

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

Appeal from Georgetown County

Steven H. John, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF TARL BRADFORD ROLLINGS,

RECEIVED

JUL 02 2018

SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2017-001334

RECORD ON APPEAL

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INDEX

INDEX	i
TRIAL TRANSCRIPT (JUNE 5-6, 2017).....	1
VOIR DIRE	7
JURY SELECTION.....	18
PRE-TRIAL MOTIONS	25
AMY C. SWAN	
Direct Examination by Mr. Bogle.....	46
Cross Examination by Mr. Falk.....	49
RULING BY THE COURT.....	55
OPENING STATEMENT BY MR. BOGLE	63
OPENING STATEMENT BY MR. FALK	68
TESTIMONY	
AMY C. SWAN	
Direct Examination by Mr. Bogle.....	76
Cross Examination by Mr. Falk.....	122
Redirect Examination by Mr. Bogle	151
ANGELA BRITT	
Direct Examination by Mr. Falk	156
CEPHUS JACK TODD	
Direct Examination by Mr. Falk	159
DIRECTED VERDICT MOTION BY MR. FALK	165
RULING BY THE COURT.....	169
TARL BRADFORD ROLLINGS	
Direct Examination by Mr. Falk	170
Cross Examination by Mr. Bogle.....	194

DIRECTED VERDICT MOTION RENEWED BY MR. FALK.....	202
RULING BY THE COURT.....	203
CLOSING ARGUMENT BY MR. BOGLE	211
CLOSING ARGUMENT BY MR. FALK	217
CHARGE ON THE LAW	227
VERDICT	237
STATE’S EXHIBIT #2 (SENTENCING SHEET – KERSHAW).....	241
STATE’S EXHIBIT #3 (SENTENCING SHEET – KERSHAW).....	244
STATE’S EXHIBIT #4 (SENTENCING SHEET – GEORGETOWN)	247
PETITION PURSUANT TO THE SEXUALLY VIOLENT PREDATOR ACT WITH EXHIBITS (JANUARY 15, 2016).....	250
ORDER OF COMMITMENT (JUNE 6, 2017).....	344
CERTIFICATE OF COUNSEL	345

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN) 2016-GS-22-00042

STATE OF SOUTH CAROLINA,)

Applicant,)

Transcript of Record

June 5-6, 2017

IN THE MATTER AND)

TREATMENT OF TARL)

BRADFORD ROLLINGS,)

Respondent.)

B E F O R E:

Honorable Steven H. John
Georgetown County Courthouse
Georgetown, South Carolina

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Tarl Bradford Rollings - 2016-C-22-00042
INDEX

2

1	<u>I N D E X</u>	
2	<u>JUNE 5, 2017 - DAY ONE</u>	<u>Pg.</u>
3	By the Court	5
4	Voir Dire	7
5	Jury Selection	18
6	By the Court	21
7	Motions	25
8	Amy C. Swan	
9	Direct by Bogle	46
10	Cross by Falk	49
11	By the Court	56
12	Opening by Bogle	63
13	Opening by Falk	68
14	By the Court	73
15	<u>JUNE 6, 2017 - DAY TWO</u>	
16	By the Court	75
17	Amy C. Swan	
18	Direct by Bogle	76
19	Cross by Falk	122
20	Redirect by Bogle	151
21	By the Court	154
22	Angela Britt	
23	Direct by Falk	156
24		
25		

Tarl Bradford Rollings - 2016-C-22-00042
INDEX

3

1	<u>I N D E X</u>	
2		<u>Pg.</u>
3	Jack Todd	
4	Direct by Falk	159
5	Motions	165
6	By the Court	169
7	Tarl Bradford Rollings	
8	Direct by Falk	170
9	Cross by Bogle	194
10	By the Court	201
11	Motions	202
12	Charge Conference	203
13	By the Court	210
14	Closing by Bogle	211
15	Closing by Falk	217
16	Charge to Jury	227
17	By the Court	234
18	Verdict of Jury	237
19	By the Court	238
20	Certificate of Court Reporter	240
21		
22		
23		
24		
25		

Tarl Bradford Rollings - 2016-C-22-00042
INDEX

4

1		<u>E X H I B I T S</u>		
2	<u>No.</u>		<u>ID</u>	<u>EV</u>
3	S1	Request for Voir Dire	15	
4	S2	Sentencing Sheet (Kershaw)		89
5	S3	Sentencing Sheet (Kershaw)		89
6	S4	Sentencing Sheet (Georgetown)		94
7	R1	Request for Voir Dire	16	
8	R2	Southeastern Report	49	
9	C1	Note from Jury		
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

Tarl Bradford Rollings - 2016-C-22-00042

5

BY THE COURT

1 **(JUNE 5, 2017 - DAY ONE)**

2 THE COURT: All right. The next one then is the State of
3 South Carolina versus Tarl Bradford Rollings.

4 MR. BOGLE: Yes, Your Honor. Jim Bogle for the Attorney
5 General's Office and we're all set to go.

6 THE COURT: All right. Very good. Mr. Falk, how about
7 on behalf of the Defense?

8 MR. FALK: We are ready.

9 THE COURT: All right, sir. Very good.

10 Potentially how many witnesses does the State potentially
11 have in this matter, Mr. Bogle?

12 MR. BOGLE: We have one, Your Honor.

13 THE COURT: Just one. Okay.

14 And, Mr. Falk?

15 MR. FALK: I have four on my witness list. They would
16 all be fact witnesses, one of which would include the
17 Respondent.

18 THE COURT: All right. Very good. All right.

19 Any outstanding matters or motions of any kind that you
20 know of, Mr. Bogle?

21 MR. BOGLE: I have got my two standard pretrial motions
22 which will take about 10 or 15 minutes each to argue.

23 THE COURT: Okay. And those might be?

24 MR. BOGLE: One is to prohibit the Defense from going
25 into where that the guy might be sent to, you know it being

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

6

1 death row or prison and that sort of thing.

2 THE COURT: Okay.

3 MR. BOGLE: And the other is, the second motion about
4 treatment, I'm withdrawing that motion.

5 THE COURT: All right, sir.

6 MR. BOGLE: So, we're left with one that I'm aware of.

7 THE COURT: All right. Very good. And, Mr. Falk?

8 MR. FALK: Your Honor, I'm gonna have some concerns about
9 some of the hearsay testimony that the expert is gonna speak
10 to and I've filed a motion in limine on some of that testimony
11 and that would also include whether or not the expert can get
12 into a PPG examination.

13 THE COURT: All right. So ---

14 MR. BOGLE: I think you've also got a motion to keep me
15 from talking about the law?

16 MR. FALK: Yes, Your Honor, some of the -- some of the
17 terminology that the State typically uses in its opening
18 statement about the worst of the worst type of people. It's
19 in my motion, the specific wording that I thought might be
20 inflammatory as part of an opening statement.

21 THE COURT: All right. All right. So we definitely need
22 to hear those before we -- before we get started.

23 MR. FALK: Yes, sir.

24 THE COURT: All right. Anything else that I need to be
25 aware of, Mr. Bogle?

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

7

1 MR. BOGLE: Not that I can think of, Your Honor.

2 THE COURT: All right. Mr. Falk?

3 MR. FALK: No.

4 *****OFF THE RECORD*****

5 (On the Record.)

6 (REPORTER'S NOTE: Jury Venire enters courtroom.)

7 VOIR DIRE:

8 THE COURT: All right, ladies and gentlemen, what we're
9 gonna do now is we're gonna go through certain qualification
10 questions regarding this particular matter. What I'm going to
11 do is to -- probably what I'll do is go through -- I had y'all
12 fill out those juror questionnaires and certain individuals
13 indicated a response that I probably need to talk to you one-
14 on-one regarding that. So, I'm just gonna call out the juror
15 number. Hopefully you know your juror number. If not, I'll
16 call out that name and have y'all come up and come and talk to
17 me and I'll have counsel come up and talk at the same time.

18 All right. So Juror Number 44, please, Juror Number 44.

19 Counsel, if y'all want to come on up, please.

20 (REPORTER'S NOTE: A bench conference was held off the record
21 in the presence of but out of hearing of the Jury Venire.)

22 THE COURT: That's Juror Number 44 is set aside.

23 So the next one is Number 46.

24 (REPORTER'S NOTE: A bench conference was held off the record
25 in the presence of but out of hearing of the Jury Venire.)

VOIR DIRE

1 Juror Number 46 remains in Venire.)

2 THE COURT: The next one is Number 71, Juror Number 71?

3 (REPORTER'S NOTE: A bench conference was held off the record

4 in the presence of but out of hearing of the Jury Venire.

5 Juror Number 71 excused by the Court.)

6 THE COURT: All right. Juror 107, please, Juror Number

7 107.

8 (REPORTER'S NOTE: A bench conference was held off the record

9 in the presence of but out of hearing of the Jury Venire.

10 Juror Number 107 remains in Venire.)

11 THE COURT: All right. Juror Number 38, Juror Number 38.

12 (REPORTER'S NOTE: A bench conference was held off the record

13 in the presence of but out of hearing of the Jury Venire.

14 Juror Number 38 excused by the Court.)

15 THE COURT: Juror Number 116, Juror Number 116, please.

16 (REPORTER'S NOTE: A bench conference was held off the record

17 in the presence of but out of hearing of the Jury Venire.

18 Juror Number 116 remains in Venire.)

19 THE COURT: All right, ladies and gentlemen, let me go

20 over now some qualification questions. Now before this, in a

21 very general sense, the charge on the law will be much more

22 explicit and direct if you are a member of the jury. But in

23 this particular matter, the State of South Carolina is seeking

24 to commit the Respondent, Mr. Tarl Bradford Rollings, to

25 commit him to long term care and treatment in a secure

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

9

1 facility, this is involuntary commitment based upon past
2 criminal activity. And, again, there's very specific things
3 that the State is gonna have to prove to you and you're gonna
4 have to be using the criminal burden of proof; that is beyond
5 a reasonable doubt. The State is gonna have to prove all this
6 to you beyond a reasonable doubt. But that in essence is what
7 this case is going to be about.

8 So, having that as a background, keep that in mind when I
9 ask all of the following questions. First, the potential
10 witnesses in this matter are Dr. Amy C. Swan, S-W-A-N; is that
11 correct, Mr. Bogle?

12 MR. BOGLE: Yes, Your Honor.

13 THE COURT: All right, sir. Tarl Rollings; Jack Todd;
14 Angie Britt; and Lyle Vaught. Any members of the jury panel
15 that's related by blood or marriage, close personal friends,
16 acquaintances of any of these possible or potential witnesses
17 that the Court has named in this particular matter?

18 All right. Is there any member of the jury panel that
19 you yourself or a member of your immediate family that's ever
20 had any matter handled by a Solicitor's office or the Attorney
21 General's office, that's anywhere in the State of South
22 Carolina; Solicitor's Office, that's the prosecuting officer
23 that covers each circuit or each county. So, if you yourself
24 or a member of your immediate family ever had any matters of
25 any kind handled by the Circuit Solicitor's office or the

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

10

1 Attorney General's office? If so, please stand.

2 All right. Yes, sir, could you tell me your name and
3 jury number please first?

4 JUROR 47: Willie James Deas, 47.

5 THE COURT: Number 37 -- 47, sir?

6 JUROR 47: 47.

7 THE COURT: All right, sir.

8 CLERK: 47, 4-7.

9 THE COURT: 47. All right. All right, Mr. Deas, could
10 you come up here and talk to me for just one second?

11 Counsel, y'all come up.

12 (REPORTER'S NOTE: A bench conference was held off the record
13 in the presence of but out of hearing of the Jury Venire.)

14 THE COURT: Understanding all the things we've talked
15 about then, sir, can you give to the State of South Carolina
16 and to the Respondent a fair and impartial trial; can you be a
17 fair and impartial juror in this case?

18 JUROR 47: Yes, sir.

19 THE COURT: Thank you very much. You can go back and
20 have a seat. Thank you very much. Anyone else?

21 Is there any member of the jury panel, either you
22 yourself or member of your immediate family has ever had any
23 matters handled by any Public Defender's office in any way?
24 If so, please stand.

25 (REPORTER'S NOTE: No response.)

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

11

1 THE COURT: All right. If you would, for the State, Mr.
2 Bogle, if you would stand and identify yourself, please, sir?

3 MR. BOGLE: Thank you, Your Honor. My name is Jim Bogle.
4 I'm a lawyer with the Attorney General's office based in
5 Columbia.

6 THE COURT: All right, sir. Very good. And then for the
7 Defense, if you would Mr. Falk?

8 MR. FALK: I'm James Falk.. I'm practicing law in
9 Charleston, South Carolina. My wife is here, Morgan Falk, who
10 is just helping me today, and then my client is Tarl Rollings.
11 Should he stand?

12 THE COURT: Yes, sir, please? If you would stand please,
13 sir?

14 MR. ROLLINS: My name is Tarl Rollings.

15 THE COURT: All right, sir. Thank you, sir. Thank
16 y'all.

17 Is there any member of the jury panel that's related by
18 blood or marriage, close personal friends, acquaintances of
19 these lawyers that have identified themselves to you in this
20 particular matter?

21 (REPORTER'S NOTE: No response.)

22 THE COURT: Thank you.

23 All right. Is there any member of the jury panel that
24 you believe you have any kind of -- and this is obviously --if
25 I've already set you aside, you don't need to respond to this

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

12

1 case. Is there any member of the jury panel that you believe
2 you have any kind of personal, political, religious,
3 philosophical belief that you believe would prevent you from
4 being a fair and impartial juror in this case? If so, please
5 stand.

6 (REPORTER'S NOTE: No response.)

7 THE COURT: All right. Is there any member of the jury
8 panel that you yourself were a former law enforcement officer
9 or you have a current family member who is now in law
10 enforcement or was in the past in law enforcement? If so,
11 please stand.

12 All right. Yes, ma'am, your name and juror number,
13 please?

14 JUROR 147: Kristyn Sloan, 147.

15 THE COURT: Yes, ma'am. Was it yourself or was it a
16 family member?

17 JUROR 147: My father-in-law.

18 THE COURT: And what police department or ---

19 JUROR 147: Myrtle Beach Police Officer.

20 THE COURT: And is that currently or retired?

21 JUROR 147: Currently.

22 THE COURT: All right. Very good. Can you give to the
23 State of South Carolina and to the Respondent a fair and
24 impartial trial; can you be a fair and impartial juror in
25 this case?

Tarl Bradford Rollings - 2016-C-22-00042

13

VOIR DIRE

1 JUROR 147: Yes, sir.

2 THE COURT: Thank you very much, ma'am.

3 All right. Is there any member of the jury panel, either
4 you yourself or a member of your immediate family a member of
5 any kind of victim's rights or law enforcement support
6 organization? I'm gonna give you a couple of examples here.
7 Now, this is not an exhaustive list of any kind, I'm just
8 trying to give you a couple of examples here. That would be
9 like Mothers Against Drunk Driving or Citizens Against Violent
10 Crimes, the South Carolina Enforcement Officers' Association,
11 South Carolina Sheriffs' Association, just some kind of
12 victim's rights or law enforcement support organization,
13 either you yourself or member of your immediate family a
14 member? If so, please stand.

15 (REPORTER'S NOTE: No response.)

16 THE COURT: Very good.

17 All right. The next question I'm gonna ask, ladies and
18 gentlemen, is whether or not either you yourself or a member
19 of your immediate family has ever been the victim of a crime.
20 Now, it's gonna be very straightforward. I'll be asking is it
21 yourself or a family member. Once you answer that question,
22 I'll ask the qualification question. I'm not gonna ask you
23 what occurred, I do not want you to volunteer any information
24 to me about what occurred. Is there any member of the jury
25 panel, either you yourself or a member of your immediate

Tarl Bradford Rollings - 2016-C-22-00042
VOIR DIRE

14

1 family has ever been a victim of a crime? If so, please
2 stand.

3 All right. Yes, sir, your name and juror number, please?

4 JUROR 46: Robert Deane, 46.

5 THE COURT: And was it yourself or a family member?

6 JUROR 46: Family member.

7 THE COURT: Can you give to the State of South Carolina
8 and to the Respondent a fair and impartial trial; can you be a
9 fair and impartial juror in this case?

10 JUROR 46: Yes, sir.

11 THE COURT: Thank you very much.

12 In this particular matter, there will be evidence that
13 the Respondent, Mr. Tarl Bradford Rollings, committed a
14 criminal sexual offense in the past and has completed his
15 criminal sentence related to that. That issue is over with.
16 This matter is about the request of the State of South
17 Carolina to see if they can prove beyond a reasonable doubt
18 that he should be committed to a facility for long-term care
19 and treatment. The fact that he has been convicted of such a
20 crime in the past, will that affect your decision in that
21 knowing that, can you give to the State of South Carolina and
22 to the Respondent a fair and impartial trial; can you be a
23 fair and impartial juror in this case to both sides? If you
24 cannot, please stand at this time.
25 (REPORTER'S NOTE: No response.)

Tarl Bradford Rollings - 2016-C-22-00042

15

VOIR DIRE

1 THE COURT: All right. I'm gonna ask what I classify or
2 characterize as my general or catchall question. Do you know
3 of any reason, have any question in your mind, any doubt in
4 your mind, that you believe you cannot give to the State of
5 South Carolina and to the Respondent a fair and impartial
6 trial? That is for any reason whatsoever; you believe you
7 cannot be a fair and impartial juror in this case. If so,
8 please stand.

9 All right. Further questions from the State referring
10 only to the number?

11 MR. BOGLE: Number 9, 17, and 19?

12 THE COURT: Number 9, 17, and 19?

13 MR. BOGLE: Yes, sir.

14 THE COURT: All right, sir. The Court respectfully
15 declines to grant your request to ask Questions 9, 17, and 19.
16 If you want to make a copy of your questions, please do so and
17 I'll mark them for identification only as one of your
18 exhibits.

19 MR. BOGLE: Thank you, Your Honor.

20 STATE'S EXHIBIT NUMBER 1

21 MARKED FOR IDENTIFICATION

22 THE COURT: From the Respondent?

23 MR. FALK: One moment, Your Honor.

24 THE COURT: Yes, sir.

25 MR. FALK: Number 6, 7, 9, and 14?

1 THE COURT: 6, 7, 9 and 14. The Court respectfully
2 declines to grant your request to ask those questions as
3 delineated. If you would like, you can make a copy of your
4 requests and mark it with the Court Reporter as a Respondent's
5 Exhibit for identification only.

6 MR. FALK: Thank you, Your Honor.

7 RESPONDENT'S EXHIBIT NUMBER 1

8 MARKED FOR IDENTIFICATION

9 THE COURT: Thank you very much.

10 All right. So, any challenges before we proceed to the
11 selection process, any challenges on any of the jurors from
12 the State?

13 MR. BOGLE: No, Your Honor.

14 THE COURT: From the Defense?

15 MR. FALK: Your Honor, we would ask to challenge for
16 cause Number 46.

17 THE COURT: All right, sir. Based upon the Court's
18 questioning of the prospective jurors and that particular
19 juror, the responses given to the Court, I find to be proper
20 and more than sufficient and I respectfully decline to grant
21 your challenge for cause to Juror Number 46.

22 MR. FALK: Thank you, Your Honor.

23 THE COURT: All right. Thank you very much.

24 All right. right, ladies and gentlemen, the process is
25 going to be and so, let me see, and these numbers that I'm

Tarl Bradford Rollings - 2016-C-22-00042

17

VOIR DIRE

1 reading out right now, we again assigned another number to you
2 that you don't know what that number is. It's not your juror
3 number, so when I call out these numbers, it has nothing --
4 you know, it's not your juror number. So, based upon the
5 Court's rulings, using the numbers on the left, gentlemen,
6 please confirm that we set aside Number 9, Number 12, and
7 Number 16; does the State agree with that?

8 MR. BOGLE: Yes, Your Honor.

9 THE COURT: And the Respondent?

10 MR. FALK: Yes, Your Honor.

11 THE COURT: All right. Very good. So, what that means
12 then, gentlemen, we'll be using down to Number 23. So, 1
13 through 23 obviously having struck already 9, 12, and 16.

14 The process, ladies and gentlemen, that's basically 20
15 jurors. The State's got to strike 4 of them; the Respondent's
16 got to strike 4 of them and that's how we're gonna get down to
17 the 12. All right. So, that's the process we're gonna be
18 going through now and we're gonna have 1 alternate, gentlemen,
19 so numbers 24, 25, and 26; each of you will strike one from
20 those numbers and the remainder will be the alternate. So, I
21 need to give them about 10 minutes to do that, ladies and
22 gentlemen, so if you would just be at ease. Be back to your
23 seats in 10 minutes and we'll find out who the 12 jurors and
24 the alternate are.

25 Thank you very much.

Tarl Bradford Rollings - 2016-C-22-00042
JURY SELECTION

18

1 *****OFF THE RECORD*****

2 (On the Record.)

3 THE COURT: Counsel, y'all need to come up and talk to me
4 for a second please. I'm sorry. Juror 49, sir, if you'll
5 come forward please?

6 (REPORTER'S NOTE: A bench conference was held off the record
7 in the presence of but out of hearing of the Jury Venire.
8 Juror 49 excused by the Court.)

9 *****OFF THE RECORD*****

10 (On the Record.)

11 THE COURT: All right. Is the State ready to proceed?

12 MR. BOGLE: We are, Your Honor.

13 THE COURT: And the Respondent?

14 MR. FALK: We are, Your Honor.

15 THE COURT: All right. Very good.

16 All right. Madam Clerk, proceed with the jury selection
17 process, please.

18 JURY SELECTION:

19 CLERK: Okay. We're gonna start with the Plaintiff.

20 MR. BOGLE: Yes, ma'am, the State would strike Number 18.

21 CLERK: Defendant?

22 MR. FALK: Strike Number 6.

23 CLERK: Plaintiff?

24 MR. BOGLE: Number 20.

25 CLERK: Defendant?

Tarl Bradford Rollings - 2016-C-22-00042
JURY SELECTION

19

1 MR. FALK: Number 8.
2 CLERK: Plaintiff?
3 MR. BOGLE: Number 21, ma'am.
4 CLERK: Defendant?
5 MR. FALK: Number 4.
6 CLERK: Plaintiff?
7 MR. BOGLE: Number 10.
8 CLERK: Defendant?
9 MR. FALK: Number 13.
10 CLERK: For alternate. Plaintiff?
11 MR. BOGLE: Number 27.
12 CLERK: You want me to go further?
13 THE COURT: We had to drop down one more so, yeah, 25, 26
14 and 27 because we added one more.
15 CLERK: Okay. Defendant?
16 MR. FALK: One moment, sir. I'll strike Number 25.
17 CLERK: Okay. For confirmation, the State struck Numbers
18 10, 18, 20, 21 and 27; is that correct?
19 MR. BOGLE: That's correct, ma'am.
20 CLERK: Okay. And the Defendant struck Numbers 4, 6, 8,
21 13, and 25; is that correct?
22 MR. FALK: That's correct.
23 CLERK: Okay.
24 THE COURT: All right. Very good. If you would call the
25 jurors forward then please, ma'am.

Tarl Bradford Rollings - 2016-C-22-00042
JURY SELECTION

20

1 CLERK: When I call your name, please bring your
2 belongings with you and take a seat in the jury box. Juror
3 Number 28, Felicia Carr; Juror Number 1, Justin Amell; Juror
4 Number 84, Mary Jo Hartland; Juror Number 144, William Sheets;
5 Juror Number 166, Raymond Wheeler, Jr.; Juror Number 154, Kyea
6 Sturkin; Juror Number 148, Dana Smith; Juror Number 159, Gail
7 Thompson; Juror Number 17, Crystal Braecklein; Juror Number
8 15, Andrew Bliss; Juror Number 133, Ryan Reynolds; Juror
9 Number 48, Dorothy Dollar; Juror Number 171, Maldonia Wilson.

10 THE COURT: Ms. Wilson, you are the alternate in this
11 particular case. Come forward. You're the designated
12 alternate in this particular case. All right? Thank you,
13 ma'am.

14 JUROR 171: You're welcome.

15 THE COURT: All right. Any objections to the panel as
16 selected and called forward from the State?

17 MR. BOGLE: No, Your Honor.

18 THE COURT: From the Respondent?

19 MR. FALK: I just renew my objection.

20 THE COURT: All right, sir, from the previous matter that
21 regarding the juror for cause?

22 MR. FALK: Yes, Your Honor.

23 THE COURT: All right. Very good. Other than that, are
24 there any other objections?

25 MR. FALK: No, Your Honor.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

21

1 THE COURT: All right. Very good.

2 I find that the jury has been properly paneled pursuant
3 to *Batson v. Kentucky* and *JEB v. Alabama*.

4 BY THE COURT:

5 THE COURT: All right, ladies and gentlemen, I'm going to
6 ask that you go into your jury room in just a few minutes and
7 going to ask that you do one thing for the Court and that's
8 going to be select your foreperson for this particular jury.
9 So, let me tell you very briefly what the foreperson's duties
10 and responsibilities are.

11 If we're here in the courtroom and the jury needs
12 attention to some matter, the witness needs to speak up or the
13 lawyers or whatever the issue is, the foreperson raise your
14 hand, gets the Court's attention and we'll handle that matter
15 whatever it is. If y'all are in the jury room and some matter
16 comes up, you'll take the pad and pen provided for you, write
17 out a note, sign it and give it to the Bailiff and it'll come
18 to the Court, and again we'll handle that matter whatever it
19 might be. When we have gone through the evidentiary portion
20 of the trial, we've heard all the witnesses in this particular
21 case, received any type of documentary evidence that might be
22 received in this particular matter, we then have heard the
23 closing arguments of the attorneys in this matter and then
24 I've given to you the law that you will apply to the facts and
25 evidence you find to be proven in this particular matter. At

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

22

1 that point in time, I will submit the case to you for your
2 deliberations and your unanimous decision in this particular
3 matter. So, the foreperson's duties and responsibilities
4 change in this regard. You're gonna act like the chairperson
5 at a meeting, guide the discussions, if necessary. An
6 important duty and responsibility that the foreperson has is
7 to make sure that everybody that wants to has an opportunity
8 to be heard. Everybody's voice has an opportunity to be
9 heard, but the foreperson's voice and vote carries no more
10 weight than any other member of the jury. Everybody is equal
11 in that regard but somebody needs to remain in charge. Again,
12 if there is some issue or question, again, you take the pad
13 and pen and write out the, the note and give it to the bailiff
14 and again he'll come to the Court and we'll handle the matter,
15 whatever it might be. The final duty and responsibility of
16 the foreperson is, once the jury has well and truly
17 deliberated and you have reached your unanimous decision in
18 this particular matter, the foreperson will take the verdict
19 form that the Court will provide to you, either answer the
20 questions or check the appropriate blocks, thereafter sign
21 your name as the foreperson indicating that verdict is the
22 verdict of each and every member of the jury.

23 So, with that, I'm gonna ask that you go back to your
24 jury room. The -- Ms. Wilson, as the alternate, you can vote
25 on the foreperson, but being the alternate, you can't be the

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

23

1 foreperson. Everybody else is eligible. If you'd go to the
2 jury room, select your foreperson, knock on the door and let
3 the bailiff know who that is. Thank you very much.

4 (REPORTER'S NOTE: Jury exits courtroom.)

5 THE COURT: All right, ladies and gentlemen, the jury
6 panel that were not selected for this particular case, I'm
7 gonna excuse you from your jury service. I told you that this
8 was the only case remaining for trial for the jury. There are
9 non-jury matters, but those I'll be resolving those without
10 the assistance of a jury. So, you've earned your exemption
11 for coming back for three years, from coming back to Circuit
12 Court jury duty, obviously you're -- certainly if you're a
13 City Judge, Magistrate, Federal Judge, asks you to go to jury
14 duty, you have to go see them, but you don't have to come see
15 us for the next three years. So, with that, you're now
16 excused. Thank you very much.

17 (REPORTER'S NOTE: Jury Venire exits courtroom. The following
18 takes place outside the presence of the Jury.)

19 THE COURT: All right. Mr. Bogle, Mr. Falk, we're gonna
20 break for lunch at this point in time. I did want to get some
21 idea from you as best you could, the motions that we need to
22 hear.

23 MR. BOGLE: I think, Your Honor ---

24 THE COURT: All right. I'm sorry. How long do we think
25 those might take to your best estimate, Mr. Bogle?

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

24

1 MR. BOGLE: Well, my first Motion in Limine is maybe 10
2 or 15 minutes tops. My second Motion in Limine, I've
3 withdrawn it. I'll just deal with it if it comes up ---

4 THE COURT: All right, sir. Okay.

5 MR. BOGLE: --- Motion in Limine and that's the only
6 pretrial things that we have.

7 THE COURT: All right, sir. And, Mr. Falk?

8 MR. FALK: I would like the Court to consider some of
9 these prior offenses that I believe the State's witness is
10 going to talk about through her testimony.

11 THE COURT: Okay.

12 MR. FALK: And maybe 15 minutes for that and then I also
13 have concerns about the use of his PPG examination and I don't
14 see that the State has another witness and so I would object.
15 I think there's gonna be foundation questions ---

16 THE COURT: Okay.

17 MR. FALK: --- for that.

18 THE COURT: So that would be part of your motion then?

19 MR. FALK: Yes, Your Honor.

20 THE COURT: All right, sir. Very good.

21 All right. If we have, let's see, it's 12:51. If we
22 come back at -- if we come back at 2:15 from lunch and then
23 tell the jury to be back at 3:15, is that sufficient you
24 think, 3:30?

25 MR. BOGLE: I don't see it taking that long, but ---

Tarl Bradford Rollings - 2016-C-22-00042

25

MOTIONS

1 MR. FALK: Maybe 3 o'clock.

2 THE COURT: All right, sir. Well let's just say 3:15
3 just to be -- just to be safe. All right. So, they picked
4 Juror Number 15, it says 15 so that -- right, okay.

5 MR. BOGLE: 15?

6 THE COURT: Juror Number 22, but his actual Juror Number
7 is 15, so that's Mr. Bliss as the foreperson. Mr. Bliss is
8 the foreperson, just to let y'all know.

9 All right. So, we'll back at 2:15 and we'll argue the
10 motions at that point in time. So release them and tell them
11 to be back at 3:15. Tell them to be back at 3:15. Okay?

12 MR. BOGLE: Okay.

13 THE COURT: Thank y'all.

14 MR. BOGLE: Thank you, Your Honor.

15 *****OFF THE RECORD*****

16 (On the Record.)

17 MOTIONS:

18 THE COURT: All right. Mr. Bogle, we'll proceed with
19 your motion first.

20 MR. BOGLE: Thank you, Your Honor. The first motion in
21 limine that I have is prohibit the place that he might be
22 committed to be referred to as prison, a form of death row,
23 the fact that he's being punished for life or words to that
24 effect. In support of that, Your Honor, the only element the
25 State has to prove is the existence of the sexually violent

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

26

1 crimes and the mental abnormality of whether or not these
2 things make him likely to reoffend to the extent that he
3 cannot control his -- himself.

4 Now, part of the SVP Unit is located behind the wire at
5 Broad River Correctional Institution on the Edisto Unit, which
6 is the old death row. The rest is on the Congaree Unit next
7 door. Our position is that references of -- reference to
8 these locations as being prison, being what they used to be,
9 being punishment would distract of the elements we'd have to
10 prove. It could be prejudicial to the State, but also to the
11 jury.

12 THE COURT: All right, sir. Mr. Falk, what's your
13 position on that?

14 MR. FALK: Your Honor, I never talked about death row or
15 anything to that extent. I do think the jury needs to know
16 though that he is going to be in a place where he cannot
17 leave, that is a confined place. It's not gonna be like just
18 going to a hospital.

19 THE COURT: Well I -- I think you can certainly use the
20 language that we would use in the charge to the jury that it's
21 an involuntary civil commitment in a secure facility for long
22 term controlled care and treatment. I mean, that's the
23 language we'd be using in describing it to the jury, so you
24 can certainly couch it in those terms. I've already indicated
25 to the jury at the very beginning, it's involuntary, so --

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

27

1 but, you know, it's definitely secure, a secure facility, and
2 for long term care and treatment. So, referencing to it in
3 those terms, I certainly have no problem with you doing that.

4 MR. FALK: Thank you, Your Honor.

5 MR. BOGLE: Thank you, Your Honor.

6 THE COURT: All right. Anything else from the State
7 then, Mr. Bogle?

8 MR. BOGLE: No, Your Honor.

9 THE COURT: All right. Go ahead, Mr. Falk?

10 MR. FALK: I anticipate that the State's gonna, in their
11 opening statement, is gonna use the terms mental abnormality,
12 extremely dangerous group of sexually violent predators as
13 part some type introduction to the whole SVP statute. I think
14 those particular words, especially extremely dangerous group
15 of sexually violent predators -- my client isn't one of them
16 yet. I think those terms can be prejudicial and inflammatory
17 and I prefer that the State not use those as part of their
18 opening.

19 THE COURT: Okay. What's your argument to that, Mr.
20 Bogle?

21 MR. BOGLE: If I may approach, Your Honor?

22 THE COURT: Yes, sir.

23 MR. BOGLE: What I do in a lot of these cases, I read the
24 first two paragraphs of Section 44-48-20, legislative
25 findings. I've blocked them off on this copy right here.

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

28

1 THE COURT: All right, sir. I would prefer -- and some
2 of these findings that you have indicated in here, Mr. Bogle,
3 were findings of the General Assembly as to what caused them
4 to readdress the statute or change the statute, and I think
5 it's a comment on what was existing at the time and not what
6 is existing now. What I would prefer that you do is talk to
7 the jury about what you're gonna need to do. You know,
8 obviously, you have to -- and going now to the end, but the
9 State has to prove that, you know, the sexually violent
10 predator, that's a person who has been convicted of a sexually
11 violent offense, suffers from a mental abnormality or
12 personality disorder that makes the person likely to engage in
13 acts of sexual violence if not confined in a secure facility
14 for long term control, care and treatment. I do not have a
15 problem with you using the definitions that the Court would
16 use in defining these things, such as mental abnormality and
17 I'll be using that to explain it to the jury. That means a
18 mental condition affecting a person's emotional or volitional
19 capacity that predisposes the person to commit sexually
20 violent offenses. This mental abnormality must cause the
21 Respondent serious difficulty in controlling his behavior.
22 Likely to engage in the acts of sexual violence means the
23 person's propensity to commit acts of sexual violence is of
24 such a degree as to pose a menace to the health and safety of
25 others so that he is dangerous to others and that's how I

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

29

1 would be defining that term and explaining it to, to the jury.
2 So, I don't have a problem with you talking about it in that
3 way, but here if you look at -- like the second paragraph of
4 what you've quoted it says because the existing civil
5 commitment process is inadequate. Well, they were talking
6 about the civil commitment process that existed before they
7 amended the statute and if you start saying that now to the
8 jury, then it sounds like the current process that we're in is
9 inadequate, so we better make sure we put this guy away. You
10 know, so I am -- I am not in agreement with you quoting these
11 two sections of the legislative findings to the, to the jury.

12 MR. BOGLE: Okay, Judge. I'll keep them out.

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

14 Yes, sir, Mr. Falk?

15 MR. FALK: The next thing I want to, and I'm not sure
16 that Mr. Bogle is planning on going down this road, but I just
17 wanted to make sure. I think it's prejudicial to my client if
18 the jury is somehow led to believe or led to understand that
19 my client will be entitled to a release hearing every year.

20 THE COURT: Let's first -- let's first -- what would be
21 your intention regarding that, Mr. Bogle?

22 MR. BOGLE: We don't go there.

23 THE COURT: All right, sir.

24 MR. BOGLE: The fact that he's entitled to an annual
25 review and the right to petition for release every year, we

MOTIONS

1 don't go into that.

2 THE COURT: All right, sir.

3 MR. BOGLE: Used to, but don't any more.

4 THE COURT: All right. Very good. All right. Thank
5 you.

6 Anything else, Mr. Falk?

7 MR. FALK: I think he's sort of got the meat as to what
8 my concerns are.

9 THE COURT: All right. Very good.

10 MR. FALK: And this is, I understand that I believe it's
11 Rule of Evidence 703 where the expert is allowed to provide --
12 basically to explain to the jury the facts and circumstances
13 upon which she bases her expert opinion, and I believe that
14 the statute says that she can or he, whatever the expert, can
15 talk about that information even if that evidence in and of
16 itself would not be admissible. So, I mean, but I did not
17 believe that that Rule of Evidence allows, you know, a huge
18 backdoor to be opened for a lot of hearsay testimony coming in
19 against my client. And I think, regardless, I think it's the
20 Court's obligation in looking -- under Rules of Evidence 402
21 and 403, as far as the Court makes a determination of what
22 evidence is relevant and what evidence would be the probative
23 value of which, excuse me, that the present -- the prejudicial
24 nature of which would greatly outweigh its probative value.
25 And so what I want to talk about in that guise is talk about

Tarl Bradford Rollings - 2016-C-22-00042

31

MOTIONS

1 his 1998 pointing and presenting charge for which I don't
2 believe that we really know that much about the case or what
3 the disposition of the case was. It's a charge that my client
4 picked up when he was 21 years old. It certainly is not a
5 sexually based offense and I don't believe -- I believe that
6 it's inclusion would only prejudice my client and I think it
7 has no probative value as to whether or not today in 19 -- in
8 2017 is a sexually violent predator.

9 THE COURT: All right. So, that particular offense --
10 first, Mr. Bogle, do you believe that your expert is going to
11 refer to it to explain her findings in this matter?

12 MR. BOGLE: We can stay away from that one if you like,
13 Your Honor.

14 THE COURT: All right.

15 MR. BOGLE: Technically, if we're -- if we're getting
16 into a diagnosis of anti-social personality disorder, that
17 requires a lookback to the guy's entire lifetime of criminal
18 convictions no matter what, especially conduct that's been
19 docketed before age 15.

20 THE COURT: All right.

21 MR. BOGLE: We don't have that here, so I can stay away
22 from that.

23 THE COURT: Okay. So, how about as far as the direct
24 examination, that won't be something that the State brings up.
25 Now, Mr. Falk, if you ask for a background or a rationale why

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

32

1 the expert came to a certain conclusion, if she feels that
2 that's responsive to the question that has some bearing as to,
3 you know, rational bearing as to the -- her findings, then it
4 might very well be that might be a proper response to your
5 question. So, you might need to look at that, but I don't --
6 it doesn't seem as explained to me by Mr. Bogle and what I
7 understand her testimony to be, that it's necessary for the
8 State's presentation for that to come in. So, we'll just have
9 to -- I'm not gonna allow the State to do it in their
10 presentation, but I'm not gonna confine the witness from
11 responding directly to a question you ask. Now, if it's -- it
12 seems to be thrown in for a gratuitous reference, then that
13 might be a different story, but you just -- we'll have to
14 leave that part open depending on the question you might ask.

15 MR. FALK: Thank you, Your Honor.

16 THE COURT: All right.

17 MR. FALK: And then I think probably my argument is the
18 same and hopefully the resolution will be the same on his 1999
19 trespassing and damage to property charge?

20 MR. BOGLE: Same resolution, Judge.

21 THE COURT: All right, sir. Very good. Thank you.

22 MR. FALK: 1998, the Court nolle prossed a lewd act
23 charge. That's an instance where there were two victims and
24 he got charged with CSC and lewd act; he got lewd act times 2
25 and CSC 1 and there was a plea in that case. When he pled to

Tarl Bradford Rollings - 2016-C-22-00042

33

MOTIONS

1 one act of -- one lewd act charge and one CSC with a minor
2 charge. However, the other lewd act was nolle prossed and I
3 don't think it's clear whether or not that was nolle prossed
4 as part of a plea deal or whether or not the Court -- it was
5 determined that since he really pled guilty to the greater
6 charge, it was inappropriate to have the lessor included
7 charge also. See what I'm saying? So, it's like they had
8 lewd act and CSC with one victim and lewd act with another
9 victim. He pled guilty to the CSC with one victim and lewd
10 act to another victim, but they nolle prossed the second --
11 the second lewd act as it related to the one victim.

12 THE COURT: Okay. So, what are you asking?

13 MR. FALK: I'm asking that we don't talk about the second
14 lewd act charge that was nolle prossed.

15 THE COURT: All right. What do you say to that, Mr.
16 Bogle?

17 MR. BOGLE: Judge, we have a memorandum of law which was
18 part of the materials we submitted to the Court.

19 THE COURT: Yes, sir.

20 MR. BOGLE: We emailed it out; I've got a hard copy if
21 you want.

22 THE COURT: Okay. Very good.

23 MR. BOGLE: Basically, and Dr. Swan will testify about
24 this and I've seen this come up with other experts such as
25 Donna Maddox and Pam Crawford. We're trying to look at a

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

34

1 greater picture of a guy, so crimes that were charged and were
2 nolle prossed, the fact that he got into enough trouble to get
3 arrested for something and charged with something factors in
4 two ways. One is trying to evaluate the guy's pattern of
5 conduct, and the second is how it evaluates when they score
6 him on the actuarial risk assessment tool, the Static-99R.
7 Dr. Swan would testify that as a rule, a very small number of
8 sexual offenses are even reported and so that's why it's
9 necessary for her to look into allegations that are made and
10 arrests that are made that don't result in convictions, as
11 well as allegations that result in convictions. The *Edel* case
12 from 2008, that was Dr. Pamela Crawford testifying about prior
13 sexual offenses as well as a prior nonsexual crime and some of
14 those sexual offenses did not result in convictions, but they
15 went to an overall pattern of the guy's success as to whether
16 or not he would succeed in treatment and was there a pattern
17 there as well. In the *Corley* case there was also testimony
18 about other convictions, things that weren't sexual, things
19 that got dropped, and the idea is to look at a pattern of
20 behavior in the guy because -- and as Dr. Swan will testify,
21 the most accurate predictor of future behavior is past sexual
22 behavior. So, that's kind of where we get into prior crimes.

23 Now, if this was a probable cause hearing just trying to
24 get the guy evaluated, our Courts have spoken there that why a
25 guy got a plea deal or what the plea deal was or whether or

Tarl Bradford Rollings - 2016-C-22-00042

35

MOTIONS

1 not it benefited him or not is not really relevant because
2 there's all kind of extraneous factors that go into plea
3 agreements, and that's not really relevant to the fact that
4 they exist. And certainly Mr. Falk can explore the fact that
5 there was a reduction in charge or dismissal of charge. What
6 Dr. Swan is looking for is all the things the guy got charged
7 with because she's looking for a pattern of conduct. And of
8 course, she gives appropriate weight as can the jury to
9 convicted conduct versus unconvicted conduct. So we would
10 submit that based on what we set forth in our memo of law and
11 the other things I covered just now, that such testimony by
12 the doctor would be admissible.

13 THE COURT: Your response to that, Mr. Falk?

14 MR. FALK: Your Honor, I think there's a difference when
15 somebody is charged with a more severe crime, CSC with a minor
16 and then part of a plea deal, he's allowed to plead to lewd
17 act, which is probably somewhat of a lesser offense, but is it
18 -- it seems to me from looking at this, he pled to the more
19 significant offense as it related to that one victim and it
20 doesn't seem to add anything. If this is not a situation
21 where these were charges that were nolle prossed that were
22 related to a different criminal event, this was sort of the
23 same pattern of conduct. I don't know, I think it's the same
24 cluster of events that took place and he pled guilty to the
25 only one that he was charged for the one victim and the most

1 serious one that he was charged with the other victim. I'm
2 not sure the fact that he -- they dismissed the lesser charge
3 from victim number 2 is at all relevant, but I certainly know
4 that it's gonna sound worse with the -- if she can say he had,
5 you know, three charges for sexually violent crimes.

6 THE COURT: Okay. Well, I'm going to allow the -- Dr.
7 Swan to use that assuming and understanding that we're
8 following Rule 703, the basis of opinion testimony by -- by
9 experts and I -- though I would allow it under 703, I want to
10 make it clear that I also do find it to be, though there is
11 prejudice to your client, and I understand that, that the
12 basis, probative value, the basis for allowing that, so that
13 the jury gets a complete understanding of the expert's
14 testimony and rationale for their particular opinion, I
15 believe it's proper for the jury to hear and I am going to
16 allow her to use that in the explanation of her particular
17 opinion.

18 MR. FALK: Thank you, Your Honor.

19 MR. BOGLE: Thank you, Your Honor.

20 MR. FALK: I would also like to address how far the Court
21 will allow the expert to testify as to statements that she has
22 come across in her investigation from victims or investigating
23 officers in this case. I understand under the *Edel* case, that
24 that information typically goes in. I looked at the pleadings
25 and I looked at the -- the appellate briefs in the *Edel* case

Tarl Bradford Rollings - 2016-C-22-00042

37

MOTIONS

1 and I know that one issue that was not raised in I believe in
2 South Carolina, if it wasn't raised, it just wasn't
3 considered, but I think that my client has a confrontation
4 clause right to confront his accusers.

5 I know that we are in a civil proceeding. However, this
6 civil proceeding will certainly end up with a detriment to my
7 client's liberty interest if the jury finds him to be a
8 sexually violent predator, and I do think there is very
9 prejudice if my client has to rebut hearsay testimony from a
10 witness who is not here and the jury has no opportunity to
11 hear, you know, whether or not they were otherwise credible.
12 I understand that's something that information regarding sort
13 of the gist of the crime and what it was about, but when we
14 start going into, you know, the victim said this, the victim
15 said that, the victim said that, I believe that we're crossing
16 a line. Again, I believe that this Court has the obligation
17 as the gatekeeper and I think my client has a Sixth Amendment
18 right to confront his accusers.

19 THE COURT: How would this come up, Mr. Bogle, in the
20 presentation of your case and the testimony of Dr. Swan?

21 MR. BOGLE: Dr. Swan has been doing this for about 19
22 years. Prior to that, just for background for Your Honor, she
23 also has treated sex offenders for a lot longer than that.
24 So, that's her overall background is a lot of time working
25 with sex offenders, both in treatment and in the evaluation

Tarl Bradford Rollings - 2016-C-22-00042.
MOTIONS

38

1 phases, both in South Carolina and in Florida. In fact, she's
2 a resident of Florida and has done a lot of work with the SVP
3 Program down there. Now what she will testify to and this is
4 consistent with Rule 703, she has a protocol that she does.
5 Okay. She looks at what the police reports show, in other
6 words, what did the police find out, what did the victim say
7 happened to her or to him. She then looks at what the
8 Respondent told the police at the time. When he's arrested,
9 what does he tell them; what does he say. Then she interviews
10 the Respondent about these things and our next -- next stage
11 is what he tells her about his conduct; whether he did or
12 didn't do it or minimized it or whatever. So it's a three-
13 step process that she uses as part of forming her expert
14 opinion on whether or not, (A), he suffers from the requisite
15 mental abnormality; or (B), is he able to control himself. So
16 that's where she's coming from. The general rules about
17 hearsay, again, under the expert witness rule, Rule 703, that
18 you mentioned a minute ago, it was statements made for the
19 purpose of her diagnosis of the guy, then they need not in and
20 of themselves be admissible. But, that's her protocol. What
21 the victim's say happened, what does the guy say to the
22 police, what does the guy say to her when she goes through
23 this, and this is something consistent with her experts in her
24 field which she will testify to. That's kind of where we are
25 on this, Judge.

Tarl Bradford Rollings - 2016-C-22-00042

39

MOTIONS

1 THE COURT: So, in that the phrasing of it from what my
2 understanding is not that she -- she's doing this from the
3 records that were produced at the time of the arrest and/or
4 conviction.

5 MR. BOGLE: Correct.

6 THE COURT: This is not a result of subsequent interviews
7 with the victims in these matters?

8 MR. BOGLE: It is not.

9 THE COURT: She would not be talking about a
10 conversations she had with the victims; she'll be relying on
11 the records as the allegations were formed at the time, the
12 Respondent's response to those allegations, and his current
13 response?

14 MR. BOGLE: That's basically it. That's it, Your Honor.

15 THE COURT: All right.

16 MR. BOGLE: I have had rare occasions where a victim has
17 been interviewed. That wasn't necessary in this case because
18 the conduct has already been convicted.

19 THE COURT: All right. What, what do you say to that,
20 Mr. Falk?

21 MR. FALK: I still say that there is -- as I said, I
22 believe that there is general information that is necessary
23 and I have no problems with the, the witness saying, you know,
24 this girl is x number years old, it was alleged that he did
25 this, it was alleged that he did that.

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

40

1 THE COURT: You know, was it gleaned from the arrest
2 warrant, from the reports to police, that he is alleged to
3 have done X, Y and Z?

4 MR. FALK: Right.

5 THE COURT: All right.

6 MR. FALK: I can accept that ---

7 THE COURT: You know, not that, that there's been, you
8 know conversations with the victim and the victim has told me
9 this.

10 MR. FALK: All right.

11 THE COURT: I think if she makes -- and I would be in
12 allowance to the fact that she's making it clear from the
13 records that came into existence at the time of the arrest
14 and/or conviction. These are the allegations made to the
15 investigating authorities. This is what the Respondent either
16 said at the time, if he said anything at the time, or what the
17 Respondent indicates now and I use this information in this
18 way, why is that information important to her opinion to show
19 the basis for the how she relied upon it to form her opinion
20 but not indicating in that relaying of the information that
21 any inference that she believes the victim's statement to be
22 true, the victim, you know, has this veracity or
23 believability. That's just things that experts in her field
24 use these documents, use this information, and why and how
25 they use that information. So the Court would allow that.

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

41

1 Thank you.

2 All right?

3 MR. FALK: Thank you.

4 MR. BOGLE: Thank you, Your Honor.

5 THE COURT: Anything else, Mr. Falk?

6 MR. FALK: Your Honor, my client was subjected to a PPG
7 Examination. The Court's aware of that test?

8 THE COURT: Yes, sir.

9 MR. FALK: And I believe the examination was performed on
10 July 21st, 2016. I do not see Dr. Burke here on the witness
11 list, so I believe that the State's expert wants to use the
12 results from the PPG test as part of her evaluation in this
13 case. Now, there's a couple of ways I think the PPG test
14 should not be included. First of all, it was a nonconclusive
15 test, that it did not show any particular sexual preference
16 that was high enough in order to be significant as far as the
17 PPG administration. However, in her report, she indicates
18 that there was a statement made that and let me get the
19 results. The last page of the PPG, the actual test -- let me
20 get my glasses. It says that there were multiple examples of
21 dissimulation during the exam, two of which were offered as
22 examples below, and that it reports that my client had took
23 Vistaril the night before and that could have led to the bad
24 results.

25 First of all, I don't think the PPG Test under 403 is

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

42

1 relevant here because we're certainly it's more probative than
2 being prejudicial because she's saying that this test has no
3 results. However, if she's allowed to say that or allowed to
4 give the jury the inclination or the understanding, belief or
5 whatever that my client was somehow trying to actively
6 circumvent the test, I think that would be highly prejudicial
7 and I don't think that this witness would be qualified to say
8 that he was trying to circumvent the test. And, I'm not sure
9 exactly what the multiple examples of dissimulation that were
10 referred to are, and I certainly have no ability to rebut
11 those. And, I think that statements about the dissimulation
12 and whether or not he was taking the Vistaril the night before
13 is gonna leave the jury with the inclination that he was
14 trying to circumvent the test, and she's already said this
15 test is -- doesn't really support her findings.

16 THE COURT: All right. Well, let's start off with the
17 first, Mr. Bogle, do you believe that Dr. Swan is going or you
18 are going to be asking her questions or is she gonna be using
19 it in her direct testimony?

20 MR. BOGLE: I do -- it's an interesting situation here
21 because I don't think we're quarreling so much about whether
22 or not the PPG is admissible or not. The issue is, did he try
23 to throw the test off. So, regardless of what it is, it was
24 part of an examination as part of an inquiry into his sexual
25 preferences or whatever it is and he tried to throw it off.

Tarl Bradford Rollings - 2016-C-22-00042

43

MOTIONS

1 Now, the fact that no one is here to say that and Dr. Swan can
2 say it, look at Rule 702, which talks about statements of
3 testings or assessments because someone other than Dr. Swan
4 gave them. You know, if I go to my personal physician and he
5 sends out for a blood test and it comes back and tells what
6 that blood tests says, the guy that ran the test was nowhere
7 near the office. Even, there may've been x-rays done. An x-
8 ray is interpreted by somebody else like if it's radiology.
9 My doctor then tells me, based on these evaluations, what they
10 say, and that's what we have here. The indications are,
11 without going into exactly what they PPG is and how it works
12 and I can do that if you want to, the indications are from the
13 examiner that he tried to throw it off by medication, by
14 moving around, by whatever. They told Dr. Swan he tried to
15 throw it off. And these are not hearsay because they're
16 purposes of medical diagnosis or treatment are describing
17 medical history under Rule 803.4 and it's part of -- it's part
18 of the overall psychological diagnosis. So, I would think
19 it's much the same if a guy went to take a polygraph. A
20 polygraph is not admissible, but if he made some comment
21 afterwards or before, that certainly can come in. We would
22 submit that it's not hearsay and would be exempt from hearsay
23 under the rule I just cited.

24 MR. FALK: Your Honor, if this report had provided some
25 report I was provided about the PPG test, if it had some

1 specific indication, some type of data that I could've looked
2 to, to show what the examples of dissimulation are, that would
3 be one -- that would be one position, but I have no idea what
4 these examples of dissimulation are. They are not reflected
5 in this report as far as I see. So, I mean, she's relying --
6 and it's not -- it's different than going to a doctor's office
7 and getting a blood test and somebody else talking about it.
8 I mean, a blood test has a result, you know, yeah, your
9 cholesterol is 350 or it's not, but this is -- this doctor,
10 apparently Dr. Burke, is opining that there was some
11 dissimulation during this test and then Dr. Swan is in here
12 parroting that same opinion without having her own factual
13 bases for it.

14 I also think that, again, on a confrontation clause
15 issue, there are South Carolina cases certainly in the
16 criminal field where you cannot have another expert just come
17 in and parrot another expert's reports, testing, without
18 having played some role in that. There is a South Carolina
19 Court of Appeals decision, I think it's *State v. McCray*, where
20 the Court -- and there was a situation where it was a criminal
21 case obviously and they had a DNA test that the State was
22 trying to bring in and the person who did the DNA Testing was
23 not available as a witness and they had somebody come in who
24 said that they audited her results and that that witness said
25 they would've done it the same way, and the Court of Appeals

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

45

1 found that that was impermissible because the test result was
2 hearsay, there was no foundation for it, and it violated, you
3 know, the client's right to cross examine the person who
4 conducted the test. So, I think we'd have a different
5 conversation if Dr. Burke was here. We'd also have a
6 different conversation if Dr. Swan had, you know,
7 independently interpreted these numbers, but, you know, we're
8 not. She just -- she just in effect wants us to hand up Dr.
9 Burke's report, and I think that that's hearsay. I don't
10 think there's a foundation for it and I think I should be able
11 to cross examine Dr. Burke if they want to bring it in.

12 THE COURT: I need to know in more detail what it is Dr.
13 Swan intends to say and the explanation of if it's just that
14 he was administered a test that she asked to be done by
15 certain personnel and there was an indication that he did not
16 cooperate in that or by his actions, you know, a proper test
17 could not be run, then that -- I might allow that as part of
18 the basis of her opinion, but to go further than that, what
19 would be her intention?

20 MR. BOGLE: Can I put her on the state briefly?

21 THE COURT: Yes, sir.

22 MR. BOGLE: Dr. Swan.

23 CLERK: Please raise your right hand and place your left
24 hand on the Bible.

25 DR. AMY C. SWAN, HAVING BEEN SWORN

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

46

1 TESTIFIED AS FOLLOWS:

2 CLERK: Thank you. Please be seated and state your full
3 name.

4 DR. SWAN: Amy C. Swan. S-W-A-N.

5 MR. BOGLE: Judge, can we stipulate for the purpose of
6 these proceedings that she's a qualified expert?

7 THE COURT: Is there any problem with that?

8 MR. FALK: No problem.

9 THE COURT: All right. Go ahead.

10 DIRECT EXAMINATION OF DR. AMY C. SWAN BY MR. BOGLE:

11 Q: Dr. Swan, as part of your evaluation, did you have what's
12 called a PPG or Penile Plethysmograph administered to the
13 Respondent?

14 A: I did.

15 Q: Okay. Now, is this something that is part of your
16 protocol for doing a pre-commitment evaluation such as this?

17 A: Yes.

18 Q: Okay. And why is that?

19 A: It provides important information about a person's
20 current sexual arousal.

21 Q: Okay. In this particular case, did the results of the
22 PPG assist you in forming your expert opinion about Mr.
23 Rollings' sexual arousal?

24 A: No.

25 Q: Why not?

Tarl Bradford Rollings - 2016-C-22-00042

47

AMY C. SWAN - DIRECT BY BOGLE

1 A: It was an invalid test.

2 Q: Okay. Why was it invalid?

3 A: It was invalid because the individual consciously
4 attempted to distort the findings of the test.

5 Q: Okay. Is there anything in the report that details --
6 what things do you do to -- in general, what things do you do
7 to distort the test?

