

STATE OF SOUTH CAROLINA
In The Court of Appeals

 ORIGINAL

APPEAL FROM PICKENS COUNTY
James R. Barber, III, Circuit Court Judge

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JUN 04 2015

SC Court of Appeals
RESPONDENT

THE STATE,

V.

CHRISTOPHER LEE MEADOWS,

APPELLANT

APPELLATE CASE NO. 2014-000394

RECORD ON APPEAL

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INDEX

INDEX	i
TRIAL TRANSCRIPT (dated February 24 – 25, 2014)	1
JURY VOIR DIRE	7
JURY SELECTION	21
OPENING STATEMENT BY MR. TOOKER	24
OPENING STATEMENT BY MR. DEJONG	30
TESTIMONY	
MATTHEW BRANNEN	
Direct examination by Mr. Tooker	37
Cross-examination by Mr. Dejong	42
Redirect examination by Mr. Tooker	43
Recross examination by Mr. Dejong	44
ROBERT WILLIAM FUTRELL	
Direct examination by Mr. Tooker	44
Cross-examination by Mr. Dejong	51
SISTER 2	
Direct examination by Mr. Tooker	54
Cross-examination by Mr. Dejong	62
Redirect examination by Mr. Tooker	65
SISTER 1	
Direct examination by Mr. Tooker	66
Cross-examination by Mr. Dejong	71
MINOR	
Direct examination by Mr. Tooker	77
Cross-examination by Mr. Dejong	93
Redirect examination by Mr. Tooker	110
GEORGIA HOUSTON	
Direct examination by Mr. Tooker	110
Cross-examination by Mr. Dejong	122

BETTY IPINA	
Direct examination by Mr. Tooker	133
Cross-examination by Mr. Dejong	137
Redirect examination by Mr. Tooker.....	139
TRAVIS RIGGS	
Direct examination by Mr. Tooker	149
Cross-examination by Mr. Dejong	156
Redirect examination by Mr. Tooker.....	159
KAREN MILBRODT	
Direct examination by Mr. Tooker	160
Direct examination by Mr. Tooker	163
TRAVIS RIGGS	
Direct examination by Mr. Tooker	164
SHAUNA GALLOWAY-WILLIAMS	
Direct examination by Mr. Tooker	170
Cross-examination by Mr. Dejong	198
Redirect examination by Mr. Tooker.....	201
MOTION FOR A DIRECTED VERDICT.....	201
COLLOQUY REGARDING DEFENDANT'S RIGHT TO TESTIFY	209
RENEWAL OF MOTION FOR A DIRECTED VERDICT	215
CLOSING ARGUMENT BY MR. TOOKER	219
CLOSING ARGUMENT BY MR. DEJONG.....	246
CHARGE ON THE LAW	259
NOTE FROM THE JURY REQUESTING POLICE STATEMENTS	270
VERDICT	271
SENTENCING	277
INDICTMENT	278
SENTENCE SHEET	280
CERTIFICATE OF COUNSEL.....	281

STATE OF SOUTH CAROLINA
COUNTY OF PICKENS

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA,

PLAINTIFF;

-VS-

CHRISTOPHER LEE MEADOWS,

DEFENDANT.

2011-GS-39-01339

FEBRUARY 24 and 25, 2014

TRANSCRIPT OF RECORD

B E F O R E:

THE HONORABLE JAMES R. BARBER, III, JUDGE

A P P E A R A N C E S:

SAM TOOKER, ESQUIRE
ATTORNEY FOR THE STATE

JOHN DEJONG, ESQUIRE
ATTORNEY FOR THE DEFENDANT

DANETTE P. HANKS
CIRCUIT COURT REPORTER

INDEX

WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
Matthew Brannen Tooker DeJong	52	57	58	59
Robert Futrell Tooker DeJong	59	66		
Sister 2 Tooker DeJong	69	77	80	
Sister 1 Tooker DeJong	81	86		
Minor Tooker DeJong	92	108	125	
Georgia Houston Tooker DeJong	125	137		
Betty Ipina Tooker DeJong	147	152	154	
Travis Riggs Tooker DeJong	163	171	174	
Karen Milbrodt Tooker DeJong	175	178		
Travis Riggs - Recalled Tooker DeJong	179			
Shauna Galloway-Williams - Proffered Tooker DeJong	185			
Shauna Galloway-Williams Tooker DeJong	200	213	216	
<< -- -- >>				
				PAGE
Jury Voir Dire				5

Opening Statements				
Tooker				39
DeJong				45
Closing Statements				
Tooker				234
DeJong				261
Charge				274
Certificate of Reporter				293

STATE'S/ EXHIBITS

NO	DESCRIPTION	ID	EV
S-1	Phone records of Verizon	175	177
S-2	Digital phone records of Verizon	175	178

DEFENDANT'S EXHIBITS

	(NONE)		

COURT'S EXHIBITS

C-1	Note from jury - Re: Wants to see police statements	285	

JURY VOIR DIRE

Juror #	Name	Race	Sex	Strikes			Accept
				Court	Plaintiff	Def.	
106	Nicholson, Sylvia A	W	F				x
39	Dunn, Donna M	W	F				x
110	Parris, Cheryl W	W	F			x	
37	Dunaway, Zachary T	W	M		x		
118	Reece, Marty A	W	M				x
155	Wilson, Lonnie J	W	M				x
113	Peterson, John R	W	M		x		
29	Campbell, Kevin D	W	M			x	
153	White, Carolyn L	W	F			x	
138	Smallwood, Mark A	W	M				x
102	McElrath, Earl R	W	M		x		
136	Sharif, Iqbal	A	M				x
30	Chappell, Cassondra N	W	F				x
126	Rogers, Samantha L	W	F				x
64	Hannah, Jennifer D	W	F			x	
108	Paine, Martin	W	M			x	
53	Galloway, Jeremy D	W	M				x
109	Pajela, Sheila A	W	F			x	
87	Knight, Mary A	W	F				x
145	Todd, Misty A	W	F			x	
66	Hardy, Douglas J	W	M				x
120	Ridley, Jani L	W	F		x		
107	Padgett, Marshall G Jr	W	M		x		
74	Hohlweg, Candice J	W	F			x	
83	Jung, Jeffrey C	W	M				x
10	Banton, William B	W	M				x

1 **FEBRUARY 24, 2014**

2 (WHEREUPON, Court convened with all parties present
3 and the following proceedings were had.)

4 THE COURT: All right. Ladies and gentlemen,
5 again, as I introduced myself this morning, I'm Jim Barber
6 from Columbia, and I'm about to -- we're about to start a
7 trial in a case entitled State of South Carolina versus
8 Christopher Lee Meadows. Mr. Meadows, ladies and
9 gentlemen, has been indicted for the offense of criminal
10 sexual conduct with a minor, second degree. The
11 indictment alleges that Mr. Meadows did, in Pickens
12 County, between December 20, 2010 and March 15, 2011,
13 commit a sexual battery on Minor who was fourteen years of
14 age or less, but at least eleven years of age, all in
15 violation of the statutes of this state.

16 Now, ladies and gentlemen, to this indictment the
17 defendant has entered a plea of not guilty. You need to
18 remember several things before we get started. First, the
19 indictment, ladies and gentlemen, is a notice document.
20 It is to put the defendant on notice of the particular
21 charge. It is not evidence. It is not to be considered
22 by you for any purpose other than it is giving the
23 defendant notice of this particular charge. To this
24 charge the defendant has entered a not guilty plea, as I
25 told you. In every instance a defendant comes into this

1 court presumed to be not guilty. And that presumption of
2 innocence remains with the defendant throughout the course
3 of the trial and would only change if the defendant was,
4 in fact, found guilty by the defendant (verbatim) and
5 found guilty beyond a reasonable doubt.

6 The burden of proving this defendant guilty falls
7 upon the state of South Carolina. And as I said, the
8 state must prove this defendant guilty and prove him
9 guilty beyond a reasonable doubt. There is no burden on
10 the defendant. The defendant doesn't have to do anything
11 in this case.

12 Now, ladies and gentlemen, before we begin, I want to
13 introduce you to some individuals who may be involved in
14 this trial, and I have certain questions I might want to
15 ask you. Is there any voir dire from any -- either the
16 state or the defendant?

17 MR. TOOKER: Your Honor, I believe Mr. DeJong
18 has handed up several requested ---

19 THE COURT: Here we go.

20 MR. TOOKER: And the state only takes issue with
21 two of them. The third document, Your Honor, has ---

22 THE COURT: Number three?

23 MR. TOOKER: Yes, sir. The state would only ---

24 THE COURT: Well, let me look at that. If I do
25 anything about that, I'll do it on a private basis.

1 MR. TOOKER: Yes, sir. And then number ten.

2 THE COURT: Well, number seven, I've already
3 asked if anybody had a physical or mental situation.

4 All right. Ladies and gentlemen, first let me
5 introduce you to the defendant in this matter, Mr.
6 Christopher Lee Meadows. Mr. Meadows, if you would please
7 stand and face the jury. Ladies and gentlemen, this is
8 Mr. Meadows.

9 And I would inquire at this time, is there any member
10 of this jury panel or any member of the jury panel's
11 immediate family who is related by blood or connected by
12 marriage or either now or in the past has had a close
13 personal relationship with Mr. Meadows or either now or in
14 the past has had an employment or a business relationship
15 with Mr. Meadows? If so, please stand.

16 All right. Yes, sir, tell me your name if you would,
17 please.

18 THE JUROR: Eric Redding. We went to school
19 together.

20 THE COURT: Eric Redding?

21 THE JUROR: Yes.

22 THE COURT: And you went to high school or
23 something below that?

24 THE JUROR: It was a couple of grade we went
25 together. Grade school and thereafter.

1 THE COURT: All right. The fact that you and
2 Mr. Meadows went through school together, would that
3 prevent you from listening to the evidence in this case
4 and based upon such evidence, rendering a fair and
5 impartial verdict?

6 THE JUROR: I'd just like for you to be aware.

7 THE COURT: All right. But you could be fair
8 and impartial?

9 THE JUROR: Yes, sir.

10 THE COURT: All right. Thank you, sir.

11 All right. Ladies and gentlemen, in every instance
12 when -- almost every instance when parties come to court,
13 including in the criminal court, they are represented by
14 attorneys. And in fact, the state of South Carolina in
15 this instance is represented by the solicitor's office of
16 the thirteenth judicial circuit. The solicitor that is
17 handling this case is Mr. Sam Tooker. And this is Mr.
18 Tooker standing right now and facing you. Mr. Tooker is a
19 member of the South Carolina bar and is employed with the
20 solicitor's office of the thirteenth judicial circuit.
21 And I would inquire at this time, is there any member of
22 this jury panel or any member of the jury panel's
23 immediate family who is related by blood or connected by
24 marriage or either now or in the past has had a close
25 personal relationship with Mr. Tooker or with any member

1 or employees of the Thirteenth Judicial Solicitor's Office
2 or either now or in the past has had an employment or a
3 business relationship with Mr. Tooker or with any member
4 of the solicitor's office or employees of the solicitor's
5 office or business or employment relationship with the
6 solicitor's office of the thirteenth circuit. If so,
7 please stand.

8 (No response.)

9 THE COURT: All right. Thank you, sir.

10 Ladies and gentlemen, representing Mr. Meadows is Mr.
11 DeJong. And this is Mr. DeJong standing right here. Mr.
12 John DeJong. And he is a member of the South Carolina bar
13 and he's employed with the public defender's office of the
14 Thirteenth Judicial Circuit. And I would inquire at this
15 time, is there any member of this jury panel or any member
16 of the jury panel's immediate family who is related by
17 blood or connected by marriage or either now or in the
18 past has had a close personal relationship with Mr. DeJong
19 or any attorneys in the thirteenth circuit public
20 defender's office or either now or in the past has had a
21 business or employment relationship with Mr. DeJong or
22 with the public defender's office or either now or in the
23 past has been represented by Mr. DeJong? If so, please
24 stand.

25 (No response.)

1 THE COURT: All right. Thank you, sir.

2 Ladies and gentlemen, I'm now going to read to you
3 the names of some potential witnesses who may testify in
4 this trial. And if any of them are here, I would ask that
5 they please stand so that the jury can see them. Mr.
6 Robert Futrell, Ms. Georgia Houston, Minor ,
7 Sister 1 , Sister 2 , Betty Ipina, I-P-I-N-A,
8 Ms. Karen Milbrodt, M-I-L-B-R-O-D-T, who is with Verizon
9 Wireless, Shauna Galloway-Williams, who is with the Julie
10 Valentine Center, Travis Riggs, with the Pickens Police
11 Department, Matthew Brannen, with the Pickens Police
12 Department, Linda Garcia, Melissa Goss, G-O-S-S, and Mr.
13 Doug Goss.

14 I would inquire at this time, ladies and gentlemen,
15 is there any member of this jury panel or any member of
16 the jury panel's immediate family who is related by blood
17 or connected by marriage or either now or in the past has
18 had a close personal relationship with any of the
19 individuals whose names I just read to you or either now
20 or in the past has had an employment or a business
21 relationship with any of those potential witnesses? If
22 so, please stand.

23 (No response.)

24 THE COURT: Ladies and gentlemen, any member of
25 this jury panel or any member of the jury panel's

1 immediate family who is associated with, related by blood
2 or marriage to anyone employed with the Pickens City
3 Police Department or any other law enforcement agency? If
4 so, please stand.

5 (No response.)

6 THE COURT: Is there any member of this jury
7 panel who is a member or contributor to any group or
8 organization which promotes alleged victims' rights or law
9 enforcement such as MADD, SADD or any other advocacy group
10 which promotes the interests of law enforcement and/or
11 victims' rights? If so, please stand.

12 (No response.)

13 THE COURT: Has any member of this jury panel
14 read any newspaper articles, whether hard copy or on the
15 computer, in magazine articles, seen any news stories,
16 whether on television or via computer, or heard any radio
17 broadcasts, seen or read anything on any social media such
18 as FaceBook or Twitter or blogs on the computer concerning
19 this defendant or this case or have any information from
20 any source concerning the alleged facts in this case? If
21 so, please stand.

22 (No response.)

23 THE COURT: Any member of this jury panel or any
24 member of the jury panel's immediate family ever been a
25 member of any law enforcement agency or worked for a law

1 enforcement agency? If so, please stand.

2 Oh, I'm sorry. Yes, sir, your name.

3 THE JUROR: Jerry A. Riggins.

4 THE COURT: All right. Mr. Riggins, what is
5 your situation?

6 THE JUROR: Okay. I wasn't quite sure about
7 what you meant. I've got family in law enforcement and
8 retired law enforcement.

9 THE COURT: All right. You have some family
10 members who are in law enforcement?

11 THE JUROR: Yes, sir.

12 THE COURT: The fact that you have some family
13 members who are retired law enforcement, would that
14 prevent you from listening to the evidence in this case
15 and based upon such evidence rendering a fair and
16 impartial verdict?

17 THE JUROR: No, sir.

18 THE COURT: All right. Thank you, sir.
19 Yes, sir, your name.

20 THE JUROR: My name is Kevin Campbell. My
21 father was a law enforcement officer in Easley for
22 thirteen years.

23 THE COURT: All right. The fact that you have a
24 family member who at one time was employed in law
25 enforcement, would that prevent you from listening to the

1 evidence in this case, and based upon such evidence,
2 rendering a fair and impartial verdict?

3 THE JUROR: No, sir.

4 THE COURT: All right. Thank you, sir.

5 Does any member of this jury panel or any member of
6 the jury panel's immediate family now or in the past ever
7 worked for any organization, agency or business which
8 investigated and/or counseled victims of alleged sexual
9 assault? If so, please stand.

10 (No response.)

11 THE COURT: Any member of this jury panel or any
12 member of the jury panel's immediate family ever been
13 employed or is now employed by the South Carolina
14 Department of Social Services in Pickens County or any
15 other county of this state? If so, please stand.

16 (No response.)

17 THE COURT: Does any member of this jury panel
18 currently work for or volunteer or have worked for or
19 volunteered in the past with the South Carolina Lay
20 Guardian Ad Litem Program?

21 Yes, ma'am, your name.

22 THE JUROR: Misty Todd.

23 THE COURT: I'm sorry, your last name?

24 THE JUROR: Misty Todd.

25 THE COURT: Todd.. All right. Ms. Todd, you

1 were either now or in the past have been employed or
2 assisted with the South Carolina Guardian Ad Litem
3 Program?

4 THE JUROR: Yes, sir. I'm employed there now.

5 THE COURT: All right. You're employed there?

6 THE JUROR: And I'm a volunteer guardian as
7 well.

8 THE COURT: All right. The fact that you have
9 this employment, would that prevent you from listening to
10 the evidence in this case, and based upon such evidence,
11 render a fair and impartial verdict?

12 THE JUROR: No, sir, as long as it didn't come
13 through the office. I'm not familiar with the case.

14 THE COURT: All right. So you could be fair and
15 impartial?

16 THE JUROR: Yes.

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

18 All right. Ladies and gentlemen, if anybody has a
19 response to this question, I'm going to ask you to not
20 stand and tell me about it, but if you'll line up right by
21 the entrance into this area of the courtroom, I'm going to
22 get you to come talk to me about it in front of the --
23 over here by our court reporter.

24 Has any member of this jury panel or any member of
25 the jury panel's immediate family ever been the victim of

1 any type of sexual assault or sexual assault and battery
2 or any other crime against a person? If so, if you will
3 come down here and see me. I'm going to take you one at a
4 time. Let me get situated with the court reporter. When
5 you come up here, I want you to whisper. That's why we're
6 doing this.

7 Yes, sir, come on. Tell me your name again.

8 THE JUROR: My name is Jerry Riggins.

9 THE COURT: All right. Mr. Riggins.

10 THE JUROR: My wife passed away in 2010 and she
11 was -- I was her care-giver for ten years. But she was
12 raped at six and ten and had a lot of problems from sexual
13 abuse. I do have a problem with that.

14 THE COURT: All right. The fact that you have
15 that history, would that prevent you from listening to the
16 evidence in this case, and based upon such evidence,
17 rendering a fair and impartial verdict?

18 THE JUROR: I hope that I could. I have a real
19 bad light about this.

20 THE COURT: I'm going to excuse you from this
21 service on this jury. If you'll just have a seat back out
22 there.

23 Tell me your name, please, ma'am.

24 THE JUROR: My name is John Fonseca.

25 THE COURT: Yes, sir, Mr. Fonseca.

1 THE JUROR: My cousin was sexual assaulted about
2 1997 and my other cousin did seven years for that.

3 THE COURT: The fact that you have that history,
4 would that prevent you from listening to the evidence in
5 this case and rendering a verdict ---

6 THE JUROR: In a sense.

7 THE COURT: Pardon me?

8 THE JUROR: In a sense, yes.

9 THE COURT: You could not be fair and impartial?

10 THE JUROR: In a sense, yeah.

11 THE COURT: I'm not sure -- in a sense, that
12 means yes?

13 THE JUROR: Yes.

14 THE COURT: All right. I'm going to excuse you
15 from this jury. Have a seat back out there.

16 Hey there. Tell me your name.

17 THE JUROR: Daniel Hurley.

18 THE COURT: All right. Mr. Hurley.

19 THE JUROR: My wife was molested throughout her
20 younger years by her stepfather for several years.

21 THE COURT: The fact that you have that
22 experience in your family, would that prevent you from
23 listening to the evidence in this case and based upon such
24 evidence rendering a fair and impartial verdict?

25 THE JUROR: Yeah.

1 THE COURT: If you'll have a seat back there,
2 I'm going to excuse you.

3 Hey there. Tell me your name.

4 THE JUROR: Jani Ridley.

5 THE COURT: All right. Ms. Ridley, what's your

6 ---

7 THE JUROR: I have three stepsons. One of them
8 went through a divorce and I don't think she wanted him to
9 see the kids and kind of accused him -- my stepson of
10 doing something and it went to court. Nothing ever
11 happened.

12 THE COURT: The fact that you had that
13 experience, would that prevent you from listening to the
14 evidence in this case and based upon such evidence, render
15 a fair and impartial verdict?

16 THE JUROR: I would be fair.

17 THE COURT: All right. Thank you, ma'am, if
18 you'll have a seat.

19 All right, sir. Tell me your name.

20 THE JUROR: Earl McElrath.

21 THE COURT: McElrath. All right, sir.

22 THE JUROR: I'm not sure I understood the
23 question.

24 THE COURT: Have you or any members of your
25 family ever been a victim of any kind of sexual assault or

1 sexual crime of any sort?

2 THE JUROR: No. My nephew by marriage was
3 convicted as an adult of having sex with an eight year old
4 girl.

5 THE COURT: Would that fact that you have that
6 history, would that prevent you ---

7 THE JUROR: It's affected my ---

8 THE COURT: Would it ---

9 THE JUROR: No, it wouldn't.

10 THE COURT: The fact that you had that history,
11 would that prevent you from listening to evidence in this
12 case and based upon such evidence rendering a fair and
13 impartial verdict?

14 THE JUROR: No, it would not.

15 THE COURT: You could fair and impartial?

16 THE JUROR: I would be fair.

17 THE COURT: All right. Thank you, sir.

18 All right. Ladies and gentlemen, at the end of this
19 trial, after all the evidence is in and the lawyers have
20 had an opportunity to speak with you in closing
21 statements, I'm going to charge you or instruct you as to
22 the law as it applies to this type of case. It is your
23 obligation to accept the law as I give it to you and apply
24 it to the facts of this case. Is there any member of this
25 jury panel who believes that you will not be able to

1 comply with my instructions? And by that I mean, take the
2 law as I give it to you and then apply it to the facts of
3 this case? If you think you cannot comply with my
4 instructions, please stand at this time.

5 (No response.)

6 THE COURT: Does any member of this jury panel
7 know of any bias or prejudice that you may have, either
8 for or against the state, or for or against the defendant?
9 If so, please stand.

10 (No response.)

11 THE COURT: Can each member of this jury panel
12 be fair and impartial to both the state and to the
13 defendant? If you believe that you cannot be fair and
14 impartial, please stand at this time.

15 (No response.)

16 THE COURT: All right. Any further inquiry from
17 the state?

18 MR. TOOKER: Nothing from the state, sir.

19 THE COURT: Anything from the defendant?

20 MR. DEJONG: Nothing from the defense, Your
21 Honor.

22 THE COURT: All right. Mr. Clerk, are we ready
23 to go? I'm thinking we'll have one alternate. This case
24 won't go probably more than one night?

25 MR. TOOKER: Correct, sir.

1 trial of this case.

2 THE CLERK: Return to your seat, please, ma'am.

3 Juror number 138, Mark A. Smallwood. What says the
4 state?

5 MR. TOOKER: Please present Mr. Smallwood.

6 THE CLERK: And the defense?

7 MR. DEJONG: Please swear the juror.

8 THE CLERK: If you would, come forward, please,
9 sir, and have a seat in the jury box.

10 Juror number 102, Earl R. McElrath. What says the
11 state?

12 MR. TOOKER: Please excuse Mr. McElrath from the
13 trial of this case.

14 THE CLERK: Okay. If you would, have a seat,
15 please, sir.

16 Juror number 136, Iqbal Sharif. What says the state?

17 MR. TOOKER: Please present Mr. Sharif.

18 THE CLERK: And the defense?

19 MR. DEJONG: Please swear the juror.

20 THE CLERK: If you would, come forward, please,
21 sir, and have a seat in the jury box.

22 Juror number 30, Cassondra N. Chappell. What says
23 the state?

24 MR. TOOKER: Please present Ms. Chappell.

25 THE CLERK: And the defense?

1 MR. DEJONG: Please excuse this juror from the
2 trial of this case.

3 THE CLERK: Okay. Thank you.

4 Juror number 66, Douglas J. Hardy. What says the
5 state?

6 MR. TOOKER: Please present Mr. Hardy.

7 THE CLERK: And the defense?

8 MR. DEJONG: Please swear the juror.

9 THE COURT: Let me get you to move these jurors
10 down here so people don't have to walk all over them. You
11 can stay there, ma'am, because I think they can get in
12 that door there.

13 THE CLERK: Juror number 120, Jani L. Ridley.
14 What says the state?

15 MR. TOOKER: Please excuse Ms. Ridley.

16 THE CLERK: If you would, have a seat, please,
17 ma'am.

18 Juror 107, Marshall G. Padgett, Jr. What says the
19 state?

20 MR. TOOKER: Please excuse Mr. Padgett.

21 THE CLERK: If you would have a seat, please,
22 sir.

23 Juror number 74, Candice J. Hohlweg. What says the
24 state?

25 MR. TOOKER: Please present Ms. Hohlweg.

1 witnesses. Those witnesses will be put under oath and
2 they'll get in this witness box right here and they'll
3 tell you what information they have about this case.
4 They've seen something, heard something, smelled
5 something, tasted something, felt something. They have
6 some information from one of their senses and they will
7 tell you what that information is. They're fact
8 witnesses.

9 Conceivably we can have what is called an expert
10 witness and that is somebody who has special knowledge,
11 skill, experience, training in some specialized field. If
12 we have an expert, the expert can offer an opinion in his
13 or her areas of expertise. Fact witnesses can only tell
14 you what facts they are -- they have.

15 Other types of evidence that could be introduced are
16 things like photographs or documents. If that type of
17 evidence comes in, it is actually introduced into
18 evidence. It's given an exhibit number and it will go
19 with you to the jury room during your deliberations so
20 that you can review that photograph or review that
21 document.

22 The testimony, ladies and gentlemen, will go with you
23 in your memory. So it is important that you pay close
24 attention to what's being said here in this courtroom.
25 I'm going to ask that you not take notes in this case.

1 by you as evidence.

2 Now, I think what we're going to do, we're going to
3 make some opening statements here, ladies and gentlemen,
4 and then after we do that we will break for lunch and
5 allow you to go to lunch and come back and we'll start the
6 presentation of the evidence later on this afternoon.

7 So with that said, I'll ask, Mr. Solicitor, you ready
8 to proceed?

9 MR. TOOKER: Yes, sir, Your Honor.

10 THE COURT: All right. If you would, please,
11 sir.

12 MR. TOOKER: Thank you, Your Honor. May it
13 please the court.

14 THE COURT: Yes, sir.

15 **OPENING STATEMENT**

16 **BY MR. TOOKER:**

17 Mr. DeJong, ladies and gentlemen of the jury. I was
18 introduced briefly earlier today, but I'll introduce
19 myself again. My name is Sam Tooker. I'm an assistant
20 solicitor here in Pickens County. I've been here for
21 about four years now. And I'll be the one prosecuting the
22 case that you're going to hear over the course of the next
23 day or so.

24 I want to go ahead and echo something that the judge
25 said. He thanked you for your service. And I'd like to

1 thank you, as well. And I'm sure I speak for Mr. DeJong
2 and his client when I say, your role is the most important
3 role in this entire process. In this entire proceeding --
4 I mean, we can have all the prosecutors, police officers,
5 defense attorneys, judges, court reporters, in the world,
6 but without a jury, we can't do anything. So y'all are
7 vital. Y'all are the one cog without which this entire
8 judicial clockwork breaks down. So thank you for your
9 service.

10 The charges pending against the defendant in this
11 case are of criminal sexual conduct in the second degree.
12 Now, that means something very specific. Criminal sexual
13 conduct in the second degree with a minor means that the
14 defendant is alleged to have had sexual intercourse,
15 committed what we call a sexual battery, which is
16 penetration of any kind with someone under the age of
17 fourteen but over the age of eleven.

18 In this case, the allegations are that the defendant
19 had sex with the victim when she was thirteen years of
20 age. So that's the statute. The statute is you cannot
21 have sex with someone between eleven and fourteen years of
22 age. If you do, you've committed criminal sexual conduct
23 in the second degree.

24 And there are specific facts that are alleged and
25 those facts have to meet those elements for us to prove

1 our case. And the judge said this, and I'll echo it, the
2 burden of this case lies on us, lies on the state, rests
3 on this table. We have to prove to you beyond a
4 reasonable doubt that the defendant is guilty. That's our
5 burden. We accept it. But I want to make clear
6 something, too. Beyond a reasonable doubt is not beyond
7 any doubt. It is not beyond all possible doubt. It's the
8 type of thing that's going to make you firmly convinced of
9 the defendant's guilt. We've had trials in this country
10 going back to 1789 and our Constitutional Convention. And
11 the burden has been the same. It has been the same since
12 that point in time. It has not changed. And so every
13 time somebody has been convicted in this country; be it in
14 magistrate's court, circuit court, federal court, they've
15 been found guilty beyond a reasonable doubt. And I say
16 that just so you don't believe that that is something that
17 is insurmountable.

18 Now, the facts specific to this case are that the
19 defendant was dating the victim's mom. They were in a
20 romantic relationship together. The victim and her two
21 sisters lived with their mother. And the defendant and
22 the victim began a sexual relationship. Now, this is not
23 a case where we're alleging the defendant, you know, held
24 the victim down and forced himself upon her. This is not
25 an allegation of any kind of coercion or threats being

1 made. It's not an allegation of the victim being, you
2 know, given drugs or alcohol. This is a case where the
3 victim will tell you, she consented. The problem with
4 that is, under the law, and y'all have all taken your oath
5 to hold the law as the judge gives it to you, it is
6 impossible for a child to consent to have sex with an
7 adult. It is absolutely impossible. So that's the
8 foundation. That is the cornerstone of this case, and
9 that's something you need to wrap your minds around early.
10 And the judge will instruct you on the law at the end of
11 the case. And if anything I say differs from that, take
12 the judge's word, of course, because he's the expert on
13 the law. But you cannot consent as a child to have a
14 sexual relationship with a grown man.

15 Now, to prove this case, like the judge said, we're
16 relying on testimony. These are crimes that don't happen
17 in the open. It's not like an armed robbery where
18 somebody goes into a store with a gun, points it at the
19 clerk, take the money and runs out and we've got video
20 footage. It's not like a burglary where somebody breaks
21 into a house, puts their fingerprints all over a safe and
22 then they can come in and dust, find fingerprints, and
23 we've got them. This is the kind of case where after
24 these events transpire, someone comes forward and says,
25 these things happened to me. I did these things. This

1 person did these things to me. And as a result, you know,
2 we proceed to investigate the case.

3 But the case itself is based on the victim's
4 testimony. The victim is the one that you have to
5 evaluate her credibility. And we're going to have other
6 witnesses, family members, law enforcement officers, but
7 ultimately this is a case that comes down to credibility.
8 And credibility is what you have to evaluate. That's why
9 we rely on this jury system. I mean, the importance of
10 the jury system is y'all are reasonable people. You're
11 reasonable people from this community who we vest with
12 responsibility. And that responsibility is looking at
13 people, is looking at somebody on the stand and saying, do
14 I believe what they're saying? And you have to do that
15 with your common sense. You have to think about why
16 somebody would lie. You've got to think about whether or
17 not aspects of what they're saying are corroborated.
18 You've got to think about their potential motives. So
19 those are the things that you evaluate when you look at
20 the people on the stand that are going to testify.

21 But ultimately, and I just want to emphasize this
22 again, this is a case of credibility. And that's what
23 you're going to have to evaluate. So think about that
24 early on.

25 We're going to ask you for a verdict at the end of

1 the case. We're going to come back before you after
2 you've seen all the evidence, you've heard our witnesses
3 and you've seen whatever evidence has been presented, and
4 I'll stand up again, and Mr. DeJong will stand up again,
5 and we'll make arguments to you as to why we think what we
6 think about this case.

7 Now, what I'm going to ask for, and I'm not going to
8 ask for it right now, but I'm going to ask for it after
9 you've seen all our witnesses, you've heard the testimony
10 in this case, I'm going to ask for a verdict of guilty.
11 Now verdict has a specific meaning in our system. It
12 comes from a Latin phrase, and if y'all speak Latin, don't
13 hold me to this, but veritas dicere, which means to say
14 the truth, to speak the truth. And so what we're going to
15 ask is that you speak the truth. And that's what you have
16 to do in your jury room. When you go back to deliberate
17 after you've heard all the evidence and you've seen these
18 people testify, you've got figure out, are they telling
19 the truth? And then y'all have to truthfully express your
20 opinions to one another, to come to a verdict, and that's
21 what we're going to request of you.

22 And when you do that, and over the course of this
23 trial, I really just want to ask you for a few things. I
24 want to ask you to be attentive. I want you to really pay
25 attention to what's said on this stand. Listen to these

1 people. Listen to their tone of voice, how they carry
2 themselves. Look at their faces, their emotional state.
3 Look at those things and be attentive to what they say and
4 be open, be open to what they said. Don't immediately
5 discount anything anyone says. Listen to it, take it at
6 face value, and then evaluate its credibility based on
7 what you saw, based on whether or not those things they
8 said are corroborated. Based on whether or not those
9 things they said seem to you to be truthful. And finally,
10 we'd like you to be fair. And when I say be fair, you
11 know, be fair to these people. Be fair to them as they
12 take the stand. To fair to the defense. And be fair on
13 this case, because that's what you have to do.

14 And I know that I speak for everybody in this
15 courtroom, again, when I say we thank you for your service
16 and we appreciate you hearing this case. And I'll look
17 forward to talking to you again at the end of the trial.
18 Thank you.

19 THE COURT: All right. Mr. DeJong.

20 MR. DEJONG: Thank you, Your Honor. May it
21 please the court. Mr. Tooker.

22 **OPENING STATEMENT**

23 **BY MR. DEJONG:**

24 I don't know if veritas is Latin or Greek or what it
25 is. But I'll tell you one thing, it is not your job to

1 speak the truth. Your job in this case is to determine
2 whether or not the state meets its burden of proof beyond
3 a reasonable doubt. It's not to speak the truth. I don't
4 dispute that's what burden means, but that is not your job
5 today.

6 Now, Mr. Tooker talks about the facts. At this
7 moment in time, ladies and gentlemen of the jury, there
8 are zero facts in this case. Why? Because you are the
9 fact finders. Until or unless you determine something to
10 be a fact, it is not a fact.

11 Now, His Honor, during the course of you being the
12 lucky thirteen to sit in this jury box introduced us. Who
13 I am is not particularly important. Not important at all,
14 actually. My client, Mr. Meadows, was introduced to you.
15 I would like to introduce him again. My client is the
16 innocent Christopher Lee Meadows. And I suspect the
17 thought could very easily cross your mind, white-haired
18 man, have you lost your mind? He was arrested for this
19 charge. Yep, he sure was. But we can take that arrest
20 warrant and rip it up and tear it up, because that is not
21 evidence in this case, anymore than His Honor has already
22 instructed you that that indictment is not evidence in
23 this case. Indeed and in fact, but for the fact that we
24 need to still keep a paper trail, I imagine one of these
25 days we'll go digital, but right now we need to keep a

1 paper trail in this case; but for the fact of that paper
2 trail, we wouldn't even need the indictment. Because it
3 is meaningless in this trial. And that, ladies and
4 gentlemen, I say that we tear up the warrant, we tear up
5 the indictment, we talked about what the facts are; that
6 is nothing is a fact in this case until and unless you
7 find it to be a fact. And that again goes with one of the
8 elements His Honor was speaking of, this all-important
9 right in our society of presumption of innocence.
10 Presumption of innocence, ladies and gentlemen, and His
11 Honor can say it much more eloquently than I can, but it
12 is not legal theory. It is not legal mumbo-jumbo. It is
13 not words that glibly come over the lips of warriors. It
14 is a very substantial fundamental right afforded every
15 citizen of this country who comes into a courtroom charged
16 with a crime.

17 And that presumption of innocence, ladies and
18 gentlemen, does not leave when I sit down momentarily,
19 does not leave after the first, second, third or fourth
20 witness has testified. Indeed, that presumption of
21 innocence follows Mr. Meadows all the way back into the
22 jury room with you. And sometimes that presumption of
23 innocence is likened to a cloak of righteousness draped
24 about the defendant's shoulders. I prefer to call it
25 Cling Wrap. I've often said, look at Mr. Meadows closely.

1 He's dressed in pants. He's dressed in a shirt. But he's
2 dressed in something much more important than that. From
3 the very top of his head to the very soles of his feet, he
4 is covered in Cling Wrap, known as presumption of
5 innocence. It is that important.

6 Now, the other thing that I think I'll share with
7 you, the charge of criminal sexual conduct second degree
8 with a minor immediately conjures up, I suspect, all sorts
9 of images in your mind. Whatever those images are, I ask
10 you to put them aside under your oath. In other words,
11 don't let your mind slam shut simply because you have
12 heard what my client is charged with. To do that would
13 simply, at the very outset, be a violation of your oath,
14 because you have agreed not because of or in spite of or
15 whatever -- I don't know if you've agreed. You were kind
16 of involuntarily selected, I guess. But having been
17 involuntarily selected, if you will, you have agreed and
18 taken an oath to try this case on what you hear in this
19 courtroom and not because of a preconceived notion of
20 whatever thoughts have gone through your mind when you
21 heard what Mr. Meadows has been charged with. Not a
22 pretty charge. But remember, it is only a charge.
23 Remember that presumption of innocence.

24 On behalf of Mr. Meadows, I thank you for being here.
25 I'm not going to go through everything the solicitor --

1 one of the few things the solicitor and I will agree on as
2 we go through this trial, you are the very cornerstone of
3 our whole judicial system and certainly what we call our
4 criminal justice system. Without you, it would be
5 impossible. I attribute it to the late, great Winston
6 Churchill. I've had people take issue with me. But I'm
7 still going to attribute it to the late, great Winston
8 Churchill, who one time said, jury service is the greatest
9 service you can provide for your country in peace time.
10 Granted, we're not particularly in peace time, so perhaps
11 we can rephrase that and say it a little differently; jury
12 service is the greatest service you can provide for your
13 country or community. It is that important.

