

22656

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY

Steven H. John, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF DARYL T. SNOW,

APPELLANT

APPELLATE CASE NO. 2015-000280

RECORD ON APPEAL

DAVID ALEXANDER
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney for Appellant

ALAN WILSON
Attorney General

DEBORAH R. J. SHUPE
Senior Assistant Deputy Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

Attorneys for Respondent

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1 STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
 2 COUNTY OF GEORGETOWN) (2013-CP-22-00468)
 3)

4 STATE OF SOUTH CAROLINA)
 5)

6 IN THE MATTER OF THE)
 7 CARE AND TREATMENT OF:)

TRANSCRIPT OF RECORD

8 DARYL SNOW, aka DARRELL)
 9 THADDEUS SNOW, aka DARYL)
 10 T. SNOW)

February 9, 10, 11, 2015
 Georgetown, S. C.

11 B E F O R E:

12 HONORABLE STEVEN H. JOHN, Judge; and a jury.

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

14 JAMES G. BOGLE, JR., ESQ.
 15 CHRISTOPHER ANDREW MORROW, ESQ.
 16 ATTORNEYS FOR STATE

17 JAMES KRISTIAN FALK, ESQ.
 18 ATTORNEY FOR DEFENDANT

19
 20
 21 DIXIE COX EUBANK
 22 CIRCUIT COURT REPORTER
 23 FIFTEENTH JUDICIAL CIRCUIT
 24
 25

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FEBRUARY 11, 2015

VERDICT 306

COURT'S RULING 306

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1 you would just be downstairs in the assembly room this
2 afternoon at 3:30. Till then you are excused. Okay.

3 A. Okay. Thank you.

4 COURT: Thank you, Ma'am. I appreciate it.

5 All right, gentlemen, let's break -- we'll break for
6 lunch. Be back -- try and be back at 2:30 if you can, please.
7 All right. Thank you.

8 MR. BOGLE: Thank you, Your Honor.

9 MR. FALK: Thank you, Your Honor.

10 (THE FOLLOWING TAKES PLACE AFTER A LUNCH BREAK, AND
11 OUTSIDE THE PRESENCE OF THE JURY.)

12 COURT: All right, gentlemen -- the State, do you have
13 any motions or matters you want to take up?

14 MR. BOGLE: Yes, Your Honor.

15 COURT: All right, sir.

16 MR. BOGLE: Yes, Your Honor. May it please the Court,
17 the State has one motion in limine.

18 COURT: All right, sir.

19 MR. BOGLE: We are basically saying here -- we are
20 asking to exclude any cross-examination or testimony about the
21 type of treatment he might get, and the reason is, the only
22 thing the State has to prove to establish he's a sexually
23 violent predator is the type of crimes convicted of, and of
24 course whether or not, as Your Honor said with these witnesses
25 that would be jurors, whether or not he has the required

1 mental abnormality, or a personality disorder that makes him
2 likely to reoffend in the same manner. Any questions about
3 future treatment places an additional burden on the State. It
4 also may confuse the jurors as to what their role is, and
5 their job is to find those two things, the mental abnormality,
6 and the conviction of the right kind of crime. It's not
7 relevant evidence because it doesn't prove anything we are
8 trying to prove, so we say any questions regarding treatment
9 should not really come in in this type of trial. The only
10 issue we are trying to prove is just whether or not he's
11 guilty, or whether or not he's a sexually violent predator.

12 Finally, questions about treatment to Dr. Gehle, who is
13 the State's witness, will be speculative. Because she's an
14 expert in Forensic Psychology she's going to discuss whether
15 or not he meets the criteria to be committed. She does not
16 determine a treatment regiment or pass on treatment, so we
17 would just submit that questions regarding the type of
18 treatment and all would not be appropriate in this type of
19 case.

20 Thank you.

21 **COURT:** All right, Mr. Falk, what's your position,
22 please sir?

23 **MR. FALK:** We would agree.

24 **COURT:** All right, sir. All right. Any other matters
25 from the State?

1 **MR. BOGLE:** No, Your Honor.

2 **COURT:** All right, Mr. Falk?

3 **MR. FALK:** Your Honor, I'm afraid it's two motions. We
4 are requesting a **Council** hearing regarding the testimony of
5 the expert, and I've also filed a motion in limine regarding
6 Mr. Snow's prior acts. This is all covered under South
7 Carolina Rules of Evidence, 401, 402, 403, and 404, and my
8 concern is that my client only be -- that my client not be, in
9 effect, punished for stuff that he has done in the past, for
10 stuff that he has already served his sentence, been on
11 probation, been in lengthy prison terms, and I think the jury
12 should only be concerned about whether or not he's committed
13 crimes of sexual violence, and maybe -- possibly related
14 crimes.

15 Additionally, I think it is unfair for my client -- for
16 the Court to consider cases lists that were nolle prossed by
17 the prosecution. It would be speculative to know why these
18 cases were nolle prossed. It could be -- they could have been
19 nolle prossed as a result of a plea agreement, or they could
20 have been nolle prossed because they realized they didn't have
21 sufficient evidence for a conviction, and to the extent -- and
22 there's quite a lot of those -- and to the extent that the
23 jury is allowed to hear those I think that's going to cause, I
24 think, an additional prejudice to my client, and I think we
25 want the testimony regarding his acts to relate specifically

1 to -- it should relate to what his mental disease or defect
2 is, which sort of brings us around to the last point here, is
3 that the mental disease or defect here is other specified
4 personality disorder, current evidence of conduct disorder is
5 -- if sufficient. So I'm not sure how we can determine what
6 evidence in -- for example in **Corley**, which is a case where
7 the Judge allowed evidence of prior convictions, the testimony
8 was in -- was given that they are relevant because needing to
9 know the victims -- the victim is same age, or gender. Those
10 kind of issues were relevant as far as knowing whether he
11 would commit an offense in the past. I'm not sure what
12 offense -- what symptoms are covered under other specified
13 personality disorder. He's not -- the opinion is not that he
14 has any kind of paraphilia or paraphilic disorder, doesn't --
15 it -- he just sort of has a personality disorder.

16 **COURT:** All right, sir.

17 Mr. Bogle.

18 **MR. FALK:** At least that's the allegation.

19 **COURT:** Okay. I'm sorry. Response?

20 **MR. BOGLE:** Thank you, Your Honor. May it please the
21 Court.

22 **COURT:** Yes sir.

23 **MR. BOGLE:** Taking -- if I could, Your Honor, the first
24 motion in limine is trying to limit the type of testimony Dr.
25 Gehle can go into, and ask that we not go into the details of

1 the crimes, behind the crimes, uncharged offenses and
2 unconvicted offense. The Rule that you will be considering
3 are Rules 402 and 403, Rule 402, of course, being that all
4 evidence is relevant, and 403 being the balancing test between
5 prejudicial and probative.

6 Dr. Gehle will testify that it is necessary for her to
7 form an opinion as to whether or not this guy has the criteria
8 to be a sexually violent predator, in other words, likely to
9 commit acts of sexual violence, that she and other experts in
10 her field have to look at the underlying details behind the
11 crime is to explain that to the jury.

12 The **Eddie** case was a case where prior sexual offenses
13 were received into evidence, the underlying details as well,
14 as well as a prior non-sexual murder conviction, and some
15 crimes where no conviction had been found were also received
16 into evidence, and that was okayed by the Supreme Court.
17 The relevance went to whether or not the respondent in that
18 case, as the Respondent here, has the ability to control his
19 behavior in the future, and the pattern we are looking at, is
20 there any similarity between the type of conduct he does, like
21 in this case, a marked hostility toward women, in many stages,
22 and of course the old action which -- actually what Dr. Gehle
23 will testify, do the future -- future sexual behavior is best
24 determined by past sexual behavior.

25 In the **Corley** case there was a non-sexual ABHAN that was

1 considered, and again, it was part of the criminal history of
2 the respondent, which was relevant for the State to prove
3 whether or not he was a predator as defined in Section 44-48-
4 30, paragraph one.

5 There's a reference in the motion to exclude anything
6 over ten years old, under Rule 609(B). I don't think that's
7 relevant, because 609(B) talks about impeachment for a crime
8 in the criminal -- when you are impeaching a witness about a
9 crime. Here, Your Honor, we are going to be introducing into
10 evidence two prior -- three prior criminal sexually violent
11 crimes. There's two convictions for assault with -- to commit
12 CSC in the first degree that are -- have some age on them,
13 1996, I believe, and more recently in 2004 or '05 there was a
14 Lewd Act on a Minor. All of these are sexually violent
15 crimes, and all of them will be the basis for Dr. Gehle's
16 testimony.

17 So that's the memo -- the issue is developed in the
18 first motion in limine, which I think is covered pretty much
19 in the State's Memorandum of Law. The second question ---

20 **COURT:** Well, let's deal with the first one.

21 **MR. BOGLE:** Okay.

22 **COURT:** Is your witness -- and you got -- did you get a
23 copy of Respondent's Motion in Limine?

24 **MR. BOGLE:** Yes sir. Yes sir.

25 **COURT:** All right. And on the third page he had the

1 laundry list of dismissed or nolle prossed cases.

2 MR. BOGLE: Uh huh (indicating positive)

3 COURT: All right. Is your witness going to testify
4 about those in some way?

5 MR. BOGLE: Yes, Your Honor, she is, and she will
6 testify that it's necessary to go through this pattern of
7 criminal behavior, including charges that were dismissed, for
8 her the determine whether or not he shows a pattern, shows a
9 similarity, and whether or not he just has a total disregard
10 for the rules of society, so she will bring up charges that
11 were dismissed or nolle prossed, as well as charges that were
12 convicted, and again, that goes back to the **Eddie** case, which
13 involved some matters that were not result of convictions.

14 COURT: All right. All right, continue on.

15 MR. BOGLE: The final thing that was in his -- he did
16 make a reference, asking us not to refer to the fact that they
17 hired an expert that is not going to testify, and we are not
18 going to do that.

19 COURT: All right, sir.

20 MR. BOGLE: Now, the next motion was a State v. Council
21 motion. And I think what he's trying to say right here is
22 that the diagnosis she gave -- in this case she tried to find
23 a mental abnormality, a paraphilic disorder, such as
24 pedophilia, or paraphilic disorder, not otherwise specified.
25 She tried to find one, could not find one, so she turned to

1 the personality disorder side of the fence and found one
2 there.

3 I think what he's trying to say in his motion is, she's
4 not connecting that personality disorder to sexual recidivism,
5 and we don't think a **Council** hearing is quite where you want
6 to go right here. A **Council** hearing -- again, I may be wrong
7 here, but I'm tending to think in terms of scientific facts,
8 like if this was a blood test issue, a gunshot residue, DNA or
9 something like that we've got to establish the relevancy or a
10 particular physical science. That's when I think of **Council**.
11 Here we've got a psychological opinion, which she will testify
12 about, and testify as to the link between her diagnosis and
13 his sexual recidivism likelihood based upon his prior conduct
14 in other areas, and so I think it's more for a question to be
15 cross-examined about during her testimony, and again, goes to
16 the weight of her evidence for the jury.

17 **COURT:** Now how about the technique that she has used
18 to establish that link?

19 **MR. BOGLE:** By technique you are referring to the
20 actuarial test, the Static-99?

21 **COURT:** Pr whatever standards that she is going to be
22 relying upon to establish that there was this link.

23 **MR. BOGLE:** Right. Well, she's relying on her
24 experience and her training in her testimony. As far as any
25 testing done, there was an actuarial instrument scored called

1 the Static-99R, and that is not mentioned in the motion in
2 limine. That is something that she uses, or is used by
3 psychologist in general as a factor -- as a way to determine
4 level of risks.

5 COURT: All right. But how about in general, her
6 procedure, how she went about coming up with her analysis, as
7 an overall examination of that? Now, whether or not we need
8 to have a hearing about that might be a different question,
9 but would she not need to, through your questions of her,
10 establish that this is a proper procedure used by other
11 professionals in the field, that they have used this method,
12 it's been generally accepted by peers to be a proper analysis
13 to be conducted; is that not something you would need to do?

14 MR. BOGLE: Most likely. If you look at the *Gary White*
15 case that's cited in his materials, *Gary White* does make
16 reference to the Court's rule as a gatekeeper, and any
17 evidence coming under Rule 702.

18 So if the Court feels it necessary I'm prepared to put
19 her on the stand right now, out of the presence of the jury,
20 and establish that link ---

21 COURT: All right.

22 MR. BOGLE: ---Or we can do it during her live
23 testimony during the trial.

24 COURT: Well, the -- I think it's going to be necessary
25 at some point in time. Now, whether or not it's necessary now

1 or during her (SIC) trial, but I mean, I'm going to have to
2 find, either through an objection to her testimony, and
3 hearing those questions and answers and allowing it or not
4 allowing it, but I have to -- I mean, first I've got to go
5 through 702 to begin with, right? I mean, that -- what she's
6 testifying about will assist the jury that she has the
7 standard qualifications to begin with, and that the processes
8 and the procedures are reliable. And now in doing all that
9 that's when we get into the issue of, do her peers follow this
10 method, do they apply this type of analyses generally, that
11 sort of thing, so I think at some point in time I've got to
12 make a determination that I'm going to allow this evidence to
13 be considered by the jury. I don't know necessarily that I
14 have to do it outside their presence, though it would probably
15 be best to do it that way, but when you combine the Rules of
16 Evidence and, you know, whether you are talking about **Council**,
17 you are talking about **Jones**, One and Two, and then at the end
18 the -- you know, the probative value outweighing the
19 prejudicial effect to the -- here the Respondent, I've got to
20 make that determination at some point in time.

21 **MR. BOGLE:** Yes sir. I think we're on the same page.

22 **COURT:** So I think I -- it would just seem to me that
23 the easiest process would be to make that general
24 determination now. obviously - and y'all, I'm sure, will help
25 me with this with the requests to charge - that the jury,

1 again, is the ultimate finder, I mean, they will judge the
2 credibility and believability of the expert, ultimately, and
3 you know, what they think of the testimony, but -- if I allow
4 it, so I think probably the best thing to do would be to call
5 your witness and get the basic qual -- her basic
6 qualifications to qualify her as an expert established first,
7 and then a basis that would establish that her analyses that
8 she used in this particular case is generally accepted by
9 professionals in her standing, and that it has stood up to,
10 you know, peer review in the past, and it's proper for persons
11 in her field to engage in this type of analysis.

12 MR. BOGLE: Okay. Thank you, Your Honor.

13 COURT: And obviously, Mr. Falk, I'll be allowing you
14 to cross-examine her ---

15 MR. FALK: Your Honor, if I could just ---

16 COURT: ---And again, just so -- and I'll let you say it
17 in just a second -- just if I allow it then obviously you,
18 again, have the opportunity to cross-examine her first as to
19 her qualifications, to challenge her as an expert to begin
20 with, and then whatever cross-examination you want to engage
21 in.

22 Yes sir.

23 MR. FALK: Just getting back to the point with the
24 laundry list as you described it. I think that since we are
25 going to have an incamera investigation of this witness it

1 would be -- I think this would be an appropriate time for her
2 to explain why each of these offenses are relevant to her
3 diagnosis, because clearly -- I mean, the expert in **Corley**
4 testified why the information about the prior offenses was
5 relevant, and I think she should have to describe each one of
6 these, and why each one of these may or may not be relevant.
7 I think it would be for the Court to determine whether or not
8 the relevancy to his current diagnosis is sufficiently great
9 in order not to be outweighed by the prejudice of hearing ---

10 **COURT:** I don't have a problem with doing that, but we
11 are not -- I'm not going to have her testify twice, okay. I
12 think there needs to be a sufficient basis. First, qualify
13 her as an expert, qualify her analysis as, you know, a proper
14 technique that's been peer-reviewed, that she applied it
15 properly, and there are certain, you know, quality controls
16 associated with it so that, you know, it follows what is
17 recognized in her field of expertise, and then I don't have a
18 problem with going over some of these. I mean, obviously -- I
19 mean one stands out, breach of peace, I'm not really sure how
20 that's going to get tied in, but I could see maybe where
21 Attempted Burglary and ABHAN, and Kidnapping, and -- couple of
22 Kidnappings, and CDV first might be in there. Now, Breach of
23 Peace and Resisting Arrest, I'm not really sure how that gets
24 in there, but we will see. All right.

25 **MR. BOGLE:** Thank you.

JURY OUT
MARIE GEHLE - DIRECT BY BOGLE

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1 The State would call Dr. Marie Gehle.

2 COURT: All right, Ma'am, if you would please come
3 around here to be sworn.

4 Madame Clerk.

5 MARIE GEHLE, being first duly
6 sworn, testifies as follows:

7 DIRECT-EXAMINATION BY MR. BOGLE:

8 Q. Dr. Gehle, what is your current occupation?

9 A. I'm a Chief Psychologist at the South Carolina
10 Department of Mental Health.

11 Q. And what advanced degrees do you possess?

12 A. I have a Doctorate in Clinical Psychology. I have a
13 Master's Degree in Psychology, Bachelor's Degree in
14 Psychology.

15 Q. How long have you been employed by the South Carolina
16 Department of Mental Health in this capacity?

17 A. A little over five years.

18 Q. Okay. Are you licensed in South Carolina to practice
19 Psychology?

20 A. Yes, I am.

21 Q. Any other states?

22 A. I'm also licensed to practice in Georgia.

23 Q. Do you have any specialized training in the field of
24 Psychology?

25 A. Yes. I have a Bachelor's Degree in Psychology, a

JURY OUT
MARIE GEHLE - DIRECT BY BOGLE

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1 Master's Degree in Psychology, then I got a Doctorate. During
2 that year I did -- during the many years I was in graduate
3 school I did practicums, you know, work study sort of things.
4 I did a pre-doctoral internship at Western State Hospital in
5 Tacoma, Washington. Part of that internship was at the
6 Sexually Violent Predator Program that Washington State runs.
7 I did a post-doctoral Fellowship at East Central Regional
8 Hospital in Georgia. It was in Forensic Evaluations and
9 Treatment, and then I've been working in this field for five
10 years.

11 Q. Do you have any memberships in any particular
12 organizations related to your field?

13 A. I'm a member of the American Psychology and Law
14 Society, a member of the Sex Offender Civil Commitment Program
15 Network, and I'm a member of a couple area local organizations
16 in Georgia.

17 Q. Were you also -- and what is the study of Forensic
18 Psychology? I use the two words together. What am I talking
19 about?

20 A. It's really taking the principals of Psychology and
21 applying it to matters of the Law, so we do things like
22 evaluate competency to stand trial, criminal responsibility,
23 do risk assessments, things like that.

24 Q. Okay. And does your work as a Forensic Psychologist
25 allow you to conduct psychological evaluations of individuals?

JURY OUT
MARIE GEHLE - DIRECT BY BOGLE

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1 A. Yes.

2 Q. About how many of those have you done, not counting the
3 sexually-violent-predator side of the fence?

4 A. How many evaluations outside of ---

5 Q. Outside of SVP?

6 A. I've done a couple of hundred evaluations outside of
7 SVP.

8 Q. And you mentioned a minute ago competency to stand
9 trial was one of them?

10 A. Yes.

11 Q. Criminal responsibility ---

12 A. Yes.

13 Q. ---And Risk Assessment? What does that mean, Risk
14 Assessment?

15 A. You are assessing risk for certain behaviors in the
16 future, depending on what the question is, whether that be
17 violent or sexually violent behaviors.

18 Q. Right now, what is your work in the Sexually-Violent-
19 Predator field in South Carolina? What kind of things are you
20 doing in that area?

21 A. My full-time job is to do pre-commitment evaluations
22 pursuant to the Sexually Violent Predator Act. That is all I
23 do.

24 Q. And about how many pre-commitment evaluations have you
25 done?

1 A. Almost ninety.

2 Q. Have you also done annual review treatment reports for
3 guys already committed to the program?

4 A. Yes.

5 Q. About how many annual review reports have you done,
6 roughly?

7 A. Almost ninety.

8 Q. Have you previously been recognized as an expert
9 witness in the field of Forensic Psychology with regard to
10 sexually-violent-predator cases in South Carolina?

11 A. Yes.

12 Q. About how many times?

13 A. About seventy times.

14 Q. Okay.

15 MR. BOGLE: At this time, Your Honor, I would like to
16 offer Dr. Marie Gehle as an expert witness in the field of
17 Forensic Psychology.

18 COURT: Do you wish to voir dire the witness or
19 challenge the State's offer?

20 MR. FALK: Just a couple of questions on voir dire.

21 BY MR. FALK:

22 Q. You are a Psychologist, not a Psychiatrist; is that
23 correct?

24 A. That's correct.

25 Q. Does the Psychology have a similar certification

1 program as a Psychiatrist would if she could be Board-
2 Certified in Psychiatry, and Board-Certified in Forensic
3 Psychiatry?

4 A. You can get Board-Certified in Forensic Psychology. It
5 is a different process than what I understand Psychiatrists go
6 through, and it's more rare that you find a Board-Certified
7 Psychologist, opposed to a Psychiatrist.

8 Q. And I guess I'm assuming from your answer from your
9 previous testimony, you are not Board-Certified in ---

10 A. No, I'm not.

11 Q. ---Psychology?

12 A. I'm not Board-Certified in Psychology, no.

13 MR. FALK: No questions.

14 COURT: All right. The State has offered her to be an
15 expert in the field of Forensic Psychology. Do you question
16 or challenge the State's offer?

17 MR. FALK: We have no challenge.

18 COURT: All right. Very good.

19 I'm going to qualify her in the field of Forensic
20 Psychologist -- Psychology.

21 DIRECT-EXAMINATION BY MR. BOGLE CONTINUED:

22 Q. Dr. Gehle, how did you get involved in this case
23 involving Mr. Snow?

24 A. I was court-appointed to do a pre-commitment evaluation
25 of Mr. Snow.

1 Q. Could you describe for the Judge your protocol in
2 conducting evaluations of this type, and give us steps you
3 take in doing things?

4 A. Yes. When I receive a case I receive a packet of
5 information that comes, you know, including like the Petition,
6 and then a packet of information that comes from the AG's
7 Office via the MDT, or the Multi-Disciplinary Team. When I
8 get that information I review it, and go through -- organize
9 it, collate it, things like that, separate it by offense,
10 highlight things that are relevant, things that stick out.
11 I'm looking for patterns just in the records. I have a
12 standard interview that I do, but I also devise some other
13 questions based on that information, and I want to have it in
14 my memory so that I can ask the Respondent about anything as
15 the interview progresses.

16 I sit down and interview the person, and then afterwards
17 I might request other information if things came up during the
18 interview, and when I have everything I will sit down and
19 write a report.

20 Q. And as part of this process did you personally
21 interview Mr. Snow?a

22 A. Yes.

23 Q. Is he in the courtroom today?

24 A. Yes, he is.

25 Q. Okay. Now, the information that you looked at, the

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1 written documentation you looked at, is this the kind of stuff
2 that is typically and reasonably relied upon by experts in
3 your field?

4 A. Yes.

5 Q. And did you rely upon that written information,
6 together with the interview of Mr. Snow in forming an opinion
7 about whether or not he should be civilly committed under the
8 SVP Act?

9 A. Yes.

10 Q. Okay. Now, Doctor, can you explain to the Court how a
11 person's past sexual offense behavior relates to future sexual
12 offense behavior?

13 A. Well, really, past behavior is the best predictor of
14 future behavior, because people tend to behave pretty
15 consistently over time.

16 Q. Okay. And in this particular case, was he convicted of
17 some sex -- now was he convicted of sexually violent crimes?

18 A. Yes.

19 Q. And I show you right now a certified copy of the
20 sentencing sheets from Georgetown County for two counts of
21 criminal -- Assault with Intent to Commit Criminal Sexual
22 Conduct in the First Degree, and there's two sentencing sheets
23 and then the indictment. Have you seen those?

24 A. I've seen copies of these, yes.

25 Q. Okay. Okay. Now, what is the date of convictions for

1 those two counts of Assault with Intent to Commit CSC in the
2 First Degree?

3 A. May 21st, 1996.

4 Q. Okay.

5 MR. BOGLE: Now, Your Honor, during her testimony in
6 front of the jury I would move to introduce them into
7 evidence. I was going to do it now unless the Court believes
8 it necessary.

9 COURT: I don't feel it -- it's not necessary for the
10 introduction in this particular procedure. Those -- just so
11 that I know, those are certified, true copies of the
12 conviction records?

13 MR. BOGLE: They are, Your Honor.

14 COURT: All right, so ---

15 MR. BOGLE: I've got two sentencing sheets, and then
16 the multi-count indictment that goes with them.

17 COURT: Okay. And I appreciate that.

18 What I was going to ask, the Respondent's counsel,
19 during the -- or do object at the beginning of the proceedings
20 for those to be marked and accepted in evidence without
21 objection, or are you going to require the Attorney General to
22 call the Clerk of Court and certify that those are true copies
23 of her records?

24 MR. FALK: I will -- will admit that those are true
25 copies of his records.

1 **COURT:** All right. So when we get started I think
2 probably the best procedure is just to have those marked prior
3 to the start of the trial, as the State's Exhibits as
4 certified true copies, then you can refer to them during her
5 testimony.

6 **MR. BOGLE:** Yes, Your Honor.

7 **COURT:** All right.

8 **Q.** Now, I just showed you the ones from 1996. I now
9 approach and show you another sentencing sheet and indictment,
10 also certified by the Clerk of Court in Georgetown for
11 conviction of Lewd Act on a Minor Child. Is this also a crime
12 you looked at in the course of your examination of Mr. Snow?

13 **A.** Yes. I looked at copies of these.

14 **MR. BOGLE:** Judge, these would be the two exhibits, the
15 two certified convictions that we want to put in tomorrow.
16 It's the same -- both are certified by the Clerk's Office.

17 **COURT:** All right, sir, and the same would go for the
18 conviction for Lewd Act on a Minor, Mr. Falk?

19 **MR. FALK:** That's correct.

20 **COURT:** All right. Very good.

21 I'm sorry, one question. What year was that?

22 **MR. BOGLE:** Oh, this was 2006, April 18, 2006.

23 **COURT:** Thank you. Go ahead.

24 **MR. BOGLE:** Judge Cottingham.

25 **COURT:** Go ahead.

1 Q. All right. Dr. Gehle, now I've showed you two --
2 three sets of -- three sets -- three crimes right now, in 2000
3 -- the Defendant -- Intent to Commit CSC in the First Degree,
4 and the Lewd Act. Are those crimes classified as sexually
5 violent crimes under the SVP Act here in South Carolina?

6 A. Yes.

7 Q. Now, in the course of this, in looking at the crimes,
8 criminal convictions I just showed you, would -- now I'm going
9 to ask you, and these questions apply to all the crimes that
10 we talk about this afternoon -- did you look at the underlying
11 documents as part of your evaluation?

12 A. Yes.

13 Q. Okay. Are these the type of documents, and I'm talking
14 about police statements, witness statements, warrants,
15 sentencing sheets, indictments, are they the type of documents
16 that are typically and reasonably relied upon by experts in
17 your field?

18 A. Yes.

19 Q. Why is it necessary to review the underlying details of
20 these particular crimes?

21 A. Well, it's really important to see, like under what
22 conditions somebody offended, who they offended, what the
23 relationship was, because that can speak to risk factors. It
24 can also speak to -- the details in the crime can speak to
25 whether they have a paraphilia, whether they are committing

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1 scripted offenses, unscripted offenses. It's just important
2 to see sort of the whole picture.

3 Q. Okay. Now let's talk about whole pictures for a second
4 though. I have showed you these sexually violent convictions.
5 Were there other convictions that are not sexual in nature --
6 that are not -- were not sexually violent that you felt
7 necessary to look at in studying Mr. Snow?a

8 A. Yes.

9 Q. Did that also include crimes where he was charged but
10 the charges did not result in a conviction?

11 A. Well, some of those offenses are more important than
12 others. I think it's important at the outset, during the
13 interview, to have all that information so that I can question
14 him about it, and get his side, and I want to hear what sort
15 of attitudes he's expressing in those answers. But the way
16 that I look at things, if it's -- if he was not convicted of
17 it I don't take it as a fact that it happened. It's more
18 important just to get his take on it, get him to express
19 attitudes. It's more as a stimuli for that.

20 Q. Okay. What about the crimes that aren't sexually
21 violent crimes, but he was convicted of them? How do you take
22 them in your analyses?

23 A. Again, it -- the importance depends on sort of what he
24 said about it, whether he was convicted. There was two
25 instances where the charges were not blatantly sexual. There

1 was -- there was an incident, a burglary, and in that case he
2 went to the door of an eighty-three-year-old woman, and tried
3 to get in the house, threw a brick through the house - the
4 woman fled out the back door - and that was really all that
5 the police statements were saying. It wasn't clear why he was
6 going to -- why he was going to the house, but when I talked
7 to Mr. Snow about it he said that he had paid this woman money
8 to have sex with the woman's sister, and that, I quote, you
9 give her a little money and she will do whatever you want, so
10 that makes it more of a potentially sexually related charge
11 there. There was another instance where he was charged with a
12 CDV, and he was not convicted. When I asked him about it he
13 said he hit the woman a couple of times. He said he didn't
14 commit the offense, but he admitted that he hit her a couple
15 of times at the same time and date as he was charged with
16 hitting her. So those things speak to his honesty. It speaks
17 to, you know, whether he admits or denies, whether he
18 committed an offense that he didn't get convicted of, if he's
19 admitting to it, you know, things like that, so that's why
20 those things are important to me in my evaluation.

21 Q. Okay. But now CDV is not a sexually violent crime, it
22 might not be sexual in nature at all, but why is that
23 important in analyzing a person under this particular law, the
24 SVP Act?

25 A. Well, it's important in this case because Mr. Snow has

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1 a long history of violence toward women, and this is another
2 instance of him being violent toward women. That led me to
3 believe that he had a personality disorder, and that was just
4 another instance of, you know, concrete evidence that he does
5 for those beliefs, and for those attitudes consistent with a
6 personality disorder.

7 Q. Okay. For example, looking at the list of crimes in
8 your report, beginning -- it's, I think on page five, when you
9 started talking about his criminal activity, you mentioned a
10 1987 burglary. Is that the burglary you were talking about a
11 minute ago, or a different one?

12 A. No. No, that's a different one.

13 Q. Okay. You also mentioned kidnapping and ABHAN, and the
14 malicious injury where he killed a person's dog, a puppy.

15 A. Yes. Yes.

16 Q. Okay. Why was that significant to look at that,
17 whether he was convicted or not?

18 A. Yes. Thank you for bringing that up. That was -- that
19 offense was against a woman that -- a woman and her family who
20 Mr. Snow had dated for some years. He was apparently upset
21 with her, and he went to her house and stole the puppy of her
22 mother, and killed that dog, and then later on, I guess it's
23 several days later -- or sorry, it was the same day, he called
24 her house and threatened to kill her and her parents. Those
25 things are important because, again, it's speaking to his

1 hostility toward women, and you know, what behavior he will --
2 he will engage in when he's upset with someone. He had a
3 number of charges against this woman, including the two
4 sexually-violent Assault with Intent to Commit charges, so his
5 whole pattern of behavior with this woman becomes extremely
6 important.

7 Q. Okay. Now, were these crimes he was convicted of, or
8 crimes which were nolle prossed or not convicted?

9 A. No. He was convicted of the malicious injury to
10 property, which was killing of the dog, and the unlawful use
11 of telephone. He was given a suspended sentence, and he
12 violated probation by engaging in violence against her.

13 Q. And what is the effect of a violation of probation, in
14 your analysis, under the SVP Law?

15 A. A pattern of that sort of behavior is a risk factor.
16 That's been shown in the research to be related to sexual
17 recidivism. It's resistance to rules and supervision.

18 Q. Okay. Now we have some ABHANS in 1989, at least two
19 of them, on page six and page seven of your report. Are these
20 ABHANS against women?

21 A. You said 1989?

22 Q. '80 -- I'm sorry, 1989. We are both on 1989.

23 A. Yes.

24 Q. On page six ---

25 A. 1989, those charges, again, are involving the woman

1 whose dog he killed.

2 Q. Okay. Did those charges result in convictions?

3 A. No.

4 Q. Okay. But was it necessary to look at them and talk to
5 him about them in forming your opinion?

6 A. Yes.

7 Q. And why was that?

8 A. Again, it's a pattern of behavior that's potentially
9 there, and I wanted to be able to question him about that,
10 things like that.

11 Q. Is looking for patterns of behavior in this field, like
12 you've testified about, is that something that's typically
13 relied upon by experts in your field?

14 A. It's a -- it's an essential part of these evaluations.

15 Q. Okay. Not just for you, but other experts in your
16 field. Is that what y'all do?

17 A. Yes. Sexual assaults are basically a low base rate
18 phenomenon, so anytime you have a low base rate event it's
19 difficult to predict when it's going to happen again, so the
20 more instances of this sort of behavior that somebody has in
21 their history it makes your inferences about whether they are
22 likely to do it again stronger.

23 Q. Okay. Now, the 1996 convictions which I showed you
24 right here a few minutes ago, the Assault with Intent to
25 Commit CSC in the First Degree, was he convicted of other

1 offenses besides just those, in 199 -- it arose in 1995,
2 convicted in 1996. Were other offenses besides just the
3 Assault with Intent to Commit?

4 A. Yes.

5 Q. What other offenses, and why were they relevant to?

6 A. Burglary in the Second Degree, Kidnapping, two counts
7 of Criminal Domestic Violence of a High and Aggravated Nature,
8 Il-Treatment of Children, Servants or Incompetents, two counts
9 of the Assault with Intent to Commit Criminal Sexual Conduct,
10 Pointing and Presenting Firearms at a Person, two counts of
11 Possession of a Firearm During the Commission of a Crime.
12 Basically this was all a whole cluster of offenses that
13 happened when he went to the home of his ex-girlfriend - she
14 was living with somebody else - he shot at the guy that she
15 was living with. He told me when I questioned him that he
16 went to the house to kill the man. He shot at the guy and
17 then he took his -- this woman, and their child - they had a
18 child together - he took them out of the house, and his
19 brother was with him at the time so he -- he dropped off his
20 brother and the child at another place, and then proceeded to
21 hold the woman captive for eighteen hours. He pointed the gun
22 at her head. He actually had the barrel of the gun on her
23 face. He shot the gun twice to show him -- show her he was
24 serious, and in the midst of that he attempted to sexually
25 assault her. He attempted to rape her, it was reported three

1 times, but what he did was, groped her, grabbed her breasts,
2 grabbed her genitals, things like that.

3 Q. Okay. Now, on these crimes, both the sexually violent
4 ones and the non-sexual crimes, are you looking for a pattern
5 of behavior here?

6 A. Yes.

7 Q. What type of pattern are you finding?

8 A. I'm finding that he has an extreme hostility toward
9 women, largely, but basically it's -- he kind of sees the
10 world that whatever he wants is what he should get, and he'll
11 do about anything to get that including, you know, kill
12 somebody, which was what his intention was, from what he told
13 me, he wanted to go kill that man, so -- because he was dating
14 the woman that he wanted.

15 Q. And during the time that these things were pending, the
16 1995 arrest which led to this 1996 conviction, did he also
17 escape from custody?

18 A. Yes.

19 Q. Okay. Now, is there an ability to control future
20 behavior? Is that something you are looking at, or looking
21 for?

22 A. Yes.

23 Q. Are the things we are talking about that he's done, and
24 been charged with, are these relevant to determining whether
25 or not he has an ability to control his behavior in the

1 future?

2 A. Yes.

3 Q. And why are they relevant?

4 A. It's relevant because most people maintain good
5 behavior because we are scared of getting thrown in prison, we
6 are scared of hurting another person. That makes people very
7 uncomfortable because we care about others, we have empathy
8 for others. Most people don't just act in a way that they
9 will, you know, do whatever they want, whatever they can get
10 away with. In this case Mr. Snow is going far beyond that.
11 It doesn't matter if he's on probation, he does what he wants.
12 It doesn't matter if he's incarcerated, he does what he wants.
13 He escaped -- he escaped from jail, and served a six-month
14 sentence before he even got convicted, served a six-month
15 sentence on ---

16 Q. The escape charge?

17 A. ---The escape charge. Yes.

18 Q. Okay.

19 A. It doesn't matter if he just got out of prison, that
20 doesn't nothing to make him act in a way that's lawful.

21 Q. And is what you've now -- is this type or pattern of
22 conduct, is it a pattern that is also relied upon by other
23 experts in your field in determining whether a person is
24 likely to sexually reoffend?

25 A. Yes.

1 Q. And Doctor, when was he released from prison for thee
2 offenses we just talked about, the 1996 conviction?

3 A. He was released on August 29th, 2003.

4 Q. Okay. I've already showed you the documents relating
5 to a Lewd Act on a Minor. How long -- about how long between
6 when he got released and when he got charged with these
7 crimes, or this crime here?

8 A. Well, he was charged with a bunch of things before
9 then, but that was -- that was in January of 2005, so ---

10 Q. Okay. And prior to that was -- there was also -- after
11 being released from prison in 2003 was he charged in 2004 with
12 kidnap, assault and CDV?

13 A. Yes. He was charged with a Simple Assault and
14 Kidnapping in March, 2004. He was charged with CDV in August
15 of 2004, also in August, 2004 he was charged with Reckless
16 Driving, Public Disorderly Conduct, Hindering an Officer, and
17 then in December of 2004 he was charged with a Burglary in the
18 Second Degree. He was later convicted of that, and all that
19 was prior to the -- the next sexually violent offense.

20 Q. Okay. And did you talk to him about all these
21 different allegations and different crimes?

22 A. Yes.

23 Q. Was he convicted of all of them, or just some of them?

24 A. Just some of them.

25 Q. Okay. Why was it relevant to talk about all these

1 crimes, even if he wasn't convicted of them, and even if they
2 are not sexual?

3 A. Well, again, it's important to -- to get him to talk
4 about what happened, and get his side of things, and I want to
5 hear what his explanations are, how they compare to what the
6 official records say.

7 Q. Okay. Now we have the Lewd Act charge on children a
8 minute ago, the conviction in 2006. That's a sexually violent
9 crime; correct?

10 A. Yes.

11 Q. What was the age of the victim in that particular
12 crime?

13 A. Thirteen.

14 Q. Okay. And the lewd act conduct that he did would have
15 been what?

16 A. Well, he -- he went into her house, and he got a
17 burglary charge for that. When he went to her house wearing a
18 ski mask, and she had just gotten out of the shower, she was
19 getting ready to get dressed, he went into her room, turned
20 off the light, and grabbed her, yanked her towel, threw her
21 across the room, and fondled her, and in the midst of this her
22 sister, nine-year-old sister was there. They were both
23 struggling with him, and screaming, and eventually he just
24 left.

25 Q. Okay. Is a person's prior criminal history, in all

1 these respects, important to you in determining whether or not
2 they are going to reoffend sexually?

3 A. Yes. Whether it be for what he tells me, or whether
4 it's addressed in the Static-99, calculated that way ---

5 Q. Uh huh (*indicating positive*)

6 A. ---In terms of sexual recidivism. It's looked at in a
7 variety of different ways.

8 Q. Now, Doctor, in this particular case, were you able to
9 diagnose him with a mental abnormality, a paraphilia, shall we
10 say?

11 A. No.

12 Q. And why not?

13 A. Well, because he had two blatantly sexual offenses, and
14 it was unclear if he was aroused by their non-cooperation,
15 couldn't consider pedophilia, obviously, because his victims
16 were too old, they weren't prepubescent, so the next step is
17 to consider whether he has biastophilia, which is sexual
18 arousal toward non-consenting individuals, and then sort of a
19 step beyond that would be whether he has sexual sadism.
20 That's sexual arousal toward inflicting pain, emotional or
21 otherwise, or humiliating victims.

22 I didn't see a pattern strong enough to indicate that he
23 was sexually aroused to non-consenting others, that their
24 refusal was sexually arousing to him. There wasn't enough
25 evidence to say that.

1 Q. Uh huh (**indicating positive**) What about trying to
2 personality disorders? Did you look into the other side of
3 the fence, the personality disorder, see if he had something
4 like that?

5 A. Yes, that was evidence from the review of the records,
6 but especially from talking to him.

7 Q. Okay. What was the ultimate diagnosis you gave him?
8 Was it a personality disorder, or a mental abnormality, or
9 both?a

10 A. It's a personality disorder.

11 Q. And what was the personality disorder that you
12 diagnosed him with?

13 A. The specific personality disorder is called, in the
14 DSM-5, it's called Other Specified Personality Disorder, and
15 then the reason why I gave him that is, I thought that he has
16 an anti-social personality, but in order to diagnose that you
17 have to have evidence of conduct disorder prior to age
18 fifteen.

19 Q. Okay.

20 A. I had some evidence of that, but I didn't have records
21 to say that there was enough, so I didn't feel comfortable
22 giving him that diagnosis, although that's what his behaviors,
23 attitudes and sort of view of the world presented as. So,
24 other specified personality disorder is given when somebody
25 has a personality disorder but there is a piece missing, so

1 that's the current evidence of conduct disorder and
2 insufficient. That's the second part of it.

3 Q. What's the link between Other Specified Personality
4 Disorder and reoffending in a sexually violent way? What's
5 the connection?

6 A. Well, his personality, which is the anti-social, is --
7 is a disorder that is related to somebody's view of the world,
8 and it's a pervasive pattern of behavior and responding to
9 situations that's now adaptive and problematic. Basically, he
10 has very little regard for anybody's thoughts, feelings,
11 behavior, for them as a person. The way he sees the world is,
12 whatever he wants, he thinks that he should have, and he's
13 willing to do about anything to get it, and that, in this
14 case, is related to his sexual offending. It manifests in a
15 lot of hostility toward women, a lot of violent crime toward
16 women, and toward men, and it's manifested in sexual offending
17 a couple of times.

18 MR. BOGLE: If I can approach the witness.

19 Q. I show you a copy of the DSM-5, the Diagnostic and
20 Statistical Manual, Fifth Edition. Is that the current
21 authority book, if you would, in your field?a

22 A. Yes.

23 Q. Now turn to page six eighty-four where Other Specified
24 Personality Disorder is defined.

25 A. Yes.

1 Q. Is that what we are talking about?

2 A. Yes.

3 Q. Would you look at the brief descrip -- is that the
4 description of it right there?

5 A. Yes.

6 Q. And could you go ahead and read that paragraph in the
7 record?

8 A. "This category applies the presentations in which
9 symptoms characteristic of a personality disorder that cause
10 clinically significant distress or impairment in social,
11 occupational or other important areas of functioning
12 predominate, but do not meet the full criteria for any of the
13 disorders in the personality disorders diagnostic class. The
14 other specified personal disorder category is used in
15 situations in which the clinician chooses to communicate the
16 specific reason that the presentation does not meet the
17 criteria for any specific personality disorder. This is done
18 by recording, quote, other specified personality disorder, end
19 quote, followed by the specific reason, eg., mixed personality
20 features."

21 Q. Okay.

22 COURT: All right. Mr. Bogle, it's not necessary to
23 have her complete testimony, and if there's some other matter
24 you want to cover I'll be glad for you to do so, but ---

25 MR. BOGLE: I'm pretty much nearing the end, Judge.

1 COURT: All right, sir.

2 Q. So, Doctor, is linking this diagnosis of personality
3 disorder to a person's propensity to commit sexually violent
4 crimes in the future, does that link exist, in your opinion,
5 to a reasonable degree of psychological certainty in this
6 case?

7 A. Yes.

8 Q. Okay. And is that a conclusion accepted by
9 professionals in your field? Is that link something that's
10 accepted by professionals in your field?

11 A. Anti-social Personality Disorder, which is the
12 equivalent of this diagnosis, missing that one piece of
13 information, whether he has con -- whether there was evidence
14 of conduct disorder prior to age fifteen.

15 Q. Okay.

16 A. I believe if I had those records I would be just
17 diagnosing Anti-social Personality Disorder.

18 Q. Uh huh (**indicating positive**)

19 A. But that is one of the most commonly-used diagnoses for
20 SVP civil commitment, so many clinicians make that link
21 between Anti-social Personality Disorder and the propensity to
22 commit future acts of sexual violent. This is just a step
23 removed from Anti-social Personality Disorder because I'm
24 missing that one piece of information.

25 Q. The conduct before age fifteen?

1 A. Yes.

2 MR. BOGLE: Thank you, Doctor. Please answer any
3 questions counsel may have, or the Judge may have.

4 COURT: Cross-examination.

5 CROSS-EXAMINATION BY MR. FALK:

6 Q. Dr. Gehle, it seems that you are making a couple of
7 large assumptions here. First of all, could you explain why
8 if -- for example, if somebody is charged with ABHAN, and
9 those offenses were nolle prossed, why that's relevant?

10 A. Well, it's important to ask him about those, and I want
11 to hear his side of things, and I want to hear, you know, what
12 -- what his attitudes are in regard to that, so that's where
13 it starts.

14 Q. I think your testimony earlier is you wanted to compare
15 his answer to the official record; is that right?

16 A. Yes. Yes.

17 Q. Did you have an opportunity to interview any of these
18 witnesses?

19 A. Witnesses from ---

20 Q. Yes.

21 A. No.

22 Q. Did you talk to the Solicitor as to why these charges
23 were dismissed?

24 A. No.

25 Q. Isn't it possible that the charges were dismissed

1 because the victim, who -- and it sounds like there's a
2 repeat victim in a lot of these - the complaining witness was
3 the same person and possibly they weren't being candid?

4 A. Which offense are you talking about?

5 MR. BOGLE: Objection to that. It calls for
6 speculation, Your Honor.

7 MR. FALK: But I -- my point being -- she's gone ---

8 COURT: I'm going to allow the question, okay. And the
9 witness asked you a question about what you are talking to,
10 being more specific, and if you would do that I would
11 appreciate it.

12 Q. Kidnapping in 08/01, 1988, do you know if that offense
13 occurred?

14 A. In 1988?

15 Q. Yes. It's sounds by -- because it was a charge that
16 was nolle prossed. It's Warrant Number C15826.

17 A. If it's nolle prossed it does not go to my
18 consideration in the diagnosis for him. Do I know if that
19 happened, I don't, but it's still important for me to ask him,
20 and get his side of things.

21 Q. So if he denies that it happened it seems like he's in
22 a catch twenty-two. If he admits that it happened you are
23 going to say that's a problem, if he denies that it happened
24 you are going to say it's a problem because you are assuming
25 that it happened.

1 A. No, I'm not assuming that it happened at all, and I'm
2 not going to hold that against him if he denies that. I want
3 to hear -- like, for instance, let me give you an example.
4 When I asked him about an offense that did happen, the
5 malicious injury to property, it was very clear from the
6 records that he took the labrador puppy dog of his
7 girlfriend's mother and killed the dog, but I want to see what
8 his account of that offense was, and I ask very general open-
9 ended questions, and he said to me that he destroyed a sign at
10 her place of business. That's what the offense was. That
11 seemed very unlikely, given that there was a bunch of
12 documentation that he took -- stole this dog, killed the dog,
13 and I want to hear what his side of it is, and he's giving me
14 something that seems made up out of whole cloth.

15 Q. I appreciate that answer, but again, that's not really
16 relevant to my question because that case was not nolle
17 prossed, he was sentenced on that case. But again, I'm coming
18 back to the point where you are assuming, because he possibly
19 was not -- he possibly did not -- wasn't totally straight-
20 forward with you on other answers that he's not being
21 straight-forward with you on these answers; is that correct?
22 I mean, why are you assuming that -- why is it important to
23 know what his answer is to the August 1st, 1988 kidnapping?

24 A. Because I want to hear what -- what he had to say about
25 that.

1 Q. And what did he have to say?

2 A. I don't think that there was -- I think he just denied
3 it. He denied threatening them, he denied kidnapping her.

4 Q. What if he didn't threaten them, and what if he didn't
5 kidnap them, then is that not an accurate answer?

6 A. It very well could be.

7 Q. So how relevant is that, whether or not -- the
8 possibility that he committed an offense that was nolle
9 prossed? How relevant is that? How much did you rely on
10 whether or not -- how much did you rely on his answers to this
11 list of offenses that are nolle prossed, and that would be
12 that Attempted Burglary on August 14th, 1987, also in 1988 the
13 ABHAN, August 1st, 1988, Kidnapping, November 30th, 1989,
14 ABHAN, November 30th, 1989, Breach of Peace, same date for
15 Resisting Arrest, Kidnapping, and then August 20th, 2004, CDV
16 First. How much reliance -- how important was that?

17 A. I can -- I can answer this in more of a broad sense,
18 and then answer it more specifically if this doesn't answer
19 your question fully.

20 The way I look at the criminal history is, I look at
21 everything, and I use everything in terms of scoring the
22 Actuarial Risk Assessment per the guidelines for that, so
23 things like prior sexual offenses that are not convicted,
24 those are important on that assessment. Non-sexual offenses
25 are not important on that assessment, per se. It's typically

1 just the sexual offenses. So that's how it's used on that.
2 When I consider a diagnosis I consider only things that were
3 convictions.

4 Q. Okay. So did -- your -- did the information that you
5 found out about these charges that I went through, how do they
6 relate to your diagnosis?

7 A. In terms of his attitudes that he expressed, things
8 like saying, you know, that wasn't me, I didn't do it, it was
9 somebody else, that was that woman's fault, things like that.
10 Whether he committed the offense or not he's saying these
11 things of expressing his attitudes about how he sees the
12 world. They are not as important as the things that he was
13 convicted of.

14 Q. The response that I didn't do it, is that not a normal
15 response for somebody who didn't do it?

16 A. I don't know if that's a normal or abnormal response.

17 Q. Okay. If you were accused of kidnapping, and you
18 didn't commit that offense, and somebody asked you about that
19 charge, you are going to say you didn't do it; is that
20 correct?

21 A. I don't know what I would say. It would depend on the
22 questioning, it would depend on the circumstances of the
23 questioning. I might give a story about how the
24 misunderstanding happened, if there was a misunderstanding,
25 things like that.

1 Q. But you will admit that his convictions for a sexually
2 violent crimes were very relevant to your diagnosis; is that
3 correct?

4 A. Yes.

5 Q. And convictions of other violent crimes were also
6 relevant to your diagnosis; is that correct?

7 A. Convictions of any type were relevant to this diagnosis
8 with Mr. Snow.

9 Q. And if you were going to compare the relevancy of those
10 two categories with the relevancy of a charge that was nolle
11 prossed how would you evaluate that?

12 A. Well, convictions I take as a fact, that they happened,
13 and that's always going to be more important.

14 Q. I'm trying to get around -- I'm trying to get my arms
15 around your diagnosis. You are saying he has Anti-personality
16 Disorder but you can't diagnose it as such; isn't that
17 correct?

18 A. Anti-social Personality Disorder, in order to diagnose
19 that you have to have some evidence of conduct disorder prior
20 to age fifteen, and I didn't have that because those records -
21 - like if he had a juvenile court history they don't exist
22 anymore, and he didn't have parents to talk to, I didn't have
23 phone numbers to talk to anyone, so I didn't have that
24 history. I had to take it on just his self-report.

25 Q. Did he self-report on anything that would ---

1 A. He denied most problems of conduct, but also said that
2 he was suspended and expelled from school, so those were kind
3 of contradictory from what he -- he reported.

4 Q. But if you could not -- if you used the criteria of the
5 DSM-5 for Anti-social Personality Disorder you could not reach
6 an opinion that he has Anti-social Personality Disorder; is
7 that correct?

8 A. I'm not diagnosing him with Anti-social Personality
9 Disorder.

10 Q. What is your opinion, that he suffers from Anti-social
11 Personality Disorder? You could not -- that's right. You are
12 saying he does not have Anti-social Personality Disorder?

13 A. I'm saying that there is insufficient evidence of
14 conduct disorder prior to age fifteen to definitively make
15 that diagnosis. His personality characteristics are anti-
16 social.

17 Q. A lot of the violent behavior for which he was
18 convicted of centered around one person; did it not?

19 A. Excuse me?

20 Q. Didn't a lot of the violent offenses for which he was
21 convicted, wasn't the -- wasn't it always the same person, or
22 wasn't it frequently the same person?

23 A. Well, what's your definition of frequently, or almost
24 always?

25 Q. Well, the CDV for -- you had said that the CDV one was

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1 with somebody whom he had a relationship with; is that
2 correct?

3 A. Yes.

4 Q. Okay. And did he -- that person that he had the
5 relationship with, were there other offenses that she was a
6 complaining witness in?

7 A. He was also charged with a Simple Assault and
8 Kidnapping against that victim, in 2004, and a CDV in August
9 of 2004.

10 Q. How do you differentiate between somebody who has a
11 multitude of con -- committed -- is everybody who commits
12 multiple counts of criminal domestic violence have a mental
13 disorder?

14 A. Everybody?

15 Q. Yes.

16 A. Probably not.

17 Q. And what would that be?

18 COURT: Mr. Falk -- Mr. Falk, please -- the jury is not
19 here. We are not here to receive her entire testimony. We
20 are not here to receive your entire cross-examination, okay.
21 You made an objection based upon whether or not her analysis
22 was accepted in the scientific community, and in the field in
23 which she has been qualified as an expert. I allowed you to
24 go into an area that probably we didn't need to go into, those
25 are the prior crimes. We've explored that. I appreciate

1 that, but this is not a deposition, this is not -- we are not
2 here to discern her entire testimony, okay.

3 MR. FALK: Yes, Your Honor.

4 COURT: Let's stick to the point you objected to.

5 MR. FALK: No further questions.

6 COURT: All right. Any redirect?

7 MR. BOGLE: No, Your Honor. Thank you.

8 COURT: Thank you.

9 You may step down.

10 Regarding the Respondent's Motion in Limine, as to this
11 particular witness, and that being Dr. Marie Gehle, I do find,
12 after conducting a -- an examination of her expertise and
13 testimony, first, I do find, pursuant to South Carolina Rules
14 of Evidence 702, that her specialized knowledge will assist
15 the Trier-in-Fact in this matter, and in essence, it is
16 essential in this particular case.

17 Now, I am not ruling on the issue of her ultimate
18 believability in front of the jury, that's their job,
19 credibility and believability, but I am saying it is proper,
20 and under 702 it will assist the Trier-of-Fact in the question
21 that they must answer, the two-part question that they must
22 answer in this, as I have gone through earlier in our
23 examination of the jurors about, you know, what the State has
24 to show, obviously that he was convicted of sexually violence
25 offenses or crimes, and then whether or not he has the -- the

1 State can prove the requisite mental condition, whether it's
2 the mental abnormality or the psychological disorder that
3 would show that he is likely to engage in acts of sexual
4 violence if not confined to a secure facility for long-term
5 control, care and treatment, but anyway, in that, certainly,
6 under 702 it's -- her testimony will assist. She is qualified
7 based upon the -- her explanation of the expertise in her
8 particular field, the study, the work that she has done, the
9 prior qualifications that she has had as an expert. She has
10 also indicated that the underlying techniques, and the science
11 that she has used is reliable, that it is used by -- and
12 commonly used in her field, and by other persons so qualified
13 in her field, therefore I do find that it's qualified under
14 702. I do find that, based upon what was said, that it was of
15 these matters being typically used in her field, that the
16 establishment of the patterns were essential in her field,
17 that she showed a, you know, prior application of the method
18 that -- and that it is recognized by others in her field, so I
19 find that that is covered, and finally, the probative nature
20 of her testimony I find outweighs any prejudicial value to the
21 Respondent, therefore, I am going to allow her testimony in
22 this particular matter.

23 Now, Mr. Falk, obviously you are welcome, when she is
24 presented by the State, first to -- when she's offered as an
25 expert, to challenge her qualifications by the voir dire,

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1 again, in front of the jury, as well as challenge that offer
2 by the State, and certainly then, if I do allow the testimony,
3 which will, assuming the testimony is consistent and the same,
4 that you are welcome to cross-examine her in all the matters
5 that the Court may deem relevant, including matters you did
6 not cover here because that's not all that we were about at
7 this motion hearing, so I'm certain there are matters that you
8 will cross-examine her about that you did not at this
9 particular time, and that will be open to you, that full
10 cross-examination.

11 So, with that, we are going to take a very short break
12 for about five minutes. Let's bring that panel upstairs. We
13 are going to pick the jury, and we'll send them home for the
14 evening, and we will establish when we will get started in the
15 morning, so take a short break.

16 If we can bring that jury panel upstairs, please.

17 (THE FOLLOWING TAKES PLACE AFTER A BREAK, AND WITHIN THE
18 PRESENCE OF THE ENTIRE JURY VENIRE.)

19 COURT: Thank you very much. You may be seated. Thank
20 you.

21 All right, ladies and gentlemen, we are going to go
22 through the selection process to pick the jury in the case of
23 the State of South Carolina: In the Matter of the Care and
24 Treatment of Darrell Snow, Respondent.

25 In this particular matter the State of South Carolina is

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1 proceeding under the Sexually Violent Predator Act, and the
2 State of South Carolina is -- through it's presentation, will
3 be asking the jury to decide beyond a reasonable doubt,
4 because the State must provide that evidence, if it can
5 regarding this particular matter.

6 The witnesses in this case are as follows: Dr. Marie E.
7 Gehle, of South Carolina Department of Mental Health, Darrell
8 Snow, Melissa Lynch. Any member of the jury panel related by
9 blood or marriage, close personal friends, acquaintances of
10 any of these witnesses the Court has named, if so, please
11 stand.

12 Yes Ma'am, your name and juror number, please Ma'am.

13 COURT: I'm Juror Number 49, Catherine Wineglass
14 Drayton, related by marriage.

15 COURT: To -- I'm sorry. To who, Ma'am?

16 JUROR NUMBER 49, CATHERINE WINEGLASS DRAYTON: Darrell
17 Snow.

18 COURT: To Darrell -- you are related by blood or
19 marriage to Darrell Snow?

20 JUROR NUMBER 49, CATHERINE WINEGLASS DRAYTON: Yes.

21 COURT: All right, Ma'am. And I'm sorry, her juror
22 number again was?

23 CLERK OF COURT: 49.

24 COURT: All right. Madame Clerk, I'm going to set
25 this juror aside in this particular matter. I do not think

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1 it's proper to put someone who is related by blood or marriage
2 on the jury panel.

3 So Ma'am, I'm going to set you aside from this
4 particular case only. Have a seat. Thank you, Ma'am.

5 Anyone else?

6 All right. Regarding this particular matter, the State
7 is represented by -- from the Attorney General's Office.

8 Mr. Bogle, if you would stand and identify yourself, and
9 members of your staff, sir.

10 **MR. BOGLE:** Thank you. My name is Jim Bogle. This is
11 Cam Morrow. He and I are with the Attorney General's Office
12 in Columbia. We will be presenting the case for the State.

13 **COURT:** All right. Very good.

14 Mr. Falk, if you would like to stand and identify
15 yourself, and where your practice of law is, please.

16 **MR. FALK:** I'm James Falk, and I practice law mostly in
17 Charleston, South Carolina.

18 **COURT:** All right, sir, and you are here representing
19 the Respondent.

20 **MR. FALK:** Representing the Respondent.

21 **COURT:** All right. Very good.

22 Is there any member of the jury panel that's related by
23 blood or marriage, close personal friends, acquaintances of,
24 knows, in any way, the attorneys that have introduced
25 themselves to you in this particular matter, if so, please

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1 stand. Very good.