8 A: There are many things. Often, they may squirm in their
9 chair or not sit still. They may at times squeeze their
10 buttocks together to take the focus on what they're seeing
11 away from these -- the images on the screen. They, they can
12 also mentally manipulate. For example, they maybe see a child
13 on the screen that they're aroused to, but they, in their
14 mind, transfer that into a donkey or something like that so
15 that the arousal will not show. The gauges and the patterns
16 on the machine, the printout that you get, is designed to
17 identify patterns that indicate those factors.

18 Q: Okay. And the person that you sent this man to to have a
19 PPG run was Dr. William Burke in Summerville; is that correct?

20 A: That's correct.

21 Q: Okay. Now, what did you learn from this examination that
22 indicated to you there was some kind of dissimulation or
23 trying to avoid the test?

24 A: Dr. Burke merely provided the statement that Mr. Falk
25 read. He indicated that perhaps the Vistaril he had taken had

1 impacted the test and therefore there were no significant
2 findings.

3 Q: That's a medication the Respondent took prior to the
4 test?

5 A: Yes.

6 Q: Okay.

7 A: He said even though the medication may have had an
8 impact, there were -- there was evidence of conscious
9 dissimulation, which is distorting the test.

10 Q: Okay. Was there any detail as to what type of conscious
11 dissimulation that was?

12 A: There was not.

13 Q: Okay. Now, is the fact that he underwent this type of
14 examination and tried -- either took some drugs to -- that
15 could've caused a problem with it or tried to dissimilate it
16 in some other manner, does that, the fact that he would have
17 done these things, does that impact upon your diagnosis?

18 A: Well, first let me say that I don't believe that he took
19 the Vistaril to distort the test because he's been on Vistaril
20 the entire time he's been in prison for an anxiety disorder.

21 Q: Okay.

22 A: So, I don't think that was part of my decision. The only
23 part I was considering was the part that he was consciously
24 attempting to distort the test results.

25 Q: Okay. And the fact that he consciously decided to

Tarl Bradford Rollings - 2016-C-22-00042

49

AMY C. SWAN - CROSS BY FALK

1 distort or alter the test result, is that of some significance
2 to you in making your ultimate diagnosis about him?

3 A: Yes, it is. It typically indicates that the person had
4 sexual arousal patterns that they do not want to reveal.

5 Q: Okay. Thank you, Doctor. Please answer any questions
6 the Court may have or Mr. Falk may have.

7 MR. FALK: May I approach the witness?

8 THE COURT: Yes, sir, please.

9 CROSS EXAMINATION OF DR. AMY C. SWAN BY MR. FALK:

10 Q: I'm showing you for an identification purpose, this is
11 report of an examination by Southeastern Assessments dated
12 July 21st of 2016. I'll make this as an exhibit to this
13 hearing.

14 THE COURT: Why don't you give it the Court Reporter to
15 mark it, please.

16 A: And while he does that, I'm gonna get my glasses so that
17 I can see that document.

18 THE COURT: Yes, ma'am.

19 RESPONDENT'S EXHIBIT NUMBER 2

20 MARKED FOR IDENTIFICATION

21 COURT REPORTER: Madam Clerk, is the PA system on?

22 CLERK: It should be.

23 THE COURT: This one is but some of them aren't.

24 COURT REPORTER: Can we turn them all on, please.

25 THE COURT: There's a number of them, the witness stand,

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

50

1 the jury box; none of them are working.

2 CLERK: Okay.

3 MR. FALK: Are we ready?

4 THE COURT: Yes, sir, you just gonna have to speak up.

5 BY MR. FALK:

6 Q: I'm showing you what is Defendant's Exhibit Number 2?

7 A: Yes...

8 Q: Is that the -- is that the report that you got from Dr.
9 Burke?

10 A: Yes, it is.

11 Q: Can you find the word conscious on anywhere in that
12 report, because you specifically testified consciously
13 dissimilated?

14 A: Let me just review this. Okay. So, dissimulation is
15 conscious. It's a conscious effort to make one's self look
16 better than they really are or than what they desire people to
17 do. Dissimulation is a forensic psychology term; it has a
18 well-known definition. And in here it says there were
19 multiple examples of dissimulation during the exam and, as I
20 said, I didn't accuse him of the Vistaril, that was Dr.
21 Burke's statement, but dissimulation is a conscious effort by
22 definition.

23 Q: You had said in your prior testimony that you could look
24 at patterns that would come up on those results. Do you see
25 any patterns that show any dissimulation?

Tarl Bradford Rollings - 2016-C-22-00042

51

AMY C. SWAN - CROSS BY FALK

- 1 A: Well, I can't tell from this. This is a summary sheet.
2 There are a volume of data that is gathered during a test. I
3 don't have that with me, so I can't make any conclusions.
4 Q: Did you ever review that data?
5 A: I did not. That's typically not provided when I get a
6 PPG Report.
7 Q: Is there anything in the report that shows specific
8 examples of conscious dissimulation. You gave a lot of
9 examples of what people can do, but is there any indication of
10 what Mr. Burke is referring to as dissimulation?
11 A: I can't tell from this summary report.
12 Q: Did you have a conversation with Dr. Burke about this?
13 A: I did not.
14 Q: So, do you have any firsthand knowledge or even
15 secondhand direct knowledge of specific facts to support that
16 there was dissimulation?
17 A: Well, Dr. Burke says there were multiple examples of
18 dissimulation, two of which are offered as examples to
19 preschool female persuasive and the preschool male coercive.
20 Q: What about that?
21 A: He said they were conscious -- there was conscious
22 dissimulation on those presentations.
23 Q: But it doesn't say what was done; is that correct?
24 A: It does not.
25 Q: So, if somebody was hearing something that was extremely

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK.

52

1 uncomfortable to listen to, could their physical response to
2 that also be a dissimulation? Could they -- you said squeeze
3 their buttocks together, I mean that could be something that
4 you would be just responding to in revulsion to what you were
5 hearing; is that not correct?

6 A: Well, dissimulation by definition is a conscious effort.
7 It's defined in forensic psychology that way.

8 Q: Do you have any knowledge that that's how Dr. Burke was
9 using that term?

10 A: Well, other than general knowledge of psychology that
11 that's how the term is used.

12 Q: But if he was just squirming because something was making
13 him uncomfortable, wouldn't that be seen as ---

14 A: That would not necessarily be seen as dissimulation. If
15 it were an involuntary thing, that wouldn't be dissimulation.
16 Dissimulation is a conscious effort to obtain a different
17 result.

18 Q: Did Dr. Burke watch my client take this test or did
19 somebody else administer the test?

20 A: I believe that Dr. Burke does his own, but I can't swear
21 to that. He doesn't have a technician here, so that makes me
22 believe that he does his own.

23 Q: But you have no knowledge of whether or not Dr. Burke
24 actually performed the test?

25 A: One of the ethical requirements in psychology is that if

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

53

1 someone else is providing the data, you have to include that
2 person's name. So, if there was a technician that was
3 actually administering the test, ethically he would have to
4 include that. That's not included, so that leads me to
5 believe that he does his own tests. And I have spoken to him
6 in the past and it's my general view from those conversations
7 that he does his own tests.

8 Q: Because when I've spoken to him in the past, somebody
9 else performs his tests.

10 THE COURT: Well, be that -- be that as it may, sir,
11 that's not a question; that's a statement.

12 Q: May I take my exhibit back?

13 A: Sure.

14 THE COURT: Any other questions of the witness?

15 MR. FALK: No, Your Honor, not from the State.

16 THE COURT: From the Defense?

17 MR. FALK: No, Your Honor.

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

19 A: Thank you, sir.

20 BY THE COURT:

21 THE COURT: All right. Last, last argument, Mr. Bogle,
22 on why should it be allowed?

23 MR. BOGLE: I would stand on my previous arguments, Your
24 Honor. She's testifying about the results of another test.
25 She's making clear that the results of the observation were

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

54

1 done by the person administering the test. I would rely on my
2 previous arguments about the hearsay rule, Rule 803.4 and the
3 expert witness rule.

4 THE COURT: All right. Last argument, Mr. Falk?

5 MR. FALK: I just think that she has no firsthand
6 knowledge of this test. She gave no input into this test.
7 She's reporting what somebody else told her. And,
8 specifically, it's not just that she's interpreting the raw
9 data, which with possibly one exception, she is interpreting
10 the statement of dissimulation -- Dr. Burke's statement that
11 there was dissimulation and having no firsthand knowledge or
12 any knowledge as to what was specifically going on, so I can't
13 even respond to saying -- you know, I can't even say my client
14 wasn't clinching his buttocks because I don't even know if
15 that's what they were talking about. Had Dr. Burke been in
16 here and then he was gonna say he was dissimilating, then I
17 would have an opportunity to cross examine the person who
18 observed that fact, but right now all I have is Dr. Swan's
19 reliance that Dr. Burke said he was dissimilating; therefore,
20 he was. And, at the end of the day, this is a test that is
21 not -- it showed that he did not reach the sufficient level
22 for results to have a valid test. The only thing that this
23 can do is be extremely prejudicial to my client as though he
24 is making a conscious effort to circumvent the test. I think
25 under a hearsay question, under a confrontation clause issue,

Tarl Bradford Rollings - 2016-C-22-00042

55

AMY C. SWAN - CROSS BY FALK

1 this is too far removed to allow Dr. Swan to bring this is in.

2 THE COURT: All right. I understand under Rule 703 that

3 the -- this expert is allowed to use other information and

4 results of tests that might even include evidence that might

5 not be otherwise admissible, but in this particular case the

6 Court can have no certainty as to the underlying information

7 because what she received was a summary. She did not review

8 the entirety of the data. There is not information sufficient

9 to set forth exactly what the conscious dissimulation was and

10 it's not specifically described as what occurred, how that was

11 observed. Because of those failures, I am not going to allow

12 this type of testimony. Thank you very much.

13 MR. FALK: Thank you, Your Honor.

14 THE COURT: Anything else?

15 MR. FALK: No, Your Honor. This is my exhibit.

16 THE COURT: Very good.

17 All right. So, are there any other motions from the

18 State then?

19 MR. BOGLE: No, Your Honor.

20 THE COURT: Any other motions from the Defense?

21 MR. FALK: No, Your Honor.

22 THE COURT: All right. Very good. I think we told the

23 jury 3:15. All right. So it's like ten after -- I told the

24 jury 3:15. We'll reconvene just as soon thereafter at 3:15 as

25 we know that the jury is here and we're ready to go. You

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

56

1 know, we'll certainly, you know, we'll get started, we'll do
2 the opening statements and the Court's initial statement to
3 the -- to the jury. I, you know, I don't know how long Dr.
4 Swan's testimony and cross examination is going to be;
5 obviously, it's going to be -- take some time because that's
6 the State's case in essence, and I'm sure there's some other
7 information will come with it, but depending upon that, I
8 probably don't anticipate that we'll do anything else today.
9 We'll see, but I would anticipate that that will probably be
10 all that we do today and we'll just reconvene in the morning.
11 We'll see where we are. Okay?

12 All right. In about 4 or 5 minutes we'll get started.
13 Thank you.

14 *****OFF THE RECORD*****

15 (On the Record.)

16 BY THE COURT:

17 THE COURT: I understand that the direct testimony of Dr.
18 Swan, would you anticipate that to take how long, Mr. Bogle?

19 MR. BOGLE: An hour and a half.

20 THE COURT: Okay. And then the cross examination then,
21 Mr. Falk, would be a similar length?

22 MR. FALK: Yes, I mean that basically is my case.

23 THE COURT: Well, and it's basically the State's case,
24 too.

25 MR. FALK: Right.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

57

1 THE COURT: Okay. And I understand that. I don't like
2 and I really don't think it's fair to either party to have the
3 jury split it up. Let's say we do part of it today and then
4 we finish it up tomorrow. I think because of the seriousness
5 of this matter, certainly, but in any case, I rarely if ever
6 break up the direct and cross examination unless I can just --
7 unless it's just totally unavoidable, and in this
8 circumstances I don't think that's gonna be the case. So, I
9 would prefer then, we'll just do the opening statements and
10 recess and we'll start again tomorrow morning at 9:30. So,
11 with that, if you wanted to release Dr. Swan to come back in
12 the morning, that's fine.

13 MR. BOGLE: Thank you, Your Honor.

14 THE COURT: All right. So, my intention then is that we
15 would call the jury out at 9:30. Okay?

16 MR. BOGLE: Uh-huh (affirmative response).

17 THE COURT: Okay. So, whenever you want her back to make
18 sure we start at 9:30, then I'll let you cover that.

19 MR. BOGLE: 9:00-ish.

20 THE COURT: Thank you.

21 MR. BOGLE: Thank you, Your Honor. I appreciate it.

22 THE COURT: And solely for my planning purposes on some
23 other matters, the -- do you think there would be a problem
24 finishing the testimonial part tomorrow with the Defense
25 witnesses, also?

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

58

1 MR. BOGLE: I can't imagine.

2 MR. FALK: I can't imagine either. I've got three fact
3 witnesses and then my client who will obviously take a few
4 minutes.

5 THE COURT: Right.

6 MR. FALK: And Mr. Lofton was on my list; he's not gonna
7 be here, so it's only gonna be two.

8 THE COURT: Okay. All right. Thank you, sir. All
9 right. Very good. Ask the jury to come out please, sir.

10 (REPORTER'S NOTE: Jury enters courtroom.)

11 MR. BOGLE: Your Honor, do you prefer us to stand or sit
12 when they come in?

13 THE COURT: When the jury, I'm sorry -- if y'all would
14 remain seated, I would appreciate that. If you don't mind in
15 coming in and going. Thank you.

16 THE COURT: All right. Mr. Bliss, the jury has selected
17 you to be the foreperson for this jury?

18 JUROR 15: Yes, sir.

19 THE COURT: All right, sir, very good. I'm sure the
20 Bailiff has already indicated to you, but if you would always
21 occupy that particular seat when you come in and, Madam
22 Alternate, if you would always occupy that seat. The rest of
23 you, ladies and gentlemen, when you're coming out just kind of
24 fill in. There's no other assigned seating. I just need to
25 know where the foreperson and the alternate is and the rest of

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

59

1 you just kind of wherever it is that you happen to come in.

2 The very first thing that's gonna happen in this case is
3 the Clerk's representative is going to administer your oath to
4 you. So, if you would all please stand at this time.

5 CLERK: Mr. Foreperson and ladies and gentlemen of the
6 jury, please raise your right hand.

7 (REPORTER'S NOTE: Jury is duly sworn.)

8 CLERK: Thank you. Please be seated.

9 THE COURT: All right, ladies and gentlemen, I'm sure
10 you're all seated there -- and, first, did everyone
11 affirmatively take the oath as just given by the Clerk of
12 Court? If you did not, please stand.

13 No juror having stood, I find the jury properly sworn.

14 You're sitting there wondering what's my job, what's my
15 responsibility in this case. Collectively, you are the judges
16 of the facts of this particular case. I will not indicate to
17 you in any way what I believe the facts of this case are
18 because that's gonna be your job and your responsibility to
19 listen to the evidence in this case, the testimony of the
20 witnesses under oath, if there's some type of documentary
21 evidence that may or may not be received in this case, but
22 whatever constitutes the evidence, that is gonna be your job
23 to evaluate it, to find and look at that evidence and to see
24 whether or not the State can prove its case to you beyond a
25 reasonable doubt.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

60

1 In your Jury Summons, you noticed that you were here for
2 Civil Court and that's true, but this particular proceeding
3 has a different standard of proof. Normal Civil Court, when
4 you're asking for money damages from a automobile accident or
5 whatever the situation might be is a greater weight or the
6 preponderance of the evidence, tipping those scales ever so
7 slightly in the party's favor. That's not what we're here
8 about today. The State in the things that it must prove to
9 you has to prove to you those issues beyond a reasonable
10 doubt.

11 Now, in looking at that and in your job as looking -- as
12 the judges of the facts of this case, one of the things you're
13 gonna have to do is judge the credibility and that is the
14 believability of the witnesses that come before you and
15 testify under oath. And again, you might be thinking
16 credibility and believability; how do I do that? You do it
17 every single day of your life. When somebody tells you
18 something, no matter who it might be, you're automatically
19 judging in your own mind whether or not you believe them. You
20 used your good common sense. You use your good judgment that
21 you use in conducting your own affairs. That's what we're
22 gonna be asking you to do here today and tomorrow in this
23 particular case. Obviously, today and tomorrow and probably
24 finish it up at that point in time. But, you've got to decide
25 based upon the evidence that's presented, has the State proven

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

61

1 its case to me beyond a reasonable doubt.

2 The State has to prove to you, and I'll explain this more
3 fully later on, but I'm gonna try and just give you a very
4 brief, very brief synopsis of what is necessary. The State is
5 gonna have to prove to you beyond -- by that standard, beyond
6 a reasonable doubt, that the Respondent is a person who has
7 been convicted of a sexually violent offense, that he suffers
8 from some mental abnormality or personality disorder that
9 makes the Respondent likely to engage in acts of sexual
10 violence in the future if not confined in a secure facility
11 for long-term control, care, and treatment. That in essence,
12 will be your job and responsibility based upon the evidence
13 and the matters to be presented. Again, the charge of the law
14 will be much more full, but that's just a very brief synopsis
15 of the matter.

16 How we'll proceed is we'll have the opening statements by
17 the attorneys. After which, we'll have the evidentiary
18 portion of the trial, and witnesses testifying before you
19 under oath and whatever else may or may not be received;
20 closing arguments of the attorneys; charge on the law; and
21 then submission of the case to you for your deliberations and
22 unanimous decision.

23 I'm gonna ask that you do not talk about this case, the
24 facts and evidence, until you have heard all of the evidence
25 in the case and I have given to you the law that you must

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

62

1 apply to the facts and evidence you are evaluating in this
2 particular case. The reason for that is you hear a witness
3 and you may start thinking about or viewing the matter in a
4 certain way, then you hear the cross examination and you may
5 view it another way or you hear another witness and you change
6 your mind in some degree. You want to accumulate all of the
7 evidence that's gonna be presented to you, hear the law, and
8 then you'll have all the time that you deem necessary to talk
9 about the case in deliberations to reach your unanimous
10 decision. So, please don't talk about it until I give it to
11 you at the very end for those discussions and deliberations.

12 During the course of the trial, as I've outlined briefly
13 to you, certain matters might be raised to the Court's
14 attention from the attorneys; an objection asking for a ruling
15 on a certain matter. If I rule on it in your presence, please
16 remember, I'm not making any comments on the facts. What I
17 would be deciding is whether or not a matter is proper for you
18 to hear or not. Your job to evaluate it, your job to evaluate
19 credibility and believability and what you believe and what
20 you don't believe. My job to decide whether or not it's
21 proper for you to consider at all. If I make a decision that,
22 obviously you'll follow that, but if there's any discussion
23 with the attorneys about it, again, I'm not making any
24 comments about credibility and believability. That's your job
25 and responsibility.

Tarl Bradford Rollings - 2016-C-22-00042

63

OPENING BY BOGLE

1 This is not gonna be a particularly long case. As I
2 indicated, you know, relatively short as things go, but it's
3 obviously an important case to the State and the Respondent
4 and, by your oath, you have told the Court, yes, we will
5 listen attentively to the facts and evidence presented; we
6 will discuss the matter; and then reach a unanimous verdict
7 based upon the facts and evidence and the law presented and I
8 know that you will do so.

9 With that, I'm gonna ask the attorneys to give you their
10 opening statements.

11 For the State, Mr. Bogle?

12 MR. BOGLE: Thank you, Your Honor, may it please the
13 Court?

14 THE COURT: Yes, sir.

15 OPENING BY BOGLE:

16 MR. BOGLE: I introduced myself a few hours ago, this
17 morning during the jury selection process. Again, my name is
18 Jim Bogle. There is two of us at the office that do these
19 cases statewide, they're called Sexually Violent Predator
20 cases. That's the law you're gonna be dealing with. Some
21 people wonder why it's us and not say, your Solicitor, your
22 county attorney or something like that, and the reason is when
23 they passed this law back in 1998, the General Assembly gave
24 it to our office to do these. So, it's me and Cam Morrow; we
25 have the state divided in half.

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY BOGLE

64

1 Now, when you got your notice to come to jury, you saw
2 that it was the Court of Common Pleas. I imagine you told
3 your friends and family members that, gee, I might be hearing
4 an auto accident case, maybe a contract case, maybe a
5 construction case; well, that's not what we have here.

6 Here's what we have. Like the Judge said a few minutes
7 ago, in 1998, the General Assembly passed this law, it's
8 called a Sexually Violent Predator Law and what the burden on
9 the State to do, what the burden on us to prove to you beyond
10 a reasonable doubt, to make him out to be a sexually violent
11 predator, Mr. Rollings over there, we have to prove a series
12 of things. First, has he been convicted of a sexually violent
13 crime. There are 16 crimes listed in the statute that are all
14 called sexually violent. Here he's got 3, a lewd act on a
15 child in Kershaw County some time ago; a criminal sexual
16 conduct in the second degree in Kershaw County; another lewd
17 act on a child here in Georgetown County. So there's the
18 sexually violent crimes.

19 The next thing is back when this case first started a few
20 months ago, we had a hearing in which the Court found the case
21 should go forward and appointed a psychologist to examine the
22 guy, and that's Dr. Amy Swan. She was sitting behind me a few
23 minutes ago. Now, Dr. Swan is a qualified Forensic
24 Psychologist and she'll tell you what that means tomorrow.
25 When I use the word forensic along with the word psychology,

Tarl Bradford Rollings - 2016-C-22-00042

65

OPENING BY BOGLE

1 her job is to evaluate people like this and she's been doing
2 it for almost 19 years. Prior to that, she worked with sex
3 offenders. So, she's dealt with treatment as well as
4 evaluations. Evaluations of guys to see whether or not they
5 should be committed to a program for treatment, which is what
6 we're trying to do today, as well as guys who have already
7 been there. But her job is to do this, she's got these
8 crimes, she's got to look at what happened, what are the
9 police reports, what are the witness statements, what are the
10 incident reports, what does all that say the allegations were
11 back when these crimes happened. The next thing is, what, if
12 anything, did Mr. Rollings say to the authorities when he was
13 arrested. And then the third thing is what is he saying to
14 her right now about these crimes. Because here's what she's
15 got to do, she's got to see whether or not she can diagnose
16 him with a mental abnormality or a personality disorder. In
17 this case, there's at least two mental abnormalities and
18 she'll explain to you tomorrow what those are.

19 The next thing is does the existence of these mental
20 abnormalities together with his criminal history, his pattern
21 of behavior, does that make him likely to commit acts of
22 sexual violence again unless he's confined for long-term
23 control, care, and treatment in the facility run by the
24 Department of Mental Health in Columbia. Can he control his
25 urges; does he lack the ability to control them? That's the

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY BOGLE

66

1 turning point and that's what you'll hear from her about
2 tomorrow.

3 Now, one thing to think of as you assess the witnesses in
4 this case, normally a witness can't testify about opinions;
5 they can testify about facts. I saw the light turn red, I
6 heard the gun go off, I saw the man holding the knife, things
7 like that. Okay. If a witness has the qualifications and the
8 expertise and the training, they can be declared an expert
9 witness by the Court to give opinions about things. In this
10 case, Dr. Swan's opinion that he suffers from these mental
11 abnormalities, that he has been convicted of these types of
12 crimes, and that, yes, he cannot control his actions and needs
13 to be confined for long-term control and sex offender
14 treatment. That will be her opinion. And again, like any
15 witness, your job is to decide credibility, listen to the
16 testimony, listen to the facts, and decide whatever
17 believability you think in your judgment is appropriate.
18 Anything I say, Mr. Falk says, or the Judge says, your job is
19 what comes from that witness chair. Is it believable; is it
20 appropriate; is it justified based on your common sense and
21 experience?

22 Among the things she will talk about is she examined Mr.
23 Rollings is the use of what we call an actuarial tool. Let me
24 give an example. If you go to your doctor, you're having
25 chest pains, your doctor asks you a series of questions about

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY BOGLE

67

1 your past and current life. For example, he looks at your
2 weight, he looks at if you're a smoker, he looks at family
3 history, he looks at prior incidents like this, and he
4 develops a risk assessment as to whether or not you indeed are
5 likely to have a possible heart attack. Well, the same thing
6 is this for sex offenders. It's called a Static-99R. It's
7 based on the studies of convicted sex offenders in multiple
8 countries who offended again. And, you add up the things in
9 this guy's life and you get a number, and the number helps you
10 gauge whether or not he is likely to reoffend in the same
11 manner. So, that's one of the tools you'll be hearing about
12 tomorrow.

13 Now, because she has to diagnose him and because she has
14 to explain to your satisfaction how she got there, it will be
15 necessary for her to talk about the underlying details behind
16 these convictions. So, let me apologize right now. You might
17 be hearing things tomorrow that you hadn't planned on hearing
18 in court. It's not a contract case and it's not a wreck case.
19 So, she will have to go into the details of what happened to
20 these people, these victims, some of them are very young, and
21 then what he told her about them. So, that will all come out
22 tomorrow.

23 Again, the burden of proof is different here. It's
24 beyond a reasonable doubt and it ought to be because the
25 effect of this case might be taking away the liberty of Mr.

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY FALK

68

1 Rollings. So, the State has to prove the existence of the
2 crimes, the mental abnormalities, how that affects his ability
3 to control himself. And then, the question for you is, is
4 that burden met beyond a reasonable doubt, and the Judge will
5 explain to you what that burden means tomorrow. I would
6 suggest if something -- if you are firmly convinced of
7 something, then you believe it beyond a reasonable doubt.
8 You'll hear from the Judge tomorrow the exact definition of
9 that, and certainly, I'll leave that to him.

10 But, that's what the case is about, and that's what you
11 have to do. So, listen to all the testimony, use your own
12 common sense, you judge the credibility and believability of
13 what you hear and render a verdict.

14 Your Honor, thank you.

15 THE COURT: Thank you very much.

16 All right, Mr. Falk, for the Respondent?

17 OPENING BY FALK:

18 MR. FALK: May it please the Court ---

19 THE COURT: Yes, sir.

20 MR. FALK: --- and ladies and gentlemen of the jury, Mr.
21 Bogle. A lot of what I'm gonna say is probably what Mr. Bogle
22 has already said, but this is a short case. We're gonna be
23 done sometime tomorrow, I would bet. However, it is an
24 extremely important case for my client because your decision
25 is gonna determine where he's gonna sleep for an indefinite

Tarl Bradford Rollings - 2016-C-22-00042

69

OPENING BY FALK

1 period of time; whether or not he is gonna be confined within
2 a secure facility or whether he's gonna be able to go home
3 with his family. So, you know, you would almost think that a
4 trial with this significant consequences for my client might
5 take longer, but they don't. These trials go very quickly,
6 but I just sort of want you to keep sort of pumping on the
7 brakes a little bit as this goes along and sort of give some
8 thoughtful consideration to what you're hearing and to how
9 significant your decision is gonna be.

10 I think this case is really gonna sort of develop two
11 narratives, two story lines. I think Mr. Bogle's story line,
12 I think the State's case is basically going to be that my
13 client has a mental abnormality that somehow has taken control
14 of his volitional abilities and that it makes him do stuff, it
15 makes him commit crimes of sexual violence.

16 I want you to listen to the testimony to see if there
17 might be another narrative that comes out of this case, and
18 that would be whether or not my client has done something bad
19 back when he was 20, 21 years old, he went to prison for it.
20 He got sex offender treatment for about two years while he was
21 in prison. He was released from prison and got maybe two or
22 three years more of outpatient sex offender treatment. My
23 client's never gonna -- I do not anticipate that my client is
24 gonna take the stand and tell you that he's never done
25 anything wrong. He acknowledges that he did something wrong

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY FALK

70

1 when he was younger, and it's our position that he has gotten
2 treatment for this ailment.

3 However, the reality is, sometimes you come out and you
4 come back into the community and you have everybody knows what
5 you've done, everybody knows your criminal history, sometimes
6 people might exaggerate stories. We believe that what Mr.
7 Bogle is gonna possibly say is just a pattern of reoccurrence.
8 There's gonna be testimony from which you can conclude that
9 this is somebody who is maybe exaggerating a story a little
10 bit. Because, my client, I anticipate that he's gonna take the
11 stand and say that he did not do anything; he did not commit a
12 crime of sexual violence. He did not commit any other crime
13 against anybody once he has finally served his time for his
14 first charges, got sex offender treatment while he was in
15 custody, gone through the outpatient sex offender treatment.
16 So the question is whether or not it's a relapse case or
17 whether or not it's a case of mistake or something like that;
18 something else happened. I don't believe this is gonna be a
19 relapse case and I think that's what the evidence is gonna
20 show you.

21 There's another thing about this case. Usually lawyers
22 will always tell you, you know, this is not like any kind of
23 trial that you watch on T.V. You know all those trials on
24 T.V., Law and Order, C.S.I., all that is very exciting and
25 everything in the courtroom is gonna much slower, much more

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY FALK

71

1 mundane and that's probably true. But, there is one thing
2 that is a little bit like T.V., and that's the fact that Mr.
3 Bogle is an advocate for the State and he needs to come in and
4 he needs to prove his case beyond a reasonable doubt. I am an
5 advocate for my client. My client -- my job is to convince
6 you that he is not a sexually violent predator and it's
7 between that tension, Mr. Bogle and me, presenting this case
8 is that hopefully, you will decide whether or not the State is
9 able to prove their case beyond a reasonable doubt.

10 However, one thing that is a little odd about this case
11 is that a lot of it is gonna rely on the testimony of an
12 expert and this is an expert, not that the State has hired,
13 but that the Court has appointed somebody as an expert and
14 honestly she's gonna be more qualified than a lot of y'all to
15 make some of these decisions. But, what you need to think
16 about, and I think there's gonna be some testimony that you're
17 gonna hear is whether or not she is this neutral expert, who
18 looked -- who came to the case without any kind of
19 preconceptions as to what her opinion was gonna be, looked at
20 the facts and reached a conclusion, or whether or not this is
21 an expert who came to the case, decided what her conclusion
22 is, and then mined through all the data and all the facts in
23 order to find specific things that are gonna support her
24 conclusion. I believe that you're gonna see that this expert
25 is just another advocate for the State and is not a neutral

Tarl Bradford Rollings - 2016-C-22-00042
OPENING BY FALK

72

1 party in this case. And if the only -- and if that's the
2 case, it is totally unfair for my client. He's relying on
3 some expert whose gonna give an unbiased opinion. Granted
4 once they reach their opinion, they're gonna support it, but
5 it's whether or not he's going up against an expert who
6 already had her opinion made up from the beginning and is now
7 just trying to find a fact here and a fact here that's gonna
8 support her opinion.

9 So, I think Dr. -- I think Mr. Bogle is right, you're
10 gonna have to look at the credibility of the witnesses. But
11 when you're looking at the credibility of the witnesses, I
12 want you to consider whether or not some of the witnesses are
13 extremely biased and already have a preconception as to how
14 this case is supposed to go.

15 I believe that if you give a fair reflection of the
16 testimony that you hear from Dr. Swan, you're gonna reach a
17 conclusion that she already knew what she wanted to do with
18 this case before she started with it because that's what she
19 had done every other time, the 15, 17 times or so that the
20 State has hired her to reach an opinion; she's reached an
21 opinion that the person was a sexually violent predator.

22 So, I want y'all to sort of keep the brakes on and sort
23 of focus on what you're hearing from this expert and, and
24 think as the expert is testifying, was she really being fair
25 or was she sort of advocating for her position? I think if

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

73

1 you have an opportunity to slow down and think about it and
2 then the last person who's clearly gonna be bias in this case
3 is gonna be my client. He's gonna take the stand, and it's
4 gonna be your opportunity to look into his heart to see
5 whether or not you think that this is a man who is out of
6 control and gonna be committing crimes of sexual violence or
7 if this is a man who has sinned, has repented, has fixed
8 himself, has healed himself by going through therapy and
9 whether or not this is a man who is safe to be released.

10 I think at the end of the day when you hear my client
11 testify, you've had an opportunity to see if everything else
12 was fair, you're gonna reach a conclusion that it's okay for
13 him to be released.

14 Thank you very much.

15 BY THE COURT:

16 THE COURT: All right, ladies and gentlemen, as you might
17 expect, the testimony of the expert and the cross examination
18 of the expert is gonna take some period of time and with the
19 time available this afternoon -- it's my practice not to split
20 up the direct examination and the cross examination. I wanted
21 you to be able to hear those together; not a portion today and
22 a portion tomorrow. With that then, we are going to recess
23 for today. We're gonna start tomorrow morning at 9:30. We'll
24 start off with the testimony of the expert as referred to by
25 the State and the Respondent and then we'll go into any

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

74

1 further testimony of other witnesses that may be offered in
2 this particular matter. So, go home, see your husband, wife,
3 boyfriend, girlfriend, person down the street, they know
4 you're on a jury; that's fine and that's all. You can't talk
5 about it, you can't tell them anything about it. Remember,
6 it's your job to decide this case only on the facts and
7 evidence you hear in the courtroom and from no other source.
8 You can't get the input of anybody else, you can't do any
9 research on your own, you can't do any investigation on your
10 own, look up anything. What you hear in the courtroom, that
11 has been approved by the Court in this particular matter for
12 you to hear, that's what you're gonna base your decision on,
13 and of course in conjunction with the law that I'll give to
14 you at the end.

15 So, with that, I'll see you back tomorrow morning. I
16 want to start at 9:30. I'm not sure exactly when the bailiffs
17 will tell you to get here to make sure that we come out at
18 that point in time and that's when we'll start, tomorrow
19 morning at 9:30. With that, you're now excused for the
20 evening.

21 Thank you very much.

22 (REPORTER'S NOTE: Jury exits courtroom. The following takes
23 place outside the presence of the Jury.)

24 THE COURT: From the State's perspective, is there
25 anything we need to cover before tomorrow morning?

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

75

1 MR. BOGLE: No, Your Honor. I was gonna suggest though
2 to speed things up, I can go and have the Court Reporter mark
3 my exhibits right now.

4 THE COURT: Well, that would be good and if you would,
5 Mr. Falk, if you would look at those and make sure to see if
6 you have any objections with that. Is there anything else
7 from the Defense at this point in time?

8 MR. FALK: No, Your Honor.

9 THE COURT: All right. Very good.

10 All right, gentlemen, I'll see you so we'll start
11 tomorrow morning at 9:30. Thank you very much.

12 MR. BOGLE: Thank you, Your Honor.

13 MR. FALK: Thank you.

14 (END OF DAY ONE.)

15 (RECESS.)

16 *****OFF THE RECORD*****

17 (JUNE 6, 2017 - DAY TWO)

18 (On the Record.)

19 BY THE COURT:

20 THE COURT: All right. Mr. Bogle, is the State ready?

21 MR. BOGLE: We are, Your Honor.

22 THE COURT: And the Respondent, Mr. Falk?

23 MR. FALK: We are, Your Honor.

24 THE COURT: Ask the jury to come in, please.

25 (REPORTER'S NOTE: Jury enters courtroom.)

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

76

1 THE COURT: Good morning, ladies and gentlemen.

2 All right. Mr. Bogle, you ready with your first witness,
3 please?

4 MR. BOGLE: Yes, Your Honor. Thank you.

5 May it please the Court, the State would call Dr. Amy C.
6 Swan.

7 THE COURT: All right, ma'am, if you'd come around over
8 here and meet the Clerk and be sworn, please. Thank you.

9 DR. AMY C. SWAN, HAVING BEEN SWORN

10 TESTIFIED AS FOLLOWS:

11 CLERK: Thank you. Please be seated and state and spell
12 your full name for the record.

13 DR. SWAN: My full name is Amy C. Swan and that's S-W-A-
14 N.

15 THE COURT: Go ahead, Mr. Bogle?

16 MR. BOGLE: Thank you, Your Honor.

17 DIRECT EXAMINATION OF DR. AMY C. SWAN BY MR. BOGLE:

18 Q: Good morning, Dr. Swan.

19 A: Good morning.

20 Q: What's your occupation?

21 A: I am a Forensic Psychologist.

22 Q: And how have you been working in that capacity?

23 A: Nineteen years.

24 Q: What advanced degrees do you possess?

25 A: I have a Master's degree in Clinical Psychology that I

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

77

1 received in 1993, and I have a Doctoral degree that I received
2 in 1997 also in Clinical Psychology.

3 Q: What states are you licensed to practice psychology in?

4 A: I'm licensed to practice in Missouri, South Carolina, and
5 Florida.

6 Q: Briefly stated just to get us started, what is the study
7 of psychology?

8 A: The study of psychology is the study of mind and
9 behavior.

10 Q: And when I use the term forensic psychology and attach
11 that word to it, what are we talking about?

12 A: Forensic means the application of psychology to cases
13 involving the legal system.

14 Q: Have you had any additional training or experience in the
15 field of forensic psychology beyond the Doctorate degree you
16 mentioned a minute ago?

17 A: I have. I have 920 hours in the area of sex offenders
18 since I received my Doctoral degree, and 292 of those hours
19 were specifically in the area of determining whether an
20 individual is at risk for committing another sexual crime.

21 Q: Now, just to clear this up, where do you live?

22 A: I live in Ft. Lauderdale, Florida.

23 Q: Okay. And do you have a contract with the South Carolina
24 Department of Mental Health to do some of these cases like the
25 one here today?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

78

1 A: Yes, I do.

2 Q: Okay. What are your memberships and professional
3 organizations?

4 A: I was appointed to the Board of Psychology by the
5 Governor of Florida and I served 10 years on that board.
6 That's the part of the government that regulates the practice
7 of psychology. We make laws, we discipline psychologists who
8 break the law. I also served after that 10 years, I served an
9 additional five years as chairman of the Probable Cause
10 Committee evaluating all the complaints that come in about
11 psychologists.

12 Q: Doctor, does your work allow you or have you doing
13 forensic evaluations of people?

14 A: Yes, it does.

15 Q: What about working directly with sex offenders, working
16 directly with them as opposed to evaluating them; how long
17 have you been doing that?

18 A: I have worked directly with sex offenders for 29 years.

19 Q: Okay. About how many sex offenders have you evaluated
20 and in what capacities?

21 A: Okay.

22 Q: Or what types of evaluations?

23 A: I have conducted 875 sexually violent predator
24 evaluations, such as the one we're here today to discuss, and
25 I've evaluated over 400 other sex offenders in different

Tarl Bradford Rollings - 2016-C-22-00042

79

AMY C. SWAN - DIRECT BY BOGLE

1 contexts involving the legal system.

2 Q: Okay. Now, Doctor, could you describe your situation,
3 your background in relation to the Sexually Violent Predator
4 Laws that we have here in South Carolina and apparently
5 Florida has as well?

6 A: Yes. In 1999, I was hired as the first psychologist at
7 the Florida Civil Commitment Center to provide treatment for
8 the individuals who were detained under the Florida Law and I
9 did that for approximately a year, and then I transferred to
10 the other side where I actually did the evaluations to
11 determine if someone met criteria as a sexually violent
12 predator, and I've been doing the evaluations for about 18
13 years.

14 Q: And during this timeframe, have you testified on behalf
15 of the person, say contending that he was not a sexually
16 violent predator?

17 A: Yes, I have.

18 Q: And you've also testified on other side, like you are
19 today, saying that someone is a sexually violent predator?

20 A: That's correct.

21 Q: About how many times have you been recognized by the
22 courts as an expert witness in the field of forensic
23 psychology?

24 A: Over a thousand times.

25 Q: And about how many times have you been recognized as an

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

80

1 expert specifically regarding the Sexually Violent Predator
2 Act itself both in South Carolina as well as Florida?

3 A: Over 250 times.

4 MR. BOGLE: Okay. Your Honor, at this time, we would
5 like to ask the Court to recognize Dr. Amy C. Swan as an
6 expert witness in the field of psychology and forensic
7 psychology.

8 THE COURT: All right. Mr. Falk, do you wish to voir
9 dire the witness or challenge her qualifications?

10 MR. FALK: We do not, Your Honor.

11 THE COURT: All right. Very good. The witness then is
12 qualified to give her opinion in the fields offered by the
13 State.

14 You may proceed.

15 MR. BOGLE: Thank you, Your Honor.

16 BY MR. BOGLE:

17 Q: Dr. Swan, again, how long have you been a practicing
18 psychologist?

19 A: Nineteen years.

20 Q: Okay. Now, in those 19 years, let's just clear something
21 up. Have you ever faced a disciplinary action against you by
22 a licensing board?

23 A: No, I have not.

24 Q: Okay. In those 19 years, have you ever faced discipline
25 from an organization that you were a voluntary member of?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

81

1 A: Yes, in 2014 I received a complaint to the Association
2 for the Treatment of Sexual Abusers of which I am a member.

3 Q: Okay. Now what's the difference between a complaint by a
4 licensing board and one by a voluntary organization that
5 you're a member of?

6 A: Well, a discipline by a licensing board is a very serious
7 offense because it means that you have broken the law with
8 regard to the practice of psychology. Discipline by a
9 voluntary organization means that you have violated one of
10 their guidelines or standards and therefore it's not as
11 weighty proposition as breaking the law. Certainly any
12 complaint is an important issue, but not the same as breaking
13 the law.

14 Q: And what was the issue between, what's it called,
15 Association of Treatment of Sexual Abusers, ATSA?

16 A: That's correct.

17 Q: What was the issue they had with you?

18 A: In one case in 2014, I used an interview form that was
19 what we call not standardized, which means it doesn't have
20 like -- they haven't done research on it. And, the
21 Association of the Treatment of Sexual Abusers believed that I
22 placed too much weight on that non-normed interview in my
23 testimony.

24 Q: Why did you use that interview to begin with?

25 A: It was very commonly used in Florida at the time. It

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

82

1 provided good information.

2 Q: And what action did ATSA, the organization take against
3 you for using this interview at that time?

4 A: They instructed me to stop using the instrument
5 immediately and to submit two reports to a colleague to review
6 to determine that they met standards and that I was not using
7 that interview. I completed that and I also, even though I
8 wasn't required to do it, I took an ethics course that was
9 provided by the Chairman of the Committee that thought that I
10 had violated the standard. I took an ethics course by him to
11 make sure that that never happened again.

12 Q: And, Doctor, if this had been a serious infraction, could
13 you have been kicked out of the organization?

14 A: Absolutely, that's the typical discipline for someone who
15 has a serious infraction.

16 Q: Are you still a member of that organization?

17 A: Yes, I'm still a member in good standing. I completed
18 the requirements that they asked me and I continued to be
19 involved in that organization.

20 Q: Okay. Let's look at Mr. Rollings now. How did you
21 become involved in this case ---

22 A: I'm sorry, may I add?

23 Q: Yes, ma'am?

24 A: The complaint was also filed with the American
25 Psychological Association and they reviewed the complaint and

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

83

1 did not determine that it had any merit. So, there was a
2 difference of opinion between the American Psychological
3 Association and the Association of the Treatment of Sexual
4 Abusers.

5 Q: Okay. Now, going to the present case here, Mr. Rollings,
6 how did you become involved in that case?

7 A: I was appointed by the Court to evaluate Mr. Rollings.

8 Q: And what type evaluation did you do of him?

9 A: This is a pre-commitment evaluation, which an evaluation
10 to determine if he meets the criteria provided in the South
11 Carolina Law to be involuntarily civilly committed as a
12 sexually violent predator.

13 Q: Could you briefly tell the jury what your protocol, your
14 steps that you take in doing evaluations like this one?

15 A: When I do an evaluation like this, I receive a referral
16 in South Carolina that typically comes from the Department of
17 Mental Health and I review all the records they send me about
18 the individual's criminal history, any probation reports, it
19 includes sentencing, evaluations, sentencing documents, any of
20 the legal documents involved in the case, and I review those
21 before I evaluate the individual. And then I conduct an
22 interview which includes everything that's happened to them
23 from the day they were born until the day they're sitting in
24 front of me. That includes their early history, family of
25 origin, education, occupation, relationship history,

1 information about their prison sentences, medical history,
2 substance abuse history and their sexual history.

3 Q: Now, Dr. Swan, as part of this evaluation process you
4 were ordered to do in this case, did you meet with and
5 interview Mr. Rollings?

6 A: I did. I met with him on May 13th, 2016.

7 Q: And how long did you interview him on that occasion?

8 A: I met with him for 2 hours and 25 minutes.

9 Q: Is the man you interviewed in the courtroom today?

10 A: Yes, he is.

11 Q: Would you identify him -- just for the record, identify
12 him, please?

13 A: He's the individual with the dark blue shirt sitting next
14 to Mr. Falk.

15 Q: Okay. Let the record reflect she's identified Mr.
16 Rollings.

17 Now, in addition to meeting with him and interviewing
18 him, did you receive any documentary information about him to
19 do your evaluation?

20 A: I did.

21 Q: What type, just briefly stated, what types of categories
22 of information did you receive?

23 A: I received 31 different documents and these included the
24 prison records, indictments, warrants for arrest. It included
25 the court documents such as the judgment and sentence. I had

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

85

1 police reports about the particular crimes, medical reports
2 about the victims of those crimes and I received also
3 information from the, the review committee.

4 Q: Okay. So, as part of this information you got, that
5 would include witness statements, interviews, things like
6 that?

7 A: Yes.

8 Q: What he told the cops when he was arrested?

9 A: Yes.

10 Q: Okay. And then if he was on probation, whether or not
11 his probation was revoked at any time; you'd look at that?

12 A: That's correct.

13 Q: What about if he had gotten any kind of sex offender
14 treatment while incarcerated at the Department of Corrections,
15 would you look at that?

16 A: Yes, I did. I got treatment records from his treatment
17 while he was incarcerated.

18 Q: Okay. Now, this stuff you've listed, is this the type of
19 information that is typically relied upon by experts in your
20 field?

21 A: Yes.

22 Q: And did you rely and consider upon this information
23 together with the interview of Mr. Rollings and whatever
24 scoring or testing you did, did you consider all of that in
25 reaching your opinion about him?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

86

1 A: Yes, I did.

2 Q: Are you satisfied you got enough information?

3 A: Yes, I am.

4 Q: Was there anything missing that you couldn't get?

5 A: No, there was not.

6 Q: Okay. Now, can you tell the jury how a person's past
7 sexual offense behavior relates to future sex offense
8 behavior?

9 A: The best predictor of future behavior is past behavior
10 and what we mean by that is that, if a person is arrested or
11 convicted for a sexual offense, then each time he commits
12 another sexual offense, his risk increases for a future
13 offense. So, if you're arrested one time, your risk increases
14 if you commit a second offense. If you're arrested two times
15 for a sexual offense, your risk increases for a third offense
16 as so on. In Mr. Rollings' case, he was arrested on June
17 17th, 1998, and he was arrested on April 13th, 1999. He was
18 sentenced to 10 years suspended to time served and five years
19 of probation, but he violated his probation and it was
20 revoked. So, he went back to prison and he went to prison and
21 he got out of prison and almost immediately reoffended. So,
22 he committed another sexual crime between January of 2006 and
23 December of 2006. And that first sentence that he received
24 should have been a wakeup call for him that I can't do this;
25 if I do this, I'm gonna go be on probation which is not

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

87

1 convenient or I'm gonna go to prison which is even worse. But
2 for -- so, a reasonable individual would say I need to learn
3 from my past mistake and not do that again, but Mr. Rollings'
4 drive to molest children is so strong that he repeatedly
5 committed new sexual crimes.

6 Q: Now, based upon your interview with Mr. Rollings and your
7 review of the information, let's start with the sexually
8 violent offenses. Did you, in your investigation, look into
9 some crimes in Kershaw County dating back to 1999 and 1998?

10 A: I did.

11 Q: Okay. Was he convicted -- what was he convicted of in
12 Kershaw County?

13 A: In Kershaw County he was convicted of lewd act upon a
14 child and criminal sexual conduct in the second degree.

15 Q: Okay. If I may approach the witness, let me show you
16 these, what's been marked as State's Exhibit 2, the sentencing
17 sheet and the indictment, Kershaw County State versus Tarl
18 Bradford Rollings a 1998 indictment number. Have you seen
19 that document?

20 A: Yes, I have. I relied on this arriving to my
21 conclusions.

22 Q: Okay. And that's a certified copy of the sentencing
23 sheet and the indictment; is that correct?

24 A: Yes, it is.

25 Q: Okay. What is the date of sentencing on that sheet?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

88

1 A: The date of sentencing is July 9th, 1999.

2 Q: And is the crime that you said that he got some time
3 suspended to time served and then probation?

4 A: Yes.

5 Q: Okay.

6 A: And this was the one that he violated his probation on.

7 Q: Okay. Okay. I hand you State's Exhibit 3, also an
8 indictment from Kershaw County, a 1999 indictment, for
9 criminal sexual conduct in the second degree. Is that also a
10 document that you've seen in course of your investigation?

11 A: Yes, it is.

12 Q: And the one I've handed you is a certified copy from the
13 Clerk's office, correct?

14 A: Yes, and I relied on this to arrive at my conclusions.

15 Q: And what's the date of sentencing in that particular
16 case, the date the Judge sentenced Mr. Rollings?

17 A: July 9th, 1999.

18 Q: And the sentence of the Court would've been what?

19 A: The sentence of the Court is he was sentenced to three
20 years in SCDC suspended to time served and five years of
21 probation.

22 Q: Okay. Now, these two crimes I've handed you from the
23 1999 sentencing date, the lewd action on a minor and criminal
24 sexual conduct in the second degree, are these crimes
25 classified as sexually violent crimes in our law?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

89

1 A: Yes, they are.

2 MR. BOGLE: Your Honor, at this time, I'd move to
3 introduce State's Exhibits Number 2 and 3, the certified
4 copies of the indictments and sentencing sheets from Kershaw
5 County.

6 THE COURT: Any objection?

7 MR. FALK: Without objection.

8 THE COURT: All right. State's 2 and 3 are in evidence
9 without objection.

10 MR. BOGLE: Thank you, Your Honor.

11 STATE'S EXHIBITS NUMBERS 2 AND 3

12 ADMITTED INTO EVIDENCE

13 BY MR. BOGLE:

14 Q: Now, Dr. Swan, in order to form a diagnosis in cases like
15 this, is it necessary to look at the underlying details behind
16 the crimes?

17 A: Yes, it is.

18 Q: Okay. Could you describe for the jury then the facts and
19 circumstances that led to the lewd act conviction I just
20 handed you?

21 A: Yes. In this particular case, this occurred in -- on
22 June 15th, 1998, and involved two 13-year-old girls, both
23 named **Complainants**. And it was reported that Mr. Rollings
24 forcefully, digitally penetrated **Complainant 1** vagina, and it was
25 reported that Mr. Rollings fondled **Complainant 2** breast and

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

90

1 buttocks.

2 Q: And what did Mr. Rollings have to say about these crimes?

3 A: Mr. Rollings initially denied doing anything to either of
4 the girls, but he subsequently admitted that with **Complainant 1** he
5 said I performed oral sex on her and we kissed. With regard
6 to **Complainant 2**, he said I never done nothing with her. For some
7 reason she said I did, but I did not. When I asked him what
8 he was thinking since he was 21 and why was he hanging out
9 with 13-year-old girls, he said that he wasn't thinking at
10 all. He said that -- but he said he didn't force her. He
11 said, I'm not trying to blame her, she wanted to wrestle. She
12 was sitting on my lap giving me a lot of attention and it blew
13 my head up. She wanted me to kiss her so we started kissing
14 in the kitchen. My fiancé was already asleep. She had a
15 skirt on, it didn't take much to lie her back on the bed and
16 perform oral sex on her.

17 Q: Okay. So, he had a fiancé in the same -- in the same
18 house ---

19 A: Yes.

20 Q: --- in another room?

21 A: Yes.

22 Q: Okay. Now, what about the criminal sexual conduct in the
23 second degree conviction we also have from Kershaw County?

24 A: In that one, Mr. -- let me just get that corrected. I
25 believe those are both the ones against **Complainant 1** and **Complainant 2**

Tarl Bradford Rollings - 2016-C-22-00042

91

AMY C. SWAN - DIRECT BY BOGLE

1

2 Q: Okay. Okay. So, it involved the same conduct against
3 the other girl?

4 A: Yes, there were two girls involved, so he got one for
5 each one.

6 Q: Okay. Now, was he also convicted of contributed to the
7 delinquency of a minor?

8 A: He was.

9 Q: Now, that is not a sexually violent crime, is it?

10 A: It is not.

11 Q: Okay. Why did you find that significant in looking at it
12 in your -- what was the date of that conviction?

13 A: The date of that conviction was October 12th, 2000, and
14 as Mr. -- I'm drawing a blank on your name -- Mr. Bogle said,
15 it is not considered one of the sexually violent crimes
16 according to the South Carolina Statute. However, according
17 to the research that we use for some of the risk assessment
18 instruments, it is considered a sexual offense. It's what we
19 call a Classification B offense, and what that means is that
20 if it stood alone, we wouldn't do anything with it, but if it
21 is accompanied by Classification A offenses, which are contact
22 sexual offenses, then we do get to count it.

23 Q: Okay. So, by contact you mean that's where the guy
24 illegally touches the victim?

25 A: Absolutely, like the previous ---

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

92

1 Q: As opposed to exposing himself or something like that;
2 there's actual hands-on touching?

3 A: Yes, that's what we talked about in the previous offense.

4 Q: What did you find significant in your evaluation about
5 the contributing to the delinquency of a minor offense?

6 A: In this case, Mr. Rollings picked up Minor [REDACTED], who was a
7 minor, from her home and he took her out between 12:30 A.M.
8 and 3:30 A.M. Neither the victim nor Mr. Rollings had
9 permission from her parents for her to leave the residence,
10 and the offense was described as Mr. Rollings did so purport
11 himself as to willfully injure or endanger her morals.

12 Q: One moment, Your Honor. Now, when you interviewed Mr.
13 Rollings about this, what did he say to you?

14 A: He denied that he picked up Minor [REDACTED] from her home at 12:30
15 and he denied that he kept her out until 3:30. He said that
16 she was walking down the street with her boyfriend and he was
17 on the way to the store, so he stopped and they asked him to
18 give them a ride. And he said my whole thing was, I wanted to
19 make sure they were okay, but he said that he was smoking
20 marijuana and her mom and grandma picked up and he was charged
21 with contributing to the delinquency of a minor.

22 Q: Okay. Now, let's move ahead in time to Georgetown
23 County. In 2015, do we have sexual crimes committed in
24 Georgetown County that you came to investigate?

25 A: Yes.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

93

1 Q: Now, in the course of your investigation and your
2 evaluation of a guy like Mr. Rollings, is it important to look
3 at crimes that were charged but didn't get convicted like they
4 might've been dropped as part of a plea agreement or dropped
5 for some other reason but they're still sexual in nature?

6 A: It is because from the research we know that even being
7 arrested for a sexual offense increases risk even if the
8 individual is not convicted of that crime.

9 Q: Okay. Could you -- and I'd like to hand you what's been
10 marked as State's Exhibit Number 4, a Georgetown County
11 sentencing sheet and indictment for lewd act on a minor. Is
12 this a document you would've looked at -- this certified copy
13 of that document and sentencing sheet, is that something you
14 would've looked at in the course of your investigation?

15 A: Yes, it is.

16 Q: Okay. And is that something you would have relied upon
17 in your investigation?

18 A: Yes.

19 Q: Okay. Your Honor -- is the crime involved here, lewd act
20 on a minor?

21 A: Yes, it is.

22 Q: And what's the date of sentencing?

23 A: The date of sentencing is July 31st, 2015.

24 Q: And what sentence did he get from the Court for being
25 convicted of this crime?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

94

1 A: He was sentenced to five years suspended to two years,
2 followed by three years of probation.

3 Q: Okay. Is lewd act on a minor, again is it a sexually
4 violent crime under our statute?

5 A: Yes, it is.

6 MR. BOGLE: Your Honor, at this time, we'd move to
7 introduce State's Exhibit Number 4, the certified copy of the
8 Georgetown conviction for lewd act on a minor.

9 THE COURT: Any objection?

10 MR. FALK: No objection.

11 THE COURT: All right. State's 4 is in evidence without
12 objection.

13 STATE'S EXHIBIT NUMBER 4

14 ADMITTED INTO EVIDENCE

15 BY MR. BOGLE:

16 Q: No, Dr. Swan, looking at what happened in Georgetown
17 County some years after the 1999 stuff back in Kershaw County,
18 what did you find as far as what he was arrested for and what
19 he was convicted of?

20 A: Yes, he was arrested on March 4th, 2011. This was a
21 delayed disclosure, and he was arrested for criminal sexual
22 conduct with a minor in the first degree and lewd act on a
23 minor under 16. The criminal sexual conduct with a minor was
24 dropped and he was convicted of the lewd act on a minor.

25 Q: What's the background information that you found

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

95

1 significant to Mr. Rollings in doing this evaluation?