14 I am not going to discuss the allegations with you
15 because I'm going to be like you, we're going to see what
16 comes out during the course of this trial. I do ask you
17 to keep an open mind. Don't let your mind shut at any
18 point. Don't make up your mind until His Honor gives you
19 the green light after the charge to go back there and
20 deliberate.

21 Fortunately or unfortunately -- fortunately for me,
22 perhaps unfortunately for you, we will have a time to get
23 back together again at the end of this trial. I will
24 discuss other things with you. I'm not going to get into
25 reasonable doubt or credibility at this point in time.

1 Keep an open mind is the main thing I ask, be attentive,
2 which you have been graciously attentive up to this point
3 in time. When you finally bring that verdict back, I'd
4 ask for a verdict of not guilty.

5 THE COURT: All right. Ladies and gentlemen,
6 we're going to go ahead and break for lunch before we
7 begin the presentation of the evidence. It's twelve
8 thirty. I'm going to ask y'all to be back here so that we
9 can start up at a quarter till two. So that will give you
10 an hour and fifteen minutes to have lunch. And I'm going
11 to ask you to not discuss this case with anyone while
12 you're at lunch. And one of the things I failed to tell
13 you is, I don't want you doing your own investigation or
14 making your own inquiries in this case, as well. So don't
15 get on the internet, don't google, don't do anything like
16 that, to see what you can find out about the case or
17 anybody involved in the case. Don't -- anything we talk
18 about in the case, in the trial of the case, don't go by
19 any locations or do anything like that. As I told you,
20 this case has to be decided based on the evidence that's
21 presented here in the courtroom.

22 So y'all have a nice lunch. The bailiffs will show
23 you where the jury room is and help you get out of the
24 courtroom and how to get back. We'll see you back here at
25 a quarter till two. Thank you.

1 (WHEREUPON, the jury exited the open court at
2 approximately 12:28 p.m.)

3 THE COURT: All right. Anything we need to take
4 up before we come back to ---

5 MR. TOOKER: Nothing from the state, sir.

6 THE COURT: All right. Y'all have a good lunch
7 and we'll see you back here.

8 MR. DEJONG: Thank you, Your Honor.

9 (WHEREUPON, the court stood at recess for a lunch
10 break.)

11 THE COURT: All right. Y'all ready to go?

12 MR. TOOKER: Yes, sir.

13 MR. DEJONG: Ready for the defense, Your Honor.

14 THE COURT: All right. Let's bring the jury in,
15 if we could.

16 (WHEREUPON, the jury entered the open court at
17 approximately 1:45 p.m.)

18 THE COURT: All right. Ladies and gentlemen, as
19 I told you when we came back, we'll turn this matter over
20 to the attorneys and let them begin presentation of their
21 cases. So Mr. Solicitor, you ready to proceed?

22 MR. TOOKER: Yes, sir, Your Honor.

23 THE COURT: If you would, please, sir.

24 MR. TOOKER: State calls Office Matthew Brannen
25 to the stand.

1 THE CLERK: Do you solemnly swear or affirm that
2 the testimony you're about to give in this case to be the
3 truth, the whole truth and nothing but the truth, so help
4 you God?

5 THE WITNESS: I do.

6 THE CLERK: Thank you, sir. If you would have a
7 seat and state your full name for the record, please.

8 THE WITNESS: Matthew Brannen.

9 **MATTHEW BRANNEN,**

10 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

11 **DIRECT EXAMINATION**

12 **BY MR. TOOKER:**

13 Q. All right. Officer Brannen, why don't you say your
14 name one more time so we can hear you read loud and clear
15 back here?

16 A. Matthew Paul Brannen.

17 Q. Have you got a microphone in front of you there?
18 Why don't we just scoot that on up to you so you can talk
19 real nice and clear into it. All right. So where do you
20 work, sir?

21 A. The Pickens City Police Department.

22 Q. And how long have you worked there?

23 A. Five years.

24 Q. Five years. And what do you do?

25 A. I'm sergeant over road patrol. Work wrecks,

1 traffic, calls of service and supervisor over B team
2 rotation.

3 Q. Your day to day, what does it consist of?

4 A. Validating reports, making sure that they're correct
5 before the investigators take the reports, answering calls
6 and just working traffic.

7 Q. Okay. Were you working for the Pickens Police
8 Department back in April 2011?

9 A. I was.

10 Q. And do you know why you've been called to testify
11 here today?

12 A. I do.

13 Q. Okay. What did you respond to or what got the ball
14 rolling, so to speak, in this case?

15 A. Dispatch advised me of a possible sex crime with a
16 minor that had already occurred. That's the call that I
17 initially received.

18 Q. Okay. Where did you go?

19 A. The law enforcement center, Pickens County Law
20 Enforcement Center.

21 Q. Okay. Who was there when you got there?

22 A. Ms. Zuniga and her daughter, Minor , and a friend
23 of the family had given them a ride there, Robert Fuller.

24 Q. Robert Futrell maybe?

25 A. Futrell, yeah. Robert Futrell.

- 1 Q. Okay. Now you said Ms. Zuniga, is that Minor 's
2 mother?
- 3 A. It is.
- 4 Q. And what's her first name; do you know?
- 5 A. It is ---
- 6 Q. Could it start with a G? Georgia?
- 7 A. Yeah, Georgia. Georgia Houston Zuniga.
- 8 Q. Okay. And when you got there and you encountered
9 those parties at the LEC, in what kind of state was
10 everybody in?
- 11 A. I'd say a saddened state.
- 12 Q. And did you talk to the victim?
- 13 A. I did.
- 14 Q. You did? And the victim, again, what is her name?
- 15 A. Minor .
- 16 Q. Minor . And you talked to Minor , and what
17 kind of emotional state did you observe her to be in?
- 18 A. I'd say a state of disappointment. She seemed very
19 sad. Suppressed emotions. Just not a happy state.
- 20 Q. And what is it exactly that you're supposed to do as
21 the responding officer when allegations like these are
22 brought forth?
- 23 A. As a road patrol officer, at the time I was a
24 patrolman, my responsibility was to respond to a call,
25 document what the victims gave to me as to what happened,

1 their accounts of the events of the alleged crimes that
2 happened, take that down for a report, issue any
3 documentation as far as victims' assistance forms to our
4 victims' advocate so they can get in touch with the victim
5 on the case. In this certain case, something this -- an
6 allegation of this stature, something this serious, we
7 won't try to go for an arrest warrant or anything at that
8 time. We would hand it up to investigations so that they
9 can further investigate the alleged crime and see if
10 there's going to be probable cause for an arrest warrant
11 to be issued.

12 Q. Okay. So who investigated this case?

13 A. Assistant Chief Riggs.

14 Q. Okay. Is that the man seated at the counsel table
15 here?

16 A. It is.

17 Q. You had talked to Minor about the allegations?

18 A. I did.

19 Q. Okay. And without going into any specifics, did she
20 tell you when they were to have occurred?

21 A. She stated that the first time that the alleged
22 crime occurred was a couple of days after Thanksgiving of
23 the year 2010.

24 Q. Okay. Did she say in terms of when -- was it a
25 recurring thing?

1 A. She said it happened seven to eight times.

2 Q. Okay. And did she say where these events occurred?

3 A. One, the main place or the majority of the events
4 took place was in our jurisdiction, the city of Pickens
5 jurisdiction at Street. And she did recall one
6 event that had taken place outside of our jurisdiction in
7 Easley, South Carolina.

8 Q. Okay. And are all these events in Pickens County,
9 South Carolina?

10 A. They are.

11 Q. Okay. So after you encountered her and talked to
12 her and Mr. Futrell and Georgia, what was your next step?

13 A. At that point in time, and when I did initially take
14 the report, at that point in time I hadn't had much
15 experience in law enforcement and I didn't feel
16 comfortable going forth with any further investigation.
17 After I got the initial information, at that point in
18 time, I did cease to ask any questions in relation to the
19 alleged crimes, and I turned it over to the proper chain
20 of command, which was to Assistant Chief Riggs, at that
21 point in time for him to do the follow-up investigation.

22 Q. Okay. And who is it that sought arrest warrants in
23 this case?

24 A. It would be Assistant Chief Riggs.

25 Q. Okay. All right. No further questions.

1 THE COURT: Anything?

2 MR. DEJONG: Just a couple, please. Please the
3 court.

4 CROSS EXAMINATION

5 BY MR. DEJONG:

6 Q. Other than taking the initial report, you had no
7 further investigation in this case?

8 A. There was -- after the initial report, the only, the
9 only other dealings I had in this case was a report that I
10 received from DSS. When that report came in, there's
11 allegations that ---

12 Q. I'm not asking you what the allegations were.

13 A. Okay. Well, then, yes, I have had involvements
14 after that one initial report.

15 Q. All right. Now, when you got to the law enforcement
16 center, there were three people there?

17 A. There were more than three, but those were the three
18 individuals that I spoke with.

19 Q. Okay. So there were no tears?

20 A. There were.

21 Q. Well, maybe I'm misunderstanding you. You said they
22 had a sad demeanor, is what I heard you say; right?

23 A. Yes, sir.

24 Q. And basically disappointment? Correct?

25 A. From the daughter, Minor , yes, sir.

1 Q. Okay. Well, that's what you said; right?

2 A. It is.

3 Q. Okay. So nobody was hysterical; right?

4 A. I wouldn't say -- I didn't use the word hysterical,
5 but my definition of hysterical and somebody else's may be
6 completely different.

7 Q. All right. So you're going to stick with your
8 original, they were sad and disappointed; right?

9 A. Yes.

10 Q. Okay. All right.

11 MR. DEJONG: No further questions, Your Honor.

12 THE COURT: Anything further?

13 MR. TOOKER: Just briefly.

14 **REDIRECT EXAMINATION**

15 **BY MR. TOOKER:**

16 Q. You said tears. Was M^{Minor} crying?

17 A. She did. She had tears that day. She was very
18 upset. Sad. I don't really know any other way to put it.
19 She was not happy, sad, disgruntled.

20 Q. So she was crying?

21 A. Yes.

22 Q. Okay. No further questions.

23 THE COURT: Anything?

24 MR. DEJONG: One follow-up.

25 **RECROSS EXAMINATION**

1 BY MR. DEJONG:

2 Q. Was she unhappy to be there?

3 A. When you ask if she was unhappy to be there, nobody
4 forced her to come there. But she -- I think she was
5 very, very disappointed in the actions that she had been a
6 part of.

7 THE COURT: All right. Thank you. You may step
8 down.

9 MR. TOOKER: Your Honor, may this witness be
10 excused?

11 MR. DEJONG: No objection, Your Honor.

12 MR. TOOKER: The state next calls Robert
13 Futrell.

14 THE CLERK: Do you solemnly swear or affirm that
15 the testimony you're about to give in this case to be the
16 truth, the whole truth and nothing but the truth, so help
17 you God?

18 THE WITNESS: I do.

19 THE CLERK: Thank you, sir. If you would have a
20 seat and state your full name for the record, please.

21 THE WITNESS: Robert William Futrell.

22 ROBERT WILLIAM FUTRELL,

23 HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

24 DIRECT EXAMINATION

25 BY MR. TOOKER:

- 1 Q. Futrell? Is that how you ---
- 2 A. Futrell.
- 3 Q. I've been saying that wrong. Will you make sure you
- 4 speak real loud and clear into that microphone so we can
- 5 hear you all the way to the back. All right. So what's
- 6 your name again?
- 7 A. Robert William Futrell.
- 8 Q. Okay. Now, Mr. Futrell, where are you from?
- 9 A. Easley, South Carolina.
- 10 Q. Okay. And do you know the parties involved in this
- 11 case?
- 12 A. Yes, I do.
- 13 Q. Okay. How do you know MMinor ?
- 14 A. MMinor , I've knowed her ever since she was born.
- 15 Me and her mother have always been real close friends.
- 16 Q. Okay. And that's Georgia?
- 17 A. That's Georgia, yes..
- 18 Q. So you know Georgia very well?
- 19 A. Yes.
- 20 Q. Okay. What about the other daughters?
- 21 A. I've known them ever since they were kids also?
- 22 Q. Sister 2 and Sister 1 ?
- 23 A. Sister 2 and -- yes.
- 24 Q. So who's the youngest?
- 25 A. I believe it's Sister 2 .

- 1 Q. Okay. And the middle is Sister 1 ?
- 2 A. Yes.
- 3 Q. And then the oldest is Minor ?
- 4 A. Minor , yes.
- 5 Q. Does Minor have any nicknames?
- 6 A. Minor. That's about it.
- 7 Q. And do you know the defendant, Chris Meadows?
- 8 A. Yes, I do.
- 9 Q. How do you know him?
- 10 A. That's my best friend. Been my best friend for
- 11 years.
- 12 Q. You've known him your whole life or ---
- 13 A. I guess about half of my life. Yes.
- 14 Q. And what is your involvement in this case?
- 15 A. Okay. My involvement is, I guess it was about three
- 16 years ago, I had picked up Minor. She was going to go to
- 17 my sister's birthday party with me.
- 18 Q. Is that something that happened often, would you ---
- 19 A. No.
- 20 Q. --- take care of Minor often?
- 21 A. I mean when she was younger. But there was a part
- 22 of my life that I hadn't seen them in a while and all
- 23 that, you know. But I was starting to come around more
- 24 and, you know, be back around her. And she wanted to go
- 25 to my sister's birthday party with me.

- 1 Q. Okay. So you went to pick her up?
- 2 A. Yes.
- 3 Q. And once you picked her up what happened?
- 4 A. We went to my sister's birthday party, then we went
5 back to my house. We hadn't been there very long when
6 Georgia started texting me.
- 7 Q. Okay. And without saying what Georgia said via text
8 message, what did you do as a result of those text
9 messages that you received?
- 10 A. I asked Minor if there was anything going on between
11 her and Chris.
- 12 Q. And without saying what Minor said, what was the next
13 step that you took?
- 14 A. I called Georgia and told her I needed to bring Minor
15 to her, that there was something that she had to deal
16 with.
- 17 Q. Okay. And where did you and Georgia go after you
18 met with her?
- 19 A. First I met Georgia in Anderson; that's where she
20 was at. And then she asked me to take her to the police
21 department.
- 22 Q. Okay. Now, we're dealing with some specific sexual
23 allegations ---
- 24 A. Yes.
- 25 Q. --- in this case. Do you know anything about the

1 details of that?

2 A. No, I do not.

3 Q. Okay. After you met with Georgia you went to the
4 police department?

5 A. Yes.

6 Q. Did you have any conversation with the defendant?

7 A. That night?

8 Q. That night?

9 A. Yes, I did.

10 Q. Okay. Did he threaten you in any way?

11 A. I plead the fifth.

12 Q. Sir, you cannot plead the fifth?

13 A. I cannot plead the fifth?

14 Q. No.

15 MR. TOOKER: Your Honor?

16 THE COURT: You've got to answer the question.

17 A. Yes.

18 THE COURT: Well, I mean unless you're going to
19 be incriminating yourself in some manner with the answer.

20 MR. TOOKER: None of this could incriminate the
21 witness, Your Honor.

22 A. Yes.

23 Q. He did threaten you?

24 A. Yes, he did.

25 Q. How did he threaten you?

- 1 A. Told me that he was going to kill me.
- 2 Q. Why did he want to kill you?
- 3 A. Because he thought I had came up and came up with
- 4 the story myself. And it took me forever to explain to
- 5 him that Georgia had asked me to ask Minor.
- 6 Q. You can't go into what other people said.
- 7 A. Okay.
- 8 Q. That's hearsay. You can talk about what the
- 9 defendant said.
- 10 A. Okay.
- 11 Q. You can't talk about what other people said.
- 12 A. All right.
- 13 Q. So the defendant threatened you?
- 14 A. Yes, he did.
- 15 Q. What did you do as a result of those threats?
- 16 A. I told him he knows where I lived.
- 17 Q. Okay.
- 18 A. I'm talking about, I mean, you want the truth?
- 19 Q. Did you take this threat seriously?
- 20 A. I did at the moment. But then I also knowed he was
- 21 upset, so I mean, I knew he wasn't going to show up. He
- 22 was, you know -- like I said, I've known him for half of
- 23 my life. I knowed, you know, he was upset.
- 24 Q. Did you obtain a weapon?
- 25 A. Did I contain a weapon?

- 1 Q. Did you obtain a weapon?
- 2 A. No, I did not have a weapon.
- 3 Q. You did not?
- 4 A. I did not have a weapon.
- 5 Q. Okay.
- 6 A. You talking about that night?
- 7 Q. After you got the threats from the defendant ---
- 8 A. Uh-huh (affirmative).
- 9 Q. --- did you go get a weapon because you thought it
- 10 might be serious?
- 11 A. Yes, I did.
- 12 Q. Okay.
- 13 A. Yes, I did.
- 14 Q. And those threats, they came in before you actually
- 15 got to the police department; is that right?
- 16 A. I cannot remember. I don't remember exactly when
- 17 they came in.
- 18 Q. You don't remember exactly when they came in?
- 19 A. I don't know if it was before or after I went to the
- 20 police department. Actually I believe it was before the
- 21 police department.
- 22 Q. Before?
- 23 A. Yes.
- 24 Q. Okay. And the threats, were they directed only at
- 25 you?

1 A. Like I said, this has been three years. I don't
2 remember exactly. I know what he said to me.

3 Q. Okay. The threats, were they directed at other
4 members of the family?

5 A. I can't -- I do not recall.

6 Q. Okay. Were the threats at all related to you guys
7 going and telling law enforcement what was going on?

8 A. Yes. Yes.

9 Q. Okay. So the threats were, if you go tell, I'm
10 going to kill y'all?

11 A. I don't know if he said y'all. I know he said me.

12 Q. He said he would kill you?

13 A. He said he was going to kill me, yes.

14 Q. If you went and told?

15 A. Yes.

16 Q. Okay.

17 MR. TOOKER: No further questions.

18 MR. DEJONG: Thank you, Your Honor. May it
19 please the court.

20 **CROSS EXAMINATION**

21 **BY MR. DEJONG:**

22 Q. So you and Mr. Meadows have been friends for a lot
23 of years?

24 A. Half our life, yes.

25 Q. And over those years, there's been a lot of back and

1 forth banter, I'm sure, has there not?

2 A. Honestly, me and Chris has never had any issues
3 between the two of us.

4 Q. All right. And ---

5 A. Until this.

6 Q. Okay. Now, so you shared with this jury that these
7 threats came in before you went to the police department?

8 A. I believe so. I believe it was before.

9 Q. And you then gave a -- at approximately eleven
10 thirty on April the 10th, you gave a statement to law
11 enforcement; did you not?

12 A. Yes.

13 Q. And if you need to see it, I'll show it to you. But
14 do you recall ever having made any statement to the police
15 about these threats at that point in time?

16 A. I do not recall. I think the only thing I said on
17 my statement is that **Minor** had told me ---

18 Q. Okay. I'm not asking you what **Minor** ---

19 A. Okay. I'm sorry.

20 Q. --- what she had told you.

21 A. All right.

22 Q. I'm asking you, in your statement, and let me show
23 you a copy of it to see if you can identify it.

24 MR. TOOKER: Your Honor, if I could see it
25 before he refreshes the witness's recollection.

1 MR. DEJONG: I'll let you see it before I go any
2 further.

3 A. Okay. Yes, sir.

4 Q. But in that statement -- and you've had a chance to
5 read it now; is that right?

6 A. Yes, sir.

7 Q. There was nothing about any threats ---

8 A. No, sir.

9 Q. --- from Mr. Meadows?

10 A. No, sir.

11 Q. That came out -- you brought that to light after the
12 fact; right?

13 A. As I say, I don't recall -- yes.

14 Q. Well, the point of that is, if that happened before
15 you went to the police department, you didn't take it too
16 seriously; did you?

17 A. That's right. That's why I'm thinking -- exactly.

18 Q. Because you didn't say anything about it?

19 A. Yes, sir.

20 Q. And you and Chris have been friends for years ---

21 A. Yes.

22 Q. --- and that just kind of rolled off your back like
23 water off of a duck's back?

24 A. Yes, sir.

25 MR. DEJONG: Thank you, sir. Nothing further.

1 THE COURT: Anything?

2 MR. TOOKER: No, sir. May the witness be
3 excused?

4 THE COURT: He may. Step down. You're free to
5 leave.

6 MR. DEJONG: No objection, Your Honor.

7 MR. TOOKER: The state next calls Sister 2

8

9 THE CLERK: Do you solemnly swear or affirm that
10 the testimony you're about to give in this case to be the
11 truth, the whole truth and nothing but the truth, so help
12 you God?

13 THE WITNESS: I do.

14 THE CLERK: Thank you. If you would have a seat
15 and state your name for the record. And you'll have to
16 talk right into the microphone.

17 THE WITNESS: I'm Sister 2

18 Sister 2

19 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

20 **DIRECT EXAMINATION**

21 **BY MR. TOOKER:**

22 Q. Okay. Sister 2, how old are you?

23 A. I'm thirteen now.

24 Q. Thirteen. And have you ever testified in court
25 before?

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Sister 2 - Direct Examination by Mr. Tooker

70

- 1 A. No.
- 2 Q. You haven't? Do you know the difference between
- 3 truth and a lie?
- 4 A. Yes.
- 5 Q. Do you know that you have to tell the truth today in
- 6 court?
- 7 A. Yes.
- 8 Q. And you're not allowed to lie?
- 9 A. Yes.
- 10 Q. Okay. Who is the victim, **Minor** to you?
- 11 A. The victim is **Minor**.
- 12 Q. Yeah. But what's her relation to you?
- 13 A. Oh, that's my sister.
- 14 Q. That's your sister?
- 15 A. Uh-huh (affirmative).
- 16 Q. And who is **Sister 1** to you?
- 17 A. My sister.
- 18 Q. Who's Georgia?
- 19 A. My mom.
- 20 Q. What about Betty Ipina?
- 21 A. She's my aunt.
- 22 Q. Your aunt. Okay. And those are your family members
- 23 that are all your blood kin?
- 24 A. Uh-huh (affirmative).
- 25 Q. What about the defendant, what's his relationship to

- 1 your family?
- 2 A. He used to go out with my mom.
- 3 Q. How long did they go out?
- 4 A. Well, when they were little they were friends and
- 5 they've been going out for a couple of years. I'm not for
- 6 sure how many.
- 7 Q. Okay. And they had a romantic relationship?
- 8 A. Uh-huh (affirmative).
- 9 Q. Okay. When did it start?
- 10 THE COURT: You need to say yes or no ---
- 11 A. Oh, yes.
- 12 THE COURT: --- instead of uh-huh (affirmative).
- 13 Q. When did that relationship start?
- 14 A. Around the time I was like seven. I know I was like
- 15 in the fourth grade.
- 16 Q. Okay. And are you aware of the allegations
- 17 regarding this case?
- 18 A. Yes.
- 19 Q. Have you talked to your sister about what she said
- 20 happened?
- 21 A. A couple of things. Not like detail, detail, but a
- 22 couple of things.
- 23 Q. Okay. Did your sister tell you what was going on
- 24 with her and Chris?
- 25 A. Yes.

Sister 2 - Direct Examination by Mr. Tooker

1 Q. Were you the first person she told?

2 A. Yes.

3 Q. You were?

4 A. Yeah.

5 Q. Who did she tell after you?

6 A. My sister.

7 Q. Your sister Sister 1 ?

8 A. Sister 1 .

9 Q. Okay. Why didn't you go to your mom or the police
10 when your sister told you what was going on?

11 A. Because I was scared. I didn't really want to make
12 her mad at me, because I didn't know if she wanted
13 everybody to know, so I just kept my mouth shut.

14 Q. Okay. And did she ever show you any communications
15 between herself and the defendant?

16 A. Messages.

17 Q. What kind of messages?

18 A. Ones that said that they were going ---

19 MR. DEJONG: Your Honor, I'm going to object to
20 these messages. I think they're getting into -- I don't
21 know whether it's going to be text messages. Unless
22 there's some foundation laid that the state can show that
23 those text messages actually came from my client, then
24 I'm going to object to them. They could have come from
25 anybody.

1 MR. TOOKER: And Your Honor, I plan on laying
2 the foundation in as much as I will ask the victim, do
3 you know who the text messages came from? They came from
4 a contact. Do you know who that contact was? To my
5 knowledge, Chris Meadows.

6 THE COURT: All right. Overruled. He's going
7 to have to show it.

8 MR. DEJONG: Thank you, Your Honor.

9 Q. So who sent these text messages to your sister, to
10 Minor?

11 A. Chris.

12 Q. And how do you know it was Chris?

13 A. Because on the contact name it said Chris.

14 Q. Okay. And to your knowledge was this Chris
15 Meadows?

16 A. Uh-huh (affirmative). I mean, yes.

17 Q. That's good. And did Chris say anything to Minor
18 about sex or any kind of ---

19 A. Yeah. They said that they would have to take a
20 ride. That's what the messages said; that they were
21 going to riding. For my sister to ask my mother.

22 Q. Explain that again. For your sister to ask your
23 mother what?

24 A. If they could go riding in the car.

25 Q. If they could go riding. And what was the purpose

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Sister 2 - Direct Examination by Mr. Tooker

74

1 of them going riding?

2 MR. DEJONG: Objection, Your Honor. Unless she
3 knows.

4 MR. TOOKER: If it's in the text message, I
5 believe she can testify to it.

6 THE COURT: Well, you didn't ask her that.

7 MR. TOOKER: I'll ask it a different way, Your
8 Honor.

9 Q. Did the text message itself explain what the
10 purpose of the ride was for?

11 A. Yeah. It said so they could talk. But then
12 another message came back when my sister said, what do
13 you mean by that? And he said, sex.

14 Q. Sex?

15 A. Uh-huh (affirmative). Yes. I'm sorry.

16 Q. Did you ever observe the way the defendant and your
17 sister interacted?

18 A. Yeah. There was a couple of times when me and my
19 sister Sister 1 would come in from playing outside with our
20 friends and they would like be in the bedroom all by
21 themselves under the cover. But they would say they were
22 watching TV off the phone.

23 Q. They would say they were watching TV?

24 A. Uh-huh (affirmative).

25 Q. Now, whose bedroom was this in?

- 1 A. My mother's.
- 2 Q. Your mother's bedroom. Where was your mother at
3 this point in time?
- 4 A. Working.
- 5 Q. Work? Where did she work?
- 6 A. Precision.
- 7 Q. And did she work late nights or in the afternoon?
8 What was her work schedule? Do you remember?
- 9 A. Third shift.
- 10 Q. Third shift?
- 11 A. Uh-huh (affirmative).
- 12 Q. Okay. And so when you came inside and you saw them
13 under the covers, what did you and your sister do?
- 14 A. Well, we asked them what they were doing. My sister
15 said watching TV ---
- 16 MR. DEJONG: Objection to what she said, Your
17 Honor.
- 18 THE COURT: Sustained.
- 19 Q. Don't tell us what your sister said, but just what
20 you saw.
- 21 A. They had the phone up in front of them and I just
22 walked back out of the bedroom after that.
- 23 Q. Could you tell if they had clothes on or not?
- 24 A. Yeah, they did have clothes on.
- 25 Q. They did have clothes on. And did you think at that

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Sister 2 - Direct Examination by Mr. Tooker

76

1 point maybe you should talk to your mom or talk to the
2 police or anybody?

3 A. In the back of my head, I did, but still I didn't
4 say anything.

5 Q. Okay. And how did all this stuff eventually come to
6 light?

7 A. After my sister Sister 1 had found out, like I'm not
8 sure date-wise, we had finally told my mom.

9 Q. Okay. Is that all three of you together?

10 A. No. Just me and Sister 1 .

11 Q. You and Sister 1 . So Minor didn't know that you were
12 going to tell?

13 A. Uh-uh (negative). No.

14 Q. Was it supposed to be a secret?

15 A. Uh-huh (affirmative). Yes.

16 Q. Okay. And you didn't tell Minor that you were going
17 to let your mom know?

18 A. No, I didn't.

19 Q. Okay. And after your mom found out, what happened?

20 A. She had called Chris and told him to get his stuff
21 out of the house.

22 Q. Okay. Did that happen?

23 A. Yes.

24 Q. Is there anything else you ever saw or observed or
25 heard in relation to this matter?

1 A. Soon after she had told me, she had kept on asking
2 me to sleep with her every single night.

3 Q. Minor did?

4 A. Yeah. To come into the bedroom so I could spend the
5 night with her.

6 Q. Okay. Do you know why?

7 A. Probably so that it wouldn't happen.

8 MR. DEJONG: Objection as to probably, if that's
9 what she said. I'm having a difficult time hearing her,
10 Your Honor.

11 THE COURT: Yeah, you need to speak up.

12 A. So mostly likely it wouldn't happen again.

13 Q. Okay. And do you know anything else about this case
14 that you haven't testified to for this jury?

15 A. Not that I can think of.

16 MR. TOOKER: No further questions at this time,
17 Your Honor.

18 THE COURT: Anything?

19 MR. TOOKER: You've got to stay on the stand.

20 MR. DEJONG: Please the court.

21 **CROSS EXAMINATION**

22 **BY MR. DEJONG:**

23 Q. So the time frame you -- well, do you remember the
24 dates of all of this, Sister 2 ?

25 A. I don't remember specific dates, but I remember it

- 1 was around Thanksgiving.
- 2 Q. I'm sorry. I can't hear you.
- 3 A. I don't remember specific dates, but it was soon
- 4 after Thanksgiving.
- 5 Q. Okay. What year? Do you remember that?
- 6 A. Either 2010 or 2011.
- 7 Q. All right.
- 8 A. Wait, no, not 2011. Like 2010.
- 9 Q. Okay. Thanksgiving of 2010, who all was living in
- 10 your house?
- 11 A. Me, my mom, my sisters, Chris and my granny.
- 12 Q. Okay. Did Chris live there like every day?
- 13 A. Yeah. Yes.
- 14 Q. Okay. And when did Chris quit living there?
- 15 A. After my mom had found out.
- 16 Q. Okay. Has he been back over there since?
- 17 A. We actually were removed from the home.
- 18 Q. I'm sorry?
- 19 A. We were removed from the home, me and my sisters.
- 20 Q. Okay. So you weren't living there anymore; correct?
- 21 A. Yes. We were removed.
- 22 Q. Pardon?
- 23 A. We were removed.
- 24 Q. Okay. All right. But to your knowledge do your
- 25 mother and Chris still have a relationship?

- 1 A. Yes. He convinced my mom that he didn't do it.
- 2 Q. Okay. All right. So then after this, did he still
- 3 live there?
- 4 A. I wasn't there. I was in North Carolina with my
- 5 aunt.
- 6 Q. Okay. So you don't know?
- 7 A. Yeah.
- 8 Q. Okay. All right. Now, who did you not want to make
- 9 mad?
- 10 A. My mom, my sister and Chris.
- 11 Q. Okay. So you say you found out about this story
- 12 when; around Thanksgiving?
- 13 A. Yes.
- 14 Q. And then you said nothing for how long?
- 15 A. Months.
- 16 Q. Okay. And you didn't know anything about what
- 17 exactly supposedly happened; did you?
- 18 A. My sister would talk to me, but she didn't go into
- 19 details.
- 20 Q. All right. But personally, other than what you've
- 21 already shared with us, you didn't see anything?
- 22 A. No.
- 23 Q. Okay. And that one time you did see them when you
- 24 say they were in the bed, they both had their clothes on?
- 25 A. Yes. But it was up to their like ---

Sister 2. - Redirect Examination by Mr. Tooker

1 Q. Right. But you did testify they both had their
2 clothes on; right?

3 A. Yes.

4 Q. And they were watching television?

5 A. Yes.

6 Q. Did you have a phone at this point in time?

7 A. No.

8 Q. Did you know Chris's phone number?

9 A. No.

10 Q. So as far as where those texts were coming from, you
11 really did not know; did you?

12 A. No.

13 MR. DEJONG: One moment, please, Your Honor.

14 Thank you, Sister 2 .

15 THE COURT: Anything further?

16 MR. TOOKER: Just briefly, Your Honor.

17 **REDIRECT EXAMINATION**

18 **BY MR. TOOKER:**

19 Q. Mr. DeJong asked you -- you said it was about 2010?

20 A. Yeah. I'm not specific the year, but I know it was
21 around '10.

22 Q. Okay. After Thanksgiving 2010?

23 A. Yes.

24 Q. Do you know how old you would have been around then?

25 A. After Thanksgiving I would have been ten, because my

Sister 1 - Direct Examination by Mr. Tooker

1 birthday is .

2 Q. Okay. No further questions, Judge.

3 THE COURT: Okay. Thank you, ma'am, you may
4 step down.

5 MR. TOOKER: Your Honor, the state next calls
6 Sister 1 to the stand.

7 THE CLERK: Place your left hand on the bible
8 and raise your right.

9 Do you solemnly swear or affirm that the testimony
10 you're about to give in this case to be the truth, the
11 whole truth and nothing but the truth, so help you God?

12 THE WITNESS: I do.

13 THE CLERK: If you would have a seat and state
14 your full name for the record, please.

15 THE WITNESS: Sister 1 .

16 Sister 1 ,

17 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

18 **DIRECT EXAMINATION**

19 **BY MR. TOOKER:**

20 Q. All right. Sister 1 , make sure you talk real loud
21 into that microphone so everybody can hear you real clear.
22 Okay? All right. So Sister 1 , you just heard your sister's
23 testimony. When did you find out about what was going on?

24 A. A couple of weeks before it actually came out and I
25 told my mom.

Sister 1 - Direct Examination by Mr. Tooker

- 1 Q. A couple of weeks before it came out?
- 2 A. Yes.
- 3 Q. So would that have been in late March 2011?
- 4 A. I think so.
- 5 Q. Okay. And how is it that you found out?
- 6 A. My younger sister told me. And then I had heard
- 7 from my older sister.
- 8 Q. And was this information that you were supposed to
- 9 keep to yourself or tell people?
- 10 A. I was supposed to keep it to myself.
- 11 Q. And why didn't you keep it to yourself?
- 12 A. Because it was wrong. And I wasn't supposed --
- 13 because it was wrong.
- 14 Q. And did you ever notice anything about your sister's
- 15 relationship with the defendant that you thought was
- 16 different than the way he treated you or Sister 2 ?
- 17 A. He showed her a little more attention.
- 18 Q. What kind of attention? Can you give us an example?
- 19 A. They would do, they would do -- like she would have
- 20 more privileges than me and my younger sister, like
- 21 getting to go places and that's it.
- 22 Q. Okay. Was he closer with her than he was with y'all
- 23 or was he closer with y'all than he was with her?
- 24 A. I believe so.
- 25 Q. Well, which one?

- 1 A. He was closer to her.
- 2 Q. He was closer to her?
- 3 A. Yeah.
- 4 Q. How old are you, Sister 1 ?
- 5 A. Fifteen.
- 6 Q. Fifteen? In 2011 and 2010, how old would you have
- 7 been?
- 8 A. Eleven or twelve.
- 9 Q. Okay. Do you ever remember the defendant and the
- 10 victim disappearing for extended periods of time?
- 11 A. They would say they were going to like Walmart and
- 12 they would be gone for an hour or two, and then they would
- 13 come back. But they would just be gone for maybe an hour
- 14 and then that's all.
- 15 Q. Did this happen frequently?
- 16 A. To my memory it does, it seemed frequently.
- 17 Q. Would they come back having bought any items or no?
- 18 A. No.
- 19 Q. So they said they would go somewhere like Walmart
- 20 and then come back and they wouldn't have purchased
- 21 anything?
- 22 A. Yeah.
- 23 Q. Okay. Do you remember ever talking to your sister
- 24 about when these sexual allegations were to have occurred?
- 25 A. No.

Sister 1 - Direct Examination by Mr. Tooker

- 1 Q. Okay. Do you remember her talking to you about
2 where they were to have occurred?
- 3 A. No.
- 4 Q. And when you finally told your mother, what
5 happened?
- 6 A. I told her and she kind of freaked out, I guess.
7 And she had started texting Robert, Robbie.
- 8 Q. Mr. Futrell?
- 9 A. Yeah.
- 10 Q. Okay. And did you go with them to the police
11 department?
- 12 A. Yes.
- 13 Q. You did? Did Sister 1 go with you?
- 14 A. Yeah.
- 15 Q. Okay. Did Minor go?
- 16 A. Yeah.
- 17 Q. And Robert?
- 18 A. Yeah.
- 19 Q. And your mother?
- 20 A. Yes.
- 21 Q. Was anybody else with y'all?
- 22 A. I believe Robert's mother was with us.
- 23 Q. Okay. And y'all all went up there together?
- 24 A. Yeah.
- 25 Q. And that's when y'all talked to the police about

1 what happened?