2 POTENTIAL JUROR: Your Honor, did you ask if there was
3 anyone that knows the Defendant during the ---

4 COURT: Yes sir. I asked if there's any member of the
5 jury panel that's related by blood or marriage, close personal
6 friends, or knows any of the witnesses, and so I -- I stated
7 Dr. Marie Gehle, Darrell Snow, and Melissa Lynch, are the
8 three names I named.

9 POTENTIAL JUROR: Yes sir. I didn't understand.

10 COURT: All right, sir. Go ahead and stand up and tell
11 us your name and juror number then.

12 POTENTIAL JUROR: My name is Derek Coker. My Juror
13 Number is 38.

14 COURT: All right, sir, and you know the Respondent; is
15 that correct?

16 DEREK T. COKER, JUROR NUMBER 38: I do know Mr. Snow,
17 and ---

18 COURT: All right, sir, hold on just one second,

19 DEREK T. COKER, JUROR NUMBER 38: ---And I know the
20 Plaintiff also.

21 COURT: All right, sir. Come up and her and talk to
22 me, and counsel, y'all can come with me -- come up here,
23 please.

24 (BENCH CONFERENCE TAKES PLACE OFF THE RECORD WHERE THE
25 POTENTIAL JUROR, NUMBER 38, DEREK COKER, WAS PRESENT.)

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1 **COURT:** All right. Based upon that, then, I'm going
2 to set aside Mr. Coker from this particular case. I know that
3 there are other cases, but just this one. Just have a seat.
4 Okay.

5 Thank you very much.

6 **(DEREK T. COKER, JUROR NUMBER 38, WAS SET ASIDE FROM ANY**
7 **PARTICIPATION IN THE TRIAL OF THIS CASE.)**

8 **COURT:** All right. Is there any member of the jury
9 panel who is a member of any kind of victims' rights or law
10 enforcement support organizations? Let me just give you some
11 examples. This is not an exhaustive list of any kind. I'm
12 just trying to give you some examples here, like Mothers
13 Against Drunk Driving, or the South Carolina Law Enforcement
14 Officers' Association, or South Carolina Sheriffs'
15 Association, just some kind of victims' rights or law
16 enforcement support organization, either yourself or a family
17 member a member, if so, please stand. Very good.

18 Is there any member of the jury panel that you have been
19 involved in any way in a case in the Court of General
20 Sessions, that is, a criminal case? Now I'm not talking about
21 traffic tickets or things like that. I'm talking about
22 matters that would come to this particular court, the Court of
23 General Sessions, serious matter? Is there any matter --
24 either on behalf of the State, defense, involved in a criminal
25 case in any way whatsoever, if so, please stand? Very good.

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1 Any member of the jury panel that's been involved in a
2 civil case, either as a plaintiff or a defendant, or both?
3 Civil cases, that's like automobile accidents, things of that
4 nature, civil in nature. Any member of the jury panel
5 either -- that you, yourself, have been involved, if so,
6 please stand.

7 All right. Yes sir, your name and juror number,
8 please.

9 JUROR NUMBER 46, THOMAS E. CROSBY: Tom Crosby.
10 Malpractice.

11 COURT: All right, sir, well -- so was it plaintiff,
12 defendant or both?

13 A. Both.

14 COURT: All right, sir. I need to ask you the
15 qualification question, if you could stand, please sir.

16 Can you give to the State and the Respondent a fair and
17 impartial trial, can you be a fair and impartial juror in this
18 case?

19 JUROR NUMBER 46, THOMAS E. CROSBY: Yes.

20 COURT: Very good.

21 Yes Ma'am. Your name and juror number, please.

22 JUROR NUMBER 158, KIRA S. ROFF: I'm Juror -- Kira Roff,
23 Juror Number 158.

24 COURT: All right, and was it plaintiff, defendant, or
25 both?

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1 **JUROR NUMBER 158, KIRA S. ROFF:** Plaintiff.

2 **COURT:** Can you give to the State of South Carolina and
3 the Respondent a fair and impartial trial, can you be a fair
4 and impartial juror in this case?

5 **JUROR NUMBER 158, KIRA S. ROFF:** Absolutely.

6 **COURT:** Thank you very much, Ma'am.

7 Anybody else?

8 All right. Is there -- this may or may not have been
9 covered by my question about being involved in a criminal
10 case, but is there any member of the jury panel that you,
11 yourself, or a member of your immediate family, have ever been
12 the victim of a crime? Now, if you respond to this, let me
13 tell you, I am not going to ask you about it, I do not want
14 you to tell me about it. It's going to be straight-forward,
15 was it yourself or a family member, and then I'll ask the
16 qualification question. So, is there any member of the jury
17 panel, either you, yourself, or a member of your immediate
18 family been the victim of a crime, if so, please stand.

19 All right. Yes Ma'am, your name and juror number,
20 please.

21 **JUROR NUMBER 185, CAROL T. THOMAS:** Carol Thomas, 185.

22 **COURT:** And was it yourself or a family member?

23 **JUROR NUMBER 185, CAROL T. THOMAS:** Myself.

24 **COURT:** Can you give to the State of South Carolina and
25 the Respondent a fair and impartial trial, can you be a fair

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1 and impartial juror in this case?

2 JUROR NUMBER 185, CAROL T. THOMAS: Yes.

3 COURT: Thank you very much, Ma'am.

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

9 All right, I'm going to ask you what I classify now as
10 my general or catch-all question. Do you have any question in
11 your mind, any doubt in your mind that you cannot give to the
12 State of South Carolina and the Respondent a fair and
13 impartial trial, that is, for any reason whatsoever you
14 believe you cannot be a fair and impartial juror in this case,
15 if so, please stand?

16 Thank you very much.

17 Further questions from the State?

18 MR. BOGLE: Yes, Your Honor, if I may approach.

19 COURT: Yes sir.

20 MR. BOGLE: Do you have a copy of our voir dire?

21 COURT: Yes sir, we do.

22 MR. BOGLE: I'm looking at questions two, three and
23 four.

24 COURT: All right, sir. Hold on a second.

25 No sir, I -- you can mark those as an exhibit, but I am

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1 not going to ask those questions. Thank you very much.

2 MR. BOGLE: Thank you, Your Honor.

3 COURT: Anything further, from the State?

4 MR. BOGLE: No, Your Honor.

5 COURT: From the Respondent, Mr. Falk?

6 MR. FALK: We would ask the Court to consider our
7 questions seven, eight, nine, ten ---

8 COURT: All right. Hold on -- hold on one second.
9 Let me get to your questions, please. Just one second.

10 All right. I'm sorry. You said seven, eight and nine?

11 MR. FALK: Yes sir, twelve and sixteen.

12 COURT: All right. Seven, eight, nine, twelve,
13 sixteen. All right.

14 All right. Seven, that's what the general voir dire is
15 for, and also the package that -- or the card that all the
16 jurors fill out, that was available to all the attorneys, so
17 I'm not going to ask number seven.

18 You asked -- is there any member of the jury panel,
19 either you, yourself, or a member of your immediate family, in
20 law enforcement? So, for yourself, were you formerly in law
21 enforcement, or a current family member? Are they now in law
22 enforcement, or were in the past in law enforcement? If any
23 of that applies to you please stand.

24 Yes Ma'am. Your name and juror number, please.

25 JUROR NUMBER 15, ALICIA M. BLACKMON: Alicia Blackmon,

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1 Juror Number 15.

2 COURT: All right. And who might -- you are related,
3 or were you in law enforcement?

4 JUROR NUMBER 15, ALICIA M. BLACKMON: My father is
5 retired law enforcement.

6 COURT: All right. And retired from where, please
7 Ma'am?

8 JUROR NUMBER 15, ALICIA M. BLACKMON: He was in
9 Connecticut law enforcement. He was also down here in
10 Georgetown law enforcement.

11 COURT: All right. Very good. Let me ask you a
12 qualification question. Can you give to the State of South
13 Carolina and the Respondent a fair and impartial trial, can
14 you be a fair and impartial juror in this case?

15 JUROR NUMBER 15, ALICIA M. BLACKMON: Yes.

16 COURT: Thank you very much, Ma'am.
17 Yes Ma'am.

18 JUROR NUMBER 140, MARY ANN S. OWENS: Mary Ann Owens,
19 Juror Number 140. I have a family member who serves currently
20 with the Georgetown County Sheriff's Department.

21 COURT: All right, Ma'am. Can you give to the State of
22 South Carolina and the Respondent a fair and impartial trial,
23 can you be a fair and impartial juror in this case?

24 JUROR NUMBER 140, MARY ANN S. OWENS: Yes, I can.

25 COURT: Thank you very much. Anybody else?

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1 Yes Ma'am.

2 JUROR NUMBER 162, ANNE H. SCOTT: Anne Scott, Juror
3 162 ---

4 COURT: Yes Ma'am.

5 JUROR NUMBER 162, ANNE H. SCOTT: My son is in law
6 enforcement with the United States Coast Guard.

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

10 JUROR NUMBER 162, ANNE H. SCOTT: Without a doubt.

11 COURT: Thank you very much, Ma'am.

12 Yes Ma'am. Your name and juror number, please.

13 JUROR NUMBER 193, TERESA A. WALL: 193, Teresa Freeman.

14 COURT: Yes Ma'am.

15 JUROR NUMBER 193, TERESA A. WALL FREEMAN: I have a
16 sister that works at Georgetown Detention Center.

17 COURT: All right. Can you give to the State of South
18 Carolina and the Respondent a fair and impartial trial, can
19 you be a fair and impartial juror in this case?

20 JUROR NUMBER 193, TERESA A. WALL FREEMAN: Absolutely.

21 COURT: Thank you very much, Ma'am.

22 All right. Part of nine was a qualification question of
23 the panel as a whole and nobody answered that.

24 Is there any member of the jury panel, or a member of
25 your immediate family, a -- works in the Fifteenth Circuit

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1 Solicitor's Office? That is the office that prosecutes crimes
2 in Georgetown County and Horry County, so either you,
3 yourself, member of your immediate family has ever worked, in
4 the past or currently, in the Solicitor's Office, in the
5 prosecutor's Office in Georgetown County or Horry County, if
6 so, please stand.

7 Yes sir.

8 JUROR NUMBER 46, THOMAS E. CROSBY: Number 46, Tom
9 Crosby. My sister-in-law, Elise Crosby, was at the
10 Solicitor -- or a Deputy Solicitor at one point.

11 COURT: All right, sir. Can you give to the State of
12 South Carolina and the Respondent a fair and impartial trial,
13 can you be a fair and impartial juror in this case?

14 JUROR NUMBER 46, THOMAS E. CROSBY: Yes sir.

15 COURT: Thank you very much.

16 MR. FALK: Your Honor, I believe twelve, I had it
17 marked for the wrong reasons. You already covered that.

18 COURT: All right. Thank you, sir.

19 So were there any others then from the Respondent?

20 MR. FALK: No, just my last one, number ---

21 COURT: Sixteen?

22 MR. FALK: ---Sixteen.

23 COURT: I respectfully decline to ask that question.
24 You can mark it for the record. Thank you very much.

25 All right. With that then, Mr. Bogle, do you have a

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1 copy of the strike sheet?

2 MR. BOGLE: I do, Your Honor.

3 COURT: All right, sir. And Mr. Falk, you have a copy
4 of the strike sheet?

5 MR. FALK: Yes, Your Honor.

6 COURT: All right. Very good.

7 All right, gentlemen, looking at the strike sheet, so I
8 think we want to be on the same page ---

9 And ladies and gentlemen, I'm going to be talking about
10 numbers that aren't your numbers. These are not juror
11 numbers, these are random numbers assigned generally to you
12 even -- I guess the jury number was a random number, this is
13 another random number, so that you don't even know which one
14 is assigned to you so, anyway, just so that you know what we
15 are talking about.

16 All right, gentlemen, we will use one, two, three, four,
17 five, six, seven, eight, nine, ten, twelve, thirteen,
18 fourteen, seventeen, nineteen, twenty-one, twenty-two and
19 twenty-three, and then twenty-five. I believe that's twenty.
20 Let's make sure. No, we need to go down to twenty-six.

21 Yes Ma'am. Twenty-five and twenty-six. You need to go
22 down to twenty-six.

23 (COURT HAS A CONVERSATION WITH THE CLERK OF COURT OFF
24 THE RECORD.)

25 COURT: All right, ladies and gentlemen, while the

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1 Clerk prints the list for the attorneys to strike from, take a
2 ten minute break. Be back in your seats in ten minutes and we
3 will find out who is going to be on the jury.

4 Thank you very much. Take a short break.

5 COURT: All right, gentlemen, y'all come up here and
6 talk to me for just one second.

7 (BENCH CONFERENCE TAKES PLACE OFF THE RECORD.)

8 (THE FOLLOWING TAKES PLACE AFTER A BREAK, AND WITHIN THE
9 PRESENCE OF THE JURY VENIRE.)

10 COURT: All right, counsel, is the State ready to
11 strike?

12 MR. BOGLE: Yes, Your Honor.

13 COURT: And the Respondent?

14 MR. FALK: Yes, Your Honor.

15 COURT: All right. We will obviously use the numbers
16 on the left.

17 Madame Clerk.

18 CLERK OF COURT: Plaintiff.

19 MR. BOGLE: The State would strike number four.

20 CLERK OF COURT: Defendant?

21 MR. FALK: Juror number one.

22 CLERK OF COURT: Plaintiff?

23 MR. BOGLE: Juror number eleven.

24 CLERK OF COURT: Defendant?

25 MR. FALK: Juror number five.

JURY IN/JURY VOIR DIRE
JURY SELECTION

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1 CLERK OF COURT: Plaintiff?
2 MR. BOGLE: Juror number seventeen.
3 CLERK OF COURT: Defendant?
4 MR. FALK: Juror number 15.
5 CLERK OF COURT: Plaintiff?
6 MR. BOGLE: Juror number 13.
7 CLERK OF COURT: Defendant?
8 MR. FALK: Juror number 16.
9 CLERK OF COURT: For the alternate, the last three.
10 Plaintiff?
11 MR. BOGLE: Number twenty-two.
12 CLERK OF COURT: Defendant?
13 MR. FALK: Number twenty-one.
14 CLERK OF COURT: Okay, for confirmation. The Plaintiff
15 struck numbers four, eleven, thirteen, seventeen, and twenty-
16 two; is that correct?
17 MR. BOGLE: That is correct, Ma'am.
18 CLERK OF COURT: Okay. And the Defendant struck
19 numbers one, five, fifteen, sixteen, and twenty-one; is that
20 correct?
21 MR. FALK: That's correct. Thank you.
22 Your Honor ---
23 COURT: Yes sir.
24 MR. FALK: May I make one change, and seat juror
25 sixteen, and strike juror twenty?

JURY IN/JURY VOIR DIRE
JURY SELECTION

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1 **COURT:** That's somewhat irregular. What's -- y'all
2 come up and talk to me, please.

3 **(BENCH CONFERENCE TAKES PLACE OFF THE RECORD.)**

4 **(THE COURT, DURING THE BENCH CONFERENCE, ALLOWED DEFENSE**
5 **COUNSEL TO SUBSTITUTE JUROR NUMBER 20 FOR JUROR NUMBER 16,**
6 **REMOVING JUROR NUMBER 20 FROM THE PANEL, AND REPLACING WITH**
7 **JUROR NUMBER 16, WHO WILL BE SEATED ON THE JURY PANEL.)**

8 **COURT:** All right, Madame Clerk, if you would call the
9 jury to the -- forward, please.

10 **CLERK OF COURT:** All right. When I call your name
11 please bring your belongings with you and take a seat in the
12 jury box. Juror Number 158, Kira Roff, Juror Number 193,
13 Teresa Wall, Juror Number 30, Lloyd Canteen, Juror Number 13,
14 Kristina Binau, Juror Number 185, Carol Thomas, Juror Number
15 188, Mark Tisdale, Juror Number 175, Virginia Steele, Juror
16 Number 106, April Lattig, Juror Number 143, Roberta Palmer,
17 Juror Number 162, Anne Scott, Juror Number 74, Harold Greggs,
18 Juror Number 63, Alphonse Frazier, and Juror Number 64,
19 Marcus Frazier.

20 **COURT:** All right, Mr. Frazier, you are the alternate
21 in this particular case, all right, sir. You are just going
22 to be Alternate (A) there, that seat. Thank you.

23 All right, any objections to the jury as empaneled from
24 the State?

25 **MR. BOGLE:** No, Your Honor.

JURY IN/JURY VOIR DIRE
JURY SELECTION

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1 COURT: From the Respondent?

2 MR. FALK: Just to -- in order to preserve my objection
3 to the jurors that I -- I wanted to strike for cause.

4 COURT: On the -- on the previous matter?

5 MR. FALK: Yes, Your Honor.

6 COURT: Yes sir. Very good. That's in the record, and
7 the Court's ruling is in the record, so very good. All right.
8 That's preserved. Very good.

9 With that, then I find the jury has been properly
10 empaneled pursuant to Batson versus Kentucky and JEB versus
11 Alabama.

12 All right, ladies and gentlemen, I'm going to ask that
13 you go in the jury room in just a minute and do one thing for
14 me, and that's going to be, select your foreperson, so let me
15 tell you what the foreperson's duties and responsibilities
16 are. If we are here in the courtroom and the jury needs
17 attention to some matter, the witness needs to speak up, or
18 the lawyers, or whatever the issue is, the foreperson is going
19 to be actually seated right there, is going to raise their
20 hand, and gets the Court's attention, and then we will handle
21 the matter, whatever it is. If you are back in the jury room
22 and some matter comes up you will take the pad and the pen
23 provided for you in the jury room, and you will write out a
24 note, sign it, give it to the bailiff, it will come to me, we
25 will handle that matter, whatever it is.

JURY IN/JURY VOIR DIRE
JURY SELECTION

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1 When we have gone through the evidentiary portion of the
2 trial, we have heard all of the evidence in this case, you've
3 heard the closing arguments of the attorney, I've given you
4 the law that you will apply to the facts and evidence you find
5 to be true in this case, I will give the case to you, submit
6 the case to you for your deliberations and your unanimous
7 decision in this particular matter. Now, in that regard the
8 foreperson's duties and responsibilities change in this
9 regard. Back in the jury room during deliberations an
10 important duty that the foreperson has is to make sure that
11 everybody that wants to has an opportunity to speak,
12 everybody's voice has an opportunity to be heard. Now, the
13 foreperson's voice and vote carries no more weight than any
14 other member of the jury; everybody is on an equal plane in
15 that regard, but somebody needs to be in charge, guide the
16 discussions if necessary.

17 The final -- and again, obviously, if there is some
18 question that comes up, you know, take that pad and pen, write
19 out the note, give it to the bailiff, it will come to me and I
20 will handle it, whatever it is. The final duty and
21 responsibility of the foreperson is, once the jury has well
22 and truly deliberated, and you have reached your unanimous
23 decision in this particular matter, the foreperson will take
24 the verdict form that the Court will provide to you, and the
25 foreperson will check the appropriate block, or write out the

JURY OUT
ON RECORD

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1 appropriate word or words, and thereafter sign their name as
2 the foreperson, indicating that, indeed, is the unanimous
3 verdict of all of the jury in this particular case.

4 So with that, if you would all go to the jury room.

5 Now, Mr. Frazier, as the alternate you can vote on the
6 foreperson, but being the alternate you can't be the
7 foreperson. All right. So if y'all go into the jury room,
8 select your foreperson, knock on the door, and let the bailiff
9 know who it is, please. Thank you.

10 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
11 JURY SELECTED FOR THE TRIAL OF THIS CASE.)

12 (AT THIS TIME THE BALANCE OF THE JURY VENIRE WAS EXCUSED
13 AND INSTRUCTED TO CALL BACK THE JUROR INFORMATION LINE FOR
14 FURTHER INSTRUCTIONS.)

15 COURT: All right, gentlemen, my intention is to get
16 started at 9:30 in the morning, gentlemen. I do have a minor
17 settlement matter that I will conduct prior to us getting
18 started in this particular matter, but that shouldn't take too
19 long, so we will get that accomplished and we will get started
20 in this particular matter, obviously, with the swearing of the
21 jury and the opening statements in this matter, and then the
22 presentation of witnesses, so obviously if there is any matter
23 that comes up between now and tomorrow morning, when you get
24 here please alert my Clerk so we can handle it before we get
25 started.

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1 Anything further at this point in time from the State?

2 MR. BOGLE: No, Your Honor. Thank you.

3 COURT: All right. From the Respondent?

4 MR. FALK: No, Your Honor.

5 COURT: All right. Very good. All right. Thank
6 y'all. I'll see y'all in the morning.

7 All right. Hold on one second. Here is the
8 foreperson, so gentlemen, the jurors have selected Juror
9 Number 158, Juror Number 158 as the foreperson.

10 (COURT HAS A CONVERSATION WITH THE BAILIFF CONCERNING
11 RELEASING THE JURORS UNTIL THE FOLLOWING MORNING, AND
12 INSTRUCTING THEM NOT TO DISCUSS THE CASE.)

13 COURT: All right. See y'all in the morning then.
14 Thank you, gentlemen.

15 (THE FOLLOWING TAKES PLACE ON FEBRUARY 10, 2015, OUTSIDE
16 THE PRESENCE OF THE JURY.)

17 COURT: Mr. Bogle, are you ready for the jury to come
18 in?

19 MR. BOGLE: Yes, Your Honor, we are.

20 COURT: And counsel?

21 MR. FALK: Yes, Your Honor.

22 COURT: All right. Very good.

23 All right. The jury is all here?

24 BAILIFF: Yes sir.

25 COURT: Ask them to come in, please sir.

JURY IN/SWORN
COURT TO JURY

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1 **MR. FALK:** Your Honor, do you prefer we rise when the
2 jury comes in?

3 **COURT:** I'm sorry. I should tell you that. I prefer
4 that y'all keep your seats when the jury enters and exits.

5 **MR. FALK:** Thank you.

6 **COURT:** Thank you very much. Thank you for asking.

7 **(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE**
8 **JURY.)**

9 **COURT:** All right. Good morning, ladies and
10 gentlemen.

11 And Ms. Roff, you are the foreperson?

12 A. Yes.

13 **COURT:** All right. Very good. If you would always
14 occupy that particular seat that you are seated in when you
15 come back from the jury room, please.

16 And then, Mr. Frazier, if you would just always occupy
17 that particular seat.

18 Those are the only two seats, ladies and gentlemen, that
19 I need to know where the foreperson and the alternate are.
20 The rest of you just kind of fill in where it is you happen to
21 come in from the jury room.

22 The very first thing that's going to happen in this
23 trial is, the Clerk's representative is going to administer
24 your oath to you, so if you would please stand at this time.

25 **(AT THIS TIME THE JURY WAS SWORN BY THE CLERK OF COURT.)**

JURY IN/SWORN
COURT TO JURY

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1 **COURT:** All right, ladies and gentlemen, in this
2 particular case, as I -- some of you may know from my speaking
3 to a few of you, that the State of South Carolina has brought
4 this case under one of our statutes of this State, and it is
5 under the title of sexually violent predator. The State of
6 South Carolina has brought this action and will be asking
7 you -- and the Respondent has replied and is obviously going to
8 be asking you not to confine him based on the matters
9 presented - but it's going to be for your determination,
10 whether or not the Respondent should be committed under a
11 civil commitment - and it's an involuntary commitment - Mr.
12 Snow does not want this to -- to happen, and the State of
13 South Carolina wants it to happen, and it will be for you to
14 determine whether or not it does, but he is to be -- the
15 request is for him to be committed, in a civil commitment, to
16 a long-term facility for control, care and treatment. The
17 State of South Carolina has the burden of proof in this
18 particular case. They have brought the action, they have
19 instigated it, started the action, and they have the burden of
20 proof, and that burden of proof is going to be beyond a
21 reasonable doubt, the kind of doubt that would cause a
22 reasonable person to hesitate to act. That's the burden the
23 State has. The State must carry that burden in bringing this
24 case and making this request.

25 The State of South Carolina, through the evidence it

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COURT TO JURY

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1 presents, is going to be required to prove to you two general
2 principals. Now I'll more fully explain the law to you at the
3 very end, but these are the general principals. The State
4 first has to prove to you that the Respondent committed some
5 sexually violent offense or crime in the past, thereafter the
6 State must prove, beyond a reasonable doubt, that the
7 Defendant either has some type of mental abnormality, or some
8 type of personality disorder that makes him likely to engage
9 in acts of sexual violence in the future if he is not confined
10 to a secure facility for long-term control, care and
11 treatment, and at the end of this case you will be called upon
12 to deliberate and decide whether or not the State of South
13 Carolina has proven their case to you for this long-term
14 control, care and treatment by the evidence, beyond a
15 reasonable doubt. That will be your job. You, in essence,
16 are the judges of the facts of this case. At the end of the
17 case I will give you the law that you will apply to the facts
18 and evidence you find to be true, but you are the judges of
19 the facts of this case, and in that part of your job will be
20 to judge the credibility, and that is, the believability of
21 any witnesses that come before you and testify in this
22 particular case.

23 You are thinking, how do I judge somebody's credibility
24 and believability. You do it every single day of your life.
25 When somebody tells you something you are automatically, in

JURY IN/SWORN
COURT TO JURY

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1 your mind, judging whether or not you believe them. You use
2 your good common sense, you use your good judgment, you apply
3 it to the facts and evidence you find to be true in this case,
4 and then you will take that evidence you find to be true, take
5 the law that the Court will give to you, and weigh that
6 evidence and decide whether or not the State of South Carolina
7 has carried it's burden of proof beyond a reasonable doubt as
8 to whether or not Mr. Snow should be confined to a facility
9 for long-term control, care and treatment. That is what your
10 job, in essence, will be throughout the entirety of these
11 proceedings, and by your verdict you will so render whether or
12 not that occurs.

13 During the course of the trial, the next part we are
14 going to have, we will have the attorneys give you their
15 opening statements. Now, opening statements are not evidence,
16 they cannot be considered by you as evidence. The attorneys
17 are advocates, they are representing a particular position,
18 representing the interest either of the State or of Mr. Snow.
19 What -- their opening statements are, by way of introductory,
20 to what they believe will happen during the course of the
21 trial. I don't expect it to be a very long proceeding, but
22 obviously it's a very important proceeding. We will hear the
23 evidentiary portion after the opening statements, after that
24 we will hear the closing arguments of the attorneys. Again,
25 not evidence, but again, important. The attorneys are

1 summarizing, on behalf of their client, what they believe the
2 evidence has shown, and what they are asking you to do,
3 respectively, as a result of your verdict. I will then give
4 you the law that you will apply to the facts and evidence you
5 find to be true, and the case will be submitted to you for
6 your deliberations and your unanimous decision in this
7 particular case.

8 I'm going to ask you, when we take a break, or break for
9 lunch, whenever that is, don't talk about this case. You will
10 have all the time you deem necessary to talk about it at the
11 very end. If you start talking about it during the
12 presentation you will be making comments, and maybe reaching
13 conclusions before you've heard all the evidence, before you
14 know the law that you have to apply to the facts and evidence
15 you find to be true, so, talk about anything else you want to,
16 but not this case until I give it to you at the very end.

17 With that I'll turn it over to the lawyers for their
18 opening statements.

19 Mr. Bogle.

20 **MR. BOGLE:** Thank you, Your Honor. May it please the
21 Court.

22 **COURT:** Yes sir.

23 **MR. BOGLE:** Mr. Falk. Ladies and gentlemen, I
24 introduced myself the other day. My name is Jim Bogle. I'm
25 with the Attorney General's Office. I'm going to be assisted

1 by Cam Morrow who is also with our office.

2 Some people, when they hear that we are involved in
3 these things they wonder, why the Attorney General's Office,
4 you are in Columbia, we are in Georgetown, how about our
5 Solicitor, or the County Attorney, somebody local? Well, I'll
6 tell you. When the Legislature wrote this law back in 1998
7 they wrote into the law that the Attorney General's Office
8 will handle these cases, so we handle these things state wide.
9 Cam and I have the State divided in half. We do different
10 counties, different circuits, and we travel around presenting
11 these cases to juries just like you all around the State.
12 That's why it's us.

13 Here is what the General Assembly said when they wrote
14 this. They said -- they made a finding that a mentally
15 abnormal and extremely dangerous group of sexually violent
16 predators exist who require involuntary civil commitment in a
17 secure facility for long-term control, care and treatment.
18 The General Assembly further finds that the likelihood these
19 sexually violent predators will engage in repeated acts of
20 sexual violence if not treated for their mental conditions is
21 significant. And they went on to say that they felt the
22 existing civil commitment process through your Probate Court
23 wasn't enough. So that's the law we have.

24 Now, here's where we are. Darrell Snow, the man sitting
25 behind the defense table, he committed what are classified as

1 sexually violent crimes. He got convicted of those here in
2 Georgetown County. You will hear about those later on during
3 the testimony, and I've got the copies over here to hand to
4 you the sentencing sheets showing he was convicted, and the
5 indictments showing what he pled guilty or was convicted of.

6 So, the first thing we have to prove to you, was he
7 convicted of a sexually violent crime, and there's sixteen of
8 them listed in the statute, and he was convicted of two
9 different types of them. The next thing is, does he have a
10 mental abnormality, like the Judge said, or a personality
11 disorder that makes him likely to commit the same types of
12 crimes again, now that he's finished his prison time, unless
13 we confine him for treatment, treatment run by the Department
14 of Mental Health. There's a place in Columbia where they have
15 these guys confined for treatment. And that's what this case
16 is about.

17 So what I have to prove to you, what the State has to
18 prove to you, beyond a reasonable doubt, like the Judge said -
19 and this is Civil Court. Normally we hear wreck cases,
20 medical malpractice cases, accidents, things like that, and in
21 those types of cases normally a jury has to find for one side
22 or the other what's called preponderance of the evidence,
23 think fifty-one percent. Well, in this case, because it's
24 very serious, and because the man's liberty is an issue, the
25 General Assembly said no, they said, you've got to prove the

1 case to the jury beyond a reasonable doubt. And the Judge
2 will explain to you at the end of the case what that means.
3 So that's our burden of proof here.

4 And there are two things we have to show, like I said,
5 the conviction of the right kind of crimes - we've got those -
6 and then, does he have that mental condition that makes him
7 likely to reoffend?

8 Now, normally in the trial of any case when witnesses
9 testify they can't give opinions. They can testify about what
10 they see, what they hear, what they smell, or what they taste,
11 like, I saw that guy running the red light; the light was red
12 when his car went through the intersection, okay, that's a
13 thing they observe with one of their five senses, but if a
14 witness has special qualifications, through education, and
15 training through experience that would aid in the jury in
16 developing some kind of scientific fact then the witness can
17 be allowed by the Court, by the Judge, to give an expert
18 opinion and render an opinion, and that's what we have here

19 Sometime ago the Circuit Court here in Georgetown had a
20 hearing and they directed the Department of Mental Health to
21 evaluate Mr. Snow, and see if he had this mental condition,
22 this abnormality or personality disorder that would make him
23 likely to reoffend, and Dr. Marie Gehle, sitting over there
24 behind Cam, she was ordered by the Court to evaluate this man,
25 and she did, and she will be testifying, I think as an expert

1 witness, giving opinions whether or not he has this condition,
2 and I'll tell you up front that she diagnosed him with a
3 personality disorder that, in her opinion, makes him likely to
4 reoffend unless he is confined for treatment. This is not a
5 situation where outpatient treatment is a good idea, not at
6 all, and I think the evidence will prove that to you quite
7 clearly once you hear all the evidence about that.

8 So that's the kind of case it is, that's what we have to
9 show. Remember, the burden of proof is beyond a reasonable
10 doubt, and again, the Judge will explain to you what that
11 means at the end of the case. But that's what we have, that's
12 what the case is about.

13 I would like to thank you for doing your job as citizens
14 of Georgetown County, for stepping up and hearing this case on
15 this, what was a pretty day yesterday, I'm not so sure about
16 today, but that's where we are. I look forward to presenting
17 this case to you.

18 Your Honor.

19 COURT: Thank you, sir.

20 All right, Mr. Falk, your argument, please.

21 MR. FALK: May it please the Court.

22 COURT: Yes sir.

23 MR. FALK: Ladies and gentlemen of the jury, Mr. Bogle.

24 My name is Jim Falk. I'm here today, I'm representing
25 Darrell Snow.

1 I grew up in Kentucky, and back in Kentucky my father
2 and I we had a business, and we raised thoroughbred horses.
3 We got to the track and we raced them, and we bred them, we
4 trained them. My father was a great judge of the thoroughbred
5 pedigrees. He could look at and see what kind of bloodlines
6 that could turn out to be good winning horses, and he had a
7 little bit of success at it.

8 One time we had a horse that we had picked out, it had
9 the blood lines in order to be a champion, was a big horse,
10 it's feet were all sound. We really were optimistic that this
11 was going to be a great horse. We took it out to the track
12 and at Church Hill Downs, which is in Louisville, five-thirty
13 in the morning when you are out there training horses, really
14 the only sound you hear out there at that time is the clumping
15 of the horse huffs, I mean, it's a very quiet environment. My
16 dad and I were out there, we were watching this horse, and
17 it's running great times. We were really excited about this
18 horse and we thought that -- I mean, I was practically already
19 spending the purse money that I was going to win when this
20 horse won this race. So we were training the along, and we
21 were keeping -- getting more and more optimistic, and then it
22 was the day for it's main race, the first time out on the
23 track, and I'm there, I'm with all my friends, I want all my
24 friends and family and everybody there to watch our horse win
25 this big exciting day.

1 Now the trainer had talked to the jockey. He knew that
2 this horse was a good horse, a strong horse. He knew that the
3 way to win would be get the horse out on the lead at the
4 beginning, get out on the lead, get on the rail, run along the
5 rail, run to the finish line. The horse was fast. That was
6 our plan.

7 So the race starts, the horse breaks brilliantly, we are
8 out in the lead. We are coming along, we are sure we've got
9 this one won. We are winning by about a length and a half,
10 and then all of a sudden when we come around for the home
11 stretch the horse starts going real wide. He keeps running so
12 wide that all of the other horses were able to pass him. We
13 wound up finishing second or third to last, and you know, are
14 crushed. We can't understand what happened, we had done
15 everything right. Talked to the trainer and said, you know,
16 what gives. He said, don't worry about it, I've got this
17 fixed, the next time when we are going to run this horse we
18 will put blinders on it. And I don't know if you've seen that
19 with horses, but sometimes they have these masks, and then
20 these little flaps right here that they put on the side of the
21 eyes, and what the blinders do is focuses the horse's
22 attention right in front of him. The trainer was explaining
23 that although the horse is used to being at Church Hill Downs
24 it's never there on a Saturday when there's all this commotion
25 going on, and crowds in the grand stands, and what he felt was

1 happening is, the horse just wanted to go see what was going
2 on, so it got distracted by all the noise and all the
3 background and it started running that way, and that's why we
4 didn't win.

5 So the next time we get the horse back to the track
6 about a month later. This time we've got blinders on it. The
7 horse breaks -- just like the other time, breaks out to the
8 lead. We are going well and my dad and I were sitting there
9 pulling our fingers because we don't know what's going to
10 happen when the horse comes around this last turn. Low and
11 behold, the horse stays on the rail, runs true, runs straight,
12 doesn't run out to the side. We won the race.

13 The reason why I'm telling you that story - this is a
14 true story - and the reason why I'm telling it to you is
15 because I need you to be wearing blinders. Now I'm not trying
16 to hide anything from you, but you need to focus on one issue
17 in this ra -- in this case right here, and that is whether or
18 not my client has a mental disease or defect, and whether as a
19 result of that mental disease or defect he's likely to cause
20 additional crimes of violence if not confined.

21 Now, like my horse had a problem with finding out what
22 was going on in the grand stand, the distraction I want you to
23 be -- to shield yourself from is that you are going to hear
24 information about the crimes that my client has committed in
25 the past. There is no question my client -- the reason why we

1 are here is because he committed crimes in the past. And you
2 are going to hear information from the police reports, and you
3 will hear other evidence, and although for a limited purpose
4 that information is important, just to know that the events
5 occurred, but what is very easy in these types of cases is for
6 jurors to still want to punish this person for something that
7 he's done in the past. You are not going to be satisfied,
8 possibly, with what's happened in the past, and you are going
9 to continue to want to mete out punishment on him, but
10 remember, my client has already been before a jury, since he's
11 already been before judges, and he's been sentenced, he's had
12 lengthy terms of imprisonment. He's spent a better part of
13 his adult life in prison, so he has paid his debt to society
14 for everything that's happened in the past, and you need to
15 remember that. Your only focus today is what is his mental
16 state right now, what is his mental condition right now, and
17 you believe right now he suffers from some type of mental
18 disease or defect that would make it likely that he is going
19 to commit a crime of violence in the future.

20 I know you are going to hear testimony from Dr. Gehle.
21 You are also going to have an opportunity to hear from my
22 client. And you are going to have an opportunity to judge his
23 demeanor, watch him, look at him, and although somebody -- an
24 expert is entitled to their expert opinion but that doesn't
25 mean that you don't -- you don't have an opportunity to look

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1 at a person and make your own evaluation whether or not you
2 think this person has a mental disease or defect.

3 I believe that once you've had the chance to hear my
4 client, hear my client's story, that you are not going to
5 possibly agree with Dr. Gehle that he has this mental disease
6 or defect.

7 I'm convinced that this jury has got the pedigree to
8 reach a good verdict in this case, as long as y'all keep your
9 blinders on and focus on the one limited issue as to whether
10 or not my client currently is suffering from a mental disease
11 or defect, and keep out -- keep away from the distractions of
12 some of the stuff that he's done in the past, and some of the
13 anger that you might get for some of the stuff that he's done
14 in the past. Just remember, he's done -- he has served
15 lengthy terms of imprisonment for those crimes.

16 Thank you.

17 COURT: All right, Mr. Bogle, your first witness,
18 please.

19 MR. BOGLE: Thank you, Your Honor. May it please the
20 Court. The State would call Dr. Marie Gehle.

21 COURT: All right. If you would please come around,
22 Ma'am, and come right here to the corner, please Ma'am.

23 MARIE GEHLE, being first duly
24 sworn, testifies as follows:

25 DIRECT-EXAMINATION BY MR. BOGLE:

1 Q. Dr. Gehle, would you please state your current
2 employment?

3 A. I'm a Chief Psychologist at the Department of Mental
4 Health.

5 Q. And how long have you been employed by the South
6 Carolina Department of Mental Health?

7 A. Over five years.

8 Q. Okay. And what is your -- what advanced degrees do you
9 possess?

10 A. I have a Bachelor's Degree in Psychology, a Master's
11 Degree in Clinical Psychology, and a Doctorate in Clinical
12 Psychology.

13 Q. Have you had any additional specialized training in the
14 field of Psychology or Forensic Psychology?

15 A. Yes. I did an internship at Western State Hospital in
16 Tacoma, Washington. Part of that year was spent at Special
17 Commitment Center, which is Washington State's Sexual Violent
18 Predator Treatment Program.

19 Q. Okay.

20 A. I also have a post-doctoral -- I did a post-doctoral
21 Fellowship in Forensic Psychology at East Central Regional
22 Hospital in Augusta, Georgia.

23 Q. In what states are you licensed to practice Psychology
24 in right now?

25 A. I'm licensed to practice in South Carolina and Georgia.

1 Q. Are you -- do you have a membership in any professional
2 organizations related to the fields of Psychology or Forensic
3 Psychology?

4 A. Yes.

5 Q. What would those be?

6 A. I am a member of the American Psychology in Law
7 Society, I'm a member of the Sex Offenders Civil Commitment
8 Program Network. It's a group of people who are involved with
9 civil commitment for sexually violent predators. I am a
10 member of a couple local area organizations in Georgia.

11 Q. Now, briefly, what is the study of Psychology, as you
12 understand it? What's the study of Psychology?

13 A. Psychology is the study of human behavior and the mind.

14 Q. Okay. Now we say Forensic Psychology. When you tie
15 those words together, what does forensic mean when it's tied
16 with Psychology?

17 A. Just means that we are applying psychological
18 principals to questions that the Court might ask, things like
19 are -- is somebody competent to stand trial, was somebody not
20 guilty by reason of insanity, was somebody injured in some way
21 from an accident, things like that, we answer for the Court.

22 Q. Does your work as a Forensic Psychologist have you
23 evaluating people, conducting evaluations of people?

24 A. Yes.

25 Q. And types of evaluations have you -- backing up a

1 second, how many sexual evaluations have you done of all
2 types?

3 A. Of just rate -- all evaluations, it would be hundreds,
4 three, four, five hundred.

5 Q. Okay. And what type of evaluations have you done,
6 other than ones under the Sexually Violent Predator Act?

7 A. I've done competency to stand trial evaluations,
8 criminal responsibility, which is somebody responsibility for
9 their crime that they committed, risk assessments, general --
10 just psychological evaluations of children and adolescents and
11 adults.

12 Q. Okay. Now, what is your involvement in this sexually-
13 violent-predator field? Why type evaluations do you do in
14 that area in South Carolina?

15 A. Well, currently I just do the pre-commitment
16 evaluations, so when somebody is -- when the Court is asking
17 whether this person meets the criteria to be committed as a
18 sexually violent predator.

19 Q. Okay. You also do -- for guys that have already been
20 committed to the treatment place that mental health runs, do
21 they come up for annual reviews every year?

22 A. Yes.

23 Q. And does that annual review also require a treatment
24 report be done by a Psychologist in mental health?

25 A. It requires another report to be done, yes.

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1 Q. Did you also do some of those?

2 A. Yes. I did a lot of those. I just -- I don't do them
3 currently.

4 Q. Okay. How many annual review treatment reports have
5 you done, roughly?

6 A. Close to ninety.

7 Q. What about pre-commitment reports, where you are doing
8 a report like today on Mr. Snow?

9 A. I've seen about ninety.

10 Q. Okay. And when you do these pre-commitment reports on
11 whether or not a guy qualifies to be considered a sexually
12 violent predator, you say it's about ninety, about how many
13 times, or what percentage of the time do you come back saying
14 that no, he does not fit those criteria?

15 A. About sixty percent of the time I say no, they don't
16 meet the criteria, thirty percent of the time I say they do.

17 Q. Have you been previously recognized by the courts of
18 law in South Carolina as an expert witness in the fields of
19 Psychology and Forensic Psychology?

20 A. Yes.

21 Q. About how many times?

22 A. Over seventy times.

23 MR. BOGLE: Okay. Your Honor, at this time we would
24 like to ask the Court to recognize Dr. Gehle as an expert
25 witness in the fields of Psychology and Forensic Psychology.

1 **COURT:** All right, Mr. Falk, do you wish to voir dire
2 the witness or challenge the State's offer?

3 **MR. FALK:** No, Your Honor.

4 **COURT:** All right. Very good.

5 She is qualified to give her opinion in the field of
6 Psychology and Forensic Psychology.

7 You may proceed.

8 **MR. BOGLE:** Thank you, Your Honor.

9 Q. Dr. Gehle, how did you become involved in this case
10 involving Mr. Snow?

11 A. I was appointed by the Court to evaluate him.

12 Q. Okay. And so what type of evaluation did you do on Mr.
13 Snow?

14 A. It's what I call a pre-commitment evaluation.

15 Q. Can you describe for the jury your protocol, the steps
16 you take in conducting evaluations of this type?

17 A. Yes. First off, when I receive the Order that I've
18 been asked to do this evaluation I get a packet of
19 information. I review all that and I take a lot of time to
20 reorganize it, collate it, things like that, so it makes a lot
21 of sense to me. I have to read it for a lot of detail. I'm
22 looking for patterns that exist, and I'm looking to see what
23 the mental abnormality or personality disorder might be,
24 because that's what I'm asked to do. And I'm also looking for
25 risk factors, for recidivism, to see if this guy is at risk to

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1 commit another sexually violent offense if he is released.
2 That's the main goal of the evaluation.

3 So I look through all that information, and then I
4 interview the person, and sit down for a couple of hours, give
5 or take, and talk to them about their whole life, their
6 background, where they grew up, how it was in their family
7 growing up, their school history, you know, how far they went
8 in school, their jobs, medical histories, mental health
9 history, all that kind of stuff, and I also asked them about
10 all of their criminal history, so I have all the details
11 already, but I just ask open-ended questions about, you know,
12 tell me about what happened this time, things like that,
13 because I want to get their side of the story, I want to see
14 how they explain things, and I want to see how all that pans
15 out.

16 I also do a very detailed sexual history. I'm asking
17 them questions about their masturbation habits, things that
18 they are into sexually, things that they find arousing, things
19 they don't find arousing, very -- quite intrusive questions,
20 but it's necessary for this type of evaluation to determine if
21 they have sexual deviancy.

22 I take all that information, and I'll gather anything
23 that's missing, if I know that something existed, if they had
24 mental health treatment I'll request those records, and I'll
25 try to get as much information as I can, and then I'll sit

1 down, pretty much lock myself in my office, and I will write a
2 report.

3 I don't come to an opinion in these cases until I am
4 almost finished with that report. I don't need an interview
5 without having an opinion -- or, I don't need an interview
6 with an opinion, and I don't usually get to the opinion part,
7 and really have an idea of what my opinion is going to be
8 until the end of the report, so it takes a long time to finish
9 one of these evaluations.

10 Q. Now Dr. Gehle, as part of this process did you meet
11 with and interview Mr. Snow?

12 A. Yes.

13 Q. And is the man you met with here in the courtroom here
14 today?

15 A. Yes, he is.

16 Q. Okay. How long did you meet with Mr. Snow as part of
17 this process?

18 A. I interviewed him for two hours.

19 Q. Okay. Now, in addition to -- in addition, and then
20 we'll go back into the information. In addition to
21 interviewing Mr. Snow, what type of information did you
22 receive to help you in conducting this evaluation?

23 A. I had a lot of information in this big file here.
24 First off I get copies of the Court Orders asking me to do
25 this evaluation. That will be accompanied by the Petition,

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1 which has a lot of information attached to it. Basically it's
2 a lot of police reports. I have his entire criminal history,
3 all the police reports, especially -- not all the police
4 reports, but most of the time I have the police reports for
5 all the recent charges, and all the sexually related charges.
6 If he had a charge that was non-sexual I might not have a
7 police report for that, because they don't always retain those
8 records for a long period of time. I also have all of his
9 records from the Department of Corrections. I have witness
10 statements, sentencing sheets, warrants, indictments, things
11 like that.

12 Q. Is this the type of information that's typically and
13 reasonably relied upon by experts in your field?

14 A. Yes.

15 Q. And did you consider and rely upon this information
16 you've just summarized about, along with your interview of Mr.
17 Snow in rendering an opinion in this matter about whether or
18 not he should be committed as a sexually violent predator?

19 A. Yes.

20 Q. Now, can you explain to the jury how it is that a
21 person's past sexual offense behavior is or is not a predictor
22 of future sexual offense behavior?

23 A. Well, in general, past behavior, any kind of behavior,
24 is the best predictor of future behavior. It's something that
25 a person has already engaged in, and it's likely that they are

1 going to do that type of thing again. People tend to be
2 pretty consistent with their behavior over time.

3 Q. Now Doctor, in this particular case I would like to
4 hand you what's been marked as State's Exhibit 1, and State's
5 Exhibit Number 2. State's Exhibit 1 is a certified copy of
6 sentencing sheets and convictions, and indictments here in
7 Georgetown County for Assault with Intent to Commit Criminal
8 Sexual Conduct in the First Degree. Is this a document that
9 you would have seen and gone through as part of the
10 evaluation?

11 A. Yes. I saw copies of this.

12 Q. Okay. And then the State's Exhibit 2 is a copy of the
13 sentencing sheet, indictment -- okay, State's Number 2, a copy
14 of the sentencing sheet, indictment or warrant for another
15 crime in Georgetown County, Lewd Act on a Minor Child. Is
16 that also a document you would have looked at as part of your
17 evaluation?

18 A. Yes.

19 Q. Okay.

20 MR. BOGLE: Your Honor, I would like to move to
21 introduce into evidence as State's 1 and State's 2 the
22 documents I've just outlined.

23 COURT: Any objection, Mr. Falk?

24 MR. FALK: No, Your Honor.

25 COURT: All right. State's 1 and 2 are in evidence

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1 without objection.

2 You may proceed.

3 (CERTIFIED COPIES OF INDICTMENT FOR CRIMINAL SEXUAL

4 CONDUCT ADMITTED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 1.)

5 (SENTENCING SHEET FOR LEWD ACT ON A MINOR ADMITTED INTO
6 EVIDENCE AS STATE'S EXHIBIT NUMBER 2.)

7 Q. Now, Dr. Gehle, one of those convictions is for two
8 counts of Assault with Intent to Commit Criminal Sexual
9 Conduct in the First Degree. Is that a sexually violent crime
10 under the law in South Carolina?

11 A. Yes.

12 Q. Okay. The second conviction from -- now that first one
13 was from 1996. The second one, from 2006, was for Lewd Act on
14 a Minor Child. Is that all -- is that crime a sexually
15 violent crime under our law?

16 A. Yes.

17 Q. Okay. Now, in the course of your evaluation did you
18 look at his entire criminal history?

19 A. Yes.

20 Q. Okay. Did you look at place and times when he had been
21 convicted of crimes that weren't sexually violent crimes?

22 A. Yes.

23 Q. Okay. Why was it important to look at convictions for
24 crimes that weren't sexually violent crimes?

25 A. Well, I had to look at that to see why types of crimes

1 he committed outside of the sexual offenses. I also want to
2 see, you know, how much time did he have in the community to
3 actually commit sexual offenses, or was he spending a large
4 portion of the time in jail, or in prison, and then he would
5 get out and commit a sex crime. I want to see how the sex
6 crimes and the non-sex crimes all fit together, whether they
7 have common victims, whether they have similar elements,
8 things of that nature.

9 Q. Did you have -- now did you also -- when you were
10 encountering his criminal record did you encounter situations
11 where he was charged with a crime and that crime might have
12 been dismissed, or as we lawyers say, nolle-prossed, where the
13 decision is made not to prosecute. Did you find crimes like
14 that?

15 A. Yes.

16 Q. Was it necessary to look at those types of crimes too?

17 A. Yes.

18 Q. If he wasn't convicted of the crime will that factor
19 into your diagnosis of him?

20 A. Not necessarily. I look at -- in terms of making a
21 diagnosis I look at that as convictions or fact, so if
22 somebody has just been accused of something I don't
23 necessarily look at that as a fact that can be used toward a
24 diagnosis.

25 Q. Okay. Why is it nec -- is it necessary though for you,

1 when conducting this type evaluations, to look at crimes where
2 he was accused but not convicted?

3 A. Yes.

4 Q. And what is that?

5 A. Well, even if you are accused, you know, you get -- you
6 go through a whole process, and there's a lot of consequences
7 involved, and it's a fact that he's accused, and it's a fact
8 that he's charged, so it's important for me to look at, you
9 know, how that fits into the time lines, what kind of
10 consequences he had, what his behavior was afterwards. It's
11 also extremely important for me to ask him about those things
12 in the interview, and see how he accounts for that, see, you
13 know, whether he admits, denies, things like that, to see if
14 there's additional crimes that he wasn't convicted for, or
15 not, and just see what his general attitude toward that --
16 toward those things are.

17 Q. Okay. Now that involves the crimes that he was not
18 convicted of. What about crimes that weren't sexual --
19 sexually violent crimes, but might have been sexual in nature.
20 Were there crimes like that with this guy?

21 A. Yes.

22 Q. And what is it necessary to look into that type of
23 thing as part of your evaluation?

24 A. Well, he had a lot of -- he had several convictions for
25 other crimes that were related to the sexual offense, so --

1 and things like kidnapping. That can go along with the sexual
2 offense, and that makes it a sexually related charge. It's
3 part of the behavior, the illegal behavior that they go
4 through to commit this sex offense. I want to know what lines
5 they'll cross, you know, how far they will go to commit a sex
6 offense.

7 Q. Now Dr. Gehle, regarding the crimes we are going to
8 talk about, did you review the documents behind those crimes,
9 police reports, incident reports when you had them?

10 A. Yes.

11 Q. Okay. And are these the types of documents typically
12 relied upon by experts in your field?

13 A. Yes.

14 Q. And are they necessary to review in order to form an
15 opinion about this guy, and whether or not Mr. Snow is likely
16 to reoffend?

17 A. Yes.

18 Q. Okay. We talked about the sexually violent crimes
19 right here. Let's take it at the top though, going back to
20 1987. Your report mentions a burglary charge back then. What
21 were the details of that that you found significant in making
22 an evaluation of Mr. Snow?

23 A. That was not an essential charge. He was charged with
24 attempted burglary in 1987, and the charge was dismissed. I
25 didn't have much information about that to know what the

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1 details were.

2 Q. Okay. You next mention a 1988 Kidnapping and an
3 Assault and Battery and a Malicious Injury charges. Why was
4 it necessary to review those?

5 A. Well, this starts -- in 1988, this starts multiple
6 offenses, multiple charges, convictions and incidents with the
7 same person, so it's a woman who I referred to as LW, and this
8 was somebody that Mr. Snow was dating, and he was charged with
9 just several incidents against her, beginning in 1988, and
10 continuing into the mid-nineties.

11 Q. Okay. What was the Malicious Injury part of that
12 conviction that you found significant?

13 A. The -- that was a very significant incident. Mr. Snow
14 stole the puppy, the labrador puppy of his girlfriend's
15 mother, and killed the dog.

16 Q. Now that's not sexual in nature as far as people go.
17 Why would it be necessary to look into something like that in
18 the overall picture of this evaluation?

19 A. Well, it's important for a couple of reasons. One,
20 it's violence toward animal -- animals. That can be
21 indicative of an anti-social personality disorder, and it's
22 also important because it's a very cruel thing to do to
23 somebody, to steal their puppy, and to kill the puppy, and so
24 it's important to see, in regard to the dynamics with this
25 woman that he was dating, and with her family.

1 Q. Now later on in your report you refer to some 1989
2 charges of Assault and Battery of a High and Aggravated
3 Nature, A-B-H-A-N, what we lawyers often call ABHAN. Why were
4 those significant?

5 A. It was just important to see that this was, again,
6 another offense against this woman. He had -- he had been
7 convicted of that Malicious Injury to Property. That's what
8 they - that's what they charged him for when he killed the dog
9 - and an Unlawful Use of Telephone charge, which was him
10 calling the family and threatening to kill them. So he had
11 already been convicted of those things and now he's got more
12 charges involving this woman.

13 Q. Also, in 1989 there's a reference to a Kidnapping and
14 Resisting Arrest, for which he got, I think eight years or
15 something like that. Is that also -- did that also involve
16 the same woman, or the same people?

17 A. Yes.

18 Q. Okay. And why was it important to look at that,
19 because those aren't -- kidnapping doesn't sound sexual unless
20 there's something behind it, I guess. Why was it important to
21 look at those crimes in regard to the total picture about Mr.
22 Snow?

23 A. Well, it's important to look at those, especially the
24 ones that he was convicted of, to see what his behavior is in
25 regard to this woman that he is in a relationship with, or was

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1 -- you know, he told me he was in a relationship with her, and
2 they were together at some point because they had a child
3 together. It's also interesting to look at his behavior after
4 he was charged with kidnapping her, killing the dog,
5 trespassing, assault and battery against her. He denied all
6 those charges, and yet he continued to associate with her.
7 I'm thinking that, if somebody falsely accuses me of
8 kidnapping I'm not going to be spending much time with that
9 person; they are too risky to be around. If they are going to
10 lie about you and bring charges against you it might not be in
11 your best interest to spend much time with that person
12 subsequently, and in Mr. Snow's case he continuously did this.
13 So, he would get charged, he might get convicted of something,
14 might not, and then he would still be involved with this
15 woman, or he would be around her, or doing something to her.
16 I'm not sure if he was actually involved in a relationship
17 with her at that point, but he was continuously being charged
18 with committing crimes against her.

19 Q. Are you seeing a pattern here?

20 A. Yes.

21 Q. Is pattern something you are trying to look for in this
22 business when you are evaluating someone to see if they are of
23 such a level of risk they should be confined for treatment, as
24 opposed to getting outpatient treatment?

25 A. Yes. Patterns are very important to look for because

1 what this type of evaluation is essentially asking me to do is
2 to predict whether Mr. Snow is going to commit a sexually
3 violent offense in the future, and predicting something in the
4 future is a very difficult thing to do, and it's never going
5 to be perfect, but the more instances that you have of
6 behavior, the more patterns that you have, the stronger you
7 can use that to predict.

8 Q. Now, referring to Exhibit Number 1, the 2006 conviction
9 here in Georgetown County for the -- it includes the two
10 counts of Assault with Intent to Commit Criminal Sexual
11 Conduct. I'm going to hand that back to you and ask you to
12 tell the jury what the background is to these convictions that
13 you found significant in developing your report about Mr.
14 Snow.

15 A. Let me just correct you for one thing. You said it was
16 2006, but it's 1996.

17 Q. I'm sorry. 1996.

18 A. Just want to be on the safe ---

19 Q. That conviction was '96. Okay.

20 A. Yes.

21 Q. I'm a year ahead of you.

22 A. This was, again, involving this woman who I refer to as
23 LW, so it was the woman who Mr. Snow was first charged with an
24 offense against back in 1988, so now we are in February, 1995,
25 so ten years ago. He was charged with Burglary in the First

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1 Degree, two counts of Kidnapping, Assault with Intent to
2 Commit Criminal Sexual Conduct in the First Degree and
3 Pointing a Fireman initially. He essentially just got out of
4 prison after his probation was revoked for the telephone and
5 the killing of the dog charges -- he got out of prison and his
6 ex-girlfriend, LW, was living with another man, and he went to
7 their home, with a shotgun, and proceeded to shoot up the
8 place. He told me that he intended to kill this boyfriend of
9 hers. He didn't succeed in that, but he took LW and their
10 child - they had a daughter together - he took them out of the
11 home, and he and his brother took them away from that home,
12 and Mr. Snow allowed his brother and the child to be dropped
13 off at a family member's house, so they were out of harm's
14 way, but he proceeded to hold LW against her will for the next
15 eighteen hours. During that time he held a gun to her. He
16 actually touched her face with the barrel of the gun, holding
17 it to her face, he shot the gun twice, apparently as a warning
18 to her, to show her that he was serious, and then he also
19 repeatedly hit her, and he attempted to rape her three times,
20 according to the police report. In regard to the sexual
21 assault he touched her breasts and genitals, and attempted to
22 remove her clothing.

23 It's unclear why, but he didn't go through with the
24 rape, and he ended up dropping her off at her sister's house
25 after about eighteen hours.

1 Q. Now, you talked about -- you made reference a minute
2 ago in your description of what happened in police reports,
3 and incident reports and things like that, did you also talk
4 to Mr. Snow about all these crimes we've been talking about so
5 far?

6 A. Yes.

7 Q. And including this one right now, the one you are
8 holding right in front of you, State's Exhibit 1. What was
9 his version about all this? What did you find significant
10 about what he told you?

11 A. Well, he told me that he -- that he -- he said that his
12 -- this LW's new boyfriend had actually shot at him a month
13 before, but he didn't report it to the police. He said that
14 other people reported it to the police but he did not. I
15 didn't find any evidence of that. I'm not saying it doesn't
16 exist, but I didn't find any evidence of that. So he said
17 that that's why he went to the house. He said he was there to
18 retaliate for that previous shooting, and that he intended to
19 kill the man.