2 A: During a forensic interview, after the nine-year-old girl
3 reported that she had been sexually abused, she indicated that
4 Mr. Rollings was a neighbor and that she had never seen his
5 house before, so when he invited her to come inside, she
6 thought it would be all right. So, Mr. Rollings told her that
7 she could go into his bedroom to look at his pictures, and
8 once she was inside, Mr. Rollings laid down on the bed, he
9 grabbed her by the wrist and pulled her on top of her. Mr.
10 Rollings wrapped his arm around her like a bear hug and then
11 started to fondle her buttocks and then he attempted to kiss
12 her on the forehead. **Complainant 3**, the little girl, stated that this
13 made her feel really uncomfortable and so she told them that
14 she ---

15 MR. FALK: Objection, Your Honor, hearsay.

16 THE COURT: All right. I'm gonna allow it based upon the
17 fact that it was facts that the doctor used to come to her
18 opinion, not for the truth of what actually occurred, nor as
19 to whether or not those activities occurred, but that the
20 doctor relied on that to form her opinion.

21 MR. BOGLE: Thank you, Your Honor.

22 THE COURT: You may proceed.

23 BY MR. BOGLE:

24 Q: Now, the information you're talking about is stuff you
25 got from the criminal investigation records, right?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

96

1 A: That is correct.

2 Q: Police records, witness statements, incident reports,
3 things like that?

4 A: Yes.

5 Q: Okay. Please continue.

6 A: Okay. Complainant 3 told Mr. Rollings that she had to go because
7 she was feeling uncomfortable and she was at the screen door
8 when Mr. Rollings told her he needed one last hug. She told
9 him that she really needed to go and he told her it would not
10 be that long, and she got scared and ran out. And when she
11 arrived at home, her grandmother was there and she was crying
12 and told her grandmother what had happened.

13 Q: Okay. And this resulted in the lewd act charge we talked
14 about so far today?

15 A: That is correct.

16 Q: Were there other charges that were brought that you had
17 to look at that were dismissed or dropped by the State?

18 A: Yes, there was.

19 Q: What was that?

20 A: There was a 2015 charge of sexual assault with intent to
21 commit criminal sexual conduct in the first degree and a lewd
22 act on a minor that were dropped.

23 Q: Why was it important to look at things that were dropped?

24 A: Well, as I said, he was -- Mr. Rollings was arrested and
25 even though he was not convicted of this crime, being arrested

Tarl Bradford Rollings - 2016-C-22-00042

97

AMY C. SWAN - DIRECT BY BOGLE

1 for a sexual crime is important because just being arrested
2 increases his risk for a new sexual crime.

3 Q: Now, we talked about the young girl who was involved in
4 the lewd act. Who is the alleged victim in this other charge
5 you're talking about right now?

6 A: Okay. In this crime, it's a nine-year-old boy named
7 Complainant 4. And Complainant 4 resided on property owned by a minister and
8 the minister resided in the main house and the pastor's son,
9 who was Mr. Rollings resided in a trailer. And Complainant 4 went to
10 Mr. Rollings' trailer for some bread and while he was inside,
11 Mr. Rollings began to touch him on his genitals underneath his
12 clothes, and Mr. Rollings took his penis out and told Complainant 4 to
13 lick it. He said that Mr. Rollings told him that he would
14 receive a reward if he did so. And these acts occurred over a
15 period of days and they occurred in 2006. Now, Complainant 4 did not
16 report this until he was 14. So, he reported it about five
17 years later, and he said that he didn't report it earlier
18 because he was afraid of getting into trouble, which is a
19 pretty common thing that kids do. And what happened was, Complainant 4
20 was placed in DJJ custody when he was molesting his younger
21 brothers and that's when it came out that Mr. Rollings had
22 molested him.

23 Q: Okay. So, Complainant 4 had some issues that got him put in
24 custody of the Department of Juvenile Justice?

25 A: Yes.

AMY C. SWAN - DIRECT BY BOGLE

1 Q: And then he brought out the information that Mr. Rollings
2 had done to him some years before?

3 A: Right.

4 Q: Okay. Now, as part of your investigation, I might've
5 already asked this and forgive me if I had, is it important to
6 look at any sex offender treatment that the guy like Mr.
7 Rollings might've had?

8 A: It is very important.

9 Q: Okay. And in this case, did he get some sex offender
10 treatment at the Department of Corrections, the records of
11 those were supplied to you?

12 A: Yes.

13 Q: Let's talk for a second though before we get into that,
14 you've talked about allegations involving this kid, the child
15 Complainant 4 that didn't result in convictions; those charges got
16 dismissed by the State, right?

17 A: That's correct.

18 Q: Okay. What did Mr. Rollings say to you when you
19 interviewed him about both the young girl where he was
20 convicted of lewd act and about Complainant 4 what did he say to you
21 about these things?

22 A: Well, with regard to Complainant 4 Mr. Rollings stated that he
23 was a nine-year-old male neighbor, and he said that charge was
24 dismissed because there was nothing to it. He said I never
25 did nothing to that kid; I don't know why he said that. It

Tarl Bradford Rollings - 2016-C-22-00042

99

AMY C. SWAN - DIRECT BY BOGLE

1 really makes me angry that someone said that; his whole family
2 is trash anyway, his momma. I hate to say that, but it's the
3 truth.

4 Q: So, that's him referring to **Complainant 4** family?

5 A: That's correct.

6 Q: Okay. Go ahead.

7 A: Okay. With regard to nine-year-old **Complainant 3**, Mr. Rollings
8 said I maintained my innocence in 2011 and I maintain my
9 innocence now. I would never do anything to hurt a child. I
10 hope one day the Lord will bless me with children of my own.
11 Initially, he said she asked him if she could come in the
12 house and he told her she could, but then he said that she
13 walked through the house and I looked up and she's standing in
14 my bedroom doorway and I asked her, what are you doing in my
15 house? So he gave conflicting reports about what happened in
16 that offense. He stated, he was lied on to get kicked out of
17 the neighborhood by the girl's family. It looks bad on me, I
18 know. When asked why the family wanted him out of the
19 neighborhood, he said they didn't like me; I had my own house,
20 had my credit score built up. That, that girl, Ms. Amy, the
21 same week I was locked up, her and her family is having a sex
22 toy party selling sex toys on the internet. I don't know why
23 she would lie on me to get me in trouble knowing I didn't do
24 nothing to her.

25 Q: Okay. So, now the plea that he did involving **Complainant 3**, this

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

100

1 lewd act on a minor in Georgetown County, on the top part, was
2 that a plea done pursuant to a case called *Alford*?

3 A: Yes, it is.

4 Q: Are you familiar with *Alford* pleas?

5 A: Yes.

6 Q: What is -- when someone pleads guilty under the Supreme
7 Court Case called *North Carolina versus Alford*, as a forensic
8 psychologist, what does that -- what does that mean to you?

9 A: An *Alford* plea is one that individual is not admitting
10 that he did the crime, but he's not saying that he didn't do
11 the crime either. He's accepting the plea, which is
12 essentially a guilty plea, but he's just not saying that he
13 did it; he's not saying he didn't do it.

14 Q: So he's admitting that the State has enough evidence to
15 prove him guilty if it goes to trial?

16 A: Yes.

17 Q: And does *Alford* -- does a plea under *Alford* count as a
18 conviction under our law?

19 A: Yes, it does.

20 Q: Okay. Now, regarding the things involving [Complainant 4] when you
21 were looking at his sex offender treatment records, the notes
22 kept at the sex offender treatment he went through at the
23 Department of Corrections, did you find anything significant
24 he had to say to them about the situation with [Complainant 4] the boy?

25 A: Let me just -- I've got it in my report. Mr. Rollings --

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

101

1 I'm not sure what you're asking. Is this -- can you clarify?

2 Q: When he was getting treatment at the Department of
3 Corrections, did he make any admissions or denials to them
4 about what he did or didn't do to Complainant 4

5 A: Not to my knowledge.

6 Q: Okay. Okay. Now, what about his criminal history we've
7 talked about so far that you find significant?

8 A: The things that I find significant about his criminal
9 history is that his crimes were primarily sexual offenses and
10 this is a really common pattern in pedophiles. Whereas,
11 rapists often have like other criminal offenses as well.
12 Secondly, he repeatedly violated his probation sentences. And
13 this is a really important factor to consider because
14 violation of probation is one of the most robust predictors
15 that an individual will commit a sexual crime. Thirdly, he
16 was placed in state custody at a young age due to his sexual
17 abuse of his younger siblings, so that's an important fact to
18 consider as well.

19 Q: What did he tell you about his sexual interests?

20 A: Mr. Rollings denied that he was interested in
21 prepubescent children, which are children typically under the
22 age of 13 that haven't developed secondary sexual
23 characteristics. He denied that he was interested in teenage
24 girls. He did admit that he had a fetish for feet since he
25 was a teenager and that he masturbated to thoughts of sexual

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

102

1 contact with feet.

2 Q: Now, Doctor, I've asked you this before, but just briefly
3 again, why is it important to look at prior sex offender
4 treatment?

5 A: It's important because sex offender treatment is one of
6 the things that has the greatest possibility of reducing the
7 risk that an individual will commit another sexual crime. The
8 research indicates that it can reduce sexual reoffense by up
9 to 40 percent. So, that's a significant factor. So, I want
10 to see if he's had sufficient treatment in order to lower his
11 risk and thereby he might not meet the criteria as a sexual
12 violent predator; he may have had enough treatment and doesn't
13 need treatment again.

14 Q: Because if he's declared a sexually violent predator by
15 the jury, he'll be confined at a facility run by the
16 Department of Mental Health?

17 A: Yes.

18 Q: For long-term control, care -- and when I say treatment,
19 that means sex offender treatment, does it not?

20 A: Sex offender treatment, yes.

21 Q: What did you find out about the sex offender treatment he
22 had -- let me back up. Is it customary for experts in your
23 field to look at and read up on the type of sex offender
24 treatment done by somebody at say the Department of
25 Corrections?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

103

1 A: Yes.

2 Q: Okay. And you rely upon this as part of the basis for
3 your report about, in this case, Mr. Rollings?

4 A: Yes.

5 Q: What did you find out about his sex offender treatment at
6 the Department of Corrections that you found significant?

7 A: So, he had sex offender treatment between 2002 and 2004,
8 and he initially had some problems in that he was only
9 minimally involved in the discussions and occasionally he had
10 side conversations that distracted the group. During his
11 treatment, he was counseled on two behaviors for a coupling
12 behavior with another inmate in 2002 and 2003. One of the big
13 rules in sex offender treatment is that you can't have sex
14 with other inmates. Now the reason that's a rule for
15 treatment is that they are trying to teach you to control your
16 sexual behavior. If you can't control your sexual behavior in
17 prison where you're being watched 24 hours a day, then it's
18 unlikely that you'll be able to control your sexual behavior
19 when you're out in the community. So, even though that seems
20 like just a frivolous rule, it actually is really important.
21 So, Mr. Rollings showed some ambivalence in treatment. They
22 were concerned that he used his religious faith to convince
23 others that he was changed and the staff did not think he was
24 highly invested in treatment. For example, he went to the
25 commissary rather than going to group.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

104

1 Q: You said group; did you mean group therapy sessions?

2 A: Group therapy session, yeah.

3 Q: Okay.

4 A: He became angry and defensive at times and accused staff
5 members of showing prejudice against him. He tended to
6 intellectualize, which means to give rational excuses why he
7 did what he did, and he used his religious beliefs to -- in a
8 rigid manner to excuse his relationship issues in the group.
9 Now, I am always pleased when someone has a religious faith
10 that they can rely on, because I know that that will give him
11 an extra resource to help him not reoffend, but there's no
12 research that indicates that your religious faith will
13 decrease your risk. So, I see it as an alternative -- well, a
14 very important, you know, source of support for the
15 individual, but it doesn't reduce their risk for reoffense.
16 He also had difficulty receiving feedback from the other
17 residents. The most important feature of sex offender therapy
18 is that it's always group therapy and the theory behind that
19 is that no one knows what sexual offending is like except
20 another sexual offender. And so, if anyone can really call
21 you out and make you accountable for your behavior, another
22 sex offender can do that. So, when Mr. Rollings was receiving
23 feedback from the other group members, he got really angry and
24 perceived them as being critical, and he actually verbally
25 attacked another peer and became really mean when he

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

105

1 interacted with them. So, that's important because one of the
2 things that we want to see in treatment to ascertain that
3 someone is benefitting is that they're able to accept the
4 feedback of the group and really take it to heart and act on
5 it.

6 Now, Mr. Rollings also said that he had sex offender
7 treatment after he was released from the Department of
8 Corrections. So, he was released in November of 2004 and by
9 January of 2006, he was already reoffending.

10 Q: Let's back up a second. You said he told you that after
11 getting out of prison, he went to somebody's outpatient sex
12 offender treatment?

13 A: Yes, he said that he had treatment twice a week for two
14 years.

15 Q: Who did he say that was with?

16 A: A guy named Tom.

17 Q: Was he able to provide you a last name or a location
18 where you could get records or anything?

19 A: He did not. He couldn't remember the guy's last name.
20 But as I said, the important thing about treatment is this.
21 First of all, if the person benefitted from it, we would like
22 to see that they don't reoffend and it wasn't even a year
23 before Mr. Rollings had reoffended. The other thing that we
24 like to see about treatment is that the very basic thing that
25 I expect someone to get from treatment is that they're able to

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

106

1 accept responsibility for the sexual crimes they've committed
2 and be open about them. Now, when Mr. Rollings talked to me,
3 he denied all of the sexual crimes; that's four of them,
4 except for the one girl. So, that tells me that he did not
5 benefit from that treatment and that led me to believe that he
6 needed additional treatment because he couldn't even do the
7 basic thing that I expect someone to do from that many years
8 of treatment.

9 Q: Now, Dr. Swan, and I also found in the file and I'll show
10 you right now, this is a copy, a certified copy of a
11 conviction in Kershaw County back in 2004 for violating the
12 Sex Offender Registry?

13 A: Yes.

14 Q: Okay. Now, if a person's been convicted of certain types
15 of sex offender crimes, they have to register as a sex
16 offender with the Sheriff's office?

17 A: They do and that was a requirement of his sentence.

18 Q: Okay. For a guy not to do it and get convicted of it,
19 does that also factor in your opinion?

20 A: It does. It's sort of what we call the violation of
21 probation is being noncompliant with supervision. This is
22 just another type of noncompliance with supervision. You're
23 supposed to register as a sex offender and he did not do it.

24 Q: And just so we're clear, failure to register as a sex
25 offender, that in and of itself is not a sexually violent

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

107

1 crime like these other three, right?

2 A: It does not, and it does not carry as much weight for me
3 as violation of probation, but still it's just another thing
4 that he was -- did not do that he should be responsible and
5 do.

6 Q: Now, based upon what you've looked at, what you've talked
7 about today, the documents you saw, the interview you did with
8 Mr. Rollings, stuff like that, were you able to diagnose him
9 with a mental abnormality? The law talks about having a
10 mental abnormality in addition to being convicted to a
11 sexually violent crime. Were you able to diagnose him with a
12 mental abnormality?

13 A: Yeah, I diagnosed him with three mental abnormalities.

14 Q: Okay. What's the first one?

15 A: The first one is pedophilic disorder, sexually attracted
16 to both, non-exclusive type.

17 Q: Okay. So, what does that mean in plain English?

18 A: In plain English that means that Mr. Rollings is sexually
19 aroused by children, prepubescent children, who are typically
20 under the age of 13, who don't have any secondary sexual
21 characteristics. Both means he's attracted to males and
22 females. And the non-exclusive means that he also has sexual
23 relationships with appropriate adult partners.

24 Q: Okay. How does he meet the criteria for pedophilic
25 disorder?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

108

1 A: So, in order to meet the criteria for pedophilic
2 disorder, an individual has to have either recurrent intense
3 sexual arousal to prepubescent children as manifested by
4 sexual fantasies, sexual urges, or sexual behaviors, and those
5 have to occur over a period of at least six months. In Mr.
6 Rollings' case, he sexually assaulted a nine-year-old boy in
7 2006 and nine-year-old girl in 2011. So, that's a period of
8 five years that he was sexually assaulting children.

9 Q: Does the fact that the assault involving the little boy
10 did not result in a conviction, does that -- how does that
11 factor into your diagnosis?

12 A: Well, as I said, even being arrested for a sexual crime,
13 where there's sufficient information, sufficient detail to
14 consider it, increases his risk for another sexual offense, so
15 we count that.

16 Q: And what does this diagnosis of pedophilic disorder mean
17 as far as risk of reoffense?

18 A: Well, sexual interest in the children is one of the
19 primary factors that is the highest risk for a sexual offender
20 to reoffend based on the research.

21 Q: Okay. What's the second mental abnormality that you
22 diagnosed in Mr. Rollings?

23 A: The second mental abnormality is other specified
24 perophilic disorder, hebephiliac, and I'll explain that
25 because it's complex. So, there are 547 areas of sexual

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

109

1 deviance that have been identified. Only eight of them are
2 individually listed in the DSM-5.

3 Q: Let's back up for a second. What's this book I'm
4 holding?

5 A: Okay. That's the DSM-5.

6 Q: And what is DSM mean in plain English?

7 A: DSM, Diagnostic and Statistical Manual, and it is an 800-
8 page book that lists any possible mental disorder that a
9 person could have.

10 Q: Is the 5 mean the fifth edition?

11 A: It means the fifth edition. It was recently updated in
12 2013.

13 Q: So, is this basically the guidebook that psychologist and
14 psychology used about mental abnormalities?

15 A: It is.

16 Q: Okay. And you mentioned a minute ago the diagnosis of
17 other specified paraphilic disorder, hebephilia?

18 A: Hebephilia.

19 Q: Okay. What -- how does he -- what are the criteria for
20 that and how does he meet it?

21 A: Okay. So, the other specified paraphilic disorder is for
22 any area of sexual deviance that's not included in the eight
23 that are listed in the Diagnostic and Statistical Manual and
24 so another specified paraphilic disorder is any intense and
25 persistent sexual interest other than sexual interest in

1 genital stimulation or preparatory fondling with typically
2 normal, physically mature, consenting partners. Now, that,
3 all that is ---

4 Q: What's that in plain English, Doctor?

5 A: In plain English, what that means is that any sexual
6 contact that an individual has other than an age-appropriate
7 adult partner is considered to be -- and a consenting adult
8 partner is considered to be sexual deviance. So, the other
9 specified paraphilic disorder is for any of those disorders
10 that -- the 539 that aren't included in the book and
11 hebephilia specifically is sexual arousal to young,
12 adolescent, in his case, females, typically between the ages
13 of 11 or 12 and 14. So, if he's sexually interested in a 16
14 or 17-year-old girl, that might be illegal, but it's not
15 sexually deviance because by that age, they're physically
16 mature. We're talking about young girls who have just entered
17 puberty and don't have full sexual characteristics.

18 Q: Okay. And so the criteria for this for him -- now let me
19 back up a second. You mentioned that the Diagnostic and
20 Statistical Manual, this thing right here ---

21 A: Yes.

22 Q: It has several paraphilic disorders; eight of them
23 listed?

24 A: Yes.

25 Q: What pedophilia would be one of them?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

111

1 A: Pedophilia, Exhibitionistic Disorder, that's for
2 individuals who expose their penises.

3 Q: Yeah. Now, if you have to go other specified and look at
4 the broader list of offenses or deviant sexual behaviors
5 accepted by the scientific community, can you give the jury
6 some examples other than hebephilia than they might have heard
7 of?

8 A: Yes. For example, zoophilia, that would be sexual
9 arousal to animals; urophilia would be sexual arousal to
10 urine. So, there are all different areas of sexual deviance
11 that are noted but not necessarily described in detail in the
12 book.

13 Q: Okay. The book can only be so big?

14 A: Yes, and that's 800 pages for the ones that they did
15 describe.

16 Q: Now, what -- how do you meet the criteria for hebephilia;
17 the other specified -- oh, let me back up. When you talk
18 about other specified paraphilic disorder, what is paraphilic
19 or paraphilia mean?

20 A: Paraphilia is an area of sexual deviance. It's a sexual
21 disorder of some kind.

22 Q: Okay. So, it's a whole broad list of including the one
23 we're talking about now?

24 A: Yes.

25 Q: How do you meet the criteria for this hebephilia

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

112

1 diagnosis?

2 A: Mr. Rollings sexually assaulted two 13-year-old females
3 back in 1998, and he was arrested for contributed to the
4 delinquency of a minor for removing a juvenile female from her
5 home between 12:30 and 3:30. Those -- in the morning. Those
6 offenses occurred over a period of nine months. For any of
7 the areas of sexual deviance, they have to have displayed the
8 behavior for at least six months.

9 Q: Okay.

10 A: And so he meets the criteria for that.

11 Q: So, we've got the pedophilic disorder, you've got the
12 hebephiliac. What's the third mental abnormality that you
13 found?

14 A: So, his third mental abnormality is he has fetishistic
15 disorder.

16 Q: Would that be the foot fetish he told you about?

17 A: Yes, the foot fetish and he admitted that he masturbated
18 seven or eight times a day between the ages of 14 and 17 to
19 thoughts about feet and girls. He said that he is still
20 turned on by feet and he admitted that he still masturbates to
21 that.

22 Q: Okay.

23 A: I'd like to add here that there is nothing illegal about
24 fetishistic disorder. If that were the only thing he had, we
25 wouldn't be here today. So, if he has a consensual partner to

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

113

1 that, that's A okay and nothing wrong with it. But, I do list
2 it because he has other sexual disorders and the average sex
3 offender has two to three sexual disorders and this was his
4 third.

5 Q: Let's talk about risk assessment for a minute. When you
6 do these evaluations, what's a tool that you use to measure a
7 person's risk to reoffend?

8 A: I look at factors that have been identified in the
9 research as being correlated with increased risk for sexual
10 reoffense. So, one of the instruments that we use, a Risk
11 Assessment Instrument and the most common one that we use in
12 this particular field is called a Static-99.

13 Q: Okay. Is it the Static-99 or the 99-R?

14 A: Oh, 99-R, I'm sorry.

15 Q: Okay. Get you there. Now, what is the Static-99R and
16 can you give the jury an example they might see in their
17 everyday lives that can relate to that?

18 A: Okay. So, the Static-99R is a risk assessment instrument
19 similar to the actuarial tables that we use in the insurance
20 industry. For example, we know that young males under the age
21 of 25 are more likely to have a car accident, and each time
22 they have an accident their risk increases for another one.
23 So, that's why their premiums are higher for young males under
24 the age of 25 and because that insures against the risk.

25 In the work that we do, we know that the more times

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

114

1 someone is arrested or convicted for a sexual offense, we know
2 that their risk increases and the strategies that we employ to
3 make sure that that doesn't happen have to be more severe.

4 Q: Is the Static-99R based on studies of thousands of sex
5 offenders from multiple countries of guys who have reoffended?

6 A: It is.

7 Q: Okay. And when you scored him -- now, when we say static
8 risk factors, what do mean by that word, static?

9 A: Static are risk factors that don't change. For example,
10 the number of sexual offenses you have, your age. Age is the
11 only one that can change. The -- whether or not you had male
12 victims, whether he had stranger victims, whether he had
13 victims in the family or out of the family, those are all
14 things that have been identified in the research as being
15 correlated with increased risk.

16 Q: And on the Static-99R, when you give a guy a score,
17 what's the lowest score you can get and the highest score?

18 A: Well, the lowest score is a -3 and the highest score is a
19 12. Although I've never given anyone a 12.

20 Q: What did Mr. Rollings score on the Static-99R?

21 A: Mr. Rollings scored a 4. So, he's about halfway through
22 the distribution, and a score of 4 is in the above average
23 risk category.

24 Q: Okay. What does that mean as far as risk to reoffend
25 five years out or something like that; there's been research

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

115

1 done along -- that ties those numbers to a risk to reoffend?

2 A: It is. Mr. Rollings is in the 79.6 percentile, and what
3 that means is that 74.3 percent of sexual offenders scored
4 below Mr. Rollings' score. So he's right at 75 percent and
5 that means that his risk is greater than essentially 74
6 percent of sex offenders. So, 10 percent of sex offenders
7 receive the same score and only 15 percent received a higher
8 score. So, only 15 percent of sex offenders were at greater
9 risk than Mr. Rollings. There was recidivism risk or the risk
10 for reoffense of individuals with a score of 4 is twice as
11 much as the average sex offender.

12 Q: Okay. Now, is the Static-99R, the scoring that you did
13 on him using that instrument, is that something that is used
14 by other experts in your field?

15 A: Yes, it is.

16 Q: Is it part of the basis of your opinion about Mr.
17 Rollings?

18 A: Yes, it is.

19 Q: Does the Static-99 underestimate or overestimate the
20 chance of risk?

21 A: Less than 10 percent of sex crimes results in a
22 conviction and so there is some information that due to
23 underreporting of sexual offenses, that the Static-99 may
24 decrease -- may underestimate risk.

25 Q: Okay. Now, using that thing, we talked about static

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

116

1 risk factors, is there another thing called dynamic risk
2 factors?

3 A: Yes.

4 Q: And what am I talking about when I say dynamic risk
5 factors?

6 A: Okay. So, there are static and dynamic risk factors.
7 The Static-99 is one instrument that we use to assess the
8 static factors. Mr. Rollings' most important static risk
9 factor is sexual preference for prepubescent and early
10 pubescent children. The dynamic risk factors are factors that
11 can change. So, these are things that we target in treatment.
12 For example, Mr. Rollings admitted that as a teenager he
13 masturbated seven or eight times a day. That is what we refer
14 to as sexual preoccupation. Now, it's not clear that he
15 masturbated that much as an adult. So, it's not clear if he
16 was sexually preoccupied as an adult, but there's some
17 indication since he committed so many sexual offenses. We've
18 got five victims here. Another dynamic risk factor is
19 multiple perophilias or multiple areas of sexual deviance and
20 Mr. Rollings has three. He has the sexual interest in
21 prepubescent children, the sexual interest in early pubescent
22 children and then he's got the foot fetish. The third one is
23 offense supportive attitudes, and what we mean by that is
24 attitudes that are beliefs that justify sexual offending. And
25 Mr. Rollings denied his -- that he had committed any crimes

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

117

1 except for one victim and he continued to sexually assault
2 children and he denied that he harmed them.

3 With regard to lack of emotional intimate relationships
4 with adults, that's correlated with increased risk for a
5 sexual offense, and Mr. Rollings had three short relationships
6 with adult females, but they were marred by conflict and
7 infidelity. So, that's a risk factor for him. Lifestyle
8 impulsiveness, this is low self-control, irresponsible
9 decisions or limited or unrealistic goals. And in this case,
10 Mr. Rollings repeatedly violated his probation, he failed to
11 register and those are irresponsible decisions. He also
12 demonstrated low self-control because he continued to offend
13 after he was initially cited for those first offenses.

14 Q: Now, are these, I'm sorry ---

15 A: Go ahead.

16 Q: --- go ahead. Was there another one?

17 A: Poor problem solving.

18 Q: Okay.

19 A: And poor problem solving are -- these are -- these are
20 that he avoids problems -- his problems rather than acting
21 proactively. When he got that first wakeup call, he should've
22 done what he needed to do, get therapy or whatever, so he
23 didn't commit any other sexual offenses. He has problems
24 recognizing the problems that he has because he told me that
25 he didn't do anything to go to prison for and he compared

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

118

1 himself to Job in the Bible as being persecuted unjustly and
2 therefore, he definitely has poor problem solving.

3 Q: Are these dynamic risk factors you've just listed for the
4 jury, are they also significant with regard to your final
5 opinion about Mr. Rollings?

6 A: Yes, they are.

7 Q: Why is important to look at both static risk factors and
8 the dynamic risk factors?

9 A: It's important because your score on the Static-99 is
10 only going to change significantly if you get to the age of
11 60. So, it's important that we note that there are factors
12 that can be changed that can decrease your risk. Mr. Rollings
13 is 39 now, so he's got a long ways to go towards 60. So, if
14 the only thing that would reduce his risk was turning 60, then
15 it would be pretty hopeless, but these dynamic risk factors
16 are the ones that we target in treatment to help the
17 individual change so that they don't commit any new sex
18 offenses.

19 Q: Now, Dr. Swan, at this time, just to summarize up, do you
20 have an opinion to reasonable degree of psychological
21 certainty as to whether or not Mr. Rollings suffers from a
22 mental abnormality or a personality disorder?

23 A: Yes, I do.

24 Q: And there's three mental abnormalities you found, right?

25 A: Yes.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

119

1 Q: And what are they again?

2 A: Pedophilic disorder, other specified paraphilic disorder
3 hebephilia, and fetishistic disorder.

4 Q: Okay. That's the foot fetish was the last one?

5 A: That's correct.

6 Q: Now, at this time, do you also have an opinion, again, to
7 a reasonable degree of psychological certainty as to whether
8 or not these diagnoses that you have, the pedophilic disorder,
9 the paraphilic disorder hebephiliac, and the fetish, do these
10 thing -- do these things affect Mr. Rollings' emotional or
11 volitional capacity so that he is predisposed to commit future
12 acts of sexually violence -- of sexual violence?

13 A: Yes, they do.

14 Q: And when I say volitional control, what am I saying in
15 plain English?

16 A: His ability to control his behavior.

17 Q: Okay. Do you also have an opinion, again to a reasonable
18 degree of psychological certainty, as to whether or not Mr.
19 Rollings has the propensity to be dangerous and commit future
20 sexually violent crimes?

21 A: Yes, I do.

22 Q: Does he?

23 A: Yes.

24 Q: Okay. Do you also have an opinion, again to a reasonable
25 degree of psychological certainty, as to whether or not this

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

120

1 propensity to commit future sexually violent offenses, is of
2 such a degree it poses a menace to the safety, the health and
3 safety of others?

4 A: Yes, I do.

5 Q: And is it of that level?

6 A: Yes.

7 Q: Do you also have an opinion, again to a reasonable degree
8 of psychological certainty as to whether Mr. Rollings has
9 serious difficulty in controlling his behavior and his
10 propensities to be dangerous?

11 A: Yes, I do and that's exhibited by the fact that, you
12 know, he was arrested for a sexual offense, he committed
13 another, another, another.

14 Q: Okay. And violates probation along the way?

15 A: And violates his probation along the way.

16 Q: Do you also have an opinion, again to a reasonable degree
17 of psychological certainty, as to whether or not these
18 diagnosis you've talked about today, the things wrong with
19 him, make him likely to engage in acts of sexual violence
20 unless he's confined in a secure facility for long-term
21 control, care and treatment?

22 A: Yes, I do.

23 Q: What is that opinion?

24 A: I believe that he is at risk to commit future sexually
25 violent crimes.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - DIRECT BY BOGLE

121

1 Q: Now, there's outpatient treatment going once a week or
2 once a month to see somebody ---

3 A: Yes.

4 Q: --- and there's treatment being confined. What's the
5 appropriate thing for this guy?

6 A: Well, he's already had treatment in SCDC. He's already
7 had treatment on an outpatient basis and, as I said, he can't
8 even do the basic thing of acknowledging what he has done.
9 So, that tells me that he absolutely requires treatment in an
10 intense environment, such as an inpatient facility, to have
11 sex offender treatment that can diminish his risks for sexual
12 reoffense.

13 Q: Looking at State's Exhibit 4, the most recent conviction
14 for lewd act here in Georgetown County, if he's released by
15 this jury, is he gonna be on any kind of probation or
16 community supervision with the State; did you look into that?

17 A: I did and ---

18 Q: What did you find out?

19 A: Let me just find that in here. So, according to Mitch
20 Tucker from the South Carolina Department of Probation, Parole
21 and Pardon Services, Mr. Rollings will have supervision for
22 two years when he maxes out, and he will have GPS monitoring
23 for a period of time and -- but he can request to have that
24 GPS monitoring terminated. And when I factor that into my
25 decision, if an individual has never violated probation, then

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

122

1 I would give that some consideration, but since he violated
2 probation at least twice, failed to register, it doesn't give
3 me any confidence that he's gonna comply with his community
4 supervision, and so I believe that he needs to be confined for
5 other treatment.

6 Q: And finally, Dr. Swan, do you have an opinion, again to a
7 reasonable degree of psychological certainty, as to whether or
8 not Tarl Bradford Rollings meets the legal criteria to be
9 found to be a sexually violent predator at this time?

10 A: Yes, I do and yes, he does.

11 Q: Okay. Thank you, Doctor. Please answer any questions
12 Counsel may have or the Court may have.

13 THE COURT: Cross examination?

14 MR. FALK: Yes, Your Honor.

15 May it please the Court, ladies and gentlemen.

16 CROSS EXAMINATION OF DR. AMY C. SWAN BY MR. FALK:

17 Q: Dr. Swan, there's one thing that really struck me during
18 your testimony and it was your choice of words at one time
19 when you were discussing the Class B offenses?

20 A: Yes.

21 Q: And that was with relate to contributing to the
22 delinquency of a minor?

23 A: That's correct.

24 Q: I believe I heard correctly, you said that when there's a
25 Class B offense associated with a Class A offense your words

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

123

1 were then we do get to count it; isn't that what you said?

2 A: I did.

3 Q: It really sounded like you were looking for something,
4 like you were pleased that we get to count it this time; isn't
5 that what you were doing?

6 A: Not necessarily.

7 Q: But your choice of words were that we get to count it,
8 not that it is counted according to the rules, we must count
9 it; it's we get to count it. Isn't that what you said?

10 A: Obviously, that's what I said. I didn't mean it in that
11 way. What I mean is on the Static-99, which is the guidelines
12 that we use, there is a 90-page book that tells us how to
13 score those items and the instructions are specifically that
14 if you have a Category B offense, it cannot stand it alone,
15 that there also must be a Category A offense, and I think I
16 probably said it in a manner that didn't convey the
17 appropriate description of the manual.

18 Q: You have -- you have testified in South Carolina before;
19 is that correct?

20 A: Yes, I have.

21 Q: In commitment proceedings?

22 A: That's correct.

23 Q: Have you ever testified in South Carolina before when you
24 were representing the Respondent?

25 A: I have not. I've never been retained by a Respondent in

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

124

1 South Carolina, probably because of my contract with the
2 Department of Mental Health precludes that.

3 Q: What is your contract with the Department of Mental
4 Health?

5 A: I have a contract with the Department of Mental Health
6 for which I do annual reviews of individuals who are detained
7 under the Act and I also do pre-commitment evaluations.

8 Q: What's the financial arrangement?

9 A: The financial arrangement is that I get a flat fee for
10 each of the cases. If it's an annual review, I get \$1900; if
11 it's a pre-commitment case I get \$4,000. It's important to
12 remember though that I travel from Florida, I pay all of my
13 own expenses, plane tickets, the hotels, the rental cars and
14 it all comes out of that 1900 or that 4,000.

15 Q: You have experience with other states in sexually violent
16 predator commitment trials; is that correct?

17 A: I do.

18 Q: Is it always the case that expert that the state hires
19 finds that the person needs to be committed?

20 A: Not at all.

21 Q: And how many pre-commitment evaluations have you done?

22 A: I have done 875.

23 Q: I'm sorry. If you want to finish your answer that's
24 fine, but I should have said, my question is, How many have
25 you done in South Carolina?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

125

1 A: I'm not sure of the exact number in South Carolina
2 because I keep count altogether; it's at least 20, maybe a
3 little more. I haven't counted recently.

4 Q: So, those were 20 times that you were retained to do a
5 pre-commitment evaluation?

6 A: That's correct.

7 Q: And in any of those cases, did you find that the person
8 did not need to be committed?

9 A: I did.

10 Q: Which case was that?

11 A: Well, let's see, the one last week was Edward Dean Ivy.

12 Q: What county was that in?

13 A: I don't recall.

14 Q: And that's the only one?

15 A: No.

16 Q: In a pre-commitment case?

17 A: No. A few months before that or maybe -- yeah, probably
18 months before that, it was Phillip Underwood Shepherd. There
19 were a couple early on when I first started doing this like in
20 2000 -- I think I started doing the pre-commitments in 2014.

21 Q: Well, I've represented 15 clients where you have done a
22 pre-commitment evaluation ---

23 A: Uh-huh (affirmative response).

24 Q: --- and in all 15 of those cases, you have found the
25 person to be committed?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

126

- 1 A: Uh-huh (affirmative response).
- 2 Q: And also -- you've also done a pre-commitment evaluation
- 3 in Archie Herman; is that correct?
- 4 A: I did.
- 5 Q: And that was another -- and you recommended his
- 6 commitment in that case?
- 7 A: I did.
- 8 Q: And Franklin Mosier; is that another one?
- 9 A: I did.
- 10 Q: And that's another one you recommended commitment?
- 11 A: I did.
- 12 Q: And on some of these, people could have a relatively low
- 13 risk score and you still recommend commitment; is that
- 14 correct?
- 15 A: Well, it can be because the Static-99R does not capture
- 16 all possible risk factors for reoffense and the developer of
- 17 the instrument says that it's very important that we consider
- 18 other risk factors in addition to the Static-99.
- 19 Q: Because on two of those case, for example, Michael
- 20 Cardwell and Frederick Reaves, each of those people had
- 21 Static-99's of 1; is that correct?
- 22 A: Yeah, and when that happens, it's usually because there
- 23 were multiple offenses that were committed for which the
- 24 person did not come to the attention of legal authorities.
- 25 Q: And Herman Lee Archie, his static was a zero; is that

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

127

1 correct? But, you still recommended commitment in that case?

2 A: That's correct, because the Static-99R is definitely not
3 the be-all-end-all. It's one piece of a comprehensive
4 evaluation. If we could just go on the Static-99 score, I
5 wouldn't need to do anything, you know, I could just sum up
6 the score and if the guy had a high score, I'd send him off,
7 but that's not the way it works because there are so many
8 other things that go into an evaluation.

9 Q: Now, did you receive in the documents that you got, did
10 you receive the entire MDT package from the State?

11 A: Yes. Well, I assume it's the entire MDT package.

12 Q: Sure.

13 A: It comes labeled as the MDT package.

14 MR. FALK: May I approach the witness?

15 THE COURT: Yes, sir.

16 BY MR. FALK:

17 Q: Do you recall receiving that as part of the MDT Package?

18 A: I did.

19 Q: Okay. And what is that document that you're looking at?

20 A: This is Sexual Predator Referral Form and, in South
21 Carolina, they have a Prosecutor's Review Committee and they
22 review all the cases before they're -- before an examiner is
23 retained to evaluate the individual and they make a decision
24 about whether it should be referred to the Prosecutor's Review
25 Committee. So, in 2004, Mr. Rollings was assessed while he

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

128

1 was in SCDC, and the decision was not to send him for a
2 referral to the Prosecutor's Review Committee, but this was in
3 2004 and he committed two additional sexual crimes after 2004.
4 So, that is why he is to be evaluated at this time when he was
5 not referred in 2004.

6 Q: May I grab that back from you? This is certainly a
7 hypothetical question, but you're aware that the -- that this
8 MDT Committee as a Department of Mental Health expert on it;
9 is that correct?

10 A: That is correct.

11 Q: Now, if you could put yourself in that person's place in
12 2004, what do you think you would have recommended?

13 MR. BOGLE: Objection, this is speculation and relevance.

14 MR. FALK: Your Honor, we probably ---

15 THE COURT: All right. Mr. Foreman, ladies and gentlemen
16 of the jury, y'all go to the jury room for a minute, please.

17 Thank you.

18 (REPORTER'S NOTE: Jury exits courtroom. The following takes
19 place outside the presence of the Jury.)

20 THE COURT: All right. The nature of your objection?

21 MR. BOGLE: First off, it calls for speculation. He's
22 asked -- he's asking her to place herself in the place of an
23 unknown mental health person at something that happened 10
24 years ago. The second is speculation. How can she speculate
25 -- how is she qualified to speculate what she would have voted

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

129

1 had she been there and heard the summary versus what the
2 Multi-Disciplinary Team voted when they heard the summary.

3 THE COURT: I'm not gonna allow you to ask her to
4 speculate what someone else would do. You can question her
5 about what she would do if she believes she has sufficient
6 information to give you that opinion, in 2004, if she believes
7 she has enough information before her to give you an opinion
8 as to what she would have done in 2004. But to speculate as
9 to what some unknown individual would have done ---

10 MR. FALK: Okay.

11 THE COURT: --- I'll not allow you to do that. All
12 right.

13 MR. FALK: Thank you.

14 THE COURT: Mr. Bailiff ---

15 MR. FALK: Judge ---

16 THE COURT: Yes.

17 MR. FALK: He needs to go to the restroom, if it's okay?

18 THE COURT: All right. Well let's take a short break for
19 about five minutes then. All right.

20 MR. BOGLE: Yes, sir.

21 THE COURT: You may step down, just don't discuss your
22 testimony.

23 DR. SWAN: Thank you.

24 (RECESS.)

25 *****OFF THE RECORD*****

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

130

1 (On the Record.)

2 THE COURT: All right. Doctor, if you want to resume the
3 witness stand please, ma'am.

4 The State ready to proceed?

5 MR. BOGLE: Yes, Your Honor.

6 THE COURT: And Respondent?

7 MR. FALK: Yes, Your Honor.

8 THE COURT: All right. Very good. Ask the jury to come
9 out, please.

10 (REPORTER'S NOTE: Jury enters courtroom.)

11 THE COURT: All right, Mr. Falk, you may resume.

12 MR. FALK: Thank you, Your Honor.

13 BY MR. FALK:

14 Q: Dr. Swan, do you recall looking at the date of this
15 report that I showed you?

16 A: I do; it was 2004.

17 Q: Okay. And you've reviewed Mr. Rollings' entire records,
18 right, from prior to 2004 and then after 2004; is that
19 correct?

20 A: I did.

21 Q: Okay. And so, based on what you knew about his record up
22 to June of 2004, do you think you would be in a position to
23 state whether or not he was a sexually violent predator?

24 A: Yes, I would. Absolutely, in 2004, I would have not
25 determined that he met criteria as a sexually violent

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

131

1 predator. He had one offense or two offenses against the two
2 girls and then had an offense of a lesser weight. But what we
3 are looking for is someone who cannot control their behavior
4 and does it over and over again. So, those first offenses
5 should have been a wakeup call and, if they weren't and they
6 guy didn't reoffend, then I wouldn't have recommended him for
7 commitment. But since he reoffended over and over again,
8 that's what makes him at risk.

9 Q: One of the reoffenses that you talked about and mentioned
10 several times is a reoffense in 2006; is that correct?

11 A: That's correct.

12 Q: That's regarding Complainant 4

13 A: Yes, it is.

14 Q: How do you know that that offense occurred?

15 A: We looked at the information that's provided and the
16 guidelines that we use are included in that Static-99R coding
17 rules and we are able to make an assessment if it's likely
18 that the crime occurred, if there's no conviction. If we deem
19 that we didn't think it was likely, you know, there wasn't
20 enough information to be certain that a crime occurred, then
21 we have the ability to not count it. But if there's enough
22 information to provide details and all, then we are allowed to
23 count it.

24 Q: You have no firsthand knowledge whether or not the crime
25 occurred; is that correct?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

132

1 A: I don't have firsthand knowledge, no.

2 Q: What did you learn in your conversations with Complainant 4?

3 A: Well, he denied it, but he denied all of his crimes
4 except the offense with the 13-year-old girl.

5 Q: I'm sorry. Did you ever have a conversation with Complainant 4?

6 A: Oh, I'm sorry, I thought you said Mr. Rollings?

7 Q: If I did, I ---

8 A: Okay.

9 Q: --- should've phrased it better.

10 A: Okay.

11 Q: Did you ever a conversation with Complainant 4?

12 A: I did not.

13 Q: Did you ever have a conversation with any of the police
14 officers who were investigating that case?

15 A: I did not. The information that I used came from the
16 Child Recovery Center, where they took the individual for a
17 forensic interview to make an assessment of whether he'd been
18 sexually abused or not. And based on that information, a
19 warrant for sexual assault with intent to commit criminal
20 sexual conduct first degree was issued.

21 Q: They did not prosecute that case; is that correct?

22 A: They did not. He was arrested on March 2nd, 2015 for the
23 case and the charge was dismissed on December 7th, 2015.

24 Q: Do you have any information why the charge was dismissed?

25 A: I don't, but charges can be dismissed for reasons other

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

133

1 than that the person did not commit the crime. That's one of
2 the reasons it would be dismissed, but there are plenty of
3 other reasons.

4 Q: But ---

5 A: I'm sorry. For example, maybe the victim didn't want to
6 proceed.

7 Q: But you have no knowledge, you haven't had any
8 conversation with the victim; did you speak with the victim
9 advocate in this case?

10 A: I did not.

11 Q: So, you don't know whether or not the victim advocate
12 told you that he didn't want to go forward with the case?

13 A: I do not.

14 Q: So, you're making an assumption that this crime committed
15 -- that was committed; is that correct?

16 A: Well, I'm permitted to do that based on the knowledge
17 that I have about sex offenders, the 29 years I've worked with
18 them, and the research that's been done on sex offenders.

19 Q: What research has been done on sex offenders that says
20 that Mr. Rollings did anything to Complainant 4.

21 A: Well, there's no specific research applied to Mr.
22 Rollings, but the research that we have about sex offenders
23 that's accumulated for at least the last 30 or 40 years
24 indicates that we are able to make an assessment based on the
25 information we have of whether we should count this crime as a

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

134

1 sexual offense or if we -- perhaps it would be wiser to
2 include it. And, there are times when I don't include crimes
3 because I don't know enough about it to include it. But, in
4 this case, there was enough information that I deemed enough
5 detail based on the contextual information, the sensory
6 information, and multiple other factors that I use when I
7 personally evaluate children for sexual abuse. I believe that
8 enough of that information was contained in here that I
9 believed that a sexual crime had been committed.

10 Q: What sensory information are you referring to?

11 A: I don't believe there's any sensory information here.
12 That's one of the things I look at when I interview children.

13 Q: So you just put, excuse me, a second ago, you just told
14 the jury that you look at sensory information in making this
15 determination that you believe the crime was committed, but
16 then there wasn't any in this case; is that correct?

17 A: Not in this case. I look at contextual information,
18 sensory information, if the crime is described in the child's
19 words -- there's a whole page full of things that I look for
20 when a child that is revealing sexual abuse to determine if I
21 believe that it's an accurate reflection of child sexual
22 abuse. And when I look at reports from the Low Country
23 Children's Center or the Child Recovery Center, then I look at
24 those reports and see if there's enough information that it
25 seems to me that a crime occurred. Based on his history of

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

135

1 offenses against children, I believe that a crime occurred.

2 Q: When you're talking about this research, it's how people
3 recommit crimes. Does any of that research apply specifically
4 to people who have done two years of sex offender treatment in
5 custody and then two years of outpatient sex offender
6 treatment?

7 A: It does. In fact, about half of the Static-99R sample
8 included individuals who had had treatment before, both
9 outpatient and in prison.

10 Q: But you're taking a lot of your opinion of saying that my
11 client is not admitting to the offenses, his other more recent
12 offenses, you're saying he's not admitting to this 2006
13 offense; is that correct?

14 A: That's what I'm saying, yes.

15 Q: He could be telling you the truth, though; is that not
16 correct?

17 A: Well, I believed on the weight that I gave this crime
18 that he did commit this crime.

19 Q: My question was, Could he be telling you the truth?

20 A: Well, anything could be possible.

21 Q: Thank you.

22 A: There was sufficient information that I concluded he
23 committed this crime.

24 Q: Let me just talk a little bit about the treatment. You
25 had -- when Mr. Bogle was questioning you and you were saying

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

136

1 that you drew some conclusions out of the treatment to
2 indicate to you that it wasn't effective; is that a fair
3 characterization?

4 A: That's correct.

5 Q: You have your copy of your report, do you not?

6 A: I do.

7 Q: Okay. And I'm looking at the treatment note in your
8 report that's for 9/11/2002?

9 A: Yes.

10 Q: Could you read that paragraph?

11 A: In the ---

12 Q: No, I'm just saying could you read it to familiarize
13 yourself with it?

14 A: Oh, okay. Yes.

15 Q: Did you not say that that treatment note says that the
16 inmate completed sex offender education. The inmate indicated
17 that he would like remain in sex offender treatment program,
18 that's the SOTP, and to continue with treatment. The inmate
19 also met with the treatment team regarding apparent coupling
20 behavior with another inmate. So, in 2002, this is somebody
21 who wants to have more treatment, knows he needs treatment; is
22 that not -- would you not take that as a positive sign?

23 A: Well, it is a positive sign and he did indeed get
24 additional treatment, not only in prison, but a couple of
25 years on the outside, and he still reoffended twice after he

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

137

1 got that treatment. So, I concluded that it didn't benefit
2 him enough to prevent his reoffense.

3 Q: All right. So, I guess for purposes -- it's your opinion
4 he recommitted twice but there is no evidence -- I mean, there
5 is no proof of a conviction for 2006 regarding Complainant 4

6 A: There's no evidence of a conviction, but there is
7 substantial information that is credible about that crime and
8 he has the conviction for the 2015 crime, both involved
9 children.

10 Q: So, the treatment note for October 10th, 2002?

11 A: Yes.

12 Q: Inmate is attentive and interactive in groups. Inmate
13 appears willing to share significant aspects of the offense.
14 Is that not a positive sign from the treatment?

15 A: That's a positive sign early in treatment. It was later
16 that he was defensive about treatment and had some difficulty
17 accepting feedback.

18 Q: So, in November 12th, 2002, inmate is attentive in group.
19 Inmate has been willing to look at specific points of his
20 assault cycle including distortions and his arousal window.

21 A: That's correct.

22 Q: What is the assault cycle?

23 A: The sexual assault cycle is the pattern of his sexual
24 offenses and what we want to look at is you want to look at
25 the things leading up to the crime, the things that happened

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

138

1 during the crime and the things that happened after the crime
2 and form a cycle out of them or -- in that way, we can figure
3 where you need to change behavior in order to break that link
4 so that you don't continue to do the same thing.

5 Q: So, having an understanding of your assault cycle, is
6 that a positive sign towards treatment?

7 A: Well, it is, and back in 2002, he seemed to have some of
8 that knowledge but, by the time I evaluated him, he had no
9 knowledge. He denied the sexual crimes, and it was apparent
10 to me that he needed intensive treatment.

11 Q: Again, in 2002, he was admitting to the crimes that for
12 which he was in prison; is that not correct?

13 A: That's correct.

14 Q: Okay. Now, he also -- when they were talking about the
15 assault cycle, it says including distortions and his arousal
16 window. What does that mean with respect to treatment?

17 A: Well, all sex offenders have a pattern of justifications
18 and denials that they use to escape responsibility for their
19 offenses. So, those are some of the things that we target in
20 treatment and we hope that by changing those distorted
21 thoughts about what they did like, oh, I didn't hurt them or
22 they wanted it, that we can then help them see how they harmed
23 the victims and then not do that again.

24 Q: So, again, is this signs of progress towards treatment?

25 A: It does, in 2002. But, he reoffended in 2006 and 2011

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

139

1 after he had at least four years of treatment, which indicates
2 to me that he did not benefit at all.

3 Q: Can we look at the note for February 10th, 2003?

4 A: Yes.

5 Q: Inmate has been self-revealing in groups and appears to
6 continue to be open to the harm which he has done to the
7 victims and more accepting of his responsibility for his
8 behavior.

9 A: Yes, in 2003, but it didn't continue long enough to
10 prevent him from reoffending.

11 Q: That is still a sign of progress towards treatment; is
12 that not correct?

13 A: Yes, but the end result of treatment is that the person
14 doesn't reoffend again. That's what we want. So, clearly
15 treatment didn't work for him and he needs more of it.

16 Q: April 8th, 2003, that note?

17 A: Yes.

18 Q: Inmate has been doing a very thorough job with his
19 written assignments and victim impact and appears to be
20 gaining insight into the harm that was done to his victim,
21 which he has not recognized prior to this?

22 A: That is correct in 2003, but that was 14 years ago, and
23 clearly he has not made that progress at this point.

24 Q: But as far as the victim impact onto the two children,
25 the two 13-year-old girls, that was a positive sign; is that

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

140

1 not correct?

2 A: Certainly, any progress in treatment is a positive sign.
3 What we would've hoped though is that he would not have
4 reoffended and then we could say well treatment really helped
5 him.

6 Q: And without getting too repetitive here, I think in May
7 16th, there's a note. Inmate appears to have a growing sense
8 of empathy for the victim and the harm he has done to her and
9 the growing sense of personal responsibility for the offense?

10 A: That's correct.

11 Q: Again, that's showing victim empathy and progress towards
12 treatment?

13 A: Right, that didn't continue.

14 Q: A couple of times, you had said that each time somebody
15 is arrested that increases their risk for reoffense; is that
16 an accurate characterization?

17 A: Yes, it is.

18 Q: So, was there a causal relationship between the arrest
19 and the reoffense, or was that just correlation between the
20 two?

21 A: It's a correlation between the two that's been identified
22 in the research. Each time that you get arrested for a sexual
23 offense, your risk increases for a new sex offense.

24 Q: But are you trying to say that each time you get
25 arrested, that is -- that's increase -- that means you are

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

141

1 more likely to reoffend? I mean, the fact that somebody's
2 arrest somehow has a causal relationship on their actions that
3 they're gonna reoffend?

4 A: It's not causal at all; it's just correlation. It's one
5 of the factors that we've observed in research. Being
6 arrested for a sexual offense that you did not commit
7 statistically is a rare event. Now, we all know that those
8 things happen; we read the newspapers. But to be arrested
9 four times in error for a sexual crime, the odds of that would
10 be astronomical. I had a statistician figure out the
11 probability of being arrested three times in error for a
12 sexual offense and it was just astronomical odds.

13 Q: But you're not saying that the fact that he was arrested
14 increased the likelihood that he would reoffend?

15 A: No, it increases his risk for a new reoffense, because
16 each time you do it, it tells us that you haven't learned from
17 your previous behavior and, therefore, you're more likely to
18 do it again.

19 Q: Again, that makes it sound like you're trying to say
20 there's a causal relationship?

21 A: It's not causal in any way. Being arrested for a sex
22 offense doesn't cause you to go out and commit another sex
23 offense ---

24 Q: Thank you.

25 A: --- but it's just that we've observed in the research

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

142

1 that the more times you're arrested, the higher your risk is
2 to do it again, because after you receive some kind of
3 punishment or some kind of sanction for committing a sexual
4 crime, if you keep doing it, then that means the drive to
5 engage in devious sexual acts is high and that makes you more
6 likely to do it again.

7 Q: Are you familiar with an article that was published in
8 the Sun Sentinel Newspaper?

9 A: Yes, I am.

10 Q: And what is -- the Sun Sentinel, is that a newspaper in
11 Florida?

12 A: Yes, it's the major newspaper for the -- what we call the
13 Tri-County area, that's Palm Beach County, Broward County and
14 Miami-Dade County.

15 Q: In the article, it reported saying that Psychologist Amy
16 Swan ---

17 MR. BOGLE: Your Honor, at this time, we have a matter of
18 law to take up outside the presence of the jury?

19 THE COURT: All right. Mr. Foreman, ladies and gentlemen
20 of the jury, if you'd got to the jury room, please.

21 Thank you.

22 (REPORTER'S NOTE: Jury exits courtroom. The following takes
23 place outside the presence of the Jury.)

24 MR. BOGLE: Your Honor ---

25 THE COURT: And I -- and I appreciate that, Mr. Bogle.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

143

1 How about, Mr. Falk, how about you ask your question so that I
2 hear the entirety of the question and then I can better
3 evaluate the objection to it.

4 MR. FALK: I can maybe start by just rephrasing my
5 question ---

6 THE COURT: Okay.

7 MR. FALK: And asking her specifically whether the -- I
8 can just ask her the questions that were contained in here and
9 I can ask her if they were true?

10 THE COURT: All right.

11 MR. FALK: Without saying what somebody reported.

12 THE COURT: All right. And let's see now if there's an
13 objection since the jury is out. Let's go ahead and do that
14 so I don't have to send them out again.

15 BY MR. FALK:

16 Q: Between the year of 2000 and 2013, did you earn 2.2
17 million dollars doing predator trials in South Carolina -- I
18 mean in Florida?

19 A: According to the Sun Sentinel, I did.

20 Q: Did you earn -- my question -- it's yes or no.

21 MR. BOGLE: She can be allowed to answer and explain her
22 question.

23 THE COURT: Well ---

24 MR. FALK: She has to give me a yes or no answer ---

25 THE COURT: Gentlemen?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

144

1 MR. FALK: Sorry. I'm sorry.

2 THE COURT: All right. Ma'am, when you're asked a
3 question and it calls for a direct response, you must give
4 such direct response, then you are able to explain your answer
5 thereafter. But, if somebody asks you a question that would
6 require a yes or a no answer, you're required to respond to
7 that in that fashion and then explain your answer if you
8 choose to do so. All right?

9 A: So, I can't answer that with a yes or no, because I don't
10 know for sure. I didn't add up those figures. This is what
11 was reported in the newspaper.

12 BY MR. FALK:

13 Q: Did you earn over \$2,000,000 from doing -- from that same
14 time period, did you earn over \$2,000,000?

15 A: I don't know. I have never added it up. I'm not denying
16 that that's what the newspaper said and I'm not denying that
17 it could be true, I just said I've never added up the figures,
18 I've never seen any documents on that. Their reporter did not
19 provide me with any documents. So, I can't say yes, it's
20 true.

21 Q: Did you file tax returns between the years 2000 and 2013?

22 A: I did.

23 Q: And did those tax returns include earnings that you
24 received from the State of Florida?

25 A: It did.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

145

1 Q: Do you have any recollection of what you reported as your
2 net income or as your gross income for those periods of time?