2 A. Yes.

3 Q. Okay. What was Minor like emotionally at that time?

4 A. She was very upset with herself.

5 THE COURT: You need to speak up a little bit if
6 you would, please.

7 A. She was very upset with herself.

8 Q. Okay. Was she crying?

9 A. Yes.

10 Q. What about your mom; what was her emotional state
11 like?

12 A. She was upset that it had happened.

13 Q. And did the defendant try to contact y'all before
14 y'all got up there?

15 A. No.

16 Q. He did not? What about with Mr. Futrell?

17 A. I don't know. That wasn't my business.

18 Q. Okay. All right. And when you got up there, did
19 you tell the truth?

20 A. Yes.

21 Q. And have you told the truth to the jury today?

22 A. Yes.

23 Q. To the best of your knowledge?

24 A. Yes.

25 Q. No further questions.

1

CROSS EXAMINATION2 **BY MR. DEJONG:**

3 Q. Sister 1, when they left the house, did you know
4 where they went?

5 A. They would say they were going to Walmart, but
6 otherwise, no, I didn't.

7 Q. All right. And in 2010, where did you live?

8 A. We lived in Street in Pickens.

9 Q. That is in Pickens city?

10 A. Yeah.

11 Q. And if they were going to a Walmart, do you know
12 which Walmart they would have gone to?

13 A. No.

14 Q. Okay. Well, in 2010 do you know how many Walmarts
15 were in the area?

16 A. I know there was one in Anderson and one in
17 Greenville.

18 Q. Okay. And that would be a pretty good ways from
19 where you lived; right?

20 A. Yeah.

21 Q. And you say they stayed gone for an hour?

22 A. Yes, sir.

23 Q. Okay. Now, when -- going back to -- well, let's go
24 back first to March of 2011. Were you still living on
25 John Street?

- 1 A. I believe so.
- 2 Q. I'm sorry?
- 3 A. Yes.
- 4 Q. Okay. And were you living there?
- 5 A. I was living there for a short time.
- 6 Q. Okay. Now, from Thanksgiving to March of 2011, did
- 7 you live at John Street the whole time?
- 8 A. Yes.
- 9 Q. Okay. And who else lived there?
- 10 A. Me, my younger sister Sister 2 , my older sister
- 11 Minor , my mother and Christopher Meadows and my
- 12 grandmother.
- 13 Q. And what is your grandmother's name?
- 14 A. Judy.
- 15 Q. Did your grandmother stay there all the time?
- 16 A. She lived there -- she hadn't lived there the entire
- 17 time we had. She had came there and then she stopped
- 18 living there when we did.
- 19 Q. All right. But was she living there Thanksgiving of
- 20 2010?
- 21 A. I believe so.
- 22 Q. Okay. Did she work outside the home?
- 23 A. She had worked with my mother and then she had quit,
- 24 I think.
- 25 Q. Was that before or after Thanksgiving?

Sister 1 - Cross Examination by Mr. DeJong

1 A. Before, I believe.

2 Q. Okay. Now, let me try to get some ranking here.

3 Who's the baby, who's the oldest?

4 A. Sister 2 is the youngest, Minor is the oldest,

5 I'm the middle child.

6 Q. Okay. All right. So Minor was the oldest;

7 right?

8 A. Yes.

9 Q. And you say she got more privileges, but she was the
10 oldest, too; wasn't she?

11 A. Yes.

12 Q. And those privileges came from your mother; right?

13 A. Both Christopher and my mother.

14 Q. Okay. So if there was any favoritism going on, that
15 favoritism was coming as much from your mother or more
16 than it was from Chris; right?

17 A. What do you mean?

18 Q. Well, your mother granted Minor the privileges;
19 didn't she?

20 A. Yes.

21 Q. Okay. Were you with your mother in Anderson before
22 you went to the police department?

23 A. Yes.

24 Q. Was Sister 2 in Anderson with your mother, as well?

25 A. Yes.

- 1 Q. Okay. So you drove from Anderson to Pickens;
2 correct?
3 A. Yes.
4 Q. And I'm not asking you what was said, but was there
5 any conversation about this while you were driving from
6 Anderson to Pickens?
7 A. I believe so.
8 Q. And the conversation was between your mother and
9 Minor ?
10 A. Minor was -- she was with us, but it wasn't
11 between her and Minor .
12 Q. Okay. Was it between Minor and Mr. Futrell?
13 A. No. It was between -- whenever we went home after
14 we had left Anderson, Christopher's ex-wife, the mother of
15 his children, had took us home.
16 Q. From where; Anderson?
17 A. Yes.
18 Q. So who picked you up to take you to the police
19 department?
20 A. Robert.
21 Q. So they came from Anderson to your home and then to
22 the police department?
23 A. Yes.
24 Q. Okay. So then you didn't ride with them from
25 Anderson, if I understand you correctly; is that correct?

Sister 1 - Cross Examination by Mr. DeJong

1 A. No. I think we waited -- I believe we waited a day
2 after, the day after my mother found out.

3 Q. Okay. So you didn't leave directly from Anderson
4 and go to the police department?

5 A. No.

6 Q. A day went by?

7 A. Yes.

8 Q. And over that day were there conversations that
9 you're aware of between your mother and Minor about
10 all of this?

11 A. They never really talked about it to each other.

12 Q. To your knowledge?

13 A. Yes.

14 Q. Well, did Minor come to Anderson?

15 A. After it was told.

16 Q. What was she like when she came to Anderson?

17 A. She was upset.

18 Q. Okay. And then another whole day goes by and then
19 you go to the police department?

20 A. Yes.

21 Q. Thank you, Sister 1.

22 THE COURT: Anything?

23 MR. TOOKER: No, sir.

24 THE COURT: All right. Thank you. You may step
25 down.

1 MR. TOOKER: Your Honor, our next witness may
2 take a while. I don't know if you would be inclined to
3 take a bathroom break before we begin?

4 THE COURT: Would I be inclined to? It's not
5 that I'm inclined to ---

6 MR. TOOKER: Well, if the jurors are at all
7 interested in going to the restroom.

8 THE COURT: We've been here forty-five minutes.
9 If you want us to, we'll certainly accommodate you. Do
10 you need a break?

11 MR. TOOKER: Sure. Yes, sir.

12 THE COURT: All right. Ladies and gentlemen,
13 we'll take a break and come back in ten or fifteen
14 minutes. Please do not discuss the case at all with each
15 other while you're back in the jury room.

16 (WHEREUPON, the jury exited the open court at
17 approximately 2:27 p.m.)

18 THE COURT: All right. We'll stand in recess.

19 MR. TOOKER: Thank you, sir.

20 (WHEREUPON, the court stood at recess for a short
21 break.)

22 THE COURT: All right. Let's bring the jury in,
23 if we could, sir.

24 (WHEREUPON, the jury entered the open court at
25 approximately 2:44 p.m.)

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor - Direct Examination by Mr. Tooker

92

1 THE COURT: If I could get y'all to go all the
2 way down; that way people aren't stepping over each other.

3 All right. Mr. Solicitor, you want to call your next
4 witness, please, sir.

5 MR. TOOKER: Yes, sir. The state next calls

6 Minor

7 THE CLERK: Place your left hand on the bible
8 and raise your right.

9 Do you solemnly swear or affirm that the testimony
10 you're about to give in this case to be the truth, the
11 whole truth and nothing but the truth, so help you God?

12 THE WITNESS: I do.

13 THE CLERK: If you would have a seat and state
14 your full name for the record, please.

15 THE WITNESS: My name is Minor

16 Minor

17 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

18 **DIRECT EXAMINATION**

19 **BY MR. TOOKER:**

20 Q. Okay. Minor, how old are you?

21 A. Sixteen.

22 Q. And what is your date of birth?

23 A.

24 Q. Okay. So in December of 2010,

- 1 how old would you have been?
- 2 A. Thirteen.
- 3 Q. Thirteen. Now, do you know why you were called to
- 4 testify here today?
- 5 A. Yes, I do.
- 6 Q. Okay. Before we get into that, let's go over your
- 7 family dynamics again. You heard your sisters testify
- 8 today?
- 9 A. Yes.
- 10 Q. Do y'all currently live together?
- 11 A. No. We've kind of separated.
- 12 Q. Okay. When did y'all live together?
- 13 A. Back in 2010 and then when we got moved from the
- 14 home in North Carolina.
- 15 Q. Okay. And you've been separated since then?
- 16 A. We've kind of been in and out of homes together,
- 17 between my mom's and my aunt's.
- 18 Q. Okay. When was the last time you lived with your
- 19 mother?
- 20 A. When she lived in Anderson. Probably almost a year
- 21 ago.
- 22 Q. Okay. And did you recently leave your aunt's?
- 23 A. Yes, I did.
- 24 Q. Are you back in South Carolina now?
- 25 A. Uh-huh (affirmative).

Minor

- Direct Examination by Mr. Tooker

- 1 Q. Where were you born?
- 2 A. In Greenville, South Carolina.
- 3 Q. Okay. And have you lived with your mother for most
- 4 of your life?
- 5 A. Yeah. Pretty much.
- 6 Q. Okay. Now, when did your mother start dating the
- 7 defendant in this case?
- 8 A. I was about twelve or thirteen. I was twelve.
- 9 Q. How soon before all these allegations did your mom
- 10 start dating the defendant?
- 11 A. What do you mean?
- 12 Q. Well, before the events that the state is saying
- 13 happened, happened, how soon before that did your mom and
- 14 he start dating?
- 15 A. They was probably together for about a year already.
- 16 Q. Okay. So they had been together for a year before
- 17 these things happened?
- 18 A. Yeah.
- 19 Q. How soon after they got together until he moved into
- 20 your house?
- 21 A. He was on house arrest when they first got together.
- 22 As soon as he got off house arrest, he moved in maybe a
- 23 couple of months after. We moved to Pickens for him.
- 24 Q. Okay. And when he moved in, did he sort of take on
- 25 that fatherly role in the household?

1 A. No.

2 Q. What was his role in the household if you had to
3 describe it?

4 A. Everything revolved around him at the time.

5 Q. Okay. How did he interact with you and your
6 sisters?

7 A. It was a pretty good relationship. We got along
8 most of the time.

9 Q. Okay. Was he affectionate?

10 A. Before these things?

11 Q. Before these things?

12 A. He paid more attention to his kids than he did us
13 and my mom was more all about him than us, so it was kind
14 of us doing our own thing.

15 Q. Okay. When I say was he affectionate, do you
16 remember him being kind of touchy, feely before all this
17 stuff happened?

18 A. No.

19 Q. When this stuff happened, do you have a specific
20 date in your head or a specific incident in your head that
21 kind of started all this going down that path?

22 A. It was Thanksgiving of 2010.

23 Q. And how do you remember that?

24 A. Because I remember Black Friday opens at twelve, at
25 midnight, and I remember Black Friday was that night.

Minor - Direct Examination by Mr. Tooker

1 Q. Okay. And what happened on Black Friday 2010?

2 A. What did we do?

3 Q. Yeah. How did you and he start talking?

4 A. It was over a text message. He wasn't home and I
5 was. We was talking and it kind of led up to more sexual
6 things. And then he asked my mom if I could ride with
7 him? And he told her so we could get like to know each
8 other better, to get along, because I didn't like him at
9 the time.

10 Q. Had anything important to you happened recently in
11 your life right before that?

12 A. Yeah. I had broke up with a boyfriend.

13 Q. Okay. And did you and he talk about that?

14 A. Yeah, we did.

15 Q. All right. What did he want to know about that?

16 A. Just kind of what happened and how I felt.

17 Q. Okay. And then what kind of conversations did y'all
18 get into? What kind of stuff did you start talking about?

19 A. Sexual things, like how we felt about each other,
20 like looks more.

21 Q. Okay. Why don't you give an example for the jury?

22 A. Like I was beautiful and I thought he was sexy, you
23 know.

24 Q. Okay. And did y'all start talking about sexual
25 history?

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor - Direct Examination by Mr. Tooker

97

- 1 A. I really don't -- like my past stuff?
- 2 Q. Yes?
- 3 A. I don't remember.
- 4 Q. You don't remember? Do you remember giving a
- 5 written statement?
- 6 A. Yes, I do.
- 7 Q. Okay. If I showed you a copy of your written
- 8 statement, do you think it might help refresh your
- 9 recollection?
- 10 A. Yes, sir.
- 11 Q. If you'll just go ahead and read that chunk right
- 12 there to refresh your recollection. Do you kind of get
- 13 what I was trying to ask about before. Maybe I didn't ask
- 14 it in the right way. But what kind of sexual stuff did
- 15 y'all talk about?
- 16 A. About if I was a virgin and stuff like that. If I
- 17 had sent pictures and stuff. And I did send pictures to
- 18 other people and then he asked for some.
- 19 Q. Okay. So he asked you to send explicit pictures of
- 20 yourself to him?
- 21 A. Yes.
- 22 Q. Did he send any pictures back to you?
- 23 A. Yes.
- 24 Q. Okay. Did anything sexual occur on that night, on
- 25 Black Friday?

Minor - Direct Examination by Mr. Tooker

1 A. Yes.

2 Q. What happened?

3 A. We had rode off to take his cousin home, Randall,
4 and we parked somewhere. It looked like a hotel or
5 something, like apartment thing, and we parked there and
6 did what we did.

7 Q. And I know this is something that's extremely
8 uncomfortable to talk about in front of other people. But
9 what exactly happened?

10 A. At first he was like touching on my legs and stuff.
11 And I was uncomfortable, but I wanted it. I wanted to do
12 it. And he told me that he could take control, you know,
13 don't be scared. And things went along; we was touching
14 each other and stuff. And when we parked, we was getting
15 into it, about to, you know, ---

16 Q. Have sex?

17 A. Yes. And my mom kept calling. So then we went to
18 Walmart and went back home.

19 Q. Okay. So you did not have sex on that night?

20 A. It was -- kind of. We was getting started, but it
21 didn't happen.

22 Q. By getting started, what do you mean?

23 A. Like the pants were off and it was about to happen.

24 Q. Okay. What happened after that? How did y'all's
25 relationship progress?

Minor - Direct Examination by Mr. Tooker

1 A. We talked more. Kind of got along more. But in a
2 way, I was jealous because he was still with my mom. But
3 I understood that it was wrong what I was doing.

4 Q. Okay. So what happened? When was the next time
5 that y'all got together?

6 A. I don't remember exactly when, but it would just be
7 when we could, when my mom was out or excuses to drop my
8 sisters off at Jessie's house or a cousin's house, and we
9 would go off somewhere before we went home, and did
10 something.

11 Q. Okay. And you said did something. We have to
12 establish, did you have sex with this man?

13 A. Yes.

14 Q. You did? How many times?

15 A. A good seven, eight times.

16 Q. Okay. Did this occur -- where?

17 A. In the car, like dark places at night, like little
18 parking areas, in my mom's room.

19 Q. Okay. At your house?

20 A. Yes.

21 Q. Okay. And that's in Pickens?

22 A. Yes.

23 Q. And these events, when they happened, who would be
24 around?

25 A. We would try for no one to be around, but sometimes

Minor

- Direct Examination by Mr. Tooker

1 the girls would be sleeping or my granny would be up
2 watching TV. If we was out somewhere, we was dropping
3 them off and no one was with us.

4 Q. We heard testimony about a time that you were
5 watching a movie in bed with the defendant. Do you
6 remember that?

7 A. Yes, I do.

8 Q. Is that something y'all did often?

9 A. Not often. Maybe two or three times.

10 Q. Okay. Was anything sexual going on?

11 A. Sometimes it would.

12 Q. Sometimes would you just watch movies together?

13 A. Yeah.

14 Q. Okay. You said seven or eight times. When did all
15 this stop?

16 A. Pretty soon after my sister Sister 1 's birthday, a
17 little bit after February.

18 Q. A little bit after February?

19 A. Yeah. I'm not exactly sure when it stopped. I just
20 know it was after that, because I remember going to her
21 birthday party.

22 Q. And you mentioned text messages. You sent messages
23 to him?

24 A. Yes.

25 Q. And he sent messages to you? Did y'all text message

1 a lot?

2 A. Yeah. Pretty much all through the day, when I was
3 at school, when he was at work.

4 Q. Okay. So you were oftentimes sending him text
5 messages?

6 A. Yes.

7 Q. And he was sending you text messages?

8 A. Yes.

9 Q. Okay. And I don't know any other way to say this,
10 but was there anything unique about his genitals?

11 A. He shaved all the time.

12 Q. He shaved them?

13 A. Yes.

14 Q. So there was no body hair there?

15 A. No. There's not.

16 Q. Okay. And those text messages, did you show those
17 to your sister Sister 2, some of those text messages?

18 A. I did some of them, but not nothing too graphic for
19 her.

20 Q. Okay. But you showed her text messages about him
21 wanting to have sex with you?

22 A. Yes, I did.

23 Q. Okay. When you told her about that, was it supposed
24 to be a secret?

25 A. Yes. I just -- I needed to tell somebody to get it

1 off my chest, because I knew it was wrong. But at the
2 same time I didn't want to stop it, so I told somebody I
3 could trust.

4 Q. All right. You said you knew it was wrong. Did you
5 feel guilty?

6 A. Yes, I did.

7 Q. Like you were hurting your mother?

8 A. Yes.

9 Q. Okay. There's also been talk about some Walmart
10 trips. Would you oftentimes go to Walmart with the
11 defendant?

12 A. Just one time.

13 Q. You only went with him one time?

14 A. That was Thanksgiving, the night of Black Friday.

15 Q. Okay. Would you sometimes not go to Walmart, just
16 say you were going there?

17 A. We would say we was going different places like
18 dropping someone off somewhere or something, but we never
19 did.

20 Q. Okay. So you would say that something was going to
21 happen and you would use it as an excuse to get out of the
22 house?

23 A. Yes.

24 Q. Do you remember Valentine's Day 2011?

25 A. Yes, I do.

- 1 Q. Okay. What happened Valentine's Day 2011?
- 2 A. We went to Walmart to get something for my mom, but
- 3 things had happened that night, too.
- 4 Q. Okay. You say you went to Walmart to get things
- 5 with your mom -- for your mom?
- 6 A. Yes.
- 7 Q. What were you going to get her?
- 8 A. Chocolates, card, something sweet for her.
- 9 Q. Did you do that?
- 10 A. Yes, we did.
- 11 Q. How long did y'all stay gone?
- 12 A. I don't remember.
- 13 Q. Was it a long time?
- 14 A. Probably a good time.
- 15 Q. Okay. Did y'all end up having sex on that occasion?
- 16 A. I believe so.
- 17 Q. Okay. You said that you ended things with the
- 18 defendant. Why did you end the things?
- 19 A. Why did I end them?
- 20 Q. Yeah. Why did you stop him?
- 21 A. I was too -- I felt wrong. I couldn't do it
- 22 anymore.
- 23 Q. During this time was there ever talk about marriage
- 24 between your mother and the defendant?
- 25 A. Yes.

Minor - Direct Examination by Mr. Tooker

1 Q. Okay. How did this happen and how did it make you
2 feel?

3 A. I don't know what they talked about. I just know
4 they was talking about getting married. And it upset me
5 in a way, but then I was realizing maybe that was for the
6 best; they be together. So I was going to stop everything
7 between us.

8 Q. Okay. Was that the first time?

9 A. That I tried to stop it?

10 Q. Uh-huh (affirmative)?

11 A. The first time I ever tried to stop it, he got mad.

12 Q. Okay. Did y'all keep having sex?

13 A. Yes, after that.

14 Q. Okay. What about the second time you tried to stop
15 it?

16 A. It was stopped. It came out.

17 Q. Okay. How is it that your sister Sister 1 found out
18 about all this?

19 A. My sister Sister 2 told her.

20 Q. And did you tell her after that, too?

21 A. Yeah, after it came out, I told her everything.

22 Q. Okay. And who went to your mother?

23 A. Sister 1 .

24 Q. And what did your mother do after these things came
25 forward?

1 A. I just know that I was with my Uncle Doughboy, or
2 Robbie, Robert, whatever. My mama had texted him and
3 asked him to ask me. And at first I was nervous, but then
4 I came out and told him and he took me to my mom. And my
5 mom asked me. And the mother of his kids asked me. And I
6 told her, yes, that it was true.

7 Q. And you testified earlier that sometimes it would
8 happen and there would be people in the house?

9 A. Yes.

10 Q. Would this be early in the day or late at night?

11 A. Late at night.

12 Q. Okay. How would he have reason to come to your
13 room?

14 A. He would bring me Gatorade and slim jims. That's
15 something I liked, and he would bring it to me.

16 Q. Okay. And he would do that and then things would
17 happen between you?

18 A. Just sometimes; not all the time.

19 Q. Who was in the house when these kind of things would
20 happen?

21 A. My sisters and my grandma.

22 Q. Was your mother ever there?

23 A. She worked nights.

24 Q. Okay. Do you know whether or not she was ever there
25 when that happened?

Minor

- Direct Examination by Mr. Tooker

- 1 A. She wasn't.
- 2 Q. And on these Walmart trips -- well, let me back up.
- 3 You said that these incidents occurred in the car?
- 4 A. Uh-huh (affirmative).
- 5 Q. Do you know where they happened?
- 6 A. I just know it was like little areas where you park
- 7 where people live. That's all I know.
- 8 Q. When you would go to Walmart, what Walmart did you
- 9 go to?
- 10 A. I think it was the -- I'm not sure. I just know it
- 11 was Walmart in Greenville or Anderson. But I know it was
- 12 a Walmart.
- 13 Q. Central?
- 14 A. I don't know.
- 15 Q. You don't know? Do you know if you were in Pickens
- 16 County or not?
- 17 A. No, it wasn't.
- 18 Q. It was not in Pickens County for those incidents?
- 19 A. No.
- 20 Q. The only ones that were in Pickens County were the
- 21 ones at your house?
- 22 A. Yes.
- 23 Q. Okay. And you're saying about when did these
- 24 incidents start happening?
- 25 A. The having sexual ---

Minor - Direct Examination by Mr. Tooker

- 1 Q. The sex, yes, ma'am?
- 2 A. On Thanksgiving.
- 3 Q. After Thanksgiving?
- 4 A. The Black Friday day, yeah.
- 5 Q. Black Friday. But I believe you testified that on
- 6 Black Friday you didn't actually go all the way; would
- 7 that ---
- 8 A. No, we didn't go all the way. So the first time you
- 9 want to know?
- 10 Q. Yes, ma'am?
- 11 A. I don't remember.
- 12 Q. Was it soon after that?
- 13 A. Yes.
- 14 Q. Was it in December?
- 15 A. I know it was before Christmas, so yeah, probably
- 16 the beginning of December.
- 17 Q. So before Christmas of 2010 and ---
- 18 A. Right after Thanksgiving, yes.
- 19 Q. And then when did you stop?
- 20 A. A little bit after my sister Sister 1 's birthday in
- 21 February.
- 22 Q. Okay. What's her birthday?
- 23 A.
- 24 Q. ?
- 25 A. Uh-huh (affirmative).

Minor - Cross Examination by Mr. DeJong

1 Q. Okay. No further questions at this time.

2 MR. DEJONG: Thank you, Your Honor. May it
3 please the court.

4 **CROSS EXAMINATION**

5 **BY MR. DEJONG:**

6 Q. Minor , you were quite opposed to your mother
7 and Chris getting married; weren't you?

8 A. Yes, I was.

9 Q. And that was from the very beginning, you were
10 opposed to Chris and your mother getting married; weren't
11 you?

12 A. Yes.

13 Q. And up until the time that Chris started living with
14 you in your home, where you and your sisters and your
15 mother lived, you pretty much had your mother all to
16 yourself; didn't you?

17 A. Yes, I did.

18 Q. Okay. And she, likewise, pretty much gave you all
19 of her attention; didn't she?

20 A. Not all the time.

21 Q. Okay. But when Chris moved in, that changed; didn't
22 it?

23 A. Yes, it did.

24 Q. And she started giving all of her attention to Chris
25 rather than to you and Sister 2 and Sister 1 ; correct?

- 1 A. Yes, sir.
- 2 Q. So she went to work and then she came home and gave
3 all of her attention to Chris; correct?
- 4 A. Yes, sir.
- 5 Q. All the way up until the time that you made these
6 allegations; right?
- 7 A. Yes.
- 8 Q. Okay. So, and I believe you said when you were
9 talking with Mr. Tooker that you hated Chris; didn't you?
- 10 A. Yes, I did.
- 11 Q. Okay. And you hated Chris before you said anything
12 happened between you and Chris; right?
- 13 A. Yes.
- 14 Q. Okay. Now, the phone that you had when you say all
15 this texting and everything was going on, did you have
16 this phone in 2011?
- 17 A. I don't remember exactly when I got it, but Chris
18 had bought it for me.
- 19 Q. Okay. But the question is, when you made these
20 allegations, did you still have that phone?
- 21 A. Yes, I did.
- 22 Q. Okay. Were these text messages still on there?
- 23 A. No. I would erase them.
- 24 Q. Okay. How about pictures?
- 25 A. I would erase them, too, most of the time.

Minor - Cross Examination by Mr. DeJong

1 Q. I see. So in 2011, when you went to the police, you
2 had erased everything on your phone. Is that your
3 testimony?

4 A. Yes.

5 Q. Okay. So that I'm clear, when Chris and your mother
6 started their relationship, he lived at the house, shall
7 we say, twenty-four hours a day?

8 A. Yes.

9 Q. Okay. And he was there for well over a year before
10 you say anything started happening between you and he;
11 correct?

12 A. I didn't say over a year. I said about a year.

13 Q. About a year. Okay. I'll take about a year. Okay.
14 Now, certainly while he lived there, he showered there?

15 A. Yes.

16 Q. He slept there?

17 A. Yes.

18 Q. He was about the house; correct?

19 A. Yes.

20 Q. And let me ask you a little bit about the house.
21 How big of a house was this?

22 A. It had two bedrooms, but we had made it into three,
23 nice kitchen and living room.

24 Q. Which room had been made into a bedroom?

25 A. Like the dining room area was like cut off into a

- 1 room.
- 2 Q. Okay. And was this a house like on a foundation or
- 3 a mobile home or what was it?
- 4 A. It was a house near the railroad tracks near some
- 5 church. Back behind like the Bantam Chef, near there.
- 6 Q. Okay. How many bathrooms did it have?
- 7 A. One.
- 8 Q. Okay. And which room was your room?
- 9 A. The one to the front of the house.
- 10 Q. Okay. Would that have been closest to where -- the
- 11 living room?
- 12 A. Yes.
- 13 Q. Okay. Where was your mother's room?
- 14 A. The back room.
- 15 Q. Okay. And from the living -- well, let me ask you
- 16 this. You grandmother was living there at the time;
- 17 right?
- 18 A. Uh-huh (affirmative).
- 19 Q. And what room did she stay in?
- 20 A. She stayed in the living room all the time.
- 21 Q. And how far, approximately, was the living room to
- 22 your mother's bedroom?
- 23 A. It was on the other side of the wall.
- 24 Q. Just on the other side of the wall?
- 25 A. Yeah. I don't know.

Minor - Cross Examination by Mr. DeJong

1 Q. So I'm not trying to pick at you. I'm trying to get
2 a picture here in my mind. Okay. So you have a living
3 room and then you have a wall and right on the other side
4 of that wall is your mother's bedroom; right?

5 A. Yes.

6 Q. Okay. And your grandmother, she stayed in the
7 living room; right?

8 A. Yes.

9 Q. So the only thing -- if she was there, the only
10 thing separating her from your mother's room was that one
11 wall?

12 A. Yes.

13 Q. Now, was there a TV in the living room?

14 A. Yes, there was.

15 Q. What wall was it on?

16 A. Huh?

17 Q. Do you know which wall it was on? Was it on ---

18 A. Where the front porch is.

19 Q. Okay. So that TV would have been further away from
20 the wall that separated the living room and your mother's
21 bedroom; right?

22 A. Yes.

23 Q. Okay. So when your grandmother -- would your
24 grandmother watch TV in the living room?

25 A. Yes.

- 1 Q. And when she watched TV, would she have been sitting
2 closest to the wall that divided the living room from your
3 mother's bedroom?
- 4 A. No.
- 5 Q. Which wall would she have been sitting near?
- 6 A. Closest to the TV. The couch was like this and the
7 TV was right here.
- 8 Q. Okay. So the wall separating the living room, the
9 bedroom was here and she would have been sitting over here
10 some place, ---
- 11 A. Yes.
- 12 Q. --- like that? Okay. All right. Now, you said
13 there were a lot of texts between you and Chris; right?
- 14 A. Yes.
- 15 Q. And not all of those texts were, if any of them, had
16 anything to do with sex; did they?
- 17 A. Not all of them.
- 18 Q. And certainly he helped your mom out with you and
19 your sisters; right?
- 20 A. No.
- 21 Q. No?
- 22 A. No.
- 23 Q. Okay. Did he ever pick y'all up from school?
- 24 A. He would pick me up early so we could go do that
25 stuff.

Minor - Cross Examination by Mr. DeJong

1 Q. Okay. Well, when -- I'm a little confused here
2 because -- well, let me back up before I try to clear up
3 my confusion. When you say these allegations came to
4 light, you were with your Uncle Robert; right?

5 A. Yes.

6 Q. Is he really your uncle?

7 A. No.

8 Q. Okay. You call him Uncle Robert; right?

9 A. Yes, I do.

10 Q. To your knowledge had he and your mother ever had a
11 relationship of any kind?

12 A. No. Just best friends.

13 Q. Okay. So then Robbie -- you call him Robbie, I
14 think; right?

15 A. I call him Doughboy.

16 Q. You call him what?

17 A. Doughboy.

18 Q. Doughboy? Okay. So you're at Doughboy's house and
19 then he takes you to Anderson; right?

20 A. Yes.

21 Q. And you meet your mother there?

22 A. Uh-huh (affirmative).

23 Q. Now, is Sister 2 and Sister 1 in Anderson when you get
24 there?

25 A. Yes.

1 Q. How do you get from Anderson back to Pickens?

2 A. His mother's -- his mother of his kids took us back
3 home to Pickens.

4 Q. Okay. When you say back home to Pickens, that was
5 Street; right?

6 A. Yes, it was.

7 Q. And what time, if you remember, Ms. Houston, did you
8 get to Anderson?

9 A. I don't remember. It was late at night.

10 Q. Well, if I understand correctly, then you came home
11 from Anderson, you went to Street and you stayed
12 there for some period of time; right?

13 A. Yes.

14 Q. Before you went to the police?

15 A. Oh, no. The night that it came out, we went to the
16 police station with Uncle Doughboy. He took me back to
17 where Chris's mother of his kids were. Then the next day
18 she took us home.

19 Q. Okay. Okay. All right. So who all went to the
20 police station?

21 A. Me, my two sisters, my mother, my Uncle Doughboy and
22 his mother.

23 Q. Okay. Well, let's talk a little bit about -- so you
24 went to the police station. That would have been -- do
25 you remember the date?

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor - Cross Examination by Mr. DeJong

116

- 1 A. No, I do not.
- 2 Q. All right. If I said -- I want to say April the
3 11th of 2012. Does that make any sense to you?
- 4 A. What are you talking about? You just told me a
5 date.
- 6 Q. The day you went to the police department?
- 7 A. I guess. I don't remember the date.
- 8 Q. Okay. All right. So you talked to an officer at
9 the police department?
- 10 A. Yes, I did.
- 11 Q. And then you went home?
- 12 A. No. We went to the mother -- Sheba's house.
- 13 Q. Okay. That's Chris's ---
- 14 A. Baby mama.
- 15 Q. Okay. Excellent.
- 16 A. I don't know if they was married.
- 17 Q. Okay. And then you went back to John Street?
- 18 A. Yes.
- 19 Q. And you got up the next morning and you went to
20 school?
- 21 A. I don't remember.
- 22 Q. Okay.
- 23 A. Because not long after that I went to North
24 Carolina.
- 25 Q. Well, I understand that. But the point that I'm

- 1 trying to make here, do you ever remember talking to this
2 man at school?
- 3 A. Yes, I do.
- 4 Q. Okay. And was that the next day after you ---
- 5 A. I'm guessing.
- 6 Q. Okay. Well, at that point in time -- Mr. Tooker let
7 you look at a statement. Did you write that statement?
- 8 A. Yes, I did.
- 9 Q. Did you write it on that day?
- 10 A. Detective Riggs had gave me papers to take home and
11 write.
- 12 Q. Yes, ma'am. So when you wrote that, this gentleman
13 was nowhere around; was he?
- 14 A. I was by myself.
- 15 Q. Okay. Well, when you say you were by yourself, was
16 that at Street?
- 17 A. Yes.
- 18 Q. Okay. Where your mother lived?
- 19 A. Yes.
- 20 Q. And your two sisters lived?
- 21 A. Yes.
- 22 Q. And your grandmother lived there?
- 23 A. Yes.
- 24 Q. All right. Well, I believe -- and if you need to
25 look at it again, Minor , we'll let you do that. I

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor - Cross Examination by Mr. DeJong

118

1 believe you said in your statement that the first time you
2 and Chris had sex was around Thanksgiving; right?

3 A. Yes.

4 Q. Pardon?

5 A. Yes.

6 Q. But then if I understood you, you said -- when Mr.
7 Tooker was talking with you, you didn't have sex?

8 A. I don't know what y'all would call it, but like it
9 was about to go in and then we stopped because my mother
10 had called.

11 Q. Okay. So it never went in?

12 A. It was like there touching.

13 Q. Okay. But beyond that nothing happened that
14 particular time?

15 A. No.

16 Q. So in other words, what you told the police on April
17 the 11th or the 12th was not accurate; was it?

18 A. My mom was right there. Was I ready to tell
19 everything? No. Because I wasn't comfortable. I'm not
20 the one that wanted to go to the police department.

21 Q. You didn't want to go to the police department?

22 A. No. My mother said it would be best if I did.

23 Q. Okay. So when you were crying and upset when you
24 were at the police department, it was because you didn't
25 want to be there; right?

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor - Cross Examination by Mr. DeJong

119

1 A. It was because I was upset with myself for doing it.

2 Q. I'm sorry?

3 A. I was upset with myself for doing it.

4 Q. All right. But you didn't want to go; right?

5 A. No.

6 Q. Now, before you made these allegations, you had
7 tried, if I understood your testimony, to break your
8 mother and Chris up; right?

9 A. Before everything had happened?

10 Q. Yeah?

11 A. No.

12 Q. Okay. Maybe I misunderstood you. You said two
13 times ---

14 A. This was while the sexual things were happening. I
15 tried to break it off with him.

16 Q. Okay. So you didn't try to talk your mother out of
17 marrying him; is that what you're saying?

18 A. I tried to tell her that he was cheating on her, but
19 I didn't want it to come out that it was with me.

20 Q. Okay. And that didn't work; right?

21 A. No, it didn't.

22 Q. So then it gets a little more serious that your mom
23 and Chris are going to get married and then you make these
24 allegations; right?

25 A. They're not allegations. It's the truth.

Minor - Cross Examination by Mr. DeJong

1 Q. That's when you went to your mother and told her
2 whatever you told her?

3 A. Yeah.

4 Q. After she said that she and Chris were going to get
5 married; right?

6 A. I guess.

7 Q. Okay. Walmart. You don't remember which Walmart
8 you went to?

9 A. No, I do not.

10 Q. Was it Greenville or Anderson?

11 A. I said I do not remember.

12 Q. Okay. All right. Do you know where the Walmart in
13 Greenville or Anderson is?

14 A. Yes, I do.

15 Q. And that's a pretty long way from your house; isn't
16 it?

17 A. Yes, it is.

18 Q. Your house then at Street; right?

19 A. Yes.

20 Q. So it would take you quite a while to get there;
21 right?

22 A. Yeah.

23 Q. And y'all did go into Walmart?

24 A. Once.

25 Q. All right. Well, that's -- as I understand it,

- 1 that's one of the times you said that this sex went on;
2 right?
3 A. Yes.
4 Q. And so you were gone for an hour, two hours?
5 A. Probably.
6 Q. Okay. So if you -- either one, as you said, the
7 Walmart in either Greenville or Anderson would be pretty
8 far away; right?
9 A. Yes, it would be.
10 Q. And it would be a pretty long drive there; right?
11 A. Yes.
12 Q. And then you went into Walmart and you shopped?
13 A. I didn't go in. Chris did.
14 Q. Okay. But he was gone for some time; right?
15 A. Yes.
16 Q. And then to get back to Pickens, Street,
17 would be another pretty long drive; right?
18 A. Yes.
19 Q. Okay. Now, actually before you made these
20 allegations, your mom had asked you about whether or not
21 something was going on between you and Chris; hadn't she?
22 A. Yes.
23 Q. And you said, no, there was nothing going on between
24 you and Chris; right?
25 A. Yes, I did.

Minor - Cross Examination by Mr. DeJong

1 Q. And then another time she asked you if anything was
2 going on between you and Chris? And again you said there
3 was nothing going on between you and Chris; correct?

4 A. Yes.

5 Q. And then that was before your mom had told you that
6 she was marrying Chris; right?

7 A. No.

8 Q. Was it after she told you -- before she -- after she
9 told you?

10 A. She had told me she was marrying Chris. And I said,
11 he's cheating on you. And then she asked me how I knew.
12 And I wouldn't tell her. And then at times after that she
13 would ask me if anything was going on between us because
14 she had suspected something. And I said, no.

15 Q. I'm trying to get a time frame here. Was that
16 before she said she was marrying Chris or after?

17 A. That she asked me? I just told you after.

18 Q. Okay. All right. But nonetheless, you said nothing
19 was going on; right?

20 A. Yes, I did.

21 Q. I know it's never nice to ask a lady how old she is,
22 so I'm not asking you. You were already asked. Do you
23 know how old your grandmother is?

24 A. Now? About sixty-three, I believe.

25 Q. Okay. So in 2010, she would have been about sixty

- 1 years old?
- 2 A. Yes.
- 3 Q. All right. Okay. And once you went to the police,
- 4 did you talk more to your mother about all this?
- 5 A. No.
- 6 Q. You never talked to her?
- 7 A. No.
- 8 Q. Not the first time?
- 9 A. When I first told her that it was true? I told her
- 10 it was true, but I didn't give her details.
- 11 Q. Okay. Did you talk to Mr. Tooker before this trial?
- 12 A. About the things?
- 13 Q. Uh-huh (affirmative)?
- 14 A. A little bit.
- 15 Q. How many times did you talk with him?
- 16 A. I've only talked to him once.
- 17 Q. Okay. And when you say this was going on, your
- 18 grandmother was home; wasn't she?
- 19 A. Yes.
- 20 Q. Okay. And your sisters were home; right?
- 21 A. Yes. Asleep.
- 22 Q. Pardon me?
- 23 A. Yes. Asleep.
- 24 Q. Okay. Well, where is your sisters' bedroom -- I
- 25 kind of know where your mom's bedroom was. Where was your

Minor - Cross Examination by Mr. DeJong

1 sisters' bedroom in relationship to your mom's room?