20 He told me that the -- LW and the child went with him
21 voluntarily, that he didn't kidnap them, and he denied other
22 aspects of the offenses. He said he didn't hit her, he didn't
23 kidnap her. She said he went -- she went voluntarily, and
24 that he didn't touch her against her will.

25 Q. Now, as a part of this process you are interviewing Mr.

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1 Snow about all of these crimes; are you not?

2 A. Yes.

3 Q. Okay. How did his responses figure into your
4 evaluation of him? What are you looking for here?

5 A. Well, I'm seeing now that his violence is escalating
6 against her, that he's willing to kill somebody to make sure
7 that she's not moving on to another relationship, so it's
8 becoming more serious, and it's a pattern of hostility toward
9 women, and sort of in matters of love is certainly emerging by
10 that point.

11 Q. Okay. In cases like this, or in this particular case,
12 did you try to locate the victim and talk to her ---

13 A. No.

14 Q. ---Or locate the prosecutors and talk with them?

15 A. No.

16 Q. Okay. Why not, just out of curiosity? Why not try to
17 contact the victim?

18 A. Well, these incidents are very traumatizing to people,
19 and I don't talk to victims unless they want to talk to me,
20 unless -- unless they come forward through -- typically
21 through the -- through a victim's advocate, and they request
22 that I talk to them. Even then it's not a pleasant
23 conversation for anyone, at least -- I want to know details, I
24 want to know very specific details, and that can be very
25 uncomfortable for somebody, and so it's something that I don't

1 do. I don't want to re-traumatize somebody.

2 Q. Now you mentioned in the course of your testimony a few
3 minutes ago, that his probation had been revoked somewhere
4 along the line for -- after getting out of prison for the
5 malicious injury where he killed the puppy. Is revocation of
6 probation a factor that you consider significant in these
7 evaluations?

8 A. Yes, it can be, and in this situation I just saw, you
9 know, a pattern of that. It didn't matter what legal
10 sanctions Mr. Snow had hanging over his head, it didn't deter
11 his behavior. For most people, if they are on probation they
12 are going to try to comply with that because they don't want
13 to go to jail. If they have a suspended sentence they are
14 going to, you know, do what they can to avoid going to prison.
15 But with him it didn't seem to deter his behavior at all. He
16 just kept committing offenses.

17 Q. Okay. Let's go to the next one, State's Exhibit Number
18 2, the conviction in 2006 for Lewd Act on a Minor Child. What
19 were the underlying details of that crime that you found
20 significant?

21 Well, let me back up a second. The first victim we've
22 talked about right now, and the other crimes you've looked at
23 so far, before we get to the Lewd Act, what has been the age
24 range of these victims?

25 A. The first victim was, I think, somebody similarly aged.

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1 She was, you know, young, nineteen years old, something like
2 that ---

3 Q. Okay.

4 A. ---An adult.

5 Q. So now we go to the 2006 conviction I've just handed
6 you, the Lewd Act on a Child. What underlying details of that
7 crime did you find significant in studying that crime,
8 relating to Mr. Snow's likelihood to reoffend?

9 A. Well, this was a different sort of offense. This was
10 actually an incident where he broke into the house of -- well,
11 where two girls were, the victim who I refer to as HP. She
12 was thirteen years old, and her younger sister, KC, she was
13 nine years old. So they were in the house together. Earlier
14 that day they had been walking, and they apparently passed Mr.
15 Snow while they were walking, and he said Happy New Year to
16 them, they said Happy New Year back to him, and they saw him
17 shoot a gun toward the woods, in a manner described as showing
18 off, so HP and KC went back to their home, and they made
19 something to eat, and HP got in the shower, took a shower, was
20 out of the shower, dressed in a towel, in her bedroom, getting
21 ready to get dressed, and Mr. Snow came into the house, came
22 into her bedroom, wearing a Halloween mask, and she saw that
23 he was holding a knife. He closed the bedroom door, with both
24 of them inside, turned off the light. She began to scream,
25 and Mr. Snow grabbed her and yanked her towel off, and threw

1 her across the room. He was yelling, I'll quote, shut the
2 fuck up, brat. He threw down her television, which was on a
3 dresser, and that hit her, that hit HP, the thirteen year old
4 girl. They struggled. KC came into the room, or something of
5 that nature. It was -- it sounded like it was just chaos.
6 And she was in there, and they were all screaming and fighting
7 with him, and they said that he got mad and yelled some
8 obscenities, and forced the bedroom door open. HP was
9 actually lying on the floor in front of the door after she had
10 been knocked down by the TV, and then he ran out the back out
11 of the house.

12 HP ran to her neighbor's house. She was naked, and she
13 was bruised from the assault.

14 It was also reported that HP gave some background to her
15 relationship with Mr. Snow and she said that he always talks
16 to her, he's said things like to her, come here, baby, I love
17 you, things like that, is what she reported, and she felt like
18 he was stalking her prior to this incident.

19 It was also reported that he took her cell phone when he
20 came into the house, and that he used the cell phone to make
21 phone calls and harass women, various women. Apparently to
22 Georgetown County Sheriff's Office received a number of
23 complaints that Mr. Snow had called them on the cell phone and
24 harassed them.

25 Q. Okay now, in this particular case, the Lewd Act on a

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1 Minor Child, if I could approach you and see that sentencing
2 sheet, does this show that he pleaded guilty to that crime, as
3 opposed to going to trial in front of a jury?

4 A. Yes.

5 Q. Okay. Now, prior to that particular crime, on page
6 eight of your report, you referenced a Criminal Domestic
7 Violence, albeit was dismissed. What -- was that significant
8 for you to look at?

9 A. Yes.

10 Q. Why?

11 A. Well, this was against another woman. He was charged
12 with Criminal Domestic Violence. Let me find the page here.

13 Q. I'm on page eight.

14 A. Thank you.

15 Well, in 2004 he was charged with Simple Assault and
16 Kidnapping against this victim, who I'll call NW, so this is
17 another victim. She was a twenty-eight year old female. She
18 said that he yanked her out of a car and drug her out of the
19 car, down a dirt path. She said that he said to her, I'm
20 going to show you what I'm going to do to you, what you heard
21 about me is all true, and she reported that he threatened to
22 harm her and her children. She managed to get away and she
23 called the police. And that happened in March, 2004.

24 Then in August, 2004 he was charged with Criminal
25 Domestic Violence, First Offense, against this same woman, so

1 again, he's involved in these very volatile relationships.
2 This incident, criminal domestic violence incident, the charge
3 was dismissed, but the victim was reported to have been beaten
4 up, punched in the face. She had a swelling of her left eye,
5 and she had physical injuries, and the police actually helped
6 her leave the house and go to, like a battered woman's
7 shelter, essentially.

8 So what's important about this is, he wasn't convicted
9 of this, so we don't know that it's a fact. We do know that
10 it's a fact that he was charged with it, and again, it's a
11 repeat with another victim. But when I asked him about this
12 he admitted that he hit her a couple of times, but he also
13 denied committing the offense, but he also stated he hit her
14 at the same time and date that he was accused of hitting her,
15 so it was a very interesting sort of twisting of facts in his
16 account to me.

17 Q. Now, the same page, page eight of your report, near the
18 bottom, you talk about a December 28, 2004 offense that later
19 was convic -- a Kidnapping and a Burglary conviction. What
20 was significant about that, and will you tell the jury what
21 significant parts about that crime that you felt were
22 important?

23 A. Okay. So it's December, 2004, just a few months after
24 that Criminal Domestic Violence charge. He went to the home
25 of an eighty-three year old woman, and knocked on the door.

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1 The woman said that she was home alone at that time. Mr. Snow
2 knocked on the door, like I've said, and when she approached
3 the door she saw that it was Mr. Snow, and Mr. Snow proceeded
4 to throw a brick through the window, and he kicked the door of
5 her home trying to get -- trying to gain entry into her home.

6 The woman said that she had seen him earlier that day at
7 the store, and that he pointed at her and said, I'm going to
8 get you, something to that effect, and so now he's coming to
9 her house, and he is throwing the brick through the window and
10 trying to get entry.

11 The woman immediately fled. She saw it was him and she
12 headed out the back door and she ran to a neighbor's house.
13 What was particularly interesting about this charge is, when I
14 talked to Mr. Snow about it he said he knew this woman, and he
15 knew her sister. He said that -- that if you give this
16 eighty-three year old woman some money she would do whatever
17 you want, and that he had paid her to have sex with her
18 sister, so now we are -- now I'm starting to wonder, is this
19 sort of a sexually related offense, is this retaliation
20 because she took his money, is any of that true. It didn't --
21 there was nothing mentioned in the police report to
22 corroborate his story, but that's the story that he gave,
23 which was very interesting.

24 Q. Now, Dr. Gehle, right now I'm seeing victim ages from
25 nineteen, to twenty-eight, to thirteen, to eighty-three.

1 That's the numbers I'm writing down as you are testifying.

2 Does that seem right?

3 A. Yes.

4 Q. Okay. Are you seeing a pattern here about -- between
5 Mr. Snow and women?

6 A. Yes.

7 Q. What type of pattern are you detecting here?

8 A. He is an extreme hostility toward women, he wants them
9 to do what he wants, and when apparently they aren't compliant
10 with what he wants, you know, he resorts to violence, even
11 sexual violence.

12 Q. Now, was it necessary, as part of this evaluation, to
13 review any prison disciplinary history he might have had, any
14 trouble he got into while he was confined at the Department of
15 Corrections?

16 A. Yes.

17 Q. Why is it necessary to look into that sort of thing?

18 A. Well, again, I want to see how he behaves in a very
19 controlled environment, and I'm also particularly looking for
20 any sexually related offenses or behavioral infractions in
21 prison, because that really matters in the risk assessment
22 that I do.

23 Q. Okay. How many major, what they call major
24 disciplinary infractions, was he convicted of at the
25 Department of Corrections while he was there, going back to

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1 1996?

2 A. He was convicted of eight disciplinary infractions.

3 Q. Okay. Were any of them sexual?

4 A. Yes.

5 Q. How many of that was sexual?

6 A. He got a sexual misconduct infraction in 2006, and
7 basically he was excused of exposing his penis and
8 masturbating on the recreation yard. I asked Mr. Snow about
9 that in the evaluation and he said he was falsely accused,
10 that he was actually just shaking his shirt tail to cool off,
11 and they misinterpreted that.

12 Q. Okay. Was there also a striking an SCDC employee
13 incident which seemed to be sexual in nature?

14 A. Yes.

15 Q. Okay. Tell us about that.

16 A. He was convicted of striking an employee, with or
17 without a weapon, in 1997, and that was actually for grabbing
18 the buttocks of a female staff member.

19 Q. Now, is sex offender treatment offered by the
20 Department of Corrections to inmates while they are locked up?

21 A. I don't know that everybody is offered the treatment,
22 but they do have a treatment program at SCDC, and they are
23 making a lot of efforts to include as many people as they can
24 prior to their release from prison, so they are seeing a lot
25 more people in the treatment program these days than they were

1 maybe a year or two ago.

2 Q. Did Mr. Snow ever have sex offender treatment while he
3 was locked up in the prison system?

4 A. No.

5 Q. Okay. What was his attitude toward that? Did you talk
6 to him about that?

7 A. Yes, but there was records about that. So the
8 therapist who does the treatment, she went and talked to him
9 to see if he would be interested in participating, and he said
10 -- he told me -- he said he refused because the lady - that
11 would be the therapist - the lady said it's not mandatory,
12 which is true, it's not mandatory. And he told her, because -
13 this was in the records - because he felt that his ex-
14 girlfriend told lies on him, and that he did not need to do
15 any treatment.

16 Q. To this day, and by this day I mean your last interview
17 with him, does he still deny some of the crimes, the sexual
18 crimes he was convicted of, some of the ones sitting there in
19 front of you?

20 A. With few exceptions he denied, pretty much all the
21 charges, non-sexual and sexual.

22 Q. Okay. Now, did not having sex offender treatment while
23 at the Department of Corrections, does that factor in your
24 decision, in your opinion about him?

25 A. Well, that's a tricky one. The treatment program there

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1 may not be adequate to address some individuals' needs.

2 It's -- it's always better if they have had that treatment,
3 but it's not available to everybody, so it's something that I
4 look at, but it's not a big consideration.

5 Q. Okay. Now, did you perform any assessments or scoring
6 of Mr. Snow?

7 A. Yes.

8 Q. And what was that?

9 A. I did an actuarial risk assessment, called the Static-
10 99R. It's a ten-question ---

11 Q. Now, Doctor, Doctor, that's an awful big word for me.
12 I'm from Decatur, Georgia, okay. When you say Actuarial Risk
13 Assessment instrument what's another word for that in plain
14 English?

15 A. I don't know that there is another word for it.

16 Q. All right, tell the jury how it works though.

17 A. Okay.

18 Q. Give us an example of how that works for something as
19 it relates to ordinary life.

20 A. Well, some researchers out of Canada - and they
21 collaborated with some people in the United States and other
22 parts of the world - they wanted to see if they could predict
23 or estimate who is going to reoffend, so they looked at tens
24 of thousands of sex offenders, and they looked at some
25 characteristics, or factors, or details that were known to be

1 associated with recidivism, so sexual recidivism, whether
2 somebody goes out and commits another crime, and they looked
3 at all those things, and they got the criminal histories of
4 the people from, you know, a period like later on, so they
5 looked at them at one point, and then they looked at them
6 again, and they wanted to see, can we differentiate the groups
7 that offended, and the groups that reoffend -- or sorry -- the
8 groups that did not offend again, and the groups that did
9 offend again, so they looked at all the factors that they
10 could tell that could be important, and they narrowed those
11 down to the ones that could differentiate between people,
12 between those two groups. So what they came up with was a ten
13 item questionnaire, or an assessment that has points on it,
14 either zero, one, or on one item you can get a negative three,
15 if you are older, because people tend not to reoffend as they
16 age, or they reoffend less as they age, so if you are older
17 you get some points subtracted from your overall score, but
18 basically you -- you look at all the factors that are
19 involved, and then you add those up, and you come up with the
20 total score, and that total score corresponds to just sort of
21 a risk category, whether it's low, low moderate, high moderate
22 or high, so those are the risk categories, and then they've
23 also -- you can take that number and you can look at an
24 actuary table, so you look at individuals who had this score,
25 what percentage of that group, with this score, reoffended

1 within a certain period of time, so they provide statistics
2 for reoffending within five years, and reoffending within ten
3 years.

4 They also give you some more information, and they tell
5 you about, if somebody has this score how does that compare to
6 the average sex offender; where does that put them in sort of
7 the curve of sex offending. If you have an average score of
8 two how much more likely is this person to recidivate than the
9 person with the average score, so there's a lot of information
10 that comes from this. And this instrument in particular has
11 been shown to be the best predictor of sexual recidivism
12 over -- over just using your clinical judgment, you know, over
13 trusting your gut, over, you know, not liking the person, over
14 using other sort of assessments.

15 Q. Can you give us a comparative example, something we
16 might run into in our ordinary daily lives, an example of how
17 this thing works?

18 A. Yes. I know this is all very confusing to understand,
19 but -- if you have a heart attack you might follow up with
20 your doctor and he might take some information from you like,
21 you know, whether you smoke, whether you were exercising,
22 whether you are over-weight, under-weight, things like that,
23 whether you have a history of heart disease in your family,
24 things like that, to determine what your risk is to have
25 another heart attack, and so that would be not just whether,

1 you know, you as an average person, is going to have a heart
2 attack, this is whether a person who's had a heart attack will
3 have another heart attack, things like that. So that --
4 that's one sort of life example. Another one can be, if you
5 talk to your -- talk to somebody about car insurance they
6 might ask some questions about, you know, what's your age,
7 because younger people are known to get in more accidents than
8 older people, or at least, you know, middle age people, what's
9 your driving history, how many accidents have you been in,
10 things like that, and they'll make a determination about what
11 the risk is that you will, you know, cost them a lot of money
12 over the long term.

13 Q. Okay. Now, is the Static-99R -- is that what it's
14 called?

15 A. Yes.

16 Q. R for revised?

17 A. Yes.

18 Q. Is that something that's commonly used by experts in
19 your field, making -- determining whether a person is likely
20 to reoffend sexually?

21 A. Yes. It's the most commonly used estimate of sexual
22 recidivism, the most commonly used assessment.

23 Q. And what score did Mr. Snow get when you scored him on
24 this thing?

25 A. He had a score of seven.

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1 Q. Okay.

2 A. And the scores range from negative three to twelve.

3 Q. And where does seven fit? What is the description of a
4 seven in that scale?

5 A. A seven is in the high risk category, and on average,
6 when you look at a group who scored a seven, thirty point six
7 percent of that group reoffended within five years, and
8 thirty-nine point seven reoffended within ten years.

9 Another way to look at that is, if you look at the score
10 of seven in the whole research sample ninety-four point nine
11 percent of the samples scored below seven, so they have less
12 risk, because the lower score -- the lower your score is the
13 better you are, the lower risk you are to reoffend. So
14 ninety-four point nine percent of the same had a score below
15 seven, about two point nine percent had a score of seven, and
16 then two point two percent had a score above seven, so a seven
17 is -- it's in the ninety-seventh percentile, in terms of this
18 test.

19 Q. Does Mr. Snow have risk factors that you look for? By
20 risk factors I'm talking about -- let me back up. The Static-
21 99R, what type of risk factors of life style things does it
22 look for?

23 A. Well, Static-99R looks at things that are considered
24 static, so things that are generally not changeable through
25 treatment or other sorts of interventions.

1 Q. An example would be a prior -- number of prior
2 convictions, for example?

3 A. Yes. It's things that you can often change for the
4 worse, but you can't change for the better through treatment.

5 Q. What are dynamic risk factors?

6 A. Dynamic risk factors ---

7 Q. There are static and dynamic. What are dynamic risk
8 factors?

9 A. Dynamic risk factors are things that can be changed
10 through treatment or other intervention, so things that are
11 changeable.

12 Q. Did Mr. Snow -- did you look at risk factors for Mr.
13 Snow as part of your evaluation?

14 A. Yes.

15 Q. And what did you find? What are his risk factors?

16 A. Well, I looked at a set of dynamic risk factors, so
17 things that are not calculated in the Static-99R that have
18 been shown in the research to be strongly associated through
19 all that research with sexual offending, so with him he had
20 many of those risk factors, first, hostile belief about women.
21 In the interview he blamed women for his problems. He's had
22 that long history of violence toward women. There was also
23 some evidence of sexualized violence. That's another risk
24 factor. He used weapons in the sexual assault, physically
25 violent toward those he sexually assaulted. There was a lack

1 of emotionally intimate relationships with adults, so they
2 defined that as sort of steady relationships that last a
3 certain period of time that are not full of a lot of drama or
4 strife or, you know, hostility, those sorts of things, so he
5 had that, because he has never lived with a romantic partner,
6 and as far as I could tell, all the relationships that he
7 talked to me about, you know, in the past, have been pretty
8 fraught with hostility, and infidelity, and violence. He has
9 a history of poor problem solving, because he consistently,
10 again, deals with his problems through violence and trying to
11 control people. He has a resistance to rules and supervision
12 because he's resisted arrest, escaped from jail, has had
13 probation revoked, and he's had behavioral infractions in
14 prison. He has a history of grievance and hostility, just in
15 regard to his general sort of outlook toward others, he
16 attempts to control other's behavior through violence, and the
17 last one that I found was, he has negative social influences,
18 meaning he's surrounding himself with people who are, you
19 know, aiding him in breaking the law, and otherwise, you know,
20 helping him get in trouble, or getting in trouble with him.

21 Q. Doctor Gehle, in your opinion, to a reasonable degree
22 of psychological certainty, does Darrell Snow suffer from a
23 mental abnormality or a personality disorder?

24 A. Yes.

25 Q. And what, if anything, does he suffer from; based upon

1 your diagnosis, what did you find?

2 A. Well, I diagnosed him with something called Other
3 Specified Personality Disorder, and that disorder is a
4 personality disorder when you can't meet all the criteria for
5 a specific personality disorder. Basically, when I
6 interviewed him, and when I looked at all of his records, and
7 tried to understand how he interacts with the world, I saw
8 that he had a very anti-social personality, and a very anti-
9 social world view, and that's marked by just a consistent
10 pervasive history of violating and disregarding the rights of
11 others. But in order to diagnose Anti-social Personality
12 disorder you have to have evidence that the person had conduct
13 problems prior to age fifteen, and in this case I spoke to Mr.
14 -- Mr. Snow about his behavior, you know, when he was before
15 eighteen, so his early childhood behavior and adolescent
16 behavior, and he basically denied having any behavior
17 problems, but he also basically denied having really any
18 problems in his life at all, so he was charged with, you know,
19 numerous things, convicted of numerous things, in prison, in
20 and out, and he basically denied all that, so that gave me
21 some pause in believing his account of his behavior prior to
22 age fifteen. I didn't have Juvenile Justice records because
23 those are routinely destroyed after ten years, after the
24 person, you know, is twenty-eight they are typically gone, and
25 his parents are deceased, so I didn't have anybody to talk to

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1 about how he was as a child, so I didn't have enough evidence
2 to say that he had conduct disorder prior to age fifteen, so I
3 couldn't definitively diagnose Anti-social Personality
4 Disorder.

5 Q. Okay. So the diagnosis you did give though is what?

6 A. It's Other Specified Personality Disorder, current
7 evidence of conduct disorder is insufficient.

8 Q. Okay. I've got a copy of the DSM-5, the Diagnostic and
9 Statistical Manual, Fifth Edition. Is that the guide book
10 that psychiatrist and psychologist use for diagnosing mental
11 abnormalities and personality disorders?

12 A. Yes.

13 Q. Is what you've just described him having, is it in this
14 book?

15 A. Yes.

16 Q. Okay. Do you have an opinion, again, to a reasonable
17 degree of psychological certainty, does this personality
18 disorder you've diagnosed him with, does that affect his
19 emotional or volitional control so that he is predisposed to
20 commit future sexually violent offenses?

21 A. Yes.

22 Q. Okay. And why is that?

23 A. Well, this disorder is basically that he disregards and
24 violates the rights of others, and in large part that's
25 included women, and while that hasn't always manifested in

1 sexual violence it has numerous times, and therefore I believe
2 that this disorder makes him likely to commit acts of sexual
3 violence. In conjunction with that Static-99 score, which is
4 the best predictor of sexual recidivism, those things in
5 conjunction made me certain of that.

6 Q. Okay. And based on what you've said, what you've
7 talked about so far, do you also have an opinion, again, to a
8 reasonable degree of psychological certainty, whether or not
9 Mr. Snow has the propensity to be dangerous, and commit future
10 sexually violent offenses?

11 A. Yes.

12 Q. Do you have an opinion as to whether or not Mr. Snow's
13 propensity - again, to a reasonable degree of psychological
14 certainty, does his propensity to commit future sexually
15 violent offenses, is it of such a degree that it poses a
16 menace to the health and safety of others? What's your
17 opinion on that?

18 A. My opinion is that it does.

19 Q. Okay. Do you have an opinion, also to a reasonable
20 degree of psychological certainty, does Mr. Snow have serious
21 difficulty in controlling his behavior, and his propensities
22 to be dangerous?

23 A. Yes, I think he has serious difficulty.

24 Q. Okay. Does this diagnosis you gave him, and all the
25 things you've talked about with us this morning, does this,

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1 again, to a reasonable degree of psychological certainty, make
2 Mr. Snow likely to engage in acts of sexual violence unless he
3 is confined for long-term control care and treatment?

4 A. It's my opinion that it absolutely does, and in regard
5 to his behavior in prison, I mean, he's still at risk to
6 commit those, you know, sexual offenses in the program, in the
7 SVP program in prison, in the community.

8 Q. Is out-patient treatment a likely good avenue for this
9 guy, release him in the community, and let him get out-patient
10 treatment at a mental health facility?

11 A. It's my opinion that no, it's not, it's not sufficient.

12 Q. Okay. Do you have an opinion, also to a reasonable
13 degree of psychological certainty, does Darrell Snow meet the
14 legal criteria to be found to be a sexually violent predator
15 at this time?

16 A. It's my opinion that he does.

17 Q. Now, if released, who would be at risk or danger to Mr.
18 -- Mr. Snow?

19 A. I guess it -- you know, it would be women of -- women,
20 or girls of any age in the community that he focuses on.

21 Q. Based on these sentencing sheets we looked at a few
22 minutes ago, and the most recent one, of course, is from 2006,
23 what was the sentence he got for the 2006 Lewd Act conviction?

24 A. Fifteen years.

25 Q. And has he finished his time, as far as you know?

1 A. Yes.

2 Q. Okay. Is there any probation or suspended sentence
3 hanging over his head there?

4 A. No.

5 Q. It was a straight fifteen years?

6 A. Yes.

7 Q. Okay. So is there anything hanging over his head right
8 now, legally, that can make him go to sex offender treatment
9 on the outside?

10 A. There's a chance that he could have community
11 supervision, which is a sort of a probation program, for
12 people with certain types of crimes, when they get out of
13 prison they can be monitored for two years from their max-out
14 date, and it's my understanding Mr. Snow has been waiting for
15 this trial for some time, and his -- he maxed out in October,
16 I believe, a year ago, so if he's -- if he has any community
17 supervision time it will expire in October of 2015.

18 Q. It's only two years, right?

19 A. Yes.

20 Q. And the clock for that begins running when he get out
21 of prison?

22 A. Right.

23 Q. Okay. And again, there's no suspended sentence, no
24 time hanging over his head, according to those sentence
25 sheets, is there?

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1 A. Correct.

2 Q. All right.

3 MR. BOGLE: Thank you, Doctor. Please answer any
4 questions counsel may have, or that the Judge may have.

5 COURT: All right. Cross-examination.

6 All right. I'll tell you what, we are going to take a
7 very short break, for about five minutes. All right.

8 Madame Forelady, if you will take the jury to the jury
9 room for about five minutes. We'll have a short break.

10 (THE FOLLOWING TAKES PLACE AFTER A BREAK, AND OUTSIDE
11 THE PRESENCE OF THE JURY.)

12 COURT: All right. Mr. Bogle, are you ready to
13 resume?

14 MR. BOGLE: I turned the witness -- tendered her ---

15 COURT: I understand that. I'm just asking you if you
16 are ready for us to proceed.

17 MR. BOGLE: Yes, Your Honor.

18 COURT: All right. Very good.

19 Mr. Falk?

20 MR. FALK: Yes, Your Honor.

21 COURT: Very good.

22 Ask the jury to come in.

23 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
24 JURY.)

25 COURT: All right, Mr. Falk, you may proceed.

1 MR. FALK: Thank you.

2 COURT: Yes sir.

3 CROSS-EXAMINATION BY MR. FALK:

4 Q. Dr. Gehle, just to clarify, what is the difference
5 between Psychiatry and Psychology?

6 A. Psychiatrist have a medical degree, and then they do
7 some specialized training in Psychiatry, and Psychologists go
8 to graduate school and get like PhD or a PsyD, and they focus
9 on Psychology.

10 Q. So you are Dr. Gehle because you have a PhD; not a
11 medical doctor?

12 A. I have a Doctorate of Psychology, a PsyD, yes.

13 Q. Thank you.

14 Now you had testified earlier that you reviewed the
15 Petition?

16 A. Yes.

17 Q. And included in the Petition, was there a page from the
18 DSM about Paraphilia?

19 A. Yes.

20 Q. Do you know why that was included?

21 A. They are commonly included in these Petitions.

22 Q. Okay. Did you initially look -- could you explain what
23 a Paraphilia is?

24 A. A Paraphilia is a disorder regarding somebody's sexual
25 arousal, so they are sexually aroused to deviant things, and

1 it has to be a pattern of that behavior that lasts over six
2 months.

3 Q. Pedophilia, that would be included in that?

4 A. Pedophilia is the sexual attraction to prepubescent
5 children.

6 Q. Okay. Sexual Sadism, that would be another Paraphilia?

7 A. Yes.

8 Q. Okay. Now what is the difference between -- and how
9 are they classified it in the DSM? Is there a Paraphilic
10 Disorder, is that something different than a personality
11 disorder?

12 A. Yes. The DSM is -- has various categories in it,
13 things like, you know, intellectual disabilities is in one
14 section, substance abuse disorders are in another section,
15 personality disorders are in one section, and Paraphilia
16 disorders are in their own section.

17 Q. Okay. And you did not diagnose Mr. Snow with any type
18 Paraphilic disorder; is that correct?

19 A. That's correct.

20 Q. So you have diagnosed him -- your diagnosis was Other
21 Specified Personality Disorder with, what, with something
22 conduct not found?

23 A. Well, there's a lack of evidence. I'm not saying it
24 doesn't exist, I'm just saying I can't prove it.

25 Q. Okay. But Other Specified Personality Disorder, if I

1 looked into the DSM-4, or 5 here, am I going to find any
2 diagnostic criteria for that specific diagnosis?

3 A. There's a section that talks about when to use that
4 diagnosis, but they are not listed out like the other
5 diagnoses are.

6 Q. For example, if I -- if you were going to diagnose
7 somebody with Pedophilia, you could go to a page and it would
8 list you three criteria they have to have, and they have to
9 match all three of those; is that correct?

10 A. That's correct.

11 Q. So this is somewhat of a catch-all diagnosis?

12 A. I wouldn't consider it a catch-all, no.

13 Q. Well, it's if you can't find any other personality
14 disorder, if you still think there's a problem, that's how he
15 would be diagnosed?

16 A. That's not how I particularly see it. I diagnosed him
17 with that disorder because I believe that he has an Anti-
18 social Personality Disorder, but I'm missing that one piece of
19 information, and I cannot find the evidence to support that; I
20 won't be able to find the evidence of that because I don't
21 have the people to talk to, I don't have the records.

22 Q. So here today you cannot, to any degree of
23 psychological certainty, diagnose him with an Anti-social
24 Personality Disorder?

25 A. I can't make that diagnosis, no.

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1 Q. Earlier in your testimony you had -- it seemed to me
2 that you were saying that Mr. Snow's denial that these charges
3 happened didn't make sense because why would he go back to the
4 woman who's -- did you say something to that effect -- to LW?
5 I believe you said that if LW was taking out false charges
6 against him you couldn't understand why he would go back to
7 her. Wasn't that your testimony?

8 A. I said something to that effect, yes.

9 Q. But LW is the mother of his child; is that correct?

10 A. That's correct.

11 Q. And so if that child is in her mother's care and
12 custody, then in order to see the child he would have to have
13 additional interaction with LW; isn't that correct?

14 A. That's not necessarily true.

15 Q. How else would it work?

16 A. Well, I know that the Courts have made many
17 arrangements where people have contact with their children and
18 they are, you know, maybe shared parenting through other
19 means, like they drop them off through a social worker, or
20 through a family member, or things like that to limit the
21 contact if it's such a volatile situation.

22 Q. Well, to set up something that elaborate you think you
23 have to go to court, hire a lawyer and all to do that?

24 A. Possibly, but you could also figure it out through
25 family members, or things of that nature.

1 Q. I think your testimony earlier was that there was a lot
2 -- the involvement was centered around LW as being the victim;
3 is that correct?

4 A. Of his early offenses, between 1988 and the conviction
5 in 1996, so yes, those charges were largely centered around
6 her.

7 Q. And I think you explained why you elected not to try
8 and track down LW to see if -- maybe to corroborate her
9 charges.

10 A. Well, I had no way to track down her. You know, these
11 offenses often don't list the person's telephone number or,
12 you know, things of that nature, and so I had no contact
13 information for her.

14 Q. But you didn't go to -- so you made no effort though;
15 is that correct, to contact her?

16 A. No, I didn't try to contact her. I had no way to.

17 Q. Well, did you -- was there any other way to corroborate
18 any of the statements that she made?

19 A. I looked at the police reports, and her statements, and
20 all those records.

21 Q. And the police reports, and the statements, and all
22 those records are basically her statement; is that correct, I
23 mean, there was not a lot of other evidence in there to
24 support it?

25 A. Well, we would have to look at, you know, specifically

1 what -- you know, what offenses and what records were
2 available for that offense. Do you have a specific offense?

3 Q. I just want to know if you -- if you were able to
4 corroborate any of her statements?

5 A. Well, I think that -- you know, sometimes they are
6 corroborated by -- by, you know, arrest warrants, by things
7 that the police saw, by other victims' statements, but I would
8 have to -- you know, to be able to be very definitive about
9 that I would have to know which offense you want to talk
10 about.

11 Q. Let's look at the 1998 -- 1988 kidnapping, trespassing
12 charge.

13 A. The 1988 one?

14 Q. Yes.

15 A. The August, 1988; is that ---

16 Q. Yes.

17 A. Okay. For that I have an indictment, so that has a
18 narrative, you know, written by a Solicitor, I have an
19 Affidavit signed by the victim, other indictments for those
20 related charges, so that would, again, be written by a
21 Solicitor.

22 Q. Well, the indictment is just a summary of the victim's
23 statement; is it not?

24 A. That's correct. I'm just looking at what I have. I
25 want to make sure that that's -- that's all. So for that in

1 particular I believe that that was all I had.

2 Q. So there's a possibility if the victim wasn't being
3 entirely candid in their statement ---

4 A. That's true.

5 Q. And you are -- there's no way to rule that out?

6 A. Right. But I think that you misunderstand that I'm not
7 using -- when he denies that he committed that offense I'm not
8 using that against him. His denial is, you know, it's smart
9 on his part, he didn't get convicted of it, he should deny it,
10 but it is a fact that he was charged with that, and there are
11 plenty of consequences that come from being charged with a
12 crime, including, you know, arrest, maybe a newspaper article,
13 you know, your family knows so there can be some shame and
14 embarrassment, there might be time in jail waiting, you know,
15 disposition of those charges. Those things are all
16 consequences, and that's what's important to me in regard to
17 him returning to that relationship, or returning to engage
18 with that person and her bringing more charges, and more
19 charges, and more charges, repeatedly.

20 Q. Now you had talked a little -- when you talked about
21 the SR-99.

22 A. The Static-99R.

23 Q. Excuse me. The Static-99R. But that is not a
24 diagnostic tool; is that correct?

25 A. That's correct.

1 Q. It is just only a risk assessment?

2 A. That's correct.

3 Q. So the only diag -- so there is no similar type of test
4 for a diagnosis? There's no other kind of ---

5 A. There is not a similar type of test. I mean, that --
6 that is an assessment that has to do with sexual recidivism.
7 It's not anything close to diagnoses, I mean, they are
8 completely two different things.

9 Q. Are -- well, let's go back to Pedophilia, which you
10 said that he does not have. Isn't it your opinion that if
11 somebody is diagnosed with a Pedophilia that's something that
12 they never get over? Is that a fair assessment?

13 A. Pedophilia, that's a sexual attraction toward
14 prepubescent children, so children who haven't started sexual
15 development, typically under age twelve, that's considered to
16 be a chronic disorder, typically lifelong.

17 Q. So you would expect somebody who suffered from that
18 would have a high rate of recidivism; would you not?

19 A. Not, that's not necessarily true. Having a disorder
20 does not make you a sexually violent predator. Having an
21 abnormality that's associated with sexual offending does not
22 make you a sexually violent predator. There have been plenty
23 of times that I have diagnosed somebody with Pedophilia, but
24 their risk on the risk assessment is low, and I won't
25 recommend commitment.

1 Q. So what is the difference between Pedophilia and
2 Pedophilic Disorder?

3 A. That's a change that happened in the DSM-5. In the
4 DSM-4 the disorder was called Pedophilia, and in the DSM-5
5 it's called Pedophilic Disorder.

6 Q. And it's your testimony that somebody who has
7 Pedophilic Disorder is not more likely to reoffend, or is not
8 highly likely to reoffend?

9 A. I mean, that's too broad of a question. It depends on
10 that individual person, but in and of itself it's a risk
11 factor for reoffending, if you have that deviant sexual
12 interest, it's absolutely a risk factor for reoffending, but
13 if you don't have other risk factors you might not be likely,
14 or you might not be high risk to reoffend, even if you are a
15 Pedophile.

16 Q. To fit the definition of Personality Disorder, Other
17 Unspecified Personality Disorder, if somebody had, for
18 example, you thought somebody might have Avoidant Personality
19 Disorder that's a classic -- that's a sub-category, or that's
20 a type of personality disorder?

21 A. Yes.

22 Q. Okay. And so if somebody and -- that's shown on page
23 six seventy-two of the DSM-5?

24 A. I don't have a -- the DSM-5 up here.

25 Q. I could bring it to you. I just want to ---

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1 A. Thank you.

2 MR. FALK: May I approach?

3 COURT: Yes sir.

4 A. Thank you.

5 Six seventy-five?

6 Q. I believe it's six seventy-two.

7 Q. Okay. Oh, I'm sorr -- okay. So if somebody -- if you
8 thought somebody fit the diagnostic criteria of avoiding
9 occupational activities that involved significant inter-
10 personal contact because of fear of disapproval, then going to
11 the second criteria, is unwilling to get involved with people
12 unless certain of being liked, and let's say you had the
13 fourth one, is pre-occupied with being criticized or rejected
14 in social situations, what would your diagnosis of that person
15 be if they had three of the four criteria that were needed?

16 A. It would depend on that person, how strong those things
17 were. It would depend on that person, I think.

18 Q. Well, could that person also fit the diagnosis of Other
19 Unspecified Personality Disorder if they had three of the four
20 criteria?

21 A. Potentially. It would depend how debilitating it was,
22 how pervasive it was, if I was missing information, if I -- if
23 I wasn't able to sort of assess one of the criteria. It would
24 depend.

25 Q. Similarly, at page six seventy-five, there's Dependent

1 Personality Disorder that requires five symptoms or diagnostic
2 criteria. If only had four, would they also then fit under
3 that diagnosis of -- is it possible they would also fit under
4 that diagnosis?

5 A. Again, it would depend.

6 Q. If you were given proof that most of LW's accusations
7 against my client were unfounded would that change your
8 diagnosis of him?

9 A. No.

10 Q. So you are saying if he -- if the things that she said
11 about him didn't happen, that would change your diagnosis?

12 A. If the things that he was ---

13 Q. That she accused him of doing ---

14 A. Uh huh (**indicating positive**).

15 Q. ---If they didn't -- if they actually did not happen,
16 and she was being less than candid with the police officers
17 would that change your diagnosis?

18 A. We are asking an interesting question because -- I
19 guess I need to understand. Are you saying that -- even the
20 things he was convicted of he ---

21 Q. Yes.

22 A. ---Are false?

23 Q. Yes.

24 A. Would that apply to the sexual offenses, and the ---

25 Q. I'm just saying, if we take those out. You said you

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1 based your opinion on his criminal history, and part of his
2 criminal history involves LW; is that correct?

3 Q. Yes.

4 Q. And part of his criminal history involves charges that
5 LW made against him; is that correct?

6 A. Yes.

7 Q. All right, now, if those -- if those events did not
8 happen, so we take that off of his criminal history, would
9 your diagnosis be different?

10 A. Probably not.

11 Q. And why is that?

12 A. Because he has these attitudes that are very pervasive,
13 and they aren't just applicable to that situation, it was the
14 way he presented in the interview, his attitudes that he
15 expressed, the way he blamed other people for his problems,
16 the way that he didn't take any responsibility for his
17 behavior, or took very, very limited responsibility for his
18 behavior, the way he didn't show or express, or I didn't see
19 any signs of remorse or empathy for others, those things are
20 related to that diagnosis, to the symptoms of Anti-social
21 Personality, you know, Anti-social Personality traits. Those
22 things are still there.

23 Q. But if somebody was confined because of -- was confined
24 as a result of false testimony by a witness wouldn't you
25 expect them to not have remorse for that witness -- for that

1 victim? Would you not expect them to blame their current
2 situation on somebody who may have not been telling the truth?

3 A. They might do that, yes.

4 Q. And that wouldn't been a sign of any pathology, would
5 it?

6 A. Not necessarily, no.

7 MR. FALK: One moment, please.

8 Q. Now part of your Report was also based on -- or part of
9 your diagnosis also based on the fact that he was convicted of
10 Lewd Acts Upon a Minor?

11 A. Well, convictions and the inability to maintain lawful
12 behaviors, and to sort of fit in with social norms, that's
13 part of the diagnosis. It's one criteria, so any convictions,
14 and all of his interactions with the Law go to meet that one
15 criterion.

16 Q. Wouldn't his SR-99 -- his S -- I'm sorry.

17 A. The SRA is another risk factor for sexual recidivism
18 that -- the Static-99R is the one that I use.

19 Q. The Static-99R. Would his number be different if there
20 was not the Lewd Act Upon a Minor?

21 Q. Yes.

22 Q. There would be less risk?

23 A. Yes. He would have -- well, actually I should be clear
24 about that, because it may or may not change his score, one
25 incident. So if he did not have that Lewd Act his score would

1 actually still be the same.

2 Q. Would your diagnosis be different?

3 A. No.

4 Q. Well you -- I mean, you had an opportunity to read the
5 police report regarding the Lewd Act on a Minor?

6 A. Yes, I believe so.

7 MR. FALK: If I may approach?

8 COURT: Yes sir.

9 Q. Did you have an opportunity to look at that, I mean as
10 part of your ---

11 A. Yes. If you have it it was likely that I have the
12 exact same thing, so if you want me to be specific I'll just
13 need to find my copy. It looks like I basically have the same
14 documents.

15 Q. And that included -- there's a Post-it note, the second
16 Post-it notes on some pages there that look like they are
17 handwritten notes from the police officer.

18 A. Yes. I don't know that I have those. I'm not sure.
19 No, I don't have those collated here. They could be in
20 another stack here, but I'm not aware of that.

21 Q. You did get a chance to read the victim's statement; is
22 that correct?

23 A. Yes.

24 Q. And in that statement she said that a man came in
25 wearing a Halloween mask; is that correct?

1 A. Yes.

2 Q. Did, at any point in her statement, she say that the
3 mask came off?

4 A. I don't believe so.

5 Q. And the victim was thirteen?

6 A. Yes.

7 Q. What was the race of the victim?

8 A. She was white.

9 Q. Okay. And so how did she identify my client?

10 A. She reported that it was -- that she recognized his
11 voice.

12 Q. Are you familiar with the phenomenon of witness
13 identification issues, cross-racial, biased ---

14 A. Limited, yes. Well, not in regards to race. I mean,
15 there are problems with victim identification and victim's
16 statements, and memory in that regard. I know about that
17 generally, not specifically.

18 Q. So in your -- you've never been called to give an
19 opinion on that as a part of Forensic Psychology?

20 A. No, that's not something that I do.

21 Q. Would you be surprised to find out that cross-racial
22 identifications are often incorrect?

23 MR. BOGLE: Objection as to relevance, Your Honor.

24 COURT: Relevance, and the witness says she has no
25 qualifications in that area. Sustained.

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1 **MR. FALK:** May I approach the witness, Your Honor?

2 **COURT:** Yes sir.

3 Q. All right, I believe your testimony is, even if -- if
4 Mr. Snow was not the person who assaulted that girl would that
5 change your diagnosis?

6 A. No. I don't believe so.

7 Q. And why is that?

8 A. Well, for one, you know, he pled to that offense, so I
9 have to take it as fact, so we can't really take it off the
10 table, but I'm looking at a pattern of his attitudes, his
11 interactions with the world, and that pattern is there, even
12 minus one offense.

13 Q. Well, at the time he pled he also was pleading to the
14 burglary charge; is that not correct?

15 A. That -- that could be true.

16 Q. So if he broke into the house, and if he knew he was
17 responsible for the burglary, and if he was going to take a
18 plea, it might be understandable why he would just -- if he's
19 going to plead to one he would plead to them all?

20 **MR. BOGLE:** Objection. Calls for speculation.

21 **COURT:** Sustained.

22 Q. So I've asked you this separately, but then putting it
23 together -- so if LW's accusations against him were unfounded,
24 and if the thirteen year old victim, in that case, was
25 identifying another person, would your diagnosis be different?

1 **MR. BOGLE:** Same objection, Your Honor.

2 **COURT:** I'm going to allow the question. She can
3 answer it if she can.

4 A. Well, if that were the case I wouldn't be sitting on
5 this witness stand, because there would be no sexually-
6 violent-predator petition brought against him because he
7 wouldn't have committed a sexually violent offense, so it's --
8 it's really -- you know, if those things didn't exist I
9 wouldn't have evaluated him.

10 Q. Now, in the DSM-5 there is a great -- there are a lot
11 of personality disorders; is that not correct ---

12 A. You would have to define a lot.

13 Q. ---Specific different types of personality disorders?

14 A. I mean, I wouldn't say that there are a lot of
15 personality disorders. I mean, I could tell you how many
16 there are.

17 Q. Do you have my DSM-5 up there?

18 A. Yes.

19 Q. Could you go to page six forty-six?

20 A. Okay.

21 Q. Could you read the last sentence of the paragraph
22 that's right above the new heading that says, Dimensional
23 Models for Personality Disorders?

24 A. The sentence starting with Data?

25 Q. Data ---

1 A. Okay. "Data from the 2001/2002 National Epidemiologi -
2 - I can't say that word -- Epidemiological Survey on Alcohol
3 and Related Conditions suggest that approximately fifteen
4 percent of U.S. adults have at least one personality
5 disorder."

6 Q. Would you agree with that statement?

7 A. That's the first time I've ever heard an estimate that
8 high. I guess it's, you know, because they are looking at all
9 the personality disorders together.

10 Q. But that is a -- the DSM-5 is an authoritative source;
11 is it not?

12 A. Yes.

13 MR. FALK: One moment, please.

14 No further questions.

15 COURT: Any redirect?

16 MR. BOGLE: Just a couple of things, Your Honor, if I
17 may.

18 COURT: Yes sir.

19 REDIRECT-EXAMINATION BY MR. BOGLE:

20 Q. When the Judge was telling the jury about what we have
21 to prove he talked about the person having either a mental
22 abnormality or a personality disorder; right?

23 A. Yes.

24 Q. In this case you diagnosed Mr. Snow with a relevant
25 personality disorder; correct?

1 A. Yes.

2 Q. Now, did you look for evidence of mental abnormalities,
3 such as the Paraphilic Disorder, or Pedophilic Disorder, or
4 something like that?

5 A. Yes.

6 Q. Okay. Did you try to find those things?

7 A. Yes.

8 Q. And were you able to?

9 A. No.

10 Q. Okay. Did he not -- did he meet the diagnostic
11 criteria, the list of things for any of the mental
12 abnormalities that you looked for?

13 A. He met some criteria for a mental abnormality of
14 Paraphilia, but not -- not a -- I couldn't find a clear
15 pattern of that behavior. I have two sexual offenses, two
16 sexual offense incidents, three sexual offenses altogether,
17 and they were very different. One was with an adult person
18 that he had been in a romantic relationship with, the other
19 one was with a thirteen year old. She would not be
20 prepubescent with that age. I didn't have an account of her
21 sexual development, but -- so, you know, couldn't look for
22 Pedophilia. I don't have any indication of that. I looked to
23 see whether he met criteria for Biastophilia, which is a
24 disorder that's like associated with committing rape. It's
25 sexual arousal toward the non-consenting individual, so it's

1 somebody who gets sexually aroused when the other person
2 fights, or doesn't want it when they are taking sex from
3 somebody. I looked for that, but I didn't see a strong enough
4 pattern of that behavior, so I didn't give him that diagnosis.

5 Q. So you didn't try to diagnose something that wasn't
6 there?

7 A. Right.

8 Q. Okay. And in the Lewd Act case we've been talking
9 about for the last few minutes, was that a conviction by
10 pleading guilty, or by a jury trial, from the sentencing
11 sheet?

12 A. He pled guilty.

13 Q. Okay.

14 MR. BOGLE: Thank you, Doctor.

15 No further, Your Honor.

16 COURT: Anything, Mr. Falk, on those questions just
17 asked?

18 MR. FALK: Yes, I do. If I could just grab my book
19 back.

20 COURT: Yes sir.

21 **RECROSS-EXAMINATION BY MR. FALK:**

22 Q. Is Biastophilia in the DSM-5?

23 A. It's Paraphilia that is -- it would be diagnosed under
24 Other Specified Paraphilic Disorder. It's another one of
25 those diagnoses that is not listed with the numerated criteria

1 -- criterion on the -- in the DSM-5.

2 Q. It's spelled B-I-A something, right?

3 A. Yes.

4 Q. Because I can't even find it in the index. Can you
5 find it? Would you ---

6 A. No, but I can tell you how it's diagnosed under the
7 DSM-5.

8 Q. Okay.

9 A. If you bring the book back I can -- it says, "The eight
10 listed disorders do not exhaust the list of possible
11 Paraphilic Disorders. Many dozens of distinct Paraphilias
12 have been identified and named, and almost any of them could,
13 by virtue of it's negative consequences for the individual or
14 for others, rise to the level of a Paraphilic Disorder. The
15 diagnoses of other Specified and Unspecified Paraphilic
16 Disorders are therefore indispensable and will be required in
17 many cases."

18 Q. So in that definition that word wasn't mentioned?

19 A. That's correct. There are -- there are hundreds of
20 Paraphilias. You can have a Paraphilia for really anything.
21 Mr. Bogle and I had a case where I think I diagnosed maybe
22 nine Paraphilias in somebody who was sexually aroused by a
23 variety of things. You could have a whole book on
24 Paraphilias, but they don't -- they list eight, the most
25 common ones, but you can still have deviant sexual arousal

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1 toward, you know, hundreds of different things that have a
2 name.

3 Q. But you couldn't diagnose him of that in this case; is
4 that correct?

5 A. That's correct.

6 Q. And in fact, he never completed a rape in this case; is
7 that correct?

8 A. That's correct.

9 MR. FALK: No further questions.

10 COURT: All right, Ma'am, you may step down.

11 All right, Mr. Bogle, do you wish the witness to be
12 excused at this time?

13 MR. BOGLE: Not quite at this time. I might keep her
14 around, Your Honor.

15 COURT: All right. Very good then.

16 MR. BOGLE: Thank you.

17 COURT: All right.

18 MR. BOGLE: At this time the State would rest, Your
19 Honor.

20 COURT: All right. Very good.

21 All right, Mr. Falk, are there matters of law that you
22 need to take up with the Court at this point in time?

23 MR. FALK: Yes, Your Honor.

24 COURT: All right. Very good.

25 All right, ladies and gentlemen, at the end of the

1 State's presentation of it's case, or in any case when the
2 party that has the burden of proof ends their presentation of
3 the evidence there are matters of law that the Court must take
4 up with the attorneys, and that's at this stage.

5 And what I'm going to do, rather than keep you sitting
6 in the jury room waiting until we get done with all that I'm
7 going to send y'all to lunch. I would ask that you be back at
8 1:30, please. Be back at 1:30. That will give time to handle
9 the matters with the attorneys, and give them an opportunity
10 for lunch also. So, one-thirty.

11 Remember, don't talk about the case, don't allow anybody
12 to talk to you about it, all right.

13 See you back at 1:30, please. Thank you.

14 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
15 JURY.)

16 COURT: All right, Mr. Falk, your motions at this time,
17 please.

18 MR. FALK: Yes, Your Honor.

19 Your Honor, we are making -- we would make a motion for
20 a directed verdict. We believe that the State did prove that
21 my client committed the acts, you know, predicate acts, and he
22 probably there probably is proof that he poses a risk, but we
23 think there's a problem with the State's proof that he suffers
24 from a mental disease or defect that is the cause of the risk.

25 I just call the Court's attention to the *Luckenbach* case

1 at 568 S.E. 2d 338, and a quote on page three forty-nine - and
2 I believe at that time they are quoting the **Kansas versus**
3 **Crane** case, which is 534 U.S. 407 - and the purpose -- and I -
4 - in **Crane** I think they were obviously looking at the **Kansas**
5 SVP statute, which our statute, I think, is modeled in lock-
6 step with, and I believe that was the Court's opinion in
7 **Matthews**, that the two statutes were virtually identical, and
8 when they were commenting on -- well, this was the **Luckenbach**
9 Court -- it said the purpose of each -- the Act's requirements
10 are at the functional equivalent to the requirement of **Crane**.
11 The purpose of each is to insure involuntary commitment
12 procedures that are only used to control a limited sub-class
13 of dangerous persons, and not to a broad -- broadly subject
14 any dangerous person to what may be an indefinite term. The
15 former is best served by civil commitment scheme which may
16 treat any -- which may treat and monitor an individual's
17 progress while the latter is more amenable to the mechanisms
18 for retribution of general terms of the criminal law.

19 My client has a criminal record, he has a record of
20 violent crimes. Our concern is the fact that there was no
21 definition of a Paraphilic Disorder, and the definition of
22 personality disorder she couldn't fit it into any of the boxes
23 and so I believe it's fitted to a catch-all box of the
24 Personality Disorder Otherwise Specified. She had said that
25 she doesn't have any information, that she doesn't have the

1 proof, she is unable to diagnose that he suffers from an Anti-
2 social Personality Disorder, and we don't believe there is
3 sufficient proof here to show a causational link between what
4 the -- the disorder that she believed my client has and the
5 risk of future harm.

6 Thank you.

7 COURT: All right, sir.

8 All right, Mr. Bogle.

9 MR. BOGLE: Thank you, Your Honor.

10 The first thing that comes to mind in response to this
11 motion is Dr. Gehle's testimony that sixty percent of the time
12 she evaluates the guy as not being a sexually violent
13 predator. I think what we are looking at here is that
14 extremely dangerous sub-set of predators out there. We
15 certainly have shown the convictions of the sexually violent
16 crimes, and Dr. Gehle, by her testimony, she tried to find
17 mental abnormalities but could not, so she didn't try to hang
18 one on him that didn't exist. She did find the existence of a
19 valid personality disorder as defined in the DSM that fit the
20 criteria that she had. She couldn't reach Anti-social because
21 she didn't have proof of conduct before fifteen, age fifteen,
22 but she had enough to go with what she did go with, and she
23 testified that, in her opinion as an expert witness, that
24 affected his emotional or volitional capacity so that he was
25 predisposed to commit future acts of sexual violence, and had

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1 the propensity to be dangerous, and a menace to the health and
2 safety of others.

3 So we would submit that, looking at the light most
4 favorable to -- of the non-moving party, under the directed
5 verdict standard, the State has met it's burden of proof
6 sufficient for the case to go to the jury.

7 COURT: All right, sir.

8 All right, sir. All right, regarding the directed
9 verdict motion, the Trial Court is required, and I am
10 required, to view the evidence and the inferences in -- which
11 reasonably can be drawn from the evidence in a light most
12 favorable to the party opposing the motion, and when
13 considering the directed verdict motion I do not have the
14 authority to decide credibility issues, the believability and
15 credibility issue. What I'm doing is looking at the evidence,
16 and whether or not a verdict for the State, in this particular
17 case, would be reasonably possible, as liberally construed,
18 and in that I do not have, in the directed verdict motion, I
19 do not have the same standard as the jury, but I do find that
20 the evidence, if it is so believed by the jury, there is more
21 than sufficient evidence in the record, under the standard of
22 beyond a reasonable doubt, even though that's not my standard,
23 I do find that there is more than sufficient evidence, if it's
24 believed by the jury, that would show, beyond a reasonable
25 doubt, that the -- first - and it's been admitted - obviously

1 the Respondent has been convicted of sexually violent offenses
2 - it's in the record and that's -- that has been shown, but
3 the evidence also exists that he does have a personality
4 disorder that makes the person likely to engage in acts of
5 sexual violence if not confined in a secure facility for long-
6 term control, care or treatment. Dr. Gehle stated that he did
7 suffer from the personality disorder she spoke of, she took
8 into consideration the -- all of the matters before her, she
9 did find, in her opinion, that he was pre-disposed to commit
10 future criminal sexual activities, he's likely to commit
11 sexual violence in the future, he has a propensity to be
12 dangerous, is a menace to the public, he has serious
13 difficulty in controlling his behavior, again, unless he is
14 confined for long-term control, care and treatment, and that
15 outpatient treatment would not be sufficient, that he meets
16 the test to be a -- declared to be a sexually violent
17 predator, and in the dangerous -- that basically any women he
18 focuses on are at risk. I do find, therefore, that the State
19 has produced more than sufficient evidence to survive a direct
20 verdict motion, and therefore respectfully decline to grant
21 your motion for directed verdict.

22 Further motions by the Respondent?

23 **MR. FALK:** No, Your Honor.

24 **COURT:** All right.

25 All right, you indicated that there was a potential for

1 two witnesses, Mr. Falk. Do you wish to discuss the matter
2 over a lunch break with your client before you decide the --
3 or are you certain now that you will, indeed, have the two
4 witnesses?

5 MR. FALK: I'm certain we are going to have the two
6 witnesses.

7 COURT: All right. Very good.

8 All right. I believe I told the jury to be back at
9 1:30, so gentlemen, if y'all will be here and make sure that
10 you are in the courtroom by 1:30, please. All right.

11 MR. BOGLE: Your Honor, regarding the release of Dr.
12 Gehle ---

13 COURT: Yes.

14 MR. BOGLE: ---We are done with her testimony. I want
15 to keep her around for some of the defense's case, but could
16 it just be my call when to let her go?

17 COURT: Well, yes sir. I mean, it's your -- she is
18 under your direction, so if you don't want to release her she
19 is not released. Now, if you want to, and Mr. Falk doesn't
20 object, then she's free to go, but apparently, Dr. Gehle, you
21 must stay around, so we'll be glad to have you stay with us.

22 There are some fine restaurants in Georgetown. Go enjoy
23 lunch at one of them.

24 MR. BOGLE: Thank you.

25 COURT: Thank you.

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1 (THE FOLLOWING TAKES PLACE AFTER A LUNCH BREAK, AND
2 OUTSIDE THE PRESENCE OF THE JURY.)

3 COURT: Okay. Mr. Bogle, are you ready for the jury to
4 come in?

5 MR. BOGLE: Yes, Your Honor.

6 COURT: And Mr. Falk?

7 MR. FALK: Yes, Your Honor.

8 COURT: All right. Very good.

9 Ask the jury to come, please.

10 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
11 JURY.)

12 COURT: All right, Mr. Falk, first witness.

13 MR. FALK: We would like to call Melissa Lynch to the
14 stand.

15 COURT: All right. If you would please come around to
16 be sworn, Ma'am. If you would just meet the Clerk's
17 representative right over here in the corner, please Ma'am.

18 MELISSA LYNCH, being first duly
19 sworn, testifies as follows:

20 DIRECT-EXAMINATION BY MR. FALK:

21 Q. Ms. Lynch, what's your current advocacy?

22 A. On disability.

23 Q. And what is that for?

24 A. I have Crohn's Disease.

25 Q. And so you are receiving disability income?

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1 A. Yes sir.

2 Q. You are here today because you are somebody who knows
3 Darrell Snow, so can you tell me when you first met Mr. Snow?

