

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Richland County

L. Casey Manning, Circuit Court Judge

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S.C. Supreme Court

BRANDON JONES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000605

SUPPLEMENTAL APPENDIX

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WITNESSES/DESCRIPTION PAGE NO.

THURSDAY, SEPTEMBER 15, 2005.

SENTENCES OF THE COURT 20

CERTIFICATE 22

1 THURSDAY, SEPTEMBER 15, 2005.

2 THE SOLICITOR: YOUR HONOR, THE STATE CALLS
3 BRANDON JONES.

4 THE COURT: YES, SIR.

5 BRANDON JONES,

6 FIRST BEING DULY SWORN, TESTIFIED AS FOLLOWS:

7 THE SOLICITOR: YOUR HONOR, STANDING BEFORE YOU
8 IS BRANDON JONES. HE'S REPRESENTED BY LAUREN MOBLEY OF THE
9 PUBLIC DEFENDER'S OFFICE.

10 YOUR HONOR, WE'RE HERE FOR SENTENCING ON A PLEA
11 THAT TOOK PLACE IN JUNE BEFORE YOU. YOU HAD REQUESTED A
12 PRE-SENTENCE INVESTIGATION BE PERFORMED ON THIS CASE AND, I
13 BELIEVE, YOU'VE HAD AN OPPORTUNITY TO REVIEW THAT.

14 THE COURT: YES, AND I HAVE READ THE REPORT, THE
15 RATHER LENGTHY REPORT. I KNOW MS. MOBLEY HAS INDICATED TO
16 THE COURT IN YOUR PRESENCE THAT SHE OBJECTS TO THIS REPORT.

17 MS. MOBLEY: I DO, YOUR HONOR.

18 THE COURT: LET ME LET YOU PUT YOUR OBJECTION ON
19 THE RECORD, IF YOU WILL, PLEASE, MA'AM?

20 MS. MOBLEY: THANK YOU, YOUR HONOR.

21 MAY IT PLEASE THE COURT.

22 YOUR HONOR, THE DEFENSE AT THIS TIME WILL BE
23 OBJECTING TO THE PRE-SENTENCE INVESTIGATION. I BELIEVE
24 THAT IT IS INCOMPLETE, THAT IT, IN ESSENCE, REHASHES THE
25 CASE AND PROVIDES THE COURT NO NEW INFORMATION ABOUT MR.

1 JONES. WHEN MS. AHRENS, WHO INITIALLY HANDLED THE PLEA AND
2 WAS HIS PRIOR ATTORNEY, REQUESTED THE PRE-SENTENCE
3 INVESTIGATION SHE WAS UNDER THE IMPRESSION THAT IT WOULD
4 GIVE THE COURT AN UNDERSTANDING OF WHAT IS GOING ON WITH
5 MR. JONES AND OF THE ENTIRE CASE.

6 YOUR HONOR, I BELIEVE THAT -- I HAVE TALKED WITH
7 ALL OF THE FAMILY MEMBERS -- SEVERAL OF WHICH ARE ALSO
8 SITTING IN THE FRONT ROW -- NONE OF THEM WERE INTERVIEWED
9 OR CONTACTED BY THE DEPARTMENT OF PROBATION AND, I BELIEVE,
10 MS. CRYSTAL BOYD OUT OF KERSHAW COUNTY IS THE ONE WHO DID
11 THE RECORD, AS ALLEN MILLER IS -- WORKS FOR THE DEPARTMENT
12 OF PROBATION, PAROLE, AND PARDON SERVICES HERE IN RICHLAND
13 COUNTY AND HE IS ONE OF THE VICTIMS' FATHERS.

14 YOUR HONOR, I BELIEVE THAT THE REPORT IS
15 INCOMPLETE AND PROVIDES YOU NO NEW INFORMATION. WE, AT
16 THIS TIME, WOULD BE ASKING THAT THE DEPARTMENT GO BACK AND
17 INTERVIEW THE FAMILY MEMBERS AS THEY SHOULD HAVE DONE WITH
18 THIS REPORT INITIALLY. OBVIOUSLY, THERE WAS PLENTY OF
19 TIME. APPARENTLY, THIS REPORT WAS CONCLUDED AT THE END OF
20 -- ON 7/25/05, YOUR HONOR. SO WE CERTAINLY HAD THE TIME TO
21 INTERVIEW SOME FAMILY MEMBERS AND GIVE YOUR HONOR AN
22 UNDERSTANDING OF WHAT'S GOING ON WITH THIS CASE. AND THAT
23 WAS NOT DONE. SO AT THIS TIME, WE WOULD BE OBJECTING TO
24 THE REPORT AND ITS CONSIDERATION BY THE COURT.

25 THE COURT: I'M NOT GOING TO ASK THAT THEY DO

1 ANYMORE THAN THEY'VE DONE, MS. MOBLEY, WITH ALL DUE
2 RESPECT. I DIDN'T HAVE TO ASK FOR A PRE-SENTENCE
3 INVESTIGATION AT ALL TO BEGIN WITH.