3 A: I do not.

4 Q: Can you make an estimate of how much you've earned?

5 A: Well, as I said, I can't deny that that's accurate; it
6 may be. I've just never looked at any documents or added it
7 up or done anything that would conclude to me that it was
8 accurate.

9 THE COURT: Any further questions on that, Mr. Falk?

10 BY MR. FALK:

11 Q: Can you tell me whether or not your income that you
12 earned between years 2000 and 2013, whether that income was
13 derived primarily from doing sex offender assessments, sex
14 offender commitment, how they described it, predator trials?

15 A: So, from 2005 to 2013, it was primarily. Prior to 2005,
16 I did a whole range of criminal forensic work that would not
17 be included that was in addition to the sexually violent
18 predator work.

19 Q: But you have no recollection of how much you earned in
20 2013?

21 A: I do not have a clue.

22 Q: Do you prepare your taxes?

23 A: I do not; I have an accountant that does that.

24 Q: Do you sign your return?

25 A: I do. Sometimes -- they have Power of Attorney so

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

146

1 sometimes if I'm out of town, they sign it.

2 Q: Wow. I guess I have no further questions, but I think

3 ---

4 THE COURT: Do you have an objection to any of those
5 questions, Mr. Bogle?

6 MR. BOGLE: The objection to the entire line of
7 questioning is to relevancy. I'm not sure what a two or
8 three-year-old article from a Florida Newspaper about a period
9 of time that expired at least seven year -- four or five years
10 ago, has anything to do with whether or not Tarl Rollings is a
11 sexually violent predator. And it's also, what the article
12 is, it's hearsay; it's somebody else's writing an article
13 about Dr. Swan. I mean, I don't doubt that she might've
14 earned that much money. If you divide the number of years and
15 number of cases, probably not that much per case, but what
16 does it have to do with what we're doing here?

17 THE COURT: The problem I've got, Mr. Falk, is the basis
18 for the information. I don't know what -- you know, this is a
19 civil case, so I don't know what kind of discovery y'all have
20 conducted in, in this particular matter. I don't know what
21 documents you requested, if you did. Tax returns, income
22 statements, those would be the documents that the Court would
23 be able to evaluate whether or not the question is proper.
24 But if you're going to rely on a newspaper article regarding
25 that kind of income, I have a problem with that.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

147

1 Secondly, the relevance. Now, you certainly may question
2 this witness as to the income she received from this
3 particular evaluation, the income she receives from the State
4 of South Carolina for conducting these types of information.
5 Again, this is a civil case and it goes back to the Appellant
6 Court decision about doctors who testify in certain matters
7 whether or not their connection to a certain company and/or
8 law firm, or the amounts of money they receive can be proper
9 scope of examination regarding an expert witness. But, we're
10 not in the State of Florida. This case has nothing to do with
11 the State of Florida. Further, you've given me no tangible or
12 proper information for which the Court could evaluate the
13 questions. Therefore, I'm not gonna allow you to do the
14 questions about the State of Florida. Again, you may inquire
15 to her what she received from this particular evaluation, what
16 she received from the State of South Carolina for doing the
17 evaluations. I'll be glad for you to do that.

18 Thank you very much.

19 MR. FALK: Thank you, Your Honor.

20 MR. BOGLE: Thank you, Your Honor.

21 THE COURT: All right. Ask the jury to come back in
22 please.

23 (REPORTER'S NOTE: Jury enters courtroom.)

24 THE COURT: All right. You may continue, Mr. Falk.

25 BY MR. FALK:

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

148

1 Q: How long have you had a contract with the State of South
2 Carolina to perform pre-commitment evaluations?

3 A: I think I started doing the pre-commitments in 2014. My
4 contract in 2013 I think was only for annual reviews.

5 Q: This report in Mr. Rollings' case is dated 2016?

6 A: That's correct.

7 Q: So, are you -- were you not under contract with the State
8 of South Carolina in 2016?

9 A: I was.

10 Q: Okay. Then I'm sorry, I misunderstood your testimony.

11 A: I started doing pre-commitment evaluations in 2016 and
12 I've continued to the present time.

13 Q: Oh, I see what you're saying. Okay.

14 A: So, about four years.

15 Q: And so how much money have you earned from the State of
16 South Carolina for doing pre-commitment evaluations?

17 A: I estimated that I did 20, maybe 25, since you've had 15
18 and at \$4,000 each that would be between 80 and \$100,000 in four
19 years. So 20 to \$25,000 a year for doing the pre-commitment
20 evaluations.

21 Q: When did you start doing pre-commitment evaluations?

22 A: In 2014.

23 Q: Okay. Now, you had testified earlier about somebody
24 pleading guilty pursuant to *Alford*?

25 A: That's correct.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

149

1 Q: Is it not -- are you -- are you ever aware of people who
2 will plead guilty when they have not in fact committed the
3 crime but thought that they could be convicted of it?

4 A: I have seen that, yes.

5 Q: Do you have any information as why -- if that was true in
6 this case?

7 A: Can you ---

8 Q: My client didn't plead guilty. He said, he's pleading
9 guilty pursuant to *Alford*?

10 A: That's correct.

11 Q: Which means I'm not -- I'm maintaining my innocence, I
12 think that was your testimony, and he's saying that but he
13 thought the State could prove the case; is that correct?

14 A: That's correct.

15 Q: Do you have any information as to why that may or may not
16 be true? That -- do you have any information that he did not
17 commit the crime?

18 A: I don't have any information that he didn't commit the
19 crime.

20 Q: Do you have any information that he did commit the crime?

21 A: Well, I have reports, police reports. He was arrested
22 for the crime. The victim accounts provide sufficient detail
23 that I believe that the crime occurred. And, he did in fact
24 plead to that crime.

25 Q: This was based on an accusation by a girl who was -- how

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - CROSS BY FALK

150

1 old was this victim?

2 A: She was nine.

3 Q: And when did she report?

4 A: The crime was committed in 2011 and -- let me see exactly
5 when she reported it. He was arrested on the next day. So,
6 it was committed on 3/4, March 4th, 2011, and he was arrested
7 on March 5th, 2011. So, she reported it immediately.

8 Q: Did you have an opportunity to look at the documents that
9 were in the petition and the MDT regarding this 2014?

10 A: I did.

11 MR. FALK: May I approach the witness?

12 THE COURT: Yes, sir.

13 BY MR. FALK:

14 Q: Did you have an opportunity to review that document?

15 A: I did.

16 Q: And could you summarize what that document says?

17 A: Yes, these are notes of investigation from the police
18 department and they're talking to different witnesses about
19 the crime. And a Ms. Smith, who was a neighbor, said that Mr.
20 Rollings was never left alone with any kids in Jack's trailer,
21 and the victim's Sunday School teacher said that the child had
22 admitted that she had lied before to get someone in trouble,
23 and that her brother and another minor stated that she lies
24 all the time.

25 Q: Thank you. May I grab that back?

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - REDIRECT BY BOGLE

151

1 A: Yes.

2 Q: Did you do any further investigation along these lines?
3 Did you talk to the victim in this case?

4 A: I did not. The police had sufficient evidence to arrest
5 him for that crime. They considered that information. I
6 considered it as well, and it's not uncommon in any crime,
7 whether it's sexual or not, to have witnesses that provide
8 differing information and it doesn't mean that the witnesses
9 know everything that happened.

10 Q: Is it possible that the little girl does lie all the time
11 to get other people in trouble?

12 A: It is, but it does not appear that she lied in this case
13 based on her very detailed account of what happened.

14 MR. FALK: May I have a moment please?

15 THE COURT: Yes, sir.

16 MR. FALK: Your Honor, we have no further questions at
17 this time.

18 THE COURT: All right. Very good.

19 Redirect?

20 REDIRECT EXAMINATION OF DR. AMY C. SWAN BY MR. BOGLE:

21 Q: Dr. Swan, the amount you're paid by the Department of
22 Mental Health along with the contract you have with them to do
23 these pre-commitment evaluations like the one here, it's a
24 flat fee, right?

25 A: Flat fee.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - REDIRECT BY BOGLE

152

1 Q: It doesn't go up if you say yes; it doesn't go down if
2 you say no?

3 A: No, it's the same amount no matter what my opinion is.

4 Q: Now, as a Forensic Psychologist, you're familiar to some
5 respect with the law that we have in South Carolina that deals
6 with these cases?

7 A: I am.

8 Q: The document that Mr. Falk showed you from 2004, that was
9 an evaluation or an assessment of Mr. Rollings by the Multi-
10 Disciplinary Team, correct?

11 A: That is correct.

12 Q: And that's the first step, it's a review done of out at
13 the prison by a team of experts or people from different
14 fields of a guy who's been convicted of sexually violent
15 crimes, correct?

16 A: That's correct.

17 Q: And he's nearing the end of his sentence?

18 A: Yes.

19 Q: And he's reviewed to see whether or not the case should
20 be processed as a sexually violent predator case?

21 A: That's correct. By the time I'm referred for evaluation,
22 there have been two groups of people who've evaluated the
23 individual's criminal history, and at any time in that process
24 he could be dropped out of consideration. So, by the time I
25 get them, they already have some substantial risks.

Tarl Bradford Rollings - 2016-C-22-00042
AMY C. SWAN - REDIRECT BY BOGLE

153

1 Q: So, the Multi-Disciplinary Team meets at the prison and
2 reviews the guy first, and that happened in 2004 and they
3 voted no?

4 A: That is correct.

5 Q: So, the case ended right there. He got out of prison and
6 went his own way?

7 A: Yes.

8 Q: In the present case, the same -- the Multi-Disciplinary
9 Team met and voted yes, correct?

10 A: Yes.

11 Q: And then the prosecutor of the review committee voted
12 yes?

13 A: That's correct.

14 Q: And then it came to you?

15 A: That's correct.

16 Q: Okay. One moment, Your Honor.

17 THE COURT: Yes.

18 Q: Now, we talked about response to Mr. Falk's question
19 about treating sex offenders, we talked about the evaluations
20 you've done. Have you worked in the treatment of sex
21 offenders?

22 A: Yes, I have. I provided treatment of sexual offenders
23 between 1990 -- 1988 and 2005.

24 Q: Okay. Was that at different institutions in Florida?

25 A: It was.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

154

1 Q: Okay. Where sex offenders ---

2 A: And in my private practice.

3 Q: And your private practice?

4 A: Yes.

5 Q: And these are people convicted of sex offenses as well as
6 people who are charged?

7 A: That's correct. I set up a program at a private
8 psychiatric hospital for individuals who were victims, but who
9 had also committed sexual acts on other people.

10 Q: Okay. And that's about '89 to 2005?

11 A: That's correct.

12 Q: So about 15 years more or less?

13 A: Yes.

14 Q: All right. Thank you, Doctor.

15 THE COURT: Anything on those questions just asked, Mr.
16 Falk?

17 MR. FALK: No redirect, Your Honor.

18 THE COURT: All right. Very good. You may step down,
19 ma'am.

20 A: Thank you.

21 BY THE COURT:

22 THE COURT: Any requests at this time that the witness be
23 excused?

24 MR. BOGLE: We will ask that she be allowed to be
25 excused, Your Honor.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

155

1 THE COURT: All right. So, Mr. Falk, any objection to
2 that?

3 MR. FALK: No objection.

4 THE COURT: All right, ma'am. You are released from your
5 subpoena and your obligations. You may leave or stay as you
6 choose.

7 MR. BOGLE: At this time, Your Honor, the State would
8 rest.

9 THE COURT: All right. Are there any matters of law at
10 this point in time from the Respondent?

11 MR. FALK: May I approach, Your Honor?

12 THE COURT: Yes, sir, please.

13 (REPORTER'S NOTE: A bench conference was held off the record
14 in the presence of but out of hearing of the Jury.)

15 THE COURT: All right. For the record, the State notes
16 your matters of law, Mr. Falk, and at a opportunity -- so we
17 can proceed with the matter now rather than sending the jury
18 out, I will give you an opportunity to fully argue those later
19 in the, in the proceedings, but they are noted that you have
20 made them to the Court at this time.

21 MR. FALK: Thank you, Your Honor.

22 THE COURT: All right. So, if you would then, if you
23 would call your first witness, please?

24 MR. FALK: We would call Angela Britt.

25 THE COURT: Please come around, ma'am. If you'd just

Tarl Bradford Rollings - 2016-C-22-00042
ANGLEA BRITT - DIRECT BY FALK

156

1 meet the bailiff right over here at the corner.

2 ANGELA BRITT, HAVING BEEN SWORN

3 TESTIFIED AS FOLLOWS:

4 CLERK: Thank you. You may be seated and then state and
5 spell your full name for the record, please.

6 MS. BRITT: Angela Britt, B-R-I-T-T.

7 THE COURT: You may proceed, Mr. Falk.

8 DIRECT EXAMINATION OF ANGELA BRITT BY MR. FALK:

9 Q: Ms. Britt, can you tell me, if I refer to somebody as
10 Complainant 3 a victim named [REDACTED], will you know who I'm talking
11 about?

12 A: Yes, sir.

13 Q: Because -- and were you in the court just a few minutes
14 ago when Dr. Swan read from a report from a police
15 investigator?

16 A: Yes, sir.

17 Q: And was that -- and it said that she revealed something
18 to a Sunday School teacher?

19 A: Yes, sir.

20 Q: Were you teaching Sunday School at that time?

21 A: Yes, sir.

22 Q: Were you the Sunday School teacher that you believe they
23 were referring to in that report?

24 A: Yes, sir.

25 Q: Are you related to Complainant 3

Tarl Bradford Rollings - 2016-C-22-00042
ANGLEA BRITT - DIRECT BY FALK

157

- 1 A: Yes, sir.
- 2 Q: What was the -- how did that subject come up in your
3 Sunday School class; what were y'all covering at the time?
- 4 A: We were talking about -- the Sunday School lesson was
5 about lying and everybody got a chance to tell, you know,
6 things they lie about. Well, when we come to her, she said
7 she lied ---
- 8 Q: I don't want you to necessarily go into any hearsay, I
9 just -- Dr. Swan characterized some statements that she was
10 making; is that the way you heard them?
- 11 A: Yes, sir.
- 12 Q: Were there other people who confirmed those statements?
- 13 A: Yes, sir.
- 14 Q: So, you think -- and that was somewhat of an accurate
15 reflection of her comments in the classroom that day?
- 16 A: Yes, sir. There was another adult in there.
- 17 Q: Okay. And you -- and how are you related to Complainant 3
- 18 A: She is my cousin's daughter.
- 19 Q: Okay. So, you know that she was the accuser in the case
20 in 2014 when Mr. Rollings pled under *Alford*; is that correct?
- 21 A: Yes, sir.
- 22 Q: Okay. Had you talked to any investigating police
23 officers in this case?
- 24 A: Just one.
- 25 Q: Okay. Did you talk to the Solicitor in this case?

Tarl Bradford Rollings - 2016-C-22-00042.
ANGLEA BRITT - DIRECT BY FALK

158

1 A: No, sir.

2 Q: Did you talk to the victim advocate, anybody in this
3 case?

4 A: No, sir.

5 Q: Did anyone other than that police investigator come and
6 follow up with you?

7 A: No, sir.

8 Q: I have no further questions.

9 THE COURT: All right.

10 Q: Please answer any questions Mr. Bogle may have.

11 THE COURT: Cross examination, Mr. Bogle?

12 MR. BOGLE: No questions.

13 THE COURT: All right, ma'am, you may step down.

14 Next witness, please.

15 MR. FALK: I would like to call Jack Todd to the stand.

16 THE COURT: All right, sir. Please come around, sir, and
17 meet the Bailiff right over there in the corner please, sir.

18 CLERK: Please raise your right hand.

19 CEPHUS JACK TODD, HAVING BEEN SWORN

20 TESTIFIED AS FOLLOWS:

21 CLERK: Thank you. Please be seated and state and spell
22 your full name for the record.

23 MR. TODD: My full name is Cephus Jack Todd, C-E-P-H-U-S,
24 J-A-C-K, T-O-D-D.

25 DIRECT EXAMINATION OF CEPHUS JACK TODD BY MR. TODD:

Tarl Bradford Rollings - 2016-C-22-00042
JACK TODD - DIRECT BY FALK

159

- 1 Q: Thank you. Mr. Todd; what is your current occupation?
- 2 A: I'm a pastor.
- 3 Q: And where is your -- do you have a congregation; do you
- 4 pastor to the sick?
- 5 A: I pastor in Berkeley County; I pastor about 60 people.
- 6 Q: What is the name of your church?
- 7 A: Mount Calvary P.H. Church.
- 8 Q: And what city is that in?
- 9 A: It's near Jamestown. They call it -- it's really in the
- 10 town of Bonneau.
- 11 Q: When I reviewed some of the documents that have been
- 12 provided, there's been reference that you're Mr. Rollings'
- 13 father?
- 14 A: No, sir; I'm not legally his father.
- 15 Q: Can you tell me the relationship you have with Mr.
- 16 Rollings?
- 17 A: Well, I come in contact with him probably about 12 years
- 18 ago and we befriended -- I befriended him and we began to work
- 19 together. And though I say work, I'm not necessarily
- 20 physically work. It ended up basically in my pastoring. And
- 21 I kinda think he looks at me like a father because I tried to
- 22 treat him like I would whether it be, you know, to criticize
- 23 or whether to try to teach him in certain areas and things and
- 24 he's come a long way.
- 25 Q: I think there was a mention of when they were talking

Tarl Bradford Rollings - 2016-C-22-00042
JACK TODD - DIRECT BY FALK

160

1 about the allegations by the nine-year-old girl in the case in
2 which he pled under *Alford* about the man living in Mr. Todd's
3 house?

4 A: Yes, sir.

5 Q: Okay. So, could you explain that relationship?

6 A: Well, he was living in a trailer that belonged to me.

7 Q: Okay.

8 A: And he had a roommate.

9 Q: And so if I refer to a person as Complainant 3 will you know who
10 I'm talking about?

11 A: Yes, I do.

12 Q: And that would be the victim in the case in which he pled
13 ---

14 A: Yes, sir.

15 Q: --- no contest; is that correct?

16 A: Right.

17 Q: And so you are also -- do you know that little girl?

18 A: No, sir; I don't know her personally.

19 Q: Okay.

20 A: I have met her, but I do not know her.

21 Q: So, how much time have you spent with Mr. Rollings since
22 he was released from prison in 2004?

23 A: Well, I assisted in helping him get his CDL license. I
24 kind of I guess you would say, taught him the necessary parts
25 of the truck, schooled him and grilled him with it until he

Tarl Bradford Rollings - 2016-C-22-00042

161

JACK TODD - DIRECT BY FALK

1 got it in his head, and he went and took the test, and I was
2 with him with all of that. I helped him get a job and he's
3 been very productive since.

4 Q: Are you aware that he was going to outpatient counseling?

5 A: Yes, sir.

6 Q: Do you know -- did you help him get to any of those trips
7 or do you know ---

8 A: There was times, yes, sir.

9 Q: And do you know where that was?

10 A: I think it was off of Virginia Avenue in North
11 Charleston. I cannot remember the name of it. I do remember
12 the psychologist name was Tom; I can't remember the last name.

13 Q: Okay. And so you're aware that the charge that he was
14 convicted of or that he pled guilty to in 2014, that sort of
15 occurred in your backyard, did it not?

16 A: That's correct.

17 Q: Okay. Are there other members in that general
18 geographical area who are members of your church?

19 A: No, not at this time, no.

20 Q: Okay. Were they at that time?

21 A: Yes, sir.

22 Q: When Mr. Rollings was out of custody, was he a member of
23 your church?

24 A: Yes, sir.

25 Q: Okay. Obviously, men of God are always men of

Tarl Bradford Rollings - 2016-C-22-00042
JACK TODD - DIRECT BY FALK

162

1 forgiveness or that would ---

2 A: Absolutely.

3 Q: And so, regardless of what he's done, you're always gonna
4 forgive him; is that correct?

5 A: Well, of course you do; that's what we are supposed to
6 do.

7 Q: Would you have any concerns with him though interacting
8 with members of your church?

9 A: No, sir; I do not.

10 Q: Have you had concerns with other people interacting with
11 ---

12 A: I've never had a really actual big problem with anybody.
13 If I couldn't get somebody to kinda, I would say, line up and
14 do what they should do, before I would allow them to hurt my
15 church, I'd have to do something.

16 Q: Do people bring their children to your church?

17 A: Yes, sir.

18 Q: Do you have any concerns with him being in the church
19 when you're ---

20 A: No, I do not. I will say this, I've always cautioned him
21 because of his -- the background status, I've always cautioned
22 him to try not to be around children, as well as don't be by
23 his self with anyone for that matter. To be honest with you,
24 I do that myself.

25 Q: Do you have any information about Complainant 4

Tarl Bradford Rollings - 2016-C-22-00042
JACK TODD - DIRECT BY FALK

163

- 1 A: No, sir, I don't, not really. I know that he was a
2 pretty good kid. He was -- would come to our church. He
3 lived in my backyard as well. They all played together.
4 Many, many kids ended up in our yard, and I don't know why,
5 but they did and it was kind of a scary thing at times.
- 6 Q: One moment. You said that you had helped him get his CDL
7 license?
- 8 A: Yes, sir.
- 9 Q: Have you tried to help him with any employment?
- 10 A: Well, I actually bought a truck and put him on as a
11 driver of the truck.
- 12 Q: So, if he were released, would he have employment?
- 13 A: Yes, sir; he has an employer now.
- 14 Q: Okay. And what is that job?
- 15 A: I think it's -- I can't really think of the name of it.
16 His employer's name is Brad Burns.
- 17 Q: But is it a hauling job?
- 18 A: Yes, sir; it is.
- 19 Q: Okay. And you provided him his truck?
- 20 A: Not this truck, no.
- 21 Q: Okay.
- 22 A: I've since sold that truck, and he got his own employment
23 with this gentleman and been with him for a while now.
- 24 Q: If he were released, do you know where he would live?
- 25 A: Yes, sir, he has his own mobile home.

Tarl Bradford Rollings - 2016-C-22-00042
JACK TODD - DIRECT BY FALK

164

1 Q: And where is that?

2 A: It's in Berkeley County.

3 Q: Is that the same mobile home that he was living in
4 before?

5 A: No, sir; it's not.

6 Q: If he were released and he needed to go to counseling or
7 something like that, would you be available to drive him?

8 A: If it was needed, yes, sir; we would make arrangements.

9 Q: How far away would you be living from him?

10 A: Probably three miles.

11 Q: Okay. Would you still be available to provide him
12 pastoral care?

13 A: Oh, absolutely.

14 Q: So, if he would be released and he'd live three miles
15 from your house?

16 A: Yes, sir.

17 Q: Would you have any concerns with him being in your
18 community -- in that community?

19 A: No, sir, not at all.

20 MR. FALK: I have no further questions.

21 THE COURT: All right. Cross examination?

22 MR. BOGLE: No questions, Your Honor.

23 THE COURT: All right, sir, you may step down, sir.

24 Thank you.

25 As I understand it, Mr. Falk, your remaining witness

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

165

1 would be the Respondent; is that correct?

2 MR. FALK: That is correct.

3 THE COURT: All right. What we're gonna do, ladies and
4 gentlemen, because the potential is that it will take
5 certainly longer than these witnesses, we're going to break
6 for lunch. I'm gonna ask that you be back in your jury room
7 at 1:30. We'll resume the trial at that time. I'm giving you
8 more time than I'm gonna be giving the lawyers because as you
9 heard, there are some matters of law that I have to discuss
10 with them. I have to do that outside your presence, so I'm
11 gonna have you go to lunch now and I'll take care of that
12 business now. All right.

13 Thank you very much.

14 Remember, don't talk about the case; don't allow anybody
15 to talk to you about it. Thank you.

16 (REPORTER'S NOTE: Jury exits courtroom. The following takes
17 place outside the presence of the Jury.)

18 THE COURT: All right. Mr. Falk, I'll be glad to hear
19 any motions now that we reserved just a few minutes ago.

20 MOTIONS:

21 MR. FALK: At this time, we would move for a directed
22 verdict. I believe that the State's witness -- I believe that
23 the State's case showed that up until 2004, not even the
24 State's witness believed that Mr. Rollings was a sexually
25 violent predator. And it was only the uncharge -- the untried

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

166

1 conviction in 2006 concerning the young boy named [Complainant 4] and the
2 case for which my client pled guilty under *Alford*, which sort
3 of put her recommendation over the top. I believe that
4 there's been substantial -- there's been evidence introduced
5 that the credibility of the witness in the 2014 case, that she
6 may have not been completely candid. And, again, there were a
7 myriad of reasons as to why the case regarding [Complainant 4] was not
8 brought forward. There was no evidence to say that it wasn't
9 -- there's no evidence to say why it wasn't brought forward
10 one way or the other. It just as easily could've been that it
11 wasn't brought forward because those charges in fact did not
12 exist or they did not think that they could be proven. The
13 fact that the police arrested him is not the same as whether
14 or not the Solicitor thinks the case is worthwhile going
15 forward. The Solicitor, you know, drops the case. We think
16 that's evidence that there's a possibility that that did not
17 happen regarding [Complainant 4] and my client maintains his
18 innocence. And, the expert testified that it is, you know,
19 she's aware of the times that people are forced into plea
20 deals and they will plead to something under *Alford* when they
21 in fact did not do it.

22 THE COURT: All right, sir.

23 Your response, Mr. Bogle?

24 MR. BOGLE: Your Honor, looking at the directed verdict
25 standard at this point in time, viewing the evidence in the

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

167

1 light most favorable to the non-moving party, we believe the
2 State has presented a sufficient case that Mr. Rollings does
3 fit the definition. Dr. Swan acknowledged the conviction, she
4 acknowledged the arrest, she acknowledged everything in the
5 proper context of her expertise as a psychologist, not as a
6 criminal prosecutor or criminal defense attorney. So, she put
7 arrests that didn't result in convictions, giving them their
8 proper weight and certainly the jury can do so, too.

9 We've identified sexually violent crimes; we've got three
10 of them. We've identified at least two or perhaps three
11 mental abnormalities, and her testimony has been that he's
12 maybe more likely to commit sexual crimes in the future unless
13 he's confined. So, summarizing her testimony, I think she's
14 -- we've seen enough information to withstand a directed
15 verdict motion at this time.

16 THE COURT: All right. In this motion for directed
17 verdict, the Court views the evidence and all reasonable
18 inferences in the light most favorable to the non-moving
19 party; that's the standard and in a civil case. Though this
20 has aspects of a criminal matter, specifically the burden of
21 proof and maybe some matters in pretrial before trial, but
22 this being a civil case, the -- if there's any evidence,
23 direct or circumstantial, justifying the submission of the
24 jury, then it would be necessary then for the Court to deny
25 the motion for a directed verdict. So, determining whether or

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

168

1 not the verdict would be possible under the facts as liberally
2 construed in the State's favor. The State has to prove
3 beyond a reasonable doubt that the Respondent has been
4 convicted of a sexually violent offense, he suffers from a
5 mental abnormality or personality disorder that makes him
6 likely to engage in acts of sexual violence if not confined in
7 a secure facility for a long-term control, care, and
8 treatment.

9 All of those elements, evidence has been deduced by the
10 State of South Carolina on all those matters. The convictions
11 are the subject of exhibits that are part of this record. As
12 noted, the plea under *North Carolina v. Alford* is taken as a
13 conviction under the law of the State of South Carolina. The
14 witness, Dr. Swan, testified to a reasonable degree of
15 psychological certainty that the Respondent was predisposed to
16 sexual violent acts in the future; there's a propensity for
17 future crimes; he was a menace to the health and safety of
18 others; he had serious difficulty in controlling his behavior;
19 he's likely to engage in those types of activities; and that
20 he must be confined to a facility for long-term control, care,
21 and treatment and inpatient treatment is necessary. And, she
22 stated that in her opinion, again all these to a reasonable
23 degree of psychological certainty that the Respondent is a
24 sexually violent predator under the definitions required by
25 the State of South Carolina.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

169

1 Therefore, there being sufficient evidence for a jury to
2 base its decision on that has been properly introduced in this
3 case, the Court respectfully declines to grant your motion for
4 a directed verdict.

5 Further motions on behalf of the Respondent?

6 MR. FALK: No, Your Honor.

7 THE COURT: All right. Very good. All right, gentlemen,
8 we'll reconvene at 1:30 with the, as I understand it, the
9 testimony of the Respondent and we'll go forward in that
10 regard. All right.

11 Thank you very much.

12 MR. FALK: Thank you, Your Honor.

13 (RECESS.)

14 *****OFF THE RECORD*****

15 (On the Record.)

16 BY THE COURT:

17 THE COURT: All right. The State ready to proceed?

18 MR. BOGLE: Yes, Your Honor.

19 THE COURT: And the Respondent?

20 MR. FALK: Yes, Your Honor.

21 THE COURXT: All right. Very good. Ask the jury to come
22 in please, sir.

23 (REPORTER'S NOTE: Jury enters courtroom.)

24 THE COURT: All right, Mr. Falk, you ready to proceed?

25 MR. FALK: I am, Your Honor.

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

170

1 THE COURT: Call your next witness, please.

2 MR. FALK: Your Honor, I call Tarl Rollings to the stand.

3 THE COURT: All right, sir. Come forward, sir, and meet
4 the Bailiff right over here please, sir.

5 TARL BRADFORD ROLLINGS, HAVING BEEN
6 SWORN TESTIFIED AS FOLLOWS:

7 CLERK: Thank you. Please be seated and then state and
8 spell your full name.

9 MR. ROLLINS: My name is Tarl Bradford Rollings.

10 THE COURT: Go ahead.

11 DIRECT EXAMINATION OF TARL BRADOFRD ROLLINS BY MR. FALK:

12 Q: Mr. Rollings, where did you sleep last night?

13 A: Georgetown County Detention Center.

14 Q: How long have you been in detention?

15 A: A year.

16 Q: And prior to being at the detention center, where were
17 you?

18 A: McDougal Correctional Institution.

19 Q: And so you've gone -- how long have you served -- how
20 long have you been in the custody of South Carolina Department
21 of Corrections, since 2004?

22 A: Two years.

23 Q: Okay. So you were -- where did you -- you were at
24 McDougall, you were at Ridgeland, you said?

25 A: Ridgeland, Turbeville. For the probation violation I had

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

171

1 went to Ridgeland and from there I went to Broad River; that's
2 where I completed my sex offender classes. And then from
3 there, I maxed out at Turbeville Correctional Institution in
4 2004.

5 Q: And then in 2011 you pled guilty or 2014 you pled guilty
6 under Alford?

7 A: 2015 ---

8 Q: Okay.

9 A: --- I pled guilty. I believe that was June the -- June
10 30th, 2015.

11 Q: And you went to?

12 A: I went to Kirkland for processing, and I went to McDougal
13 from there.

14 Q: Okay. Once you served out, that's when they brought you
15 up here and you were here for almost a year; is that right?

16 A: Yes, yes.

17 Q: Now, you were convicted for crimes against two girls;
18 we're calling Complainant 2 and Complainant 1 is that right?

19 A: Yes.

20 Q: Now, what do you have to say about those crimes; did you
21 do those?

22 A: I ---

23 Q: Let's talk about Complainant 1

24 A: Yes, I did.

25 Q: Okay. And what was -- what was going on in your mind at

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

172

1 the time; how old were you at the time?

2 A: I was 20 years old.

3 Q: Okay. Where were you living?

4 A: I was living with my fiancé; she wanted me to move in
5 with her. I was engaged at the time.

6 Q: Okay. And the accounts that they -- that Dr. Swan
7 reported, are they accurate with respect to that girl?

8 A: No.

9 Q: What happened?

10 A: What happened was -- what I had did was actually was I
11 performed oral sex on her and we kissed and that's what
12 happened. It happened one time and I sorrily and regretfully
13 -- sorry that I done it.

14 Q: And she was 13?

15 A: Yes.

16 Q: At some point, did you get sex offender treatment at the
17 South Carolina Department of Corrections?

18 A: Yes, I did.

19 Q: And you went to what's called S.O.T.P., Sex Offender
20 Treatment Program?

21 A: Yes.

22 Q: And where was that?

23 A: That's at Broad River Correctional Institution.

24 Q: Okay. Why don't you tell me what is involved in that?

25 A: Well, after ---

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

173

1 Q: How many times a week would you meet?

2 A: Every day.

3 Q: And were you segregated? Was -- were people coming from
4 all over the facility to these classes or were you all in like
5 one wing of the dorm?

6 A: One wing of the dorm.

7 Q: Okay.

8 A: All the sex offenders were in one wing.

9 Q: And so you met -- all right. So, then on a daily basis,
10 what are you doing as far as sex offender treatment?

11 A: Socializing, playing games, playing basketball, going to
12 canteen, going to church, going to Bible studies, I mean just
13 normal stuff that normal people would do other than the
14 counseling that we had.

15 Q: Let's talk about the counseling.

16 A: The counseling, we just sit there and tell each other --
17 well, I let them know -- I would let them know what happened;
18 what I did do and what I didn't -- didn't do and, you know,
19 just go through what I did do and just to try to make sure it
20 never happens again and find out what was I thinking at the
21 time when I was at that age, I mean, what kind of thoughts I
22 was having, what made me do what I did. And it's -- that
23 prevention to make sure that we didn't put ourselves in any
24 kind of situations in the future where something can be said
25 in the future.

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

174

1 Q: So, you had talked about your offense cycle is that
2 right?

3 A: Yes.

4 Q: And what did you learn about your offense cycle?

5 A: I pretty well learned that I was having distortions that
6 I thought that Complainant I was old enough to consent to sex, and
7 I realized that that was not wrong -- it's wrong and she was
8 not old enough. I had it in my mind that she was old enough
9 to consent to sex and she was not. She's a child at that age;
10 she's a child.

11 Q: And at some point, did you learn something about victim
12 impact and victim empathy?

13 A: Yes, sir.

14 Q: So, what do you think -- Complainant I how do you think this
15 affected her?

16 A: It affected her very, very hard and she's had a lot to
17 deal with, I know. And the reason why I say that too is
18 because I'm a victim and it was never brought up today I was
19 -- my uncle molested me when I was six to nine years old. He
20 had a 20 year bid and he had done 12 years at SCDC. And so I
21 know from first-hand experience what it feels like to be -- to
22 have to go through.

23 Q: So, you're saying your uncle molested you as a child?

24 A: Yes.

25 Q: And he served a sentence for that?

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

175

- 1 A: Yes.
- 2 Q: So, the sex offender treatment, so how many times -- how
3 many days a week would you have counseling?
- 4 A: It's every day. I mean, we had group. My memory fails
5 me sometimes, but I'm pretty sure it was every day we had
6 counseling every day.
- 7 Q: You had heard, when I was reading some of the progress
8 notes from your treatment, they talked about homework
9 assignments. What were the homework assignment be?
- 10 A: Relapse prevention, victim -- victim impact, my cycle.
- 11 Q: So, I mean, you would be asked to write or to you know
12 ---
- 13 A: We would have to fill out homework like you have homework
14 at school, you know, we had paper that the counselors would
15 give us and we'd have to fill them out.
- 16 Q: So, they'd ask you questions about what you think your
17 offense cycle is, what your trigger mechanisms are?
- 18 A: Yes, trigger mechanisms.
- 19 Q: And you'd respond to that?
- 20 A: Yes.
- 21 Q: And then did you get feedback from other people in the
22 group?
- 23 A: Yes.
- 24 Q: And then would you also provide feedback to them in the
25 group?

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

176

1 A: Yes, sir.

2 Q: Is that helpful?

3 A: Yes, it is. It was very, very helpful just to have
4 support from other guys and just knowing -- knowing what led
5 up to the crime and just being able to talk to somebody and --
6 somebody that's going through the same thing that, you know, I
7 went through.

8 Q: And would they ask you to like identify what some of your
9 distorting thinking patterns were?

10 A: Yes.

11 Q: And so this class lasted for about two years?

12 A: Yes, it did; it lasted two years.

13 Q: And did you successfully complete the class?

14 A: I did.

15 Q: Then when you were released, did you get some additional
16 counseling?

17 A: Yes, I received outpatient. That's mandatory that I have
18 to receive two years of community supervision. And when I
19 first got released in 2004, the first thing they done was put
20 a ankle monitor on me. I was on that for four months. The
21 first thing I have to do is go to the Sheriff's office and
22 report; I did that. I done everything I was supposed to do
23 and then they wanted me to go to counseling and I -- and I --
24 and I done that counseling. I just -- I can you take you to
25 it, I just can't remember the man's name. It was actually not

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

177

1 just me, it was several of us again in a group of guys
2 basically just like it was at Broad River.

3 Q: And did you have -- so how many days a week did you go to
4 counseling?

5 A: Two days a week, and I had to pay that out of my own
6 pocket.

7 Q: And then how long -- so, you went two days a week. Each
8 day that you went would it last two hours, a hour; how long?

9 A: It lasts a couple of hours.

10 Q: A couple of hours?

11 A: Uh-huh (affirmative response).

12 Q: And would they do -- what types of stuff did you do?

13 A: Same, the same thing that we done in Department of
14 Corrections.

15 Q: And so did you have like homework assignments?

16 A: Yes. And I had paper like that thick of homework that I
17 had to complete, and I done everything I was supposed to do.

18 Q: Well, what kind of accountability is there? You know,
19 what if you -- how do they make sure that you are
20 participating in this outpatient counseling?

21 A: By showing up and participating and just talking about
22 whatever they wanted you to talk about, whether it be what you
23 did in the past, and just make sure it don't happen again.

24 Q: Did the -- if somebody came to a class and -- if somebody
25 came to one of the classes and you didn't think that they'd

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

178

1 done their homework, what would you do?

2 A: They would get kicked out. They would get kicked out of
3 class and we wouldn't participate like we should, completing
4 homework assignments, we would get kicked out.

5 Q: So now you went to two years of counseling at sex
6 offender treatment and then you did -- I'm trying to do the
7 math. For what period of time did you do the outpatient; you
8 said a year, two years?

9 A: It was from 2004 to 2006.

10 Q: So, another two years at maybe four hours a week?

11 A: Yes.

12 Q: Was that helpful?

13 A: Yes, it has. It's kept me from reoffending.

14 Q: What did you learn?

15 A: I learned my cycle; I learned what I did was wrong;
16 victim impact, what it has done to the victim; about being in
17 -- putting myself in high risk situations. And just my main
18 goal is not -- is not to do it again, not to commit another
19 crime against a child.

20 Q: What's a high risk situation for you?

21 A: Putting myself in a situation where something can be
22 said, whether or not I did anything or not.

23 Q: What do you mean?

24 A: I don't think -- it's like a drunk, I don't think it
25 would be a good idea if you're trying to recover from alcohol

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

179

1 and you go to a bar, you know, it's the same way with this
2 here. I just don't think it was -- I don't think it's a good
3 thing to be around children because of my -- my crime. That's
4 putting yourself in a high risk situation.

5 Q: Uh-huh (affirmative response).. So, if you were released,
6 where would you work?

7 A: Walker Hayes Transport.

8 Q: And what would you be doing there?

9 A: Pulling containers off the port in Wando in North
10 Charleston Terminal.

11 Q: Can you make decent money doing that?

12 A: Yes, sir.

13 Q: Where would you live?

14 A: Live in the woods in a trailer. My best friend lives
15 behind me in a camper.

16 Q: About where are we, geography-wise?

17 A: Huh?

18 Q: Kind of where in the county?

19 A: It's Berkeley County. It's right in the middle of
20 Francis Marion National Forest, right smack dab in the middle.

21 Q: Children around there?

22 A: No, there's not. No children nearby, no school nearby,
23 nothing, just woods.

24 Q: Who is your family right now; who do you consider your
25 family?

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

180

1 A: Everybody on that side over there.

2 Q: Who are you pointing to?

3 A: All of them.

4 Q: Well, okay. So, that's Mr. Todd and he testified and
5 he's sort of your surrogate father or your step-father; is
6 that correct?

7 A: Yes.

8 Q: And then ---

9 A: Church members; that's my aunt and uncle, in the green
10 that's my uncle and my aunt next to her; that's Susan and
11 Wendy all the way to the end in the first row is Ms. Wendy
12 Cooper; and Ms. Brenda Williams, church member; my best friend
13 behind Pastor Todd, that's my best friend. We met what, while
14 I was trucking; that's where I met him at.

15 Q: Do all these people know what you've been accused of?

16 A: Yes.

17 Q: Did you ask them to be here today?

18 A: Yes.

19 Q: We have to talk about [Complainant 4] There is -- obviously, Dr.
20 Swan thinks very strongly that whatever [Complainant 4] happened did in
21 fact happen. What can you tell this jury?

22 A: That it didn't happen. What [Complainant 4] said happened, it did
23 not happen. I am not sure if somebody else was molesting him
24 or abusing him, but I know I didn't. And [Complainant 4] at the time,
25 he looked up to me because he lived next-door to me at the

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

181

1 time, and he had looked at me as a father figure and but ---

2 Q: Would you do stuff with him?

3 A: Yeah, well -- yes. Honestly, I'd take him on a ride on
4 the four-wheeler because I had a four-wheeler at the time and
5 he was wanting -- wanted to go ride on the four-wheeler and
6 I'd go and ride on the four-wheeler with him and go fishing
7 with him.

8 Q: Are you sexually aroused to be with little boys?

9 A: No, I'm not. And if I thought I was gonna molest a
10 little kid, I would've never have been around him if I had
11 knew that I was gonna do something to him. I wouldn't do
12 that.

13 Q: Did you do something to him?

14 A: No.

15 Q: When did the -- do you know when he reported this?

16 A: He reported this in 2015, of March of 2015. He -- I
17 think at the time he was 16 years old and he said it happened
18 four years before which would've made it 2011.

19 Q: Okay. Where were you in 2011?

20 A: I was living in Georgetown.

21 Q: And where were you working?

22 A: I was working for Butler Trucking here in Georgetown.

23 Q: Okay. There's a girl names **Complainant 3** ?

24 A: I didn't know her at the time; I didn't know who she was.
25 I found out later who she was. I didn't even know her name

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

182

1 until later. She came over to play with [Complainant 2] and the kids.
2 And one day I come home from work and my best friend, I told
3 him I had to do a little bit of grocery shopping and we'd
4 split our money and I was gonna meet him at Walmart here in
5 Georgetown to go grocery shopping. And then, I'm in my
6 bedroom changing clothes -- I didn't invite nobody to come in
7 my house. My screen door was closed. I hear the screen door
8 open and I hear somebody coming down the hall and I'm in my
9 bedroom; I had my clothes on. I'm on the side of the bed, I
10 got all my clothes on, I had to get my socks and my shoes on.
11 And here's this girl, standing in my door, looking around my
12 bedroom, talking about the pictures on the wall and my
13 comforter that's on my bed. And I said, what are you doing in
14 here? She said I just wanted to see where your goldfish pond
15 was at because we had a goldfish pond on the back of the
16 trailer, an outside goldfish pond that I have, and she wanted
17 to see where I slept at. And I said, you're not supposed to
18 be in here. I said, you need to go on. And I didn't even
19 know the girl at the time. I don't know who she was and
20 that's all that happened. The last thing that [Complainant 3] told me
21 going out the trailer was that she -- because I told her that
22 I was going grocery shopping, she said, well, can you buy me a
23 Pepsi, that was her last words that she said to me going out
24 the door. She didn't go storming out the door, mad. She went
25 out there happy. And then I got in my vehicle to go to

Tarl Bradford Rollings - 2016-C-22-00042

183

TARL BRADFORD ROLLINGS - DIRECT BY FALK

1 Walmart to go grocery shopping, and the next thing I know, I'm
2 being accused of touching her. That's while she was in my
3 house. And the last thing that Complainant 3 told me and she knows
4 this to be true because she knows. I wish I could face her,
5 she knows she's lying on me. She's being forced by somebody
6 to lie on me because it's not right. And the last thing that
7 girl told me was can I buy her a Pepsi and I told her yes. I
8 said, yes, I'll buy you a Pepsi, and that's the last thing I
9 ever saw her -- the last time I ever saw her.

10 Q: Did you buy her a Pepsi?

11 A: No, I didn't buy her a Pepsi. No, I got arrested -- I
12 got arrested -- they -- my -- Ms. Wendy Cooper called me on
13 the phone and she said, Tom, she said, can you come back to
14 the house? And I said, why? She said because somebody has
15 made an accusation against you. And I had to go back to the
16 house and I got arrested. Those girls said later on -- I
17 didn't even -- I find her name was Complainant 3, and I found out that
18 she said I touched her butt and tried to kiss her on the
19 forehead, and I didn't do that to her. She knows that; she
20 knows I didn't do that to her.

21 When you get -- when you get labeled as a sex offender,
22 it's a bad thing because nobody will give you a job, nobody
23 won't hire you; they won't. I tried to join the military in
24 2004 right before I got my CDL license. They wouldn't let me
25 join the military because of this crime. I wanted to give

Tarl Bradford Rollings - 2016-C-22-00042

184

TARL BRADFORD ROLLINGS - DIRECT BY FALK

1 back to the community, give back to the people. And I've had
2 fund raisers for sexual assault victims doing car washes and I
3 raised money for sexual assault victims. And every time I go
4 into a convenience store, I see a little young'un that's got
5 leukemia, losing all their hair, I'm always giving them money.
6 I'm always giving them money to support. I would do anything
7 to try to help a young'un, not hurt a young'un and -- and it
8 bothers me that I'm accused of something. When you -- like I
9 said, once you get this label, all somebody is got to do is
10 make an accusation whether they are right or wrong. All they
11 have to do is make an accusation. They ain't got to have no
12 evidence, you're guilty until proven innocent, and it
13 shouldn't be like that. You're supposed to be innocent until
14 proven guilty in court. And -- and it's not like that. I
15 have that bad label; yes, I do. And all it takes is one
16 person to make an accusation whether it's right or wrong and
17 people gonna assume -- assume that I'm guilty because of it,
18 because of my past. My past has been used against me and it's
19 not right. I've moved on, I've had treatment, I've moved on
20 with my life. I just go want go on with my life and I want
21 people to leave me alone. I go to work -- I go to work, come
22 home, I love watching movies; I'm a movie guy. I love
23 watching movies. I like watching sports; I'm a big football
24 guy. This sex thing isn't my -- it isn't all my life. I
25 mean, I'm a normal person other than what I did when I was 20

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

185

1 years old and I regret -- regret what I done; I do. And I
2 just don't want it to happen again. I just want to go on with
3 my life and just live it as normal as I can be. That's all I
4 want in life. This is not right. When somebody did -- the
5 system is using my past against me and it's not right. It's
6 not right. I understand I made a mistake; I admit that. But,
7 it's easy -- I'm an easy prey. It's like I got a bullseye on
8 the back of my shirt that's saying he's an easy prey. The
9 people that made accusations, the girl's family made
10 accusations, I later on I found out they wanted me out of
11 their neighborhood. They didn't want a convicted sex offender
12 in the neighborhood. They wanted me out of the neighborhood
13 and that's -- that's testimony reports in the criminal part of
14 it.

15 Q: You were represented by counsel in the case involving
16 **Complainant 3** is that correct?

17 A: Yes.

18 Q: And did you discuss your case with your lawyer?

19 A: Yes.

20 Q: And was your decision to plead based on your discussions
21 with your lawyer?

22 A: Yes.

23 Q: What types of things did y'all talk about? I mean I'm
24 trying to get at why would you plead guilty if you didn't do
25 it?

Tarl Bradford Rollings - 2016-C-22-00042

186

TARL BRADFORD ROLLINGS - DIRECT BY FALK

1 A: It's kind of choosing the lessor two evils. I could have
2 either went to trial and got 20 years or 25 years or I could
3 plea to a -- they was recommending five years. I figured I
4 would just plead and do the time and go on with my life and
5 just go on, and so it was more of choosing the lessor of the
6 two evils. I didn't want to do 25 years especially for
7 something I didn't do, but then when -- understand where I was
8 allowed to maintain my innocence, that went a long ways, too.
9 In court, they allowed me to maintain my innocence and so that
10 went a long ways. I didn't want to admit no guilt for
11 something I didn't do, but any way, I did and I didn't. I
12 don't know. I know in 1998, I was guilty. I pled guilty to
13 that because I know was guilty. One of the charges I'm
14 innocent on -- one of those charges I'm innocent on and
15 there's no counselor on the earth, no therapist on the earth
16 gonna tell me or have me admit to something that I didn't do.
17 I'm not gonna do it; I'm not gonna admit to something I didn't
18 do.

19 Q: You talked to Dr. Swan and she talked to you for a couple
20 of hours; is that correct?

21 A: Yes.

22 Q: Did she want you to admit to these charges and regarding
23 Complainant 4 and Complainant 3.

24 A: Wanting me, yes. That's what counseling -- if I had to
25 go to counseling, they're gonna want me to say what they want

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

187

1 me to say. It's a psychology game with them. They want you
2 to admit to something that you didn't do. And if you don't
3 admit what they want you to admit, they're gonna say I need
4 help or I need treatment. Now see, that's wrong. That's
5 absolutely wrong. That's the way they are and it's wrong,
6 man. I'm not gonna admit to no kind of therapist or whatever
7 counselor they are that I done something wrong when I know in
8 my heart, I didn't do nothing wrong. I'm not gonna admit to
9 something I didn't do. And, if I don't, and if I just sit
10 there and be in denial, they're gonna say, oh, you're in
11 denial you're in denial; that's what they're gonna say. No,
12 I'm not in denial. I didn't do it.

13 Q: But you're not denying anything about **Complainant I**; is that
14 correct?

15 A: No, I'm not denying what I done with her.

16 Q: And the counseling that you got, the two years of sex
17 offender treatment that you got at Broad River and then the, I
18 guess, maybe 200 hours or so of outpatient treatment; did that
19 help?

20 A: Yes. Yes, it did. We have a support group that goes a
21 long way; having a support group, having somebody there if
22 you're having thoughts of doing anything regarding if it's
23 sexual or just a crime in general, we have a support group;
24 we're friends. We all lean on one another to support one
25 another, give one another feedback. That's what we do.

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

188

1 Q: Did you have a support group when you were 20?

2 A: No, I did not.

3 Q: What kind of -- why don't we talk a little bit about your
4 teens?

5 A: I didn't -- my family is very poor; my biological family
6 is very poor. When I was first -- when I first committed my
7 crime in '98, I got probation. For six months of that, I went
8 to the Sheriff's office and tried to register. I did
9 register. I done everything I was supposed to do. I got
10 behind on my money, nobody would hire me because of my sex
11 conviction and I didn't have no car, no transportation; I
12 didn't have a momma and daddy to go to to rely on them. I was
13 having a very hard time in my life at that time and I was
14 trying -- I wanted to do right, trying to do right. And I
15 finally found a job setting up mobile home trailers for J & J
16 Mobile Home Movers out of Camden, and we was in Columbia
17 setting up a double-wide. I told the boss man at the time, I
18 said, I have to report to my agent. He said, I'll have you
19 there. To make a long story short, I never made it and
20 everybody's saying, well, they're gonna violate you now. So,
21 I kind of -- I ran and I ran to the next county, which was
22 Kershaw County because I had my probation transferred also.
23 My probation originally started in Kershaw County and I had it
24 transferred to Lee County and when they found me -- when they
25 found me in the county, they found me in Kershaw County. It

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

189

1 was about four months it took, then they found me and came and
2 arrested me and gave me five years suspended. They gave me
3 the five years; I ended up going four years and three months.

4 I didn't have no support at the time. I honestly
5 believe, if I had the support at the time, I wouldn't have
6 went to prison.

7 Q: So did you commit another crime while you were on
8 probation?

9 A: No, sir. No, sir.

10 Q: So what's your understanding of why your probation was
11 revoked; because you ---

12 A: I, I got behind on my money at approximately like \$140; I
13 can't remember, it's been so long ago. Okay. They told me
14 how to seek mental health then; I tried. I go see a therapist
15 a couple of times. That's out of pocket. I didn't have the
16 money to afford it and I couldn't. I was already having a
17 time finding a job and I'm having a time finding
18 transportation. I couldn't even get around. So, when I did
19 try to go see a therapist, I couldn't go because I couldn't
20 afford it; I couldn't -- I couldn't do it. So, they violated
21 me for failing to seek mental health, being behind on my fees
22 that you have to Probation, and failure to report. And then
23 when I failed to report, that also means I failed to go to the
24 Sheriff's Office and register for everything like I was
25 supposed to.

Tarl Bradford Rollings - 2016-C-22-00042

190

TARL BRADFORD ROLLINGS - DIRECT BY FALK

1 Q: But you did get arrested for the contributing to the
2 delinquency; did that happen while you were on probation?

3 A: No.

4 Q: Why don't you tell me about that?

5 A: That was Minor. She was going out with my brother at
6 the time. My brother, Junior, they were the same age, 14.

7 Q: And how old were you?

8 A: I was 21 and just I was headed to the store and it was
9 real late at night and see them two walking down the street
10 and she wanted to know what they were doing walking down the street
11 and I picked them up and they wanted me to take them to a park
12 so they could smoke a joint; that's what they was gonna do was
13 smoke a joint. So, I took them to the park to smoke a joint
14 and while I was at the park, Minor grandmother and mother
15 had been looking for her already and they had come to that
16 park. And when they came to the park, they got her, took her
17 away. Then about a week or two later, they charged me with
18 contributing and I asked them why; they came to my job at the
19 time, I was working at Calameda (spelled phonetically), egg
20 processing plant. Then they said because you can't have a
21 monitor out past midnight. I said, well, I'm sorry, I said I
22 picked her up on the side of the road, and her and her
23 boyfriend at the time, and there was nothing sexual there. I
24 didn't touch her, didn't do anything sexual with her at all.
25 Q: Did you provide her with the joint?

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

191

1 A: No, they had their own stuff. I don't know where they
2 got the joint from. They, they -- I don't know, there was
3 marijuana floating around there like it was -- like crazy. I
4 mean, all the kids was getting marijuana; I don't smoke
5 marijuana. I don't drink. I don't know where they got it
6 from. I didn't commit no -- that was nothing sexual there at
7 all. I mean, I mean, my mind was to tell them they needed to
8 get home. I'm kind of being a helpful person here trying to
9 get them off the road, and I thought they wanted to go the
10 store but they wanted to go to the park so they could walk
11 around the park and hold hands.

12 Q: And you knew the boy that she was with?

13 A: He was a friend of my brother's.

14 Q: Okay.

15 A: I really didn't know him. I mean, I recognized him. I
16 recognized him because, like I said, **Minor** went out with my
17 brother, that's how I know **Minor** because she dated my
18 brother.

19 Q: Okay. Did you ever tell anybody that the abuse that you
20 suffered?

21 A: Well, part of the sex offender treatment program, we, we
22 -- we talked about it a little bit. Other than that, just
23 other than talking about what happened, that's about it. I
24 know in the process of -- in 2011 when I was arrested for this
25 **Complainant 3** charge, I just wanted to -- I stayed out of trouble

Tarl Bradford Rollings - 2016-C-22-00042

192

TARL BRADFORD ROLLINGS - DIRECT BY FALK

1 during the process of going to court with her -- with that and
2 I traveled over the road. I went out west. I went over the
3 road and traveled the country. I wanted to see the country.
4 I wanted to get my mind off of things. I wanted to get peace
5 because it seemed like every time I turn around it's -- it's
6 like every time I turned around something was trying to get
7 me, you know. I worked for St. Andrews Public Service
8 District Commission out at West Ashley, I was a garbage guy.
9 I was a driver and had two laborers on the back. They knew
10 about my past. They knew exactly the pending charge before it
11 even went to court. And part of my job is to take out trash
12 for preschoolers, elementary schools, daycares; that was part
13 of my job was to do that. Every time I'd see the kids out
14 there, they were wanting me to honk the horn at them and
15 that's all -- I just wanted -- I just wanted to be able to go
16 on with my life, man, and just get this behind me and just go
17 on with my life and before -- not to have no victims, not even
18 anybody to -- now I can't even hardly go to church now. I
19 mean it's just, I'm scared to literally be around children now
20 because the accusations are so easy to make.

21 Q: What assurance can you give us that if you're released,
22 you're not gonna commit a crime of sexual violence?

23 A: I know I'm not gonna commit no sexual crime towards
24 anybody. I know that for a fact; I'm not. I just want to go
25 to work and go home, watch movies, play with my dogs in the

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - DIRECT BY FALK

193

1 yard and go to church. The insurance would be the sex
2 offender treatment program I had. I just -- I just don't want
3 to be accused of something I didn't do anymore. This is --
4 enough is enough.

5 Q: So, you didn't get the treatment until after they revoked
6 you; is that correct? You didn't get the sex offender
7 treatment until after they revoked your probation; is that
8 correct?

9 A: Correct.

10 Q: So had you not gotten that treatment, we might be in a
11 different situation today?

12 A: Yes. Yes, I know we would.

13 Q: Do you need more sex offender treatment?

14 A: No, I don't, but I'm gonna be obligated to upon my
15 release. So, I'm gonna have to do probation. I'm gonna have
16 to wear an ankle monitor for life. And I think after ten
17 years, I think I could petition the Court to be evaluated
18 again. I am not a sexually violent predator, period, period.
19 I don't even like saying the word. It's disgusting. It's
20 made for people who deserve it and I'm not deserving to be
21 labeled that of a violent predator for one crime that I
22 committed in my life, no. I wouldn't hurt a child. My main
23 goal right now is to make sure that there is not another,
24 nothing else, no more victims or nothing. I just want to go
25 back to my life.