4 A. I was real young. We were young. Darrell was
5 eighteen.

6 Q. Were you in high school at the time?

7 A. No sir. I quit in the eighth grade.

8 Q. Okay.

9 A. I was in love, real young, because I didn't have a
10 mother, so I went there with somebody else, so we went there
11 to play pool, because you can't drink when I was in the club,
12 so me and this guy was playing pool, and we only got there
13 maybe thirty minutes, we were playing pool, and Darrell walked
14 in the club, but I didn't know his name at the time. When I
15 seen Darrell that was it. Eyes -- me and Darrell locked eyes.
16 Darrell was at the door. Darrell didn't step into the door,
17 he just had the door open like you come into the house, but
18 this was a club. I was on the other side of the pool table,
19 so when Darrell walked in we locked eyes.

20 Q. So after this first time that you met, did you see him
21 later, after that?

22 A. Oh, yes sir.

23 Q. Can you describe that?

24 A. Well, after the pool game got over Darrell asked me how
25 was I getting home. I only lived two blocks away, but Darrell

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1 didn't know it because we had just met that night. So Darrell
2 asked me, he said, Melissa, how are you getting home. I said,
3 I'm going to walk home. He said, no you are not, and he said,
4 I'm going to take you home, because Darrell -- I didn't know
5 Darrell drove, but Darrell drove to the club that night. So
6 Darrell brought me home, but before I got out the car we sat
7 in the car for a long period of time, and we talked, and so I
8 asked -- I didn't know if he was going to come back that
9 night, so I asked Darrell, I said, are you coming back. He
10 was like yes. He said, I'm going to go to work the next day,
11 he said, and when I get off of work I'm going to go to my
12 mom's house, take a shower, and he said I'll be back. Well,
13 he did. It shocked me, but he did. So that -- when Darrell
14 got off work - it was maybe around six, seven o'clock in the
15 evening - Darrell came back.

16 Q. So the next day y'all were together?

17 A. The next -- same -- it happened like that every day.
18 When Darrell worked, when he got off he went home and took a
19 shower, and soon as he finished taking his shower I guess he
20 eat, and then he come back to my house. That happened for
21 weeks.

22 Q. So y'all were dating at that time?

23 A. Yes sir.

24 Q. Okay. And how long were you dating?

25 A. For a long period of time.

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1 Q. Can you define that, months, years?

2 A. For months.

3 Q. Okay.

4 A. Uh huh (indicating positive)

5 Q. At that time did y'all ever have an intimate
6 relationship?

7 A. No. This is one thing I want everybody to know. Well,
8 it was like -- about a week later. I had my own house now, so
9 you've got to understand, I had my own house. Fifteen --
10 well, fifteen to eighteen I had my own house, so Darrell
11 didn't ask me to stay at my house, I asked him, so it was me
12 and my sister, and I had two more girls living in the house
13 with me. The house belonged to me. So I asked Darrell if he
14 wanted to stay the night and Darrell said yes, so Darrell
15 slept in my bed. We slept in the same bed. Darrell did not
16 touch me the whole time. We would ride around in the car, all
17 those months, Darrell didn't touch me not one time. Darrell
18 never disrespected me, Darrell never put his hand on me,
19 nothing. Darrell was the utmost gentleman you could ever
20 meet, to me. He never disrespected me, never said bad words
21 to me or nothing. It was like he was my miracle.

22 Q. So you said that you were together for months, then did
23 you break up?

24 A. Yes sir, over lies. One night me and Darrell was out
25 riding, so the two females I had living with me, and my sister

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1 was at the house too, because I left her home that night, so
2 Darrell always pulled in one spot, across the street from my
3 house because it's like a dentist's office, but -- at the time
4 it was -- and I don't know what it was at the time, but now
5 it's a dentist's office. So Darrell used to drop me off there
6 so I would just walk across the street. It wasn't no traffic
7 because where I lived at. So Darrell left, he went on home,
8 so I was walking up to the steps and the two girls told me --
9 my sister wasn't out there, she was in her bedroom -- so the
10 two girls told me, she said, do you know Darrell has got a
11 girlfriend and a baby on the way. It kind of shocked me
12 because I didn't know that. And I'm the type of person, if
13 you've got a wife or a girlfriend I'm not going to get
14 involved with you. So I -- Darrell came back the next day and
15 I told Darrell he had to leave me alone. Well, I didn't tell
16 him what the girls had told me, I just told him he had to
17 leave me alone. So Darrell went on about his business, but he
18 came back later on, parked across -- same spot, parked across
19 the road. So Darrell said, Melissa, what's wrong. I didn't -
20 - I didn't tell him, because I didn't want no argument, so I
21 didn't tell him. So me and my sister, we was walking down the
22 road and Darrell was like, Melissa, what's wrong. I wouldn't
23 tell him. So Darrell got in his car -- so I looked back to
24 see if Darrell was looking at me, and I saw Darrell looking.
25 So Darrell got in his car and he left. He didn't say not one

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1 word to me. He didn't say nothing bad or anything. So the
2 next night I went back to the club, because back then the club
3 used to ---

4 Q. So at some time you broke up?

5 A. Yes sir.

6 Q. Okay.

7 A. Yes.

8 Q. And you separated ways?

9 A. Yes sir.

10 Q. Okay. Are you married?

11 A. I was at the time. Well -- when I was younger I
12 wasn't, but I got married when I was eighteen.

13 Q. Okay. And are you currently married?

14 A. No ma -- no sir.

15 Q. Is your husband -- are you divorced, or are you a
16 widow?

17 A. Divorced.

18 Q. Okay. Do you have any children?

19 A. Yes sir.

20 Q. How old is -- and age, sex?

21 A. Four -- she's fourteen right now.

22 Q. Okay. You have one child?

23 A. Yes sir.

24 Q. And is that child with the man to whom you were
25 married?

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1 A. Yes sir.

2 Q. Okay. And so prior to -- and again, just to keep this
3 timeline going, you got married, and prior to you being
4 married -- and who was -- who was your husband?

5 A. Arturo Alvarado.

6 Q. So prior to being married to Mr. Alvarado you and
7 Darrell were still never intimate; is that correct?

8 A. No sir.

9 Q. Okay. So now it's 2015. How did you reconnect with
10 Darrell?

11 A. I was married, and my little cousin had went to prison,
12 so I was going to send him money but I didn't know what the
13 address was where I send the money at the prison system, so I
14 got on the computer, I punched his name in, so I found out the
15 address where to send the money and everything, so I said,
16 well, I've been looking for Darrell for some years, so I don't
17 know what made me, like punch up his name, because I don't
18 know what happened, but I punched under the Snow name. I seen
19 Darrell's picture popped up on the computer, I passed out on
20 the floor, I fell on the floor, because that ain't the person
21 I know. So when I seen Darrell's picture popped up I was like
22 -- after I got up I was like, um, I said, something's else
23 wrong with this, so I wrote Darrell a letter, and that's how
24 we started talking again.

25 Q. You said that's not the Darrell that you knew. What

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1 did you mean, that you didn't recognize him?

2 A. I recognized him, but Darrell was the nicest -- is the
3 nicest person ever. He never disrespected me, and if you
4 was -- you were a good person you shouldn't -- nothing
5 shouldn't like that happen to you.

6 Q. So when his picture popped up what did you see?

7 A. His mugshot of the DoC web page.

8 Q. And the charges for which he was convicted?

9 A. I know it was the child. I don't want to lie. I know
10 it was a child, and I can't -- I really can't remember. I
11 just know it was like something to do with a child.

12 Q. Okay.

13 A. Yes. I really can't remember that.

14 Q. All right. So, let's bring this sort of back up. You
15 passed out because you didn't recognize Darrell. Then what
16 happened next?

17 A. I wrote Darrell a letter.

18 Q. Okay.

19 A. And truthfully, I wrote -- it was like, almost a year,
20 almost a year. I wrote a letter, but I wouldn't never send to
21 him.

22 Q. About what year -- what year are we here?

23 A. It was 2 -- 2008.

24 Q. Okay.

25 A. And I finally sent the letter, October of 2009. It

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1 took me a year -- I kept writing the letters, but I kept
2 putting them in the trash can.

3 Q. Why is this?

4 A. Because I -- nobody knew my secret, that I was in love
5 with him.

6 Q. I see.

7 A. And my plans -- and Arturo's friends knows all of
8 Darrell's friends, and I didn't want them to talk to each
9 other ---

10 Q. Sure.

11 A. ---Without me confessing it to him first.

12 Q. So when you said earlier that you were looking for him,
13 why were you looking for him?

14 A. I love him to death.

15 Q. And you've loved him since the day at the pool hall?

16 A. (NODS HEAD AFFIRMATIVE)

17 Q. All right. So what kind of contact have you had with
18 him since 2009?

19 A. When I first contacted him me and Darrell stayed on the
20 phone all day. I spent every dime I had. I needed to talk to
21 him. The only reason we wasn't together all this time because
22 two people lied on me.

23 Q. And so you are saying that you spoke with him on the
24 phone?

25 A. All day long. If the prison system didn't have the

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1 count he was on the phone with me. I spent Twelve to Thirteen
2 Hundred Dollars a month to talk to him.

3 Q. And just -- I'm not sure everybody knows that
4 terminology. So you are saying whenever he had free time he
5 was on the phone with you?

6 A. He didn't go to -- he didn't go to rec, he didn't go to
7 the lunch room to eat, he was on the phone with me.

8 Q. And so how many days a week would this be?

9 A. Every day. The only time I didn't hear from Darrell,
10 if the prison system was locked down, because Darrell was
11 never locked down. He never -- after I contacted him he
12 hasn't been in trouble.

13 Q. Okay. So now this is 2010 that you are talking to him
14 on the phone?

15 A. I've been talking to Darrell since October, '09.

16 Q. Okay. What was his demeanor like when you first
17 started talking with him on the phone?

18 A. When we first started talking?

19 Q. Yes.

20 A. And I used to say -- if you know me, I would say things
21 to get to him. I wanted to see who Darrell was.

22 Q. So was he ---

23 A. He was -- I could say the littliest thing, Darrell
24 would jump on me.

25 Q. Okay.

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1 A. And as time went by, about a year, now I can say stuff
2 to Darrell and don't bother him, because Darrell has helped
3 me, and I've helped him.

4 Q. So you would kind of poke him a little bit, nudge him a
5 little bit?

6 A. Darrell wouldn't fuss with me, it would be me fussing
7 with him, if the truth needs to be told. Darrell wouldn't --
8 when I used to fuss with Darrell Darrell would want to calm me
9 down, because Darrell knows I had problems. I used to push
10 Darrell to argue with me. About a year, we don't fuss no
11 more. After 2010, we don't fuss no more. Our conversation is
12 peaceful. Like, when we get on the phone we laugh. We built
13 each other up.

14 Q. Now these telephone conversations are talking place and
15 he is in prison; is that correct?

16 A. Yes sir.

17 Q. I guess I should ask you this. Do you have a felony
18 record?

19 A. Yes sir.

20 Q. Would you tell me what that is?

21 A. Like I said, I didn't have a mama. One time I was
22 starving.

23 Q. What were you charged with?

24 A. Forgery.

25 Q. About how old were you?

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1 A. Seventeen.

2 Q. And have you been in any trouble since then?

3 A. No sir. I swore that day, after -- I wouldn't get in
4 trouble no more, and I haven't.

5 Q. Okay. And the reason I asked you that -- now, I'm
6 coming back around. Did you ever visit him in prison?

7 A. Not in prison.

8 Q. Why is that?

9 A. I had a forgery, and they wouldn't let me in. Darrell
10 signed the papers two or three times, they still wouldn't let
11 me in.

12 Q. Okay. He has since been moved to the Georgetown County
13 Detention Center. Have you visited with him there?

14 A. Every time they had a visit. The visits are on
15 Saturday and Tuesday. Let me tell you about Darrell. I used
16 to go visit every Saturday and Tuesday. Tuesday nights it
17 started at 8:45. 8:45 is dark. So I went there for maybe a
18 year, so Darrell said, Melissa, he said, you've got to quit
19 coming on Tuesday night. I said, why. He said, it's too
20 dangerous to be in the street at night, being a female.
21 Darrell stopped me. Darrell said, Melissa, you can't do it no
22 more. He said, you've got to leave out your house, you've got
23 to get on that road, you've got to get to the jail. I've got
24 a -- I've got a child I've got to help, so I wouldn't leave
25 her at night no more, because I used to have to bring her to

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1 her daddy, because I don't leave my child home by herself. So
2 Darrell said, Melissa, you can't bring AA out there like
3 that, he said, you don't need to be in the street like that at
4 night. Darrell stopped me.

5 Q. And your daughter's name is?

6 A. AA

7 Q. Okay. And does she have any type of relationship with
8 Darrell?

9 A. She loves Darrell. She loves him. My child was
10 failing fifth grade.

11 Q. You said failing?

12 A. She was failing. She was failing math. She had every
13 other subject, math. So one day Darrell was on the -- Darrell
14 was on the phone. I asked if he could help AA He said
15 yeah. He said, what is it? I said, math. Darrell is perfect
16 in math. AA would have failed the fifth grade if it
17 weren't for Darrell. He would have -- she would have failed.
18 Right now AA is a eighty-six in math. AA was a zero.
19 AA got math. So one day Darrell asked AA said, do
20 you need my help in math. AA said no, I've got it now.
21 She's got it.

22 Q. So part of these telephone conversations were him
23 talking to your daughter?

24 A. Darrell used to talk to her too. I used to have him on
25 speaker phone so both of us could hear the conversation.

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1 Q. Earlier you said you were spending Twelve, Thirteen
2 Hundred -- did you say Thirteen Hundred Dollars a month?

3 A. Thirteen Hundred Dollars.

4 Q. And that was ---

5 A. The whole time he's been at the Department of
6 Corrections.

7 Q. And those are collect calls?

8 A. He had to call -- I told him, if you want to talk to me
9 you can't get on nobody's cell phone. I didn't want him to do
10 nothing illegal. I said, if you want to call me get on the
11 phone and call me, don't call me on somebody's phone, because
12 I was going to get him for that. So every time he wanted to
13 call me Darrell was free to call me. My phone never was off,
14 because that man could call me.

15 Q. And again, is this every day for ---

16 A. Darrell could call me if -- if the prison system let
17 them out at four o'clock in the morning that man could have
18 called me. It didn't matter. Money -- I gave -- let me tell
19 you this. I gave up my last dime for that man so he could
20 call me. Me and her went out of food so that man could call
21 us.

22 Q. Now were you ever sending him monies?

23 A. Yes, I did.

24 Q. And what was that for?

25 A. If he needed canteen, and then we was putting our house

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1 together. Nobody knows this, but Darrell had money, because I
2 used to send it to Darrell so I wouldn't spend the money. So
3 right before he got out he could have send the money back to
4 build our home, and right now I live in the home that we saved
5 money to get.

6 Q. So it's your money that you sent him, and then he sent
7 it back to you?

8 A. He saved -- he wouldn't even go to canteen because he
9 was saving the money to build our home.

10 Q. And so he actually sent you a check?

11 A. Several. And he didn't send like one a month. He
12 would send it -- three, three, three a month sometimes.
13 Whatever he had saved he would send it. He sent me his last
14 penny. Even at Georgetown County Detention Center he's did it
15 to help me.

16 Q. Have you been in court yesterday and today?

17 A. Yes sir.

18 Q. You've heard some stuff about Darrell?

19 A. Yes sir.

20 Q. Now, does anything that you've heard, doesn't that
21 concern you?

22 A. No sir.

23 Q. And can you explain why?

24 A. I know Darrell. I know Darrell better than anybody,
25 anybody in his family, it could be somebody on the street, the

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1 worse person talk about him, I know him. I'll put Darrell
2 through tests, every day. I know everything about him.
3 Darrell won't hurt nobody. Uh huh (**indicating positive**)

4 Q. If he were to be released do y'all have plans together?

5 A. Ask Darrell where he live at. He lives at my address,
6 Georgetown, his house, his mama's land, his
7 land, that's where I live at. When I was homeless Darrell put
8 me in his house. His house didn't have no windows, floors,
9 walls, no electricity. I put together for me and Darrell and
10 AA

11 Q. And AA is fourteen?

12 A. Fourteen.

13 Q. Do you have any concerns about Mr. Snow being around a
14 fourteen-year-old girl?

15 A. Listen, I have Crohn's Disease. If I'm going to
16 hospital tonight, if Darrell was out tonight Darrell and
17 AA could stay at the house together. I don't care if I
18 stay in the hospital a week, two weeks, three weeks, he could
19 keep her. And her daddy even trusts him. Her daddy was in
20 here yesterday.

21 Q. Mr. Arturo?

22 A. He was right here supporting Darrell. He can't be here
23 today because he's got to work.

24 Q. Can you estimate how many hours you've spent on the
25 phone with him since 2009?

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1 A. Every waking hour I had. If I wasn't on the phone with
2 him I was writing him letters. Every dime I had went in phone
3 calls.

4 Q. Do you feel that, based on these conversations, you
5 know his personality?

6 A. I know Darrell like a book.

7 Q. Any concern that he might have a violent temper?

8 A. Darrell is not going to hurt nobody.

9 Q. Aren't you concerned that he's kind of manipulating
10 you?

11 A. I know Darrell. I've put Darrell through many tests.
12 I've -- I've the one cause arguments with him, to get him to
13 do something.

14 Q. What do you mean by tests?

15 A. The charges they've got him charged for ---

16 Q. Yes.

17 A. ---I had to make sure it was good because I've got a
18 child, I've got a daughter. I put Darrell through that. See,
19 what everybody don't know, before I contacted Darrell I went
20 to Georgetown Courthouse. I had everything printed up. So
21 when I contacted Darrell I told -- the first letter I wrote he
22 had to explain me the charges. I've got a daughter I've got
23 to protect. So the same things that's in the court records,
24 Darrell told me everything. It matched. There wasn't not one
25 lie. I had to make sure. I -- for the first year I put

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1 Darrell through so many tests. I had to make sure.

2 Q. So you are saying he read -- you read the court records
3 and ---

4 A. I read everything.

5 Q. And what was in there that you had read? I mean, it
6 certainly said that he committed these offenses.

7 A. Yes, it said them. Said all -- the worse things you
8 can -- a mother can read. I've got a daughter. I had to find
9 out. Right now, if I'm in the hospital, I don't care if it's
10 a year, months, weeks, them two could stay at the house
11 together. Darrell did more for her than her own daddy's did.
12 Darrell has helped that child. My child got problems..
13 Darrell stood up for her.

14 Q. Did Darrell ever try and explain what had happened?

15 A. Yes, he told me. He told me everything. Darrell
16 hasn't lied to me, not one time.

17 Q. You asked him about it over a period of time?

18 A. I asked him every chance -- see, I couldn't ask him
19 every day because, if I ask you every day about something
20 happened you are going to stick to the same story. What I
21 would do, I would skip months, I would skip weeks, but Darrell
22 didn't know it. I would skip so you can't keep up with your
23 own story. If you was lying to me you was going to tell a
24 different story. I don't care if I asked him this month,
25 three months later he would stick to the -- he had the same

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1 story. He had the same story every time. He couldn't lie to
2 me.

3 Q. And based on that story, do you still love him, or do
4 you love him?

5 A. If Darrell wasn't in prison right now I would have been
6 already married to him. Only reason I won't get married at
7 the County Jail, he deserves better, way better.

8 Q. So would you -- you would plan to live together? I
9 guess -- you said you were planning to get married?

10 A. The day Darrell get out here, as soon as he get his
11 birth certificate ID, we going to get them -- we going to the
12 courthouse and get the papers filled out.

13 Q. And you -- do you have any means of income?

14 A. I'm on disability, plus, I get child support for

15 AA plus, Darrell is going to get a job. He's got to
16 work. Can't -- can't wait on me to do everything. He's got
17 to work. Everybody's got to work if they want to eat. I
18 would be working too if I didn't have Crohn's.

19 Q. And that's the basis for the disability, the Crohn's?

20 A. I've done had fifty surgeries in nine years. I just
21 had surgery. I had open-stomach surgery, and who stood there?
22 Darrell.

23 Q. What do you mean, how -- how did he stand there?

24 A. I didn't know my stomach was -- my intestines was
25 blocking. This happened like overnight. I didn't want to go

1 to the hospital. Darrell begged me. I still wasn't going. I
2 went to Georgetown Hospital. Crazy doctor said, oh, ain't
3 nothing wrong, so they rushed me to the hospital in Florence
4 on a ambulance. I did a CT scan. My stomach was -- my
5 intestines was blocked, so I end up having some of the colon
6 taken out, so Darrell called me before it happened, before the
7 surgery happened, and Darrell cried. That was the last thing
8 I wanted to happen. I was dreading that, because you don't
9 know if you are going to get the colostomy bag, or you don't
10 know you are going to come out the operating room. Darrell
11 cried. If it wasn't for Darrell I would be dead right now.

12 I'm sorry about the tears, but ---

13 MR. FALK: I think I have no further questions. Please
14 answer any questions Mr. Bogle has.

15 COURT: Cross-examination.

16 MR. BOGLE: Thank you, Your Honor. May it please the
17 Court.

18 COURT: Yes sir.

19 CROSS-EXAMINATION BY MR. BOGLE:

20 Q. Ms. Lynch, you said you met Mr. Snow when you were
21 about eighteen at that club?

22 A. Yes.

23 Q. How old would he have been about then? What's the age
24 difference between the two of you?

25 A. Right now it's only two years, because my birthday was

1 yesterday.

2 Q. Okay. Okay. So he was only about twenty, twenty-one
3 when you met him ---

4 A. Yes sir.

5 Q. ---Is that right? Okay. And the last time you were to
6 see him and been able to go out with him, or date him, would
7 have been sometime prior to 2006 when he went to prison; is
8 that right?

9 A. Yes sir.

10 Q. Was this about nine years?

11 A. Yes.

12 Q. Okay. And the reason you've had to spend all this
13 money for the phone calls is, the prison system requires the
14 inmates to make collect calls; correct?

15 A. Yes sir.

16 Q. You have to pay for the phone bill?

17 A. I paid for every single one.

18 Q. Okay. And were you present in the courtroom when he
19 pleaded guilty to that Lewd Act on a Minor Child back in 2006?

20 A. No sir.

21 Q. Okay. Were you present in the courtroom back when he
22 was convicted in 1996 with the Assault with Intent to Commit
23 Criminal Sexual Conduct against the woman in that?

24 A. If I was in Darrell's life it wouldn't have never
25 happened, but I wasn't in the courtroom.

1 Q. You weren't in the courtroom for any of the jury trial
2 or anything like that? Did you know him back then, or was
3 that before you met him?

4 A. I knew Darrell in '85 or '86.

5 Q. Okay. So you didn't attend the jury trial when he was
6 charged with all those crimes?

7 A. (NODS HEAD NEGATIVE.)

8 MR. BOGLE: Thank you.

9 No further questions.

10 COURT: Any redirect?

11 MR. FALK: Just one brief redirect.

12 REDIRECT-EXAMINATION BY MR. FALK:

13 Q. You had testified earlier that you knew him, back when
14 you were younger, you've been married, and that you didn't
15 find out where he was until 2000 what?

16 A. 2008, and I con -- I wrote him his first letter October
17 19th, 2009. It took me a year to contact him.

18 Q. Did you even know that he had these trials?

19 A. No sir.

20 MR. FALK: No further questions.

21 COURT: Anything on those questions, Mr. Bogle?

22 MR. BOGLE: No, Your Honor.

23 COURT: You may step down, Ma'am.

24 Next witness, Mr. Falk.

25 MR. FALK: Your Honor, we would like to call Darrell

1 Snow to the stand.

2 COURT: All right, sir, if you would please come around
3 to be sworn.

4 DARRELL THADDEUS SNOW, being first
5 duly sworn, testifies as follows:

6 COURT: Could you spell your -- the first name and your
7 middle name, please sir.

8 A. D-A-R-R-E-L-L S-N-O-W.

9 COURT: Thank you.

10 DIRECT-EXAMINATION BY MR. FALK:

11 Q. You are currently at the Georgetown Detention Center?

12 A. Yes sir.

13 Q. Where were you before that?

14 A. Before then I was at Evans Correctional Institution.

15 MR. FALK: I think you might be able to come forward,
16 or maybe you can put the mike closer to you because I can't
17 quite hear you.

18 COURT: And if you can move the chair a little closer
19 up. There you go.

20 A. Yes sir.

21 COURT: All right. Go ahead and try that.

22 Q. You said you were at Evans?

23 A. Evans Correctional Institution.

24 Q. And how long were you there?

25 A. Since 2011, sometimes about August until -- till I came

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1 here.

2 Q. So prior to Evans where were you?

3 A. I was at Lieber Correctional Institution about
4 seventeen months, sir.

5 Q. After you were sentenced on the most recent charges,
6 when was that?

7 A. The most recent? The first one ---

8 Q. No, the charges that you ---

9 A. Now? Okay.

10 Q. You just finished your time, right?

11 A. Yes sir.

12 Q. You served out that sentence; is that correct?

13 A. Yes sir.

14 Q. Okay. And when did that sentence start?

15 A. When it start? January the 27th of 2005.

16 Q. Okay. So that's a little over ten years?

17 A. Yes sir.

18 Q. And you've been in prison before; is that ---

19 A. Two other times, sir.

20 Q. And how long for each time?

21 A. The first time I did five years on ten years, and the
22 second time I did seven years and eight months, the second
23 time.

24 Q. So that first time you said five years?

25 A. Five years on a ten-year, sir.

- 1 Q. Okay. And the second time seven?
- 2 A. Seven years and eight months, sir.
- 3 Q. And you just finished ten?
- 4 A. This time, yes sir.
- 5 Q. How old are you?
- 6 A. I'm forty-six years old, sir.
- 7 Q. So you've been in custody about twenty-two years?
- 8 A. Yes sir.
- 9 Q. We've heard some testimony about somebody who was
- 10 described as LW ---
- 11 A. Yes sir.
- 12 Q. ---And can you tell me about that?
- 13 A. From beginning?
- 14 Q. Who is she?
- 15 A. She's my baby's mother, sir.
- 16 Q. Okay.
- 17 A. Lehoma Wilson.
- 18 Q. And how old is your child?
- 19 A. She's twenty-seven years old, sir.
- 20 Q. Okay. Do you have any other children?
- 21 A. Only one.
- 22 Q. Okay. So can you describe your relationship with Ms.
- 23 Wilson?
- 24 A. From the beginning?
- 25 Q. Why not?

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1 A. In the beginning it was all right, but from sixteen to
2 twenty-one we got a history of criminal domestic violence.
3 She would put me in jail over and over again, and drop the
4 charges, and come back to me, then when she would get mad she
5 would put me back in jail, over and over again. It's a
6 history of this.

7 When I got out in 1994, the first time, after five
8 years, after she done put me through all this trouble, if I
9 was such a bad person, why did she come back to me? I didn't
10 ask her to. I didn't threaten her, I didn't force her.

11 Q. Well, explain, what does coming back to me mean? This
12 is -- so this is after you served your five years?

13 A. Yes sir.

14 Q. And then what happened?

15 A. She came back. She wanted to get back with me. She
16 living in Green Acres Trailer Park with James Ford. She left
17 him for me. I didn't ask her to do it. She came back. So I
18 gave -- I gave her another chance.

19 Q. Well, when she said come back -- I mean -- you mean
20 like as ---

21 A. In a relationship.

22 Q. ---Boyfriend and girlfriend, whatever?

23 A. Yes sir, in a relationship.

24 Q. Y'all were never married; is that right?

25 A. No sir, we was never married.

1 Q. All right. So, she moved out of Green Acres and back?

2 A. She left Green Acres, and came back with me.

3 Q. Now do you have a child at this time?

4 A. My daughter is sitting right over there, Shemaka Snow.

5 Will you please stand?

6 MR. FALK: No, no, no, no, no. Please don't.

7 COURT: No.

8 A. Okay.

9 Q. So your daughter is in court with you today?

10 A. Yes sir.

11 Q. Okay. All right, so she comes back, with your
12 daughter, and you are living in -- where are you living?

13 A. I was living -- I wasn't living -- she was living in
14 Green Acres at Lot 18, trailer park. I was living at my
15 mother's house, but whenever I would take her to work I would
16 go there with her, but when we picked up my daughter from
17 school we would go to my mother's house.

18 Q. So y'all weren't living in the same place at the time?

19 A. No sir, we wasn't.

20 Q. And why is that?

21 A. Because I was living with my mom, and she had this
22 place in Green Acres Trailer Park, and I really didn't want to
23 live there because the individual that she was dealing with,
24 you know what I'm saying, he already was living there, and you
25 know, it was other things pertaining to that why I didn't want

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1 to live there.

2 Q. Okay. So it sounds like at this point this is a couple
3 of years after you were released on your five years. Things
4 are going well?

5 A. After the five years, and then I get out, it was all
6 right until one day I was taking her to her trailer, with my
7 daughter in the car, and we was driving down the street and I
8 saw a crowd of people in front of Lot 8 -- Lot 18, at her
9 trailer. I'm driving. And James Ford, he comes out the crowd
10 of people shooting, with a gun, he was shooting at us. My
11 daughter was seven years old. She was in the car, and Lahoma
12 was in the car, so I spin -- I was driving this at a speed, so
13 I had to stop the car and turn the car around, and get away.
14 So when I get away I went to my brother, Willie Roosevelt
15 Snow's house, Lahoma and me. We told them that the man was
16 shooting at us, you know, so my brother, he gave me the gun.
17 I tell him -- he gave me the gun, so every time I take Lahoma
18 and my daughter back over there I've got the gun, because this
19 man had already shoot at us. So I went back over there with
20 the gun, and we are going, and that's how -- I stay over
21 there, but that's how we stay over there. I wasn't
22 comfortable with staying over there like that, so about after
23 a week we didn't see James Ford no more, so I gave my brother
24 the gun back. About a week later we went back to her trailer.
25 James Ford done broke in the trailer, trashed the trailer.

1 She gets mad with me. I tell her I didn't do that, material
2 things can replace, take a warrant out on him. So I was
3 bringing her back from AVX, her job, driving. She reach over
4 and punch me a couple of times.

5 Q. Why did she do that?

6 A. I don't know. I guess she was frustrated. And I
7 pulled off the road. I said, what's wrong with you, I said,
8 you can make me wreck, you know, doing this stuff like this
9 right here, you know, such and such, and after that I told
10 her, I said, I'm going to leave you alone for about two or
11 three days, because -- so -- cause I don't want no problems
12 with her, so I tell her I was going to leave her alone. So I
13 left her alone for two or three -- three days. My nephew,
14 Gary Holmes - he's deceased now - we was over there at
15 Oakland, so I said I was going to go check on, you know, my
16 daughter and my girl, see if she done cooled down now. So we
17 went back over there. I knocks on the front door. She comes
18 out the front door, said nothing happened yet ---

19 Q. Mr. Snow, just ---

20 A. Yes sir.

21 Q. Since she's not going to be here to testify let's not
22 talk about what she said.

23 A. Yes sir.

24 Q. Just try to relate the event without using any of her
25 conversations, if you could.

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1 A. Yes sir.

2 Q. So, knock on the door, the door was opened?

3 A. Okay. Knocked on ---

4 Q. She let you in?

5 A. Yes. She came out the house.

6 Q. Okay.

7 A. James Ford runs out the back door, across the street,
8 and he -- he's screaming at me, you are going back to prison,
9 you're going back to prison. And from that I told her to get
10 my daughter, come on, let's go.

11 We went to my Mom's house, and we stayed there. So I
12 talked to her about it. So I said, to keep problems down,
13 because James Ford -- she already break up with him and he had
14 his clothes -- he had take all his clothes, so to keep
15 problems down, if you want to be with James Ford you can be
16 with James Ford, so if was in 2000 -- I mean, 1995, so I ended
17 my relationship with her.

18 Q. So you ended it?

19 A. With her, after I got out in 1998 or 1994. It didn't
20 last even maybe a month or so. So I ended my relationship
21 with her because James Ford came out of her and he had already
22 took his clothes, and she said she wanted to be with me, so I
23 just wanted to keep the problems down, because if she wanted
24 to be with me she would have been with me; if she wanted to be
25 with him she's got a right to be with him, you know - I wasn't

1 mad - so I ended my relationship with her. So I got my
2 daughter, and I took her -- and I was taking them back to
3 Green Acres, and then as I'm going back to Green Acres she
4 tell -- she keeps asking me, are you -- Darrell, are you
5 coming back. I said no. Darrell are you -- I said no. I
6 drop her back off to Green Acres, and about two weeks later my
7 brother, Roosevelt Snow, comes to my mama's house and says
8 James Ford called him and transgress against him and said he's
9 gonna -- he's threatening his life and his family's life, so
10 therefore I told my brother let's go. The fact that James
11 Ford has shot at us and my daughter - he threatened her, he
12 could have killed her, so you know, that eat at me. I mean,
13 any parent, any man or woman, you know, that's a child. She
14 was seven years old. She couldn't defend herself, you know.
15 The only thing I'm guilty in the act about it is taking the
16 law into my own hands. I did not kidnap my baby mama. My
17 brother did not kidnap my daughter. This is the things she
18 said. None of it was true. I pleaded to these allegations,
19 but I wasn't ---

20 Q. Why did you plead to them?

21 A. Because my lawyer, Reuben Goude, told me ---

22 MR. BOGLE: Objection, Your Honor, the hearsay from a
23 lawyer.

24 COURT: Sustained.

25 Q. You got advice, and based on that advice you pled?

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1 A. Yes, yes sir.

2 Q. Okay. Now, the five years that you served ---

3 A. Yes.

4 Q. ---Did you plead? Did you plead on those charges or --

5 -

6 A. Yes sir. I plead to those charges. It was a Lewd Act
7 on a -- no, it wasn't that. It was -- the first time I went
8 to prison I plead to Resisting Arrest and Unlawful Use of
9 Telephone.

10 Q. Okay. And you had counsel at the time and ---

11 A. Sir?

12 Q. You had -- you were represented by a lawyer at the
13 time?

14 A. Yes sir.

15 Q. And they told you -- and you got advice?a

16 A. Yes sir.

17 Q. And based on that advice you pled?

18 A. Yes sir.

19 Q. I've been to one or two criminal hearings that
20 somebody's been sentenced. At any time did the Judge have you
21 raise your hand? Did he ever ask you whether or not you did
22 it, and why you were pleading guilty?

23 A. Well, no. He just asked me if, you know, I'm pleading
24 guilty, and I say yes, but sometime -- I don't know. He never
25 asked me to raise my right hand.

1 Q. Okay. Well, I mean to swear an oath.

2 A. Yes sir. Uh huh (indicating positive) They was asking
3 me if I'm guilty.

4 Q. Okay.

5 A. Yes sir.

6 Q. All right. So where are we on this? This is the --
7 we talked about the altercation with Mr. Ford.

8 A. Yes sir. Uh huh (indicating positive)

9 Q. What happened next?

10 A. After that? After that, you know what I'm saying,
11 whenever -- when me and my brother, we went back over there --
12 after I ended my relationship with her, and then two weeks
13 later my brother came to my mama's house and he said that
14 James Ford called him and threatened him and his family. He
15 had already previously shoot at me and Lahoma Wilson, and my
16 daughter in the car, that eat at me, you know what I'm saying.
17 It bothered me where the child ain't nothing but seven years
18 old. He could have killed her. So when we went back over
19 there I had the shotgun. I had a shotgun in my hand. When I
20 went to the door I took the shotgun, the glass in the door, I
21 break it. James Ford ran down the hall. I ran back around
22 the front -- the front side. He ran into the woods. I shot
23 into the woods. My baby mama, Lahoma Wilson, walks up to me,
24 Darrell, stop that. She walks back into the house, with no
25 type of fear of me or anything, goes into the house. Me and

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1 my brother proceeded, Roosevelt Snow, Jr., proceeded to get in
2 the car and leave, and she comes out of her -- lock -- locks
3 her door, comes up, tells Shameka, get in the car, and she got
4 in the car with us and leave. As we were leaving, going out,
5 several police officers were turning in, and if she was
6 kidnapped, and all this, why didn't she make a commotion?

7 After that I dropped my brother off to ---

8 Q. So what you are saying is, the police officers came up
9 and she continued along with you and your daughter?

10 A. And she was right there in the car.

11 Q. Okay. And so did that incident end up in a arrest?

12 A. Not then.

13 Q. When did you get arrested?

14 A. I dropped -- I dropped my brother off at his house. I
15 took my daughter and my baby mama to her house, to my mother's
16 house, and we stayed there that night. The next morning I was
17 going to my brother, Roosevelt Snow's house and Shirley's
18 house, Lahoma's sister, and her mother, Almeita Wilson, pulls
19 up beside us before I turn on -- before I turn on Highmarket
20 Street, and she said ---

21 Q. No, no. Again, please just try not recall conversation
22 that somebody had with you. I know it's difficult not to tell
23 the story.

24 A. Yes sir.

25 Q. So it's -- her mother showed up?

- 1 A. Yes sir.
- 2 Q. And what happened after her mother showed up?
- 3 A. She followed us to my brother Reginald's house ---
- 4 Q. Okay.
- 5 A. ---And she gets out of her car.
- 6 Q. And where was Lahoma at the time?
- 7 A. In the car right there with me.
- 8 Q. Okay. So the mother was following you, you and Lahoma
- 9 were in the car, the mother is following you?
- 10 A. Yes. Yes sir.
- 11 Q. Then what happened?
- 12 A. She comes to -- she comes up, she gets out of her
- 13 car, and she comes up to the window - both windows are down in
- 14 the car - she asked her daughter, are you all right. She said
- 15 yes, and ---
- 16 Q. All right. So she asked how her daughter was doing?
- 17 A. She asked her daughter, are you all right, she said
- 18 yes, and she said, Darrell, do not go back to Green Acres, she
- 19 said James ---
- 20 Q. Okay. She warned you not to go back to Green Acres?
- 21 A. Yes sir.
- 22 Q. Okay. But she asked whether -- she asked about how her
- 23 daughter was doing; is that correct?
- 24 A. Yes sir.
- 25 Q. Did her daughter get out of the car and go with her

1 mother?

2 A. No, she -- after that ---

3 Q. She stayed with you in the car?

4 A. After that she got out and went in the house with
5 Shirley.

6 Q. Okay. So when did the police come?

7 A. The police didn't come after till Shirley took Lahoma
8 back home.

9 Q. Okay.

10 A. Yes sir.

11 Q. And at this time Lahoma made some allegations against
12 you; is that correct?

13 A. Yes sir, she did.

14 Q. Are they true?

15 A. No, they are not.

16 Q. Can you explain?

17 A. Yes sir. They are not. She went with us of her own
18 freewill. My brother was there. She was in a relationship
19 with me, and then I ended my relationship with her. James
20 Ford already said, you know, I'm going to be back in prison,
21 so she did what he wanted her to do to put these charges on
22 me, and put me back in prison, you know. But ever since 1995,
23 and after I got out in 2003 I never -- I've seen her in the
24 street with her boyfriend or whatever, I never even said
25 anything to her. I've seen her in First Calvary Church when I

1 go to church with my sister. I never even said anything to
2 her, you know, none of that. I've never -- since 1995, till I
3 get out again, I've never even had no -- no type of dealings
4 with her or anything.

5 Q. Well, y'all had been -- obviously you had been intimate
6 in the past, and you have a child.

7 A. Yes sir.

8 Q. Did you try and have sexual intercourse with her?

9 A. No sir. Every time we have ever had sexual intercourse
10 it has -- it has been consensual from her.

11 Q. Okay. So now is this -- these are the charges that
12 Reuben Goude was representing you on?

13 A. Yes sir.

14 Q. Okay. And so these are the charges that you pled
15 guilty; is that correct?

16 A. Yes sir.

17 Q. All right. And then you got some other charges that
18 are coming up later, your most recent set ---

19 A. Yes sir.

20 Q. ---But in the meantime, were you ever in court again?
21 Did she ever bring other charges against you?

22 A. Lahoma -- after this, right after?

23 Q. Have you ever been on trial for other charges around
24 2005?

25 A. 2005? 2005, no, but -- no sir, but before that there

1 was a lot of charges she put on me. Yes sir.

2 Q. Weren't you ever acquitted on any charges?

3 A. Yes, I was.

4 Q. Okay. Explain that.

5 A. In 2004 ---

6 Q. Okay.

7 A. ---This other girl, Nicole Wright -- when I came back
8 from Atlanta, Georgia in January of 2004, I befriend her. She
9 was living with my cousin, Cassandra Holmes and Lisa Holmes,
10 on Green Tower Road. I used to go over there. I never tried
11 to talk to her or anything, so she -- you know, so she used to
12 come onto me, and I wouldn't give in, so you know, she keep
13 trying, so she will come over to my mother's house, uninvited,
14 you know, I just be nice to her, and you know -- and I gave in
15 one time and had sex with her, and I told her, it's just --
16 you know, there's no strings attached, we don't go together or
17 anything, but she got mad when she said, if she can't have me
18 nobody can have me.

19 But, you know, I wasn't in love with her, but she had
20 three young daughters. She didn't have -- she was staying
21 with my cousins, Lisa and Cassandra, and she gets food stamps,
22 so I had compassion for them. So I would tell her, my
23 cousins, all they doing is using you. You know, my male
24 cousins, you know, they was having sex with her too. My
25 cousin, Don Green, her youngest daughter is his daughter.

1 That's my -- she is my third cousin, and he's my second. He's
2 my second cousin. His mother is my first cousin. So, you
3 know, when I'm telling her the truth what my cousin is doing
4 my cousin is going to get mad with me because, you know, I'm
5 taking away from them because they are using the woman. I
6 asked my brother, Roosevelt Snow, Jr., if I can use the
7 trailer at 151 to put Nicole Wright and her daughters ---

8 Q. So you went to trial on these charges?

9 A. Yes sir.

10 Q. Okay. And you were found ---

11 A. Not guilty.

12 Q. Okay. And then you had your most recent charges for
13 which you did ten years on?

14 A. Yes sir.

15 Q. Were you ever in that girl's house?

16 A. No sir.

17 Q. Did you know the girl?

18 A. No sir.

19 Q. Did you break into the house?

20 A. No sir.

21 Q. Okay. Then why did you plead guilty?

22 A. Because after I took the first trial, with Nicole
23 Wright, my mother see that, you know, these people are trying
24 to give me a life sentence over this thing. They didn't have
25 no concrete evidence, all they had was circumstantial, just

1 word of mouth, and my mama said, don't take no more trials
2 because they ain't going to let you win. My lawyer at the
3 time was Wesley Locklear, and he told me ---

4 MR. BOGLE: Objection. This is a statement from a
5 lawyer.

6 Q. Did he give you advice?

7 A. Yes, he gave me advice.

8 Q. And based on your conversations with him did he think
9 that he could prevail at trial?

10 MR. BOGLE: Objection. Same -- same objection. Calls
11 for speculation, and all as far as hearsay, Your Honor.

12 COURT: Why don't you rephrase your question, not what
13 the attorney told him, but -- rephrase your question.

14 Q. So you -- did you feel that you were going to be
15 convicted?

16 A. Well, with what was said I felt I was going to be
17 convicted.

18 Q. Okay. And were you offered some type of deal?

19 A. Well, I didn't ask for a deal, but the Solicitor
20 offered a deal.

21 Q. Okay. And what was that deal so ---

22 A. One -- he said ten years for something, but I tell my
23 lawyer I still -- they -- they still got other charges, you
24 know, on me, you know.

25 Q. So you took a plea deal for ten years?

1 A. No, they came with me with -- they reduced the charge
2 to Lewd Act on a Minor, and a Second Degree Burglary charge,
3 and they ran it concurrent and they gave me one fifteen-year
4 sentence.

5 Q. Okay. They gave you a fifteen-year sentence for which
6 you served ten years?

7 A. Yes sir.

8 Q. Okay. But I can't understand why you would go away --
9 or agree to go away for ten years for something that you
10 didn't do.

11 A. Yes sir.

12 Q. Why -- why? Can you explain that?

13 A. Well, the allegations that they made, and with the
14 advice that they -- you know ---

15 Q. Were you facing a lot of time?

16 A. I was facing life.

17 Q. Okay. So did you -- so you didn't attack the girl in
18 the trailer; is that correct?

19 A. No sir. I didn't even know her.

20 Q. All right. You did not commit a sexual assault on the
21 baby's mother; is that correct?

22 A. No sir. She just said that.

23 Q. But you were trying to take her away and not let her
24 leave?

25 A. No sir.

1 Q. You never -- you never were holding her so that she
2 couldn't get away from you?

3 A. No sir. Every time she put me in jail she would drop
4 the charges and she would come right back to me.

5 Q. How much time you think you've spent on the phone with
6 Melissa Lynch?

7 A. Every day. Every day that we wasn't locked down I was
8 on the phone with her.

9 Q. How has that relationship affected you, do you think?

10 A. With Melissa?

11 Q. Yes.

12 A. Well, I would have to go back maybe twenty-eight years
13 when we first met. Even when I first met her -- you know, you
14 are just like -- when I met her it was just like we had known
15 each other all our lives, you know. I can't explain it. It's
16 just a natural thing, you know, but you know, it was just --
17 it was just good, you know. There wasn't really no problems
18 or anything, you know. She told me some things and I was
19 working at Litchfield Country Club at the time, so you know,
20 some things she told me, you know, I would buy certain things
21 or whatever. You know, she asked me to stay there one night
22 and we slept in the bed. I feel asleep. I think she was mad,
23 really, you know, but she was looking for something else, but
24 you know, I just feel asleep.

25 Q. Were y'all ever intimate at this time?

1 A. Not sexually, but ---

2 Q. Okay. That's what I meant. Trying to use polite
3 words.

4 A. Yes sir.

5 Q. So no. Was that the answer? Y'all did not have sex at
6 this time?

7 A. No sir. No, we -- we didn't have sex.

8 Q. And so you've been on the phone with her recently. How
9 have her telephone calls affected you while you were at Evans?

10 A. She told me about her life. Some of it was very
11 painful, you know. She's a beautiful now. You know, I
12 commend her, you know. Yep.

13 Q. If you were released today would you plan on having a
14 life with her?

15 A. I want to -- I tried to marry her ever since, you know
16 what I'm saying, I was at the Detention Center, but she
17 wouldn't -- she just wouldn't do it. She said she wanted to
18 wait till I get out, she wanted it to be better than that, you
19 know. I can understand her point of view thought. Uh huh
20 **(indicating positive)**

21 Q. Now where did you work prior to all these, I mean,
22 cause you spent twenty-two years in prison. Where did you
23 work?

24 A. Well, the first time I -- I used to, like, just do with
25 Magnolia. She used to take me to SeaGull Golf Course, and

1 used to have people who live around there, and I -- older
2 people, elderly people, and I used to do things in their yard,
3 you know, low pay, you know, money, you know, for like --
4 certain type of money an hour, and he would take me there. So
5 my brother and him, they worked for, you know, Steve and
6 George at SeaGull Golf Course, so one day I'm just -- I'm just
7 cutting fool with George. I said, George -- and I said,
8 George, when you going -- when are you going to give me a job,
9 and he gave me a job. I'm seventeen years old, and sometimes
10 I would have had to get a cab to go to work on. I've had to
11 get my sister, Maime, to come pick me up, you know what I'm
12 saying, you know.

13 Q. So this was like a landscaping job?

14 A. No, it's like at the golf course I used to cut around
15 the -- where the flower -- and mow around the ponds, things
16 like that, and then after that, you know, he had two guys
17 working at the golf course and they used to water the golf
18 course at night, but he had two, so they was scared, so I told
19 George, I'll do it, so I used to go to work in the evening,
20 and I used to be out there till about eleven at night, or
21 something like that, and work.

22 Q. Yes sir. Do you have any disabilities?

23 A. No sir.

24 Q. If you were allowed out today what would you do for
25 income?

1 A. Well, you know, I've got -- I've got this friend, and
2 you know, he's got his own car detailing business, and I can
3 work with him. I've got this other cousin, Bobby Johnson, you
4 know, he got his own business landscaping. I can work with
5 him. I've worked with both of them before, you know. It
6 wouldn't be no problem for me to get employed, you know. I'm
7 not no stranger to work.

8 MR. FALK: I've got no questions. Please answer Mr.
9 Bogle's questions.

10 A. Yes sir.

11 COURT: Cross-examination.

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

14 CROSS-EXAMINATION BY MR. BOGLE:

15 Q. Okay. Mr. Snow, by my count, if I recall your
16 testimony correctly, you are forty-six years old right now; is
17 that right?

18 A. Yes sir.

19 Q. And the prison terms you mentioned serving were -- one
20 was for ten years, one was for five, and one for seven years
21 and some change; right?

22 A. One is for five, one is ---

23 Q. Seven years ---

24 A. ---Seven years and eight months, and the last one was
25 like eight -- eight and -- eight months, but we add the time

1 that I came from probably waiting in the County Jail, which is
2 sixteen months and sixteen days, so it adds up to ten years.

3 Q. Okay. So if you add those up, ten, plus seven, plus
4 five, I get twenty-two years.

5 A. Something like that, yes sir.

6 Q. Okay. So if you are forty-six now you turned eighteen
7 about twenty-eight years ago, so you've spent twenty-two of
8 the last, say twenty-four years, in some kind of lock-up; is
9 that right?

10 A. Yes sir.

11 Q. Okay. Why did you kill the puppy?

12 A. But see, I never killed her puppy.

13 Q. You didn't kill the puppy? You got convicted of
14 killing the puppy, but you say you didn't kill the puppy?

15 A. No sir, I never did.

16 Q. Okay. And as I understand -- so all of the CDV crimes
17 involving the woman by the initials LW, that was her getting
18 you arrested but none of them happened; right?

19 A. Sir?

20 Q. Well, that's my question. Is that what you are saying?
21 That basically she would get you arrested for domestic
22 violence and things like that, kidnapping, assault, but none
23 of that ever happened?

24 A. Yes sir.

25 Q. Even though you did tell Dr. Gehle on at least one

1 occasion you did hit her a few times; right?

2 A. No. I never told her I hit her.

3 Q. You never told Dr. Gehle, sitting back there, that one
4 of the occasions you hit her a few times, you hit this LW a
5 few times?

6 A. Not Lahoma Washington. That was Nicole Wright.

7 Q. You hit Nicole Wright a few times. Okay.

8 A. Yes sir.

9 Q. All right. I'm sorry. And the -- the criminal
10 convictions back in 1996, State's Exhibit 1 right here ---

11 A. Yes sir.

12 Q. Now what I'm handing you is the criminal convictions
13 for Assault with Intent to Commit Criminal Sexual Conduct in
14 the First Degree.

15 A. Yes sir.

16 Q. And on the top of the page it says -- it says, if I can
17 see it right here was, convicted. It doesn't say pled. It
18 says pled to count six ---

19 A. Yes sir.

20 Q. ---And pled to count seven, which is the Assault with
21 Intent to Commit Criminal Sexual Conduct in the First Degree;
22 right?

23 A. Yes sir.

24 Q. So that means you pled guilty in front of a Judge?

25 A. Yes sir.

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1 Q. And along with that same crime there was the Burglary
2 in the Second Degree, the Kidnapping, two counts of Domestic
3 Violence of a High and Aggravated Nature ---

4 A. Yes sir.

5 Q. ---The ill Treatment of Children in this thing right
6 here, and then pleading guilty in front of a Judge. You come
7 before a Judge just like this one in the courtroom, just like
8 right here, right?

9 A. Yes sir.

10 Q. And you had a lawyer with you?

11 A. Yes sir.

12 Q. And the Judge asked you to swear you are going to tell
13 the truth?

14 A. Yes sir.

15 Q. And then the Solicitor reads into the record -- he
16 reads all the things you are accused of doing; right?

17 A. Yes sir.

18 Q. Then the Judge says, well Solicitor -- then he asks you
19 a series of questions to make sure you are pleading guilty
20 freely and voluntarily, right?

21 A. Yes sir.

22 Q. He asked you if anybody has pressured you; right ---

23 A. Yes sir.

24 Q. ---If anybody has forced you ---

25 A. Yes sir.

1 Q. ---Are you pleading guilty of your own freewill?

2 A. Yes sir.

3 Q. Then he turns to the prosecutor, and the prosecutor --
4 he says, Solicitor, tell me what happened, and the prosecutor
5 then summarizes the facts that are behind each crime; right?

6 A. Yes sir.

7 Q. Then the Judge turns to you and says, Mr. Snow, is that
8 what you did, and you've got to say yes; right ---

9 A. Yes sir.

10 Q. ---Or if you don't do that he's not going to take the
11 plea?

12 A. Yes sir.

13 Q. Because you know; you've been through this routine a
14 few times; right?

15 A. Yes sir.

16 Q. Okay. And when he asked you these things -- the Judge
17 asks you these things, he's already told you, raise your right
18 hand, swear you are going to tell the truth, the whole truth,
19 and nothing but the truth; right?

20 A. Yes sir.

21 Q. So that means, you are saying in front of the Judge
22 during a guilty plea -- your response and your answers ---

23 A. Yes sir.

24 Q. ---Are just like your answers here ---

25 A. Yes sir.

1 Q. ---And they are suppose to be the truth?

2 A. Yes sir.

3 Q. Okay. And then some years later we have the 2006
4 guilty plea to Lewd Act on a Child?

5 A. Yes sir.

6 Q. Again, a guilty plea, not a jury trial; right?

7 A. Yes sir.

8 Q. Which means you got in front of the Judge, and the same
9 set of things happened that I talked about just a minute ago?

10 A. Yes sir.

11 Q. And you said, yes, I did it, under oath; right?

12 A. Yes sir.

13 Q. The same oath you took today?

14 A. Yes sir.

15 Q. Do you have any plans for sex offender treatment if you
16 are released?

17 A. No sir.

18 Q. Okay. Do you have any planning in, say, anger
19 management, or anything like that?

20 A. No sir.

21 Q. Okay. Do you think you have an anger problem toward
22 women?

23 A. No sir.

24 Q. So basically, if I'm getting this straight now, all
25 these things you were convicted of back in 1996, and in 2006,

1 didn't happen? That's what you are saying; right?

2 A. No sir, they didn't.

3 Q. Okay. And you are saying that under oath today?

4 A. Yes sir.

5 Q. The same oath you took when you pleaded guilty to these
6 crimes in front of a Judge back then, in those years; right?

7 A. Yes sir.

8 MR. BOGLE: Thank you.

9 Nothing further, Judge.

10 COURT: Any redirect on those questions?

11 MR. FALK: No, Your Honor.

12 COURT: All right, sir. You may step down.

13 Further witnesses on behalf of the Respondent?

14 MR. FALK: No. We rest our case.

15 COURT: All right, sir.

16 Any reply witnesses from the State?

17 MR. BOGLE: No, Your Honor. Thank you.

18 COURT: All right. Very good.

19 All right, Mr. Falk, there are any motions that you have
20 at this point in time for the Court?

21 MR. FALK: Yes, Your Honor.

22 COURT: All right. Very good.

23 All right, ladies and gentlemen, as we did after the
24 State's presentation, there are, again, matters of law that I
25 have to take up with the attorneys. We will try and move

1 those on as quickly as possible.

2 I'm going to send you to the jury room.

3 Now, the evidentiary portion of this trial is over with,
4 but this case is not over with yet. You must hear the closing
5 arguments from the attorney, I have to give you the law that
6 you will apply to the facts and evidence you find to be true,
7 so it is not proper for you to discuss this case yet. I will
8 tell you when, when we get done and I send you into the jury
9 room for deliberations. That will be the time for you to
10 spend as much time as you want to talking about this case
11 before you reach your unanimous decision.

12 So please go back to your jury room. We will try not to
13 keep you too long.

14 Thank you very much.

15 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
16 JURY.)

17 COURT: All right, Mr. Falk.

18 MR. FALK: Your Honor, at this time we would just renew
19 the motion for -- that we had made earlier.

20 COURT: All right. For a directed verdict; is that
21 correct?

22 MR. FALK: For a directed verdict, yes sir.

23 COURT: All right, sir. I'm not going to reiterate the
24 standard. We already put that in the record one time, but
25 again, obviously I need to look at the motion in a light most

1 favorable to the party opposing the motion, that is, to the
2 State, and is there anything additional than to what you have
3 already said, Mr. Bogle, previously regarding directed verdict
4 motion? Is there anything else you want to add to that?

5 **MR. BOGLE:** No, there isn't, Your Honor.

6 **COURT:** All right, sir. Thank you.

7 I respectfully decline to grant your motion for a
8 directed verdict. While I am not judging the credibility and
9 the believability of the witnesses - that's not my job; that's
10 the jury's job - and I'm not here to resolve conflicts in the
11 testimony - again, that's the jury's job - I simply say that
12 there is more than sufficient evidence, if that evidence is so
13 believed by the jury, that the State has proven it's case
14 beyond a reasonable doubt that the Respondent is a sexually
15 violent predator, and should be involuntarily committed in a
16 secure facility for long-term control, care and treatment.
17 Again, I'm not resolving credibility, believability issues,
18 I'm not resolving conflicts. The evidence exists. There's
19 more than sufficient evidence to carry the State's burden in
20 this case, and therefore respectfully decline to grant your
21 motion, and therefore decline to grant your motion for a
22 directed verdict.

23 Further motions on behalf of the Respondent, Mr. Falk?

24 **MR. FALK:** No, Your Honor.

25 **COURT:** All right.

JURY OUT/MOTIONS

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1 All right, gentlemen, why don't we take a short break,
2 and then we will come back and talk about your respective
3 requests to charge and arguments at that point in time. Okay.

4 Thank y'all.

5 (THE FOLLOWING TAKES PLACE AFTER A BREAK, AND OUTSIDE
6 THE PRESENCE OF THE JURY.)

7 COURT: Thank you very much. You may be seated. Thank
8 you.

9 All right, gentlemen, let's look at the respective
10 Requests to Charge that you have.

11 Regarding the State's proposed charges, what I would
12 tell you, Mr. Bogle is - it's not in the order or in the
13 wording that you have proposed, but I believe my charge, as a
14 whole, meets all of the aspects of Law that you have set forth
15 in your Requests of proposed Charges. If you want to make a
16 copy of it available to the Court Reporter for marking I'm --
17 you know, certainly welcome you to do that, but I'll just --
18 I'm not telling you I'm going to charge it as it is, but I
19 believe that it, in general, reflects the status of the Law,
20 and it's my intention to follow in that nature.

21 As to the Respondent's Requests to Charge - and they are
22 numbered so I'll go through them in number - Number One will
23 be contained in my charge, Number Two will be contained in the
24 charge, Number Three will be contained in the charge, Number
25 Four will be contained in the charge, as well - I'm going to

1 skip over Five - as well as Number Six, in general, and I'm
2 not saying that -- again, when I say contained in the charge
3 I'm not using the exact words that you have, but I believe
4 that the theory of law is properly as you have set forth. I
5 will properly explain it, and be contained in the charge, as
6 well as your Requests to Charge Number Seven.

7 Now, as to Five, I believe it's a correct statement, and
8 it is reflected in more than one South Carolina Supreme Court
9 Decision on the SVP Act. I'm not sure it's a theory of Law
10 that needs to be charged, or should be charged to the jury.