2 A. It was across from it. The room we had made into a
3 room, the dining room.

4 Q. I'm sorry?

5 A. The dining room we had made into a room across from
6 her room.

7 Q. Okay. So your sisters' bedroom was directly across
8 from your mom's room; right?

9 A. Yes.

10 Q. And then your room was the one that was made in the
11 dining room?

12 A. No. Theirs was in the dining room.

13 Q. Oh. Okay. And that was right across from your
14 mom's room?

15 A. Yes.

16 Q. And where was your room?

17 A. In the front of the house.

18 Q. Okay. Which of those rooms were closer to the
19 dining room where your mother watched -- or your
20 grandmother watched television; your room or your mom's
21 room?

22 A. My room was closest to the living room.

23 Q. Thank you, Minor

24 THE COURT: Anything?

25 MR. TOOKER: Just briefly.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Minor ~~on Direct Examination by Mr. Tooker~~
Georgia Houston - Direct Examination by Mr. Tooker

125

1 **REDIRECT EXAMINATION**

2 **BY MR. TOOKER:**

3 Q. Would you lie about all this to be with your mother?

4 A. No.

5 Q. Make up this whole story to be with your mom?

6 A. No. I lost everything in it.

7 Q. Okay. No further questions.

8 MR. DEJONG: Nothing on recross.

9 THE COURT: Thank you. You may step down.

10 MR. TOOKER: The state next calls Georgia
11 Houston to the stand.

12 THE CLERK: Place your left hand on the bible
13 and raise your right.

14 Do you solemnly swear or affirm that the testimony
15 you're about to give in this case to be the truth, the
16 whole truth and nothing but the truth, so help you God?

17 THE WITNESS: Yes, I do.

18 THE CLERK: If you would have a seat and state
19 your full name for the record, please.

20 THE WITNESS: My name is Georgia Houston.

21 **GEORGIA HOUSTON,**

22 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

23 **DIRECT EXAMINATION**

24 **BY MR. TOOKER:**

25 Q. All right. Ms. Houston, where are you from?

- 1 A. I'm from Greenville, South Carolina.
- 2 Q. Okay. And what is your relationship to Minor and
- 3 Sister 1 and Sister 2 ?
- 4 A. They're my daughters.
- 5 Q. They're your daughters. Do they currently reside
- 6 with you?
- 7 A. Right now Sister 1 and Sister 2 are residing with me.
- 8 Minor is staying with a friend right now.
- 9 Q. Do you know why you were called to testify here
- 10 today in court?
- 11 A. I do.
- 12 Q. And the defendant, who is he to you?
- 13 A. He's my ex-boyfriend.
- 14 Q. How long were you and he together?
- 15 A. We were together four and a half years.
- 16 Q. Okay. How long were you together before the events
- 17 that are alleged to have transpired in this case?
- 18 A. About a year and a half.
- 19 Q. How do you know him?
- 20 A. I've known him for about seventeen years now. I met
- 21 him through his mother when Minor was just a baby.
- 22 Q. Okay. And so he knew Minor as a baby?
- 23 A. Yes, he did.
- 24 Q. And how soon after you and he started dating did he
- 25 move into your house?

1 A. It was probably about six months, but he was in and
2 out.

3 Q. He was in and out?

4 A. Uh-huh (affirmative).

5 Q. Where did he work?

6 A. He worked at Imperial Die Casting.

7 Q. And where did you work?

8 A. I was working at Precision Valve in Travelers Rest,
9 South Carolina.

10 Q. What kind of hours did you work?

11 A. I worked twelve hour shifts from six in the evening
12 till six in the morning.

13 Q. And during this time were your daughters in school?

14 A. They were. Well, they were during the day.

15 Q. Yes, ma'am. Continue. I'm sorry.

16 A. They were in school during the day. And then after
17 I would go to work, they were there with my mother.

18 Q. And did they take the school bus, did they get
19 dropped off, or how did that work?

20 A. Sometimes they rode the bus. Sometimes we took them
21 to school.

22 Q. And about when did you start suspecting that
23 something funny was going on between your daughter and the
24 defendant?

25 A. It was, it was around Thanksgiving of about 2011, I

1 believe.

2 Q. What raised your suspicions?

3 A. Text messages I had seen and the fact that I was
4 asked to let my daughter ride to Salem and not -- I mean,
5 I wasn't asked to go. And she had school the next day.
6 And whenever I had said that she couldn't go, it wasn't a
7 why? It was automatically, how could you think I would do
8 something like that?

9 Q. Okay. Well, let's back up real quick. So before we
10 get into that, you said around Thanksgiving?

11 A. Uh-huh (affirmative).

12 Q. You sure it wasn't March of '11 that you started
13 suspecting something?

14 A. It may have been. I think it was around
15 Thanksgiving I actually started strongly believing. But
16 there was ---

17 Q. Thanksgiving is before March in this time line;
18 isn't it?

19 A. Yeah. Because March was right before Minor came
20 out and told me.

21 Q. Okay. Do you recall having given a written
22 statement in this case?

23 A. I do.

24 Q. Do you think it might help you refresh your
25 recollection as to those dates if you could refer to it?

- 1 A. Yes.
- 2 Q. Okay. All right. Now, just briefly review that.
- 3 Take a look at the first five lines, and let me know when
- 4 you've done.
- 5 A. Okay.
- 6 Q. Can I get that back from you now?
- 7 A. Yes.
- 8 Q. Thank you. So about when did you start suspecting
- 9 something funny was going on?
- 10 A. It was about, it was about March, because that's
- 11 when I found text messages.
- 12 Q. Okay. These text messages were from whom to whom?
- 13 A. They were from **Minor** to Chris.
- 14 Q. Okay. Did Chris send anything back to her?
- 15 A. He did.
- 16 Q. And how do you know it was Chris's phone sending
- 17 these texts?
- 18 A. Because of the numbers. We were all on the same
- 19 plan.
- 20 Q. Okay. And you recognized his phone number as the
- 21 number that was sending the text messages to **Minor** ?
- 22 A. I recognized that in her phone -- well, in his phone
- 23 he had her number down as -- he always called her punk, so
- 24 it said punk on it.
- 25 Q. Okay.

1 A. Because I saw the messages on his phone.

2 Q. Okay. So you saw the messages on his phone; not her
3 cell phone?

4 A. No. Not Minor 's phone.

5 Q. So you knew he was the sender because it was his
6 cell phone?

7 A. Yes, sir.

8 Q. Okay. So specifically what did he talk to her about
9 in those text messages?

10 A. Minor had asked him to bring her home a slim jim
11 and Gatorade, which he done every night. And she had told
12 him in the message that he could come in there and give
13 her a big kiss good night.

14 MR. DEJONG: Your Honor, I'm going to object to
15 what he told her. I mean, if it's a text it's still
16 hearsay.

17 MR. TOOKER: Your Honor, I think with regards to
18 anything she told him in a text message is not being
19 offered for the truth, but rather the effect on the
20 listener in this case, the defendant, and forms what he
21 said in response.

22 THE COURT: Well, I'm letting her testify as to
23 what he -- his messages because this is his phone.

24 Q. Okay. So what specifically did the defendant say in
25 response to Minor s texts?

- 1 A. He had told her stop sending texts because every
2 time one came through I had stirred, because I was asleep.
- 3 Q. Okay. So you guys are in bed together and he's
4 texting your daughter?
- 5 A. I was in bed asleep.
- 6 Q. Okay.
- 7 A. I was asleep. I can't say what he was doing.
- 8 Q. You don't know if he was in bed?
- 9 A. No, sir, I don't because he worked second shift.
10 And when he would come home, he would go take a shower and
11 everything. I don't know if he was in bed at that time or
12 up moving around in the room.
- 13 Q. Okay. So you're in bed?
- 14 A. I was in bed asleep.
- 15 Q. And he left his phone near you in the bed?
- 16 A. No. It was, it was after that whenever I had found
17 the messages. I didn't find them that night.
- 18 Q. Okay. So you found the messages later in reference
19 to a conversation that occurred the night before?
- 20 A. I believe so, yes.
- 21 Q. And after you found those text messages, what was
22 the next thing that you did?
- 23 A. I asked Minor about them.
- 24 Q. Okay. And she denied it?
- 25 A. She did.

1 Q. You mentioned the defendant having a reaction to
2 something. What was that reaction?

3 A. When he had asked me if **Minor** a could ride with
4 him to take his cousin home to Salem.

5 Q. Okay. Now, was that a usual request? Is that
6 something that happened often?

7 A. No. I mean, he would ask to take the kids places
8 with him and stuff.

9 Q. But what's important or what was significant about
10 taking his cousin to Salem on that occasion?

11 A. Because usually it would be he would ask all of us
12 to go or one of us -- or like one of the other kids to go,
13 but he didn't at that time.

14 Q. He asked **Minor**?

15 A. Only **Minor**.

16 Q. Was this a school night?

17 A. Yes. It was on a Sunday night, because I remember
18 saying, she has school tomorrow and it's already late.

19 Q. Okay. And you said that and how did he react?

20 A. He just automatically said, I can't believe you
21 would think I would do something like that.

22 Q. Had you accused him of anything?

23 A. No, sir.

24 Q. You had just said, I don't think it's good for her
25 to go to Salem with you tonight?

- 1 A. Yes, sir.
- 2 Q. And his immediate response was, I can't believe you
3 would accuse me of something like that?
- 4 A. Yes, sir.
- 5 Q. Okay. Now, you dated this man for several years.
6 Do you recall -- I know this is kind of a sensitive
7 subject -- but how he manicured his genitals in 2011?
- 8 A. Yes, sir.
- 9 Q. Okay. What did he do?
- 10 A. He stays clean shaved.
- 11 Q. Shaved? With like a razor?
- 12 A. Yes, sir.
- 13 Q. Okay. And after he reacted the way he did when you
14 told him that **Minor** couldn't go to Salem, what was the next
15 thing that you noticed?
- 16 A. Just he got her a phone.
- 17 Q. He got her a phone?
- 18 A. Yeah. He got her a phone on our account. And the
19 phone she had had before was prepaid. That phone was on
20 our bill; or it was in his name.
- 21 Q. Okay. So his reaction to, you know, him wanting to
22 take her to Salem, that was before you saw those text
23 messages?
- 24 A. I don't believe it was. I believe it was after I
25 had seen the text messages.

1 Q. Okay. What phone was that then that she was sending
2 text messages?

3 A. She had a prepaid Verizon phone that she had gotten
4 for her -- I believe it was for her birthday that year.

5 Q. All right. And so then he purchased her a phone?

6 A. Yes. On his -- on our plan through Verizon.

7 Q. Who else had phones?

8 A. It was him and myself had the first phones. And
9 then he went and got his son's phone and then he had took
10 Minor back to get her phone.

11 Q. Okay. Did either of the other girls get a phone?

12 A. No, sir.

13 Q. Okay. Was he big on text messaging?

14 A. Yes.

15 Q. Would he text message you?

16 A. Yes, sir.

17 Q. Was that something he did frequently?

18 A. Yes, sir.

19 Q. Okay. Did you ever see him text messaging Minor
20 other than the one occasion you mentioned?

21 A. No. We both kept our phones locked, but we
22 constantly text people, but I can't say he was texting
23 her, or who he was texting.

24 Q. Okay. And after your daughter Sister 1 and your
25 daughter Sister 2 came to you with this information, what

1 did y'all do?

2 A. We went ahead and stayed that night at the person's
3 house where we was. And the next day whenever we came
4 back, we went to Pickens County and made the report.

5 Q. Okay. And is that where you talked to Officer
6 Brannen?

7 A. Yes, sir, it was.

8 Q. Did you eventually ever meet other law enforcement
9 officers in this case?

10 A. I met Detective Riggs.

11 Q. Okay. That's the individual seated here at counsel
12 table?

13 A. Yes, sir.

14 Q. And do you recall anything ever having happened
15 around Valentines of 2011?

16 A. Not at Valentines Day, I don't.

17 Q. Do you remember him and her, the defendant and Minor
18 doing to buy you a Valentine and taking a long time?

19 A. No. I remember it was Thanksgiving that they had
20 went to Walmart and ---

21 THE COURT: Mr. Tooker, would you and counsel
22 come up here a minute?

23 MR. TOOKER: Yes, sir.

24 (WHEREUPON, Messrs. Tooker and DeJong approached the
25 bar.)

- 1 Q. So on Thanksgiving you remember them going out?
- 2 A. Yes. He had told me there was something at Walmart
- 3 he had seen that he wanted to get for me.
- 4 Q. Okay. And what sticks out in your mind?
- 5 A. That they were gone for a long time. And I kept
- 6 trying to call them. Whenever I got them, they said, with
- 7 it being Black Friday or with Black Friday going on, that
- 8 it was -- there was a lot of people there. And whenever
- 9 they came back, I had a box of candies and a card.
- 10 Q. Okay. And how long, if you had to estimate, do you
- 11 think they stayed gone?
- 12 A. I know they were gone for more than two hours.
- 13 Q. Was that unusual to you?
- 14 A. To just be going to Walmart, yes, it was.
- 15 Q. Okay. And did they stay gone -- stay gone -- did
- 16 they come back with anything?
- 17 A. Just a box of candies and a card.
- 18 Q. A box of candies and a card?
- 19 A. Yes, sir.
- 20 Q. They didn't purchase anything?
- 21 A. Not anything else that I can recall.
- 22 Q. Okay. Did that make sense to you in light of them
- 23 having gone to Walmart that night?
- 24 A. No.
- 25 Q. No further questions at this time.

1 THE COURT: Mr. DeJong.

2 MR. DEJONG: Thank you, Your Honor. May it
3 please the court.

4 CROSS EXAMINATION

5 BY MR. DEJONG:

6 Q. So you and Mr. Meadows had a four and a half year
7 relationship?

8 A. Yes, sir.

9 Q. Which would have started roughly in 2009?

10 A. Yes, sir.

11 Q. So it didn't end until ---

12 A. Just recently.

13 Q. Pardon me?

14 A. Just recently.

15 Q. Just recently?

16 A. Yes, sir.

17 Q. Okay. And so that I'm clear, even after these
18 allegations were made, you continued to live with Chris;
19 right?

20 MR. TOOKER: Judge, I'm going to object on
21 relevance. I'm not sure how she staying with him makes
22 any fact in this case more or less likely.

23 THE COURT: Well, I'm going to let him pursue
24 this a little further.

25 MR. TOOKER: Yes, sir.

1 Q. Well, let me ask you this.

2 MR. DEJONG: Thank you, Your Honor.

3 Q. After these allegations were made, you and your
4 three daughters continued to live at John Street; right?

5 A. Me and my two younger daughters continued to live
6 there until they were taken to North Carolina.

7 Q. All right. And then your two younger daughters were
8 there and Chris continued to live with you; correct?

9 A. He did move back into the home, yes.

10 Q. Okay. And lived there for, I guess about another
11 ---

12 A. Until we moved from John Street.

13 Q. Okay. So you lived there for about another two or
14 three years; right?

15 A. On John Street, we lived there for, it was about
16 another four months. And then we moved -- he and I moved
17 to Anderson.

18 Q. Okay. And when you moved to Anderson did your two
19 daughters move with you?

20 A. No. My two daughters then at that time were living
21 in North Carolina with my sister.

22 Q. Okay. So you worked at Precision Valve and you
23 worked from six till six; correct?

24 A. Yes, sir.

25 Q. And he worked at Imperial?

- 1 A. Yes, sir.
- 2 Q. He worked second?
- 3 A. He worked second shift.
- 4 Q. What were the hours for second shift?
- 5 A. From three till eleven.
- 6 Q. Three in the afternoon till eleven at night?
- 7 A. Yes, sir.
- 8 Q. Okay. I'm a little confused here. When was it that
- 9 the request was made to go to Salem?
- 10 A. That request was made -- it was earlier in the year,
- 11 I believe. I know it was summertime of, I believe, 2011.
- 12 Q. All right. So that was say July -- that was some
- 13 four months before anything in these allegations allegedly
- 14 happened; right?
- 15 A. Yes, sir.
- 16 Q. And so when Chris lived there, did he shower there?
- 17 A. Yes, sir, he did.
- 18 Q. And he slept there?
- 19 A. Most of the time, yes, he did.
- 20 Q. Okay. And he was about the house; right?
- 21 A. Yes, sir.
- 22 Q. All right. And basically living there as a father
- 23 figure or at least the man of the house; right?
- 24 A. Yes, sir.
- 25 Q. And how big of a house would you say that house on

1 John Street was?

2 A. My house, it was a two bedroom, one bath home.

3 Q. Do you know how many square feet it was by any
4 chance?

5 A. No, sir, I don't.

6 Q. Would you describe that house as small, medium or
7 large?

8 A. It was probably about a medium size house.

9 Q. Okay. And when Chris lived there, was he in your
10 bedroom or some other bedroom?

11 A. When he stayed there, he stayed in my room.

12 Q. Okay. Now, Minor had her own room; right?

13 A. Yes, sir.

14 Q. Okay. And then the other two girls, I gather they
15 shared a bedroom?

16 A. They did. We had a makeshift -- like the dining
17 room, we had turned it into their bedroom.

18 Q. And then where was Minor's room?

19 A. Minor's room was in the front of the house.

20 Q. All right. And from sometime prior to Thanksgiving
21 of 2010 through March or April of 2010 (verbatim), was
22 your mother working during that period of time?

23 A. My mother was -- she worked at the same place. She
24 worked the same hours I did, but she was on another shift
25 where the nights I worked, she was off. And the nights

1 that she worked, I was off.

2 Q. So when the girls were there, it was either you were
3 there or your mother was there; right?

4 A. Yes, sir.

5 Q. And how old is your mother?

6 A. My brother -- or my mother will be sixty-four this
7 year.

8 Q. All right. To your knowledge is her hearing pretty
9 good?

10 A. No. She is deaf in one ear.

11 Q. Okay. So going back to the summer of 2010, the
12 request to go to Salem was denied; correct?

13 A. Yes, sir, it was.

14 Q. Okay. And so then certainly nothing there. So the
15 next time, if I understand, it was on Friday after
16 Thanksgiving?

17 A. Yeah, it would have been Black Friday.

18 Q. Black Friday. And that's where the request was made
19 to go to Walmart?

20 A. Walmart, yes, sir.

21 Q. And in the meantime, Chris had taken everybody to
22 various places through all this time; hadn't he?

23 A. Yes, sir.

24 Q. And sometimes one and not the others or whatever;
25 right?

1 A. Yes, sir.

2 Q. So maybe he was with Sister 1 at one point in time and
3 not Minor or Sister 2 and so on and so on; right?

4 A. Yes, sir.

5 Q. So for him to be with Minor to go to Walmart
6 would not have been an unusual occurrence; would it?

7 A. For him to go to Walmart, it wasn't.

8 Q. I'm sorry?

9 A. For him to ask for her to ride to Walmart with him,
10 it was not unusual.

11 Q. Okay. And now this was Black Friday?

12 A. Yes, sir.

13 Q. One of the busiest, if not the busiest, shopping day
14 in the year; right?

15 A. Yes, sir.

16 Q. So on that particular time to get in and out of
17 Walmart, would you agree, in probability, would take a
18 substantial amount of time?

19 A. Yes, sir.

20 Q. And I gather you don't know which -- or you would
21 have no knowledge which Walmart they went to; would you?

22 A. I believe they went to the one in Easley.

23 Q. But you don't know that as a fact?

24 A. No. I can't say that for sure.

25 Q. Could have been Greenville, could have been

- 1 Anderson; correct?
- 2 A. Yes, sir.
- 3 Q. Okay. And when they came home, Chris had a box of
- 4 candy and a card for you?
- 5 A. Yes, sir.
- 6 Q. Was that purchased at Walmart?
- 7 A. As far as I know, yes, it was.
- 8 Q. And purchased at Walmart on Black Friday?
- 9 A. As far as I know it was.
- 10 Q. Okay. Now, that would have been Thanksgiving?
- 11 A. Uh-huh (affirmative).
- 12 Q. When did you say you started seeing these texts?
- 13 A. I started seeing the texts, it was around March
- 14 after that.
- 15 Q. Okay. All right. Now, had you and Chris planned on
- 16 getting married?
- 17 A. We had.
- 18 Q. And when did you share with your children that you
- 19 and Chris were going to get married; or more specifically,
- 20 with Minor ?
- 21 A. When we had spoke about it and after that, whenever
- 22 I had talked to my children.
- 23 Q. Was that Christmas, New Year's; do you remember?
- 24 A. No. I don't remember exactly when, because we had
- 25 spoke about it many times.

- 1 Q. Okay. All right. And when you shared that with
2 MMinor, I'm not asking you what she said, but did she
3 register happiness, displeasure or what did she register?
4 A. She really had no emotion about it.
5 Q. All right. Now, before Chris came into your life,
6 it was basically you, the three girls and your mother, I
7 gather; right?
8 A. Yes, sir.
9 Q. And you worked, and beyond work, you pretty much
10 devoted your life to the three girls; right?
11 A. Yes, sir.
12 Q. Now, would you agree with me that once Chris came
13 into your life, there was a chance there?
14 A. Yes, sir, there was.
15 Q. You started giving a lot more attention to Chris?
16 A. Yes, sir.
17 Q. Not that you shut the girls out, but you gave them a
18 whole lot less attention once Chris came into your life;
19 correct?
20 A. Yes, sir.
21 Q. Okay. Now, Minor is the oldest of your three
22 children; right?
23 A. Yes.
24 Q. And being the oldest, would she get more privileges
25 than maybe the other two would?

- 1 A. Yes, she does.
- 2 Q. Okay. And that was simply because she was the
- 3 oldest; right?
- 4 A. Yes, sir.
- 5 Q. Okay. Talking about these phones a little bit.
- 6 Chris had a phone?
- 7 A. Uh-huh (affirmative).
- 8 Q. You had a phone?
- 9 A. Yes, sir.
- 10 Q. And then he bought his son a phone?
- 11 A. Yes,
- 12 Q. And then he bought Minor a phone; is that
- 13 correct?
- 14 A. Yes.
- 15 Q. So certainly the buying of the phone -- well, was
- 16 that for a special occasion; do you recall?
- 17 A. No. He said because he had got his son one that he
- 18 wanted to get Minor one as well.
- 19 Q. Okay. So that was an attempt at fairness, if you
- 20 will; right?
- 21 A. I believe so, yes.
- 22 Q. And the texts that you saw, if I understood you
- 23 correctly, was Chris text -- I never know what the past
- 24 tense for text is. Texted doesn't sound right. But the
- 25 text you saw from Chris to Minor was Chris said,

1 stopped texting; right?

2 A. The text said, stop texting. She stirs every time
3 you send one. It was something along that lines, but ---

4 Q. Okay. But the general comment was, or the comment
5 was, stop texting me?

6 A. Yes.

7 Q. There was nothing sexual in that; was there?

8 A. No, sir.

9 Q. When Minor wrote her statement, were you with
10 her?

11 A. I was there for some of it. Yes.

12 Q. The written one?

13 A. Yeah. I was there for some of it, because I had to
14 go to work.

15 Q. Okay. And from Anderson -- well, when you came back
16 from Anderson on whatever the date was, you did not go to
17 the police department that night?

18 A. Yes. Because we had came back that morning. That
19 evening is when we went to the police department.

20 Q. Okay. Now, did Minor ride with you?

21 A. Yes, she did.

22 Q. Did y'all talk about this situation?

23 A. Not going up there, no.

24 Q. Okay. Did you talk about it afterwards?

25 A. Afterwards I explained to Minor that the only

1 person she had to speak to about it was Detective Riggs.

2 Q. Okay. Did you ever talk to her about it?

3 A. I had tried, but Minor wouldn't talk to me about
4 it.

5 Q. Okay. Did Minor write the statement or did you
6 write the statement?

7 A. I did not write the statement.

8 Q. Okay. Thank you, Ms. Houston.

9 THE COURT: Anything, Mr. Solicitor?

10 MR. TOOKER: No, sir. May she be excused?

11 THE COURT: Yes, sir. You may step down. Thank
12 you, ma'am.

13 MR. TOOKER: The state next calls Betty Ipina.

14 THE CLERK: If you would, place your left hand
15 on the bible and raise your right.

16 You do solemnly swear or affirm that the testimony
17 you're about to give in this case will be the truth, the
18 whole truth and nothing but the truth, so help you God?

19 THE WITNESS: Yes, sir.

20 THE CLERK: If you would have a seat. State
21 your name for the record, please.

22 THE WITNESS: Betty Ipina.

23 **BETTY IPINA,**

24 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

25 **DIRECT EXAMINATION**

1 BY MR. TOOKER:

2 Q. Ms. Ipina, where are you from, ma'am?

3 A. I live in Cherokee, North Carolina.

4 Q. Okay. And what is your relationship to Georgia
5 Houston?

6 A. She is my sister.

7 Q. Okay. So what is Minor to you?

8 A. She is my niece.

9 Q. And Sister 1 and Sister 2 ?

10 A. They are my nieces.

11 Q. Okay. Did Minor come and live with you at any point
12 in time?

13 A. Yes, sir.

14 Q. When did that happen?

15 A. It happened around the time the allegations had come
16 out with Chris. Maybe I would say a week after, her
17 mother brought her up to me.

18 Q. All right. And did you have room for her there?

19 A. Excuse me?

20 Q. Did you have room for her in your house?

21 A. Well, now when she first come to stay with me, I was
22 in a two bedroom trailer. And then I moved down to a
23 three bedroom house in Sylva. And when I went to the
24 three bedroom house when I had all the girls and then we
25 wound up moving into a four bedroom in Cherokee to where

1 there was enough room for everybody.

2 Q. Okay. So you ended up having Sister 2 and Sister 1 , as
3 well?

4 A. Yes, sir.

5 Q. How long did Minor end up staying with you?

6 A. Minor wound up staying with me, it was over a year,
7 almost two.

8 Q. All right. And what did you observe, particularly
9 immediately after, you know, these allegations came
10 forward and she came to stay with you, what did you
11 observe her emotional state to be?

12 A. She was depressed. She blamed herself. She was
13 just down.

14 Q. Okay. Did she do any kind of self-injury or did she
15 harm herself?

16 A. Yeah. She would cut on herself.

17 Q. What do you mean by cut on herself?

18 A. On her arms and stuff. She said that's how she
19 relieved her pain.

20 Q. Okay. Did you end up trying to get her help in
21 anyway?

22 A. She went through counseling and stuff at school.

23 Q. Okay. And do you think she was doing better or
24 worse when she was living in North Carolina from what you
25 could tell?

1 A. They was doing better. By the time we had moved to
2 Cherokee, she started high school. Her grades was high.
3 She was happy. She was already getting things to go into
4 early college. Before we left Sylva and went to Cherokee,
5 they was wanting her to do early college. And by the time
6 we got to Cherokee and she started high school there, she
7 had done started getting applications for colleges. And
8 she still had, what, two more years to go.

9 Q. Okay. Did she seem positive?

10 A. Yeah, she was positive.

11 Q. And did you ever talk to her about what happened?

12 A. No. I let her talk on her own about it.

13 Q. Okay. And without going into detail, did she say
14 when these things happened?

15 A. No. She never would really say when or ---

16 Q. Did she say where they happened?

17 A. No.

18 Q. She didn't tell you where?

19 A. She just would say that she was sorry that it
20 happened, that she felt like she was the blame.

21 MR. DEJONG: Objection to what she said, Your
22 Honor.

23 THE COURT: Sustained.

24 Q. You can't say what other people said, with the
25 exception of about when and where?

- 1 A. Okay.
- 2 Q. Okay?
- 3 A. Well, I can't tell you exactly when or where because
- 4 I'm not good with dates, but ...
- 5 Q. Okay. All right. So she came to live with you in
- 6 April of '11?
- 7 A. Yes, sir.
- 8 Q. And when did she move out?
- 9 A. She moved out, it was before Christmas last year,
- 10 year before last.
- 11 Q. Okay. Who did you hear about these things from?
- 12 Who told you what had happened and what was alleged?
- 13 A. Her mother.
- 14 Q. Her mother Georgia?
- 15 A. Yes.
- 16 Q. And was it Georgia's idea that she come up there?
- 17 A. Yes. She was upset with **Minor** over it. And I told
- 18 her, well, why don't you just let her come up here and
- 19 stay with me. And she brought her up to me.
- 20 Q. And that was the status quo for about a year?
- 21 A. Well, till DSS had stepped in and then the temporary
- 22 guardianship and then the full guardianship was moved over
- 23 to me.
- 24 Q. Okay. No further questions.
- 25 THE COURT: Anything?

1 MR. DEJONG: Thank you, Your Honor. May it
2 please the court.

3 **CROSS EXAMINATION**

4 **BY MR. DEJONG:**

5 Q. When they left your house, did they go back to their
6 mother?

7 A. Yes, sir.

8 Q. And that would have been about, I think you said,
9 before Christmas of last year?

10 A. Uh-huh (affirmative).

11 Q. Do you know whether or not Mr. Houston, your sister,
12 and Chris were still having a relationship at that point
13 in time?

14 A. No. She had to go through parenting classes and
15 stuff in order for her to regain custody. And that was
16 one of the circumstances that she regain custody is she
17 had to stay away from -- keep the kids away from him, any
18 contact, until the court hearing was over.

19 Q. Now, before Minor came to live with you in 2011?

20 A. Uh-huh (affirmative).

21 Q. How often did you see Minor before she moved in
22 with you?

23 A. Just when I would get a chance to come down to
24 visit. So maybe two or three times a year.

25 Q. So ---

- 1 A. And I lived here before I moved to Cherokee.
- 2 Q. Okay. And she is your niece?
- 3 A. Yes.
- 4 Q. Okay. So you saw her sporadically? Would that be
- 5 fair to say?
- 6 A. Yes.
- 7 Q. So on her daily basis, you wouldn't know if she was
- 8 depressed or not depressed; would you?
- 9 A. No, not really.
- 10 Q. Right. So you couldn't say if she was depressed
- 11 when she came to live with you that she hadn't been that
- 12 way for years; could you?
- 13 A. No.
- 14 Q. Okay. And as far as what you say cutting was, you
- 15 would not have had any way of knowing whether they had
- 16 happened before?
- 17 A. From the way I understand, she did it when she was
- 18 with her mama, so ...
- 19 Q. Okay. So that's been something that's been ongoing;
- 20 ---
- 21 A. Uh-huh (affirmative).
- 22 Q. --- is that correct? Okay. Thank you so much,
- 23 ma'am.
- 24 THE COURT: Anything?
- 25 MR. TOOKER: Briefly, Your Honor.

1 THE WITNESS: Oh, I'm sorry.

2 MR. TOOKER: That's all right. Just wait till
3 we say you're excused.

4 THE WITNESS: Okay.

5 **REDIRECT EXAMINATION**

6 **BY MR. TOOKER:**

7 Q. You said that it was something that she had done
8 before. Did she stop doing it after she got out of the
9 defendant's house?

10 A. When she come to the house she had stopped cutting
11 on herself. Once she got settled in, we didn't have no
12 more problems with the cutting.

13 Q. Okay. No further questions.

14 THE COURT: All right. Thank you, ma'am. You
15 may step down.

16 MR. DEJONG: May we approach, Your Honor?

17 (WHEREUPON, Messrs. Tooker and DeJong approached the
18 bar.)

19 THE COURT: All right. Ladies and gentlemen,
20 we're going to take a break for about fifteen minutes.
21 Step back to the jury room. Please don't discuss the case
22 while you're back there. And we'll be with you in a
23 little bit.

24 (WHEREUPON, the jury exited the open court at
25 approximately 3:55 p.m.)

1 THE COURT: We'll take a few minute break. When
2 y'all get a chance, come on back and we'll figure out
3 where we are.

4 MR. TOOKER: Yes, sir.

5 (WHEREUPON, the court stood at recess for a short
6 break.)

7 THE COURT: We have decided, after consulting
8 with the -- oh, we've got to get us a defendant; don't we?
9 -- that the state has two witnesses that are not available
10 till tomorrow and I think it's the state's preference that
11 their final witness be after those two witnesses. So
12 we've agreed to recess for the afternoon and come back in
13 the morning and put the remaining portion of the state's
14 case up. And then the defendant will make a decision what
15 the defense is going to offer. It probably will be that
16 that will be sometime close to lunch. We'll break for
17 lunch, come back and argue and charge. We've instructed
18 the clerk to have the jury call back tomorrow after six
19 and we'll give them -- I think there's a couple of trials
20 for Wednesday that we can go into at that point.

21 Let's bring the jury in. We'll turn them loose for
22 the afternoon and come back in the morning.

23 (WHEREUPON, the jury entered the open court at
24 approximately 4:11 p.m.)

25 THE COURT: All right. Ladies and gentlemen,

1 while you were out I met with the attorneys to figure out
2 the logistics. The state has indicated that they have a
3 couple of witnesses that are not available until tomorrow
4 and another witness that he wants to use after those
5 witnesses have testified. So I think it probably moved a
6 little bit quicker than we thought we would this
7 afternoon. So we're going to go ahead and recess for the
8 afternoon.

9 I ask you not to discuss this case with anybody while
10 you're gone tonight, anybody at home or anything like
11 that. And don't do any investigation or inquiry. When
12 you get home, don't get on the computer, as I've talked to
13 you about. We're going to start at nine thirty in the
14 morning. I anticipate that we will finish the case
15 tomorrow and you should get the case at some point
16 tomorrow. You've worked hard for a day. Let's don't do
17 anything to affect your hard work up till this point.

18 Y'all have a nice afternoon, nice evening, and we'll
19 see you back here, be ready to go at nine thirty in the
20 morning.

21 (WHEREUPON, the jury exited the open court at
22 approximately 4:12 p.m.)

23 THE COURT: Okay. Y'all have a nice evening
24 tonight and we'll see you back here tomorrow morning.

25 Now, your defendant, is he on -- is he free or is he

1 in the jailhouse?

2 MR. DEJONG: He's out on bond, Your Honor.

3 THE COURT: Well, he isn't now.

4 MR. DEJONG: I would ask you not to take him in
5 custody for many reasons. But one of my big reasons is,
6 as of this morning we had two hundred and thirty inmates
7 in the Pickens County jail and we had a hundred and
8 twenty-one beds. He's always been here when he's been
9 required to be here. He's responded to every bond card.
10 We talked about it a little earlier today, and I think he
11 said it would be stupid or crazy for him not to show up;
12 one of those two words he used. So I would ask you to
13 keep him out.

14 THE COURT: You know, I hate to say it, but in
15 my career as an attorney and as a judge, I've seen a lot
16 of people do stupid and crazy things. That is not
17 something that's going to affect ... Does the state has a
18 position about this?

19 MR. TOOKER: The state's concerned about both
20 stupid and crazy. I understand the jail is crowded and
21 ---

22 THE COURT: That's not an issue for me. I mean,
23 has he been any problem at all?

24 MR. TOOKER: Not that I'm aware of, sir. But he
25 hasn't been on trial before either.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Betty Ipina -Redirect Examination by Mr. Tooker

158

1 THE COURT: Well, I tell you what I'm going to
2 do. I'm going to let you remain out, but I'm going to
3 tell you if you don't appear tomorrow we're going to go
4 forward with this trial. We will complete the trial in
5 your absence. And that will not be good for you.

6 THE DEFENDANT: No, sir.

7 THE COURT: That will ---

8 THE DEFENDANT: Put a nail in my coffin.

9 THE COURT: Pardon me?

10 THE DEFENDANT: I said, that would put a nail in
11 my coffin.

12 THE COURT: I don't know about that, but it just
13 would not be a good thing for you not to be here. And if
14 you don't come, we will go forward with the trial, and we
15 will send the police to find you, wherever that may be.
16 And they will find you eventually.

17 THE DEFENDANT: Yes, sir. I won't do that.

18 THE COURT: And if you're successful in your
19 efforts and you walk out of here, it doesn't matter, but
20 you'll blow that chance if you don't get here.

21 THE DEFENDANT: I understand, sir.

22 THE COURT: So you be here tomorrow and we'll
23 start up at nine thirty.

24 MR. TOOKER: One final request, Your Honor.

25 Part of his bond was to have no contact with the victim

1 and the victim's family. Now that the bond is satisfied,
2 we would just request that Your Honor order him not to
3 contact the victim or the victim's family.

4 THE COURT: Don't call anybody. Don't call mama
5 or any of the children or the grandmother, the aunt.
6 Anybody else?

7 MR. TOOKER: I think that should satisfy.

8 THE COURT: Or any witnesses that have testified
9 or will testify in this trial.

10 THE DEFENDANT: Yes, sir.

11 THE COURT: If your lawyer needs to talk to
12 anybody, that's a channel that he can pursue. We will go
13 forward in the morning.

14 MR. TOOKER: Thank you, sir.

15 MR. DEJONG: Thank you, Your Honor.

16 (WHEREUPON, the court stood at recess for the day.)

17 **February 25, 2014**

18 (WHEREUPON, court convened with all parties present
19 and the following proceedings were had.)