4 MS. MOBLEY: YES, SIR.

5 THE COURT: I DID AND THIS IS WHAT I GOT.

6 MS. MOBLEY: YES, SIR.

7 THE COURT: IF THE FACTS ARE AS REPORTED IN THIS
8 REPORT OR AS THEY ARE, I CAN'T IMAGINE ANYTHING ELSE THAT
9 WOULD BE SAID BY ANYONE ELSE THAT WOULD HAVE ANY
10 SIGNIFICANT INFLUENCE ON MY SENTENCE.

11 MS. MOBLEY: CERTAINLY, YOUR HONOR.

12 THANK YOU.

13 THE COURT: I'LL BE GLAD TO HEAR FROM THE STATE.

14 THE SOLICITOR: THANK YOU.

15 YOUR HONOR, IF IT PLEASE THE COURT, DID YOU NEED
16 A RECITATION OF THE FACTS AGAIN?

17 THE COURT: I DON'T NEED A RECITATION OF THE
18 FACTS---

19 THE SOLICITOR: THANK YOU.

20 WE---

21 THE COURT: ---I'VE SEEN THE FACTS IN THIS.

22 THE SOLICITOR: WE HAVE CHIEF BUCK OF THE IRMO
23 POLICE DEPARTMENT HERE IF THERE'S ANY QUESTIONS AS TO THE
24 FACTS IN THE CASE, YOUR HONOR.

25 WE ALSO HAVE -- WE ALSO HAVE WITH US THE VICTIMS'

1 PARENTS, MR. AND MRS. SPEARE; WE ALSO HAVE MR. AND MRS.
2 MILLER. WE HAVE A FAMILY FRIEND HERE FROM THE MILLERS.
3 ONCE AGAIN, HOW -- I WOULD HAVE BUTCHERED IT.

4 MR. GERALDO: LUCE GERALDO.

5 THE SOLICITOR: LUCE GERALDO, WHO IS ALSO HERE,
6 YOUR HONOR; AND I KNOW THAT THE VICTIMS IN THIS CASE AND
7 THAT THE PARENTS WOULD LIKE TO SPEAK TO THE COURT AT THE
8 APPROPRIATE TIME.

9 THE COURT: I'LL BE GLAD TO HEAR FROM THEM.

10 THE SOLICITOR: THANK YOU.

11 MR. MILLER, WOULD YOU LIKE TO ADDRESS -- OR, MRS.
12 MILLER, WOULD YOU LIKE TO ADDRESS THE COURT?

13 MRS. MILLER: OUR SOCIETY IS SO CONCERNED WITH
14 THE CRIMINAL'S RIGHTS THAT THEY SOMETIMES FORGET ABOUT OUR
15 VICTIMS, ESPECIALLY THE MOST INNOCENT TRUSTING OF ALL: OUR
16 CHILDREN. WHEN OUR SON AND TWO OTHERS WERE TEN-YEARS-OLD,
17 THEIR INNOCENCE WAS TAKEN AWAY, PART OF THEIR CHILDHOOD,
18 TRUST, AND SO MANY OTHER CRUCIAL THINGS THAT CAN NEVER BE
19 REPLACED.

20 DECEIVINGLY, BRANDON APPEARS TO BE A PASSIVE,
21 WELL-MANNERED, INTELLIGENT, CLEAN-CUT, CALM, STABLE YOUNG
22 MAN. THIS IS WHAT MAKES HIM SO DANGEROUS. HE'S A
23 MASTERMIND AT GETTING PEOPLE TO DO WHAT HE WANTS THEM TO
24 DO. HE IS EXTREMELY CALCULATING, BRILLIANT, INSIGHTFUL,
25 CONVINCING, AND VERY MANIPULATIVE. HE HAS LEARNED THAT

1 SYMPATHY CAN BE A VERY POWERFUL TOOL TO OPEN DOORS.

2 PLEASE, IN THIS CASE, LET THERE BE NO DOUBT WHERE
3 YOUR COMPASSION SHOULD LIE. OUR SON, AS WELL AS OTHERS,
4 HAVE SUFFERED AN IRREVERSIBLE LOSS THAT WILL HAUNT HIM THE
5 REST OF HIS LIFE.

6 THE SOLICITOR: YOUR HONOR, MR. MILLER ALSO WOULD
7 LIKE TO ADDRESS THE COURT.

8 MR. MILLER: THANK YOU, YOUR HONOR.

9 I WOULD LIKE TO TAKE THIS OPPORTUNITY TO THANK
10 THE SOLICITOR'S OFFICE AND THE IRMO POLICE DEPARTMENT,
11 CHIEF BUCK, THE DEPARTMENT OF SOVA FOR ALL THEIR ASSISTANCE
12 AND SUPPORT THROUGH ALL THIS TIME.