11 Let me hear from you, Mr. Falk. That's Number Five.

12 **MR. FALK:** Well, Your Honor, I would say I do think
13 it's an accurate statement of the Law. I do -- I mean, we are
14 somewhat ham-strung with what we are allowed to talk to the
15 jury about as far as the Act. I think, especially under the
16 facts in this case where there's plenty of evidence about risk
17 of future violence, that we need to impress upon the jury that
18 we can't charge this person just as whether or not we think
19 there's a high risk of recidivism, but that these types of
20 cases are only reserved to that select smaller group of
21 violent offenders who had to have a mental disease or
22 difficulty. I think that's -- I think that's an accurate
23 statement of the Law. I think that is something that gets
24 lost in this whole proceeding. You can get focused on the
25 fact that my client obviously has a lot of charges, my

1 client -- I mean, the scientific test, the Static-99R, either
2 we would have to buy that -- there's proof about the
3 recidivism, and I'm concerned that, just based on that they
4 are going to charge him, or they could find that he's a
5 sexually violent predator based on the fact that they fear
6 that he will re-commit, and I think this at least somewhat
7 characterizes the fact that that's not what this case is
8 about.

9 COURT: All right. Mr. Bogle, what's your position?

10 MR. BOGLE: We would agree. We would suggest this
11 charge is not appropriate. While it's a correct statement of
12 what the Court said in the *Luckenbach* case the first red flag
13 I see is when it makes reference to "indefinite terms of
14 confinement", or what, indefinite terms, and by indefinite
15 terms, that goes to the original Motion in Limine I had about
16 not talking about treatment, or lengthy treatment, or that
17 sort of thing, so kind of -- it kind of crosses that line
18 there.

19 Frankly, I think the overall charge that I have
20 submitted covers the concept behind the Law sufficiently
21 without having to go into this detail, and not having to talk
22 about this limited sub-class of dangerous persons. I don't
23 think it's necessary. I think it might confuse the jury, or
24 even cause the jury to narrow it's focus even too narrow.

25 Thank you.

1 **COURT:** All right, sir.

2 **MR. FALK:** I could accept changes to one of the
3 indefinite terms of confinement to some other language that
4 would be appropriate.

5 **COURT:** All right. I'll consider telling the jury,
6 when talking -- telling them what the State has to prove under
7 Sexually Violent Predator Act, that -- and I think it's, you
8 know, not only clear from the case law, but from the statutory
9 pronouncements also, that the purpose of the SVP, or Sexually
10 Violent Predator Act, is to involuntarily commit only a
11 limited sub-class of dangerous persons, not all dangerous
12 persons, and I think it's correct. I mean, person who, you
13 know, goes out and commits murder, or armed robbery, is a
14 dangerous person, but that's not who we are talking about,
15 so -- not necessarily anyway -- in this particular Act, so
16 I'll make that statement to them. All right.

17 The verdict form, have you had a chance to look at it,
18 Mr. Bogle?

19 **MR. BOGLE:** Yes sir. It looks fine to me.

20 **COURT:** Mr. Falk, any problem?

21 **MR. FALK:** No objection.

22 **COURT:** All right, sir, so that will be the form that
23 we will use and submit to the jury. Obviously will be
24 explained to them that it needs to be a unanimous verdict.
25 Obviously that will be part of what we will be talking about.

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1 All right. So with this then, being this hybrid type
2 of case, the closing arguments, Mr. Bogle, you will be opening
3 and closing?

4 MR. BOGLE: As I understand the Civil Rule, I open in
5 full, Mr. Falk then does his closing. If he brings up
6 something new I can reply to it.

7 COURT: Well, that is correct, or you have an
8 opportunity to -- yes sir, you have an opportunity to reply to
9 new matters, or matters that you did not cover in your first
10 argument, opening argument. That's correct.

11 MR. BOGLE: And usually my argument in full is all you
12 are going to hear.

13 COURT: That's fine. All right. Well, then that's
14 fine. I don't have a problem with that. What I will do is,
15 when we get to that point I was going to recognize you, then
16 recognize Mr. Falk, and then I'll just ask, is there any
17 additional comment from the State. All right.

18 MR. BOGLE: Yes sir.

19 COURT: All right. Very good. With that, the State's
20 ready for the jury to come in?

21 MR. BOGLE: We are, Your Honor.

22 COURT: And Mr. Falk?

23 MR. FALK: Yes, Your Honor.

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

25 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE

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1 JURY.)

2 COURT: All right, ladies and gentlemen, we've reached
3 the stage of the trial where we are going to have the closing
4 arguments by the attorneys. And I will remind you again that
5 closing arguments are not evidence - we've received all the
6 evidence in this case - but they are important. They are each
7 side's summation to you of what they believe the evidence has
8 shown to you, remembering, of course, that you are the judges
9 of the facts of this particular matter.

10 So with that I'll turn it over to the lawyers for their
11 closing arguments..

12 Mr. Bogle.

13 MR. BOGLE: Thank you, Your Honor. May it please the
14 Court.

15 COURT: Yes sir.

16 MR. BOGLE: Mr. Falk.

17 First, folks, I'm not one of these television lawyers.
18 I have to refer to my notes from time to time, so please bear
19 with me.

20 Here's -- here's where we are. Again, thank you for
21 taking your time staying here instead of the -- lovely weather
22 it turned into today.

23 Basically, it's an important thing you are doing for the
24 State, for the citizens of Georgetown County, for Mr. Snow,
25 okay, because you've been asked to make some serious calls

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1 here as to what's been proven and what hasn't been proven.

2 Now, let's remember why we came here. Remember how the
3 General Assembly talked about that extremely abnormal, and
4 extremely dangerous group of sexually violent predators. They
5 are out there. They require civil commitment to be confined
6 for treatment, and that's what we are here for today. The
7 State brought a case against Mr. Snow, alleging that he fit
8 that definition, and the Court ordered evaluated -- conducted
9 evaluation, Dr. Marie Gehle, who testified earlier, and let me
10 give you an idea about some things about her. Remember I said
11 how an expert witness is allowed to give an opinion if the
12 Judge is satisfied that they have the requisite credentials to
13 do so, but normally witnesses just testify about what they
14 see, what they feel, what they hear, what they experience with
15 their senses, but sometimes we have really complex issues, and
16 what the Judge has to find is, is there an issue here with
17 such a nature that an expert is needed to interpret and
18 explain things to a jury. It's not a car wreck where you saw
19 the light turn red, or the light turn green or something like
20 that - these are much more complex issues - and the Judge made
21 a finding that this person has the qualification, that the
22 type of testimony you are going to hear is the type that needs
23 some kind of an explanation, and she's qualified to do it, The
24 that the techniques and science is reliable that she's been
25 using, and it would assist you in making your findings of fact

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1 as to what happened in this case.

2 Now, when I say findings of fact, here's where we're
3 going. Your job is to do exactly what you've done, take these
4 exhibits introduced into evidence, right here, back in the
5 jury room with you. You've heard all the testimony, and you
6 are going to apply what you've heard - that's the facts. The
7 Judge is going to tell you what the law is. He's going to say
8 what the law is in this State to apply to those facts, and you
9 are going to apply -- and your job is to apply what you
10 listened to, and what you are going to be reading, to the law
11 the Judge explains to you. That's what this is all about.
12 The question is, is this guy a sexually violent predator.

13 Now, what do we have to prove? Remember, I've got to
14 prove this to you. The State has to prove this to you beyond
15 a reasonable doubt. Are you firmly convinced, after hearing
16 what the State has presented, that this man is a sexually
17 violent predator, is there anything out there that would cause
18 you to hesitate to act if you to call about whether or not
19 that's the case, and I would submit there is not.

20 But let's talk about what we have. First off, there's
21 no conviction -- no question that he's been convicted of three
22 sexually violent crimes, and they are Lewd Act on a Minor
23 Child when he pleaded guilty, in court, under oath, just like
24 he was today, back in 2006. There's also Assault with Intent
25 to Commit Criminal Sexual Conduct in the First Degree back in

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1 1996. We have two guilty pleas right here. It says pled.
2 The word "convicted" is scratched out. That means pled
3 guilty, got up in front of the Judge, just like the Judge is
4 sitting here today, was placed under oath, the same oath he
5 took today when he testified, and explained to the Judge he
6 was guilty of what was being said, he was pleading guilty
7 freely and voluntarily, nobody is forcing him to, and then
8 when the prosecutor read out a list of what the facts are,
9 here's what the Judge -- here's what the guy did, Your Honor,
10 then the Judge turns to him and says, is that what you did,
11 and if you say no they have a trial, let a jury decide, if you
12 say yes the guilty plea goes forward, and that's what
13 happened. And remember, Mr. Snow's acknowledged that he was
14 under oath at these guilty pleas when this all happened, the
15 same oath he took today.

16 So Dr. Gehle had to look at this thing. Now, she looked
17 first for a mental abnormality, what they call a Paraphilic
18 Disorder, or a Paraphilia. Couldn't find one. She tried, but
19 she couldn't find one, so she gave him the benefit of the
20 doubt; it's not there. Remember, this is a lady who, in sixty
21 percent of the time she's been asked to evaluate a guy under
22 this law she's come back saying he's not a predator, he
23 doesn't fit the criteria. So, she exhausted that side of the
24 fence. Then she looked at Personality Disorders. Now,
25 there's something called Anti-social Personality Disorder, but

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1 to diagnose that, in addition to all the other stuff the guy
2 did, you've got to have some kind of evidence of bad conduct
3 before age fifteen. Didn't have that. He denied it, his
4 parents aren't living, no brothers and sisters, so she didn't
5 have that. So she went to another definition of Anti-social
6 Personality Disorder, the other type of personality disorder,
7 and that's what she diagnosed. So, she's done her job. The
8 law says Mental Abnormality or Personality Disorder, and here
9 we have a Personality Disorder, so she's done her job, and she
10 linked it to sexual reoffending.

11 Remember that test, or that scoring she did, the thing
12 called the Static-99R, developed using thousands of second
13 offenders who reoffended, used by experts in her field all the
14 time. She testified about that. Not the only thing she used.
15 Believe me, she looked elsewhere as well. But on that test
16 you look at certain things in his history, which have been
17 shown, through studies of thousands of individuals, to show
18 that they are going to sexually reoffend. Just like when you
19 go see that doctor. If you are applying for life insurance
20 they send you to get a doctor's exam. The doctor is going to
21 evaluate your health, not because he knows you might have a
22 heart attack, because thousands of people with these symptoms
23 have had them, therefore he knows you have the same symptoms,
24 and if that's the case what's going to happen, the insurance
25 company is going to charge you a higher premium, because you

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1 are more of a risk for having a serious health issue. Well,
2 that's what this is, same thing. Through studies of sex
3 offenders who have re-committed sex crimes they know what to
4 look for, and he's got a score of seven. Ninety-something
5 percent of the people scored worse than him. He's in that top
6 five or six percentile, top two percentile even, depending on
7 how you looked at it, so he's a high risk to reoffend based on
8 that tool alone. But did Dr. Gehle stop there? No,
9 she kept looking. She found a series of risk factors she
10 listed for you. I won't go into them now, but she listed
11 different risk factors he had. These were things that could
12 be changed with treatment but they hadn't been. They still
13 existed.

14 And what you have here is a guy who doesn't believe in
15 the rules, and apparently believes that he is the perfect
16 thing for women, and frankly, if you listen to his testimony,
17 all the reasons he's been in jail, or prison, for twenty-four
18 of the last twenty-six or twenty-eight years, has been
19 somebody else's fault, the woman lied, I didn't commit that
20 crime, she brought warrants against me, all these things
21 happened, I didn't kill that puppy, and he was convicted of
22 it, okay, all these things happened to me but I didn't do a
23 bit of it, yet he was convicted in court over and over again.
24 He pleaded guilty. He got up before the Judge and said, I did
25 it, Your Honor, over and over again.

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1 So, that's what we have. We have a Personality
2 Disorder, we have the convictions of at least three sexually
3 violent crimes, and we have the next question, the scoring on
4 the Static-99R, heard testimony about the risk factors he has
5 which pervade his life. This is a man who is overwhelmingly
6 likely to reoffend again.

7 Does he have plans for sex-offender treatment when he
8 gets out, if you let him go? He said no. How about anger
9 management, at least? I asked him that, do you have plans at
10 least for maybe outpatient counseling in anger management
11 because you seem to have an anger issue with women? No. No.
12 I think Mr. Snow thinks there's nothing wrong with him, and
13 that's fine, that's fine, for him, but not for you.

14 I think the testimony here overwhelmingly shows that he
15 has got some problems, and they seem to factor into problems
16 against women, women he's involved with. His victim age range
17 is from thirteen to nineteen, to twenty-eight, to eighty-
18 three, all over the ballpark. That's what we've got.

19 So we've got the right kind of convictions, we've got
20 the Personality Disorder, and we've got the overwhelming
21 evidence of a likelihood to reoffend unless he's confined for
22 treatment by the Department of Mental Health. That's the
23 burden on the State, to prove that to you beyond a reasonable
24 doubt, and I would submit that we have satisfied that burden.

25 Now, the way this works is, after my closing argument

DEFENDANT'S SUMMATION (FALK)

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1 you will hear from Mr. Falk. If he brings up anything new
2 I'll get up and reply, if not, you may not hear from me again,
3 so this may be the last time I get to talk with you. But like
4 I said to begin with, I'd like to thank you very much for your
5 attention, your dedication to your duty, and for giving both
6 the State and Mr. Snow a fair trial.

7 Thank you. Your Honor.

8 COURT: Yes sir.

9 Mr. Falk.

10 MR. FALK: May it please the Court.

11 COURT: Yes sir.

12 MR. FALK: Ladies and gentlemen of the jury, say a man
13 wakes up, he's got sort of a crushing pain in his -- right
14 here, maybe he's gotten a little numb in his arm, in his left
15 arm, his wife tells him, you've got to go to the hospital
16 right now. So he goes to the emergency room, tells the people
17 in the emergency room, yes, I've got -- got this pain right
18 here, I'm a little short of breath, and I'm numb in my left
19 hand, left arm. So they are going to do a bunch of tests, and
20 you know, they may find that he's got a clogged artery, but
21 they're going to be able to take a test, they are going to be
22 able to look at it, and they are going to be able to diagnose
23 from a photograph that it's a clogged artery, and they can
24 send that to any doctor in the Country who will have the same
25 diagnosis. Medicine is different than Psychology. If you go

1 to medicine, medicine comes up with diagnoses that are
2 supported by test results that can be repeated over and over,
3 and then other doctors can look at those same test results and
4 reach the same conclusions, because medicine is more of a
5 precise science. Psychology, it's the doctor's opinion, it's
6 the PhD's opinion who has spent two hours with Mr. Snow, and
7 granted she spent a lot of time apparently looking at some
8 other reports, but she spent two hours with him. And after
9 two hours I think at one point the State probably thought he
10 had some type of sexual disorder, sexual disease, so like, we
11 have talked about Pedophilia, or of Sexual Sadism. Well, he
12 doesn't have any kind of dysfunctional sexual disease. But
13 she couldn't find that. She looked to see what kind of --
14 what else there might be. Well, there's Personality
15 Disorders, and she found one Personality Disorder that she
16 thought was close, but she still couldn't make that diagnosis,
17 and she sort of -- you can call it what you will. I still
18 think it's sort of a catch-all provision, like if I can't find
19 anything else at least I can hang this one on him. That's
20 what you have. You had the diagnosis of a medical doctor, I
21 mean, of a PhD, not a medical doctor. And I submit to you
22 that there's no guarantee that if five other Psychologists
23 would interview him that they would reach the same
24 conclusions, because there's no same set of data.

25 And also, you heard testimony that on some of the other

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1 Personality Disorders that were listed in there, there were
2 set criteria, and you had to have four of these criteria, or
3 five of these criteria, and they were there, then you got the
4 diagnosis. Well, that's even more precise than what we have
5 in this case, where you just -- you sort of fell in the catch-
6 all, fell in the drain, fell in the thing at the very end.

7 I put my client up on the stand because I think the only
8 way for you to understand him, was to hear him, and listen to
9 his testimony. You know while you consider that what you've
10 got to be looking at right now is whether or not, at this
11 moment, right now, you think he's suffering from a mental
12 disease or defect, and then you had a chance to hear him
13 testify, and I just want you to -- you've got to draw your own
14 conclusion about whether or not you think he's got a mental
15 disease or a mental defect, because that's the only thing
16 that's important right now. He can't run away. Granted, he's
17 got a criminal record, and the one test that Dr. Gehle did use
18 was the Static-99R, and that did show that people would commit
19 other offenses, but she still has to prove that he's got a
20 mental disease or defect, because this Court is not about
21 trying to sentence people, about trying to put people in type
22 of confinement based on what they are worried about he's going
23 to do unless they are convinced, beyond a reasonable doubt,
24 that he is suffering from a mental disease or defect, and I
25 submit to you, there's questions about that.

1 Now Dr. Gehle said that she talked to him for two hours.
2 Now, there's another person in the courtroom that you heard
3 from, who has spent considerably more time than two hours
4 talking to Mr. Snow. You heard Melissa Lynch testify.
5 Granted it's a bizarre story, probably would make a good, you
6 know, made-for-TV movie, life-time movie sometime, but I don't
7 think you can make up the emotion that she expressed on the
8 stand. I mean, I -- I don't think that -- those are heart-
9 felt emotions. She knows this man, she knows this man's
10 heart. She's not concerned about this man, she's not
11 concerned about exposing this man to her fourteen-year-old
12 daughter, she's not worried about living with this man,
13 because she knows his heart, she doesn't think he has any type
14 of mental disease or defect.

15 There's been some conver -- Mr. Bogle talked about the
16 fact that my client put his hand up in the air at some time,
17 at some sentencing, and he pled guilty to some charges. Even
18 my client talked about the last time he did that. He was
19 facing life in prison. Now there's some problems with the
20 Criminal Justice system, and South Carolina can sometimes make
21 it difficult for people in this situation, people who know
22 that they are not going to get a fair break, and they are
23 going to get convicted. He knew that the testimony that was
24 going to convict him was going to be the testimony of a
25 thirteen-year-old white girl who was saying that big, bad man

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1 did it, even though that she didn't see his face; she
2 recognized his voice. So there's my client looking at life in
3 prison, or taking a ten year sentence.

4 Now getting -- I've practiced law in criminal cases, and
5 I know the situation comes up. Some judges will allow people
6 to sort of say, yes, I'll take the charge, but I'm not going
7 to admit to pleading guilt, but not every judge in South
8 Carolina does that, and I'm not sure the judge did that in
9 this case. But I submit to you, if you are facing life in
10 prison - and he's a pretty young man still at this time, and
11 he was even younger ten years ago - and if you are looking at
12 life, you are looking at fifteen years, you know about how
13 long you are going to have to serve, you know you already had
14 two years under your belt for -- for, you know, in jail prior
15 to the time, he made the -- he made the best decision he
16 could, so I submit to you he lied on the stand, he lied under
17 oath, he lied under oath when he was pleading guilty to those
18 charges, because he knew it was either take this, or really
19 get walloped on that side.

20 I've got nothing else to say. I just -- you need to
21 decide whether or not, based on what you saw from my client
22 testifying, what his responses were, and you had an
23 opportunity to look at his demeanor, whether it was
24 responsive, you had the opportunity to listen to the testimony
25 from the woman he loves and the woman who loves him, and she

1 is not concerned that he has a -- any kind of mental disease,
2 although she's not a medical doctor, and certainly has no
3 basis for any type of psychological proof or medical proof on
4 that face, she knows his heart and she knows that he's not the
5 man that he's making looked to be.

6 Now at the beginning, you know, I used my -- I talked to
7 you about race horses, and I talked to you about using your
8 blinders, and I hope that you will still be able to keep those
9 blinders on and put aside - I mean, granted, that's a pretty
10 bad thing, somebody killing somebody's puppy, and I don't know
11 if it happened or if it didn't, but that would make me pretty
12 mad, and I could see any one of you thinking that anybody
13 would kill a pup -- I want to get them, but you can't do that.
14 Your job is right now, does he have a mental disease or
15 defect.

16 When Dr. Gehle talked to him for those two hours all the
17 things that he had done happened ten years prior to that. Now
18 you still have to understand that this man has spent twenty-
19 two years in prison. Like was said, he's -- whatever he is,
20 twenty-six years old and he's spent -- he's spent the majority
21 of his adult life in prison. He has paid society back. He
22 knows he's done wrong. He's been punished for it. I think
23 it's time that y'all let him go home.

24 Thank you.

25 COURT: Anything further from the State?

STATE'S SUMMATION (BOGLE)
CHARGE BY THE COURT

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1 **MR. BOGLE:** Very briefly, Your Honor.

2 **COURT:** Yes sir.

3 **MR. BOGLE:** Two things. One, focus on what's in
4 evidence. Other than Mr. Snow saying so, is there any proof
5 that he was facing some kind of life sentence when he elected
6 to get up and plead guilty to the burglary and the lewd act
7 charges, and I would submit there's not, so keep that in mind.

8 The next thing is, keep in mind that we have established
9 Personality Disorder required under the law. The question now
10 is, about him serving his time and paying his price by his
11 sentence, he has done that, but our General Assembly says you
12 have to look to the next level. What will happen when he gets
13 out, and the expert opinion you have before you right now, a
14 Doctor who is trained in this field says, he's likely to
15 reoffend in the same manner.

16 Thank you, Your Honor.

17 **COURT:** All right, sir.

18 All right, ladies and gentlemen, it's now time for the
19 Court to give you the law that you will apply to the facts and
20 evidence you find to be true in this case. Now, I told you at
21 the very beginning that you are the judges of the facts of
22 this case, and I did not, and would not indicate to you in any
23 way what I think the facts of this case are because that's not
24 my job and my responsibility. Now, if you came into this
25 courtroom, or through the proceedings feel, regarding the

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1 state of the law, what you think it is, what you hoped it
2 would be, what you want it to be, you will disregard that.
3 You will now take the law as I give it to you, and apply it to
4 the facts and evidence you find to be true.

5 I told you at the very beginning, one of your jobs,
6 duties and responsibilities in this case was to judge the
7 credibility, that is, the believability of the witnesses that
8 have come before you and testified in this case. Now, in
9 doing so you would look at whether or not the witness has
10 exhibited to you any kind of interest, motive, bias, prejudice
11 that they might have in giving you the testimony. Obviously
12 you consider the opportunity for knowledge, how did they come
13 about that information that they gave you from the witness
14 stand. You don't have any friends to reward, you don't have
15 any enemies to punish. Your verdict cannot be the result of
16 any kind of passion, prejudice or sympathy, it must be an
17 examination of the facts and evidence in this case, and find
18 that evidence which convinces you of it's truth. You can
19 believe one witness against several, several against one; you
20 can believe a portion of what a witness says and disregard the
21 remaining portion of it. If you've got a good and sound
22 reason for doing so you could disregard, in it's entirety, the
23 testimony of a witness.

24 In this case, as in virtually every single case that's
25 tried, there is presented some portion of what we call direct

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CHARGE BY THE COURT

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1 and circumstantial evidence. Now, direct evidence, that's the
2 testimony of a person who claims to have actual knowledge of a
3 fact, what they saw, heard, what occurred in their presence.
4 Circumstantial evidence, that's proof of a chain of facts
5 indicating the existence of a fact. The law doesn't make any
6 distinction between the two; a greater degree of certainty of
7 one over the other is not required. Now, to an extent that a
8 party, here the State, relies on circumstantial evidence all
9 of the circumstances must be consistent with each other, and
10 when taken together point conclusively to the point being
11 made, and this point that the Respondent is a sexually violent
12 predator. The State, as I told you, has the burden of proof
13 in this case, that the Defendant is a sexually violent
14 predator, and this burden rests on the State, whether they
15 have relied upon direct evidence or circumstantial evidence,
16 or some combination of the two.

17 In this case I allowed one witness to give their
18 opinion, sometimes called an expert witness. It's basically a
19 witness who has been qualified to give their opinion, because
20 normally we don't allow people to give their opinion. They
21 have to tell you, what did you see, what did you hear, what
22 happened right there in your presence, but sometimes
23 witnesses, by their degree of education, experience, training
24 in a certain field we will allow them to give their opinion.
25 Now, this does not give some greater degree of approval by the

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1 Court upon one witness or another. You judge all the
2 witnesses the same; you look at all the witnesses the same;
3 you judge their credibility and believability based upon your
4 examination of the facts and evidence in this case.

5 In this particular matter the State of South Carolina
6 has brought this case under our laws, the portion of our laws
7 regarding sexually violent predators. The purpose of the
8 Sexually Violent Predator Act or legislation is to
9 involuntarily commit a limited sub-class of dangerous persons,
10 not all dangerous persons, but limited to the ones that are
11 covered only by the statute. The State of South Carolina
12 claims or alleges, by bringing this action, that the
13 Respondent, Mr. Snow, is a sexually violent predator. The
14 Respondent has denied this claim, therefore, the burden of
15 proof is on, and remains on the State of South Carolina to
16 prove to each of you, beyond a reasonable doubt, that the
17 Respondent is, indeed, a sexually violent predator. If you
18 find, by your examination of the facts and evidence, the
19 evidence you find to be true, that the State is able to meet
20 this burden of proof, then you would find that he is a
21 sexually violent predator. If the State is unable to meet
22 this burden of proof in your minds, by your examination of the
23 facts and evidence, the evidence you find to be true, then the
24 Respondent is entitled to a finding that he is not a sexually
25 violent predator.

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CHARGE BY THE COURT

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1 I've told you several times, the State has this burden
2 beyond a reasonable doubt. What is reasonable doubt? The
3 kind of doubt that would cause an ordinary reasonable person
4 to hesitate to act. Now, there are very few things that we
5 can know in this world with absolute certainty. The law
6 doesn't require the State of South Carolina to give you that
7 kind of proof. What is required is if, based upon your view
8 of the evidence, the evidence you find to be true, you are
9 firmly convinced that the Defendant is a sexually violent
10 predator you must so find. On the other hand, if you are not
11 firmly convinced that the Defendant is a sexually violent
12 predator you must give the Respondent the benefit of the doubt
13 and find that he is not.

14 What does the State have to prove to you beyond a
15 reasonable doubt? He has been convicted in the past of a
16 sexually violent offense, and there's evidence in the record
17 for your consideration on that particular point, has he been
18 convicted of a sexually violent offense, and that he suffers
19 from a mental abnormality, or a personality disorder that
20 makes him likely to engage in acts in the future of sexual
21 violence if he is not confined in a secure facility for long-
22 term control, care and treatment.

23 The illness, again, that the State has to prove to you,
24 he's been convicted of a sexually violent offense or crime in
25 the past, he suffers from a mental abnormality or personality

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CHARGE BY THE COURT

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1 disorder. That mental abnormality or personality disorder
2 makes him likely to engage in acts of sexual violence if not
3 confined in a secure facility for long-term control, care and
4 treatment. So the State has to prove all this to you by --
5 beyond a reasonable doubt. The State has to prove that the
6 Respondent's mental abnormality or personality disorder causes
7 him serious difficulty in controlling his behavior.

8 I'm going to try and define these elements for you to
9 help you understand them a little bit better. Mental
10 abnormality or personality disorder means a mental condition
11 affecting a person's emotional or volitional capacity, their
12 ability to control themselves, that predisposes them to commit
13 sexually violent offenses. This mental abnormality or
14 personality disorder must cause the Respondent serious
15 difficulty in controlling his behavior. Likely to engage in
16 acts of sexual violence means the person's propensity to
17 commit acts of sexual violence is of such a degree as to pose
18 a menace to the health and safety of others, so that he is
19 dangerous to others.

20 The burden of proof is on the State of South Carolina to
21 prove, to your satisfaction, beyond a reasonable doubt, that
22 the Respondent, again, committed a sexually violent offense,
23 and that his mental abnormality or personality disorder
24 remains such that he is not safe to be at large, and if
25 released is likely to engage in acts of sexual violence. If

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1 the State has carried the burden of proof, and convinces you
2 of all of these matters that I've talked about, it's entitled
3 to a finding that the Respondent is a sexually violent
4 predator. If the State has not made that burden - remember,
5 the burden of proof is on the State of South Carolina - if
6 they have not met that burden the Respondent is entitled to a
7 finding that he is not a sexually violent predator.

8 Now, this verdict must be unanimous. It means twelve
9 zero, does not mean eleven one, ten two, any combination
10 thereof. Whatever verdict you arrive at must be the verdict
11 of each and every member of the jury.

12 The Court has prepared a verdict form for you. It's got
13 the caption of the case on their. It's got one question, do
14 you find that Darrell Snow suffers from a mental abnormality
15 or a personality disorder that makes him likely to engage in
16 acts of sexual violence if not confined in a secure facility
17 for long-term care and treatment. There's two answers, yes or
18 no. Don't assign anything, I had to put one before the other,
19 so they are both down here, yes or no. That's the question
20 you must answer, and you must answer it unanimously, all
21 twelve members of the jury must agree in the answer, whatever
22 the answer is.

23 So, Madame Forelady, there's a place for your signature.
24 When your jury has well and truly deliberated, and reached
25 their unanimous verdict, you will take the verdict form, you

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1 will check the appropriate block, thereafter you will sign
2 your name, put the correct date, knock on the door and let the
3 bailiff know that you have reached a unanimous verdict. And
4 so when you bring the verdict for in and give it to the Clerk,
5 the Clerk gives it to me and I see it I can be assured that if
6 the Clerk asks the members of the jury if that is their
7 verdict every single member of the jury will affirm that
8 whatever that verdict that has been read by the Clerk is,
9 indeed, their verdict.

10 What I'm going to ask that you do, Madame Forelady, is
11 take your jury to the jury room.

12 Mr. Alternate, if you would please stay with us.

13 The remaining members of the jury go to the jury room.
14 Do not, do not begin your deliberations until the bailiff
15 hands to you the verdict form and the exhibits. When the
16 bailiff hands to you the verdict form and the exhibits then
17 you may begin your deliberations.

18 Please take your jury to the jury room, Ma'am.

19 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
20 JURY.)

21 COURT: All right. At this point in time is there any
22 reason from the State that the Court should not excuse the
23 alternate?

24 MR. BOGLE: No, Your Honor.

25 COURT: And from the Respondent?

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1 **MR. FALK:** Your Honor, when you charged the -- I have a
2 question about how you charged the jury.

3 **COURT:** I -- we'll talk about that in just one second.

4 **MR. FALK:** I'm sorry.

5 **COURT:** I'll give you an opportunity to except, delete,
6 whatever, in just a second.

7 **MR. FALK:** Okay.

8 **COURT:** Let's talk about the alternate. Is there any
9 reason the Court should not excuse the alternate at this time?

10 **MR. FALK:** No, Your Honor.

11 **COURT:** All right. Very good.

12 **(AT THIS TIME THE ALTERNATE WAS EXCUSED FROM FURTHER**
13 **PARTICIPATION IN THE TRIAL OF THIS CASE.)**

14 **COURT:** Exception, deletions, additions to the charge
15 from the State?

16 **MR. BOGLE:** Yes, Your Honor. May it please the Court.

17 **COURT:** Yes sir.

18 **MR. BOGLE:** Section 44-48-30, sub-paragraph two,
19 defines what is meant by sexually violent offenses. We think
20 it is necessary for the Court to charge that Assault with
21 Intent to Commit Criminal Sexual Conduct in the First Degree,
22 and Lewd Act on a Minor Child are sexually violent offenses.
23 It was in the State's proposed jury charge. I didn't -- you
24 charged the elements. When you got to the element you did not
25 mention the fact that these two crimes, under our law, are

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1 defined as sexually violent crime, and I think that has to be
2 done.

3 COURT: All right. What's your position, Mr. Falk?

4 MR. FALK: I have no objection.

5 COURT: All right, sir. Anything else from the State?

6 MR. BOGLE: No, Your Honor. Thank you.

7 COURT: Exceptions, deletions, additions to the charge
8 from the Respondent?

9 MR. FALK: Your Honor, I don't know if we can go back
10 and hear exactly what you said, but I think at one time you
11 told the jury that there was sufficient evidence, or there was
12 evidence presented that he had committed crimes of sexual
13 violence.

14 COURT: No. I said there was evidence in the record
15 for their consideration, is what I said, there's evidence in
16 the record for their consideration for that particular issue.
17 I didn't say he had done it.

18 MR. FALK: I'm sorry, Your Honor.

19 COURT: Now, I -- I don't think it would be incorrect
20 to -- even if I had, but I did not. I just said for their
21 consideration. I do remember that part of it.

22 You haven't challenged that ---

23 MR. FALK: You are right.

24 COURT: You haven't challenged that one time in the
25 entirety of the case, and in fact, you've made -- at least in

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1 your opening statement you made arguments, and in questions
2 you've indicated to the jury that you know, or you admit that
3 he's committed sexually violent crimes in the past, so I don't
4 know that it would be -- would have been a problem for me to
5 have said that, but what I did say, the evidence is in the
6 record for their consideration. I didn't tell them he had
7 done it, but the evidence was there for their consideration,
8 but it's conjunction with what the State is asking it's
9 probably what I'm telling them, you know, I mean, you said you
10 didn't have a problem with what the State says, but -- what
11 the State has asked for, but ---

12 MR. BOGLE: We have not asked that you tell them he was
13 convicted, just that these particular crimes are sexually
14 violent crimes.

15 COURT: Okay. All right. I think it's going to be a
16 really fine distinction that -- I'm not sure this jury is
17 going to -- would make such a distinction, but ---

18 MR. FALK: Your Honor ---

19 COURT: Yes sir.

20 MR. FALK: I'm not sure what I heard. It's just one of
21 those -- it came along, and then -- that I didn't hear that
22 kind of thing, so I'm -- I don't doubt that you said that, and
23 if that is what you said then I would have no objection.

24 COURT: All right. Well, I -- I understand you've
25 made your objection. I'm just telling you that I said the

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1 evidence was there for their consideration.

2 MR. FALK: Thank you.

3 COURT: All right, sir.

4 All right. Yes sir. Ask the jury to come back out.

5 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
6 JURY.)

7 COURT: All right, ladies and gentlemen, I've been
8 asked by counsel to state to you that the crimes of Assault
9 with Intent to Commit Criminal Sexual Conduct in the First
10 Degree, and Lewd Act on a Minor are on the list of crimes set
11 out by the State of South Carolina as sexually violent
12 offenses. This does not obviate or alleviate the duty and
13 responsibility of the State of South Carolina to prove, beyond
14 a reasonable doubt, that the Defendant has been convicted of
15 these crimes, but that those two crimes are on the list of
16 crimes that the State of South Carolina considers to be
17 sexually violent offenses.

18 So with that I would ask that you return to the jury
19 room. Thank you very much.

20 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
21 JURY.)

22 COURT: Further additions, exceptions, deletions to the
23 charge from the State?

24 MR. BOGLE: No, Your Honor. Thank you.

25 COURT: From the Respondent?

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1 **MR. FALK:** No, Your Honor.

2 **COURT:** Thank y'all.

3 All right, gentlemen, first I wanted to tell you that I
4 want to thank you for the way that both of you zealously
5 represented the interest of your respective clients. I will
6 tell you that I believe both of you did a fine job on behalf
7 of the -- for the State and for the Respondent in this matter,
8 and I just wanted to commend both of you for your work in that
9 matter. All right.

10 If you would, please -- there's not that many exhibits,
11 but just check with the Court Reporter, make sure we've got
12 all the exhibits correctly before they go into the jury,
13 please. All right.

14 And with that we will be at east till the jury needs us.
15 Thank you.

16 **MR. BOGLE:** Thank you, Your Honor.

17 **(THE EXHIBITS WERE REVIEWED BY ALL COUNSEL.)**

18 **MR. BOGLE:** Your Honor, everything is correct.

19 **COURT:** All right.

20 **MR. FALK:** Thank you.

21 **COURT:** All right. Very good. All right, we'll send
22 them into the jury room then.

23 Thank you very much.

24 Tell them to begin their deliberations.

25 **(THE EXHIBITS WERE PASSED INTO THE JURY ROOM. THE JURY**

JURY IN/COURT TO JURY (EXCUSED FOR THE DAY)
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1 BEGAN DELIBERATION AT 3:55 PM.)

2 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
3 JURY.)

4 COURT: Mr. Bailiff, could you ask the jury to come
5 out, please sir.

6 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
7 JURY. THE JURY RETURNED TO THE COURTROOM AT 4:45 P.M.)

8 (NOTE FROM THE JURY MARKED COURT'S EXHIBIT NUMBER 16.)

9 COURT: All right, Madame Forelady, ladies and
10 gentlemen of the jury, I'm going to send you home for the
11 evening. Now when you go home for the evening, obviously the
12 natural inclination is to speak to someone there, or in the
13 neighborhood. When you see your husband, wife, boyfriend,
14 girlfriend, person down the street, you can say hello to them,
15 and you can have general conversation with them, but you can't
16 talk about this case. They are not included, they are not
17 part of it. If you would do so they would give you their
18 opinion about it, and obviously they don't have one. You,
19 collectively, cannot discuss this case if you just happen to
20 run into each other at the grocery store, one or two of you,
21 can't talk about it because you are not altogether. So when
22 you leave here you may not discuss it with anyone until you
23 get back in the jury room tomorrow morning when all twelve of
24 you are present. When all twelve are present, Madame
25 Forelady, then you may resume the deliberations at that time.

**JURY IN/COURT TO JURY (EXCUSED FOR THE DAY)
FEBRUARY 11, 2015/JURY IN/DELIBERATING**

304

1 I'm going to ask that you please be back in the jury
2 room here - and the bailiff will tell you where to meet them -
3 but I want you to be back such a time that you can be in the
4 jury room by 9:30 in the morning, so that you are all
5 assembled in the jury room, back by 9:30 to resume your
6 deliberations, to reach a unanimous decision in this matter.
7 All right.

8 So with that you are now excused for the evening. Thank
9 you very much.

10 (THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE
11 JURY.)

12 COURT: Now, Mr. Bogle, Mr. Falk, I am going to be
13 starting another trial tomorrow morning with -- in another
14 matter, so I will -- you know, obviously y'all will need to be
15 back, but you are probably going to need to take with you your
16 stuff rather than leaving it on the table, even though the
17 courtroom will be locked up, because the attorneys in the next
18 case will need the counsel tables. All right.

19 But I will see y'all back tomorrow morning. Please be
20 back by 9:30. All right.

21 MR. BOGLE: Thank you, Your Honor.

22 MR. FALK: Thank you, Your Honor.

23 COURT: All right. Thank you, gentlemen.

24 (THE FOLLOWING TAKES PLACE ON THE NEXT DAY, FEBRUARY 11,
25 2015.)

JURY IN/COURT TO JURY (EXCUSED FOR THE DAY)
FEBRUARY 11, 2015/JURY IN/DELIBERATING

305

1 (JURY CONTINUED TO DELIBERATE AT 9:30 A.M. ON FEBRUARY
2 11, 2015, AND THE FOLLOWING TAKES PLACE AT 10:10 A.M., OUTSIDE
3 THE PRESENCE OF THE JURY.)

4 COURT: All right, counsel, I understand that the jury
5 has reached a verdict in this matter. Is the State ready to
6 receive it, Mr. Bogle?

7 MR. BOGLE: Yes, Your Honor.

8 COURT: And the Respondent, Mr. Falk?

9 MR. FALK: Yes, Your Honor.

10 COURT: Very good.

11 I'll just comment briefly. We have asked this jury to
12 do an extremely difficult thing, and that is to come up with a
13 unanimous decision on this particular matter as presented to
14 them. Don't know what the jury's verdict is. Whatever the
15 jury's verdict is, it will be received with respect, and it
16 will be received with silence. I will not tolerate any kind
17 of showing of emotion or outburst of any kind.

18 If, for some reason, you feel you can't follow these
19 instructions I'll give you an opportunity to leave the
20 courtroom now, otherwise you are bound by those instructions.

21 Thank you very much.

22 Bring the jury in, please sir.

23 (THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE
24 JURY.)

25 COURT: All right, Madame Forelady, has your jury

JURY IN/VERDICT
COURT'S RULING

306

1 reached a verdict in this particular matter?

2 **FORELADY:** Yes we have.

3 **COURT:** Could you hand the verdict form to the bailiff,
4 please Ma'am?

5 Thank you, sir.

6 **COURT:** All right, Madame Clerk, you may publish the
7 verdict.

8 **DEPUTY CLERK OF COURT:** State of South Carolina, County
9 of Georgetown, In the Matter of Care and Treatment of Daryl
10 Snow, aka Darrell Thaddeus Snow, aka Daryl T. Snow,
11 Respondent, in the Court of Common Pleas, Fifteenth Judicial
12 Circuit, case number (2013-CP-22-00468), instructions, mark
13 the appropriate -- I'm sorry.

14 **COURT:** That's all right, Ma'am.

15 **DEPUTY CLERK OF COURT:** Do you find that Daryl Snow
16 suffers from a mental abnormality or a personality disorder
17 that makes him likely to engage in acts of sexual violence if
18 not confined in a secure facility for long-term care and
19 treatment? Yes.

20 Foreperson, Kira S. Roff, February 11, 2015, Georgetown
21 County, South Carolina.

22 **COURT:** All right, Madame Forelady, ladies and
23 gentlemen of the jury, if all of the jurors would assert that
24 this is their verdict by the raising of your right hand if
25 that indeed is your verdict.

JURY OUT
ON RECORD

307

1 Very good. You may put your hands down.

2 The jury having affirmed their verdict by the raising of
3 the right hand, does the State wish the jury polled?

4 MR. BOGLE: No, Your Honor. Thank you.

5 COURT: Does the Respondent wish the jury polled?

6 MR. FALK: No, Your Honor.

7 COURT: Very good, sir.

8 Anything further as to jury itself from the State at
9 this time?

10 MR. BOGLE: No, Your Honor.

11 COURT: As to the jury itself, from the Respondent?

12 MR. FALK: No, Your Honor.

13 COURT: Very good.

14 (AT THIS TIME THE JURY WAS EXCUSED FROM FURTHER
15 PARTICIPATION IN THE TRIAL OF THIS CASE.)

16 COURT: All right, Mr. Falk, motions on behalf of the
17 Respondent?

18 MR. FALK: Not at this time.

19 COURT: All right, sir. I would appreciate it -- and I
20 understand that, you know, sometimes courts allow the ten day
21 filing period. I would appreciate it if you have a motion for
22 judgment N.O.V., or a motion for a new trial, or for the Court
23 to act as the thirteenth juror I would appreciate it if you
24 would make that motion at this point in time, please sir.
25 Thank you. If you have those. If you would like to make them

JURY OUT
ON RECORD

308

1 I'll be glad to hear them.

2 MR. FALK: We would ask for the Court to consider a
3 judgment notwithstanding the verdict.

4 COURT: All right, sir. Regarding the judgment
5 notwithstanding the verdict -- and again, in that particular
6 matter the Court would view the evidence, and all reasonable
7 inferences in the light most favorable, again, to the non-
8 moving party, that is, the State, and it is not proper for the
9 Trial Judge to disturb the findings of a jury unless the -- in
10 the Court's view, the review of the record of what happened in
11 this matter discloses no evidence which would reasonably
12 support the verdict, and I do find, as I indicated in the
13 denial of the directed verdict motions, that if the evidence
14 was believed by the jury - and it must so have been believed
15 by them in their finding - there was more than sufficient
16 evidence in this record to support the jury's verdict
17 regarding this particular matter, and I respectfully decline
18 to grant your motion for a judgment N.O.V..

19 And in that same regard, regarding a new trial and/or
20 for the Court to step in as the thirteenth juror, again, I
21 would respectfully decline to grant those motions. I do not
22 find that the record would support a new trial or the Court
23 stepping in as the thirteenth juror. In looking at the
24 evidence I do find the evidence more than supports the jury's
25 finding in using that same burden of proof that the State had,

JURY OUT
ON RECORD

309

1 beyond a reasonable doubt, and therefore respectfully decline
2 to grant those motions.

3 Anything further from the Respondent at this time?

4 **MR. FALK:** No, Your Honor.

5 **COURT:** All right, sir.

6 Anything further from the State?

7 **MR. BOGLE:** May I approach, Your Honor? I've got the
8 proposed order.

9 **COURT:** All right, sir. Have you shared that with Mr.
10 Falk?

11 **MR. BOGLE:** I'm about to.

12 **COURT:** All right, sir.

13 Give you an opportunity to look at it, Mr. Falk, while
14 the Court reviews it.

15 I know that it's in the statute and there probably is no
16 reason to do that, Mr. Falk, as far as the matters about the
17 annual reviews. Those are mandated by statute. They have to
18 be done, so I don't -- it's not in the Order, but I -- and
19 this is only an Order of Commitment, so I don't see a
20 necessity unless you would ask that it be done.

21 **MR. FALK:** We are satisfied with the Order.

22 **COURT:** All right, sir, very good. All right, so with
23 that change as indicated by Mr. Bogle to correct the name of
24 Respondent's counsel then we will go ahead and sign that Order
25 at that time.

JURY OUT
ON RECORD

310

1 All right. And I will make sure then that -- after I
2 sign it, that if you will just wait a minute while it's e-
3 mailed to my Clerk, Mr. Falk, then we'll get you a copy of the
4 Order.

5 But with that, these proceedings are now concluded.

6 Thank you very much.

7 -----END OF REQUESTED TRANSCRIPT OF RECORD-----

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STATE OF SOUTH CAROLINA)
 COUNTY OF GEORGETOWN)
)
 IN THE MATTER OF THE CARE)
 AND TREATMENT OF)
 DARYL SNOW a/k/a Darrell)
 Thaddeus Snow a/k/a Daryl T. Snow,)
 RESPONDENT.)

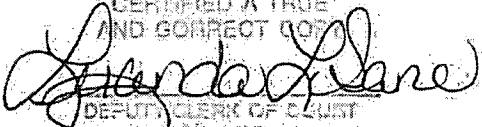
IN THE COURT OF COMMON PLEAS

CASE NO. 2013-CP-22-00468

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.* (Supp. 2008).
2. The South Carolina Department of Corrections, having determined that Respondent, Daryl Snow a/k/a Darrell Thaddeus Snow a/k/a Daryl T. Snow, 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 (Supp. 2008). Respondent's anticipated release date from custody is on or about October 31, 2013.
3. The Multidisciplinary Team met on **March 25, 2013** and 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 (Supp. 2008), and referred Respondent to the Prosecutor's Review Committee for a determination pursuant to S.C. Code Ann. Section 44-48-60 (Supp. 2008) as to whether probable cause exists to believe Respondent is a Sexually Violent Predator. (**PETITIONER'S EXHIBIT A**). The assessment of the Multidisciplinary 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 met on **April 19, 2013** and determined that there is probable cause to believe that Respondent is a Sexually Violent Predator as defined by statute. (**PETITIONER'S EXHIBIT B**). The Prosecutor's Review Committee bases its determination on the records and reports provided by the Multidisciplinary 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 as defined by S.C. Code Ann. Section 44-48-30(1) (Supp. 2008), to wit:

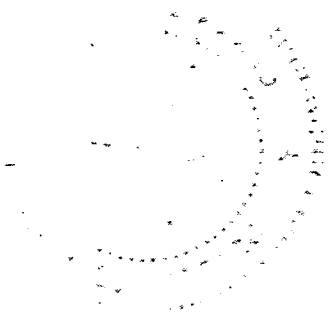
CERTIFIED A TRUE
 AND CORRECT COPY

 DEPUTY CLERK OF COURT
 GEORGETOWN COUNTY, SC

FILED
 GEORGETOWN COUNTY, S.C.

100-100000-100000

SO-2 N9 1-VAN ELS

100-100000-100000



- (a) In or around January 2, 2005, Respondent sexually assaulted **Victim 1** (13-year-old female). According to law enforcement documents, Victim 1 and her 8-year-old sister were home alone when Respondent entered the residence during the night without consent. Respondent, armed with a knife, walked into Victim 1's bedroom, closed the door, turned off the lights, and removed Victim 1's towel that she was wearing because she had just finished showering. Victim 1 stated that Respondent threw her against the wall and then to the floor, and told her to "shut the fuck up." Victim 1 and her sister began screaming and Respondent then pushed a television onto Victim 1 and fled the residence. Victim 1 stated that Respondent was wearing a mask but she recognized his voice as the man who was her neighbor. Respondent also stole Victim 1's cell phone, called various females, and made obscene suggestions to them. Respondent was charged for the above-named acts with one count of Assault with Intent to Commit Criminal Sexual Conduct in the First Degree in Violation of South Carolina Code Section 16-3-652, Lewd Act on a Minor Child in violation of South Carolina Code Section 16-15-140 and one count of Burglary in the First Degree in Violation of South Carolina Code 16-11-311. Also, in or around December 28, 2004, Respondent saw a female (74-years-old) out in public and as she was leaving, he pointed at her and told her that "he was going to get her." Then, later that evening, Respondent knocked on the door of the female's residence, and when she went to the door, he threw a brick through her window and tried to kick her door open. The female then ran to another neighbor's house and called law enforcement. Respondent was then charged with one count of Burglary in the First Degree. On April 18, 2006, Respondent pled guilty to both pending cases that same day to one count of Lewd Act on a Minor Child and one count of Burglary in the Second Degree in violation of South Carolina Code 16-11-312 and was sentenced to fifteen years incarceration concurrent at each count. **(PETITIONER'S EXHIBIT C)**.
- (b) In addition, incident reports indicate that on March 24, 2004, Respondent grabbed a female from a vehicle and drug her down a dirt path. Respondent indicated to her that "I am going to show you what I am going to do to you, what you heard about me is all true." Respondent further indicated that as long as her "kids were here they would never be safe." She then escaped from Respondent and contacted law enforcement. Based on Respondent's NCIC Criminal Report, there does not seem to be any conviction for this offense. **(PETITIONER'S EXHIBIT M)**. Then, on July 26, 2004, authorities responded to the same female's residence wherein law enforcement authorities found her with her left eye swollen shut. According to her, she had an argument with Respondent and he assaulted her. However, on August 2, 2004, law enforcement officials indicated that this same female had moved

back in with Respondent and she no longer wished to pursue prosecution. **(PETITIONER'S EXHIBIT D).**

- (c) Prior to the offense described in subparagraph 5(a) and (b), on or about February 18, 1995, Respondent sexually assaulted **Victim 2** (27-year-old female). According to law enforcement documentation, Respondent and his brother entered a 29-year-old male's residence while armed with a shotgun. Respondent fired a shotgun at the male while the male was trying to flee the residence. Respondent and his brother then forced Victim 2, who was also Respondent's ex-girlfriend, and her 7-year-old daughter to leave the residence. Respondent's brother and Victim 2's daughter were then dropped off at Respondent's mother's residence. Respondent then held Victim 2 hostage for approximately 18 hours, wherein he struck her numerous times, touched her face with a shotgun, attempted to remove her clothing, fondled her breasts and vaginal area, and attempted to force intercourse upon her. Respondent also fired the shotgun twice to frighten her. Respondent was charged with two counts of Assault with Attempt to Commit Criminal Sexual Conduct, one count of Kidnapping in violation of South Carolina Code 16-3-910, two counts of Criminal Domestic Violence of a High and Aggravated Nature in violation of South Carolina Code 16-25-65, one count of Ill Treatment of a Child in violation of South Carolina Code 20-07-60, two counts of Possession of a Firearm during the Commission of a Violent Crime in violation of South Carolina Code 16-23-410, one count of Pointing a Firearm in violation of South Carolina Code 16-23-410, and one count of Burglary in the First Degree. On May 21, 1996, Respondent pled guilty to one count of Burglary in the Second Degree, one count of Ill Treatment of a Child, one count of Pointing a Firearm, two counts of Assault with Intent to Commit Criminal Sexual Conduct, one count of Kidnapping, two counts of Criminal Domestic Violence of a High and Aggravated Nature, and two counts of Possession of a Firearm During the Commission of a Crime. Respondent received 15 years incarceration for the Burglary and Kidnapping convictions, 10 years of incarceration for the Ill Treatment of Children count, and five years of incarceration for the Firearms counts. All of the aforementioned offenses were to run concurrent to one another. **(PETITIONER'S EXHIBIT E).** On May 22, 2003, the Multidisciplinary Team reviewed Respondent's case, but did not refer it for further action. **(PETITIONER'S EXHIBIT F).**
- (d) During Respondent's incarceration at the South Carolina Department of Corrections, Respondent has had 13 recorded disciplinary infractions, and two were dismissed. **(PETITIONER'S EXHIBIT G).**
- (e) 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 Respondent has serious difficulty in controlling his behavior or sexual desire impulses.

(f) In support of the State's allegations that 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:

i. According to the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision, published by the American Psychiatric Association, the diagnostic criteria for **Pedophilia** listed in Section 302.2 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. (**PETITIONER'S EXHIBIT H**).

ii. According to the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision, published by the American Psychiatric Association, the diagnostic criteria for **Paraphilia**:

A. Recurrent, intense sexually arousing fantasies, sexual urges, or behaviors involving (1) the suffering or humiliation of oneself or one's partner, or non-consenting person, (2) over a period of at least 6 months. (**PETITIONER'S EXHIBIT I**).

iii. "[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).

Respondent's instances of violent and non-violent behavior are:

A. Respondent's 2006 conviction for Lewd Act on a Minor Child as set forth above. (**PETITIONER'S EXHIBIT C, *supra***).

B. Respondent's 1996 conviction for Assault with Intent to Commit Criminal Sexual Conduct as set forth above. (**PETITIONER'S EXHIBIT D, *supra***).

C. The basis of his record of convictions and arrests in South Carolina dating back to at least 1988, including convictions for:

1. 08/01/1988 – Unlawful Use of a Telephone
2. 09/23/1988 – Malicious Injury to Animals (**PETITIONER'S EXHIBIT J**)
3. 08/01/1995 – Escape (**PETITIONER'S EXHIBIT K**)
4. 09/13/2004 – Reckless Driving, Public Disorderly Conduct, and Hindering an Officer

(*see* NCIC Report, **PETITIONER'S EXHIBIT M, *infra***).

- iv. The facts of Respondent's offenses indicate the existence of a mental abnormality in that they involve recurrent sexual urges or behaviors involving underage children occurring over a period of at least six months.
- v. **Known risk factors** increasing Respondent's likelihood to re-offend include: 1) Never legally married or never lived with lover for at least 2 years; 2) Not related to victim; 3) Prior non-sexual convictions; 4) Prior sexual offenses; 5) Length of sexual offending history 1 to 6 years; 6) More than one victim; 7) Two or more age groups victimized; 8) One or more discipline reports while incarcerated; 9) More than one victim; 10) Force or threat of force used; and 11) Not stranger to victim.

- vi. Upon information and belief, Respondent has not completed sex offender treatment while incarcerated in the South Carolina Department of Corrections. **(PETITIONER'S EXHIBIT L).**
- vii. Attached also is Respondent's NCIC Report. **(PETITIONER'S EXHIBIT M).**

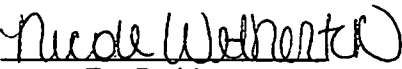
WHEREFORE, Petitioner requests that based on the above information the Court find there is probable cause to believe Respondent is a Sexually Violent Predator and Order:

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, if he is not already in custody;
4. Counsel be appointed for Respondent, if necessary;
5. If probable cause is found at that hearing, 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 approve 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 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.* (Supp. 2008), and
8. For such other and further relief as the Court deems just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

NICOLE T. WETHERTON
Assistant Attorney General

By: 
Attorneys For Petitioner
S.C. Bar No. 100500
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
V: (803) 734-0087
F: (803) 734-6679
nwetherton@scag.gov

April 26, 2013
Columbia, South Carolina

2013CP2200468

Petitioner's Exhibit A

SEXUAL PREDATOR REFERRAL FORM

Offender Name: DARYL SNOW Offender Number: 232890 Jurisdictional Agency: SCDC
 Age: 44 County: GEORGETOWN Qualifying Offense(s): Lewd Act on Child Under 16 Guilty Plea: Trial:
 Gender: Male No. of Incarcerations: 4

Adult 15 years Parole Eligibility Max-Out
 Sentence: Date: Date: 10/31/2013
 Juvenile Parole SFII
 Guidelines: Release Date: Date:

AKA Darrell Thaddeus Snow

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:

[Signature] SCDC -- CHAIRPERSON
[Signature] SCDPPS
[Signature] DMH
[Signature] JDG
[Signature] ATTORNEY

MULTIDISCIPLINARY TEAM

The offender's records were assessed by the Multidisciplinary Team on March 21, 2013, 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.

Petitioner's Exhibit B

**PROSECUTOR'S REVIEW COMMITTEE
PROBABLE CAUSE DETERMINATION**

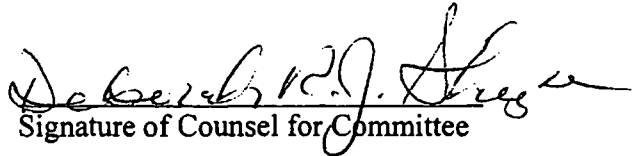
INMATE NAME:	INMATE NUMBER:	PRC REVIEW DATE:
DARYL SNOW	232890	April 19, 2013
		MEMBERS PRESENT:
		John McIntosh for Alan Wilson David M. Stumbo via telephone

DATE RECEIVED FROM MULTIDISCIPLINARY TEAM: March 25, 2013

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 2-0, 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.


Signature of Counsel for Committee

Petitioner's Exhibit C

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF
STATE

VS.

INDICTMENT/CASE#:

George town
Marcell Thaddeus Snow
AKA: Daryl Snow
Race: B Sex: M Age: 33
DOB: [REDACTED] SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip [REDACTED]
DL# [REDACTED] SID# USC 00326597

A/W#:

Date of Offense:

S.C. Code §:

CDR Code #:

016 -GS- 32- 356

1-2-05

16-15-0140

2141613

☐ CASE RESTORED

SENTENCE

☒ PLEA ☐ TRIALIn disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Lead Act on Minor Childin violation of §16-15-140 of the S.C. Code of Laws, bearing CDR Code # 2141613☒ 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:

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 15 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: DL-3910☐ 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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ set by SCDPPPS

Recipient:

*Fine: \$ _____

\$14-1-206 (Assessments 107.5%) \$ _____

\$14-1-211(A)(1) (Conv. Surcharge) \$100 \$100.00

\$14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

\$56-5-2995 (DUI Assessment) \$12 \$ _____

\$35.13 (Public Def/Prob) \$500 \$ _____

\$73.3, 1B TP (Law Enforce. Funding) \$25 \$25.00

\$33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____

\$50-21-114(BUI Breath Test Fee) \$50 \$ _____

\$56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$3.15

TOTAL \$128.15

PTUP

_____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning _____

Substance Abuse Counseling _____

Random Drug/Alcohol Testing _____

Fine may be pd. in equal, consecutive weekly/monthly

pmts. of \$ 10.00 beginning mo. after release

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel, \$35.13 TP Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE

Judge Code:

Sentence Date:

0101411

4-13-06

Court Reporter:

Clerk of Court/Deputy Clerk

White - Clerk

Green - Corrections

Canary - Probation

Pink - Defendant

SCCA/217 (7/2003)

WITNESSES:

Georgetown County Sheriff's Office

ARREST WARRANT NUMBER:

A/W: Direct Indictment

C: 2468 §16-15-0140

DOI: 1-2-05

SID: SC00526597

ACTION OF GRAND JURY

Date

Foreman of Grand Jury

VERDICT

Foreman of Petit Jury

DOCKET NO. 2006 GS22 356
The State of South Carolina,

County of Georgetown

20582

DCB

COURT OF GENERAL SESSIONS

TERM 2006

THE STATE

vs.