Tarl Bradford Rollings - 2016-C-22-00042

194

TARL BRADFORD ROLLINGS - CROSS BY BOGLE

1 Q: Do you have anything else you'd like to tell the jury?

2 A: I'm sorry we had to meet under these circumstances.

3 Thank you for your time. And hopefully if the Lord's willing,
4 everything will be all right; everything will work out fine.

5 I just want to go home. I'm not gonna lie to you, I want to
6 go home.

7 Q: I have no further questions. Please answer any questions
8 Mr. Bogle will have.

9 THE COURT: Cross examination?

10 MR. BOGLE: Thank you, Your Honor. May it please the
11 Court?

12 CROSS EXAMINATION OF TARL BRADFORD ROLLINGS BY MR. BOGLE:

13 Q: So, Mr. Rollings, when you've gone to court to plead
14 guilty, where you're gonna plead guilty, like for example this
15 contributing to the delinquency of a minor. In the situation
16 involving a guilty plea, doesn't the Judge ask you or the
17 Judge asks you a series of questions first to make sure you're
18 pleading guilty freely and voluntarily, right? You got to
19 say something so she -- I mean, you got to answer yes or no so
20 she can hear you down here. Okay?

21 THE COURT: Yes, sir, Mr. Bogle.

22 MR. BOGLE: He was nodding.

23 THE COURT: I appreciate that. If you have a problem
24 with how the witness is responding, you address that matter to
25 the Court.

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

195

1 MR. BOGLE: I apologize, Your Honor.

2 THE COURT: You do not handle it yourself.

3 MR. BOGLE: I apologize.

4 BY MR. BOGLE:

5 Q: So, the Judge asked you a series of questions to make
6 sure you're pleading freely and voluntarily, correct?

7 A: Yes.

8 Q: And then he also asks you if you're represented by
9 counsel, if you're satisfied with the services of your lawyer,
10 correct?

11 A: Yes.

12 Q: And after he makes a determination you're pleading freely
13 and voluntarily, he then turns to the prosecutor and has the
14 prosecutor explain what the crime is, correct?

15 A: I don't remember that.

16 Q: Okay. You don't remember that?

17 A: No.

18 Q: And after the prosecutor explains what the crime is, the
19 Judge then makes sure that you are admitting you did what they
20 say you did, right?

21 A: I don't remember that.

22 Q: You don't remember that?

23 A: No.

24 Q: So in the contributing to the delinquency of a minor,
25 what the indictment says, that you unlawfully cause and

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

196

1 enticed a minor, **Minor**, to endanger her morals or health
2 by taking her away in the early morning hours without consent
3 of her parents or guardian. You don't remember the Judge or
4 somebody reading that out and making sure you admitted it?

5 A: No, all I was told was that I had her out past midnight
6 and I wasn't her legal guardian.

7 Q: Okay.

8 A: And I told them at the time what happened.

9 Q: I'm talking about the guilty plea in front of the Circuit
10 Judge, not what you told the police when you got arrested.
11 You don't remember it going down that way?

12 A: No, sir.

13 Q: Okay. And the same thing for the registration of a sex
14 offender. At the guilty plea, you pled guilty to that,
15 correct?

16 A: Yes.

17 Q: It wasn't an *Alford* plea; this was a guilty plea, meaning
18 I did it, right?

19 A: Yes, sir.

20 Q: Okay. And they read to you what you'd done, that you
21 hadn't registered with the Kershaw County Sheriff's Department
22 as required by law and you admitted to that, correct?

23 A: Yes.

24 Q: Okay. So, in the crimes in Kershaw County, then one
25 involving lewd act on a minor back in '99 involving **Complainant 2** ;

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

197

1 is this one you admit to doing?

2 A: No, Complainant 1

3 Q: Well, this is -- this is -- this is a lewd act on Complainant 2
4 , and then we have the criminal sexual conduct with Complainant 1

5 So, which of these two do you admit doing and which one do
6 you deny doing?

7 A: Complainant 1, I admit.

8 Q: You admit to Complainant 1 and that was the criminal sexual
9 conduct with a minor in the second degree?

10 A: Yes.

11 Q: Okay. And that was a guilty plea. It wasn't under
12 Alford; it was a straight up guilty plea, I did it, right?

13 A: Yes.

14 Q: Okay. And then the other one, the lewd act on a minor
15 involving Complainant 2, you're telling us now I didn't -- you
16 didn't do that?

17 A: I told them then I didn't do it.

18 Q: Okay. But you pled it -- you pled guilty to it?

19 A: I mean, it's either -- they had them together, I mean I
20 didn't have no choice.

21 Q: All right. But you pleaded guilty to it, right?

22 A: I pleaded guilty to Complainant 1

23 Q: Well, I'd like to show you a certified copy of the

24 sentencing sheet on the Complainant 1 case -- I'm sorry, Madam

25 Court Reporter -- this would involve the lewd act on a minor

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

198

1 and the girl's name in the indictment is Complainant 2 and that's
2 your signature right there, isn't it?

3 A: Yes.

4 Q: And it says that he pleads to the indictment, right,
5 pleads?

6 A: Uh-huh (affirmative response).

7 Q: So, you pled guilty to this in Circuit Court in front of
8 a judge just like a courtroom right here, right?

9 A: Yes.

10 Q: And you said you got sex offender treatment while at
11 prison after your probation got revoked and sent you back to
12 jail, right back to prison, right?

13 A: That's correct.

14 Q: Okay. And this was about two years of sex offender
15 treatment, but then from what I'm seeing here, you got out of
16 prison in about 2005 or 2006, right?

17 A: 2004, November 1st.

18 Q: Okay. And then barely two years later, we have the
19 conduct that Complainant 3 says happened in early 2006 to get you
20 arrested in 2015, right?

21 A: No.

22 Q: Well, you're saying ---

23 A: I was arrested again. I was arrested for Complainant 4 in 2015.

24 Q: Right.

25 A: Complainant 4 was 16 years old in 2015. He said it happened when

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

199

1 he was 9, which would've made it 2011, the same time I was
2 arrested with -- about the Complainant 3

3 Q: Okay. So you're saying ---

4 A: Not 2006; it was 2011.

5 Q: Okay. Okay. Now involving the Complainant 4 situation, isn't it
6 true that you gave Complainant 4 gifts while you knew him back during
7 that time?

8 A: Yes.

9 Q: Took him on trips, like fishing trips and things like
10 that?

11 A: Uh-huh (affirmative response).

12 Q: But did not take his brother on the same kind of trips?

13 A: That's not correct.

14 Q: No, that's not correct?

15 A: No.

16 Q: All right. And when arrested in 2011 or 2015 for that
17 crime, you still saved the note that Complainant 4 had sent you some
18 four years earlier, did you not?

19 A: Yes, I seen a note that he wrote.

20 Q: Okay. Now, we then have the situation involving the lewd
21 act charge here in this county involving Complainant 3 Now this is
22 the crime that you pleaded guilty under *North Carolina v.*
23 *Alford*, right?

24 A: Yes.

25 Q: You had a lawyer with you at that time, right?

Tarl Bradford Rollings - 2016-C-22-00042
TARL BRADFORD ROLLINGS - CROSS BY BOGLE

200

1 A: Yes.

2 Q: Was it your understanding that you didn't have to admit
3 guilt, correct?

4 A: Yes.

5 Q: But at the same time, you had to acknowledge to the Court
6 that you believed the State had enough information to convict
7 you if the case went to trial, correct?

8 A: Yes.

9 Q: And so based on those circumstances, you pleaded guilty
10 under that *Alford* case and that's a conviction just like any
11 other conviction and you wind up going to prison?

12 A: Yes.

13 Q: Okay. When you talked earlier about the sex offender
14 treatment and the distorted thinking you were having, the
15 distortions, you mentioned that one of the distortions was
16 thinking that a girl as lovely as one of these **Complainants** was
17 could consent to sex?

18 A: Uh-huh (affirmative response). Yes.

19 Q: Was also was of the distortions thinking that because she
20 was around, she somehow wanted a sexual relationship with you;
21 was that part of the distorted thinking you were having back
22 then?

23 A: I can't remember -- no, I don't know.

24 Q: Okay. And the -- all the sex offender treatment you've
25 had, both with the Department of Corrections and with this Tom

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

201

1 person afterwards, all happened prior to getting arrested for
2 the crime involving Complainant 3 that led to the lewd act conviction
3 here in Georgetown County, correct?

4 A: Yes.

5 Q: Thank you. Nothing further, Judge.

6 THE COURT: Redirect?

7 MR. FALK: No redirect.

8 THE COURT: All right, sir, you may step down, sir.

9 BY THE COURT:

10 THE COURT: Further witnesses on behalf of the
11 Respondent?

12 MR. FALK: The Respondent would rest.

13 THE COURT: Is any reply testimony from the State?

14 MR. BOGLE: No, Your Honor, thank you.

15 THE COURT: All right. Very good.

16 All right. Ladies and gentlemen, we have concluded the
17 evidentiary portion of the trial. As when the State ended its
18 presentation of the evidence, there are matters of law that I
19 have to take up outside your presence. I will also in that
20 conference need to talk to the lawyers about and make sure
21 they know the law that I'm going to charge to you in this
22 matter so that they -- to give them an opportunity to comment
23 on it if they so choose to do so. So, in saying this, you're
24 gonna be back in your jury room for a little bit. So, I want
25 you to go to the jury room. Please don't talk about the case.

Tarl Bradford Rollings - 2016-C-22-00042
MOTIONS

202

1 I will call you back out as soon as I can when I have
2 concluded all these matters with the attorneys. All right?

3 Thank you very much.

4 (REPORTER'S NOTE: Jury exits courtroom. The following takes
5 place outside the presence of the Jury.)

6 THE COURT: All right. Motions by the Respondent, Mr.
7 Falk?

8 MOTIONS:

9 MR. FALK: We would renew our motion for directed verdict
10 under the same grounds that I articulated earlier.

11 THE COURT: All right, sir.

12 MR. FALK: And, Your Honor, I would also renew any other
13 motions, any other trial motions I made regarding the jury and
14 some evidentiary questions.

15 THE COURT: All right, sir. As to any matters involving
16 the -- any evidentiary matters or questions that you wanted to
17 ask of Dr. Swan or the issue regarding the juror that you
18 wanted me to excuse for cause, the Court reaffirms all of its
19 rulings that the Court made prior, at the time those matters
20 were raised to the Court.

21 As to your motion for a directed verdict, I'm not gonna
22 go over the law or the Court's findings again. The law as I
23 stated, the findings as I stated in the record at the of the
24 State's case, I reaffirm those. I find those still to be
25 present. I do find that there is more than sufficient

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

203

1 evidence, if that evidence is believed by the jury. Again,
2 that's their job, credibility and believability, to find for
3 the State in this matter, and there being sufficient evidence
4 under the standards that I set forth previously, I
5 respectfully decline to grant your motion for a directed
6 verdict.

7 Any other motions on behalf of the Respondent?

8 MR. FALK: No, Your Honor.

9 CHARGE CONFERENCE:

10 THE COURT: All right. Let's -- did y'all have a chance
11 to look at the verdict form that the Court had prepared in
12 this matter, Mr. Bogle?

13 MR. BOGLE: Yeah, we did, Your Honor. I've only tried
14 one of these cases before in front of you, so I don't know
15 what your style is. We prefer of course the form we
16 submitted. The only concerns I have with the form that you
17 have, while it's part of the definition of sexually violent
18 predator, it's not the entire definition because the first
19 part is being convicted of a sexually violent crime. In
20 addition, while -- while those two things, the crime and what
21 you have written down, are the definition under 44-48-30, Part
22 1. At the same time of your jury charge, there's additional
23 things you will charge about serious difficulty controlling
24 his behavior that kind of adds on to it. I guess, I had
25 somebody describe to me one time an Interrogatory Verdict Form

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

204

1 and I guess that's what -- to me, that's what this is. I
2 would prefer the verdict form the State has submitted. The
3 only thing really missing, if you're gonna put the definition
4 is, the fact is do they believe that it's been proven he's
5 been convicted of a sexually violent offense.

6 THE COURT: What is your position, Mr. Falk?

7 MR. FALK: Your Honor, I have no objection to the verdict
8 form. Of course, I'd prefer the no answer come before the yes
9 answer, but I say that more in jest, Your Honor.

10 THE COURT: And I appreciate that and probably what I
11 will do, one is in between the yes and the no in bold type,
12 I'm gonna have -- I'm gonna replace or and I'll put some --
13 there will be some more space between yes and no. You'll have
14 yes or no. I think it's clear, but just so there is no
15 question, we'll do that.

16 I'm not inclined to change the form and go to the one the
17 State has requested. Would you be in agreement with the
18 suggestion of the State that there be added, you find that
19 Tarl Bradford Rollings has been convicted of a sexually
20 violent offense and suffers from a mental abnormality or
21 personality disorder that makes him likely to engage in acts
22 of sexual violence if not confined to a secure facility for
23 long-term care and treatment. So just add that in addition to
24 that what is there, but that he has been convicted of a
25 sexually violent offense and suffers from... Do you have any

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

205

1 problem with that?

2 MR. FALK: Well, we certainly offered no proof ---

3 THE COURT: In opposition to that?

4 MR. FALK: --- in opposition and we stipulated to the
5 record. So, although I don't think it's necessary, I'm not
6 gonna make a fuss.

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

8 Since I'm gonna charge and the State has to prove that
9 beyond a reasonable doubt, we'll add that. All right.

10 So, instructions to the -- to the jury, you know, we'll
11 talk to them about the, the normal things that we do usually
12 talk to them about as far as credibility, believability,
13 believing one witness against several, several against one, a
14 portion of what a witness has described; the usual things that
15 we talk about in basically talking about that to the jury in
16 all cases.

17 I will define to them direct and circumstantial evidence.
18 Because the standard of proof is beyond a reasonable doubt, I
19 will include in that definition of circumstantial evidence to
20 the extent the State relies on circumstantial evidence, all
21 the circumstances must be consistent with each other and when
22 taken together, point conclusively to proof beyond a
23 reasonable doubt.

24 The expert witnesses, the usual thing that we talk to
25 them about that we usually don't allow opinion but we allow

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

206

1 witnesses who have been qualified with certain training and
2 expertise in a certain field to give their opinion, but that
3 doesn't give them any special status; they are to judge all
4 the witnesses the same.

5 Since there has been an issue regarding -- it's been
6 raised before the jury about payment of expert witness, I do
7 intend to charge the jury that when an expert witness is
8 called, they expect to be paid and should be paid. You should
9 not take into consideration the fact that a witness is paid
10 unless there is evidence or circumstances appearing from the
11 evidence, which would reasonably convince you that the
12 testimony of the witness has been influenced because of the
13 sum which has been paid to the witness. So, I intend to add
14 that to the expert witness charge.

15 Regarding the charge regarding the Sexually Violent
16 Predator Act, I'll simply state first that the State has
17 brought that case under the Sexually Violent Predator Act
18 under our Code of Laws. The -- that the purpose of the
19 Sexually Violent Predator Act is to involuntarily commit only
20 a limited subclass of dangerous persons, not all dangerous
21 persons. Go on to say, a person is likely to engage in acts
22 of sexual violence within the definition of Sexually Violent
23 Predator Act if his propensity to commit acts of sexual
24 violence is of such a degree as to pose a menace to the health
25 and safety of the others. Go on to talk about that the State

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

207

1 alleges claims that the Respondent in this case is a sexually
2 violent predator. Reaffirm that the burden of proof is on the
3 State of South Carolina to prove that to them beyond a
4 reasonable doubt. That the Respondent's mental abnormality or
5 personality disorder remains such that he is not safe to be at
6 large and, if released, is likely to engage in acts of sexual
7 violence.

8 Define reasonable doubt to them as we normally do in a
9 criminal case. Tell them that the State must prove beyond a
10 reasonable doubt and then go into the elements. A sexually
11 violent predator person who's been convicted of a sexually
12 violent offense and suffers from mental abnormality or
13 personality disorder that makes a person likely to engage in
14 acts of sexual violence if not confined in a secured facility
15 for long-term control, care, and treatment.

16 Before the State is entitled to a verdict, each and every
17 one of the members of the jury must be convinced beyond a
18 reasonable doubt that the State has proven each of the
19 elements of his claim beyond a reasonable doubt. And again,
20 I'll reaffirm those three things again to them. Inherent in
21 the three elements is that the State must prove beyond a
22 reasonable doubt that the Respondent's mental abnormality or
23 personality disorder causes him serious difficulty in
24 controlling his behavior. This fact likewise, again, must be
25 established beyond a reasonable doubt

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

208

1 I'll define some terms to them. Mental abnormality,
2 meaning a mental condition affecting a person's emotional or
3 volitional capacity that predisposes a person to commit
4 sexually violent offenses. Mental abnormality must cause the
5 Respondent serious difficulty in controlling his behavior.

6 Likely to engage in acts of sexual violence means a
7 person's propensity to commit acts of sexual violence is of
8 such a degree as to pose a menace to the health and safety of
9 others so that he is dangerous to others.

10 Remind them again that the burden of proof is on the
11 State of South Carolina to prove beyond a reasonable doubt
12 that the Respondent has committed -- excuse me -- let me make
13 sure on this thing -- has been convicted of a sexually violent
14 offense and that his mental or personality -- mental
15 abnormality or personality disorder remains such that he is
16 not safe to be at large and if released is likely to engage in
17 acts of sexual violence.

18 If the State carries its burden and convinces you beyond
19 a reasonable doubt as to each of the elements, is entitled to
20 finding that the Respondent is a sexually violent predator.
21 If the State does not meet that burden of proof as to any of
22 the elements, the Respondent is entitled to a finding by you
23 that he is not a sexually violent predator and go over with
24 them that their decision has to be unanimous.

25 What will the State wish me to add, change or delete?

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE CONFERENCE

209

1 MR. BOGLE: Judge, maybe I just didn't hear it, but when
2 you're charging the elements of what the State has to prove,
3 you mentioned in the second one that he suffers from a mental
4 abnormality or a personality disorder and so on about not
5 confined in a secure facility. The first element is that the
6 Respondent has been convicted of a sexually violent offense.

7 THE COURT: Okay.

8 MR. BOGLE: I charge you that lewd act on a minor and
9 criminal sexual conduct in the second degree are sexually
10 violent offenses.

11 THE COURT: Any objection to that, Mr. Falk?

12 MR. FALK: No objection.

13 THE COURT: All right. Anything else from the State?

14 MR. BOGLE: No, Your Honor, thank you.

15 THE COURT: All right. How about the -- as to the charge
16 from the Respondent, Mr. Falk?

17 MR. FALK: We're satisfied with the charge that you
18 proposed.

19 THE COURT: All right, sir.

20 All right. So, let's take a short break. We'll come
21 back and we'll go forward with the closing arguments.

22 All right. Thank y'all very much.

23 MR. BOGLE: Thank you, Your Honor.

24 (RECESS.)

25

*****OFF THE RECORD*****

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

210

1 **(On the Record.)**

2 BY THE COURT:

3 THE COURT: All right, Mr. Bogle, you will open in full
4 and then have a chance to reply?

5 MR. BOGLE: Yes, Your Honor.

6 THE COURT: All right. Very good.

7 The State ready for the jury to come in?

8 MR. BOGLE: We are, Your Honor.

9 THE COURT: And the Respondent?

10 MR. FALK: We are, Your Honor.

11 THE COURT: Very good.

12 Ask the jury to come in please, sir.

13 (REPORTER'S NOTE: Jury enters courtroom.)

14 THE COURT: All right, ladies and gentlemen, as I
15 explained to you, we have concluded the evidentiary portion of
16 this trial. What remains are the closing arguments of the
17 attorneys and then the charge on the law and after which I
18 will submit the case to you for your deliberations and your
19 unanimous decision in this particular matter. As with the
20 opening statements by the attorneys, obviously they are making
21 their comments to you here upon their view of the evidence,
22 remembering of course that you are the judges of the facts and
23 evidence in this case and that the evidence is already been
24 received. These are their comments and their statements to
25 you and obviously what they'll be asking of you regarding your

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

211

1 verdict in this particular matter.

2 So with that, Mr. Bogle?

3 MR. BOGLE: Thank you, Your Honor, may it please the
4 Court?

5 THE COURT: Yes, sir.

6 CLOSING BY BOGLE:

7 MR. BOGLE: Let me confess right up front, I'm not one of
8 these television lawyers. I've got to have notes; they do not
9 but that's not me.

10 First off, I'd like to thank you for doing a job. We've
11 spent two days here. A lot of other things we'd like to be
12 doing besides this, but this is very important both to Mr.
13 Rollings, to the State, and to Georgetown County. So, you're
14 doing your job and that's important. You are also using your
15 common sense because here's what you've got to do. You have
16 to decide this case based on what you heard from that witness
17 stand and the three exhibits that you're gonna take back in
18 the jury room with you and that's it, just those things. So,
19 you've got to judge the credibility, the believability of the
20 witnesses; what was their interest, if they have a bias, if
21 they have a prejudice, or was there something about them that
22 made them more believable or less believable, you've got to
23 decide that and that is solely your call and nobody else's;
24 not mine, not Mr. Falk's, not the Judge's. Your call is
25 deciding what the facts are that's based on what you heard

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

212

1 from that witness stand.

2 Now, every case kind of has a theme and to me this case
3 has one. Dr. Swan identified it. I saw it in her report.
4 It's called wake-up call. Okay. Where was the wake-up call
5 here? I'd like to think that back in 1998 when the crimes
6 were committed against those two girls, the two **Complainants**,
7 **Complainant 2** and **Complainant 1**, and he got convicted of those crimes
8 in 1999 and didn't go to prison. He got a suspended sentence
9 on probation. I'd like to think that, hey, that's kind of a
10 wake-up call. You know, maybe I shouldn't do this kind of
11 stuff again. Now, his probation gets revoked at least twice,
12 maybe more times, and he goes to prison. He gets out of
13 prison. We have the things he does that caused the arrest
14 involving **Complainant 4** no conviction, no question about that, and Dr.
15 Swan acknowledged that in her analysis of what happened. But
16 she's got to look at if you do something bad enough to get you
17 arrested, then that's something of concern. It doesn't have
18 to say whether it's a conviction but it can't be ignored. And
19 the rules of the scoring system used says you can't ignore
20 that kind of thing. So, we have the conduct there and we then
21 have finally the guilty plea under the *Alford* case with the
22 guilty plea where he, while not admitting he did it, does
23 admit to the Court that, yes, the State has enough to prove me
24 guilty and that's involving the **██████████** case or **Complainant 3**, so we
25 had that here in Georgetown County.

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

213

1 So, I guess what I'm looking for, where's the wake-up
2 call along the way? Where's the call that says wait a
3 minute, you go to prison for this sort of stuff, stop doing
4 it, and it doesn't happen, it keeps going on. The wake-up
5 call didn't happen.

6 We also have a lot of testimony about sex offender
7 treatment and he went through two years of that at the
8 Department of Corrections and that's a great idea, a lot of
9 inmates do not do that when they have the chance. He also
10 went through two more years of it with some guy named Tom,
11 another professional on the outside, once he got out. But I
12 guess the question for you is, using your common sense is, did
13 it take; did it have an effect? Because despite all that sex
14 offender treatment he had gotten from the Department of
15 Corrections and elsewhere, we still have the conduct that gets
16 him arrested on the Complaint charges and we have the conduct that
17 gets him convicted here in Georgetown County on the lewd act
18 on a minor charge, so it happens. So, did it really take?

19 Now what you've heard today, the last couple of days, you
20 heard the testimony yesterday or today, this morning rather,
21 of Dr. Amy Swan. She's an expert witness. She's hired by the
22 Department of Mental Health, she lives in Florida, but she's
23 licensed down there and up here. She's hired by them to do
24 these cases. And she looked at the files, looks at all the
25 documents and tries to see if she can make a diagnosis of a

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

214

1 mental abnormality. And what did she find? She found three.
2 The big ones are gonna be the pedophilic disorder, the deviant
3 sexual interest of underage children, both boys and girls.
4 She also found another specified disorder called hebephilia,
5 which is the deviant sexual interest in post-pubescent, but
6 early pubescent young girls. There are two cases involving
7 the **Complainants**; **Complainant 2** and **Complainant 1**. And to me, the whole
8 significant thing about those cases is -- and look at these
9 exhibits when you go back in the jury room. There's a place
10 on here where it says pleas or trial; he pled. He pleaded
11 guilty to both offenses involving those girls, pleaded guilty
12 in open court, signed by a Judge. Now he's coming to you and
13 saying, well, I did one of them, but not the other. Okay.
14 You've got to consider that, I think, in weighing credibility.
15 So, Dr. Swan found those mental abnormalities. The next
16 question is, Do these things cause him serious difficulty in
17 controlling his behavior? In other words, does the existence
18 of the sexually violent crimes, and he's got three of them
19 over here, no question about that, and the existence of the
20 mental abnormalities, do they make him -- cause him serious
21 difficulty in controlling his behavior so that he is a menace
22 to society and is likely to commit another sexually violent
23 crime? She said yeah. In her opinion, based on the hundreds
24 of people she's looked at in South Carolina and in Florida,
25 yes, this guy fits that definition.

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

215

1 Now, one of the tools she used was something called the
2 Static-99R, and she describes it like insurance companies,
3 they measure the risk of a person and set insurance rates
4 accordingly. If you go to the doctor because you're having
5 chest pains, he asks you a series of questions about your
6 family history, about your blood pressure, about your smoking,
7 about your diet, all those questions, and he knows, based on
8 studies of thousands of people with similar things, whether or
9 not they're more likely or less likely to have that heart
10 attack and he can tell you what your risk is. And the Static-
11 99R was developed by researchers studying thousands of sex
12 offenders to do exactly that. And that's not the only tool
13 she used, but it's one of them. And it did put him in what
14 she called the seventy-something percentile of likelihood to
15 reoffend. So, she factored that in as well.

16 Now, from the Defense, of course we've heard from Mr.
17 Rollings who says he only did one crime and hadn't done
18 anything else, despite the fact he keeps going to court and
19 pleading guilty to things. We've heard from -- there's been a
20 big thing about this **Complainant 3**, the lewd act charge here in
21 Georgetown County. And we've heard all these things about how
22 **Complainant 3** might have, as a young child, might have lied about
23 stuff. Well, that was in one police report. Ms. Britt talked
24 about, Pastor Todd talked about it; that's it. But he got
25 arrested, he got charged, and he came here and pleaded guilty

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY BOGLE

216

1 under that *Alford* case, which means he's not admitting he did
2 it, but at the same time, he's acknowledging that if the State
3 would go to trial, could prove him guilty and that counts as a
4 conviction. The Judge will tell you that's a sexually violent
5 conviction.

6 So, the next thing is the State has to prove their case
7 beyond a reasonable doubt. After listening to all the
8 evidence, what you've heard today from both sides, and judging
9 the credibility of the witnesses for the State and the
10 witnesses for the Defense, are you firmly convinced that he
11 fits that definition, that he has been convicted of the right
12 kind of crimes and he does have that mental abnormality that
13 makes him likely to commit acts of sexual violence unless he's
14 confined in a secure facility with long-term control, care,
15 and treatment. If you're firmly convinced that, yes, the
16 verdict is he is a sexually violent predator. If on the other
17 hand, you have some doubt, you've got to resolve that doubt.
18 If it's a reasonable doubt in the favor of Mr. Rollings, you
19 find he's not. I would submit to you that based on what
20 you've heard -- this is like a medical case and a doctor who
21 is an expert in the field and knows what this is, she has
22 diagnosed him with two mental abnormalities, actually three,
23 two of them I talked about, and she finds him to be a risk,
24 based on his past history, how probation didn't work, getting
25 violated by probation at least twice, being a serious factor

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

217

1 for her to consider.

2 So, that's what we got here. That's basically the entire
3 case. I write things down because they catch my eye and I'm
4 not taking this out of context, but even Pastor Todd talked
5 about that he cautions Mr. Rollings about, cautions him not to
6 be around children. I'm not saying he thinks he's a risk, but
7 just to play it safe, don't be around kids. Think about that.

8 So, the burden of proof is beyond a reasonable doubt.
9 The Judge will explain to you what that is. The elements that
10 we've shown to you, the crimes, the mental abnormalities, and
11 the likelihood to reoffend. So, I would request from you a
12 verdict that he is in fact a sexually violent predator. But
13 again, thank you for applying your common sense and doing your
14 job as jurors.

15 Your Honor.

16 THE COURT: Thank you very much.

17 All right, Mr. Falk?

18 MR. FALK: May it please the Court ---

19 THE COURT: Certainly.

20 MR. FALK: --- ladies and gentlemen of the jury, Mr.
21 Bogle.

22 CLOSING BY MR. FALK:

23 MR. FALK: Then we get to count it, that's what Dr. Swan
24 said when she was looking at one of those -- one of her pieces
25 of evidence and it was whether or not she could use the

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

218

1 sexually violent -- whether or not the charge for -- germane
2 to the delinquency of a minor, whether or not she could use
3 that in her report. I think it's really telling that she
4 said, then we get to count it, like, oh boy, then I get to use
5 this against him. She didn't say we have to count that or
6 this is under our rules, this is what we do. The first thing
7 out of her mouth was then we get to count it. And I
8 challenged her on that and then she kind of disheveled and
9 went backwards and said, well, maybe I misspoke. But, you
10 heard the motion out of her mouth, she said, then we get to
11 count it. Boy, that's great, now I can really help nail this
12 guy. I think that it is fair when you have a doctor up there
13 that is going to do a medical evaluation and, if they're gonna
14 start from the point of view that, I don't know if this guy
15 did it or he didn't do it, but I'm gonna look through all the
16 evidence, and I'm gonna look through the evidence that
17 supports a conviction, and I'm gonna look for the evidence
18 that doesn't support the conviction. That's what's fair.
19 But, you have to decide whether or not Dr. Swan was really
20 just an advocate for the State here or whether she was giving
21 an unbiased and fair opinion. Because honestly, you've got to
22 rely on her opinion because y'all are not forensic experts,
23 y'all are all people though and everybody has experiences and
24 you can know whether something sounds right and you can tell
25 whether or not somebody is sort of being an advocate or being

Tarl Bradford Rollings - 2016-C-22-00042

219

CLOSING BY FALK

1 sort of unbiased. But, you've got to rely on some of this
2 testimony who was clearly advocating for the State.

3 Now, she wants to believe that the accusations from Complainant 1
4 and Complainant 3, did happen. She needs you to believe that
5 those accusations did happen because if the accusations didn't
6 occur, then the State's case completely falls apart because
7 Dr. Swan testified that in 2004, after my client had pled
8 guilty to the two charges with Complainant 2 and -- the two 13-year-
9 old girls and he had done his prison time, she had said no, if
10 that's all there was, we wouldn't be here today, he's not a
11 sexually violent predator. It's only because he recommitted
12 these offenses. She's basing her entire opinion on whether or
13 not he recommitted the offenses, and you have to decide if
14 that's fair and whether or not he did recommit any new
15 offenses.

16 Are they true? Are Complainant 4 accusations true? Are Complainant 3
17 accusations true? I don't know. I don't think Dr. Swan
18 knows. She wants to believe that they're true. She didn't
19 really do much to try to follow up on whether or not they were
20 true. There was some evidence, there was a police report that
21 indicated that maybe the little girl, Complainant 3 maybe had history
22 of not being truthful. Little nine-year-old girls can
23 probably do that, can probably spin stories. She didn't talk
24 to -- she did not talk to Complainant 3. Maybe that's appropriate
25 because of her age. She didn't talk to the victim advocate

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

220

1 about that case. She didn't talk to the Solicitor about the
2 case. She didn't talk to the any of the investigating
3 officers about the case. She just read the reports. But her
4 opinion about whether or not her accusations, **Complainant 3**
5 accusations, are true, are really the -- that makes this case
6 for the State. And what did she do? She read the reports,
7 but she didn't look, she didn't go any farther. Even though
8 she had some evidence and maybe it's not true or maybe, you
9 know, because little girls can be little girls. She didn't
10 make an effort to see if the items were true.

11 And what about **Complainant 4** She said, well, she's convinced
12 that **Complainant 4** accusations were also true and they did happen.
13 She didn't talk to the Solicitor's office. I don't know why
14 the Solicitor chose not to bring that case. Maybe the
15 Solicitor didn't believe that the accusations were true. We
16 have to wonder why the Georgetown Solicitor, if they have a
17 locked case that's, you know, can prove somebody did
18 something, why they wouldn't bring the case. I don't know. I
19 know Dr. Swan doesn't know because she didn't talk to the
20 arresting officers in that case. She didn't talk to the
21 victim's advocate in that case. She didn't talk to the
22 Solicitor's office in that case. All she did was find some
23 stuff in the report that she could use to support her
24 conclusion that I believe she had from the very beginning,
25 that she thought my client was a sexually violent predator.

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

221

1 Also, I think it was clear, her opinion about this, when
2 we were talking, when I was asking her some questions about
3 the progress notes that he had while he was going through the
4 two years of sexual -- sex offender treatment program, while
5 he was in the Department of Mental Health, she sort of cherry-
6 picked through all of those notes and found everything
7 negative. She didn't tell you about any of the positive parts
8 of his report until I asked her about it. And she would --
9 then she testified that, yes, if somebody's going and looking
10 at their offense cycle or somebody's looking at the victim
11 empathy, those are all positive signs that somebody's getting
12 treatment and somebody's getting better. She discounted all
13 of that because she starts with the opinion that **Complainant 4**
14 allegations and **Complainant 3** allegations are true. If they're not
15 true, it tells a story of somebody who committed a horrible
16 act when they were 20 years old, pled guilty to it -- and just
17 so you see, when you go back in your room, the two charges for
18 the girls, the two 13-year-old girls, he was sentenced on the
19 same day for those. So, it was part of a wrap-up plea deal it
20 would seem like. He pled guilty, he certainly pled guilty to
21 most -- and he admits to committing the most serious of those
22 two charges. He does not admit that he did to the other girl,
23 but that's the plea deal; that's what he did time for. He
24 certainly admitted to doing the more serious of the conduct.
25 You have to wonder about somebody, you have to appreciate

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

222

1 the fact that if there's somebody out there who is going to
2 accuse you of something and you already have this target on
3 your back because you have a prior record of having committed
4 a sexual offense and you're -- and you're looking at possibly
5 doing 20 years for a very serious crime or getting an
6 opportunity to plead to four years, maybe that's why you make
7 an *Alford* plea, maybe you go before the Judge and say, I'm not
8 admitting that I did it, I understand that the State's got a
9 good case, but I don't want to take the risk of going forward
10 to trial. That's what he did when he pled to **Complainant 3** charges.
11 He didn't think -- he stood up, sat on that witness stand and
12 he told you he didn't do it. But, he knew the little girl out
13 there telling stories, he already knows he's got a target on
14 his back because he's been convicted as a sexually violent --
15 as committing a sexual offense, he knew what the outcome would
16 be of a trial, that's why he pled under *Alford*.

17 My client spent two years in sex offender treatment in
18 South Carolina Department of Mental Health and that's where
19 they talked about learning what your offense cycle is and how
20 to identify negative thoughts and distorted opinions that you
21 can have, some of the stuff that leads to committing the
22 reoffenses. That's all positive stuff. That's what people
23 need to do when they've maybe had a background or sort of a
24 upbringing in a dysfunctional family that they're also a
25 subject of sexual abuse. I mean, you need to go through that.

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

223

1 He spent two years in custody with sex offender treatment.
2 Then he was released and he said he went two days a week, a
3 couple of hours each time, so that's another two a week for
4 two years, that's another 200 hours or so of treatment. He's
5 gotten treatment. He is not a sexually violent predator.
6 He's committed offenses when he was 20; he's not a 20-year-old
7 man anymore. He committed offenses when he was 20; he's
8 acknowledged that. He got treatment; he's a different person.
9 He had a probation violation and there's no question that
10 he had a probation violation. And I can see how you might
11 want to try and expand that into something that you really
12 gonna hold over him, but he did have a probation violation for
13 committing another offense. He basically had a probation
14 violation because he was poor. He didn't have enough money,
15 he couldn't -- and he was in a situation that the either loses
16 his job or keeps his job, but, you know, he was -- he was
17 supposed to report in one time, he didn't report in because
18 his employer didn't get him back in time. I mean, granted,
19 it's his responsibility, it's his responsibility to report in
20 and his failure to report is certainly on him, but the point
21 that he didn't have the luxury at the time to just tell his
22 employer, look, I can't work tomorrow because I don't want to
23 run the risk that I'm not going to make it in to report on
24 time, so I'm just not gonna work tomorrow. Maybe people who
25 have got a strong family support could have relied on some

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

224

1 people to help them with some of these expenses. Maybe he
2 doesn't have to make the choices he made. He didn't report
3 in, they violated him, and it might not have been the worst
4 thing that ever happened to him because when he went back,
5 that's when he got the treatment that he needed. So, that's
6 the wake-up call. He went back to prison. He was there for
7 about two and a half years, excuse me, for four and a half
8 years, and that's when he got sex offender treatment. He was
9 released and did two more years of treatment.

10 A lot of times when I'm in these cases with Dr. Swan,
11 I'll argue about how frustrating that it is when somebody
12 wants to use this Static-99 report and sort of treat him like
13 he's some kind of automobile statistic. You know, we are
14 under the actuarial tables, you know we should just look at
15 this like it's an actuarial table and, therefore, we know
16 under the, you know, by the percentages, we know he's gonna
17 commit another crime. The reason I'm -- you know, I get very
18 disturbed that you would treat a human being as like he's some
19 kind of, you know, an accident -- an automobile accident and
20 whether or not it's going to happen. We're talking about his
21 life and where's gonna be spending the time going into the
22 future. I don't think we should treat him, you know, like's
23 he's a statistic. I think we should treat him with the
24 respect and the consideration for who that man is. The reason
25 why I don't think the Static-99 really matters because Dr.

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

225

1 Swan, she got to use some -- she got to use some additional
2 cases in order to bolster her opinion that she got to use the
3 allegation by [REDACTED] in order to bolster that opinion. She
4 would already tell you that in 2004, he was not a sexually
5 violent predator.

6 I don't know what Mr. Bogle's concern was with Jack Todd,
7 who has certainly been one of his supporters telling him he
8 should stay away from children. I don't know what Mr. Bogle
9 meant by that, but I think probably that would be advice that
10 I would give Mr. Rollings, too, because he probably can be a
11 target because you are susceptible to somebody coming in and
12 lying on you and telling stories about you and then where are
13 you? You're the guy whose got prior sexual convictions.
14 People are always gonna assume that you're gonna do it again.

15 It's up to you all to be fair in this situation and
16 determine whether or not you think that today Mr. Rollings, it
17 would not be safe for him to go back and live out in the woods
18 with his friend far away from everybody else, whether or not
19 you're concerned about if he were released, if you think he's
20 gonna commit another crime of sexual violence.

21 I told you at the very beginning you were gonna have an
22 opportunity to hear him testify. And, obviously, this case is
23 gonna boil down to whether or not you believe Dr. Swan or if
24 you believe my client. My client, I think you had an
25 opportunity to see into his heart, and I think you had an

Tarl Bradford Rollings - 2016-C-22-00042
CLOSING BY FALK

226

1 opportunity to see that with all he could tell you, he
2 honestly was telling you that he did not commit crimes against
3 [Complainant 4] and [Complainant 3]

4 If you don't believe him, I'm quite confident I know
5 where your verdict is gonna go. But, if you do believe him,
6 if you do believe that those are false accusations, then I
7 think you have to determine that he is not a sexually violent
8 predator because that's what Dr. Swan would have said, because
9 Dr. Swan said, he's not a sexually violent predator unless
10 we're gonna count these other two offenses, the one with [Complainant 3]
11 and the one with [Complainant 4]

12 I tried to tell you that I thought there were gonna be
13 two narratives coming out of here. One narrative is what I
14 expected Doctor -- Mr. Bogle to say is that this is a relapse
15 case. You have somebody that gets treatment, immediately gets
16 out and relapses. Mr. Rollings' story is that he got
17 treatment, he got cured, he's never gonna hurt a little child
18 again. He knows the pain that he caused the child. He knows
19 what caused him to act that way. He's had time, he's had four
20 years to reflect on that and to decide how he can avoid that
21 in the future. He's gonna tell you that those were false
22 accusations for [Complainant 4] and [Complainant 3] You have to decide whether or
23 not you agree with Dr. Swan or you agree with my client.

24 I hope that you'll give this careful consideration
25 because this is gonna have significant impact on where my

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

227

1 client is gonna spend the night or whether he's gonna be
2 wearing a jumpsuit or whether he's gonna be wearing prison --
3 eating prison food, whether he's gonna be living in a cell, or
4 whether he's gonna be back with his family and with his
5 support group. I hope you'll give it careful consideration.

6 Thank you.

7 THE COURT: Final argument, Mr. Bogle?

8 MR. BOGLE: Nothing further, Your Honor, thank you.

9 THE COURT: Thank you very much.

10 CHARGE TO JURY:

11 THE COURT: All right, ladies and gentlemen, it's now my
12 duty and responsibility to give you the law that you will
13 apply to the facts and evidence you find to be true in this
14 case. I told you I would not indicate to you in way what I
15 think the facts in this case are because it wasn't my job.
16 It's your job and your responsibility to evaluate the facts
17 and evidence that have been presented in this case and decide
18 whether or not the State has proven its case to you by the
19 standard of beyond a reasonable doubt, and I'll explain that
20 in just a minute.

21 But, I told you one of your jobs at the very beginning
22 was going to be judge the credibility and the believability of
23 witnesses that appeared before you, and that is something you
24 do every single day of your life when somebody tells you
25 something, you're using your good common sense, you're using

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

228

1 your good judgment in the conduct of your own affairs, and
2 that's what we're asking you to do. Use your good common
3 sense, use your good judgment, apply it to the facts and
4 evidence, and then you weigh that evidence against the State's
5 burden in this particular matter.

6 Now, in looking at credibility and believability, you can
7 believe one witness against several, several against one. You
8 can believe a portion of what a witness says, disregard the
9 remaining portion of it. If you've got a good sound reason
10 for doing so, you can disregard in its entirety the testimony
11 of a particular witness. You look at whether or not the
12 witness has exhibited to you any kind of interest, motive,
13 bias, prejudice they might have in giving you the testimony
14 that they gave you, the opportunity for knowledge, how did
15 they come about that information they gave you, what was the
16 basis for it. In this particular matter, obviously, you don't
17 have any friends to reward, you don't have any enemies to
18 punish, your verdict can't be the result of any kind of
19 passion, prejudice, or sympathy. It has to be an examination
20 of the facts and evidence in this case and finding that
21 evidence that you believe to be believable and credible.

22 There are two types of evidence that are presented in
23 virtually every single case that's tried; it's called direct
24 and circumstantial evidence. Now, direct evidence, that's the
25 testimony of a person who asserts or claims to have actual

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

229

1 knowledge of fact, you know, what they saw, heard, or took
2 place in their presence. Circumstantial evidence is proof of
3 a chain of facts indicating the existence of a fact. The law
4 doesn't make any distinction between the two as to its weight
5 or value by you. A greater degree of certainty is not
6 required of one or the other. But, to the extent that the
7 State of South Carolina relies on circumstantial evidence, all
8 of the circumstances must be consistent with each other and
9 when taken together point conclusively that the State has
10 proved its case to you beyond a reasonable doubt.

11 I qualified in this particular case, one witness to be an
12 expert witness or a witness to give you their opinion.
13 Normally, we do not allow witnesses to give their opinion,
14 what they think, but some witnesses by reason of their
15 experience, training, education in a particular field or
16 endeavor, will allow them to give their opinion. Now, that
17 does not then impart on them some special status. You look at
18 all the witnesses the same, you judge all the witnesses the
19 same as to their credibility and believability. When an
20 expert witness is called by a party, you can expect that they
21 expect to be paid and should be paid for their services. You
22 may not take this into consideration, the fact that the
23 witness was paid, unless there is some evidence or
24 circumstances appearing from the evidence which would
25 reasonably convince you that the testimony of the witness has

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

230

1 been influenced because of the money or the sum paid to them
2 to be a witness.

3 In this particular matter, the State of South Carolina
4 has brought this case under the Sexually Violent Predator Act
5 of our Code of Laws. I want you to make sure that you
6 understand that in this proceeding, the Respondent, Mr.
7 Rollings, has not been accused of committing any type of
8 crime. As you've heard from the testimony, he had previous
9 charges for which he was sentenced by the Court. The
10 Respondent completed his sentence for those charges. What the
11 State is now alleging is that Mr. Rollings is a sexually
12 violent predator. The purpose of the Sexually Violent
13 Predator Act is to involuntarily commit only a limited
14 subclass of dangerous persons, not all dangerous persons. A
15 person is likely to engage in acts of sexual violence within
16 the definition of the Sexually Violent Predator Act if his
17 propensity to commit acts of sexual violence is of such a
18 degree as to pose a menace to the health and safety of others.

19 Now, the State of South Carolina, claiming the Respondent
20 is a sexually violent predator, the State has the burden of
21 proof to prove this to you beyond a reasonable doubt. If the
22 State is able to meet that burden of proof, its entitled to a
23 finding by you that the Respondent is a sexually violent
24 predator. If the State is unable to meet that burden of proof
25 beyond a reasonable doubt, the Respondent is entitled to a

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

231

1 finding that he is not a sexually violent predator.

2 Beyond a reasonable doubt; what is that? A reasonable
3 doubt is the kind of doubt that would cause an ordinary
4 reasonable person to hesitate to act. Proof beyond a
5 reasonable doubt is proof that leaves you firmly convinced
6 that the Defendant is a sexually violent predator. Now, there
7 are very few things that we can know with absolute certainty
8 and the law doesn't require the State of South Carolina to
9 give you that kind of proof. But, what is required is if
10 based upon your view of the evidence, the evidence you find to
11 be credible and believable, you are firmly convinced that the
12 Defendant is a sexually violent predator, you must so find.
13 On the other hand, if you are not firmly convinced that the
14 Respondent is a sexually violent predator, you must give the
15 Respondent the benefit of the doubt and find for the
16 Respondent. The State has to prove to you beyond a reasonable
17 doubt that the Respondent in this matter has been convicted of
18 a sexually violent offense in the past, he suffers from a
19 mental abnormality or personality disorder that makes him
20 likely to engage in acts of sexual violence in the future if
21 not confined in a secure facility for long-term control, care,
22 and treatment. Before the State would be entitled to a
23 verdict at your hands, each and every one of you must be
24 convinced beyond a reasonable doubt that the State of South
25 Carolina has proven each of these elements to you beyond a

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

232

1 reasonable doubt. Again, the three elements the State has to
2 prove to you beyond a reasonable doubt, the Respondent has
3 been convicted of a sexually violent offense, he suffers from
4 a mental abnormality or personality disorder, that abnormality
5 or disorder makes him likely to engage in acts of sexual
6 violence in the future if not confined in a secure facility
7 for long-term control, care, and treatment. Inherent in these
8 three elements that the State has to prove to you beyond a
9 reasonable doubt is the requirement that the Respondent's
10 mental abnormality or personality disorder causes him serious
11 difficulty in controlling his behavior. And again, that has
12 to be established to you beyond a reasonable doubt.

13 I will define a couple of terms to you to hopefully help
14 you with this. Mental abnormality means a mental condition
15 affecting a person's emotional or volitional capacity that
16 predisposes the person to commit sexually violent offenses.
17 This mental abnormality must cause the Respondent serious
18 difficulty in controlling his behavior. Likely to engage in
19 acts of sexual violence means the person's propensity to
20 commit acts of sexual violence is of such a degree as to pose
21 a menace to the health and safety of others so that he is a
22 danger or dangerous to others.

23 The burden of proof is upon the State of South Carolina
24 to prove to your satisfaction beyond a reasonable doubt that
25 the Respondent in this case is a sexually violent predator as

Tarl Bradford Rollings - 2016-C-22-00042
CHARGE TO JURY

233

1 I've explained it to you and that his mental abnormality or
2 personality disorder remains such that he is not safe to be at
3 large and, if released, is likely to engage in the future in
4 acts of sexual violence.

5 If the State has carried its burden of proof to you and
6 convinces you beyond a reasonable doubt of all of these
7 elements of what I have charged to you, the State is entitled
8 to a finding that the Respondent is a sexually violent
9 predator. If the State has not met that burden of proof as to
10 any of these matters that it is required to prove to you
11 beyond a reasonable doubt, the Respondent is entitled to a
12 finding that he is not a sexually violent predator.

13 I charge you that lewd act on a minor and criminal sexual
14 conduct second degree are classified by the State of South
15 Carolina as sexually violent offenses.

16 That's the law of the case. That's the law that you will
17 apply to the facts and evidence you find to be credible and
18 believable in this matter.

19 The Court has prepared to you a verdict form in this
20 particular matter for your use in recording your unanimous
21 verdict in this matter. It has the caption of the case, In
22 the Matter of the Care and Treatment of Tarl Bradford
23 Rollings. Do you find that Tarl Bradford Rollings has been
24 convicted of a sexually violent offense and suffers from a
25 mental abnormality or a personality disorder that makes him

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

234

1 likely to engage in acts of sexual violence if not confined in
2 a secure facility for long-term care and treatment; yes or no.
3 That is your job. That is what you must answer by unanimous
4 verdict.

5 Now, I've said unanimous I don't know how many times,
6 I've said but it means exactly what you think it means. Your
7 verdict must be the verdict of each and every member of the
8 jury. It must be 12/0. Whatever your verdict is, it must be
9 12/0, not 11/1, 10/2 or any combination thereof.

10 What I'm gonna ask that you do, Mr. Foreman, is take all
11 of the regular members of the jury -- Madam Alternate, I'll
12 ask that you stay with us -- take all of the regular members
13 of the jury to the jury room. Do not, do not begin your
14 deliberations until the Bailiff hands to you the verdict form
15 and the exhibits in this matter. At that point in time, you
16 may begin your deliberations.

17 Mr. Foreman, take your jury to the jury room.

18 (REPORTER'S NOTE: Jury exits courtroom. The following takes
19 place outside the presence of the Jury.)

20 BY THE COURT:

21 THE COURT: Is there any reason at this time that the
22 Court should not excuse the alternate? From the State?

23 MR. BOGLE: No, Your Honor.

24 THE COURT: From the Respondent?

25 MR. FALK: No, Your Honor.

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

235

1 THE COURT: All right.

2 All right, Ms. Wilson, I want to thank you for your
3 service in this particular case. Your job as the alternate
4 was to step in the shoes of one of the regular members of the
5 jury if for some reason they couldn't go forward, somebody got
6 sick or whatever that is. You would be surprised to know how
7 many times already this year we've had to use an alternate.
8 We just didn't happen to have to use it in this particular
9 case. But, I appreciate you serving in that role. As you
10 know, this was the only case for a jury trial this week and so
11 I'm gonna excuse you from your jury service for this week with
12 my thanks and the thanks of the county. We appreciate it very
13 much. You are now excused. Thank you, ma'am.

14 MS. WILSON: You're welcome.

15 THE COURT: If she has something back there, obviously
16 let her go get that. You can't talk to anybody; you just have
17 to collect your belongings. Okay. Thank you, ma'am.

18 (REPORTER'S NOTE: Alternate exits courtroom.)

19 THE COURT: Exceptions, deletions, additions to the
20 charge from the State of South Carolina?

21 MR. BOGLE: There are none, Your Honor, thank you.

22 THE COURT: From the Respondent?

23 MR. FALK: No, Your Honor, thank you.

24 THE COURT: All right, gentlemen. Mr. Bogle, Mr. Falk, I
25 want to thank you for your job in these matters regarding your

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

236

1 respective interest. Both of you did exactly what the Court
2 expected of you to represent the interest of the State and of
3 the Respondent in this matter. I want to thank you for the
4 job that each of you did. Thank you very much.

5 We'll be at ease until the jury needs us. Please come up
6 and meet with the Court Reporter and make sure we've got the
7 proper exhibits going into the jury.

8 (REPORTER'S NOTE: Counsel confers and agrees on exhibits to
9 be submitted. Deliberations begin at 3:44 P.M.)

10 **(RECESS.)**

11 *******OFF THE RECORD*******

12 **(On the Record.)**

13 BY THE COURT:

14 THE COURT: Counsel, I understand the jury has returned a
15 verdict. Is the State ready to receive it?

16 MR. BOGLE: Yes, Your Honor, thank you.

17 THE COURT: And the Respondent?

18 MR. FALK: We are, Your Honor.

19 THE COURT: All right. Very good.

20 Hopefully, I don't need to be saying this, but I usually
21 do it most every criminal case, but since this has some
22 tenants of criminal proceedings -- we ask this jury to do a
23 difficult thing. Whatever their verdict is, it will be
24 received with respect and silence. The Court will not
25 tolerate any kind of showing of emotion regarding the jury's

Tarl Bradford Rollings - 2016-C-22-00042
VERDICT OF THE JURY

237

1 verdict. Thank you very much.

2 Ask the jury to come in please.

3 (REPORTER'S NOTE: Jury enters courtroom. 4:38 P.M.)

4 VERDICT OF THE JURY:

5 THE COURT: All right. Mr. Foreman, has your jury
6 reached a verdict in this matter?

7 JUROR 15: We have, sir.

8 THE COURT: All right, sir, could you hand it to the
9 bailiff, please, sir.

10 Thank you, sir.

11 JUROR 15: You're welcome.

12 THE COURT: All right, Madam Clerk, if you would publish
13 the verdict please, ma'am.

14 CLERK: State of South Carolina, County of Georgetown in
15 the Court of Common Pleas, Fifteenth Judicial Circuit, In the
16 Matter of the Care and Treatment of Tarl Bradford Rollings,
17 Respondent, Case Number 2016-CP-22-00042, Verdict Form. Do
18 you find that Tarl Bradford Rollings has been convicted of a
19 sexually violent offense and suffers from a mental abnormality
20 or a personality disorder that makes him likely to engage in
21 acts of sexual violence if not confined in a secure facility
22 for the long-term treatment and care? The verdict is yes.
23 Signed by the foreperson, June 6, 2017, Georgetown, South
24 Carolina.

25 THE COURT: Mr. Foreman, ladies and gentlemen of the

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

238

1 jury, if this is your verdict, please so indicate by the
2 raising of your right hand.

3 Thank you very much.

4 All the jurors having confirmed the verdict by the
5 raising of their right hand, does the State wish the jury
6 polled?

7 MR. BOGLE: It does not, Your Honor.

8 THE COURT: Does the Respondent wish the jury polled?

9 MR. FALK: No, Your Honor.

10 THE COURT: Thank you very much.

11 Mr. Foreman, ladies and gentlemen of the jury, I want to
12 thank you for your service in this case. You did what the
13 Court asked you to do, to render a unanimous verdict based
14 upon the facts and evidence in this matter. You have carried
15 out your duties and responsibilities. I'm able to excuse you
16 from your jury service for this week. You do not have to come
17 back to Circuit Court jury duty for the next three years. So,
18 if you get a notice from the Clerk of Court here for Circuit
19 Court jury duty, you do have that exemption. With that, you
20 are now excused.

21 Thank you very much.

22 (REPORTER'S NOTE: Jury exits courtroom.)

23 THE COURT: Anything further from the State?

24 MR. BOGLE: No, Your Honor. We do have a proposed order.

25 THE COURT: Anything further from the Respondent?

Tarl Bradford Rollings - 2016-C-22-00042
BY THE COURT

239

1 MR. FALK: No, Your Honor.

2 THE COURT: All right. I'll be glad to receive it.

3 Have you seen this proposed order, Mr. Falk?

4 MR. FALK: Yes, Your Honor. I'm fine with it.

5 THE COURT: All right, sir.

6 The Court has signed the Order of Commitment that the
7 Respondent, Tarl Bradford Rollings, is to continue to be
8 detained at the Georgetown County Detention Center and then
9 thereafter transported to a secure facility of the South
10 Carolina Department of Mental Health in Columbia, South
11 Carolina. The Detention Center is to transport the Respondent
12 on such scheduled date and to such location as is coordinated
13 with the Department of Mental Health. It is so ordered.

14 MR. BOGLE: Your Honor, I will give them the name of the
15 person to contact at Mental Health and set up a time.

16 THE COURT: So, Madam Clerk, this order, y'all need to
17 scan it into the system, and I'm assuming a copy needs to be
18 transmitted over to the County Detention Center.

19 CLERK: Okay.

20 THE COURT: All right.

21 CLERK: Thank you.

22 THE COURT: Thank you very much.

23 These proceedings are now at an end.

24 MR. BOGLE: Thank you, Your Honor.

25 (ADJOURNED.)