13 THANK YOU.

14 I WOULD LIKE TO POINT OUT TO THE COURT THAT WHEN
15 MR. JONES PLED GUILTY TO THIS, THAT NOT ONLY DID HE PLEAD
16 GUILTY, BUT HE ALSO TOLD THE COURT THAT IF GIVEN THE
17 OPPORTUNITY, HE WILL RE-OFFEND. HE SAID HE CAN'T HELP IT;
18 THAT'S HIS IMPULSES AND THAT'S WHAT HE WILL DO.

19 I BEG THE COURT TO PUT HIM AWAY AS LONG AS THEY
20 CAN SO THERE WILL BE NO MORE VICTIMS FOR AS LONG AS IT CAN.
21 THAT'S ALL I HAVE TO SAY.

22 THE SOLICITOR: YOUR HONOR, FOR THE STATE, BASED
23 ON THESE THREE CHARGES, THE STATE IS ASKING THAT YOUR HONOR
24 SENTENCE THE DEFENDANT THE MAXIMUM AMOUNT OF TIME ALLOWED.
25 WE'RE ASKING THE COURT TO SENTENCE HIM TO CONSECUTIVE

1 SENTENCES.

2 THE COURT: YES.

3 MS. MOBLEY: THANK YOU, YOUR HONOR.

4 IF IT PLEASES THE COURT.

5 YOUR HONOR, AT THIS TIME, IF I MAY HAND UP SOME
6 LETTERS FROM FAMILY MEMBERS AND A PROGRAM WHICH WE WILL BE
7 DISCUSSING MOMENTARILY CALLED THE LIGHTHOUSE FOUNDATION.
8 IF I MAY APPROACH THE BENCH AND HAND THAT UP?

9 (WHEREUPON, THE DOCUMENTS ARE
10 HANDED TO THE COURT AT THIS TIME.)

11 MS. MOBLEY: AND I'D ALSO ASK THAT THAT BE MADE A
12 PART OF THE COURT RECORD.

13 YOUR HONOR, I'VE HANDED UP A LETTER FROM DR.
14 JONES FROM CLEMSON UNIVERSITY; A LETTER FROM MARGUERITE
15 MALOY; FROM ERIC VONTAINE(PHONETICALLY), WHO IS HERE; CINDY
16 FRITZ, AND A LETTER, DOCUMENTS FROM THE LIGHTHOUSE.

17 WOULD YOUR HONOR CARE FOR A MOMENT OR WOULD YOU
18 LIKE ME TO CONTINUE?

19 THE COURT: GO AHEAD AND LET ME HEAR YOU AND THEN
20 I'LL LOOK OVER THESE.

21 MS. MOBLEY: THANK YOU.

22 YOUR HONOR, MS. AHRENS HANDLED MOST OF BRANDON'S
23 CASE AND I'VE HAD AN OPPORTUNITY -- I HAVE HAD AN
24 OPPORTUNITY TO SPEAK WITH BRANDON. HE IS DEEPLY REMORSEFUL
25 ABOUT THIS.

1 AND AT THIS POINT, IF YOUR HONOR, PLEASES, I
2 WOULD LIKE TO ALLOW HIS MOTHER AND FATHER AND FOR BRANDON
3 TO ADDRESS THE COURT BECAUSE I BELIEVE THAT THEY -- I CAN'T
4 SAY IT ANY BETTER THAN THEY CAN. THIS IS THEIR SON. THEY
5 KNOW HIM AND THEY CAN GIVE YOU A SMALL SNAPSHOT OF THIS.
6 OBVIOUSLY, THE LETTERS I'VE HANDED UP STATE THAT BRANDON
7 NOT ONLY HAS TRIED TO GET HELP -- HE RECOGNIZES HE HAS A
8 PROBLEM. HE UNDERSTANDS THAT. AND YOU'RE GOING TO HEAR
9 THAT FROM HIM IN A MOMENT IF YOUR HONOR WILL ALLOW HIM TO
10 SPEAK. HE TRIED TO GET HELP. AND HE STILL DESPERATELY
11 WANTS HELP FOR THIS PROBLEM.

12 YOUR HONOR, AT THIS TIME, IF I MAY TURN OVER THE
13 MICROPHONE TO MR. JONES, IF THE COURT PLEASES OR IF YOU
14 WOULD CARE FOR SOME TIME TO READ THE DOCUMENTS.

15 THE COURT: I'LL BE GLAD TO HEAR FROM MR. JONES.

16 MS. MOBLEY: THANK YOU.

17 THE DEFENDANT: I DON'T EVEN KNOW WHERE TO START.
18 I MEAN, I KNOW I MESSED UP. I MESSED UP ROYALLY. I DID.
19 AND I HURT A LOT OF PEOPLE. I HURT THE MILLERS; I HURT THE
20 SPEARES; I HURT MY OWN PARENTS. AND I THINK I OWE AN
21 EXPLANATION -- NOT A JUSTIFICATION. I WANT EVERYONE TO
22 KNOW THAT I RECOGNIZE THAT I WAS VERY, VERY WRONG AND THAT
23 IN NO WAY DO I WANT TO TRY TO JUSTIFY OR MITIGATE WHAT
24 HAPPENED BECAUSE THERE'S NO WAY TO DO THAT. I TOOK AWAY
25 SOMETHING THAT I CAN'T GIVE BACK. I DID SOMETHING THAT

1 CAN'T BE UNDONE. AND THERE ARE NO WORDS ON THIS EARTH THAT
 2 COULD EVER -- THAT COULD EVER ALLOW ME TO EXPRESS EXACTLY
 3 HOW SORRY I AM. BUT I OWE AN EXPLANATION TO THE PEOPLE
 4 THAT I'VE HURT; AND HOWEVER SORRY IT IS, I JUST WANT TO
 5 OFFER THE TRUTH. AND THE TRUTH IS SIMPLY THAT, I GUESS,
 6 I'VE KNOWN THAT I'VE HAD THIS PROBLEM SINCE I WAS ABOUT 11
 7 OR 12-YEARS OLD. MY EMOTIONAL AGE AND MY INTELLECTUAL AGE
 8 DON'T SEEM TO BE SAME. I'M ONLY COMFORTABLE AROUND YOUNGER
 9 CHILDREN AND THAT'S NOT NECESSARILY FOR SEXUAL PURPOSES AT
 10 ALL. I JUST -- I DON'T FEEL RIGHT AROUND OLDER PEOPLE.
 11 AND THAT WOULD BE OKAY IF IT WEREN'T FOR THE HORMONES THAT
 12 ENTER INTO THE EQUATION AS WELL.

13 THEY STARTED GETTING TOO STRONG, I GUESS, WHEN I
 14 WAS ABOUT 14 OR 15 AND SINCE I WAS RAISED IN A RELIGIOUS
 15 HOUSE, MY FIRST INSTINCT WAS TO PRAY. I WAS TOLD THAT GOD,
 16 YOU KNOW, DOESN'T LIKE THIS SORT OF THING AND THAT THERE'S
 17 NO WAY HE WOULD ALLOW IT, SO I FIGURED HE CERTAINLY
 18 SHOULDN'T MAKE ME LIKE THAT AND THAT I SHOULD PRAY AND THAT
 19 IT WOULD BE HIS WILL TO TAKE IT AWAY. AND I MUST HAVE
 20 PRAYED 10,000 TIMES. AND THEN I FINALLY ENDED UP PRAYING
 21 FOR GOD JUST TO TAKE ME AWAY. I CONSIDERED SUICIDE, BUT I
 22 WAS TOO AFRAID OF HELL.

23 WHEN I WAS AT CLEMSON UNIVERSITY, I FINALLY BROKE
 24 DOWN AND TOLD A COUNSELOR IN THE COUNSELING CENTER, ONE OF
 25 THE PSYCHOLOGISTS THERE, ABOUT ALL THE TROUBLES THAT I HAD

1 BEEN HAVING AND I SENT MYSELF TO RESEARCH CHEMICAL
2 CASTRATION AND SEVERAL OTHER FORMS OF TREATMENT FOR THIS
3 PARTICULAR DISEASE. I SCoured THE INTERNET FOR MONTHS AND
4 MONTHS. THE DOCTOR REFERRED ME TO A MEDICAL DOCTOR BECAUSE
5 I TOLD HIM I WANTED TO BECOME CHEMICALLY CASTRATED; AND HE
6 SENT ME TO DR. FINLAND. I DISCUSSED CHEMICAL CASTRATION
7 WITH DR. FINLAND AND I BEGGED HIM FOR IT AND HE BASICALLY
8 SAID THAT I KNEW MUCH MORE ABOUT IT THAN HE DID AND THAT HE
9 DIDN'T FEEL COMFORTABLE GIVING A PRESCRIPTION FOR THOSE
10 DRUGS AND HE TRIED TO REFER ME TO A UROLOGIST, BUT I DIDN'T
11 HAVE THE MONEY TO SEE A SPECIALIST. IF I HAD THOUGHT IT
12 WOULD HAVE HELPED, I WOULD HAVE QUIT SCHOOL AND GONE TO
13 WORK FULL-TIME JUST TO COVER THAT; BUT THERE WAS NO WAY.
14 DEPO-PROVERA, THE DOSE THAT I NEEDED BASED ON MY WEIGHT AND
15 HORMONE LEVELS, WOULD HAVE BEEN FAR MORE THAN I COULD HAVE
16 EARNED IN A MONTH. IF I COULDN'T HAVE GOTTEN SOME HELP
17 FROM CLEMSON, THEN THERE WAS NO WAY. I TURNED AWAY FROM
18 THAT AND I ENDED UP MAKING UP SOME FALSE PRESCRIPTIONS TO
19 GET THE DEPO-PROVERA. AND I CONFIDED IN TWO OF MY COLLEGE
20 BUDDIES THAT I NEEDED THEIR HELP WITH THE PRESCRIPTION TO
21 GET THE MEDICINE. IT WAS MOSTLY THE DOCTOR BILLS THAT WERE
22 GOING TO COST; AND THEY TOLD ME THAT I WAS CRAZY AND THAT I
23 SHOULD NEVER DO SUCH A THING AND THEY TOOK THE
24 PRESCRIPTIONS FROM ME AND BURNED THEM. AND THEY TOLD ME
25 THAT IF I EVER TRIED ANYTHING LIKE THAT AGAIN, THEY WOULD