20 THE COURT: Good morning, y'all. Please be
21 seated, if you would.

22 Mr. Tooker, did you get your witness here?

23 MR. TOOKER: She's not here yet, but we can call
24 Detective Riggs next, if he could just be subject to
25 recall for two questions, after she arrives.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Betty Ipina -Redirect Examination by Mr. Tooker

160

1 THE COURT: Well, why isn't she here?

2 MR. TOOKER: I'm not sure. I know she's on her
3 way. She stayed in Greenville last night. I've been in
4 communications with her. She should be here soon. But
5 again, to keep things moving, we're prepared to call
6 Detective Riggs.

7 THE COURT: You know, we couldn't put him up
8 yesterday.

9 MR. TOOKER: Yes, sir, I know. I know.

10 THE COURT: Did you tell this witness what time
11 to be here?

12 MR. TOOKER: I did. We talked to her this
13 morning and she should be here any minute.

14 THE COURT: All right. Y'all got any objection
15 to his recalling this witness?

16 MR. TOOKER: Detective Riggs.

17 MR. DEJONG: I'm sorry, Your Honor.

18 THE COURT: Apparently he wants to question him
19 in shifts.

20 MR. DEJONG: Well, I don't know what the shifts
21 are. I'm not trying to be disrespectful.

22 THE COURT: I don't either. He apparently wants
23 to ask this investigator some information based on the
24 witness who is not here who was supposed to be here at
25 nine thirty.

1 MR. TOOKER: The plan, Mr. DeJong, for the
2 court's benefit, will be to call Detective Riggs, have him
3 testify as to everything that he would normally testify to
4 in this case. He would step down. We would introduce the
5 custodian of records. And then after we've introduced the
6 records, we would recall Detective Riggs just to talk
7 about what he did with those records.

8 MR. DEJONG: I presume that is in terms of
9 numbers?

10 MR. TOOKER: Yes, sir.

11 MR. DEJONG: I'm not going to object to that,
12 Your Honor. Just let's move forward with the trial.

13 THE COURT: So we're waiting on a records
14 custodian?

15 MR. TOOKER: Yes, sir.

16 THE COURT: Where is the expert that you have?

17 MR. TOOKER: She's on her way over, as well.

18 THE COURT: The rest of this week, you'd better
19 have your witnesses. Tell your people that these
20 witnesses -- I'm not waiting on them.

21 MR. TOOKER: Yes, sir.

22 THE COURT: They can either bring their
23 checkbooks or they can be on time.

24 MR. TOOKER: Yes, sir.

25 THE COURT: Or not testify.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Betty Ipina -Redirect Examination by Mr. Tooker

162

1 MR. TOOKER: I should assume the burden for
2 this, because I believe I didn't communicate with them
3 clear enough about when to be here, Your Honor. So I
4 think that falls on me.

5 MR. DEJONG: I would share with the court, Your
6 Honor, since the jury is not in here, I'll share with you.
7 With regard to the alleged expert, I will have a motion on
8 that at the appropriate time. It's probably a little
9 premature right now. But I just wanted to let Your Honor
10 know.

11 THE COURT: What kind of motion will that be?

12 MR. DEJONG: That she not testify, Your Honor.

13 THE COURT: Do we need to proffer whatever it is
14 that ---

15 MR. DEJONG: Yes, sir.

16 THE COURT: All right. Let's bring the jury in.

17 (WHEREUPON, the jury entered the open court at
18 approximately 9:33 a.m.)

19 THE COURT: All right. Good morning to you,
20 ladies and gentlemen. Hope you had a nice evening last
21 night. And thank you for being here this morning.

22 Let me ask you something before we get started.
23 Anybody have any conversation about this case with each
24 other or with anybody else? Or were you approached by
25 anybody to discuss the case since we left yesterday?

1 (No response.)

2 THE COURT: Was there any independent inquiry or
3 independent investigation; get on the computer, do
4 anything about this case since we left yesterday?

5 (No response.)

6 THE COURT: All right. Good. Because you
7 recall when we recessed for the afternoon, the state was
8 in the process of putting up their case in chief. So I'll
9 call on the solicitor and ask him to call his next
10 witness, please.

11 MR. TOOKER: Thank you, Your Honor. May it
12 please the court. State calls Detective -- or excuse me
13 -- Assistant Chief Travis Riggs.

14 THE CLERK: Do you solemnly swear or affirm that
15 the testimony you're about to give in this case will be
16 the truth, the whole truth and nothing but the truth, so
17 help you God?

18 THE WITNESS: I do.

19 THE CLERK: Thank you, sir. If you would, have
20 a seat and state your full name for the record, please.

21 THE WITNESS: Travis Riggs.

22 TRAVIS RIGGS,

23 HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

24 DIRECT EXAMINATION

25 BY MR. TOOKER:

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Travis Riggs - Direct Examination by Mr. Tooker

164

- 1 Q. All right. Mr. Riggs, what is your official title?
- 2 A. I'm the assistant chief.
- 3 Q. What was your title back in 2011?
- 4 A. I was a detective.
- 5 Q. And with what law enforcement agency?
- 6 A. Pickens City Police Department.
- 7 Q. And how long have you been with the Pickens Police
- 8 Department?
- 9 A. Going on fifteen years.
- 10 Q. Okay. How long have you been in law enforcement
- 11 total?
- 12 A. Fifteen years.
- 13 Q. Okay. So you started with the Pickens P.D. and been
- 14 there all the way through?
- 15 A. Correct.
- 16 Q. All right. And what do you do on a day to day
- 17 basis? What does your role with the Pickens P.D. consist
- 18 of?
- 19 A. Now or then?
- 20 Q. Back in 2011 and now?
- 21 A. Pretty much go over the case files that the officers
- 22 have took, incident reports, and investigate any crimes
- 23 that need investigating.
- 24 Q. Okay. And in 2011, I mean, that was your duty day
- 25 to day; ---

- 1 A. Yes.
- 2 Q. --- investigating cases?
- 3 A. Yes.
- 4 Q. Okay. Did you investigate this case ---
- 5 A. Yes.
- 6 Q. --- that we're here on today? All right. How did
- 7 you first get involved?
- 8 A. When I came in on the morning of the 11th, what I do
- 9 initially is go over all the cases that happened the night
- 10 before, the weekend or whatever. And that was one of the
- 11 cases. It's mine. I mean, I'm a detective, so I knew I
- 12 was going to be investigating it. So I immediately went
- 13 ahead and started investigating the case.
- 14 Q. Okay. What was the first step that you took?
- 15 A. The first step was I went up to the middle school
- 16 where the victim was, and I had the SRO bring her into an
- 17 office. And then we interviewed her. I wanted to talk to
- 18 her about what had happened and all the accusations.
- 19 Q. All right. What is an SRO?
- 20 A. Excuse me. School Resource Officer.
- 21 Q. Okay. And you talked to M~~Minor~~ Minor ?
- 22 A. Yes.
- 23 Q. Okay. And without going into specifics, did she say
- 24 when these events occurred?
- 25 A. Yes. It started around Thanksgiving of 2010 and ---

1 MR. DEJONG: Your Honor, I'm going to object to
2 anything the alleged victim told him.

3 MR. TOOKER: Your Honor, I believe there's that
4 exception under the hearsay rule for when and where ---

5 THE COURT: I understand that. But it sounds to
6 me like he's getting ready to testify as to what she told
7 him.

8 Q. Okay. Just limit your answer to when and where the
9 events were said to have transpired. Can you do that?

10 A. Between Thanksgiving 2010 and March 2011. Where was
11 in her home at Street and in a vehicle, unknown
12 location.

13 Q. Okay. And about how long did that interview take?

14 A. I don't recall. I'll guesstimate twenty, thirty
15 minutes. I don't recall.

16 Q. Okay. When you were talking to her, how would you
17 describe her emotional state when she's telling you all
18 this stuff?

19 A. At the very beginning she was a little nervous. And
20 then when we began -- got further into the conversation,
21 her emotional state was very ashamed, saddened. She began
22 crying.

23 Q. Okay. After you talked to her, what's the next step
24 or what's the next -- what do you as an investigator do
25 next to ensure that the case is properly investigated?

1 A. I later, I don't recall exactly when, I went to her
2 home and I spoke with her mother, her sisters. I spoke
3 with a Robert Futrell. Just started trying to piece
4 together any witnesses that happened to be a part of this
5 or know anything. I took witness statements. You know,
6 of course, we questioned and asked about any forensics
7 evidence but too much time had passed. None of that was
8 available. And then I proceeded to get -- after I felt I
9 had enough probable cause for a warrant, I put it in front
10 of a judge.

11 Q. Okay. And when you get a warrant, you go to a
12 magistrate?

13 A. Yes. Or a municipal judge.

14 Q. And then how is the warrant served? How is the
15 process served?

16 A. Well, you apply for the warrant. And if it is
17 approved, then the judge issues the warrant, then I would
18 sign it as the affiant and then an officer would go out
19 and attempt to serve such warrant.

20 Q. So how was the warrant served in this case?

21 A. The officer went with the -- because the defendant
22 worked in the county and he was supposedly at work at
23 Imperial Die Casting, we got it countersigned by Judge
24 Wolfe at the Pickens County LEC. One of our officers,
25 Sandor and a deputy went to Imperial Die Casting to pick

1 up the defendant. They spoke with his boss, who stated
2 that he had left over a half hour ago to turn his self in.
3 They came back to the LEC and waited another half hour,
4 you know, just in case he was late or anything. He never
5 showed up. They responded to -- or they went to his
6 father's house on Turner Road and served the warrant. He
7 was there.

8 Q. Okay. And there's been a lot of talk of cell phone
9 communications in this trial. Did you request records for
10 cell phones in this case?

11 A. Yes. I asked for the cell phones from Minor and
12 Mr. Meadows. Mr. Meadows had broken his cell phone and
13 threw it away, but it was still in the trash at
14 Street. We considered that abandoned property, since it
15 was in the trash. I took the phone. They gave -- I
16 should say the homeowners gave me that phone and
17 Minor 's. I applied for a search warrant; obtained
18 that. And went through the phones trying to see if there
19 were any leftover pictures or anything of that nature.

20 Q. Did you find anything on there?

21 A. No. The phone that was broken was damaged too bad
22 to get anything from. And the phone Minor had did not
23 have a memory card and she had erased -- I guess it comes
24 with a small amount of memory, but she had erased those
25 pictures and there was nothing that we could get back from

1 those.

2 Q. So did you try to obtain any other kind of records?

3 A. Yes. I then did a court order to Verizon for the
4 actual records, which would just show the calls made to
5 and from. And I did that on all three numbers, Chris
6 Meadows, Georgia's -- I'm sorry.

7 Q. I was going to say, you say all three numbers, whose
8 numbers are we talking about?

9 A. Chris Meadows phone, cell phone number, Georgia
10 Houston's, the mother, and Minor .

11 Q. Okay. What is Chris Meadows' cell phone number? Or
12 what was the cell phone number that you requested the
13 records on?

14 A. I would have to look at my notes. I don't recall.
15 It's something.

16 Q. Okay. If I show you your notes, will it refresh
17 your recollection?

18 A. Oh, yes. Oh, yes.

19 Q. If you look at that document, will it refresh your
20 recollection as to the defendant's cell phone number?

21 A. Yes. 3994, with an area code.

22 Q. Okay. And ---

23 A. This is at the time between November and March.

24 Q. November of 2010 and March of 2011?

25 A. Correct.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Travis Riggs - Direct Examination by Mr. Tooker

170

1 Q. You said Georgia Houston's, what was her phone
2 number?

3 A. -9813.

4 Q. Okay. And what about Minor, what was her phone
5 number?

6 A. 3161.

7 Q. And those are the records that you requested, the
8 records for those phone numbers?

9 A. Correct.

10 Q. Did that include the records of texts back and
11 forth?

12 A. Yes. Yes.

13 Q. Okay. What about the content of those messages.
14 Was that kind of stuff something you were able to get?

15 A. No. The content, the actual verbiage, I guess you
16 would say, of the text messaging, Verizon, to my
17 understanding, can't get that unless it's within like five
18 days or something like that. It's just too much data for
19 them to store. They can store the records of the number
20 because the actual data of the actual texting, they don't
21 keep it no longer than -- and I don't know for sure, but I
22 think it's approximately five days.

23 Q. Okay. And after the arrest, did the defendant do
24 anything that you thought was at all unusual or unsavory?

25 A. He continued contacting Georgia. And I was told he

1 was making threats ---

2 MR. DEJONG: Objection, Your Honor.

3 THE COURT: Sustained.

4 Q. Don't talk about what anybody else said; just
5 anything that you witnessed personally, anything you saw
6 or that you're aware of. In essence, was there contact,
7 continued contact, after the arrest was made?

8 A. With myself?

9 Q. Between the defendant and the victim's family?

10 A. Yes.

11 Q. Okay.

12 MR. TOOKER: No further questions at this time,
13 Your Honor.

14 MR. DEJONG: Thank you, Your Honor. May it
15 please the court.

16 **CROSS EXAMINATION**

17 **BY MR. DEJONG:**

18 Q. Mr. Riggs, I gather you were pretty much the chief
19 investigator on this case?

20 A. Yes, sir.

21 Q. And certainly there were numerous allegations that
22 were made; is that correct?

23 A. Yes.

24 Q. Now, one of which was at Street; correct?

25 A. There were numerous at Street.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Travis Riggs - Cross Examination by Mr. DeJong

172

- 1 Q. Well, what about -- you said unknown locations?
- 2 A. Correct.
- 3 Q. How many of those were in Pickens County?
- 4 A. It's unknown, so I couldn't tell you.
- 5 Q. So you couldn't say any of them were in Pickens
- 6 County?
- 7 A. Not definite.
- 8 Q. All right. Well, you couldn't say period; right?
- 9 A. I couldn't say they were or were not.
- 10 Q. Right. So you can't say that happened in Pickens
- 11 County; can you?
- 12 A. You can't say it didn't.
- 13 Q. Well, you were the chief investigator?
- 14 A. Correct.
- 15 Q. Now, based on your investigation, none of those
- 16 unknown locations were in Pickens County?
- 17 A. I don't know.
- 18 MR. TOOKER: Judge, this is asked and answered.
- 19 THE COURT: He doesn't know where they were at,
- 20 so ---
- 21 MR. DEJONG: Thank you, Your Honor.
- 22 Q. You say you looked for forensic evidence. To your
- 23 knowledge was a medical exam ever done on the alleged
- 24 victim?
- 25 A. No.

- 1 Q. Now, cell phones. You have testified as to numbers;
2 right?
- 3 A. To the telephone numbers?
- 4 Q. Yes?
- 5 A. Yes.
- 6 Q. All right. Can you tell me who all had access to
7 those phones with those phone numbers?
- 8 A. No.
- 9 Q. So certainly more than one person may have had
10 access to any one of those phone numbers?
- 11 A. Anything is possible.
- 12 Q. Yes, sir. Now, you mentioned that on the cell
13 phone, I believe on Minor 's phone, you said pictures
14 had been erased. You don't know if there were any
15 pictures on there; do you?
- 16 A. Well, through my investigation and talking with her.
- 17 Q. But you personally never ---
- 18 A. I never saw any pictures.
- 19 Q. All right. And you personally never saw any text
20 messages on either -- on any of those three phones?
- 21 A. That's correct.
- 22 Q. So how many times anything was texted or anything
23 else, you can't testify as to the content of those texts?
- 24 A. I cannot personally with the content.
- 25 Q. That's what I'm asking you. Personally, as the

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Travis Riggs - Redirect Examination by Mr. Tooker

174

1 chief investigator on this case, did you see any of those?

2 A. Other than the records; that's all I saw.

3 Q. Yes. Thank you, sir.

4 THE COURT: Anything?

5 MR. TOOKER: Briefly.

6 **REDIRECT EXAMINATION**

7 **BY MR. TOOKER:**

8 Q. Why wasn't there a medical exam done?

9 A. Too much time had passed, we believed.

10 Q. No further questions.

11 MR. TOOKER: Thank you, Judge.

12 THE COURT: All right. Thank you, sir. You
13 may step down.

14 THE WITNESS: Thank you.

15 MR. TOOKER: Your Honor, State next calls Karen
16 Milbrodt to the stand.

17 THE CLERK: If you would place your left hand on
18 the bible and raise your right.

19 Do you solemnly swear or affirm that the testimony
20 you're about to give in this case will be the truth, the
21 whole truth and nothing but the truth, so help you God?

22 THE WITNESS: So help me God. Yes.

23 THE CLERK: If you would have a seat and state
24 your name for the record, please.

25 THE WITNESS: Karen Milbrodt.

1

KAREN MILBRODT,

2

HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

3

DIRECT EXAMINATION

4

BY MR. TOOKER:

5

(WHEREUPON, State Exhibit Numbers 1 and 2 were marked

6

for identification.)

7

Q. Good morning, Ms. Milbrodt. How are you doing

8

today?

9

A. Good morning. Very well, thank you.

10

Q. Where did you come here from?

11

A. Atlanta.

12

Q. And what do you do in Atlanta?

13

A. I am a records custodian for Verizon Wireless.

14

Q. What does that mean exactly?

15

A. That means when our records are entered into

16

evidence in a court trial, me or one of my peers would

17

travel and speak about our records and explain how to

18

interpret them.

19

Q. So you've done this before?

20

A. Many times.

21

Q. Okay. And we appreciate you being here today.

22

A. You're welcome.

23

Q. Did you prepare records for court today?

24

A. I did.

25

Q. Okay. And did you prepare those records at the

1 state's request?

2 A. I did.

3 Q. And are those records that have already been
4 provided to the Pickens Police Department in this case?

5 A. They are.

6 Q. What kind of records are they?

7 A. They are call records, meaning incoming and outgoing
8 call logs. Text records, incoming and outgoing text
9 records. Subscriber information. And I believe that's
10 it.

11 Q. Okay. And the subscriber information, is that for
12 Christopher Meadows?

13 A. Yes, it is.

14 Q. And the phone numbers, are they -- do they end in
15 9813, 3994 and 3161?

16 A. Yes, sir, I believe so.

17 Q. And did you prepare these records in anticipation
18 for today?

19 A. I did.

20 Q. Are these records that are kept by Verizon in the
21 normal course and scope of business?

22 A. They are.

23 Q. Okay. So Verizon keeps these kinds of records for
24 how long?

25 A. The records that you have there are kept for a

1 rolling calendar year or twelve months, unless we receive
2 a preservation record to hold them longer.

3 Q. Okay. And so in this case when you got that court
4 order, you preserved these records?

5 A. Yes, sir.

6 Q. Okay. And these are the same records that you
7 provided the Pickens Police Department with?

8 A. They're identical, yes.

9 Q. Okay.

10 MR. TOOKER: At this point, Your Honor, the
11 state would move State's 1 into evidence?

12 MR. DEJONG: Without objection, Your Honor.

13 THE COURT: All right. So admitted.

14 (WHEREUPON, State Exhibit Number 1 was admitted into
15 evidence.)

16 Q. And State's 2, what is this item?

17 A. When an attorney or law enforcement requests our
18 records, they are sent to the requesting party on a CD.

19 Q. Okay. So this is a digital version of these paper
20 documents?

21 A. Exactly. Yes, sir.

22 MR. TOOKER: At this point, Your Honor, the
23 state moves State's 2 into evidence.

24 MR. DEJONG: Without objection, Your Honor.

25 THE COURT: So admitted.

1 (WHEREUPON, State Exhibit Number 2 was admitted into
2 evidence.)

3 MR. TOOKER: No further questions for this
4 witness, Your Honor.

5 THE COURT: Anything?

6 MR. DEJONG: Thank you, Your Honor. May it
7 please the court.

8 **CROSS EXAMINATION**

9 **BY MR. DEJONG:**

10 Q. These records are incoming and outgoing calls,
11 messages, I think you said; right?

12 A. Yes, sir.

13 Q. All right. Now, those were messages related to
14 those particular phone numbers?

15 A. Yes, sir, they were.

16 Q. Certainly Verizon doesn't keep -- or can't keep
17 records of who actually sent the messages; can they?

18 A. Meaning the person who did the ---

19 Q. Yes, ma'am?

20 A. --- transaction? No. We certainly don't have any
21 record of that.

22 Q. And there's certainly no content in these records?
23 I'm not going to flip through them, but there's no
24 content. It is simply calls made to and from various
25 numbers; right?

1 A. Yes, sir. Correct.

2 Q. All right. Thank you, ma'am. No further questions.

3 THE COURT: Anything from the state?

4 MR. TOOKER: No, sir, Your Honor. May this
5 witness be excused?

6 MR. DEJONG: No objection, Your Honor.

7 THE COURT: Yes, ma'am. You may step down.
8 You're free to leave.

9 THE WITNESS: Thank you.

10 MR. TOOKER: Your Honor, at this point, the
11 state would like to recall Detective Riggs. Assistant
12 Chief Riggs.

13 THE COURT: All right. Without objection.

14 **TRAVIS RIGGS,**

15 **HAVING BEEN PREVIOUSLY SWORN, TESTIFIED AS FOLLOWS:**

16 **DIRECT EXAMINATION**

17 **BY MR. TOOKER:**

18 Q. Assistant Chief Riggs.

19 A. Yes, sir.

20 Q. These records that were just introduced, have you
21 occasion to look at them?

22 A. Yes.

23 Q. What did you do with these records?

24 A. Actually I sat down and counted the number of times
25 the numbers called each other on those records or texted.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Travis Riggs - Direct Examination by Mr. Tooker

180

1 Q. So the texts back and forth from the different
2 numbers?

3 A. Correct.

4 Q. Okay. How many times did the defendant's number
5 text Georgia, his girlfriend?

6 A. A little over seventeen hundred between the time of
7 November and March.

8 Q. November 2010 ---

9 A. Roughly November 22nd to March 5th.

10 Q. Seventeen hundred times he texted his girlfriend?

11 A. A little over. Yes.

12 Q. Okay. How many times did he text the victim,

13 Minor ?

14 A. Four thousand and six hundred, I believe, fifty-
15 seven, roughly.

16 Q. Okay. And how many times did she text him back?

17 A. Four thousand three hundred and some-odd times.

18 Q. Okay.

19 MR. TOOKER: No further questions, Your Honor.

20 THE COURT: Anything?

21 MR. DEJONG: Nothing further of this witness,
22 Your Honor.

23 THE COURT: All right. Thank you, sir. You may
24 step down.

25 MR. TOOKER: Your Honor, the state next calls

1 Shauna Galloway-Williams to the stand.

2 THE COURT: All right. Ladies and gentlemen, I
3 need to take up a matter with these lawyers before the
4 next witness testifies, so let me let you step back to the
5 jury room. Please don't discuss the case while you're
6 back there and we'll be with you just as soon as we
7 possibly can.

8 (WHEREUPON, the jury exited the open court at
9 approximately 9:54 a.m.)

10 THE COURT: All right. What have we got here?

11 MR. DEJONG: Your Honor, over the years I've had
12 the pleasure of trying cases in which Ms. Galloway-
13 Williams has been called as an expert witness. Those
14 instances -- I don't know, obviously, what she is here to
15 testify today to. I can only go based on past experience.
16 My past experience has been that she -- the state attempts
17 to elicit from her late reporting, grooming, and various
18 aspects like that. My problem with that is, Your Honor, I
19 think that is nothing more than bolstering or an attempt
20 to bolster the alleged victim's testimony.

21 Looking at Rule 702 of the South Carolina Rules of
22 Evidence, Your Honor, and I'll read it for the record: If
23 scientific, technical or other specialized knowledge will
24 assist the trier of fact to understand the evidence or to
25 determine a fact and issue, a witness qualified as an

1 expert by knowledge, skill, experience, training or
2 education, may testify thereto, in the form of an opinion
3 or otherwise.

4 Well, I have to back up, Your Honor, to the very
5 beginning of that. And it says to understand evidence or
6 determine a fact and issue. I would submit, Your Honor,
7 there is no evidence in this case in which the trier of
8 fact needs help to understand. The evidence is, as it is
9 at this point in time. Whether late reporting or grooming
10 or anything along those lines, I again, Your Honor, submit
11 that it is nothing more than an attempt by the state to
12 backdoor bolster the allegations as made by the alleged
13 victim.

14 The other prong of that particular rule, that being
15 Rule 702, or to determine a fact and issue. The fact and
16 issue, Your Honor, here is whether or not the defendant in
17 this case had sexual -- had a sexual battery with the
18 alleged victim in this case. That is the whole issue.
19 Obviously the state has to prove age, but I do not see how
20 an expert witness can aid the trier of fact in determining
21 whether or not a sexual battery occurred.

22 THE COURT: Well, I don't know what this witness
23 is going to testify to.

24 MR. DEJONG: And I understand that. Maybe my
25 argument is a little premature, Your Honor. I just -- but

1 I wanted to go ahead and raise that issue. If the state
2 wishes to proffer her for an in-camera hearing -- and I
3 would ask for an in-camera hearing, Your Honor.

4 THE COURT: Solicitor, what is this witness
5 going to testify to?

6 MR. TOOKER: It's very much like Mr. DeJong
7 said. I mean, we -- both he and I have, you know, had Ms.
8 Galloway-Williams to testify in court before. The crux of
9 her testimony is, I mean, she's very much experienced. I
10 think her qualifications are there. I think the issue for
11 Your Honor to decide is whether or not ---

12 THE COURT: Are you offering her as an expert?

13 MR. TOOKER: Yeah. I will be offering her as an
14 expert in ---

15 THE COURT: Is she going to offer an opinion?

16 MR. TOOKER: She would, she would explain -- we
17 would proffer her, in essence, as a blind expert. She
18 would be testifying to delayed disclosure and grooming and
19 then compliant victims. And why it is a victim, in a case
20 like this, would feel like they were in a relationship
21 with a person. How it is that not all sexual abuse is the
22 same, because I feel like there's a stigma with sexual
23 abuse, if it's not forcible, if it's not someone somehow
24 coercing or inducing the person to perform an act, well
25 then it's not really abuse. And so that's a big chunk of

1 what we wanted to go into with Ms. Galloway-Williams.

2 THE COURT: Well, I'll hear what she has to say.

3 But I mean, this is a situation where it's unlawful, under

4 any circumstance, whether it's consensual or not

5 consensual, for somebody under fourteen and over eleven to

6 be -- somebody to have some sort of sexual relations with

7 her or him; right?

8 MR. TOOKER: Yes, sir.

9 THE COURT: It's not really a matter of whether

10 it's consensual or not. If it is consensual, it's still

11 unlawful. If it's -- if that act, in fact, occurred;

12 right?

13 MR. TOOKER: Yes, sir. Absolutely.

14 THE COURT: So what is it that this witness is

15 going to testify to?

16 MR. TOOKER: Again, the dynamics surrounding

17 that. I mean ---

18 THE COURT: That she may believe certain things

19 in her mind even -- I don't -- it doesn't matter what she

20 believes.

21 MR. TOOKER: Well, I mean, it sort of helps

22 explain why did she react the way that she did. Why did

23 she want it to be a secret? Why, when this stuff was

24 revealed, she's very upset. Not upset because she feels

25 victimized, but upset because this thing has been revealed

1 and now, you know, it's got to stop. So that was going to
2 be -- I mean, that sort of, you know, how we are going to
3 relay that ---

4 THE COURT: She's not offering an opinion that,
5 in fact, this act occurred; right?

6 MR. TOOKER: Correct.

7 THE COURT: I'll listen to what she has to say.

8 MR. TOOKER: Okay. State calls Shauna Galloway-
9 Williams to the stand.

10 THE CLERK: Do you solemnly swear or affirm that
11 the testimony you're about to give in this case will be
12 the truth, the whole truth and nothing but the truth, so
13 help you God?

14 THE WITNESS: Yes, I do.

15 THE CLERK: If you would have a seat and state
16 your full name for the record, please.

17 THE WITNESS: Shauna Galloway-Williams.

18 **PROFFERED TESTIMONY**

19 **SHAUNA GALLOWAY-WILLIAMS,**

20 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

21 **DIRECT EXAMINATION**

22 **BY MR. TOOKER:**

23 Q. Ms. Galloway-Williams, where do you work?

24 A. I'm employed at the Julie Valentine Center.

25 Q. And what do your duties there consist of?

1 A. I'm the Executive Director of the center, so
2 primarily I'm responsible for the administrative and
3 executive functions of the center. I also provide some
4 clinical work in that I conduct forensic interviews and
5 co-facilitate some of the non-offending care giver groups.

6 Q. Okay. What does your educational background consist
7 of?

8 A. I have a master's degree in counseling, a bachelor's
9 degree in psychology and I'm licensed as a professional
10 counselor in South Carolina.

11 Q. Okay. Where did you go to school?

12 A. My master's degree is from Clemson and my bachelor's
13 degree is from Winthrop.

14 Q. Okay. And do you have any specialized training?

15 A. I do. I have spent the past seventeen years working
16 in the field of mental health. Thirteen years of that has
17 been specifically working with children and adults who
18 have experienced abuse. I have over a hundred and fifty
19 hours of skills-based training that's specifically related
20 to forensic interviewing and the dynamics of child abuse.
21 Additionally, I have a number of hours of training in
22 counseling and providing support to children and adults
23 who have experienced trauma.

24 Q. Okay. Do you hold any professional licenses?

25 A. I am licensed as a professional counselor in South

1 Carolina.

2 Q. Okay. And how many years have you counseled
3 children and adults involved in sexual abuse?

4 A. For thirteen years I've worked exclusively with
5 children and their families who have been affected by
6 child abuse or child maltreatment of some sort.

7 Q. Okay.

8 THE COURT: Let me interrupt you. You're not
9 contesting her qualifications?

10 MR. DEJONG: I'm not questioning her
11 qualifications.

12 THE COURT: Or the -- what she does in terms of
13 ... You're just questioning, because she's not offering
14 an opinion, she will just generically talk about certain
15 items that you believe to be bolstering the testimony
16 previously given as opposed to the -- since she's not
17 offering an opinion?

18 MR. DEJONG: That is absolutely right, Your
19 Honor, which I do not believe fits under Rule 702.

20 THE COURT: All right. Let's see what she has
21 to say.

22 Q. All right. What do the terms delayed disclosure or
23 delayed reporting mean?

24 A. Delayed disclosure basically means delaying a
25 report. In most cases of child abuse, specifically child

1 sexual abuse, reports are not made by children right away.

2 Many adults live their entire lives without even telling

3 anyone or waiting until they're adults to tell. So

4 delayed disclosure is a common thing that we see in the

5 area of child sexual abuse.

6 Q. Okay. And what kind of factors commonly play a role
7 in a child's delayed reporting, delayed disclosure?

8 A. One of the main reasons that children don't report
9 is related to fear. Fear of something happening to them.

10 Fear of something happening to someone else, the person
11 that's doing this to them. Fear of consequences.

12 Sometimes children are threatened and those threats can be
13 direct or indirect threats. Most times children are

14 abused by someone that they know, they love and they
15 trust. And so those relationship dynamics have a lot of

16 impact on whether a child believes they can disclose or
17 not. The more dependent or the more close that

18 relationship with that person, the harder it may be for
19 them to tell that something has happened.

20 Q. Okay. What kind of role would the normalization of
21 sexual activity play in a child's delayed disclosure?

22 A. The normalization of sexual activity?

23 Q. Yes, ma'am?

24 A. Well, sometimes when someone is abusing a child or

25 maybe even grooming a child or preparing a child to see if

1 they are a child that they will abuse, they may normalize
2 the experience of sexual behavior. Introducing them to
3 sexual acts through casual touches, through tickling. You
4 know, ticking and a hand slides in the wrong place. Or
5 asking questions. Or introducing the child to things
6 through things that they're comfortable with; cartoons,
7 magazines. Sort of making it something that is not as
8 tabu or uncomfortable to the child.

9 Q. Okay. And what role would the abuser living in the
10 same household with the victim play in any kind of delayed
11 disclosure?

12 A. Well, again, that would go back to the relationship
13 dynamics. You know, depending on -- the whole idea that
14 this is someone that they know, they love and they trust,
15 or the people in their lives know and love and trust could
16 have an impact on whether they tell or not. This also
17 could be someone that the family is relying on or
18 dependent on. You know, sometimes it's the person that
19 pays the rent or pays the bills or who takes care of the
20 family. Sometimes the person that is abusing a child, in
21 addition to the abuse, they're also the person that gives
22 the child the most attention and affection. And it may
23 actually be the person that the child has the closest
24 relationship to. There may be, in addition to the abuse,
25 which may be an unpleasant thing for the child, there may

1 be also many pleasant things or things that they like
2 about this person, as well.

3 Q. Is disclosure sometimes a process?

4 A. It generally is a process.

5 Q. Why is that?

6 A. Well, particularly with delayed disclosures, we
7 don't expect that a child or an adult is going to tell
8 every single detail about what's happened to them the
9 first time that they talk about it. In the same way that
10 when we relay an experience that happens to us, we may not
11 tell every single detail about it. Sometimes it depends
12 on the type of questions that someone is asking, who it is
13 that the person is telling. It may also depend on how
14 comfortable they are sharing that information. A lot of
15 times it is a process because it's not something that is
16 immediately comfortable for the child to talk about.

17 Q. Okay. What is grooming? You mentioned grooming
18 earlier.

19 A. Grooming is really sort of -- well, not sort of. It
20 is the act of preparing a child or testing the waters with
21 a child when somebody is going to abuse them. For
22 instance, like we talked about before with the
23 normalization of sexual behavior. You know, introducing
24 casual touching that then becomes more sexualized over
25 time. Grooming can involve giving special treats, special

1 attention, favors. It can involve -- a lot of times it's
2 doing things that make the child more comfortable with the
3 act that's going to be committed.

4 Q. Okay. Would talking to a child about sexual
5 activity be a form of grooming?

6 A. It could be a form of grooming. You know, depending
7 on the age of the child, that's one way of introducing the
8 topic of sexuality to a child. It's a way of
9 understanding how much they know about it or don't know
10 about it and how comfortable they are with it. You know,
11 sometimes adults take advantage of that opportunity and
12 say that they're teaching children about sexuality, when
13 in fact they may not be teaching them; they may be
14 grooming them for abuse.

15 Q. Okay. What does the term compliant victim mean?

16 A. The term compliant victim refers to victims of abuse
17 who may not necessarily see themselves as victims and may
18 not, by the standards of those looking on, look as if they
19 fought back or were forced to participate in the act.
20 They feel -- it has a lot to do with their role in how
21 they feel about their responsibility in what happened.
22 And it's really a term that is used to describe sort of
23 what we see looking at this victim didn't fight back; she
24 was compliant with what happened.

25 Q. So would a child who believes they had a consenting

1 relationship with an adult, would that be a term of a
2 compliant victim, a type of compliant victim?

3 A. Yes. Where the child believes that they were
4 responsible and that they believe that they willingly
5 participated, even though in these type of abuse
6 scenarios, you know, the adult always has more power and
7 control and there often are great age differences related
8 to that.

9 Q. Okay. So does the offender victim relationship or
10 bond, you know, play into that role, that compliant victim
11 pattern?

12 A. The relationship that the child has to the person
13 that's committing the offense?

14 Q. The child has with the adult, yes, ma'am?

15 A. Yes. Again, the more loving and nurturing and
16 positive that relationship is, the more likely the child
17 is to see themselves as a willing and engaging participant
18 in the act.

19 Q. Okay. And do the dynamics change with adolescent
20 compliant victims?

21 A. Well, a lot of times adolescents are perceived more
22 often as being compliant victims because as adolescents,
23 just developmentally adolescents are more sexualized.
24 Developmentally that's -- you know, they're reaching that
25 age and so they are often perceived more as compliant

1 victims and they therefore also perceive themselves in
2 that same way.

3 Q. Okay. And how do these dynamics affect when and how
4 a compliant victim will disclose?

5 A. Well, a lot of times it prevents a victim from
6 disclosing at all. You know, because they don't see
7 themselves as a victim of abuse. They see themselves as a
8 participant in a relationship, even though there may be --
9 you know, it may be illegal, there may not be -- this
10 really is an abuse scenario. A lot of times the child,
11 even though they're a teenager, they're still a child,
12 will see themselves as a partner in the relationship.

13 Q. Okay. No further questions at this time.

14 THE COURT: Anything?

15 MR. DEJONG: Not at this time, Your Honor. I'm
16 not going to cross-examine her in this in-camera hearing.

17 THE COURT: All right.

18 MR. DEJONG: I would like to be heard at the
19 appropriate time.

20 THE COURT: Let me ask you, have you testified
21 as an expert in circuit court in South Carolina before?

22 THE WITNESS: I have.

23 THE COURT: How many times?

24 THE WITNESS: Sixteen times.

25 THE COURT: All right. And have you testified

1 without offering opinions in the past?

2 THE WITNESS: Yes.

3 THE COURT: All right. You may step down.

4 All right. Yes, sir.

5 MR. DEJONG: Your Honor, in listening to Ms.
6 Galloway-Williams' testimony, I go back -- I don't want to
7 reargue everything I've already argued, but I do have to
8 touch on that I have heard nothing in this particular
9 testimony that would aid the trier of fact or -- yes, that
10 would aid the trier of fact to determine a fact in issue.
11 Kind of going backwards, a compliant victim has nothing to
12 do in this case. Whether the victim is compliant or not,
13 as Your Honor already noted, makes no difference in this
14 case.

15 The issue is whether or not the defendant had sexual
16 intercourse or a sexual battery with the alleged victim.
17 Age, consent, has no meaning at all. This whole concept
18 of the alleged victim not filling in details, that, Your
19 Honor, is pure bolstering. Obviously in this case ---

20 THE COURT: I'm not real sure about that. She
21 only talked to the investigator one time?

22 MR. TOOKER: Yes. Are you talking about the
23 victim talking to Detective Riggs?

24 THE COURT: Yeah.

25 MR. TOOKER: I don't believe Detective Riggs

1 testified as to how many times. I think she talked to him
2 a couple of times.