Tarl Bradford Rollings - 2016-C-22-00042
CERTIFICATE OF COURT REPORTER

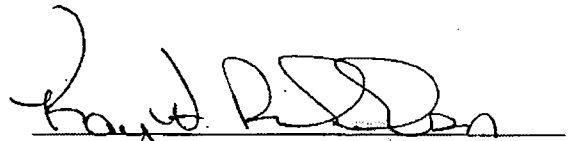
240

C E R T I F I C A T E

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I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of The State of South Carolina, In the Matter of the Care of Treatment of Tarl Bradford Rollings, held in the Court of Common Pleas for Georgetown County, Georgetown County Courthouse, Georgetown, South Carolina, on June 6-7, 2017, taken by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.



Kay H. Richardson

Official Court Reporter

August 15, 2017.

STATE OF SOUTH CAROLINA

COUNTY OF Kershaw

STATE VS.

Tavi Bradford Rollings

AKA:

Race: W Sex: M

DOB: [REDACTED] Age: 21

SSN: [REDACTED]

DL#: [REDACTED]

SID#: SC 01227914

IN THE COURT OF GENERAL SESSIONS 241

INDICTMENT/CASE#:

98 -GS- 28 - 6259

A/W#: F-701005

Date of Offense: 6/15/98

S.C. Code § : 16-15-140

CDR Code #: 2141618

SENTENCE

☒ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS

TO: Lewd Act on a Minor

in violation of § 16-15-140 of the S.C. Code of Laws, bearing CDR Code # 2141618

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.

The plea is: ☐ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST

[Signature]
Solicitor

Tavi B. Rollings
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 10 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 TIME SERVICE days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 5 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ The Defendant is to be given credit for _____ days/months jail time.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

☐ RESTITUTION ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee \$ _____

Payment Terms:

☐ set by SCDPPPS

Recipient: _____

*Fine:\$

§ 14-1-206 - Assessments 100%.....\$

§ 14-1-211 - Surcharge.....\$ 100.00

(Exceptions: See § 14-1-211)

§ 56-5-2995 (DUI).....\$

County (3%).....\$ 3.00

TOTAL.....\$ 103.00

Clerk of Court/Deputy Clerk [Signature]

Court Reporter: [Signature]

White - Clerk

Green - Corrections

Canary - Probation

Pink - Defendant

PRESIDING JUDGE [Signature]

Judge Code: 0181112

Sentence Date: 7/9/99

SCCA/217 (1/99)

STATE'S
EXHIBIT

dec 2
6-6-17

PTUP

_____ days/months/years Service Employment

Obtain GED

Attend Voc Rehab Job Corp etc

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: Avoid CONTACT w/

VICTIM

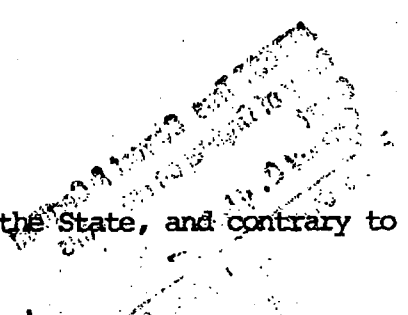
STATE OF SOUTH CAROLINA)
COUNTY OF KERSHAW)
INDICTMENT FOR LEWD ACT UPON CHILD

At a Court of General Sessions, convened on JULY 22, 1998,
the Grand Jurors of KERSHAW County present upon their oath:

COUNT ONE - LEWD ACT UPON CHILD

That TARL BRADFORD ROLLINGS,
being over the age of fourteen years, did in KERSHAW
County on or about JUNE 15, 1998, wilfully and lewdly
commit or attempt a lewd and lascivious act upon or with the body of one
Complainant 2 a child under the age of fourteen
years, with the intent of arousing, appealing to, and gratifying the lust,
passions, and sexual desires of himself or such child.

Against the peace and dignity of the State, and contrary to the statute
in such case made and provided.


W. B. [Signature]
SOLICITOR

243

WITNESSES

MARVIN LEE BROWN

KCSD

ARREST WARRANT NO. F-701005

ACTION OF GRAND JURY
TRUE BILL JUL 22 1998

Batrice W Brant
FOREMAN OF GRAND JURY

VERDICT

FOREMAN OF PETIT JURY

DATE:

DOCKET NO. 98-GS-28-6259

THE STATE OF SOUTH CAROLINA
COUNTY OF KERSHAW

COURT OF GENERAL SESSIONS

JULY TERM 1998

THE STATE

VS.

TARL BRADFORD ROLLINGS

INDICTMENT FOR
LEWD ACT UPON CHILD
§16-15-140
Class D Felony

Tarl Bradford Rollings
Defendant to the within indictment, appears at the bar
in his own proper person and pleads guilty to charge
herein named.

ATTEST:

Spence McLeod
C.C.C.P. & G.S.

1/28 19 99

DATE OF BIRTH

SOCIAL SECURITY NO.

ATTEST True, Correct & Certified
Copy of Original on File in this
Court
James C. Haskins
Clerk of Court
Kershaw County

STATE OF SOUTH CAROLINA

COUNTY OF Kershaw

STATE

VS.

Tarl Bradford Rollings

AKA:

Race: (u)Sex: MDOB: [REDACTED]Age: 21SSN: [REDACTED]

DL#:

SID#:

3C01227914IN THE COURT OF GENERAL SESSIONS
INDICTMENT/CASE#:99 -GS- 25 - 6538A/W#: F-701069Date of Offense: 6-15-98S.C. Code § : 16-3-653CDR Code #: 0111611

SENTENCE

☒ PLEA ☐ TRIALIn disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS
TO: CSC 2nd Degreein violation of § 16-3-653 of the S.C. Code of Laws, bearing CDR Code # 0111611☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature]
SolicitorTarl B. Rollings
Defendant[Signature]
Attorney for DefendantWHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 10 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 Time Served days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 5
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference. 1+2☐ The Defendant is to be given credit for _____ days/months jail time.☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

☐ RESTITUTION ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee \$ _____

Payment Terms: _____

☐ set by SCDPPPS _____

Recipient: _____

*Fine:\$

§ 14-1-206 - Assessments 100%.....\$

§ 14-1-211 - Surcharge.....\$ 100.00

(Exceptions: See § 14-1-211)

§ 56-5-2995 (DUI).....\$

County (3%).....\$ 3.00TOTAL.....\$ 103.00Clerk of Court/Deputy Clerk [Signature]Court Reporter: [Signature]

White - Clerk

Green - Corrections

Canary - Probation

Pink - Defendant

SCCA/217 (1/99)

PTUP _____

_____ days/hours _____

Obtain GED _____

Attend Voc Rehab. or Job Corps _____

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: (1) AVOID CONTACT WITH VICTIM;(2) SEXUAL COUNSELINGPRESIDING JUDGE [Signature]Judge Code: 011117Sentence Date: 7/9/99STATE'S
EXHIBIT3
due 6-6-17ATTEST: True, Correct & Certified
Copy of Original on File in this
Court of General Sessions
Clerk of Court
Kershaw County

FORM 32 (12/87)

STATE OF SOUTH CAROLINA)
COUNTY OF KERSHAW)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR
2nd DEGREE

At a Court of General Sessions, convened on JANUARY 18, 1999,
the Grand Jurors of KERSHAW County present upon their oath:

That TARL BRADFORD ROLLINGS did in Kershaw County on or
about June 15, 1998, wilfully, unlawfully and feloniously commit
a sexual battery, to wit: Digital penetration upon and with
the body of Complainant I, who at the time was at least
eleven years of age but less than fourteen years of age, and
the defendant being older than said minor.

Against the peace and dignity of the State, and contrary to the statute in such case made and
provided.

W. B. [Signature]

SOLICITOR

WITNESSES

ERIC TISDALE KCSD

ARREST WARRANT NO. F-701069

ACTION OF GRAND JURY

TRUE BILL

Foreman of Grand Jury

James E. Stokes 1-18-99

VERDICT

246 Foreman of Petit Jury

Date:

DOCKET NO. 99-GS-28-6538

The State of South Carolina,

County of KERSHAW

COURT OF GENERAL SESSIONS

JANUARY TERM 1999

THE STATE

vs.

TARL BRADFORD ROLLINGS

Indictment for

CRIMINAL SEXUAL CONDUCT WITH
A MINOR 2nd Degree

§16-3-65B

Class C Felony

ATTEST True, Correct & Certified
Copy of Original on File in this
Court
Grant C. Hest
Clerk of Court
Kershaw County

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

247

COUNTY OF Georgetown
STATE VS.
Tarl Bradford Rollings

INDICTMENT/CASE#: 2011GS2200574A/W#: 2011GS2200574Date of Offense: 3/4/2011S.C. Code § : 16-15-0140CDR Code #: 2468

AKA:

Race: WHITE Sex: M Age: 37DOB: [REDACTED] SS#: [REDACTED]Address: [REDACTED]City, State, Zip: [REDACTED]DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Lewd Act on a Minor <16 D-15

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADSAlfordin violation of § 16-15-0140 of the S.C. Code of Laws, bearing CDR Code # 2468

☐ 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:

SCB8880

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 5 days/months/years or ☐ under the Youthful Offender Act not to exceed X years
and/or to pay a fine of \$ X; provided that upon the service of 2 days/months/years and/or payment
of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for 3

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 § 15-25-135.

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

PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

_____ 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 8/31/2015\$ 20.00 paid to Public Defender Fund

Other: _____

- no contact with victim or victim's family

☐ 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: 2148Sentence Date: July 31, 2015STATE'S
EXHIBIT4
10-1-17
due

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

INDICTMENT

At a Court of General Sessions, convened on July 20, 2011, the Grand Jurors of Georgetown County present upon their oath:

LEWD ACT ON A MINOR CHILD

CDR: 2468 16-15-0140

That Tarl Bradford Rollings, being over fourteen years of age, did in Georgetown County on or about March 4, 2011, willfully and lewdly commit and/or attempted to commit a lewd or lascivious act upon or with the body of a child, less than sixteen (16) years of age, to wit complainant age 9, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of said defendant or of the victim, in violation of Section 16-15-0140, S. C. 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.


J. GREGORY PEMBREE
FIFTEENTH CIRCUIT SOLICITOR

49

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2011GS2200574^{*}✓

The State of South Carolina

County of Georgetown

Candice Lively

11G00232

COURT OF GENERAL SESSIONS

JULY, 2011 TERM

REST WARRANT NUMBER

2011GS2200574

CDR: 2468 §16-15-0140

DOI: March 4, 2011

ACTION OF GRAND JURY

TRUE BILL

Richard C. Holmes

Foreperson of Grand Jury

Date: 7-20-11

VERDICT

Foreperson of Petit Jury

Date:

THE STATE

vs.

TARL BRADFORD ROLLINGS

DOB:

SSN:

W/M

ATTORNEY: Lofton, Lionel S.

Indictment for

LEWD ACT ON A MINOR CHILD

J. Gregory Hembree, Solicitor

2011 MAY 16 PM 2:27
CLERK OF COURT
GEORGETOWN COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA

COUNTY OF GEORGETOWN

IN THE MATTER OF THE CARE AND
TREATMENT OF TARL BRADFORD
ROLLINGS

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

Plaintiff(s)

vs.

Defendant(s)

2016-CP - 22-

00042

ALMA Y. WHITE
CLERK OF COURT

2016 JAN 15 A 11:25

FILED
GEORGETOWN COUNTY, SCSubmitted By: James G. Bogle, Jr.
Address: Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211SC Bar #: 755
Telephone #: 803-734-1173
Fax #: 803-734-6679
Other:
E-mail:

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☐ JURY TRIAL demanded in complaint. ☒ NON-JURY TRIAL demanded in complaint.
☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

Contracts ☐ Constructions (100) ☐ Debt Collection (110) ☐ Employment (120) ☐ General (130) ☐ Breach of Contract (140) ☐ Other (199)	Torts - Professional Malpractice ☐ Dental Malpractice (200) ☐ Legal Malpractice (210) ☐ Medical Malpractice (220) Previous Notice of Intent Case # 20 -CP- ☐ Notice/ File Med Mal (230) ☐ Other (299)	Torts - Personal Injury ☐ Assault/Slander/Libel (300) ☐ Conversion (310) ☐ Motor Vehicle Accident (320) ☐ Premises Liability (330) ☐ Products Liability (340) ☐ Personal Injury (350) ☐ Wrongful Death (360) ☐ Other (399)	Real Property ☐ Claim & Delivery (400) ☐ Condemnation (410) ☐ Foreclosure (420) ☐ Mechanic's Lien (430) ☐ Partition (440) ☐ Possession (450) ☐ Building Code Violation (460) ☐ Other (499)
Inmate Petitions ☐ PCR (500) ☐ Mandamus (520) ☐ Habeas Corpus (530) ☐ Other (599)	Administrative Law/Relief ☐ Reinstatement Drv. License (800) ☐ Judicial Review (810) ☐ Relief (820) ☐ Permanent Injunction (830) ☐ Forfeiture-Petition (840) ☐ Forfeiture-Consent Order (850) ☐ Other (899)	Judgments/Settlements ☐ Death Settlement (700) ☐ Foreign Judgment (710) ☐ Magistrate's Judgment (720) ☐ Minor Settlement (730) ☐ Transcript Judgment (740) ☐ Lis Pendens (750) ☐ Transfer of Structured Settlement Payment Rights Application (760) ☐ Confession of Judgment (770) ☐ Petition for Workers Compensation Settlement Approval (780) ☐ Other (799)	Appeals ☐ Arbitration (900) ☐ Magistrate-Civil (910) ☐ Magistrate-Criminal (920) ☐ Municipal (930) ☐ Probate Court (940) ☐ SCDOT (950) ☐ Worker's Comp (960) ☐ Zoning Board (970) ☐ Public Service Comm. (990) ☐ Employment Security Comm (991) ☐ Other (999)
Special/Complex /Other ☐ Environmental (600) ☐ Automobile Arb. (610) ☐ Medical (620) ☐ Other (699)			
☐ Pharmaceuticals (630) ☐ Unfair Trade Practices (640) ☐ Out-of State Depositions (650) ☐ Motion to Quash Subpoena in an Out-of-County Action (660) ☒ Sexual Predator (510)			

Submitting Party Signature:

Date: 1/11/2016

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCF, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

FOR MANDATED ADR COUNTIES ONLY

Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Cherokee, Clarendon, Colleton, Darlington, Dorchester, Florence, Georgetown, Greenville, Hampton, Horry, Jasper, Kershaw, Lee, Lexington, Marion, Oconee, Orangeburg, Pickens, Richland, Spartanburg, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

You are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR.
Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

IN THE MATTER OF THE CARE)
AND TREATMENT OF:)

CIVIL ACTION NO. 2016-CP-22-00042

TARL BRADFORD ROLLINGS,)
)
RESPONDENT.)

PETITION PURSUANT TO THE
SEXUALLY VIOLENT PREDATOR
ACT

COMES NOW, Petitioner, State of South Carolina, by and through the undersigned, and for its cause of action herein alleges and states as follows:

1. This action is filed pursuant to the South Carolina Sexually Violent Predator Act, S.C. Code Ann. Sections 44-48-10 *et seq.* (hereafter, the Act)
2. The South Carolina Department of Corrections (hereafter, SCDCC) having determined that Respondent, Tarl Bradford Rollings, the Respondent named herein, had been convicted of at least one Sexually Violent Offense, referred Respondent to the Multi-Disciplinary Team for assessment pursuant to S.C. Code Ann. Section 44-48-40. **Respondent's max out date is currently on or about July 14, 2016.** His Inmate Number is 270195, and he was born in 1977.
3. The Multi-Disciplinary Team (MDT) on November 19, 2015 determined after assessment that Respondent satisfied the definition of a Sexually Violent Predator as set forth in S.C. Code Ann. Section 44-48-30, and referred Respondent to the Prosecutor's Review Committee for a determination pursuant to S.C. Code Ann. Section 44-48-60 as to whether probable cause exists to believe Respondent is a Sexually Violent Predator (attached as **PETITIONER'S EXHIBIT A**). The assessment of the Multi-Disciplinary Team is based on a review of existing records, which may include, but are not limited to the following: description of the qualifying offense(s); history of other sexual assault(s); history of other criminal convictions/adjudications; documentation, if any, of mental disorder(s); community and institutional adjustment; and risk factors.
4. The Prosecutor's Review Committee (PRC) on December 17, 2015 determined that there is probable cause to believe that Respondent is a Sexually Violent Predator as defined by statute (**EXHIBIT B**). The Prosecutor's Review Committee bases its determination on the records and reports provided by the Multi-Disciplinary Team including any information provided by the agency that prosecuted the qualifying offense.
5. The Petitioner now alleges that Respondent is a Sexually Violent Predator

FILED
2016 JAN 15 AM 11:35
CLERK OF COURT
GEORGETOWN COUNTY, S.C.

as defined by S.C. Code Ann. Section 44-48-30 (1), to wit:

QUALIFYING CONVICTION (EXHIBIT C):

- A. Type of Conviction: Lewd Act on Child Under 16.
- B. Date of Conviction: on or about July 31, 2015.
- C. Trial or Plea: guilty plea in Georgetown County.
- D. Sentence Received: five years, suspended to two years and three years' probation.
- E. Original Charge: Criminal Sexual Conduct with a Minor in the First Degree.
- F. Brief Facts:

Victim 1: 9-year-old Female.

On or about March 4, 2011, Victim 1's grandmother reported to law enforcement that her neighbor had sexually assaulted her granddaughter, at a time when the granddaughter had been visiting was visiting at her home for a weekend. The Grandmother reported that her granddaughter, Victim 1 had come running into the house crying, and had told her what had happened at the home of Respondent.

During a subsequent forensic interview Victim 1 stated that Respondent had invited her to look at his home. Victim 1 stated that since she did not want to appear to be rude, she had agreed. Once she was inside the home, Respondent asked her if she would like to look at his pictures in his bedroom. Victim 1 stated the bed was messy, so she made it up because she likes to clean. Respondent then lay down on the bed and pulled Victim 1 on top of him by her arm, wrapped his arms around her, fondled her buttocks, and tried to kiss her on the forehead. Victim 1 described the way Respondent wrapped his arms around her as a "bear hold," or words to that effect.

OTHER SEXUALLY VIOLENT OFFENSES OR CONVICTIONS:

- A. Type of Offense: Assault with Intent to Criminal Sexual Conduct in the First Degree.
- B. Date of Offense: in or about 2010; disclosed on or about January 30, 2015.
- C. Sentence Received: Dismissed.
- D. Brief Facts:

On or about March 2, 2015, prior to Respondent's return to SCDC on or about August 3, 2015, he appears to have been charged with Assault

with Intent to Criminal Sexual Conduct in the First Degree. According to the Georgetown Public Index, this charge was dismissed on or about December 7, 2015 (**EXHIBIT D**).

Victim 2: 9-year-old Male/Neighbor.

In or about January 2006, The Child Recovery Center contacted law enforcement regarding an interview with Victim 2, who reported that Respondent had touched his penis under his clothing, forced Victim 2 to touch Respondent's penis, and tried to coerce Victim 2 into performing oral sex on Respondent.

The Assistant Solicitor provide the following information: In her notes from meeting with the mother of the ■, the victim, the mother confirmed that Respondent had had lots of unsupervised contact with ■ during the time period of the alleged offense. She described what, in retrospect, could be considered grooming behaviors, such as gifts, fun trips, etc. The mother indicated that Respondent would spend time with ■ but not with her other son. Interestingly enough, Respondent saved a card that ■ had sent him in 2011 and provided it to law enforcement once he was arrested, copy also attached within **EXHIBIT D**.

This was a delayed disclosure by ■ made after he was placed in DJJ custody for offenses involving his younger brothers. ■ was placed at Generations (group home) after involvement with DJJ. His older brother (M.) had also been at Generations, for the same conduct, at least a year before ■ juvenile arrest. M. alleged that he had been a victim of his mother's ex-husband (Respondent) which led to him perpetrating on his younger brothers. ■ had been interviewed during M.'s case and did not make disclosures of being abused by the Respondent.

And:

- A. Types of Convictions: Lewd Act on a Child Under 16, Criminal Sexual Conduct in the Second Degree, and Contributing to the Delinquency of Minor (**EXHIBIT E**).
- B. Date of Convictions: on or about July 9, 1999.
- C. Trials or Pleas: guilty pleas.
- D. Sentences Received: Lewd Act, 10 years suspended to time served with five years' probation (probation revoked on or about October 12, 2000 to serve 5 years); Criminal Sexual Conduct, 10 years suspended to time served with five years' probation (probation revoked); Contributing to the Delinquency, three years suspended to time served with five years' probation (probation revoked).
- E. Original Charges: Same.

F. Max-Out Date: on or about November 23, 2004.

G. Brief Facts:

**Victim 3: 13-year-old Female, and
Victim 4: 13-year-old Female.**

On or about April 11, 1998, Respondent pointed a pistol at Victim 3 and Victim 4. Under that threat, he digitally penetrated Victim 3 and fondled the breasts and buttocks of Victim 4.

Victim 5: unknown-age Female.

On or about March 27, 1999, Respondent picked up Victim 5 from her home. At the time Respondent did not have permission from Victim 5's parents to remove the child from the home.

PRIOR MDT REVIEW:

On or about June 17, 2004, prior to Respondent's max-out date from prison of on or about November 23, 2004, the MDT reviewed his case, but did not refer him to PRC based on a decision that Respondent did not satisfy the criteria of a sexually violent predator (**EXHIBIT F**).

PRIOR OFFENSES OTHER THAN SEXUAL, If Known:

- A. Type of Offense: Trespassing/Malicious Injury to Real Property.
- B. Date of Offense: 08/17/1999.
- C. Sentence Received: Unknown.
- D. Brief Facts: Unknown.

Respondent's full NCIC Report is available to the Court as a sealed exhibit at a Probable Cause hearing, if necessary, and will be provided to his attorney and any court-appointed evaluator.

SCDC RECORDS:

Three disciplinary convictions for Refusing to work, Refusing or failing to obey orders, and Inciting or creating a disturbance (**EXHIBIT G**).

Certain medical records provided by SCDC are attached as **EXHIBIT H.**

SEX OFFENDER TREATMENT WHILE AT SCDC:

Respondent completed Phase I (CSTAR) from 04/26/02 – 08/09/02 with “Good Participation,” and SOTP from 03/07/02 – 01/14/04 with “Good Participation” (**EXHIBIT I**).

GENERAL NOTES:

Risk Factors in this matter, common to cases of this nature, include but may not be limited to: (1) never legally married or never lived with lover for at least two years, (2) not related to victim, (3) male victim, (4) prior sexual offenses, (5) length of sexual offending history one to six years, (5) offender under supervision when offense occurred, (6) force or threat of force used, (7) two or more age groups victimized, (8) more than one victim, and (9) victim age 11 or younger.

- (a) Sufficient evidence exists or will exist to determine that Respondent suffers from a mental abnormality or personality disorder which makes him likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment, and that the Respondent has serious difficulty in controlling his behavior, or sexual desire impulses.
- (b) In support of the State’s allegations that the Respondent has a mental abnormality or personality disorder that makes him likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment, the State, in addition to any other evidence which Petitioner may present to the Court hereafter, submits the following for consideration:
 - i. According to the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association, the diagnostic criteria for **Pedophilic Disorder** are:
 - A. Over a period of at least 6 months, recurrent, intense sexually arousing fantasies, sexual urges, or behaviors involving sexual activity with a prepubescent child or children (generally age 13

years or younger).

- B. The person has acted on these sexual urges, or the sexual urges or fantasies cause marked distress or interpersonal difficulty.
 - C. The person is at least age 16 years and at least 5 years older than the child or children in Criterion A. (**EXHIBIT J**).
- ii. According to the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association, the diagnostic criteria for **Paraphilic Disorder** are:
- A. Any intense and persistent sexual interest other than sexual interest in genital stimulation or preparatory fondling with phenotypically normal, physically mature, consenting human partners (**EXHIBIT K**).
- ii. “[P]revious instances of violent behavior are an important indicator of future violent tendencies.” *Kansas v. Hendricks*, 521 U.S. 346, 358, 117 S. Ct. 2072, 2080 (1997). The Respondent’s instances of violent and non-violent behavior are:
- A. The basis of his 2015 conviction for Lewd Act on a Child Under 16 (**EXHIBIT C**, *supra*);
 - B. The basis of his 2015 charge for Assault with Intent to Commit Criminal Sexual Conduct (**EXHIBIT D**); and
 - C. The basis of his 1999 convictions for Lewd Act, CSC in the Second Degree, and Contributing to the Delinquency of a Minor (**EXHIBIT E**).
- iii. The facts of the Respondent’s offenses indicate the existence of a mental abnormality in that they could involve recurrent sexual urges, or behaviors involving an underage child occurring over a period of at least six months.

WHEREFORE, Petitioner requests that based on the above information the Court find there is probable cause to believe Respondent is a Sexually Violent Predator and order:

1. Respondent be taken into custody and confined in a secure facility, if he has not already been so confined;
2. Respondent be notified by the Court of the opportunity to appear in person at a hearing to contest probable cause as to whether he is a Sexually Violent Predator;
3. A hearing to contest probable cause be held within 72 hours after Respondent is taken into custody, but only if he is not already in custody;
4. Counsel be appointed for Respondent if necessary;
5. If probable cause is found at that hearing, that Respondent remain in custody and be transferred to an appropriate facility for an evaluation as to whether Respondent is a Sexually Violent Predator;
6. The Court appoint a qualified expert for such an evaluation if probable cause is found;
7. If probable cause is found a trial be held on all issues, and if Respondent is found to be a Sexually Violent Predator that he be committed to the custody of the South Carolina Department of Mental Health for long term control, care, and treatment, until such time as Respondent's mental abnormality or personality disorder has so changed that Respondent is safe to be at large and has been released pursuant to the requirements of S.C. Code Ann. Section 44-48-10 *et seq.*, and
8. For such other and further relief as the Court deems just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General
JAMES G. BOGLE, JR.
Senior Assistant Attorney
General

By: 

Attorneys for Petitioner
S. C. Bar No. 755
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
V: 803.734-1173

January 8, 2016
Columbia, South Carolina

2016-CP-82-025012

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

A

SEXUAL PREDATOR REFERRAL FORM

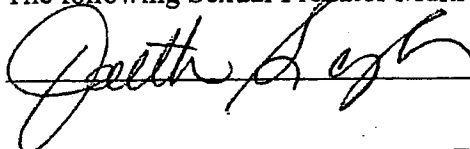
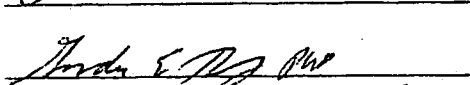
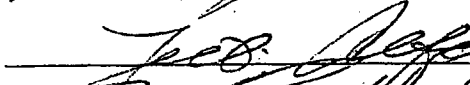
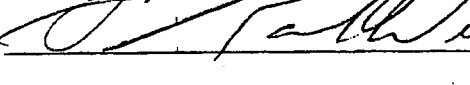
Offender Name: TARL BRADFORD ROLLINGS		Offender Number: 270195	Jurisdictional Agency: SCDC
Age: 37	County: GEORGETOWN	Qualifying Offense(s): Guilty Plea: Trial:	
Gender: Male	No. of Incarcerations: 1	Lewd Act on a Child under 16/ Current & CSC 2nd, Lewd Act/ Completed	
Adult Sentence: 5 years suspend to 2 years with 3 probation	Parole Eligibility Date:	Max-Out Date: 07/14/2016	
Juvenile Guidelines:	Parole Release Date:	SFII Date:	

The review of this case is based on the offender's records which include, but are not limited to, the following information: description of the qualifying offense(s); history of other sexual assault(s); history of other criminal convictions/adjudications; documentation of mental disorder(s); community and institutional adjustment; and risk factors. Findings are strictly based on the legal criteria set forth in Section 44-48-30 of the Sexually Violent Predator Act, and are not to be interpreted as a clinical assessment..

VOTES TO REFER/NOT REFER TO PROSECUTOR'S REVIEW COMMITTEE:

YES	NO	ABSTAIN
4	0	0

The following Sexual Predator Multi-Disciplinary Team Members participated in the review process:

 SCDC -- CHAIRPERSON
 SCDPPS
 DMH
 JDG
 ATTORNEY

MULTIDISCIPLINARY TEAM

The offender's records were assessed by the Multidisciplinary Team on November 19, 2015, and based upon that assessment, we find that:

- ☒ The offender satisfies the definition of a sexually violent predator and a review by the Prosecutor Review Committee is warranted.
- ☐ The offender does not satisfy the definition of a sexually violent predator and a review by the Prosecutor Review Committee is not warranted.

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

B

**PROSECUTOR'S REVIEW COMMITTEE
PROBABLE CAUSE DETERMINATION**

INMATE NAME:	INMATE NUMBER	PRC REVIEW DATE:
TARL BRADFORD ROLLINGS	270195	DECEMBER 17, 2015 MEMBERS PRESENT: Barry Bernstein for Alan Wilson David M. Stumbo via telephone Laura Hudson for Beebe James telephone

FILED
SOUTH CAROLINA
2016 JAN 15 AM 11:28
CLERK OF COURT

DATE RECEIVED FROM MULTIDISCIPLINARY TEAM: NOVEMBER 23, 2015

The Multi-Disciplinary Team referred this case to the Prosecutor's Review Committee pursuant to S.C. Code Ann. § 44-48-50, for review to determine whether probable cause exists to believe this person is a sexually violent predator. S.C. Code Ann. § 44-48-60. The Prosecutors Review Committee reviewed all information received from the Multi-Disciplinary Team, including without limitation: documentation of the qualifying offense as well as other sexual assault(s) or criminal convictions/adjudications; documentation of mental disorder(s); community and institutional adjustment; and risk factors.

PROBABLE CAUSE DETERMINATION:

By a vote of 3-0, the Prosecutor's Review Committee found probable cause to believe that this individual has been convicted of a sexually violent offense, and suffers from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.

Deborah R. J. Shepe
Signature of Counsel for Committee

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

C

STATE OF SOUTH CAROLINA

COUNTY OF Georgetown

STATE VS.

Tarl Bradford Rollings

AKA:

Race: WHITE Sex: M Age: 37

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: Bonneau, SC 29431

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Lewd Act on a Minor <16 0-15

in violation of § 16-15-0140 of the S.C. Code of Laws, bearing CDR Code # 2468

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☒ Mandatory GPS (CSC w/minor 1st or Lewd Act) ☐ § 17-25-45The 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.

ATTORNEY: [REDACTED] SCB8880 SC Bar# 3382 Defendant: [REDACTED] Attorney for Defendant: [REDACTED] SC Bar# [REDACTED]

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of 2 days/months/years and/or payment of \$ X; plus costs and assessments as applicable; the balance is suspended with probation for 3

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 16-23-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS

☐ RESTITUTION: ☐ Deferred, ☐ Def. Waives Hearing, ☐ Ordered

Totals: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:	\$	
§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 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	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(1) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$ 3.90
TOTAL	\$	\$ 133.90

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE# 2011GS2200574

A/W#: 2011GS2200574

Date of Offense: 3/4/2011

S.C. Code §: 16-15-0140

CDR Code #: 2468

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

Alford

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

2148

July 31, 2015

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)

INDICTMENT

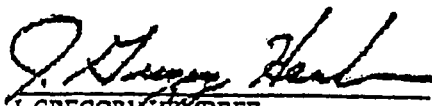
At a Court of General Sessions, convened on July 20, 2011, the Grand Jurors of Georgetown County present upon their oath:

LEWD ACT ON A MINOR CHILD

CDR: 2468 16-15-0140

That Tarl Bradford Rollings, being over fourteen years of age, did in Georgetown County on or about March 4, 2011, willfully and lewdly commit and/or attempted to commit a lewd or lascivious act upon or with the body of a child, less than sixteen (16) years of age, to wit: ^{Complainant 3} age 9, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of said defendant or of the victim, in violation of Section 16-15-0140, S. C. 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.


 J. GREGORY CHEMBREE
 FIFTEENTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)

INDICTMENT

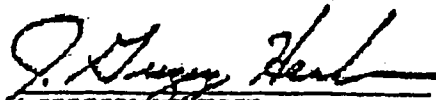
At a Court of General Sessions, convened on July 20, 2011, the Grand Jurors of Georgetown County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR
FIRST DEGREE

CDR: 0385 16-03-0655(A)(2)

That Tarl Bradford Rollings did in Georgetown County, State of South Carolina, on or about March 4, 2011, willfully and unlawfully commit the crime of Criminal Sexual Conduct with a Minor in the First Degree by engaging in sexual battery with a minor who is less than sixteen (16) years of age, to wit: whose date of birth is [REDACTED], and the Defendant has previously been convicted of, pled guilty or *nolo contendere* to, or adjudicated delinquent for an offense listed in S.C. Code of Laws Section 23-3-430 (C), or has been ordered to be included in the sex offender registry pursuant to S.C. Code of Laws Section 23-3-430(D), to wit: Criminal Sexual Conduct with a Minor Second Degree, in violation of Section 16-3-655(B), S. C. 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.


 J. GREGORY HEMBREE
 FIFTEENTH CIRCUIT SOLICITOR

ARREST WARRANT

M-565558

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Georgetown

THE STATE

against

Bradford Rollings

Address:

Georgetown, SC 29440-

Phone:

SSN:

Sex:

Race:

Height:

Weight:

DL State:

DL #:

Agency ORI #:

SC0220000

Prosecuting Agency:

Georgetown County Sheriff

Prosecuting Officer:

Phill Hanna - 020S

Offense:

Sex / Criminal sexual conduct with minor or
Attempt - victim under 11 yrs of age - First degree

Offense Code:

0385

Code/Ordinance Sec:

16-03-0655(A)(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/☐ Municipality of

The accused

is to be arrested and brought before me to be
dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant

Bradford Rollings

on

3/3/11

1000



Signature of Deputy Sheriff

RETURN WARRANT TO:

General Sessions

P. O. Box 479

401 Cleland Street, Room 115

Georgetown, SC 29442

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Georgetown

Personally appeared before me the affiant Phill Hanna whobeing duly sworn deposes and says that defendant Bradford Rollingsdid within this county and state on or about 03/04/2011State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Georgetown

In the following particulars:

DESCRIPTION OF OFFENSE Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on March 4, 2011 in the county of Georgetown, one Bradford Rollings did engage in sexual battery by pulling the victim onto the bed and rubbed her buttocks and tried to kiss her on the forehead with a minor, the victim being less than eleven years old and the defendant being more than three years older. This being against the peace and dignity of the State of South Carolina. This is a violation of SC Code Law 16-03-0655(A) (1). CASE #03110893 Dep. PHanna

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Georgetown

Affiant's Address 430 N. Fraser Street

Georgetown, SC 29440-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/4/2011 defendant Bradford Rollings

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/☐ Municipality of

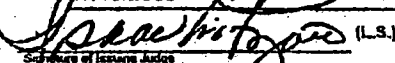
Georgetown

) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 03/05/2011


Signature of Issuing Judge

Isaac Lester Pyatt (Magistrate)

Judge Code: 5899Judge's Address Post Office Box 807

Georgetown, SC 29442

Judge's Telephone (843)545-3381Issuing Court ☒ Magistrate☐ Municipal☐ Circuit

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S.C. Attorney General
April 21, 2003
SCCA 518

ARREST WARRANT

2015A2210500171 **GCSO**

STATE OF SOUTH CAROLINA

☒ County/

Georgetown

2015 MAR 10 PM 1:31

THE STATE

against

ALMA Y. WHITE
CLERK OF COURT

Tarl Bradford Rollings

Address:

Bonneau, SC 29431-3363

Phone: _____ SSN: _____
Sex: M Race: W Height: 5 10 Weight: 250
State: SC DL #: _____DOB: _____ Agency ORI #: SC0220000Prosecuting Agency: Georgetown County SheriffProsecuting Officer: Dawud Aswad - 214Offense: Sex / Assault with intent to commit criminal sexual conduct - First degreeOffense Code: 0253Code/Ordinance Sec: 16-03-0656This warrant is CERTIFIED FOR SERVICE in the☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be
dealt with according to the law.

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to

defendant TARL BRADFORD ROLLINGS
on 3/12/15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

P. O. Box 479

401 Cleland Street, Room 115

Georgetown, SC 29442

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Georgetown

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518Personally appeared before me the affiant Dawud Aswad whobeing duly sworn deposes and says that defendant Tarl Bradford Rollingsdid within this county and state on or about 1/22/2015

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Georgetown)

in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Assault with intent to commit criminal sexual conduct - First degreeI further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:On 1/22/15 a juvenile disclosed information that Tarl Rollings sexually assaulted him at or near _____ in the north
section of Georgetown County. At the time of the incident the victim was 9 years old and is currently 14 years old. The defendant,
Tarl Bradford Rollings did engage in a sexual assault by touching the victim on his penis, under his clothing multiple times over a
span of days. The defendant also forced the victim's hand under his clothing and on to his penis and afterwards attempted to coerce
the victim to perform oral sex on him. This being against the peace and dignity of the State of South Carolina and a violation of SC
code of law 16-03-0656. Inv. D. Aswad Case# 15003360

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Georgetown

Affiant's Address 430 N. Fraser Street
Georgetown, SC 29440-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/22/2015 defendant Tarl Bradford Rollings

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Georgetown) as set forth below:DESCRIPTION OF OFFENSE: Sex / Assault with intent to commit criminal sexual conduct - First degreeHaving found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable

Sworn to and subscribed before me

on 2/11/2015Signature of Issuing Judge
Isaac Lester PyattJudge Code: 5899

(L.S.)

Judge's Address 333 Cleland StreetGeorgetown, SC 29442Judge's Telephone (843)545-3381Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

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ORIGINAL



Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Bradford Rollings

Case Number:	M565558	Court Agency:	General Sessions	Filed Date:	03/14/2011
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Disposed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Solicitor
Disposition:	Nolle Prosequi				
Disposition Date:	07/31/2015	Date Received:	03/14/2011	Arrest Date:	03/05/2011
Law Enf. Case:	03110893	True Bill Date:	07/20/2011	No Bill Date:	
Prosecutor Case:		Indictment Number:	2011GS2200573	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Rollings, Bradford	0385-Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree	0385-Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree	07/31/2015

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Georgetown County Fifteenth Judicial Circuit Public Index



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Switch View

The State of South Carolina VS Bradford Rollings

Case Number:	M565558	Court Agency:	General Sessions	Filed Date:	03/14/2011
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Disposed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Solicitor
Disposition:	Nolle Prosequi				
Disposition Date:	07/31/2015	Date Received:	03/14/2011	Arrest Date:	03/05/2011
Law Enf. Case:	03110893	True Bill Date:	07/20/2011	No Bill Date:	
Prosecutor Case:		Indictment Number:	2011GS2200573	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Bond Information

Bond Id	Set Date	Amend Date	Set By	Type	Amount	Type	Amount	Condition
2011BD2200100325	03/31/2011		John	Surety Bond	\$50,000.00		\$0.00	

Post Information

Bond Id	Bond Type	Amount	Date Posted	Posted By
2011BD2200100325	Surety Bond	\$50,000.00	04/04/2011	Ray Johnsons Bonding/Seneca/Ray Johnson

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Georgetown County Fifteenth Judicial Circuit Public Index



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Switch View

The State of South Carolina VS Tarl Bradford Rollings

Case Number:	2011GS2200574	Court Agency:	General Sessions	Filed Date:	07/22/2011
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Disposed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Culbertson, Benjamin H.
Disposition:	Pled Guilty				
Disposition Date:	07/31/2015	Date Received:	07/20/2011	Arrest Date:	07/20/2011
Law Enf. Case:		True Bill Date:	07/20/2011	No Bill Date:	
Prosecutor Case:		Indictment Number:	2011GS2200574	Walver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Rollings, Tarl Bradford	2468-Sex / Lewd Act, committing or attempting lewd act upon child under 16 (June 4, 1996)	2468-Sex / Lewd Act, committing or attempting lewd act upon child under 16 (June 4, 1996)	07/31/2015

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Georgetown County Fifteenth Judicial Circuit Public Index



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Switch View

The State of South Carolina VS Tarl Bradford Rollings

Case Number:	2011GS2200574	Court Agency:	General Sessions	Filed Date:	07/22/2011
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Disposed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Culbertson, Benjamin H.
Disposition:	Pled Guilty				
Disposition Date:	07/31/2015	Date Received:	07/20/2011	Arrest Date:	07/20/2011
Law Enf. Case:		True Bill Date:	07/20/2011	No Bill Date:	
Prosecutor Case:		Indictment Number:	2011GS2200574	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	5 yrs susp on 2 days w/3 yrs prob; CTS; Deft is to be placed on Central Registry of Child Abuse and Neglect; No contact with Victim or Victim's family...						

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ORI #
Report Date/Time: 03/04/2011 17:00
Incident #: 03110893

INCIDENT REPORT ADDITIONAL OTHERS

PERSON TYPE PARENT	NAME (LAST, FIRST, MIDDLE) HARPER, DEANNA				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT S	RACE W	SEX F	AGE 33	O.O.B. []	ETH N
	HEIGHT 501	WEIGHT 35	HAIR BROWN	EYES BROWN	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS [REDACTED]				CITY JOHNSONVILLE	STATE SC	ZIP CODE 29555	LOCATION NO.	DAYTIME PHONE [REDACTED]	EVENING PHONE [REDACTED]			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

PERSON TYPE OTHER	NAME (LAST, FIRST, MIDDLE) TAYLOR, DEBBIE, D				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT J	RACE W	SEX F	AGE 54	O.O.B. []	ETH N
	HEIGHT 503	WEIGHT 222	HAIR BROWN	EYES BLUE	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS [REDACTED]				CITY GEORGETOWN	STATE SC	ZIP CODE 29440	LOCATION NO.	DAYTIME PHONE [REDACTED]	EVENING PHONE [REDACTED]			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE	O.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE	O.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE	O.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE	O.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
	ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE			
VIOLENCE ☐ YES ☐ NO ☐ EXPLAIN- COMPLAINT OF ANY NON-VIOLENCE ☐ YES ☐ NO ☐													
USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE													

SC0220000

INCIDENT REPORT

ONLY

03/11/2011

INCL No ENTU No

INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. ATTEMPT CSC WITH MINOR UNDER 11 YRS OF AGE				YES NO	YES NO	RESIDENCE/HOME		Individual Business Financial Inst Government Relig. Orgn. Soc./Public Other Unknown Police Off.
2.				YES NO	YES NO			
3.				YES NO	YES NO			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						ZIP CODE	WEAPON TYPE	
						29440	PERSONAL WEAPON	
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISP. DATE	CSP. TIME	TIME ARRIVED	DEPART. TIME
03/04/2011	17:00		03/04/2011	20:34	03/04/2011	20:34	20:51	23:58
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT	RESIDENT	RACE/SEX	AGE	ETH
				#1 #2 #3				
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	
VICTIM'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT	RESIDENT	RACE/SEX	AGE	ETH
				OK #1 #2 #3	S	W F	9 1	N
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				
		BROWN	BROWN					
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	
				JOHNSONVILLE	SC	29555		
VIOLENCE/INJURY (MCT) YES NO EXPLAIN				COMPLAINANT NON-VIOLENCE/INJURY YES NO				
VICTIM (NO. 1) USING ALCOHOL YES NO UNK				DRUGS YES NO UNK TYPE				
VIOLENCE/INJURY (MCT) YES NO UNK				DETECTIVE/PLASMA/OTHER ALONE ASSISTED				
NAME (LAST, FIRST, MIDDLE)				RACE/SEX	AGE	ETH	DATE OF BIRTH	HEIGHT/WEIGHT/HAIR/EYES
SUSPECT ROLLINGS, TARI, BRADFORD				W M	33 1	N		600 247 GREY HAZEL
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				DAYTIME PHONE EVENING PHONE				
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	
				GEORGETOWN	SC	29440		
SUBJECT (NO. 1) USING ALCOHOL YES NO UNK				ARRESTED NEAR OFFENSE SCENE YES NO		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST
DRUGS YES NO UNK TYPE				TOTAL ARRESTED		3/4/2011 5:00:00 PM		3/4/2011 10:38:00 PM
DAY OF THE WEEK		HOW REPORTED		A= OFFICER DISPATCHED ON CALL B= REPORT TAKEN BY PHONE C= COMPLAINANT WALKED IN		D= COMPLAINT WRITTEN IN E= OFFICER INITIATED F= OTHER		DIFF. FACTOR
3 4 5 6 7 8 9 10 11 12		1 2 3 4 5 6 7 8 9 10 11 12						
A= RESISTANCE/HOSTILITY B= WEAPONS C= UNFOUNDED CALLS D= MENTAL SUBJECT				E= COMPLAINANT FRIB- JUVENILE INTOXICATED F= DOMESTIC No NORMAL				
ON 03/04/2011 AT 2034 HRS I, DEPUTY H. CAUSEY RESPONDED TO [REDACTED] IN REFERENCE TO A CSC WITH A MINOR. UPON ARRIVAL I SPOKE WITH DEBBIE TAYLOR WHO ADVISED ME THAT SHE WAS THE JUVENILE VICTIM'S GRANDMOTHER. DEBBIE ADVISED ME THAT [REDACTED] WAS STAYING WITH HER THIS WEEKEND, BUT SHE ACTUALLY LIVES IN JOHNSONVILLE, SC WITH HER MOTHER (DEANNA HARPER). DEBBIE ADVISED ME THAT THIS EVENING BETWEEN 1800 AND 1800 HRS, HER GRANDDAUGHTER [REDACTED] HAD BEEN SEXUALLY ASSAULTED BY A MAN THEY KNOW AS TARI. DEBBIE STATED THAT AT APPROXIMATELY 1800 HRS, [REDACTED] CAME RUNNING INTO THE HOUSE CRYING AND WAS VERY UPSET. DEBBIE STATED THAT [REDACTED] TOLD HER THE FOLLOWING EVENTS HAPPENED AT TARI'S RESIDENCE.								
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY				
TYPE/GROUP				TOTAL VALUE				
STOLEN				0				
DAMAGED				0				
BURNED				0				
RECOVERED				0				
SUBJECT IDENTIFIED YES NO				SUBJECT LOCATED YES NO		S.F.		ACTIVE ADM. CLOSED UNFOUNDED
								ARRESTED UNDER 18 EX-CLEAR UNDER 18
								ARRESTED 18 AND OVER EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE 1. OFFENDER DEATH 2. NO PROSECUTION 3. EXTRADITION DESIRED 4. VICTIM DECLINES COOPERATION 5. JUVENILE IN CUSTODY								
REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE
CAUSEY, HUNTER		3/4/2011 8:34:00 PM		1CA43				
HANNA, PHILLIP		3/4/2011 8:51:00 PM		1HA42		FOLLOWUP INVESTIGATION YES NO		OFFICER HANNA, PHILLIP 3/7/2011 8:08:29 AM 1HA42

ADDITIONAL NARRATIVE

Agency Name Georgetown County Sheriff	ORI # SC0220000	Report Date/Time 3/4/2011 5:00:00 PM	CCA # 03110593

TARL INVITED [REDACTED] INTO HIS HOUSE ([REDACTED]) AND TOOK HER INTO HIS BEDROOM. ONCE INSIDE THE BEDROOM, TARL LAID ON THE BED AND PULLED [REDACTED] ON TOP OF HIM BY HER ARM. TARL THEN WRAPPED HIS ARMS AROUND HER AND FONDED HER BUTTOCKS, AND TRIED TO KISS HER ON HER FOREHEAD.

A VICTIM'S FORM AND A VOLUNTARY WRITTEN STATEMENT WAS COMPLETED BY DEBBIE TAYLOR. THE ON CALL INVESTIGATOR AND VICTIM'S ADVOCATE WERE REQUESTED. INVESTIGATOR HANNAH AND VICTIM'S ADVOCATE ALMA SIERRA RESPONDED TO THE SCENE. I THEN TURNED THE SCENE OVER TO INVESTIGATOR HANNAH.

AFTER INVESTIGATOR HANNAH COMPLETED HIS INITIAL INVESTIGATION AT THE RESIDENCE, WE MADE CONTACT WITH TARL ROLLINGS NEXT DOOR. TARL WAS THEN PLACED UNDER ARREST BY MYSELF AND TRANSPORTED TO THE GCOC. A HOLD WAS PLACED ON TARL FOR WARRANTS. NOTHING FURTHER AT THIS TIME.

AGENCY I.D.
SC0220000

INCIDENT REPORT

CASE NUMBER

1,5,0,0,3,3,6,0

NCIC

INQ. ENTD.

EVENT	INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM				
	1. Sodomy/ Buggery - N - None/Unknown		☒ YES ☐ NO	☐ YES ☒ NO	20		☒ Individual ☐ Business ☐ Financial ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.				
			☐ YES ☐ NO	☐ YES ☐ NO							
			☐ YES ☐ NO	☐ YES ☐ NO							
VICTIM NO.	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE	WEAPON TYPE				
	INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK		LOCATION NO.			
	01/30/2015	13:00				DISP. DATE DISP. TIME FILE ARRIVED DEPART. TIME					
	COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
SUBJECT NO. 1	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.				
	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
	HEIGHT		WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.				
NARRATIVE	VISIBLE INJURY (VICT.) ☐ YES ☐ NO ☐ EXPLAIN										
	COMPLAINT OF ANY NON-VISIBLE INJURIES ☐ YES ☐ NO ☐										
	VICTIM (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE:										
	TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASHT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ J - This Jurisdiction S - State O - Out of State U - Unknown										
PROPERTY EST.	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	Rollings, Tarl Bradford		W	M	37	N		6' 0"	260	BRO	HAZ
	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.										
	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.					
ADMINISTRATIVE	ARREST		BONNEAU		SC	29431					
	SUBJECT (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST						
	DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE:		TOTAL # ARRESTED		1						
	THIS CASE WAS ASSIGNED TO THE I/O FOR INVESTIGATIVE FOLLOW UP. THE INITIAL REPORT WAS OBTAINED AND REVIEWED.										
1/30/15 1610- THE I/O MADE CONTACT WITH THE VICTIM'S MOTHER BY TELEPHONE AND ADVISED THAT I WOULD BE HANDLING THE CASE AND VERIFIED THAT ALL OF HER CONTACT INFORMATION WAS CURRENT. THE INCIDENT TOOK PLACE BETWEEN 1/1/2006 AND 12/31/2006.											
2/2/15 0934- BERKELEY COUNTY SHERIFF'S OFFICE WAS CONTACTED TO GAIN THE TELEPHONE NUMBER FOR MR. ROLLINGS. I LEFT MY CONTACT INFORMATION WITH THE CLERK AND SHE ADVISED THAT A SUPERVISOR WOULD CONTACT ME BACK WITH THE INFORMATION THAT I REQUESTED.											
JURISDICTION OF TRAFFIC LAW ENFORCEMENT AGENCY											
JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY											
TOTAL VALUE											
TYPE (GROUP)											
STOLEN											
DAMAGED											
BURNED											
RECOVERED											
SEIZED											
SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADIA CLOSED		☐ ARRESTED UNDER 18		☐ EX-CLEAR UNDER 18			
☒ YES ☐ NO		☐ YES ☒ NO		☐ UNFOUNDED		☒ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER			
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY											
REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER				
Nelson, Michael		01/30/2015	311								
FOLLOW-UP INVESTIGATION ☐ YES ☒ NO OFFICER											

1127- CONTACT WAS MADE WITH SGT. THORNTON FROM BERKELEY COUNTY AND HE WAS ABLE TO PROVIDE THE SUSPECTS TELEPHONE NUMBER. THE I/O WAS ABLE TO MAKE CONTACT WITH THE SUSPECT AND ASKED IF HE WAS AVAILABLE THIS WEEK TO COME IN FOR AN INTERVIEW IN REFERENCE TO AN ONGOING INVESTIGATION. HE ADVISED THAT HE HAS COURT IN GEORGETOWN ON THURSDAY AND COULD COME BY AFTERWARDS.

1215- THE I/O WAS CONTACTED BY MR. ROLLINGS ATTORNEY AND HE WAS INQUIRING ABOUT THE CASE AND POSSIBLE CHARGES. HE WAS ADVISED THAT IT IS STILL AN ONGOING INVESTIGATION AND THAT IF HIS CLIENT WOULD LIKE TO COME IN AND SPEAK WITH US THEN HE COULD. HE ADVISED THAT MR. ROLLINGS WOULD NOT BE MEETING FOR AN INTERVIEW ON THURSDAY AND THAT HIS OFFICE WOULD BE IN CONTACT WITH THE SOLICITOR.

2/27/15

1300- THE I/O WAS ABLE TO LISTEN TO THE CHILD RECOVERY CENTER INTERVIEW AND THE VICTIM DID DISCLOSE VERY DETAILED INFORMATION ABOUT THE INCIDENT. AT THIS TIME A WARRANT AFFIDAVIT WAS PREPARED FOR SEXUAL ASSAULT WITH INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT WITH A MINOR 1ST DEGREE AND WILL BE PRESENTED TO A JUDGE FOR WARRANT CONSIDERATION. THE CHILD RECOVERY CENTER INTERVIEW DISK WAS THEN TURNED BACK OVER TO THE VICTIM'S ADVOCATE. JUDGE PYATT SIGNED WARRANT NUMBER 2015A2210500171 FOR SEXUAL ASSAULT WITH THE INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT 1ST DEGREE. THE WARRANT WILL NOT BE ATTEMPTED BECAUSE THE DEFENDANT LIVES OUT OF THE COUNTY BUT THE WARRANT WAS ENTERED NCIC WITH NIC NUMBER W483013943.

3/2/15

0758- CENTRAL DISPATCH WAS ADVISED TO CONTACT BERKELEY COUNTY TO SEE IF THEY COULD MAKE CONTACT WITH MR. ROLLINGS IN REFERENCE TO HIS ACTIVE WARRANT. CONTACT WAS MADE WITH MR. ROLLINGS BY BERKELEY COUNTY AND HE WAS TRANSPORTED TO THE COUNTY LINE WHERE CUSTODY WAS THEN EXCHANGED TO GEORGETOWN COUNTY. MR. ROLLINGS WAS THEN TRANSPORTED TO THE GEORGETOWN COUNTY DETENTION CENTER, WHERE HE WAS SERVED WARRANT NUMBER 2015A2210500171 WITHOUT INCIDENT. THE TRANSPORT VEHICLE WAS SEARCHED PRIOR TO AND AFTER TRANSPORT FOR CONTRABAND WITH NEGATIVE RESULTS. THIS CASE WILL BE CLOSED BY ARREST.

GRAND JURY SYNOPSIS

ON OR ABOUT JANUARY OF 2006, THE CHILD RECOVERY CENTER DID CONTACT THE SHERIFF'S OFFICE IN REFERENCE TO AN INTERVIEW THAT HAD TAKEN PLACE WHERE THE MINOR, STATED THAT THE DEFENDANT DID TOUCH HIS PENIS MULTIPLE TIMES ABOVE AND UNDER THE CLOTHES AND ATTEMPTED TO FORCE THE VICTIM TO LICK HIS PENIS. THE SUSPECT WAS THE VICTIM'S NEIGHBOR AT THE TIME OF THE INCIDENT.

Entered By: PHILLIP HANNA, on 3/10/2011 10:00:12 AM
 Edited By: PHILLIP HANNA, on 3/23/2011 10:18:22 AM
 Jurisdiction: SC0220000
 Case Number: 03110893
 Supplement: Yes
 Source Table: Incident

Title: HANNA/SUPPLEMENT #03110893

THAT ON 03/04/2011 DEPUTIES FROM THE GEORGETOWN COUNTY SHERIFFS OFFICE WERE DISPATCHED TO [REDACTED] GEORGETOWN, S.C. DEPUTIES WERE ADVISED BY CENTRAL DISPATCH THAT THERE WAS A REPORT OF AN ATTEMPTED SEXUAL ASSAULT ON A 9 YEAR OLD FEMALE VICTIM. UPON THE DEPUTIES ARRIVAL THEY SPOKE WITH DEBBIE TAYLOR WHO IDENTIFIED THE VICTIM AS HER 9 YEAR OLD GRAND DAUGHTER [REDACTED]. DEPUTY HUNTER CAUSEY SPOKE WITH THE [REDACTED] ABOUT THE INCIDENT AND THEN CONTACTED HIS INVESTIGATOR TO RESPOND.

