

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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MAR 20 2017

SC Court of Appeals

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 wrote an affidavit dated February 27, 2017 regarding the redacted portions of the videos admitted into trial. Subsequently, I found notes from the trial that were taken in chambers as the Judge ruled what portions were to be redacted. I also found notes used when publishing the videos to the jury that indicated what time ranges were to be redacted.

VI.

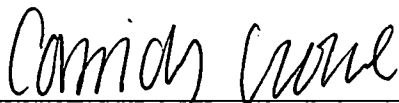
To the best of my knowledge and experience, the attached document truly and accurately reflects notes taken in Judge's chambers concerning the portions of the recordings that were redacted during trial, and notes used when publishing the videos to the jury.

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 14 day of March, 2017.



Notary Public for South Carolina

My Commission Expires: June 9, 2026

800-
#912-9:18 - she got fixed

NL
1-3:43 - ~~4:10~~ 4:10 *343-602

Chris Jones
Thirteenth Circuit Solicitor's Office
Pickens, SC

4:40-4:49 - soap in mouth so they
wouldn't tell gone
4:59 - she would slap us all time
8:41 - 6:02

Re: Requested Redactions
State vs. Riden

6:02 - how old when you lived w/ grand
7 - bk DSS might take us
DSS came + she made us clean
7:11 - pulls my hair a lot - hurt us

Dear Chris,
7:40 - He used to wear ^{mom's} clothes
I propose the following redactions to the forensic videos in this case:

Natalie Lusk Interview of 2/19/14

redact parts abt gen. treatment?

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" 22:53-23:39

4) Redact 36:30 to 45:34 - any part that DSS or police said

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 - FF nothing

2) Redact 25:30 to 28:28 - where was daddy - there etc

3) Redact 34:57 to 39:10 - FF - nothing

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.

I don't redact

redact abt accusing father

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

Blake Lusk Interview 3/11/14

redact abt dog running away

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

Blake Lusk Interview 4/11/14

- redact* 1) Redact 32:15 to 39:02
redact 2) Redact 49:25 to end of Blake describing all the drawings *redact abt stuff abt dad*
deny 3) Redact 52:40 to 53:22
redact 4) Redact 54:45 to end *what grandma said*
deny 5) Redact everything Blake says he saw Aaron/Mom do to Natalie and Kylie
deny 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

19:15
Kyle bleed
add towel

NL 2-19

1 ~~3:43-6:02~~ ✓; ~~9:12-9:18~~ ✓
3 ~~22:53-23:39~~ ✓
4 ~~40:09-40:32~~ ✓ ~~40:55-41:03~~ ✓ 42:52-44:10 ✓
~~36:29-37:24~~ ~~39:15-40:03~~

16:50
App in
Kyle
8:210

NL 4-11

1 ~~0-2:34~~ ✓
2 ~~25:30-28:20~~ ✓
3 ~~34:59-39:10~~ ✓ 45:12 ✓
4 ~~40:42:27-43:59~~ ✓ ~~44:00-44:17~~ ✓
45:35-~~45~~ 45:53 ✓
6 49:24-50:05 ✓ 52

Fully
on top
top puts

11:40
Suck
5th
Squishy

BL 3-11 Knife

BL 4-7 or 23

pointing
laughing

~~5:55-6:42~~ ✓
23:28-23:51 ✓
36:10-~~37:23~~ ✓
38:45
~~32:15-39:02~~ ✓
~~43:15-44:30~~ ✓
~~49:25-52:40~~
54:45 - what gmu said

Chris Jones, Asst. Solicitor
Pickens County Solicitors Office
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Pickens, SC

NEOPOST FIRST-CLASS MAIL

03/15/2017

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The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
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Columbia, SC 29211

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