

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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**ORIGINAL**

APPEAL FROM RICHLAND COUNTY  
The Honorable DeAndrea G. Benjamin, Circuit Court Judge

Appellate Case No: 2011-199787

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THE STATE

RESPONDENT,

v.

JOHN PETER BARNES

APPELLANT.

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SUPPLEMENTAL RECORD ON APPEAL

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1           were you, how do you remember it kind of happening  
2           that you told Scarlett this stuff?

3       A     Well, Scarlett needed to do -- well, she wanted to  
4           do her college prep homework, and she asked me to  
5           come with her in case she needed -- well, I think  
6           she might have wanted to -- have wanted help with  
7           her homework, so we went to the park just up the  
8           road that we sometimes called haunted because  
9           Scarlett got constantly hurt there. It was a  
10          little -- evening. And what happened was she took  
11          her homework. I went with her. We walked up a  
12          hill and we went to the park.

13                 We sat down on a park bench and we started  
14                 talking. I mean, it was just like -- nobody else  
15                 was around. It was about that time that everybody  
16                 was either rushing home or getting to night school  
17                 or getting to the graveyard shift or something. So  
18                 it was around that time.

19                 But we haven't like noticed anybody in the  
20                 place that our dad and stepmom lived in. Well,  
21                 what happened was Scarlett and I were just talking.  
22                 And then I told her about some events that were  
23                 happening in John's household.

24                 And then she got a little, how should I say  
25                 it, not like excited, not like -- like she got a

1 interviews. By blind interviews, I mean an  
2 interview where we don't know anything at all going  
3 in.

4 Q And on April the 19th, 2010, did you interview  
5 William Murray?

6 A Yes, I did.

7 Q And did you follow a protocol that you just  
8 described to the jury, the RATAAC?

9 A Yes.

10 Q And how old was he at that time?

11 A He was 11 the first time I saw him.

12 Q Was he able to give you any details?

13 A Yes.

14 Q And what, if anything, did you do at the conclusion  
15 of your interview with him?

16 A At the conclusion of my interview? Well, often we  
17 meet with a caregiver or family who has brought the  
18 child to the interview, what we call  
19 post-conferencing. If we have any recommendations  
20 at that time, we will give them to the family.

21 At this interview also Investigator Holdorf  
22 had observed the interview at the time it took  
23 place, so he was provided the interview as well.

24 Q Was the victim able to tell you where the  
25 allegations, the alleged allegations happened?

- 1           And that is what I did on this case. I called  
2           Mr. Barnes, explained to him I was an investigator  
3           with the Sheriff's Department, I had a criminal  
4           case he was named as doing something and I wanted  
5           to talk to him about it.
- 6           Q    And did he agree to speak with you?
- 7           A    Yes, ma'am. I believe he came in the same day that  
8           I called.
- 9           Q    And that date was June 18th?
- 10          A    Yes, ma'am.
- 11          Q    Where did you meet him at?
- 12          A    I work at the Special Victims Unit. We have an  
13          office at the corner of Pineview and Garners Ferry,  
14          1931 Pineview Road. It used to be the old State  
15          Farm building. We share the building with the  
16          Coroner's Office. And he came into our office and  
17          we sat in my cubicle.
- 18          Q    And when he came into the Sheriff's Department he  
19          came voluntarily?
- 20          A    Yes, ma'am.
- 21          Q    Did he -- how did he get there? Did he drive or  
22          walk or --
- 23          A    He drove himself. We have a little small waiting  
24          area. I'll go meet him, introduce myself, we'll go  
25          back to my cubicle and start talking.

1 Q Was he in custody at that time?

2 A No, he was not in custody. He was not placed in  
3 handcuffs, not told he could not leave.

4 Q And so he was free to leave?

5 A Yes, ma'am.

6 Q Did he voluntarily speak with you about this -- the  
7 allegations?

8 A Yes, ma'am. He gave me a written statement.

9 Q Prior to that, did he indicate he could read and  
10 write?

11 A Yes, ma'am.

12 Q Did he appear to be, in your experience as a law  
13 enforcement officer since '94, did he appear to be  
14 under the influence of drugs or alcohol?

15 A He did not. His questions made -- or his answers  
16 to my questions made sense. His speech was clear.  
17 He wasn't incoherent. He seemed very well knowing  
18 what he was doing.

19 Q Did you use threats or coercion or promises of  
20 leniency for him to speak with you?

21 A No, ma'am.

22 Q Was his statement freely and voluntarily given?

23 A Yes, ma'am.

24 Q What if anything did you tell him regarding the  
25 allegations in this case?

1 I asked the question, what is your  
2 relationship with Amy Geiselman?

3 He said, I'm the father of her two sons. We  
4 don't talk anymore.

5 I asked the question, have you given William  
6 Dean a bath?

7 He said, yes, it was a bubble bath. He wanted  
8 candlelit baths. I'm afraid of open fires.

9 I asked, where was this at?

10 He says, at my house on Sunview Drive.

11 Q Now, where is Sunview Drive?

12 A It is in the Hopkins area of Richland County. Not  
13 far from Garners Ferry Road.

14 Q Now, Page 2 of the statement.

15 A It continues with -- this is always going to be on  
16 the statement forms, as well as this part down  
17 here. It is going to be the same.

18 And this is where he corrected me. Did you  
19 wash William?

20 And he answered, yes, mainly back and  
21 occasionally done his legs and arms.

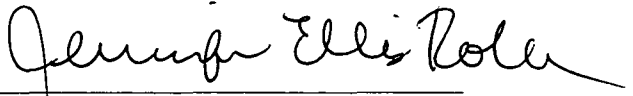
22 I asked a question, did you wash his genitals?

23 His response was, if I did, it was not  
24 intentional.

25 I asked a question, how often would you give

CERTIFICATE OF COUNSEL

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.

BY:   
\_\_\_\_\_  
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February 1, 2013