

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Pickens County
Honorable Perry H. Gravely, Circuit Court Judge
Appellate Case No. 2016-000208

THE STATE,

Respondent,

vs.

AARON VAN HENDRIX,

Appellant.

AFFIDAVIT

Personally appeared before me, Christopher L. Jones, who being duly sworn, attests to the following:

I.

I am an Assistant Solicitor in the Thirteenth Judicial Circuit Solicitor's Office in Pickens County, South Carolina.

II.

I was present and served as the prosecutor for the State of South Carolina during the trial of Appellant Aaron Van Hendrix on January 25, 2016, through January 28, 2016, including when State's Exhibits # 1, # 2, # 3, and # 4, which are recordings of forensic interviews of the victims, were admitted into evidence and played for the jury.

III.

When played for the jury, portions of those recordings were redacted.

IV.

The Honorable Perry H. Gravely served as the trial judge for the Appellant Aaron Van Hendrix.

V

I have consulted with the law clerk and secretary of the Judge Gravely in regard to the redactions to the recordings subsequent to trial.

VI.

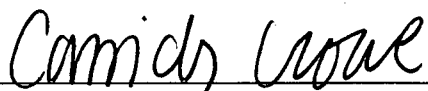
To the best of my knowledge and experience, the attached document truly and accurately reflects the portions of the recordings that were redacted during trial.

WHEREFORE, the undersigned hereby certifies that the above is true to the best of his knowledge and recollection. I have this day been provided a copy of this Affidavit and hereby acknowledge receipt thereof.



CHRISTOPHER L. JONES
Assistant Solicitor, Thirteenth Judicial Circuit

SWORN to before me this 27 day of February, 2017.



Notary Public for South Carolina

My Commission Expires: June 9, 2024

Chris Jones
Thirteenth Circuit Solicitor's Office
Pickens, SC

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Re: Requested Redactions
State vs. Riden

Dear Chris,

I propose the following redactions to the forensic videos in this case:

Natalie Lusk Interview of 2/19/14

- 1) Redact from start of interview to 10:26 so that the start point would be with the counselor asking "What else about Aaron"
- 2) Redact from around 15:50 "Because they were slapping and stuff...to "Like they used to slap each other and me and Blake and Kylie were staring with our mouth open 16:09
- 3) Redact 22:53 "And one time, Blake wanted me to tell..." to "Blake told Grandma that it happened and that's what he told me to tell y'all"
- 4) Redact 36:30 to 45:34
- 5) Redact everything Natalie says she saw Aaron/Mom do to Blake and Kylie
- 6) Redact everything Natalie says she saw Aaron/mom make Blake and Kylie do to Aaron/Mom

Natalie Lusk Interview 4/11/14

- 1) Redact from beginning of interview to 2:34
- 2) Redact 25:30 to 28:28
- 3) Redact 34:57 to 39:10
- 4) Redact 43:43 "Mom and Jessie used to be in jail once because they stole a car"
- 5) Redact 45:10 to 45:30 "We only talk about things that are real – " to Natalie saying everything she told was real .

- 6) Redact 49:24 to 50:05" Jessie and Billy had a camera..."
- 7) Redact 50:28 to end "Did anyone tell you to say these things..."
- 8) Redact everything Natalie says she saw Aaron/Mom do to Blake and Kylie
- 9) Redact everything Natalie says she saw Aaron/mom make Blake and Kylie do to Aaron/Mom

Blake Lusk Interview 3/11/14

- 1) Redact from beginning to 6:10 "The all ran away? Okay and that was all when you were living with your mom and Aaron?"
- 2) Redact 10:35 "Once Momma had pills..." to 11:16 where Shauna asks "To eat?"
- 3) Redact 23:28 "And with beer..." to 23:51 "...And Daddy let Kylie drink beer"
- 4) Redact 36:10 "and um does Daddy have his own house or does he live with mommy" to 37:23 "Bradley?"
- 5) Redact "Is there anything we talked about that's not real" 50:58 to 51:29
- 6) Redact everything Blake says he saw Aaron/Mom do to Natalie and Kylie
- 8) Redact everything Blake says she saw Aaron/mom make Natalie and Kylie do to Aaron/Mom

