 2812, that's 2022-GS-23-2812. Is that the
23 one we were discussing?

24 MS. OWEN: Yes.

25 MR. KORNFELD: That's what I have, Your Honor, yes,

1 sir.

2 THE COURT: All right. How far did we get on 2812?
3 Had you already made your argument? I'm just trying to
4 make sure we're catching up here.

5 MR. KORNFELD: Yes, Your Honor. And then, you were
6 looking at your notes. This had to do when [REDACTED] was
7 between eight and nine years old. The allegation is she
8 performed oral sex on the Defendant, Mr. Flower. And then
9 I believe you stated that your notes stated that this
10 occurred until she was approximately a certain age. And
11 that's where --

12 THE COURT: Yeah.

13 And then, Ms. Owen, your counter to that on 2812 was
14 there was testimony of her performing oral sex. Because
15 I've got the time she was playing Polly Pockets and he
16 came down there. She was five. And it happened until she
17 was nine.

18 MS. OWEN: Yes, Your Honor. That's what I have as
19 well.

20 THE COURT: So if my calculations are right, I
21 believe that testimony does fit within the indictment; is
22 that correct? Am I right on the calculations of the ages
23 and the dates?

24 MS. OWEN: Yes, Your Honor.

25 MR. KORNFELD: She would have been nine years old

1 pursuant to this indictment, Your Honor.

2 THE COURT: She would have been nine years old when?

3 MR. KORNFELD: I believe on August 31st of 2010,
4 which this indictment alleges, the 2812 indictment.

5 THE COURT: Okay.

6 MR. KORNFELD: She would have been nine in August of
7 2010.

8 THE COURT: And she testified it happened until she
9 was nine?

10 MS. OWEN: Yes.

11 MR. KORNFELD: That's my argument as to why this
12 should not go forward.

13 THE COURT: What about that, Ms. Owen? She testified
14 it happened until nine. And would she be nine in 2010?

15 MS. OWEN: Yes, Your Honor. I think she is nine
16 until her 10th birthday.

17 THE COURT: But up until then --

18 MS. OWEN: She had testified that it happened up
19 until she was -- through age nine. So I think nine would
20 be an appropriate age range.

21 THE COURT: What about that, Mr. Kornfeld?

22 MR. KORNFELD: Well, I guess it depends on whether or
23 not we say up until nine is through nine or --

24 THE COURT: Yeah. I think -- I think for purposes of
25 testimony to support the indictment, I think there is

1 testimony -- rational testimony that there is evidence to
2 support that indictment.

3 So I will deny it as to 22-2812A.

4 MR. KORNFELD: Okay.

5 THE COURT: Okay. And your next one was 22 --
6 2022-GS-23-2794?

7 MR. KORNFELD: That's correct, Your Honor. That
8 allegation has to do with KF between, I believe, the ages
9 of four and seven, an allegation of committing a sexual
10 battery through anal penetration. I -- when I
11 cross-examined her, I believe she stated that this
12 occurred until she could wipe herself. I could never get
13 a clear answer as to when she could wipe herself. She
14 just said that he quit doing it when I could wipe myself.

15 THE COURT: All right. Ms. Owen, I don't think I
16 have 2794 as one the State was going to proceed on. So
17 that may be one that we can take care of.

18 MS. OWEN: Well, Your Honor, that was one I thought I
19 listed out.

20 MR. KORNFELD: I have it on my list. It was the
21 fifth one that she stated.

22 THE COURT: Oh, I stand corrected. I see it right
23 there.

24 MR. KORNFELD: Yeah.

25 THE COURT: All right. The allegations under 2794A,

1 it alleges between -- this is CSC first between
2 August 31st, 2006, and August 30th, 2007, anally
3 penetrating KF.

4 All right. Ms. Owen.

5 MS. OWEN: Thank you, Your Honor.

6 I have that beginning at approximately age three
7 would have been the potty training incident that he is
8 referring to. However, she stated that he -- she talks
9 about being in that bedroom downstairs and that -- then
10 they moved upstairs when she was approximately three to
11 four, and then five into a different room. But that at
12 night, he would put his fingers inside of her.

13 Your Honor, I have that that happened vaginally and,
14 I believe, anally. But she stated that that would happen
15 at night and that was five, six. And I believe she said
16 that that ended around age nine.

17 THE COURT: All right. Mr. Kornfeld.

18 MR. KORNFELD: I just don't recollect anything about
19 anally there. I do remember IF, one of the other alleged
20 victims, stating that. But at that particular time, I
21 don't have that. That's all. That's the basis of my
22 motion.

23 Also, Your Honor, I do believe that KF stated that
24 this --if this is concerning the wiping incident that this
25 was from age two to four. In this indictment, on

1 August 31st of 2006, she would have already been four
2 years old.

3 THE COURT: Ms. Owen, I don't see the anal
4 penetration in 2006 and 2007.

5 MS. OWEN: Okay.

6 THE COURT: So I'm going to grant the motion as to
7 that indictment. So the motion is granted as to
8 2022-GS-23-2794A.

9 All right. The next one is 2795; is that right,
10 Mr. Kornfeld?

11 MR. KORNFELD: It is. But I don't have that on my
12 list. So it may be --

13 THE COURT: And I believe -- I don't believe that is
14 one the State is proceeding on.

15 MR. KORNFELD: I don't either.

16 THE COURT: Do you agree with that, Ms. Owen?

17 MS. OWEN: Can you tell me which -- 2795?

18 THE COURT: 2795.

19 MS. OWEN: Yes, Your Honor. That was one I'm not
20 proceeding on.

21 THE COURT: Okay. So 2022-GS-23-2795 is dismissed.

22 MR. KORNFELD: The next one is 2022-2799. This is a
23 CSC of a minor concerning KF. This is anal penetration
24 from August 31st, 2010. So at the time, she would have
25 been eight years old until August 30th of 2011.

1 MS. OWEN: Your Honor, I have she is discussing him
2 giving her alcohol and showing her porn. She discusses
3 that this happened from ages five to nine. And she gives
4 a discussion about what that would look like. That she
5 had to lick his penis, put her hand under his balls, that
6 he put his penis inside her vagina and anus. But I'm,
7 also, going off of memory/notes.

8 So if that's not in anybody else's notes, then that
9 might have been something I've read with two things
10 like --

11 THE COURT: Mr. Kornfeld, you don't have -- I
12 don't -- in reviewing my notes, I don't see where there is
13 testimony that he anally penetrated her from 2010 to 2011.

14 So she would be how old?

15 MR. KORNFELD: She would be eight.

16 MS. OWEN: Eight to nine.

17 THE COURT: Eight to nine. I don't have that in the
18 testimony in my notes.

19 MS. OWEN: Okay.

20 THE COURT: So that motion is granted as to
21 2022-GS-23-2799A.

22 MR. KORNFELD: Your Honor, this is the last motion
23 and it's 2022-2819. This is a CSC first concerning IF
24 from July 24th, 2004, until July 23rd, 2005. This is,
25 also, an allegation of anal penetration.

1 THE COURT: All right. Ms. Owen.

2 MS. OWEN: Your Honor, I believe the victim did
3 testify that he would -- that it started vaginally and
4 anally with potty training, and then it progressed to the
5 middle of the night. That went on through various rooms
6 of the house. I have that she moved upstairs when she was
7 six or seven. And she, also, moved into a different room
8 when she was seven or eight. And that those things did
9 continue there.