1 TELL MY PARENTS. AND I WAS DESPERATELY MORALLY WRONG WITH
2 ME. I GUESS I DIDN'T KNOW THEN WHAT I KNOW NOW THAT THEY
3 WOULD HAVE STOOD BEHIND ME ANYWAY.

4 BUT I WAS AFRAID. I'VE LIVED ALONE. THIS IS A
5 LONELY, LONELY LIFE AND YOU NEVER HAVE ANY FRIENDS. AND SO,
6 I HAD BEEN AN EXCHANGE STUDENT IN THE TWELFTH GRADE TO
7 ECUADOR AND I HAD SPENT SOME CONSIDERABLE TIME OVER THERE
8 STUDYING THE SAME MEDICINES AND IT'S MUCH CHEAPER OVER
9 THERE. SO, I THOUGHT THAT I WOULD SAVE UP ABOUT \$2,000 AND
10 GO TO ECUADOR. I WAS WORKING AT LIZARD'S THICKET IN IRMO
11 AND LIVING WITH MY DAD WHILE I WAS GETTING UP THAT MONEY
12 AND IT WAS AT THAT TIME THAT I MET THE VICTIMS IN THIS
13 CASE. AND I REALLY, HONEST TO GOD, I JUST WANTED TO BE
14 THEIR FRIEND. I THOUGHT THAT I WAS STRONG ENOUGH TO HANDLE
15 IT.

16 I TOLD YOU IT'S A LONELY LIFE AND THEY WERE
17 REALLY THE FIRST FRIENDS THAT I HAD EVER HAD AND WE RODE
18 BIKES TOGETHER AND WE WOULD SHOOT FIRECRACKERS AND PLAY
19 YU-GI-OH! CARDS AND NINTENDO AND WATCH BASEBALL AND BUILD
20 FORTS IN THE WOODS AND IT WAS JUST -- IT WAS THE MOST
21 WONDERFUL FOUR MONTHS OF MY LIFE. BUT I WASN'T STRONG
22 ENOUGH TO FIGHT OFF WHAT I THOUGHT I WAS AND I DID MESS UP.
23 BUT, PLEASE, PLEASE, UNDERSTAND THAT I MEANT NO HARM TO
24 THESE CHILDREN. I KNOW I HURT THEM. I KNOW I DID, BUT I
25 SWEAR BEFORE GOD ALMIGHTY THAT IF I HAD KNOWN THAT THEY

1 WERE GOING TO BE HURT, I WOULD HAVE SLIT MY THROAT BEFORE I
2 TOUCHED THEM.

3 MS. MOBLEY: YOUR HONOR, IF I MAY.

4 JUST FOR YOUR HONOR'S INFORMATION, I WANT TO
5 BRING TO THE COURT'S ATTENTION THAT THIS -- THAT BRANDON
6 HAS BEEN TALKING ABOUT CHEMICAL CASTRATION BECAUSE I
7 REMEMBER SPEAKING ABOUT IT WITH DEBRA AHRENS BACK WHEN SHE
8 FIRST GOT THE CASE. THIS IS NOT SOMETHING NEW HE HAS COME
9 UP SIMPLY FOR THIS PROCEEDING, YOUR HONOR. HE HAS BEEN
10 EXPLORING THIS AT LENGTH FOR A LONG TIME.

11 YOUR HONOR, IF THE COURT PLEASES, I WOULD LIKE TO
12 ALSO ALLOW A BRIEF PERIOD OF TIME FOR HIS PARENTS TO SPEAK
13 IF YOUR HONOR WILL ALLOW IT.

14 THE COURT: I'LL BE GLAD TO HEAR FROM THEM.

15 MS. MOBLEY: THANK YOU.

16 MR. JONES: I'M BRANDON'S -- I'M BRANDON'S
17 FATHER; AND I JUST WANT YOU TO KNOW THAT BRANDON IS VERY
18 LOVED. IF WE HAD KNOWN THAT HE HAD A PROBLEM, WE WOULD
19 HAVE STOOD BEHIND HIM AND HELPED HIM IN ANY WAY. HE HAS
20 THE SUPPORT OF HIS FAMILY AND MANY FRIENDS, A LOT OF THEM
21 WHO COULDN'T BE HERE TODAY BECAUSE THE DATE WAS CHANGED.

22 HE RECOGNIZED HIS PROBLEM, BUT, IN ORDER NOT TO
23 HURT ME AND HIS MOTHER, HE OPTED TO TRY AND DO IT ALONE AND
24 HE FAILED. AND -- BUT HE DOES HAVE US BY HIS SIDE NOW.

25 ONCE HE LOST THAT BATTLE AND WE FOUND OUT ABOUT

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IT, WE WERE DEVASTATED ALSO. AND WE APOLOGIZE TO THE MILLERS AND THE SPEARES FOR ANYTHING THAT WE MIGHT HAVE MISSED AS BRANDON WAS GROWING UP.

WE HAVE LOCATED A PROGRAM AND YOU HAVE THE LETTERS IN FRONT OF YOU THAT HAS IMPECCABLE CREDENTIALS AND A VERY IMPRESSIVE SUCCESS RATE.

SHOULD THE COURT DECIDE THAT REHABILITATION EFFORTS ARE AS IMPORTANT AS A PUNITIVE SENTENCE, WE ASK THAT BRANDON BE ALLOWED TO PARTICIPATE IN THE LIGHTHOUSE PROGRAM AFTER HIS PUNITIVE SENTENCE. HIS MOTHER AND I WILL COVER THE EXPENSES OF THE PROGRAM; AND, AS YOU WILL SEE IN THE LETTERS UP THERE, THEY WILL NOTIFY THE COURT OF ANY PROBLEMS WHATSOEVER WITH BRANDON. AND WE BEG THE COURT'S MERCY ON OUR SON.

MS. CRUMP: YOUR HONOR, I'M PATRICIA CRUMP AND I'M BRANDON'S MOTHER.

I FIRST WANT TO SAY TO THE MILLERS AND THE SPEARES THAT I AM SO INCREDIBLY, INCREDIBLY SORRY. I HAD NO IDEA. I HAVE WEPT MANY, MANY, MANY TEARS FOR THEIR FAMILIES AND FOR THEIR CHILDREN AND FOR THE OTHER PEOPLE BESIDES OUR FAMILY THAT HAVE BEEN HURT BY THIS. IT'S BEEN A NIGHTMARE. TRULY, WE COULD NOT IMAGINE.

WE KNEW BRANDON WAS DIFFERENT. BRANDON WAS ALWAYS IMMATURE. HE REPEATED KINDERGARTEN, NOT BECAUSE OF ACADEMICS, HE SCORED VERY HIGH ON FIRST-GRADE READINESS.

1 HE REPEATED KINDERGARTEN BECAUSE HE WAS NOT EMOTIONALLY OR
2 SOCIALLY THERE AND HE CONTINUED TO -- THE PEOPLE AROUND HIM
3 CONTINUED TO GROW OLDER AND HE DIDN'T.

4 IF WE HAD KNOWN, WE WOULD HAVE DONE ANYTHING THAT
5 IT TOOK TO GET HIM THE HELP.

6 I WANT YOU TO KNOW ABOUT BRANDON THAT HE WAS ONCE
7 SOMEBODY'S LITTLE BABY. HE WAS OURS. WE BROUGHT HIM HOME
8 FROM THE HOSPITAL AND WE LOVED HIM AND WE DID THE VERY,
9 VERY BEST THAT WE COULD AND WE MADE A LOT OF MISTAKES. AND
10 WE'RE SO SORRY TO BRANDON FOR ALL THE MISTAKES THAT WE
11 MADE. WE STILL DID THE BEST THAT WE COULD.

12 I WANT YOU TO UNDERSTAND ABOUT BRANDON THAT -- I
13 KNOW THIS IS A TERRIBLE, TERRIBLE, TERRIBLE SICKNESS AND HE
14 DID NOT WANT IT. HE DID PLEAD, I'M SURE, MANY TIMES WITH
15 GOD TO TAKE IT AWAY FROM HIM. I WANT YOU TO UNDERSTAND
16 THAT BRANDON IS THE KIND OF PERSON THAT ONCE HE GETS
17 SOMETHING, BRANDON IS A TEACHER AND A LEADER IN THAT TYPE
18 OF THING. I BELIEVE THAT THROUGH LIGHTHOUSE MINISTRIES AND
19 THEY HAVE A HIGH RATE OF SUCCESS WITH MEN WITH -- THIS
20 FALLS UNDER THE CATEGORY OF COURSE OF SEXUAL ADDICTION --
21 AND I BELIEVE THAT THEY CAN HELP HIM. THEY ALSO OFFER
22 STATE COUNSELING FOR -- AND WE ARE MORE THAN WILLING TO PAY
23 FOR THAT IN ADDITION TO EVERYTHING ELSE. BUT, I BELIEVE,
24 THAT PEOPLE LIKE BRANDON ARE THE ONLY PEOPLE THAT CAN HELP
25 PEOPLE LIKE BRANDON AND OUR SOCIETY HAS A LOT OF PROBLEMS

1 WITH THIS. AND BRANDON COULD MAKE A DIFFERENCE FOR PEOPLE
 2 IN THE FUTURE IF HE'S ALLOWED TO GO TO A FACILITY WHERE HE
 3 CAN BE HELPED. THE LIGHTHOUSE WILL KEEP HIM AS LONG AS
 4 YOUR HONOR WOULD SAY FOR THEM TO DO SO. THEY WILL KEEP HIM
 5 AND HE COULD CONTINUE TO REPEAT THEIR PROGRAM.

6 OUR PRISON SYSTEM DOES NOT TURN OUT GENERALLY
 7 MODEL CITIZENS. LIGHTHOUSE HAS A HIGHER SUCCESS RATE OF
 8 DOING THAT.

9 I PLEAD YOUR MERCY; I PLEAD WITH YOU TO PLEASE
 10 GIVE BRANDON THIS OPPORTUNITY.

11 THE LIGHTHOUSE DIRECTOR SAYS THAT THEY HAVE
 12 SHIPPED PEOPLE BACK TO THEIR STATE IF THEY RESIST TREATMENT
 13 OR THEY ARE UNCOOPERATIVE IN ANY WAY, SHAPE, OR FORM. THEY
 14 SHIP THEM RIGHT BACK TO THE STATE WHERE THEY CAME FROM TO
 15 SERVE THEIR TIME. I PLEAD WITH YOU. WE LOVE BRANDON SO
 16 MUCH AND WE BELIEVE THAT HE CAN BE A LEADER IN A GOOD
 17 DIRECTION.

18 HE WAS -- HE RECEIVED THE PALMETTO FELLOW
 19 SCHOLARSHIP. HE WAS A NATIONAL MERIT SCHOLAR AND HE ALSO
 20 GOT A SCHOLARSHIP FROM CLEMSON, AND RECEIVED AN INVITATION
 21 TO THE HONOR'S PROGRAM THERE. WITH HIS FIRST YEAR OF
 22 COLLEGE, HIS ONLY YEAR, HE WAS GRANTED \$6700 -- \$8700 IN
 23 SCHOLARSHIP MONEY. BRANDON IS INTELLIGENT AND I BELIEVE
 24 THAT HE COULD DO SOMETHING TO HELP OUR WORLD, OUR COUNTRY,
 25 AND OUR SOCIETY IF HE'S ALLOWED TO BE HELPED FIRST.

1 PLEASE. THANK YOU.

2 MS. MOBLEY: THANK YOU, YOUR HONOR, FOR HEARING
3 THEM AND JUST VERY BRIEFLY.

4 BRANDON, IN SENTENCING, WE WOULD ASK THAT YOU
5 TAKE INTO CONSIDERATION THAT HE HAS ABSOLUTELY NO PRIOR
6 RECORD. WE WOULD ASK THAT YOU TAKE INTO CONSIDERATION THAT
7 HE WAS ATTEMPTING TO BE A CITIZEN, TO GO TO SCHOOL, TO
8 WORK, WHAT HAVE YOU. AND HE HAS A PROBLEM AND HE KNOWS
9 THAT AND HE WANTS HELP.

10 SO WE'RE RESPECTFULLY REQUESTING THAT THE COURT
11 -- HE UNDERSTANDS THAT HE HAS TO PAY FOR WHAT HE DID --
12 WE'RE RESPECTFULLY REQUESTING THAT THE COURT CONSIDER AN
13 ACTIVE SENTENCE SOMEWHERE IN THE RANGE OF THREE TO FIVE
14 YEARS, FOLLOWED BY SOME SORT OF SUPERVISED RELEASE, EITHER
15 ORDERED INTO THE LIGHTHOUSE PROGRAM OR SOME OTHER FORM OF
16 COUNSELING.

17 I DISCUSSED WITH HIM THE FACT THAT HE WILL BE
18 EVALUATED FOR THE SEXUALLY VIOLENT PREDATOR PROGRAM AND
19 THAT IS AN OPTION THAT THE STATE HAS TO COME AFTER HIM
20 CIVILLY FOR THAT PROGRAM; AND, I BELIEVE, UNDER THE
21 STATUTE, THAT IS MANDATORY THAT HE BE EVALUATED FOR THAT.
22 BUT, I BELIEVE, THAT BRANDON IS RECEPTIVE TO ANY HELP THAT
23 HE MAY BE GIVEN AND WITH THAT IN MIND, YOUR HONOR, WE WOULD
24 ASK THAT YOU CONSIDER THAT WHILE HANDING DOWN A SENTENCE.

25 THANK YOU.

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THE COURT: THANK YOU.

THE SOLICITOR: YOUR HONOR, IF IT PLEASE THE COURT.

EVERYONE IN THIS COURTROOM IS A VICTIM BASED ON WHAT HAPPENED IN THIS CASE, BUT THE THREE VICTIMS THAT WERE ABUSED BY THE DEFENDANT ARE NOT HERE, YOUR HONOR. IT WAS THREE CHILDREN THAT ARE NOT HERE TO SPEAK FOR THEMSELVES.