3 THE COURT: Well, I don't have any -- I haven't
4 heard any testimony that incrementally she gave more and
5 more information every time she talked to somebody.

6 MR. TOOKER: No, sir.

7 THE COURT: I don't know how that plays into
8 this. Have you got a case for me?

9 MR. DEJONG: I do not, Your Honor.

10 THE COURT: You know, this is sort of analogous
11 to -- you know, we have these confession experts now. Are
12 you familiar with them?

13 MR. DEJONG: Well, I'm somewhat familiar with
14 false confessions and all that.

15 THE COURT: Well, these people will come in and
16 they won't opine as to whether that particular confession
17 was formed or gotten in a manner that is not appropriate.
18 But they will testify as to factors that play into the
19 type of individual who might be more susceptible to that
20 type of -- and the courts in South Carolina have allowed
21 them to testify as to that. We've got a case here I'm
22 going to look at. We're going to take -- anything you
23 want to ...

24 MR. TOOKER: Your Honor, just to reiterate, it's
25 the state's position that her testimony will assist the

1 trier of fact. I mean, that's what 702 comes down to,
2 from my understanding, is that if an expert's testimony
3 can in anyway assist the trier of fact in determining a
4 fact in issue, then it's relevant and subject to ---

5 THE COURT: Well, he's alleging that's not the
6 issue. That the issue is this child was either under
7 fourteen and over eleven and was sexually assaulted by
8 somebody or she's not -- that age factor is not in play
9 here and it doesn't matter what kind of consent she gave
10 or didn't give. But I'm going to look at this case. I'm
11 sort of inclined to allow her to testify, because,
12 obviously, the credibility of all these people is in play.
13 And one of the methods that you've attempted to show in
14 this case is that there may be some reason that this
15 individual is making these allegations other than they're
16 just not true, she may have a motive for having -- I think
17 you tried to indicate that there may be other reasons.
18 And clearly her failure to report it or not -- or when she
19 did report it may have some factor with respect to
20 credibility. But let me look at this case and I'll get
21 back with you.

22 MR. DEJONG: May I be heard on that briefly,
23 Your Honor?

24 THE COURT: Sure.

25 MR. DEJONG: I'm not trying to argue with Your

1 Honor. Please understand that.

2 I'm looking at this in light of the recent criminal
3 sexual conduct cases that came out of the Court of
4 Appeals. I think they were authored by Justice Few, if
5 I'm not mistaken. And it gets in -- this is not a
6 forensic interview type ---

7 THE COURT: I understand that.

8 MR. DEJONG: --- situation. But I think it is
9 closely akin to that.

10 THE COURT: Well, do you have those cases?

11 MR. DEJONG: Pardon me?

12 THE COURT: Do you have the cases you want me to
13 look at?

14 MR. DEJONG: I did not pull the cases, Your
15 Honor. I'll be happy to go try to pull them.

16 THE COURT: Mr. Clerk, can you print that case
17 that she just sent you.

18 THE CLERK: Yes, sir.

19 MR. TOOKER: And Your Honor, the state is aware
20 of the cases that Mr. DeJong is referring to, and those
21 are cases where forensic interviewers were testifying as
22 to the credibility of a disclosure. So they would say,
23 yes, I interviewed victim so-and-so. I listened to what
24 she said. And her disclosure was compelling for these
25 reasons. And what the Court of Appeals has said is, no,

1 that's improper bolstering. That's an expert coming in
2 and saying, that person is telling the truth, which is
3 impermissible. In this case I think it's distinguishable.
4 We're talking about, you know, the dynamics of disclosure
5 and of grooming. I think those things are distinguishable
6 from that line of cases authored by Judge Few.

7 THE CLERK: Here they are.

8 THE COURT: Thank you, sir.

9 All right. I'm going to, I'm going to deny your
10 motion. I'm going to let her testify. I'm going to find
11 that she's basically providing information to the jury
12 that may help the jury -- assist the jury in -- the jury's
13 province is determining credibility of all witnesses and
14 if she's providing information that may factor into a
15 situation like this to assist them in ultimately making a
16 decision, its decision, as to credibility. But I think
17 she's got to stick to factors that may have been in play
18 in this case. I don't think -- I mean, for her to get up
19 and testify that incrementally she started giving more and
20 more information when that doesn't seem to be a factor in
21 this case, I don't see how that ---

22 MR. TOOKER: Yes, sir.

23 THE COURT: --- comes into play.

24 MR. TOOKER: I'll reign that in. Yes, sir.

25 THE COURT: All right.

1 MR. DEJONG: And Your Honor, I'm certainly not
2 arguing again with your ruling ---

3 THE COURT: I note your exception.

4 MR. DEJONG: But when she takes the stand I'm
5 going to object again because ---

6 THE COURT: That's fine.

7 MR. DEJONG: --- the Court of Appeals is very
8 picky on us preserving our record.

9 THE COURT: You're not going to offend me at all
10 by doing that.

11 MR. DEJONG: Well, I don't want to.

12 THE COURT: Be late, you'll offend me. Be on
13 time and you can do pretty much what you want.

14 MR. DEJONG: Thank you, Your Honor.

15 THE COURT: All right. Do y'all want to take
16 about a five minute break before we ---

17 MR. DEJONG: That would be great, Your Honor.
18 Thank you.

19 THE COURT: All right.

20 (WHEREUPON, the court stood at recess for a short
21 break.)

22 THE COURT: All right. Let's bring the jury in.

23 (WHEREUPON, the jury entered the open court at
24 approximately 10:29 a.m.)

25 THE COURT: All right. Thank you. Are you

1 ready to call your next witness?

2 MR. TOOKER: Yes, sir, Your Honor. The state
3 calls Shauna Galloway-Williams.

4 THE CLERK: You do solemnly swear or affirm that
5 the testimony you're about to give in this case will be
6 the truth, the whole truth and nothing but the truth, so
7 help you God?

8 THE WITNESS: Yes, I do.

9 THE CLERK: Thank you. If you will, have a seat
10 and state your name for the record, please.

11 THE WITNESS: Shauna Galloway-Williams.

12 **SHAUNA GALLOWAY-WILLIAMS,**

13 **HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:**

14 **DIRECT EXAMINATION**

15 **BY MR. TOOKER:**

16 MR. DEJONG: Your Honor, so the record is
17 abundantly clear, I have an objection to this witness's
18 testimony and it is an ongoing objection through the
19 entirety of her testimony, Your Honor.

20 THE COURT: All right. Objection is noted.

21 MR. DEJONG: Thank you, Your Honor.

22 Q. Ms. Galloway-Williams, where do you work?

23 A. I am the Executive Director of the Julie Valentine
24 Center.

25 Q. Okay. And what do your duties there consist of?

1 A. I am responsible for the overall administrative
2 management of the center, as well as providing clinical
3 services. So I also conduct forensic interviews and co-
4 facilitate therapeutic groups.

5 Q. What is the Julie Valentine Center?

6 A. The Julie Valentine Center is the child abuse and
7 sexual assault recovery center that serves Greenville and
8 Pickens County.

9 Q. Okay. What's your educational background?

10 A. I have a bachelor's degree in psychology, a master's
11 degree in counseling, and I'm licensed as a professional
12 counselor in South Carolina.

13 Q. Okay. Where did you go to school?

14 A. I got my bachelor's degree at Winthrop University
15 and my master's at Clemson University.

16 Q. Okay. And you said you're a licensed counselor?

17 A. I am. I'm a licensed professional counselor in
18 South Carolina.

19 Q. Do you have any kind of specialized training?

20 A. I do. I have over a hundred and fifty hours of
21 skills-based training in the area of forensic interviewing
22 and dynamics of child abuse. I also have a great deal of
23 training in treating children and adults who have been
24 impacted by trauma and abuse. Additionally, I'm an
25 adjunct faculty member at U.S.C. Upstate in their child

1 advocacy studies program and primarily responsible for
2 teaching an introductory course on child maltreatment.

3 Q. Okay. How many years have you counseled children
4 and adults involved in sexual abuse?

5 A. I've been in the field of mental health for over
6 seventeen years and have specialized in working with
7 children and adults who have experienced trauma and abuse
8 for thirteen years.

9 Q. Okay. And what types of people do you counsel
10 generally?

11 A. Well, most of my work now is related to doing
12 forensic interviewing or working with care givers of
13 children who have been sexually abused.

14 Q. Okay. And what kind of circumstances do you provide
15 professional assistance in?

16 A. I will provide forensic interviews if there is an
17 allegation of abuse or neglect with a child. And that can
18 be physical abuse, sexual abuse, neglect or maybe
19 witnessing a crime. I also provide services to, again,
20 care givers of children whose -- the children have been
21 abused.

22 Q. Do you provide any professional training or teach
23 others in the field?

24 A. I do. Again, as a faculty member, I teach one
25 course a semester at U.S.C. Upstate in the child advocacy

1 studies program. I also provide training across the state
2 on a regular basis at different local and regional
3 trainings. And I have presented at the National
4 Children's Symposium on working with non-offending care
5 givers.

6 Q. Have you testified in court before?

7 A. I have.

8 Q. How many times do you think?

9 A. I've testified in general sessions sixteen times.
10 I've testified in family court thirty or more times.

11 Q. Okay. How many of those times were you qualified as
12 an expert?

13 A. I've been qualified as an expert each of those
14 times.

15 Q. Okay. And you said sixteen times in general
16 sessions?

17 A. Yes.

18 MR. TOOKER: At this point, Your Honor, we would
19 like to request that Ms. Galloway-Williams be qualified as
20 an expert in counseling and the dynamics of sexual abuse.

21 THE COURT: Any voir dire?

22 MR. DEJONG: No voir dire, Your Honor.

23 THE COURT: All right. I'm going to find --
24 what is it you want her qualified as?

25 MR. TOOKER: Dynamics of childhood sexual abuse.

1 THE COURT: All right. Ladies and gentlemen,
2 I'm going to find the witness can be qualified as an
3 expert in the dynamics of child sexual abuse, and under
4 our rules of scientific, technical or other specialized
5 knowledge will assist you, the trier of the facts, in
6 understanding any evidence or determining any issue that
7 may be in controversy. A witness can be qualified as an
8 expert by virtue of his or her experience, training,
9 knowledge, skill or education and may testify in the form
10 of opinions. Now, you are to give this witness's
11 testimony such weight and credibility as you deem
12 appropriate, as you will with any and all witnesses who
13 will testify in this case.

14 MR. TOOKER: Thank you, Your Honor.

15 THE COURT: Proceed.

16 Q. Do you know why you've been called to testify here
17 today?

18 A. I've been called to testify as an expert and to
19 provide information about the dynamics of child sexual
20 abuse.

21 Q. Who subpoenaed you?

22 A. The state.

23 Q. And are you being paid by our office?

24 A. No.

25 Q. Okay. Have you been in contact with our victim in

1 this case?

2 A. No. . . I have not.

3 Q. Do you know any of the parties involved in this
4 case?

5 A. I do not.

6 Q. Where do y'all get funding at the Julie Valentine
7 Center?

8 A. Primarily our funding comes from three different
9 sources. About a third of our funding is federal funding.
10 Another third of our funding is through the Greenville
11 County United Way. And the final third is through fund
12 raising and grants, foundational support and private
13 donations.

14 Q. So is your funding in anyway contingent upon you
15 testifying in court for the state today?

16 A. No.

17 Q. Are you familiar with the victim in this case?

18 A. No. I don't know the victim in this case.

19 Q. Have you viewed her written statement?

20 A. I have not.

21 Q. Have you seen any evidence in this case?

22 A. I haven't.

23 Q. Okay. What is delayed disclosure?

24 A. Delayed disclosure is what we refer to -- it's
25 pretty typical in most cases of child abuse, and in

1 particular with child sexual abuse. It just basically
2 means the children don't tell right away after something
3 has happened. And it's very common. More times than not
4 we see that children don't tell right away. And many
5 adults report that they never told anyone about the abuse
6 that they've experienced, even into their adulthood.

7 Q. Okay. So in cases of child sexual abuse, it is very
8 common for children not to disclose?

9 A. It's much more common for children not to disclose
10 or to delay disclosure than to tell right away.

11 Q. Okay. Do different factors play a role in whether
12 or not they're going to disclose immediately or that the
13 disclosure will be delayed?

14 A. Yes. You know, one of the main reasons that
15 children report for not telling is that they were afraid,
16 or for fear. Afraid something will happen to themselves
17 or the person that's doing this to them. Or for fear that
18 something would happen to someone they love. Many times
19 abuse is committed by someone that's known, loved and
20 trusted by the child. That, in and of itself, often makes
21 it very hard for a child to tell someone that this has
22 happened. The closer that relationship, the closer they
23 are to that person or the closer that person is to other
24 family members, can also make it much harder for them to
25 tell. Children sometimes are threatened and those threats

1 can be direct or indirect. They may have been threatened
2 that something would happen to them or that something
3 would happen to someone that they know. Indirect threats
4 are things that they experience or have seen. You know,
5 if they have seen this person do something harmful to
6 someone else, they may fear that that would happen to them
7 if they told. And there are just a lot of relationship
8 dynamics that are at play when children are abused by
9 someone that they know and love and trust.

10 Q. Okay. What kind of role does guilt or shame play in
11 a delayed disclosure?

12 A. Well, there's a lot of guilt and shame that
13 surrounds the issue of child sexual abuse in general.
14 Children, although they are not responsible for the abuse
15 that occurred, often feel responsible for it. Children
16 are very egocentric. They think that everything that
17 happens in their world, that somehow they're responsible
18 for it. And so it's no different when it comes to issues
19 related to child sexual abuse. Children -- victims of
20 abuse feel guilty. We're talking about an issue that most
21 people are not comfortable talking about; sexuality. Most
22 people don't feel comfortable talking about positive
23 sexual experiences or sharing information about positive
24 experiences they've had, much less ones where they've been
25 abused or where someone has done this to them. And so

1 there's a lot of guilt and shame associated with it as an
2 issue itself.

3 Q. Okay. And what kind of role would the abuser having
4 been in like a position or role of authority over the
5 victim play in delayed disclosure?

6 A. Well, when we're talking about child sexual abuse,
7 adults always have the upper hand. Adults always have
8 more power and authority than children do. We teach our
9 children to respect authority and to respect adults. And
10 so just by that alone, adults always have the upper hand.
11 The more authority or the more power and control that the
12 child perceives that this person has, the harder it may be
13 for them to tell or to do something about the situation
14 that they're in.

15 Q. Okay. And in what role would the abuser not only be
16 in a position of authority but living in the same
17 household as the victim play in disclosure?

18 A. Well, that relates directly to the relationship
19 dynamics. If this person is living in the household with
20 them and that's someone that obviously, not only the child
21 knows and loves and trusts but other people in the child's
22 family know, love and trust this person, and so that can
23 make it very hard for a child to tell. Sometimes children
24 know that the person that's committing this act is the
25 person that takes care of the family. The person that,

1 you know, may pay the bills. The person that mom loves or
2 the person that dad loves. Or it may be the person that
3 the child is closest to. Sometimes, although a child is
4 being abused, the person that's abusing them may be the
5 person that gives them the most attention, love and
6 affection. And it may be the person that they're closest
7 with in the household.

8 Q. Okay. And what role would the normalization of
9 sexual activity play in a delayed disclosure?

10 A. Well, normalizing sexual behavior would make it more
11 comfortable or easier to engage a child in that behavior.
12 So for example, you know, talking with a child about sex
13 acts or introducing them to sexuality in a way that the
14 child is comfortable with; cartoons, magazines.
15 Introducing a child to sexual behavior through normal
16 touches. You know, sometimes children are taught about
17 sexuality or this is brought into their world through, you
18 know, tickling, and tickling on one part of the body and
19 getting a little bit closer to another part and sort of
20 testing the waters and introducing a child to it in a very
21 comfortable and not just flat-out talking to them and
22 teaching them about it directly.

23 Q. And that kind of goes into our next segment here.
24 What is grooming?

25 A. It's sort of like what we just talked about.

1 Grooming is introducing or preparing or getting a child
2 more comfortable or testing the waters and preparing them
3 for abuse.

4 Q. Can that be done with dialogue?

5 A. It could be done with talking to a child about
6 feelings about sexuality, attention. Again, grooming
7 often involves introducing the child to behaviors, but
8 also, you know, it can involve giving gifts, special
9 attention, special affection, doing special favors,
10 teaching this child that they're more important than
11 others. It's really about, you know, taking advantage of
12 that role.

13 Q. Okay. And what is a compliant victim? What does
14 that term mean?

15 A. That term really refers to when a victim of abuse or
16 more likely in child sexual abuse cases, is not perceived
17 as a victim or maybe they don't perceive themselves as a
18 victim or others outside don't perceive them as a victim,
19 because they may not have, they may have forcefully fought
20 back. The perception that others have and that the child
21 has in themselves is that they in someway contributed to
22 the sexual abuse that occurred.

23 Q. Okay. Is that a term of art that's used often in
24 your field?

25 A. It is.

1 Q. How do compliant victims differ from victims of
2 forcible encounters?

3 A. Well, again, it's part of how they perceive their
4 responsibility in the abuse. A compliant victim is more
5 likely to see that they are more responsible -- again,
6 many victims, most victims, feel that they have some
7 responsibility in what happened. Compliant victims feel
8 even more responsible and may have even perceived this
9 relationship as one that they were a partner in. When we
10 refer to compliant victims, we are also talking about the
11 perception that clinicians or investigators or others who
12 are outside of that relationship looking in, how they
13 perceive that child. And that's often how we perceive
14 them, is that they were participants in the relationship,
15 rather than just as victims.

16 Q. Okay. What are the dynamics of consenting or
17 complaint victim relationships with the offending care
18 giver or offender in the case?

19 A. Well, when we talked -- when I talked about the fact
20 that a lot of times children may have a very close
21 relationship with the person that's abusing them, in a
22 compliant victim relationship, they may have an even
23 closer relationship and again they may perceive that they
24 have a partnership with this person. In particular, when
25 we talk about adolescents or older children who are viewed

1 as compliant victims, that's really more so the case.
2 They perceive themselves as willing participants as if
3 they're in a relationship with this person, when in fact,
4 it is still a child abuse scenario. It makes it very --
5 in cases like that, it is very challenging for the child
6 to disclose. Many times you don't see that a child
7 discloses at all because, again, they don't see themselves
8 as a victim. They see themselves as a participant in a
9 relationship.

10 Q. Okay. And I was about to ask, so that having an
11 adolescent compliant victim, does that affect the way or
12 when or how a disclosure to be made?

13 A. It does. And it affects -- you know, again, they
14 are much more likely to see themselves as a participant in
15 the relationship and see themselves as being more
16 responsible. But also the perception of others looking at
17 them is also likely to be more so, too. So that the
18 perception of family members, friends, the community,
19 because teenagers just by natural development are becoming
20 more sexualized, sometimes the tendency is for us to look
21 at them as willing participants. And so the older the
22 victim, sometimes the more challenging it is in
23 establishing the roles in those relationships.

24 MR. TOOKER: No further questions, Your Honor.

25 THE COURT: Anything?

1 MR. DEJONG: Thank you, Your Honor. May it
2 please the court.

3 **CROSS EXAMINATION**

4 **BY MR. DEJONG:**

5 Q. You talked, Ms. Galloway-Williams, about introducing
6 young people to sexuality; right?

7 A. Yes.

8 Q. Now, we live in the 21st Century now; right?

9 A. We do.

10 Q. And you would have to agree with me, rightfully or
11 wrongfully, our children are bombarded by sexuality every
12 day; are they not?

13 A. There's definitely access to it everyday, yes.

14 Q. Yes, ma'am. Whether by parental consent or non-
15 parental consent, they have access to it everyday; right?

16 A. That's correct.

17 Q. All right. Now, young people, regardless of age,
18 experience the same emotions as adults; right?

19 A. Yes.

20 Q. They experience hate; correct?

21 A. Yes.

22 Q. They experience jealousy?

23 A. Yes.

24 Q. And they can become very manipulative?

25 A. They can be, yes.

1 Q. Yes. And in regards to reporting, certainly in
2 reporting there can be false allegations?

3 A. There can be false allegations.

4 Q. Yes, ma'am.

5 A. Statistically, that's a very low number.

6 Q. But it happens?

7 A. It does happen.

8 Q. Right. And when you say low, do you know the
9 statistics on that?

10 A. Somewhere between two to four percent of allegations
11 are false allegations. It's much more likely that you
12 would have a false denial where there may actually be
13 proof or evidence that a child has been abused and that
14 child actually denies it happening, than the chances of
15 the allegation being a purely false allegation. According
16 to the research.

17 Q. But there are false allegations?

18 A. There are false ---

19 Q. You would agree?

20 A. Yes, there are false allegations.

21 Q. For whatever reasons; hate, jealousy, manipulation,
22 whatever?

23 A. Right. Whether that's on the part of the child or
24 someone else who may have influenced them or something.

25 Yes.

1 Q. Right. Okay. And you're speaking here today as a
2 -- His Honor has qualified you as an expert. You're
3 speaking in generalities?

4 A. In generalities in the sense that I'm not speaking
5 specifically about this case. Yes.

6 Q. And that is very general? What your testimony is
7 doesn't happen in every case?

8 A. It doesn't. But my testimony is based on research
9 and evidence and -- well, evidence-based treatment and the
10 research that's out there related to child abuse and child
11 abuse dynamics.

12 Q. Let me ask you, Mr. Tooker was asking you about your
13 funding and all of that. You have a letter of agreement
14 with law enforcement; don't you? I'm speaking not you
15 personally, but Julie Valentine Center?

16 A. Yes. We have an MOA with law enforcement, with the
17 solicitor's office, department of social services, many
18 professional counseling organizations. We operate as a
19 multi-disciplinary team.

20 Q. Of the times you've testified as an expert, how many
21 times did you ever testify for the defense?

22 A. I've never testified for the defense.

23 Q. Thank you, ma'am. No further questions.

24 THE COURT: Anything?

25

REDIRECT EXAMINATION

1 **BY MR. TOOKER:**

2 Q. Did the defense ever subpoena you?

3 A. The defense has never subpoenaed me.

4 Q. No further questions.

5 THE COURT: All right. Thank you, ma'am. You
6 may step down.

7 MR. TOOKER: May she be excused, Your Honor?

8 MR. DEJONG: No objection, Your Honor.

9 THE COURT: You're free to leave. Thank you.

10 MR. TOOKER: At this point, the state rests.

11 THE COURT: All right. Ladies and gentlemen,
12 the state has rested, which means they've completed their
13 presentation of their evidence and their case in chief. I
14 need to take up some matters with the attorneys, if y'all
15 will step back into the jury room. Please don't discuss
16 the case.

17 I want to get y'all to select me a foreperson while
18 you're back there, if you don't mind. Just write it down
19 on a sheet of paper and the bailiff will give it to me.
20 But don't talk about the facts of the case.

21 (WHEREUPON, the jury exited the open court at
22 approximately 10:50 a.m.)

23 THE COURT: Anything?

24 MR. DEJONG: Your Honor, at this point in time,
25 on behalf of Mr. Meadows, I would move for a directed

1 verdict in that there is no substantial credible evidence
2 in this case which would indicate a sexual battery has
3 occurred, number one. And no substantial credible
4 evidence that a sexual battery occurred in Pickens County,
5 Your Honor.

6 THE COURT: Well, what is the standard for a
7 directed verdict? Is it substantial credible evidence?

8 MR. DEJONG: I'm sorry, Your Honor.

9 THE COURT: Is it substantial credible evidence?

10 MR. DEJONG: That's the way I interpret it. I
11 don't know that ---

12 THE COURT: I think the question is, is there
13 any direct or any substantial circumstantial evidence.
14 Whether it's credible or not, even your argument about
15 this prior witness, the jury determines that; don't they?

16 MR. DEJONG: I'm sorry, Your Honor. I didn't
17 hear you.

18 THE COURT: Whether the testimony is credible or
19 not, that's an issue for the jury; right?

20 MR. DEJONG: Yes, sir. I understand.

21 THE COURT: Do y'all want to -- anything you
22 want to say?

23 MR. TOOKER: I just think taken in the light
24 most favorable to the state, there's enough evidence to
25 support the allegations.

1 THE COURT: Well, there doesn't have to be
2 enough evidence to support it. Is there any evidence?

3 MR. TOOKER: Yes, sir, there is.

4 THE COURT: All right. I'm going to deny your
5 motion.

6 MR. DEJONG: Thank you, Your Honor.

7 THE COURT: The young lady testified that she
8 had sexual relations with the defendant in her house,
9 which I think was established that it's in Pickens. So
10 whether it's credible or not, the jury will determine
11 that. But there is some evidence.

12 All right.

13 MR. DEJONG: Thank you, Your Honor.

14 Another issue, Your Honor, is -- I don't -- I'll be
15 very candid. I don't quite know how to address this one.
16 The state has put up some evidence as to a sexual battery.
17 However, the state -- well, let me back up a little bit.
18 Supposedly there have been numerous occasions of sexual
19 battery, none of which can be specified other than what
20 allegedly occurred at Street, which is located in
21 Pickens County. None of the other allegations that have
22 been raised by the state have been substantiated as having
23 occurred at Pickens County. I'm asking for an instruction
24 from the court, and that's where I think it gets very
25 tricky, but they cannot consider anything other than -- on

1 these charges other than what happened in Pickens County,
2 or what allegedly happened in Pickens County. I think
3 that is all that is before the court.

4 THE COURT: Clearly this court doesn't have any
5 jurisdiction over any cases -- any incidents that occurred
6 outside of Pickens County. And there has not been any
7 testimony as to where those offenses may have occurred.
8 Some of them occurred at the Walmart, but I think you
9 asked was that in Anderson or Oconee or Pickens or
10 Greenville. Nobody could say that. So without being able
11 to specifically say some incident occurred in this county,
12 then I don't think that's an incident that the jury can
13 consider. I have no problem with telling the jury they
14 can only consider -- I don't know what the state's
15 position is -- they can only consider alleged criminal
16 sexual conduct -- acts of criminal sexual conduct with
17 this minor that occurred here in -- if any, here in
18 Pickens County. Do you have a problem with that, Mr.
19 Solicitor?

20 MR. TOOKER: Your Honor, I actually do take
21 issue with that. First, with regards to the overall
22 presentation of the case, I think any sort of extra county
23 acts that were to have occurred are part of the res gestae
24 of the case for purposes of presentation. I believe what
25 y'all are talking about is with regards to the defendant's

1 guilt on these charges, can the jury consider, you know,
2 sex acts that occurred outside of the county? The state's
3 of the opinion that ---

4 THE COURT: They can't convict him of any act
5 that occurred outside the county.

6 MR. TOOKER: In this case I'd like to ask Your
7 Honor to consider some sort of continuance with the
8 purposes of venue. You've got -- and I know it's
9 different than the kidnaping that occurs in Bamberg and
10 goes all the way to Charleston. And you know, we all know
11 that jurisdiction is proper in all those counties. In
12 this kind of case, I think it's somewhat analogous where
13 you've got a series of acts that are all part of one
14 broader scheme and one broader relationship. And as a
15 result of those acts, I think that you can tie everything
16 back into Pickens County the same way you would a
17 kidnaping and assault and battery that spanned five
18 counties.

19 THE COURT: If he took this child -- you're
20 saying that if he took a child -- if somebody took a child
21 -- picked the child up in Pickens and drove to Anderson
22 County and while in Anderson County committed some
23 unlawful sexual act, drove the child back, that this
24 county would have jurisdiction, if that's the only act
25 that occurred?

1 MR. TOOKER: I think you and I are kind of
2 talking past each. I actually do think that's the case,
3 yes, sir. But I also think, with regards to a pattern of
4 conduct, so as opposed to a specific incident on one day
5 is being alleged as being the thing that this man is on
6 trial for. We're alleging conduct that spans a chasm in
7 time and that that pattern of conduct should all be pulled
8 back into the home county.

9 THE COURT: This is a perfect example -- I was
10 talking to my clerk about it. You know, oftentimes
11 solicitors want to over-try cases. They want to put their
12 case in jeopardy because of things that they -- I don't
13 know why they want to do it. And it may have been that
14 this expert might have been that case. Because the law is
15 clear that a minor who is between eleven and fourteen
16 can't consent.

17 MR. TOOKER: Yes, sir.

18 THE COURT: Period.

19 MR. TOOKER: Yes, sir.

20 THE COURT: Your client got up and testified
21 that some act of sexual intercourse occurred in her house
22 where she was living here in Pickens County; correct?

23 MR. TOOKER: Yes, sir.

24 THE COURT: If the jury believes her, then
25 they're going to convict him.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Shauna Galloway-Williams - Redirect Examination by Mr. Tooker

222

1 MR. TOOKER: Yes, sir.

2 THE COURT: If the jury doesn't believe her,
3 they ain't going to convict him probably anywhere.

4 MR. TOOKER: Yes, sir.

5 THE COURT: So why do you want to muddy the
6 water?

7 MR. TOOKER: Your Honor, I'm not trying to
8 ruffle your feathers.

9 THE COURT: You're not ruffling my feathers.
10 I'm trying to understand why you want to do that.

11 MR. TOOKER: This is my understanding of the way
12 venue works. I mean, my understanding ---

13 THE COURT: Do you have a case that says if
14 someone picks up a child in -- or picks up a -- if you go
15 pick up a woman on a date and drive her to Aiken County
16 and shoot her in Aiken County and then drive back to
17 Anderson County. Does Anderson have the jurisdiction
18 because you picked her up there?

19 MR. TOOKER: Well, here's an example. *State v.*
20 *Allen*, 266 S.C. 468.

21 THE COURT: Do you have the case?

22 MR. TOOKER: I don't have the case printed. No,
23 Your Honor, just the citation. But in that case, you
24 know, you had a murder/kidnaping. The kidnaping started
25 in one county, went to the other county. The court said

1 either county is proper for jurisdiction. All I'm saying,
2 this circumstance is analogous to that, and I don't have a
3 case on point to that effect.

4 THE COURT: Well, I disagree with that. I mean,
5 I will tell the jury that they have to ---

6 MR. TOOKER: Only consider events from this
7 county?

8 THE COURT: For conviction purposes. I'm just
9 thinking, all the evidence is in there.

10 MR. TOOKER: Yes, sir.

11 THE COURT: But they can only convict him if
12 they believe that an act occurred in Pickens County.

13 MR. TOOKER: Yes, sir. Thank you, Your Honor.

14 THE COURT: Are you going to call any witnesses?

15 MR. DEJONG: Your Honor, I would like to proffer
16 Mr. Meadows to the court so you can examine him about his
17 rights to testify.

18 THE COURT: Do you intend to call him?

19 MR. DEJONG: I don't know at this point in time
20 without having talked to him. I have talked to him. I'm
21 not saying I'm cold.

22 THE COURT: Well, I can't query him unless I
23 know whether he's going to testify or not testify.

24 MR. DEJONG: Well, then could I have a few
25 minutes to talk to him?

1 THE COURT: You may.

2 Samantha Rogers is the foreperson, whoever that may
3 be.

4 THE CLERK: Okay. Thank you.

5 THE COURT: Where do y'all put your foreperson?
6 Right here, Mr. Clerk?

7 THE CLERK: Yes, sir.

8 (WHEREUPON, the court stood at recess for a short
9 break.)

10 THE COURT: All right. While you were out we
11 got a note, Samantha Rogers is the foreperson of the jury.

12 MR. DEJONG: Thank you, Your Honor.

13 THE COURT: All right. What have y'all decided?

14 MR. DEJONG: Your Honor, I appreciate the time.

15 I've had a talk with my client that Your Honor gave me.

16 We have talked about it before. He tells me he has made a
17 decision not to testify, Your Honor.

18 THE COURT: All right. Do you intend to call
19 any witnesses?

20 MR. DEJONG: No, Your Honor, I do not.

21 THE COURT: All right. So you will get the last
22 argument then?

23 MR. DEJONG: Yes, sir.

24 THE COURT: All right. Mr. Meadows, let me get
25 you to raise your right hand if you would, please, sir.

1 Do you solemnly or affirm any evidence, testimony or
2 statement you give will be the truth, the whole truth and
3 nothing but the truth?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: You can put your hand down. I'm not
6 going to ask you anything about this case. I just want to
7 talk to you about your testifying in this trial. Okay?

8 THE DEFENDANT: (No verbal response.)

9 THE COURT: I need you to answer me because the
10 court reporter can't pick up a head shake. They have to
11 hear what you say. Okay?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right. Do you understand that,
14 of course, you have a constitutional right to testify, to
15 get up and tell your side of the story if that's what you
16 want to do?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And you have a constitutional right
19 to not testify. Nobody is required to testify to
20 incriminate themselves in anyway. And so you don't have
21 to testify, as well; do you understand that?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: And of course, your lawyer has
24 indicated to me this morning, just a moment ago, that you
25 have elected not to testify; is that correct?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right. And you have discussed
3 this matter thoroughly with your attorney?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: You've told him everything you know
6 about the reasons why you would or wouldn't testify; is
7 that right?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: He's answered any questions that you
10 may have had about your right to testify or not to
11 testify; is that correct?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right. Now, has anybody -- this
14 is your decision; correct?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Anybody threatened you, forced you,
17 coerced you or pressured you into making this decision?

18 THE DEFENDANT: No, sir.

19 THE COURT: You're doing so freely and
20 voluntarily? Is that correct?

21 THE DEFENDANT: Yes.

22 THE COURT: All right. Now, have you had any
23 alcoholic beverages in the last twenty-four hours?

24 THE DEFENDANT: No, sir.

25 THE COURT: Have you taken any drugs or had any

1 medication ---

2 THE DEFENDANT: No, sir.

3 THE COURT: --- in the last twenty-four hours?

4 Are you under the influence of any kind of substance here
5 today?

6 THE DEFENDANT: No, sir.

7 THE COURT: All right. Now, Mr. DeJong,
8 anything you would want to inquire of your client in this
9 matter?

10 MR. DEJONG: No, thank you, Your Honor.

11 THE COURT: Anything you want to tell me at this
12 time about his decision? This is his decision; correct?

13 MR. DEJONG: Your Honor, I made it very clear it
14 was his decision. Actually he asked me to decide, and I
15 told him I would not decide.

16 THE COURT: Well, you understand that your
17 lawyer can't make that decision? You have to make that
18 decision; do you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right.

21 THE DEFENDANT: My decision was made because
22 that's my family and that's the people that I love, and I
23 can't get up there and talk about them.

24 THE COURT: Well, as long as it's your decision.
25 We're not particularly concerned about why you decide

1 that. You have that right. You have the right to testify
2 or not to testify. And that is your decision. Do you
3 understand that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. Now, do you understand
6 that your lawyer has indicated that you're not going to
7 present any evidence in this case at this point in time;
8 is that correct?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: All right, sir.

11 All right. We will call the jury in. Let's see,
12 what do we want to do? We had talked yesterday; we
13 thought we might go a little later than this.

14 All right. I'm going to find that your client has
15 had the advice of counsel in making the decision as to
16 whether or not he should or should not testify. That he
17 is determined that he thinks it's in his best interest to
18 not testify. This is his decision and his decision he
19 made freely and voluntarily. Nobody has threatened,
20 coerced, pressured or forced him to do this. That he's
21 competent to do it. He's not under the influence of any
22 alcohol, taken any drugs, had any medication.

23 Not being treated by any psychiatrist for any mental
24 illness at this time; are you?

25 THE DEFENDANT: No, sir.

1 THE COURT: So he's competent to make the
2 decision. He understands that he has a constitutional
3 right to not testify.

4 Do you understand that I will inform the jury that
5 the fact that you elected not to testify cannot be
6 considered by them? They cannot even talk about that in
7 their deliberations; that that's your constitutional right
8 to make. They can't even consider that. Do you
9 understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: All right. That this decision is
12 his decision and his decision alone.

13 MR. DEJONG: Your Honor, with that, obviously
14 the defense is going to rest. I don't know if you want me
15 to do that in front of the jury?

16 THE COURT: Yeah. I'm just trying to think,
17 what we can do is turn the jury loose. I know I told
18 y'all I'd give you a little bit of time to kind of collect
19 your thoughts. I told the jury that. Maybe we'll turn
20 the jury loose and let them come back at one o'clock;
21 how's that?

22 MR. DEJONG: That would be wonderful from the
23 defense side.

24 THE COURT: Will y'all be in a position to go
25 forward at one?

1 MR. TOOKER: Yes, sir.

2 THE COURT: All right. With respect to the
3 charges, I mean, I have my general charge. I'm going to
4 charge testimony of children. I'm going to charge failure
5 of the defendant to testify. I'm going to charge the
6 second degree criminal sexual conduct with a minor charge.
7 I'm going to charge the 16-3-657, which is testimony of
8 the victim doesn't have to be corroborated. And I think
9 that's all. I've prepared a verdict form here, or my
10 clerk has. It has two possible verdicts, if y'all want to
11 look at it. We, the jury, unanimously find the defendant
12 guilty or not guilty; either one, so ...

13 Anything else y'all want me to consider?

14 MR. TOOKER: No, sir.

15 MR. DEJONG: Your Honor, even though I have not
16 rested in front of the jury, I would renew my motion for a
17 directed verdict, Your Honor.

18 THE COURT: All right. Denied for same reasons.

19 All right. Let's bring the jury in if you could.

20 Would y'all be ready to go at twelve thirty?

21 MR. TOOKER: State would be ready to go.

22 MR. DEJONG: I could be ready to go. I like one
23 o'clock a lot better, Your Honor.

24 THE COURT: Well, I just hate for the jury to be
25 walking around downtown. How about we compromise; twelve

1 forty-five?

2 MR. DEJONG: I'll accept that, Your Honor. I
3 guess I have to.

4 THE COURT: Well, I mean, I'm willing to listen
5 to whatever y'all want to do.

6 (WHEREUPON, the jury entered the open court at
7 approximately 11:10 a.m.)

8 THE COURT: You're Ms. Rogers, huh?

9 THE JUROR: That's me.

10 THE COURT: You have the honor of leading this
11 fine group of folks. I thank you for your willingness to
12 serve as foreperson. And I will give you some
13 instructions later on as to what it is that your
14 responsibilities are. So, as you know, we just concluded
15 the state's evidence.

16 I'll call on the defendant. Anything from the
17 defendant?

18 MR. DEJONG: The defense rests, Your Honor.

19 THE COURT: All right. Ladies and gentlemen, as
20 I told you, the defendant has no burden in this case and
21 so the defendant has no -- doesn't have to put up any
22 evidence. The defense has rested. Then the next phase of
23 the trial is what we call the closing arguments. And I
24 explained that to you. What we're going to do, ladies and
25 gentlemen, I had told the attorneys yesterday, we thought

1 we would be going a little bit longer this morning. I
2 told them that I would give them a little bit of time to
3 sort of collect their thoughts before we begin their
4 arguments and let them prepare a little bit. So we're
5 going to break for lunch. I know it's early, but we're
6 going to break for lunch. And I'm going to ask y'all to
7 be back here at a quarter till one. That'll give you
8 about an hour and a half. Be back at a quarter till one
9 and we will go right into the closing arguments. After
10 that you'll get the instructions from the court and then
11 you can retire into the jury room and begin your
12 deliberations.

13 Again, I'm going to ask you not to discuss the case
14 while you're gone at lunch, and don't discuss it with each
15 other when you get back later on this afternoon. You'll
16 have plenty of time to do that in your process of
17 rendering a verdict.

18 So y'all have a nice lunch. We'll see you back here
19 so we can start at a quarter till one. The bailiffs will
20 help you get out. Thank y'all.

21 (WHEREUPON, the jury exited the open court at
22 approximately 11:12 a.m.)

23 THE COURT: All right. Mr. DeJong, I am going
24 to take your client in custody at this time.

25 MR. DEJONG: All right. Thank you, Your Honor.

1 THE COURT: The sheriff will take Mr. Meadows
2 and have him back here in time for -- they'll feed him.
3 So y'all have a nice lunch and we'll see you back here at
4 that time.

5 MR. TOOKER: Thank you, Your Honor.

6 MR. DEJONG: Thank you, Your Honor.

7 (WHEREUPON, the court stood at recess for a lunch
8 break.)

9 THE COURT: Everybody ready to proceed?

10 MR. TOOKER: Yes, Your Honor.

11 MR. DEJONG: Yes, Your Honor.

12 THE COURT: All right. Let's bring the jury in.

13 (WHEREUPON, the jury entered the open court at
14 approximately 12:42 p.m.)

15 THE COURT: All right. Ladies and gentlemen, I
16 hope you had a nice lunch. As I told you, we are coming
17 back and we will turn the matter over to the attorneys so
18 that they can make their closing arguments. So with that
19 said, I'll ask the state, you ready to proceed?

20 MR. TOOKER: Yes, sir, Your Honor.

21 THE COURT: All right. If you would, Mr.
22 Tooker.

23 MR. TOOKER: Thank you, Your Honor. May it
24 please the court. Mr. DeJong, Madam Forelady, members of
25 the jury.

1 what he says differs from what I say, take him at his
2 word.

3 The defendant is charged with criminal sexual conduct
4 with a minor in the second degree; right? So what does
5 that mean? It means a couple of different things. There
6 has to have been a sexual battery. A sexual battery, as I
7 believe His Honor will instruct you, means penetration,
8 any kind of oral sex, but any kind of sexual activity
9 where there is penetration into the genitals of another
10 person, that is a sexual battery. We hear battery and we
11 think some sort of, you know, like somebody punching
12 somebody or forcing somebody. That's not necessary. All
13 that's necessary is the battery occurred. The battery in
14 this case is intercourse.

15 The second element is age. So there are two elements
16 in this case, sexual battery and the age of the victim.
17 Those are the two things that have to be established.
18 Now, if you take the victim's testimony at face value, a
19 sexual battery is established. It's established because
20 she says they had sex; correct? Then the age. If you
21 take her testimony at face value, it's established.

22 , that's what she said her date of birth was.
23 That would have made her thirteen until . She
24 said these events went down from November until mid-March
25 of 2011. So November of '10 till mid-March of 2011, so

1 that puts her between the ages of eleven and fourteen.

2 There is a second subset here. If she were over
3 fourteen but under sixteen and he were in a position of
4 authority over her, some sort of custodial situation or he
5 were a parent-type figure, like he is, then that, too,
6 would constitute criminal sexual conduct in the second
7 degree. So regardless of if she were under sixteen or
8 under fourteen, both are satisfied.

9 But what I really want to emphasize here is this last
10 aspect. And that is, consent in no way affects the
11 charge. And that's what I told you when I first stood up
12 in front of you. And that's something I want to
13 emphasize. His Honor will give you his instruction. But
14 I want to make clear, a child cannot consent to have sex
15 with a grown man. It is impossible under the law. So if
16 you have that thought in your head, get it out right now.
17 There is no consent. Consent is not a factor.

18 So there's a time line in this case. Minor tells
19 Sister 2 . Sister 2 took the stand; yeah, Minor and she
20 talked about it and it was a secret. Sister 2 is ten years
21 old. She hears that her big sister is having a sexual
22 relationship with her mom's boyfriend. Eww, it's gossip,
23 it's fun, whatever, it's a secret, nobody knows. She
24 doesn't tell anybody. Then what happens? They tell
25 Sister 1 . Sister 1 and Minor tell Sister 1 . Sister 1 is a little

1 older at this point in time. She's a little wiser. She's
2 a little more world-weary. And what does she say? That's
3 not good. It's not good that my mom's boyfriend is having
4 sex with my older sister. That is a bad thing. What does
5 she do? She goes to her mother. What happens? The ball
6 starts rolling. That ball that was stationery, that was
7 sitting there at Street, starts rolling. And it
8 starts rolling down the block toward this courthouse.
9 Because Sister 2 and Sister 1 and Minor then confirmed to
10 Georgia -- actually Georgia asked Robbie Futrell -- I
11 thought Robbie Futrell was interesting, because Robbie
12 Futrell was with Minor with her when Georgia says, you
13 need to ask Minor if this thing happened. Now, Robbie
14 Futrell, he didn't want to testify for the state. Did you
15 hear him? This guy is his best friend, his best friend in
16 the world. He tried to plead the fifth, which, you know,
17 is reserved to when you've incriminated yourself in some
18 way. Tries to plead the fifth, saying, I don't want to
19 testify. But his best friend in the whole world is
20 accused of this thing, but what does he still say? Yes, I
21 asked Minor what was going on and she revealed to me what
22 had been happening and we went to her mother and then went
23 to the police; right? Because it was serious, because
24 it's real, because despite the fact that those men are
25 best friends, he thought that that was an important enough

1 thing to warrant police intervention.

2 Police get involved, Detective Riggs interviews the
3 victim, interviews the other members of the family and
4 then we subpoena those people and we bring them into court
5 and we talk to them.

6 What I said in the beginning of this case, too, if
7 you'll remember back, was, this is going to be a case
8 that's all about credibility. Credibility is key in any
9 type of case like this. Credibility is how you determine
10 what is true. Remember I said, you know, what speaks the
11 truth, what's true to you, what's true to -- amongst you
12 when you deliberate in your jury room. What is true is
13 based on the credibility of these witnesses. And that's
14 what you've got to evaluate. So let's talk about each one
15 of these people -- each and every one of these people.

16 Well, actually, there are different ways to examine
17 credibility. I mean, you look at somebody that testified
18 and you can say, okay, that looks like someone who's
19 telling the truth. You look at their demeanor and their
20 demeanor can appear to be a truthful demeanor. And this
21 is the kind of thing you rely on in your everyday
22 experience. You're talking to somebody at work and
23 they're telling you something and you're like, that's a
24 load of BS. I don't believe what that person is saying.
25 Well, you're using your everyday common sense to evaluate

1 their credibility based on their demeanor.

2 An example of that, in the state's opinion, is
3 Sister 2 , the youngest sister. The youngest sister took
4 the stand. She had a demeanor that was very frank, very
5 matter-of-fact, very child-like. I mean she's a child.
6 She's still a young teenager. The same age, actually,
7 that **Minor** was when these events were said to have
8 transpired. And she took the stand and explained things
9 to you the best way she could because she's that child.
10 And that's that kind of earnestness that you can
11 evaluation demeanor in determining credibility.

12 Another thing you can look at is professionalism.
13 You say somebody is very professional. I trust their
14 professionalism. I trust their professional judgment.
15 And I think someone in that case is Travis Riggs. Travis
16 Riggs took the stand and talks to you about his experience
17 on the police force. Talks to you about his experience as
18 an investigator, as a detective, now as assistant chief,
19 and what he does everyday. And you can believe what he
20 says and you can believe that he is credible based on that
21 professionalism.

22 Robbie Futrell was against testifying; right? That's
23 another way that credibility can be evaluated. If
24 somebody takes the stand and says something that seems to
25 be against their own better judgment, against what they

1 want to say -- you know, I'm sure he would have loved to
2 stood up there and said, I absolutely know for a matter of
3 fact that none of this happened, there's no way, you know,
4 this man did not do this thing; right? If he had taken
5 the stand and he could truthfully say that, he would have.
6 But no, what could he truthfully say? He truthfully could
7 say that the victim revealed to him what was going on.
8 That after she revealed to him what was going on, he went
9 to the police and was threatened by the defendant. A
10 threat that he took so seriously that he felt the need to
11 purchase a firearm; right? Why would he say that against
12 his best friend unless it were true. Nothing to gain.

13 Now, Minor , the state poses, has nothing
14 to gain in this case. I believe there was some testimony
15 that she felt like she was losing her mom a little bit;
16 right? Her mom was being taken away from her as a result
17 of her involvement with the defendant. That she maybe was
18 jealous of the attention that the defendant was giving her
19 mother and her mother giving the defendant. Okay, great.
20 Now, is that a motive for her to lie in this case? What
21 happened when the events were revealed? I mean,
22 seriously, what happened? She was taken from her mother.
23 So instead of getting that added consolation, that benefit
24 going back to that woman for whom she cares so much, she
25 was taken away. She was sent to North Carolina and sent

1 to live with somebody whom she had no desire to live with.
2 She was removed, and she was removed because of what came
3 out and what she said. And that's another example of how
4 you can evaluate credibility. If it's the truth,
5 sometimes the truth hurts. Sometimes telling the truth
6 affects you in a negative way. And that's what Minor did.
7 Finally, there's another kind of credibility you can
8 examine, and that's expertise. And the state called
9 Shauna Galloway-Williams to testify in this case, and she
10 has a great deal of expertise with regards to examining
11 and counseling and studying victims of these kind of
12 crimes. And she talked to you, and I'll talk to you about
13 this a little bit later, but she talked to you about the
14 dynamics of sexual abused victims. The dynamics of
15 adolescents who are compliant victims. And you evaluate
16 her credibility and her credibility is based on her
17 experience and her training and what she knows. And that
18 expertise instills her and imbibes her with a certain
19 degree of credibility.
20 Now, I think there have been a couple of red herrings
21 in this case. And red herrings are -- I don't know if
22 y'all read mystery novels? When I was in middle school, I
23 was a bit of a nerd or a geek and I read a lot of Agatha
24 Christie mystery novels. There was always a red herring
25 in each one of those novels. There was always somebody

1 that the author wanted you to think was responsible for
2 the crime until the end of the book when the real criminal
3 was revealed. And I want to address a couple of those of
4 what I perceive to be those red herrings that were brought
5 up during the course of this trial.

6 The victim's grandmother who lived in the house, the
7 deaf grandmother. The deaf grandmother, you know, we
8 didn't call her to testify. The defendant didn't call her
9 to testify. They have subpoena power the same as us.

10 MR. DEJONG: Objection to that, Your Honor.

11 THE COURT: Sustained.

12 MR. DEJONG: Ask for a curative instruction from
13 the court.

14 THE COURT: Ladies and gentlemen, the defendant
15 has no obligation in this case whatsoever, and it doesn't
16 have to -- please disregard that comment.

17 **CLOSING STATEMENT CONTINUED**

18 **BY MR. TOOKER:**

19 The deaf grandmother, who I believe was living at the
20 house during some of this same time that these events
21 transpired, didn't testify. Okay. Now, is that a
22 reasonable doubt? Is it a reasonable doubt that a woman
23 who can't hear anything didn't take the stand? I don't
24 think so.

25 What's another red herring in this case? A red

1 herring in this case, that the victim made up these crimes
2 or made up this stuff because she wanted to break up the
3 marriage or break up the relationship between the
4 defendant and her mother. Now, like we said, why would
5 she do that? Why in the world would she do that if all
6 it's going to do is result in her being removed from that
7 home? And I think what's even more important is if she
8 were making it up to do that, wouldn't she be the one who
9 sought out authority, who sought out her mother, who
10 sought out law enforcement? Who went to these people and
11 said, this thing has been happening. I need to tell you
12 about it. Because ultimately if it were her desire to
13 break them up, you know, that's what she was trying to do,
14 she would tell the police herself. She would tell her
15 mother herself. Instead she tells her sisters because
16 it's a secret. She's got a new boyfriend. She's got this
17 new boyfriend and she's maybe excited or confused or she
18 has lots of mixed emotions about it and she tells her
19 siblings. Her siblings are the ones who go to the mom and
20 the mom starts pressing the issue and eventually that gets
21 brought forth to law enforcement.

22 Now, these are cases that happened behind closed
23 doors. Now, like I said before, there is -- well, there
24 are different types of crimes that we see in general
25 sessions court. We see crimes where people, you know,

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Closing Statement by Mr. Tooker

244

1 witness things. Like I say, robberies. And we see crimes
2 where there's fingerprint evidence and that kind of thing.
3 These are crimes of shame and secrecy. You heard Shauna
4 Galloway-Williams. These are crimes of guilt and shame.
5 They are crimes where victims feel guilty and they feel
6 shameful and they are embarrassed. You heard testimony
7 about how the victim appeared when she talked to people.
8 Upset, embarrassed, shameful. These are crimes of guilt
9 and shame.

10 Now, the judge is going to give you several
11 instructions. And one of those instructions is going to
12 be that these charges -- for you to find the defendant
13 guilty, that the victim need not be corroborated. You
14 could, theoretically, convict him based on her testimony
15 alone. Everything else is icing on the cake; is
16 additional evidence that we're giving you to help make
17 your decision easier, to help you understand how it is
18 that this person can be telling the truth. How it is that
19 these events can transpire today, 2014, in Pickens County?
20 Pickens County. I say, too, this is an important thing to
21 remember when you go back there.

22 So Pickens County has jurisdiction only over Pickens
23 County crimes. And the crimes that you are to decide are
24 the crimes that happened in the household. Because
25 there's no testimony as to whether or not the crimes

1 transpired in the car in Pickens County versus Anderson
2 County versus Greenville County. The only crimes you're
3 to determine the defendant's guilt on are the crimes that
4 were to have occurred -- have occurred at Street
5 in Pickens County, South Carolina. Now, I say that -- if
6 you believe the victim when she's telling you that she had
7 sex with this man in the car, then you believe her when
8 she's telling you that she had sex with this man in the
9 residence. Okay? I don't want that point to get
10 confused. But the jurisdiction on this case is over the
11 incidents that transpired in the household. That does not
12 mean you cannot consider the events that transpired
13 elsewhere inasmuch as you evaluate the victim's
14 credibility.

15 So there are a lot of facts. And the facts, I think,
16 can get kind of convoluted and obscured in a case like
17 this. The facts can be kind of mired down and hidden
18 because there's so much testimony and you hear from so
19 many different people. But there are -- there's the
20 victim's recount of the events; what she says happened,
21 how she says these things happened. And there are
22 instances where other people's testimony coincides with
23 what the victim says. And that's another way where y'all
24 can evaluate the credibility of her story. If she tells
25 you A, B, C, E, F, G and A, B, C and F, G are also

1 testified to by other people, well, that lends credence to
2 her story. That gives her more credibility.

3 The first thing, the defendant was said to, by the
4 victim, to have a shaved pubic area, to shave bald his
5 genital area. Now, she would know that, of course, if she
6 had had sexual relations with him; right? She would know
7 that if she had been in a sexual relationship with this
8 man. Who else testified to that? Well, who else who
9 testified had been in a sexual relationship with him?
10 Georgia. And what did she say? The exact same thing,
11 that he had a shaved pubic area. He had a shaved pubic
12 area. And that's evidence, independent of one another.
13 The victim says it, the victim's mother says it. That's
14 corroboration.

15 Text messages. Now the victim talked about sending
16 text messages to the defendant about stuff, about sex,
17 about anything. She said they texted a lot. Now, we
18 talked to you -- we've got these text records and I'll
19 talk to you about these in a little bit. But who said
20 they actually saw a text message? Do y'all remember?

21 Sister 2 . Sister 2 said, I saw a text message conversation
22 between Minor and the defendant where the defendant wanted
23 her to come outside and have sex with him; right? Sister 2
24 said that. The young lady who testified. Again, the
25 young lady whose demeanor, we pose it to you, is very

1 credible said that was what she saw on the text message
2 from Chris, from the name she knew to be Chris Meadows on
3 Minor's phone. And this is not like they've never been
4 around each other. These are girls who live together in
5 the same household, who play with stuff together. I mean,
6 she would know more than anybody else in the world if that
7 man, who is her stepfather in essence, if that man's phone
8 number in Minor's phone, if that belongs to him. Better
9 than anybody else. And she says he wanted to have sex
10 with her, wanted her to get in the car so they could drive
11 off and have sex.

12 The threat. The threat that Robbie Futrell testified
13 to. Now, I think this is important inasmuch as it goes to
14 the defendant's mindset, the defendant's culpability, his
15 criminal culpability, and what he acknowledges as a
16 wrongdoing. Now, if Robbie Futrell took the stand and
17 said, you know, we were going to the police and Chris
18 called and said, you know, everything is going to be okay,
19 you know, you do what you've got to do; it's no big deal;
20 right? But instead what happens is Robbie Futrell takes
21 the stand and says, the defendant called me and threatened
22 to kill me if I went to the police; right? Called me,
23 threatened me if I went to the police he would kill me.
24 Why would he do that? Why in the world would an innocent
25 person do that? A person who was guilty, who was ashamed,

1 who was embarrassed, who knows they've done something
2 wrong, that's the kind of person who threatens death, who
3 threatens injury on a party going to the police.

4 That they were gone for long periods of time. Now,
5 Minor said, you know, part of the thing in this case is
6 they would get in the car, they would drive around under
7 different auspices to have sex. That's what they would
8 do. And like I said before, you're only to decide whether
9 or not they had sex at Street in Pickens, in
10 Pickens County, South Carolina.. But the credibility of
11 her entire story hinges on a lot of this stuff. And so
12 she says they would drive around and have sex. And what
13 did other parties testify to? They testified they would
14 be gone for long periods of time. They would get in the
15 car and they would drive off and they would be gone for
16 extended periods of time.

17 An interesting kind of caveat to that, remember
18 Georgia's testimony. Georgia's testimony about the
19 defendant wanting to take Minor to Salem, South Carolina.
20 Wanted to take her to Salem and it was a school night and
21 it was late, but she wanted to take him there because
22 (verbatim) -- he wanted to drop off a cousin or pick up a
23 cousin or something along those lines. And Georgia said,
24 no, it's a school night, it's late. That, you know,
25 that's ridiculous. Why do you need to do that? And he

1 says, whoa, whoa, whoa, I can't believe you would even
2 accuse me of something like that. So immediately that's
3 where his mind goes. Instead of thinking, okay, no big
4 deal, I don't need to take her, I'll go to Salem by
5 myself, his mind goes to, why would you accuse me of
6 having a sexual relationship with your daughter? No
7 allegations had been brought forth at this point. What
8 did she testify to? They had not talked about this. This
9 is not something that she said, I have concerns that
10 you're having sex with my daughter. Out of nowhere, out
11 of left field, he says, I can't believe you'd accuse me of
12 something like that.

13 Thanksgiving. **Minor** Georgia, they testified that
14 they went to -- that she and Chris went to Walmart to
15 purchase something on Black Friday and that they were gone
16 for hours, and that they were gone for hours and that it
17 was something important. And when they got back, what did
18 they have? A little bit of chocolate and a card. A
19 little bit of chocolate and a card on Black Friday; right?
20 Instead of whatever this important thing that they had to
21 go out on Black Friday to purchase was. Now, what does
22 **Minor** say? Yeah, we were gone so long and we only got the
23 card and candy because we were out having sex or about to
24 have sex. That was the first time a sexual encounter was
25 to have occurred. And how did it happen? How did these

1 events transpire? Well, he starts asking, he starts
2 asking her, you know, you have sex? Have you had sex?
3 Are you still a virgin? You know, what kind of stuff have
4 you done? And that's breaking the ice; right? Getting in
5 there. He's becoming not a father, but a peer. He's
6 talking to her about stuff that a grown man does not talk
7 to a child about. He's talking to her about stuff that a
8 man talks to a woman about. And what happened? He uses
9 that as his way in. He uses that as his means of getting
10 her ready so that then he can make his move. He can start
11 kissing on her. He can start rubbing on her. And then
12 all of a sudden they're about to have sex and, oh, we've
13 got to go back, mama called. So they go back, but it
14 doesn't stop. Then that sexual relationship develops.
15 That sexual relationship that starts around Black Friday,
16 and as the allegations we're putting forward starts in
17 December, the sex starts in December, she says, happened
18 seven or eight times over the course of December at her
19 car, in the car, at various places. And it's been
20 consistent.

21 The defendant and the victim in bed. Minor testified,
22 yeah, we would lay in bed sometimes and watch TV. We
23 would lay in bed sometimes and have sex. Now, we heard
24 testimony from her sister. Her sister said, I saw them in
25 bed together. Now, they appeared to have their clothes

1 on. Great. Maybe no hanky-panky is going on at this
2 time. Wonderful.. But what grown man gets in the bed of a
3 thirteen year old girl who is his girlfriend's daughter to
4 snuggle up and watch movies on an iPhone. You know,
5 they're not sitting at far ends of the bed watching a big
6 screen TV. They are next to each other with a phone
7 watching television. What grown man does that? The kind
8 of grown man that has a sexual relationship with that
9 child.

10 Minor's emotional effect. Minor went to live with
11 Betty Ipina. And the reason that I called her to testify
12 is because in a case like this you kind of want to show
13 the tail end. You know, there's all this talk about the
14 front end and how this stuff develops and how these people
15 change and how their attitudes are. And there's
16 oftentimes very seldom talk about how the person is
17 afterwards, how it is that they are as a result of these
18 things they said happened. So MMin goes to live with
19 Betty Ipina. What does Betty say? Betty says Minor is
20 emotionally very distraught. She is depressed. She feels
21 responsible. And remember what Shauna Galloway-Williams
22 said; right, in these compliance adolescent victim cases,
23 the victim feels responsible. The victim feels, because
24 she felt like a peer to this man, that she is responsible
25 for what happened. And so she feels as if she is to blame

1 for splitting the family up, for going up to North
2 Carolina, for getting out of her mama's house. She feels
3 like she's responsible. And what does Betty say? She's
4 depressed. She's depressed, she's unhappy. She starts
5 self-injury. But what does Betty also say? After time it
6 stopped. After time of being out of the household with
7 the defendant, the self-injury stopped.

8 Now, Shauna Galloway-Williams testified at some
9 length. And like I said, I think you evaluate someone
10 like that's credibility based on their apparent knowledge
11 and their expertise and how well versed they are in their
12 field. But she talked about a couple of things in
13 particular that I think are important and I'd like for you
14 to remember. The first is grooming. She talked about
15 grooming. And grooming, she said, was the adult party,
16 the perpetrator, the offender, making the victim somehow
17 accustomed to a particular activity before he actually
18 makes his move; right? So you open the door a little bit.
19 You don't barge in, you crack it a little bit. You turn
20 the handle and crack it. And how does he do that in this
21 case? He takes her out and starts talking to her about
22 her boyfriend. Her boyfriend had broke up with her;
23 right? She's on the rebound. I mean, this is in essence
24 what's happening, he's gone and picked up a girl on the
25 rebound. But instead of being a peer, instead of being a

1 woman, she is a child. He's picked up a child on the
2 rebound and used the fact that she and her boyfriend just
3 broke up as an in to start talking about sex. He starts
4 talking about sex, so it's making her comfortable with him
5 talking about sex. And then eventually they have sex.

6 The second thing, and I mentioned this already, but I
7 think it's worth doubling back on. The compliant
8 adolescent victims; right? She says that she wanted it;
9 right? I mean, her testimony is she wanted to do this.
10 And she wanted to do this because, again, as a child she
11 can't make an adult-informed decision about the
12 righteousness of these acts; about whether or not this is
13 a good thing to do. And so she is in a position where she
14 feels responsible, where when she goes to the police,
15 again, like everybody said, she's downcast and she's sad,
16 she's weepy. She's not, she's not somebody who's just
17 been rudely victimized and is distraught; right? She's
18 somebody who is depressed and forlorn and feeling downcast
19 because of their feelings of responsibility, because of
20 their feelings of guilt and their feelings of shame.

21 There was some talk, too, the victim talked about --
22 I want to go back to the shaved genitals thing. I don't
23 know if y'all realize this. When the victim took the
24 stand, her mother was not in the courtroom. The victim
25 took the stand, her mother was not in the courtroom, the

1 victim testified about the defendant having shaved
2 genitals. Then her mother came in and testified. Then
3 her mother came in and testified and testified that he had
4 shaved genitals. She did not sit here in the courtroom,
5 hear what her daughter said and then mirror it. So pay
6 attention to that.

7 But also, her mother testified that the defendant
8 would often give her slim jims and Gatorades; right, and
9 bring it to her late at night in her bedroom. And what
10 did she say? She said, yeah, he would do that and then
11 sometimes we would fool around; right? So it's another
12 one of these pretexts. It's another one of these --
13 instead of going to Salem, it's, I'm going to get you some
14 candy and some juice and I'm going to go give it to her.
15 But in reality what's happening? He's abusing her. It's
16 another one of these pretexts. But again, it's another
17 one of these pretexts that is validated by a party other
18 than the victim; in this case her mother, again, in this
19 case who did not see her testify.

20 The call records. We got a big box of records right
21 here. And I'm sure when this lady came in and brought
22 this big box, you're like, great, what is that, and I hope
23 we don't have to look at it. But I'll say, we seldom have
24 smoking guns in cases like this; right? We seldom have,
25 you know, somebody caught doing something like this on

1 camera. Or we seldom have eyewitness testimony. But in a
2 case like this, what we do have and what we can try to
3 obtain is evidence that's not subject to corrosion. You
4 know, people's memories can change. And you know,
5 sometimes stuff gets foggy and dates aren't quite
6 accurate. They don't remember stuff as clear as they used
7 to. And that's human nature. I mean, that's what happens
8 to folks. But what does not change is digitized records
9 kept by Verizon. And so we brought in these records and
10 I'd like to talk to you briefly about them, because -- and
11 I'm not saying that this is a smoking gun. But this is as
12 much of a smoking gun as you get in cases like this.

13 What we've got here are these records. And what do
14 they consist of? They're records between the three
15 parties, Georgia and the defendant and M~~in~~ from 11/22 of
16 '10 until 3/12 of '11; this time period that we're
17 alleging these things transpired; right? So they're to
18 have encompassed that entire time span. And I want to get
19 these numbers out. And I've got to look at my notes
20 because I'll forget otherwise. Minor's number, as
21 testified by Detective Riggs, was 3161. Okay. So
22 when you look at these records, the last four digits of
23 Minor are 3161. I'll say that one more time, 3161. The
24 defendant's number, -3994. Last four digits, 3994.
25 The remaining number is Georgia's, and that's 9813.

1 But the two I think that are very important are 3994 and
2 3161. Again, 3161 is the victim; 3994 is the defendant.
3 And what do we have here? We've got these call logs. And
4 the call logs, of course, are not as thick. Because if I
5 call somebody there will be a record of that call; right?
6 It'll say, you know, at this point and this point, this
7 date, this time, it'll say I called somebody. Text
8 records are different. Text records, it's every back and
9 forth. So the same way you have a conversation with
10 somebody that lasts five minutes on the phone and there's
11 one record of it, a text message conversation lasts five
12 minutes. It'll be lots and lots of records. Lots and
13 lots of back and forths. So we have the call logs, and
14 that's for each number. That's for 9813, which is
15 Georgia, for 3994, which is the defendant and 3161, which
16 is the victim. But we also have the text logs. And the
17 first set of text logs we have are on 9813, which is
18 Georgia; right? So these are Georgia's text logs. And
19 that's not an insubstantial amount of texts; right? Not a
20 insubstantial amount of texts. But it's not a crazy
21 amount for that period of time; right? I mean, we're
22 talking about every text somebody sends, the back and
23 forth. And I want to say, too, remember what Detective
24 Riggs said. The content of the communications is gone.
25 Verizon doesn't keep them past five days, and these

1 allegations came out well after five days after these
2 things were said to have happened. But what Verizon does
3 keep for a year are the back and forths, or the, I sent a
4 message to this number, this number sent a message to me.

5 Now, the victim, her text logs are much more
6 substantial. This is from 11/22 to 12/31 for **Minor**. This
7 is from 1/1/11 to 1/31/11 for **Minor**. And this is for 2/1
8 to 3/19 for **Minor**; right? So that's all **Minor**'s records.
9 And it kind of stands to reason, I think, based on, you
10 know, your commonsense and judgment that teenagers send
11 more text messages than their parents. I mean, teenagers
12 send a lot of text messages. It's, I guess, part of being
13 a member of the digital generation.

14 The defendant's text messages, more than
15 Georgia's, but less than **Minor**'s. Now, what stands out, I
16 think, about these three stacks, looking at these three
17 stacks and their relative thicknesses, the defendant's
18 text logs, and there is included in all these things an
19 explanation for them. It explains what each column means;
20 one is sending to, one is coming back, and it explains
21 these records. But I think what's telling about all these
22 records, and this is what Detective Riggs testified to,
23 the defendant in this time period from late November until
24 early March of 2011, sent seventeen hundred texts to his
25 girlfriend; right? Seventeen hundred texts to her. He

1 send some -- and I'm going to look at the numbers so I can
2 get it right. I think he sent four thousand six hundred
3 and fifty-seven texts to Minor; right? Send four thousand
4 six hundred and fifty-seven texts to Minor. He sent, what
5 is that, like three times the amount of texts to a
6 thirteen year old girl than he sent to his own girlfriend.
7 And how many texts did she send him back? She sent him
8 back some forty-three hundred texts. So these are back
9 and forth conversations. It's not one-way. It's the kind
10 of conversations you have in a relationship. But also
11 what's considered, she's sending a lot of texts because
12 she is an adolescent. And adolescents text; that's what
13 they do. And that's why we have so many records for her.
14 We have a greater percentage of texts going to her; right,
15 than hers going to his. I mean, her texts -- his texts to
16 her make up a greater percentage of his outgoing texts
17 than any others.

18 Now, there's something else I want y'all to look at.
19 And I know this is voluminous and y'all are like, am I
20 really supposed to look through all these things? You can
21 if you want to. You've got them. Okay. They'll be back
22 there in the jury room with you and you can look through
23 them. You don't have to. But it's certainly within your
24 purview. When these texts were made, and I think that
25 this is important and so I've summarized it up here. Now

1 this is 11/22 to 3/10. And these are only some examples.
2 I did not pull out every single date. But what caught my
3 eye is that if you look at his phone records, and his are
4 the one on my far right, your far left, he's texting Minor
5 from nine to eleven p.m. on 11/22. From nine p.m. until
6 two a.m. between 11/24 and 11/25. From eleven p.m. till
7 one a.m. on the 25th and 26th. I mean, several text
8 messages where he's going well past midnight texting a
9 thirteen year old girl, a child; right? And I'll skip
10 ahead because I didn't want to summarize all these for
11 you. You can look through them if you'd like to. In
12 December, nine p.m. until after midnight, eleven p.m. till
13 twelve thirty a.m. On 12/15, eight p.m. till just before
14 midnight. And I've bolded one, just because if you want
15 to look one up, I mean, if you want to hold onto one in
16 your mind from what I say to confirm that I'm not, you
17 know, misinterpreting the data, on 12/20 till 12/21, from
18 eleven p.m. at night until two thirty in the morning.
19 Eleven p.m. at night till two thirty in the morning, he's
20 texting this thirteen year old girl. And again, his
21 digits are the one on the far right. He is 3994. He's
22 sending them to 3161. Again, they continue on into
23 January, into February, into March, where he keeps texting
24 her late into the night. Okay?

25 Now, that stands out to me because that's not normal

1 behavior for a child and her, in essence, stepfather, her
2 mother's boyfriend, the man who wants to marry her mother.
3 That's not what you anticipate. Now, I've talked for a
4 while and I'm about to step down and I'll put these
5 records up so they're not staring you in the face.

6 But y'all have an important decision to make here.
7 And it's an important decision because it affects multiple
8 people. It affects not only the defendant, but the
9 victim. The victim, who like we said, didn't have
10 anything to gain in taking the stand today. Didn't have
11 anything to gain in testifying. Who testified because she
12 was subpoenaed and because she was told to tell the truth.
13 And that's ultimately what this case rests on. Okay? All
14 the other stuff, like I said, is beneficial and I hope it
15 aids you in your decision-making. But ultimately, when
16 you looked at her, what did you see? Did you see somebody
17 who had an ulterior motive? Did you see somebody who's
18 making this up because they thought they would get
19 something or they'd get out of trouble? No. You saw a
20 child, still a child, but a girl who, at thirteen years of
21 age, was taken into a relationship with that man and
22 treated as if she were a grown woman. You saw a child
23 take the stand and explain what had happened to her. And
24 ultimately when you go back in your jury room, I ask that
25 you consider that child's testimony. And I ask that you

1 weigh it properly. And I ask that you return a verdict of
2 guilty. Thank you.

3 THE COURT: All right. Mr. DeJong.

4 MR. DEJONG: Thank you, Your Honor. May it
5 please the court. Mr. Tooker, Madam Forelady, ladies and
6 gentlemen of the jury.

7 **CLOSING STATEMENT**

8 **BY MR. DEJONG:**

9 Before June of 2009, Minor , Sister 2
10 , Sister 1 , had their mother's full
11 attention. Sometime in June of 2009, I believe, Chris
12 Meadows came into the picture. Sometime, I believe,
13 shortly after June of 2009, Chris Meadows moved into the
14 house of Georgia Houston. Who also resided there was
15 Minor , Sister 1 and Sister 2 .
16 And even more so at this point in time, I suggest, the
17 children were left out of their mother's attention,
18 according to the testimony. Minor , Minor
19 , hated Chris Meadows. Yes, I did. Do you still
20 hate Chris Meadows? Yes, I do.

21 Now, the state brought before you today Ms. Galloway-
22 Williams, who, number one, I would submit, talks in
23 generalities. And she shared her testimony with you. She
24 also shared, ladies and gentlemen, there are false
25 allegations in cases like this. She would minimize those

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Closing Statement by Mr. DeJong

262

1 false allegations. Well, they are only two to four
2 percent. What an impact, be it less than one percent,
3 false allegations would have on a human life.

4 Now, basically this case comes down to the testimony
5 of Minor . Mr. Tooker put up there the -- I
6 guess what he said the judge is going to charge you on,
7 and he will, and I'll talk about the law a little bit.
8 But take the law from His Honor. But one thing that he
9 put up there that he didn't talk about it, but he didn't
10 put up on the screen was that they have to prove the
11 offense occurred in Pickens County. That is one of the
12 elements that they have to prove.

13 Now, in looking at Minor testimony,
14 well, we had sex. But the thing after Thanksgiving when
15 she says they had sex, they didn't have sex. Not in terms
16 of a sexual battery. And I submit to you, ladies and
17 gentlemen, that a sexual battery is crucial. And I come
18 back to that for this reason, they said -- or she said
19 they had sex. Now, she posed the question to me, if
20 that's not sex, what do you call it? It's not a sexual
21 battery. Is it wrong? I wouldn't stand here and deny
22 that that was wrong. I would be a fool to. But that's
23 not what we're here about today. We are here about a
24 sexual battery. Now, once Minor said that,
25 there was never any defining -- any definition by her of

1 what is sex. It was left to you, ladies and gentlemen, to
2 surmise, use your definition -- and I won't get into ages;
3 okay -- but use your definition as a grown person as to
4 what sex is. And, boy, immediately you can come up with
5 some idea of what sex is. What sex is and was, more
6 particularly, in this thirteen year old's mind, we don't
7 know. Was there ever a sexual battery? That is one
8 element of this crime that they have alleged that Mr.
9 Meadows did that they must prove beyond a reasonable
10 doubt. They must prove every element of these crimes
11 beyond a reasonable doubt.