UPON MY ARRIVAL I SPOKE WITH THE VICTIM [REDACTED]. [REDACTED] GAVE ME A RECORDED STATEMENT CLAIMING THAT THEIR NEIGHBOR TARL WHO LIVES NEXT TO MR JACK TODD HAD INVITED HER INTO HIS RESIDENCE ALONE. [REDACTED] STATED THAT SHE HAD NEVER BEEN INSIDE TARL'S HOME BEFORE SO WHEN HE ASKS HER IF SHE WANTED TO LOOK INSIDE HIS HOME SHE FEEL IT WAS ALRIGHT. HARPER STATED THAT AFTER SHE WENT INSIDE THE RESIDENCE TARL TOLD HER SHE COULD GO IN HIS BEDROOM. [REDACTED] STATED ONCE SHE WENT INTO THE BEDROOM SHE MADE THE SUBJECT'S BED UP BECAUSE SHE JUST LIKE TO CLEAN. [REDACTED] STATED THAT WHILE SHE WAS INSIDE THE SUBJECT'S BEDROOM TARL GRABBED HER BY THE WRIST AND PULLED HER ON TOP OF HIMSELF WHILE HE LAID ON THE BED. [REDACTED] STATED TARL WRAPPED HIS ARMS AROUND HER LIKE A BEAR HUG AND THEN FELT HER ON HER BACK SIDE. [REDACTED] STATED TARL ALSO TRIED TO KISS HER ON HER FOREHEAD. [REDACTED] STATED THIS MADE HER FEEL UNCOMFORTABLE SO SHE MANAGED TO PULL AWAY AND FINALLY LEAVE. [REDACTED] STATED WHILE SHE WAS INSIDE THE RESIDENCE SHE SAW PICTURES ON TARL'S DRESSER MIRROR IN HIS BED ROOM ALONG WITH CERTIFICATES ON THE WALLS. [REDACTED] DESCRIBED THESE PHOTOGRAPHS, CERTIFICATES AND BED CLOTHS WELL ENOUGH THAT I MIGHT IDENTIFY THEM LATER TO PROVE THAT SHE HAD BEEN INSIDE HIS BED ROOM. VICTIM'S ADVOCANT ALMA SIERRA RESPONDED TO THE SCENE AND ALSO SPOKE WITH THE VICTIM AND HER FAMILY.

AFTER SPEAKING WITH VICTIM I WENT NEXT DOOR TO THE RESIDENCE OF JACK TODD. THE SUBJECT TARL BRADFORD ROLLINGS WAS ALSO THERE AND WAS IDENTIFIED AS TO BEING THE SAME SUBJECT [REDACTED] HAD DESCRIBED IN HER STATEMENT. I SPOKE WITH BOTH JACK TODD AND TARL ROLLINGS. I EXPLAINED TO ROLLINGS WHY I WAS THERE. I CONFIRMED TARL'S COMPLETE NAME AND ADDRESS FOR THE REPORT. IT WAS ALSO FOUND THAT TARL BRADFORD ROLLINGS WAS A REGISTERED SEX OFFENDER IN GEORGETOWN COUNTY. TARL BRADFORD ROLLINGS WAS TAKEN INTO CUSTODY FOR ATTEMPT CSG WITH A MINOR UNDER 11 YEARS OF AGE AND TRANSPORTED TO THE CDC.

I FEEL THAT SINCE THE VICTIM HAD NEVER BEEN INSIDE THE SUBJECT'S RESIDENCE BEFORE, IF THE ITEMS SHE DESCRIBED SHE SAW INSIDE THE SUBJECT'S BED ROOM AND OTHER LOCATIONS COULD BE FOUND INSIDE THE RESIDENCE THIS WOULD CORROBORATE HER STATEMENT ABOUT THE EVENTS THAT TOOK PLACE.

3/09/2011 I SIGNED A SEARCH WARRANT ON ROLLING'S RESIDENCE LOCATED AT [REDACTED] GEORGETOWN SC. THIS RESIDENCE IS A 14X80 MOBILE HOME WHITE IN COLOR.

3/09/2011 @ 1430 HRS INV TODD AND I EXECUTED THIS SEARCH WARRANT. INV TODD LEFT A COPY OF THE SEARCH WARRANT AT THE RESIDENCE. THE HOME OWNER JACK TODD RENTS THE HOME TO THE SUBJECT TARL ROLLINGS. MR JACK TODD MET ME AT THE HOME AND OPENED THE FRONT DOOR WITH HIS KEY. JACK TODD WAS ALSO PRESENT DURING THE SEARCH. PRIOR TO ANYTHING BEING REMOVED, I FIRST PHOTOGRAPHED THE ITEMS WHICH WERE GOING TO BE SEIZED FOR EVIDENCE FROM OUT OF THE RESIDENCE TO DEPICT WHERE THE ITEMS WERE ACTUALLY LOCATED. RECOVERED FROM THE SUBJECTS RESIDENCE WAS:

-) 2 4X8 PHOTOGRAPHS FROM THE DRESSER MIRROR IN THE SUBJECTS BED ROOM.
-) 3 CERTIFICATES TAKEN FROM OFF THE WALL IN THE SUBJECTS BED ROOM.
-) 1 BLUE AND GREEN STRIPED BED COMFORTER TAKEN FROM OFF THE SUBJECTS BED IN HIS BED ROOM.
-) 1 PAPER POSTER WITH A RELIGIOUS SCRIPTURE ON IT TAKEN FROM OFF THE WALL IN THE SUBJECTS BED ROOM.

ALL THE RECOVERED ITEMS WERE PHOTOGRAPHED AND PLACED INTO EVIDENCE.

THE ITEMS WHICH WERE SEIZED MATCHED THAT OF WHAT THE VICTIM HAD DESCRIBED TO ME IN HER RECORDED STATEMENT. IT IS OBVIOUS THAT THE 9 YEAR OLD VICTIM HAD BEEN INSIDE THE SUBJECTS BEDROOM, WHILE PROCESSING THE SUBJECTS RESIDENCE I TOOK A MEASUREMENT FROM THE FRONT DOOR OF THE MOBILE HOME TO THE CENTER OF THE SUBJECTS BEDROOM. IT IS APPROXIMATELY 41 FEET FROM THE FRONT DOOR TO THE CENTER OF THE SUBJECTS BED ROOM.

03/17/2011 I MET WITH NICKALA SMITH AT HER RESIDENCE LOCATED AT [REDACTED]. NICKALA IS THE MOTHER OF 12 YEAR OLD [REDACTED]. I HAD ALREADY SPOKE TO NICKALA ON 03/09/2011 AND INFORMED HER I WANTED TO SPEAK WITH [REDACTED] BECAUSE [REDACTED] HAD STATED [REDACTED] SAW HER COMING OUT OF TARL ROLLING'S RESIDENCE ON THE AFTERNOON WHEN SHE WAS ASSAULTED. NICKALA SMITH ALLOWED ME TO SPEAK WITH [REDACTED] AT THEIR RESIDENCE. [REDACTED] STATED SHE HAD BEEN PLAYING WITH [REDACTED] EARLIER THAT DAY AND SHE WAS TOLD BY HER MOTHER TO COME INSIDE. [REDACTED] STATED AS SHE WAS ABOUT TO GO INSIDE HER HOUSE WHEN SHE SAW [REDACTED] COME OUT OF TARL'S RESIDENCE. [REDACTED] STATED SHE DIDNT SEEN [REDACTED] WHEN SHE WENT INSIDE TARL'S HOUSE BUT SHE SAW HER WHEN SHE CAME OUT. [REDACTED] ALSO CONFIRMED THAT EARLIER THAT SAME DAY [REDACTED] DID GO INSIDE MR JACK TODD'S HOUSE WHERE TARL ROLLING WAS AT ALONE. NICKALA SMITH STATED SHE ALSO SAW [REDACTED] GO INSIDE JACK TODD'S HOUSE. THEY BOTH STATED TARL WAS AT MR JACK'S HOUSE BUT MR TODD WASNT HOME. I REQUESTED NICKALA AND [REDACTED] TO WRITE OUT A STATEMENT FOR ME EXPLAINING EXACTLY WHAT THEY HAD SEEN. I FURNISHED THEM WITH STATEMENT FORMS AND ADVISED THEM I WOULD PICK THE STATEMENTS UP FROM THEM ON 03/21/2011 WHICH WOULD ALLOW THEM TO TAKE THEIR TIME AND BE THROUGH.

03/21/2011 @ 1630 HRS I MET BACK WITH NICKALA SMITH AT HER RESIDENCE TO REVIEW HER AND HER DAUGHTER'S WRITTEN STATEMENTS. NICKALA SMITH INFORMED ME SHE HAD THOUGHT ABOUT THIS INCIDENT AND FEELS THAT THIS CASE HAS BEEN HANDLED ONE SIDED. NICKALA STATED TARL'S ATTORNEY HAS BEEN OUT OF TOWN SO SHE HASN'T HAD AN OPPORTUNITY TO SPEAK WITH HIM YET SO SHE NOR HER DAUGHTER WAS GOING TO PROVIDE ME WITH A STATEMENT. I EXPLAINED TO NICKALA SMITH THAT IS THE REASON I LEFT HER THE STATEMENT FORMS FOR AN ENTIRE WEEKEND, SO I COULD BE TOLD ONLY EXACTLY WHAT SHE AND [REDACTED] HAD SEEN AND HEARD IN THEIR OWN WORDS.

03/23/2011 I RECEIVED A COPY OF THE REPORT FILED BY THE CHILDREN'S RECOVERY CENTER. IN THIS REPORT THE VICTIM CONTINUES TO STATE THE SAME FACTS OF THE EVENTS THAT SHE HAD GIVEN TO ME IN A RECORDED STATEMENT 8 DAYS EARLIER. THIS REPORT FROM THE CRC WAS PLACED IN THE CASE FILE.

PATIENT: [REDACTED]

MEDICAL RECORD #: CRG-11-13

DATE OF BIRTH: [REDACTED]

DATE OF SERVICE: 03-10-11

This 9-year-old Caucasian female presents to Children's Recovery Center in Georgetown for interview and exam after referral from Alma Sierra of the Georgetown County Sheriff's Office. Alma Sierra witnesses the interview. [REDACTED] is presented to the clinic by her grandmother, Debbie Taylor and her stepfather, William "Shane" Fear. The interview is audio and video recorded.

[REDACTED] is in 3rd grade at Johnsonville Elementary School. [REDACTED] states her favorite subjects are Science and Social Studies and her least favorite subject is Reading. [REDACTED] states she is in a singing group at school called the Sparkle Tones. [REDACTED] states in the past she played soccer.

[REDACTED] states she lives with her mother Deanna Harper, her stepfather William "Shane" Fear, her sister [REDACTED] age 12, and her brother [REDACTED] age 14. [REDACTED] states her sister Faith died at age 14 months. [REDACTED] states if Faith had lived she would be 16 years old. [REDACTED] states her birth father is Tony Harper. [REDACTED] states she does not like to see Tony because he hit her mother. [REDACTED] admits witnessing criminal domestic violence between her parents. [REDACTED] refers to her stepfather as her real father.

[REDACTED] states she has been wearing glasses since last year. [REDACTED] states her brother [REDACTED] died in an automobile accident but came back to life. [REDACTED] states her mother was driving and it was raining very hard. [REDACTED] states she was the only one not seriously injured. [REDACTED] states she was 5 years old at the time.

Rules of the Truth Room are discussed. [REDACTED] states "I know um, well he's got another side and I have one side but I know my side and he don't really know his side." [REDACTED] defines telling the truth as "be honest." The meaning of telling the truth is discussed. [REDACTED] promises to talk about only what is true and real. [REDACTED] denies she was told why she was coming to Children's Recovery Center today. [REDACTED] states she guessed she is here so we would know what happened. [REDACTED] admits her stepfather told her not to say "off the wall" things such as complimenting the interviewer about her hair but instead talk about only what happened.

[REDACTED] states she goes to her grandmother's home on the weekends to go to church. [REDACTED] states she did not go this weekend because Shelby, age 18, is having "a sex party." [REDACTED] denies she knows what this means.

03-10-11
Page 2 of 5

The meanings of the words private and private parts are discussed. [REDACTED] identifies female private parts as chicas, private area, and butt. [REDACTED] identifies male private parts as private and butt. [REDACTED] states one time she was getting on her uncle Sam's nerves and he told her if she did not stop he was going to show her. [REDACTED] states she asked her uncle what he would show her and he then showed her his private. [REDACTED] states he pulled out his private and said "I told you." [REDACTED] describes Sam's private as "wrinkly." [REDACTED] states she ran and told her grandmother and her grandmother told Sam not to show her that again. [REDACTED] states she was 4 years old and Sam was 8 years old at that time.

[REDACTED] states the only time she has seen a woman's private area was when she went to see her great grandmother. [REDACTED] states her great grandmother is "in really bad shape." [REDACTED] states her great grandmother has a tube to help her urinate. [REDACTED] states her great grandmother is bed-ridden and can not speak. [REDACTED] states the only person who has touched her chicas in a way that hurt her or in a way that made her feel uncomfortable was the doctor. [REDACTED] states when she was 6 or 7 years old she was playing on the tire swing and the air plug went in her private part. [REDACTED] states her private area was bleeding. [REDACTED] states she was seen by Dr. Coradi at the ER for the bleeding.

When asked if someone has touched her butt in a way that hurt her or in a way that made her feel uncomfortable [REDACTED] states "Um when I was um, it was this weekend. Yeah that's um why I'm here. Um, this man said um do you want to look at my house. I didn't want to be rude so I said sure and I did. His name was Tarl and I did not know him that good." [REDACTED] state she was at her cousins house and Tarl asked her if she wanted to look in his house. [REDACTED] states Tarl is not related to her. [REDACTED] states she told Tarl "sure." [REDACTED] states Tarl lives by himself in a small house.

When asked if she went in, [REDACTED] states "Um yes because he said I could." [REDACTED] states she likes houses and likes to see the inside of houses. [REDACTED] states Tarl told her to go into his room and look at the pictures. [REDACTED] states Tarl's bed was messy so she made his bed. [REDACTED] states "I know that sounds weird but I like to make up beds and I like to clean. I really like to clean. And um he um laid down on the bed, he snatched my arm on top of him and then he said I bet I could crack your back. I said no, that's okay, you don't have to. And then he went like that ([REDACTED] demonstrates this movement with her arms) and down, down to my butt. And then I got up. I said hey is that um pictures?" [REDACTED] states Tarl has a big mirror attached to his dresser with a lot of pictures on it.

[REDACTED] states when Tarl grabbed her it was by her right arm. When asked what he did when he grabbed her right arm [REDACTED] states "Um he grabbed my arm and I was on top of him and I did not feel comfortable." [REDACTED] puts her hands over her nose and mouth when saying this. [REDACTED] states Tarl was lying on his back on his bed. [REDACTED] states she was on her stomach, face to face with Tarl. [REDACTED] states Tarl was trying to kiss her forehead.

03-10-11

Page 3 of 5

states she knows this because Tarl's lower lip was on her head. states "My glasses were smearing up and up."

states when she left Tarl's house her brother's girlfriend asked her why she was in Tarl's house. states she told "the whole story" and told to tell mother, Nikki. states expression on her face "did not look pleasing." states Nikki thought she was lying. states Nikki told to go to her grandmother's house and to never come back to their house. states she went out the back door because they are not allowed to go in or out the front door. states she was tearing up when she told her aunt Michelle what had happened. states her aunt Michelle told her to never trust a man. states her grandmother said "I need to kill somebody." states her grandmother did not really kill anyone. states Tarl was then at house. states her grandmother waited until Tarl left house and she then went to house.

states earlier, before the incident she was in Brother Jack's house with Tarl. states "But um, the um part when I got a little raped was at Tarl's house." states she had asked if she could see Brother Jack's house and Tarl showed her the master bedroom. states Tarl told her this was Brother Jack's room. states the cover on the bed was blue. denies she had been in Brother Jack's house before this. states Tarl then showed her the guest room. states there were tools on the bed because Tarl was working on the house. states Brother Jack was at the grocery store and brother's were in the front yard playing with a black dog. states Nikki was watching her brother's sons. states Nikki was not paying attention to her and Tarl.

states on the left side of the guest bedroom there is a huge mirror, a TV hanging from the wall, and an oscillating fan at the head of the bed. states she used the bathroom. states the bathroom does not have a sink so she washed her hands in the kitchen sink. states and her sister were looking for her. states they went to play at house. does not know last name. states she then went to her cousin house. states showed her kittens and then they went to play cheerleading in the front yard. states her aunt Minnie, grandmother, asked to help her move something. states this is when Tarl asked if she wanted to look at his house. shares a diagram she has drawn of the layout of the houses where her grandmother, Brother Jack, her cousin, and Tarl live.

states she remembers two pictures on the mirror. states one of the pictures read Happy 12th Birthday and had a name on it. states on the wall are two

03-10-11

Page 4 of 5

certificates. [REDACTED] thinks they may be for computers and college. [REDACTED] describes the way Tari was holding her after he pulled her on top of him as "He put me in a bear hold. And then he went like down like that, and then down then like that, and then down to my butt. He, he really did touch it, right, right, right here." [REDACTED] points to her right butt cheek. [REDACTED] describes this touch as hard and soft at the same time. [REDACTED] states Tari's hand touched her butt on the outside of her clothes. [REDACTED] states she got off of him and began asking him about the certificates.

[REDACTED] states she then told Tari she had to go. [REDACTED] states she was at the screen door and Tari told her she needed one last hug. [REDACTED] states she told Tari she really had to go. [REDACTED] states Tari told her it would not be that long. [REDACTED] states she told Tari it was important for her to go play with her cousins. [REDACTED] states Tari told her to give him just one more hug. [REDACTED] states she told him she really had to go and ran out. [REDACTED] states this is when [REDACTED] asked [REDACTED] why she was in Tari's house. When asked how it made her feel when Tari pulled her on top of him [REDACTED] states "I felt very uncomfortable like I need to get out now. The first step I went in his house I felt uncomfortable."

[REDACTED] states [REDACTED] was "very shocked." [REDACTED] states [REDACTED] said "You don't know what goes on um around here. And then she said so you need to tell my mom." [REDACTED] states [REDACTED] mother looked at [REDACTED] like she was lying. [REDACTED] states "There's a lot of rapists um there." [REDACTED] states when she got to her grandmother's house and she told her aunt Michelle what had happened, her aunt Michelle gave her a long speech. [REDACTED] states she told Michelle everything. [REDACTED] states they left the room and her aunt Michelle and her grandmother were looking on a laptop. [REDACTED] states her grandmother then said she needed to kill somebody and went to [REDACTED] house.

[REDACTED] states this incident occurred last week. [REDACTED] states her grandmother called the police the same day the incident took place. [REDACTED] states the incident occurred in the daytime and it was night when they went back home. [REDACTED] states Brother Jack asked her a lot of questions and the police arrived after that. [REDACTED] states Wendy said she knew they were going to call the police but that they should call the police after Brother Jack asks the questions he has. [REDACTED] states her stepfather and grandmother told her not to go off the wall with words and her grandmother told [REDACTED] not to change the subject. [REDACTED] admits she sometimes goes off track or changes the subject.

Personal Body Safety is discussed. [REDACTED] is able to list adults she can tell if someone else tries to touch her private parts or if someone tries to hurt her. [REDACTED] describes Tari as having a "melon" or hair around the sides and a little bit of hair on the top of his head. [REDACTED] states Tari has hazel eyes and an ordinary mouth and lips. [REDACTED] denies seeing scars or tattoos other than tiny scars on Tari's cheeks that resemble "kitty" scratches. [REDACTED] states Tari has a beard from ear to ear and no moustache. [REDACTED] describes Tari's

03-10-11

Page 5 of 5

beard hair is spikey and fuzzy and not long. [REDACTED] states Tarl's teeth are yellow-white and may be a bit crooked. [REDACTED] states the floor in Tarl's house is a carpet that may be white with yellow stain spots on it. [REDACTED] points to a bluish-greenish color to describe the color of Tarl's bedspread. [REDACTED] states the bedspread has a Z pattern with designs in the middle. [REDACTED] states the Z pattern on the bed spread is "like lightning."

[REDACTED] states she feels uncomfortable when she has to talk to people about this incident. [REDACTED] is agreeable about participating in therapy. [REDACTED] shares details of her mother's rape, which [REDACTED] states her mother shared with her. (It is important to note that there are no similarities between [REDACTED] mother's rape and this incident.) It is in her best interest for me to refer [REDACTED] for therapy. Therapy will allow [REDACTED] to develop a long term relationship with someone who can help her process her feelings about this incident.

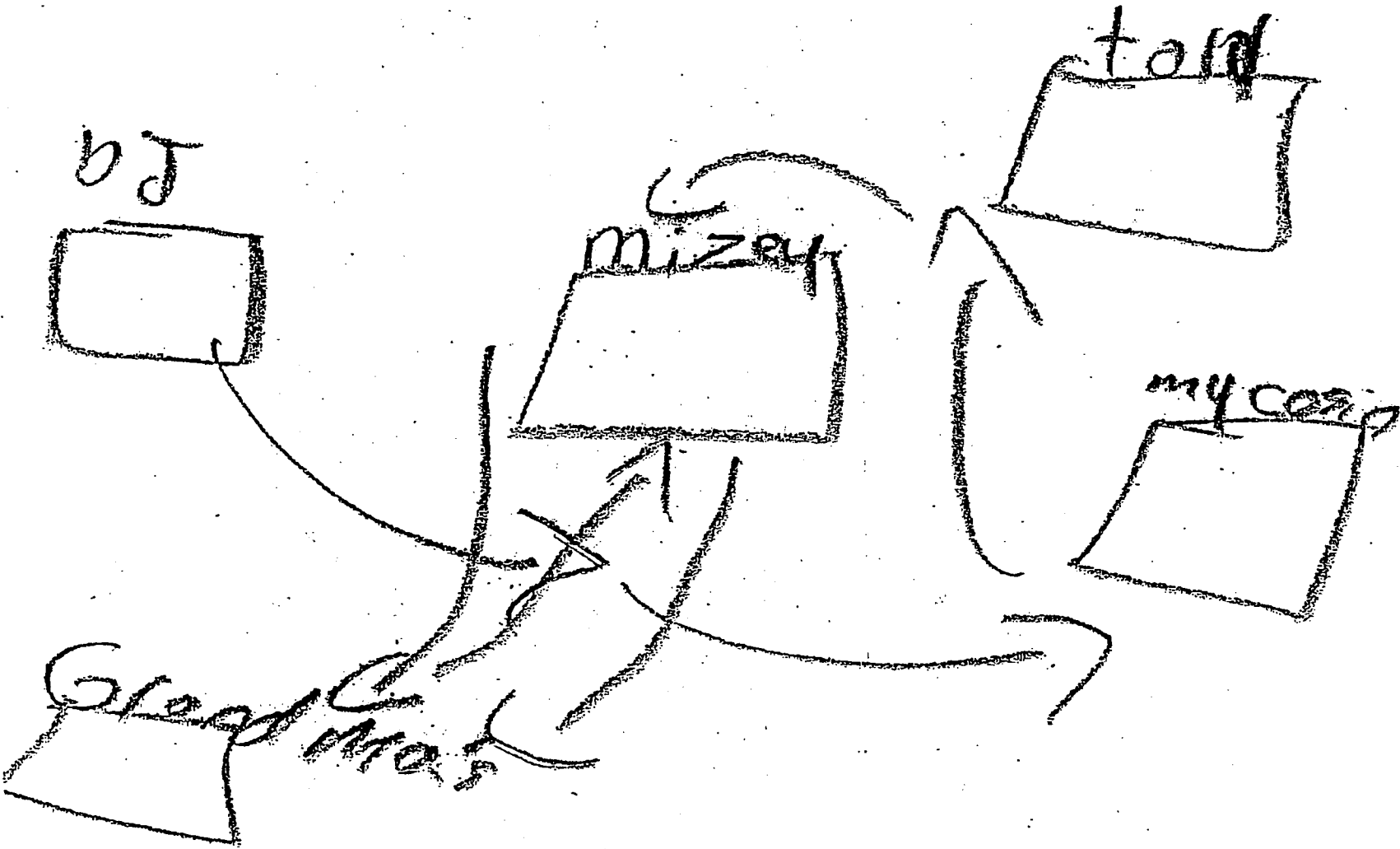
IMPRESSION: Interview with disclosure of:

1. attempted sexual interaction of an adult, Tarl toward a child, [REDACTED] with Tarl pressing [REDACTED] body against his and touching her butt on the outside of her clothing after pulling [REDACTED] on top of him on the bed
2. past exposure to criminal domestic violence

PLAN: Refer [REDACTED] for trauma-focused cognitive behavioral therapy


Dianne Nordeen, Forensic Interviewer

* see attached diagram drawn by [REDACTED] on



STATE v. TARL B. ROLLINGS

Notes of Investigation

Approximately nine (9) neighborhood kids are outside playing with alleged victim. All of the kids started up on porch to Jack Todd's trailer (Jack is like Tarl's father). A neighbor, Nickala Smith, sees the kids going into Jack's trailer so she goes over to Jack's trailer to run them off. As she runs them out of Jack's trailer, Tarl is talking on the phone. According to Ms. Smith, Tarl was never left alone with any kids in Jack's trailer.

Tarl then leaves Jack's trailer, returns to his trailer which is next door.

Five minutes later, Ms. Smith's daughter, [REDACTED], tells her mother that [REDACTED] (alleged victim) told her she had been molested by Tarl.

Wendy Cooper, who is Ms. Smith's roommate, talked with the alleged victim. According to Ms. Cooper, the alleged victim said she was alone with Tarl in Jack Todd's trailer.

According to alleged victim, Tarl grabbed her by the arm and told her to come to his trailer. When Tarl and alleged victim got to trailer, according to her, she asked to make up Tarl's bed. Tarl laid on bed, hands behind head, called alleged victim over for high five then pulled her on top of him, grabbed her buttocks and kissed her forehead. According to alleged victim, she ran out of his trailer as fast as she could.

[REDACTED] said she saw the alleged victim leaving Tarl's trailer and she was not running but walking as if nothing was wrong.

According to the alleged victim's Sunday School teacher, the alleged victim stated that she had lied before to get someone in trouble. Her brother and another minor then stated that she lies all the time.

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

D



Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#)
[South Carolina Judicial Department Home Page](#)
[SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Tarl Bradford Rollings					
Case Number:	2015A2210500171	Court Agency:	General Sessions	Filed Date:	03/10/2015
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Dismissed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Solicitor
Disposition:	Dismissed Not Indicted				
Disposition Date:	12/07/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds							
Click the  icon to show associated parties.							
Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Aswad, Dawud	430 N. Fraser Street Georgetown SC 29440				Officer		03/10/2015
☒ Lofton, Lionel S.	225 Seven Farms Dr. Ste. 109 Charleston SC 29492				Defendant Attorney		03/11/2015
☒ Ray Johnsons Bonding/Seneca/Ray Johnson	1911A Highmarket Street Georgetown SC 29440		M		Bond Entity		03/10/2015
Richardson, Alicia A	PO Box 1688 Georgetown SC 29442				Solicitor		03/27/2015
☒ Rollings, Tarl Bradford	[REDACTED] Bonneau SC 29431	White	M	1977	Defendant		01/05/2016

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Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Tarl Bradford Rollings					
Case Number:	2015A2210500171	Court Agency:	Georgetown Magistrate	Filed Date:	04/30/2015
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Waived	Assigned Judge:	Pyatt, Isaac Lester	Disposition Judge:	Pyatt, Isaac Lester
Disposition:	Preliminary Hearing Waived				
Disposition Date:	07/24/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties	Charges	Sentencing	Associated Cases	Actions	Financials	Bonds
Name	Charge Code - Charge Description	Original Charge Code - Original Charge		Disposition Date		
Rollings, Tarl Bradford	0253-Sex / Assault with intent to commit criminal sexual conduct - First degree	0253-Sex / Assault with intent to commit criminal sexual conduct - First degree		07/24/2015		

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Georgetown County Fifteenth Judicial Circuit Public Index



Georgetown County Home Page [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Tarl Bradford Rollings					
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Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Waived	Assigned Judge:	Pyatt, Isaac Lester	Disposition Judge:	Pyatt, Isaac Lester
Disposition:	Preliminary Hearing Waived				
Disposition Date:	07/24/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds								
Agency	Case #	External	Relationship	Description	Case Filed Date	Disposition Date	Case Status	Disposition
General Sessions	2015A2210500171	Y		Associated by Case Transfer	03/10/2015	12/07/2015	Dismissed	Dismissed Not Indicted

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Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#)
[South Carolina Judicial Department Home Page](#)
[SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Tarl Bradford Rollings					
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Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Waived	Assigned Judge:	Pyatt, Isaac Lester	Disposition Judge:	Pyatt, Isaac Lester
Disposition:	Preliminary Hearing Waived				
Disposition Date:	07/24/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Click the ☒ icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Aswad, Dawud	430 N. Fraser Street. Georgetown SC 29440				Officer		04/30/2015
☒ Lofton, Lionel S.	225 Seven Farms Dr. Ste. 109 Charleston SC 29492				Defendant Attorney		04/30/2015
☒ Ray Johnsons Bonding/Seneca/Ray Johnson	1911A Highmarket Street Georgetown SC 29440		M		Bond Entity		04/30/2015
Richardson, Alicia A	PO Box 1688 Georgetown SC 29442				Solicitor		04/30/2015
☒ Rollings, Tarl Bradford	29431-3363	White	M	1977	Defendant		04/30/2015



Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Tarl Bradford Rollings					
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Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Waived	Assigned Judge:	Pyatt, Isaac Lester	Disposition Judge:	Pyatt, Isaac Lester
Disposition:	Preliminary Hearing Waived				
Disposition Date:	07/24/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds						
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Rollings, Tarl Bradford	Preliminary Hearing Scheduled w/ Notices	Event		07/24/2015-09:00	07/24/2015-17:00	
Rollings, Tarl Bradford	Archived Court Summons	Filing		07/14/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Archived Court Summons	Filing		07/14/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Preliminary Hearing Scheduled w/ Notices	Event		06/18/2015-09:00	07/14/2015-17:00	
Rollings, Tarl Bradford	Archived Court Summons	Filing		06/10/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Archived Court Summons	Filing		06/10/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Preliminary Hearing Scheduled w/ Notices	Event		05/15/2015-09:00	06/10/2015-17:00	
Rollings, Tarl Bradford	Preliminary Hearing Request	Filing		04/30/2015-08:26	07/24/2015-08:26	
Rollings, Tarl Bradford	Archived Court Summons	Filing		04/30/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Archived Court Summons	Filing		04/30/2015-00:00	07/24/2015-00:00	
Rollings, Tarl Bradford	Filing/Case File	Filing		03/10/2015-15:44	07/24/2015-15:44	

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Georgetown County Fifteenth Judicial Circuit Public Index



[Georgetown County Home Page](#)
[South Carolina Judicial Department Home Page](#)
[SC.GOV Home Page](#)

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Disposition:	Preliminary Hearing Waived				
Disposition Date:	07/24/2015	Date Received:	03/10/2015	Arrest Date:	03/02/2015
Law Enf. Case:	15003360	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	0000GS22	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Bond Information								
Bond Id	Set Date	Amend Date	Set By	Type	Amount	Type	Amount	Condition
2015BD2200100188	03/03/2015		Mcneil	Surety Bond	\$30,000.00		\$0.00	

Post Information				
Bond Id	Bond Type	Amount	Date Posted	Posted By
2015BD2200100188	Surety Bond	\$30,000.00	03/03/2015	Ray Johnsons Bonding/Seneca/Ray Johnson

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ARREST WARRANT

2015A2210500171 GCSO

STATE OF SOUTH CAROLINA

☒ County/

Georgetown

THE STATE

against

Tarl Bradford Rollings

Address:

Bonneau, SC 29431-3363

Phone: SSN:
 Sex: M Race: W Height: 5 10 Weight: 250
 State: SC DL #:
 JB: Agency ORI #: SC0220000

Prosecuting Agency: Georgetown County Sheriff

Prosecuting Officer: Dawud Aswad - 214

Offense: Sex / Assault with intent to commit criminal sexual conduct - First degree

Offense Code: 0253

Code/Ordinance Sec: 16-03-0656

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused
 is to be arrested and brought before me to be
 dealt with according to the law.

(L.S.)

Signature of Judge

to:

RETURN

A copy of this arrest warrant was delivered to

defendant **TARL BRADFORD ROLLINGS**
 on **3/12/15**

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

P. O. Box 479

401 Cleland Street, Room 115

Georgetown, SC 29442

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Georgetown

Personally appeared before me the affiant Dawud Aswad whobeing duly sworn deposes and says that defendant Tarl Bradford Rollingsdid within this county and state on or about 1/22/2015State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Assault with intent to commit criminal sexual conduct - First degree

I further state that there is probable cause to believe that the defendant named above did commit
 the crime set forth and that probable cause is based on the following facts:

On 1/22/15 a juvenile disclosed information that Tarl Rollings sexually assaulted him at or near Georgetown in the north
 section of Georgetown County. At the time of the incident the victim was 9 years old and is currently 14 years old. The defendant,
 Tarl Bradford Rollings did engage in a sexual assault by touching the victim on his penis, under his clothing multiple times over a
 span of days. The defendant also forced the victim's hand under his clothing and on to his penis and afterwards attempted to coerce
 the victim to perform oral sex on him. This being against the peace and dignity of the State of South Carolina and a violation of SC
 code of law 16-03-0656. Inv. D. Aswad Case# 15003360

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Georgetown

Affiant's Address 430 N. Fraser StreetGeorgetown, SC 29440-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/22/2015 defendant Tarl Bradford Rollings

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Georgetown) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Assault with intent to commit criminal sexual conduct - First degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
 her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
 soon thereafter as is practicable

Sworn to and subscribed before me

on 2/17/2015

Signature of Issuing Judge
 Isaac Lester Pyatt

Judge Code: 5899

Judge's Address 333 Cleland StreetGeorgetown, SC 29442Judge's Telephone (843)545-3381Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

AGENCY I.D.
SC0220000

INCIDENT REPORT

CASE NUMBER

1 5 0 0 3 3 6 0

NCIC

INQ. ENTD.

EVENT	INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM		
	1. Sex / Sexual exploitation of a minor, First degree		☒ YES ☐ NO	☐ YES ☒ NO	20		☒ Individual ☐ Business ☐ Financial ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.		
			☐ YES ☐ NO	☐ YES ☐ NO					
			☐ YES ☐ NO	☐ YES ☐ NO					
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE		WEAPON TYPE		
INCIDENT DATE		24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK		LOCATION NO.	
01/30/2015		00:00		01/30/2015	00:00	DISP. DATE DISP. TIME TIME ARRIVED DEPART. TIME			
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)			RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	
Strunsky, Carrie					J S O U	U	F	14	
ADDRESS			CITY		STATE	ZIP CODE	LOCATION NO.		
VICTIM NO. 1	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	
	[REDACTED]		AQ		X S O U	U	M	14	
	HEIGHT		WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.			
[REDACTED]		Georgetown		SC	29440				
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN		COMPLAINT OF ANY NON-VISIBLE INJURIES ☐ YES ☐ NO ☐							
VICTIM (NO. 1): USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐		DRUGS: ☐ YES ☐ NO ☐ UNK ☐		TYPE:					
TWO-MAN VEH. ☐		ONE-MAN VEH. ☐		DETECTIVE/PLASMIT. ☐		OTHER ☐			
J - This Jurisdiction		S - State		O - Out of State		U - Unknown			
SUBJECT NO. 1	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETHN	DATE OF BIRTH	HEIGHT	
	Rollings, Tarl Bradford		W	M	38	N	[REDACTED]	6'0"	
	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		HAIR						
	[REDACTED]		EYES						
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.			
[REDACTED]		[REDACTED]							
SUBJECT (NO. 1): USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST			
DRUGS: ☐ YES ☐ NO ☐ UNK ☐		TOTAL # ARRESTED 0		1/30/2015 12:00:00 AM					
NARRATIVE	1/30/15 - Spoke with Carrie Strunsky, counselor at the Dee Norton Lowcounty Children's Center. Ms Norton stated she had a client who made a disclosure.								
	Spoke with Ms Strunsky regarding a client. On or about 1/22/15, Ms Strunsky was interviewing the victim, [REDACTED]. During the interview, [REDACTED] made the disclosure of a sexual assault which had occurred approximately 7 or eight years previous. [REDACTED] indicated at the time, he and his family resided on property owned by a Pastor. The Pastor resided in on house, [REDACTED] family in a trailer on the property and the Pastor's son, Tarl Rollings in another trailer. One day [REDACTED] went to Tarl's residence for some bread. While inside the residence Tarl began to touch [REDACTED] about his genitals. Tarl then extracted his penis and requested [REDACTED] to lick it. [REDACTED] further stated he was forced to lick the penis. Tarl told [REDACTED] he would reciev a reward if he did so. [REDACTED] fled the residence before he received any type of reward. [REDACTED] did not disclose this previously for fear of getting into trouble.								
	Ms Strunsky provided an email of her synopsis of her interview with [REDACTED].								
JURISDICTION OF THEFTY LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY					
PROPERTY EST.	TYPE (GROUP)						TOTAL VALUE		
	STOLEN								
	DAMAGED								
	BURNED								
RECOVERED									
SEIZED									
ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		ACTIVE		ADM. CLOSED		
	☒ YES ☐ NO		☐ YES ☐ NO		☐ UNFOUNDED		☐ ARRESTED UNDER 18		
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY						☐ EX-CLEAR 18 AND OVER		
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER	
Nelson, Michael		01/30/2015	511						
				FOLLOW-UP INVESTIGATION ☐ YES ☒ NO		OFFICER			

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

Case Report**Administrative**

Case Report Number	15003360-002	CSZ
Subject	CSC W / Minor / D. Aswad	Location Name
NCIC Inquiry		Verification
NCIC Entered		Verification Level
Subject Identified	Yes	Jurisdiction
Subject Located	No	Grid
Disposition	Arrest	Sector
Entered On	1/30/2015 1:43:09 PM	Map
Entered By	Nelson, Michael	Census/Geo Code
Reported On	1/30/2015	Trail/Geo Indicator
Reporting Officer	Nelson, Michael	Call Source
Reporting Agency	GEORGETOWN COUNTY SHERIFF	Related Cases
Report Type	Crime Report	Means
Assisted By		Other Means
Occurred On (Date and Time)	Sunday 1/1/2006 12:00:00 AM	Motives
Or Between (Date and Time)	Sunday 12/31/2006 10:00:00 AM	Other Motives
Dispatched Date/Time		Vehicle Activity
Arrived Date/Time		Direction Vehicle Travelling
Departed Date/Time		Cross Street
Location		Notified

For Exceptional Clearances

Clearance Basis

Exceptional Clearance Date

Narrative

1/30/15 - Spoke with Carrie Strunsky, counselor at the Dee Norton Lowcounty Children's Center. Ms Norton stated she had a client who made a disclosure.

Offense

Offense

Sodomy/ Buggery

Code Section

Printed 5/13/2015 11:17 AM

Page 1 of 9

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

IBR Code	11B	Special Circumstance	
IBR Group	A	Domestic Violence	No
Crime Against	Person	Premises Entered	
UCR Hierarchy	02	Entry	
Location Type	Residence/Home	Using	Unknown
Second Location Type		Weapons	None
Completed	Yes	Criminal Activity	None/Unknown
Attempted To Burn Property		Type Security	
Hate/Bias	None (No Bias)	Tools	
Specify			

Offenders _____

Arrestee Name: Rollings, Tarl Bradford

Subject Status

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country	Location #
H - Home	[REDACTED]	BONNEAU, SC 29431	BERKELE Y	USA - United States of America	

Daytime Phones

Phone Type	Phone Number

Evening Phones

Phone Type	Phone Number

Emails

Email Address

Sex Male
Race White

Ethnicity Not Hispanic or Latino
DOB 12/20/1977

Printed 6/13/2015 11:17 AM

Page 2 of 9

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

Age	39	Height	6' 0"
Eye Color	Hazel	Weight	260
Hair Color	Brown	Resident	Within this State
Hair Style		POB	
Hair Length		DLN	[REDACTED]
Facial Hair		DL State	South Carolina
Complexion		DL Country	United States of America
Teeth		SSN	
Buld			

Scars, Marks and Tattoos

SMT	Location	Description

Altire
 Employer/School
 Employer Address
 Employer CSZ
 Occupation/Grade
 MO
 Other MO
 Habitual Offender Status

Arrest Information

Arrest For	38 - Sodomy/ Buggery
Arrest Number	1
Arrest Type	Taken Into Custody
Hand Cuffs Used	Y - Yes
Hand Cuffs Double Locked	Y - Yes
Hand Cuffs Checked for Fit	Y - Yes
Armed With	Unarmed
Multi-Clearance	Not Applicable
Multi-Clearance Offense	
FBI Number	
State Number	
Arrest Date	3/2/2015
Arrest Location	[REDACTED]
Arrested Near Offense Scene	
Force Level	

Date/Time Booked	
Booked Location	
Date/Time Released	
Released Location	
Released By	
Release Reason	
Held For	
Fingerprints	
Photos	
Miranda Read	
Miranda Waived	
Number of Warrants	1
Total Number Arrested	
Juvenile Dispo.	
Adult Present (Name)	
Detention Name	

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

Notified Name	

Notes

Victims

Name: [REDACTED]

Victim Type Individual
 Victim of 38 - Sodomy/ Buggery
 Rape Completed
 Is Complainant No

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country	Location
H - Home	[REDACTED]	Georgetown; SC 29440	Georgetown		

Daytime Phones

Phone Type	Phone Number

Evening Phones

Phone Type	Phone Number

Emails

Email Address

Sex	Male	Height	
Race	Unknown	Weight	
Ethnicity	Not Hispanic or Latino	Resident	This Jurisdiction
DOB	[REDACTED]	POB	
Age	05	DLN	
Eye Color		DL State	
Hair Color		DL Country	
Facial Hair		SSN	
Complexion		Attire	

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

Employer/School

Employer Address

Employer CSZ

Occupation/Grade

Testify

Injury None

Visible Injury No

Injury Description

Complaint of Any No

Non-Visible

Injuries

Injury Weapons Unknown

Offender Relationships

Offender	Relationship
A - Rollings, Tarl Bradford	Victim Was Neighbor

Circumstances

Just. Hom. Circ.

Using Unknown

Drug Type

LEOKA Info

Type

Assignment

Activity

ORI-Other Jurisdiction

Notes

Witnesses _____

Other Entities _____

Name: Strunsky, Carrie

Entity Type Complainant

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country	Location #

Daytime Phones

Phone Type	Phone Number

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

W - Work [REDACTED]

Evening Phones

Phone Type	Phone Number

Email

Email Address

Sex	Female	Resident
Race	Unknown	POB
Ethnicity	Unknown	DLN
DOB		DL State
Age		DL Country
Eye Color		SSN
Hair Color		Altire
Facial Hair		Employer/School
Complexion		Employer Address
Height		Employer CSZ
Weight		Occupation/Grade Counselor

Offender Relationships

Offender	Relationship

Notes

Name: Smith, Nickala

Entity Type Information

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country	Location #
H - Home	[REDACTED]	Georgetown, SC 29440	Georgetow n		

Daytime Phones

Printed 5/13/2015 11:17 AM

Page 6 of 9

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

Phone Type	Phone Number
H - Home	[REDACTED]
O - Other	[REDACTED]

Evening Phones

Phone Type	Phone Number

Email

Email Address

Sex	Female	Resident
Race		POB
Ethnicity		DLN
DOB		DL State
Age		DL Country
Eye Color		SSN
Hair Color		Attire
Facial Hair		Employer/School
Complexion		Employer Address
Height		Employer CSZ
Weight		Occupation/Grade

Offender Relationships

Offender	Relationship

Notes

Properties

Jurisdiction of Theft

Jurisdiction of Recovery

Additional Narrative

Narrative Date: 1/30/2015 12:00:00 AM

Written By: S11 - Nelson, Michael

Spoke with Ms Strunsky regarding a client. On or about 1/22/15, Ms Strunsky was interviewing the victim, [REDACTED]. During the interview, [REDACTED] made the disclosure of a sexual assault which had occurred approximately 7 or eight years previous. [REDACTED] Indicated at the time, he and his family resided on property owned by a Pastor. The Pastor

Printed 5/13/2015 11:17 AM

Page 7 of 9

Case Report Number: 15003380-002

GEORGETOWN COUNTY SHERIFF

resided in on house, [REDACTED] family in a trailer on the property and the Pastor's son, Tarl Rollings in another trailer. One day [REDACTED] went to Tarl's residence for some bread. While inside the residence Tarl began to touch [REDACTED] about his genitals. Tarl then extracted his penis and requested [REDACTED] to lick it. [REDACTED] further stated he was forced to lick the penis. Tarl told [REDACTED] he would receive a reward if he did so. [REDACTED] fled the residence before he received any type of reward. [REDACTED] did not disclose this previously for fear of getting into trouble.

Ms Strunsky provided an email of her synopsis of her interview with [REDACTED].

Narrative Date: 1/30/2015 4:38:00 PM

Written By: S16 - Aswad, Dawud

THIS CASE WAS ASSIGNED TO THE I/O FOR INVESTIGATIVE FOLLOW UP. THE INITIAL REPORT WAS OBTAINED AND REVIEWED.

1/30/15

1610- THE I/O MADE CONTACT WITH THE VICTIM'S MOTHER BY TELEPHONE AND ADVISED THAT I WOULD BE HANDLING THE CASE AND VERIFIED THAT ALL OF HER CONTACT INFORMATION WAS CURRENT.

2/2/15

0934- BERKELEY COUNTY SHERIFF'S OFFICE WAS CONTACTED TO GAIN THE TELEPHONE NUMBER FOR MR. ROLLINGS. I LEFT MY CONTACT INFORMATION WITH THE CLERK AND SHE ADVISED THAT A SUPERVISOR WOULD CONTACT ME BACK WITH THE INFORMATION THAT I REQUESTED.

1127- CONTACT WAS MADE WITH SGT. THORNTON FROM BERKELEY COUNTY AND HE WAS ABLE TO PROVIDE THE SUSPECTS TELEPHONE NUMBER. THE I/O WAS ABLE TO MAKE CONTACT WITH THE SUSPECT AND ASKED IF HE WAS AVAILABLE THIS WEEK TO COME IN FOR AN INTERVIEW IN REFERENCE TO AN ONGOING INVESTIGATION. HE ADVISED THAT HE HAS COURT IN GEORGETOWN ON THURSDAY AND COULD COME BY AFTERWARDS.

1215- THE I/O WAS CONTACTED BY MR. ROLLINGS ATTORNEY AND HE WAS INQUIRING ABOUT THE CASE AND POSSIBLE CHARGES. HE WAS ADVISED THAT IT IS STILL AN ONGOING INVESTIGATION AND THAT IF HIS CLIENT WOULD LIKE TO COME IN AND SPEAK WITH US THEN HE COULD. HE ADVISED THAT MR. ROLLINGS WOULD NOT BE MEETING FOR AN INTERVIEW ON THURSDAY AND THAT HIS OFFICE WOULD BE IN CONTACT WITH THE SOLICITOR.

Case Report Number: 15003360-002

GEORGETOWN COUNTY SHERIFF

2/27/15

1300- THE I/O WAS ABLE TO LISTEN TO THE CHILD RECOVERY CENTER INTERVIEW AND THE VICTIM DID DISCLOSE VERY DETAILED INFORMATION ABOUT THE INCIDENT. AT THIS TIME A WARRANT AFFIDAVIT WAS PREPARED FOR SEXUAL ASSAULT WITH INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT WITH A MINOR 1ST DEGREE AND WILL BE PRESENTED TO A JUDGE FOR WARRANT CONSIDERATION. THE CHILD RECOVERY CENTER INTERVIEW DISK WAS THEN TURNED BACK OVER TO THE VICTIM'S ADVOCATE. JUDGE PYATT SIGNED WARRANT NUMBER 2015A2210500171 FOR SEXUAL ASSAULT WITH THE INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT 1ST DEGREE. THE WARRANT WILL NOT BE ATTEMPTED BECAUSE THE DEFENDANT LIVES OUT OF THE COUNTY BUT THE WARRANT WAS ENTERED NCIC WITH NIC NUMBER W483013943.

3/2/15

0758- CENTRAL DISPATCH WAS ADVISED TO CONTACT BERKELEY COUNTY TO SEE IF THEY COULD MAKE CONTACT WITH MR. ROLLINGS IN REFERENCE TO HIS ACTIVE WARRANT. CONTACT WAS MADE WITH MR. ROLLINGS BY BERKELEY COUNTY AND HE WAS TRANSPORTED TO THE COUNTY LINE WHERE CUSTODY WAS THEN EXCHANGED TO GEORGETOWN COUNTY. MR. ROLLINGS WAS THEN TRANSPORTED TO THE GEORGETOWN COUNTY DETENTION CENTER, WHERE HE WAS SERVED WARRANT NUMBER 2015A2210500171 WITHOUT INCIDENT. THE TRANSPORT VEHICLE WAS SEARCHED PRIOR TO AND AFTER TRANSPORT FOR CONTRABAND WITH NEGATIVE RESULTS. THIS CASE WILL BE CLOSED BY ARREST.

Dear Tarl,
I Can't wait until you come back
to see us again. I want you to come
Sooner or later. Remember that
time we went on the barge at
Pawleys Island that was very
fun. That was bad when we
flipped the four-wheeler, as a
matter of fact I still got that scar.
Do you remember that night we
were fire works. It was not that
funny when ever I hit that 4x4
pole my nickname is still 4x4
right. I just want you to know
I just miss you very very much

Your Very Best
Friend [REDACTED]

Letter inside card

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

E

Created by the South Carolina Department of Probation, Parole and P. Services

STATE OF SOUTH CAROLINA

County of LEE
STATE VS.TARL BRADFORD ROLLINGS

AKA: _____

Race: M Sex: MDOB: [REDACTED]SSN: [REDACTED]SID#: 01227914 OE#1 101

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

99-GS-28 - 6538C/W#: 9-31-00-0023Name of Original Offense: Crim. Sexual Conduct - 2ndConviction S.C. Code §: 16-3-653Conviction CDR Code #: 1 1 1 6 1 1Date of Original Offense: 06 15 98Original Sentence: 10 years, susp. on time served & \$103.00 & 5 years probation.

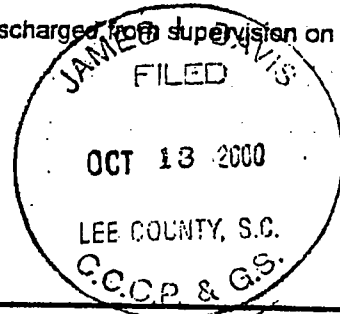
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 07/09/99 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special condition as provided in the affidavit)

4, 1, 7 + 10

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☒ Additional Conditions ordered by the Court:

Revoke 5 years and Terminate Probation.

- ☒ Credit for pre-trial detention time on current probation violation: 47 days
- ☒ The defendant has previously served 56 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

This 12th day of October, 2000Brinkman

SC.

Presiding Judge

Third

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____, at _____, SC

STATE OF SOUTH CAROLINA

County of LEE
STATE VS.EARL BRADFORD ROLLINGS

AKA: _____

Race: W Sex: M

DOB: _____

SSN: _____

SID#: 01227914 OE#1 102

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

99 -GS- 98 - 6259C/W#: 97-31-00-0024Name of Original Offense: Lewd Act. on a MinorConviction S.C. Code §: 15 15 140Conviction CDR Code #: 2 1 4 1 6 1 3Date of Original Offense: 06 15 98Original Sentence: 10 years, susp. on time served
& \$103.00, & 5 years probation.

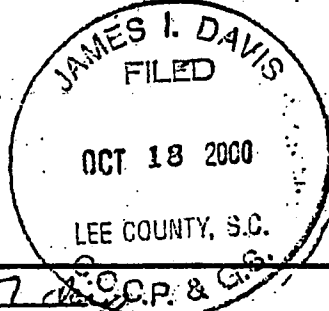
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 07 / 09 / 99 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special condition as provided in the affidavit)

H / H / 10

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☒ Additional Conditions ordered by the Court:

REVOKE 5 years + Terminate Probation

- ☒ Credit for pre-trial detention time on current probation violation: 47 J.C.C.P. & G.S.
- ☒ The defendant has previously served 56 days months/years on this sentence.
(split sentence time and/or prior partial revocation time)

This 12th day of October, 2000Richard J. Davis, SC.Presiding Judge
ThirdCertified as a
Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____, _____ at _____, SC

Created by the South Carolina Department of Probation, Parole and Services

STATE OF SOUTH CAROLINA

County of LEE
STATE LEE VS.TABL BRADFORD ROLLINGS

AKA: _____

Race: M Sex: MDOB: [REDACTED]SSN: [REDACTED]SID#: 01227914 OF#1 103

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

99 -GS- 28 - 7729C/W#: W-31-00-0025Name of Original Offense: Contrib. to the Delinq. ofConviction S.C. Code §: Minor 16 17 400Conviction CDR Code #: 1 1 4 1 3Date of Original Offense: 03 27 99Original Sentence: 3 years, susp. on time served & \$103.00, & 5 years probation.

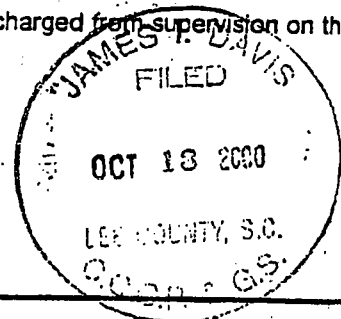
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 07 / 09 / 99 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special condition as provided in the affidavit)

1, 2, & 3

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 3 months/years, the remainder of the original sentence, and/or pay \$ _____.
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☐ Additional Conditions ordered by the Court:

☒ Credit for pre-trial detention time on current probation violation: 47 days☒ The defendant has previously served 1 day months/years on this sentence.
(split sentence time and/or prior partial revocation time)This 12th day of October, 2000Bishopville SC.

Presiding Judge

Third

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____, _____ at _____, SC

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of LEE
STATE VS.

TARL BRADFORD ROLLINGS

AKA: _____

Race: W Sex: M

DOB: [REDACTED]

SSN: [REDACTED]

SID#: 01227914 OF#1 101

IN THE COURT OF GENERAL SESSIONS INDICTMENT#:

99-GS- 23 - 6333

CW#: W-31-00-0023

Name of Original Offense: Crim. Sexual Conduct - 2nd

Conviction S.C. Code §: 16-3-653

Conviction CDR Code #: 1 1 1 6 1 1

Date of Original Offense: 06 15 98

Original Sentence: 10 years, susp. on time served & \$103.00 & 5 years probation.

ORDER

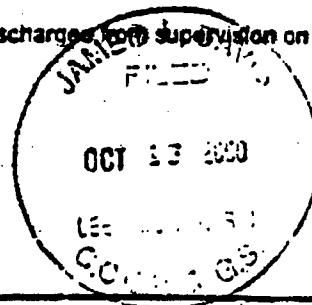
The above named defendant has been charged with violating the conditions of probation ordered on 07/07/99 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special condition as provided in the affidavit)

17-1)

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$_____.
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$_____ thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☒ Additional Conditions ordered by the Court:

Revoke 5 years and Term: wide Probation



☒ Credit for pre-trial detention time on current probation violation: 47 days

☐ The defendant has previously served 53 days months/years on this sentence.
(split sentence time and/or prior partial revocation time)

This 12th day of October, 2000

[Signature] SC

[Signature]
Presiding Judge

Third

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____, _____ at _____ SC

Control by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of LEE
STATE VS.TARL BRADFORD ROLLINGS

AKA: _____

Race: M Sex: MDOB: 01/15/1971SSN: 012-27-914SID#: 01227914-0001-102IN THE COURT OF GENERAL SESSIONS
INDICTMENT#

99 GS 98 6259

CWA# W-31-00-0024Name of Original Offense: Lewd Act on a MinorConviction S.C. Code §: 16-15-140Conviction CDR Code #: 2 1 4 1 3 1 2Date of Original Offense: 06-15-09Original Sentence: 10 years; susp. on time served & \$103.00, & 5 years probation.

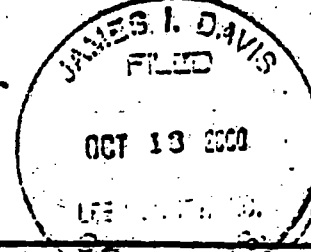
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 07/09/99 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special condition as provided in the affidavit)

2, 1-14

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$: _____
- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$: _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☒ Additional Conditions ordered by the Court:

Revoke 5 years & Terminate Probation☒ Credit for pre-trial detention time on current probation violations: 47 days☒ The defendant has previously served 56 days/months/years on this sentence.
(split sentence time and/or prior partial revocation time)This 12th day of October, 2000Richard L. Davis SC.

Presiding Judge

Third

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____, _____ at _____, SC

G- 143497

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
KERSHAW COUNTY

THE STATE
against

ROLLINGS, TARL

Address: CASSATT, SC 29032

Phone: SSN: [REDACTED]
Sex: M Race: W Height: 5' 10" Weight: 150
DL State: SC DL #: [REDACTED]
DOB: [REDACTED] Agency ORI #: [REDACTED]

Prosecuting Agency: SGT. ERIC TISDALE
Prosecuting Officer: CONTRIBUTION TO DEL. OF MINOR
Offense: CONTRIBUTION TO DEL. OF MINOR

Offense Code: 0048
Code/Ordinance Sec. 16-17-490

This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of

The accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (LS.)