YOUR HONOR, SENTENCING IN THIS CASE GOES TO PUNISH THE DEFENDANT. IT ALSO CAN BE USED AS A DETERRENT; AND, IN THEIR OWN WORDS, THAT PROGRAM HAS A HIGH SUCCESS RATE. IT DOESN'T HAVE A PERFECT SUCCESS RATE; IT DOESN'T HAVE A 100 PERCENT SUCCESS RATE.

WE ASK THAT THIS DEFENDANT BE LOCKED UP FOR AS LONG AS POSSIBLE SO THAT THESE CHILDREN CAN SLEEP AT NIGHT KNOWING THAT HE'S BEHIND BARS.

THANK YOU, YOUR HONOR.

THE COURT: LET ME TELL YOU ONE OF THE THINGS THAT CONCERNS ME MOST ABOUT THIS OTHER THAN THE OBVIOUS. IS LEAVING AND GOING TO ECUADOR AT A CRUCIAL MOMENT. HIS EXPLANATION WAS THAT I WAS GOING THERE TO SEEK DEPO- PROVERA AND I WAS GOING TO COME BACK WHEN I GOT IT.

BUT WHILE THERE, HIS VISA EXPIRED, THERE WAS NO MONEY TO BUY A TICKET TO RETURN HOME. THAT WAS HIS EXPLANATION.

THE CONCERN THAT THE PARENTS HAVE AND THE CONCERN

1 THAT THE COURT HAS THAT HE HAD NO INTENTION TO COME BACK TO
2 THIS COUNTRY. HE RECOGNIZED THAT -- AND WHAT HE SAID HE
3 TOLD THE YOUNG BOY THAT IF THEY TOLD, THAT HE WOULD BE IN
4 DEEP TROUBLE. AND HE RECOGNIZE THAT FACT. HE KNEW THAT
5 FACT.

6 THIS IS AS SERIOUS AS THIS TYPE OF CRIME GETS.
7 THE UNFORTUNATE PART AND THE REAL UNFORTUNATE ASPECT OF
8 THIS PARTICULAR CASE IS THAT THE DEFENDANT IN THIS CASE IS
9 A VERY INTELLIGENT PERSON, A MERIT SCHOLARSHIP FINALIST, A
10 VERY INTELLIGENT PERSON, BILINGUAL, AND IT'S SUCH A WASTE
11 OF INTELLIGENCE.

12 THE SENTENCE OF THE COURT IN THIS MATTER IS AS
13 FOLLOWS -- AND I AM CONSIDERING HIS AGE AND THE THINGS YOU
14 MENTIONED, MA'AM; ALSO CONSIDERING THE THREE YOUNG MEN
15 INVOLVED HERE.

16 MS. MOBLEY: YES, SIR..

17 THE COURT: I'M TAKING INTO CONSIDERATION THE
18 FACT THAT, THAT HE WILL BE, WHEN HE'S RELEASED FROM PRISON,
19 THAT HE WILL BE SUBJECTED TO THE CRIMINAL SEXUAL VIOLENT
20 PREDATOR STATUTE AND THAT -- AND THE RAMIFICATIONS OF THAT
21 CIVIL ACTION.

22 THE SENTENCE OF THE COURT HERE -- AND THEY ARE TO
23 RUN CONCURRENTLY -- IS THAT YOU BE COMMITTED TO THE
24 DEPARTMENT OF CORRECTIONS FOR A PERIOD OF THIRTY (30)
25 YEARS. THAT'S ON EACH TO RUN CONCURRENTLY.

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GOOD LUCK TO YOU.

THE SOLICITOR: THANK YOU, YOUR HONOR.

MS. MOBLEY: THANK YOU, YOUR HONOR.

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STATE OF SOUTH CAROLINA)

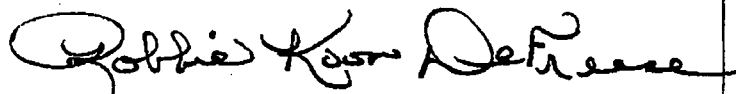
C E R T I F I C A T E

COUNTY OF RICHLAND)

I, THE UNDERSIGNED ROBBIE KOON DEFREESE, OFFICIAL COURT REPORTER FOR THE FIFTH JUDICIAL CIRCUIT OF THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE, AND COMPLETE TRANSCRIPT OF RECORD OF ALL THE PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE TRIAL OF THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE GENERAL SESSIONS COURT FOR RICHLAND COUNTY, SOUTH CAROLINA, ON THE 15TH DAY OF SEPTEMBER, 2005.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN, COUNSEL NOR INTEREST TO ANY PARTY HERETO.

NOVEMBER 21, 2005



ROBBIE KOON DEFREESE
CIRCUIT COURT REPORTER