12 Now, the issue of shaved genitalia. Mr. Meadows
13 lived in this house. It was a two-bedroom house, one
14 bathroom, with a dining room that was -- had been
15 converted -- I believe it was the dining room -- you take
16 it as you remember it, but I believe it was the dining
17 room -- that had been converted into a bedroom. Now, I
18 don't know the degree of modesty in this house, but here's
19 what I want you to consider. Georgia Houston, Minor

20 , Sister 2 , Sister 1 , Chris Meadows
21 and grandmother, whose name eludes me, all lived in that
22 house. Chris Meadows showered in that home. Chris
23 Meadows slept in that home. Again, I don't know the
24 degree of modesty in the house, but certainly as far a
25 shaved genitalia is concerned, I would submit to you that

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Closing Statement by Mr. DeJong

264

1 there was ample opportunity that this young person had --
2 I'm not saying child, I'm saying young person -- had to
3 observe whether or not Chris Meadows's genitalia was
4 shaved or not. So certainly that, I would submit, would
5 not particularly be an issue, but there are certainly many
6 other ways that Minor would have known or
7 could have known about the shaved genitalia.

8 Then you get into detail. As far as detail goes,
9 where did you go? I don't know. They went different
10 places. This is a thirteen year old. Granted, thirteen,
11 but an adolescent who, from what I gathered from the
12 testimony, had lived here pretty much all of her life.
13 Did not know what Walmart they went to. Did not know
14 anything about where any of this happened. So then Ms.
15 Galloway-Williams come in and says, well, they forget
16 details. I would submit to you, ladies and gentlemen,
17 those are details if this traumatic experience which
18 happened to this thirteen year old, as she alleges
19 happened, there would be a greater memory of where it
20 happened. All of these unknown places; whether they were
21 in Pickens County or out of Pickens County, we don't know
22 about that. And again, the burden of proof is on the
23 state to prove that beyond a reasonable doubt.

24 Now, let's talk a little bit about one of the
25 allegations she said, I believe, but you take her

1 testimony as you hear it -- heard it. I would not
2 purposely try to say otherwise. You take it as you heard
3 it. On one occasion, at least, she says it happened at
4 Street. Well, again, look at that, ladies and
5 gentlemen. We have a two-bedroom house -- and I'm not
6 demeaning two-bedroom houses -- one bath, one dining room
7 converted into a bedroom, and again two sisters and a
8 grandmother living in that house when Minor says that
9 he came back into mom's bedroom and had sex with me,
10 whatever that may mean. That bedroom was separated only
11 by a wall from the living room where her grandmother sits
12 and the bedroom where Minor says that this took place.
13 Now, I would submit to you, number one, that
14 grandmother is not deaf. She's sixty year old, I think.
15 Ms. Georgia Houston testified she was hearing impaired in
16 one ear. There was nothing that said anything went wrong
17 with her sight that she could have or could not have seen
18 Chris Meadows go into Georgia's bedroom when Minor was
19 there. Again, that just stretches credibility to the
20 utmost. At no time did I hear that Minor was
21 ever alone in that house with Chris Meadows. Grandmother
22 and the two sisters were there. The mother testified
23 that, yes, grandmother did work, but when she worked
24 mother was home. When mother was working, grandmother was
25 there. So there was always an adult person other than

1 Chris Meadows present in that house when Chris Meadows was
2 there. I heard of no time that Chris was not there.

3 Shauna Galloway-Williams: Children -- and I'm not
4 saying that Minor was a child; she was an
5 adolescent, thirteen years of age, certainly a minor.
6 Children today are bombarded with sex. That is not
7 particularly the point. But the point is, even according
8 to her, I don't think we need an expert to tell us that
9 children experience the same emotions that adults do.
10 Jealousy, hatred, and maybe to a greater degree than
11 adults, are very -- can be and oftentimes are, very, very,
12 very manipulative.

13 So in June of 2009 -- and I say June; it was mid-year
14 -- Chris Meadows comes into the house. Now things
15 progress between Chris Meadows and Georgia Houston. Now
16 there is talk of marriage between Chris Meadows and
17 Georgia Houston. Now what may have been a temporary
18 arrangement of taking mother's affections away from the
19 daughters, Minor, Sister 2 and Sister 1, now it appears
20 it is going to be a permanent situation. How do I stop
21 them? What do I do? What better way, what better way
22 than to raise allegations of sexual abuse, especially in
23 this day and time. So the allegations were made.

24 Now, Ms. Georgia Houston testified about something
25 way back yonder and Mr. Tooker touched on it is why I

1 touch on it, about this business of Salem. There was no
2 indication and you have heard no testimony that anything
3 was going on at that period of time. And maybe Chris did
4 say, what are you accusing me of? In this day and time,
5 that's not particularly unusual, those accusations. Go
6 home and turn your television on tonight. Those
7 accusations are flying all over this country right now.

8 So Minor asked to do something to get Chris
9 Williams out of the -- Chris Meadows, excuse me -- Chris
10 Meadows out of the house to get him gone. If that means
11 even being separated from her mother, so be it, for some
12 period of time. But Chris Meadows, a man she hates, is
13 going to be out of that house. Come hell or high water,
14 he is going to be out of that house.

15 Now, nothing happened in Salem. She didn't go to
16 Salem. Nothing happened. I'm not saying anything
17 happened anyway, but nothing happened then.

18 So now we've progressed to Thanksgiving. And there's
19 talk of Valentine's Day. Now this becomes a little more
20 relevant in terms to this detail. Thanksgiving and
21 Valentines day -- excuse me, gentlemen -- but I think
22 especially Valentine's Day means more to ladies than it
23 does to men. But be that as it may, I think those are
24 days you remember. Now, Minor talked, as I recall,
25 about Valentine's Day going to Walmart. Georgia talked

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Closing Statement by Mr. DeJong

268

1 about Thanksgiving. And exactly how that twisted, I don't
2 know. But the issue was that on Thanksgiving when Georgia
3 said they were gone for quite a while, I remember
4 ultimately two hours, but you can take it for whatever you
5 remember, but remember that was on Friday after
6 Thanksgiving. To go into Walmart, be it Greenville,
7 Anderson, Easley, wherever, to buy a box of candy and a
8 card would take probably ten times longer than it would on
9 any other day of the year, with the exception of maybe the
10 day after Christmas. I don't know. But nonetheless, it
11 would take a long time. So, again, she says -- Minor
12 says, well, we had sex. Again, I don't know what she
13 means by the terminology sex.

14 Going to Mr. Futrell for a moment. Yes, they were
15 friends. They being Chris Meadows and Robert Futrell and
16 Georgia Houston. And the solicitor has made a big tadoo
17 over these threats -- threat. Parenthetically, I would --
18 parenthetically, with some importance, I never heard that
19 any other family member or any family member -- Mr.
20 Futrell is not a family member -- that was threatened.
21 Now, Mr. Futrell says he was threatened, as I recall, and
22 said he was threatened before they went to the police.
23 Now, when asking him when he gave his statement, did he
24 put anything in his statement about being threatened? I
25 will submit to you, ladies and gentlemen, if you were

1 threatened and you gave any credence to that threat and
2 you went to the police department, that's one thing you
3 would be yelling about, he threatened me. There was
4 nothing in his statement at that point in time that Chris
5 Meadows threatened him. And indeed, not only, if I recall
6 the testimony, had he been friends with Chris Meadows, he
7 had also been friends with Georgia Houston. To the extent
8 that I think -- I don't remember which one it was; whether
9 it was Sister 2 or Sister 1 or maybe Minor, I'm not sure
10 -- referred to him as Uncle Robbie. So certainly I would
11 submit by that he's been around this family a long, long
12 time. And of course, one of the children referred to him
13 by his nickname, Doughboy. But even he -- now, the
14 solicitor finally elicited from him that he went and
15 bought a gun. But ultimately he didn't take that
16 seriously. This was two friends of many, many years
17 talking. So, again, whether that was with Robbie Futrell
18 or not, that's for you to decide. But again, I didn't
19 hear that there were any threats directed towards the
20 family members.

21 Now, let's talk a little bit about the aunt. That
22 was Ms. Ipina, I believe, who had a very, according to her
23 testimony, a very sporadic relationship with Minor.
24 Sporadic to the point when asked, she didn't know -- she
25 said Minor was depressed, but didn't know how long she

1 had been depressed. Didn't know enough about her to say
2 that she only became depressed when this occurred, these
3 allegations came up, or had she been depressed before.
4 The self-cutting, she didn't know that had been going on,
5 for how long, for what period of time, or anything else.
6 Now, it's very easy, ladies and gentlemen, when we start
7 looking at a microcosm of time, rather than looking at
8 what happened over a period of time, it's very easy to
9 say, oh, because of this, because of these allegations,
10 that's what caused it. And that's what the state would
11 have you believe. But there wasn't -- I don't recall
12 anything in terms of this depression or self-cutting, when
13 this all started. The aunt said it ended. When did it
14 start, we don't know.

15 And the burden of proof on this case is absolutely on
16 the state. Absolutely. Totally. One hundred percent.
17 And before I get too further down that road, I'm just
18 going to touch briefly, the police officers were there,
19 they took reports. The fact that they took reports does
20 not make these allegations anymore believable than if they
21 hadn't. If they hadn't we wouldn't be standing here
22 today. And I submit to you, ladies and gentlemen, that
23 because they are police officers, their word carries no
24 greater weight than any other person's testimony. As I
25 believe His Honor shared with you when Ms. Galloway-

1 Williams testified, just because she testified as an
2 expert does not mean her testimony gets any higher
3 credence or credibility than any other witness in this
4 case. You have to weigh her testimony like you weigh any
5 other witness's testimony. And I submit to you, when it
6 comes to police officers, you weigh their testimony the
7 same. And again, the fact that they took a report is kind
8 of like when I talked to you yesterday morning, or
9 afternoon -- I'm not sure which it was -- the fact that
10 Mr. Meadows, Chris, was arrested is not evidence in this
11 case. The fact that they took reports is not evidence in
12 this case. The evidence you heard are the testimony,
13 which is the evidence, came from this witness stand today.
14 Nothing they were told.

15 Now, that goes likewise with **Sister 2** and **Sister 1** .
16 They were asked certain questions about time and place.
17 And one of them, as I recall, couldn't respond to them at
18 all. But certainly not as to the allegations themselves.
19 So that, again, comes down to rest on what you heard from
20 **Minor** , and is that believable? And again, I remind
21 you, the burden of proof in this case is absolutely on the
22 state.

23 His Honor is going to charge you on the law
24 momentarily. And one of the charges he is going to charge
25 -- he'll charge on all the law. I want to talk about a

1 couple of points on the law. Yesterday morning, I believe
2 it was, you agreed to well and truly try this case to the
3 facts and evidence presented. That's the oath you took.
4 At this point in time, ladies and gentlemen, it is quite
5 evident that Mr. Meadows did not testify. And as part of
6 that oath, you swore that you would take the law as the
7 judge gives it to you. The fact that Mr. Meadows did not
8 testify, I think it would be very easy for the thought to
9 come across your mind, if not verbalized over your lips,
10 boy, if I was charged with a crime like that, I would want
11 to take the witness stand and deny it. Well, two things
12 here. We are in trial, almost concluded, but we are in
13 trial. By the very act that we are in this trial,
14 Christopher Lee Meadows is saying, I did not do it.

15 The second point I'd like to make is, by agreeing and
16 swearing to take the law from His Honor as he gives it, if
17 that thought crosses your mind, I trust it would never be
18 verbalized, as that would be a violation of your oath.
19 His Honor is going to instruct you, I believe, and you
20 take the law from him, that the fact that Mr. Meadows did
21 not testify in this case is not to be considered by you or
22 talked about by you when you are in that jury room
23 deliberating on Mr. Meadows's innocence or guilt. It is
24 not to be there. It's kind of like yesterday I told you
25 -- I shared with you -- I hate to say told you -- but

1 shared with you, your job is not to search for the truth
2 in this case. That is not it. Your job is to determine
3 whether, under the law as His Honor will give it to you,
4 has the state proved their case beyond a reasonable doubt.

5 What is a reasonable doubt? His Honor is going to
6 tell you, and you take it from him, but if you --
7 basically, a reasonable doubt, His Honor, I believe will
8 tell you, is not beyond any doubt. Pretty much nothing is
9 absolute in this country except for paying taxes. But not
10 beyond any doubt. Beyond a reasonable doubt. What's a
11 reasonable doubt? A reasonable doubt is such a doubt as
12 would cause an ordinarily prudent person, and this is not
13 verbatim, to hesitate to act in conducting their own
14 affairs. Plug that in, if you will, hate, jealousy,
15 manipulation, false allegations. If there was only ever
16 one false allegation, and a person is convicted, that's
17 too many. To cause a reasonable person to hesitate to
18 act. I will submit to you, ladies and gentlemen, there is
19 a lot of reasonable doubt in this case. And if you
20 believe there is a real possibility that Mr. Meadows is
21 not guilty, you must, under the law, under your oath, find
22 him not guilty.

23 And hand-in-hand with that is this presumption of
24 innocence. I'm not going to rehash it like I did
25 yesterday. But please don't forget that substantial right

Charge

1 of presumption of innocence. It's critical. Absolutely
2 crucial in our system, as much as the burden of proof is
3 on the state to prove Mr. Meadows's guilty beyond a
4 reasonable doubt.

5 I could say more, but I'm not going to. I've been up
6 here under twenty minutes and I'm going to sit down. But
7 when you go back in the jury room and deliberate, if I had
8 facts similar to this in the day-to-day decisions that I
9 have to make for my own life, could I make a decision on
10 that or is there a real possibility I'm about to screw up.
11 I ask you to go back to your jury room, after hearing His
12 Honor's charge, and bring back a verdict of not guilty.

13 Thank you so very much for your time and your
14 patience.

15 **CHARGE**

16 **BY THE COURT:**

17 All right. Ladies and gentlemen, the indictment in
18 this case charges the defendant with criminal sexual
19 conduct with a minor, second degree. I remind you, the
20 fact that the defendant was arrested, charged and indicted
21 in this case is not evidence in the case and cannot be
22 considered by you as evidence of guilt. Nor does it
23 create any presumption or inference of guilt. The
24 indictment is simply the formal written instrument which
25 contains the charge made against the defendant. It is the

1 formal document by which this case is brought into this
2 court.

3 Now, ladies and gentlemen, the indictment alleges
4 that the defendant did, in Pickens County, between the
5 dates of December 20, 2010 and March 15, 2011, commit a
6 sexual battery on Minor a Houston who was fourteen years
7 of age or less, but who was at least eleven years of age.
8 And I tell you, ladies and gentlemen, unless this offense,
9 alleged offense, was committed -- you can only consider
10 any alleged offense that was considered in Pickens County
11 for purposes of the conviction in this case.

12 Now, to the indictment, the defendant has entered a
13 plea of not guilty, which places upon the state the burden
14 of proving the defendant guilty. A person charged with
15 committing a crime in South Carolina is never required to
16 prove himself innocent. I charge you that it is a vital,
17 important rule of the law of evidence that the defendant
18 in a criminal case, no matter how great or how serious may
19 be the offense for which he is charged, must always be
20 presumed innocent until his guilt has been proven beyond a
21 reasonable doubt.

22 This presumption of innocence remains with the
23 defendant at all times, from the moment of his appearance
24 in this court, throughout the trial and until the time the
25 jury has, upon the testimony and the evidence presented,

Charge

1 reached a verdict of guilty beyond a reasonable doubt.
2 For it is the solemn duty of this jury, if not clearly
3 convinced of the defendant's guilt beyond a reasonable
4 doubt, to acquit the defendant. So the burden of proof is
5 upon the state to establish by evidence to your
6 satisfaction the guilt beyond a reasonable doubt of this
7 defendant here on trial for the crime of criminal sexual
8 conduct with a minor, second degree.

9 Now, what is a reasonable doubt? A reasonable doubt
10 is the kind of doubt that would cause a reasonable person
11 to hesitate to act. If you have such a doubt as to the
12 guilt of the defendant, then he would be entitled to a
13 verdict of not guilty. Proof beyond a reasonable doubt is
14 proof that leaves you firmly convinced of the defendant's
15 guilt. Reasonable doubt may arise from the evidence which
16 is in the case or from the absence or lack of evidence in
17 the case. To think that a defendant is probably guilty of
18 the circumstance -- or that the circumstances are
19 suspicious is not enough. You alone must make the
20 determination of whether or not reasonable doubt exists as
21 to the guilt of this defendant.

22 Now, ladies and gentlemen, there are two types of
23 evidence which are generally presented during a trial;
24 direct evidence and circumstantial evidence. Direct
25 evidence is the testimony of a person who claims to have

1 actual knowledge of a fact, such as an eyewitness. It is
2 evidence which immediately establishes the main fact to be
3 proved. Circumstantial evidence is proof of a chain of
4 facts and circumstances indicating the existence of a
5 fact. It is evidence which immediately establishes the
6 collateral fact from which the main fact may be inferred.

7 Circumstantial evidence is based on inference and not
8 on personal knowledge or observation. The law makes
9 absolutely no distinction between the weight or value to
10 be given either direct or circumstantial evidence. Nor is
11 a greater degree of certainty required of circumstantial
12 evidence than of direct evidence. You should weigh all
13 the evidence in this case, and after weighing all the
14 evidence, if you are not convinced of the guilt of the
15 defendant beyond a reasonable doubt, you must find the
16 defendant not guilty.

17 Now, Madam Forelady and member of the jury, under our
18 constitution and laws, you are the finders of the facts in
19 this case. I do not have the right to pass upon the facts
20 or even to express any opinion I may have as to those
21 facts. Nor may I intimate in anyway what I may think
22 about the guilt or the innocence of the defendant. You
23 are also the sole judges of the credibility -- and by that
24 I mean the believability -- of the witnesses who have
25 testified in this case. In passing upon their

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

278

1 credibility, you may take into consideration many things,
2 such as the demeanor or manner of testifying of the
3 witness; whether the witness had reason to be biased or
4 prejudiced; whether a witness's testimony was contradicted
5 on the one hand or supported and corroborated on the other
6 hand. You certainly do not determine credibility or
7 believability by counting the number of witnesses for one
8 side or the other. You may believe a small portion of a
9 witness's testimony and disregard the larger or vice
10 versa. You may believe one witness or many witnesses.

11 Now, during the trial you've heard testimony from
12 children. Where a witness is a child you must determine,
13 as with any witness, whether that testimony is believable.
14 In deciding believability, you may consider not only the
15 matters that I have already discussed with you, but also
16 you may consider the age of the child, the child's ability
17 to observe and remember facts and the child's ability to
18 understand and answer questions. Because young children
19 may not fully understand what is happening, it is up to
20 you to decide whether the child understood the seriousness
21 of appearing as a witness at this trial; whether the child
22 understood the questions; whether the child had a good
23 memory; and whether the child understands the difference
24 between lying and telling the truth. In addition, young
25 children may be influenced by the way the questions are

1 asked. It is up to you to decide whether the witnesses
2 understood the questions asked.

3 You've heard testimony from a witness who has special
4 knowledge, skill, experience, training or education in a
5 particular profession or occupation. In determining the
6 weight to be given that testimony, you should consider the
7 qualifications and the credibility of the expert and the
8 reasons given for the opinion. You are not bound by the
9 opinion. Give it the weight, if any, to which you may
10 deem it entitled.

11 All of these things you will consider, bearing in
12 mind that you should give the defendant the benefit of a
13 reasonable doubt.

14 Now, ladies and gentlemen, I instruct you and
15 emphasize that the fact that the defendant did not testify
16 is not to be a factor to be considered by you in anyway in
17 your deliberations and in your consideration on the
18 question of the guilt or innocence of the defendant. It
19 must not be considered by you in any manner whatsoever. A
20 defendant has the constitutional right to remain silent.
21 And the assertion of this right must not be considered by
22 you in your deliberations. I repeat, under your oath, you
23 are to draw no conclusion whatsoever by the fact that the
24 defendant, in this case, did not testify. The fact the
25 defendant did not testify should not even be discussed by

Charge

1 the jury in the jury room. The burden of proof, as I
2 stated to you, is on the state. The defendant is not
3 required to prove his innocence. The burden remains on
4 the state to prove guilt beyond a reasonable doubt.

5 Now, the same constitution and laws which make you
6 the finders of the facts and the evidence, as I discussed
7 with you, make me the judge, the sole and only instructor
8 of the law. You must accept the law as correct, which I
9 charge, and apply it to the evidence as you find it and
10 reach a verdict. And in this regard, you should not be
11 concerned about what you think the law ought to be or what
12 you wish the law were, but rather only what I charge you
13 the law to be.

14 Now, ladies and gentlemen, the defendant is charged
15 with second degree criminal sexual conduct with a minor.
16 The state must prove beyond a reasonable doubt that the
17 defendant engaged in a sexual battery with the victim. A
18 sexual battery is sexual intercourse, cunnilingus,
19 fellatio, anal intercourse or any intrusion, however
20 slight, of any part of a person's body or of any object
21 into the genital or anal openings of another person's
22 body, except when the intrusion is accomplished for
23 medically recognized treatment or diagnostic purposes.

24 Now, the state must then prove beyond a reasonable
25 doubt that the victim was at least eleven years of age but

1 not more than fourteen years of age at the time of the
2 sexual battery.

3 Consent, willingness, indifference or ignorance on
4 the part of the minor, if any, as to what was taking place
5 does not in anyway affect the charge of criminal sexual
6 conduct with a minor. Because an unmarried woman under
7 the age of fourteen or younger cannot legally consent to
8 sexual intercourse.

9 Now, ladies and gentlemen, Title 16-5-657 of the Code
10 of Laws of South Carolina state that the testimony of a
11 victim need not be corroborated in prosecutions for
12 criminal sexual conduct with a minor, second degree.

13 Madam Forelady and members of the jury, you have been
14 selected as fair and impartial jurors, sworn to
15 impartially try and determine the facts of this case. And
16 when you comply with your oath to do so, then no one will
17 have a right to criticize your verdict and you will have
18 fully discharged your duty as jurors. You are to decide
19 this case according to the testimony that you heard from
20 the lips of sworn witnesses, along with any other evidence
21 that was introduced. I charge you that as jurors, you
22 must decide the issues in this proceeding without bias and
23 without prejudice to any party. You cannot allow yourself
24 to be governed by sympathy, by prejudice, by passion, by
25 public opinion, or by any other arbitrary fact. Both the

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

282

1 state and the defendant have the right to expect that each
2 of you will carefully and impartially consider all of the
3 evidence in this case, and that you will follow the law as
4 I have explained it to you.

5 Now, Madam Forelady and ladies and gentlemen of the
6 jury, I've prepared a verdict form here. And there are
7 two possible verdicts in this case. The two possible
8 verdicts are: One, we, the jury, unanimous find the
9 defendant guilty; Or two, we, the jury, unanimously find
10 the defendant not guilty. Now, you are not to infer
11 anything by what goes first or what goes second on this
12 jury form -- verdict form. Something has to go first and
13 something has to go second. As this verdict form says,
14 the verdict must be the unanimous verdict of all twelve
15 jurors. It can't be eleven/one or seven/five or
16 nine/three. It has to be the unanimous verdict of all
17 twelve jurors.

18 Madam Forelady, what I'm going to ask you to do after
19 the jury has deliberated and when you have reached your
20 verdict, I'm going to ask you to circle that verdict;
21 whatever it is. Circle the whole verdict. I'm going to
22 ask you to sign the verdict form as the foreperson of the
23 jury and date the verdict form. If you will then -- do
24 y'all knock on the door, how do y'all ... If you'll have
25 somebody knock on the door, there will be a bailiff seated

1 outside, we will bring you back in so that your verdict
2 can then be published. Now, in just a moment I'm going to
3 ask all of the jurors except the alternate -- Mr.
4 Alternate if you would remain with me -- to step back to
5 the jury room. But I do not want you to begin your
6 deliberations. I have to review with the attorneys the
7 instructions I just gave you to determine whether they
8 believe either I failed to instruct you in some manner or
9 I incorrectly instructed you. If additional instructions
10 are necessary, I will bring you back immediately and give
11 you those instructions. If not, I will have the bailiff
12 bring this verdict form, along with the exhibits that have
13 been introduced in this case, into the jury room, and you
14 can begin your deliberations at that time.

15 All right. Mr. Foreman -- I mean, Mr. Alternate, if
16 you will remain with me just a minute. The rest of you,
17 I'm going to let you go back to the jury room and we'll be
18 with you momentarily.

19 (WHEREUPON, the jury exited the open court at
20 approximately 2:04 p.m.)

21 THE COURT: All right. Mr. Alternate,
22 apparently they all survived the ordeal and they're going
23 to be able to go forward with deliberations, so we are
24 going to be able to turn you loose in this case. I think
25 what we're going to want you to do is call back tonight

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

284

1 after six. You will then get further instructions. I
2 think we're going to have a case tomorrow and we'll
3 probably bring the whole jury back in. But we'll have to
4 talk to the solicitor's office. But if you will call back
5 after six tonight you'll get further instructions at that
6 time. Thank you very much for making yourself available.
7 A lot of times when we go more than one day, we sometimes
8 lose a juror, so we have to make sure we can cover it. So
9 thank you again, sir. You have a nice afternoon and
10 please call back in tonight.

11 All right. Anything from the state with respect to
12 the instructions?

13 MR. TOOKER: No, sir.

14 THE COURT: Anything from the defense?

15 MR. DEJONG: Nothing from the defense, Your
16 Honor.

17 THE COURT: All right. If you will get with the
18 court reporter and make sure we have all the exhibits and
19 I will hand this over to the ...

20 MR. DEJONG: Are we at ease, Your Honor?

21 THE COURT: Sir?

22 MR. DEJONG: Are we at ease?

23 THE COURT: Yes, sir.

24 (WHEREUPON, all exhibits and verdict form were
25 delivered to the jury, at which time they began

1 deliberating at approximately 2:05 p.m.)

2 (WHEREUPON, the Court stood at recess awaiting the
3 verdict of the jury.)

4 THE COURT: We've received a note from the jury
5 in which they asked for police statements. And I've
6 reviewed this note with the solicitor and Mr. DeJong and
7 discussed that these were never introduced into evidence,
8 so obviously that wouldn't be something the jury would
9 consider. And they gave me permission to speak to the
10 jury and tell them that. And they said, fine.

11 We'll make this Court Exhibit Number 1.

12 Anything in response to the note?

13 MR. TOOKER: No, sir.

14 MR. DEJONG: Not on behalf of the defense, Your
15 Honor..

16 THE COURT: All right. We'll continue to wait.

17 (WHEREUPON, Court Exhibit Number 1 was marked for
18 identification.)

19 (WHEREUPON, the court stood at recess awaiting the
20 verdict of the jury.)

21 THE COURT: All right. I've been informed that
22 the jury has reached a verdict. Is the state ready to
23 receive the verdict?

24 MR. TOOKER: Yes, sir, Your Honor.

25 THE COURT: Is the defendant ready to receive

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

286

1 the verdict?

2 MR. DEJONG: Ready for the defense, Your Honor.

3 THE COURT: All right. If we could, if we could
4 ask him to bring the jury in, please.

5 (WHEREUPON, the jury entered the open court at
6 approximately 2:50 p.m.)

7 THE COURT: All right. Madam Forelady, it's
8 been reported that the jury has reached a verdict.

9 THE JUROR: Yes, we have, Your Honor.

10 THE COURT: Is this the unanimous verdict of all
11 twelve jurors?

12 THE JUROR: Yes, it is.

13 THE COURT: All right. If you could hand the
14 verdict form to the clerk, please.

15 THE CLERK: This is case number 2011-GS-39-1339,
16 the State versus Christopher Meadows. We, the jury,
17 unanimously find the defendant guilty.

18 Is this your verdict and still your verdict so say
19 you all by raising your right hand.

20 (WHEREUPON, all jurors raised their right hands.)

21 THE CLERK: Thank you very much.

22 THE COURT: Anything with respect to the --
23 anything with respect to the verdict as to the jury? From
24 the state?

25 MR. TOOKER: No, sir.

1 THE COURT: Anything from the defendant?

2 MR. DEJONG: Nothing from the defense, Your
3 Honor.

4 THE COURT: All right. Madam Forelady and
5 ladies and gentlemen of the jury, I thank you very much
6 for your service on this case. I've got some good news
7 and some bad news. The good news is we're going to turn
8 you loose. We don't need you tomorrow. The bad news is,
9 we're going to have to have you call back tomorrow night.
10 As it stands right now, we've got a case that we're going
11 to try on Thursday and we may need you to come back in on
12 Thursday. But you do get the week (verbatim) off. But I
13 anticipate that's a one-day case and you probably won't
14 have to be here on Friday. But we might need you on
15 Thursday. So if y'all will call back after six tomorrow
16 night, you'll get instructions at that time.

17 Anything you want to tell them?

18 THE CLERK: Yes, sir. Thank y'all for being
19 here. Do you need the foreperson to sign the indictment,
20 as well?

21 THE COURT: Is that what y'all normally do?

22 THE CLERK: Some judges want that done. We
23 normally try to get that done.

24 THE COURT: All right. If you'll stick around
25 for a second back in the jury room.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

288

1 Y'all have a nice evening. Again, thank you very
2 much for your service. I know these are not easy cases.
3 They're hard. But we can't do it without you. So y'all
4 have a nice afternoon. And you are free to go for the day
5 and we may see you Thursday morning.

6 (WHEREUPON, the jury exited the open court at
7 approximately 2:54 p.m.)

8 THE COURT: I think we need to wait for the
9 clerk before we ...

10 MR. DEJONG: Sorry, Your Honor.

11 THE COURT: Do y'all have a sentencing sheet?

12 MR. TOOKER: May I approach?

13 THE COURT: Yes, sir.

14 Let's wait till he gets back in from having that
15 signed. Apparently some of the jurors have asked to come
16 and watch the sentencing and we're waiting on them to get
17 around.

18 All right. Mr. Solicitor, anything?

19 MR. TOOKER: Your Honor, I believe you've got a
20 good grasp on the facts so I'm not going to go back into
21 those. With regards to prior record: 2001, possession of
22 less than one gram of either meth or crack cocaine; 2002,
23 possession with intent to distribute or distribution of
24 meth or crack cocaine.

25 THE COURT: What kind of sentences did he get on

1 those; do you know?

2 MR. TOOKER: I think he pled to everything at
3 one time. There's a conspiracy, too, I believe, and I
4 think he pled to them all at the same time and got seven
5 years. So it was a conviction for seven years
6 incarceration. And the state is not aware of any other
7 convictions.

8 THE COURT: All right. Did you want me to hear
9 from any of the ---

10 MR. TOOKER: The victims have indicated they do
11 not wish to address the court. So at this point, the
12 state has nothing further.

13 THE COURT: All right.

14 MR. DEJONG: Thank you, Your Honor. May it
15 please the court. Mr. Meadows is thirty-four years of
16 age, Your Honor. He is single. He has two children.
17 Matter of fact, his eldest child's birthday is .
18 He's turning fifteen. He also has one eleven or twelve, I
19 believe. Eighth grade education. Does have his GED. He
20 is currently unemployed. He has been seeking work, but
21 obviously any time anybody did a records check, this
22 particular pending charge showed up. He could not find
23 work. He has not been working, Your Honor.

24 I'm not going to rehash the facts, either, here.
25 Your Honor certainly heard them. I would certainly ask

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

290

1 for the mercy of the court.

2 THE COURT: All right. Anything you want to
3 say, Mr. Meadows?

4 THE DEFENDANT: I still never did what I was
5 accused of and I just ask for, I just ask for you to take
6 it as easy as you can on me, I guess, sir.

7 THE COURT: Well, I didn't sit on that jury, but
8 to me there was sufficient evidence for them to reach the
9 verdict that they reached. It's a proper verdict. What
10 you've been convicted of, I mean, that's just not
11 something we can tolerate; people taking advantage of
12 young children like this. It's just not -- society-wise
13 we just can't have that kind of stuff. And when you do
14 something like that, unfortunately -- you understand
15 you're looking at up to twenty years in the department of
16 corrections?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Do you understand that this is a
19 violent and a most serious offense? Do you understand
20 that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Have you talked to him about ---

23 MR. DEJONG: I believe I have, Your Honor.

24 THE COURT: If you get a second violent offense,
25 it's non-paroleable. So if you get out of the department

1 of corrections and get another ---

2 THE DEFENDANT: I just ask for the chance to get
3 out, sir.

4 THE COURT: Well, you go in and behave yourself,
5 you've got an opportunity to get out. How old are you?

6 THE DEFENDANT: Thirty-four.

7 THE COURT: Thirty-four?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: You're going to do eighty-five
10 percent; right?

11 MR. TOOKER: Yes, sir.

12 MR. DEJONG: Yes, sir.

13 THE COURT: An eighty-five percent. You get a
14 second most serious, it's life without parole. Do you
15 understand that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: The court has no control over
18 anything other than to sentence you to life if you do
19 something stupid again.

20 THE DEFENDANT: Yes, sir. I just ask that I can
21 come home when I've still got time to spend with my kids.

22 THE COURT: Well, your kids are not going to be
23 around. How much time have you been incarcerated?

24 THE DEFENDANT: I did six years and three
25 months, sir.

State of South Carolina -vs- Christopher Lee Meadows (2011-GS-39-01339)
Charge

292

1 THE COURT: I'm talking about this charge, how
2 much credit for time served are you entitled to? Do you
3 know anything about it, Mr. DeJong?

4 MR. DEJONG: I don't, Your Honor.

5 THE COURT: Did you bond out immediately?

6 THE DEFENDANT: Pretty much, yes, sir.

7 THE COURT: All right. Sentence of this court
8 that you be committed to the department of corrections for
9 a term of sixteen years, plus costs and assessments.

10 MR. TOOKER: Thank you, Your Honor.

11 THE COURT: All right. We will stand in recess
12 until in the morning.

13

14 [END OF REQUESTED TRANSCRIPT OF RECORD]

WITNESSES

Matthew Brannan

Pickens Police Department

4/11/2011

ARREST WARRANT NUMBER

I336435

ACTION OF GRAND JURY

AUG 16 2011

Jayne V. King
Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2011-GS-39-

JLB.

1339

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

AUG 16 2011 TERM 2011

THE STATE

vs.

CHRISTOPHER LEE MEADOWS

Indictment for

0396

CRIMINAL SEXUAL CONDUCT WITH A MINOR
2ND DEGREE (11-14)

VIOLATION § 16-03-0655(B)

INDICTED

[illegible]

**INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR 2ND DEGREE
(11-14)**

At a Court of General Sessions, convened on

AUG 18 2011

the Grand Jurors of Pickens

County present upon their oath:

That CHRISTOPHER LEE MEADOWS did in Pickens County, between the dates of December 20, 2010 and March 15, 2011, commit a sexual battery on Minor who was fourteen years of age or less but who was at least eleven years of age. This is in violation of § 16-3-655(B)(1) [formerly § 16-3-655(2)] of the South Carolina Code of Laws (1976) as amended.

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

SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Pickens

VS.

Christopher Lee Meadows

AKA:

Race: WHITE Sex: M Age: 34

DOB: SS#:

Address: Road

City, State, Zip: Pickens, SC 29671

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Sex / Criminal sexual conduct with minor, or Attempt - victim 11 to 14 yrs of age inclusive - Second deg.

in violation of § 16-03-0655(B) of the S.C. Code of Laws, bearing CDR Code # 0396

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC ☐ §17-25-45 w/minor 1st or Lewd Act)The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Tooker, Sam

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,

for a determinate term of 16 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

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

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

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

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:	\$
§ 14-1-206 (Assessments 107.5 %)	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100
§ 14-1-211(A)(2) (DUI Surcharge)	\$100
§ 56-5-2995 (DUI Assessment)	\$12
§ 56-1-286 (DUI Breath Test)	\$25
Proviso 47.9 (Public Def/Prob)	\$500
§ 14-1-212 (Law Enforce. Funding)	\$25
§ 14-1-213 (Drug Court Surcharge)	\$150
§ 50-21-114(BUI Breath Test Fee)	\$50
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$ 133.90

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2011GS3901339

A/W#: I336435

Date of Offense: 12/20/2010

S.C. Code § : 16-03-0655(B)

CDR Code #: 0396

SENTENCE SHEET

O-20

☒ CONVICTED OF or ☐ PLEADS

TO: Sex / Criminal sexual conduct with minor, or Attempt - victim 11 to 14 yrs of age inclusive - Second deg.

in violation of § 16-03-0655(B) of the S.C. Code of Laws, bearing CDR Code # 0396

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Attorney for Defendant

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Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$ 133.90

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

James Z. San LL

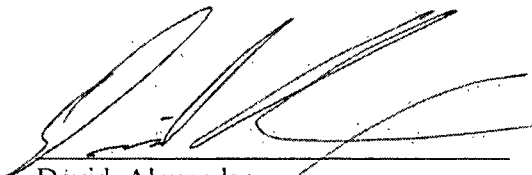
2110

2/25/14

CERTIFICATE OF COUNSEL FOR APPELLANT

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

June 4th, 2015

A handwritten signature in black ink, appearing to read "David Alexander", is written over a horizontal line.

David Alexander
Appellate Defender

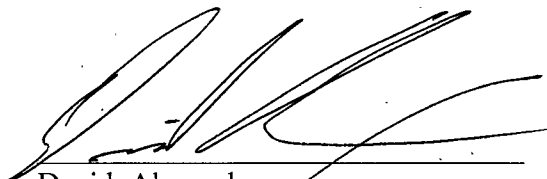
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

CERTIFICATE OF COUNSEL FOR APPELLANT

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David Alexander
Appellate Defender

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(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

James R. Barber, III, Circuit Court Judge

 ORIGINAL
RECEIVED

JUN 04 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CHRISTOPHER LEE MEADOWS,

APPELLANT

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 4th day of June, 2015.


Cruise Mitchell
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 4th day of June, 2015.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.