Blake Lusk Interview 4/11/14

- 1) Redact 32:15 to 39:02
- 2) Redact 49:25 to end of Blake describing all the drawings
- 3) Redact 52:40 to 53:22
- 4) Redact 54:45 to end
- 5) Redact everything Blake says he saw Aaron/Mom do to Natalie and Kylie
- 6) Redact everything Blake says he saw Aaron/mom make Natalie and Kylie do to Aaron/Mom

Kiley Lusk Interview

- 1) Redact from beginning of interview to 5:04
- 2) Redact from 11:00 to 11:45
- 3) Redact everything Kylie says she saw Aaron/Mom do to Blake and Natalie
- 4) Redact everything Kylie says she saw Aaron/mom make Blake and Natalie do to Aaron/Mom

Jones, Chris

From: Jones, Chris
Sent: Tuesday, December 27, 2016 11:26 AM
To: 'kcarter@scag.gov'
Subject: FW: riden hendrix redactions/ expert

Follow Up Flag: Follow up
Flag Status: Flagged

This is my email response to the suggested redactions.

From: Jones, Chris
Sent: Friday, January 22, 2016 9:41 AM
To: Horlbeck Law
Subject: RE: riden hendrix redactions/ expert

Caroline-

Thank you for getting these to me. No one in my office seems to know how to redact a video and I cannot find any software on my work computer that would allow me to do that. In Shannon's last trial she simply pressed the mute button at the appropriate time. I would rather have a copy of the video that is actually muted during the inadmissible portion. Evidently Sam used a program on 1 computer that allowed him to redact; I will check that out on Sunday. If it is the program I am thinking of, it only allows me to mute certain portions, not completely remove the segment. As to the dead air time portions you want redacted, I can fast forward through those.

We can play the selected portions that we did not agree on to Judge Graveley during pre trial on monday afternoon. Please let me know if you have any questions.

Natalie Lusk 2/19/14

- 1) do not agree to redact.
- 2) do not agree to redact.
- 3) ok, I will redact this portion
- 4) do not agree to redact.
- 5) do not agree to redact.
- 6) do not agree to redact.

Natalie Lusk 4/11/14

- 1) ok, I will redact/ fast forward this portion
- 2) ok, I will redact this portion
- 3) ok, I will redact/ fast forward this portion
- 4) ok, I will redact this portion
- 5) do not agree to redact.
- 6) ok, I will redact this portion
- 7) do not agree to redact.
- 8) do not agree to redact.
- 9) do not agree to redact.

Blake Lusk 3/11/14

- 1) do not agree to redact.

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- 2) do not agree to redact.
- 3) do not agree to redact.
- 4) do not agree to redact.
- 5) do not agree to redact.
- 6) do not agree to redact.

Blake Lusk 4/11/14

- 1) ok I will redact/ fast forward
- 2) do not agree to redact.
- 3) do not agree to redact.
- 4) do not agree to redact.
- 5) do not agree to redact.
- 6) do not agree to redact.

Kiley Lusk 3/11/14

- 1) do not agree to redact.
- 2) do not agree to redact.
- 3) do not agree to redact.
- 4) do not agree to redact.

From: Horlbeck Law [horlbecklawfirm@gmail.com]
Sent: Thursday, January 21, 2016 12:53 PM
To: Jones, Chris
Subject: Re: riden hendrix redactions/ expert

I had all my redaction requests ready for you Monday evening then I somehow deleted it all -- I've been sick this week and I suppose that's why I deleted it all. They are attached.

On Wed, Jan 20, 2016 at 10:18 AM, Jones, Chris <ChrJones@greenvillecounty.org> wrote:

I still haven't heard anything about redactions to the videos from either of you. Can I get a list of your proposed redactions, please?

Also, did y'all get an expert to testify? If so, could I get his or her name, please?

Thanks,

Chris Jones

Asst. Solicitor

Pickens County Solicitor's Office

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Office - (864) 315-9919
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Solicitor W. Walter Wilkins

THIRTEENTH JUDICIAL CIRCUIT
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214 E. MAIN STREET, B120
PICKENS, SOUTH CAROLINA 29671

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The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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