DARRELL THADDEUS SNOW
AKA DARYL SNOW

J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

LEWD ACT ON A MINOR
CHILD

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

INDICTMENT FOR:
LEWD ACT ON A MINOR CHILD

At the Court of General Sessions, Convened on _____, 2006 the Grand Jurors of Georgetown County present upon their oath:

That Darrell Thaddeus Snow aka Daryl Snow, being over fourteen years of age did in Georgetown County on or about January 2, 2005, willfully and lewdly commit a lewd or lascivious act upon or with the body of a child, less than sixteen (16) years of age, [REDACTED] age 13, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of said Defendant or of the victim, including but not limited to: the defendant did grab the victim and pull the towel off that she was wearing, throw her against the wall then onto the floor. This 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.


SOLICITOR

ENTERED JAN 11 2005 0011

ARREST WARRANT

H- 844809

H844809

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
GEORGETOWN

THE STATE

against

DARRELL THADDEUS SNOW

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: B Height: 5'10 Weight: 190

Date: [REDACTED] DL #: [REDACTED]

Agency ORI#: [REDACTED]

Prosecuting Agency: [REDACTED]

Prosecuting Officer: [REDACTED]

Offense: BURGLARY (AFTER JUNE 20, 1985) - FIRST D EGREE

Offense Code: 16-11-0311

Code/Ordinance Sec. 16-11-0311

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.)

RETURN

A copy of this arrest warrant was delivered to
defendant Darrell Snow

on 1/27/05

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
JUDGE ISAAC L. PYATT
333 CLELAND STREET
GEORGETOWN, S.C.

294420807

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
GEORGETOWN

AFFIDAVIT

J. ALLEN

Personally appeared before me the affiant J. ALLEN who

being duly sworn deposes and says that defendant DARRELL THADDEUS SNOW

did within this county and state on 1/02 2005

State of South Carolina (or ordinance of ☐ County/ ☐ Municipality of)

in the following particulars:

DESCRIPTION OF OFFENSE: 16-11-0311
BURGLARY (AFTER JUNE 20, 1985) - FIRST D EGREE

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 JANUARY 2, 2005, AT APPROXIMATELY 8:00 P.M. IN THE
GREENTOWN SECTION OF GEORGETOWN COUNTY. THE DEFENDANT DID, WITHOUT CONSENT,
ENTER THE VICTIM [REDACTED] RESIDENCE AT [REDACTED], AT NIGHT
WHILE INSIDE THE SUBJECT TRIED TO SEXUALLY ASSAULT THIRTEEN YEAR OLD [REDACTED]
DURING THE ATTEMPTED ASSAULT THE SUBJECT THREATENED THE VICTIM BY
STATING THAT IF EVERYONE WOULD BE QUIET NO ONE WOULD BE HURT. THIS BEING
AGAINST THE PEACE AND DIGNITY OF THE STATE OF SOUTH CAROLINA AND A
VIOLATION OF SOUTH CAROLINA CODE OF LAW 16-11-0311.
CASE#01050161

Signature of Affiant

1/05/2005

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of

Affiant's Address 430 N. FRASER ST.

GEORGETOWN, SC 29440

Affiant's Telephone 8434366057

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

X It appearing from the above affidavit that there are reasonable grounds to believe that
on GEORGETOWN defendant

did violate the criminal laws of the State of South Carolina (or ordinance of

☐ County/ ☐ Municipality of) as set forth below:

DESCRIPTION OF OFFENSE: 16-11-0311
BURGLARY (AFTER JUNE 20, 1985) - FIRST D EGREE

Having been duly sworn and the above affiant being sworn, I am 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 1/20/05

Signature of Issuing Judge (L.S.)

Signature of Issuing Judge

Judge Code: 899

Judge's Address 333 CLELAND STREET

GEORGETOWN, S.C.

Judge's Telephone 8435453381

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

265

WITNESSES:

SHERIFF'S OFFICE

ARREST WARRANT NUMBER:

A/W: H-844810

DR: 0253 §16-03-0656,0652(2)

DOI: 1-2-05

SID: SC00526597

D/L:

ACTION OF GRAND JURY

True Bill

ie

9.28.05

Foreman of Grand Jury

Wesley M. Solomon

VERDICT

Foreman of Petit Jury

DOCKET NO. 05 GS22 951

The State of South Carolina,

County of Georgetown

20582

DCB

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2005

THE STATE

vs.

DARRELL THADDEUS SNOW
AKA DARYL SNOW

[REDACTED]
[REDACTED]
[REDACTED]

J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

ASSAULT WITH INTENT TO
COMMIT CRIMINAL SEXUAL
CONDUCT, FIRST DEGREE

STATE OF SOUTH CAROLINA

INDICTMENT FOR:

COUNTY OF GEORGETOWN

) ASSAULT WITH INTENT TO COMMIT CRIMINAL
) SEXUAL CONDUCT, FIRST DEGREE

At the Court of General Sessions, Convened on September 28, 2005 the Grand Jurors of Georgetown County present upon their oath:

That Darrell Thaddeus Snow aka Daryl Snow did in Georgetown County on or about January 2, 2005, assault [REDACTED] with the intent to engage in sexual battery with her while using aggravated force, to wit: that while armed with a knife, the defendant did grab the victim and pull the towel off that she was wearing, throw her against the wall then onto the floor, with the intent of committing Criminal Sexual Conduct-First Degree, in violation of Section 16-03-0652, 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.


SOLICITOR DUB

ENTERED JAN 11 2005
ARREST WARRANT
H- 844810

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
GEORGETOWN

THE STATE

against

DARRELL THADDEUS SNOW

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: B Height: 5'10 Weight: 190

Date: [REDACTED] DL #: [REDACTED]

DOB: [REDACTED] Agency ORI#: [REDACTED]

Prosecuting Agency: [REDACTED]

Prosecuting Officer: [REDACTED]

ASSAULT WITH INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT - FIRST DEGREE

Offense Code: 16-03-0656, 0652(2)
Code/Ordinance Sec. [REDACTED]

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of [REDACTED]

The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.) [REDACTED]

RETURN

A copy of this arrest warrant was delivered to defendant Darrell Snow

on 1/27/05

Signature of Constable/Law Enforcement Officer [REDACTED]

RETURN WARRANT TO:
JUDGE ISAAC L. PYATT
333 CLELAND STREET
GEORGETOWN, S.C.

294420807

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
GEORGETOWN

AFFIDAVIT

Personally appeared before me the affiant J. ALLEN who being duly sworn deposes and says that defendant DARRELL THADDEUS SNOW did within this county and state on 1/02 2005 violate the criminal laws of the

State of South Carolina (or ordinance of ☐ County/ ☐ Municipality of [REDACTED]) in the following particulars: 16-03-0656, 0652(2)

DESCRIPTION OF OFFENSE: 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:

THAT ON OR ABOUT JANUARY 2, 2005 IN THE COUNTY OF GEORGETOWN. THE DEFENDANT DARRELL THADDEUS SNOW DID ASSAULT [REDACTED] A THIRTEEN YEAR OLD FEMALE WITH THE INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT IN THE 1ST DEGREE, BY BY SNATCHING A TOWEL OFF OF THE VICTIM AND SLAMMING HER INTO THE WALL OF HER BEDROOM AND THEN ONTO THE FLOOR. AFTER THE VICTIM WAS ON THE FLOOR SHE STATED THAT THE DEFENDANT WAS ARMED WITH A KNIFE AND HE TOLD HER TO SHUT THE FUCK UP. WHILE ON THE FLOOR THE SUBJECT THEN LEANED DOWN TOWARDS THE VICTIM, BUT DUE TO THE VICTIMS SCREAMS SNOW PUSHED A TV ONTO HER AND FLED THE SCENE. THIS BEING AGAINST THE PEACE AND DIGNITY OF THE STATE OF SOUTH CAROLINA AND A VIOLATION OF SC CODE OF LAW 16-03-0656, 0652 (2).

Signature of Affiant [REDACTED]

1/05/2005

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of [REDACTED]

Affiant's Address: 430 N. FRASER ST.

GEORGETOWN, SC 29440

Affiant's Telephone: 8434366057

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

X It appearing from the above affidavit that there are reasonable grounds to believe that on GEORGETOWN defendant [REDACTED]

did violate the criminal laws of the State of South Carolina (or ordinance of [REDACTED])

☐ County/ ☐ Municipality of [REDACTED] as set forth below:

DESCRIPTION OF OFFENSE: 1/02/2005 DARRELL THADDEUS SNOW

16-03-0656, 0652(2)

Having been sworn, I, the undersigned, do hereby depose and say that I am a law enforcement officer and I have 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 [REDACTED]

on [REDACTED]

[REDACTED] (L.S.)

Signature of Issuing Judge [REDACTED]

Judge Code: 899

Judge's Address: 333 CLELAND STREET

GEORGETOWN, S.C.

Judge's Telephone: 8435453381

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

EVENT

VICTIM NO. 1

SUBJECT NO. 1

NARRATIVE

PROPERTY EST.

ADMINISTRATIVE

INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
1. 11D FORCIBLE FONDLING				☒ YES ☐ NO	☐ YES ☒ NO	RESIDENCE/HOME		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.	
2. 220 BURGLARY/BREAKING AND ENTERING				☐ YES ☒ NO	☒ YES ☐ NO	RESIDENCE/HOME			
3.				☐ 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	DISPATCH TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
01/02/2005	20:01		01/02/2005	21:55	01/02/2005	20:01	20:08	21:55	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH
					J	B	F	46	N
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.		
VICTIM'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH
				ST	J	W	F	13	N
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.		
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
405	100	BLK	BROWN						
ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.		
VISIBLE INJURY (VICT. 1) ☐ YES ☒ NO				EXPLAIN- Minor		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/SPLASMT. ☐		OTHER ☐	
ALONE ☐				ASSISTED ☐		* J—This Jurisdiction, S—State, O—Out of State, U—Unknown			
☒ SUSPECT	NAME (LAST, FIRST, MIDDLE)				RACE	SEX	AGE	ETH	DATE OF BIRTH
☐ RUNAWAY	UNKNOWN				B	M	20 - 25	N	
☐ WANTED	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				DAYTIME PHONE		EVENING PHONE		
☐ WARRANT									
☐ ARREST	ADDRESS				CITY	STATE	ZIP CODE	LOCATION NO.	
☐ JAIL									
☐ SUMMONS	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		01/02/2005 8:01:00 PM			
***** Narrative Title: FORCIBLE FONDLING/BURGLARY Date Entered: 01/02/2005 11:44:11 PM ON SUNDAY JANUARY 02, 2005 AT APPROXIMATELY 2009 HOURS, I DEPUTY CORNELL JOHNSON RESPONDED TO [REDACTED] IN REFERENCE TO AN ATTEMPTED BREAK-IN. UPON ARRIVAL, CONTACT WAS MADE WITH THE COMPLAINANT, [REDACTED], AND VICTIM #1 AND #2 ([REDACTED] AND [REDACTED]). MS. [REDACTED] STATED TO ME THAT SHE WAS ADVISED BY [REDACTED] AND [REDACTED] THAT A BLACK MALE HAD ENTERED INTO ONE OF THE DOORS TO THEIR RESIDENCE ([REDACTED]) WHERE									
JURISDICTION OF THEFT					JURISDICTION OF RECOVERY				
LAW ENFORCEMENT AGENCY					LAW ENFORCEMENT AGENCY				
TYPE (GROUP)									TOTAL VALUE
STOLEN									
DAMAGED									
BURNED									
RECOVERED									
SEIZED									
SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADM. 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
JOHNSON, CORNELL MATTHEW			01/02/2005	1JO42					
FOLLOW-UP INVESTIGATION ☐ YES ☒ NO									

AGENCY: Georgetown County Sheriff
Jurisdiction: SC0220000
Report Date / Time: 01/02/2005 8:01:00 PM
Incident/Case Number: 01050161
Case Description: BURGLARY, RESIDENCE
Primary Officer Name/ID: JOHNSON, CORNELL MATTHEW/1JO42
Approved By:
Date/Time Printed: 01/03/2005 3:52:52 AM

Narrative: Page 2

GRABBED [REDACTED] AND THREW HER TO THE WALL, AND THEN TO THE FLOOR. MS. [REDACTED] STATED THAT MISS [REDACTED] AND MISS [REDACTED] STATED THAT THE BLACK MALE THEN PROCEEDED TO TRY TO RAPE MISS [REDACTED]. MISS [REDACTED] AND MISS [REDACTED] STATED TO ME THAT THE BLACK MALE ALSO HAD A KNIFE. MISS [REDACTED] STATED THAT THE BLACK MALE WAS WEARING A BROWN IN COLOR JACKET AND A MASK OVER HIS FACE. MISS [REDACTED] ALSO ADVISED ME THAT SHE KNEW THE BLACK MALES VOICE AND THAT SHE KNEW HIM, AND REMEMBERED SEEING HIM EARLIER THAT DAY WEARING THE SAME CLOTHING (AS WHAT HE HAD ON AT THE TIME OF THE ATTACK - BLUE JEANS AND A BROWN JACKET). MISS. [REDACTED] STATED THAT SHE KNEW HIM BY THE FIRST NAME OF DARYLL. SGT. SISINNI ARRIVED ON SCENE. FROM THERE THE ON CALL INVESTIGATOR, MICHAEL THACKER, AND THE VICTIMS ADVOCATE WERE NOTIFIED. SGT. SISINNI ALSO CALLED EMS TO CHECK THE CHILDREN FOR ANY INJURY. THE BLOODHOUND TRACKING TEAM WAS ACTIVATED, AND DID WORK THE AREA PRODUCING NEGATIVE CONTACT. THE SCENE WAS TURNED OVER TO THE ON CALL INVESTIGATOR FOR PROCESSING.

Entered By: MICHAEL KELLY THACKER, On 1/5/2005 10:11:30 PM
Edited By: MICHAEL KELLY THACKER, On 1/5/2005 10:53:36 PM

Title: THACKER SUPPLEMENT CASE # 01050161

ON 01/02/2005 I, INV. THACKER WAS NOTIFIED AT MY RESIDENCE BY CENTRAL DISPATCH TO RESPOND TO [REDACTED] IN REFERENCE TO A BURGLARY THAT OCCURRED. UPON ARRIVAL I SPOKE WITH DEPUTY JOHNSON AT [REDACTED] AND HE ADVISED THAT HE HAD ORIGINALLY BEEN DISPATCHED TO [REDACTED] FOR A BURGLARY. WHEN HE ARRIVED HE MADE CONTACT WITH THE OWNER AT [REDACTED]. SHE ADVISED THAT TWO OF HER NEIGHBORS, WHOM ARE JUVENILES HAD CAME TO HER RESIDENCE TO GET HELP BECAUSE THEY TOLD HER SOMEONE BROKE INTO THEIR HOUSE AND ASSAULTED THEM. JOHNSON ADVISED THAT THE VICTIMS WERE [REDACTED] (8 YRS OLD / DOB: [REDACTED]) AND HER SISTER [REDACTED] (13 YRS OLD / DOB: [REDACTED]). THE VICTIMS ADVISED DEPUTY JOHNSON THAT THEY WERE IN THE BACK BEDROOM AND HEARD SOMEONE IN THE HOUSE. THE SUBJECT ACCORDING TO THE VICTIMS WAS A BLACK MALE WEARING A HALLOWEEN MASK, WITH A KNIFE WEARING A BROWN COAT. THE SUBJECT GRABBED [REDACTED] AND THREW HER AGAINST THE WALL THEN TO THE GROUND. DEPUTY JOHNSON STATED THAT HE WAS TOLD THAT THE SUBJECT THEN ATTEMPTED TO SEXUALLY ASSAULT THE VICTIM. THE SUBJECT THEN LEFT THE RESIDENCE OUT OF THE BACK DOOR. THE POINT OF ENTRY WAS UNKNOWN AT THIS TIME. DEPUTY JOHNSON ADVISED THAT THE VICTIMS WERE SITTING IN A VEHICLE AT THE RESIDENCE. SGT. SISINNI ADVISED THAT SHE HAD CALLED FOR THE BLOODHOUND TEAM AND ALSO HAD CONTACTED THE VICTIMS ADVOCATE TO RESPOND.

I SPOKE WITH THE VICTIMS' MOTHER ([REDACTED] / DOB: [REDACTED]). SHE HAD NOT LONG ARRIVED. SHE STATED THAT SHE WAS WORKING AT WALMART OVER THE HOLIDAYS AND THE WORK WAS AT NIGHT. SHE STATED THAT THE TWO VICTIMS WERE HOME ALONE AND SHE ALSO HAD A SON THAT HAD BEEN AT A FRIENDS HOUSE.

I BRIEFLY SPOKE WITH [REDACTED] WHILE AWAITING THE VICTIMS ADVOCATE. SHE STATED THAT THE FRONT DOOR WAS OPEN, BUT THERE IS A STORM DOOR THERE ALSO AND THAT WAS UNLOCKED. SHE WAS WAITING FOR HER BROTHER TO RETURN HOME BEFORE THEY LOCKED THE DOOR. SHE STATED THAT BEFORE THE INCIDENT, SHE HAD JUST GOTTEN OUT OF THE SHOWER AND COVERED HERSELF WITH A TOWEL. SHE WENT INTO HER ROOM AND SAT ON THE BED. SHE STATED THAT THERE ARE TWO BEDS IN THE ROOM AND SHE SHARES THE ROOM WITH HER SISTER [REDACTED]. SHE STATED THAT SHE AND HER SISTER WERE IN THE BEDROOM AND HEARD SOMEONE COMING DOWN THE HALLWAY. SHE THOUGHT IT WAS HER BROTHER OR SOME KIDS FROM THE NEIGHBORHOOD TRYING TO SCARE HER. SHE STATED THAT NEXT, A BLACK MALE CAME INTO THE BEDROOM. HE HAD ON A SCARY HALLOWEEN MASK AND A BROWN COAT. THE SUSPECT WAS ALSO HOLDING A KNIFE IN HIS RIGHT HAND. THE SUBJECT CLOSED THE DOOR AND TURNED OFF THE LIGHTS. THE VICTIMS BEGAN SCREAMING AT THIS POINT AND THE SUBJECT GRABBED THE TOWEL AND PULLED IT OFF OF THE VICTIM. HE THEN STATED "BE QUIET I'M NOT GOING TO HURT YOU". THE SUBJECT THEN GRABBED [REDACTED] AND THREW HER AGAINST THE WALL AND THEN HE THREW HER ON THE FLOOR. [REDACTED] STATED THAT THE SUBJECT KEPT TELLING THEM TO STOP SCREAMING AND AT ONE POINT HE PUSHED HER 19" TELEVISION OFF OF THE DRESSER ONTO HER. SHE STATED THAT HE CUSSSED AT THEM AND THEN STARTED TO LEAVE. [REDACTED] STATED THAT SHE WAS ON THE FLOOR IN

FRONT OF THE DOOR AT [REDACTED] COULD NOT EXIT FOR A MINUTE BECAUSE HER BODY WAS IN FRONT OF THE DOOR. THE SUBJECT JERKED ON THE DOOR, STRIKING [REDACTED], UNTIL HE HAD PUSHED HER OUT OF THE WAY. THE SUBJECT THEN FLED OUT THE BACK DOOR. 271

EMS WAS ON SCENE AND ATTENDED TO [REDACTED] FOR ANY INJURIES. SHE WAS RELEASED AT THE SCENE. EMS STATED THAT SHE HAD BRUISING FROM THE ASSAULT.

THE VICTIMS ADVOCATE (MELEXA STONE) ARRIVED AND I BRIEFED HER ON THE SITUATION. SHE SPOKE WITH THE CHILDREN TO VERIFY THAT THERE HAD BEEN NO SEXUAL ASSAULT. I ASKED HER TO HAVE THE VICTIMS WRITE A STATEMENT, WHILE I CONDUCTED A WALK THROUGH OF THE RESIDENCE. I PHOTOGRAPHED THE RESIDENCE AND OBSERVED THE VICTIMS BEDROOM. THERE WAS A TELEVISION ON THE FLOOR AND CLOTHING SCATTERED ON THE FLOOR. THE BACK DOOR WAS UNLOCKED, AS WELL AS THE BACK SCREEN PORCH DOOR.

I PROCESSED THE TELEVISION AND THE DOOR AND KNOB OF THE BEDROOM. I THEN PROCESSED THE BACK DOOR AND KNOB. THERE WAS NO PRINTS DISCOVERED.

I PROCESSED THE FRONT STORM DOOR GLASS AND LIFTED ONE PRINT FROM THE GLASS.

WHILE ON THE BACK PORCH I OBSERVED PART OF THE SCREEN TORN. I ASKED MS. FORBES AND SHE ADVISED IT HAD BEEN TORN ALREADY.

[REDACTED] STATED TO ME THAT SHE RECOGNIZED THE SUBJECTS VOICE AS A MAN NAMED DARRELL THAT LIVES DOWN THE STREET. SHE STATED THAT HE ALWAYS MAKES NASTY COMMENTS TO HER WHEN SHE PASSES BY. SHE STATED THAT EARLIER TODAY SHE SAW "DARRELL" AND HE WAS WEARING THE SAME CLOTHING AS THE SUBJECT.

I, INV. THACKER KNOW OF DARRELL SNOW THAT LIVES ON MERCER AVE, WHICH IS LOCATED WHERE THE VICTIMS DESCRIBE HIM TO LIVE.

I ADVISED THE MOTHER THAT I WOULD LIKE TO SHOW [REDACTED] A PHOTO LINE UP TO VERIFY THAT THE "DARRELL" SHE KNOWS IS THE SAME "DARRELL" THAT LIVES ON MERCER AVE.

WHILE I WAS SPEAKING TO THE MOTHER, [REDACTED] APPROACHED AND TOLD ME THAT SHE NEEDED TO TELL ME SOMETHING ELSE. [REDACTED] STATED THAT WHEN THE SUBJECT ENTERED HER BEDROOM, SHE HAD HER CELLPHONE IN HER HAND. SHE STATED THAT SHE ATTEMPTED TO CALL "911", BUT THE SUBJECT GRABBED THE PHONE FROM HER.

ONCE I CLEARED THE RESIDENCE FROM PROCESSING, THE FAMILY WENT INTO THE RESIDENCE TO LOCATE THE CELLPHONE. THE PHONE WAS NOT LOCATED. THE SUBJECT LEFT THE SCENE WITH THE VICTIMS PHONE.

I CLEARED THE SCENE AND RETURNED TO THE SHERIFFS OFFICE TO COMPILE A PHOTO LINEUP INCLUDING DARRELL SNOW. THE VICTIMS AND MOTHER ARRIVED. I MET WITH [REDACTED] AND SHOWED THE LINE UP. SHE PICKED # 3 FROM THE LINE UP AS BEING THE "DARRELL" THAT SHE KNEW.

3 IS THE PHOTO OF DARRELL SNOW THAT LIVES AT MERCER AVE.

I WILL PREPARE THE LATENT PRINT COLLECTED TO BE SENT TO SLED FOR ANALYSIS .

Entered By: JOHN ALLEN, On 02/01/2005 10:25:10 AM

Title: CASE SYNOPSIS

Case # ? 01050161

ALLEN SUPPLEMENTAL REPORT

ON SUNDAY JANUARY 02, 2005 AT APPROXIMATELY 2009 HOURS, I DEPUTY CORNELL JOHNSON RESPONDED TO [REDACTED] IN REFERENCE TO AN ATTEMPTED BREAK-IN. UPON ARRIVAL, CONTACT WAS MADE WITH THE COMPLAINANT, MS. [REDACTED], AND VICTIM #1 AND #2 ([REDACTED]). MS. [REDACTED] STATED TO ME THAT SHE WAS ADVISED BY MISS [REDACTED] AND MISS [REDACTED] THAT A BLACK MALE HAD ENTERED INTO ONE OF THE DOORS TO THEIR RESIDENCE ([REDACTED]) WHERE HE GRABBED MISS [REDACTED] AND THREW HER TO THE WALL, AND THEN TO THE FLOOR. MS. [REDACTED] STATED THAT MISS [REDACTED] AND MISS [REDACTED] STATED THAT THE BLACK MALE THEN PROCEEDED TO TRY TO RAPE MISS [REDACTED]. MISS [REDACTED] AND MISS [REDACTED] STATED TO ME THAT THE BLACK MALE ALSO HAD A KNIFE. MISS [REDACTED] STATED THAT THE BLACK MALE WAS WEARING A BROWN IN COLOR JACKET AND A MASK OVER HIS FACE. MISS [REDACTED] ALSO ADVISED ME THAT SHE KNEW THE BLACK MALES VOICE AND THAT SHE KNEW HIM, AND REMEMBERED SEEING HIM EARLIER THAT DAY WEARING THE SAME CLOTHING (AS WHAT HE HAD ON AT THE TIME OF THE ATTACK - BLUE JEANS AND A BROWN JACKET). MISS [REDACTED] STATED THAT SHE KNEW HIM BY THE FIRST NAME OF DARYLL. SGT. SISINNI ARRIVED ON SCENE. FROM THERE THE ON CALL INVESTIGATOR, MICHAEL THACKER, AND THE VICTIMS ADVOCATE WERE NOTIFIED. SGT. SISINNI ALSO CALLED EMS TO CHECK THE CHILDREN FOR ANY INJURY. THE BLOODHOUND TRACKING TEAM WAS ACTIVATED, AND DID WORK THE AREA PRODUCING NEGATIVE CONTACT. THE SCENE WAS TURNED OVER TO THE ON CALL INVESTIGATOR FOR PROCESSING.

DURING THE COURSE OF THE INVESTIGATION I INTERVIEWED THE VICTIM AND I HAD HER WRITE A VOLUNTARY STATEMENT ON THE INCIDENT ABOVE. THE VICTIM PICKED THE SUBJECT OUT OF A PHOTO LINE UP. THE VICTIM STATED THAT SHE NEVER SAW THE SUBJECTS FACE DUE TO HIM HAVING A HALLOWEEN MASK ON BUT SHE RECOGNIZED HIS VOICE AS DARRELL SNOWS. THE VICTIM STATED THAT EARLIER IN THE DAY SHE SAW SNOW AND HE WAS WEARING THE EXACT SAME THING THAT HE HAD ON WHEN HE TRIED TO ASSAULT HER. A SUBPOENA FOR THE VICTIMS CELLULAR PHONE RECORDS WERE GIVEN TO CINGULAR WIRELESS FOR THE PHONE RECORDS DUE TO SEVERAL PEOPLE COMING DOWN TO THE GCSO TO WRITE STATEMENTS STATING THAT SNOW HAD BEEN CALLING THEM FROM THE VICTIMS PHONE HARASSING THEM. A SEARCH WARRANTS WAS SERVED ON THE SUBJECTS RESIDENCE AT [REDACTED], BUT NOTHING WAS OBTAINED. AFTER WARRANTS WERE SIGNED ON THE SUBJECT AND HE WAS ARRESTED INVESTIGATORS TRIED TO INTERVIEW THE SUBJECT AT THE GCDC BUT HE REFUSED TO SAY ANYTHING. THE ABOVE CASE IS GOING TO BE CLOSED BY ARREST.

Entered By: WILLIAM E WATSON, On 01/27/2005 3:51:36 PM

Title: SUPPLEMENT TO CASE #01050161

I DEPUTY WATSON SERVED WARRANT ON DARRELL SNOW FRO BURGLARY 1ST AND
ATTEMPT TO COMMITT CSC

Entered By: JOHN ALLEN, On 01/06/2005 4:26:48 PM
Edited By: JOHN ALLEN, On 01/06/2005 4:36:32 PM

Title: ALLEN SUPPLEMENTAL REPORT CASE 01050161

ON 01-05-05 AT APPROXIMATELY 1530 HRS. [REDACTED] CAME DOWN TO THE GCSO WHERE SHE WANTED TO REPORT THAT HER DAUGHTER [REDACTED] HAD RECEIVED A PHONE CALL FROM [REDACTED] STOLEN CELL PHONE. MRS. [REDACTED] STATED THAT HER DAUGHTER DIDN'T ANSWER THE PHONE BECAUSE SHE KNEW IT WAS STOLEN. MRS. [REDACTED] CONTINUED TO STATE THAT HER DAUGHTER KNEW THE PHONE BELONGED TO THE VICTIM [REDACTED] DUE TO HER DAUGHTER NOTICING THE VICTIMS PHONE NUMBER ON HER CALLER I.D. WHEN THE SUBJECT CALLED HER. DEP. WHEELER TOOK A WRITTEN STATEMENT FROM [REDACTED] AND THE STATEMENT WILL BE INCLUDED IN THE CASE FILE.

ON 01-06-05 I INV. ALLEN OBTAINED A SUBPOENA FOR THE PHONE RECORDS OF THE STOLEN CELL PHONE NUMBER ([REDACTED]) FROM JANUARY 2, 2005 UNTIL PRESENT. ON THE SAME DATE I FAXED THE SUBPOENA TO CINGULAR WIRELESS IN ATLANTA GA.. THE FAX NUMBER TO CINGULAR WIRELESS WHERE I FAXED THE SUBPOENA TOO WAS 866-856-0149.

Entered By: JOHN ALLEN, On 01/11/2005 8:21:51 AM
Edited By: JOHN ALLEN, On 01/13/2005 7:24:21 AM

Title: ALLEN SUPPLEMENTAL REPORT CASE 01050161

ON 01-07-05 INV. TODD ,CPT. Knox, Lt. WAITES, AND I RESPONDED TO AN ABANDON HOUSE ON GREEN TOWN RD. IN REFERENCE TO RECEIVING INFORMATION THAT THE SUBJECT SNOW WAS STAYING IN THE RESIDENCE. UPON OUR ARRIVAL THE FRONT DOOR WAS UNSECURE SO I INV. ALLEN DEPLOYED ONE FLASH BANG INTO THE LIVING ROOM OF THE ABANDON HOUSE . AFTER DEPLOYING THE FLASH BANG ALL OFFICERS ON SCENE CLEARED THE RESIDENCE , SNOW WASN'T IN THE RESIDENCE. AFTER LEAVING THE ABANDON RESIDENCE ON GREENTOWN RD. THE OFFICERS ABOVE THEN RESPONDED TO [REDACTED] TO THEODORE SNOWS RESIDENCE.

UPON OUR ARRIVAL SHERIFFS DEPUTIES SAW WHAT WE BELIEVED TO BE DARRELL SNOWS BICYCLE OUTSIDE THE RESIDENCE. WHILE AT THE RESIDENCE WE SPOKE TO TERRENCE WILSON WHO RESIDES AT THE RESIDENCE , HE ADVISED LAW ENFORCEMENT THAT WE COULD SEARCH HIS RESIDENCE. AFTER GETTING VERBAL PERMISSION TO SEARCH THE RESIDENCE INV. TODD HAD WILSON SIGN A CONSENT TO SEARCH FORM BEFORE THE RESIDENCE WAS SEARCHED BY LAW ENFORCEMENT. THE RESIDENCE WAS SEARCHED AND THE SUBJECT DARRELL SNOW WASN'T ON THE PREMISES. THE CONSENT TO SEARCH FORM WILL BE ADDED TO THE CASE FILE.

277

Entered By: MICHAEL KELLY THACKER, On 01/18/2005 11:27:43 AM

Title: THACKER SUPPLEMENT CASE # 01050161

WARRANTS HAVE BEEN ISSUED ON THE SUBJECT IN THIS CASE . SEVERAL ATTEMPTS
HAVE BEEN MADE TO LOCATE THE SUBJECT , WITH NO RESULTS AS OF 01/14/2005 .

THIS CASE IS PENDING WARRANT SERVICE .

Entered By: GARY TODD, On 1/27/2005 4:38:23 PM

Title: TODD SUPPLEMENTAL CASE# 01050161

ON 01-27-05 AT 01:24 HRS INV. ALLEN AND INV. TODD, LT. EDWARDS, INV. GENO WERE LOOKING FOR DARRELL SNOW ON SEVERAL WARRANTS. INV. ALLEN AND MYSELF WERE IN THE WOODS BEHIND THE SNOW RESIDENCE AT GREENTOWN AREA. DARRELL SNOW WAS IDENTIFIED AROUND THE RESIDENCE BY DEPUTIES. DARRELL SNOW WAS WALKING BEHIND THE RESIDENCE AND APPROACHED INV. ALLEN, INV. TODD WITH SOME TYPE OF RIFLE EXTENDED IN HIS HAND. SNOW WALKED RIGHT BESIDE US AND I IDENTIFIED OURSELVES AND ASKED SNOW TO SHOW HIS HANDS. AT THIS TIME DARRELL SNOW TRIED TO RUN AWAY FROM INV. ALLEN AND INV. TODD AND I DEPLOYED MY X26 TASER HITTING SNOW ON THE TOP OF THE SHOULDER WITH AN AIR CARTRIDGE. ONE PROBE MISSED AND THEN SNOW RAN INTO TWO TELEPHONE POLES THAT WERE COVERED UP IN SOME HIGH BRUSH NEAR THE POWER LINES BEHIND HIS MOTHERS RESIDENCE. SNOW WOULD NOT COMPLY WITH OUR COMMANDS TO KEEP HIS HANDS UP AND AWAY FROM HIS STOMACH AND SNOW WAS GIVEN TWO OR THREE DRIVE STUN APPLICATIONS BEFORE HE COMPLIED FULLY. INV. GENO AND LT. EDWARDS ARRIVED BY THIS TIME AND SGT. CRIBB WAS NOTIFIED AND RESPONDED AND CPL. ARD ARRIVED ON SCENE AND TRANSPORTED SNOW TO THE DETENTION CENTER.

Entered By: JOHN ALLEN, On 02/01/2005 10:11:16 AM

Title: ALLEN SUPPLEMENTAL REPORT CASE 01050161

ON 01-27-05 THE SUBJECT DARRELL SNOW WAS ARRESTED AND THE WARRANTS WERE SERVED ON THE SUBJECT AT THE GCDC. THE ABOVE CASE IS GOING TO BE EX-CLEARED, CLEARED BY ARREST.

ON 01-27-05 INV. TODD AND I (INV. ALLEN) TRIED TO INTERVIEW THE SUBJECT DARRELL SNOW AT THE GCDC. BEFORE INTERVIEWING THE SUBJECT HE WAS MIRANDIZED THEN THE SUBJECT WAS PROVIDED WITH A SIGNED COPY OF THE MIRANDA WARNING. AFTER SNOW RECEIVED THE WAVER FORM HE STATED THAT HE DIDN'T KNOW ANYTHING ABOUT ANYTHING SO THE INTERVIEW ENDED. A COPY OF THE WAVER FORM WILL BE ADDED TO THE CASE FILE.

Entered By: JOHN ALLEN, On 01/11/2005 8:40:22 AM

Title: ALLEN SUPPLEMENTAL REPORT CASE 01050161

ON 01-10-05 JUDGE PYATT SIGNED ARREST WARRANTS ON DARRELL THADDEUS SNOW FOR BURGLARY 1ST. WARRANT NUMBER H- 844809 AND ASSAULT AND BATTERY WITH THE INTENT TO COMMIT CSC 1ST. DEGREE WARRANT NUMBER 844810. THE ABOVE CASE WILL REMAIN ACTIVE PENDING WARRANT SERVICE.

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

NAME: [REDACTED]

ADDRESS: [REDACTED]

PHONE - H: [REDACTED] W: [REDACTED]

DOB: [REDACTED] SSN: [REDACTED]

VOLUNTARY STATEMENT

CASE #: 01050161

PAGE NO. [REDACTED] OF [REDACTED] PAGES

I, [REDACTED] am about to make known to
Inv. John Allen, that I volunteer the following information of my
 own free will, for whatever purposes it may serve.

On 01-03-05, at 12:10:01am, my daughter [REDACTED]
 [REDACTED], received a call on her c
 (#843- [REDACTED]) from cell phone #843-[REDACTED].
 She did not answer the call. She turned her
 phone off. I know that this cell phone number
 belongs to [REDACTED] who lives on [REDACTED]
 [REDACTED] was a victim of a break-in Sunday night
 and her cell phone was stolen.

END (14)
 07
 STATEMENT

I have read each page of this statement consisting of [REDACTED] page(s), each page of which bears my signature,
 and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Taken at GLSO Time: 330 PM this 5 day of JANUARY 2005.

SWORN to before me this

[REDACTED] day of [REDACTED]

Signature of person giving voluntary statement

[REDACTED]
 [REDACTED]
 [REDACTED]

Witness

Notary Public for South Carolina

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

CASE #: 21050161

VOLUNTARY STATEMENT

PAGE NO. 1 OF 2 PAGES

DATE 1/3/05 ²⁰⁰⁵ TIME 3:20 M. PLACE GLS
 I, [REDACTED], am [REDACTED] years old and I live at [REDACTED]

I am giving this statement to John Allen, who has identified

himself as a investigator for the Georgetown Co. Sheriff's Office
 and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

It was around 12:00am when I received a call from a man that I don't know. When he called he referred to me as [REDACTED]. He call off [REDACTED] cell phone. He asked me how I was doing & that he missed me. I asked him who he was, and he said that I know him & that he would see me tomorrow in school. I told him I don't go to school. So my boyfriend got on the phone & asked him who he was and he said to ask me. He told the both of us that he was watching me & that he was standing in front of my house this very moment. After that he hang up & call again and said that he took me to a hotel and turned me out him & some of his friends. He also told my boyfriend that he always meets me at Walmart to do all the nasty things he want to do with me. He told my boyfriend & my other friend that was at the house that he know he call at the wrong time b/c he know when my boyfriend comes and

I have read each page of this statement consisting of 1 of 2 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

SWORN to before me this

 day of , 19

[Signature]
 Signature of person giving voluntary statement

[Signature]
 Witness

GEORGETOWN COUNTY SHERIFF'S OFFICE
P.O. Box 1292, Georgetown, S.C. 29442

CASE #: 01050161DATE 1-3-05

STATEMENT OF:

PAGE NO. 2 OF 2 PAGES

comes from my house. Basically he was saying that he can't wait to see me and that he knows where I live. I don't know this man from Adams. I call the cell phone back a couple of times to see if [REDACTED] was going to answer the phone b/c I wanted to know what was going on. I don't like the fact that he calls me and says these things and we don't know each other.

Nothing further

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

VOLUNTARY STATEMENT

CASE #: 01050161

PAGE NO. 1 OF 2 PAGES

DATE 1/2, 2015 TIME 2:30 M. PLACE

I, [REDACTED], am 13 years old and live at [REDACTED]

DOB: [REDACTED]

I am giving this statement to Michael THACKER, who has identified himself as a Criminal Investigation Georgetown County Sheriff's Office

and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomever:

Okay my name is [REDACTED] I was going skating with my little sister. When we went outside Daniel was walking down the road with two of his friends. Two was riding a bike but he was walking. He looked at me and said Happy New Year so I said it back. He kept walking but we went on to skate. When we were walking he kept turning around. Then when we got back we went in the house and I cooked. Then I got in the shower. When I was done I walked to my room. I was trying to find some clothes to put on in the process of texting someone on my cell. About 4 minutes after I came to the room I heard a noise. But I thought

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

SWORN to before me this

day of _____, 20____

Signature of person giving voluntary statement

[Signature]

Witness

Notary Public for South Carolina

My Commission Expires: _____

Witness

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

CASE #: 01050161

DATE 1/2/05

STATEMENT OF: [REDACTED]

PAGE NO. 2 OF 2 PAGES

it was just our pet cat. Then all of sudden I seen I seen some one start to enter the room. He was wearing a pair of jeans with a kind of thick brown coat, he was also wearing a hollow mask. It was scary. All of a sudden he cut the light off and shut the door. Before he turned the light out I realized he had a knife in his right hand. He walked into the room said "Be quiet else I'm gonna hurt you." He started to come closer to me. So I started to scream and so did my sister. Then he grabbed me and yanked the towel off of me, and through me across the room. I fell on the floor next to my closet. Then he yelled "shut the fuck up bitch." Then he leaned down. I tried to move. Then he threw down the T.V. and it hit me, because he had already thrown me into the bedroom door. When he got mad cause we wouldn't stop screaming he yelled "shit" and then he forced the door open cause I was in front of it. He ran out the back door. So I grabbed Katie and ran. Didn't think twice of putting anything on. So we ran to our next door neighbors Mrs. [REDACTED]. She knocked on the door and her son [REDACTED] let me in. I happen to be covering my self with my sister. We went in he gave me a towel and started to call his dad. Then I called my mom. Then he called his mom

to see how I was

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

CASE #: D1050161

DATE ~~01-03-05~~ 01-03-05STATEMENT OF: ~~[REDACTED]~~

PAGE NO. 3 OF 3 PAGES

Well I seen Darrel earlier that day. But when
 I seen him he told me Happy New Year.
 So I said it back. But I don't really talk
 to him. But its like he always talks to me.
 One day he hollard "come here baby I love
 you" I always kept walking. But after all
 this he always or its like he stocks me.
 But I never thought this would happens.
 So when he left me I think or know he
 took it. Just because everyone has called
 it and we couldn't hear it even out
 side. My phone is gray and its through
 cinged. When you turned around it off
 and back on it says I wild girl ~~[REDACTED]~~
 After that it has at the bottom of the
 screen ~~[REDACTED]~~ A.K.A Then it goes to a
 flying screen, well a flying heart. To
 tell you the truth I know this man
 because he always talks to me so I
 happen to know his voice so. When I
 seen him earlier that day he was wearing
 a pair of jeans and a kind of thin brown
 leather coat. Which that is how I know
 it was him because he happened to be
 wearing the same clothes as I seen
 him in that day & ~~[REDACTED]~~

nothing follows

~~[REDACTED]~~

GEORGETOWN COUNTY SHERIFF'S OFFICE

P.O. Box 1292, Georgetown, S.C. 29442

NAME: [REDACTED]

VOLUNTARY STATEMENT

ADDRESS: [REDACTED]

CASE #: 01050161

PHONE - H: [REDACTED] W: [REDACTED]

DOB: [REDACTED] SSN: [REDACTED]

PAGE NO. 1 OF 1 PAGES

I, [REDACTED] am about to make known to

INV. M. THACKER Georgetown County Sheriff's Office, that I volunteer the following information of my own free will, for whatever purposes it may serve.

~~On~~ One day me and my sister were skating and this boy name Darrell started talking to us and he was on his bike with his two friends and he had a gun with him ~~he~~ he started shooting in the woods snowing off. Then ~~that~~ That night while we were at home. In our room he came and busted in our house he had a knife in his ~~right~~ right hand he threw my sister in the floor and took the towel off of her because she just got out the shower then he threw the TV on her and we both just screamed the whole time and Darrell said the shit word because we would not be quiet so we ran out the back door and when he left we ran to our ~~friend's~~ friend's house name [REDACTED] and [REDACTED] was their mom Mrs [REDACTED] called the law and then she called my mom the cops came and after that my mom came and we stuck with her.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Taken at [REDACTED] Time: 2130 this 2 day of JANUARY 2005.

SWORN to before me this

[REDACTED] day of [REDACTED]

Signature of person giving voluntary statement

[REDACTED]

Witness

Notary Public for South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

INDICTMENT FOR:
BURGLARY, 1ST DEGREE
(VIOLENT)

At the Court of General Sessions, Convened on April 5, 2006 the Grand Jurors of Georgetown County present upon their oath:

That Darrell Thaddeus Snow aka Daryl Snow did in Georgetown County on or about December 28, 2004, enter the dwelling of [REDACTED] located at [REDACTED] Georgetown, South Carolina without consent and with the intent to commit a crime therein and the entering or remaining occurred in the nighttime, in violation of §16-11-0311(A), Code of Laws of South Carolina, 1976, as amended.

UPDATE RECORDS OFFICE
2006 APR -7 AM 10:11

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


SOLICITOR DUB

WITNESSES:

Sheriff's Office

ARREST WARRANT NUMBER:

DIRECT INDICTMENT

CDR: 0079 §16-11-0311(A)

CL:

DOI: 12-28-04

SID: SC00526597

ACTION OF GRAND JURY

TRUE BILL

Date

Foreman of Grand Jury

VERDICT

Foreman of Petit Jury

DOCKET NO. 06 GS22 326
The State of South Carolina,

County of Georgetown

20582

DCB

COURT OF GENERAL SESSIONS

APRIL TERM 2006

THE STATE

vs.

DARRELL THADDEUS SNOW
AKA DARYL SNOW

J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

BURGLARY, 1ST DEGREE
(VIOLENT)

RECORDS OFFICE
MAR - 7 AM 12:11

INCIDENT REPORT

12041742

CASE NUMBER

NO.

EXT.

No.

No.

INCIDENT TYPE
BURGLARY/BREAKING AND ENTERING

COMPLETED

FORCED ENTRY

PREMISE TYPE

UNITS ENTERED

TYPE VICTIM

☐ YES ☒ NO☐ YES ☒ NO

RESIDENCE/HOME

☐ YES ☒ NO☐ YES ☒ NO☐ YES ☒ NO☐ YES ☒ NO
☐ Individual
☐ Business
☐ Financial Inst.
☐ Government
☐ Relig. Org.
☐ Soc. Public
☐ Other
☐ Unknown
☐ Prisoner

JOINT LOCATION (BUSINESS, APARTMENT AND NUMBER, STREET NAME AND NUMBER)

ZIP CODE

WEAPON TYPE

25443-

INCIDENT DATE	24 HR CLOCK	TO	DATE	24 HR CLOCK	DISPATCH DATE	DISPATCH TIME	TIME ARRIVED	DEPART TIME	LOCATION NO.
12/28/2004	02:15		12/28/2004	02:15	12/28/2004	02:15	02:17	02:30	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)					RELATIONSHIP TO SUSPECT		RESIDENT	RACE	SEX
ADDRESS					CITY		STATE	ZIP CODE	LOCATION NO.
VICTIM'S NAME (LAST, FIRST, MIDDLE)					RELATIONSHIP TO SUSPECT		RESIDENT	RACE	SEX
HEIGHT	WEIGHT	HAIR	EYES	RACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
501	130	BLD	4						
ADDRESS					CITY		STATE	ZIP CODE	LOCATION NO.
VIOLENCE INJURY (PCT. 1) ☐ YES ☒ NO ☐ EXPLAIN--					COMPLAINT OF ANY NON-VIOLENCE INJURY ☐ YES ☒ NO ☐				
VICTIM (NO. 1) US/DO: ALCOHOL ☐ YES ☒ NO ☐ USE ☐					VICTIM (NO. 2) US/DO: ALCOHOL ☐ YES ☒ NO ☐ USE ☐				
TWO-WAY VEH. ☐					ONE-WAY VEH. ☐				
DETECTIVE PLAIN. ☐					OTHER ☐				
ALONE ☐					ASSISTED ☐				
J. This Jurisdiction					G. Other				
O. Out of State					U. Unknown				
☒ SUSPECT	NAME (LAST, FIRST, MIDDLE)				RACE	SEX	AGE	ETH.	DATE OF BIRTH
☐ RELAYING	SNOW, DARRELL THADDEUS				B	M	38	N	11/11/66
☐ WANTED	RACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				ANYTIME PHONE		EVENING PHONE		
☐ TRANSFER									
☐ J.	ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.
☐ J.					GEORGETOWN		SC	20443-	
☐ J.	SUBJECTED. 1) US/DO: ALCOHOL ☐ YES ☒ NO ☐ USE ☐				APPROX. NEAR OFFENSE SCENE ☐ YES ☒ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST
☐ J.	DELUG ☐ YES ☒ NO ☐ USE ☐ TYPE				TOTAL # ARRESTED		12/28/2004 2:15:00 AM		

Narrative Title: BURGLARY NOT COMPLETED

Date Entered: 12/28/2004 2:42:02 AM

ON 12-28-2004 I (DEP GARRETT) RESPONDED TO IN REFERENCE TO A BREAK IN JUST OCCURRED, UPON ARRIVAL CONTACT WAS MADE WITH (COMPLAINANT) WHO STATED THAT SHE WAS LYING ON THE COUCH WHEN SHE HEARD SOMEONE KNOCKING ON THE DOOR, AS SHE APPROACHED THE DOOR SHE COULD SEE THAT IT WAS DARRELL SNOW (SUSPECT). SNOW, UPON SEEING HER, THROUGH A BRICK THROUGH THE WINDOW AND THEN KICKED THE DOOR ATTEMPTING TO GAIN ENTRY.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							
SUBJECT IDENTIFIED		SUBJECT LOCATED		ACTIVE ☐ AREA CLOSED ☐		ARRESTED UNDER 18 ☐	
☐ YES ☒ NO ☐		☐ YES ☒ NO ☐		☐ UNFOLDING		☐ ARRESTED 18 AND OVER	
REASON FOR DISCIPLINARY CLEARANCE: 1. ☐ OFFENSE DETERM. 2. ☐ NO PROSECUTION		3. ☐ EXTORTION RESOLVED		4. ☐ VICTIM REQUESTS COOPERATION		5. ☐ JUVENILE - NO OUTDOY	
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER	
Garrett, Melvyn L.	12/28/2004	1524					
FOLLOW-UP				OFFICER			

Jonestown County Sheriff

SC0220000

Date / Time: 12/28/2004 2:15:00 AM

Case Number: 12041742

Description: BURGLARY, RESIDENCE

Officer Name/ID: Garrett, Mahyn L/1ga24

Red By:

Time Printed: 12/28/2004 2:48:07 AM

Narrative: Page 2

██████████ STATES THAT SHE RAN OUT THE BACK AND DOWN THE STREET TO FRIENDS HOUSE TO CALL POLICE. AFTER SPEAKING WITH ██████████ MYSELF AND DEP CLAWSON CANVASSED THE NEIGHBORHOOD AND CHECKED SNOWS RESIDENCE WITH NEGATIVE RESULTS. THIS INCIDENT WILL BE FORWARDED TO INVESTIGATIONS.

Entered By: JOHN ALLEN, On 01/14/2005 11:08:29 PM

Title: ALLEN SUPPLEMENTAL REPORT CASE 12041742

ON 01-13-05 I SPOKE TO THE VICTIM [REDACTED] AT HER RESIDENCE. AS I SPOKE TO THE VICTIM I HAD TO WRITE A VOLUNTARY STATEMENT ON THE ABOVE DUE TO MS. [REDACTED] SUFFERING FROM A STROKE AND NOT REALLY BEING ABLE TO WRITE. AFTER WRITING THE STATEMENT FOR THE VICTIM I HAD THE VICTIM SIGN IT.

WHILE WRITING THE STATEMENT THE VICTIM STATED THAT SHE FIRST SAW THE SUBJECT DARRELL SNOW AT THE WINYAH ONE STOP AND AS SHE WAS LEAVING THE SUBJECT POINTED TO HER AND STATED THAT HE WAS GOING TO GET HER. THE VICTIM CONTINUED TO STATED THAT LATER ON IN THE EVENING AT AROUND 12:00 A.M. SHE HEARD SOMEONE KNOCKING ON HER FRONT DOOR. THE VICTIM STATED THAT AS SHE WENT TO THE DOOR AND ASKED WHO IT WAS THAT WAS AT THE FRONT DOOR NO ONE SAID ANYTHING SO SHE LOOKED THROUGH HER WINDOW AND THAT'S WHEN SHE SAW DARRELL SNOW WITH A BIG ROCK IN HIS HAND GETTING READY TO BUST THE GLASS TO HER FRONT DOOR. THE VICTIM CONTINUED TO STATE THAT AS SOON AS SHE SAW SNOW HE BUSTED THE GLASS OUT OF THE WINDOW AND THAT'S WHEN HE TRIED TO KICK HER FRONT DOOR IN. THE VICTIM STATED THAT AS SHE HEARD HIM KICKING AT HER FRONT DOOR SHE LEFT THE RESIDENCE AND WENT NEXT DOOR TO HER SISTERS AND THAT'S WHEN SHE CALLED 911.

COPIES OF STATEMENTS WILL BE ADDED TO THE CASE FILE.

Entered By: JOHN ALLEN, On 02/01/2005 9:47:37 AM

Edited By: JOHN ALLEN, On 02/01/2005 10:03:07 AM

Title: CASE SYSOPSIS

ALLEN SUPPLEMENTAL REPORT CASE 12041742

ON 01-27-05 INV. TODD AND I INV. ALLEN TRIED TO INTERVIEW THE SUBJECT DARRELL SNOW AT THE GEORGETOWN COUNTY DETENTION CENTER. AFTER MIRANDIZING THE SUBJECT HE WAS PROVIDED WITH A COPY OF THE SIGNED MIRANDA FORM. AS THE INTERVIEW STARTED THE SUBJECT STATED THAT HE DIDNT KNOW ANYTHING ABOUT ANYTHING SO THE INTERVIEW ENDED. THE SUBJECT DARRELL SNOW WAS ARRESTED BY SEVERAL MEMBERS OF THE GEORGETOWN COUNTY SWAT TEAM ON THE EARLY MORNING HOURS OF 01-27-05 BEHIND:

ON 12-28-2004 I (DEP GARRETT) RESPONDED TO [REDACTED] IN REFERENCE TO A BREAK IN JUST OCCURRED, UPON ARRIVAL CONTACT WAS MADE WITH [REDACTED] (COMPLAINANT) WHO STATED THAT SHE WAS LYING ON THE COUCH WHEN SHE HEARD SOMEONE KNOCKING ON THE DOOR, AS SHE APPROACHED THE DOOR SHE COULD SEE THAT IT WAS DARRELL SNOW (SUSPECT). SNOW, UPON SEEING HER, THROUGH A BRICK THROUGH THE WINDOW AND THEN KICKED THE DOOR ATTEMPTING TO GAIN ENTRY (VALUE \$300.00 DOLLARS). [REDACTED] STATES THAT SHE RAN OUT THE BACK AND DOWN THE STREET TO FRIENDS HOUSE TO CALL POLICE. AFTER SPEAKING WITH [REDACTED] MYSELF AND DEP CLAWSON CANVASSED THE NEIGHBORHOOD AND CHECKED SNOWS RESIDENCE WITH NEGATIVE RESULTS. THIS INCIDENT WILL BE FORWARDED TO INVESTIGATIONS.

DURING THE INVESTIGATION I SPOKE TO THE VICTIM WHO STATED THAT SHE KNEW THE SUBJECT DARRELL SNOW FROM THE PAST AND ON THE INCIDENT DATE SHE STATED THAT SHE SAW DARRELL SNOW AT GENE WARDS COUNTRY STORE AND HE POINTED HIS FINGER AT HER AND HE STATED THAT HE WAS GOING TO GET HER. THE VICTIM CONTINUED TO STATE THAT AFTER SHE SAW SNOW SHE WENT HOME AND LATER ON THAT EVENING SNOW CAME TO HER RESIDENCE. WHERE HE TRIED TO BREAK INTO HER RESIDENCE. THE VICTIM STATED THAT SNOW KNOCKED ON HER FRONT DOOR AND WHEN SHE GOT UP TO SEE WHO IT WAS SHE RECOGNIZED DARRELL SNOW AND THAT'S WHEN HE BUSTED THE DOOR TO HER RESIDENCE SHATTERING OUT THE GLASS ON HER STORM DOOR. THE VICTIM WENT ON TO STATE THAT AFTER HER STORM DOOR WAS SHATTERED SNOW THEN TRIED TO KICK IN HER WOODEN DOOR TO HER RESIDENCE AND THAT'S WHEN SHE RAN TO HER SISTERS RESIDENCE THROUGH OUT HER BACK DOOR AND CALLED THE GEORGETOWN COUNTY SHERIFFS OFFICE.

AFTER SPEAKING TO THE VICTIM I (INV. ALLEN) HAD TO WRITE A VOLUNTARY STATEMENT FOR THE VICTIM DUE TO THE VICTIM SUFFERING FROM A STROKE AND BEING UNABLE TO WRITE. AFTER WRITING THE STATEMENT THE VICTIM SIGNED HER SIGNATURE TO THE STATEMENT AND SHE WAS PROVIDED A COPY OF THE WRITTEN

Mar. 18. 2013 4:59PM

No. 1557 P. 6

29 STATEMENT. AFTER OBTAINING THE STATEMENT I THEN SIGNED AN ARREST WARRANT
ON THE SUBJECT FOR ATTENDED BURGLARY 2ND.

THE ABOVE CASE IS GOING TO BE EXCUSED , CLEARED BY ARREST.

Entered By: JOHN ALLEN, On 01/28/2005 12:10:01 PM

Title: ALLEN SUPPLEMENTAL REPORT CASE 12041742

ON 01-28-05 I FAXED ARREST WARRANT AFFIDAVIT TO JUDGE PYATTS OFFICE FOR AN
ARREST WARRANT FOR DARRELL THADDEUS SNOW FOR ATTEMPTED BURGLARY 2ND.
S.C. CODE OF LAW 16-1-80,16-11-312.

Entered By: WILLIAM E WATSON, On 02/01/2005 9:15:43 AM

Title: SUPPLEMENT TO CASE #12041742

I DEPUTY WATSON SERVED WARRANT #H-844954 ON DARRELL SNOW AT THE GCDC

GEORGETOWN COUNTY SHERIFF'S OFFICE
P.O. Box 1292, Georgetown, S.C. 29442

NAME: [REDACTED]

VOLUNTARY STATEMENT

ADDRESS: [REDACTED]

CASE #: 12041742

PHONE - H: [REDACTED] W: [REDACTED]

DOB: [REDACTED] SSN: [REDACTED]

PAGE NO. 1 OF 1 PAGES

I, [REDACTED] am about to make known to
Inv. John Allen, that I volunteer the following information of my
own free will, for whatever purposes it may serve.

I was at the Wimpah on Shop when I saw Darrell Snow.
As I was leaving the store Darrell Snow stated to me that he was
going to get me. Later on that evening around 10:00pm I heard
knock at the door and when I went to the door to see who it was
I saw Darrell Snow with a big rock in his hand, as I looked
at him he busted the glass when Darrell Busted the glass
I started to leave out the back door and then when I
heard him trying to kick in my front door. After
leaving Snow went into my residence, and I called 911
when the police arrived.

I Inv. Allen wrote the statement as the victim relayed
the information to myself due to her sister being a store.