10 And maybe I'm incorrect, but I thought she testified
11 that these things happened up until he left the home.

12 MR. KORNFELD: Your Honor, I remember that [REDACTED]
13 testified that there was vaginal penetration and anal
14 penetration. My, I guess, argument has to do that at this
15 particular timeframe would have been when she was seven
16 years old.

17 THE COURT: I don't see any testimony, Ms. Owen, that
18 anal penetration occurred when she would have been seven.
19 Now, correct me if I'm wrong.

20 MS. OWEN: Your Honor, I'm just going off my notes.
21 But we have that when she moved -- she moved upstairs when
22 she was six into that room. She would have been seven or
23 eight. And the Defendant did the same things in that room
24 and taught her to touch him there -- how to touch him
25 there.

1 So I was going off of what she was talking about that
2 the same things that happened previously downstairs, based
3 on her testimony, and that had occurred through her
4 childhood.

5 THE COURT: I've got him digitally -- the testimony
6 is he digitally anally penetrated her. And that started
7 in the third -- on her third birthday while she was potty
8 training.

9 MS. OWEN: Your Honor, after that, I believe she
10 testified he would touch her vaginally, sometimes anally
11 in the middle of the night.

12 THE COURT: That's what I've got. The testimony I
13 have is he would be standing there and he'd have his hand
14 down his pants. And then he'd come and touch her. And he
15 would touch her vaginally and touch her anally.

16 But I don't -- and this would be in the middle of the
17 night. Sometimes, at the same time, he would touch
18 himself. He would go in the bathroom.

19 So I've got it from that age in that time period.
20 But I do not have any testimony that he anally penetrated
21 her. I have that he anally touched her during that time
22 period. And when she was eight or nine -- and then it
23 progressed until she got to be eight, nine, and 10.

24 I've got her, again, at seven or eight, he'd come up
25 there and sit on the bed. He'd touch her. He'd digitally

1 penetrate her vagina and anus. And he taught her to put
2 her hand on his penis. This happened in the middle of the
3 night.

4 So the testimony I have is that it did not occur --
5 as far as anal penetration, it did not occur during that
6 time period.

7 MS. OWEN: Okay.

8 THE COURT: So I will grant the motion as to
9 indictment 22-GS-23-2819A.

10 All right. Is that it, Mr. Kornfeld?

11 MR. KORNFELD: That's it, Your Honor.

12 THE COURT: All right. So I think we have determined
13 what indictments the State is going forward with. We've
14 determined what indictments I've dismissed, and granted
15 the motions on, and what indictments I have denied. And
16 that we'll be going forward on -- in addition to the
17 ones -- I've determined what indictments we're going
18 forward on.

19 All right. The State has rested in this case;
20 correct?

21 MS. OWEN: Correct, Your Honor.

22 THE COURT: Okay. Mr. Flower, I need you to give me
23 your attention.

24 DEFENDANT FLOWER: Yes, sir.

25 THE COURT: If you will, please, stand.

1 All right. We have reached the stage of this trial
2 where you can present your defense in this case. And I'm
3 going to explain to you some things. And if you don't
4 understand anything, please, let me know.

5 DEFENDANT FLOWER: Okay. Thank you.

6 THE COURT: All right. You have the right at this
7 stage to present your case. And you have the right to
8 claim the protections given to you by the Fifth Amendment
9 to the Constitution of the United States. And that
10 amendment reads in part that no person shall be compelled
11 in any criminal case to be a witness against himself.

12 Now, this means that you cannot be required to
13 testify in this case. You, certainly, have the right to
14 testify on your own behalf. However, no one can make you
15 testify. No one can force you to testify or coerce you to
16 testify. This is a personal right that you and you alone
17 have in this case. And no one can waive that right except
18 you.

19 Now, if you do decide to testify in the case, you
20 will be subject to the same rules of evidence and
21 procedure that any other witness who has testified or will
22 testify is subject to. And you can be examined and
23 cross-examined on any relevant issues in the case. And
24 that includes any kind of convictions that you may have
25 involving dishonesty, or false statement, or any crimes

1 that have been punishable by imprisonment for more than
2 one year.

3 And then I make a determination if I feel that the
4 probative value of admitting that evidence outweighs any
5 prejudicial effect to you. And if there are any such
6 convictions, then the State would be able to potentially
7 raise those and cross-examine you with those.

8 Ms. Owen, are there any potential such convictions?

9 MS. OWEN: No, Your Honor.

10 THE COURT: All right. Now, if you do decide to
11 testify -- as I said, this is entirely your decision. And
12 you must only make that decision and testify freely,
13 voluntarily, and intelligently. That's what it's got to
14 be. You have to freely, and voluntarily, and
15 intelligently make that decision. And that decision will
16 be made with the knowledge of the protections that are
17 given to you by the Fifth Amendment of the United States
18 Constitution.

19 Now, if you do decide not to testify, I will instruct
20 the jury -- I will tell them in charges to the jury that
21 they cannot consider in any way your failure to testify.
22 They cannot consider it. It cannot be part of any of
23 their deliberation. And there is to be absolutely no
24 prejudice to you because you did not testify. It is left
25 entirely up to you as to whether or not you want to

1 testify.

2 Now, I don't know if you have already talked with
3 your lawyer. You are, certainly, free to talk with your
4 lawyer or anyone else, family, friend, anybody at this
5 stage to make this decision. Because, as I say, it will
6 be your decision and your decision alone.

7 So do you need some time to talk -- additional time
8 to talk with your lawyer, friend, family, or anyone else
9 before letting me know that?

10 MR. KORNFELD: Can we have just a brief moment?

11 THE COURT: You can have as much as you need.

12 MR. KORNFELD: Okay.

13 THE COURT: In fact, I will step off the bench while
14 you have that discussion.

15 (Pause.)

16 THE COURT: What's going on?

17 MR. KORNFELD: Your Honor, I just wanted to be able
18 to talk to my client and his family.

19 THE COURT: Well, how about, can you talk over here
20 in the corner? The officer -- our officers are entitled
21 to be in the vicinity. But, I mean, if y'all can -- just
22 however -- y'all can just stay back a little bit.

23 MR. KORNFELD: Thank you.

24 THE COURT: Y'all -- but they are entitled to be
25 there.

1 (WHEREUPON, a break was taken.)

2 THE COURT: Okay. Mr. Flower, have you made a
3 decision?

4 DEFENDANT FLOWER: Yes, sir.

5 THE COURT: And what decision is that?

6 DEFENDANT FLOWER: I'm going to testify.

7 THE COURT: All right. Thank you, sir.

8 All right. Anything before we bring the jury in?

9 MR. KORNFELD: Well, Your Honor, I was going to call
10 my expert, Cindy Stitchnoth.

11 THE COURT: That's going to be the first witness.
12 Well, we probably need to handle that right now, instead
13 of having to send the jury out.

14 First of all, do we have an objection to her
15 testimony before we put up any testimony?

16 MS. OWEN: Your Honor, I am going to have an
17 objection. Because I think there's some things she's
18 going to try to testify to that I don't believe are
19 relevant in this case.

20 THE COURT: What -- what is she going to testify to?
21 Let's make a record here of what she's going to testify
22 to, and what your arguments are to keep it out.

23 MR. KORNFELD: Your Honor, she is an expert and has
24 been qualified as an expert in our courts in several
25 things. But I was going to offer her as an expert in

1 extended litigation, high conflict dynamics, alienation
2 and estrangement, as well as evaluation and treatment of
3 adults and adolescents when children experience sexual
4 trauma, sexual behavior, problems, or predatory sexual
5 behavior.

6 THE COURT: All right. That's a lot of topics.

7 All right. Ms. Owen.

8 MS. OWEN: Your Honor, I think we need to get clear
9 on what she's, actually, going to be testifying to. I
10 think that's a very extended list that I don't know that
11 we even cover, especially that last one, predatory
12 something.

13 So I think I would like to know, specifically, what
14 he is qualifying her as an expert in. Because I don't
15 think all the things he's saying meet what we have put up
16 or what they intend to offer.

17 So I'd like to get clear on what she is going to be
18 testifying to and what the actual qualification will be.

19 THE COURT: Yeah. Before I can make a determination
20 as to whether she's qualified, whether the substance of
21 the testimony is reliable, I need to get an idea -- we'll
22 put her up. But I need to know from you what that
23 testimony is proposed to be.

24 MR. KORNFELD: Yeah. She can explain both
25 maltreatment by a parent, parental alienation. She can

1 explain the --

2 THE COURT: When you say "maltreatment," so what's
3 the -- what are you talking about? Maltreatment, in what
4 way it's relevant to the case.

5 MR. KORNFELD: Well, one of them is -- there's
6 different factors in maltreatment cases. And she can
7 testify to that. She's here, Your Honor. But behaviors
8 by one parent to isolate a child from another parent,
9 isolate through other developmental influences, such as
10 home school, extracurricular activities, or no activities.

11 There's different factors that they look into in this
12 field of study similar to what Ms. Shauna
13 Galloway-Williams testified to in her expertise, Your
14 Honor. There are several factors that they look at, about
15 nine of them. But she's here and has been qualified as an
16 expert in our courts several times.

17 THE COURT: In the beginning of the trial, you
18 mentioned parental alienation syndrome. Is that what this
19 is or is this something different?

20 MR. KORNFELD: I don't necessarily think it's
21 parental alienation syndrome. She can tell you about what
22 the DSM -- how this is related on the DSM and the peer
23 review concerning this. But it's not just parental -- or
24 parental alienation syndrome. It's, also, psychological
25 maltreatment, Your Honor.

1 THE COURT: So what's the relevance, the gist? I'm
2 not sure what all those topics include. And I'll hear her
3 testify. But what, generally, is she going to testify to?
4 And why is it relevant?

5 MR. KORNFELD: Well, it's relevant because Ms. Shauna
6 Galloway [sic], their expert, testified to certain factors
7 that may occur when someone is being sexually abused.
8 Many of those overlap. The factors that when a child is
9 being -- there's maltreatment or there is parental
10 alienation, especially in cases where parties divorce or
11 separate.

12 The only thing that she would testify to is, yes, in
13 certain cases with a child, this would happen. These are
14 factors, this could happen. It's very similar to what
15 Ms. Galloway-Williams testified to, but in the vein of
16 estrangement and -- and maltreatment, Your Honor.

17 THE COURT: All right. Well, I'm going to -- I'll
18 hear her testimony.

19 Ms. Owen, anything before we bring her in for
20 in-camera?

21 MS. OWEN: No, Your Honor. I'll be happy to cross.

22 THE COURT: Bring her in and we'll have her testify.

23 MR. KORNFELD: Do you want me to call her now?

24 THE COURT: Yeah.

25 MR. KORNFELD: I call Cindy Stitchnoth to the stand.

1 THE CLERK: Please pause at the end of the bench.

2 Place your left hand on the Bible and raise your
3 right hand.

4 WHEREUPON,

5 CYNTHIA BIGGERSTAFF STITCHNOTH,
6 after first having been duly sworn, testified as follows:

7 THE CLERK: Thank you.

8 Please be seated.

9 Please state your name for the record.

10 THE WITNESS: Cindy Stitchnoth, licensed professional
11 counselor. Stitchnoth is spelled S-T-I-T-C-H-N-O-T-H.

12 DIRECT EXAMINATION

13 BY MR. KORNFELD:

14 Q Good afternoon.

15 A Hello.

16 Q Can you briefly give us your educational background?

17 A Yes, sir. I have an undergraduate degree in
18 secondary education from Clemson. I received that in
19 1989. And I have a Master's of Education in Clinical
20 Counseling from the Citadel in 1993.

21 Q All right. And could you briefly describe your work
22 history so we can learn a little about you?

23 A Okay. I'll kind of follow along my CV so I stay in
24 order. I -- I did my residency in graduate school at a
25 locked treatment facility in the Charleston area that

1 housed adjudicated adolescent sex offenders from around
2 the country and, also, housed children in the foster care
3 system or in private family systems that were hospitalized
4 for psychiatric care.

5 Following that, I worked in group homes for children
6 at risk, either children in the foster care system or
7 children who were placed in facilities by their families.
8 I've worked in group homes specialized with children with
9 sexual behavioral issues. I've worked in community health
10 service programs that went into the homes for children and
11 adolescents with sexual behavior issues and even predatory
12 sexual behavior.

13 I've created and trained -- hired and trained staff
14 to -- not created staff, I'm sorry, created a treatment
15 program for staff to utilize in the community working with
16 children in foster homes or foster placements relative to
17 trauma, sexual trauma, and sexual acting out behaviors.
18 I've contracted with group homes and agencies to provide
19 training services over the last 20 years, or so. I've
20 worked in a private psychiatric hospital.

21 And I was the first clinical director when we,
22 initially, started our Children's Advocacy Center here in
23 Greenville. Prior to it, actually, being a children's
24 advocacy center, you have to apply for that process. It
25 was -- I was, actually, contracted with the Alliance for

1 Community Trust, which included the Greenville Sexual
2 Trauma Center, the Greenville Children's Advocacy Center,
3 and the Greenville Chapter of [inaudible] Child Abuse.

4 And then, of course, I -- let's see. I did a brief
5 stint with the Department of Mental Health working at
6 Bowers-Rodgers emergency shelter for children when I was
7 living in the Greenwood area. Let's see.

8 I was recruited to be the clinical director for
9 Carolina Family Services. That is a community-based
10 treatment program that works with at-risk children and
11 families in the homes. They have a program that, also,
12 specializes with adolescents who have been adjudicated for
13 sexual offenses.

14 I began private practice in 1998 here in Greenville
15 at the Family Therapy & Trauma Center with my former
16 licensure supervisor, Dr. Chris Harris. And in 2015 to
17 present, I began my own private practice called
18 Specialized Assessment Services, LLC.

19 Q All right. And have you been qualified as a forensic
20 evaluator?

21 A Yes, sir. I began my forensic training and my
22 internship in the facility with the -- the locked facility
23 with the adjudicated perpetrators from around the country.
24 Because I had to follow established structured
25 interviewing protocols in order to report back to the

1 Court where each of them were adjudicated from regarding
2 their compliance.

3 And then I furthered that forensic training with the
4 National Advocacy Center. I worked at the Spartanburg
5 Advocacy Center prior to working in Greenville. And I
6 have maintained my forensic practice as an individual
7 practitioner.

8 I work primarily now -- I do still evaluate
9 allegations of sexual abuse or emotional trauma, sexual
10 trauma. But I primarily -- I'd say 90 percent of my
11 business is court ordered through the Family Court in
12 Greenville, Spartanburg, Anderson County secondary to
13 families in high conflict litigation, involved in divorce,
14 custody, allegations of multiple types of abuse may arise
15 within that, allegations of parental alienation may arise
16 within that.