Date: _____

RETURN

A copy of this arrest warrant was delivered to
defendant ROLLINGS, TARL
on 13 APR 99

J. C. Anderson K150462
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
KERSHAW COUNTY SHERIFF'S OFFICE
1121 BROAD ST
P.O. DRAWER 1528
CAMDEN, SC 29020

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
KERSHAW COUNTY

AFFIDAVIT CASE # 990301262

Form Approved by
S.C. Attorney General
July 26, 1990
SCCA 518

Personally appeared before me the affiant SGT. ERIC TISDALE who
being duly sworn deposes and says that defendant ROLLINGS, TARL
did within this county and state on 03/27/99 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of KERSHAW)
in the following particulars:

DESCRIPTION OF OFFENSE: CONTRIBUTION TO DEL. OF MINOR
16-17-490

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:
THAT ON MARCH 27, 1999 BETWEEN 12:30 AM. AND 3:30 AM. THE DEFENDANT TARL
ROLLINGS DID KNOWINGLY AND WILFULLY CAUSE [REDACTED] A MINOR, TO WITHOUT
JUST CAUSE AND WITHOUT THE CONSENT OF HER PARENT OR GUARDIAN TAKE THE
JUVENILE AWAY FROM HER HOME IN THE EARLY MORNING HOURS OF THE ABOVE DATE AND
DID SO DEPORT HERSELF AS TO WILFULLY INJURE OR ENDANGER HER MORALS. THIS
INCIDENT TOOK PLACE ON [REDACTED], IN KERSHAW COUNTY SOUTH CAROLINA
. WITNESSES AND STATEMENTS TO PROVE THE SAME.

Sworn to and subscribed before me
on MARCH 29, 1999

[Signature]
Signature of Issuing Judge

Sgt. Eric Tisdale
Signature of Affiant
Affiant's Address 609 LAFAYETTE STREET
CAMDEN, SC 29020
Affiant's Telephone 803 425-1512

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
KERSHAW

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY

It appearing from the above affidavit that there are reasonable grounds to believe that
on 03/27/99 defendant ROLLINGS, TARL

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of KERSHAW as set forth below:
DESCRIPTION OF OFFENSE: CONTRIBUTION TO DEL. OF MINOR
16-17-490

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before
me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
defendant at the time of its execution, or as soon thereafter as is practicable.

[Signature]
Signature of Issuing Judge
Judge Code: 582
R. E. HARTIS

Judge's Address P.O. DRAWER 1528
CAMDEN, SC 29020
Judge's Telephone 803 425-1500

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

KERSHAW CO. SHERIFF'S OFFICE
99 MAR 29 PM 9:08
OFFICE

3121

P. 10

ARREST WARRANT

F- 701005

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

THE STATE

against

TARL BRADFORD ROLLINGS

Address: [REDACTED]

COSSATT, SC 29032

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: W Height: 5'11" Weight: 150

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0280000

Prosecuting Agency: KERSHAW COUNTY

Prosecuting Officer: [REDACTED]

Offense: LEWD ACTS UPON CHILDREN UNDER 14

Offense Code: [REDACTED]

Code/Ordinance Sec. 16-15-140

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge

(L.S.)

Date: [REDACTED]

RETURN

A copy of this arrest warrant was delivered to defendant Tarl Bradford Rollings on 06-17-98

A. C. Vincent

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

R. EUGENE HARTIS, MAGISTRATE
1121 BROAD STREET
CAMDEN, SC 29020
803-425-1500

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

Personally appeared before me the affiant MARVIN LEE BROWN who being duly sworn deposes and says that defendant TARL BRADFORD ROLLINGS did within this county and state on June 15, 1998 violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Kershaw County Law Enforcement) in the following particulars:

DESCRIPTION OF OFFENSE: LEWD ACTS UPON CHILDREN UNDER 14

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

THAT ON OR ABOUT 06-15-98 THE DEFENDANT, TARL B. ROLLINGS, DID WILFULLY AND LEWDLY COMMIT OR ATTEMPT TO COMMIT OR LASCIVIOUS ACT UPON OR WITH THE BODY, OR ITS PARTS, OF A CHILD UNDER THE AGE OF SIXTEEN YEARS, WITH THE INTENT OF AROUSING, APPEALING TO, OR GRATIFYING THE LUST OR PASSIONS OR SEXUAL DESIRES OF THE PERSON OR OF THE CHILD. SAID VICTIM IS A 13 YEAR OLD WHITE FEMALE (AC). SAID INCIDENT TOOK PLACE IN KERSHAW COUNTY, S.C. STATEMENTS TO PROVE THE SAME.

Sworn to and subscribed before me on 06/18/98

Signature of Issuing Judge

Signature of Affiant

Affiant's Address 609 Lafayette StreetCamden, SC 29020Affiant's Telephone 803-425-1512

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on June 15, 1998 defendant TARL BRADFORD ROLLINGS did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Kershaw County Law Enforcement) as set forth below:

DESCRIPTION OF OFFENSE: LEWD ACTS UPON CHILDREN UNDER 14

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge

Judge Code: 888Judge's Address 1121 BROAD STREETCAMDEN, SC 29020Judge's Telephone 803-425-1500Issuing Court: ☒ Magistrate ☐ Municipal

ARREST WARRANT

F- 701004

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement

 THE STATE
 against

TARL BRADFORD ROLLINGS

Address: ~~XXXXXXXXXXXX~~
CASSATT, SC 29022Phone: ~~XXXXXXXX~~ SSN: ~~XXXXXX~~

Sex: M Race: W Height: 5'11" Weight: 150

DL State: SC DL #: ~~XXXXXXXX~~DOB: ~~XXXXXXXX~~ Agency ORI #: SC2880000

Prosecuting Agency: KERSHAW COUNTY

Prosecuting Officer: ~~XXXXXXXX~~

Offense: LEWD ACTS UPON CHILDREN UNDER 14

Offense Code: ~~XXXXXX~~

Code/Ordinance Sec. 16-15-140

 This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of

 The accused
 is to be arrested and brought before me to be
 dealt with according to law.

Signature of Judge (L.S.)

Date: ~~XXXXXX~~

RETURN

 A copy of this arrest warrant was delivered to
 defendant Tarl Bradford Rollings
 on 06-15-98
Dennis S. Vincent
 Signature of ~~County~~/Law Enforcement Officer

 RETURN WARRANT TO:
 R. EUGENE HARTIS, MAGISTRATE
 1121 BROAD STREET
 CANDEN, SC 29020

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

 Personally appeared before me the affiant MARVIN LEE BROWN
 being duly sworn deposes and says that defendant TARL BRADFORD ROLLINGS
 did within this county and state on June 15, 1998 violate the criminal laws of the
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Kershaw County Law Enforcement
 in the following particulars:

DESCRIPTION OF OFFENSE: LEWD ACTS UPON CHILDREN UNDER 14

 I further state that there is probable cause to believe that the defendant named above did commit
 the crime set forth and that probable cause is based on the following facts:

 THAT ON OR ABOUT 06-15-98 THE DEFENDANT, TARL B. ROLLINGS, DID WILFULLY AND LEWOLY COMMIT OR ATTEMPT TO
 COMMIT OR LASCIVIOUS ACT UPON OR WITH THE BODY, OR ITS PARTS, OF A CHILD UNDER THE AGE OF SIXTEEN YEARS,
 WITH THE INTENT OF AROUSING, APPEALING TO, OR GRATIFYING THE LUST OR PASSIONS OR SEXUAL DESIRES OF THE
 PERSON OR OF THE CHILD. SAID VICTIM IS A 13 YEAR OLD WHITE FEMALE (AE). SAID INCIDENT TOOK PLACE IN
 KERSHAW COUNTY, S.C. STATEMENTS TO PROVE THE SAME.

 Sworn to and subscribed before me
 on 06/18/98
Dennis S. Vincent (L.S.)
 Signature of Issuing Judge

Marvin Lee Brown
 Signature of Affiant
 Affiant's Address 609 Lafayette Street
Canden, SC 29020
 Affiant's Telephone 803-425-1512

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

 it appearing from the above affidavit that there are reasonable grounds to believe that
 on June 15, 1998 defendant TARL BRADFORD ROLLINGS
 did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Kershaw County Law Enforcement) as set forth below:

DESCRIPTION OF OFFENSE: LEWD ACTS UPON CHILDREN UNDER 14

 Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before
 me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
 defendant at the time of its execution, or as soon thereafter as is practicable.

Dennis S. Vincent (L.S.)
 Signature of Issuing Judge
 Judge Code: 800

 Judge's Address 1121 BROAD STREET
CANDEN, SC 29020

315

ARREST WARRANT

F- 701069

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement

 THE STATE
 against

TARL BRADFORD ROLLINGS

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: W Height: 5'11" Weight: 150

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0280000

Prosecuting Agency: KERSHAW CO SHERIFF'S OFFICE

Prosecuting Officer: INV. ERIC TISDALE

Offense: CRIMINAL SEXUAL CONDUCT WITH A MINOR 2ND

Offense Code: [REDACTED]

Code/Ordinance Sec. 16-3-653

 This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of

 The accused
 is to be arrested and brought before me to be
 dealt with according to law.

Signature of Judge

(L.S.)

Date: [REDACTED]

RETURN

 A copy of this arrest warrant was delivered to
 defendant Tarl Bradford Rollings
 on 06-19-98

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

 R. EUGENE HARTIS, MAGISTRATE
 1121 BROAD STREET
 CAMDEN, SC 29020
 803-425-1500

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement
Personally appeared before me the affiant INV. ERIC TISDALEbeing 8 duly sworn deposes and says that defendant TARL BRADFORD ROLLINGSdid within this county and state on June 15, 1998
 violate the criminal laws of
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Kershaw County Law Enforcement
 in the following particulars:

DESCRIPTION OF OFFENSE: CRIMINAL SEXUAL CONDUCT WITH A MINOR 2ND

 I further state that there is probable cause to believe that the defendant named above did commit
 the crime set forth and that probable cause is based on the following facts:

 THAT ON JUNE 15, 1998 AROUND 2:30 AM. THE DEFENDANT TARL BRADFORD ROLLINGS, DID ENGAGE IN SEXUAL BATTERY
 BY DIGITAL PENETRATION WITH JUVENILE [REDACTED] THE VICTIM BEING BETWEEN ELEVEN AND FOURTEEN YEARS OLD, AND
 THE DEFENDANT BEING MORE THAN THREE YEARS OLDER THAN HER. THIS INCIDENT TOOK PLACE AT [REDACTED]
 KERSHAW, IN KERSHAW COUNTY SOUTH CAROLINA. WITNESS AND STATEMENTS TO PROVE THE SAME.

Sworn to and subscribed before me

on 06/19/98

Signature of Affiant

Affiant's Address 609 Lafayette Street

Camden, SC 29020

Affiant's Telephone 803-425-1512

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

 It appearing from the above affidavit that there are reasonable grounds to believe that
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 me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
 defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge

(L.S.)

Judge's Address 1121 BROAD STREET

CAMDEN, SC 29020

Judge's Telephone 803-425-1500Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

F-701069

 Form Approved by
 S.C. Attorney General
 July 28, 1990
 SCCA 518

98 JUN 19 PM 4:41

KERSHAW CO. SHERIFF DEPT.

ARREST WARRANT

F- 701003

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement

THE STATE

against

TARL BRADFORD ROLLINGS

Address: COSSATT, SC 29032Phone: SSN: Sex: M Race: M Height: 5'11" Weight: 150DL State: SC DL #: DOB: Agency ORI #: SC0220000Prosecuting Agency: KERSHAW COUNTYProsecuting Officer: Offense: POINTING FIREARMOffense Code: Code/Ordinance Sec. 16-23-410

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

 The accused
 is to be arrested and brought before me to be
 dealt with according to law.

Signature of Judge

(L.S.)

Date:

RETURN

 A copy of this arrest warrant was delivered to
 defendant Tarl Bradford Rollins
 on 06-18-98

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

 R. EUGENE HARTIS, MAGISTRATE
 1121 BROAD STREET
 CANNON, SC 29020

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

 Personally appeared before me the affiant MARVIN LEE BROWN who
 being duly sworn deposes and says that defendant TARL BRADFORD ROLLINGS
 did within this county and state on June 11, 1998 violate the criminal laws of the
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Kershaw County Law Enforcement)
 in the following particulars:
DESCRIPTION OF OFFENSE: POINTING FIREARM
 I further state that there is probable cause to believe that the defendant named above did c at
 the crime set forth and that probable cause is based on the following facts:

 THAT ON OR ABOUT 06-11-98 THE DEFENDANT, TARL B. ROLLINGS, DID UNLAWFULLY AND NOT IN SELF-DEFENSE POINT A
9mm PISTOL AT JUVENILE AT KERSHAW, IN KERSHAW COUNTY, S.C. WITNESS AND
 STATEMENT TO PROVE THE SAME.

Sworn to and subscribed before me

on 06/18/98

Signature of Issuing Judge

Signature of Affiant

Affiant's Address 609 Lafayette StreetCANNON, SC 29020Affiant's Telephone 803-425-1512

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

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 me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
 defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge

Judge Code: 880Judge's Address 1121 BROAD STREETCANNON, SC 29020Judge's Telephone 803-425-1500
 Form Approved by
 S.C. Attorney General
 July 28, 1990
 SCCA 518

ARREST WARRANT

F- 701002

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 Kershaw County Law Enforcement

THE STATE

against

TARL BRADFORD ROLLINGS

Address: [REDACTED]

CAMPDEN, SC 29020

Phone: [REDACTED] SSN: - -

Sex: M Race: W Height: 5'11" Weight: 150

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0280000

Prosecuting Agency: KERSHAW COUNTY

Prosecuting Officer:

Offense: POINTING FIREARM

Offense Code:

Code/Ordinance S.c. 16-23-410

 This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of

 The accused
 is to be arrested and brought before me to be
 dealt with according to law.

Signature of Judge

(L.S.)

Date:

RETURN

 A copy of this arrest warrant was delivered to
 defendant Tarl Bradford Rollings
 on 06-11-98

 Signature of Constable/Law Enforcement Officer
Dennis V. Vincent

RETURN WARRANT TO:

 R. EUGENE HARTIS, MAGISTRATE
 1121 BROAD STREET
 CAMDEN, SC 29020
 803-425-1500

 2003 APR 25 AM 9:07
 INMATE RECORDS OFFICE

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

Personally appeared before me the affiant MARVIN LEE BROWNbeing duly sworn deposes and says that defendant TARL BRADFORD ROLLINGSdid within this county and state on June 11, 1998
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 9mm PISTOL AT JUVENILE [REDACTED] AT [REDACTED], KERSHAW, IN KERSHAW COUNTY, S.C. WITNESS AND
 STATEMENT TO PROVE THE SAME.

 Sworn to and subscribed before me
 on 06/11/98

Signature of Affiant

Affiant's Address 609 Lafayette StreetCamden, SC 29020Affiant's Telephone 803-425-1512

Signature of Issuing Judge

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Kershaw County Law Enforcement

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

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 me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
 defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge

Judge Code: 888

Judge's Address 1121 BROAD STREETCAMDEN, SC 29020Judge's Telephone 803-425-1500

AGENCY I.D.
SC0 280000

INCIDENT REPORT

CASE NUMBER

INMATE RECORDS OFFICE

98-06-03124

ACK
NO.

EVENT	INCIDENT TYPE		3003 APR 25 AM	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VIC
	1. Pointing And Presenting Fire Arm			YES ☐ NO ☐	YES ☐ NO ☐	Residence		☒ Individual
	2. Lead Act on Minor Counts Criminal Sybil			YES ☐ NO ☐	YES ☐ NO ☐	Residence		☐ Business
	3.			YES ☐ NO ☐	YES ☐ NO ☐			☐ Financial
VICTIM NO. 1	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						ZIP CODE	WEAPON TYPE
	Kershaw, South Carolina						29007	
	INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	LOCATION NO.	
	04-11-98	200		06-17-98	1300	06-17-98 1959 2015	2	
SUBJECT NO. 1	COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
	Hordin - Marshall Lee		A0		6500	W	M	25
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	
	See Supplemental		Kershaw		SC	29007	2	
NARRATIVE	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
	See Supplemental		A0		6500	W	M	25
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	
	See Supplemental		Kershaw		SC	29007	2	
SUBJECT NO. 1	NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
	Rollins - Earl Bradford		A0		6500	W	M	25
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	
	See Supplemental		Cassatt		SC	29032	1	
SUBJECT NO. 1	SUBJECT (MR. 1) USING ALCOHOL		ARRESTED NEAR OFFENSE SCENE		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST	
	YES ☐ NO ☐ UNK ☐		YES ☐ NO ☐		06-17-98 2215		06-17-98-2215	
	DRUGS: YES ☐ NO ☐ UNK ☐		TOTAL ARRESTED		01			
NARRATIVE	The two victims stated above date and time above location the above subject did point and present fire arm at victim #1 and victim #2. And the subject did put his finger force full penetrated inside victim #1 and victim #2 stated the subject did sexual feel of the victims & breasts and buttocks. And victim #2 asked the subject if he was going to have sex and the subject stated yes scared the victim #2 to death of the subject. the subject was arrested by K91 transporter to NCDC.							

ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		[] ACTIVE [] ADM CLOSED		[] ARRESTED UNOFFICIAL		[] EX CLEARING	
	YES ☒ NO ☐		YES ☒ NO ☐		[] UNFOUNDED		[] ARRESTED UNOFFICIAL		[] EX CLEARING	
	REASON FOR EXCEPTIONAL CLEARANCE: 1 [] OFFENDER DEATH 2 [] NO PROSECUTION 3 [] ESTIMATION DEFENSE		DATE		UNIT NUMBER					
	REPORTING OFFICER(S)		DATE		UNIT NUMBER					
Denah S. D'Amico		06-17-98								

CASE NUMBER

NCIC

AGENCY 18
SC0280000

INCIDENT REPORT

9.9.-0.3.-0.1.2.6.2

NO. ENTD.

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. Contributing to the Delinquency of a Minor		☒ YES ☐ NO	☐ YES ☒ NO	Resid		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.		☐ YES ☐ NO	☐ YES ☐ NO			
3.		☐ YES ☐ NO	☐ YES ☐ NO			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE	WEAPON TYPE	
Cassatt SC				29032		
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	
03-27-99	0030		03-27-99	0330	03-27-99 1720	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
Brown, Tammy		AQ		☒ YES ☐ NO	W	F
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
		Cassatt		SC	29032	1
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
See Supplemental				☒ YES ☐ NO	J	S
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN —				COMPLAINT OF ANY NON-VISIBLE INJURY ☐ YES ☐ NO ☐		
VICTIM (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE						
TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/PLAINT ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ J — This Jurisdiction S — State O — Out of State U — Unknown						
A SUSPECT		NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE
☐ RUNAWAY		Rollins, Tara		W	M	21
☐ WANTED		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				
☐ WARRANT		ADDRESS		CITY	STATE	ZIP CODE
☐ ARREST				Cassatt	SC	29032
☐ JAIL		SUBJECT (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE		DATE/TIME OF OFFENSE		
☐ SUMMONS		TOTAL # ARRESTED		DATE/TIME OF ARREST		
		1		Same as Above		
NARRATIVE						
Complainant states above subject picked up her daughter on [redacted] just down from her residence. The victim left the residence without her mother's permission. The subject prearranged the meeting. The complainant found the victim and the subject in a car in Woodward Park at 0330 in the morning.						
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY		
PROPERTY EST.						
TYPE (GROUP)						TOTAL VALUE
STOLEN						
DAMAGED						
RECOVERED						
SEIZED						
SUBJECT IDENTIFIED		SUBJECT LOCATED		EX-CLEAR UNDER 18		EX-CLEAR UNDER 18
☒ YES ☐ NO ☐		☒ YES ☐ NO ☐		☐ YES ☐ NO ☐ UNK ☐		☐ YES ☐ NO ☐ UNK ☐
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY						
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER	
Barley	03-27-99	52	[Signature]	3-28-99	51	

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

F

SEXUAL PREDATOR REFERRAL FORM

Offender Name: Tarl Bradford Rollings		Offender Number: 270195	Jurisdictional Agency: SCDC
Age: 26 Gender: Male	County: Kershaw No. of Incarcerations: 1	Qualifying Offense(s): Guilty Plea: Trial: Lewd Act on Child under 16; Criminal Sexual Conduct 2 nd . (Original sentence 10 years suspended to time served with 5 years probation. Prob. revoked 10-12-00.)	
Adult Sentence: 5 years	Parole Eligibility Date:	Max-Out Date: 11-23-04	
Juvenile Guidelines:	Parole Release Date:	Max-Out Date:	

The review of this case is based on the offender's records which include, but are not limited to, the following information: description of the qualifying offense(s); history of other sexual assault(s); history of other criminal convictions/adjudications; documentation of mental disorder(s); community and institutional adjustment; and risk factors. Findings are strictly based on the legal criteria set forth in Section 44-48-30 of the Sexually Violent Predator Act, and are not to be interpreted as a clinical assessment.

REFER TO PRC?

YES	NO	ABSTAIN
—	✓	—
—	✓	—
—	✓	—
—	✓	—
—	✓	—

SCDC CHAIRPERSON

SCDPPPS

DMH

JUDGE

ATTORNEY

MULTIDISCIPLINARY TEAM

The offender's records were assessed by the Multidisciplinary Team on June 17, 2004, and based upon that assessment, we find that:

_____ The offender satisfies the definition of a sexually violent predator and a review by the Prosecutor Review Committee is warranted.

✓ The offender does not satisfy the definition of a sexually violent predator and a review by the Prosecutor Review Committee is not warranted.

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

G

11:06:27 Friday, November 0, 2015

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM11/20/15
WHITEAU

SCDC ID: 270195

DISPLAY INMATE OFFENSE HISTORY

ROLLINGS, TARL BRADFORD

CURR LOC: MACDOUGALL

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV Y

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	GT DHO DECISION	OFF LVL
- 00003	REFUSING TO WORK	MINOR DI	04/28/02	05/06/02	00000	CONVICTED	3
- 00002	REFUSING OR FAILING O	MINOR DI	10/18/01	10/24/01	00000	CONVICTED	3
- 00001	INCITING/CREATING A D	MINOR DI	06/12/01	06/20/01	00000	CONVICTED	2
END OF LIST							

PAGE 0001

SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

324

11:06:32 Friday, November 9, 2015

DISI110D
OMDISCA

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
OFFENSE INQUIRY

11/20/15
WHITEAU

SCDC#/CASE#: 270195 - 00003

ROLLINGS, TARL BRADFORD

CURR LOC: MACDOUGALL C

OFFENDER TYPE: ADULT-STRAIGHT

OFFENSE

CHARGED OFFENSE...: 826 REFUSING TO WORK

DATE: 04/28/02 TIME: 06:30 AM

OFFENSE LOCATION.: 0211 BROAD RIVER

OFFENSE CAT LVL.: 3

LOCATION IN INST.: 37 MINIMUM LIVING AREA

ASSLT WITH WEAPON:

ASSLT STAFF/INMATE:

ACCUSING OFFICIAL.: [REDACTED]

TYPE ACTION.....: 02 MINOR DISC. HEARING

CHARG. OFF CHAR:

HEARING LOC.....: 0211 BROAD RIVER

ACTUAL HEARING DATE: 05/06/02

WITNESS/OFFICIAL REQUIRED: N COUNCIL SUBST. REQ.: N

SCHD HEAR DATE: 05/02/02

DHO HEARING DEC: C CONVICTED

PLEA.....: G GUILTY

CONVICTED OFF...: 826 REFUSING TO WORK

CONVICT. OFF CHAR.:

DATE DROPPED....:

TOT GT LOST....: 00000 APPRV.:

APPEAL DEADLINE: 05/21/02

GT RESTORED....: 00000

CREATED BY.....: [REDACTED]

04/29/02

LAST UPDATED BY: [REDACTED]

05/06/02

PF4-MODIFY DISC. PF5-NARRATIVE INQUIRY PF8-NEXT DISCIP

11:06:36 Friday, November 6, 2015

DISI150D
DISI150MSCDC OFFENDER MANAGEMENT SYSTEMS
INMATE DISCIPLINARY SYSTEM
DISPLAY OFFENSE CODE TEXT11/20/15
WHITEAU

NARRATIVE...>

ON THE ABOVE DATE AND TIME INMATE TARL ROLLINGS, SCDC #270915, FAILED TO REPORT FOR WORK AT THE BRCI KITCHEN IN ACCORDANCE WITH THE TIME ON THE OFFICIAL OUTCOUNT ROSTER.

MINOR DISCIPLINARY HEARING ON 05/06/02: INMATE ROLLINGS PLED GUILTY; GUILTY PLEA ACCEPTED; 30 DAYS LOSS OF CANTEEN PRIVILEGES; 3RD DISCIPLINARY WITHIN A 12 MONTH PERIOD.

CREATED BY.....: [REDACTED]
LAST UPDATED BY: [REDACTED]04/29/02
05/06/02

(END)

DISCIPLINARY TEXT DISPLAYED

PF4=MODIFY NARRATIVE PF7=PREV PG F8=NEXT PG

326

11:06:42 Friday, November 10, 2015

DISI110D
OMDISCA

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
OFFENSE INQUIRY

11/20/15
WHITEAU

SCDC#/CASE#: 270195 - 00002

ROLLINGS, TARL BRADFORD

CURR LOC: MACDOUGALL C

OFFENDER TYPE: ADULT-STRAIGHT

OFFENSE

CHARGED OFFENSE...: 825 REFUSING OR FAILING OBEY DATE: 10/18/01 TIME: 08:00 AM

OFFENSE LOCATION...: 0442 RIDGELAND

OFFENSE CAT LVL.: 3

LOCATION IN INST.: 35 OTHER

ASSLT WITH WEAPON:

ASSLT STAFF/INMATE:

ACCUSING OFFICIAL.: [REDACTED]

TYPE ACTION.....: 02 MINOR DISC. HEARING

CHARG. OFF CHAR:

HEARING LOC.....: 0442 RIDGELAND

ACTUAL HEARING DATE: 10/24/01

WITNESS/OFFICIAL REQUIRED: N COUNCIL SUBST. REQ.: N SCHD HEAR DATE: 10/23/01

DHO HEARING DEC: C CONVICTED

PLEA.....: G GUILTY

CONVICTED OFF...: 825 REFUSING OR FAILING

CONVICT. OFF CHAR..

DATE DROPPED....:

TOT GT LOST....: 00000 APPRV..

APPEAL DEADLINE: 11/08/01

GT RESTORED....: 00000

CREATED BY.....: [REDACTED]

10/19/01

LAST UPDATED BY: [REDACTED]

10/24/01

PF4-MODIFY DISC. PF5-NARRATIVE INQUIRY PF8-NEXT DISCIP

11:06:47 Friday, November 6, 2015

DISI150D
DISI150MSCDC OFFENDER MANAGEMENT SYSTEMS
INMATE DISCIPLINARY SYSTEM
DISPLAY OFFENSE CODE TEXT11/20/15
WHITEAU

NARRATIVE...>

ON THE ABOVE DATE AND TIME, INMATE TARL ROLLINGS #270195 WAS ORDERED BY MR.
[REDACTED] TO REPORT TO WORK AND SAID INMATE FAILED TO COMPLY WITH THE ORDER.

30 HOURS EXTRA DUTY
LOSS 30 DAYS CANTEEN PRIVILEGES
LOSS 30 DAYS TELEPHONE PRIVILEGES/MH

CREATED BY.....: [REDACTED]
LAST UPDATED BY: [REDACTED]

10/19/01
10/24/01

(END)

DISCIPLINARY TEXT DISPLAYED

PF4=MODIFY NARRATIVE PF7=PREV PG F8=NEXT PG

328

11:06:53 Friday, November 0, 2015

DISI110D
OMDISCA

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
OFFENSE INQUIRY

11/20/15
WHITEAU

SCDC#/CASE#: 270195 - 00001

ROLLINGS, TARL BRADFORD

CURR LOC: MACDOUGALL C

OFFENDER TYPE: ADULT-STRAIGHT

OFFENSE

CHARGED OFFENSE...: 814 INCITING/CREATING A DIST DATE: 06/12/01 TIME: 09:15 AM

OFFENSE LOCATION...: 0442 RIDGELAND

OFFENSE CAT LVL.: 2

LOCATION IN INST.: 20 PROGRAM SERVICES

ASSLT WITH WEAPON:

ASSLT STAFF/INMATE:

ACCUSING OFFICIAL..: [REDACTED]

TYPE ACTION.....: 02 MINOR DISC. HEARING

CHARG. OFF CHAR:

HEARING LOC.....: 0442 RIDGELAND

ACTUAL HEARING DATE: 06/20/01

WITNESS/OFFICIAL REQUIRED: N COUNCIL SUBST. REQ.: N SCHD HEAR DATE: 06/19/01

DHO HEARING DEC: C CONVICTED

PLEA.....: G GUILTY

CONVICTED OFF...: 814 INCITING/CREATING A

CONVICT. OFF CHAR..:

DATE DROPPED....:

TOT GT LOST....: 00000 APPRV.:

APPEAL DEADLINE: 07/05/01

GT RESTORED....: 00000

CREATED BY.....: [REDACTED]

06/14/01

LAST UPDATED BY: [REDACTED]

06/21/01

PF4-MODIFY DISC. PF5-NARRATIVE INQUIRY PF8-NEXT DISCIP

11:07:00 Friday, November 20, 2015

DISI150D
DISI150MSCDC OFFENDER MANAGEMENT SYSTEMS
INMATE DISCIPLINARY SYSTEM
DISPLAY OFFENSE CODE TEXT11/20/15
WHITEAU

NARRATIVE...>

ON THE ABOVE DATE AND TIME INMATE TARL ROLLINS #270195 DID YELL AND THREW HIS FOLDER AND STATED "I AM GOING TO TALK TO DIVINE". INMATE ROLLINS RETURNED TO THE CLASS AND STARTED YELLING AGAIN BEING VERY DISRESPECTFUL AND DISRUPTIVE SUCH AS DISORDERLY BEHAVIOR.

15 HOURS EXTRA DUTY
15 DAYS LOSS OF CANTEEN/JG

CREATED BY.....: [REDACTED]
LAST UPDATED BY: [REDACTED]

06/14/01
06/21/01

(END)

DISCIPLINARY TEXT DISPLAYED

PF4=MODIFY NARRATIVE PF7=PREV PG F8=NEXT PG

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

H

11:14:41 Monday, November 16, 2015

MDCI820D SDCDC HEALTH SERVICES SYSTEM/DISPLAY SOAP NOTES 11/16/15
SCDC#: 270195 ROLLINGS, TARL BRADFORD CURR LOC: MACDOUGALL C C035477
ENC LOC: KIRKLAND ENC#: 00091 DATE: 08/12/15 TIME: 09:25 COMP PAGE: 001

37 YO WM SERVING 2 YRS FOR LEWD ACT ON MINOR. I/M TAKING CELEXA, AND VISTARIL - AND HIS KLONOPIN 1MG BID (BEEN HERE 10 DAYS - RESUMED KLONOPIN 7 DAYS AGO). C/O SWEATING, POOR APPETITE AND ANXIETY. SLEEP IS PROBLEM WITHOUT CPAP. NOT DEPRESSED, ENERGY IS GOOD, -S/H AND NOT HEARING VOICES. PAST PSYCH; SEE ENC #88. WAS GETTING KLONOPIN 1MG BID AND 20MG CELEXA FROM PCP: DR PRICE WHO WROTE A LETTER REQUESTED WE NOT STOP KLONOPIN. I CALLED DR PRICE AND HER CONCERN WAS THAT WE TAPER HIM OFF KLONOPIN AND NOT STOP SUDDENLY. DRUGS AND ALCOHOL ARE NOT A PROBLEM.

MEDICAL: SLEEP APNEA - CPAP HAS NOT BEEN BROUGHT IN.

O: ALERT, CALM, COOPERATIVE, MOOD: GOOD - FRIENDLY, NOT OVERTLY PSYCHOTIC OR MANIC

A: ANXIETY/PANIC,

CONT TAPER OFF KLONOPIN

P: KLONOPIN 1MG QHS X 4 NIGHTS, THEN 0.5MG QHS X 6 DAYS THEN DC

USE THE KLONOPIN HE BROUGHT IN

INCREASED CELEXA TO 40MG QAM

CONT VISTARIL 50MG BID

SUGGEST OFMH

F/U 3 MOS

SOAP NOTES/NARRATIVE DISPLAYED.

PF2 => PREV ENC PF3 => NEXT ENC PF7 => PREV PAGE PF8 => NEXT PAGE

332

11:14:43 Monday, November 16, 2015

MDCI820D SCDC HEALTH SERVICES SYSTEM/DISPLAY SOAP NOTES 11/16/15
SCDC#: 270195 ROLLINGS, TARL BRADFORD CURR LOC: MACDOUGALL C C035477
ENC LOC: KIRKLAND ENC#: 00091 DATE: 08/12/15 TIME: 09:25 COMP PAGE: 002
CELEXA 40MG TABS (CITALOPRAM)
SIG: TAKE ONE QHS
SIG:
START DATE: 08/12/15 TOTAL DAYS: 180
MD: HIGGINS, EDMUND -
HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)
SIG: TAKE ONE BID
SIG:
START DATE: 08/12/15 TOTAL DAYS: 180
MD: HIGGINS, EDMUND -
SIGNED OFF ON 08/12/15 @ 9:35 BY EDMUND S HIGGINS, UNCLASSIFIED
MAR GENERATED.
SIGNED OFF ON 08/12/15 @ 11:33 BY HELEN WILLIAMS, REGISTERED NURSE I

NEXT PAGE DISPLAYED

PF2 => PREV ENC PF3 => NEXT ENC PF7 => PREV PAGE PF8 => NEXT PAGE

MDCI820D SCDC HEALTH SERVICES SYSTEM/DISPLAY SOAP NOTES 11/16/15
SCDC#: 270195 ROLLINGS, TARL BRADFORD CURR LOC: MACDOUGALL C C035477
ENC LOC: MACDOUGALL ENC#: 00095 DATE: 09/03/15 TIME: 10:41 COMP PAGE: 001

D. I/M WAS SEEN IN MEDICAL STAFF OFFICE FOR BRIEF COUNSELING SESSION. HE COMPLAINED ABOUT DIFFICULTIES HE'S EXPERIENCED SINCE BEING TAKEN OFF KLOPIN. I/M ALSO DISCUSSED THE CHALLENGES HE'S FACING IN ADJUSTING TO A 2 YR SENTENCE FOR CSC WHICH HE CLAIMS WAS NOT EXACTLY TRUE. I/M SAYS HE MAXES OUT IN 2016. HE ATTENDED INITIAL REVIEW BOARD AND WAS ASSIGNED A JOB. I/M IS A 37 Y.O. WHITE MALE FROM BERKELY COUNTY SC. HE'S HAD PREVIOUS JOB EXPERIENCES AS DRIVING "BIG-RIGS" AND TANKER ENDORSEMENT. I/M PLANS TO CONTINUE RESIDING IN OWN HOME WHEN HE IS RELEASED. I/M COMES FROM LARGE FAMILY AND DESCRIBES THEM AS HIS PRIMARY SUPPORT. HE HAS A HS ED. PENTECOSTAL HOLINESS FAITH BACKGROUND. MOTHER IS LIVING. FATHER IS DECEASED. I/M HAS 3 BROS AND 1 SIS. I/M REPORTS A FAMILY HX OF INCARCERATION FROM MANY YEARS AGO. HE DENIES ANY CHILDHOOD PHYSICAL OR SEXUAL ABUSE. SAYS HE'S BEEN DX WITH SLEEP APNEA BUT HIS SLEEP MASK AND CPAP MACHINE WERE NOT BROUGHT WITH HIM FROM COUNTY JAIL. INSTEAD HIS EQUIPMENT WAS SENT HOME W/HIS MOTHER. I/M SAYS HE NEEDS HIS MASK AND MACHINE. CCC ENCOURAGED I/M TO FOLLOW-UP WITH MEDICAL STAFF TO ESTABLISH ARRANGEMENTS FOR MOTHER TO BRING MEDICAL DEVICE TO HIM AT MACDOUGALL OR TO DISCUSS HOW SCDC CAN SUBSTITUTE HIS BREATHING APPARATUS WITH THEIR OWN. I/M AGREED TO FOLLOW-UP W/MEDICAL SERVICES AFTER MEETING W/CCC. I/M DESCRIBES THIS AS HIS SECOND INCARCERATION. HE DENIES ANY SELF-HARM HX. DENIES SI/HI/ SOAP NOTES/NARRATIVE DISPLAYED.

PF2 => PREV ENC PF3 => NEXT ENC PF7 => PREV PAGE PF8 => NEXT PAGE

11:14:52 Monday, November 16, 2015

MDCI820D SCDC HEALTH SERVICES SYSTEM/DISPLAY SOAP NOTES 11/16/15
SCDC#: 270195 ROLLINGS, TARL BRADFORD CURR LOC: MACDOUGALL C C035477
ENC LOC: MACDOUGALL ENC#: 00095 DATE: 09/03/15 TIME: 10:41 COMP PAGE: 002

AVH. NORMAL APPETITE PATTERNS. VOICED NO OTHER CONCERNS.

I/M IS ORIENTED TO CURRENT SURROUNDINGS. COOPERATIVE. MILD ADJUSTMENT ISSUE
S. NO CELLMATE ISSUES. NEAT APPEARANCE. NORMAL SPEECH IN RATE/TONE. NORMAL
EYE CONTACT. NO ABNL MOVEMENTS. NO DISTRESS NOTED.

P. I/M WILL PROVIDE MEDICAL HX TO MEDICAL SERVICES RELATED TO DX OF SLEEP
APNEA. CCC WILL FOLLOW-UP PER POLICY. LILLERY FRIPP, CCCIV

SIGNED OFF ON 09/20/15 @ 11:15 BY LILLERY FRIPP, HUMAN SERVICES COORD I

I/M WILL HAVE TO SIGN UP FOR SICK CALL TO VOICE CONCERN.

SIGNED OFF ON 09/21/15 @ 16:30 BY VANESSA W MARION, REGISTERED NURSE I

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PF2 => PREV ENC PF3 => NEXT ENC PF7 => PREV PAGE PF8 => NEXT PAGE

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

I

SP Multi-Disciplinary Team
Rollings, Tarl Bradford #270195
Page 3

MENTAL HEALTH INFORMATION AND HISTORY:

Diagnosis: None on file.

Medications:

Problems/Compliance:

Treatment History:

Other Information:

SOCIAL HISTORY: N/A

Inmate's History of Sexual Abuse (age at time of abuse, age of perpetrator
length of abuse, relationship to perpetrator, gender of perpetrator):

Juvenile History: N/A

Other Information:

SEX OFFENDER TREATMENT HISTORY:

	TYPE	DATES	STATUS
Phase I:	Education	04/26/02 – 08/09/02	Complete-Good Participation
SOTP GROUP:			
Phase II:	Education		
Phase III:	Education		
OTHER	Intake Assessment	03/26/02 – 03/26/02	Completed
RTU:	Intensive Residential Treatment	03/07/02 – 01/14/04	Complete-Good Participation

Admission of Sex Offense(s):

Other Information:

Development and Course

Individuals with sexual sadism in forensic samples are almost exclusively male, but a representative sample of the population in Australia reported that 2.2% of men and 1.3% of women said they had been involved in bondage and discipline, "sadoomasochism," or dominance and submission in the previous year. Information on the development and course of sexual sadism disorder is extremely limited. One study reported that females became aware of their sadoomasochistic orientation as young adults, and another reported that the mean age at onset of sadism in a group of males was 19.4 years. Whereas sexual sadism per se is probably a lifelong characteristic, sexual sadism disorder may fluctuate according to the individual's subjective distress or his or her propensity to harm nonconsenting others. Advancing age is likely to have the same reducing effect on this disorder as it has on other paraphilic or normophilic sexual behavior.

Differential Diagnosis

Many of the conditions that could be differential diagnoses for sexual sadism disorder (e.g., antisocial personality disorder, sexual masochism disorder, hypersexuality, substance use disorders) sometimes occur also as comorbid diagnoses. Therefore, it is necessary to carefully evaluate the evidence for sexual sadism disorder, keeping the possibility of other paraphilias or mental disorders as part of the differential diagnosis. The majority of individuals who are active in community networks that practice sadistic and masochistic behaviors do not express any dissatisfaction with their sexual interests, and their behavior would not meet DSM-5 criteria for sexual sadism disorder. Sadistic interest, but not the disorder, may be considered in the differential diagnosis.

Comorbidity

Known comorbidities with sexual sadism disorder are largely based on individuals (almost all males) convicted for criminal acts involving sadistic acts against nonconsenting victims. Hence, these comorbidities might not apply to all individuals who never engaged in sadistic activity with a nonconsenting victim but who qualify for a diagnosis of sexual sadism disorder based on subjective distress over their sexual interest. Disorders that are commonly comorbid with sexual sadism disorder include other paraphilic disorders.

Pedophilic Disorder

Diagnostic Criteria

302.2 (F65.4)

- A. Over a period of at least 6 months, recurrent, intense sexually arousing fantasies, sexual urges, or behaviors involving sexual activity with a prepubescent child or children (generally age 13 years or younger).
- B. The individual has acted on these sexual urges, or the sexual urges or fantasies cause marked distress or interpersonal difficulty.
- C. The individual is at least age 16 years and at least 5 years older than the child or children in Criterion A.

Note: Do not include an individual in late adolescence involved in an ongoing sexual relationship with a 12- or 13-year-old.

Specify whether:

Exclusive type (attracted only to children)

Nonexclusive type

Specify if:

- Sexually attracted to males
- Sexually attracted to females
- Sexually attracted to both

Specify if:

- Limited to incest

Diagnostic Features

The diagnostic criteria for pedophilic disorder are intended to apply both to individuals who freely disclose this paraphilia and to individuals who deny any sexual attraction to prepubertal children (generally age 13 years or younger), despite substantial objective evidence to the contrary. Examples of disclosing this paraphilia include candidly acknowledging an intense sexual interest in children and indicating that sexual interest in children is greater than or equal to sexual interest in physically mature individuals. If individuals also complain that their sexual attractions or preferences for children are causing psychosocial difficulties, they may be diagnosed with pedophilic disorder. However, if they report an absence of feelings of guilt, shame, or anxiety about these impulses and are not functionally limited by their paraphilic impulses (according to self-report, objective assessment, or both), and their self-reported and legally recorded histories indicate that they have never acted on their impulses, then these individuals have a pedophilic sexual orientation but not pedophilic disorder.

Examples of individuals who deny attraction to children include individuals who are known to have sexually approached multiple children on separate occasions but who deny any urges or fantasies about sexual behavior involving children, and who may further claim that the known episodes of physical contact were all unintentional and nonsexual. Other individuals may acknowledge past episodes of sexual behavior involving children but deny any significant or sustained sexual interest in children. Since these individuals may deny experiences impulses or fantasies involving children, they may also deny feeling subjectively distressed. Such individuals may still be diagnosed with pedophilic disorder despite the absence of self-reported distress, provided that there is evidence of recurrent behaviors persisting for 6 months (Criterion A) and evidence that the individual has acted on sexual urges or experienced interpersonal difficulties as a consequence of the disorder (Criterion B).

Presence of multiple victims, as discussed above, is sufficient but not necessary for diagnosis; that is, the individual can still meet Criterion A by merely acknowledging intense or preferential sexual interest in children.

The Criterion A clause, indicating that the signs or symptoms of pedophilia have persisted for 6 months or longer, is intended to ensure that the sexual attraction to children is not merely transient. However, the diagnosis may be made if there is clinical evidence of sustained persistence of the sexual attraction to children even if the 6-month duration cannot be precisely determined.

Associated Features Supporting Diagnosis

The extensive use of pornography depicting prepubescent children is a useful diagnostic indicator of pedophilic disorder. This is a specific instance of the general case that individuals are likely to choose the kind of pornography that corresponds to their sexual interests.

Prevalence

The population prevalence of pedophilic disorder is unknown. The highest possible prevalence for pedophilic disorder in the male population is approximately 3%–5%. The population prevalence of pedophilic disorder in females is even more uncertain, but it is likely a small fraction of the prevalence in males.

Development and Course

Adult males with pedophilic disorder may indicate that they become aware of strong or preferential sexual interest in children around the time of puberty—the same time frame in which males who later prefer physically mature partners became aware of their sexual interest in women or men. Attempting to diagnose pedophilic disorder at the age at which it first manifests is problematic because of the difficulty during adolescent development in differentiating it from age-appropriate sexual interest in peers or from sexual curiosity. Hence, Criterion C requires for diagnosis a minimum age of 16 years and at least 5 years older than the child or children in Criterion A.

Pedophilia *per se* appears to be a lifelong condition. Pedophilic disorder, however, necessarily includes other elements that may change over time with or without treatment: subjective distress (e.g., guilt, shame, intense sexual frustration, or feelings of isolation) or psychosocial impairment, or the propensity to act out sexually with children, or both. Therefore, the course of pedophilic disorder may fluctuate, increase, or decrease with age.

Adults with pedophilic disorder may report an awareness of sexual interest in children that preceded engaging in sexual behavior involving children or self-identification as a pedophile. Advanced age is as likely to similarly diminish the frequency of sexual behavior involving children as it does other paraphilically motivated and normophilic sexual behavior.

Risk and Prognostic Factors

Temperamental. There appears to be an interaction between pedophilia and antisociality, such that males with both traits are more likely to act out sexually with children. Thus, antisocial personality disorder may be considered a risk factor for pedophilic disorder in males with pedophilia.

Environmental. Adult males with pedophilia often report that they were sexually abused as children. It is unclear, however, whether this correlation reflects a causal influence of childhood sexual abuse on adult pedophilia.

Genetic and physiological. Since pedophilia is a necessary condition for pedophilic disorder, any factor that increases the probability of pedophilia also increases the risk of pedophilic disorder. There is some evidence that neurodevelopmental perturbation in utero increases the probability of development of a pedophilic orientation.

Gender-Related Diagnostic Issues

Psychophysiological laboratory measures of sexual interest, which are sometimes useful in diagnosing pedophilic disorder in males, are not necessarily useful in diagnosing this disorder in females, even when an identical procedure (e.g., viewing time) or analogous procedures (e.g., penile plethysmography and vaginal photoplethysmography) are available.

Diagnostic Markers

Psychophysiological measures of sexual interest may sometimes be useful when an individual's history suggests the possible presence of pedophilic disorder but the individual denies strong or preferential attraction to children. The most thoroughly researched and longest used of such measures is *penile plethysmography*, although the sensitivity and specificity of diagnosis may vary from one site to another. *Viewing time*, using photographs of nude or minimally clothed persons as visual stimuli, is also used to diagnose pedophilic disorder, especially in combination with self-report measures. Mental health professionals in the United States, however, should be aware that possession of such visual stimuli, even for diagnostic purposes, may violate American law regarding possession of child pornography and leave the mental health professional susceptible to criminal prosecution.

Differential Diagnosis

Many of the conditions that could be differential diagnoses for pedophilic disorder also sometimes occur as comorbid diagnoses. It is therefore generally necessary to evaluate the evidence for pedophilic disorder and other possible conditions as separate questions.

Antisocial personality disorder. This disorder increases the likelihood that a person who is primarily attracted to the mature physique will approach a child, on one or a few occasions, on the basis of relative availability. The individual often shows other signs of this personality disorder, such as recurrent law-breaking.

Alcohol and substance use disorders. The disinhibiting effects of intoxication may also increase the likelihood that a person who is primarily attracted to the mature physique will sexually approach a child.

Obsessive-compulsive disorder. There are occasional individuals who complain about ego-dystonic thoughts and worries about possible attraction to children. Clinical interviewing usually reveals an absence of sexual thoughts about children during high states of sexual arousal (e.g., approaching orgasm during masturbation) and sometimes additional ego-dystonic, intrusive sexual ideas (e.g., concerns about homosexuality).

Comorbidity

Psychiatric comorbidity of pedophilic disorder includes substance use disorders; depressive, bipolar, and anxiety disorders; antisocial personality disorder; and other paraphilic disorders. However, findings on comorbid disorders are largely among individuals convicted for sexual offenses involving children (almost all males) and may not be generalizable to other individuals with pedophilic disorder (e.g., individuals who have never approached a child sexually but who qualify for the diagnosis of pedophilic disorder on the basis of subjective distress).

Fetishistic Disorder

Diagnostic Criteria

302.81 (F65.0)

- A. Over a period of at least 6 months, recurrent and intense sexual arousal from either the use of nonliving objects or a highly specific focus on nongenital body part(s), as manifested by fantasies, urges, or behaviors.
- B. The fantasies, sexual urges, or behaviors cause clinically significant distress or impairment in social, occupational, or other important areas of functioning.
- C. The fetish objects are not limited to articles of clothing used in cross-dressing (as in transvestic disorder) or devices specifically designed for the purpose of tactile genital stimulation (e.g., vibrator).

Specify:

- Body part(s)
- Nonliving object(s)
- Other

Specify if:

In a controlled environment: This specifier is primarily applicable to individuals living in institutional or other settings where opportunities to engage in fetishistic behaviors are restricted.

In full remission: There has been no distress or impairment in social, occupational, or other areas of functioning for at least 5 years while in an uncontrolled environment.

Sexually Violent Predator Act, S. C. Code Ann. Sections 44-48-10 *et seq.*

PETITIONER'S EXHIBIT

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Paraphilic Disorders

Paraphilic disorders included in this manual are voyeuristic disorder (spying on others in private activities), exhibitionistic disorder (exposing the genitals), frotteuristic disorder (touching or rubbing against a nonconsenting individual), sexual masochism disorder (undergoing humiliation, bondage, or suffering), sexual sadism disorder (inflicting humiliation, bondage, or suffering), pedophilic disorder (sexual focus on children), fetishistic disorder (using nonliving objects or having a highly specific focus on nongenital body parts), and transvestic disorder (engaging in sexually arousing cross-dressing). These disorders have traditionally been selected for specific listing and assignment of explicit diagnostic criteria in DSM for two main reasons: they are relatively common, in relation to other paraphilic disorders, and some of them entail actions for their satisfaction that, because of their noxiousness or potential harm to others, are classed as criminal offenses. The eight listed disorders do not exhaust the list of possible paraphilic disorders. Many dozens of distinct paraphilias have been identified and named, and almost any of them could, by virtue of its negative consequences for the individual or for others, rise to the level of a paraphilic disorder. The diagnoses of the other specified and unspecified paraphilic disorders are therefore indispensable and will be required in many cases.

In this chapter, the order of presentation of the listed paraphilic disorders generally corresponds to common classification schemes for these conditions. The first group of disorders is based on *anomalous-activity preferences*. These disorders are subdivided into *courtship disorders*, which resemble distorted components of human courtship behavior (voyeuristic disorder; exhibitionistic disorder; and frotteuristic disorder), and *allognathic disorders*, which involve pain and suffering (sexual masochism disorder and sexual sadism disorder). The second group of disorders is based on *anomalous target preferences*. These disorders include one directed at other humans (pedophilic disorder) and two directed elsewhere (fetishistic disorder and transvestic disorder).

The term *paraphilia* denotes any intense and persistent sexual interest other than sexual interest in genital stimulation or preparatory fondling with phenotypically normal, physically mature, consenting human partners. In some circumstances, the criteria "intense and persistent" may be difficult to apply, such as in the assessment of persons who are very old or medically ill and who may not have "intense" sexual interests of any kind. In such circumstances, the term *paraphilia* may be defined as any sexual interest greater than or equal to normophilic sexual interests. There are also specific paraphilias that are generally better described as *preferential* sexual interests than as intense sexual interests.

Some paraphilias primarily concern the individual's erotic activities, and others primarily concern the individual's erotic targets. Examples of the former would include intense and persistent interests in spanking, whipping, cutting, binding, or strangulating another person, or an interest in these activities that equals or exceeds the individual's interest in copulation or equivalent interaction with another person. Examples of the latter would include intense or preferential sexual interest in children, corpses, or amputees (as a class), as well as intense or preferential interest in nonhuman animals, such as horses or dogs, or in inanimate objects, such as shoes or articles made of rubber.

A *paraphilic disorder* is a paraphilia that is currently causing distress or impairment to the individual or a paraphilia whose satisfaction has entailed personal harm, or risk of harm, to

others. A paraphilia is a necessary but not a sufficient condition for having a paraphilic disorder, and a paraphilia by itself does not necessarily justify or require clinical intervention.

In the diagnostic criteria set for each of the listed paraphilic disorders, Criterion A specifies the qualitative nature of the paraphilia (e.g., an erotic focus on children or on exposing the genitals to strangers), and Criterion B specifies the negative consequences of the paraphilia (i.e., distress, impairment, or harm to others). In keeping with the distinction between paraphilias and paraphilic disorders, the term *diagnosis* should be reserved for individuals who meet both Criteria A and B (i.e., individuals who have a paraphilic disorder). If an individual meets Criterion A but not Criterion B for a particular paraphilia—a circumstance that might arise when a benign paraphilia is discovered during the clinical investigation of some other condition—then the individual may be said to have that paraphilia but not a paraphilic disorder.

It is not rare for an individual to manifest two or more paraphilias. In some cases, the paraphilic foci are closely related and the connection between the paraphilias is intuitively comprehensible (e.g., foot fetishism and shoe fetishism). In other cases, the connection between the paraphilias is not obvious, and the presence of multiple paraphilias may be coincidental or else related to some generalized vulnerability to anomalies of psychosexual development. In any event, comorbid diagnoses of separate paraphilic disorders may be warranted if more than one paraphilia is causing suffering to the individual or harm to others.

Because of the two-pronged nature of diagnosing paraphilic disorders, clinician-rated or self-rated measures and severity assessments could address either the strength of the paraphilia itself or the seriousness of its consequences. Although the distress and impairment stipulated in the Criterion B are special in being the immediate or ultimate result of the paraphilia and not primarily the result of some other factor, the phenomena of reactive depression, anxiety, guilt, poor work history, impaired social relations, and so on are not unique in themselves and may be quantified with multipurpose measures of psychosocial functioning or quality of life.

The most widely applicable framework for assessing the strength of a paraphilia itself is one in which examinees' paraphilic sexual fantasies, urges, or behaviors are evaluated in relation to their normophilic sexual interests and behaviors. In a clinical interview or on self-administered questionnaires, examinees can be asked whether their paraphilic sexual fantasies, urges, or behaviors are weaker than, approximately equal to, or stronger than their normophilic sexual interests and behaviors. This same type of comparison can be, and usually is, employed in psychophysiological measures of sexual interest, such as penile plethysmography in males or viewing time in males and females.

Voyeuristic Disorder

Diagnostic Criteria

302.82

- A. Over a period of at least 6 months, recurrent and intense sexual arousal from observing an unsuspecting person who is naked, in the process of disrobing, or engaging in sexual activity, as manifested by fantasies, urges, or behaviors.
- B. The individual has acted on these sexual urges with a nonconsenting person, or the sexual urges or fantasies cause clinically significant distress or impairment in social, occupational, or other important areas of functioning.
- C. The individual experiencing the arousal and/or acting on the urges is at least 18 years of age.

Specify if:

In a controlled environment: This specifier is primarily applicable to individuals living in institutional or other settings where opportunities to engage in voyeuristic behavior are restricted.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF GEORGETOWN	)	
	)	
IN THE MATTER OF THE CARE	)	CASE NO. 2016-CP-22-00042
AND TREATMENT OF	)	
TARL BRADFORD ROLLINGS,	)	ORDER OF COMMITMENT
RESPONDENT.	)	

The trial of this case was held in the Georgetown County Court of Common Pleas the week of June 5, 2017. A jury of citizens from Georgetown County heard this case pursuant to a request for a jury trial filed by the State. Senior Assistant Attorney General James G. Bogle, Jr. represented the State and James K. Falk, Esquire, represented the Respondent. The jury having heard the presentation of the evidence made the following findings of fact pursuant to S. C. Code Ann. Sections 44-48-90 and 44-48-100:

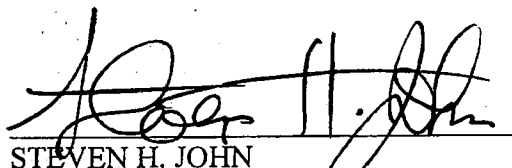
The State has proven beyond a reasonable doubt that Respondent, Tarl Bradford Rollings, is a sexually violent predator as that term is defined in S. C. Code Ann. Section 44-48-30.

NOW, THEREFORE, IT IS ORDERED THAT:

(a) Respondent Tarl Bradford Rollings is committed to the Department of Mental Health for his long-term control, care and treatment;

(b) Respondent Tarl Bradford Rollings is to continue to be detained at the Georgetown County Detention Center, and then transported to the secure facility of the South Carolina Department of Mental Health in Columbia, SC. The Detention Center is to transport Respondent on such scheduled date and to such location as it coordinates with the Department of Mental Health.

AND IT IS SO ORDERED.


 STEVEN H. JOHN
 Fifteenth Judicial Circuit
 Court of Common Pleas

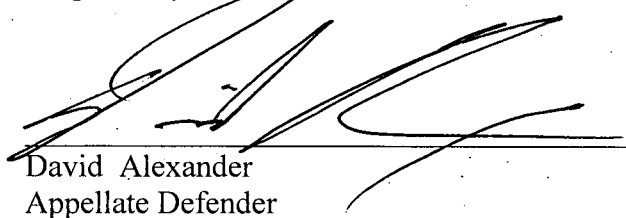
6/6/ 2017
 Georgetown, South Carolina

FILED
 GEORGETOWN COUNTY, SC
 2017 JUN -7 AM 8:29
 ALMA Y. WHITE
 CLERK OF COURT

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."

Respectfully Submitted,



David Alexander
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
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This 2nd day of July, 2018.

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