I have read each page of this statement consisting of 1091 page(s), each page of which bears my signature,
and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Taken at 62 Gibson Rd Time: 11:35 PM this 13th day of January 2008

SWORN to before me this

day of

[REDACTED]
Signature of person giving voluntary statement

[REDACTED]
Witness

Notary Public for South Carolina

My Commission Expires: [REDACTED]

[REDACTED]
Witness

Petitioner's Exhibit D

AGENCY I.D.
SC0220000

INCIDENT REPORT

CASE NUMBER

07

NCIC
299
No No

INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
1. 13B SIMPLE ASSAULT				☒ YES ☐ NO	☐ YES ☒ NO	RESIDENCE/HOME		☒ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.	
100 KIDNAPPING/ABDUCTION				☐ YES ☒ NO	☐ YES ☒ NO	RESIDENCE/HOME			
3.				☐ YES ☐ NO	☐ YES ☐ NO				
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						ZIP CODE	WEAPON TYPE		
[REDACTED]						[REDACTED]			
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK		LOCATION NO.		
03/24/2004	23:00		03/24/2004	23:00	DSP. DATE	DSP. TIME	TIME ARRIVED	DEPART TIME	
					03/24/2004	23:57	23:57	00:15	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.	
VICTIM'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.	
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
0									
ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.	
VICTIM 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/SPLASHIT ☐ OTHER ☐ ALONE ☐ ASSISTED ☐				* J—This Jurisdiction. S—State. O—Out of State. U—Unknown					
SUSPECT NAME (LAST, FIRST, MIDDLE)				RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT
SNOW, DARRELL THADDUES				B	M	35	N	3	511
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		3/24/2004 11:00:00 PM			

Narrative Title:

Date Entered: 3/25/2004 5:27:31 AM

ON 03-24-2004, I SPOKE WITH THE VICTIM, MS. [REDACTED], WHO STATED THAT WHILE AT [REDACTED] THERE WERE SEVERAL PEOPLE PLAYING CARDS AND HANGING OUT. MS. [REDACTED] STATED THAT SHE GOT READY TO LEAVE WITH FRIENDS, AND WHEN SHE GOT IN THE FRIENDS CAR, MR. DARRALL SNOW YANKED OPEN THE CAR DOOR AND DRUG HER OUT OF THE CAR. SHE STATED THAT SHE COULD NOT GET AWAY FROM HIM AS HE HAD HER BY THE SHIRT. MS. [REDACTED] STATED THAT MR. SNOW TOOK HER DOWN A DIRT PATH, AND TOLD

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							
SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 18	
☒ YES ☐ NO ☐		☒ YES ☐ NO ☐		☐ UNFOUNDED		☐ ARRESTED 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	
Glover, Amy	03/24/2004	1GL37	Harvey Knox		03/30/2004	1KN15	
FOLLOW-UP INVESTIGATION ☒ YES ☐ NO ☐ OFFICER: ALLEN, JOHN				03/26/2004		1AL75	

200
AGENCY: Georgetown County Sheriff
Jurisdiction: SC0220000
Report Date / Time: 3/24/2004 11:57:00 PM
Incident/Case Number: 03042057
Case Description: KIDNAPPING
Primary Officer Name/ID: Glover, Amy/1GL37
Approved By: Harvey Knox
Date/Time Printed: 12/8/2005 12:04:32 PM

Narrative: Page 2

HER THE FOLLOWING: "I AM GOING TO SHOW YOU WHAT I AM GOING TO DO TO YOU, WHAT YOU HEARD ABOUT ME IS ALL TRUE" SHE STATED THAT SHE WAS TERRIFIED AND SAW HER LIFE FLASH BEFORE HER EYES. MS. [REDACTED] ALSO STATED THAT HE TOLD HER THAT AS LONG AS SHE AND HER KIDS WERE HERE THEY WOULD NEVER BE SAFE. SHE STATES THAT SHE SOMEHOW GOT AWAY FROM THE SUBJECT, AND RAN. SHE CALLED LAW ENFORCEMENT AS SOON AS SHE RETURNED TO THE RESIDENCE. MS. [REDACTED] STATES THAT MS. [REDACTED] AND MS. [REDACTED] SAW MR. [REDACTED] DRAG HER AWAY FROM THE RESIDENCE. MS. [REDACTED] WILL SEEK A WARRANT. THERE IS NO VBOR AS THIS REPORT WAS TAKEN OVER THE PHONE WHILE ENROUTE TO ANOTHER CALL. SHE WILL FILL ONE OUT WHEN SHE OBTAINS A WARRANT.

AGENCY I.D.
SC0220000

INCIDENT REPORT

CASE NUMBER

07-238

NCIC
301
No No

INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
1. 13B SIMPLE ASSAULT				☒ YES ☐ NO	☐ YES ☒ NO	RESIDENCE/HOME		☒ Individual	☐ Business
2.				☐ YES ☐ NO	☐ YES ☐ NO			☐ Financial Inst.	☐ Government
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Relig. Orgn.	☐ Soc./Public
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Other	☐ Unknown
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Police Off.	
STREET NAME AND NUMBER						ZIP CODE	WEAPON TYPE		
						29440-	PERSONAL WEAPON		
INCIDENT DATE	24 HRL. CLOCK	TO	DATE	24 HRL. CLOCK	DISPATCH DATE/TIME 24 HRL. CLOCK		LOCATION NO.		
07/26/2004	18:40		07/26/2004	18:52	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	
					07/26/2004	18:52	18:58	19:45	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.	
VICTIM'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
HEIGHT				WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		
508				225	1	2			
ADDRESS				CITY		STATE	ZIP CODE	LOCATION NO.	
VISIBLE INJURY (VCT. 1) ☒ YES ☐ NO ☐ EXPLAIN- Minor				COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☒ NO					
VICTIM (NO. 1) USING: ALCOHOL ☒ YES ☐ NO ☐ UNK ☐ TYPE:				DRUGS: ☐ YES ☐ NO ☐ UNK ☐ TYPE:					
TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐				* This Jurisdiction. S—State. O—Out of State. U—Unknown					
☒ SUSPECT				NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.
☐ RUNAWAY				SNOW, DARRELL THADDUES		B	M	36	N
☐ WANTED				FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
☐ WARRANT				ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.
☐ ARREST									
☐ JAIL				SUBJECT (NO. 1) USING: ALCOHOL: ☐ YES ☐ NO ☐ UNK ☐ TYPE:		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐ UNFOUNDED		DATE/TIME OF OFFENSE	
☐ SUMMONS				DRUGS: ☐ YES ☐ NO ☐ UNK ☐ TYPE:		TOTAL # ARRESTED		DATE/TIME OF ARREST	

Narrative Title: ASSAULT AND BATTERY/ WRIGHT									
Date Entered: 7/26/2004 9:22:07 PM									
ON JULY 26, 2004, AROUND 1852 HOURS I (DEPUTY JAYROE) RESPONDED TO [REDACTED] IN REFERENCE TO AN ASSAULT JUST OCCURRED. UPON ARRIVAL I OBSERVED THE VICTIM LAYING IN A YARD WITH HER THREE CHILDREN. AS I APPROACHED THEY WERE YELLING TO ME THAT THE SUBJECT (MR. SNOW) HAD RAN IN THE WOODS. MRS. [REDACTED] HAD A VERY LARGE SWELLING ABOVE HER LEFT EYE AND HER LEFT EYE WAS ALMOST SWOLLEN SHUT WITH A SMALL CUT ON HER EYELID. A SEARCH OF THE AREA DIDN'T TURN UP THE SUBJECT.									
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY						JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
TYPE (GROUP)						TOTAL VALUE			
STOLEN									
DAMAGED									
BURNED									
RECOVERED									
SEIZED									
SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADM. 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	
Jayroe, Brian		07/26/2004		1ja49		Mike Lewis		07/27/2004	
Sisinni, Terri		07/26/2004		1S140		FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER	

302
AGENCY: Georgetown County Sheriff
Jurisdiction: SC0220000
Report Date / Time: 7/26/2004 6:52:00 PM
Incident/Case Number: 07042384
Case Description: ASSAULT AND BATTERY
Primary Officer Name/ID: Jayroe, Brian/1ja49
Approved By: Mike Lewis
Date/Time Printed: 3/20/2006 11:44:10 AM

Narrative: Page 2

ADDITIONALLY MYSELF AND SGT. SISINNI SEARCHED THE HOUSE AND MR. SNOW WASN'T IN THERE EITHER. I ASKED MRS. [REDACTED] WHAT HAD HAPPENED AND SHE STATED SHE WAS HAVING A CONVERSATION WITH HIM ABOUT WHAT SOMEONE ELSE HAD SAID AND HE GOT MAD AND PUNCHED HER TWICE HIS RIGHT HAND. MRS. [REDACTED] STATES HE USED A CLOSED FIST. MRS. [REDACTED] ALSO STATED SHE DID WISH TO PRESS CHARGES. MRS. [REDACTED] THEN COMPLAINED THAT SHE HAD NO WAY OF LEAVING THE RESIDENCE AND VICTIM'S ADVOCATE CRAIG HENRY WAS NOTIFIED AND SHE RESPONDED. CRAIG HENRY ESCORTED THE MRS. [REDACTED] TO THE GEORGETOWN ER FOR TREATMENT. AT THIS TIME NOTHING ADDITIONAL IS AVAILABLE AND THE CASE IS ON GOING.

Narrative Title: JAYROE SUPPLEMENT# 07042384 (8-2-2004)
Date Entered: 8/2/2004 10:48:03 AM

AS OF AUGUST 2, 2004, I (DEPUTY JAYROE) SPOKE WITH VICTIM'S ADVOCATE CRAIG HENRY AND SHE ADVISED ME THAT MRS. [REDACTED] HAS LEFT THE CRISIS HOUSE AND HAS MOVED BACK IN WITH THE SUBJECT. MRS. [REDACTED] REFUSED TO SIGN A WARRANT IN THIS INCIDENT AND THIS CASE IS CLEARED VICTIM REFUSED TO COOPERATE. NOTHING FURTHER IS AVAILABLE.

Petitioner's Exhibit E

3041995

6/11/95

ENTENCE

165322
14824
228134
5026-S/K
12-7-95

STATE OF SOUTH CAROLINA

CASE NO. 96-GS22-78

GEORGETOWN COUNTY

PLED/CONVICTED: ^{ct. 1} Burglary - 2nd DEg
Violent

The defendant Daryl Thaddeus Snow is committed to the State Department of Corrections/County for a term of 15 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

MAY 22 1996

Other conditions _____

VR & EC

232890

Date 5-21, 1996

Cost and Assessments

170 DAYS JAIL TIME
S.S.D. 12-0-95

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

Atty. R. Goude Rep. B. Gum

W. R. Thuler
Presiding Judge

Jail Time: 12/01/95 - Present

CERTIFIED A TRUE
AND CORRECT COPY

Ruby Ann Moore
Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
Canary to Detention Center
Pink to Probation
Goldenrod to Defendant

ENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78PLED/~~CONVICTED~~: Kidnapping

The defendant Daryl Thadeous Snow is committed to the State Department of Corrections/County for a term of 15 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, ~~plus pay~~ waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

MAY 22 1996

Other conditions _____

VB & EC

232890

Date 5-21-1996

Cost and Assessments

170

12-a-95

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

Atty. Goude Rep. Gum

[Signature]
Presiding Judge

CERTIFIED A TRUE
AND CORRECT COPY

[Signature]
Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk.
Canary to Detention Center
Pink to Probation
Goldenrod to Defendant

306-995

3-31-68
244-47-8363

SENTENCE

STATE OF SOUTH CAROLINA

CASE NO. 96-GS22-78

GEORGETOWN COUNTY

PLED/CONVICTED: CDVAN

The defendant Daryl Thadeous Snow is committed to the State Department of Corrections/County for a term of 10 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

Other conditions _____

RECEIVED

MAY 22 1996

13 1 50

232890

Date

5-21-1996

Cost and Assessments

170

12-01-95

B.A. Test

\$

Non-waivable

Not waived

Total

Atty. R Gonde

Rep. B Gurn

Presiding Judge

CERTIFIED A TRUE
AND CORRECT COPY

Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
Canary to Detention Center
Pink to Probation
Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96-GS22-78PLED/^{CT. 4}~~CONVICTED~~: CDVAN

The defendant DARYL THADEOUS SNOW is committed to the State Department of Corrections/County for a term of 10 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

MAY 22 1996

Other conditions _____

VR & EC

232890

Date 5-21-1996


Presiding Judge

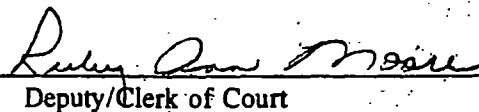
Cost and Assessments

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

Atty. Gude Rep. FurnCERTIFIED A TRUE
AND CORRECT COPY


Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
Canary to Detention Center
Pink to Probation
Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78

ct. 5
 PLED/~~CONVICTED~~: I/1 Treatment of
A Child

The defendant Daryl Thaddeus Snow is committed to the State Department of Corrections/County for a term of 10 months/years and/or to pay a fine of \$ _____ ; provided upon the service of _____ months/years and/or payment of \$ _____ , plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

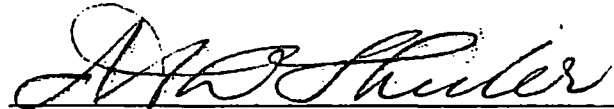
MAY 22 1996

Other conditions _____

AB & EC

232890

Date

5-21, 1996


Presiding Judge

Cost and Assessments

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

CERTIFIED A TRUE
 AND CORRECT COPY

Ruby Ann Moore
 Deputy/Clerk of Court

Atty. Gunde Rep. Gunn

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
 Canary to Detention Center
 Pink to Probation
 Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78PLED/^{ct 8}CONVICTED: Pointing a Fire Arm

The defendant Daryl Thadeous Snow is committed to the State Department of Corrections/County for a term of 5 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus ~~pay~~/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____ **

Other conditions _____

RECEIVED

MAY 22 1996

LR & EC

232890

Date

5-21-1996AR Shuler

Presiding Judge

Cost and Assessments

B.A. Test

\$ _____

Non-waivable

Not waived

Total

Atty. GoudeRep. GumCERTIFIED A TRUE
AND CORRECT COPYRuby Ann Moore
Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk

Canary to Detention Center

Pink to Probation

Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

ct. 9 CASE NO. 96 - GS22 - 78
 PLED/~~CONVICTED~~: Poss. of Fire Arm
During Com. of A Crime

The defendant DAEYL THADEOUS SNOW is committed to the State Department
 of Corrections/County for a term of 5 months/years and/or to pay a fine of \$ _____ ; provided
 upon the service of _____ months/years and/or payment of \$ _____ , plus pay/waive costs and
 assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____ **

Other conditions _____

RECEIVED

MAY 22 1996

VR & EC

232890

Date 5-21, 1996


Presiding Judge

Cost and Assessments

B.A. Test \$ _____

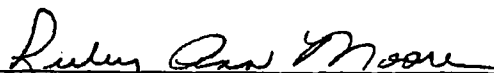
Non-waivable _____

Not waived _____

Total _____

Atty. Goud e Rep. Gunn

CERTIFIED A TRUE
 AND CORRECT COPY


 Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk.
 Canary to Detention Center
 Pink to Probation
 Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78PLED/CONVICTED: ct. 10 Poss. of FIRE ARM
during Comm. of a Crime

The defendant Daryl Thaddeus Snow is committed to the State Department of Corrections/County for a term of 5 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____ **

Other conditions _____

RECEIVED

MAY 22 1996

LR & EC

232890

Date 5-21, 1996[Signature]

Presiding Judge

Cost and Assessments

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

Atty. Goude Rep. GumCERTIFIED A TRUE
AND CORRECT COPY[Signature]
Deputy/Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
Canary to Detention Center
Pink to Probation
Goldenrod to Defendant

ARREST WARRANT

E- 464548

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of
 GEORGETOWN COUNTY

 THE STATE
 against

DARRYL SNOW

Address: [REDACTED]

SSN: [REDACTED]

Race: B Height: 5'11" Weight: 195

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: 2200

Prosecuting Agency: SHERIFF'S DEPT.

Prosecuting Officer: A. BERRIER CASE #0295776

Offense: KIDNAPPING

Offense Code: [REDACTED]

Code/Ordinance Sec. 16-3-910

 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.)
 [REDACTED]

RETURN

 A copy of this arrest warrant was delivered to
 defendant DARRYL SNOW
 on 031395

 Signature of Constable/Law Enforcement Officer
 [REDACTED]

RETURN WARRANT TO:

RAYMOND C. FISCHER, SUMMARY COURT JUDGE

P.O. BOX 807

GEORGETOWN, SC 29442

546-4650 FAX 527-1703

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

GEORGETOWN COUNTY

AFFIDAVIT

 Form Approved by
 SC Attorney General
 July 26, 1990
 SCCA 518

 Personally appeared before me the affiant
 being duly sworn deposes and says that defendant DARRYL SNOW
 did within this county and state on February 18, 1995 violate the criminal laws of
 State of South Carolina (or ordinance) of ☒ County/ ☐ Municipality of GEORGETOWN COUNTY
 in the following particulars:

DESCRIPTION OF OFFENSE: KIDNAPPING

 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 SATURDAY, 2-18-95, AT 5:30 P.M., THE DEFENDANT DARRYL SNOW, DID FORCE THE VICTIM,
 INTO A VEHICLE AGAINST HER WILL, WHILE BEING ARMED WITH A SHOTGUN, THIS INCIDENT TOOK PLACE AT
 IN GEORGETOWN COUNTY, THEREBY COMMITTING THE OFFENSE OF KIDNAPPING, IN
 VIOLATION OF SECTION 16-3-910, SOUTH CAROLINA CODE OF LAWS.

 Sworn to and subscribed before me
 on 02/21/95
 Signature of Issuing Judge (L.S.)
 [REDACTED]

Signature of Affiant

Affiant's Address

Affiant's Telephone

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

GEORGETOWN COUNTY

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

 If appearing from the above affidavit that there are reasonable grounds to believe that
 on February 18, 1995 defendant DARRYL SNOW

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of GEORGETOWN COUNTY as set forth below

DESCRIPTION OF OFFENSE: KIDNAPPING

 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 (L.S.)
 [REDACTED]

Judge Code: 730

Judge's Address P.O. BOX 807

GEORGETOWN, SC 29442

Judge's Telephone 546-4650 FAX 527-1703

 Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

E-464548

1995

313

E- 464549

STATE OF SOUTH CAROLINA

County/ Municipality of
GEORGETOWN COUNTY

THE STATE
against

MAR 15 1995

DARRYL SNOW

Address:

SSN:

Race B Height 5'11" Weight 195

DL State SC DL #:

DOB Agency ORI #: 2200

Prosecuting Agency SHERIFF'S DEPT.

Prosecuting Officer A. BERRER CASE #0295776

Offense: KIDNAPPING

Offense Code:

Code/Ordinance Sec. 16-3-910

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.)

RETURN

A copy of this arrest warrant was delivered to
Intermittent DARRYL SNOW
on 03/13/95

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

RAYMOND C. FISCHER, SUMMARY COURT JUDGE
P.O. BOX 807
GEORGETOWN, SC 29442
346-4650 FAX 527-1703

STATE OF SOUTH CAROLINA

County/ Municipality of
GEORGETOWN COUNTY

Personally appeared before me the affiant
being duly sworn deposes and says that defendant DARRYL SNOW
did within this county and state on February 18, 1995
State of South Carolina (or ordinance of County/ Municipality of GEORGETOWN COUNTY
in the following particulars:
DESCRIPTION OF OFFENSE: KIDNAPPING

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 SATURDAY, 2-18-95, AT 5:30 P.M., THE DEFENDANT DARRYL SNOW ALONG WITH THE CO-DEFENDANT, TERRY
SNOW, DID FORCE THE VICTIM, AGE 7, INTO A VEHICLE AGAINST HER WILL, WHILE BEING ARMED WITH
A SHOTGUN, THIS INCIDENT TOOK PLACE AT IN GEORGETOWN COUNTY, THEREBY
COMMITTING THE OFFENSE OF KIDNAPPING, IN VIOLATION OF SECTION 16-3-910, SOUTH CAROLINA CODE OF LAWS.

Sworn to and subscribed before me
on 02/21/95

Signature of Issuing Judge (L.S.)

Signature of Affiant

Affiant's Address

Affiant's Telephone

STATE OF SOUTH CAROLINA

County/ Municipality of
GEORGETOWN COUNTY

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 February 18, 1995 defendant DARRYL SNOW

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of GEORGETOWN COUNTY) as set forth below

DESCRIPTION OF OFFENSE: KIDNAPPING

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: 720

Judge's Address: P. O. BOX 807

GEORGETOWN, SC 29442

Judge's Telephone: 346-4650 FAX 527-1703

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

E-464549

Form Approved by
SC Attorney General
July 26, 1990
SCCA 518

ARREST WARRANT

E- 464552

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of
 GEORGETOWN COUNTY

THE STATE

against

DARRYL SNOW

Address: [REDACTED]

SSN: [REDACTED]

Race: B Height: 5'11" Weight: 195

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: 2200

Prosecuting Agency: SHERIFF'S DEPT.

Prosecuting Officer: A. BERUBE CASE #029576

Offense: POINTING A FIREARM

Offense Code: [REDACTED]

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.)

RETURN

 A copy of this arrest warrant was delivered to
 defendant DARRYL SNOW
 on 02/18/95

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

RAYMOND C. FISCHER, SUMMARY COURT JUDGE

P. O. BOX 807

GEORGETOWN, SC 29442

564650 PAX527-1703

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

AFFIDAVIT

 Form Approved by
 SC Attorney General
 July 26, 1990
 SCCA 518

 Personally appeared before me the affiant _____
 being duly sworn deposes and says that defendant DARRYL SNOW
 did within this county and state on February 18, 1995 violate the criminal laws of
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of GEORGETOWN COUNTY
 in the following particulars:

DESCRIPTION OF OFFENSE: POINTING A FIREARM

 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 BETWEEN THE DATES AND TIMES OF 2-18-95 AT 5:30 P.M. AND 2-19-95 AT 12:00 NOON, THE SUBJECT, DARRYL
 SNOW, DID ON TWO SEPARATE OCCASIONS, PLACE THE BARREL OF A SHOTGUN IN THE FACE OF [REDACTED] THE
 VICTIM, ONCE TOUCHING HER NOSE, AND THE SECOND TIME TOUCHING HER MOUTH, THEREBY COMMITTING THE OFFENSE OF
 POINTING A FIREARM, IN VIOLATION OF SECTION 16-23-410, S. C. CODE OF LAWS.

Sworn to and subscribed before me

on 02/22/95

Signature of Issuing Judge

(L.S.)

Signature of Affiant

Affiant's Address

Affiant's Telephone

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

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 February 18, 1995 defendant DARRYL SNOW
 did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of GEORGETOWN COUNTY as set forth below

DESCRIPTION OF OFFENSE: POINTING A FIREARM

 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: 730Judge's Address P. O. BOX 807GEORGETOWN, SC 29442Judge's Telephone 546-4650 PAX527-1703Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

E-464552

ARREST WARRANT

315

E- 464544

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of
 GEORGETOWN COUNTY

THE STATE

against

MAR 1 5 1995

DARRYL SNOW

Address: [REDACTED]

SSN: [REDACTED]

 Race B Height 5'11" Weight 195
 SC DL

JOB

Prosecuting Agency: SHERIFF'S DEPT.

Prosecuting Officer: A. BERUBE CASE #0295776

Offense: BURGLARY-1ST DEGREE

Offense Code

Code/Ordinance Sec. 16-11-311

 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.)

RETURN

 A copy of this arrest warrant was delivered to
 defendant DARRYL SNOW
 on 02/21/95

Signature of Constable/Law Enforcement Officer

 RETURN WARRANT TO:
 RAYMOND C. FISCHER, SUMMARY COURT JUDGE
 P. O. BOX 807
 GEORGETOWN, SC 29442
 546-4650 FAX 527-1703

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

AFFIDAVIT

 Form Approved by
 SC Attorney General
 July 26, 1994
 SCCA 518

 Personally appeared before me the affiant
 being duly sworn deposes and says that defendant DARRYL SNOW
 did within this county and state on February 18, 1995 violate the criminal laws of the
 State of South Carolina (or ordinance of ☐ County/ ☐ Municipality of GEORGETOWN COUNTY
 in the following particulars:
 DESCRIPTION OF OFFENSE: BURGLARY-1ST 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 SATURDAY, 2-18-95, AT 5:30 P.M., THE DEFENDANT, DARRYL SNOW, DID FORCEFULLY ENTER THE VICTIM'S
 RESIDENCE, LOCATED AT [REDACTED] IN GEORGETOWN COUNTY WHILE ARMED WITH A
 SHOTGUN AND DID SUBSEQUENTLY COMMIT SEVERAL FELONIES, IN VIOLATION OF SECTION 16-11-311, S.C. CODE OF
 LAWS.

Sworn to and subscribed before me

02/21/95

Signature of Issuing Judge

Signature of Affiant

Affiant's Address

Affiant's Telephone

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

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 February 18, 1995 defendant DARRYL SNOW
 did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of GEORGETOWN COUNTY as set forth below.
 DESCRIPTION OF OFFENSE: BURGLARY-1ST DEGREE

 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 730

Judge's Address

P. O. BOX 807

GEORGETOWN, SC 29442

Judge's Telephone

546-4650 FAX 527-1703

Issuing Court

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

E-464544

ARREST WARRANT

E- 344150

STATE OF SOUTH CAROLINA

☒ Georgetown Municipality of
 GEORGETOWN COUNTY

THE STATE

against

DARRELL SNOW

Address

 Race ☐ M ☐ F SSN 195

 Height 508956156 Weight

 DL # 1200

 JOB SHERIFF'S DEPT. ORI #

 Prosecuting Agency BERUBE/0295716

 Prosecuting Officer RESISTING ARREST

 Offense

 Code/Ordinance Sec. 16-9-320 Offense Code

 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.)

RETURN

 A copy of this arrest warrant was delivered to
 defendant DARRELL SNOW
 on 060295

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO

HUGHY WALKER, SUMMARY COURT JUDGE

P.O. BOX 1838 SCREVEN ST.

GEORGETOWN, SC 29440

521-6380 FAX 521-1703

STATE OF SOUTH CAROLINA

☒ Georgetown Municipality of
 GEORGETOWN COUNTY

AFFIDAVIT

ARMAND BERUBE

Personally appeared before me the affiant DARRELL SNOWbeing duly sworn deposes and says that defendant MARCH 13, 1995

did within this county and state on

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of GEORGETOWN COUNTY)

in the following particulars:

RESISTING ARREST

DESCRIPTION OF OFFENSE:

 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 THE ABOVE DATE IN THE GEORGETOWN AREA THE DEFENDANT, DARRELL SNOW DID
 RESIST THE ARREST OF LAW ENFORCEMENT OFFICERS, BY FLEEING INTO THE WOODED AREA OFF OF GEORGETOWN ROAD
 THE DEFENDANT KNOWINGLY HE WAS WANTED ON MULTIPLE FELONIES THIS BRING AGAINST THE PEACE AND DIGNITY OF
 THE STATE AND A VIOLATION OF SC CODE 16-9-320.

Sworn to and subscribed before me

on 03/13/95

Signature of Issuing Judge (L.S.)

Signature of Affiant

Signature of Affiant

Affiant's Address

SHERIFF'S DEPT., 333 CLELAND

GEORGETOWN, SC 29440

Affiant's Telephone

548-5102

STATE OF SOUTH CAROLINA

☒ Georgetown Municipality of
 GEORGETOWN COUNTY

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

 March 13, 1995 from the above affidavit DARRELL SNOW are reasonable grounds to believe that
 on defendant

did violate the criminal laws of the State of South Carolina (or ordinance of

☐ County/ ☐ Municipality of RESISTING ARREST) as set forth below.

DESCRIPTION OF OFFENSE:

 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 P.O. BOX 1838 SCREVEN ST.

Signature of Issuing Judge (L.S.)

Signature of Affiant

Judge's Address

P.O. BOX 1838 SCREVEN ST.

GEORGETOWN, SC 29440

Judge's Telephone

521-6380 FAX 521-1703

Judge's Code

Issuing Court

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

E-344150

SNOW, Daryl

SCDC # 232890

35 YOA BM

Assault with Intent to Commit Criminal Sexual Conduct – 10 years. Also convicted of firearms provision, pointing a firearm, child neglect, criminal domestic violence of a high and aggravated nature, kidnapping, and burglary 2nd.

Victim – [REDACTED] – 27 YOA Female – ex-girlfriend

On 2-18-95, subject and a co-defendant forcefully entered [REDACTED] home and kidnapped victim, who was at Mr. [REDACTED] home and her 7 year old daughter ([REDACTED]). Subject forced both females into a vehicle while armed with a shotgun. Subject also shot at Mr. [REDACTED] with the shot gun. Shortly afterwards, subject dropped the co-defendant and victim's daughter off at the co-defendant's mother's house. Subject held victim against her will for eighteen hours. Subject struck victim numerous times and on two separate occasions, subject placed the barrel of a shotgun in the face of victim, once touching her nose and the second time touching her mouth. At one point, subject fired the shotgun twice as a warning to the victim that he was serious. Subject also made three separate attempts to sexually assault victim.

Eventually, victim was released at noon the next day and was dropped off at her sister's house.

On 3-13-95, officers spotted subject who ran into a wooded area. Subject was therefore arrested for resisting arrest. On 7-31-95, subject along with five other pre-trial detainees, escaped from the Georgetown County Detention Center. Snow was later captured in Atlanta, Georgia, and received a six month sentence for escape.

НІСІС

INO.	ENTD

0295776

INCIDENT TYPE										COMPLETED		FORCED ENTRY		PREMISE TYPE		UNITS ENTERED		TYPE VICTIM																																																													
1. Assault + [REDACTED]										☐ YES ☐ NO		☐ YES ☐ NO		Resident				☐ 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																																																																			
[REDACTED]										[REDACTED]		Shotgun																																																																			
INCIDENT DATE		24 HR. CLOCK		TO		DATE		24 HR. CLOCK		DISPATCH DATE/TIME		24 HR. CLOCK		DISPATCH DATE/TIME		LOCATION NO.																																																															
2-18-95		1719								2-18-95 1719		1932		1830																																																																	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)										RELATIONSHIP TO SUBJECT		RESIDENT		RACE		SEX		AGE		ETH.		DAYTIME PHONE		EVENING PHONE																																																							
SAME AS Victim's										#1 #2 #3		J S O U																																																																			
ADDRESS										CITY		STATE		ZIP CODE		LOCATION NO.																																																															
SAME AS Victim's																																																																															
VICTIM'S NAME (LAST, FIRST, MIDDLE)										RELATIONSHIP TO SUBJECT		RESIDENT		RACE		SEX		AGE		ETH.		DAYTIME PHONE		EVENING PHONE																																																							
[REDACTED]										#1 #2 #3		J S O U		B M		29		N		[REDACTED]		[REDACTED]																																																									
HEIGHT		WEIGHT		HAIR		EYES		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.																																																																							
6-1		185		Blk		Bro																																																																									
ADDRESS										CITY		STATE		ZIP CODE		LOCATION NO.																																																															
[REDACTED]										[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]																																																							
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 VEN. ☐ ONE-MAN VEN. ☐ DETECTIVE/PLASMT. ☐ OTHER ☐ ALONE ☒ ASSISTED ☐										*J - This Jurisdiction. S - State. O - Out of State. U - Unknown																																																																					
☒ SUSPECT NAME (LAST, FIRST, MIDDLE)										RACE		SEX		AGE		ETH.		DATE OF BIRTH		HEIGHT		WEIGHT		HAIR		EYES																																																					
SNOW, Darrell										B		M		27				5-11		195		Blk		brn																																																							
☐ RUNAWAY										FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.																																																																					
☐ WANTED																																																																															
☐ WARRANT																																																																															
☐ ARREST										ADDRESS		CITY		STATE		ZIP CODE		LOCATION NO.																																																													
[REDACTED]										[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]																																																							
☐ JAIL										SUBJECT (NO. 1) USING ALCOHOL: ☐ YES ☒ NO ☐ UNK ☐										ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST																																																							
☐ SUMMONS										DRUGS: ☐ YES ☒ NO ☐ UNK ☐ TYPE:										TOTAL # ARRESTED		2-18-95																																																									
Victims stated that the Subject Darrell Snow came to Mrs. Resident [REDACTED] AND shot at him with a shotgun.																																																																															
NARRATIVE																																																																															
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY										JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY																																																																					
TYPE (GROUP)																						TOTAL VALUE																																																									
STOLEN																																																																															
DAMAGED																																																																															
BURNED																																																																															
RECOVERED																																																																															
SEIZED																																																																															
SUBJECT IDENTIFIED ☒ YES ☐ NO ☐										SUBJECT LOCATED ☐ YES ☒ NO ☐										☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED										☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER										☐ EX-CLEAR UNDER 18 ☐ 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																			
SGT. M. GRAYSON										2-18-95										110																				FOLLOW-UP INVESTIGATION ☐ YES ☒ NO ☐										OFFICER G. ALISON																													

AGENCY I.D.
SCO220000GEORGETOWN COUNTY SHERIFF'S OFFICE
SUPPLEMENTARY REPORT

CASE NUMBER

318

0295776

INQ. ENTD. ☒☐ ORIGINAL
REPORT
☐ MODIFIED
ORIGINAL☒ SUPPLEMENTAL
REPORT
☐ CASE STATUS
CHANGE☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 1 of 1 PAGES

ON THIS DATE 022195, WARRANTS WERE OBTAINED
ON BOTH SUBJECTS AS FOLLOWS:

SUBJECT # 1 - DARRYL SNOW

WARRANT #

E464544 - BURGLARY 1ST
E464548 - KIDNAPPING
E464549 - KIDNAPPING
E464551 - ASSAULT W/INT TO COMMIT C.S.C.
E464552 - POINTING A FIREARM

SUBJECT # 2 - TERRY SNOW

WARRANT #

E464545 - BURGLARY 1ST
E464546 - A.B.H.A.N.
E464547 - KIDNAPPING
E464550 - KIDNAPPINGAT 1800 HRS, TERRY SNOW WAS LOCATED
AND ARRESTED, ALL WARRANTS SERVED.DARRYL SNOW IS STILL AT LARGE
AND HAS BEEN ENTERED N.C.I.C.

NARRATIVE

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☐ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED		☐ ARRESTED UNDER 18 ☒ REQUESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ 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) INV. C. Benitez		DATE 022295		UNIT NUMBER 108		APPROVING OFFICER		DATE	
						FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER	

320
AGENCY I.D.
SCO220000

GEORGETOWN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER
0295776
NCIC
INO. ENT.

☐ ORIGINAL REPORT
☒ SUPPLEMENTAL REPORT
☒ ADDITIONAL VICTIMS
☒ ADDITIONAL OFFENDERS
☐ MODIFIES ORIGINAL
☐ CASE STATUS CHANGE
☐ ADDITIONAL STOLEN PROPERTY
☐ ADDITIONAL RECOVERED PROPERTY
PAGE 1 OF 3 PAGES

VICT/SUBJ. I.D. OVERFLOW
COMPLAINANT: VICTIM # 2
SUBJECT # 1
RUNAWAY
WANTED
WARRANT
ARREST
JAIL
SUMMONS
NAME (LAST, FIRST, MIDDLE): [REDACTED]
VICTIM RELATIONSHIP TO SUBJECT: X-GIRLFRIEND
RESIDENT: [REDACTED] RACE: B SEX: F DOB: [REDACTED] ETH: N
HEIGHT: 510 WEIGHT: 130 HAIR: BRN EYES: [REDACTED] FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: [REDACTED]
ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED] ZIP CODE: [REDACTED] LOCATION NO.: [REDACTED] DAY PHONE: [REDACTED] EVENING PHONE: [REDACTED]
VICTIM NO. 2 VISIBLE INJURY: [REDACTED] COMPLAINT OF NON-VISIBLE INJURIES: [REDACTED] VICTIM USING ALCOHOL: [REDACTED] TWO MAN VEHICLE: [REDACTED] DETECTIVE/SPLASMT: [REDACTED] ALONE: [REDACTED]
EXPLAIN: BLACK EYE [REDACTED] NO [REDACTED] YES [REDACTED] DRUGS: [REDACTED] NO [REDACTED] YES TYPE: [REDACTED] UNK [REDACTED] ONE MAN VEHICLE: [REDACTED] OTHER: [REDACTED] ASSISTED: [REDACTED]
SUBJECT NO. 2 USING ALCOHOL: [REDACTED] NO [REDACTED] YES [REDACTED] USING DRUGS: [REDACTED] NO [REDACTED] YES TYPE: [REDACTED] UNK [REDACTED]

VICT/SUBJ. I.D. OVERFLOW
COMPLAINANT: VICTIM # 2
SUBJECT # 2
RUNAWAY
WANTED
WARRANT
ARREST
JAIL
SUMMONS
NAME (LAST, FIRST, MIDDLE): SNOW, TERRY
VICTIM RELATIONSHIP TO SUBJECT: AQUAINTANCE
RESIDENT: [REDACTED] RACE: B SEX: M DOB: [REDACTED] ETH: N
HEIGHT: 510 WEIGHT: 190 HAIR: BLK EYES: BRN FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.: [REDACTED]
ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED] ZIP CODE: [REDACTED] LOCATION NO.: [REDACTED] DAY PHONE: [REDACTED] EVENING PHONE: [REDACTED]
VICTIM NO. 2 VISIBLE INJURY: [REDACTED] COMPLAINT OF NON-VISIBLE INJURIES: [REDACTED] VICTIM USING ALCOHOL: [REDACTED] TWO MAN VEHICLE: [REDACTED] DETECTIVE/SPLASMT: [REDACTED] ALONE: [REDACTED]
EXPLAIN: [REDACTED] NO [REDACTED] YES [REDACTED] DRUGS: [REDACTED] NO [REDACTED] YES TYPE: [REDACTED] UNK [REDACTED] ONE MAN VEHICLE: [REDACTED] OTHER: [REDACTED] ASSISTED: [REDACTED]
SUBJECT NO. 2 USING ALCOHOL: [REDACTED] NO [REDACTED] YES [REDACTED] USING DRUGS: [REDACTED] NO [REDACTED] YES TYPE: [REDACTED] UNK [REDACTED]

NARRATIVE
ON THIS DATE, 022195, AT 1100 HRS, VICTIM # 2, MS. [REDACTED] CAME TO THIS OFFICE, AND GAVE A TAPED STATEMENT WHICH PROVIDED INFORMATION TO CHARGE THE SUBJECT # 1, MR. DARRELL SNOW, WITH THE FOLLOWING OFFENSES:
① KIDNAPPING (2 CTS) ⑤ BURGLARY 1ST
② ASSAULT & BATTERY
③ POINTING A FIREARM
④ ATTEMPTED C.S.C.
JURISDICTION OF THEFT: LAW ENFORCEMENT AGENCY: [REDACTED] JURISDICTION OF RECOVERY: LAW ENFORCEMENT AGENCY: [REDACTED]

VEH. / GUN / ETC. 1
STATUS: [REDACTED] TYPE: [REDACTED]
VIN AND/OR LICENSE NO.: [REDACTED] BOAT HULL NO. AND/OR REG. NO.: [REDACTED]
SERIAL AND/OR OWNER APPLIED NO.: [REDACTED] STATE: [REDACTED]
YEAR OF REGISTRATION: [REDACTED] YEAR OF EXPIRATION: [REDACTED] YEAR: [REDACTED] MAKE: [REDACTED] TYPE: [REDACTED]
MODEL: [REDACTED] STYLE: [REDACTED] COLOR: [REDACTED] BRAND NAME: [REDACTED] CALIBER: [REDACTED]
NIC NO.: [REDACTED] DENOMINATION: [REDACTED] ISSUER: [REDACTED] SECURITIES DATE: [REDACTED]
MISCELLANEOUS: [REDACTED]

ADMINISTRATIVE PROPERTY EST.
TYPE (GROUP): [REDACTED] TOTAL VALUE: [REDACTED]
STOLEN: [REDACTED]
DAMAGED: [REDACTED]
BURNED: [REDACTED]
RECOVERED: [REDACTED]
SEIZED: [REDACTED]
SUBJECT IDENTIFIED: [REDACTED] SUBJECT LOCATED: [REDACTED] ACTIVE: [REDACTED] ADM. CLOSED: [REDACTED] ARRESTED UNDER 18: [REDACTED] CY CLEAR UNDER 18: [REDACTED]
REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH 2. NO PROSECUTION 3. EXTRADITION DENIED 4. VICTIM DECLINES COOPERATION 5. JUVENILE - NO CUSTODY
REPORTING OFFICER: [REDACTED] DATE: 022195 UNIT NUMBER: [REDACTED] APPROVING OFFICER: [REDACTED] DATE: [REDACTED] UNIT NUMBER: [REDACTED]
FOLLOW-UP INVESTIGATION: [REDACTED] YES [REDACTED] NO [REDACTED] OFFICER: [REDACTED]

GEORGETOWN COUNTY SHERIFF'S OFFICE
SUPPLEMENTARY REPORT

CASE NUMBER

321

INQ. ENTD.

0295776

PAGE 3 OF 3 PAGES

☐ ORIGINAL
REPORT
☐ MODIFIED
ORIGINAL

☒ SUPPLEMENTAL
REPORT
☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

A BRIEF SUMMARY OF THE EVENTS WHICH WERE GIVEN ON THE TAPED STATEMENTS AS FOLLOWS:

ON SAT, 021895, AT 1720, BOTH SUBJECTS, DARRELL, AND TERRY SNOW, FORCED BOTH VICTIMS, [REDACTED] AND HER DAUGHTER, [REDACTED], WERE FORCED AGAINST THEIR WILL FROM [REDACTED] SHORTLY AFTERWARDS, SUBJECT # 2 (TERRY), AND VICTIM # 2 ([REDACTED]) WERE DROPPED OFF AT TERRY'S MOTHER'S HOUSE, ON MERCER RD. IN GREENTOWN. DURING THE NEXT EIGHTEEN (18) HRS, MS. [REDACTED] WAS HELD AGAINST HER WILL, WAS IN FEAR FOR HER LIFE, WAS STRUCK NUMEROUS TIMES BY MR. DARRELL SNOW, HAD THE SHOTGUN PUT IN HER FACE, TOUCHING HER NOSE, THEN LATER AGAIN, THE SHOTGUN WAS PLACED IN HER FACE, TOUCHING HER MOUTH.

THREE TIMES THE SUBJECT ATTEMPTED TO FORCE MS. [REDACTED] TO HAVE SEX, BY PHYSICALLY TRYING TAKE OFF HER CLOTHES, AND TOUCHING AND FEELING HER BREAST, AND VAGINAL AREAS. AT ONE POINT IN TIME, MR. SNOW FIRED THE SHOTGUN TWICE, AS A WARNING TO THE VICTIM, THAT HE WAS SERIOUS. EVENTUALLY, MS. [REDACTED] WAS RELEASED ON SUNDAY, FEB 19TH, AT APPROX 1200 HRS. (NOONTIME) AT HER SISTER'S HOUSE.

NOTE THAT VICTIM WAS OFFERED SAFE HAVEN TO C.A.S.A., BUT DID NOT ACCEPT AT THIS TIME.

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☒ ACTIVE ☐ ADM CLOSED ☐ UNFOUNDED		☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ 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			UNIT NUMBER		APPROVING OFFICER		DATE		UNIT NUMBER	
REPORTING OFFICER(S):			DATE		FOLLOWUP INVESTIGATION ☐ YES ☐ NO		OFFICER			
INV. C. L. Lumb			022195		DB					

322
AGENCY I.D.
SCO220000

GEORGETOWN COUNTY SHERIFF'S DEPT.
SUPPLEMENTARY REPORT

CASE NUMBER

0295776

NCIC

INFO. ENT

☐ ORIGINAL
REPORT
☐ MODIFIED
ORIGINAL

☒ SUPPLEMENTAL
REPORT
☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE

1

PAGES

SUBJECT: SNOW, DARRYL

ON THIS DATE, 03/29/95 AT 1330 HRS, SEVERAL
UNITS RESPONDED TO A RESIDENCE ON [REDACTED]
RD, JUST WEST OF [REDACTED] RD, IN REF TO A REPORT
THAT ABOVE SUBJECT, WANTED ON MULTIPLE FELONIES,
WAS AT THE RESIDENCE. UPON ARRIVAL, A FOUR POINT
PERIMETER WAS SET UP, AND A FIVE MAN TEAM CHECKED
THE RESIDENCE. THE SUBJECT, WHO APPARENTLY WAS
HIDING IN THE TREELINE, FLED INTO THE WOODS. A
FULL PERIMETER WAS SET UP, AND THE Horry
COUNTY TRACKING TEAM RESPONDED, TRACKED, AND
APPREHENDED THE SUBJECT APPROX. 1559 HRS.
SUBJECT WAS TAKEN TO THE OFFICE, MIRANDIZED,
AND QUESTIONED, BY A TAPED INTERVIEW.
SUBJECT DID ACKNOWLEDGE THAT SEVERAL OF
THE ALLEGED CHARGES WERE VALID, BUT DENIED
MOST. AS A RESULT OF THIS DATES MANHUNT,
SUBJECT WILL ALSO BE CHARGED WITH
RESISTING ARREST.

NARRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☐ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED		☒ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ 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) INV. # [Signature]		DATE 03/29/95		UNIT 108		APPROVING OFFICER		DATE	
						FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER	

AGENCY I.D.
SCO220000

GEORGETOWN COUNTY SHERIFF'S DEPT.
SUPPLEMENTARY REPORT

CASE NUMBER

0295776

323

INC. ENT.

☐ ORIGINAL
REPORT
☐ MODIFIES
ORIGINAL

☒ SUPPLEMENTAL
REPORT
☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 1 of 1 PAGES.

SUBJECT: SNOW, DARRYL

ON THIS DATE, 03/14/95, BOND WAS SET ON
ABOVE SUBJECT. AT THE REQUEST OF THE STATE
(INV. # [redacted]) JUDGE WALKER RECALLED THE
WARRANT FOR A.B.N.I.K., AND WILL REQUEST
THE VICTIM, [redacted] TO SIGN A WARRANT
FOR "ASSAULT WITH INTENT TO KILL".

ALSO, ON THIS DATE, I (INV. # [redacted])
OBTAINED WARRANT # E344150 FOR
RESISTING ARREST.

NARRATIVE

2000-10-12
11:00:35

ADMINISTRATIVE

☒ SUBJECT IDENTIFIED YES NO ☐		☒ SUBJECT LOCATED YES NO ☐		☐ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED		☒ ARRESTED UNDER 18 ☒ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION.				1. ☐ EXTRADITION DENIED.		4. ☐ VICTIM DECLINES COOPERATION.		5. ☐ JUVENILE - NO CUSTODY	
REPORTING OFFICER(S) INV. # [redacted]		DATE 03/14/95		UNIT NUMBER 118		APPROVING OFFICER		DATE	
						FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER	

ARREST WARRANT

E- 464551

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality of
 GEORGETOWN COUNTY

THE STATE

against MAR 15 1995

DARREL SNOW

Address: [REDACTED]

SSN: [REDACTED]

Race: B Height: 5'11" Weight: 195

e. SC DL# [REDACTED]

Agency ORI # 2200

Prosecuting Agency: SHERIFF'S DEPT.

Prosecuting Officer: A. BRURE CASE #0295776

Offense: ASSAULT WITH THE ATTEMPT TO COMMIT CRIMINAL
SEXUAL CONDUCT

Offense Code: [REDACTED]

Code/Ordinance Sec 16-3-656

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be
fealt with according to law.

Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to
defendant DARREL SNOW

on 03/13/95

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

RAYMOND C. FISCHER, SUMMARY COURT JUDGE

P. O. BOX 807

GEORGETOWN, SC 29442

516-650 FAX527-1703

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

AFFIDAVIT

Form Approved by
SC Attorney General
July 26, 1990
SCCA 51c

Personally appeared before me the affiant [REDACTED] being duly sworn deposes and says that defendant DARREL SNOW did within this county and state on February 18, 1995 violate the criminal laws of the State of South Carolina (or ordinance of [REDACTED] County/ [REDACTED] Municipality of GEORGETOWN COUNTY) in the following particulars:

DESCRIPTION OF OFFENSE: ASSAULT WITH THE ATTEMPT TO COMMIT CRIMINAL SEXUAL CONDUCT

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 BETWEEN THE DATES AND TIMES OF 2-18-95 AT 5:30 P.M. AND 2-19-95 AT 12:00 NOON, THE SUBJECT, DARREL SNOW, DID MAKE THREE SEPERATE ATTEMPTS USING PHYSICAL FORCE TO SEXUAL ASSAULT THE VICTIM, [REDACTED] THIS TOOK PLACE IN THE GRAYBS STATION AND BRICK CHIMNEY ROAD AREAS OF GEORGETOWN COUNTY; WHILE IN POSSESSION OF A SHOTGUN, THEREBY COMMITTING THE OFFENSE OF ASSAULT WITH THE INTENT TO COMMIT CRIMINAL SEXUAL CONDUCT, IN VIOLATION OF SECTION 16-3-656, S. C. CODE OF LAWS.

Sworn to and subscribed before me

on 02/21/95

Signature of Affiant

Affiant's Address [REDACTED]

Affiant's Telephone [REDACTED]

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 GEORGETOWN COUNTY

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 February 18, 1995 defendant DARREL SNOW

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of GEORGETOWN COUNTY as set forth below.

DESCRIPTION OF OFFENSE: ASSAULT WITH THE ATTEMPT TO COMMIT CRIMINAL SEXUAL CONDUCT

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

Judge's Address P. O. BOX 807

GEORGETOWN, SC 29442

Signature of Issuing Judge

Judge's Telephone 516-650 FAX527-1703

Judge Code: 730

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

E-464551

WITNESSES

SHERIFF

Ct. 1: E-464544; Ct. 2: E-464548;
 Ct. 3: 364: Direct Ind.; Ct. 5: E-464549;
 Ct. 6: E-464551; Ct. 7: Direct Ind.;
 ARREST WARRANT NO. Ct. 8: E-464552;
 Cts. 9&10: Direct Indictments

0079 16-11-0311
 0095 16-03-0910
 2390 16-25-0065
 0432 20-07-0060
 0233 16-03-0656; 0652(2)
 0122 16-23-0410; 0549 16-23-0490
 ACTION OF GRAND JURY

True Bill

[Signature]
 Foreman of Grand Jury

MAR 06 1996

VERDICT

Foreman of Petit Jury

Date:

DOCKET NO. 96GS42 78

The State of South Carolina,

County of GEORGETOWN

11928-1

COURT OF GENERAL SESSIONS

MARCH

TERM 1996

THE STATE

vs.

DARRYL THADEUS SNOW

DOB:

SS#: *[REDACTED]*

RALPH J. WILSON, SOLICITOR

Indictment for

BURGLARY IN THE FIRST DEGREE
 KIDNAPPING
 CDVHAN (2 Counts)
 ILL TREATMENT OF A CHILD
 ASSAULT WITH INTENT CSC (2 Counts)
 POINTING A FIREARM
 POSSESSION OF A FIREARM DURING
 COMMISSION OF A VIOLENT CRIME (2 Cts.)

ORIGINAL

State of South Carolina, County of Georgetown,
 And now comes the defendant Darryl Thadeus Snow
 in open court, takes presentment, and pleads guilty to Ct. 1 Burglary and
Remaining Counts as Charged and consents for said plea to be
 entered on record against him/her.
 Attested 5-21, 1996
[Signature]
 Clerk of Court, for Georgetown County, S. C.

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78

Ct. 6
 PLED/CONVICTED: Asslt w/int. to
Commit CSC - 1st DE

The defendant DARYL Thadeous Snow is committed to the State Department of Corrections/County for a term of 10 months/years and/or to pay a fine of \$ _____ ; provided upon the service of _____ months/years and/or payment of \$ _____ , plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

MAY 22 1996

JR & EC

232890

Other conditions _____

Date

5-21, 1996

Arthur Shuler
 Presiding Judge

Presiding Judge

Cost and Assessments

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

CERTIFIED A TRUE
 AND CORRECT COPY

Ruby Ann Moore
 Deputy/Clerk of Court

Atty. Goude Rep. Gum

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk:
 Canary to Detention Center
 Pink to Probation
 Goldenrod to Defendant

SENTENCE

STATE OF SOUTH CAROLINA

GEORGETOWN COUNTY

CASE NO. 96 - GS22 - 78

ct. 7
 PLED/CONVICTED: Asslt w/int. to Comm
CSC - 1st deg.

The defendant Daryl Thadeous Snow is committed to the State Department of Corrections/County for a term of 10 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution

For physical injury \$ _____

Yes/No

property damage \$ _____

to be paid _____

to clerk for _____

RECEIVED

MAY 22 1996

VR & EC

232890

Date 5-21, 1996

[Signature]
 Presiding Judge

Cost and Assessments

B.A. Test \$ _____

Non-waivable _____

Not waived _____

Total _____

CERTIFIED A TRUE
 AND CORRECT COPY

[Signature]
 Deputy/Clerk of Court

Atty. Goude Rep. Gum

**Pay to Victim's Compensation Fund if subrogated.

White copy to Clerk
 Canary to Detention Center
 Pink to Probation
 Goldenrod to Defendant

**COUNT NINE - POSSESSION OF FIREARM DURING COMMISSION
OF VIOLENT CRIME**

That Darryl Thadeus Snow did in Georgetown County on or about February 18, 1995, possess or visibly display a firearm during the commission of a violent crime, to wit: Burglary First Degree, Kidnapping and Assault with Intent to Commit Criminal Sexual Conduct.

AND THE GRAND JURORS FURTHER PRESENT UPON THEIR OATH:

**COUNT TEN - POSSESSION OF FIREARM DURING COMMISSION
OF VIOLENT CRIME**

That Darryl Thadeus Snow did in Georgetown County on or about February 19, 1995, possess or visibly display a firearm during the commission of a violent crime, to wit: Burglary First Degree, Kidnapping and Assault with Intent to Commit Criminal Sexual Conduct.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Ralph J. Wilson
SOLICITOR

STATE OF GEORGIA, THE GEORGETOWN COUNTY, S. C.

vs.

DAIRY THADEUS SNOW, Defendant.

vs.

THE STATE OF GEORGIA, THE GEORGETOWN COUNTY, S. C.

vs.

DAIRY THADEUS SNOW, Defendant.

Petitioner's Exhibit F

SEXUAL PREDATOR REFERRAL FORM

Offender Name: Daryl Snow		Offender Number: 232890		Jurisdictional Agency: SCDC	
Age: 35	County: Georgetown		Qualifying Offense(s): Guilty Plea: _____ Trial: _____		
Gender: Male	No. of Incarcerations: 3		Assault with Intent to Commit Criminal Sexual Conduct 1 st .		
Adult Sentence: 10 years		Parole Eligibility Date:		Max-Out Date: 9-17-03	
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

JDG

OAD

MULTIDISCIPLINARY TEAM

The offender's records were assessed by the Multidisciplinary Team on May 22, 2003 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.

2013CP2200468

Petitioner's Exhibit G

332

South Carolina Department of Corrections

Classification Summary Reports

Date: Wednesday, March 20, 2013

Classification Summary Reports

Inmate Number 232890

[Submit](#)

Classification Summary Report for SNOW, DARYL :

[Create PDF](#)

CLASSIFICATION SUMMARY REPORT DATED 03/20/2013

SCDC# 00232890

SNOW, DARYL

FBI# 879844EA1

OFFENDER ADULT-STRAIGHT
TYPE: SENTENCE

INSTITUTION: EVANS

SECURITY/CUST: 2 MINIMUM IN

CURR INCARC 15 YRS 0 MOS 0
SENT: DAYS

VICTIM Y SEPREQ: N
WITNESS:

MED MED PROB/NO WORK
CLASS: RESTRICT

INST NO RESTRICTION
RESTRICT:

MENTAL SUBSTANCE ABUSE
CLASS: TREATMENT

CURRENT NO CURRENT
PROGRAM: PROGRAM

SEX REGISTRY: Y

DNA: C

AGE: 44



RESIDENT
STABILITY:

NA

DORMROOMBUNK_CODE: 2A 0175 B

PROJ MAXOUT
DATE: 10/31/2013

PROJ PAROLE DATE: 10/24/2013

EWC JOB: CUSTODIAL WORKER

ASSIGNMENT: BLDING DETAIL BLDG: #2

EWC
LEVEL: 3F5 EEC LEVEL:

EDUC
PGM: NO CURR EDUC PROGRAM

PREVIOUS NUMBERS:

00005026

00165372

00148804

00228134

CURRENT OFFENSES	YRS	MOS	SENTENCE		START	SENTENCE		
			DYS	COUNTY		V/NV	CAT	INDICT
LEWD ACT/CHILD UNDER 16	15	0	0	GEORGETOWN	01/27/2005	N	4	06GS22356
BURGLARY-2ND DEG/NON-VIOL	15	0	0	GEORGETOWN	01/27/2005	N	3	06GS22326

COMPLETED OFFENSES	YRS	MOS	SENTENCE		START	SENTENCE		
			DYS	COUNTY		V/NV	CAT	INDICT
FIREARMS PROVISION	5	0	0	GEORGETOWN	12/01/1995	N	3	96GS2278
POINTING A FIREARM	5	0	0	GEORGETOWN	12/01/1995	N	3	96GS2278
CRIMINAL SEX CNDCT 1ST DEG	10	0	0	GEORGETOWN	12/01/1995	V	5	96GS2278
CHILD NEGLECT	10	0	0	GEORGETOWN	12/01/1995	N	2	96GS2278
CDVHAN-1ST OR 2ND	10	0	0	GEORGETOWN	12/01/1995	N	4	96GS2278
KIDNAPPING	15	0	0	GEORGETOWN	12/01/1995	V	5	96GS2278
BURGLARY-2ND DEGREE	15	0	0	GEORGETOWN	12/01/1995	V	4	96GS2278

PRIOR COMMITMENTS OVER 90 DAYS:

INMATE HAS NO PRIORS

PREVIOUS OFFENSES	PREVSCDCID	YRS	MOS	DYS	COUNTY	START	SENTENCE		
							V/NV	CAT	INDICT
ILLEGAL USE OF TELEPHONE	00148804	0	0	90	GEORGETOWN	05/08/1989	N	2	00001
RESISTING OFFICER	00165372	8	0	0	GEORGETOWN	11/30/1989	N	3	00001
ILLEGAL USE OF TELEPHONE	00165372	10	0	0	GEORGETOWN	02/22/1990	N	2	00001
ESCAPE	00228134	0	6	0	GEORGETOWN	07/31/1995	N	4	95GS22376

DETAINERS (HOLD,WANTED,NOTIFY):

NO DETAINERS

ESCAPES:

07/13/1995	CLASS I	ESCAPE

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

09/07/2008 FIGHTING WITHOUT A WEAPON	CONVICTED	ADMINISTRATIVE RESOLUTION	
11/12/1997 STRIKING AN EMPLOYEE WITH/WITHOUT WEAPON	CONVICTED	MAJOR DISC. HEARING	STAFF ASSAULT Y

PREVIOUS ASSAULTIVE DISCIPLINARIES:

NO PREVIOUS ASSAULTIVE DISCIPLINARY HISTORY

NON-ASSAULTIVE DISCIPLINARIES:

09/12/2011 USE,POSS NARC,MARIJ,UNAUTH DRUG,INHALANT	CONVICTED	MAJOR DISC. HEARING
12/04/2009 MUTILATION	CONVICTED	ADMINISTRATIVE RESOLUTION
09/09/2009 POSSESSION OF CONTRABAND	CONVICTED	ADMINISTRATIVE RESOLUTION
04/04/2009 USE/POSS OF TATTOO PARAPHERNALIA	CONVICTED	ADMINISTRATIVE RESOLUTION
07/25/2006 SEXUAL MISCONDUCT	CONVICTED	MAJOR DISC. HEARING
09/28/2001 DAMAGE,DESTROY,PROP.VALUE AT \$100./MORE	CONVICTED	MINOR DISC. HEARING
08/07/1999 POSSESSION OF CONTRABAND	DISMISSED	MINOR DISC. HEARING
01/24/1998 SEXUAL MISCONDUCT	DISMISSED	MAJOR DISC. HEARING

PREVIOUS NON-ASSAULTIVE DISCIPLINARIES:

08/31/1992 00165372 DAMAGE,DESTROY,PROP.VALUE AT \$100./MORE	CONVICTED	MAJOR DISC. HEARING

12/19/1991 00165372 STEALING
03/03/1991 00165372 STEALING

CONVICTED MAJOR DISC. HEARING
CONVICTED MAJOR DISC. HEARING

HISTORY OF MOVEMENTS:

DATE	NAME	STATUS	REASON
08/30/2011	EVANS	INCARCERATED	ADMINISTRATIVE
01/14/2010	LIEBER	INCARCERATED	ADMINISTRATIVE
05/15/2006	ALLENDAL	INCARCERATED	ADMINISTRATIVE
04/24/2006	KIRKLAND	INCARCERATED	R&E PROCESSING
04/24/2006	LIEBER	INCARCERATED	NEW ADMISSION
08/29/2003	UNK	RELEASE	EXPIRATION OF SENTENCE
05/16/2001	LIEBER	INCARCERATED	ADMINISTRATIVE
06/07/1996	EVANS	INCARCERATED	ADMINISTRATIVE
05/22/1996	LIEBER R&E	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
CUSTODIAL WORKER	03/12/2013	-		3F5
FOOD SERVICE AIDE	11/16/2010	08/30/2011	INSTIT TRANSFER	2F7
FOOD SERVICE AIDE	07/06/2010	11/15/2010	LATERAL TRANSFER	2F7
FOOD SERVICE AIDE	04/08/2010	07/05/2010	PROMOTION	2F5
CUSTODIAL WORKER	09/25/2008	12/15/2009	PLACED IN ST/SP CUSTODY	2F5
CUSTODIAL WORKER	01/26/2007	09/07/2008	PLACED IN ST/SP CUSTODY	2F5
CUSTODIAL WORKER	10/16/2006	01/25/2007	MI ELIGIBLE FOR LEVEL 2	3F5
CUSTODIAL WORKER	05/16/2006	07/26/2006	PLACED IN ST/SP CUSTODY	2F5
WARDKEEPER ASSISTANT	04/05/2002	08/29/2003	RELEASED/PAROLED	2F5
WARDKEEPER ASSISTANT	11/28/2001	04/04/2002	MI ELIGIBLE FOR LEVEL 2	3F5
MECHANIC HELPER	11/16/2001	11/27/2001	LATERAL TRANSFER	3F5
MECHANIC HELPER	05/25/2001	11/15/2001	CUSTODY REVIEW	2F5
CUSTODIAL WORKER	11/24/1998	05/16/2001	INSTIT TRANSFER	2F5
CUSTODIAL WORKER	05/18/1998	11/23/1998	CUSTODY REVIEW	5F5
CUSTODIAL WORKER	08/06/1997	05/17/1998	CUSTODY REVIEW	3F5
CUSTODIAL WORKER	06/04/1997	08/05/1997	REMOVAL FROM 7 DAY CREDIT	3F7
SENIOR CUSTODIAN	08/01/1996	04/18/1997	LOCKUP-INVESTIGATION	3F7
CUSTODIAL WORKER	07/11/1996	07/31/1996	LATERAL TRANSFER	7F7

HISTORY OF EARNED EDUCATION CREDITS:

EEC DESCRIPTION	START DATE	END DATE	TERMINATION REASON
BONUS 4-7 HRS/WK	09/12/2000	10/17/2000	COMPLETED EDUC PROGRAM
LVL 3 - FULL TIME(NO EWC)	05/29/1997	06/04/1997	LATERAL TRANSFER

***** END OF REPORT *****

Create PDF

Source : SummaryReport.jsp

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[Version: 1.4.4 Built: 08/23/2012 09:37:57 AM Time: 01:09:10 PM]

DISI150D
DISI150M

SCDC OFFENDER MANAGEMENT SYSTEMS
INMATE DISCIPLINARY SYSTEM
DISPLAY OFFENSE CODE TEXT

03/11/13
C035477

NARRATIVE...>

CO LOADHOLT STATES SHE WAS PATROLLING THE OUTER PERIMETER ON BLAZER ONE.
SHE SAW AN INMATE ON THE BAMBERG UNIT REC FIELD WIT HHIS PENIS OUT OF HIS
PANTS, MOVING IT UP AND DOWN (MASTURBATING). SHE RADIOED SGT BRANTLEY
WHO IDENTIFIED INMATE SNOW.