17 So kind of an open umbrella complex family systems,
18 which is what it really is. You never know what's going
19 to pop up in an individual case. And it can be a hybrid
20 of multiple issues.

21 Q And have you been qualified as an expert by our
22 courts before?

23 A I know I've been qualified as an expert in Family
24 Court in Greenville County, and criminal court in
25 Spartanburg, Family Court in Anderson, and federal court

1 in Charleston County. I -- when I worked with the
2 Greenville Advocacy Center, I worked closely with the
3 prosecutor's office as the clinical director and forensic
4 interviewer. We met on a regular basis.

5 It's been so long ago. I can't really tell you how
6 many of those cases involved my testimony. If I had
7 testified, I would have been qualified as an expert. But
8 I don't have access to those records. Those didn't go
9 with me to private practice.

10 Q All right. And have you been qualified as an expert
11 in parental alienation and estrangement?

12 A Yes, sir. Under the heading of complex family
13 systems, that involves family -- high conflict families,
14 families that may be in litigation regarding custody, or
15 divorce, or monetary issues. Really, any topic can lead
16 to extensive litigation in some families. It, also,
17 includes parental alienation and estrangement.

18 Q And is that peer reviewed that -- that area of
19 expertise, is it peer reviewed?

20 A Yes, sir. It's highly peer reviewed. And the
21 empirical evidence published relative to parental
22 alienation is -- I mean, there's reams. The empirical
23 process involves a great deal of -- there's a lot of
24 structures around what qualifies as empirical research and
25 whether it is accepted in the field. Strict standards

1 have to be followed. And prior to publication, it has to
2 be tested and challenged by others in the field. And that
3 is really an ongoing process as we learn.

4 This began in the 70s with Dr. Salvador Minuchin, who
5 was the father of family systems theory. It was called --
6 I have to look to be sure I'm pronouncing it right,
7 generational coalitions at that time. It's what now has
8 evolved to what the American Psychological Association
9 defines as parental alienation.

10 Q All right. And is this a -- is this subject of
11 parental alienation complex?

12 A Oh, absolutely. The -- you know, if you -- if you
13 just do a general perusal of the empirical literature, you
14 would find a great many similarities between children who
15 experienced psychological maltreatment, which is what
16 parental alienation is, versus children who have
17 experienced sexual abuse, physical abuse, you know, or
18 psychological maltreatment that has nothing to do with
19 alienation of one parent by another.

20 So there's really a -- you have to differentiate as
21 you review the empirical literature to make sure that what
22 you're reading pertains specifically. Because, again,
23 there are guidelines in our field, specifically, through
24 the consolidation courts that the use of empirical
25 literature in court must be appropriate.

1 I couldn't -- I couldn't quote an article that's
2 measuring the qualitative or quantitative data collected
3 from victims who had experienced a hurricane and use that
4 to reflect trauma of a victim who experienced sexual
5 abuse. Those are two very different types of trauma. So
6 that would be an inappropriate application of empirical
7 literature.

8 MR. KORNFELD: I understand.

9 And, Your Honor, at this time, I would offer
10 Ms. Stitchnoth as an expert in parental alienation.

11 THE COURT: All right.

12 Ms. Owen, cross?

13 MS. OWEN: Not as to her qualifications, Your Honor.

14 THE COURT: Okay. No cross on her?

15 MS. OWEN: Yes. I do have cross, but not as to her
16 qualifications.

17 THE COURT: Qualifications. All right.

18 CROSS-EXAMINATION

19 BY MS. OWEN:

20 Q Mr. Stitchnoth, you said you testified in General
21 Sessions court. When was that?

22 A I'm sorry. I'm trying to get a little water here.

23 Is there a trick to this?

24 THE COURT REPORTER: Twist it.

25 THE COURT: Mr. Cofield, will you help her?

1 MS. OWEN: Your Honor, may I ask just a question? Is
2 this all the testimony that is going to be provided or is
3 this just the qualifications?

4 THE COURT: I'm going to get general what the
5 opinions are -- generally, what the opinions are. You
6 don't have to go into detail. But I want to know what her
7 general opinions are going to be.

8 MR. KORNFELD: Okay.

9 THE COURT: So I don't have -- you don't have any
10 objection to her qualifications; correct?

11 MS. OWEN: I just wanted to ask a few questions about
12 that.

13 BY MS. OWEN:

14 Q When is the last time you were qualified in General
15 Sessions court?

16 A It would have been a while ago. Because I quit
17 working in the criminal area when I had very young
18 children that started leaving my care and going to school.
19 Because I have a very distinctive last name. And that
20 concerned me with some of the people that had -- that I
21 knew had felt like my involvement in the forensic
22 evaluation of their victims was the reason they were in
23 jail.

24 Q So when approximately would that have been?

25 A Well, my daughter was born in 2000, and my son was

1 born in 2004. So that would have been probably starting
2 in 2005.

3 Q That was the last time you --

4 A 2006.

5 Q -- testified in General Sessions court?

6 A Yeah, sometime after that.

7 Q So a lot has changed in the world of criminal sexual
8 conduct and maltreatment world; correct?

9 A Yes, ma'am. I mean, the -- that's why exploring the
10 empirical literature on a regular basis in any field one
11 is practicing in is extremely important for clinicians.

12 Q But now, you're mostly qualified as an expert in
13 Family Court?

14 A Yes, ma'am. Primarily, I have worked in Family
15 Court. My children are older now, college, getting
16 married, all that stuff. So I'm -- I was asked to
17 consider a criminal case and agreed to do so.

18 Q Okay. And approximately how many times have you been
19 qualified as an expert in Family Court?

20 A Well, that started in the late 90s and has continued
21 throughout present.

22 Q So you've been testifying in Family Court, but not,
23 really, in General Sessions court anymore; correct?

24 A Yes, ma'am.

25 Q And you mostly speak to cases when they're in custody

1 and active divorce cases; correct?

2 A I'm sorry. Say that again.

3 Q You're mostly testifying about cases when there is a
4 custody dispute or active divorce litigation. Would that
5 be accurate?

6 A There -- a great deal of, you know, the cases that
7 come through the Family Court are involving parents who
8 have been divorced. They may have been divorced 10 years
9 ago. They may be in active divorce. I've never
10 maintained a count of that. But, often, high conflict
11 families, you know, the conflict doesn't stop once there's
12 a divorce. There's -- this continues unless there's
13 therapeutic intervention.

14 I, also, have done many evaluations of adults who
15 have purported to be victims of sexual trauma or emotional
16 trauma in the workplace, in social settings. And I was
17 hired to speak to that in civil court on their behalf when
18 they were not able to pursue their perpetrator in criminal
19 court.

20 Q Okay. So just back to my original question. You
21 mostly testify in custody or divorce cases; is that
22 correct?

23 A Yeah. It would involve having some level of custody
24 and divorce. It wouldn't necessarily be current divorce.

25 MS. OWEN: Those are all the questions I have, Your

1 Honor.

2 THE COURT: Mr. Kornfeld.

3 MR. KORNFELD: Your Honor, as I understand it, I just
4 want to make sure, you want me to ask her what she would
5 testify to?

6 THE COURT: Ms. Owen, what is -- yeah. Because I
7 want to find out what her testimony --

8 MR. KORNFELD: Yeah.

9 THE COURT: Depending on what Ms. Owen -- if there is
10 any objection to her opinion being put before the jury.

11 Ms. Owen, what -- do you have any objection as to
12 her -- of course, we haven't heard her testimony.
13 Mr. Kornfeld has given us a general idea of what she is
14 going to testify about.

15 Preliminarily, what are your objections before I hear
16 any testimony to make that final decision?

17 MS. OWEN: Yes, Your Honor. You know, she has used
18 the term parental alienation. And I don't know if we're
19 going to stick with that generic term or if there's going
20 to be the discussion of factors under what has been coined
21 parental alienation syndrome and then went to parental
22 alienation disorder, you know. Mr. Kornfeld has alleged
23 there are eight factors. I believe those fit under the
24 parental alienation disorder. And those, I do not
25 believe, are part of the DSM-5. They're not a medical

1 condition.

2 So my concern is that if we start using some
3 terminology that is going to characterize that somebody in
4 this case has a syndrome or diagnosis that they do not,
5 that that would be highly misleading and speculative for
6 this jury.

7 I, also, don't know what Ms. Stitchnoth has reviewed.
8 I understand she's not blind. So she's reviewed
9 everything and she's basing her opinions based on what she
10 has read. And I would be -- I think it would be
11 prejudicial for the jury to hear that there is some
12 syndrome, or disorder, or diagnosis where there is not one
13 and discussing something that isn't, actually, a medical
14 diagnosis.

15 MR. KORNFELD: Your Honor, there, actually, is talk
16 about it in the DMS-5. And Ms. Stitchnoth can talk about
17 that. But we're not here to diagnose anybody. And I
18 don't think that -- that's not why I'm offering her. I
19 don't think that's what she would do.

20 THE COURT: Well, what I've not heard is what is she
21 going to testify to? I've heard about a bunch of areas.
22 But what is she going to testify to?

23 MR. KORNFELD: She can explain the factors of
24 parental alienation and -- and physical maltreatment.
25 That's it. The only thing I would ask her -- so I would

1 ask her to explain the research. I would ask her what are
2 the factors of maltreatment. She would explain those.

3 I would ask her about, you know, social competency
4 problems, learning problems, behavioral problems, academic
5 settings. I would ask her about -- concerning
6 estrangement, the factors of estrangement. And there are
7 eight. And then, also, I would ask her about the
8 alienation. And that's it. That's all I would ask her.

9 THE COURT: All right. And you're asking her those
10 areas. So what is the opinion? What is -- is she going
11 to give a specific opinion in this case?

12 MR. KORNFELD: No. She's not going to give an
13 opinion -- well, I guess Ms. Stitchnoth can testify to
14 that herself. But, no, she's not going to give an opinion
15 about, yes, this happened or, no, it didn't.

16 All this is is a different point of view of what
17 these factors that are similar to the factors that
18 Ms. Shauna Galloway -- or in some cases overlap. That is
19 it. She's not going to testify that, oh, in my opinion,
20 this is what I think happened or any sort of what is
21 against the Court's rules, I believe, bolstering, anything
22 of that nature.

23 THE COURT: All right. Ms. Owen.

24 MS. OWEN: Your Honor, it sounds to me as if we are
25 cloaking parental alienation syndrome and calling it child

1 maltreatment here. That's eight factors, I believe, I
2 would have to guess would be what Mr. Garner had
3 originally created in his research that the eight that he
4 has listed. I could be incorrect there. But that is what
5 it sounds like to me.

6 And child psychological or the PAS or PAD, they're
7 not DMS-5. They're not listed. It's not a medical
8 condition and not a diagnosis.

9 THE COURT: Well, isn't parental alienation -- isn't
10 that sort of over -- that's the top of the chain and
11 parental alienation syndrome is a subset of that? Is that
12 not the case?

13 Well, Garner started it in '85, I believe. In 1985,
14 he came up with this theory, as I understand, and,
15 initially, called it parental alienation. From what I
16 understand, it was a subset of parental alienation
17 syndrome.

18 Now, that has not been in the DSM, has it,
19 Mr. Kornfeld, to your knowledge?

20 MR. KORNFIELD: No -- and I think Ms. Stitchnoth can
21 clear this up if the Court will allow her to as to what
22 she would testify to, Your Honor.

23 THE COURT: Yeah. Because I -- I'm still not clear
24 as to what she is going to testify to. I understand that
25 she is going to testify or, at least, it has been

1 indicated she's going to testify about parental
2 alienation, along those lines. But what? What is she
3 going to testify about that?

4 MR. KORNFELD: Well, she would testify to the factors
5 that the -- that are present in a case like that, that
6 they look for similar to -- like when they do with sexual
7 abuse. There's factors in parental alienation, as I
8 understand it.

9 Correct, Ms. Stitchnoth?

10 THE WITNESS: Yes, sir.

11 MR. KORNFELD: And she would talk about as well,
12 there's factors as they relate to estrangement. And that
13 is all I know that she would testify to.

14 THE COURT: All right. Ms. Owen, any -- what are
15 your problems with that if it's that narrow area that they
16 propose to put her up for?

17 MS. OWEN: Your Honor, as long as she is not speaking
18 about parental alienation syndrome or anything that is not
19 listed as a medical diagnosis. I think my concern would
20 be that she is not a blind expert at this point. She's
21 probably a paid defense expert, reviewed all the
22 materials.

23 So my concern would be, is this going to be
24 prejudicial and appear that there is some bolstering for
25 the Defense versus, you know, we can't bolster for the

1 State. We would not do that. We don't think it's
2 appropriate.

3 But is her testimony going to be tailored to bolster
4 their case?

5 THE COURT: Mr. Kornfeld knows you can't bolster.

6 MR. KORNFELD: It is not -- she has never met
7 Mr. Flower, never seen him until today. She did read over
8 some of the reports. And she did that, I believe -- I
9 mean, I don't want to put words in her mouth. But before
10 she could become familiar with the case and decide whether
11 or not she would be willing to testify.

12 THE COURT: All right. Ms. Owen, anything else?

13 MS. OWEN: Just for the record, Your Honor, there's
14 been a lot of discussion about the custody and the
15 divorce. And now here, this was never alleged during the
16 custody issue. It was never alleged during the divorce.
17 This is the first that this has ever come up during this
18 criminal proceeding.

19 So I don't know that these, actually, meet any of the
20 factors that she's going to talk about, based on the prior
21 history with the family and concerning what this is
22 normally used for as in custody and divorce cases.

23 MR. KORNFELD: Or she -- she's not going to talk
24 about the prior history with this family at all or any of
25 the Family Court factors. I'm not going to ask her, do

1 you know these parties got divorced? I'm not going to ask
2 her any of those questions.

3 THE COURT: Well, I need -- and you are telling the
4 Court you're not. And I know you will follow through with
5 that. But don't even try to get close to doing that.
6 Because that's going to be a problem, as you can imagine
7 and understand.

8 MR. KORNFELD: Sure.

9 THE COURT: And I'm not going to allow that. I'll
10 allow the general category that you have put forth as to
11 what she will testify to. But if it starts getting into
12 anything close to bolstering, then I will have an issue
13 with that.

14 MR. KORNFELD: I understand. And just to be clear, I
15 don't expect her to comment on this case at all. And if
16 she were to do so, I would object myself -- I would stop.
17 I don't think she's going to do that.

18 THE COURT: All right. Anything else, Ms. Owen?

19 MS. OWEN: No, Your Honor, other than my objection
20 that I don't think it's relevant.

21 THE COURT: I'll overrule that and allow her to
22 testify. Of course, if she starts venturing into some
23 area --

24 MR. KORNFELD: Do I need to ask her these questions
25 again in front of the jury? Are you going to qualify her?

1 THE COURT: That's, certainly, up to you. She's
2 qualified as an expert. And the field was -- what was the
3 actual area that you asked her to be an expert in?
4 Parental alienation?

5 MR. KORNFELD: That's -- go ahead.

6 THE WITNESS: Complex family systems.

7 THE COURT: Complex family systems.

8 THE WITNESS: To include high conflict litigation
9 alienation and estrangement.

10 MS. OWEN: Your Honor, I just think that goes to --
11 if there's a way to pare this down. But it just seems
12 like we're saying there's this high conflict alienation
13 going on --

14 MR. KORNFELD: Well, I'm fine with just saying
15 parental alienation.

16 THE COURT: I think it's more probative parental
17 alienation, as opposed to complex family systems --

18 MR. KORNFELD: I got you. That's fine, Your Honor.

19 THE COURT: So I will qualify her in the area of
20 parental alienation.

21 All right. Now, it's up to you in front of the jury,
22 whatever you want to do as far as the qualifications.
23 I'll leave that up to you.

24 MR. KORNFELD: Okay.

25 THE COURT: Anything else?

1 MS. OWEN: No, Your Honor.

2 THE COURT: Let's bring the jury in, Mr. Cofield.

3 While they are bringing them in, they have indicated
4 they're willing to go to 7:00 tonight.

5 (WHEREUPON, the jury came into open court at
6 approximately 3:48 p.m.)

7 THE COURT: All right. Ladies and gentlemen, I'm not
8 going to ask you how long your lunch was, because I know
9 that's been a long time. We have been working this whole
10 time.

11 And there were a lot of issues that have come up that
12 I have been able to take care of. And we have resolved a
13 number of them. And what that has done is allowed us
14 to -- I think we're on track. But those had to be taken
15 care of. And as opposed to bringing you out and sending
16 you back in -- this is, obviously, an important case to
17 both sides. And I need to make sure that I'm making the
18 right decisions on the issues that come up.

19 So any delay in getting you all back here, please,
20 point that at me. You can put your anger at me, but not
21 to the parties. Because I've been the one that's required
22 them to handle these issues so we won't inconvenience you
23 all as much as possible.

24 So we have resolved a lot of things. We have got
25 some issues taken care of. And we are ready to proceed

1 with the Defense's case.

2 Mr. Kornfeld.

3 MR. KORNFELD: Thank you, Your Honor.

4 DIRECT EXAMINATION

5 BY MR. KORNFELD:

6 Q Good afternoon.

7 A Good afternoon.

8 Q What is your name?

9 A Cynthia Biggerstaff Stitchnoth, LPC.

10 Q All right. And what do you do for a living?

11 A I'm a licensed professional counselor. And I have a
12 private practice called Specialized Assessment Services,
13 LLC.

14 Q All right. And could you tell us your academic
15 background, please?

16 A I graduated from Clemson in 1989 with a Bachelor's
17 Degree in Secondary Education. I graduated from the
18 Citadel in 1993 with a Master's of Education in Clinical
19 Counseling.

20 Q All right. And can you -- I know since 1993, but can
21 you briefly describe your work history over the years?

22 A Well, during graduate school, I had to do an
23 internship as part of the program. I worked in a locked
24 facility in the Charleston area that housed adjudicated
25 adolescent sex offenders from all over the country and

1 children who were in foster care or in family care that
2 had psychiatric issues that hospitalized them. That's
3 where I first began learning and studying to do forensic
4 evaluations and forensic examinations of documents.

5 From there, I moved toward working with at-risk
6 children with sexual behavioral problems and other
7 behavioral problems, children in the foster care system,
8 in the DJJ system who may be placed in a group home for
9 their particular type of acting out.

10 I've worked in a private psychiatric hospital with
11 adolescents and adults. I've been contracted privately to
12 do training to teach other clinicians to do the type of
13 work that I do, to assist group homes and facilities in
14 addressing safety standards relative to adult and child
15 behavior.

16 And I've continued my private practice. At this
17 point in my career -- it's shifted over the last 25 or
18 30 years. At this point in my practice, about 90 percent
19 of my work is court ordered through the Family Courts in
20 the State of South Carolina. And I, also, work with
21 private individuals, adults, as well as adolescents and
22 children who have experienced trauma of a sexual,
23 physical, psychological manner, and counseling that is not
24 court ordered, but some of that is court ordered
25 counseling.

1 Q Okay. And have you been qualified as an expert by
2 South Carolina courts in the area of parental alienation?

3 A Yes, sir.

4 MR. KORNFELD: At this time, I offer Ms. Stitchnoth
5 as an expert in parental alienation.

6 THE COURT: All right. Subject to the objections of
7 the State.

8 MS. OWEN: Thank you, Your Honor.

9 THE COURT: Ms. Stitchnoth?

10 THE WITNESS: Yes, sir. That's correct.

11 THE COURT: Is qualified as an expert in the field of
12 parental alienation.

13 Ladies and gentlemen, as I mentioned to you when we
14 had another expert up here that, normally, only witnesses
15 can testify about the facts. But when experts have been
16 called and they are qualified either by experience,
17 education, or training, they can be considered experts.
18 And they are allowed to give an opinion in the case, as
19 opposed to regular fact witnesses, who cannot give
20 opinions.

21 And as I, also, mentioned with the other expert, an
22 expert's opinion is to be determined -- whether or not you
23 believe it or not is to be determined by you. An expert
24 does not get any additional credibility or anything other
25 than any witnesses. You alone are the judge of the facts

1 in this case. You determine the credibility and
2 believability of all the witnesses. So each witness gets
3 the weight that you so assign to it.

4 All right. Mr. Kornfeld.

5 MR. KORNFELD: Thank you, Your Honor

6 BY MR. KORNFELD:

7 Q Ms. Stitchnoth, can you explain for the jury what
8 parental alienation is?

9 A Well, first, I have to explain family systems theory,
10 which is a backbone of the clinical work and the research
11 in the field of behavioral science. Family systems theory
12 is about the system of the family and the subsystems that
13 exist within it, like a marital subsystem, a parent to
14 child subsystem.

15 And as family systems theory evolved back in the 70s,
16 the psychologist who's considered the father of family
17 systems theory, a man name Salvador Minuchin, he coined
18 the term generational coalition, which is something he
19 noticed occurring when the marital relationship seemed to
20 dissolve and the parent to child sub-relationships seemed
21 to be focused on which parent the child was going to align
22 with from that point forward.

23 Q All right. And is -- this field of study, is it
24 empirically researched?

25 A Yes, sir, it is. The America Psychological

1 Association has accepted the term parental alienation as a
2 legitimate dynamic that occurs within family situations.
3 It's, generally, describing the -- the harm that is done
4 to a child's trust space relationship with one caregiver
5 or parent based on the behavior and negative statements of
6 the other child parent -- caregiver or parent about that
7 first parent.

8 So it's -- it has to do with unfavorable actions and
9 criticism by one parent influencing the child.

10 Q All right. Are there certain factors that you look
11 to when evaluating a case?

12 A Yes, sir. Dr. William Bernet, MD, at Vanderbilt
13 University, many years -- probably 10, 12 years ago began
14 collecting -- contacting clinicians and collecting data
15 and research and -- about parental alienation and formed a
16 study group. And what they then decided to do was,
17 instead of calling this a parental alienation study group,
18 to call it a family process study group. Because they
19 recognized that this was not about a particular syndrome
20 or particular diagnosis. That every -- every family
21 system can be different. So it's a family process study
22 group.

23 And that study group worked with the -- works with
24 the World Health Organization and other major research
25 groups and has participated in development of the last

1 DSM, the DMS-5, whereby the study group was recognized by
2 a V-code addition to the DMS-5 of Child Affected by
3 Parental Relationship Distress, CAPRD for short.

4 Now, in the description of that, the word alienation
5 is mentioned. But it's not -- you can't just talk about
6 alienation because there are so many different things that
7 occur in a family system. And sometimes, they're loud and
8 direct. And sometimes, they're quiet, and very nuance,
9 and have to do with the relationships that the parents and
10 children had prior to, actually, splitting and living in
11 different houses.

12 Because with a lot of families, there's a lot of
13 history of parental relationship distress before anybody
14 leaves the house. And that has shaped the children's
15 relationships with their parents and perceptions. So that
16 is a V-code, V 61.29 in the DMS-5.

17 So we look at the symptoms -- or the characteristics.
18 Symptom is not a good word. Strike that. We look at the
19 characteristics of children's behavior in families where
20 there has been parental distress. And this could be a
21 family home where there's been intimate partner distress,
22 intimate partner violence, or alienation, or estrangement
23 by one parent of their children, pushing their children
24 away from them. So there are a lot of different factors
25 that go into that.

1 We find oppositional, refusing relationships.
2 Conflict beliefs of what a parent should be doing or
3 should not be doing. There's loyalty conflicts for the
4 children between the parents, protectiveness of the
5 children. If they perceive one parent as a threat of
6 physical harm to the other parent.

7 There are -- you know, a lot of physical illness is
8 observed in the children who grow up in a home like that
9 versus estrangement, a parent who has literally because of
10 their own actions given their child justification to not
11 want to have anything to do with them, distance, moving
12 away, working so long of hours that they never see the
13 kids, having very ineffective parenting techniques.
14 They're not able to bond and make strong emotional bonds
15 with their children. The mental illness or physical
16 illness of a parent which keeps them from being involved
17 in a healthy manner.

18 And, of course, we have to assess for the evidence of
19 some type of abuse, be it physical abuse, sexual abuse, or
20 emotional abuse that is not related to alienation.

21 As I said earlier, parental alienation is a form of
22 psychological maltreatment or sometimes called emotional
23 abuse. But there are other forms of psychological
24 maltreatment and emotional abuse as well.

25 Q Okay. And what sort of -- are there any factors you

1 look at, specifically, concerning estrangement?

2 A Yes, sir. I believe I just mentioned those, the
3 distance, the time the parent spends away from home.

4 Q Okay.

5 A Ineffective parenting, or inability to bond with
6 their children, illness, physical or emotional of the
7 parent who's been estranged from the child, it's their
8 illness. If it's the illness or behavior of the other
9 parent, that's alienation if that's pushed the children
10 away from the second parent. If the second parent pushes
11 them away themselves, it's estrangement.

12 Q And are there factors for alienation that are -- that
13 you look at -- that you look for?

14 A Yes, sir, there are.

15 Q Can you tell me what those are?

16 A Well, we look for -- it's, typically, called the --
17 referred to as the aligned parent or alienating parent and
18 the targeted parent or rejected parent. We look at the
19 behavior in the children. There are certain behaviors
20 that involve the children rejecting one parent and
21 strongly aligning with the other. There's a polarization.
22 This parent is all good, that parent is all bad.

23 Oftentimes, the children will engage in behavior of
24 saying one thing to one parent, one thing to another, one
25 thing to a clinician, one thing to a police officer.

1 There can be varied stories of what has gone on. They --
2 there can -- children can, over time, adapt or adopt
3 details of events that they couldn't possibly have been
4 there for. They were in a different home at the time or
5 they were visiting grandparents. So there's a lot of
6 information being shared that may not be appropriate at
7 the time. And it could be shared by any member of the
8 family system.

9 We look at beliefs and things reported by children
10 when they are adolescents or children being forensically
11 interviewed. We, also, look at when they're adults coming
12 for counseling and they're talking about their family
13 systems. And oftentimes, it -- the history, the childhood
14 history may not be known or disclosed until they are,
15 actually, adults in counseling.

16 And we, also, look at the dynamics of alienating
17 behavior in the parent who is suspected to be the
18 alienating parent. How has the distress in the marital
19 relationship impacted their parenting behavior? If -- if
20 they are angry with or fearful of the other parent, are
21 they then coaching the children to be angry with and
22 fearful of the other parent? Believing that if this is
23 how I feel, this is how my children should feel as well.
24 Those are all things that we look for.

25 Families where these type of alienating behaviors are

1 identified are, typically, high conflict families, meaning
2 there's a lot of arguing, resentment build up, fights. It
3 could be physical. It could be just verbal.

4 That the children have experienced at some point in
5 time loyalty conflicts where they felt like they had to
6 choose between one parent or another. Where they, you
7 know, had a relationship with both parents. And at some
8 point later, they stopped having a relationship with one
9 of the parents and aligned strongly with only one of the
10 parents against that other parent. That's part of the
11 pattern.

12 And gatekeeping, when -- when one parent keeps
13 children from visiting another parent and -- and, you
14 know, what's the purpose of that gatekeeping? Is it
15 protective or is it part of anger resentment?

16 And this can -- I'm talking about children. But I
17 have many times observed these behaviors in counseling
18 with adults. Sometimes, it's adults who have come for
19 their own benefit of counseling. Sometimes, it's adults
20 who have been court ordered as part of a family system.
21 Because they may be repeating some of these behaviors from
22 their own childhood. So I use terminology for children,
23 but I can be speaking of adults who experience this as a
24 child as well.

25 Let's see. We, also, look at the parental beliefs.

1 Kellian Johnston's similar work from Family Court Review,
2 published in Family Court Review about how the parental
3 beliefs about the other parent can be communicated to the
4 children, how that can influence the children's responses
5 to the other parent, how a humiliating separation or
6 divorce -- because some of these people never were
7 married has -- often, has an intense effect on the
8 parents, one or both of them. And that can be
9 communicated to the children by one or both of the
10 parents.

11 A humiliating separation and divorce following years
12 of intense conflict in the marriage is even more highly
13 likely, given what has been observed in the empirical
14 literature to result in one or both parents communicating
15 a lot of negativity to the children about the other
16 parent. And -- and that definitely impacts the children's
17 desire for contact with the parent that they are less
18 dependent on.

19 Because the vulnerability of the child is another
20 thing that we have to consider. What's the child's age?
21 What's their level of emotional dependence on the parent
22 that they live with? Is -- is their desire to have a
23 relationship with the parent who's no longer in the home
24 strong enough and supported enough by that parent that
25 they will not submit to the emotional abuse of becoming

1 alienated? How will they resist that?

2 The personality traits of an aligned or alienating
3 parent and the personality traits of a targeted or
4 rejected parent are very, very important. Because if --
5 if -- if an aligned parent is very controlling and has
6 personality traits that are very, very strong and hard for
7 anyone to stand up to, then they're going to be absolutely
8 hard for their children to stand up to no matter how old
9 their children get. You recognize these families, these
10 people who are going home for a visit and -- and when they
11 go back to their family of origin, they seem to feel much
12 like a young child again and sometimes behave that way.

13 When the personality traits of a rejected parent are
14 responded to that controlling, or they're submissive, or
15 very ineffective, or they've turned to substance abuse to
16 manage, you know, their -- the kids are going to have less
17 reason to align with this type of person because they
18 don't feel safe there. And maybe they feel like their
19 survival is necessary to be aligned with the stronger
20 parent.

21 And there's the presence of psychological pathology.
22 There's a whole slew of personality disorders listed in
23 the DSM-5. And being parented by an individual who meets
24 a diagnosis for certain personality disorders is
25 guaranteed to raise children with certain dysfunctions in

1 their own emotional development. Some of them can -- can
2 get past it, some of them cannot. It just depends on what
3 services are available to them, how resilient they are.

4 Also, there are -- in the APSAC handbook on child
5 maltreatment -- this was published in 2017 -- they list
6 five problem areas of children or adults who suffered as
7 children from psychological maltreatment by a caregiver.
8 Now, this would include alienation. But it is not
9 necessarily exclusive of some other type of emotional
10 maltreatment, like pathogenic parenting where a parent is
11 so overly controlling or demanding of a child. Like I
12 said, there's different types of emotional maltreatment of
13 how a parent parents a child.

14 These children are likely as children, teenagers, or
15 adults to demonstrate difficulty with their inner personal
16 thoughts, their feelings. They tend to experience
17 anxiety, depression. They're very pessimistic about life.

18 They have very negative self-thoughts about
19 themselves. And that comes from that emotional abuse that
20 they experienced as a child or teenager. They often get
21 involved with substance abuse, demonstrate eating
22 disorders, demonstrate a lot of emotional instability,
23 impulse control problems.

24 They may be diagnosed at some point in time with
25 borderline personality disorder. They may engage in

1 self-harming behaviors. They may demonstrate anti-social
2 traits, not follow rules, get in trouble a lot. They're
3 often socially withdrawn and feel, you know, less
4 confidence in a social situation. They're overly
5 dependent on either a parent, or a boyfriend, a
6 girlfriend, a grandparent, sometimes a therapist or
7 psychiatrist.

8 They tend to have low academic scores. And it's
9 difficult for them to achieve academically. They engage
10 in risky behaviors. Those may be physically risky,
11 emotionally risky. They tend to develop a lot of health
12 problems, chronic health problems that can be sematic,
13 meaning that their emotional state exacerbates a small
14 health problem to look like a big one, or it can be a
15 really big health problem.

16 And -- and it's extremely important to understand
17 that these five areas of child maltreatment -- signs of
18 child maltreatment, psychological maltreatment in children
19 can also -- these are very, very similar to the same signs
20 that victims of sexual abuse demonstrate or victims of
21 physical abuse demonstrate. So that's why so many things
22 are important about differentiating what the concerns are
23 in this case and how -- you know, where the concerns
24 originated, where they came from.

25 Further research in empirical data is focused,

1 specifically, on adults who report having been victims of
2 parental alienation when they were children or young
3 adults. But now they're adults and they're reporting it
4 either in surveys of research projects or in counseling
5 settings. There's low self-sufficiency. They've --
6 they've had a very difficult time separating from the
7 family origin where they experienced this psychological
8 abuse.

9 There's a higher rate of major depressive disorder,
10 lower self-esteem. They have insecure attachments.
11 Emotional attachments are how we feel about the people
12 we're closest to. And if we were raised feeling like,
13 well, that person is only going to keep loving me if I
14 keep them happy, so I have to do whatever to keep them
15 happy. That kind of translates into adult life as -- you
16 know, one term people may have heard is codependence.

17 Now, we all want to keep our parents happy to some
18 degree because they're our parents and nobody wants to get
19 a spanking or lose a privilege, but this is a much higher
20 exacerbated level. And for some people, it never ends.
21 I've met clients in their 50s who are still living with
22 one parent in the family home and still are coming and
23 saying how can I get this parent to stop controlling me?

24 So the -- the process by which it happens, as I said,
25 can be overt, direct, big, and loud or it can be quiet and

1 not overt and just part of -- of the parenting
2 relationship that people don't necessarily see. And --
3 and why don't children disclose these things? So many
4 kids don't disclose emotional abuse as many kids don't
5 disclose sexual or physical abuse as children for the same
6 reasons. Because they experience self-blame. They think
7 there's something about them that caused this to happen.
8 They have very fragile social support systems.

9 Often, they're isolated in the family origin.
10 There's dysfunction in power dynamics in their family
11 origin. They're scared of people or they don't feel that
12 they have the power to stand up to someone in their
13 family. They're protecting themselves.

14 Children do it all the time when they're caught -- I
15 use the analogy of tug of war when I'm teaching parents
16 how to drop the rope, I call it. And children in the
17 middle of two parents that they do care about, they
18 experience such a high degree of anxiety over feeling like
19 they have to choose, feeling like they're being pulled
20 back and forth by the parents that they will -- according
21 to the empirical literature, at some point, they will
22 choose alignment. They will move towards the side of one
23 parent versus another to alleviate their own anxiety. And
24 these are people who do tend to grow up and have more
25 externalized behavior issues as far as substance abuse, or

1 eating disorders, or self-harm.

2 And another factor is the family and social culture
3 that one grows up in. Every family is different. There
4 might be six families living on a block, but you don't
5 necessarily know what the differences are in that family's
6 household when everybody goes in at night and shuts their
7 doors. You may think you do, but you're fooling yourself.

8 So there's -- there's so, so many things to consider
9 relative to the empirical literature, relative to the
10 facts of every individual case. And -- and, you know, I
11 have to teach people often that there's a difference
12 between subjective and objective evidence. And, you know,
13 that is something that's important in my line of work.

14 I'm not objective about the work I do if I don't read
15 the research that covers all sides. I can't only read
16 research about alienation. It's got to be about family
17 systems in whole. I can't only read research about people
18 who make false disclosures of abuse. Because then I'm
19 ignoring all the research about people who make true
20 disclosures of abuse.

21 But every case has to be decided on its own. I can't
22 make generalizations. I'm not being forensically sound if
23 I do that.

24 MR. KORNFELD: Sure, sure.

25 Thank you, Ms. Stitchnoth.

1 Please answer any questions Assistant Solicitor Megan
2 Owen may have.

3 THE COURT: All right. Cross.

4 MS. OWEN: Thank you, Your Honor.

5 CROSS-EXAMINATION

6 BY MS. OWEN:

7 Q Good morning -- or good afternoon.

8 A It's late in the day.

9 Q Could you tell the jury what APSAC stands for?

10 A America Professional Society of the Abuse of
11 Children.

12 Q Would you review this, please?

13 A Uh-huh. This was issued by the board officers or
14 written by one individual?

15 Q I believe it's by the board officers.

16 A Okay.

17 Q Did you refer to APSAC previously?

18 A Yes, yes. And the -- the handbook on psychological
19 maltreatment. Sorry. I'm not familiar with who the board
20 officers are at current. Okay.

21 Q Thank you.

22 A Uh-huh.

23 Q Can you tell the jury, would they be a professional
24 society that you would rely on their opinions for since
25 you've referenced them?