DISCIPLINARY HEARING HELD ON 08/16/06 - S. SINGLETON, HEARING OFFICER;
SANCTIONS IMPOSED:

PHONE AND CANTEEN SUSPENDED 180 DAYS;
REPRIMAND; 60 DAYS LOSS OF GOOD TIME;
VISITS SUPSENDED 365 DAYS;
60 DAYS DISCIPLINARY DETENTION (NO CREDIT GIVEN FOR PHD TIME SERVED).

CREATED BY.....: SMITH, PAMELA
LAST UPDATED BY: SMITH, PAMELA

07/28/06
08/17/06

(END)

DISCIPLINARY TEXT DISPLAYED

PF4=MODIFY NARRATIVE PF7=PREV PG F8=NEXT PG

4-@

1 Sess-1 167.7.50.33

SCDC1565

6/2

Petitioner's Exhibit H

302.2 Pedophilia

The paraphilic focus of Pedophilia involves sexual activity with a prepubescent child (generally age 13 years or younger). The individual with Pedophilia must be age 16 years or older and at least 5 years older than the child. For individuals in late adolescence with Pedophilia, no precise age difference is specified, and clinical judgment must be used; both the sexual maturity of the child and the age difference must be taken into account. Individuals with Pedophilia generally report an attraction to children of a particular age range. Some individuals prefer males, others females, and some are aroused by both males and females. Those attracted to females usually prefer 8- to 10-year-olds, whereas those attracted to males usually prefer slightly older children. Pedophilia involving female victims is reported more often than Pedophilia involving male victims. Some individuals with Pedophilia are sexually attracted only to children (Exclusive Type), whereas others are sometimes attracted to adults (Non-exclusive Type). Individuals with Pedophilia who act on their urges with children may limit their activity to undressing the child and looking, exposing themselves, masturbating in the presence of the child, or gentle touching and fondling of the child. Others, however, perform fellatio or cunnilingus on the child or penetrate the child's vagina, mouth, or anus with their fingers, foreign objects, or penis and use varying degrees of force to do so. These activities are commonly explained with excuses or rationalizations that they have "educational value" for the child, that the child derives "sexual pleasure" from them, or that the child was "sexually provocative"—themes that are also common in pedophilic pornography. Because of the ego-syntonic nature of Pedophilia, many individuals with pedophilic fantasies, urges, or behaviors do not experience significant distress. It is important to understand that experiencing distress about having the fantasies, urges, or behaviors is not necessary for a diagnosis of Pedophilia. Individuals who have a pedophilic arousal pattern and act on these fantasies or urges with a child qualify for the diagnosis of Pedophilia.

Individuals may limit their activities to their own children, stepchildren, or relatives or may victimize children outside their families. Some individuals with Pedophilia threaten the child to prevent disclosure. Others, particularly those who frequently victimize children, develop complicated techniques for obtaining access to children, which may include winning the trust of a child's mother, marrying a woman with an attractive child, trading children with other individuals with Pedophilia, or, in rare instances, taking in foster children from nonindustrialized countries or abducting children from strangers. Except in cases in which the disorder is associated with Sexual Sadism, the person may be attentive to the child's needs in order to gain the child's affection, interest, and loyalty and to prevent the child from reporting the sexual activity. The disorder usually begins in adolescence, although some individuals with Pedophilia report that they did not become aroused by children until middle age. The frequency of pedophilic behavior often fluctuates with psychosocial stress. The course is usually chronic, especially in those attracted to males. The recidivism rate for individuals with Pedophilia involving a preference for males is roughly twice that for those who prefer females.

Diagnostic criteria for 302.2 Pedophilia

- 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.

Notes: Do not include an individual in late adolescence involved in an ongoing sexual relationship with a 12- or 13-year-old:

Specify if:

Sexually Attracted to Males
Sexually Attracted to Females
Sexually Attracted to Both

Specify if:

Limited to Incest

Specify type:

Exclusive Type (attracted only to children)
Nonexclusive Type

Petitioner's Exhibit I

1. No (or substantially diminished) subjective erotic feelings despite otherwise-normal arousal and orgasm
2. Situations in which the clinician has concluded that a sexual dysfunction is present but is unable to determine whether it is primary, due to a general medical condition, or substance induced

Paraphilias

Diagnostic Features

The essential features of a Paraphilia are recurrent, intense sexually arousing fantasies, sexual urges, or behaviors generally involving 1) nonhuman objects, 2) the suffering or humiliation of oneself or one's partner, or 3) children or other nonconsenting persons that occur over a period of at least 6 months (Criterion A). For some individuals, paraphilic fantasies or stimuli are obligatory for erotic arousal and are always included in sexual activity. In other cases, the paraphilic preferences occur only episodically (e.g., perhaps during periods of stress), whereas at other times the person is able to function sexually without paraphilic fantasies or stimuli. For Pedophilia, Voyeurism, Exhibitionism, and Frotteurism, the diagnosis is made if the person has acted on these urges or the urges or sexual fantasies cause marked distress or interpersonal difficulty. For Sexual Sadism, the diagnosis is made if the person has acted on these urges with a nonconsenting person or the urges, sexual fantasies, or behaviors cause marked distress or interpersonal difficulty. For the remaining Paraphilias, the diagnosis is made if the behavior, sexual urges, or fantasies cause clinically significant distress or impairment in social, occupational, or other important areas of functioning (Criterion B).

Paraphilic imagery may be acted out with a nonconsenting partner in a way that may be injurious to the partner (as in Sexual Sadism or Pedophilia). The individual may be subject to arrest and incarceration. Sexual offenses against children constitute a significant proportion of all reported criminal sex acts, and individuals with Exhibitionism, Pedophilia, and Voyeurism make up the majority of apprehended sex offenders. In some situations, acting out the paraphilic imagery may lead to self-injury (as in Sexual Masochism). Social and sexual relationships may suffer if others find the unusual sexual behavior shameful or repugnant or if the individual's sexual partner refuses to cooperate in the unusual sexual preferences. In some instances, the unusual behavior (e.g., exhibitionistic acts or the collection of fetish objects) may become the major sexual activity in the individual's life. These individuals are rarely self-referred and usually come to the attention of mental health professionals only when their behavior has brought them into conflict with sexual partners or society.

The Paraphilias described here are conditions that have been specifically identified by previous classifications. They include Exhibitionism (exposure of genitals), Fetishism (use of nonliving objects), Frotteurism (touching and rubbing against a nonconsenting person), Pedophilia (focus on prepubescent children), Sexual Masochism (receiving humiliation or suffering), Sexual Sadism (inflicting humiliation or suffer-

ing), Transvestic Fetishism (cross-dressing), and Voyeurism (observing sexual activity). A residual category, Paraphilia Not Otherwise Specified, includes other Paraphilias that are less frequently encountered. Not uncommonly, individuals have more than one Paraphilia.

Recording Procedures

The individual Paraphilias are differentiated based on the characteristic paraphilic focus. However, if the individual's sexual preferences meet criteria for more than one Paraphilia, all should be diagnosed. The diagnostic code and terms are as follows: 302.4 Exhibitionism, 302.81 Fetishism, 302.89 Frotteurism, 302.2 Pedophilia, 302.83 Sexual Masochism, 302.84 Sexual Sadism, 302.3 Transvestic Fetishism, 302.82 Voyeurism, and 302.9 Paraphilia Not Otherwise Specified.

Associated Features and Disorders

Associated descriptive features and mental disorders. The preferred stimulus, even within a particular Paraphilia, may be highly specific. Individuals who do not have a consenting partner with whom their fantasies can be acted out may purchase the services of prostitutes or may act out their fantasies with unwilling victims. Individuals with a Paraphilia may select an occupation or develop a hobby or volunteer work that brings them into contact with the desired stimulus (e.g., selling women's shoes or lingerie [Fetishism], working with children [Pedophilia], or driving an ambulance [Sexual Sadism]). They may selectively view, read, purchase, or collect photographs, films, and textual depictions that focus on their preferred type of paraphilic stimulus. Many individuals with these disorders assert that the behavior causes them no distress and that their only problem is social dysfunction as a result of the reaction of others to their behavior. Others report extreme guilt, shame, and depression at having to engage in an unusual sexual activity that is socially unacceptable or that they regard as immoral. There is often impairment in the capacity for reciprocal, affectionate sexual activity, and Sexual Dysfunctions may be present. Personality disturbances are also frequent and may be severe enough to warrant a diagnosis of a Personality Disorder. Symptoms of depression may develop in individuals with Paraphilias and may be accompanied by an increase in the frequency and intensity of the paraphilic behavior.

Associated laboratory findings. Penile plethysmography has been used in research settings to assess various Paraphilias by measuring an individual's sexual arousal in response to visual and auditory stimuli. The reliability and validity of this procedure in clinical assessment have not been well established, and clinical experience suggests that subjects can simulate response by manipulating mental images.

Associated general medical conditions. Frequent, unprotected sex may result in infection with, or transmission of, a sexually transmitted disease. Sadistic or masochistic behaviors may lead to injuries ranging in extent from minor to life threatening.

Petitioner's Exhibit J

S E N T E N C E

STATE OF SOUTH CAROLINA

CASE NO. 88-GS-22-3a

GEORGETOWN

COUNTY

PLED/CONVICTED:

Malicious Injury to
Animal

The defendant Darrell Snow is committed to the Stat
Department of Corrections/County for a term of 12 10 months/year:
and/or to pay a fine of \$_____; provided upon the service of
____ months/years and/or payment of \$_____, plus pay/waive costs
and assessments as applicable*, the balance suspended with probation for
____ months/years.

Restitution

For physical injury \$_____

Yes/

property damage \$_____

to be paid _____

to clerk for _____.

Other conditions _____

Date 9/23/88

Frank E. Epps
Presiding Judge

*Costs and Assessments

Non-waivable	\$ _____
Not waived	\$ _____
Total	\$ _____

Ruby Ann Moore
Deputy Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

SCCA Form 217 (3/86)

Petitioner's Exhibit K

Executive Department RECEIVED



APR 16 1996

BROAD RIVER R&E UNIT
ASSOC. WARDEN'S OFFICE

State of South Carolina

PURSUANT TO EXECUTIVE ORDER 76-15

I, David M. Beasley, Governor of South Carolina, have this 5th day of April, 1996 approved to extend the Safekeeping Order of Darrell Thaddeus Snow

FROM: Georgetown County Detention Center

TO: Broad River R & E Institution

BE EXTENDED FOR A PERIOD OF Sixty (60) Days

EXTENSION REQUESTED BY: Michael Schwartz, Assistant Sheriff

Any medical expenses incurred by the South Carolina Department of Corrections in conjunction with this Safekeeping Order are to be paid by the County of Georgetown.


DAVID M. BEASLEY
Governor

Original to: Michael W. Moore, Director
S. C. Department of Corrections

**State of South Carolina****DAVID M. BEASLEY**
GOVERNOR**Office of the Governor**Post Office Box 11389
COLUMBIA 29211

April 5, 1996

Ms. Linda Summers
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221

RE: Safekeeping Extension
Darrell Thaddeus Snow

Dear Linda:

Enclosed please find an Order for Safekeeping and supporting documentation in conjunction with the above referenced individual, which Governor Beasley has issued pursuant to his authority under Executive Order 76-15. This Order is an extension of previous Orders for Safekeeping. This Order for Safekeeping will expire sixty (60) days from the date of issue unless renewed by this Office.

Thank you for your attention to this matter. I appreciate your assistance. If you have any questions concerning this Order or the supporting documentation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Angelia S. Tutko".

Angelia S. Tutko
Legal Counsel

Enclosure

cc: The Honorable Michael Schwartz, Assistant Sheriff
The Honorable John M. Hilliard, III, Assistant Solicitor

**A. LANE CRIBB, Sheriff of Georgetown County**

333 Cleland Street
Post Office Box 1292
Georgetown, South Carolina 29442

Administrative 546-5102,
Communications 546-5101

April 4, 1996

Governor's Office
P.O. Box 11450
Columbia, SC 29211

ATTN: Angelia Tutko

Re: State vs. Darrell Thaddeus Snow

Gentlemen:

I am enclosing the following documents which are self-explanatory:

ITEM A:	Certificate of Assistant Sheriff
ITEM B:	Certificate of Assistant Solicitor
ITEM C:	Notice to Detainee's Attorney
ITEM D:	Copies of Arrest Warrants

It is respectfully requested that the Governor's Office issue its Order for an extension for the safe-keeping of the above-named inmate/Defendant at the South Carolina Department of Corrections.

Should you need anything further from this office, please advise.

Yours very truly,

Michael Schwartz
Michael Schwartz
Assistant Sheriff

MS/bg

Encl.

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

CERTIFICATE OF ASSISTANT SHERIFF

PERSONALLY appeared before me Michael Schwartz, who first being duly sworn, deposes and says as follows:

"That I am Assistant Sheriff for the County of Georgetown, South Carolina; and, as such, my official duties include Acting Sheriff in the absence of Sheriff A. Lane Cribb;

That on information and belief, Darrell Thaddeus Snow, a pre-trial detainee, was arrested by the Georgetown County Sheriff's Department on March 13, 1995, and charged with the offenses of Assault with Intent/Criminal Sexual Conduct, Kidnapping, Pointing a Firearm, Burglary 1st Degree and subsequently with Resisting Arrest as a result of the March incident;

That on July 14, 1995, Darrell Snow, along with five other pretrial detainees, escaped from the Georgetown County Detention Center; that Darrell Snow was later captured in Atlanta, Georgia;

That on July 31, 1995, the defendant pled guilty to the escape charge and received a six month sentence. That Snow has completed that sentence and is now back in the Georgetown County Detention Center pending trial on the March, 1995, charges. That because of the seriousness of the pending charges and Snow's prior escape, he poses a high escape risk, and I believe it would be in the best interest of the inmate, County of Georgetown and State of South Carolina that he be housed at the Department of Corrections until he can be brought to trial."

That on February 7, 1996, the Governor issued an Order of Safekeeping on Darrell Snow;

That it is now necessary to request an extension of sixty (60) days for the detainee to continue to be housed by the Department of Corrections, as his case is not scheduled for trial until the May, 1996, term of General Sessions Court in Georgetown County;

That because of the violent nature and uncontrollable behavior of the inmate, he poses a threat to himself as well as to others; and I believe it would be in the best interest of the inmate, County of Georgetown and State of South Carolina that he continue to be housed at the Department of Corrections until he can be brought to trial."

SWORN to before me this 4th
day of April, 1996.

Linda Carter (L.S.)
Notary Public for South Carolina
My Comm. expires: 9-24-97

Michael Schwartz
MICHAEL SCHWARTZ
ASSISTANT SHERIFF

STATE OF SOUTH CAROLINA)
) CERTIFICATE OF ASSISTANT SOLICITOR
COUNTY OF GEORGETOWN)

Re: State vs. Darrell Thaddeus Snow

I, John M. Hilliard, III, Special Prosecutor for the Solicitor's Office of the Fifteenth Judicial Circuit, have read the Affidavit of Assistant Sheriff Michael Schwartz of Georgetown County, South Carolina, concerning a request to keep the above-referenced pre-trial detainee at the South Carolina Department of Corrections prior to his trial; and I have no objections to same.

SWORN to before me this 4th
day of April, 1996.

Bonnie S. Linder (L.S.)
Notary Public for South Carolina
My Comm. expires: 1-17-2000

John M. Hilliard, III
JOHN M. HILLIARD, III,
SPECIAL PROSECUTOR

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN) NOTICE TO DETAINEE'S ATTORNEY

Re: State vs. Darrell Thaddeus Snow

I, Reuben Goude, certify that I have been appointed by the Court of General Sessions to represent the above-referenced detainee for criminal charges including Assault with Intent/Criminal Sexual Conduct, Kidnapping, Pointing a Firearm, Burglary 1st Degree and Resisting Arrest;

That I have been notified that the officials of Georgetown County intend to petition the Office of the Governor to have the individual detained at the South Carolina Department of Corrections;

That I understand that I have the right to submit affidavits to the Governor on behalf of my client opposing said transfer.

SWORN to before me this 4
day of April, 1996.

Reuben Goude (L.S.)
Notary Public for South Carolina
My Comm. expires: 8-12-2003

Reuben Goude
REUBEN GOUDE
ATTORNEY FOR DEFENDANT



south carolina department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
TELEPHONE (803) 896-0886
MICHAEL W. MOORE, Director

Associate Warden Pris M. Mack
Broad River Reception and Evaluation Unit
4464 Broad River Road
Columbia, South Carolina 29210
(803) 896-2202/2882

March 26, 1996

Mr. Michael Schwartz, Assistant Sheriff
Georgetown County Detention Center
Georgetown, South Carolina 29440

Reference: Safekeeper Darrell Snow, SK #5026

Dear Mr. Schwartz:

This letter is to advise you that the Order of the Governor authorizing the transfer of Darrell Snow to the Department of Corrections for detention signed February 7, 1996 will expire April 7, 1996.

Orders for the detention in the Department of such persons will be valid only for sixty (60) days from the date of issue. The Order may be renewed by following the same procedures and by showing good cause why it should be renewed.

It is requested that your office either make arrangements to have the detainee transferred back to your facility or obtain an extension from the Office of the Governor as soon as possible.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Pris M. Mack".

Pris M. Mack

PMM:bw

cc: Linda Summers, Office of General Counsel
John M. Hilliard III, Special Prosecutor
Angelia S. Tutko, Office of the Governor of South Carolina

Executive Department

**RECEIVED**

FEB 20 1996

State of South CarolinaBROAD RIVER R&E UNIT
ASSOC. WARDEN'S OFFICE**PURSUANT TO EXECUTIVE ORDER 76-15**

I, David M. Beasley, Governor of South Carolina, have this 7th day of February, 1996 approved to extend the Safekeeping Order of Darrell Thaddeus Snow

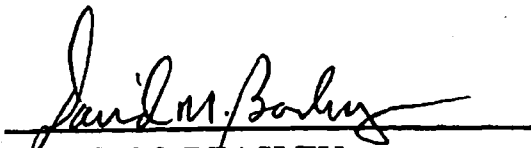
FROM: Georgetown County Detention Center

TO: Broad River R & E Institution

BE EXTENDED FOR A PERIOD OF Sixty (60) Days

EXTENSION REQUESTED BY: Michael Schwartz, Assistant Sheriff

Any medical expenses incurred by the South Carolina Department of Corrections in conjunction with this Safekeeping Order are to be paid by the County of Georgetown.


DAVID M. BEASLEY
Governor

Original to: Michael W. Moore, Director
S. C. Department of Corrections



State of South Carolina

DAVID M. BEASLEY
GOVERNOR

Office of the Governor

POST OFFICE BOX 11369
COLUMBIA 29211

February 7, 1996

Ms. Linda Summers
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221

SS
RECEIVED

FEB 1 6 1996

(GENERAL COUNSEL)

RE: Safekeeping Extension
Darrell Thaddeus Snow

Dear Linda:

Enclosed please find an Order for Safekeeping and supporting documentation in conjunction with the above referenced individual, which Governor Beasley has issued pursuant to his authority under Executive Order 76-15. This Order is an extension of previous Orders for Safekeeping. This Order for Safekeeping will expire sixty (60) days from the date of issue unless renewed by this Office.

Thank you for your attention to this matter. I appreciate your assistance. If you have any questions concerning this Order or the supporting documentation, please do not hesitate to contact me.

Sincerely,

Angelia S. Tutko

Angelia S. Tutko
Legal Counsel

Enclosure

cc: The Honorable Michael Schwartz, Assistant Sheriff
The Honorable John M. Hilliard, III, Assistant Solicitor

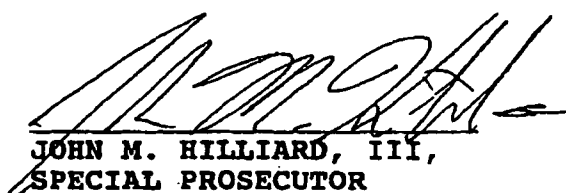
STATE OF SOUTH CAROLINA)
) CERTIFICATE OF ASSISTANT SOLICITOR
COUNTY OF GEORGETOWN)

Re: State vs. Darrell Thaddeus Snow

I, John M. Hilliard, III, Special Prosecutor for the Solicitor's Office of the Fifteenth Judicial Circuit, have read the Affidavit of Assistant Sheriff Michael Schwartz of Georgetown County, South Carolina, concerning a request to keep the above-referenced pre-trial detainee at the South Carolina Department of Corrections prior to his trial; and I have no objections to same.

SWORN to before me this 6th
day of February, 1996.

Bonnie S. Lorde (L.S.)
Notary Public for South Carolina
My Comm. expires: 1/17/2000


JOHN M. HILLIARD, III,
SPECIAL PROSECUTOR

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GEORGETOWN)

CERTIFICATE OF ASSISTANT SHERIFF

PERSONALLY appeared before me Michael Schwartz, who first being duly sworn, deposes and says as follows:

"That I am Assistant Sheriff for the County of Georgetown, South Carolina; and, as such, my official duties include Acting Sheriff in the absence of Sheriff A. Lane Cribb;

That on information and belief, Darrell Thaddeus Snow, a pre-trial detainee, was arrested by the Georgetown County Sheriff's Department on March 13, 1995, and charged with the offenses of Assault with Intent/Criminal Sexual Conduct, Kidnapping, Pointing a Firearm, Burglary 1st Degree and subsequently with Resisting Arrest as a result of the March incident;

That on July 14, 1995, Darrell Snow, along with five other pretrial detainees, escaped from the Georgetown County Detention Center; that Darrell Snow was later captured in Atlanta, Georgia;

That on July 31, 1995, the defendant pled guilty to the escape charge and received a six month sentence; That Snow completed that sentence and is awaiting trial on the March, 1995, charges;

That on December 7, 1995, the Governor issued an Order of Safekeeping on Darrell Snow;

That it is now necessary to request an extension of sixty (60) days for the detainee to continue to be housed by the Department of Corrections, as his case is not scheduled for trial until the March, 1996, term of General Sessions Court in Georgetown County;

That because of the seriousness of the pending charges and Snow's prior escape, he poses a high escape risk, and I believe it would be in the best interest of the inmate, County of Georgetown and State of South Carolina that he be housed at the Department of Corrections until he can be brought to trial.

SWORN to before me this 6th
 day of February, 1996.

Bonnie A. Gode (L.S.)
 Notary Public for South Carolina
 My Comm. expires: 1-17-2000

Michael Schwartz
 MICHAEL SCHWARTZ
 ASSISTANT SHERIFF

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN) NOTICE TO DETAINEE'S ATTORNEY

Re: State vs. Darrell Thaddeus Snow

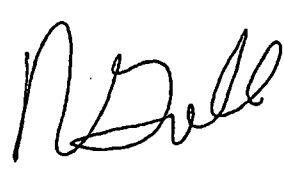
I, Reuben Goude, certify that I have been appointed by the Court of General Sessions to represent the above-referenced detainee for criminal charges including Assault with Intent/Criminal Sexual Conduct, Kidnapping, Pointing a Firearm, Burglary 1st Degree and Resisting Arrest;

That I have been notified that the officials of Georgetown County intend to petition the Office of the Governor to have the individual detained at the South Carolina Department of Corrections;

That I understand that I have the right to submit affidavits to the Governor on behalf of my client opposing said transfer.

SWORN to before me this 6
day of February, 1996.

Reuben Dell F. Hummick (L.S.)
Notary Public for South Carolina
My Comm. expires: 8-12-2003


REUBEN GOUDE
ATTORNEY FOR DEFENDANT

2013CP2200468

Petitioner's Exhibit L

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
SEXUAL PREDATOR MULTI-DISCIPLINARY TEAM**

REFERRAL DATA

INMATE: Snow, Daryl	SCDC # 232890
INSTITUTION: Evans	SSN#:
VICTIM/WITNESS: Yes	DOB/AGE: ████████ (44 y/o)
SCDC ARRIVAL DATE: 01/27/2005	MAX OUT DATE: 12/05/2013
SENTENCE START DATE:	SUPERVISED FURLOUGH
JUVENILE SENTENCE: N/A	ELIGIBILITY DATE: N/A

DATA SOURCE(S):

Automated Medical Record: ✓	Hard Copy Medical Record:
Institutional Record:	Central Inmate Record:
Sex Offender Treatment Record:	Offender Management Summary: ✓
Inmate Interview:	Other Data Source(s):
Attachment:	Specify:

CONVICTION HISTORY:

Current Conviction(s):
Lewd Act/Child under 16: Sentence began: 01/27/05; Burglary 2nd Degree: Sentence
Began: 01/27/05
Prior SCDC #'s: None
Prior Conviction(s): Illegal use of Telephone
Parole Revocation(s): N/A
Probation Revocation(s): N/A
Other Information:

INSTITUTIONAL ADJUSTMENT:

Disciplinary(s): Total: 8	Assaultive: 0	Sexual Misconduct: 1
Narrative(s): See Attachment		
Work History: General Detail		
Other Information:		

SP Multi-Disciplinary Team
 Snow, Daryl - 232890
 Page 2

SPECIAL NEEDS/DISABILITIES: N/A

Limitation(s) in Mobility and Sensory:

Level of Supervision Needed:

Ability to Complete Activities of Daily Living:

COGNITIVE FUNCTIONING/ACADEMIC ABILITY:

Beta Score: N/A	Wide Range Achievement Tests (WRAT)
Other IQ Screening: 90	Grade Level: Reading: 8.2
Mental Retardation: Yes	Math: 6.5
Disability/Other Known Impairment:	Language: N/A

SUBSTANCE ABUSE:

SASSI Score: Valid	Yes	No	Chemically Dependent:	Yes	No
TCUDDS: Valid	Yes	No	Chemically Dependent:	Yes	No
Other Screening(s):					
Under influence at the Time of Crime (Self-Report):					
Treatment History:					

Other Information:

HEALTH SUMMARY CLASSIFICATION:

Mental Health Status: No Mental Health
 Medical Problem(s): None Work Restriction(s): No
 Institutional Assignment: No Mental Health

SP Multi-Disciplinary Team
Snow, Daryl - 232890
Page 3

HEALTH INFORMATION AND HISTORY:

Physical Health/Condition: None
Medications: Diflucan
Other Information:

MENTAL HEALTH INFORMATION AND HISTORY:

Diagnosis: None
Medications: None
Problems/Compliance: N/A
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: None in the file

	TYPE	DATES	STATUS
Phase I:			
SOTP GROUP:			
Phase II:	Education		
Phase III:	Education		
OTHER			
RTU:	Intensive Residential Treatment		

Admission of Sex Offense(s):
Other Information:

SP Multi-Disciplinary Team
Snow, Daryl - 232890

Page 4

VICTIM PROFILE: N/A

Conviction(s):

Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:

Aggravating Circumstances: N/A

Other Victims Alleged or Self-Reported by Inmate: N/A

Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:
Age:	Gender:	Relationship	Time Span:

**** A = Alleged S = Self-Reported**

Aggravating Circumstances:

Other Information:

Information submitted in this packet was obtained from the SCDC Offender Management System, Inmate's Primary Therapist and Automated Medical Records.

Submitted by: Sylvia Roberts, MSW HSC II
Sylvia Roberts, MSW HSC II

Date: 3/2/13

2013CP2200468

Petitioner's Exhibit M



Messages

Menu - Refresh Screen

Check messages (5) below for: ATTSC414

Date	Title
☒ March 26, 2013 at 14:45:32	CR 0008547742 from NLETS
☒ March 26, 2013 at 14:45:30	QR 003543032A from III
☒ March 26, 2013 at 14:45:28	QWA 00067E48D6 from NC2K
☒ March 26, 2013 at 14:45:24	ICHR 003FDCA072 from SCCH
☒ March 26, 2013 at 14:45:22	ICHR 003FDCA071 from SCCH

☐ Uncheck All
 ☐ Delete All Checked Messages
 ☐ Submit
 ☒ Print All Checked Messages

CR 0008547742 from NLETS - March 26, 2013 at 14:45:32

ATTSC414

.CR.0008547742.NLETS.20130326 14:45:32

TO: ATTSC414-1547 20130326 14:45:32 0008547742

FROM: NLETS-5535554 20130326 14:45:32

CR.WVFBINF00

11:46 26357

03/26/2013 08472 SC040015A

*320C000489

TXT

HDR/2L01320C0004892QR

ATN/SHUPE, DEB

***** CRIMINAL HISTORY RECORD *****

***** Introduction *****

This rap sheet was produced in response to the following request:

FBI Number 879844EA1
 Purpose Code C
 Attention SHUPE, DEB

The information in this rap sheet is subject to the following caveats:

This record is based only on the FBI number in your request-879844EA1.
 Because additions or deletions may be made at any time, a new copy
 should be requested when needed for subsequent use. (US; 2013-03-26)
 All arrest entries contained in this FBI record are based on
 fingerprint comparisons and pertain to the same individual. (US;
 2013-03-26)
 The use of this record is regulated by law. It is provided for official
 use only and may be used only for the purpose requested. (US;
 2013-03-26)

***** IDENTIFICATION *****

364

Subject Name(s)

SNOW, DARRYL
 SNOW, DARRELL (AKA)
 SNOW, DARYL (AKA)
 SNOW, DARRELL THADEUS (AKA)
 SNOW, DARRYL THUDDUES (AKA)
 SNOW, DARRYL THADDUES (AKA)
 SNOW, DARRELL THADDEUS (AKA)
 SNOW, DARRYL THADDEUS (AKA)
 SNOW, DARYL THADDEUS (AKA)
 SNOW, DARYL T (AKA)

Subject Description

FBI Number State Id Number
 879844EA1 SC00526597

Social Security Number

Sex Race
 Male Black

Height Weight Date of Birth
 5'09" 155

Hair Color Eye Color Fingerprint Pattern
 Black Brown 200915CI06171110CI10 (FPC)

Place of Birth Citizenship
 SC US

Fingerprint Images

Caution Information

Registered Sex Offender SHERIFF'S OFFICE GEORGETOWN (SC0220000) 1900-01-01 AG
 ENCY CASE 0000011624 NIC/X281657254 REGISTRY EXPIRATION - NONEXP

***** CRIMINAL HISTORY *****

***** INDEX OF AGENCIES *****

Agency FBI-CJIS DIV-CLRKSBG CLARKSBURG; WVFBINF00;
 Address 1000 CUSTER HOLLOW RD
 CLARKSBURG, WV 26306

 Agency SHERIFF'S OFFICE GEORGETOWN; SC0220000;
 Address 430 N FRASER ST
 GEORGETOWN, SC 294403260

* * * END OF RECORD * * *

Top of page or Menu

[Delete] [Copy] [Print]

QR 003543032A from III - March 26, 2013 at 14:45:30

ATTSC414

.QR.003543032A.III.20130326 14:45:30

TO: ATTSC414-1546 20130326 14:45:30 003543032A

FROM: III-4391722 20130326 14:45:30

FL01320C0004892QR

SC040015A

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
 RECORD REQUEST FOR FBI/879844EA1. INDIVIDUAL'S RECORD WILL BE
 COMPLETE WHEN ALL RESPONSES ARE RECEIVED FROM THE FOLLOWING SOURCES:
 FBI - FBI/879844EA1

AN ADDITIONAL RECORD MAY BE OBTAINED FROM FILES WITHIN YOUR STATE.
 END

Top of page or Menu

[Delete] [Copy] [Print]

QWA 00067E48D6 from NC2K - March 26, 2013 at 14:45:28

ATTSC414

.QWA.00067E48D6.NC2K.20130326 14:45:28

TO: ATTSC414-1545 20130326 14:45:28 00067E48D6

FROM: NC2K-8276182 20130326 14:45:28

1L01320C0004882QWA

SC040015A

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.

*** SEX OFFENDER REGISTRY INFORMATION ***

THE SUBJECT IDENTIFIED IN THE FOLLOWING RECORD WITH NIC/X281657254
 IS REGISTERED AS A SEX OFFENDER. DO NOT SEARCH, DETAIN, OR
 ARREST BASED SOLELY ON THIS RECORD. ADDITIONAL INFORMATION REGARDING
 SUBJECT MAY BE AVAILABLE FROM THE INTERSTATE IDENTIFICATION INDEX.

MKE/SEXUAL OFFENDER

ORI/SC0220000 NAM/SNOW, DARRYL SEX/M RAC/B

DOB/19680331 HGT/511 WGT/173 EYE/BRO HAI/BLK FBI/879844EA1

ORD/19000101 ERD/NONEXP SXP/N CRR/SEX ASSAULT

CON/19960521 JUV/N PLC/US

AOV/00

OCA/0000011624

MIS/(CRR - 1199)

DNA/N

SNU// SNA/***INCARCERATED***

CTY/GEORGETOWN STA/SC

COU/GEORGETOWN

ORI IS GEORGETOWN CO SO GEORGETOWN 843 436-3600

366

AKA/SNOW, DARRELL T
AKA/SNOW, DARYL
NIC/X281657254 DTE/20120719 0810 EDT.DLU/20120719 0817 EDT

***** END OF SEX OFFENDER REGISTRY INFORMATION *****

NO NCIC WANT SOC/249498368

Top of page or Menu

[Delete] [Copy] [Print]

ICHR 003FDCA072 from SCCH - March 26, 2013 at 14:45:24

ATTSC414

.ICHR.003FDCA072.SCCH.20130326 14:45:24

TO: ATTSC414-1544 20130326 14:45:24 003FDCA072

FROM: SCCH-14458994 20130326 14:45:23

PAGE-02 DATE-03/26/2013 TIME-14:38:33

REQ ORI-SC040015A ATTORNEY GENERALS

SID-SC00526597 FBI-879844EA1

CONTRIBUTOR/SUBJECT

DOA/RCVD CHARGE/DISPOSITION/ETC

SNOW, DARRELL THADDEUS 08/20/2004

SC0220000 GEORGETOWN CNTY SO

CASE-08041679

ATN-

WARR-48181CM

CIT-16-25-20(A)-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-08/20/2004
PHOTOGRAPH AVAILABLE

CIT-16-25-20(A)-MISDEMEANOR

DOC-R84

WARR-48181CM

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
COURT DISP-NON-CONVICTION;
NOLLE PROSEQUI
COURT DATE-10/14/2004
ATN-

SNOW, DARRELL THADDEUS 08/27/2004

SC0220200 GEORGETOWN PD

CASE-04011852

ATN-990000066815

WARR-H764191

CIT-56-5-750(B)(1)-MISDEMEANOR

ARREST CHARGE 01-FAIL TO
STOP FOR BLUE LIGHT
OFFENSE DATE-08/27/2004
PHOTOGRAPH AVAILABLE

WARR-97635CV
CIT-56-5-2920-MISDEMEANOR

ARREST CHARGE 02-RECKLESS
DRIVING
OFFENSE DATE-08/27/2004

WARR-97634CV
CIT-16-17-530-MISDEMEANOR

ARREST CHARGE 03-PUBLIC DISOR
DERLY CONDUCT
OFFENSE DATE-08/27/2004

WARR-97636CV
CIT-C/L, -UNCLASSIFIED

ARREST CHARGE 04-HINDERING
AN OFFICER
OFFENSE DATE-08/27/2004

CIT-56-5-2920-MISDEMEANOR

COURT CHARGE 01-RECKLESS
DRIVING
COURT DISP-CONVICTED;\$440 OR
30 DAYS
COURT DATE-09/13/2004
ATN-990000066815

CIT-16-17-530-MISDEMEANOR

COURT CHARGE 02-PUBLIC DISORD
ERLY CONDUCT
COURT DISP-CONVICTED;\$1062
OR 30 DAYS
COURT DATE-08/27/2004

CIT-C/L, -UNCLASSIFIED

COURT CHARGE 03-HINDERING AN
OFFICER
COURT DISP-CONVICTED;\$1062
OR 30 DAYS
COURT DATE-08/27/2004

SNOW, DARRELL
SC0220000 GEORGETOWN CNTY SO
CASE-01050161
ATN-
WARR-H844810
CIT-16-3-656-FELONY

01/27/2005

ARREST CHARGE 01-ASSAULT/INTE
NT COMMIT CRIMINAL SEX
CON-1ST DEG
OFFENSE DATE-01/27/2005

WARR-H844809
CIT-16-11-311-FELONY

ARREST CHARGE 02-BURGLARY -
FIRST DEGREE
OFFENSE DATE-01/27/2005

WARR-H844703
CIT-C/L, 22-05-150, 03-550-MISDEM

ARREST CHARGE 03-SIMPLE ASSAU
LT AND BATTERY
OFFENSE DATE-01/27/2005

CIT-C/L, 22-05-150, 03-550-MISDEM
DOC-R84
WARR-H844703

COURT CHARGE 01-SIMPLE ASSAUL
T AND BATTERY
COURT DISP-NON-CONVICTION;

368

CIT-16-11-311-FELONY
DOC-05GS2200950
WARR-H844809

Nolle Prosequi
COURT DATE-02/23/2005
ATN-

COURT CHARGE 02-BURGLARY -
FIRST DEGREE
COURT DISP-NON-CONVICTION;
DISM/NOL PROS/PROS ENDED
COURT DATE-04/18/2006

CIT-16-3-656-FELONY
DOC-05GS2200951
WARR-H844810

COURT CHARGE 03-ASSAULT/INTEN
T COMMIT CRIMINAL SEX
CON-1ST DEG
COURT DISP-NON-CONVICTION;
DISM/NOL PROS/PROS ENDED
COURT DATE-04/18/2006

SC040015C SC DEPT CORRECTIONS 04/24/2006 CUSTODY STATUS-RECEIVED
CASE-200604
CIT-16-11-312-FELONY
START DATE-04/24/2006

COURT CHARGE 01-BURGLARY
(NON-VIOLENT) 2ND DEGREE
COURT DISP-CONVICTED;15YRS CC
COURT DATE-04/24/2006
ATN-500200047441

CIT-16-15-140-FELONY

COURT CHARGE 02-COMMITTING
LEWD ACT UPON CHILD UNDER
16
COURT DISP-CONVICTED;15 YRS
CC
COURT DATE-04/24/2006

BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/879844EA1
REQUESTED FOR CRIMINAL JUSTICE PURPOSES

>>> *** NOTICE *** <<<

* THE SUBJECT OF THIS RECORD IS A CONVICTED SEX OFFENDER. ADDITIONAL *
* INFORMATION MAY BE OBTAINED FROM THE SOUTH CAROLINA SEX OFFENDER *
* REGISTRY AT: > WWW.SLED.SC.GOV < *

SCLED CJIS RECORD INDICATES SUBJECT HAS OUT OF STATE ARREST INFORMATION
REQUEST FORWARDED TO NCIC FOR OUT-OF-STATE INFORMATION
INFORMATION FROM OTHER STATES TO FOLLOW THRU NLETS VIA YOUR TERMINAL

INQUIRY WILL BE FORWARDED TO: N C I C W A N T E D P E R S O N S

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN
SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110
(C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR
ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS.
THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY
FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS
DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C. 922(G)).

** S C CJIS END OF RECORD **

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ICHR 003FDCA071 from SCCH - March 26, 2013 at 14:45:22

ATTSC414

.ICHR.003FDCA071.SCCH.20130326 14:45:22

TO: ATTSC414-1543 20130326 14:45:22 003FDCA071

FROM: SCCH-14458993 20130326 14:45:22

ICHR REQUEST FOR RAP SHEET

ORI-SC040015A FBI-879844EA1 PUR-C

ATN-SHUPE, DEB

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING
AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-03/26/2013 TIME-14:38:33

REQ ORI-SC040015A ATTORNEY GENERALS

SID-SC00526597 FBI-879844EA1

NAME-SNOW, DARYL SEX-M RACE-B

HEIGHT-500 WEIGHT-165 EYES-BRO HAIR-BLK SKIN-DRK BORN-SC

FPC-210916CI07171210CI09 HENRY-21 M 9 U IOI 7

L 2 U OII

PHOTOGRAPH AVAILABLE

1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

* DNA - TAKEN

DATE RECORD ENTERED--03/10/1986 DATE OF LAST UPDATE--07/19/2012

ADDITIONAL IDENTIFIERS

BIRTH

NAME

DATES MARKS

SOC SEC

MISC NUM

SNOW, DARRELL

SNOW, DARRYL

SNOW, DARRELL THADEUS

SNOW, DARRYL THADDUES

SNOW, DARRELL THADDEUS

SNOW, DARRYL THADDEUS

SNOW, DARYL THADDEUS

SNOW, DARYL T

370

CONTRIBUTOR/SUBJECT	DOA/RCVD CHARGE/DISPOSITION/ETC
SNOW, DARYL SC0220000 GEORGETOWN CNTY SO CASE-87280 WARR-B844870	08/14/1987 ARREST CHARGE 01-ATTEMPTED BURGLARY OFFENSE DATE-08/13/1987 PHOTOGRAPH AVAILABLE COURT CHARGE 01-ATTEMPTED BURGLARY COURT DISP-NON-CONVICTION; DISMISSED COURT DATE-08/24/1987
WARR-B844870	
SNOW, DARRELL SC0220000 GEORGETOWN CNTY SO CASE-88240 WARR-C158127	08/01/1988 ARREST CHARGE 01-ASSAULT & BATTERY, HIGH & AGGRAVATED NATURE PHOTOGRAPH AVAILABLE
WARR-C15826	
WARR-C158201	ARREST CHARGE 02-KIDNAPPING
CIT-16-11-510-UNCLASSIFIED DOC-88GS2200324 WARR-C158201	ARREST CHARGE 03-TRESPASSING COURT CHARGE 01-MAL INJURY TO PERSONAL PROPERTY,>\$200 * COURT DISP-CONVICTED;10 yrs. susp. on prob.... COURT DATE-09/23/1988
SNOW, DARRELL SC0220000 GEORGETOWN CNTY SO WARR-C158202	A08/01/1988 ARREST CHARGE 01-UNLAWFUL USE OF TELEPHONE OFFENSE DATE-07/31/1988 ARREST INFO- PCC COURT CHARGE 01-UNLAWFUL USE OF TELEPHONE COURT DISP-CONVICTED;10Y SUSP; 5Y PROB
SC040015G CENTRAL PPP WARR-C158202	
SNOW, DARRELL THADEUS SC0220000 GEORGETOWN CNTY SO CASE-89334	11/30/1989 ARREST CHARGE 01-ASSAULT & BATTERY, HIGH & AGGRAVATED NATURE PHOTOGRAPH AVAILABLE ARREST CHARGE 02-RESISTING ARREST ARREST CHARGE 03-BREACH OF

WARR-C371004

PEACE
COURT CHARGE 01-ASSAULT &
BATTERY, HIGH & AGGRAVATED
NATURE

COURT DISP-NON-CONVICTION;
NOLLE PROSSED

COURT DATE-02/22/1990

WARR-C371206

COURT CHARGE 02-BREACH OF
PEACE

COURT DISP-NON-CONVICTION;
NOLLE PROSSED

COURT DATE-02/22/1990

WARR-C371220

COURT CHARGE 03-RESISTING
ARREST

COURT DISP-NON-CONVICTION;
NOLLE PROSSED

COURT DATE-02/22/1990

SNOW, DARRYL

12/11/1989

SC0220000 GEORGETOWN CNTY SO
CASE-89345

ARREST CHARGE 01-KIDNAPPING

OFFENSE DATE-10/05/1989

PHOTOGRAPH AVAILABLE

WARR-C371267

COURT CHARGE 01-KIDNAPPING

COURT DISP-NON-CONVICTION;

NOLLE PROSSED

COURT DATE-02/22/1990

SC018025C LIEBER RECT EVAL CT 02/23/1990
CASE-165372

CUSTODY STATUS-RECEIVED

START DATE-02/23/1990

SC018025C LIEBER RECT EVAL CT

COURT CHARGE 01-RESISTING

ARREST

COURT DISP-CONVICTED;8Y CONFI
NE

SNOW, DARRELL THADDEUS

03/13/1995

SC0220000 GEORGETOWN CNTY SO
CASE-0295776

ARREST CHARGE 01-BURGLARY 1ST

OFFENSE DATE-03/13/1995

PHOTOGRAPH AVAILABLE

ARREST CHARGE 02-KIDNAPPING

2CTS

OFFENSE DATE-03/13/1995

ARREST CHARGE 03-POINTING A

FIREARM

OFFENSE DATE-03/13/1995

CIT-16-11-312(B) FELONY

DOC-96GS2200078

WARR-E464544

COURT CHARGE 01-BURGLARY(VIOL
ENT)(AFTER 6-20-1985)-

2ND DEGREE

COURT DISP-CONVICTED;15 YEARS

COURT DATE-05/21/1996

CIT-16-3-910 FELONY

DOC-96GS2200078

WARR-E464548

COURT CHARGE 02-KIDNAPPING

COURT DISP-CONVICTED;15 YEARS

COURT DATE-05/21/1996

CIT-20-7-60 FELONY

372

DOC-96GS2200078
WARR-E464549

COURT CHARGE 03-ILL-TREATING
CHILDREN, SERVANTS, OR INCOM
PETENTS
COURT DISP-CONVICTED; 10 YEARS
COURT DATE-05/21/1996

CIT-16-3-656 FELONY
DOC-96GS2200078
WARR-E464551

COURT CHARGE 04-ASSAULT/INTEN
T COMMIT CRIMINAL SEX
CON-1ST DEG
COURT DISP-CONVICTED; 10 YEARS
COURT DATE-05/21/1996

CIT-16-23-410 FELONY
DOC-96GS2200078
WARR-E464552

COURT CHARGE 05-POINTING AND
PRESENTING FIREARMS AT A
PERSON
COURT DISP-CONVICTED; 5 YEARS
COURT DATE-05/21/1996

SC018025C LIEBER RECT EVAL CT 08/01/1995 CUSTODY STATUS-RECEIVED
CASE-228134
CIT-24-13-410 FELONY
START DATE-08/01/1995

COURT CHARGE 01-ESCAPE
COURT DISP-CONVICTED; 6M NO
PROBATION

SC018025C LIEBER RECT EVAL CT 05/22/1996 CUSTODY STATUS-RECEIVED
CASE-232890
CIT-16-11-312(B) FELONY
START DATE-05/22/1996

COURT CHARGE 01-BURGLARY (VIOL
ENT) (AFTER 6-20-1985)-
2ND DEGREE
COURT DISP-CONVICTED; 15Y

CIT-16-3-910 FELONY

COURT CHARGE 02-KIDNAPPING
COURT DISP-CONVICTED; 15Y
CONCURRENT

CIT-16-25-65 FELONY

COURT CHARGE 03-CRIM DOMESTIC
VIO OF A HIGH AND AGGRA
NATURE
COURT DISP-CONVICTED; 2CTS;
10Y CONCURRENT

CIT-20-7-60 FELONY

COURT CHARGE 04-ILL-TREATING
CHILDREN, SERVANTS, OR INCOM
PETENTS
COURT DISP-CONVICTED; 10Y
CONCURRENT

CIT-16-3-656 FELONY

COURT CHARGE 05-ASSAULT/INTEN
T COMMIT CRIMINAL SEX
CON-1ST DEG
COURT DISP-CONVICTED; 2CTS;
10Y CONCURRENT

CIT-16-23-410 FELONY

COURT CHARGE 06-POINTING AND
PRESENTING FIREARMS AT A
PERSON
COURT DISP-CONVICTED; 5Y CONCU

CIT-16-23-490 FELONY

RRENT

COURT CHARGE 07-POSS WEAPON
DUR VIOL CRIME, IF NOT
SENT TO LIFE

COURT DISP-CONVICTED; 2CTS; 5Y
CONCURRENT

END OF PAGE

01 - PAGE 02 TO FOLLOW

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WITNESSES:
SHERIFF'S OFFICE

ARREST WARRANT NUMBER:

A/W: H-844810

DR: 0253 §16-03-0656,0652(2)

DOI: 1-2-05

SID: SC00526597

D/L:

ACTION OF GRAND JURY

True Bill

ate

9.28.05

Foreman of Grand Jury

James M. Solomon

VERDICT

Foreman of Petit Jury

DOCKET NO. 05 GS22 951
The State of South Carolina,

County of Georgetown

20582

DCB

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2005

THE STATE

vs.

DARRELL THADDEUS SNOW
AKA DARYL SNOW



J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

ASSAULT WITH INTENT TO
COMMIT CRIMINAL SEXUAL
CONDUCT, FIRST DEGREE

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN) **INDICTMENT FOR:**
) **ASSAULT WITH INTENT TO COMMIT CRIMINAL**
) **SEXUAL CONDUCT, FIRST DEGREE**

At the Court of General Sessions, Convened on September 28, 2005 the Grand Jurors of Georgetown County present upon their oath:

That Darrell Thaddeus Snow aka Daryl Snow did in Georgetown County on or about January 2, 2005, assault [REDACTED] with the intent to engage in sexual battery with her while using aggravated force, to wit: that while armed with a knife, the defendant did grab the victim and pull the towel off that she was wearing, throw her against the wall then onto the floor, with the intent of committing Criminal Sexual Conduct-First Degree, in violation of Section 16-03-0652, 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. Dugan Hunt
SOLICITOR DUB

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Georgetown
STATE VS

INDICTMENT/CASE#:

AKA: Darrell Thaddeus Snow
Darrell SnowAW#: 2006 CS 12 326
Direct IndictmentDate of Offense: 12-28-04Race: [REDACTED]Sex: [REDACTED]Age: [REDACTED]S.C. Code §: 16-11-031(A)DOB: [REDACTED]SS#: [REDACTED]CDR Code #: 0 1 0 7 1 9Address: [REDACTED]City, State, Zip: [REDACTED]DL#: [REDACTED]SID#: 500526597☐ CASE RESTORED

SENTENCE

☒ PLEA ☐ TRIALIn disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Burglary 20 (non-violent)in violation of 16-11-312 of the S.C. Code of Laws, bearing CDR Code # 0 1 0 8 1 0☒ NON-VIOLENT☐ VIOLENT☐ SERIOUS☐ MOST SERIOUS☐ 17-25-46The 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:

Janice C. Bryant
Solicitor[Signature]
Defendant[Signature]
Attorney for DefendantWHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center, for a determinate term of 15 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on 16-380☐ 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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ set by SCDPPPS

Recipient:

*Fine:

\$14-1-206 (Assessments 107.5%)

\$14-1-211(A)(1) (Conv. Surcharge)

\$14-1-211(A)(2) (DUI Surcharge)

\$58-5-2995 (DUI Assessment)

\$ 35.13 (Public Def/Prob)

\$73.3, 1B TP (Law Enforce. Funding)

\$33.7, 1B TP (Drug Court Surcharge)

\$50-21-114(BUI Breath Test Fee)

\$58-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

TOTAL:

	\$
\$100	\$100.00
\$100	\$
\$12	\$
\$500	\$
\$25	\$55.00
\$100	\$
\$50	\$
\$40/ea	\$
\$	\$8.75
\$128.75	\$128.75

Court Reporter: Linda McCall

PTUP

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly

pmts. of \$ 10.00 beginning mo After release

\$ _____ paid to Public Defender Fund

Other:

☐ Appointed PD or appointed other counsel, \$35.13 TP Requires \$500 be paid to Clerk during probation.PRESIDING JUDGE [Signature]Judge Code: 0 1 0 1 4 1 1Sentence Date: 4-18-06

White - Clerk

Green - Corrections

Canary - Probation

Pink - Defendant

SCCA/217 (7/2003)

WITNESSES:

Georgetown County Sheriff's Office

ARREST WARRANT NUMBER:

A/W: Direct Indictment

C: 2468 §16-15-0140

DOI: 1-2-05

SID: SC00526597

ACTION OF GRAND JURY

Date

Foreman of Grand Jury

VERDICT

Foreman of Petit Jury

DOCKET NO. 2006 GS22 356
The State of South Carolina,

County of Georgetown

20582

DCB

COURT OF GENERAL SESSIONS

TERM 2006

THE STATE

VS.

DARRELL THADDEUS SNOW
AKA DARYL SNOW

J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

LEWD ACT ON A MINOR
CHILD

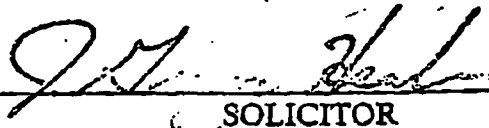
STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

INDICTMENT FOR:
LEWD ACT ON A MINOR CHILD

At the Court of General Sessions, Convened on _____, 2006 the Grand Jurors of Georgetown County present upon their oath:

That Darrell Thaddeus Snow aka Daryl Snow, being over fourteen years of age did in Georgetown County on or about January 2, 2005, willfully and lewdly commit a lewd or lascivious act upon or with the body of a child, less than sixteen (16) years of age, [REDACTED] age 13, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of said Defendant or of the victim, including but not limited to: the defendant did grab the victim and pull the towel off that she was wearing, throw her against the wall then onto the floor. This 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.


SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF
STATE

Georgetown

VS.

AKA:

Race:

Sex:

Age:

DOB:

SS#:

Address:

City, State, Zip

DL#

SID#

USC 00526597

INDICTMENT/CASE#:

A/W#:

Date of Offense:

S.C. Code §:

CDR Code #:

☐ CASE RESTORED

SENTENCE

☒ PLEA ☐ TRIALIn disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Level Detention MisdemeanorIn violation of §16-15-140 of the S.C. Code of Laws, bearing CDR Code # 2141613☒ 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:

Solicitor

Defendant:

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 15 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: DL-3512☐ 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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ set by SCDPPPS

Recipient:

*Fine:

\$14-1-208 (Assessments 107.5%)

\$14-1-211(A)(1) (Conv. Surcharge)

\$14-1-211(A)(2) (DUI Surcharge)

\$56-5-2995 (DUI Assessment)

\$ 35.13 (Public Def/Prob)

\$73.3, 1B TP (Law Enforce. Funding)

\$33.7, 1B TP (Drug Court Surcharge)

\$50-21-114(BUI Breath Test Fee)

\$56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

TOTAL

\$	
\$	
\$	
\$100	\$120.00
\$100	\$
\$12	\$
\$500	\$
\$25	\$25.00
\$100	\$
\$50	\$
\$40/ea	\$
\$	\$3.75
\$	\$128.75

Clerk of Court/Deputy Clerk

Court Reporter:

PTUP

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly

pmts. of \$ 10.00 beginning ma after release

Other:

☐ Appointed PD or appointed other counsel, \$35.13 TP
Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE

Judge Code:

Sentence Date:

White - Clerk

Green - Corrections

Canary - Probation

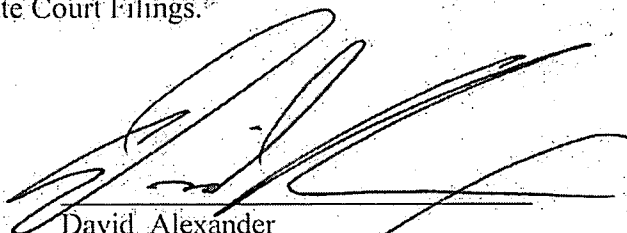
Pink - Defendant

SCCA/217 (7/2003)

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

June 13th, 2016

A handwritten signature in black ink, appearing to read 'David Alexander', is written over a horizontal line.

David Alexander
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT